

South Lyon Regular City Council Meeting City of South Lyon  
Regular City Council Meeting  
April 13, 2020

Mayor Pelchat called the meeting to order at 7:35 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- March 9, 2020 Council Meeting

Councilmember Kennedy stated on page 4 under Budget, after the first sentence, please insert the following: She then discussed the Appreciation Night we 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. Council Member 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 Hamameh stated we need to clarify on page 3 that there was an original motion with the inaccurate numbers in the ordinance. She further stated there was then a rescind of that motion and then the motion was made correctly.

CM-4-1-20 MOTION TO APPROVE MINUTES AS AMENDED

Motion by Walton, supported by Kennedy

Motion to approve March 9<sup>th</sup> minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES- March 2, 2020 budget workshop

Councilmember Kivell stated on page 1 during the discussion regarding the language defined contribution program should be added during the discussion of the MERS contribution by employees.

Councilmember Kennedy stated about half way through the paragraph on Page 1, please insert and replace where it states: Council Member Kennedy stated, we are still only at about 75% of property tax revenue compared to 2008, as a result of the Great Recession. At the same time, during those 10-12 years wages, equipment and material costs all continued to increase leaving us with less money.

Councilmember Kennedy stated about half way through the paragraph on Page 2, please change the following:

Council Member Kennedy stated this is the same logic people go through when they decide to take social security at 62 or 70.

CM 4-2-20 MOTION TO APPROVE MINUTES OF WORKSHOP

Motion by Kurtzweil, supported by Kennedy

Motion to approve the March 2<sup>nd</sup> workshop minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLSCM 4-3-20 MOTION TO APPROVE BILLS

Motion by Kennedy, supported by Kurtzweil

Motion to approve bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

Discussion was held regarding the attorney bills being confidential. Attorney Hamameh stated all attorney bills are confidential and privileged. She gives a lot of detail and rather than redacting so much of this, if someone is looking for detailed information, they could submit a FOIA request.

Councilmember Richards stated there are 2 payments in separate places for CIB Planning, is that because they haven't been turning in their bills? Finance and Benefit Administrator Tiernan stated one is for the February bill and the second bill is for the bills from March. He then asked if the bills are because of the Thomasville development. Finance and Benefit Administrator Tiernan stated she will look into it and let him know.

AGENDACM 4-4-20 MOTION TO APPROVE THE AGENDA

Motion by Walton, supported by Kurtzweil

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

1. Re-appointments
2. 2020 Lake Street Cruise-In
3. 2020 Lake Street Motorfest

CM 4-5-20 MOTION TO APPROVE THE CONSENT AGENDA

Motion by Kurtzweil, supported by Dilg

Motion to approve the consent agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PROCLAMATION

Mayor Pelchat stated April is Child Abuse Prevention and Awareness Month and he read a proclamation.

\*See attached\*

PUBLIC COMMENT

Senator Runestad stated he wants to let everyone know the legislature was asked to extend the order by 70 days, therefore we extended it to the end of the month. There are a number of concerns we have because this is the strictest stay at home order in the nation. You can't buy plants at a florist, but you can buy marijuana. It seems very inconsistent. He further stated now you can't even talk to your neighbors. There are many things that needs to be changed and he wants everyone listening to feel free to contact him 7 days a week. Don't hesitate to contact them for any questions or concerns.

### DISCUSSION- Downtown

City Manager Zelenak stated most of the downtown businesses are closed, we are trying to work with them as much as we can for any assistance through the County and the State. He further stated he doesn't know how many tried to get the incentives at this time. He stated we are in the process of hiring the new DDA Director. He stated we have had the reference checks and background checks completed. He further stated he met with DDA Board to discuss that particular hire. He stated he has had discussions with the applicants and they all understand what is going on in the environment these days and the potential for bringing someone on too soon wouldn't be likely. He stated we will continue to move on and he will keep Council informed. Councilmember Kivell asked if there is any news about the Draft Street Building. City Manager Zelenak stated he has not heard anything recently. Councilmember Kivell then asked about the building at 110 Detroit St. City Manager Zelenak stated we have had discussions with their realtor and the person representing the DDA Board as well. We haven't pushed a lot of the ordinance items recently due to the environment. We are trying to work with people as much as possible. He stated he understands that building needs to be brought into compliance, or if they are going to sell the property, we could move forward with that as well. Councilmember Kivell stated he isn't comfortable with us waiting on this property. They have made no effort to comply with anything. Councilmember Kurtzweil stated she has been working on getting the loans for her clients. She stated she hopes the Economic Director will have a good background in these types of issues. The DDA will need help with funding through loans or grants. She then stated if anyone has been trying to get the loans and they were unable to, she will donate her time to help them. Councilmember Kurtzweil asked if the Ordinance Officer is still working. City Manager Zelenak stated he is in a limited capacity at the moment but he has been working with the owner to try to get 110 Detroit into compliance. Councilmember Dilg asked Councilmember Kurtzweil if she would be ok with her mentioning her offer to other business owners for assistance with loans. Councilmember Kurtzweil stated she will help anyone at any time. Councilmember Walton asked if Parks and Recreation will be using the Dorothy Street parking lot for a water tank. She stated she would like them to find another basketball net in another part of the park such as where the ice-skating rink is. City Manager Zelenak stated he will discuss it with them. Councilmember Richards stated 110 Detroit Street has been going on for years. He further stated there should be another avenue for us.

### FIRE -CHIEF REPORT

Chief Vogel stated our staffing should be at 100% by the weekend. Other good news is we haven't had a Coronavirus pick up or suspected pick up since April 7<sup>th</sup>. He stated they had some concerns about the burning policy in the City. He suggested everyone should go to the Fire Department website for information. He then stated last week they sent a fire truck to Ann Arbor to do a drive by with the Washtenaw County units at the U of M hospital and then they went to St Joes. Chief Vogel thanked some local businesses such as Little Caesars, MST, Alekos and for the local citizens that have been making masks. Councilmember Dilg thanked him for participating in the drive by. She has a few friends that are nurses there and they really appreciated it. Councilmember Walton stated as an employee there, everyone really appreciates all the support we are getting.

### POLICE CHIEF REPORT

Chief Sovik stated they also participated in a drive by at Beaumont in Farmington Hills. Chief Sovik stated he has been in constant contact with Chief Vogel sharing information regarding the virus throughout the day. We are putting information on Facebook and on our website. We have a decontamination station set up in the garage, and implementing other policies and procedures as well. He further stated we have plans in place for low staffing, policies for low and high exposure. We are also keeping our City Manager up to date as well as Council and the public. Councilmember Walton thanked

Chief Vogel and Chief Sovik for being there for all of us. Councilmember Kivell stated the great information they are putting out on social media is very helpful and it makes people feel more comfortable that you are keeping everyone up to speed.

OLD BUSINESS

1. 2<sup>ND</sup> Reading of Ordinance to amend the South Lyon Code of Ordinances to update the changes of Malicious Destruction of Property and Retail Fraud to make them consistent with state law

Councilmember Richards asked how long has our Ordinances been out of sync with the State Law. Chief Sovik stated we haven't had any changes in a while. This will make it so we can keep the fines instead of it going to the County Prosecutor.

CM 4-6-20 MOTION TO APPROVE SECOND READING

Motion by Kivell, supported by Walton

Motion to approve the second reading of Ordinance amending Section 58-117, Section 58-118 and Section 58-123 to make them consistent with State law.

VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Waive Fees for utility bills until June 30, 2020

CM 4-7-20 MOTION TO APPROVE RESOLUTION TO WAIVE FEES FOR UTILITY BILLS UNTIL JUNE 30, 2020

Motion by Kurtzweil, supported by Walton

Motion to approve the resolution to waive late fees for water and sewer bills that will be due April 30, 2020, City Administration shall not assess a 10% penalty if said bills are paid in full by June 30, 2020. For any bills that are not paid by the new date in paragraph 1, then City Administration will assess normal penalties, but using the new date as the due date for penalty purposes

VOTE: MOTION CARRIED UNANIMOUSLY

2. South Lyon Area Youth Assistance Agreement

City Manager Zelenak stated we have been presented with the annual agreement with South Lyon Youth Assistance for the prevention of juvenile delinquency and neglect. He stated they are asking for a contract for \$13,000 for fiscal year 2020-2021.

CM 4-8-20 MOTION TO APPROVE AGREEMENT WITH SOUTH LYON YOUTH ASSISTANCE

Motion by Walton, supported by Kurtzweil

Motion to approve the proposed agreement between South Lyon and the South Lyon Youth Assistance for fiscal year 2020-2021 with a contribution of \$13,000

VOTE: MOTION CARRIED UNANIMOUSLY

BUDGET

City Manager Zelenak stated we had a budget workshop on April 7<sup>th</sup>.

We will be making adjustments based on comments from that meeting and we plan on getting the updated version to Council the week of April 27<sup>th</sup> to May 1<sup>st</sup>. He stated we will then plan on passing the budget at the May 26<sup>th</sup> Council Meeting.

### MANAGER'S REPORT

City Manager Zelenak stated the City staff continue to monitor the situation and act in a way to protect the staff, our employees and the public. He stated we ask everyone to continue to check for the notifications from the Fire and Police Facebook pages for updated information.

City Manager Zelenak stated we had a conference call with Plante Moran today regarding the water and sewer rate analysis. He stated we will be updating a presentation that they will give to City Council at another Council meeting. City Manager Zelenak stated they received notice today that GFL will continue to pick up yard waste. Councilmember Kennedy stated during the budget work shop the City Manager mentioned an email he received from the schoolboard regarding the funding for the SRO.

Councilmember Kennedy stated during the budget workshop, the City Manager mentioned he received an email from the school district Interim Superintendent about supporting financing for the School Resource Officer. He stated he totally supports having a School Resource Officer (SRO) assigned to the schools to help ensure the safety of our students. He does have a problem with the manner in which the school district wants to finance it. The South Lyon Community School District covers over 80 square miles and includes 6 different cities and townships in 3 different counties. A few years ago, the South Lyon Community School District unilaterally decided to reinstate the School Resource Officer following some tragic events at other schools in the country. The School District then went out to their member communities and asked them for contributions to fund that decision. Some communities contributed and some did not. He stated that year, 3 of the 6 communities contributed. The School District repeated that same process again last year and only 2 communities out of 6 contributed. Each time, the shortage was funded from the school district's general fund. He stated he believes that the cost for the School Resource Officer is an operating expense for the school district, no different than providing food service, janitorial service, maintenance on their facilities and security for their facilities. He further stated as such he believes the South Lyon Community School District should accept that responsibility and fund it directly from the tax dollars it receives, as it does with those other entities. Every tax payer in the South Lyon Community School District pays school taxes. When the School District comes to the cities and townships and requests them to contribute to the cost of the SRO they are in essence asking the residents of those communities to pay twice; once in the form of their school taxes and secondly by taking money from the budget of their respective city or township to pay for it. Councilmember Kennedy stated in addition, 4 of the 6 communities in the school district are in Oakland County. Those tax payers pay Oakland County taxes, a portion of which already funds the Oakland County Sherriff's office. Asking them for additional funds from their budgets is again taxing them twice for that support. He further stated that additional cost is further exacerbated when some communities do not contribute and even more money must be used from the school district's general fund to cover the shortage. He stated he believes this is an operating expense for the South Lyon Community School District and they need to assume responsibility for addressing it. If they funded it through the collected school taxes that are paid by every tax payer in the school district, then no community could opt out of contributing and each community would pay their fair share. If the School District does not have the money in their general fund to cover this expense, then they need to develop a plan for increasing it. He stated as an example, the School District is proposing a \$98M bond this year to cover facilities improvements, etc. for the schools. Included in that proposal is a plan to purchase 10 school buses. School buses are normally purchased from the general fund. However, by including them in the bond, this allows the school district to save \$650,000 - \$850,000 in their general fund for other expenditures. Perhaps some of that savings could be

used to fund the School Resource Officer. He stated he fully supports the need for a School Resource Officer and keeping our students safe. However, he believes it is an operating expense for the South Lyon Community School District and they need to assume responsibility for addressing it. Once they establish an equitable means of funding it, and speaking as 1 of 7 on this board, he believes the City of South Lyon would be pleased to bid on the contract to provide those services.

Councilmember Kurtzweil stated Mr. Kennedy's summarized her comments she has made over the years. She stated this is an operating expense. They have lost to a 60-million-dollar budget. She has offered in assisting them with funding. She stated Northfield was not contacted about this fund. She stated Novi was not asked, Milford Village was not asked and Green Oak Township does not fund that either. She thinks the school district has been selective about who they are requesting money from. She further stated with the schools being closed, they aren't heating the swimming pools, they aren't heating the schools. With the saving on utilities alone, should help them fund the SRO. She further stated the only thing she disagrees with is she doesn't agree the South Lyon Police Department bidding on the SRO. She stated the schools is using the Oakland County Sheriffs Office. Lyon Township has a unique situation with their arrangement with the schools. They pay into the SRO because they use the SRO for their patrols in the summer to give vacation leave. Their arrangement benefits the Township in the summer time.

Councilmember Kivell stated he wanted to reiterate what he said at the budget meeting, and the schools making a request for funding of the SRO is simply a matter of equity. He stated the idea of having an SRO makes sense to him, but the notion of how it is funded is arbitrary and the only way it becomes equal for all communities is if they put that in their budget. He thinks it would be helpful for the South Lyon Police Department to be able to bid on the contract because the schools would have superior coverage of the South Lyon High School because of the location. Councilmember Kennedy stated the City did fund that for about 10 years prior to the construction of South Lyon East. We don't have the resources to fund that at this time. We have done our part back around 2000 and we funded it for years. Councilmember Kurtzweil stated she has spent a lot of time looking at this issue. She stated she spoke with some Oakland County Police Officers and back in the day, that was an ability to build their Police force. She further stated that was the business model at that time. It is a good thing to patrol the schools because it increases your number of officers. Later the Oakland County Sheriff's office set up the training that is needed and they lead the country in training SRO officers.

#### PUBLIC COMMENT

Jim Hamade of 1189 Horseshoe drive thanked the City Council and staff for enabling this zoom meeting so the public can still attend. It is a good feature to use moving forward even when Council reconvenes it could be used to stream live meetings until the video system is up and running. He further suggested Council live stream the meeting on Facebook.

#### COUNCIL COMMENTS

Councilmember Dilg stated her heart has been breaking watching our businesses struggle. She then stated there have been some businesses that are struggling but still helping out with the community. She stated Alekos have been doing some amazing work feeding our first line responders. She further stated Grand Trunke was making and giving out free masks, Coral Sash was buying gift certificates from other local business and giving them, South Lyon Bicycle was helping people with their bike repairs for free. She stated it really touches her no matter how they are struggling they are still helping each other. She hopes when this is better, she hopes everyone will remember to shop local, they need our help. She then stated she sees people on Facebook all the time that are pulling together. She then thanked all the grocery store workers and our medical professionals. She can't imagine how difficult it is and she wants to urge patience and caution and we will get through this.

Councilmember Kivell stated he agrees with everything Lisa said and he wants to thank all the local people that are still buying takeout from our local restaurants. He stated anytime he is shopping around he makes sure to thank everyone for what they are doing for our community.

Councilmember Kennedy stated 8 Mile Road will be closed between Pontiac Trail and Tower Road and it will take about 2 weeks to be completed. He hopes everyone stays safe and healthy.

Councilmember Kurtzweil stated she has been hearing incredible comments from people about what everyone has been doing for the City. She stated she has gotten great comments about our team and giving our residents a feeling of being happy about being a part of our town. We will get through this and get back to our lives as we did before. She then stated there will be a time when we will meet our family and friends again, and there will be a time when we will all meet again.

Councilmember Walton stated she wanted to give a shout out to Connor McCluster who is a former South Lyon graduate for making the ear savers for the masks the healthcare workers have to wear. She then stated in these times, Active Faith is handing out food for anyone in need. If you have any extra money, please make a donation to them at 401 Washington Street. She then stated sometimes we are tested not to show our weaknesses but to see our own strength.

Councilmember Richards stated he is glad the garden area was cleaned off. The DPW got all the clean up done early this year. He then stated Active Faith is working overtime servicing a lot of people and they need volunteers. He then stated the annual creek clean up has been cancelled at this time. He stated he is glad Peoples Express is lowering their fees at this time. He then mentioned the flooded area near the Hidden Creek subdivision. He stated the DPW was there and saved the day when the water broke loose. It still needs to be monitored in the future. Councilmember Richards stated we could have a second wave of the virus coming again and he hopes that doesn't happen.

Mayor Pelchat stated he wants to thank everyone that was reappointed to the boards and commissions on the consent agenda. Erin Kopkowski, Mike Joseph for the Planning Commission, Phil Wiepert, Brian Dunn for the Zoning Board of Appeals, Robert Tremitiere, Phil Wiepert, Larry Ledbetter for the Historical Commission, Jeff Heinanen, Mark Childs for the DDA Board and Amber King, Rich Perry and Steve Kaukonen for the Cable Commission. He stated our volunteers are major players in our community and he thanked them. He further stated he wanted to thank everyone at the Fire Department, the Police Department, and all our other employees.

#### ADJOURNMENT


#### CM 4-9-20 MOTION TO ADJOURN

Motion by Kurtzweil, supported by Walton  
Motion to adjourn meeting at 8:51 P.M.

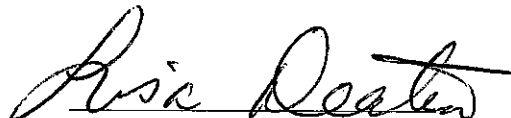
VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,



Mayor Dan Pelchat



City Clerk/Treasurer Lisa Deaton

4-13-20