

City of South Lyon
Regular City Council Meeting
April 26, 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, Councilmember Richards joined the meeting from South Lyon at 7:35

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

MINUTES

Councilmember Dilg stated the budget meeting started at 6:00 p.m. not 7:30 p.m. Councilmember Kivell stated on page 3, instead of the word money, the word when should be changed to where, and the word money should say interest and add the dollar amount of \$17,434.00 in interest.

CM 4-1-21 MOTION TO APPROVE MINUTES AS AMENDED

Motion by Dilg, supported by Kivell

Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

CM 4-2-21 MOTION TO APPROVE MINUTES AS PRESENTED

Motion by Kennedy, supported by Kivell

Motion to approve the minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

CM 4-3-21 MOTION TO APPROVE AGENDA AS PRESENTED

Motion by Kivell, supported by Kennedy

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Jeff Heinanen of 350 S Lafayette stated he is here for the Zoning Ordinance Amendment on the agenda. He stated he supports the extension of the central business district that is currently B-3 zoning. This allows for more development or re-development in the downtown. He recently had an application before the Zoning Board of Appeals that was denied. During the process we spent a significant amount of time reviewing the city's ordinances and zoning ordinances and a few other communities. There are a couple of items that he is requesting Council to consider. Loading is only allowed in the back of a building, with the exception that it could be done in the side yard, if there's a minimum of 50 feet. He is requesting Council to review that and add language allowing for loading in front yards in the central business district. He stated a CBD typically consists of smaller lots and rear loading isn't always feasible. It is understandable the requirement is for big box stores, but it doesn't always make sense in smaller downtowns. He then stated the second item, is for the City to consider allowing flag lots. Right now, the City requires a 1 to 4 ratio, but State Law says the municipality or county having any authority to review

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the proposed divisions may allow greater depth to width ratio than otherwise required by its subdivision. He further stated many other community neighbors allow a greater depth to width ratio, which include Salem, Lyon Township and Milford Township and other townships. Or they alternatively allow a parcel to be accessed by legal ingress, egress easement. Either of these would allow for more creative developments in the downtown. He stated he is aware City staff and consultants and spent a significant amount of time on the zoning ordinance, but it's been 26 years since it's been updated and he is asking Council to review the items before taking action tonight. He is requesting Council to table the ordinance adoption tonight. He further stated he is passionate about supporting the City and we all want our entire community to have our downtown thrive. If the zoning ordinance allowed for more options, we would promote more creative and unique projects within downtown.

Ryan Lare thanked Chief Sovik, Glenn Kivell and Phil Weipert for their hard work at the creek clean up. It was amazing and everybody did such hard work, we filled up the entire 20 ft wide dumpster and it was absolutely amazing. He then stated on his way home, he was in the crosswalk between the Italian restaurant and the presbyterian church and a gentleman hit him on his scooter and he had bruised ribs and shoulder and lower back pain. The insurance company is replacing he scooter at no charge so he will be in a new scooter next week. He further stated he got a card in the mail from Chief Vogel and the Fire Department wishing him well on his injury and then thanked them for that. It was the sweetest kindest thing that has happened to him. He then stated it is a hats off to our wonderful first responders that work every day to bring kindness and generosity to our City.

DISCUSSION- Downtown

Downtown Director Nate Mack said he will be out of the office from May 5th through the 10th, then again on May 13th through 17th because he is getting married, and then having a reception with his family in South Dakota. He will be in the office on May 11th and 12th. Mr. Mack stated the flower pots at the Memorial will be ground plots, and he has ordered two of them. He stated the Farmers Market opens on May 1st and he encourages everyone to attend. He then stated he met with the new owners of a store going into Kings Plaza called Southline Nutrition and they requested some of the show your love for Lyon things so he gave them some and welcomed them to the City. Mr. Mack stated we received some PPE from Oakland County such as 14 gallons of hand sanitizer and 9 cases of gloves, most will be used for Ladies Night Out. He then stated he was informed that he was accepted into a 12-week MEDC small business retention training series so basically, he isn't familiar with the platform, but it is based on retention activities, so he will be trained on the platform so he can help other people with it. It will provide data collection and other resources so we can better understand what we need. Mr. Mack stated the winery will be submitting plans and they are looking to get into the 105 N Lafayette building. He made contact with them today. That is exciting news. He then stated 110 Detroit Street was listed for sale about 2 weeks ago, and it is now pending on a sale for \$160,000. Councilmember Kivell asked if the MEDC training, is there going to be training for trying to show some of the businesses that may be struggling some ways to help them to stay in the game. Mr. Mack stated it is a train the trainer type of thing, so he will be able to train business owners on it. Councilmember Dilg asked if the creamery is getting ready to open. Mr. Mack stated he hasn't spoken with them; he will find out.

FIRE CHIEF REPORT

Chief Vogel stated the rescue refurb project is wrapping up and should be heading to Grayling for the final review. He stated he and Chief Wier will be heading to Charlotte, Michigan on Wednesday to preview some chassis they make for the ladder truck. The demo truck is still planning on being here in May. Councilmember Richards thanked the Fire Department for helping with the creek cleanup. It was the highlight to see the Fire Truck and the volunteer firefighters. He stated it was very much appreciated.

He then stated he lives across from the tube mill and he sees the firetrucks go by sometimes twice a day, but usually 2 a week for sure. With the total year to date of 288. He then asked how many calls have gone into the tube mill or the parking lot. Chief Vogel stated since January 1, one time and in 2020 they went four times. Councilmember Kivell stated there have been a lot of emergency runs lately, and how many would have been handled by the refurbished rescue truck rather than the engines. Chief Vogel stated probably about 80%. We have a lot of new equipment donated by FEMA that will go on that truck. He further stated you don't only get one call recently; we get 2 or 3 at a time. We had 3 calls within an hour today. Councilmember Kennedy mentioned the duckling rescue from the storm drain. Chief Vogel stated he reached out to the Brighton High School Science Olympiads if they could come up with a way to cover the storm drains, it happens everywhere.

POLICE CHIEF REPORT

Chief Sovik stated this past Saturday we had the DEA unused medicine take back event and it was very successful. One of the biggest we have had and we were able to hand off all the medications to the DEA that afternoon. In light of everything with the anti-police sentiment and the dialogue, he is very proud of our Officers and how they are handling it. The mission of our department is to maintain excellence in law enforcement by strengthening the partnership with our community. We take our responsibilities very seriously and it isn't going to change. We appreciate Council and thank our community for support that we have been given. Mayor Pelchat thanked him and gave kudos to his team for taking steps to being active in the community and building the relationships since taking that position. Councilmember Kurtzweil stated as she was out this weekend and as the national discussion is about the status of policing in America and she didn't hear one negative word about our Police Department or the Oakland County Sheriffs Department. She further stated in our region there is a culture that is sort of inbred with the officers that there is respect for all individuals and the problems that are occurring in other areas of the country are different than what we see because we have a different cultural and respect and tolerance. She then gave kudos to Chief Sovik and his staff. Councilmember Kivell stated respect is mutual and by our Police Department showing people respect, it gives them the opportunity to give it back. He then stated he has always been very proud of our Police Department and they have always remained so active in some of the more passive things that really mean a great deal, they don't produce a lot because people are aware that that's going to be taken place so he is sure if anyone is going to be a mischief maker, they will avoid those opportunities and he thinks your presence in the community has always been to the benefit of our community and he is certain that they will continue that same type of practice.

UNFINISHED BUSINESS

1. 2021-2022 Budget

City Manager Zelenak stated we have included all the updated sheets containing the changes and corrections that were made since our budget workshop. At our meeting on May 24th, 2021 the budget will be up for adoption. He then asked if anyone had any questions. Councilmember Kivell stated he spoke with Ms. Tiernan, the Finance and Benefit Administrator earlier today regarding the difference in the ratio from wages to benefits escalates from the 2019 audited year for the DPW to the 2021 budget. He stated it escalates from 54% for benefits, to 62.99%. Ms. Tiernan stated every year we take into account an increase in benefit cost, and a change in personnel, and anytime there is a change, the usage of benefits as well as the expenditures associated with certain benefits, such as insurance do change and so there is a little more of a usage and higher cost based on current personnel. We have also budgeted for a DPW, Water and Sewer Deputy Director that wouldn't have been included with the 2019 audited numbers. City Manager Zelenak stated he will have information regarding cash flow consideration regarding the purchase of the fire ladder truck and the different options we have.

NEW BUSINESS

1. Memorial Day Parade

Chief Sovik stated the Memorial Day Parade was cancelled last year. The parade route will be the same as in the past, but as far as having the ceremony in the Cemetery, it is going to be a limited number of people due to COVID. He further stated they won't be passing out flyers and they won't be throwing out candy and he thinks Dayna did a good job putting together their covid plan for the parade.

Councilmember Dilg asked if the homeowners will be aware of the road closure, and will there be arrangements made for them to access their house. Chief Sovik stated they will make sure everyone is notified. Councilmember Kurtzweil asked how Chief Sovik will restrict the number of people at the Cemetery during the parade, because people could be there visiting their loved ones, will they be kicked out, Chief Sovik stated no. Councilmember Richards stated there are a lot of people that drive a great distance to visit their loved ones graves before the parade starts, this could pose a problem because they won't know about the restricted number of people allowed. Chief Sovik stated they will also have officers at the event and as long as we are practicing social distancing, they will let everyone know what is going on. He stated he would never refuse them entrance to visit their loved ones, we will do what we can do and we will make sure everyone is happy. Councilmember Walton thanked Dayna for all her hard work with the parade. She then thanked Dayna and the VFW and the American Legion, they worked together and they were able to receive a headstone for Laverne Huyck who was one of our founding members of our VFW in town that was without a headstone for 30 years. She then thanked Bill and Linda Erwin that are donating the American Flags to the City. She then thanked Bill and Linda Erwin and the Erwin Foundation, Herb Stricker and Gary Fagin for putting together and putting up the black iron monument at the memorial and that should be done before Memorial Day.

CM 4-4-21 MOTION TO APPROVE ROAD CLOSURES FOR MEMORIAL DAY PARADE

Motion by Kennedy, supported by Walton

Motion to approve the road closures requested for the Memorial Day parade

ROLL CALL VOTE:

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

MOTION CARRIED UNANIMOUSLY

2. Zoning Ordinance adoption

City Manager Zelenak stated the City staff, Planning Commission, the Planning Consultant and City Council have been working on the development of a new Zoning Ordinance and Map and we need to set the public hearing for the first meeting in May. He stated the 10th will be the first reading with public hearing, and the second reading will be done at the second meeting in May. Councilmember Kurtzweil asked for a written memo addressing the issue brought up by Jeff Heinanen, he had said other communities have provided more favorable opportunities and she would like to look at this. She then asked if expanding this district, does in any way limit the activities of the commercial buildings that are already there. City Manager Zelenak stated we would have to go through the entire Ordinance, he will talk with the planning consultant. He then stated Mr. Heinanen mentioned some other communities that have allowed that, but he isn't sure what Townships those are, and what their zoning ordinances are. Further discussion was held on the timing of the public hearing. City Manager Zelenak stated he will be

getting information to bring to Council from our planner regarding the flag lots and the loading information and they can be discussed at the next Council Meeting.

CM4-5-21 MOTION TO APPROVE MAY 10, 2021 FOR PUBLIC HEARING

Motion by Kennedy, supported by Kivell

Motion to approve Monday May 10, 2021 for the public hearing for the new Zoning Ordinance and Zoning Map.

ROLL CALL VOTE:

Kennedy- Yes

Richards- Yes

Kurtzweil- No

Dilg- Yes

Walton- No

Kivell- Yes

Pelchat- Yes

MOTION CARRIED- 2 OPPOSED

3. Intergovernmental agreement

City Manager Zelenak stated the City of South Lyon, Lyon Township and South Lyon Schools explored the opportunity to work together a plan to provide sidewalks and crosswalks in association with the Safe Routes to School program near Pontiac Trail and Marjorie Ann. The civil engineering design work was completed, but since then the High School has pulled away from the plan and the project was never completed. After numerous conversations with Township Officials, we have again initiated a much smaller project to install just the sidewalks and crosswalks at Marjorie Ann and Pontiac Trail. Because the original bids were taken in 2017, we are proposing to work on this project with the Township engineer to create new documents and adopt the interlocal governmental agreement between the City of South Lyon and Lyon Township. We are now budgeting \$35,000 for our version of the scaled down project. Councilmember Kennedy stated he wanted to applaud City Manager Zelenak for getting the ball rolling on this project, it's a shame it wasn't completed earlier, but it is a step in the right direction, not only here, but for other places and the more we can work together and the City is more walkable, the better it'll be for all the other residents whether they live in the City, Lyon or Green Oak Township. Councilmember Kurtzweil thanked the City Manger for working on this and for getting the price level that is a lot more palpable than the one previous. She further stated it isn't just for the school children, the real beneficiary is the Methodist Church and St. Joes because a lot of individuals that live in that area attends both of those Churches. They are part of the community and donate to the community and they are just as much part of our community as anyone else. Mayor Pelchat stated anytime the City and the Township can come together to better both of our communities, especially when it is as important as the public health and safety of the residents and school kids. He stated he works in that area daily and this is a definite need and he is thankful for everyone's effort.

CM 4-6-21 MOTION TO APPROVE INTERLOCAL AGREEMENT

Motion by Kennedy, supported by Kivell

Motion to approve the Interlocal Agreement between the City of South Lyon and Lyon Township, to complete the sidewalk and crosswalks at Pontiac Trail and Marjorie Ann.

ROLL CALL VOTE:

Kurtzweil- Yes

Dilg- Yes

Kennedy- Yes

Walton- Yes

Kivell- Yes

Richards- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

BUDGET- No discussion was held

PUBLIC COMMENT

Ryan Lare thanked the South Lyon Police Department for helping with his accident. He stated the gentleman that hit him did not care about his wellbeing, didn't ask how if he was ok and was not concerned if he was hurt and was angry that he was wasting his time. He wanted to let Council and the Police Department know, that when he called 911 the man accused him of calling them because the Police were going to come and beat him and throw him to the ground. He then stated his only comment was he was sorry he felt that way, but that is not how we operate in this City and that was his only comment. He then stated he would never condone such action. He then thanked Officer Tomanek, Walton and Sergeant Baker for their response. They responded with code 4 with lights and sirens and he thanked them for deescalating a situation by their actions. He then thanked the South Lyon Police and Fire Department and HVA, we have excellent first responders.

MANAGER'S REPORT

City Manager Zelenak stated he hopes the cross-walk project leads to many more projects the City and the Township can work on together. Keeping the lines of communication open is important. City Manager Zelenak stated at the next meeting the Parks and Recreation will be coming before Council to discuss their plan for McHattie Park and plan for the Historical Village. They will also be here to discuss the purchase of the Handicapped equipment that will be going in McHattie Park. He then stated we received information that they will be continuing the Oakland County Road Improvement Program for another year and because those dollars are strictly used for the downtown, we will use those dollars for the final improvements on Liberty Street. City Manager Zelenak stated he has included the community event calendar; we feel it's important to move forward and print and publish our community event calendar to try to move forward and bring the City back to some sort of normalcy as related to COVID. We can always make a judgement call if the number of cases rise drastically again. Councilmember Dilg stated we put money in the budget for the crosswalk in front of the hotel, is there something we can do at the crosswalk by the theatre. Councilmember Kivell asked about the sidewalks at the Langan property at 10 Mile and Dixboro that didn't end up being installed which is part of any development in South Lyon and they have an obligation to put in the sidewalk. City Manager Zelenak stated he spoke with Kelly and she brought it before the Planning Commission for their interpretation. He stated during his research he found in 2018 South Lyon City Council approved a conditional rezoning and part of that was for them to not install a sidewalk on Lake Street, but install a sidewalk down Dixboro to the trail by the wastewater plant. That was part of the agreement and not to install one on Lake Street that would lead to the wetlands. Councilmember Kivell then asked about a timeline. City Manager Zelenak stated they have to create an escrow and that has to be done prior to a C of O, or if there is a project where they may pave a portion of Dixboro, we will hold off on that money. That will be a decision that is made as this project moves forward and before the C of O is granted. Councilmember Kivell asked about the building on 318 Liberty, the home had an addition that is essentially the size of the original home and in light of the fact we have thrown down on the idea of impervious soil coverage, it is difficult to see that as being compliant. City Manager stated that building is part of the parsonage, and it isn't a residence, it went through special land use as well as site plan approval of the Planning Commission. The additional uses that are going to be done on that site are for the congregation. He stated it will be used for schooling. He stated it is all one parcel and part of one site plan and one land use, the zoning didn't need to be changed because a Church is allowed in residential zoning. Councilmember Kivell asked about the agreement for 318 W Lake Street. He stated Council should have an understanding of the agreement. City Manager

Zelenak stated he can provide Council with a copy of the blank agreement. He hoped he would have been able to bring before City Council the written agreement between the group that was interested in building on that site and the City. He further stated he has had a lack of communication for the last month. Councilmember Kivell stated that is important, and we need to have a better understanding of what the agreement says. He further stated he can't imagine the blanks are what is driving the aspects of the agreement. He then stated a neighbor asked him if the City checks homes for lead water pipe entrances. City Manager stated we check if we are performing some kind of maintenance on the home, or changing out meters. He then stated that is part of the State of Michigan initiated several years ago, that we inspect all homes within the City whether it is a review of records, or onsite to ensure there is no lead on our side that enters into a person's home. He then stated we may not know if there is lead on the other side of the meter in the home. Councilmember Kivell asked if they can contact DPW for them to determine if there is a lead service. City Manager Zelenak stated we should be able to do that. Councilmember Kurtzweil stated she has had people contact her about 318 W Lake. If it has been over a month since we have had contact with the individuals, did the City join into an agreement to allow them to build. City Manager Zelenak stated we have not. Councilmember Kurtzweil stated at some point the City can re-open the bid. City Manager Zelenak stated we will do that. We are trying to be understanding not knowing what is happening. Councilmember Kurtzweil stated she finds it strange that interest rates are good right now and that is going to change. If she was going to build a house, she would be doing that now. She further stated maybe they are having a tough time with suppliers; the materials have gotten very costly. The City needs to find out why they are delaying.

COUNCIL COMMENTS

Councilmember Dilg reminded everyone of the Blessing in a Backpack is a great organization that helps kids on the weekends and over the summer with food. They are having their Golf Tournament on June 5th and they have opened the registration and they also need sponsors. It is a really wonderful organization and this is their biggest fundraiser. If interested you can go on Facebook at biabsouthlyon@gmail.com

Councilmember Walton stated she wanted to shout out to Officer Baker for speaking with the young girl in our community that wants to become a Police Officer. Officer Baker met with her and gave her some advice and she loves the girl power. Chief Sovik stated the Hometownlife newspaper will be doing an article on that situation.

Councilmember Richards thanked the office staff at City Hall for all their help with things. He has contacted all the departments on something that has come up over the last couple of weeks and he has gotten great cooperation and comments regarding positive things that may go on in the future. He then stated the clean up as we discussed went very smooth, the role he plays is he scouts out areas for the targets of the clean up event and report back to Larry which areas are the worst or if they are perfectly clean which was the case with Water's Edge. He had done this with the help of Ryan Lare and he has been very helpful. Councilmember Richards stated he discussed the scope of problems we will be facing in the future regards to Yerkes Drain and Sayre Drain. There will be more discussion about this and he hopes to bring it to Council. He then stated Larry is the head guy of the whole thing, but he had help from Mr. Matt Bell who is the superintendent of maintenance at the tube mill. He secured the dumpster from GFL and he worked with the driver of the dumpster and he was a great guy. He went and got more bags and gloves and he was very helpful. He then thanked Peoples Express for coming to his rescue when he has been caught out of town and they went and picked him up. They have lowered prices on some rides as well. He then stated on May 2nd the Methodist Church is sending a team to clean up at the Historical Society area.

Councilmember Kennedy stated it's going to be a busy weekend. We have the city-wide garage sale on Thursday through Sunday, and Saturday the Farmer's Market in Downtown South Lyon will open for the season. Also on Saturday, the Salem-South Lyon District Library will host a community-wide shredding event from 10:00am until 1pm in the library parking lot. On Thursday, April 29th there will be an Arbor Day Celebration at Volunteer Park. The ceremony will take place at 1:00pm, so come celebrate South Lyon's recognition as a Tree City from the Arbor Day Foundation. He then stated the South Lyon Center for Active Adults will be holding a vaccination clinic on Monday, May 3rd and Thursday, May 6th from 9am until 7pm. It will be held at the Senior Center located at the South Lyon High School. They will be administering the Moderna vaccine. You can contact the Center at 248-573-8175 for further information and to sign up.

Councilmember Kivell stated the RCA building has the new accordion type windows that are going to be upstairs and the façade on the first floor as well, they are making strides and he looks forward to their next improvements. He then thanked the Chief, his wife, Judy Keeling, and Phil Weipert, they were the crew going from the bridge at Pontiac Trail out to the Cemetery. It was a great event and there was some real progress made when you see when all the trash is cleaned out, it really starts to flow. He then stated he is grateful for everyone that has spent their time for the last 17 years doing this event and typically he was helping with the regular City wide clean up putting mulch in and things like that so he was happy to help with this.

Councilmember Kurtzweil thanked the two individuals that assisted her with cleaning out the area around the Yerkes Drain in the Nine Mile area, they didn't want their names mentioned but they came and did community service and she wanted to let everyone know other individuals were involved in the cleanup because we couldn't join on the 18th. She then stated she is excited about the upcoming City-Wide Yard Sale weekend, she is a big fan of estate sales and everyone should clean out their closets, basements and kitchen cabinets and it is a good opportunity for people to visit, and talk and just enjoy South Lyon. It is a great event. She then stated the Farmers Market starts on May 1st and she is excited to see what survived through the hard frost we had last week. Hopefully there will be plenty of plants. She stated everyone should join Ladies Night, people are getting vaccinated and everyone knows the rules, get out and enjoy yourself. It is time to move on, the businesses have been hanging on for over a year now and we need to give them opportunity to make some sales and reacquaint with some of the really good customers. It should be close to be 80 tomorrow, everyone needs to spend time outside.

Mayor Pelchat stated he had the thrill of 99. WYCD reaching out to him and South Lyon was the City of the week and he got to join their morning show briefly and a few folks in town were able to hear it. He then stated he was able to visit with the second graders in person and virtually and it was fun and they had a ton of questions. He further stated on a personal note, the chatter of the 2021 Election is starting to pick up and he announced it is his intention to seek a 3rd term as the Mayor of the City of South Lyon.

ADJOURNMENT

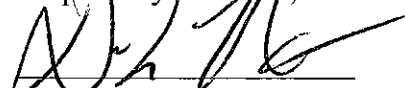
CM 4-7-21 MOTION TO ADJOURN


Motion by Kurtzweil, supported by Walton

Motion to adjourn at 9:04 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,


Dan Pelchat, Mayor


Lisa Deaton, City Clerk

4/26/2021