

City of South Lyon  
Regular City Council Meeting  
December 12, 2022

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

Mayor Pelchat led those present in the Pledge of Allegiance

Roll Call: Mayor Pro Tem Kennedy and Councilmembers: Dilg, Kurtzweil, Kivell, and Hansen

Also present: City Manager Zelenak, Fire Chief Thorington, Chief Baaki, and Clerk/Treasurer Deaton

Absent: Councilmember Mosier

CM 12-1-22 MOTION TO EXCUSE ABSENCE

Motion by Kurtzweil, supported by Kivell

Motion to excuse absence of Councilmember Mosier

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

CM 12-2-22 MOTION TO APPROVE THE MINUTES

Motion by Kennedy, supported by Hansen

Motion to approve the minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

Councilmember Kennedy asked about the final payment for the water tank because his understanding is they owe money for each day the job wasn't completed after the date on the contract. City Manager Zelenak stated they were delayed 60-80 days due to the State's dewatering process. Mr. Alix of HRC stated since the Flint water crisis, the State is making sure they do all their checks and balances and during the dewatering process the contractor couldn't work on site.

CM 12-3-22 MOTION TO APPROVE THE BILLS

Motion by Kennedy, supported by Hansen

Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 12-4-22 MOTION TO APPROVE AGENDA

Motion by Dilg, supported by Hansen

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

1. Cancel December 26, 2022 Council Meeting
2. DDA Board member resignation- Mashburn
3. DDA Board member resignation- Fagin
4. Support Emergency Operations Plan- revised

CM 12-5-22 MOTION TO APPROVE THE CONSENT AGENDA

Motion by Kurtzweil, supported by Kennedy

Motion to approve the consent agenda

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT- No public comment was made

DISCUSSION- Downtown

Downtown Development and Economic Director Mack stated we have 3 applications for the DDA Board. He then thanked Gary Fagin and Dereck Mashburn for their time and efforts while on the DDA Board. Mr. Mack stated that it was a cold and windy day, but the Holiday Spectacular was well attended, and he thanked Dayna Johnston for handling the lighted parade. He then stated the city event calendar for 2023 will be completed in January or early February. He reminded everyone of the next Winter Farmers Market on the 17<sup>th</sup> and we have 36 vendors so we are sold out. Councilmember Dilg asked how the first Winter Market went and if they are using signage to direct people. Mr. Mack stated it wasn't overly crowded, but well attended. He then stated they do use the signage from the regular Farmers Market. Councilmember Kurtzweil asked about the Noble Appliance building and if there has been any interest in buying the building. Mr. Mack stated he has spoken with 2 people that were interested in the building, but the one spoke with the owner, and they couldn't come to an agreement. Councilmember Kurtzweil stated she wonders if the owner is really interested in selling it, or going to keep it as a tax loss. She stated that is a difficult area, it comes with constraints. The constraint is the parking issue. The façade is outdated and whomever buys it will have substantial work ahead of them. She also stated it is probably overpriced. Councilmember Kivell asked if the alley that was repaved property of that building owner, or the city. Mr. Mack stated that belongs to the building owner.

FIRE CHIEF REPORT

Fire Chief Joey Thorington stated that as of today, they have had 1,016 incidents this year. He stated we should have the ladder truck soon, and it should be road ready sometime between January and mid-February. He then stated they had a live burn at the burn boxes. He sent the video to Council and it is on YouTube. He stated the new thermal camera worked great and the visibility is amazing. He then stated they are still installing smoke detectors and carbon monoxide detectors for residents. He further stated instead of changing the batteries in the smoke detectors, they are now installing smoke detectors that should last 10 years. He then reported that Elenor Shipley was voted Firefighter of the Year, although she wasn't able to celebrate at the holiday dinner because she was out ill.

POLICE CHIEF REPORT

Police Chief Baaki stated they do some scenario-based training on Tuesday at the water plant. He then stated the truck is in and he is waiting for the quote to get it road ready. He stated it will be a sergeant's car and patrol car.

UNFINISHED BUSINESS

1. 2<sup>ND</sup> reading amendment of purchasing ordinance to increase the value of purchases requiring council approval and competitive bidding and to clarify authority for emergency purchases  
City Manager Zelenak stated at the November 28<sup>th</sup> meeting, Council approved the first reading of the amendment to the purchasing ordinance to increase the value of purchases requiring Council approval and competitive bidding and to clarify authority for emergency purchases. Discussion was also held during the audit presentation. The proposed ordinance amendment increases the value of purchases requiring council approval from \$5,000 to \$10,000 (Section 2-222). The proposed amendment also increases the value of purchases requiring competitive bidding, as defined in the ordinance (section 2-224) from \$10,000 to \$15,000. Purchases of up to \$15,000 can be made on the open market and must be supported by 3 written quotes which may be obtained verbally or in writing which is the city's current practice.

CM 12-6-22 MOTION TO ADOPT ORDINANCE AMENDMENT CHAPTER 2 ARTICLE VI

Motion by Kennedy, supported by Dilg

Motion to adopt the proposed ordinance to amend the purchasing ordinance article VI, Chapter 2-administration of the code of ordinances of the City of South Lyon

ROLL CALL VOTE:

Dilg- Yes

Hansen- Yes

Kurtzweil- Yes

Kennedy- Yes

Kivell- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. HRC road improvement program

City Manager Zelenak stated we will be discussing the planned road improvements for 2023. The Hagadorn area will be the first project in our multi-year road improvement program. This section will entail repairs of sections of sanitary sewer, storm sewer, and road paving. Attached is the preliminary cost estimate. We have also included a schedule of events that will include public informational meetings, bid dates, construction dates as well. In 2023 we will also be performing extensive crack sealing and joint repairs throughout numerous subdivisions in the city. Roland Alix and Mike Darga of HRC discussed the road improvement program. Mr. Darga discussed the PASER study that was done in 2020. It reflects the 95% of roads in the city that are in poor condition. He stated the city will be making significant improvements in 2023. He stated the sanitary sewer and storm sewer will be replaced down Hagadorn before the paving, as well as in some areas in the subdivision. Councilmember Dilg asked if there will be curbs added. Mr. Darga stated to add curbs would cost a few million dollars and you would have to drop the road down a foot, as well as remove some of the trees, and there are a lot of utilities under and near the road. The road will be 22-foot wide so you won't be driving on the edges of the road as much. Councilmember Hansen asked if the crosswalk by the school will be included. Councilmember Kivell asked if there will be an enhanced sidewalk on the one side. Mr. Darga stated all the sidewalks will be replaced, but there isn't a plan to enhance the one side. He stated there are trees there that would have to be removed as well. Councilmember Kivell stated trees are failing throughout the city anyway, maybe we should make a plan to replace some of the old trees with new ones. Mr. Darga stated the DPW is speaking with an arborist to look at if there are any trees that need to come down. Mr. Darga then discussed the slide reflecting the cost of the 2023 Hagadorn roadway and sanitary sewer improvement program, which included Sanitary Sewer Improvements \$725,000.00, Roadway Improvements \$3,750,000.00, design engineering \$360,000.00 and construction administration \$630,000.00. Councilmember Kennedy stated he looked at the study from 2020 and the cost for the roadway improvements at that time was \$2,900,000.00 which is a 30% increase. He then asked why it has risen higher than the cost of inflation. He further stated that means we have lost 30% of our bond money and we will really have to stretch our tax dollars. Mr. Darga stated those estimates were based on a per foot cost. This cost is from actual design plans. It could come in lower or higher. You're spending a good chunk of money, but it is a big section of the city and maybe that could present some cost savings on the contractor side as well. Mr. Darga stated the PASER study is just a visual rating for the pavement, it doesn't include all the water, sewer and drainage issues that have to be replaced. Councilmember Kennedy stated that some of the money is coming from the water and sewer fund as well as the road bond money. City Manager Zelenak stated there is actually a 3<sup>rd</sup> fund which is the Act 51 funds. Councilmember Kurtzweil asked if you are allowed to use the road bond funds for infrastructure. Mr. Darga stated no, that would only be for the roads, the infrastructure will be used from the water funds. Discussion was held regarding the first 10 years of repairing the roads as well as replacing infrastructure.

Councilmember Hansen asked if they know where the next area will be that will be repaired. City Manager Zelenak stated we haven't looked at 2024 as of now. There are numerous locations that have repairs that are needed. We are doing an analysis each year to look at the underground repairs as well as the road repairs. Further discussion was held regarding the schedule for 2023. Councilmember Kurtzweil asked if they will be using the spray patching. Mr. Alix, stated they haven't looked at that, as of now they plan on doing it the way they normally have, but they can look into it. City Manager Zelenak stated the next step will be having public outreach meetings and we'll have all the information on the website as well. We'll be letting the public know about the road plan and we are still working on design but everyone so far has been very receptive. We are working with Water and Sewer and DPW to find where some of the sanitary sewer has failed in the past and identify the locations for repair. He further stated you could replace every single line but that would be a 10-million-dollar project. Councilmember Dilg stated many residents have complained about people speeding down Hagadorn and the lack of stop signs. Once it is paved nicely, they are worried it will get worse. City Manager Zelenak stated Chief Sovik looked at that in the past year, and did some speed counts, and observations. He found that most of the speeds are within the range. We aren't doubting what people say, but we can always look at it at a later time. Councilmember Kurtzweil stated along with the presentation, we have been provided with the qualification statement, and it was a fabulous document. She thanked them and their office for putting it together. She stated she was HRC was deemed one of the best workplaces. There is nothing worse than having employees that don't want to work for their employer. When looking a project like this, it is important to know the company has workers that are satisfied with their corporate environment. The kudos are several. It is important to her, and when the public look at this, it is important to know that the credentials are impressive. She commends them on their hard work academically and the team credentials are very impressive.

NEW BUSINESS

1. Resolution supporting parks grant

City Manager Zelenak stated earlier this year the city received notice that we received a grant from Oakland County for \$100,000 to go towards the unnamed park on S Lafayette and McHattie. In the current year, we have also budgeted for \$45,000 towards this park as well. We are now applying for a \$693,000 grant through the MDNR to complete the park improvements as outlined.

CM 12-7-22 MOTION TO APPROVE SPARKS GRANT

Motion by Kurtzweil, supported by Hansen

Motion to authorize the City Manager to apply for the 2022-2023 Sparks Grant for the park currently known as Lafayette Park

ROLL CALL VOTE:

- Hansen- Yes
- Kivell- Yes
- Dilg- Yes
- Kurtzweil- Yes
- Kennedy- Yes
- Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. HRC engineering services

City Manager Zelenak stated earlier this year we discussed HRC and their role as our engineer and the services they provide the city. Included is a statement of qualifications document that outlines their firm, previous experience in South Lyon, and other communities, staff qualifications, and additional information on what they provide the city. The discussion tonight gives Councilmembers an opportunity to learn more about HRC and their approach to providing engineering services to the City of South Lyon.

Roland Alix of HRC stated they have been serving the city for almost 28 years. He then stated their company is 106 years old. He then stated what has helped with that is the family community they try to keep in the company, as well as the importance they put on serving their clients. He then stated they have worked with the city on many projects over the last 28 years. He then introduced Nancy Faught who is the executive vice president of HRC. She stated she has been with them for almost 35 years. She stated our employees are our number one priority. If we didn't have them, we couldn't serve our clients. She said they strive to meet or exceed the expectations of our clients. They emphasize growth in their firm, but they have had the same number of employees for 20 years. They don't want to outgrow their existing clients, the clients are their foundation. The average is over 30 years. She stated they love working with the customers staff as a team. She stated they are always looking to improve, everyone makes mistakes, and we can learn from them. She did a client interview with the city manager and learned how they can do better. She stated they will work and get better every single day. Councilmember Dilg asked what their EMR number. Mr. Alix stated he doesn't have their exact number, but they do pass the EMR standards, and they pass the GM protocols. Councilmember Hansen stated he has been on Council for over a year, and he appreciates HRC and all the updates they supply. He also stated it was a great report to see some of the projects they have worked on within the city. He then stated he is looking forward to the Pontiac Trail paving in 2026. He then asked about the pavers that are at some of the crosswalks in town and if they would suggest using something different if that project was done now. Mr. Alix stated Berkley has moved away from brick pavers, and it is community based, but would use stamped concrete, the pavers are a settling nightmare. Councilmember Kurtzweil stated she was also impressed with them offering assistance on grant writing. Ms. Faught stated they are always watching for grants for their clients. Councilmember Kurtzweil stated she started reading and out of Israel, they were doing a lot of work on UV disinfectants, and she bought a wand herself. She further stated the research is good, and it was done in hospitals, but when she read about HRC instituting UV in the water plant, she was impressed with the ability of HRC of the new technology. It replaces the sodium and sodium phosphate so you are providing a cleaner air surface. She thanked them for staying up on the technology. She then asked how far they are with the GIS system. Mr. Darga stated in the past, the GIS was the first one to get axed. Councilmember Kurtzweil asked whose budget would handle that. Mr. Darga stated that would be the city's budget. Mr. Darga stated as they work on the projects, they will work on the GIS, but Doug has been trying to update the GIS on his own. He stated it hasn't been updated in a long time. City Manager Zelenak stated as we go along with different plans, we are making sure the as-builts are added to our system. Anything that will be done on Hagadorn will be included as well as the whole subdivision. He further stated we will be going back through older subdivisions and add them as well. Councilmember Kurtzweil now she knows the cost is the cities. She further stated if the as built isn't done correctly, the data won't be correct. Further discussion was held regarding updating the GIS system. Mr. Alix stated not all cities have a GIS system, most larger cities do. Councilmember Kivell stated one of the misgivings was that no one knew where the as-builts were and he hopes that will change in the future. Superintendent Varney stated the water lines that were put in the last 2 years ago, they are in the ESRI. It's very accurate. Mr. Alix stated Mr. Varney has a time lapse video of the new water tank going in. City Manager Zelenak stated it will be on our website for the public to see. It is interesting to see the progression, and it shows people where the money goes.

BUDGET- No comments were made

PUBLIC COMMENT- No comments were made

MANAGER'S REPORT

12/12/22

City Manager Zelenak stated at an upcoming meeting we will have on the agenda, the adoption of a resolution to invest in the Oakland County Local Government Investment Pool. We will also have the Nyhart study. At a meeting in January, we will discuss the ARPA funds. He then stated bids are due on December 20<sup>th</sup> for the demolition and removal of hazardous waste at the 464 S Lafayette property. He stated the Fire Department will hold training sessions before the house is demolished. He then stated they had a meeting with the township regarding regarding the pathway and sidewalk projects. He also will be presenting the Pontiac Trail Drainage Study. Councilmember Kivell asked about 110 Detroit. City Manager Zelenak stated they are due back in court on Wednesday. We have been informed by the owners; they are planning on demolishing the property. They have applied for disconnection of the utilities and after we receive notice that has been done, they can pull a demo permit. He further stated whatever course of action the judge will take; he thinks it will be based on the work that was supposed to be done by the specific date. Councilmember Kivell stated he hopes they hold their feet to the fire on that and it would be unfortunate if he doesn't. We played by the rules and they knew the timeline that things should have been done. City Manager Zelenak stated the judge was very adamant about what needed to be done. Councilmember Kivell asked about the potential sale of the bakery. It is interesting it is happening in such a weird timeline. Councilmember Kennedy mentioned the report that they received about DTE and their outages. Councilmember Kurtzweil stated that is an interesting topic. The top discussion on social media is the power outages we have during windstorms. She stated it is very frequently and she commends Bob for giving a detailed agenda of when they occur. She spoke with someone last year and they brought up a good point. DTE budgets 3-5 years in terms of what they are doing to improve their services. Some communities are putting their lines underground. She further stated he also said DTE is very budgeted, and if you're not in their budget, its not going to get done. She encourages the City Manager to get on their budget. They have to come out and do studies and it takes time and it has to be budgeted and if there is a storm the linemen go to different areas. City Manager Zelenak stated we have no control of DTE, but he can forward the information to our DTE contact. He further stated we have had conversations regarding the street lights and other improvements. Councilmember Kennedy stated the Lyon Township Trustees are doing the same thing and this may be another way we can partner with them. Councilmember Kivell stated maybe we can just ask them for a review.

#### COUNCIL COMMENTS

Councilmember Kennedy stated earlier this year the crosswalk was installed at Marjorie Ann and Pontiac Trail. Unfortunately, it only operated during school hours Monday to Friday and for a brief period on Sunday. After 3 months of working together with Civil Engineering Solutions, Lyon Township's engineering firm, and the Road Commission for Oakland County I am happy to say that the operating schedule has been changed. The crosswalk now operates Monday to Friday from 6:30am to 9pm and Saturday and Sunday from 8:30am until 9pm. This will allow community residents to safely cross Pontiac Trail throughout the day during the week to patronize the businesses and attend the churches on both sides of the street. He then thanked Leslie Zawada from Civil Engineering Services and Danielle Deneau from RCOG for helping us make that happen. He then wished everyone a very Merry Christmas, a Happy Hanukkah, a Joyous Kwanza or, in the words of Jerry Stiller from the Seinfeld Show and I quote, "A Happy Festivus for the rest of us!" He then wished everyone a great holiday and happy new year.

Councilmember Kurtzweil thanked Dereck and Gary for their public service to the DDA and the city. She knows both of them and they made great contributions in leadership and they are great people to know and she is sad to see them leave. The she stated she is enjoying the lights downtown and wanted to

remind everyone to visit the Christmas sub at Hidden Creek sub, it is literally lit like a Christmas tree. She further stated you have to go see the Historical Village, it is gorgeous and a lot of hard work has gone into it. She then reminded everyone to give to the less fortunate if you can, whether it's food or gifts, or even non-monetary gifts. She then wished all the employees, Councilmembers, and all the friends in the city Happy Holidays.

Councilmember Hansen stated he also wanted to remind everyone that there are volunteer opportunities available such as bell ringers for the Salvation Army and hope it will help less fortunate. There are great organizations out there that need volunteers. It isn't just a holiday thing; he plans on doing so throughout the year.

Councilmember Dilg thanked HRC for coming in and giving their presentation. She stated if everyone isn't prepared for the holidays, the shops downtown are doing a great job. There are good restaurants that are doing nice dinners like at the winery and the corner social. Keep shopping local.

Mayor Pelchat thanked Mr. Mashburn and Mr. Fagin for their commitment to our community. He then thanked Council for another great year and it has been a joy and he wishes everyone a happy new year. He then thanked Dayna Johnston for all her work on the parade and he thanked everyone for coming downtown.

ADJOURNMENT

CM 12-8-22 MOTION TO ADJOURN


Motion by Kurtzweil

Motion to adjourn the meeting at 9:12 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

  
 Mayor Dan Pelchat

  
 City Clerk/Treasurer Lisa Deaton