

City of South Lyon
Regular City Council Meeting
December 10, 2018

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 Kennedy, Kivell, Kurtzweil, Parisien, Richards and Walton
Also Present: City Manager Zelenak, Chief Collins, Fire Chief Vogel, Attorney Wilhelm and Clerk/Treasurer Deaton

MINUTES

Councilmember Kurtzweil stated on page 6 regarding the closed session. She reviewed the tape and no one stated anything about a closed session to do 8(h) of the open meetings act. So that should be deleted. If you watch the tape, the Mayor called for a closed session which Parisien made the motion, and Kennedy seconded the motion, not Kivell. Councilmember Kurtzweil stated further down on page 7 it says "Councilmember Parisien stated there was a police investigation by the South Lyon Police, but due to an obvious conflict of interest, the Oakland County Sheriff will be doing an investigation." That is not what she said, what she said was the Oakland County Sheriff is now pursuing a criminal investigation against Carl Richards. Councilmember Kurtzweil stated further down in the minutes she is asking Council to allow the Board of Ethics to see what has been breached in the Council's Ethics Ordinance, the following sentences should be added. Kivell stated if the Oakland County, assuming it is the special investigative unit would be taking this from the Oakland County Sheriffs, "Parisien nodded in the affirmative, " So ok we are looking at a couple of months, before they come to any kind of conclusion, then at least another month, at least for the prosecutor's office to weigh in on or whether this this meets the threshold to take action on. Councilmember Kurtzweil further stated the South Lyon Police Department did not find any liability, no breaking of the law. She then stated the next sentence should be changed to She doesn't know all the details, but it seems like an individual in his private life was having a conversation with a business owner which blew up. She then said the next sentence should be changed to "in January, 2016 she attended Trump's inauguration and on the next day attended the Women's March in DC."

Councilmember Kivell stated the minutes are not supposed to be a verbatim transcript, this is over the top.

CM 12-1-18 MOTION TO APPROVE THE MINUTES AS AMENDED

Motion by Kurtzweil, supported by Walton

Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

Councilmember Kivell stated there is a bill for Highland Treatment for the wastewater treatment checks for November is being paid, but he was hoping we were going to be doing this with our in-house employees. Mayor Zelenak stated we will be doing so, but we have to wait for our employee to have the right certifications.

CM 12-2-18 MOTION TO APPROVE THE BILLS

Motion by Kennedy, supported by Kivell

Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

ATTORNEY BILLSCM 12-3-18 MOTION TO APPROVE THE ATTORNEY BILLS

Motion by Kivell, supported by Parisien

Motion to approve the attorney bills

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDACM 12-4-18 MOTION TO APPROVE THE AGENDA

Motion by Parisien, supported by Kennedy

Motion to approve the agenda

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT-

Mayor Pelchat read the public comment rules.

Members of the public may speak at a Council meeting upon recognition of the Mayor. Public comment may only occur during periods designated on the agenda for public comment or a public hearing. A person may speak for up to two (2) minutes during each of the two public comment periods on agenda items or non-agenda items. Waivers of the time requirement may only be granted in the discretion of the Mayor, and waivers to speak at a time other than a designated comment period may only be granted by the Council. Any person wishing to make a presentation longer than two minutes or requiring audio-visual equipment is asked to contact the City Clerk requesting to appear on a future agenda.

A person may only address Council from the podium. Only one person may occupy the podium at a time. All remarks are to be directed to the Mayor and Council. Speakers are not to engage in direct dialog with other meeting attendees.

Any person who violates the Rules of Conduct, disturbs the peace at the meeting, and/or interferes with the meeting may be warned, ordered to be seated, removed, and/or ticketed.

This summarizes Council Resolution 04-18. Complete Rules, including guidelines for considering waivers, are available in the Council Chambers and from the City Clerk.

He then stated it seems there may be several speakers that wish to speak tonight, he asks if anyone is speaking and the timer goes off, please for everyone wrap up your final thoughts and feel free to speak at the next public comment later in the meeting and please say your name and address when you speak.

Tracy Pees stated she has a vested interest in this community. Her in-laws live here as well as she owns a business here, and her husband also works here. She doesn't know Mary Parisien and she is here as a woman and to stand with her. She wants to know what kind of world and community do we live in when it is ok to verbally attack and disparage a woman. What kind of community allows it? Whether the conversation was private or not, Mary Parisien was verbally attacked and violated by a member of Council and what kind of woman would say the Ethics Board shouldn't be involved because it is being weaponized. She stated that is what the Ethics Board for. She then stated she was surprised when she

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came in here, she finds it amazing there are 6 people on this board and it was a 4-2 vote and the 2 women were the ones that were opposed to this being sent to the Board of Ethics. Her question is this, what does it take, does she need to be physically or sexually assaulted. She had a member of Council looking in her windows like a dirty old man. This is outrageous. She further stated to then have him sit only 2 people away from her, why does she need to be made to feel uncomfortable as she serves her City. We just got done voting for an entire female slate, the Governor, the Attorney General and the Secretary of State. She said we here we are at City Council allowing a woman to be attacked. She understands things may have changed because we have a sitting President of the United States, but this does not fly, this is wrong.

Heather Bruegl of 56770 Eight Mile Road stated she technically doesn't live in the City of South Lyon, but this is the community she has been a part of for 17 years. She said she is a board member of the Women's March Michigan. She stated unfortunately this is not the first time she has had to come to Council to show support for another fellow woman. She is here to show support for her good friend Mary Parisien. She further stated the current actions of a current sitting Councilmember is disgusting and entirely unacceptable. She stated after another instance earlier this year he was ordered to attend diversity training and clearly that didn't work. The behavior he has exhibited earlier this year continued and has continued for years as we have just found out and its escalated. She stated for him to still be sitting on this Council is disturbing. She further stated the fact there was any objection to an Ethics investigation is awful, it should have been unanimous. She stated when someone behaves in such an unethical way, it should be investigated. This type of behavior is unacceptable, and if he doesn't understand that, or anyone sitting Council doesn't understand that, none of you should be here. Your job is to lead and right now none of you are leading by allowing him to sit here. She stated she has been here for 17 years and the City prides itself in being a wholesome down to earth community, and right now the City is anything but that. She stated this violates the whole façade South Lyon puts on. She then stated the behavior tolerated is wrong and she encourages the Council to denounce this behavior and speak out and let the City and the State know this behavior is not accepted or tolerated.

Rich Perry of 875 Westbrook stated before he begins, he wants to state that he admires anyone that sits in a seat on Council, or any boards and commissions and he appreciates and respects those that step up. Mr. Perry stated the recent actions of Carl Richards and the dismissal of it by Maggie and Rose, once again shows their position of Council is dysfunctional at best. The citizens deserve people that are committed to their City and not their personal objectives or professional goals. How much longer should we put up with the farce that has been made of this Council is enough. He stated Maggie has verbally bullied anyone and everyone that has not sided with her and that goes back far before Council. He further stated he was waiting for Carl's term to be up thinking he could do little damage, but he was wrong. We have a sitting councilmember, Carl who was issued a PPO against another sitting councilmember for a year, yet he will not resign. He stated he thinks he is speaking for most people in the community in asking Carl to seriously reconsider the request Mayor Pelchat made in asking for his resignation. Mr. Perry stated there were 2 councilmembers that voted against this going to the Ethics Board. The Ethics Board is there for a reason, and when you deter things away from them, you have to ask why this is happening. It may surprise some on Council that there a few residents that study the Constitution, while we have a councilmember defending Carl's actions based on the first amendment. While a person can say derogatory things about someone under the protection of the first amendment, saying things that create an unsafe situation is not protected and that is where Carl crossed the line, in addition to his surveillance work, and that is where Maggie needs to revisit her protection of Carl. Further, the PPO that was issued due to Carl's peeping tom activity, she has often invoked sexism in the past criticizing her opponents but when one of her allies is guilty of it against an opponent, she defends him. It seems Maggie is only

interested in defending women if they are on her side. He encourages everyone to continue to ask for Carl's resignation.

Bridgette McDowell from Green Oak Township stated she has never met Mary. She stated as a councilmember Carl Richards is an embarrassment to our community and should resign from City Council. He started the year with wildly inappropriate questions of several qualified women to fill a vacant position on City Council and he has ended it with a PPO. Between these bookends to his first year of public office, Mr. Richards has used his pulpit at worst to showcase his ignorance to issues directly related to his position, at best to ramble on about tangential topics. The Oakland Press even mentioned his choice to discuss irreverent topics at the last City Council meeting instead of talking about why he was made to sit in back of the room. She stated she wanted to remind the Mayor, Council and everyone in the South Lyon area of what the issue actually is with City Council and the Ethics Board. It is not about whether Ms. Parisien's fear is justified, that was confirmed by the Judge that issued the PPO. She stated it isn't about City Councilmembers that like to act like drama queens as many of their constituents repeatedly say on social media. It isn't about the first amendment as Mr. Perry just outlined and regrettably it isn't even about Mr. Richards gross incompetence as a councilmember. She stated the issue is whether Mr. Richards behavior is suitable and tolerable as a councilmember. His behavior is questionable for a regular citizen and wildly inappropriate as an elected official. Mr. Richards is supposed to apologize tonight and she suspects he will say he is sorry people feel a certain way and he will offer excuses rather than take an ownership for his conduct and that is because he cannot give a heartfelt apology because his pattern of behavior showing disrespect towards women that he chooses to continue even after training mandated by his last embarrassment. She doesn't live in the City limits, she can't vote for Council, even though they represent the greater community she calls home. She said she will volunteer and to whomever is listening, she will knock on doors and do anything to help recall Carl Richards.

Joyce Clohosey stated she is here to address City Council and Councilmember Parisien specifically. Councilmember Parisien has referenced her name in regard to her current allegations to the press as well as some other people have. She stated she is requesting she not reference her by name or otherwise, her prior civil rights complaint against the South Lyon City Council, nor use it to bolster or substantiate her current court claim. She has no support or criticism for her court claim, she just has no first-hand knowledge of it whatsoever besides what she has read in the paper and doesn't want to be lumped in with something she doesn't know about. Councilmember Parisien was party to the complaint as a member of the Council and voiced nothing positive about her at all. Nor was she supportive of me ever. She has called me a liar in a recorded meeting. During the interview in which she references the inappropriate questions she did not stop them nor seem outraged as she does now. Councilmember Parisien filed a FOIA on her with the Police Department and had a criminal background check on her via CLEMIS and no other candidates that were interviewed. While she has no criminal history, Councilmember Parisien now knows her family members names, addresses and every location she has locked her keys in her car, from Royal Oak to South Lyon and about a not at fault traffic accident. She never authorized that, nor ever had been notified of this. That was also discussed with another Councilmember as well via email, which she only discovered after she filed her own FOIA. Ms. Clohosey stated she and her family finds that creepy and stalkerish as does her family. She stated she is certain if Mary had found anything of substance, she would have used it to her advantage as she is now using her MDCR complaint. Ms. Clohosey stated she wants to remind her that she is a private citizen then as she is now and requests that Ms. Parisien as an elected official and licensed attorney cease to reference her and to cease doing any further research on her, her families or her properties by using the Police Department to do so.

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Denise Karth of 716 Grand Court stated she is not a political person, this is the first time she has attended a meeting and hopefully the last. She further stated she is grossly offended by Councilmember Parisien because she has directly, falsely accused her son of several instances which include, taking bribes for Maggie and Joe Rzyzi which is false. She stated he is a good-hearted person and tries very hard to give the city the best possible person he is. He has never done that. She falsely accused him in court on the stand in front of a judge that he was sleep walking on her property and that is grossly false. She further stated Mary cannot state where that happened, and as a medical person why weren't you concerned of a South Lyon citizen and call the Police or EMS of his behavior, if it was him, but it wasn't him. For one thing he cannot walk from his home. We don't know where you live, he may know your address, but he does not stalk or go to your home. Ms. Karth stated if Councilmember Parisien was so terrified of Mr. Richards and you said this was going on for some time, why did you allow him to get elected, why do you visit the gas station that he frequents, are you hoping to get him arrested because he is within your vicinity. Ms. Karth stated she should be removed from Council.

Casey Kopp stated he lives in the Brookfield neighborhood and he can vote, and he stands with Mary Parisien. He stated he went to school for 4 years at Michigan State. It is tough when you introduce yourself and say you are from South Lyon and almost all stories that come out of South Lyon is negative. He is now living here again with his parents and he is disgusted. It is 2018 and it is not Councilmember Parisien's job to avoid people that harass her it is her job to be on Council. It is the job of Council to stand with those that are harassed. It doesn't matter if it is in a conversation in a home, business or restaurant, or here in Council, it is not acceptable for anyone in a position of power to harass women. There is no way around it, and he wants the people that were opposed to sending this to the Ethics Commission to know that we are not going to forget about you. We care about municipal elections and anyone that doesn't stand with Councilmember Parisien will be remembered come Election time.

DISCUSSION- Downtown

Bob Donohue stated the downtown business directories are now complete and have been distributed throughout the downtown.

Mr. Donohue stated the Veterans Memorial fundraising has started and there will be a formal start in January. This was approved by Planning Commission, the VFW, Council, Historical and Parks and Recreation Commission. We are currently getting more landscape plans donated. We would like to see construction begin in the Spring.

Mr. Donohue stated the lighting in Paul Baker Park has been improved as it is a key entry to our City.

Mr. Donohue stated he will be working on the DDA budget and they are excited the last payment on the Wells Street parking lot is in May, so they will have an additional \$35,000 for additional projects.

Councilmember Kurtzweil stated she loves the red, white and blue lights in Paul Baker Park.

Mr. Donohue stated the City Manager assisted as well as Judy Pieper.

NEW BUSINESS

1. 2019-2020 City Budget

City Manager Zelenak stated we are at the beginning process of the budget and Council has given him some goals and he will be reviewing them with the Department Heads. He stated the preliminary budget will be submitted before February 15th and compiled by staff and preliminary budget will be presented March 11th-15th. The Budget workshops will be scheduled for March 18th-22nd and the second will be 12-10-18

between the week of April 15th-19th. Then Council will adopt the budget no later than the last Council meeting in May. Councilmember Kivell stated he hopes City Manager Zelenak will have his meetings with the budget and see how much road work we can accomplish, then start prioritizing the list. City Manager Zelenak stated we will also be meeting with the engineers regarding roads and infrastructure. Councilmember Kennedy stated he would like to compliment the City Manager on what he has put together so far and he likes there is some duplication of goals of Councilmembers such as the abandoned house in McHattie Park. He further stated of course we have to do things in a proper sequence, we don't want to put in a new parking lot only to find out that is where a ground storage tank has to go and we have to take the parking lot back out. He further stated once all the details are in the budget and you have information from the Department Heads, that will help put things in more of a sequential order. He stated the timeline that has been put together is very helpful as well.

Councilmember Walton stated she has the same thoughts as Councilmember Kennedy. She stated this shows there are people on Council that want to make some great positive changes and it looks like we will be moving forward and getting the budget done early.

Councilmember Kurtzweil stated she has spent a lot of time working on the budget since she has been on Council. She stated this is the first time in 2 years that the City didn't receive a letter from the State regarding using more expenditures than revenues. The City has not had a good track record with the budget, and she thinks we did so well last year because we had Plante Moran assisting with the budget as well as some other individuals that worked on the budget at least 30 hours a week. Councilmember Kurtzweil stated one of her criticisms on the budgets, which she has yet voted for, is the inability to forecast and plan. In addition to being a lawyer she is an economist, and you should look to the future, you have to have that future planning in place. We all understand the business cycle, but that has been a serious flaw in City planning is the inability to extend out past the second and third year and we don't have a Capital Improvement Plan. She hopes those issues will resolve themselves, because now it appears the City Manager is coming early to Council to begin working on this process much sooner than it has been done in the past. She further stated Lyon Township may be going on an advanced planning and starting their budget early, although they have more money and more things to do. She stated we will reap the benefits of moving this time table up, and she encourages everyone to work on this budget until it is approved in May. She stated the City Manager is doing a good job and beginning to get Council to think ahead and he is doing a great job.

CM 12-5-18 MOTION TO MOVE FORWARD ON THE INFORMATION AND TAKE INTO CONSIDERATION

Motion by Parisien, supported by Kennedy

Motion to move forward on the information and take it into consideration when preparing the 2019-20 budget

VOTE: MOTION CARRIED UNANIMOUSLY

2. Consider cancelling the December 26th City Council Meeting

Councilmember Kivell stated he is ok with cancelling that meeting, as long as we have the caveat that if something comes up, we will always be willing to meet.

Councilmember Kurtzweil stated she may be out of state during that period of time.

CM 12-6-18 MOTION TO CANCEL DECEMBER 26TH CITY COUNCIL MEETING

Motion by Walton, supported by Richards

Motion to cancel the December 26th Council meeting

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VOTE:

MOTION CARRIED UNANIMOUSLY

BUDGET

Councilmember Kurtzweil stated since she has been working on the budget, one of the things that came up was contingent liabilities include unpaid vacation days. We now have the dollar amounts for unpaid vacation days. The problem is it assists with pension spiking. She has done a lot of research on that, and the unpaid vacation days is a way to spike their pension because it adds to their dollar amount of their pension. The whole idea to add that to the budget was to make sure unpaid vacation days were paid in the current years budget. Chief Collins will be paid out because he is retiring. She stated she believes there is another employee that is owed approximately \$10,000. Councilmember Kurtzweil stated the problem when you don't pay out the vacation pay, when the employee is hired at \$20.00 an hour, then the employee stays on for 30 years, and retires from the City at \$80.00 an hour. The City has not done a good job at keeping track of how that should be paid out, should it be paid out at the rate of when they were hired making \$20.00 an hour, or do you accumulate all that money (which appears to be the practice of the City) regardless of the year it was earned and pay it out at the highest rate. This is in our budget and she asks that the employee be paid out in this current year.

MANAGER'S REPORT

City Manager Zelenak stated there were some inspections done on the Bonner properties. He stated the purpose was to identify dangerous building conditions. We will be reviewing the reports with our building officials and ordinance inspector to ensure those buildings are maintained and we will develop a course of action to find what utilities need to be taken offline. We need to make sure the buildings are safe for people to enter as well as being safe for people to walk by.

City Manager Zelenak stated Cool Yule was a great event and he thanked all the volunteers and staff for all the decorations downtown. It is a very festive look in our downtown, as well as at the Depot, and the Heinanen tree which was a spectacle in itself. This has become a destination point for people to come to our town.

City Manager Zelenak stated he and Bob Donohue will be meeting with Michigan Seamless Tube this week and he will keep Council updated on that.

City Manager Zelenak stated he has been meeting with members of the Police Department in the anticipation of hiring the new Police Chief and he will let Council know how he would like to move forward.

Councilmember Kurtzweil stated she wanted to discuss an email she received from the City Manager on Friday December 7th. She stated there is some important information that needs to get out to the public and we need to be accurate with information that we provide to the public. And when we gain information, we have an obligation to relay that to the public to correct any misconceptions or falsities that are out there. She stated the South Lyon Police Department has been taking a horrible hit. It is a public relations nightmare. She stated she spoke with the City Manager on Friday and relayed to him what was going on. She wants to clear the air and ask those with an acid tongue, you are free to say whatever you want, but make sure you have your facts straight before you accuse them of anything, including corruption. Councilmember Kurtzweil said on November 26th, Councilmember Parisien stated the South Lyon Police Department had investigated, but due to a conflict of interest, this matter is being pursued by the Oakland County Sheriff. Many people in the community became outraged at the South Lyon Police Department because they thought it was strange that the South Lyon Police Department

would do an investigation, come to a conclusion, then declare there was a conflict of interest. She further stated people want to know what is going on here, and that is why people were beginning to question the credibility of the South Lyon Police Department. Why would they have not declared the conflict at the beginning of the investigation then pass it off the Oakland County Sheriff. Then you had Councilmember Kivell engage in a conversation with the investigation going to the special investigation unit. She stated on the 27th of November, Chief Collins contacted the undersheriff at Oakland County and probably asked why they were taking over the South Lyon Police Departments investigation. She stated she spoke with the Undersheriff today, so we know Chief Collins knew on the 27th of November that there was no investigation being done by the special investigative unit or the Oakland County Sheriff. She said then we know there was a conversation held between the Undersheriff and Mary Parisien. Councilmember Kivell called for a point of order. Mayor Pelchat asked Councilmember Kurtzweil if her comments can be explained during Council Comments. Councilmember Kurtzweil stated she spoke with the Undersheriff and he did tell Mary Parisien he had reviewed the South Lyon Police Department report and he found it to be very thorough. She further stated the Undersheriff stands with our Police Department on this issue. She further stated the information that was conveyed at the Council meeting was not true, not accurate and at some point, she learned that the information conveyed was not true. She further stated her attorney made a statement at the PPO hearing that may have misrepresented to the Judge the status of this file with the Oakland County Sheriff. She then thanked the City Manager for stating there were no conflict of interest and the South Lyon Police Department did not refer the matter to the Oakland County Sheriff. She then stated the Oakland County Sheriff sent out an email on November 29th that stated there had been multiple media outlets have been asking them and reporting that they are investigating the matter that the South Lyon Police Department already investigated and that is not true. She further stated the Undersheriff sent this email to multiple people such as the Michigan State Police and the FBI. People are now on notice that statements advanced made by Ms. Parisien on November 26th were not true and not accurate. She then thanked the City Manager for his due diligence on this issue.

Councilmember Parisien asked Chief Collins for a status on this matter. Chief Collins stated you have to be clear if you are talking about the Oakland County Sheriff or the Prosecutor's office. He stated the Oakland County Prosecutor does have this matter for warrant consideration. Councilmember Parisien stated we need to look at the facts as a whole. Councilmember Kurtzweil has failed to tell you that the Oakland County Prosecutor does have this issue, which it states in the email. She stated the Chief of Police and the City Manager authorized this to go to the Oakland County Prosecutors office. She stated she spoke with the Undersheriff and was also told this was being investigated by the Sheriff. Yes, she then let everyone know. She was very much under that mindset on the 26th of November. She stated she received a call on the 27th and was told the Sheriff will not be moving forward with this unless they get the approval of the Chief of Police and the City Manager, so they took it upon their own hands to send this to the Oakland County Presecutor. She further stated it seems Councilmember Kurtzweil looking at this from the perspective of trying to make her look like a liar, and poke holes in her case. She did speak with the Undersheriff on the 27th and he stated the South Lyon PD did a good job on the investigation, and the Chief and City Manager authorized this to go to the prosecutor's office. She further stated the Judge with Oakland Circuit Court ruled in her favor that Carl Richards behavior was uncalled for. You have a legally blind man that can tell the bedroom furniture in her home, which you cannot see from the street because it is in the back of her house. She further stated a court looked at it differently than the South Lyon Police Department or the local prosecutor but this is information Councilmember Kurtzweil won't tell you because she wants to give a skewed version of how to poke holes in her case.

Councilmember Kurtzweil stated she spoke with the City Manager on Friday and the file was not sent to the Prosecutors office until around December 5th which is way beyond the assertions of the 26th.

Councilmember Kurtzweil stated Councilmember Parisien knew as of November 27th, and she will contact and ask the Undersheriff to review the tape that the statements being made are accurate by Councilmember Parisien. She stated inaccurate statements have been provided as in the past and it goes to her credibility. She further stated it is a serious thing where you don't know where your file is, yet you say so in a meeting.

PUBLIC COMMENT- None

COUNCIL COMMENTS

Councilmember Richards read a statement. He stated at this time he wishes to restate his apology to Ms. Parisien as he did in Oakland County Circuit Court on November 26, 2018. This also includes the rest of this Council and the administrative personnel of our City, the department and commissioners and all employees who were affected by the confusion and division caused solely by myself without excuse over the incident that occurred on October 31 at a location in town. In summation it is his hope we can put this unfortunate set of events behind us and move on, with our attention devoted to matters necessary to the City business that regularly comes before this body.

Councilmember Richards wished much success to the City Manager and Bob Donohue with their meeting with the tube mill. Councilmember Richards stated Mr. Bonner was in the back row earlier during the meeting and there were reports given for 135 E Lake Street and 113 Lafayette as well. He stated the report has many pictures and there are 17 points to be addressed as fire hazards and he hopes this is moving forward, he knows they want to sell this property and he hopes it all works out for all of us. Councilmember Richards stated the Witches Hat Brewery recently purchased the building their business is in. He stated he has never been in the business, but he knows they bring in a lot of people and business into our town.

Councilmember Richards stated the City Manager came from the beautiful town of Linden and their waterworks is beautiful. He further stated that didn't happen by accident. He further stated in 1970 Jim Pelky began building Colonial Acres and donated \$50,000 to the Oakland County Drain Commission to start a matching fund. If we ever want to have anything like that over the Yerkes Drain, which is why he submitted a plan.

Councilmember Richards then thanked the DPW and the Water Department for all they have done this year, along with holding the City together under stress, equipment problems, sinking sidewalks and all the other things they do for the City.

Councilmember Parisien stated the apology from Councilmember Richards did not feel heartfelt. She further stated the only apology she will accept is his resignation, especially after everything that has happened and the hurt that has caused her and her family. She further stated she wants to go over the facts of what has occurred. She stated on October 31st, a business owner and his employee notified her of Councilmember Richards looking into her windows, she is not fabricating this story or asking for this. She further stated she is creeped out by this, which is why she got the PPO to protect herself, her family and her home. She further stated Carl Richards is legally blind, yet he knows the bedroom furniture in her home, which can only be seen from her backyard. She is 44 years younger than Carl Richards, how can he see her bedroom furniture when the bedrooms are in the back of the house. She stated this information was provided to the South Lyon Police Department. She believes there is a conflict of interest when there are two Councilmembers that are making decisions for the Police Department and that is what she told the Oakland County Sheriff. She was told they were going to look into this and as of November 27th the day after the meeting, things went into a different direction. The City Manager and Chief of Police had to agree to hand this over to the Oakland County Prosecutor's office. Those are the

facts. Additionally, it is important to point out, it is difficult for anyone to speak out of any harassment be it a man or a woman. If they were accosted sexually, and most people sit and suffer in silence. She thought it was important as a city official, we have someone sitting on Council that is looking through windows. It is a fact, she has the PPO to prove that. No, she will not be quiet about this, there are people every day that suffer in silence. It is important to know who is on Council and who you elected. It is important to pull FOIA's, you don't need permission or consent. It is all public information, then you can make an educated decision, not just for politics, but for every aspect of your life.

Councilmember Parisien stated Ryan Lare was told by the Judge that he cannot act on behalf of Carl Richards. She believes making up stories as absurd as sleep walking to her house can be misconstrued as that. She further stated she would like to see anywhere in the court transcript does it say she ever said that. She stated coming up to the microphone and spewing that, why the hate, she doesn't get it. She doesn't care enough about him to involve him. She doesn't understand why he would want to be involved but it seems he does. She suggested he stay out of it and move on.

Councilmember Parisien then thanked everyone that came out to support her tonight. It has been a trying 8 weeks. She did what she had to do to get a PPO. The judge found it astonishing. The gentleman that was working in the store that day found it astonishing as well. Mr. Richards told him that he did go up to her house and look into her windows. She further stated it was only after the fact the SLPD told him that his actions were in question, then he stated no, he was on the sidewalk. There is information out there that people will try to twist, but please stick to the facts.

Councilmember Walton stated she doesn't know any of the facts and has nothing to say on that matter. She hopes everyone has a great holiday season.

Councilmember Kennedy complimented everyone involved with Cool Yule. His grandkids had a great time as well as many other people would agree. He stated it seemed everyone turned out for the lighting of the Heinanen Christmas tree. It was a great time and he is sure it will continue to get better as time goes on.

Councilmember Kennedy stated he wanted to commend City Manager Zelenak. He passed along some information to him as the City's SEMCOGG representative and he attended a session looking at alternative transportation and potential for funding down the road. He then complimented City Manager Zelenak on the timeline of the budget. He then wished everyone happy holidays.

Councilmember Kurtzweil stated she is a conservative feminist and that is an individual that looks at the rights of all people, whether it be a man or a woman. She stated we are not result oriented, we are fact oriented. She stated the individuals that did not like that two of them did not vote for the Board of Ethics, she suggests they go back and listen to the reasons why. The reasons were because she didn't have enough information before her at the time to make that decision. She is an Attorney, she looks at the facts. She had nothing except allegations back and forth between two Councilmembers. It was inaccurate and false of people to make judgements that certain Councilmembers weren't supporting this going before the Board of Ethics. She further stated he can say whatever he wants in his own free time, she doesn't care, but his conduct is another issue. For those that didn't want to listen to the tape, that is fitting your agenda. Her agenda as a Councilmember is to respect the rights of all people whether you are a man or a woman. If there is a man out there that has a PPO against him, and you are getting charged and there are already signs the dominos are about to fall because false statements were made on November 26th regarding where this matter was. That becomes a problem because everything else you do from then on will be questioned. She further stated she will not allow anyone in this City to be falsely accused of something in which there was no crime. Was it filthy, yes, was it vulgar, probably, but the South Lyon

Police Department gave their opinion and said there was no crime. She further stated people are attacking the Police Department because the average person in the audience will get one shot on an investigation, file a complaint, wait for the investigation, wait for the decision and you are done. There is a Councilmember that is getting a second bite at the apple. No other citizen in this City would be afforded a second bite at the apple. She is venue shopping, she is shopping to get the answer she wants, not the answer that fits the facts. There is something wrong with that level of justice. She further stated some people may think that is ok because they are agenda driven. She stated when she sees people shopping for a result, because they aren't happy with the result the police department made, people better be worried. The message being delivered tonight is if someone is on Council, there will be one level of justice for her and another level for everyone else.

Councilmember Kurtzweil stated with respect to asking people to resign. She stated this isn't Venezuela, this isn't Russia, if you don't like who is sitting on Council, issue a recall, vote for other people. She stated you don't come and ask someone to resign because you don't like them. You don't unelect people in a democracy. Let the voters make a decision. It is important to note that there were 3 people that voted to not go into closed session. Everyone that is here exercising your first amendment right, the reason you have the right is because 3 people voted to not allow this to be hidden in a closed session. She further stated we are going to bring this out and let the public see and move forward. Look at the people that wanted to hide this from you, it was the 4 down there. She stated it was the 3 of us that said let's face the facts, hold Carl accountable and get it out. She stated she doesn't agree with his conduct, but she agrees with his decision to open this up to allow the public to say whatever they want to tonight. She stated if that was discussed in a closed session, by law she would not have been able to discuss anything in that meeting. The public would know nothing. She further stated she may not agree with everything everyone says, but she will go to her death defending your right to say it.

Councilmember Kurtzweil wished everyone a Merry Christmas, and there are some great decorations in Hidden Creek at 9 Mile and Dixboro and it is phenomenal. She then thanked everyone for the time they spent on doing such a great job decorating. She thanked everyone of her Jewish friends and wished a happy Hanukah to everyone of the Jewish faith.

Councilmember Kivell stated it is almost laughable that she respects the rights of all people. It is very hollow considering your history of constantly character assassinating businesses or people that don't agree with you. It is laughable. Councilmember Kivell stated Ms. Breughel asked why Carl had not been removed from Council. Unfortunately, we may like to do that, but we have to follow the process of the law, the Board of Ethics is looking into this, things are going through the Prosecutors office, we are being patient. He further stated it isn't a matter that it isn't serious and that they are uncaring, but we have to follow the step by step process.

Councilmember Kivell thanked Mr. Donohue and City Manager Zelenak for their beautifying the downtown and the steps they took about how the decorations were employed paid off. It looks great downtown and Paul Baker Park looks great as well. He then thanked everyone that participated in Cool Yule. He stated downtown was swamped with people when the tree lighting occurred.

He stated the reason we wanted to talk during a closed session was to try to save the community from another black eye. The outcome would have been the same and things would have been disclosed when things had been determined.

He then wished everyone a wonderful holiday and enjoy the downtown and South Lyon. We are a wonderful community although sometimes our feet in the mud. Hopefully we are at the end of that and things will be on a more positive upturn.

Mayor Pelchat stated regarding the conversation he had with Carl requesting his resignation. There was no joy in that conversation. It was after several days of digesting the information of what had taken place in this community in this past year. He stated he thought it was in the best interest of the City and Councilmember Richards to step down and he still feels that way. Mayor Pelchat stated if we talk about agendas, there are people that run this community that get people elected that probably shouldn't be up here, and they don't care about you or the community. What we are doing up here are right and it is tough and sometimes we will take some lumps. He further stated the fact of the matter is there are people that think they can hand pick who sits on Council, and they have done it for several years. He will not call people out by name, but the paper trail is there. So, if you want to talk about FOIA's or campaign financing, look it up. Mayor Pelchat stated if you ask Councilmember Richards about that conversation, he will also tell you that was not an easy conversation for either one of them. He then read part of the City Code, Chapter 2, article 2, section 2.73. City officials and employees are agents of public purpose and hold office or employment for the benefit of the public. They are bound to uphold the Constitution of the United States and the constitution of this state and to carry out impartially the laws of the nation, state, and municipality and thus to foster respect for all government. They are bound to observe in the performance of their official duties and actions the highest standards of morality and to discharge faithfully the duties of their office or employment regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach. All city officials and employees shall safeguard public confidence by being honest, fair and respectful of all persons with whom they have contact, and in the performance of their official duties, and by avoiding conduct which may tend to undermine respect for city officials and employees and for the city as a public body. Mayor Pelchat stated that was a tipping point for him, we will see how this plays out. Mayor Pelchat wished everyone a happy holiday season and thanked all the employees for a great year.

ADJOURNMENT

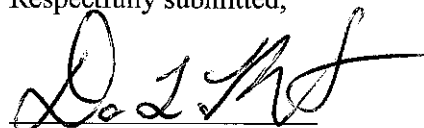
CM 12-7-18 MOTION TO ADJOURN

Motion by Kurtzweil, supported by Walton


Motion to adjourn meeting at 8:55 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,



Mayor Dan Pelchat



City Clerk Lisa Deaton