

City of South Lyon
Regular City Council Meeting
November 9, 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, Richards and Walton
Also, present: City Manager Zelenak, Attorney Hamameh and Clerk/Treasurer Deaton

Mayor Pelchat stated Councilmember Kurtzweil informed him she would either be late attending the meeting or will be absent.

CM 11-1-20 MOTION TO APPROVE ABSENCE

Motion by Dilg, supported by Walton
Motion to approve Councilmember Kurtzweil's absence

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

CM 11-2-20 MOTION TO APPROVE THE MINUTES

Motion by Kennedy, supported by Dilg
Motion to approve the minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 11-3-20 MOTION TO APPROVE THE BILLS

Motion by Kennedy, supported by Dilg
Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 11-4-20 MOTION TO APPROVE THE AGENDA

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

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

CM 11-5-20 MOTION TO APPROVE THE CONSENT AGENDA

1. Kiwanis Christmas tree sale in McHattie Park
- Motion by Kennedy, supported by Walton
Motion to approve the consent agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT- None

DISCUSSION- Downtown

Nate Mack stated he is working with the applicant for the tax abatement at 302 S Lafayette which is the Marathon gas station. He stated he has asked them for more documentation for their project. Mr. Mack

reminded everyone of the first of the two annual DDA meetings will be this Thursday after the regular DDA meeting and the 2nd one will be held November 19 from 6:30-7:30 and both will be electronic meetings. He further stated he attended the Cultural Arts Commission meeting and discussed the 390 S Lafayette proposal that was discussed at the last meeting and they had a lot of good ideas, they proposed a sculpture or art park and a few places for people to sit and they are considering approaching Jeff Heinanen regarding possibly a mural on the side of this building to add more vibrancy to that space. He further stated the DDA has been successful in getting a grant for \$500.00 for the mural on the side of the Grande Trunk building. He stated it will begin in the spring of 2021. He has spoken with Susan Stowe and the person she has in mind to paint the mural will not be available until the fall and we don't have money budgeted this year. Mr. Mack stated the Farmers Market wrapped up on Halloween and he wanted to thank Tim Davids for the great job he did despite all the problems caused by COVID, the market was very successful. Customer and vendor attendance were strong. Mr. Mack stated the winners of the downtown scarecrow contest have been announced, and the winners were Active Faith, the Dance Center and the Lyon Theatre. We had a total of 18 scarecrows. He then stated the Lyon Task Force was recognized for the Show Your Love for Lyon campaign was awarded the best marketing and promotions project for communities over 10,000. He stated we competed against Dearborn, Ferndale and Marquette and we are happy we received that award. Councilmember Kennedy stated we have issued 16 of the 18 checks to the businesses from the Patronicity campaign, and asked if pictures were taken while he was giving out the checks. Mr. Mack stated there were pictures taken and he will post them online, there are two more businesses he hasn't been able to be in contact with as of yet. Councilmember Richards asked who took the tree down at the 110 Detroit Street property. Mr. Mack stated the property owner had the tree removed and at a meeting the owner stated he was going to have the building demolished. He will be contacting the owner shortly. Discussion was held regarding the tax abatement for the Marathon station which will be discussed at a future Council meeting when the abatement comes before Council.

FIRE CHIEF REPORT

Fire Chief Vogel stated the ladder truck will be out of service again this week, the onboard generator seized and it will be going to the manufacturer, hopefully for a short time. Chief Vogel reminded everyone that you can't burn leaves in the City. We are a small town and we live close to each other and if you are burning leaves, the smoke affects everyone. We aren't Green Oak or Lyon Township; we don't issue burn permits. There is information on the Fire Departments website and we have had a few incidents recently and it stresses everyone out. Chief Vogel stated the smoke detector program has really taken off and we have recently installed another 10 detectors. He stated it has been really positive, but now we need more smoke detectors. He is asking Home Depot and Lowes for donations. Anyone can donate 10-year battery smoke detectors and he is asking for grants. He then stated he has a meeting with the State tomorrow about where are the COVID numbers are going. Councilmember Kennedy congratulated Chief Vogel on the grant for the second LUCAS device. He then stated he gave Nate Mack someone's contact information from Lowe's that is looking to make a donation to the City a few weeks ago, he asked if he could reach out to that person again and ask if they would be interested in donating smoke detectors. He then stated that person made a donation to the Lyon Township Fire Department. Maybe they will make a donation to our Fire Department in the form of the smoke detectors Chief Vogel mentioned.

POLICE CHIEF REPORT

Chief Sovik stated Halloween was a success, although we didn't see the numbers as we have in years past, we were still able to give out all the candy and no complaints. It was a good event to get back to some normalcy. He stated the Police had a heavy presence at the polling locations and there were no

issues and everything was very peaceful and calm. He then thanked Lisa Deaton and her staff for everything that was done to prepare for the Election and he appreciates what she and her staff has done for the Election. Chief Sovik stated the new Police Officer Joseph Czapski will be starting on the 17th of this month and he is a 5-year veteran. Chief Sovik stated they are once again participating with the Wigs for Kids program which it's basically a no shave November where some of our Officers will be donning some facial hair for a monetary contribution they make. This is the 3rd year for this program. They provide money and funds who are suffering from diseases with hair loss, it provides them a new sense of pride for them. If you want to make a donation, you can stop by the station or go to their Facebook page. Councilmember Richards stated he has given out the current phone number to reach the Police Department and he asked when the new phone system will be installed. Chief Sovik stated their phones have been an issue for a long time, we have a phone number that is posted 248-348-0911. He further stated he will be meeting with Comcast tomorrow to see what new changes need to be made. We will keep pushing to get it in as soon as possible.

OLD BUSINESS

1. Fieldstone planned development (PD) rezoning and final site plan approval
 Kelly McIntyre of CIB Planning stated the Fieldstone Development is a 50 unit detached single family development. It is on an 11.65 acre of irregular shaped parcel which borders on the railroad and a dirt road. The applicant has chosen to use the planned development for the development. She stated the planned development is done in 4 stages. She stated during stage 1 & 2, a public hearing is conducted by the Planning Commission, then Council takes action on a rezoning, which would be first reading, and the approval of the preliminary plan development. In stage 3, the Planning Commission reviews and makes a recommendation to Council, and stage 4 is where we are today, a second reading of the rezoning and a final site plan approval and review. The first reading was done on June 22nd of this year. She stated the rezoning is changing it from multiple family to RM1 plan development PD and to approve the preliminary plan development site plan. The site plan locks in and approves the layout of the development, including the road circulation, the utilities, the number of housing units, the minimum unit acreage or square footage, setbacks and we ask them to show the buildability of the lots by showing the building envelope and the building footprint. The June preliminary site plan approval included a list of conditions and waivers that addressed lot size, width, coverage that were accepted and approved. The preliminary site plan approval and they are part of the planned development agreement between the developer and the City. She then stated the rezoning and the final site plan are tied together. The final site plan includes engineering details, house plans, elevations, and color. A majority was reviewed and addressed during the preliminary review. She then stated on September 24th the Planning Commission approved the planned development with conditions. The conditions have been addressed and are part of the site plan. The result is a complete site plan without any zoning issues at all. Ms. McIntyre stated an agreement, a master deed and an association bylaw are required to be submitted. The documents have all been reviewed by multiple people. She stated she recommends the second reading to amend the zoning map this property from RM1 to planned development (PD) and also to recommend the final site plan approval. Councilmember Kivell stated there was a reference about the wall that was going to be all siding. Ms. McIntyre stated that is referenced on page 2 of the agenda note, item 12. It states wainscoting be used on Units 27 and 28 side elevations. Councilmember Kivell then stated the other question is there seems to be some miscommunication between the developer's comments which reflected all the communities they typically are working in always use the same language about the antimonotony clause. He stated our language seems a bit more stringent than what they were suggesting. Ms. McIntyre stated the Planning Commission wanted more restrictions than what was originally discussed. We are now looking at an agreement that is consistent with the Knolls and so the applicant gave us more

clarification on what defines considered a separate façade or colors so we do not have monotony. Councilmember Kennedy stated he just wants to make sure the streets will remain private and will not become the property of the City, which it is reflected in the agreement. Councilmember Kivell asked about the private road construction. Ms. McIntyre stated the streets are required to meet City standards for public roads and they will remain private roads.

CM 11-6-20 MOTION TO APPROVE SECOND READING

Motion by Kennedy, supported by Dilg

Motion to approve the second reading of an ordinance to amend the Official Zoning Map of the City of South Lyon incorporated in to the South Lyon Zoning Ordinance by Section 102-182 by rezoning the property (parcel 21-19-126-002) more fully described in the attached Exhibit A (the property) from the RM-1 District (multiple family residential) to the PD District (planned development).

ROLL CALL VOTE:

Walton- Yes
 Richards- No
 Dilg- Yes
 Kivell-Yes
 Kennedy- Yes
 Pelchat- Yes

MOTION CARRIED- 1 OPPOSED

CM 11-7-20 MOTION TO APPROVE LANNED DEVELOPMENT FINAL PLAN FOR FIELDSTONE

Motion by Kennedy, supported by Kivell

Motion to approve the Planned Development Final (Stage II) site plan for Fieldstone for condominiums Parcel number 21-16-126-002, subject to: 1. Approval of and rezoning of Parcel No 21-19-126-002 from multiple family, RM1 To planned development, PD the planned development agreement, master deed, and bylaws be approved and recorded by the City; 3. Review, approval and permits of all other applicable City consultants, departments, etc. including EGLE (Environment, Great Lakes and Energy), and the Road Commission of Oakland County.

ROLL CALL VOTE:

Dilg- Yes
 Richards- No
 Walton- Yes
 Kennedy- Yes
 Kivell- Yes
 Pelchat- Yes

MOTION CARRIED- 1 OPPOSED

2. Water and Sewer rate adjustment

City Manager Zelenak stated the City of South Lyon had a water and sewer rate analysis performed to ascertain the proper rate structure for the City. The recommendations were made at the May and July Council Meetings to adjust the rates to compensate for \$10 million in improvements that are currently underway and planned within the next several years. If rates are adjusted beginning with the next billing cycle, the customers will be billed beginning April 1st. Brian Camiller of Plante Moran stated there have been no changes to the analysis since the last discussion. He stated Council asked for a kind of split the difference option from the original options, so Plante Moran came up with option #3. He then showed a brief PowerPoint presentation that can be viewed in the council packet. Mr. Camiller stated there will

always be future construction, repairs and future reconstruction that will have to take place. He further stated in addition to the annual rate increase, there is a change in philosophy. Currently the City has a minimum bill and you have a modest meter charge. He recommends replacing both of those with a RTS which is a ready to service charge and the elimination of the minimum bill. The readiness to serve charge is a fixed fee on every bill that pays for a portion of the City's overhead to providing water and sewer service. So even if you don't turn on your faucet, there is still costs incurred in operating the system so when you do turn on the faucet, there is water. He stated the RTS will provide a portion of the overhead. Option 3 will provide the RTS charge will provide 18% of the overhead costs which is fairly modest. When you change to a higher fixed number on every bill, depending on the volume, the customer will be affected differently. A smaller bill may get hit harder, a larger may be hit less because the RTS is greater than your fixed meter charge was, but at the same time, if you use less water, you're not getting hit with the minimum fee. He explained that everyone will be treated differently in year 1, in year 2 and forward, rates change the same for everyone. Everyone will see a rate increase each year. Mr. Camiller explained option 1 called for a 10% increase, option 2 called for a 25% increase. Option 3 calls for an increase in water from \$2.46 up to \$2.48 per unit which is a 9% increase, and sewer has a 3.5% increase which is from \$4.50 per unit to \$4.68 per unit. The readiness to serve charge was \$6.00 a quarter and under option 3, it will be \$23.81 per quarter. He then explained again, if you are only using one unit, you are only paying for one unit instead of the old minimum bill which was a seven unit minimum. Mr. Camiller stated a low-end volume user will see a slight decrease, a family of four will see an increase because they are using a lot more water, the commercial high-volume customer will see a 6% increase. He stated the next step is for Council to approve the rate increase and an implementation date. As soon as the rate increase, the BS&A will need to be updated with the new rate structure. Councilmember Dilg asked how this information is going to be communicated to the residents. City Manager Zelenak stated the first avenue will be to add information on the next billing, social media and the website. We will have things posted at City Hall. He further stated we have had a good head start with the water tank so people can actually see the dollars are already at work. Providing examples of how we are saving money by not having to go out for a bond and over a 10-year period we will be saving money by not borrowing the money. Councilmember Kennedy stated this will be in the paper before the next bill is mailed so the press release should be ready ahead of time with that explanation. Councilmember Dilg asked if Council can get a copy of the speaking points. City Manager Zelenak answered yes. Councilmember Walton agreed that Council will need talking points. Councilmember Kivell stated this is a very important place for us to be for what our costs really need to be. Nobody wants to seem like we are trying to pick people's pockets but none of this stuff is inexpensive we need to be responsible and we have found a sweet spot to land in with this rate structure that we can accomplish the assets and improvements that we need to do without being really punitive on our residents and businesses. He is grateful this worked out the way it did. He further stated they have had this conversation for many different councils and no one was ever ready to follow through. This is a big step for us. Mayor Pelchat stated that says a lot and it needed to be addressed immediately. He then thanked Mr. Camiller for explaining this for us.

CM 11-8-20 MOTION TO APPROVE WATER AND SEWER RATE CHANGES

Motion by Kennedy, supported by Dilg

Motion to approve the recommended changes in the water and sewer rates for the upcoming year with option #3 which reflects the 18% increase

ROLL CALL VOTE:

Kennedy- Yes

Kivell- Yes

Dilg- Yes

Richards- Yes

Walton- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Purchase to upgrade the electronic and controls for well house #6 and well house #7 at McHattie Park to improve communication and control the pumps at the wells from SCADA equipment

Superintendent Varney stated the pump for well #6 is currently controlled in a lead/lag configuration with the newly drilled well #7. The current configuration needs to be modified and was delayed by UIS until the dedicated line for #7 was complete. To run the new pump in the newly installed water lines as part of our normal rotation of pumps, we need to update both as the controls and power from #7 are ran from well #6. This is a scheduled purchase from this years budget and can be purchased from Capital Improvements account 592-556-970 for \$12, 475.00.

CM 11-9-20 MOTION TO WAIVE BID PROCESS

Motion by Kennedy, supported by Kivell

Motion to waive Sec 2-224 of the City of South Lyon Code of Ordinances, "approval for purchases or contracts over \$2,000; competitive bidding for purchases or bidding over \$5,000" because no advantage to the City will result from competitive bidding

ROLL CALL VOTE:

Kivell- Yes

Kennedy- Yes

Dilg- Yes

Richards- Yes

Walton- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

CM 11-10-20 MOTION TO APPROVE PURCHASE

Motion by Kennedy, supported by Dilg

Motion to approve the electrical and controls upgrade to well #6 and well #7 for the amount of \$12,475.00 under line item 592-556-970

ROLL CALL VOTE:

Kivell- Yes

Kennedy- Yes

Walton- Yes

Richards- Yes

Dilg- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

BUDGET- No discussion was held

MANAGER'S REPORT

City Manager Zelenak stated we have received a rezoning request for the proposed Holly Hills Development which is the industrial property on Dixboro Road. They are requesting to conditionally rezone the property to residential. The development has more than 60 lots with additional greenspace and that will come before the next Planning Commission meeting.

City Manager Zelenak stated the water tank walls are up. The roof is being installed and the interior work of the tank has begun. You can still visit the website to see up to the minute reports.

City Manager Zelenak stated we are reviewing proposals and inquiries that were submitted to develop on the former site of the SLARA building on West Lake Street. Our evaluation team has requested additional information from the interested parties to better determine the best candidate for the site. City Manager Zelenak stated now that the Election is over, we are now getting back to working on the Capital Improvement Plan and Purchases Plan for the City. He stated he's been meeting with department heads on future purchases of equipment, vehicles and updating their facilities. The plan will contain sections of City Hall, Downtown, Police, Fire, DPW, Water/Sewer, roads, parks and other City properties. City Manager Zelenak stated he is providing Council with updated information on the Nyhart report with an added appendix to the GASB 75 actuarial valuation. City Manager Zelenak stated staff have been meeting regarding the ever-changing environment with COVID and the Fire Chief has a meeting with the State tomorrow to get more information. City Manager Zelenak stated the City staff should be recognized for the exceptional job this year with processing and ensuring everyone's constitutional rights were able to be exercised in both the August and November Election. The Clerk's office and everyone else in City Hall, worked very hard to handle the infusion of hundreds of extra phone calls, visits from the public, and the 200% increase in absentee ballot applications and subsequent ballots. Our public safety staff provided added security at all the polling location, and the DPW employees helped out with the set up/take down of equipment. Clerk Deaton stated the Election was very busy and everyone worked really well together. The turnout was 80% and in 2016 the turnout was only 70%. She further stated of the 80%, 50% voted by absentee ballot which left 30% to vote in person. She then thanked the Police and Fire Department for again allowing us to use their training room as a polling location, and again thanked the Police Department for maintaining a police presence at all the polling locations, it was very much appreciated. Clerk Deaton thanked the DPW for assisting with the setup and tear down for the Election. She thanked all the Election Inspectors; we could not do this without them. Clerk Deaton then stated that Judy did a great job as always, and thanked Carol, Patricia, Mary and Tara and all the staff at City Hall for helping out the last few months. She further stated we have a wonderful group of people that work great as a team.

PUBLIC COMMENT

Kelly Breen stated she is the State Rep Elect, but she also wants Council to see her as a colleague. She is currently on the Novi City Council and she is passionate about local government and she would like to echo a statement someone mentioned earlier to the Clerk and her department regarding this Election. She stated she is very active with the Michigan Municipal League, especially on their legislative policy committee for municipal services and elections and she knows how hard this Election has been on local Clerks and their departments for these new ways that people are voting, and know that she has heard nothing but wonderful things and to your Clerk and her entire department, massive kudos to all the election workers with this unprecedented turnout. She further stated it has been a great day and month for democracy. She then stated she wants Council and the residents to know they can consider her an ally. When it comes to utility rates, increased costs for Elections, communications with the public, she is acquainted with Councilmember Dilg and she has asked her to give everyone her cell number during this period of transition, and of course when she officially takes her post, remember it is an open door. If you want to know anything about her, let her know. She wants to be as resourceful as possible and she wants to represent the entire district, not just Novi. She is here for everyone. She stated she has lived here her whole life, she is an attorney by trade, but her heart is in public service. She further stated she has two kids, her husband is an educator, her dad is 74 years old and is still teaching. She further stated her heart is here and she would normally be holding town hall meetings, and meeting for coffee, but until the virus is under control that isn't possible. She then stated she has spoken with the attorney general regarding

virtual town hall meetings, and we are all going to work together to be as resourceful as possible. She stated she is honored and grateful to serve the entire 38th District and contact her anytime.

COUNCIL COMMENTS

Councilmember Dilg congratulated our local officials, first to our hometown County Commission Phil Wiepert who is the hardest working man in South Lyon and welcome him back to representing us at the County level. She congratulated and welcomed our new State House Rep Kelly Breen who has a great work ethic and she will make South Lyon a priority. She congratulated the South Lyon Community School Board members Dan Schwegler and Anthony Abbate for being re-elected. She then welcomed Martin Leftwich to the school board, and welcomed back to everyone in Lyon Township who kept their office. She then congratulated Haley Stevens on being re-elected. She then gave a shout out to Clerk Deaton, the office staff and the Election Inspectors, the South Lyon Police Department. She stated people were nervous about this Election and she told them that our City would do a great job and she is really glad to see she was right, our Election Day was organized, calm and the staff stayed friendly and smiling. Councilmember Dilg stated Halloween was great, people were energetic and positive, responsible and it was great seeing the Police out checking on everyone. She then congratulated the Lyon Task Force for the award. She stated working with Lyon Township was something she wanted to do since she has been on Council and we need to give an extra shout out to Tina Archer the Lyon Township DDA Director. She has worked very hard to ensure all the businesses are kept up to date. She then thanked Councilmember Kennedy for going to so many of the businesses and organizations and making everyone feel included. She then stated she was invited to a small business appreciation event at the Witches Hat Brewery and they welcomed Governor Whitmer to South Lyon. It was nice to introduce her to South Lyon and it was great to see the Witches Hat be recognized.

Councilmember Walton reminded the Fall leaf collection is still happening and according to the website, it looks like we are allowing for pick up into December. She then reminded everyone of the event on Veterans Day at the Veterans Memorial in town. It is set for 11:11 on Veteran's Day.

Councilmember Kivell stated the RCA building is moving right along and its very exciting. There is a lot of stuff that goes on that seems mundane and uneventful that has to take place before you can start making things look good. He stated it is astonishing how quick the water tank has been put together and for them to make all the components on site is staggeringly cool. He has enjoyed watching that and we will have another big asset that we are paying for with our new rates. It gives us the flexibility to know that our water system has redundancy where we don't have to be concerned about things failing and not being able to have the capacity that we need to provide for our residents and businesses. He then reminded everyone of the Veterans Memorial, he hopes everyone is responsible and it is always a meaningful event and its always nice to see the people that have provided us the freedoms that we enjoy. He then stated it is terrific to see Kiwanis putting the trees back in McHattie Park and he is happy about that. Councilmember Kivell stated Clerk Deaton and her staff took a herculean effort without even blinking and he is sure they were tired as could be, but they did what they needed to do. He is proud of all of them.

Councilmember Richards stated Larry Ledbetter who is the number one leader of the Historical group is out and about and doing well after his surgery. This weekend he oversaw the improvements at the Depot, the painting, the lighting, new lattice, gardens are wrapped up and lights that were installed in the windows. There was an Eagle Scout project done that stained the deck. He stated the DPW will be installing the Christmas Tree. Councilmember Richards stated the British Swim Club has a different

colored concrete and they confirmed dye was added to the concrete, he tried to find out who ordered it, but no one got back to him. He then stated 825 Lake Street is moving along, but someone should remind him there should be sidewalks to 10 Mile. He then stated the Marathon gas station has had roof repair, and seal coating done. He stated the VFW is on the go for the Memorial Event this Wednesday. The permits were filed and they are having the event.

Councilmember Kennedy stated the risk of being a bit redundant he wants to again recognize the efforts of our City staff, our volunteer poll workers, the South Lyon Police Department and our Department of Public Works for their efforts during the recent election. It truly was a team effort to ensure that everything went smoothly, so once again, thanks to everyone who helped make that possible. He then stated he has had a couple of DPW crew members contact him to remind residents to help the DPW help you. As you rake your leaves to the street to be collected, remember to keep them tight to the curb so the crews can effectively vacuum them. If they blow out into the middle of the street, please get a rake or broom and pull them back to the curb. He then stated to please remember to keep all branches and other materials out of the leaf piles, they will clog the equipment. And finally, do not cover the storm drains in the street with your leaves. The drains need to be open and clear in order to remove rain water from the street.

Mayor Pelchat stated thanked the City staff for the incredible Election, the Police, inspectors, staff. He stated South Lyon East made a great effort against Chelsea High School, but fell a bit short. The Cougars took the lead with 4 minutes left, but wasn't able to hang onto it. He then stated South Lyon High will advance to play North Farmington on Friday. He stated the holidays will be here before we know it, but he wants to remind everyone it is tough and we need to be good to everyone.

ADJOURNMENT

CM 11-11-20 MOTION TO AJOURN

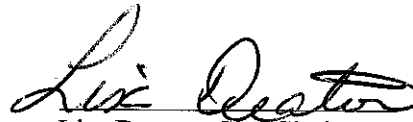
Motion by Kennedy, supported by Walton

Motion to adjourn at 8:55 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,


Dan Pelchat, Mayor


Lisa Deaton, City Clerk