

City of South Lyon
Regular City Council Meeting
February 27, 2023

Mayor Pro Tem Kennedy called the meeting to order at 7:30 p.m.
Mayor Pro Tem Kennedy led those present in the Pledge of Allegiance
Roll Call: Mayor Pro Tem Kennedy and Councilmembers: Dilg, Kivell, Mosier, Kurtzweil and Hansen
Also present: City Manager Zelenak, Fire Chief Thorington, Chief Baaki, Finance and Benefit
Administrator Tiernan and Clerk/Treasurer Deaton
Absent: Mayor Pelchat

CM 2-1-23 MOTION TO EXCUSE ABSENCE

Motion by Kurtzweil, supported by Dilg
Motion to excuse absence of Mayor Pelchat

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

CM 2-2-23 MOTION TO APPROVE MINUTES- FEB 13, 2023

Motion by Dilg, supported by Mosier
Motion to approve minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

CM 2-3-23 MOTION TO APPROVE AGENDA

Motion by Dilg, supported by Mosier
Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

1. Housing Commission appointment- Judy Keeling
2. Housing Commission appointment- Steven Seiler
3. Zoning Board of Appeals appointment- Gloria Poirier

CM 2-4-23 MOTION TO APPROVE CONSENT AGENDA

Motion by Kurtzweil, supported by Dilg
Motion to approve consent agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PROCLAMATION- South Lyon Collision

Mayor Pro Tem Kennedy presented Gary Fagin a proclamation all his service to the city and for his over 40 years in business. *See attached proclamation* Mr. Fagin stated it means a lot and South Lyon means a lot to him. He and his wife raised their children here, and now he has 7 grandchildren. He thanked Council and said this means a lot to him, all we have is our family and friends.

PUBLIC COMMENT

Sharon Sower of 585 Covington stated she is the director of Active Faith Community Services for 5 years, and we have been here helping our neighbors that have had economic hardships, the elderly and they are a helping hand. It is about neighbors helping neighbors. She further stated they operate every Monday and they serve about 750 people a month, including 150 children. We have a backpack program, a warm coat program, and they give out all kinds of essentials that you don't always think about. She further stated we are growing and they are struggling in the building that they have. She stated we can improve the circumstances, and her vision is to move to a new location. She further stated Active Faith needs a new home that can include other non-profits as well.

Ryan Lare of 716 Grand Court thanked the public for their patience during the ice storm. He said he was out for 6 hours with his wife and they were coordinating efforts in getting the power storage at Griswold, unfortunately that didn't happen. But he was in conversations with DTE and he was updating the community on his page. Which he now has 1,400 followers. He stated they had everyone watching the repair work being done and we need to thank our lineman and everybody working on that in the frigid temperatures. The corporate of DTE needs some changes, but the workers did a really good job. We are fortunate for our family and friends. It's a wonderful community. Hats off to the city crews including first responders.

Bob Ziegler stated he is the chairperson for Youth Assistance. He thanked Council for their funding and support. He stated they offer a camp program that is a nominal price, a mentoring program, and back to school shopping, so, they have new clothes to wear that will help with self-confidence. He further stated they have a summer enrichment program. He stated the kids write a play, then put on the show for their parents. It helps quieter kids find their voices and get them used to talking in front of people. He further stated they have skill building. They have tutoring to help kids with their studies. He then stated they are always looking for volunteers if anyone is interested.

DISCUSSION- Downtown

Downtown Director Nate Mack congratulated Gary Fagin, he stated he has worked with him while he was on the DDA Board and deserves the recognition. Mr. Mack stated the winter market had to be cancelled last Saturday because they didn't have any power in town. They are looking at adding another date. He then stated the market manager told him for the summer season, there will be 3-4 food trucks at each market day. He then reminded everyone Dua Vino is opening next week. That will be very exciting for everyone. He then stated they are still working on the social district as well. He then reminded everyone that Carnivale is this Saturday March 4th. He stated there will be food vendors as well as entertainment. Councilmember Hansen stated he appreciates the Facebook ad, and he asked if there has been any interaction showing the reach of the ad. Mr. Mack stated there have been a lot of impressions, probably 300-400 impressions which is when people click on the picture.

FIRE CHIEF REPORT

Chief Thorington stated they have had 231 incidents; it was very busy with the ice storm. They had 30 or more calls with everything from lines down, construction fires, and their every day medicals. He stated it was a few very rough days for our firefighters being on call. He stated the ladder truck is complete, and the final inspection is next week. He hopes it will be here soon. He then stated they are having an open house on May 20th. There will be games for kids, as well as a smoke house, and showing people how we do extrications and other things. Councilmember Dilg asked if we can video or live stream when the truck is coming into town, or tracking it from Grayling. Councilmember Kivell stated that is a terrific

opportunity so people can see what's happening in our fire hall. He stated it is always a popular event, especially for the kids. He then asked if they are considering pushing the fire truck into the fire hall. Chief Thorington stated they will make it eventful; it has been a long time. Mayor Pro Tem Kennedy asked if they still had smoke detectors, and carbon monoxide detectors for the residents. Chief Thorington stated they are waiting for more carbon monoxide detectors from the state, but they do have some smoke detectors.

POLICE CHIEF REPORT – Police Department Accreditation Presentation *entire presentation can be seen on video at www.southlyonmi.org

Chief Baaki congratulated Mr. Fagin for his proclamation, he deserves it. He then gave a shout out to DPW, Fire and Water, they all did a great job with their calls and responses. Working as a team is essential, and everyone did a great job. He then reminded everyone when there are power outages, and the intersections are down, they should be handled as a 4-way stop.

Chief Baaki introduced Robert Stephenson who is the executive director of the Michigan Association of Police Chiefs and Ronald Wilds who is the Deputy Director of the Michigan Association of Chiefs of Police. Mr. Stephenson stated this is a professional accomplishment and the city should have extra pride that our Police Department went through the accreditation process. He stated out of more than 600 police agencies in the State of Michigan, South Lyon Police Department is the 54th to become accredited. He then explained it is a significant achievement and everyone recognizes the last few years has been rough as police officers. He stated people call for police reform, and South Lyon's Police Department has done that. The policies have been updated before they were mandated. He then introduced Ron Wilds who is the program director. He explained that there are 108 best practices for law enforcement. This is not mandatory; they did this to be better. South Lyon was a good Police Department and now they are better, and the accreditation gives them the opportunity to be great, not only as representing Council, but their staff, and the citizens of South Lyon. He then explained there are 5 steps. One is to apply, second is for self-analysis which can take two years. That is when they look at their policies and they have to prove they are in compliance with their standards. Next, they have mock assessors to assess where they are in the process. He stated they will tell you where you're doing well, where you're doing poorly, and give you the opportunity to improve. He then stated they will then bring in two outside assessors, they look at policies to make sure they're in compliance with the directives, they talk with community members, they tour the community, they do ride along, as well as check the police department. He then stated the assessors then make a recommendation. The Chief then will come answer questions and then the commissioners make a motion. It is an ongoing process. This is good for 3 years, and after that, you will be assessed again to ensure the department is in compliance. He then stated everyone should be very proud of what they have done. It is tremendous. Mr. Stephenson then presented the accreditation certificate to Chief Baaki. Chief Baaki thanked Chief Sovik for getting this moving forward. He had a vision and he said we were good, and we could get better. He then thanked Lt. Sederlund for being the accreditation manager for all his work in this process. He then thanked Officer Faught for agreeing to take over that position. Mayor Pro Tem Kennedy thanked everyone involved on behalf of the mayor, council and the residents. Councilmember Kurtzweil commended the organization for an important training element related to biased training and escalation training. She stated the lives that will be saved due to this training is tremendous. Councilmember Dilg stated she is very proud of our Police Department and in a time where you hear so much negative on the news, she really appreciates the initiative to get this moving and the realization that this needs to continue.

UNFINISHED BUSINESS- NoneNEW BUSINESS

1. Re-Appointments

City Manager Zelenak stated we are asking Council to reappointment or not reappointment the following people to our boards and commissions. In March of each year the staggered terms expire. He then read the reappointments; Erin Kopkowski, Planning Commission, Tyler Finnegan, Planning Commission, Mike Joseph, Planning Commission, Phil Wiepert, ZBA, Robert Tremitiere, Historical, Larry Ledbetter, Historical Commission, Jim Race, Historical Commission, Dayna Johnston, Cultural Arts Commission, Jeff Heinanen, DDA, Mark Childs, DDA, and Tanya Nevitt, DDA.

CM 2-5-23 MOTION TO APPROVE RE-APPOINTMENTS

Motion by Dilg, supported by Hansen

Motion to approve re-appointments

ROLL CALL VOTE:

Mosier- Yes

Kivell- Yes

Kurtzweil- Yes

Hansen- Yes

Dilg- Yes

Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

2. Changes to the credit card policy

City Manager Zelenak stated Council approved a credit card policy in 2014. This resolution will update the policy by adding the Fire Chief Joey Thorington to the list of individuals who will be issued a credit card for routine purchases.

CM 2-6-23 MOTION TO APPROVE RESOLUTION- CREDIT CARD POLICY

Motion by Kivell, supported by Mosier

Motion to approve resolution updating the credit card policy by adding Fire Chief Joey Thorington

ROLL CALL VOTE:

Dilg- Yes

Hansen- Yes

Kurtzweil- Yes

Mosier- Yes

Kivell- Yes

Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

3. City nepotism policy

City Manager Zelenak stated that we have been reviewing the city personnel policies and are recommending a change in the nepotism policy. The policy currently exempts paid on call firefighters, and election workers. We would also like to add crossing guards to the exempt list.

Councilmember Kurtzweil stated she found it difficult to review and comment on this policy. In its simplest form, nepotism is favoritism. Favoritism generally occurs in the workplace. Nepotism affects all aspects of the workforce. With respect to hiring practices, promotions, preferred shifts or any other opportunities in the workplace. The dangers are also important in respect to discrimination. As an example, if someone is applying for a job and is very qualified, but someone else has a brother who is not qualified and the brother is hired. That is discrimination based on policies. She stated another example is if a father hires his son in the workplace and there is a person of color holding that job, but the father

wants to make room for his son, so he fires that person and hires his son. She further stated does the person have a discrimination claim based on the practices and languages of issue. It is also address in the United States Equal Opportunity with respect to the equal opportunity language, and an employee could address and it involves federal law. It may be a nepotism claim, but it mushroomed into a federal complaint because of the equal opportunity regulations. It is unethical. If you can't build a workforce based on merit, then you are left with a workforce that is based on personal relationships. Employees will recognize the unfairness and clearly a declining moral result in an unsatisfactory workplace. She stated it says crossing guards should be exempt. That tells her there is a candidate waiting in the wings, or this wouldn't be coming up. It doesn't matter if it is a part time, full time, or an hour a week or more. Nepotism is about favoritism. She stated the city shouldn't be crafting a nepotism policy for a single individual. She further stated we are crafting a policy for one individual, instead of crafting our employment policies to be equally applied to all employees. It should be fair and equal. She stated she doesn't approve of this policy, nor does she approve of the exemption for a full-time firefighter. She further stated there is no excuse to consider this. She further stated the entire work force is important to her, and employees will say this person got the job because of who they knew. She stated that isn't fair to our employees. Councilmember Kivell stated the reason this has come into play is because we have a police officer acting as a crossing guard, because we can't find anyone else to do it. He said the idea this is the demise of our city seems weird to him. He doesn't think anyone is looking at a career as a crossing guard. He thinks we're doing ourselves a favor instead of using our police officer as a crossing guard. He thinks that is over the top. Councilmember Dilg asked for more details regarding why this came up. City Manager Zelenak stated the Police Department contacted him regarding the potential to hire, and the individual is related to a person with the city and he feels it is not favoritism for a potential employee. We don't have people applying necessarily for a regular basis for elections workers, firefighters and specifically for crossing guards. We have a candidate that will potentially serve in this position, but we aren't going to view this candidate over another. We're not providing any favoritism. We are looking at this if it's the right thing to do to change the nepotism policy in order to bring a candidate on that can fill this position. He stated this person is not necessarily qualified for other positions, and won't be in charge of anyone. He doesn't want to take the Police Officer off their duty every day to act as the crossing guard. This person won't be supervised by anyone they are related to. Benefit and Finance Administrator Tiernan stated the policy has been in the works for a while. They've been working with our legal department drafting our employee policy, and it has been a long process. She further stated everything was going to be presented at once, but since we have the opportunity to hire a crossing guard, we brought it now. She stated when this individual applied, we realized there could be a conflict, and our attorney said it would be best to present the nepotism policy sooner than later. She further stated in regards to election inspectors and on call firefighters are exempted because they have no opportunity for promotion in the future that could cause a conflict. She stated adding a crossing guard makes sense because they work independently and they have limited responsibilities outside of the crossing guard and they don't work with other departments. Councilmember Kurtzweil stated she spoke with people over the weekend and they weren't aware of the crossing guard position. She then asked how this was advertised. Ms. Tiernan stated it's been posted on the website, bulletin board and the library. She further stated that is where we do most of our job postings. She then stated the job is still open, so people will be welcome to apply. If we fill the position this week, we will keep the resumes for 2 years. She stated we didn't have much interest. Councilmember Kurtzweil stated she is anti-nepotism policy, and she will continue to oppose the policy.

CM 2-7-23 MOTION TO APPROVE NEPOTISM POLICY

Motion ty Kivell, supported by Hansen

Motion to approve nepotism policy as presented

ROLL CALL VOTE:

Kivell- Yes
 Mosier- Yes
 Kurtzweil- No
 Hansen- Yes
 Dilg- Yes
 Kennedy- Yes

MOTION CARRIED – 1 OPPOSED

BUDGET

Finance and Benefit Administrator Tiernan reminded everyone that we are having our first budget workshop on Wednesday March 1st at 6pm regarding the road projects coming up for the next several years. Councilmember Kurtzweil stated she spoke with the City Clerk and asked about budget adjustments for this year to be ready for proposal 2 that was passed, and it will be next year. We need to be aware we may have a fairly large request from the administration budget to accommodate proposal 2.

PUBLIC COMMENT- No public comment was made

MANAGER'S REPORT

City Manager Zelenak stated at an upcoming meeting we will have another agreement related to the national opioid settlement and an agreement with CSX Railroad relating to encroachment within their right of way for our proposed sanitary sewer line under the railroad tracks. He then reminded everyone that the first pre-budget meeting on March 1st to discuss the road improvement program and how it relates to the current and future years budget. He then stated the planned improvement for the trailway and Volunteer Park to Princeton goes out for bid next week. He expects to receive the bids and award the project in April. He further stated they continue to have meetings with the Oakland County Administrators regarding the Oakland County Transit Millage. He thanked the Cultural Arts Commission and the Historical Commission for their work on the logo celebrating the 150th anniversary of the city. We will have the logo around the city. He stated they continue to move forward with the planned Pontiac Trail storm sewer improvement for 2026. He stated at the end of this year, we will see individuals surveying the area and it will entail the paving as well as storm sewer improvements. He further stated we were awarded over \$2 million dollars for that project and he just received confirmation that we received an additional \$2.8 million in federal funding which brings our total grants to be received for that project alone to \$5,100,000. Our portion will be under \$1 million dollars. He then stated crews continue to work on the damage from the ice storms and our teams have done a great job with removing debris from the streets and he asks residents to have patience as the removal efforts continue. He then stated he will be working with Chief Thorington to find the best way to let everyone be aware of when it happens. He then congratulated the Police Department on all their work for the accreditation. Councilmember Dilg asked if there is a way for us to use the schools or anything else as warming shelters for our residents. City Manager Zelenak stated he has spoken with the supervisors for Green Oak and Lyon Township about warming centers and they will continue to have those conversations. Councilmember Kurtzweil stated Aubree's was open this weekend and Charles was doing everything he could to accommodate families. Allowing people to just come in and sit, and she thanked him for doing that out of the goodness of his heart. Councilmember Kennedy asked if we have an agreement with Oakland County for their portion of the road project. City Manager Zelenak stated there is an agreement in place. Councilmember Kennedy stated the wastewater treatment plant was without power for 5 days, and there was an emergency generator providing power to the plant. He then asked if we are going to replace the generator. City Manager Zelenak stated they are looking at possible solar power for a rebate

of possible 30% on the generator. The generator is tested weekly to ensure it is operating properly. It ran for 5 days, then the power came on and it shut down. Then the power went back out, and it was back on within the hour.

COUNCIL COMMENTS

Councilmember Kurtzweil thanked Rob Ziegler for coming in and discussing South Lyon Youth Assistance. She has seen enough videos of young high school kids beating up on other high school kids, and it is an ugly scene. If you can save one kid and retraining and reprogramming is good, unfortunately it's an ugly culture that we're living in now. She stated she doesn't have the answers, but she has her suspicions, and we are dealt with the end product. She thanked him for all he's doing for transitioning those that are having issues to respect law and order and the dignity of life. She said that is part of the problem. She then thanked Sharon from Active Faith. She said she sat on the board of directors for years and she wants to let her know that the history of the organization was always about dreams and about moving forward and it was always about what we could do better for the clients we are now experiencing. She also thanked her for the dream she has and its important for directors to have dreams. The building is there because someone had a dream about distributing food and clothing. She stated she was there when they got the building. She further stated that there is a new dream and its an ok dream, and she'll stand behind her on that. She then thanked the DPW for their incredible work and when working on the budget, she may ask to expand the lounge room at DPW to give them more comfort space. That is the most dedicated department in the city.

Councilmember Mosier thanked all of our employees, police, fire, water and sewer, DPW, and administration. Everyone kept everyone safe, even without power for a while. She then stated she is happy to see our volunteer positions getting filled, and they are now working on Pumpkinfest and they are going to need more volunteers as well. She then reminded everyone of Carnivale.

Councilmember Hansen thanked everyone on Council for supporting the invitation letters to leaders of the state and we've actually had a few that are trying to work it into their schedules. He stated Senator Runestad will be there, Commissioner Wiepert, as well as State Representative Jason Morgan. He then thanked all the first responders, the city staff and the utility workers on the ground throughout the disastrous ice storm. Over 10,000 of our residents didn't have power for days on end, and without the long hours in the worst weather we wouldn't be where we are without the workers. He then stated he is frustrated with DTE Corporate. He stated last week they reported profits for 2022 of 1.1 billion dollars, in 2021 it was over \$907 million dollars, this comes on the heels of DTE asking for a 13.9% rate increase. He stated this is the highest rate increase in Michigan history. He stated everyone has the option to vote no and submit their opinions to the Michigan Public Service Commission to the rate increase. He stated DTE justified the increase by saying it is needed to implement a major capital investment program to improve reliability and resilience in the power grid. He then stated citizens of the utility board and other groups have found out and shown testimony at last November's rate increase that this is not the case. They are saying that its cost effective but it is not the most cost-effective use of the utility funds. The problem we need to remember is that consistently the investment priorities for this company has been aimed more at enriching the DTE shareholders by investing more capital which generates a return for the utility rather than spending the money more smartly to get better improvements and grid reliability, while also saving money for the rate payers. Everyone should think about submitting their comments on the rate increase request U-21297 at the Michigan Public Service Commission, and as you do, think about family that was huddled in the cold for the last several days, and think about the utility worker that was working 16 hour shifts and working the long hours to fix the down power lines, which could be fixed by

the utility, the corporate entity. A company with 1.1 billion in profits should not need us to pay for the power lines and grid improvements so the executives keep enjoying the profits. Everyone should tell the MPSC no on the rate increase.

Councilmember Dilg thanked all of our crews, she couldn't believe there were no ice on our roads the next morning. She didn't have power and had to get out of town, and there was no ice on the ground. She then thanked Police and Fire for keeping everyone safe and thanked the new members of the Housing Commission and the Zoning Board and all the reappointments. We could not run the city without our volunteers. She then congratulated Dua Vino and it has been a long time coming. She asked everyone to have patience as they are brand new. She then thanked Sharon for attending the meeting. She then stated she read on social media that Active Faith said their donations are growing and their donations aren't necessarily growing at the same level. She stated you can always message Active Faith and ask what their needs are. She stated she is part of an organization that does that every month. She asked everyone to donate to Active Faith.

Mayor Pro Tem Kennedy recognized and thanked the new volunteers for the city's boards and commissions as well as the current volunteers who have had their terms renewed. He stated their involvement, and participation, truly help maintain and improve the quality of life for the residents in our city. He again thanked the members of our DPW for their tireless efforts over the last several days helping to ensure the safety of our residents. He then thanked our First Responders, the South Lyon Police and South Lyon Fire Departments for their assistance as well. Whether it was responding to downed trees in the roads, medical emergencies and the like, everyone did their part.

ADJOURNMENT

CM 2-8-23 MOTION TO ADJOURN

Motion by Kurtzweil to adjourn

Motion to adjourn at 8:48 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,


Mayor Pro Tem Kennedy


City Clerk/Treasurer Lisa Deaton

CITY OF SOUTH LYON



Mayor

Daniel L. Pelchat

Council Members

Glenn Kivell

Lisa Dilg

Stephen Kennedy

Margaret J. Kurtzweil

Alex Hansen

Lori Mosier

City Manager

Paul Zelenak

Clerk/Treasurer

Lisa Deaton

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Office of the Mayor

PROCLAMATION

WHEREAS, 2023 marks a milestone for South Lyon Collision celebrating over 40 years in the City of South Lyon; and

WHEREAS, South Lyon Collision has been family-owned by the Fagin Family since 1982; and

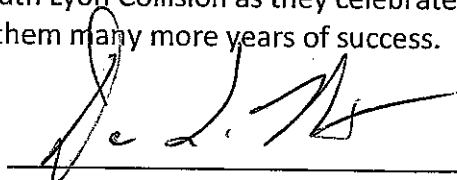
WHEREAS, South Lyon Collision has been rated one of the best collision shops in the area and has been meeting the needs of car owners in the South Lyon community; and

WHEREAS, South Lyon Collision has been an important, caring part of the community contributing to many causes and needs without hesitation; and

WHEREAS, the owner of South Lyon Collision, Gary Fagin, has served on the South Lyon DDA Board; and

WHEREAS, owner, Gary Fagin has also served on the DDA's Economic Vitality Committee; and

NOW THEREFORE, I, Daniel L. Pelchat, Mayor of the City of South Lyon on behalf of the City Council and the entire community offer congratulations to South Lyon Collision as they celebrate over 40 years in business and wish them many more years of success.


Daniel L. Pelchat, Mayor

2/27/23
Date