

City of South Lyon
Regular City Council Meeting
March 9, 2020

Mayor Pelchat called the meeting to order at 7:30 p.m.
Mayor Pelchat led those present in the Pledge of Allegiance.

Present: Mayor Pelchat, Councilmembers Dilg, Kennedy, Kivell, Kurtzweil, Richards and Walton
Also, present: City Manager Zelenak, Chief Sovik, Superintendent Varney, Fire Chief Vogel, Attorney Hamameh and Clerk/Treasurer Deaton

MINUTES- February 24, 2020

Councilmember Richards stated on the page with his council comments, the word and should have been than.

CM 3-1-20 MOTION TO APPROVE MINUTES

Motion by Walton, supported by Kennedy
Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 3-2-20 MOTION TO APPROVE THE BILLS

Motion by Kivell, supported by Kennedy
Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

Councilmember Richards asked if Council would consider postponing item #4 for the bid for demolishing the house in McHattie Park for 30-40 days. He stated the price is too high and he thinks the contractor will probably move the house intact, and the barn could be moved up north for a hunting lodge where there is less constrictions and the garage could be used as a smokehouse. The house has a new water heater and newer furnace. He stated he would rather us do that. Councilmember Walton wanted to clarify this is the abandoned building next to the old rental house. Councilmember Kivell stated the calculus of the value of the building is over the top. It would cost a lot of money to move the buildings anywhere as opposed to just razing it.

CM 3-2-20 MOTION TO APPROVE AGENDA

Motion by Kennedy, supported by Kivell
Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT- None

DISCUSSION- Downtown

3-9-20

City Manager Zelenak stated he has interviews scheduled for this week for the DDA position that is available and will keep Council updated. He stated the regular DDA meeting for this week has been changed to Friday because some board members are attending a workshop in Lansing.

PUBLIC HEARING- Commercial rehabilitation district

CM 3-3-20 MOTION TO OPEN PUBLIC HEARING

Motion by Kurtzweil, supported by Walton

Motion to open the public hearing for the establishment of a commercial rehabilitation district at 7:39 p.m. to discuss the establishment of a commercial rehabilitation district and to hear public comments

VOTE: MOTION CARRIED UNANIMOUSLY

No public comment was made.

CM 3-4-20 MOTION TO CLOSE THE PUBLIC HEARING

Motion by Kurtzweil, supported by Walton

Motion to close the public hearing that was heard at 7:40 p.m. to hear public comment

VOTE: MOTION CARRIED UNANIMOUSLY

FIRE CHIEF REPORT

Chief Vogel stated it has been a hectic busy week. There was a serious accident at 10 Mile and Dixboro and we used the new equipment and it worked great. He then stated there was a fire at Wendy's and the manager did a great job making sure everyone got out safely. He stated there was also a fire at Country Acres Market. Chief Vogel stated the HVA crashed one of our overhead doors and we are going to try to get them to pay for it. He stated they are getting many emails multiple times a day regarding the Caronavirus with new protocols. He stated the Mayor is marrying one of his firefighters this week. Councilmember Kivell asked if there will be signs to direct people to the bathrooms so they can wash their hands during the Election. Clerk Deaton stated we were able to get some bottles of hand sanitizers for the voters and the inspectors.

POLICE CHIEF REPORT

Chief Sovik stated the Easter Egg Hunt is on April 11th. He stated there is a SLARA 5K walk on September 7th. He stated the LUNGevity 5K walk is on May 16th. Councilmember Dilg stated she is still very concerned about the crosswalk at the South Lyon Hotel. She stated she and some friends were almost hit in the crosswalk last week. She stated we need to do something before someone gets hit. She stated she has done some research on other things we can do. We need to do something to make it more visible to cars. City Manager Zelenak stated they are going to be eliminating the 2 spots that block the crosswalk and the DPW will be painting the crosswalk lines again. Chief Sovik stated we will put the crosswalk sign out again as well. Councilmember Walton suggested we check the lighting downtown as well. She then stated she is still concerned about the crosswalk at the Witches Hat. City Manager Zelenak stated there is no crosswalk at the Witches Hat, there are two lights on each side of the building that do have crosswalks. Councilmember Kivell stated there has to be some kind of solar lights that can be mounted on the signs.

NEW BUSINESS

- 1. Purchase of a new raw sewage pump as quoted by Kerr Pump and Supply.

Superintendent Varney stated this is part of the budget and part of our preventative maintenance. We are starting with the oldest. Councilmember Kurtzweil asked if we need a waiver because we only have one bid. Superintendent Varney stated no, the reason we only have one bid is because this pump is made just for this and we didn't need a new motor. Councilmember Kivell asked if this company is the only one that makes this. Superintendent Varney stated it is.

CM 3-5-20 MOTION TO APPROVE PURCHASE

Motion by Kurtzweil, supported by Walton

Motion to approve the purchase of a new raw sewage pump for the wastewater treatment plant for \$24,308 under line item 592.557.970

VOTE: MOTION CARRIED UNANIMOUSLY

- 2. First reading of Ordinance to amend the South Lyon Code of Ordinances to update the charges of malicious destruction of property and retail fraud to make them consistent with state law

Chief Sovik stated this ordinance will put us in compliance with state law, we are changing the minimum threshold from \$100 to \$200. Councilmember Kivell asked if we are passing this so we can do the prosecutions ourselves. Chief Sovik yes, we are.

CM 3-6-20 MOTION TO APPROVE THE ORDINANCE AMENDMENT

Motion by Kurtzweil, supported by Dilg

Motion to approve the first reading of ordinance amending sections 58-117, 58-118 58-123 and to make it consistent with state law.

VOTE: MOTION CARRIED UNANIMOUSLY

Attorney Hamameh stated earlier during item #2, the agenda note she prepared had an error in it. Should have been 58-118, 58-118 and 58-122. She then asked Council to rescind the previous motion under item #2. Councilmember Kurtzweil rescinded the original motion which was made by Councilmember Kennedy and seconded by Walton.

- 3. Award of bid to remove asbestos in the abandoned building located McHattie Park at 461 Washington, and the old SLARA building located at 318 W Lake Street

City Manager Zelenak stated as part of our efforts to make further improvements to McHattie Park, we have solicited bids to remove the asbestos and demolish the abandoned house in the park. Additionally, as part of our efforts to redevelop the property at 318 W Lake Street formerly the SLARA building as well. He stated we have letters from our engineers at HRC outlining the recommendations for award of bids for removal of asbestos at both locations.

CM 3-7-20 MOTION TO APPROVE BID

Motion by Kennedy, supported by Walton

Motion to approve the award of the bid to remove asbestos at 461 Washington and 318 W Lake to BDS Environmental of Warren at an amount not to exceed \$16,901 from account 101.690.801

VOTE: MOTION CARRIED UNANIMOUSLY

4. Award of bid to demolish the abandoned building located in McHattie Park at 461 Washington, and the old SLARA building located at 318 W Lake Street
City Manager Zelenak stated as he mentioned previously, this is the second part of the project.

CM 3-8-20 MOTION TO APPROVE BID

Motion by Kennedy, supported by Dilg

Motion to approve the award of the bid to demolish the buildings at 461 Washington and 318 West Lake to Inner City Contracting of Detroit, MI at an amount not to exceed \$26,120 from budget acct number 101.690.801 and to approve a budget amendment to account number 101.690.801 to cover the complete cost of demolition of both buildings. An increase of \$18,201 to \$43,201

VOTE:

MOTION CARRIED- 1 OPPOSED

5. Establish the Commercial rehabilitation district

City Manager Zelenak stated City Council recently adopted a tax abatement policy for the community. This policy outlines the requirements for establishing a commercial rehabilitation district, and for approving a proposed tax abatement as outlined in Public Act 210 of 2005. At our City Council meeting on February 24th, we set a date and time for a public hearing per the request by the owner of the property, parcel 21-20-360-023 (RCA building) to establish a commercial rehabilitation district. Tonight, we held the public hearing at the beginning of the meeting in order for all residents and taxpayers to be afforded an opportunity to be heard on the subject. In order to establish a district, City Council must determine whether they feel the district meets the requirements of the act. A copy of a sample resolution is attached which covers the establishment of the rehabilitation district for the parcel in question. If City Council votes in favor of establishing the district, the county may still accept or reject the establishment of the district. Once the district is established, the property owner may file an application to the Clerk for a commercial rehabilitation exemption certificate. The Clerk shall provide written notification to all taxing jurisdictions that levy ad valorem property taxes of an additional application public hearing. The City will have 60 days after receipt of the application to either approve or disapprove the application. This will then be sent to the State Tax Commission. He stated he has attached the written request to establish the district for parcel 21-20-360-023. Councilmember Richards stated that property deserves consideration. It has been an eyesore for many years and the new owners goals are very ambitious, but one word of caution is he believes he intends on making it a restaurant and get a liquor license, but he thinks the church across the street from it will block the liquor license from happening.

CM 3-9-20 MOTION TO APPROVE COMMERCIAL REHABILITATION DISTRICT

Motion by Kurtzweil, supported by Walton

Motion to approve resolution 01-20 to establish the commercial rehabilitation district for parcel 21-20-360-023

VOTE:

MOTION CARRIED UNANIMOUSLY

BUDGET

Councilmember Kurtzweil stated she and Councilmember Walton attended a budget seminar. She then discussed the Appreciation Night that held in December and said in the past we have always received

checks from vendors that helped with the cost. City Manager Zelenak stated we received a few, but he doesn't recall the checks coming to Council for approval as donations in the previous year.

Councilmember Kurtzweil stated that is how it was done in the past. She stated the reason she is asking is because during the budget seminar, they discussed what are legitimate uses of taxpayer dollars and an Appreciation Night, or retirement party, are not. Councilmember Kivell stated the idea of us approving donations, that had been a routine practice and he thinks its good both for the fact of transparency and secondly because is gives us another opportunity to give thanks for their helping us out with something like that.

Councilmember Kurtzweil stated she has asked in the past, about having a fund balance policy and that is a best practice to have one in place. City Manager Zelenak stated he does think that is a good thing to have in place, but he doesn't know if it is the right time. We have to review what our expenditures are first. Councilmember Kurtzweil asked for a rough draft of the budget. City Manager Zelenak stated we are still working on the budget. Councilmember Kurtzweil asked what the plan is for our investments. City Manager Zelenak stated the County is going to come in and discuss another vehicle that allows communities to invest with the County and we could get more interest than just leaving money in the bank. Councilmember Kurtzweil stated before investing, we need to have an investment policy in place.

MANAGER'S REPORT

City Manager Zelenak stated the first meeting of April we will have Plante Moran in to discuss the water and sewer rate analysis. The budget workshop is scheduled for April 7th. He then reminded everyone that March is reading month and he will be reading a book to 3 different classes. City Manager Zelenak stated on March 12th a Pulte development project will be on the agenda for a rezoning. City Manager Zelenak stated we had a meeting with our public meeting staff regarding the coronavirus. He stated we have been in contact with our health insurance companies. We are in contact with all of our employees and we now have hand sanitizer in all city vehicles and in the offices. He further stated we will have information on our website for anyone that has any questions or concerns as well. Councilmember Richards asked about a cease and desist for the Corner Caffe. City Manager Zelenak stated there was an issue with their sink and it has been resolved. We don't always get the full report.

PUBLIC COMMENT –

Judy Keeling of 62180 Arlington Circle. She asked if the planning commission meeting is about the property behind Colonial Acres and the City Manager stated it was.

COUNCIL COMMETS

Councilmember Richards stated the last historical program was really great and there will be two more blockbuster programs, one in April and one in June although he hasn't been told what the content will be yet. He then stated tomorrow is the kick off meeting for Depot Day. He stated 2 of the Historical officers have moved to Florida and one is in the hospital from a stroke. We don't have a lot of people and we need volunteers. Councilmember Richards stated most people don't know but the Plymouth Physical Therapy are closing and the building will be up for sale. Councilmember Richards stated we have people that are activists and he was an activist for many years. We need more activists. He stated there are areas the City needs help. If someone comes to the podium and tells us the facts and helps the administration make decisions and come to a conclusion. Areas of concern such as water and sewer rates. Local street repair needs activists and the Cemetery need activists as well. And Parks and Recreation needs helpful ideas for our parks.

Councilmember Kurtzweil stated she and Council members Walton and Dilg attended a conference. She stated she and Rose were able to socialize with many people and they were all talking about our downtown. She further stated they discussed our fall festival, which is our Pumpkifest and the tree lighting at Heinanen. She further stated it was a great weekend and we were all great ambassadors for the City. Councilmember Kurtzweil stated she has been working with many Mayors, the Lyon Township Supervisor, Union members and we worked for a common cause which was to oppose the RTA tax mill. She thanked everyone that did their part with this. We in South Lyon would have never seen any of that money. Councilmember Kurtzweil stated this is Women's History Month and her grandmother and mother were very political and loved their right to vote in every single election. She wants to thank Rose Walton and Lisa Dilg for being a part of women's history in South Lyon and she is proud to serve with them as dedicated public servants first and secondly as women on this journey.

Councilmember Kivell reminded everyone to get out and vote tomorrow during the Election and he reminded everyone to sign up for a board or commission. He stated everyone can pitch in and the reward will be worth whatever you put into it.

Councilmember Dilg thanked our Clerk and office staff. She spoke with many people that visited City Hall over the weekend and they said it was very pleasant and it was wonderful. She then thanked the poll workers for working on Election Day as well as Police and Fire. She then reminded everyone that if they aren't interested in voting the presidential primary, there is a proposal on the ballot as well. Councilmember Dilg then congratulated the Witches Hat on their new expanded eating areas, they have amazing food and we are very fortunate to have them in our City.

Councilmember Kennedy stated he wants to provide everyone with a couple of updates. He stated first, the Huron River Watershed Council, in conjunction with South Lyon's Wellhead Protection Committee, will be hosting a presentation entitled "Land and Water Connection: Keeping the Huron Healthy." It will be held at City Hall on Monday, March 23rd from 1:00pm – 2:00pm. It will be taped and available on the City's cable stations as well. So, if you can, make plans to attend this informative event. Councilmember Kennedy stated at a meeting in August last year he talked about the theft of flowers from the gardens at the Salem-South Lyon District Library. At the time they had video of a man and a woman going from garden to garden digging up and taking a number of plants. Those two individuals have been identified. The Washtenaw County Prosecutor's office is pressing charges against a man and a woman for those thefts. Members of the Salem-South Lyon District Library are hoping "They'll throw the book at them!"

Mayor Pelchat thanked our staff and all the volunteers for Election Day and reminded everyone to get out and vote tomorrow. He then stated after work last Friday, there was a full-sized coyote that was in his back yard which is fenced in, so he reminded everyone to be safe and keep an eye on their pets.

ADJOURN

CM 3-10-20 MOTION TO ADJOURN


Motion by Kurtzweil, supported by Walton
Motion to adjourn the meeting at 8:36 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

3-9-20


Mayor Dan Pelchat


City Clerk/Treasurer Lisa Deaton