

City of South Lyon  
Regular City Council Meeting  
October 24, 2022

Mayor Pelchat called the meeting to order at 7:30 p.m.

Mayor Pelchat led those present in the Pledge of Allegiance

Roll Call: Mayor Pro Tem Kennedy and Councilmembers: Dilg, Kurtzweil, Kivell, Hansen and Mosier

Also present: City Manager Zelenak, Fire Chief Thorington, Lieutenant Baaki, Finance and Benefit Administrator Tiernan, and Clerk/Treasurer Deaton

MINUTES

CM 10-1-22 MOTION TO APPROVE MINUTES

Motion by Kennedy, supported by Mosier

Motion to approve minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

CM 10-2-22 MOTION TO APPROVE AGENDA

Motion by Dilg, supported by Mosier

Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

1. Ladies Night Out- November 11, 2022
2. Donation of park bench for McHattie Park

CM 10-3-22 MOTION TO APPROVE CONSENT AGENDA

Motion by Kurtzweil, supported by Hansen

Motion to approve consent agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Carl Richards of 390 Lenox stated on the south side of this lot that city hall sits on, was 3 lots that were sold to the city by Julie Zemke, the former City Clerk. He further stated there are 2 large walnut trees that are rotten at the bottom, and he thinks the liability for the city is high if they're not taken care of. He then stated at 501 S Lafayette there are walnut trees as well, but they are white walnut trees, not black. He then said he knows the book store was sold, and they are doing a lot of work in there, but he hasn't been told what kind of business it will be. Mr. Richards then stated there were a group of wild turkeys on Dixboro Road and he has never seen that before, but they will move on at a later time.

DISCUSSION- Downtown

Nate Mack, the Downtown Development Authority Director explained a shop small business event through Oakland County that South Lyon will be participating in. He stated for the month of November people can take a selfie in front of a small business and submit it and there will be 2 cash prizes. First place is \$1,000 and second place will be \$500.00. He stated he received 1,000 small bags and a frame people can hold to take the selfie. He then stated this is the last week for the Farmers Market. He then thanked Diana for the great work she did in doubling the vendors. He then stated they are continuing to

discuss the Winter Farmers Market that will be held at the VFW Hall. He stated as of now, Diana has 32 vendors for November 19<sup>th</sup>. He then reminded everyone of the Downtown Trick or Treat this Thursday and the Pup parade. Registration for the pup parade will be at 6pm. He then thanked Council for approving the road closures for Ladies Night Out which is November 11<sup>th</sup> and he said SLARA will have daycare from 5-9pm for \$36.00. Councilmember Dilg asked if they limited the number of children for the daycare? Mr. Mack said they did not. She then asked how the prize for the selfies will be determined. Mr. Mack stated he believes it will be a random drawing. She then asked him if he has considered doing a survey of the vendor for Farmers Market to see how successful they are, or if there are any changes they would like to see made. Mr. Mack stated he has not, but possibly in the future. Councilmember Kivell asked if there will be food vendors at the winter Farmers Market. Mr. Mack stated they are looking for food vendors right now. Councilmember Hansen stated he was happy to hear that the electric charging stations are moving forward. He then asked if there is any prep work the city can do such as ordering signs. Mr. Mack stated we can do that. Councilmember Mosier stated she thinks it would be a good idea to have some kind of survey for the Farmers Market vendors as well. We should find out what they think should be changed, or what they think is working.

#### FIRE CHIEF REPORT

Fire Chief Thorington stated they have had 872 incidents to date. He also stated the ladder truck is mostly ready and they are going for final inspection tomorrow. He stated they are looking into selling the current ladder truck. He further stated the floors are completed at the Fire Station and they look great. Councilmember Kennedy asked if they have smoke detectors and carbon monoxide detectors for our residents. Chief Thorington stated they have a hand full of smoke detectors, but they don't have any carbon monoxide detectors.

#### POLICE CHIEF REPORT

Lieutenant Baaki stated they are having a drug take back day on the 29<sup>th</sup> of this month from 10am to 2pm. He said they will collect them and turn them in to the DEA for disposal. He also stated they are having the Witches Hat Run on the 29<sup>th</sup> and trick or treating will be on Halloween from 6pm-8pm and they will have cars driving around handing out candy. Councilmember Kurtzweil stated she ran into a family moving here from New York. She said they listed the benefits of moving to South Lyon and the number one reason was safety. She said they drove around and seen people leaving bicycles outside their homes, and leaving their cars outside of their garages, and again, safety was their number one reason for moving here. Councilmember Kivell stated this isn't specific to us, but it is bad that people put their old medication down toilets and he is glad we are being responsible. Lieutenant Baaki stated it is very effective, we have people come in weekly. Councilmember Kennedy stated this event is for unused prescription drugs, not things like vitamins, Tylenol and things like that. Lieutenant Baaki stated this is for prescription drugs to keep them out of the hands of children and others, but they have taken other medications as well.

#### UNFINISHED BUSINESS- None

#### NEW BUSINESS

##### 1. Resignation of Chris Sovik as Police Chief

City Manager Zelenak stated last year, Chief Sovik announced that he would be retiring in the fall of 2022. The city has received notification from Chief Sovik that his last day will be November 30<sup>th</sup>. He then personally thanked Chief Sovik for his 30+ years of service to the community and his leadership, experience and humor will be missed by everyone who had the chance to work with him. He further stated the city will be hiring a new Police Chief, and he has been speaking with Lieutenant Baaki about

the position and based upon those discussions, it is his intention to promote Lieutenant Baaki to be the new Police Chief for the City of South Lyon beginning December 1<sup>st</sup>.

CM 10-4-22 MOTION TO ACCEPT RESIGNATION

Motion by Dilg, supported by Kennedy

Motion to accept the resignation of Chief Chris Sovik

ROLL CALL VOTE:

Kivell- Yes

Mosier- Yes

Kennedy- Yes

Kurtzweil- Yes

Hansen- Yes

Dilg- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. First Reading of Ordinance to amend the South Lyon Code of Ordinances, Chapter 34, Article II Downtown Development Authority Ordinance

City Manager Zelenak explained the TIF public act 57 of 2018 provides that the Chief Executive Officer shall make appointments to fill vacancies on the DDA. MCL 125-4304(1)(f). The DDA bylaws provide that the Chief Executive Officer of the city shall make appointments to fill vacancies on the DDA. Section 4.2 of the City Charter provides that the mayor is the Chief Executive Officer. The DDA ordinance Chapter 32, Article II, defines the City Manager to make appointments to fill vacancies on the DDA. This amendment reconciles the DDA Ordinance with the (act)and updates references to the Act.

CM 10-5-22 MOTION TO APPROVE FIRST READING

Motion by Kurtzweil, supported by Hansen

Motion to approve the first reading of the ordinance amending the Downtown Development Authority Ordinance to make it consistent with state law

VOTE:

Dilg- Yes

Mosier- Yes

Kurtzweil- Yes

Hansen- Yes

Kennedy- Yes

Kivell- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

3. Discussion of potential uses for ARPA funds

City Manager Zelenak explained that the city will be receiving funds as part of the American Rescue Act. He stated he has met with department heads to see if there are potential uses for these funds within each department. The city still hasn't received definitive uses of the funds, but a discussion is necessary. Finance and Benefit Administrator Tiernan stated she has been able to find some information on what other communities have used the funds for. Infrastructure, safe drinking water and additional pay for first responders have been approved. Councilmember Dilg stated she spoke with Elissa Slotkin and she promised we would receive a phone call with additional information on what the funds can be used for. Councilmember Kivell asked about the mandated reflective street signs. City Manager Zelenak stated we currently have those, but he will check into it. Councilmember Kivell stated there are a lot of places where you can't really see the signs and they aren't as noticeable. Councilmember Kennedy asked about fixing the bridge by Oak Creek as well as 2 other walking bridges throughout the trails. Ms. Tiernan stated we are classified as non-entitlement and we know infrastructure is allowed. Councilmember

Hansen asked about the city getting Wi-Fi in our parks for the public. Ms. Tiernan stated you would have to have the funds to continue the program after the funds are spent. She then stated the funds must be spent by 2026. Councilmember Kurtzweil asked if the funds can be used to improve the Farmers Market. Ms. Tiernan stated the funds have been approved in other communities, more classified as a DDA project. City Manager Zelenak stated funds can be used to improve the parking lot and facades throughout the city. There would have to be guidelines for the improvements so we aren't giving funds to a business that will then just leave the city. Councilmember Kurtzweil stated we should start outlining where the funds will go. Ms. Tiernan asked each councilmember to email the city manager their top 2-3 items they would like to see the money spent on. City Manager Zelenak stated he will make a list of the department head suggestions along with Council's suggestions. He reminded everyone the bridge on the trail by Oak Creek alone is a \$200,000 project. Mayor Pelchat stated he agrees that the funds should be spent where the public can see the improvements. He further stated the bridge is a good idea and he thinks some of the city's older buildings could use some improvements as well as security for our employees. Ms. Tiernan stated the funds can be used for infrastructure in those buildings, as well as security items including IT. Mayor Pelchat stated there are more and more phishing scams out there. Councilmember Kennedy stated there is a ten million dollars grant through SEMCOG for trails and another one for recreational parks. Councilmember Kivell stated he would like to see more consideration for developing 390 S Lafayette. City Manager Zelenak stated parks improvements and enhancements are allowable uses. He also stated that the SEMCOG grants are matching grants, so we would have to match the ten million dollars. He further stated we could look at widening the trails from 8 feet to 12 feet. Councilmember Dilg asked about using some of the funds as bonus funding. Ms. Tiernan stated you can use the funds as communities did in 2020 for extra pay for first responders, Police and Fire. She further stated it could be used to recruit and encourage people to stay working for the city. She stated they could be paid at the normal rate, then after so many days they could be given a signing bonus. She further stated some communities used it to raise their wages, but you will have to keep funding it after the funds are spent in 2026. City Manager Zelenak stated it can be used for purchasing emergency response equipment as well. That also helps with recruiting new employees by having the best equipment.

BUDGET- No discussion was held

#### PUBLIC COMMENT

Carl Richards of 390 Lenox stated there is a new director at Providence, and Dr. Shepherd will be his new doctor.

He stated half of the staff quit last year, which he's never heard of before. He then stated he spoke with Tom Slater from the tube mill, and they have settled their union contract for the next four years. He said they need more employees.

#### MANAGER'S REPORT

City Manager Zelenak stated we will be discussing raising the purchasing limit at a future meeting. He further stated at a meeting in November we will have a resolution before Council for the road bond which will enable the city to do a publication of notice of sale in January and closing of the bonds in February for use this coming spring/summer. He then explained the renovations are continuing at city hall, and they will begin the parking lot next week. He also stated the last phase of the DPW yard paving project has begun. He further stated he has been in discussions with Parks and Recreation regarding the lack of a name for the proposed new park on S. Lafayette. He stated they were discussing possibly naming it Lafayette Park, or Thompson's Corners. Councilmember Kennedy asked if he had any information on the new lids for the garbage cans downtown. City Manager Zelenak stated he will discuss that with Nate.

Councilmember Kurtzweil asked the city manager what his opinion is on the rapid transit tax and how it will affect our residents. City Manager Zelenak stated they are proposing a .95 mill on all Oakland County taxpayers. It will generate 65 million dollars the first year. We utilize Peoples Express for our residents. He stated our County Commissioner voted no on the ballot proposal language because he doesn't think it benefits the communities he represents. They have not given anyone much information and they don't have a back-up plan if it doesn't pass and the original smart mill will not be renewed. This mill is for everyone in Oakland County. He stated if passed, they will receive \$450,000 from South Lyon. There is not enough detail to even show how the money will be used. Mass transit is a good thing but he doesn't see any benefit to the city or its residents. Councilmember Kurtzweil stated our seniors are very worried about it. That will be a very large tax increase for 10 years and they don't allow communities to opt out. The service run will be out of Pontiac. She stated this will be devastating. She further stated she heard some of the money will be going to Detroit. Councilmember Kivell stated the historical obstacle had always been Farmington because they wouldn't allow SMART to end up working in their jurisdiction, so everyone on the west side thought they were safe from having not having people from other communities getting access to be able to come into their community on public transportation. Obviously, the people at Oakland County think that's a step in the right direction. He would like the city to entertain the idea of entertaining what we could end up getting from it by exhaustively trying to expand that rather than saying we're going to end up pitching in that money and not get anything. City Manager Zelenak stated they have talked about expanding that, but they have not defined this area as an area of expansion. They've been looking at the other area of the county. It is very hard for a voter to show them the benefit is to our community when we don't know what it is going to be yet. It is very disappointing that they are telling people to vote yes, when they can't show what the benefit will be. Councilmember Kurtzweil stated it is her understanding there isn't a board in place to oversee it. So, they'll be collecting money for 3 years and just let it sit in their bank. There is no plan. She further stated this is tough. She feels bad for Lyon Township, they are looking at several tax increases for the library, Fire and now possibly the transit tax. City Manager Zelenak stated that \$450,000 could really enhance our city instead of giving it to the county.

#### COUNCIL COMMENTS

Councilmember Dilg stated reminded everyone to get registered to vote and to get out and vote. It is an important Election and everyone needs to vote. She also asked everyone to read and understand the proposals.

Councilmember Hansen apologized for missing the last meeting but he was ill. He then stated he likes the new video system and he was able to watch the council meeting and get caught up in HD and the cameras are working amazingly. He then stated he attended the first German fest with the Chamber of Commerce and several councilmembers. It was a great first event. He stated it was well attended with over 75 business members and local professionals enjoying some great German food at the South Lyon Hotel and some great music. He gave kudos to the chamber for putting on the event and stated it was good to see so many people in attendance. He then reminded everyone that the war in Ukraine is still going on, and we are at day 242, and if everyone is able to do their part, even if its as small as buying a pint of beer at the Witches Hat that benefits world food bank or even just making a direct donation to benefit the people of Ukraine. We're all thinking about them in our thoughts and hearts and he hopes it ends sooner than it continues.

Councilmember Kurtzweil stated she would like to echo Councilmember Hansen's comments about Ukraine. She stated she quit watching the news for a while and just turned it on recently, and the news just doesn't get any better. But what it does is reinforce how lucky we are to live in this country. We

may disagree with one another, and sees things differently, but we are extremely fortunate group of individuals that live in the greatest country. She stated she can go home at night and not worry about someone dropping a bomb, she can walk freely in the streets without being mugged. This is a great country and we need to fight for what is good in this country and accept the diverse opinions and understand we don't all speak with one voice, we speak with many voices and at the end of the day, we are all Americans. She then stated she had a great time at the South Lyon Hotel and she was there twice last week, and the German fest was absolutely very good, she enjoyed it and Cory did a great job. She stated she also attended comedy night which was fundraiser for Active Faith and that was also packed and the Hotel is doing a great job. She then thanked Cory and his crew and they are up to full staff. She then reminded everyone of their Halloween party on Saturday October 29<sup>th</sup> and everyone will be in full costumes for the contest and it will be a wild night.

Councilmember Kennedy congratulated the South Lyon High School Girls Swim and Dive Team for finishing in 1<sup>st</sup> place in the Lakes Valley Conference with a 5-0 standing. He also wished them the very best as they move on to the Conference Competition on November 4-5! I know that the South Lyon Community is certainly hoping they'll go all the way. He then welcomed two new businesses to the City of South Lyon. The first is Painted Croc Pottery and Art Studio that opened in King Plaza. They offer paint your own pottery along with other crafting projects and have something for all ages. So, he hopes everyone will make plans to stop in soon. He then stated the second new business is Mark Pagels, Edward Jones Financial Adviser who recently opened his own office in Brookdale Plaza. Mark is a longtime resident of the South Lyon community and has been providing financial advice for a number of years. So, if you're looking for advice for dealing with the challenges in the current economy, stop by and talk with Mark. He then reminded everyone of the Downtown Trick or Treat on Thursday, October 27<sup>th</sup> from 6-8pm as well as the Pup Pawrade. So, put on your costumes and come downtown for an evening of fun. He then stated Diane's Doll House is scheduled to reopen on November 25<sup>th</sup>, so that will be great news for the holiday season.

Councilmember Mosier also reminded everyone to vote. She then stated she also attended the Chamber event German Fest and it was a lot of fun and she hopes to attend a few more. She then stated this week is the last Farmer's Market for the season and most of the vendors dress up for Halloween and they'll be passing out candy so she hopes everyone will bring the kids out.

Councilmember Kivell he hopes everyone enjoys themselves Halloween and its always a lot of fun to see all the little kids walking around in their costumes, it really is awesome.

Mayor Pelchat stated he hopes they can have some nice weather for downtown trick or treating as well as on Halloween. He then stated Friday night was the South Lyon and South Lyon East football game and it was incredible. The atmosphere was awesome. Congratulations to the Cougars, they won 27 to 21 and their reward for that is they will get a rematch with the Lions on Friday at South Lyon East. If you missed last weeks game, he encouraged everyone to go and get there early. It was great. Anytime they play each other, the student's section is a lot of fun. The winner will get the Milford team next. He then reminded everyone that sometimes people need help, whether it is Active Faith or another charity, he hopes everyone can donate. He said he tries to annually donate to the Heat and Warmth Fund through DTE and Consumers that helps people keep their heat on.

CLOSED SESSIONCM 10-6-22 MOTION TO ENTER INTO CLOSED SESSION

Motion by Kurtzweil, supported by Mosier

Motion to enter into closed session to consider attorney/client privileged communication in accordance with MCL 15.268 (1)(h) and to consult with legal counsel regarding trial or settlement strategy in connection with Oakland County Circuit Court, Case No. 21-190850-CD (Douglas v. South Lyon), MCL15.268(1)(e)

ROLL CALL VOTE:

Dilg- Yes  
Hansen- Yes  
Kurtzweil- Yes  
Kennedy- Yes  
Mosier- Yes  
Kivell- Yes  
Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

\*Council adjourned to closed session at 8:47 p.m.\*

\*Council reconvened the open session at 9:30 p.m.\*

CM 10-7-22 MOTION TO DIRECT CITY ATTORNEY TO PROCEED BASED ON DISCUSSION IN CLOSED SESSION

Motion by Kurtzweil, supported by

Motion to direct city attorney to proceed based on discussion in closed session

ROLL CALL VOTE:

Kivell- Yes  
Mosier- Yes  
Kennedy- Yes  
Hansen- Yes  
Kurtzweil- Yes  
Dilg- Yes  
Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

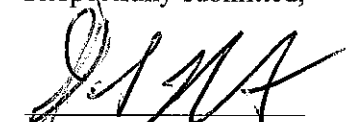
ADJOURNMENTCM 10-8-22 MOTION TO ADJOURN

Motion by Kurtzweil, supported by Kennedy

Motion to adjourn the meeting at 9:35 p.m.

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

  
Mayor Dan Pelchat

  
City Clerk/Treasurer Lisa Deaton