

City of South Lyon
Regular City Council Meeting
July 23, 2018

Mayor Pelchat called the meeting to order at 7:30 p.m.
Mayor Pelchat led those present in the Pledge of Allegiance.

Present: Mayor Pelchat, Councilmembers Kennedy, Kivell, Kurtzweil, Parisien, and Richards
Also Present: Chief Collins, Attorney Wilhelm, Fire Chief Vogel and Clerk/Treasurer Deaton

Mayor Pelchat announced Councilmember Walton will not be attending the meeting tonight.

CM 7-1-18 MOTION TO EXCUSE ABSENCE OF COUNCILMEMBER WALTON

Motion by Kurtzweil, supported by Parisien

Motion to excuse absence of Councilmember Walton

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

Councilmember Kivell stated on page 4, it should state he was concerned about the lot area, not the lot coverage. He further stated on page 7, it should state Councilmember Kivell stated if there is no objection, he will recuse himself. He further stated on page 8, the correct name of the contractor was McCarter, not Mcotter.

Councilmember Parisien stated on page 1, the motion to approve the bills, is misspelled, it should be bills, not billd.

Councilmember Kurtzweil stated during her comments regarding the Oakland County Sheriff's Department, it should state they are one of the top ten departments in the Country, not County.

CM 7-2-18 MOTION TO APPROVE THE MINUTES AS AMENDED

Motion by Kennedy, supported by Kivell

Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

Chief Collins stated he would like to remove item number 1 under New Business to correct some editing issues and to gather additional information and bring it back to Council at the next meeting.

CM 7-3-18 MOTION TO APPROVE AGENDA AS AMENDED

Motion by Kivell, supported by Parisien

Motion to approve agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT-

Mayor Pelchat then read the rules for the record, as they are printed on back of Agenda. Members of the public may speak at a Council meeting upon recognition by the Mayor. Public comment may

only occur during periods designated on the agenda for public comment or a public hearing. A person may speak for up to two (2) minutes during each of the two public comment periods on agenda items or non-agenda items. Waivers of the time requirement may only be granted at the discretion of the Mayor, and waivers to speak at a time other than a designated comment period may only be granted by the Council. Any person wishing to make a presentation longer than two minutes or requiring audio-visual equipment is asked to contact the City Clerk requesting to appear on a future agenda. A person may only address Council from the podium. Only one person may occupy the podium at a time. All remarks are to be directed to the Mayor and Council. Speakers are not to engage in direct dialog with other meeting attendees. Any person who violates the Rules of Conduct, disturbs the peace at the meeting, and/or interferes with the meeting may be warned, ordered to be seated, removed, and/or ticketed. *This summarizes Council Resolution 04-18. Complete Rules, including guidelines for considering waivers, are available in the Council Chambers and from the City Clerk.

Judy Keeling introduced her granddaughter, Ava Marie. Ava Marie stated she thinks that with all the school shootings going on, the kids should be taught to protect themselves.

Chase Turner of 23120 Woodland Glen, Northville. Mr. Turner stated he will be on the republican ticket as a possible choice to be a state representative, and he knows people want change, and is aware we have many issues, such as roads, and we have to keep our children safe. He then thanked everyone. Councilmember Parisien asked for his name and how they can get more information on him. Mr. Turner stated he has a Facebook page, Instagram, and his phone number is 248-794-0795 and he is always available to talk.

Ryan Lare thanked all of the people working with the Garden Club along with Councilmember Kurtzweil. He stated he will be joining the Garden Club as well. He further stated there is a lot of time and work involved and he then thanked the ladies from Northville who baked cookies for everyone. It was a great treat.

DISCUSSION- Downtown

Mr. Donohue stated there are a lot of things heating up downtown, we have had some exciting conversations with developers, which is confidential, but should be known in the next few months. Mr. Donohue stated the 28th is the first full day car show for downtown. He further stated there will be food trucks as well. He further stated the organization has been outstanding. Mr. Donohue stated the DDA is having a recognition night for all the volunteers and the business owners that have all stepped up in our community. Mr. Donohue stated we began properly managing the downtown almost 2 years ago. He further stated you can see where we stand, and he thinks we are about 2 years ahead of schedule and that is because the City had the foresight to put together a great master plan. He further stated the investments that are coming to us is very exciting. He then stated the 3 buildings downtown that are currently office space, and they are interested in becoming retail. He further stated the 3 Bonner buildings are for sale, and he will continue to report on the progress. He then stated the promotions and marketing efforts are coming along strong in the downtown. Mr. Donohue thanked the DDA for stepping up and understanding their role. Councilmember Parisien asked what the status for the downtown historical district is. Mr. Donohue stated we are going to proceed with historic preservation. Councilmember Parisien asked about 110 Detroit. Mr. Donohue stated they have supplied the owner with information from people that are interested in purchasing the home. Councilmember Richards stated the Providence Park Clinic occupies a big footprint, and they have put a lot of money into the building. He then asked if

he considers the doctors offices retail. Mr. Donohue stated the funeral home is an important service for our downtown. He then stated there are rumors that Providence will be moving out of the City, but he would like to keep them in the City at some area. He further stated if they do leave, it will be a great opportunity for a possible restaurant/retail business in that location.

Councilmember Kurtzweil stated Mr. Donohue has done a great job educating the land owners about the value of historical preservation. She stated he deserves a lot of credit for doing so. She then asked why we are not moving forward with the enforcement of the dangerous building ordinances and the code violations, are we going to stop until the buildings are sold. Mr. Donohue stated we are moving forward with the process that we agreed to, which is having a friendly informal meeting, then a formal meeting with property owners. He stated it is time to do so very soon. The Artcraft Building is valued at \$75,000 and they are listing it for \$250,000 and it needs \$300,000 in work. The RCA building is listed at \$350,000, but it is valued at about \$90,000. They clearly don't believe we are in a position to enforce our own ordinances. They want to sit on them until the values go up. He stated our ordinances should be enforced to the max. Councilmember Kurtzweil stated the issue is the land owner has run the property down so the tax value is minimal, and the City loses on that. They are trying to maximize the buildings without putting a dime into them. She further stated if they think the property is worth that amount, they need to get in there and do the work and sell the property. She further stated she doesn't want this to keep being dragged along. If we have to enforce the improvements, then we will. Mr. Donohue stated he knows there were 2 buildings that had written offers on them, but the sellers denied the sales. Councilmember Kurtzweil stated she had the opportunity to visit another State and watched Jurassic World, and all the businesses in the City involved themselves with that. She then stated it would be great to have a lobster event in town, such as the one in Northville. She further stated that event is highly visited.

Councilmember Kivell stated everyone on Council is in support to move forward with the few dangerous buildings downtown.

OLD BUSINESS

1. Proposed restrictive covenant for 128 S Lafayette

Attorney Wilhelm stated he is asking for this to be postponed once again until he can review additional information he has received from ASTI. He further stated Councilmember Kivell stated he wants to get this settled because of all the interest from developers in the City at the moment. Attorney Wilhelm stated that is what the bigger picture is. To take a closer look at the parking lot in the master plan for development.

CM7-2-18 MOTION TO POSTPONE THE APPROVAL OF RESTRICTIVE COVENANT FOR 128 S LAFAYETTE

Motion by Kurtzweil, supported by Kennedy to postpone the approval of the restrictive covenant for 128 S Lafayette until the first meeting in September

VOTE: MOTION CARRIED UNANIMOUSLY

BUDGET

Councilmember Kurtzweil stated she has two points tonight. One is to renew the discussions with Council regarding the unfunded pension liability that we have here in the City. She further stated she

found an article about pension spiking and this it is what occurs when a governmental employee is paid lump sums of money for their unused sick leave, and it boosting their retirement that the taxpayers get stuck with. She further explained the article dealt with the E. Lansing Chief of Police in Lansing that received lump sums of payout for their unused sick leave, and that added \$8,000 to his retirement and she further stated this is a reality and we need to analyze this issue and give employees the ability to increase their income, what happens now is the taxpayer is stuck paying an inflated pension amount. She further stated we need to look at the entity that is giving the opportunity for the employee to spike their pension. Councilmember Kurtzweil stated she also wants Council to start looking at capping some of the pension spikes. She further stated she spoke with Plante Moran and we now have an additional reporting for OPEB, and we have to deal with reporting that in the Audit. We will now have two unfunded liabilities that are not being dealt with. Councilmember Kivell stated that has been dealt with, and we are now looking at over the years, and we are on track for 20 years according to MERS.

MANAGER'S REPORT

Chief Collins stated he and Ron Brock have met with numerous Comcast Cable representatives. Their buildout project at Trotters Point Subdivision has not gone without many problems. Their contractor Corner Cable has caused a lot of damage. He further stated they have damaged, 1 electric line, 2 gas lines, 1 water service line, and 1 AT&T cable line. The City of South Lyon has invoiced them for over \$6,000 in expenses the City incurred for items the City has had to fix. Comcast has agreed to investigate the matter and ensure the invoice is paid. Chief Collins stated they also agreed to work with their sub-contractors to limit damages and to ensure any damaged property is restored. He stated the City is somewhat handicapped with how much control we have over this due to the Metro Act which allows cable companies to use the utility easements. Although we do have some control on the street right of way, and until he is satisfied they are properly insured they will be very careful, and until he is satisfied with that, he will not issue the permits for them to make their final connections. Chief Collins stated since July 3rd when he spoke with representatives from Comcast, there has yet to be any additional damage. Councilmember Kennedy asked if our people were involved with the repairs. Chief Collins stated the \$6,000 invoice covered the regular, overtime and the equipment to correct the damage. Councilmember Kennedy stated he wants to ensure we are charging them for all of our employee's time, the equipment used and hopefully an administrative fee, and any fringe benefits the employees receive as well. Chief Collins stated we should be, but he will have to check with the DPW person that prepared the invoice. Councilmember Kivell asked if all the damages have been on private property. He stated he is asking because it may be in their best interest to take photos before Comcast start their work to ensure their landscaping can be put back as it was before. Chief Collins stated it is in mostly the utility easements which is within the front 12 feet of the property, and he did caution Comcast that the residents in Carriage Trace which is where they are headed to next have to post a \$10,000 escrow for landscaping before they can even buy a house in there.

PUBLIC COMMENT- None

COUNCIL COMMENTS

Councilmember Kurtzweil stated she wants to add some additional commentary from the last meeting, because she again was told by someone there is still rumors going around that some of our Police Officers will lose jobs if Oakland County Sheriff continues to give the SRO to the South Lyon School District. She further stated that is not true, and if anyone has any questions regarding that, they should come to a

Council meeting and ask and get their facts straight. She further stated she wanted to clarify the school district is not completely being paid for by the South Lyon school District, Lyon Township is also paying a portion of that, and she wants to thank them for rising above the politics, their professionalism, for caring about the school's safety. She further stated Lyon Township have done this right.

Councilmember Kurtzweil stated she wanted to thank everyone for attending the Garden Walk, and for everyone participating. She further stated her garden has been part of the Garden Walk a few times, and the amount of time and money you put into it to get it ready is unbelievable. She then thanked Phil and Donna Munro, she has learned so much from them and their flowers are beautiful. They are in Oak Creek and he is very friendly with his neighbors and will help any of his neighbors. She then thanked Paula and Tim Geiman, she sat at their house on Lake Street, and their garden was unbelievable. She then thanked Paula for the plant list she provided to everyone.

Councilmember Kurtzweil then reminded everyone of the Blues, Brews and Brats is this Saturday and it is a great event and she hopes everyone can attend.

Councilmember Kurtzweil stated she also wants to thank Judy Keeling, she attends every meeting. She further stated we have so many volunteers in the City, but not always for the City, but so many volunteers for Active Faith, Kiwanis, all the people in the churches, and all the schools as well. She then thanked Judy Keeling for the project she is currently working on, it is fabulous and she wants to make sure she is recognized for making a difference in our City.

Councilmember Richards stated the new sidewalks at the Water Edge Apartment is stunning and it is close to a football field long. He doesn't know if a contractor or our DPW did the work, and having to work on that old bumpy sidewalk, he is so impressed, it is a miracle how smooth it is.

Councilmember Richards stated the tube mill shut down on the 4th of July for repairs, and when they started back up, they had a huge problem, and blew a transformer and the whole plant went down. They had to bypass that transformer and there was a lot of work done by the bike path. The most amazing thing is there was no injuries.

Councilmember Richards stated the playground equipment that was replaced at McHattie Park seems nice, it hasn't been opened very long. There was a dead tree removed as well.

Councilmember Richards stated the new business in town at 214 S Lafayette looks wonderful. He further stated there is a tenant in the building, Attorney Samantha Smith is the person that has paid for all of that out of her own pocket, it looks very nice and he wished her luck.

Councilmember Kennedy stated he wanted to remind everyone of the Lake Street Cruise in on July 25, as well as the Lake Street Motorfest on Saturday July 28th. He also wants to remind everyone of the Blues, Brews and Brats on Saturday as well.

Councilmember Parisien reminded everyone that we need volunteers for all of our boards and commissions.

Councilmember Parisien stated we have a gorgeous flyer for the Lake Street Motorfest this Saturday and it will be a great all-day event.

Councilmember Parisien thanked Mr. Turner for coming to the meeting, it is harder for youngsters to get their name out there because of their age, and she is happy he is getting involved in politics and government. She further stated she rallies behind young people getting involved and going door to door. Councilmember Parisien stated the new owners at the Corner Caffe has done a great job with the landscaping, it is beautiful and she wanted to thank them for all their effort.

Councilmember Parisien stated she will not be attending Blues, Brews and Brats, she will be at a municipal meeting in Chicago learning about different issues such as the #me too movement, climate control and other things.

Councilmember Kivell stated it is great to see the extension of the hours of the Corner Caffe and it is so nice to see people around town in the evening and it looks beautiful.

Councilmember Kivell stated he is looking forward to both of the car shows this week.

Councilmember Kivell stated there have been some comments about the lack of grass where the sewer break was, and he called Ron Brock and he stated the contractor has suggested we wait until September for the sod to be laid because of the hot and dry weather we will be having.

Mayor Pelchat stated he is looking forward to the Blues, Brews and Brats this weekend, as well as the car shows this week. He further stated he will be attending the golf outing for the American Legion as well. Mayor Pelchat stated he wants everyone to know that since Mr. Boven has left, both Ron Brock and Ron Beason have both done a great job stepping up and they have done a great job.

CM 7-3-18 MOTION TO ENTER INTO CLOSED SESSION

Motion by Kivell, supported by Kennedy

Motion to enter closed session, pursuant to "Closed session to consider the purchase or lease of real property pursuant to Section 8(d) of the Open Meetings Act, MCL 125.368(d)" at 8:23 p.m.

ROLL CALL VOTE:

Kivell- Yes

Parisien-Yes

Kennedy- Yes

Richards- Yes

Kurtzweil- No

Pelchat- Yes

MOTION CARRIED- 1 absent

CM 7-4-18 MOTION TO ENTER INTO CLOSED SESSION

Motion by Kivell, supported by Parisien

Motion to enter into closed session pursuant to "Closed session to review and consider the contents of applications for the City Manager position where the candidates have requested that their applications remain confidential pursuant to Section 8(f) of the Open Meetings Act, MCL 15.268(f)" at 8:23 p.m.

ROLL CALL VOTE:

Kivell- Yes

Parisien-Yes

Kennedy- Yes

Richards- Yes

Kurtzweil- Yes

Pelchat- Yes

MOTION CARRIED- 1 absent

Council then left the room to hold the closed sessions

Council reconvened the regular Council meeting at 9:43 p.m.

CM 7-5-18 MOTION TO RECONVENE REGULAR COUNCIL MEETING AT 9:43 P.M.

Motion by Parisien, supported by Kennedy

Motion to reconvened regular council meeting at 9:43 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

CM 7-6-18 MOTION TO DIRECT CITY ATTORNEY TO TAKE ACTION ACCORDING TO DISCUSSION HELD IN CLOSED SESSION

Motion by Parisien, supported by Kennedy

Motion to direct Attorney Wilhelm to take action according to discussion held in closed session

VOTE: MOTION CARRIED UNANIMOUSLY

CM 7-7-18 MOTION TO SCHEDULE CANDIDATE INTERVIEWS FOR CITY MANAGER POSITION

Motion by Kurtzweil, supported by Parisien

Motion to schedule interviews candidates numbered #1, #3, #4, #5, and #7 for the position of City of South Lyon City Manager on either Monday July 30th or Tuesday July 31st at 4:00 p.m. according to the availability of City Council

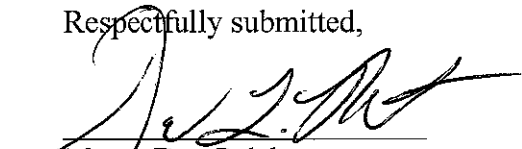
VOTE: MOTION CARRIED UNANIMOUSLY

Motion by Kivell, supported by Parisien

Motion to adjourn meeting at 9:50 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,



Mayor Dan Pelchat



Clerk/Treasurer Lisa Deaton