

City of South Lyon
Regular City Council Meeting
October 26, 2020

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: Dilg, Kennedy, Kivell, Kurtzweil, Richards and Walton
Also, present: City Manager Zelenak, Attorney Hamameh and Clerk/Treasurer Deaton

MINUTES

Councilmember Kennedy stated on page 4 the vote doesn't reflect Councilmember Richards voted no.
Clerk Deaton stated she will add one opposed.

CM 10-1-20 MOTION TO APPROVE MINUTES

Motion by Kivell, supported by Kennedy
Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

CM 10-2-20 MOTION TO APPROVE AGENDA

Motion by Kivell, supported by Kennedy
Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

CM 10-3-20 MOTION TO APPROVE THE CONSENT AGENDA

Motion by Kurtzweil, supported by Dilg
Motion to approve the consent agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT-

Kathy Crawford stated she is happy to be here. She then stated since we are approaching the end of her term in office, she wanted to let the Mayor and Council know how much of a privilege it has been to serve as your Representative in Lansing. She has always tried to really take their voice to Lansing. This region has been part of her life for over 78 years so she has always felt very connected to South Lyon, Lyon Township, Novi, Northville and the Walled Lake area and she appreciates all you do, it isn't easy being a politician in these times. She further stated she never saw herself as being a politician and she is sure the same for many on Council. She stated someone may have asked you to step up and do what you do and so we need people like you and people that are concerned about their community so keep it up even though it isn't always easy, it is important to have people that are concerned like you. Ms. Crawford then stated she is here to make a presentation to the Fire Department and Police Officers. She stated she doesn't have enough words and she always pride herself on having words for every occasion. Police Officers, Firefighters and our paramedics put themselves in the front lines of dangerous and traumatic events and it's common to wonder how do we possibly thank people that do things that are so amazing. We are grateful to those that have signed up and volunteered. She stated they put their lives on the line

for the lives of those we love ahead of their own and because they have chosen a fairly small community to serve in, they are in more of a position to be familiar with the residents that they serve and they may know them and she is sure that many of them have gone to Colonial Acres on other occasions and have talked to community members all the time. It makes it more challenging when we really personally know the people whose lives are in danger so on behalf of the State of Michigan and the City of South Lyon and this region, we want to say thank you to the fire, police and the first responders for what they did. She then read the names of all that are being honored with a tribute and life-saving, Chief Robert Vogel, Firefighter Alex Good, Firefighter Taylor Buchanan, and those receiving a unit citation are Sergeant Cindy Conrad, Firefighter Dan Laitinen, Firefighter Eleanor Shipley, Firefighter William Madsen, Firefighter Dexter Kernohan, and under lifesaving, Police Officer Travis Stevens and Firefighter Officer Jonathan Schneemann. She stated she has a tribute, but she isn't going to read each one but she will say what it says. She then stated she has a framed tribute to give to each one of them and it says, let it be known it is a pleasure and a privilege to join in honoring this dedicated public servant and you can insert any of the names that will be here. These skilled professionals and hardworking individuals for their invaluable contributions to the safety of our community, particularly in view of the recent tragedy at Colonial Acres, we wish to acknowledge our indebtedness to the members of the South Lyon Fire Department and the South Lyon Police Department who were responsible for putting out the fire and most assuredly saving lives and helping those residents. While exemplary public servants like these rarely receive the recognition they deserve, our communities could not function without dedicated individuals willing to devote their careers to public service and safety. These individuals have worked faithfully and courageously in the service of their community and they truly merit this recognition and this is in special tribute therefore this document will be signed the Governor of Michigan, the Lieutenant Governor, and also signed by Senator Runstad and herself. She thanked the opportunity to do this tonight. Mayor Pelchat thanked her for taking the time to recognize our first responders.

DISCUSSION- Downtown

Nate Mack stated he discovered a few weeks ago the City still has one Class C liquor license available. He had multiple conversations with the MLCC to be sure this was correct because everything he has seen in past reports showed that we didn't have one. He stated this is significant because the owner of the RCA building at 135 E Lake street was planning on applying for a redevelopment liquor license and part of that application process is that they have to display that they are unable to purchase a license out of escrow in Oakland County as well as the City not having any quota licenses available. Luckily this isn't going to hold him up, this is actually a good development for that there are a couple of other businesses that are interested in a quota license as well so we may be receiving a few applications for that. Mr. Mack stated the Lyon Area Task Force received results from a second survey that was done earlier in the month. The purpose was to determine the best way for the task force to proceed as we move forward through the colder months and how to gauge the effectiveness of the program so far. He further stated businesses stated their most pressing issues were the health and safety of staff and customers, uncertainty and future ability to operate their business and financial issues. With the results of the survey, we are developing a plan on how we want to move forward and he has contacted Main Street Oakland County and sent them the results of the survey and they are using the information to hopefully give us more resources based on the results. Mr. Mack stated on October 22nd there was a second round of funding for the Heartbeat of Main Street grant program provided by the National Main Street Center. He stated he sent out 6 letters of recommendations for downtown businesses that are applying, so hopefully the second round of grants will be successful in at least getting one business additional funding. He stated the annual DDA informational meeting will be taking place Thursday November 12th after the regular meeting concludes, so the start time will probably be around 9:00 a.m. and another informational meeting on November 19th

from 6:30 to 7:30 p.m. which will be an electronic meeting. He stated we will be posting information on the DDA's web page and the City's website by Thursday of this week to comply with the requirements of the PA57 of 2018. He stated he met with the individuals looking to open a winery and they indicated to him they are looking to locate in the City. Their initial desire was to open downtown, but they are finding there is no space for them, so they are looking in other areas in the City. He then stated the owner of the downtown Marathon station sent in an application for a tax abatement but we are requesting additional information before we move forward with that. Mr. Mack stated Moes Garage has been torn down, but he hasn't heard of any plans on the future plans of the property. He then stated the owner of 110 Detroit stated they will be demolishing their property by the end of the year. He then stated he introduced himself to the owner of Lefty's and the owner said the City of South Lyon has been great to work with. Councilmember Dilg asked if the DDA has discussed having an online Ladies Night and to have a small business Saturday. Mr. Mack stated they will start talking about that. He stated they will start working on that and he has applied to be a neighborhood champion for Shop Small Saturday so that will give us the floor mats, tote bags and things like that. He stated if we are accepted, he will be able to get those things and hand them out to people. He is hoping to do some sort of an in-person and online event, but he has to keep in mind the rising Covid numbers and the safety of people.

FIRE CHIEF REPORT

Chief Vogel stated he is a little caught off guard by the wonderful words of Kathy Crawford. He has been doing this for 33 years and that was wonderful and he is happy to recognize his staff and the police staff. He is very grateful for her to take the time to do this. We always say it is part of the job, but every now and then we go to a call where it's not the usual and the results were great and extraordinary and that is what happened on October 14th. He stated he is excited to pass the awards to the crews. He then stated we have been using some of our Oakland County Covid funds and today he tested the disinfect fogger and it worked pretty well. He stated they did the station and the apparatus and he is grateful to Patricia for guiding him through this process. He stated the crews were out at the SLARA trick versus treat on Saturday and it was very well attended. He is grateful for the crews that volunteered for the 4-hour event. He then stated ever since he was on tv talking about the smoke detectors we got overwhelmed. He stated if you call for a smoke detector and you got missed, we are working hard to fix the system and we will still come to every citizen's home in South Lyon to make sure you have either a working smoke detector or we will get a replacement. He reminded everyone they are not staffed 24 hours and if you call and get voicemail to leave a message and someone will get back with you. He then thanked everyone for their kind words. Councilmember Kivell asked if the shipping containers have been delivered. Chief Vogel stated they have and he has met with a few builders to figure out what we want, and he has met with the Deputy Chief at Green Oak who has some experience with it. We are hoping to be able to use it for training in the spring. Councilmember Kennedy asked if he wanted to talk about the second Lucas device. Chief Vogel stated it is a little early to tell if we will be able to get the grant for it.

POLICE CHIEF REPORT

Lieutenant Baaki stated he would like to thank Representative Crawford for recognizing our Police Department along with the Fire Department and they all did a great job and they will be very excited to receive those rewards. Lieutenant Baaki stated they will have a heavy Police presence at the polls, they don't expect any problems, but they want to ensure the Election goes well and everybody's comfortable. He stated the administrators have met with Comcast for the progress of our phones, and we are looking at mid-December. He stated they have received quotes for the new in-house camera system, our system is about 10 years old so part of the process is to ensure we have a good system here as well as a good interview room system. He stated we are hoping to use DEA funds and that will come before Council at a

later Council meeting. He further stated we are about to select our new Officer and are in the process of completing that process. Lieutenant Baaki stated the Halloween event at the High School went off without a hitch, it seemed like everything went well. He further stated on Halloween we will have a heavy Police presence in the subdivisions handing out candy to the kids as we do every year. He further stated we participated in the national prescription drug take back program and we collected 16 boxes of prescription medication which is a total of 240 pounds of unwanted meds that were then transported to the DEA for destruction. Councilmember Richards asked if the fence was installed. Lieutenant Baaki stated it is up and it looks great.

Plante Moran 2019-2020 audit presentation

Doug Bohrer and Spencer Tawa then gave a PowerPoint presentation of the 2019-2020 audit. *please see attached document*. Mr. Bohrer stated this audit was a unique situation, everything has been done virtually. He stated he was impressed how the City was able to adjust to it and it was pretty seamless. He stated they wanted to thank City Manager Zelenak, Patricia Tiernan the Finance and Benefit Administrator who is really the point person there. He stated this was really her first year through the audit and overall, they were very happy with her performance. He then thanked City Clerk/Treasurer Deaton who was involved as well and all the department heads that assisted. Mr. Bohrer discussed the summary of the audit process. He stated the City received an unmodified opinion which is the highest form of assurance that you can receive. He stated it is what the bond agencies and grant agencies look at. He further stated the general fund increased by about 15% and the capital additions mirrored what was done in 2019, there was just a slight decline. He further stated the City paid down 1.1 million in debt and there was no new debt added. He further stated the restricted water and sewer funds continue to build and those funds are available to support future capital plans for the water and sewer plants. He further stated some of those funds are being used for the replacement of the water tank which is being built. He then stated the City completed a water and sewer rate study to help some of the future decision-making regarding water and sewer rates and any capital improvement that will need to be funded within the water and sewer infrastructure improvements that may need to be done. Spencer Tawa discussed the graph package. He stated the general fund revenue has been steadily increasing mostly due to property taxes which is the number one source of revenue. He stated the taxable value has been increasing. He then explained that the city distributes tax bills and collects it, but not all of the money goes to the City. In 2019 only 37% collected went to the City, 50% goes to the schools and the rest goes to the County and the DIA, Zoo and Metroparks. He further stated the expenditures in the general fund increased in the DPW, road improvements and Cemetery and it is mostly due to professional services such as engineering fees for projects and some increased wages. He stated even with the increased expenditures the City still has a general fund surplus for the 3rd straight year. He then discussed the general fund balance compared to the expenditures. He stated it has been about 45-72%. He stated there is no blanket answer on what that comparison should be, the City should analyze future capital improvement costs to decide what percentage the City feels comfortable. Mr. Tawa stated the local and major road funds have a combined 3.4 million dollars in restricted funds, which is an increase. The funding is from the states Act 51 fund; they are all restricted. He then explained the water and sewer fund and stated the operating expenses were in excess of the revenue by \$180.00 He stated the City needs to look at the water and sewer rate study that was done earlier this year and decide what the costs and needs are for the water and sewer fund to determine what the rate should be going forward. He then explained the balance sheet for the City as a whole. He stated the total net position is about 22.4 million and water and sewer are at 27.7 million. He then explained the unrestricted and restricted has gone up the last few years, and it is mostly attributed the Act51 money that the City receives. He stated investing in Capital Assets through the years as they go through their depreciable lives, we would expect that to stay consistent either with new equipment or new

assets. Mr. Tawa state the unfunded pension liability is 6 million dollars which is a decrease of \$100,000 from the previous year and is mostly attributed to strong investment returns for the period ending December 2019. We know after that, investments have been very volatile, but they have crept up since March. The OPEB is 697,000 which is an increase of \$150,000 which is measured as of June 30, 2020 which is because of the investment rate assumed to be used for the calculation. The municipal bond has decreased down to 2.66%. Mr. Bohrer stated there have been no new benefits, it's just really a present value discounted rate that is there, and as that goes down the liability goes up. He then explained the slide reflecting the future expected contributions, which included fiscal year 2019-2020 pension and OPEB in addition to the revenue and it was 6.5% of revenue. He further stated the slide also reflects the assumptions MERS has given them. The City is at 7-8% of revenue. And we commend the City for planning ahead for these costs. The City has a plan to bring that down for a number of years. Mr. Tawa then discussed slides regarding the COVID considerations. He stated the state shared revenue fell from 2019 due to the COVID. Although it appears to only be about a 10% decrease, although that is all subject to change. He then explained the ACT 51 money for the road funds reflects a decrease in March of 2020 from 2019 as well as April, May and June, but has since been going up. Mr. Bohrer discussed the letter to the Mayor and Council. He stated the internal control related matters identified two items. One had to do with the internal control weakness because the bank reconciliations weren't all completely reconciled. He stated there were two accounts reconciled down to an amount but the remaining amount could not be reconciled as of the end of the year. He stated they recommend the City to continue to look for the unreconciled amounts and figure out what that difference is. It wasn't a material difference to the financial statements, but whenever we're dealing with bank reconciliations which is a key control if there is an issue, it falls into the internal control related weakness. The City is continuing to look at that. The second item trial balance account review and the review of journal entries. He stated 96% of clients have journal entries that are found as a result of the audit and you have to identify them. He stated there were several journal entries that was identified primarily related to how the state shared revenue was recorded. He stated the amounts were recorded and we did not find those as being material amounts to the statements or items that could become material amounts, but we recommend a more robust process be put in place to take place at quarter year end and fiscal year end to make sure the amounts adjusted are recorded correctly in the future. He then stated the required communication covered in the letter reflects we did not find anything in the financial statements where there wasn't appropriate authoritative guidance related to the accounting. There were no transactions recognized in the wrong period, either in the wrong year or the year after the transactions were recorded were reflected in the right period. All financial statements have some level of estimates and those were pretty consistent with other communities they audit, which included the unbilled water and sewer receivables. He stated other recommendations have been suggested in the past and a number of items have been addressed. We do recommend the daily reconciliation be done by two people concurrently as part of the daily closing out of the cash drawer. Councilmember Kennedy stated the previous water loss was at 6% to 9%, he then asked what is the current water loss? Mr. Tawa stated it was around 16% or 17% and they talked with the City Manager and the water department. They said it could be the water meters or a crack in a pipe. He stated the City is looking into it. Councilmember Kurtzweil stated Plante Moran always do a great job. She then asked about the bank reconciliations. She asked if that statement means the City doesn't know how to reconcile the \$26,000. Mr. Bohrer stated they have looked at many things that filter through the bank accounts, such as disbursements, collections, fees, and wires for certain things. He further stated the unreconciled amount was around \$26,000 and it could be a combination of a number of smaller items, which all have not been completely vetted, but we had to move forward with the audit, it isn't a material difference in the audit, so the City is going to continue to look at it, but if at some point it can't be found, the City will have to adjust to what we believe the correct balance should be. Councilmember Kurtzweil asked if it

will eventually be a write off. Mr. Bohrer stated he thinks with the right effort, we can get that down to a smaller number. Councilmember Kurtzweil asked about the statement that they recommend a broader ledger review process. Finance and Benefit administrator Tiernan stated this has been being addressed. She stated everything on a high level balanced, what was neglected was more of a detailed approach. She explained that for most of the year she was acting more as a Clerk than being able to do more of the detail looking into the financials that she should have been doing. She then stated there is no excuse, but we were short staffed, and we had some issues with some staffing that was there, but we now have a good key staff now and she feels moving forward this isn't something that will come up again. She further stated it was a learning process because there were certain things that balanced, she didn't realize there were other areas she should have been looking to make sure that the line items were where they should be. She stated another thing that will help is having a second set of eyes to look at it whether it be the City Manager or the Treasurer after she reviews the records. Councilmember Kurtzweil stated she just wanted to make sure there is a process in place. She isn't concerned about who was responsible, she wants to ensure there was a process in place so it doesn't continue. She then asked about the software vendor that was discussed that would give more detailed information. Ms. Tiernan stated that has to do with our cash bonds which are the bonds we receive from new builders as well as escrow fees for site planning. She stated in the past there seemed to be a hodgepodge of records whether they've been paper files, or excel documents. She then stated Carol has worked very hard in the last year to put everything together into an excel document. She stated she and Kelly McIntyre reviewed it and cleaned it up. The schedules they were able to produce for Plante Moran was at least able to show the activity of the year and tie that to the trial balance and the general ledger. She stated they could only find things back 5 years. There is no way of knowing if those builders are even still in business. She stated BS&A is our current software and they have some modules that we are looking into put into place by the end of the year. We plan on getting all the records entered and updated so we can begin with clean records. She stated in the process, we had to write off some fees that we knew we were never going to collect on. Councilmember Kurtzweil stated that was \$124,000 so this has been a problem for a while on the accounting side for a while. Councilmember Kurtzweil asked about a resolution for tap in fees. She stated Clerk Deaton has told her she hasn't seen a resolution, so she thinks it was by council decision. She further stated it refers to approved resolution language. Mr. Bohrer stated he does think they have a resolution and he will look into it. Councilmember Kurtzweil stated she has had discussions with the City Manager and he has said he would like to change that. City Manager Zelenak stated he believes we would use those fees to make improvements and if we used those fees, it would wipe them out on the water tower job we are doing. He further stated if there is a resolution in place, we would be following it anyway. The tap in fees would be used for improvements and they are restricted assets at those particular dollar amounts. He further stated he doesn't want to necessarily restrict assets, because that limits our ability to use the assets for any purpose for water and sewer. Further discussion was held regarding tap in fees. Councilmember Kurtzweil asked about the discrepancy between unbilled and treated water. Mr. Bohrer stated we look at units used versus units billed. He further stated the most likely answer is the meters which the City is already currently replacing. He stated the other issue he has seen in other communities is if they have had a major leak that they weren't aware of. City Manager Zelenak stated it could also have to do with the timing issue because we have done so many meter replacements within the system and the dollar amounts coming in based upon when in the month, they are coming in in the midst of replacing hundreds of meters because we are estimating so many at a time, not necessarily water loss. Councilmember Kurtzweil stated when you have a 16% to 17% water loss in unbilled water. She then asked if the goal is to raise everyone's water to make up for that money. She then stated we are supposed to discuss water hikes using a different method than what we are using now. Does this discrepancy reflect the reliability of the new formula? City Manager Zelenak stated he doesn't believe so, we think

the water meters are the problem. Superintendent Varney stated the failed check valve that was recently replaced, accounted for a minimum of 8%. We were recycling water through and you think it's going out, but it wasn't. Councilmember Kivell asked if the estimates are being done because the meters weren't functioning or because we weren't doing the meter reads? City Manager Zelenak stated we are in the process of changing meters and sometimes we are estimating and your timing is different than when the year-end may be, and if you estimated extremely low, then the next time you estimated high in the next quarter to get those particular numbers more in line when you are doing replacement of meters, that could be attributable to some of these percentages. He further stated we normally schedule the meter replacements throughout the year, but due to Covid we weren't allowing our employees to enter people's homes. Councilmember Kivell stated he likes the idea of having up to date on what the discrepancy is, rather than it just being annual. Further discussion was held regarding the water loss. Mr. Bohrer stated he just wanted to say, this was Patricia's first year of the audit and she was plugged in from beginning to end and take very good responsibility to what she does. He is confident the few things they identified will be addressed, and he has no concerns relative to that at all and he appreciates her for dealing with the remote working environment. Ms. Tiernan explained the valuation we have for the OPEB funding. There was a bit of an increase, but the most important thing is where it calculates the dollar amount the actuary is determining what we need to contribute each year to get us where we need to be. She further stated we were not able to get the OPEB trust setup with through MERS before the last week of June, but we were able to do that the first week of July. She stated it is now being funded and we are making our contributions into our trust and we have contributed \$64,000 and we are paying toward that liability so we can build equity and in years forward see that number go down.

OLD BUSINESS- None

NEW BUSINESS

1. Purchase of Kaeser blower for wastewater treatment plant

Superintendent Varney stated we currently have a failed variable frequency drive for blower #3 and this is a scheduled purchase for this budget year. He further stated this can be purchased out of the Capital Outlay account 592-557-970 with the total amount being \$13,007.00 He then stated Kerr Pump and Supply has offered to utilize a replacement and is including with the startup of the new VFD an 18-month warranty.

CM 10-4-20 MOTION TO APPROVE PURCHASE

Motion by Kennedy, supported by Walton

Motion to approve the purchase and installation of a new variable frequency drive for blower #3 at the wastewater treatment plant facility for \$13,007.00 under line item 592-557-970

ROLL CALL VOTE:

Walton- Yes

Dilg- Yes

Kurtzweil- Yes

Richards- Yes

Kivell- Yes

Kennedy- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. Recommended course of action for 390 S Lafayette

Mr. Mack stated at a DDA meeting on October 8th, the DDA Board discussed the soil borings at 390 S Lafayette Street. He stated that was done because this property was outlined in the master plan as a multi-

story mixed use property and to match up with the rest on the buildings along the core. However, based off the results of the soil borings and the cost estimate is just over a million dollars to dewater and remove the peat from the soil. Having a mixed-use development isn't feasible at this time. He stated the DDA board is asking Council to provide some guidance as to what the Council would like to see there, such as a greenspace, a gateway, or extra parking within 90 days. Councilmember Dilg stated she knows they recommended a parking lot and she thinks that would be a big miss, we have a good opportunity to have a nice park area with picnic tables for people to get food from the marketplace and go sit and eat. She doesn't understand why people say there isn't enough parking in the downtown. She wants it beautified, picnic tables and maybe some things for small kids to do. Councilmember Kennedy stated the last thing we need on that corner is more impervious surface, he thinks a park would be a plus in that area. Councilmember Walton stated she would like to see a nice mural, a statue or maybe a fire pit, or even a pond, just somewhere that everyone could visit. Councilmember Kivell stated he hopes down the line if Council changes their minds and decides to sell it, he hopes they will require someone to make a pitch for the property that is commensurate with what our view is as an asset at that location. Mr. Mack stated they agrees that we could have an RFP to ensure the targeted development is something Council wants to see in that location. Councilmember Kurtzweil stated she is familiar with that property and she doesn't know why anyone would be interested in purchasing it. She stated it is a very small property. She then stated she agrees with Councilmember Dilg because, our parks have been used so much this year. People were social distancing but this is a social and outdoor community. During the pandemic there are advantages to recreate outside. She stated we provide a tremendous support for our community of we continue to provide small recreational areas that can be used. She is in favor of keeping it under the City control. Mayor Pelchat stated he agrees and he wouldn't mind hearing what Parks and Recreation would like to see there. There is no reason to force fit a parking lot onto that property, and utilizing that property with things going on downtown makes more sense. City Manager Zelenak stated we could use the Cultural Arts Commission and the Parks and Recreation to get their ideas as well. Councilmember Richards stated he agrees with what everyone has said. We purchased the building because of blight, and we can't sell it but we are stuck with a gem. If we plan it right and with Cultural Arts and Parks and Recreation it can be developed with a light duty use, limited amount of parking and maybe a little pond. He further stated and maybe a light duty gazebo and a mural on the wall. It can be a gateway to the City and it can be wonderful if we plan that with an open mind. Councilmember Dilg asked about the funding for any project we would do. Mr. Mack we will explore all options for funding.

CM 10-5-20 MOTION TO PROVIDE PREFERRED OF ACTION

Motion by Kivell, supported by Kennedy

Motion to request Parks and Recreation and Cultural Arts to investigate idea to make 390 S Lafayette an asset for the future

ROLL CALL VOTE:

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

MOTION CARRIED UNANIMOUSLY

3. Rules and procedures for holding electronic meetings

City Manager Zelenak stated the Governor recently signed Senate Bill 1108 amending the Open Meetings Act. The changes allow public bodies to conduct virtual meetings. It applies to all boards and

commissions. as part of this, municipalities are required to establish rules and procedures for electronic meetings. The items discussed and approved pertaining to electronic meetings, will be added to the already approved City Council Rules and Procedures. Councilmember Dilg asked if we should be doing roll call vote for the agenda. City Manager Zelenak stated we should be doing that. Mayor Pelchat stated he assumed those items would be approved, but if people suggest we do, then we can. Attorney Hamameh stated she doesn't recall seeing anything for a roll call vote for everything. It was suggested by the MML. It is a good practice to have. She stated items such as the agenda or the adjournment, she doesn't think it will be challenged if it was approved unanimously. Councilmember Dilg asked if there is some technical difficulty and we can't get on the meeting, would we reschedule it? What if part of South Lyon and suddenly there isn't a quorum. Attorney Hamameh stated if the meeting isn't open to the public you are in violation. If the public can't join, then the meeting would need to be rescheduled. If Council couldn't participate either, a notice that the meeting is cancelled and will be rescheduled would be needed on the website. She stated the reason we worded that section the way we did is because if one member can't connect, and there is still a quorum, the meeting would continue. Councilmember Dilg stated she thinks we need a contingency plan in case of a zoom bomb situation. Attorney Hamameh stated one of the things we need to do is not use the term zoom in the notices, we should refer to them as electronic meetings. She stated other communities have only allowed only phone participation in the meetings. She further stated many communities have a company that monitors the meetings and they do a pretty good job. City Clerk Deaton stated one of the things we changed is the formatting, we went from regular meetings to webinars. She stated the only people that can show their screen are the panelists which are invited. Everyone else that joins the meeting enter as attendees and I have the ability to promote someone from attendee to panelist if necessary. She stated if someone does manage to get on the meeting and they are very disruptive and Council warns that person she can remove them from the meeting. Attorney Hamameh stated you can but the disruption would have to be to the level that if it was an in-person meeting law enforcement would have to get involved. City Clerk Deaton stated something else that we can do, is attendees cannot speak unless the host allows them to speak and if something happened and it was a zoom bomber, she has the ability to mute them right away. City Manager Zelenak stated another thing we have in place is the City Clerk is the host and he is the co-host, so if one of us goes down, the meeting can continue.

CM 10-6-20 MOTION TO APPROVE RULES AND PROCEDURES

Motion by Kennedy, supported by Dilg
Motion to approve the rules and procedure for holding electronic meetings with the caveat that approval of the administrative portions of the agenda can be conducted by voice and substantive areas be conducted by roll call vote

ROLL CALL VOTE

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

MOTION CARRIED UNANIMOUSLY

BUDGET- No comments

MANAGER'S REPORT

City Manager Zelenak stated the Fieldstone Final Site Plan which was approved by the Planning Commission will be brought before City Council in the first meeting of November. City Manager

Zelenak stated the water tank roof is being installed right now. He then stated we will be having a water and sewer rate study at the next meeting and Plante Moran will be joining us for the discussion. He then stated he has applied for and received a grant for City Council to receive notebooks through the Cares Fund to pay for HP Chrome books. He stated we are looking at additional software that may be needed in order to conduct particular meetings and for people to get into their email.

City Manager Zelenak stated we have received information regarding Holly Hills regarding potential for a conditional rezoning, they are asking to have it zoned residential and that will be going before the Planning Commission during the next month. Councilmember Kurtzweil stated when she and Rose attended the conference last year in Frankenmuth, a few people had tables they were using tablets and their packet was downloaded onto the tablet as well as their ordinances. She stated they had the opportunity to see how it works. Councilmember Kivell asked if the conditional rezoning would be rezoned based on what their plans are, not being rezoned and then they get to determine a plan afterwards. City Manager Zelenak stated they have a plan to present and then the Planning and Council decides to approve or not approve. Councilmember Richards stated the process started two years ago and we thought we were going to get the whole street improved. He stated now we find out we are only getting about three eighths of the surface. There is no clear cut date or time-table of when the whole street will be done and what is the overall cost going to be on Liberty Street. Councilmember Kivell stated he believes Liberty Street was \$65,000. City Manager Zelenak stated that is about half of it.

PUBLIC COMMENT- None

COUNCIL COMMENTS

Councilmember Kennedy stated he wanted to recognize and thank the South Lyon Area Recreation Authority, SLARA, for their Tricks vs. Treats event that was held on Saturday at the South Lyon High School football field. He further stated he had the opportunity to attend and participate in the event. It was extremely well organized and conducted and almost 400 kids attended in their costumes with their parents. So again, great job SLARA. He then encouraged everyone to be safe this weekend if they're going to be Trick or Treating, enjoy yourselves, but do it responsibly.

Councilmember Kurtzweil thanked Kathy Crawford for her decades of being an outstanding public servant. She further stated she is a class act and she is thankful she has been able to know her and she sends her and her family the best of wishes. She then thanked SLARA for the Halloween party they had. She stated we need to continue with the tradition on Saturday and many homes in her subdivision is decorated and we need some trick or treaters to stop by. The candy will be out in the drive way so there will be no contact. She reminded everyone to mask up and keep up good hygiene and have a good week.

Councilmember Dilg welcomed the two great candidates for the Cultural Arts Commission, it is exciting to see people volunteering for the commissions and becoming involved. She stated she is looking forward to trick or treating and we made a candy chute with pvc pipe because they thought that would be fun. She then stated Election Day is a little more than a week away and she hopes everybody votes and stays safe. She thanked Tim Davids for the Farmers Market; he has done a phenomenal job.

Councilmember Kivell stated the Farmers Market was substantially more successful than he could have expected. He stated everyone that has been there has done a great job and deserves our appreciation. He then stated he has enjoyed getting around and taking the color tour, it looks like it is waning now. He always enjoys this time of the year. He stated he hopes there are a lot of parents that will be taking their kids out for trick or treating so they can get the joy Halloween brings. He wished everyone to be safe.

Councilmember Richards stated 214 Lafayette there is a new Doctor in town and he is now opened. He stated he is from Plymouth and practiced for several years in Florida. He is a Doctor of osteopathy and this location is next to the bakery and he is enthused about his methods and he will be one of his new patients. Councilmember Richards stated the worst sidewalk in town has been replaced. It was in front of South Lyon Woods. It was done with the 50/50 plan with the DPW. He stated the Family Video closed and the only other two locations is Farmington and Westland. He stated the Parkside Apartments now have their permit for full occupancy. They are about 35-40% at present. He stated this project has been amazing and the timeliness of how the contractors worked. He further stated our Historical Society and Commission need more volunteers. We had to cancel most events this year.

Mayor Pelchat thanked Kathy Crawford for joining the meeting tonight. He stated it has been a joy to work with her and her staff. He congratulated the South Lyon High Schools Golf Team; they are the Division II State Champions. He stated Friday night, South Lyon and South Lyon East faced off in the annual football rivalry game and it was great. South Lyon came back late to win 14-7. Both teams will be in the playoffs this weekend. Mayor Pelchat stated our staff has been great with the COVID response. He thanked all the volunteers that will be working at the polls.

ADJOURNMENT

CM 10-6-20 MOTION TO ADJOURN

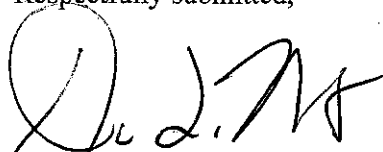
Motion by Kurtzweil, supported by Walton

Motion to adjourn a 9:40p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,


Dan Pelchat, Mayor


Lisa Deaton, City Clerk