

City of South Lyon
Regular City Council Meeting
November 8, 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

New Councilmembers: Mosier and Hansen

MINUTES

Councilmember Richards stated he wanted to correct information he said at the last meeting. A point of order was called by Councilmember Kivell and Kurtzweil, that adding language that wasn't said is not appropriate for amending minutes.

CM 11-1-21 MOTION TO APPROVE MINUTES

Motion by Kennedy, supported by Kurtzweil

Motion to approve the minutes of October 25, 2021 as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 11-2-21 MOTION TO APPROVE THE BILLS

Motion by Kivell, supported by Kennedy

Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

Mayor Pelchat stated we need to add under new business the nomination of our SEMCOG representative and Mayor Pro Tem.

CM 11-3-21 MOTION TO APPROVE THE AGENDA AS AMENDED

Motion by Kurtzweil, supported by Walton

Motion to approve the agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

1. Kiwanis Christmas Tree Sale

CM 11-4-21 MOTION TO APPROVE THE CONSENT AGENDA

Motion by Kurtzweil, supported by Walton

Motion to approve the Kiwanis Christmas Tree Sale

VOTE: MOTION CARRIED UNANIMOUSLY

CERTIFICATION OF ELECTION

Clerk/Treasurer Deaton congratulated Mayor Pelchat and Councilmember Kivell on being re-elected and welcomed and congratulated our new Councilmembers Mosier and Hansen. She then stated the Election

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went well, it was local so the turnout was only about 18%, but everything went well. She then thanked Deputy Judy Pieper, Carol Brandon the DPW crew as well as the South Lyon Police Department who are always a lot of help. She then swore in Mayor Pelchat on his upcoming 2-year term. Then swore in Councilmembers Kivell, Mosier and Hansen for their upcoming 4-year terms.

PUBLIC COMMENT

Councilmember Richards spoke during public comment before stepping down. He stated it has been an honor to serve the city for the past 4 years. He believes in democracy at work and the voice of the people. He thanked his colleagues for their support and fairness of this stage in his journey. He then stated Dan and Paul have shown great leadership from the unfortunate abyss we came into on the council and we have been better for it. He then stated he stands by his 4 years of voting and decisions that he made and with a humbled heart, he always tried to correct any misinformation that he gave to the best of his ability. In his candidate interview and he was asked by the reporter to give an honest response to the 3.2 mills and he answered truthfully. And although it was painful to do the facts are overwhelming and he wishes the new electors the best on their 4-year journey and he will return to being an activist and he may give facts in the future public comments. He also hopes to be part of the committee for the sesquicentennial that is coming up in a year and a half. He said this is still his home and he will be around.

Councilmember Walton stated it has been an honor and a privilege to work with this Council and we came into this in some very trying times and with an interim city manager and we came then met Paul and he has done a fabulous job for our city and he will continue to do great things and she is happy to see the council we currently have and we have been very successful. We have had interesting times and unprecedented times with the Coronavirus and trying to hold meetings and understand what is happening and not being able to go into city hall for discussions, and we have had to make some different efforts to get things done and this Council has done that. She thanked everyone for the previous 4-years and she is glad to see the city moving forward and she is looking forward to see what the city will do. This is her home and always will be and she is looking forward to being on the First Responders Bell Committee along with other committees.

There were no other public comments made

DISCUSSION- Downtown

Nate Mack, the Downtown Development Director congratulated the new councilmembers and Mayor Pelchat and Councilmember Kivell on their re-election. He then updated Council on numerous items, such as the Farmers Market finishing up for the season and it went well, and our Cool Yule event is now being called Holiday Spectacular. The event will still take place the first Saturday in December. We are planning on having a parade and he will share the other events as we get closer. He then stated he attended the Downtown Michigan Association Conference and he is now on the board and he is happy about that. He then reminded Council the DDA meets this week to discuss the new Farmers Market Manager contract with SLARA. He then reminded everyone of Ladies Night this Friday the 12th.

FIRE CHIEF REPORT

Cory Armstrong of the SLFD congratulated the Mayor and Councilmembers. He then stated they will be getting the new gear from the Firehouse Subs grant soon and 8 people will be getting measured on the 23rd. He then stated the challenge coins were delivered today and they can be purchased at the same rate as the PD coins.

POLICE CHIEF REPORT

Chief Sovik congratulated the new members and Council and the members that were re-elected as well as the outgoing members. He is looking forward to working with everyone. He then stated there were no issues with the downtown trick or treating event or the regular trick or treat. He stated they gave out candy in the different subdivisions and took some pictures of costumes and it will be in the yearly report. He then congratulated the Girls South Lyon East Cross-Country Team, they escorted them through the downtown area before they went to their meet and they came in 13th and it was a good meet. He then mentioned that the South Lyon High School Football team remains undefeated. Chief Sovik stated the No Shave November is still happening, for charity and they have received a donation from a councilmember and we will continue our charity fundraising. He then stated the Police Officers that are participating donated at least \$50.00 to participate and it is for a good cause. We also sent a few officers to Colonial Acres club house for the live auction event they had on Saturday. They had a good time. Councilmember Kivell stated there were a lot of happy people when the Officers were going through the subs and giving out candy. Chief Sovik stated they gave out about 1,800 pieces of candy. Councilmember Kurtzweil stated she is impressed with the community contacts the Police Departments make, not many other departments follow through with that. Chief Sovik stated he started the community contact program when he became Police Chief. He stated we wanted to be more involved with the community, even when we just go into businesses and introduce ourselves and tell them to contact the PD if they have any issues with anyone or anything. He stated it is a quick couple minute thing that means a lot. He then stated they also go into subdivisions and check in with people, it is intentional contacts, we help people change tires, and if they fall down, we assist picking them up. We want our community to know we are here and we do care about our citizens and having a partnership, which is very important. Councilmember Hansen stated he wanted to thank him too because his daughters got a kick out of being lifted up to get the candy from the officer in the patrol car and he thanks him again for doing that and allowing his officers to do that. Councilmember Kivell stated just those little things make people feel a little better about interactions with officers. Chief Sovik said we only have one chance to make a first impression.

UNFINISHED BUSINESS- None

NEW BUSINESS

1. Waste Hauling Contract Extension

City Manager Zelenak stated the city is planning to move forward with an RFP for waste hauling beginning January 3rd with selections no later than March 28, 2022. He then stated we recently received a letter from GFL requesting to extend the current contract, which would raise the rates by 4.5% beginning July 2022. He further stated he has supplied Council with the letter from GFL along with the copy of the draft RFP. He then stated Mike Csapo from RRRASOC and Sam Caramagno from GFL are here for any questions. Mr. Caramagno stated our contract is due in June and he is asking for an opportunity to extend the contract. He realizes we had some service issues earlier in the year that had to do with staffing issues, but he believes that has been corrected. This year was a trying time as for most people in the service industry. Councilmember Kurtzweil stated she wants to clarify that this contract is asking for a 4.5% increase as of July. She then asked what was the issue with providing the timely issue this past spring. Mr. Caramagno stated it was hard to hire enough employees when the government subsidies were being given out, it was hard to get workers and to get them to come to work. He stated the employees were making between \$17-\$21 an hour and they are now at \$23-\$24 and it was a challenge. He thinks they can now stabilize their workforce. Councilmember Kurtzweil stated if they had a union, they could

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lock in their labor costs, but without a union you cannot. She then stated some employers will be seeing more employee shortages if the vaccine mandate goes through. The increases may need to happen again, if you don't have a fixed labor cost. Mr. Caramagno stated everyone has had to increase wages and they are competitive. Some employees have been bouncing from one company to the next, but he believes their issues have been stabilized. Mr. Csapo of RRRASOC stated there is a third way of looking at this. The context of this should be does the waste hauler provide adequate service that is adequate to the residents. There were some issues over the summer, but he considers that an anomaly in terms of their overall service reputation it is as good as it gets. The service challenges felt by GFL over the summer was not unique to GFL nor, to South Lyon. If you spoke with anyone across the state, there were issues all over, not just with labor shortage, but with mechanics, and truck parts. Also, the demand for service has increased as well. With more people staying home, working from home and doing more projects all makes a difference. Mr. Csapo stated you have to look at if GFL has the staffing and service issues in order and if so, this is a good contract. You can always go out for bid, but there probably wouldn't be a significant decrease in cost. He stated you could negotiate the current proposal. He stated there is another alternative, the city can notify GFL no earlier than 90 days, that the city intends to extend the contract with the current terms. The problem is instead of seeing a 4.5% increase you would see the 2% increase, but costs are going up in this and many under industries. There is a possibility that GFL could walk away because it wouldn't pay for them to sign at 2%. He then stated there are other issues that can be discussed, such as keeping yard waste later into the year as some other communities do. Alternatively, the city could offer adding 2 more weeks of yard waste, and a 3% increase, or changing the term between 3-7 years. If you look at other communities with ranges, the city's contract is comparable.

Councilmember Kennedy stated it has been a challenging time and he would hate to think that we gave up on a good company of multiple years due to a short time of issues. He further stated he is interested in extending the yard waste into December as well as consider extending the offer for the 2,000 recycling carts that was made 4 years ago. We have about 700 recycling carts to go. The RFP is thorough but he didn't see the original contract. He then clarified under the current contract, GFL will pick up appliances and the removing of the freon is handled by GFL, he also confirmed there are penalty clauses in case there are service issues once again. He further stated for the most part, he sees the GFL employees ensure are making the trash receptacle is always put back on the driveway and they don't leave it in the street or in front of mail boxes. He thinks that should be standard operating procedure. He also clarified we have a supervisor in our area that is responsive to getting back with the city right away if there are any issues with garbage pick up. He then clarified that the current contract has provisions for leaking hydraulic liquid or other leaks that they will be cleaned up. He stated the feedback he has gotten is most people are happy with the current service. Councilmember Dilg stated she has spoken with a lot of people and they are happy with the current service but she would like to see the extra weeks for the yard waste.

Councilmember Kivell stated he would also like to maybe see a smaller percentage in increase along with keeping the option for the rolling bins is a good idea. He further stated we didn't have any issues before the staffing issue came up. Councilmember Kurtzweil stated she hasn't spoken with many people with issues with service, but she is trying to find a medium on the increase. The city is going to be proposing a bond for roads and they are already paying more for everything. She looks at all the increases our residents will pay with this new economy. She would feel better is we can lower the 4.5%. She further stated she isn't that interested in lengthening the time for yard waste pick up. Councilmember Kivell stated the difference between 4.5% and 4% is approximately \$8.00 per homeowner. Discussion was held regarding where yard waste is dumped in the winter. Mr. Caramagno stated yard waste companies have extending their time on how late in the year they accept yard waste and now it is to the middle of December. It was a consensus of Council that City Manager Zelenak meet with Mr. Caramagno to

discuss moving forward with the contract with a lower percentage increase, along with the increase in yard waste pick up and bring an agreement back to Council.

2. SEMCOG representative and alternate

CM 11-5-21 MOTION TO NOMINATE COUNCILMEMBER KENNEDY AS REPRESENTATIVE

Motion by Kurtzweil, supported by Kivell

Motion to reappoint Councilmember Kennedy as SEMCOG representative

ROLL CALL VOTE:

Kurtzweil- Yes

Mosier- Yes

Hansen- Yes

Kivell- Yes

Kennedy- Yes

Dilg- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

CM 11-6-21 MOTION TO APPROVE COUNCILMEMBER DILG AS ALTERNATE

Motion by Kennedy, supported by Kurtzweil

Motion to approve Councilmember Dilg as SEMCOC alternate

ROLL CALL VOTE:

Dilg- Yes

Kivell- Yes

Mosier- Yes

Kurtzweil- Yes

Hansen- Yes

Kennedy- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

3. Mayor Pro Tem

CM 11-7-21 MOTION TO NOMINATE COUNCILMEMBER KENNEDY AS MAYOR PRO TEM

Motion by Kivell, supported by Dilg

Motion to nominate Councilmember Kennedy as Mayor Pro Tem

ROLL CALL VOTE:

Hansen- Yes

Kivell- Yes

Dilg- Yes

Kennedy- Yes

Mosier- Yes

Kurtzweil- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

BUDGET- No discussion was held

PUBLIC COMMENT- No public comment

MANAGER'S REPORT

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City Manager Zelenak stated at the next Council meeting we will be having our yearly MERS presentation and at a future meeting the Historical Society will be coming to Council to discuss their future plans for placing a barn in the Historical Village. City Manager Zelenak stated we are moving forward with 501 McMunn and the contractor has begun work on identifying the asbestos and other hazardous material and will be followed by the removal of the material and then demolition. City Manager Zelenak stated the Pontiac Trail Drainage Study has begun with the inventory of the public utilities associated with the study. The kick-off meeting was held last week and he will keep Council posted and we hope the report is completed in February 2022. He then stated the grading on Section 11 in the Cemetery has begun and should be done in the next few weeks. He also stated the We Go Swing installation has begun at McHattie Park and they will be finishing in the next couple of weeks. He then updated Council on the DPW Operations and Maintenance Manager position. He stated they have promoted an internal candidate, Jeff Archey in the new budgeted position and we will be advertising for the new vacant laborer position immediately. He then stated the Michigan Downtown Association Conference was last week and he was a speaker, discussing assessing and municipal finance.

COUNCIL COMMENTS

Councilmember Mosier thanked Clerk Deaton and all the staff at City Hall for getting the Election done and it was a long day for everyone and she appreciates all their efforts.

Councilmember Hansen thanked everyone for welcoming him to Council and all the volunteers and folks that helped get all the votes counted and handled the Election seamlessly and he would have liked to see a bigger turnout, but it is an off-election year. He then thanked Chief Sovik for allowing his officers to pass out candy on Halloween and his children loved it. He is humbled to be in this position and looking forward to serving the residents of the city and looks forward to the year ahead.

Councilmember Dilg thanked the outgoing councilmembers and she congratulated Mayor Pelchat and Councilmember Kivell for their re-election, as well as newly elected Councilmembers Hansen and Mosier. She stated this will be a very productive group and she is looking forward to a positive force for our community. She then congratulated our new Mayor Pro Tem Steve Kennedy. She then thanked our Clerk and all the office staff for their work on the Election. She then stated she is excited about Ladies Night and if the downtown trick or treat is any indication, we should have a great turnout and a productive night for the businesses as well as a fun night for all the ladies. She then thanked the Ladies Night Committee, they do a lot of work and they don't get a lot of congratulations, but it is a lot of work.

Councilmember Kivell thanked the electorate for re electing him, it has been 24 years and he is delighted people still believe he has things to offer our community and he hopes to make that evident. He then thanked everyone that runs the elections. He further stated it is great that when you are speaking with someone and they mention when people complain about the security of our elections. He further stated it was wonderful in talking with the Clerk, when she gave him an example of what the process is when someone wants to spoil an absentee ballot and to vote in person, the levels they go through to ensure that is their signature and all the information is proper, it isn't just a simple matter of someone handing in a ballot and you just give them one without proper checking, and he was happy he was able to explain that to people. We have a very secure election system, Michigan in particular and South Lyon especially. They are good at what they do and they take it seriously. He then stated his father-in-law had been the DPW Director in Northville for 25 years, and he also was the assistant fire chief there and unfortunately, we lost him last Friday and it has been difficult for the family and he was a stand-up guy and an example

of anything you would want to be working in a municipal environment. He cared for the City of Northville as he cared for his own yard. He was a lovely caring man and he will be missed.

Councilmember Kurtzweil thanked Rose Walton for her time on City Council and now as she moves on to a new career challenge, she will no doubt show the same commitment and dedication to frontliners and first responders. She then wished luck to Rose on her continued success, not only in life but for caring for those most in need and searching for hope and comfort. She then stated Rose left an important gift in the city which was her support and perseverance for the installation of the swing for disabled children in McHattie Park. She will be appreciated for her great commitment to those less fortunate.

Councilmember Kurtzweil stated we will see Carl around town collecting data for your projects and reporting back to Council his thoughts and impressions which is always interesting and best wishes to him. She then welcomed our two new Councilmembers and she looks forward to their input and participation in the deliberative process and collectively solving issues in governance that improves the community and enhances the lives of our residents. She then stated she would like to have coffee or lunch with them so she can personally welcome them to city council. She then thanked all the Election workers and she went to each poll location and personally thanked all of them. She further stated she disagrees with Councilmember Kivell because Michigan does have safe and secure elections, except for Wayne County which has become a national disgrace. Thank goodness we aren't in that boat. She has worked very hard behind the scenes on the integrity of elections in Oakland County and have had communications with our City Clerk on various issues that came up last year, to ensure we weren't having any issues and she has confidence that we don't have those concerns here in the city. The city has the safest elections and they always have been which speaks volumes on the management team that has always been in place to ensure our elections are safe, honest and secure without voter fraud. She then thanked everyone that assisted and thank you to Alex and Lori for putting your name out there, it isn't easy and she welcomed them aboard.

Councilmember Kennedy congratulated Mayor Pelchat on his re-election and he stated he received more votes than any other Mayoral candidate in the last 7 years. He then congratulated Councilmember Kivell on his re-election and his 25 years on Council and he has a lot more to bring to the table. He then welcomed Lori Mosier and Alex Hansen to Council and he is looking forward to fresh ideas and fresh perspective and he wishes them well on their upcoming terms. He knows they will be there to help build on some successes Council has already realized and help create new ones going forward. He then thanked Councilmember Dilg for taking on the responsibility of becoming the SEMCOG alternate and he looks forward to working with her once again. He then thanked the mayor and fellow Councilmembers for having faith in him to become the next Mayor Pro Tem. He is honored and he will do his best to fulfil the obligation for the city during the next term. He then reminded everyone of the Ladies Night event on Friday of this week. He then reminded everyone on Saturday November 13th South Lyon Nutrition will be having their grand opening at 9:00 and a ribbon opening at 11:00 and they are located in the King Plaza on Pontiac Trail. He then reminded everyone artists are still needed for the Wellhead Protection's 2021 South Lyon's Art contest, the drawings are due on November 22nd. There are cash prizes available and residency is not a requirement. They are looking forward to all the entries for the new logo.

Mayor Pelchat thanked Carl Richards and Rose Walton for their 4 years of service to our community and he enjoyed working with them and wished them the best. He then congratulated Councilmembers Kivell, Hansen and Mosier on their win of their elections and he is looking forward to working with them the next 2 years. He then thanked the voters of South Lyon for trusting him to lead for another term and he looks forward to working toward the solutions for the city for the next 2 years. He then thanked Bob

Martin for his tireless efforts with the concerts in the park, he will be leaving that position before the start of the next year and we appreciate all of his efforts. Mayor Pelchat reminded everyone that this Friday is going to be a great night for our community. The Ladies Night Out will be a great event as well as a regional high school playoff at the South Lyon High School, the 11-0 Lions will be playing Portage Central at 7:00 pm and he suggests you get there early, and ticket sales online only on the school district website. He then stated if you can't make it to the game, WHMI will be broadcasting live from the game. He encourages everyone to check it out.

ADJOURNMENT

CM 11-8-21 MOTION TO ADJOURN

Motion by Kurtzweil

Motion to adjourn meeting at 9:00 p.m.

VOTE:

MOTION CARRIED

Respectfully submitted,



Mayor Dan Pelchat



City Clerk Lisa Deaton