

City of South Lyon
Regular City Council Meeting
December 13, 2021

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

Mayor Pelchat led those present in the Pledge of Allegiance

Roll Call: Councilmembers: Dilg joined the meeting from South Lyon MI, Kurtzweil joined the meeting from South Lyon MI, Councilmember Kivell joined the meeting from South Lyon, MI and Kennedy joined the meeting from South Lyon MI, Mosier joined the meeting from South Lyon MI, and Hansen joined the meeting from South Lyon MI.

Also present: City Manager Zelenak, Attorney Hamameh, Chief Sovik, Deputy Chief Weir, DDA Director Mack, Finance and Benefit Administrator Tiernan, and Clerk/Treasurer Deaton

MINUTES

Councilmember Kivell stated on page 3, he made the motion for the CDBG funds, not Kennedy.

CM 12-1-21 MOTION TO APPROVE THE MINUTES AS AMENDED

Motion by Kennedy, supported by Dilg

Motion to approve the minutes as amended for the November 22, 2021 Council meeting

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 12-2-21 MOTION TO APPROVE THE BILLS AS PRESENTED

Motion by Kivell, supported by Kennedy

Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

Councilmember Kurtzweil stated she would like to add item #3 under New Business for discussion relating to extending the performance deadline for 135 E Lake Street

CM 12-3-21 MOTION TO ADD #3 AGENDA ITEM UNDER NEW BUSINESS

Motion by Kurtzweil, supported by Kivell

Motion to add #3 under New Business for discussion relating to extending the performance deadline for 135 E Lake Street

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

1. Consider cancelling December 27th City Council Meeting
2. Motorfest 2022

CM 12-4-21 MOTION TO APPROVE CONSENT AGENDA

Motion by Kurtzweil, supported by Kennedy

Motion to approve the consent agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT- No public comment was made

DDA- Informational meeting in compliance with PA 57 of 2018

Downtown Director Nate Mack made a brief powerpoint presentation which can be viewed on our website in its entirety. *slides are attached* Mr. Mack stated the purpose is to comply with Michigan PA57 of 2018, which offers guidance for DDA's. He stated DDA meets the second Thursday at 8:00 a.m. The Board of Directors are made up of a mix of downtown business owners, downtown residents, business owners and property owners. He then explained the DDA is mainly funded by tax increment financing which means it captures of an increase of property tax value over the base year the DDA was established which in South Lyon was 2001 and this is due to building investments, building rehabilitations and inflation. As property values rise, the DDA captures the increase in value and invests those funds back into the district. He further explained the revenue of the DDA. As of June 30, 2021 they collected \$48,496.00 and they also collected Farmers Market sponsor vendor fees and grant funds in the amount of \$20,177.00 He then explained the DDA expenditures as of June 20,2021 which consisted of the Farmers Market, operating expenses, seasonal improvements as well as other things, made a combined total of \$34,411.00 He then stated the DDA philosophy utilizes the four point approach by Main Street America which is organization, design, promotion and economic vitality. He then explained the four-point approach in more detail. He then stated the city had many events in 2021 such as Ladies Night, Farmers Market, Downtown Trick or Treating and the car shows which the residents really supported. Mr. Mack stated the Farmers Market was very successful this year despite some big changes such as Tim Davids no longer being the market manager, although due to his hard work at the beginning of the year, there was an increase in sponsorship dollars. Councilmember Kivell asked for an example of a miscellaneous expense because it appears to be 14% of the expenditures. Mr. Mack stated he believes there was something that was paid with that line item from the previous budget year. Councilmember Hansen thanked Nate for all his work with advancing our community and bringing the events to our downtown. He then asked what efforts is the DDA doing to let the downtown business owners know of the events and engage them so they are knowledgeable and aware of upcoming events. He then asked what Council could do to let the downtown business owners be aware of the events. Mr. Mack stated they engage on their Facebook page, as well as an email list he has of all the business owners downtown and before events he will send out a mass email to let them know of upcoming events. He stated Council does a great job showing support for the events and by coming to the events. Councilmember Kurtzweil asked why the delinquent real property tax levy was so high for the 2019-2020. Councilmember Dilg stated she would like the DDA Board to consider a way to keep residents downtown after the event, such as the parade. She stated a lot of the shop's downtown were still open, but it seemed everyone left downtown after the parade.

DISCUSSION- Downtown

Downtown Director Nate Mack stated the Holiday Spectacular went very well, even though they had to make some adjustments because the schools were closed. There were people walking back and forth through the downtown throughout the day. He spoke with some shop owners and they said they had a very busy day. He then stated if we try getting people to stay downtown after the parade is something we will be looking at. We will have a wrap up meeting later this week. He then recognized a core group of people that committed many hours of their time for the event, such as Melissa Borgman, Tanya Nevitt, Linda Ross, Larry Ledbetter, Annie Vuillemot and Ron Borgman. He then stated Dayna Johnston did a great job with the parade. He met weekly with all of them and it couldn't have happened without them and he thanks them. He then stated the Director for the South Lyon Recreation Authority has submitted her resignation and this affects the Farmers Market partnership we were going to enter into with SLARA, therefore we have posted the Farmers Market Manager on ZipRecruiter until January 8th, and we will hire that person in the same capacity as the previous Market Manager. He then stated the DDA Board met last week and discussed the Farmers Market as well as joining a focus group with the South Lyon Community Schools on January 27th.

FIRE CHIEF REPORT

Deputy Chief Weir stated the graphics for the new F150 is completed and it is now in service and scheduled to get lights and sirens installed, but they are backordered about 4 weeks. He stated the jeep it is replacing will have the lights and sirens removed and we will post it for sale in the next month or two. We had a busy weekend with the weather, there were 2 fallen trees that damaged houses along with a number of downed power lines. DTE has been working to get everyone's power back on. He then reminded everyone to go to a hardware store and purchase carbon monoxide detectors, we are getting into the season and they can save your life just as much as a smoke detector can. He then thanked the city for involving them with the lighted parade, and they delivered Santa to McHattie Park and the firefighters enjoy being involved in that.

POLICE CHIEF REPORT

Chief Sovik stated Detective Tim Raap was given the Officer of the Year Award for 2021 and he has been with the city for 22 years. This is his first time through the detective bureau and he has done an outstanding job, and his work ethic is impeccable. He stated the generator project should be completed soon. He stated they had their Christmas party on December 6th and they discussed the year 2021 and about things they can improve on and things that went well. They also talked about some budget requests. He then stated he met with the school administrators individually to reassure them of their commitment and that safety is our priority. He stated the Police Department will continue to do as we have been with showing a presence at the arrival and dismissal of school and doing walk throughs. We had an officer assigned to the schools on Monday and Tuesday. He further stated they met with the schools to discuss an agreement to have a school resource officer. They were thankful. He then stated we received a \$500.00 donation which brings us to \$4,600 for the memorial foundation. He further stated they raised almost \$1,600 for the Wigs for Kids program and he thanked the city council members for their donations. Chief Sovik stated the Police Department partnered with Biggby Coffee on Sunday the 11th for a few hours and they provided \$1.00 per each item they sold during that time and they raised \$600.00 during that short time. He further stated it was really busy and he thanked them for partnering with them. He then stated he received 2 checks from MMRMA for grants for the in-house cameras and for the tasers they purchased. They are expecting another one shortly. He then stated last week was pretty stressful with the Oxford incident and it hit close to home and affected us more than we thought. We had good discussions and we have accreditation requirements that are coming due this month. Lieutenant Baaki's father passed away, so there has been a lot going on. We haven't had that much stress or pressure that he can remember. He reminded everyone of the employee assistance program that people can take advantage of if anyone needs to talk to someone. Chief Sovik stated he received a call from the Superintendent of South Lyon Schools and they discussed having an officer in the middle schools. He contacted the City Manager to let him know. He then met with the Superintendent and he wanted to have an officer in the schools as soon as possible. They spoke about the responsibilities and the compensation the schools will pay to the city. As of now we have a tentative verbal agreement while the written contract is being written. He further stated they will pay wages, salaries, benefits and everything that comes with that for the remainder of the school year. He further stated we do have an Officer in Millennium and Centennial currently. He stated they were fielding calls last week and it was very busy. He further stated we did some investigating and they sent the results to the prosecutor's office for review. He stated we have taken Officer Walton off the road and he is between the middle schools. He further stated he will be back acting as Detective while the schools are closed for break. He then stated we had to take Detective Raap and put him back on the road to cover Officer's Walton spot. Our resources are short. Back in 2008 we had 18 officers and in 2009 we lost one, then in 2014 we had one retire. We have been doing a lot more with a lot less. He further stated we have one Officer that is dedicated to working on the accreditation process. Now that we have another officer that will be dedicated to the schools and an officer goes down with a disability, we are going to be

very shy on covering the shifts. It was his plan for the next budget year to request a new full time Officer to assist or takeover for the officer for the accreditation. We need to act sooner than later. He stated he has discussed the numbers with Patricia, and the funds we will be receiving from the schools is more than enough to cover the cost of bringing that person in. Councilmember Kivell asked if MMRMA is rewarding the city at all for the accreditation process. Chief Sovik stated they are not. We are looking into a large grant through the MACP. We will be applying for a large grant to use for some of the things that were purchased. Councilmember Kivell asked about the CSX Crossing. Chief Sovik stated 2 hours is unacceptable. He stated we used to be able to fine them, but we can't anymore. We do have some train sticks to prop the arms up, but we still have to stand there and watch for a train to come. He further stated CSX doesn't like us doing that, but they know we have to. Councilmember Kurtzweil stated she finds it is interesting the department is strapped for personnel and some of it is self-imposed. You are now taking an Officer and putting them into the school district and we are losing a detective. She stated the issue has never been about putting one of our officers in the school district, but the issue is financial responsibility. The clash of the ideology of who is responsible for carrying the cost. She has and will argue that is the school districts responsibility and it should come out of their budget. She wants to make sure the cost will be covered by the schools. She wants to make sure every item in the Police contract is covered by the schools because again, we are losing a detective. She then stated it should come out of their budget. She further stated the schools asked the voters for a tenth of a billion-dollar bond which they got. While they are getting a new pool and Astro turf, their priority should be safety in the schools. Chief Sovik stated he has spoken with Paul and Patricia and we have taken all benefits and insurance into account for the cost to charge the schools. He further stated we do want to continue the working relationship with the schools and we feel an obligation to participate. We will have to negotiate again for next year, but we are currently working on a contract for covering the remainder of the school year. Councilmember Kurtzweil stated the schools need to get their act together and cover this cost as a line item in their budget. They need to be responsible for the safety of the children. She further stated in the past we have had senior citizens in Colonial Acres that are getting taxed to death and now they've got a tenth of a billion-dollar bond they are now paying and the city will be asking for a bond for roads, and property taxes are increasing. She further stated the schools are getting tens of thousands of dollars from the state. She further stated Salem, Green Oak, Northfield will not kick in. She further stated they should be paying for the school resource officer, and they need to use that person. She further stated if any of the cost for the SRO is in our budget, she will not vote for it. Chief Sovik stated he will continue to discuss this around budget time and if we have complaints by the teachers or the administration we investigate and if necessary it goes to the prosecutor's office. Further discussion was held with regarding the cost of the SRO and the school's responsibility. Councilmember Hansen stated he isn't going to discuss the budget for the city and the school regarding the protection of our students and kids. He further stated the positive nature of what the South Lyon Police Department is doing, he commended the PD for offering gun locks to residents that may not have gun locks. Chief Sovik stated this initiative started years ago, and they have hundreds of cases of locks and they will never turn anyone away. Councilmember Kennedy stated he understands that he has worked with Patricia and he has the cost of the officer and his salary and benefits as it currently stands. He then stated the total obligation goes to the schools which is where it should be. He then asked if we don't have a signed contract, we may be hiring a new person for no reason. We need to make sure they are going to pay for that individual before we backfill that position. He then asked when we put someone in the schools, it could be a junior officer or the most senior officer. Chief Sovik stated most of our officers are at top pay. Officer Walton was in the school before 2008 until it got pulled due to budget cuts, and they are covering his expense for the rest of the school year. He further stated he is still looking to backfill the position for the officer that is now working on the accreditation full time. He stated they will continue to have discussions with the superintendent. Councilmember Kivell stated the real issue is equity, the full school district should be paying their fair share. He further stated Chief Sovik must be feeling confident

on the return investment for the accreditation for the community. He asked if it is driven for a lack of liability or does it enhance the skill set of the officers they already hold. Chief Sovik stated with the police reform coming down, we need to have the best policies, practices and guidelines in place to reduce liability. This program ensures we are heading in the right direction and it will allow us to gain federal funding in the future. If we aren't accredited, we may not be eligible for all federal funds. He further stated it will also help with lawsuits and as long as we have the best practices, there will be very few lawsuits. Transparency is another reason we need to be accredited. There are many requirements to ensure the PD is performing at their best. Councilmember Kivell stated that makes sense, and it seems this is a very expensive enterprise to get people trained and it does seem as though it will be a positive for us. Councilmember Dilg asked if an officer is accused of doing something wrong while they are an SRO in a school and there is a lawsuit, they are still a city employee. Chief Sovik stated yes, if anything happened, we would contact an outside a company for the investigation. He also stated he thinks the school would be involved as well, because he would also be an employee of the school. Attorney Hamameh stated he would be a South Lyon an employee and normally they would be hired through the school district as an independent contractor, but she hasn't seen the proposed contract. She further stated when she reviews contracts, we always check with MMRMA for their analysis to incorporate into whatever agreement so we'll do whatever we can to protect the city. Councilmember Kurtzweil stated you need to have an indemnification and let the school pay for the city's defense.

UNFINISHED BUSINESS- None

NEW BUSINESS

1. Parks and Recreation Master Plan

Kelly McIntyre of CIB Planning discussed the parks and recreation master plan through 2022-2026. This is the official document that will be used to guide the decisions made regarding the parks in the city. She stated the plan meets the state standard guidelines which is necessary to apply for grants. We will now have a public hearing after having it available for minimum 30 days for the public to investigate the draft plan. Hannah Smith of CIB Planning then gave a brief powerpoint presentation. *Please see attached* She then explained the DNR now have updated guidelines and the 2016-2021 plan has been updated to meet those guidelines. She explained the recreation inventory reflects each park and the map reflects the parks as well as a detailed table that reflects the amenities that are offered. She stated one of the biggest changes in the requirements is the accessibility of the parks. It requires a detailed accessibility assessment to meet ADA standards and each one is rated based on the grading system. She further stated each park must be assigned a score. Ms. Smith explained that they did have public input. To do so we distributed the surveys online, as well as at different subdivisions and at City Hall. She stated we had 160 responses. Ms. Smith then explained the goals and actions that are a part of the master plan, such as providing facilities that meet needs, and improve maintenance and operations. She further explained having an action plan that reflects the short term, midterm and long-term goals. She then stated they have the supporting documentation such as the survey responses, accessibility checklist, public input, notices, meeting minutes and the resolution. She then stated we are planning to submit the plan to the DNR in February of 2022. Councilmember Kivell stated on page 21, the map describes the parks available to the community, but there is 2 miles of bike paths that aren't accounted for in the plan. The potential for getting grant monies for them, it seems it would be in our best interest to have it accounted for. The path that runs north/south across the eastern border of the water treatment plant and goes down to 8 Mile by Volunteer Park, and by South Street, by Mill and onto Andover Creek Park. He further stated they are not on the list of parks. He is surprised it was over looked. Ms. Smith stated we built off of what was on the

previous plan, so it may not have been included in that plan either. It is helpful to include as much as possible.

PUBLIC HEARING

Mayor Pelchat opened the public hearing at 8:47 p.m.

No public comment was made.

Mayor Pelchat closed the public hearing at 8:48 p.m.

Discussion was held regarding the process for adopting the resolution and adding the bike paths. Ms. McIntyre stated we can add it and bring it back to Council in January, or we could accept the resolution for the master plan now, and we can still add the trails. City Manager Zelenak stated a correction on the map doesn't change anything in the master plan, it is just making a correction that shows existing pathways. Mr. Russell stated by adopting this plan, it keeps us moving forward to the deadline and providing the narrative and map of the trails and we can always add an amendment. City Attorney Hamameh stated the city could move forward with the resolution and have a note that it was noted and then, if necessary, later there could be an amendment made.

CM 12-5-21 MOTION TO APPROVE PARKS AND RECREATION MASTER PLAN 2022-2026

Motion by Kivell, supported by Hansen

Motion to approve the resolution 03-21 for the Parks and Recreation Master Plan 2022-2026 as discussed during the meeting

ROLL CALL VOTE:

Mosier- Yes

Kurtzweil- Yes

Dilg- Yes

Kivell- Yes

Kennedy- Yes

Hansen- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. Opioid Opt-In

City Manager Zelenak stated after several years of negotiation, two nationwide settlements have been reached against the 3 largest pharmaceutical distributors, and the settlements require the distributors to pay up to \$21 billion dollars over 18 years. The City of South Lyon's eligible to participate in the settlements. The settlement information reflects that the city will receive approximately .0259 percent of the 15% allocation, which is approximately \$31,000.

CM 12-6-21 MOTION TO APPROVE RESOLUTION OPTIN IN TO THE NATIONAL OPIOID LITIGATION SETTLEMENT

Motion by Dilg, supported by Kennedy

Motion to approve the resolution opting in to the national opioid litigation settlement

ROLL CALL VOTE:

Kennedy- Yes

Hansen- Yes

Dilg- Yes

Mosier- Yes

Kurtzweil- Yes

Kivell- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

3. Extending agreement with 135 E Lake

City Manager Zelenak stated he has spoken with Dan Schwegler regarding the work being completed on 135 E Lake Street. He further stated Council approved a resolution for a tax abatement, but it stated the work had to be completed by December 31, 2021. The owner shared with him that not everything will be completed and he is asking Council to extend until June 30, 2022. He is hoping it will be quicker than that but unfortunately due to the labor force issues, and the lack of product, he hasn't been able to complete the job. He believes he will be able to complete it early in 2022. He further stated he has already made a very large investment in the property and this would just be an amendment to the original tax abatement.

CM 12-7-21 MOTION TO EXTEND COMPLETION DATE TO JUNE 30, 2022 FOR 135 E LAKE

Motion by Kennedy, supported by Dilg

Motion to extend the tax abatement construction completion date from December 31, 2021 to June 30, 2022 for the property at 135 E Lake Street

ROLL CALL VOTE:

Kennedy- Yes

Hansen- Yes

Kivell- Yes

Kurtzweil- Yes

Dilg- Yes

Mosier- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

BUDGET- No discussion was held

PUBLIC COMMENT- No public comment was made

MANAGER'S REPORT

City Manager Zelenak thanked Dan Schwegler for sitting through the meeting waiting for his agenda item. He then stated at an upcoming meeting we will be discussing work that we will be participating in with the schools at the administration building. We will be outlining the costs of the bid. He then stated we applied for a federal grant for work on Pontiac Trail and we just found out we will be receiving just over 2 million dollars with a matching portion of approximately \$400,000 as part of the Federal Aid Program. He then reminded Council to provide him their list of goals and objectives for the 2022-2023 budget. City Manager Zelenak stated he received information from the County regarding the paving of Dixboro which is going to be a 5-million-dollar project and is projected to be done in 2030 and we would be expected to pay approximately 20%.

COUNCIL COMMENTS

Councilmember Kurtzweil wished everyone a Merry Christmas and she is looking forward to 2022 and the thing about Christmas is that for some people it won't be the same for some people due to recent events and it isn't about what is under the tree, it is about what you gave to put under someone else's tree and it is about giving.

Councilmember Kennedy wished everyone a 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" Have a great holiday and a Happy New Year!

Councilmember Dilg stated she was happy to see the downtown businesses with all the shoppers and she hopes everyone remembers to shop local. She then thanked Dayna Johnston for the great job she did with the parade and how she dealt with all the changes that occurred. She then thanked all the teachers and the

support staff, to have to go to work every day and not only keep it together for themselves, but to keep the children safe. With everything they had to deal with COVID and everything that is thrown at them and now having to deal with the shooting that was close to home, and now all the false threats. It worries her for the mental health of the school staff. She is personally sorry for the administrators, teachers, support staff, parents and children that have to have this as a reality every day. We all need to remember that and give them the grace they need to get by every day. She then wished everyone Happy Holidays.

Councilmember Kivell congratulated everyone involved with the Holiday Spectacular. It was great weather and he saw a lot of shoppers throughout the day and people were happy to see the parade. He is sorry the high schoolers couldn't participate, but everyone still enjoyed it. After the parade everyone moved down to the Historical Village for the rest of the entertainment. He then wished everyone Happy Holidays, it has been an odd year, and getting to this point has been a struggle for some.

Councilmember Hansen wished everyone a Merry Christmas, Happy Holidays and a Happy New Year. He is looking forward to seeing everyone in person in January. He further stated he was at the ribbon cutting at the Twisted Cork and it was great seeing city staff and council to welcome them to our community. He is very happy and looking forward to the new Italian restaurant coming in the summer.

Councilmember Mosier stated it was fun volunteering for the Holiday Spectacular and everyone needed it after the Oxford incident. She then thanked Dayna Johnston for all her work on the parade and everything really came together at the end.

Mayor Pelchat stated March 2020 everything hit the fan and this Council, the previous Council and city staff was able to pull it all together and navigate Zoom meetings. He then thanked Clerk Deaton and everyone involved, it has been a team effort. He is looking forward to meeting in person again. He then stated navigating the meetings with everyone on screen can be overwhelming and he thanked everyone. He further stated he doesn't normally miss city events, but he had his cousins wedding on Saturday and he thanked everyone that stepped in for him. He then thanked Dayna Johnston, the first responders and the historical village volunteers. Mayor Pelchat stated he will be taking on a new job, and he will be a new Dad between Christmas and New Years and it will be a surprise because they don't know the gender so they are calling it pancake for now. He then wished everyone a Merry Christmas and a Happy New Year and he is looking forward to seeing everyone in the new year.

ADJOURNMENT

CM 12-8-21 MOTION TO ADJOURN MEETING

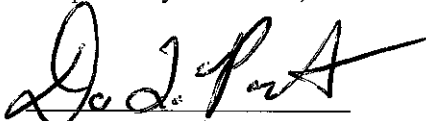
Motion by Kurtzweil

Motion to adjourn the meeting at 9:32 p.m.

VOTE:

MOTION CARRIED

Respectfully submitted,


Mayor Dan Pelchat


City Clerk Lisa Deaton