

City of South Lyon
Regular City Council Meeting
March 8, 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: Mayor Pro Tem Kivell joined the meeting from South Lyon MI, Councilmembers: Dilg joined the meeting from South Lyon MI, Kennedy joined the meeting from South Lyon MI, Kurtzweil joined the meeting from South Lyon MI, and Walton joined the meeting from South Lyon MI

Also, present: City Manager Zelenak, Attorney Hamameh, Sargent Baaki, Chief Vogel, Finance and Benefit Administrator Tiernan, DDA Director Mack, Superintendent Varney and Clerk/Treasurer Deaton

Absent: Councilmember Richards, Chief Sovik

CM 3-1-21 MOTION TO EXCUSE ABSENCE

Motion by Walton, supported by Kennedy

Motion to excuse Councilmember Richards absence

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

Councilmember Kennedy stated on page 4 the word down should be changed to done. He stated on page 7 the word pain should be changed to pane. He then stated the word is should be changed to are where he was speaking about the number of houses. He then stated on page 10 the sentence "the City has been around for hundreds of years" should be changed to 150 years. He then stated the sentence "the City isn't interested in land speculation and buying the property ourselves" should be changed to Councilmember Kennedy stated speaking as one of seven, the City isn't interested in land speculation and purchasing the property ourselves.

CM 3-2-21 MOTION TO APPROVE THE MINUTES

Motion by Dilg, supported by Kennedy

Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

Councilmember Kivell asked about the payment to the Bank of Melon New York. Finance and Benefit Administrator Tiernan stated that is for the bond payments for the DWRF. Councilmember Kivell then asked about the payment to Contractor Steel Company for a ¾ inch plate. Superintendent Varney stated it is for road repairs and it is four foot by 8 foot.

CM 3-3-21 MOTION TO APPROVE BILLS

Motion by Kennedy, supported by Kivell

Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 3-4-21 MOTION TO APPROVE AGENDA

Motion by Kennedy, supported by Dilg

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

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CONSENT AGENDA

1. Re-appointments

Mayor Pelchat stated we are reappointing Wayne Chubb to the Planning Commission, Ron Morelli to the Zoning Board of Appeals, Erica Wilson to the Parks and Recreation Commission, Scott Black to the Parks and Recreation Commission, Rose Peruski to the Parks and Recreation Commission, and Angela Baker to the Board of Ethics.

CM 3-5-21 MOTION TO APPROVE THE CONSENT AGENDA

Motion by Kurtzweil, supported by Walton

Motion to approve the consent agenda

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT- NoneDISCUSSION- Downtown

Nate Mack the Downtown Development Director stated the Farmers Market will begin on May 1st. He stated the owner of the former Draft Street building is continuing to do demolition work on the interior of the building. He stated he spoke with the Building Department and they are planning for a lot of interior work, then look at what needs to be done on the exterior. Mr. Mack stated as a member of the Michigan Downtown Associations legislative and advocacy committee, he will be meeting virtually with two legislators on the 22nd to make them aware of what downtowns do and the good work DDA's are able to do. He stated the DDA will be hosting a Ladies Night in May with social distancing and that will be discussed at the next meeting. He stated he has been brainstorming how to repurpose the igloos and the greenhouses and one idea was maybe something with the Farmers Market such as a garden or something. He stated we received a letter from the winery that is hoping to come into town and they are looking to locate downtown, but he can't share that information yet. Mr. Mack stated the Lyon Task Force is looking at an e-commerce app to assist businesses throughout the City. We will be putting together a focus group consisting of 6 South Lyon businesses and 6 township businesses to gauge their interest if it will be useful for them. Councilmember Dilg asked about the DDA committees and if they still need people. Mr. Mack stated they have a few volunteers, but we still need people for the organizational committee.

FIRE CHIEF REPORT

Chief Vogel stated the rescue truck refurb is moving along, and they will be painting the body and doing the installation this week. Chief Vogel stated there has been some confusion regarding the vaccinations. He stated the City will not be distributing vaccinations and we don't plan where they will be given. It is all done through the Oakland County Health Department. He stated the City of Detroit is giving out vaccinations because they have their own Health Department, the City of South Lyon does not, we utilize Oakland County. He further stated he thinks things will be picking up with the vaccinations.

Councilmember Kivell asked if losing that vehicle has been a problem. Chief Vogel stated we have been using the Engine 1 vehicle. He further stated we had multiple calls last week at the same time, which means we had all our vehicles out in the City. He stated we are anxious to get that vehicle back. He further stated it is interesting how busy they have gotten and right now they have to utilize all the vehicles we have and we almost had to use the ladder truck.

POLICE CHIEF REPORT

Lieutenant Baaki stated they received the mug shot computer and it is going to CLEMIS to get revamped. He stated the old one couldn't be updated which is why we had to purchase a new one. He further stated we will be installing the new AFIS, which is the new fingerprinting system this week. He then stated we received our new SUV and the graphics were put on today, we just need to get the camera logged into our server and should be ready to go tomorrow. Lieutenant Baaki stated we have started the accreditation process through the Michigan Association of Chief's of Police and this process will be about a year or a year and a half of implementing new policies and practices to be more transparent to the citizens and more accountability for our department. He then stated the phone system should be installed in the next few weeks.

UNFINISHED BUSINESS- NoneNEW BUSINESS

1. Liquor License Application- 125 E Lake Street

Mr. Mack stated we believe the applicant is worthy of the City's final class A quota liquor license. The investment the property owner has put into the building will be transformational for the downtown, by rehabilitating an underutilized historic building the downtown core. He stated the applicant has provided all the required documentation and the feedback he has received from Department Heads have been positive. He then stated the upscale Italian restaurant with its unique third floor dining will draw people into our downtown from other communities and this project will activate that corner of Lake Street and will bring added vibrancy to the downtown. After reviewing the applicant's past restaurant experience and the current proposal he believes Council should pass the resolution that is before Council tonight. Councilmember Kivell stated when you look at the license and the relationship between the landlord and the restaurant, and how common is the landlord to be participant to a liquor license and how common is it that the license becomes property if the restaurant closes. Attorney Hamameh stated it is common and the primary reason is if the tenant vacates the property, the landlord wants to maintain the license. Councilmember Kivell asked if the landlord could sell the license. Attorney Hamameh stated you can't sell or transfer the license for the first 3 years, but they could after that. She stated some communities have an ordinance that requires the license to stay in the community which would be a contract between the City and the licensee, although we don't know how that would be recognized other than a contract.

CM 3-6-21 MOTION TO APPROVE LIQUOR LICENSE APPLICATION

Motion by Kennedy, supported by Dilg

Motion to approve the application for class c quota on-premises liquor license for Dua Vino LLC,
135 E Lake Street, South Lyon, MI

ROLL CALL VOTE:

Kennedy- Yes
Dilg- Yes
Kurtzweil- Yes
Walton- Yes
Kivell- Yes
Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. Purchase and installation of new control and level sensors for the Amelia Circle Lift Station Superintendent Varney stated the lift station at Amelia Circle has been having recent level sensor failures. He stated this ongoing problem has been quoted for repair by our SCADA technicians as UIS and it is

budgeted as a repair for the current year. He further stated the controls for the lift station (MOSCAD-L) are not supported any longer. He stated this is the last lift station that has that kind of controller.

CM 3-7-21 MOTION TO WAIVE COMPETITIVE BIDDING

Motion by Kivell, supported by Kennedy

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

ROLL CALL VOTE:

Dilg- Yes

Kurtzweil- Yes

Kennedy- Yes

Kivell- Yes

Walton- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

CM 3-8-21 MOTION TO APPROVE PURCHASE OF NEW CONTROLS AND LEVEL SENSORS

Motion by Kennedy, supported by Walton

Motion to approve the purchase and installation of new controls and level sensors for the lift station at Amelia Circle for \$12,935.00 under line item 592-557-970

ROLL CALL VOTE:

Walton- Yes

Kivell-Yes

Kennedy- Yes

Kurtzweil- Yes

Dilg- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

BUDGET- None

PUBLIC COMMENT- None

MANAGER'S REPORT

City Manager Zelenak stated we will be holding our first budget workshop this Thursday at 6:00 p.m. to discuss equipment for the Fire Department. City Manager Zelenak stated the joint meeting with Council and the Planning Commission went very well and look forward to getting all those items corrected on the Ordinance and before the public hearing everyone will get an updated copy. He stated at an upcoming meeting Council will be discussing the Mural Ordinance, everyone has been supplied with the draft Ordinance. He then stated he will be sending emails regarding the first budget workshop the first week of April. Councilmember Kivell asked how we are going to get the sidewalk in at 825 W Lake with the Holly Hills deal not passing. City Manager Zelenak stated he has discussed this with our planner because there was some confusion regarding whether they felt it is their requirement within the Ordinance, within the plan review, across the front of the property as well as the side. He further stated there was a deposit and it was written in about extending the sidewalk all the way down to the trail, so that will continue and he will check into it. Councilmember Kennedy asked the City Manager if he has spoken with Lyon Township about the crosswalk at Marjorie Ann and Pontiac Trail. City Manager Zelenak stated he spoke with them about moving forward with the crossings on Pontiac Trail by Marjorie Ann. We have money

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budgeted in this year's budget, and we are working on the potential details on when that will be installed and what will the design be. Due to the schools not participating it isn't the full design, but it will go all the way to the school. Councilmember Kurtzweil asked when the handicapped swing will be installed at McHattie Park. City Manager Zelenak stated the Parks and Recreation Commission met with the supplier as well as the original family that initiated this at the last P&R meeting. He further stated they decided on which one they will purchase and will be moving forward with the purchase. We are going to be getting details on the supplier regarding the bedding for that particular equipment because it is a specific type of equipment that requires a particular surface. He further stated they decided to place it in the southwest portion of the playground between the two water buildings. Councilmember Kurtzweil asked if there is any way we can have that put in before May. She stated it has this has been a hard time for everyone and if you ask anyone that has an impaired child you will see the plight of COVID has been hard on them. This has been devastating for our youth. There is an urgency to getting this put in and there are many children that would be happy to use that. City Manager Zelenak stated he can't say it will be done by May, but he will try to get more information for Council at the next meeting. Councilmember Kivell asked if there are many crosswalks that we will be working with the township to replace, or install. City Manager Zelenak stated there are many areas throughout the City where there are pieces of sidewalk missing. He then stated with the school not participating with the Safe Routes to School program and we won't be getting any funding from the schools, we won't be able to run the sidewalk all the way down to the school, we will just be doing the cross walk. Councilmember Kivell stated he thinks everyone was disturbed by the fact the schools got what they wanted but then bailed on the Safe Routes to School project.

COUNCIL COMMENTS

Councilmember Dilg thanked all the members on the boards and commissions that were reappointed for their commitment to the City. She then wished everyone a Happy International Women's' day to all her strong intelligent colleagues, the women on the call and everyone at City Hall and thanked everyone for what they do.

Councilmember Kennedy wished Council Member Kivell a Happy Birthday and he hopes he had a great day today and that he enjoyed spending his evening with us tonight. He then congratulated Karen Hatch who won a gift card to the Coral Sash as part of the recent "Show Your Love for Lyon" Shop Local/Dine Local Bingo contest. Our businesses are still struggling, so please remember to Shop Local and to Dine Local. It truly means the world to each business owner in our community. He then wanted to let everyone know about the upcoming annual creek clean-up event in South Lyon. The event will be held on Sunday, April 18, 2021 from 9:00am to 1:00pm at 400 McMunn Street, the Michigan Seamless Tube Parking Lot. So, dress warm, bring a pair of boots and gloves and we'll see you on Sunday morning, April 18th.

Councilmember Kurtzweil stated she is continuing to work behind the scenes with individuals including state legislatures to encourage the Governor to continue to open the restaurants. She wasn't able to join the meeting on Monday because she was with the group and they were discussing maybe some litigation. She then stated she went to Frankenmuth and what has happened to the Birch Run shopping center is devastating, it is doubtful if there will be a recovery. The downtown seemed to be ok, but businesses are struggling everywhere. When people don't have their jobs, they can't make their mortgage payments, car payments and so on. She then encouraged everyone to contact their legislators and tell them to lobby the Governor to get the state open. She then reminded everyone to stop by St. Joes on Friday for the fish fry from 4:00 – 7:00 p.m. She stated she has seen many people from the community there. Councilmember

Kurtzweil stated there are some new products coming out such as a product by Tide that is a fabric spray that you can spray your clothes and it acts as a sanitizer for your clothes. Police Departments and ambulances are already using it. She then stated Sherwin Williams now has a paint that is an antibacterial paint.

Councilmember Walton stated she has also been approached about getting the handicap swing in sooner than later, a lot of families would appreciate that.

Councilmember Kivell stated he enjoyed the meeting with the Planning Commission and it was constructive, but he wishes there were a bit more participation. He then stated if you are concerned about your health, wearing a mask is still a very important thing to do and he hopes no one is being brow beaten into thinking there is no threat to being involved in gatherings. Use your own common sense.

Mayor Pelchat thanked all the incredibly strong women at City Hall and all the women in his life and he hopes everyone has a great National Women's Day, as well as our commission and board members, it can be a thankless job, but it is a privilege to work with all of you. He then stated he understands everyone is frustrated with trying to get the vaccination. He stated if you live outside of the city limits and you are struggling at the County level, try Rite Aid. He then stated he went through Oakland County and signed up with save my spot, and he now has had both shots and he suggest everyone to do the same.

CLOSED SESSION- Closed session pursuant to Sections 8€ of the Open Meetings Act to discuss pending litigation in Alexanders vs. City of South Lyon

CM 3-9-21 MOTION TO ENTER INTO CLOSED SESSION

Motion by Kurtzweil, supported by Kennedy

Motion to enter into closed session pursuant to Sections 8 e of the Open Meetings Act to discuss pending in Alexander vs City of South Lyon at 8:18 p.m.

ROLL CALL VOTE:

Dilg- Yes
Kennedy- Yes
Kurtzweil- Yes
Walton- Yes
Kivell- Yes
Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

The regular council meeting reconvened at 9:03 p.m.

ADJOURNMENT

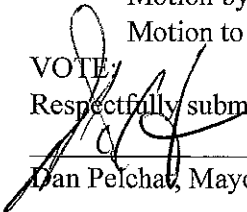
CM 3-10-21 MOTION TO ADJOURN

Motion by Kurtzweil, supported by Dilg


Motion to adjourn at 9:03 p.m.

VOTE:

Respectfully submitted,


Dan Pelchat, Mayor

MOTION CARRIED UNANIMOUSLY


Lisa Deaton, City Clerk

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