

City of South Lyon
Regular City Council Meeting
October 25, 2021

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

Mayor Pelchat led those present in the Pledge of Allegiance

Roll Call: Councilmembers: Dilg joined the meeting from South Lyon MI, Kurtzweil joined the meeting from South Lyon MI, and Kennedy joined the meeting from South Lyon MI, Richards joined the meeting from South Lyon MI, Walton joined the meeting from South Lyon MI, and Kivell joined the meeting from South Lyon MI

Also present: City Manager Zelenak, Attorney Hamameh, Chief Sovik, Deputy Chief Weir, DDA Director Mack, Finance and Benefit Administrator Tiernan, and Clerk/Treasurer Deaton

MINUTES

CM 10-1-21 MOTION TO APPROVE MINUTES

Motion by Kennedy, supported by Kivell

Motion to approve the minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

CM 10-2-21 MOTION TO APPROVE AGENDA

Motion by Kivell, supported by Kennedy

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PROCLAMATION

Mayor Pelchat read the attached proclamation for the First Presbyterian Church for their 190th year in the City of South Lyon.

PUBLIC COMMENT- No public comment was held

DISCUSSION- Downtown

Nate Mack, the Downtown Development Director updated Council on the Farmers Market, the grand opening for the Twisted Cork and the downtown trick or treating event. He stated the Farmers Market partnered with the Cultural Arts Commission and there was a lot of art on display. He then stated this Saturday is the last Farmers Market for the season. Mr. Mack stated he has visited the Twisted Cork and they mentioned their grand opening was a success and they are hoping to have a ribbon cutting in the near future. He then reminded everyone the downtown trick or treating is this Thursday from 6pm-8pm. He then explained he met with someone from Ramco Specialties that is a manufacturing company in town and they said they will be expanding their footprint in South Lyon, so they will be adding additional jobs which is great to see. He also reminded everyone about Ladies Night which is November 12th and he is

happy to say the roads will be shut down from Lake Street to Whipple. He then stated the Cool Yule is continuing to meet. He then stated the concrete that was torn out at 106 S Lafayette will be replaced hopefully this weekend, depending on weather. Councilmember Walton thanked Mr. Mack and the previous DDA Director Bob Donohue for getting the cross walk completed at the Hotel. She then stated there are some issues in town where the sidewalks don't go anywhere, such as Reynold Sweet Parkway and Pontiac Trail. That should be looked at. We also need a crosswalk at the Witches Hat Brewery and there is a parking place next to a fire hydrant by the Farmers Market lot that needs to be looked at.

FIRE CHIEF REPORT

Deputy Chief Weir stated the Fire Department will be attending the downtown trick or treat event and will also be in the subdivisions on Halloween giving out candy. He then stated they will be having training on the new SCBA's that were delivered.

POLICE CHIEF REPORT

Chief Sovik stated he wanted to recognize 2 of our officers for a situation that occurred with a barricaded gunman. He stated they received a call about a man with a gun. Officer Jake Jacobs and Officer Travis Stevens were dispatched to the 200 block of Longfellow to investigate an individual carrying a rifle and pointed it at a neighbor, which then turned into a barricaded gunman situation. Both Officers handled the situation very well under stressful conditions. He further stated they had assistance from deputies from Oakland County. Officer Jacobs immediately built a rapport with the person and negotiated the incident to a peaceful resolution. Taking their safety and the safety of the suspect in mind every step during the quickly evolving incident was calmly made and executed to assure the incident had a positive and non-violent conclusion. This was a scary situation with an armed schizophrenic subject who was not in touch with reality and reluctant to cooperate. Chief Sovik then reminded everyone that the Wigs for Kids is coming in November. It is a non-profit charity that provides wigs to children or kids who have been afflicted with diseases, or they have not been able to grow hair for whatever reason. The officers always donate money in November and we call it No Shave November. He further stated some of our officers have already started not shaving. We are trying to raise money for a family in the South Lyon area. Any money raised will be used to purchase presents and food for Christmas. We will be working with Active Faith as well. The generator project is moving forward and Consumers Energy will be out December 8th to put in a larger gas main for the generator project. SPS will be out to install the gas lines. Chief Sovik stated the challenge coins have been a huge success and we have more ordered. He then stated they have raised \$2,435.00 from the sale of the coins and we have ordered more. He then stated the PD will be out during the Downtown Trick or Treating, as well as the trick or treating on Halloween. He stated during the drug takeback event, they received and turned over to the DEA, 136.7 pounds in prescription medicine. Councilmember Kurtzweil asked who the checks need to be payable to for the Wigs for Kids charity which she is a big supporter of. Chief Sovik stated you can go online or you can make the checks payable to Wigs for Kids and drop them off at the PD.

UNFUNISHED BUSINESS- None

NEW BUSINESS

1. Set CDBG public hearing

City Manager Zelenak stated each year HUD provides funds to jurisdictions for projects what meet their national objectives. In the upcoming year, we are expecting approximately \$27,487. In the past the city has designated the funds to be used for the senior center and Haven. The deadline for the application is December 17, 2021. We need to set a public hearing to hear comments relating to allocation of those funds.

CM 10-3-21 MOTION TO APPROVE PUBLIC HEARING FOR CDBG

Motion by Kivell, supported by Kennedy

Motion to schedule the 2022 CDBG public hearing for 7:30 p.m. on Monday, November 22, 2021

ROLL CALL VOTE:

Kurtzweil- Yes

Dilg- Yes

Kennedy- Yes

Richards- Yes

Walton- Yes

Kivell- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. Nyhart Actuarial valuation

Finance and Benefit Administrator Tiernan explained that this is for the GASB 74-75 interim actuarial valuation for the fiscal year ending June 20 2021. She stated this coincides with our annual audit. The objective of GASB 75 is to report post-employment benefits which is what we call OPEB for our retirees. Basically, we look at the covered payroll for current employees, and any new retirees. We currently have 45 individuals. The city provides pharmacy and some medical benefits, other cities may provide additional benefits. She further stated this is an interim evaluation, so it is an update to the June 30th 2020. We are rolling forward some information to update the liability. This will give us a good look at what funds we need to have to be in a good net position and start supporting the OPEB benefits. We are currently 25% funded which is great, because we just started funding it last year. We are currently in a 2-year contract with Nyhart who did the actuarial for us in 2020 and 2021. They are responsible for the calculations and Plante Moran take that in account with our financial statements. Councilmember Kurtzweil asked what the OPEB expense is and why there was an increase? Was it the cost of what we are supplying them, or did we have an increase in employees? Spencer Tawa of Plante Moran stated the calculation is based on a number of factors, one of the factors is the increase in pay for police retirees now get \$900 instead of \$700 and that increased the liability. Councilmember Kurtzweil stated that benefit expense isn't going away and if we want to get caught up to the funded ratio, this isn't going to go away, it will continue to eat away at funds. Mr. Tawa stated they should take that into account, so the numbers they are suggesting the city fund the OPEB should be correct. You have to remember this is all estimate, guessing what the health care costs will be and when we expect people to retire or when they begin to collect Medicare. They are also adjusting for inflation.

BUDGET- No discussion was held

PUBLIC COMMENT- No public comment was held

MANAGER'S REPORT

City Manager Zelenak stated we will have MERS attending an upcoming meeting, as well as the Historical Society to discuss their plans for placing a barn in the historic village. He stated we will be holding interviews for the Fire Chief position and keep Council posted. He explained we will continue to

have discussions and review the updated data and directives from Oakland County, the State of Michigan and the Federal Government. City Manager Zelenak stated we will be having an RFP for collection and disposal of solid waste, refuse, recyclables, yard waste and other services for distribution January 3rd and hope to have all the proposals returned by February 11th and plan on awarding the contract by March 28th. We will have a water rate increase, due to the water and sewer rate analysis that Council approved and that increase will take affect December 1st. He stated the work at the cemetery has started with the grading being done next week. He stated the installation site for the We Go swing has started and there is a fence surrounding the area and we hope to have it installed by this fall. He then stated the city has received part of the ARPA funds in the amount of \$618,643.50 which represents 50% of the allocated funds for the City of South Lyon. We need to remind everyone that the funds can only be used for particular purposes such as supporting public health expenditures, addressing negative economic impacts caused by the COVID-19 crisis, replacing lost public sector revenue to secure government services, providing premium pay for essential workers and invest in water, sewer and broad bank infrastructure. He further stated Council will be discussing those items at upcoming meetings. Councilmember Dilg thanked the City Manager for the work he has done on the crosswalks, everyone is very happy about it, including the lady that spoke before Council about almost hitting a lady and her baby. She hopes we can continue to look at more areas that need work on the crosswalks. Councilmember Kurtzweil thanked the City Manager for giving her assistance when she was asking questions and the DPW on the crosswalk. Some people tend to work more behind the scenes and sometimes we don't always know what each person is doing, but we are all on the same team and want to accomplish all the same goals. She stated she had many people stop and tell her about it and she was there on Sunday. She then asked about the tree that is by that crosswalk, she said many people contacted her about being in the way of the blinking lights. City Manager Zelenak stated they looked into that and they are aware of it, they will keep monitoring the situation. Councilmember Kurtzweil asked about the cross walk at Marjorie Ann and Pontiac Trail project. City Manager explained that originally the engineer wanted to have a crosswalk that jogged, but he told him that wasn't a good idea. They project will be completed, but the Township has to work on adding their water main in that area. Councilmember Kurtzweil stated people need to understand if it isn't done right away, there is another jurisdiction involved, it isn't just the City. Further discussion was held regarding the need for a cross walk near Marjorie Ann and Pontiac Trail. Councilmember Kurtzweil then asked about the scarifier that the city owns and if the city employees are trained to use it. She stated she was in Saugatuck over the weekend and their sidewalks were all very smooth, you can tell they have been ground down. City Manager Zelenak stated the DPW employees are using that to mill down certain sections, but we are predominantly working in the high traffic areas and downtown, we hope to do the subdivisions at a later time. It is a timing issue as well; they are working on leaves now too. Councilmember Kurtzweil stated it is a great piece of equipment because you don't have to rip up concrete and then replace it when the temps get cold. She further stated it is also a cheaper way to fix sidewalks and she would like the city to use it more often in more areas. Councilmember Kennedy thanked City Manager Zelenak and Doug for the installation of the crosswalk at the hotel with the flashing signal, that has been on his list for 3 years. He hopes it will work out as we hope so we can expand it to other crosswalks. He stated he is delighted to hear the township will extend the sidewalks straight across instead of a jog. It makes more sense even if it costs a little bit more. Councilmember Richards stated the City Manager is doing a great job and there are a lot of things he has to address every week and he has confidence he is doing the best he can. He then stated people are asking him why the barrier is up where the We Go Swing is going to go, maybe we could put up a sign staying what is going to be installed there. He then stated he saw the hole that has been dug and the exact location, but the contractors need to know surface water runs through there and tire prints make a lot of marks because of the mix of topsoil and shade. He doesn't think the concrete will cure in the 30-day times, maybe we

should make the foundation elsewhere then drag it to the location. He then stated everyone is concerned about 110 Detroit Street and in conjunction with our attorney's efforts, does the Oakland County 21-day rule apply in this situation when the owner of record is in California. How can we force them to comply if they are in California? He then stated he recently found out that the Oakland County Health Dept shut down the work on Dorothy. He hopes something can develop to get it cleared up and move the project forward. Councilmember Kivell stated he was wondering how we can be held hostage by people that are circumventing being served. Attorney Hamameh stated we hired a process server that is serving the owner in California. In addition we have an appointment with the Clerk's Office Register of Deeds to file a report of Lis Pendens which is a notice that there is pending litigation regarding the property so that any future buyer may purchase the property, they will be on notice. She further stated she doesn't think we will be having this issue in the future. Councilmember Kivell stated he thinks one of the benefits of the scarifier is we could be using that to help the residents with their sidewalks instead of forcing them to pay for the flags to be replaced and paying for a permit. He hopes we can maybe get a group of workers that can do that. We shouldn't be hammering the residents with a permit fee. He then stated his understanding on the cross walk was that Lyon Township was looking at their budget, but if the only impediment is the installation of the line is understandable.

COUNCIL COMMENTS

Councilmember Kennedy stated there will be a fund raiser at the Colonial Acres Clubhouse in Phase V on Jamestown Ct. on Saturday, November 6th from 7pm until 9pm. It will be open to the public and admission is free. There will be refreshments, door prizes, a 50/50 raffle and a silent auction with all kinds of great items to bid on. So, make plans to attend on Saturday, November 6th and pick up some gifts for the holidays. He then reminded everyone Thursday, October 28th will be the Downtown Trick-or-Treat from 6pm to 8pm. Also, there will be a Pet Parade held at 7pm. Registration begins at 6:30pm and there will be registration bags and treats provided to the participants. There will also be prizes for the best costume and best couples costume for the owner and their pet. So, make plans to attend, it's going to be a great evening. He then stated he has the privilege of being one of the judges for the event and he is looking forward to seeing all of the costumes. He then reminded everyone there is an election next Tuesday, November 2nd. Find out where the candidates stand on the various issues that are important to the city and its residents. Look at the voting guide prepared by the League of Women Voters and the questionnaire that was prepared by the South Lyon Herald for information about the candidates, or at least those candidates who thought it was important enough to take the time and make the effort to complete those questionnaires. This information is available online at <https://www.vote411.org/> and copies are usually available at the Salem-South Lyon District Library as well. The South Lyon Herald information is available at SouthLyonHerald.com. The people you elect at the local level often have greater impact on your daily lives than those you send to Washington. He encourages every voter to know who they are voting for, and to make that selection based on the candidate's qualifications not just the number of yard signs they might see for them. The best voter is an informed voter.

Councilmember Dilg wished all the candidates good luck and it has been a good campaign season and she hopes everyone gets out and votes. She then thanked Councilmember Walton for all her service and she hopes to see her around town. She then congratulated the South Lyon Football team on their undefeated season, it is really excited and she wishes them luck in the playoffs. She then congratulated the First Presbyterian Church on the 190th anniversary here in South Lyon. She stated she is not a member but she has always been pleased with their community service and welcoming everybody in the community. She

then congratulated the Twisted Cork, they have done a great job and she is very excited about the downtown trick or treat being back this year.

Councilmember Kivell stated he is happy the downtown trick or treating is back and it is nice to be out intermingling with people. He then stated the work that was done on Liberty Street worked out well and the lions share of the bumps have been taken care of and it turned out terrific. He then stated it is important for people to help decide who represents the city so he hopes everyone will get out and vote. It is important for people to take advantage of that right.

Councilmember Kurtzweil congratulated the First Presbyterian Church on their incredible anniversary and she encourages everyone to go to that church for their open house. They have a stunning stained-glass artwork and the community is lucky to have such a great piece of artwork. She stated the stained glass is breathtaking. She then stated she was able to speak with Linda Ross regarding the historical barn that is coming to South Lyon and as everyone knows, Linda is an incredible president of the Historical Society and she can't wait for the event to occur. She doesn't have a lot of details at the moment but we are lucky to have her in our community. She stated it is a once in a lifetime experience, attending a barn raising. She stated we should be thankful we are getting one here in South Lyon, our roots are from agriculture so let's enjoy our heritage. She then stated South Lyon has always had incredible access to the polls and our voters have always been able to come to our polls without any intimidation, unlike what went on at the TCF Center. We have peaceful elections and people need to understand the City of South Lyon's balanced on Election night and that speaks to our City Clerk and her ability to run very good, honest, clean elections. If you are a voter in South Lyon, you should be proud. She then stated if you are voting an absentee ballot, it is your responsibility to get your voted ballot to city hall. If it isn't at city hall by 8pm on Election Day, it will not be counted. You can walk it in at any time. She is not supporting anyone for this election, she is letting the voters decide.

Councilmember Richards also stated the First Presbyterian Church has been a marvelous stabilizing factor culturally and historically, some of his families were members of that church. People there know him very well and their efforts in our community is wonderful, and he wishes him the best. He then stated last Sunday was the last opening of the museum for the year, but there might be two openings in December and Linda will be determining that. We need people with metal detectors to find our stakes for the barn because someone knocked them down. He then stated the gardening will be closing down in two weeks. He stated we are going to bring in a portable saw mill to augment the restructuring of the barn in the making and it is down the road. He wanted to let everyone know Alekos has closed off their lobby and they open at 4pm and they are using the back entrance. He then stated he wanted to correct himself because the tube mill abatement goes through 2025, not this year, which is what he said before. He then stated we hope everyone gets out to vote next Tuesday. He is sure our government will be stable and move forward with a great team.

Councilmember Walton stated there are many things she will still be involved in such as the Cool Yule, Ladies Night and the First Responders Memorial and she will be at the last Farmers Market this coming weekend.

Mayor Pelchat thanked Councilmember Walton for her 4 years of service and he looks forward to seeing her around town. He then stated we have a great week of football ahead. The South Lyon Lions defeated South Lyon East this past Friday and we haven't had that many people in the stands since 1995. It was a healthy rivalry game. He then congratulated South Lyon East, they are a division 3 school and they got

into the division 3 playoffs at 3 and 6 because of their quality wins. He stated they are facing Mason on Friday night and they are a tough team. He then stated Saturday we have the Wolverines vs the Spartans at the big house and it will be a great week of football. Hopefully the weather will cooperate.

CLOSED SESSION

CM 10-4-21 MOTION TO ENTER INTO CLOSED SESSION

Motion by Kurtzweil, supported by Walton

Motion to enter into closed session pursuant to the Open Meetings Act, MCL 15.268(h) to consider attorney/client privileged communication at 8: 43p.m

ROLL CALL VOTE:

- Kivell- Yes
- Walton- Yes
- Richards- Yes
- Kennedy- Yes
- Dilg- Yes
- Kurtzweil-Yes
- Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

Council reconvened the open session at 9:35

CM 10-5-21 MOTION TO APPROVE THE RECOMMENDATION OF THE CITY ATTORNEY

Motion by Kurtzweil, supported by Kivell

Motion to approve the recommendation of the City Attorney in the letter dated October 20, 2021

ROLL CALL VOTE:

- Richards- Yes
- Kennedy- Yes
- Kurtzweil- Yes
- Dilg- Yes
- Walton- Yes
- Kivell- Yes
- Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

CM 10-5-21 MOTION TO ADJOURN

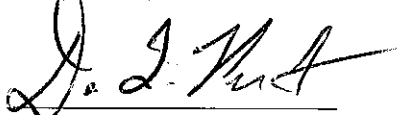
Motion by Kurtzweil

Motion to adjourn the meeting at 9:37 p.m.

VOTE:

MOTION CARRIED

Respectfully submitted,



 Mayor Dan Pelchat



 City Clerk Lisa Deaton