

City of South Lyon
City Council Meeting
May 13, 2024

Mayor Kennedy opened the meeting at 7:30 p.m.
Mayor Kennedy led those present in the Pledge of Allegiance

ROLL CALL

Roll Call: Mayor Kennedy and Councilmembers: Bogert, Dilg, Hansen, Kivell, Kurtzweil and Mosier.
Also present: City Manager Zelenak, Lieutenant Sederlund, Fire Marshal Brad Moynihan, Finance and Benefit Administrator Tiernan, DDA Director Mack and Clerk/Treasurer Deaton

MINUTES- April 22, 2024

CM 5-1-24 MOTION TO APPROVE MINUTES

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

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 5-2-24 MOTION TO APPROVE BILLS

Motion by Mosier, supported by Hansen
Motion to approve bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 5-3-24 MOTION TO APPROVE AGENDA

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

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

1. Cultural Arts Commission Appointment- Joseph Matuzak
2. South Lyon Early Childhood Center Gaming License
3. Gun Violence Awareness Proclamation

CM 5-4-24 MOTION TO APPROVE CONSENT AGENDA

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

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Ryan Cottingim of 601 S Lafayette stated he emailed Mayor Kennedy earlier in the day and requested a few extra minutes and he denied his request. He stated he is not here to convince people not cutting grass will save the bees because it won't. He said it isn't about the grass. What No Mow May does is brings awareness and education to our community and allows individuals make an impact with trying to save our pollinators. He then stated today they noticed 3 different native wildflowers and two baby bunnies in our unmowed grass. The flowers weren't there last week, it took them the better half of the month of May to flower. He then stated if they would have mowed the ever important native wildflowers would not be. No, this alone will not save the bees, but it helps. He stated they are able to help on our own property.

5-13-2024

He then stated today they had many people from our community, some they knew, and some they didn't know before. One of them being a councilmember. They joined in to help change the grass to a pollinator friendly perennial garden. He stated our community came together and put their hands in the earth to make a difference. They did this because they too are passionate about saving our pollinators. The idea came to them by a comment on their post from a member of our community they did not know. They mentioned the idea of a common ground garden because whether you support No Mow May or not, the thing we all seem to support is putting in pollinator friendly perennial gardens. That is why they are participating in No Mow May, not to save the grasses but to spread awareness of the dangers of losing our pollinators and to do everything we can to help this cause. He further stated once again, it isn't about the grass, its about doing what we can to help to spread awareness of this issue, to bring the community together to help, to educate our community on what to do to help. For example, what are evasive plants in our community, and what is the right thing to do on the property we own. If we aren't able to use what we have for good, then what can we even do. He then stated he is here to ask Council to bring No Mow May back to a vote and revisit the conversation. He further stated he is asking council to consider all of the positive things he mentioned and not just the grass, the length or what it looks like. He further stated he thinks we can all meet on common ground and agree that we all need to do something.

Erin Cottingim 601 Lafayette stated they have been before Council several times speaking up on behalf of the wetlands conservation in our community. She stated they have learned through the environmental study that the West Lake Development paid for that South Lyon doesn't have any ordinances protecting wetlands. That is missing. She stated she hopes they put their energy putting into place some ordinances that protect our wetlands. The time is now your opportunity to make a long lasting positive change for the city right now. She further stated she hopes they continue to vote to protect the wetlands tonight and beyond. She then stated she wants to talk about No Mow May. She stated she is concerned that the city is so motivated squash the No Mow May movement in our community. So worried about how things look more than the health of our pollinators. Spraying chemicals that we know cause cancer is ok, but not mowing for one month isn't. She stated this is very backwards in South Lyon. She further stated she understands No Mow May is forward thinking and its new and it means change and change is uncomfortable. But if we don't make changes when they need to be made, how do we progress. As she understands, Council decided to do nothing after a lengthy conversation about No Mow May last year. but the actions of the city this year is to aggressively cite and fine anyone that participates in this global movement. A movement that is well known, with good purpose and allowed by many of our neighboring cities. She then stated is that what you want to do, hurt a local business for wanting to support No Mow May. Fine your residents and neighbors who are trying to help pollinators, only in the month of May. She further stated meanwhile other ordinances go uncited and unenforced. She stated they are here to ask council to reconsider a moratorium for the month of May or make changes to the ordinance that allow for participation in No Mow May. She stated she hopes council will vote on this ASAP. She further stated in this case, no action is action, you're taking a stance against No Mow May. If you let the city aggressively fine tax paying residents and businesses that just want to participate. She further stated she feels like she has to get the word out about our pollinators and the city is working hard spending their tax dollars trying to silence us, and other taxpaying residents. She then stated she wants to speak freely on this issue and the way the city is enforcing old outdated ordinance is taking away her freedom to speak about this issue.

Suzann Martin of 602 W Lake Street stated she learned about No Mow May from Erin and Ryan Cottongim at the Witch's Hat Brewing Company and did some research. Honeybees pollinate 80% of flowering plants, and 130 varieties of fruits and vegetables. She further stated the honeybees survival is

necessary to our lives. She stated survival because there are fewer honeybees on the planet due to loss of habitat, pesticides, disease and competition. Honeybees are an important part of human's food chain, so much so that farmers and food companies rent honeybees to pollinate their crops. She further stated the honeybees feed on the plants pollen and nectar, and in turn, pollinate up to 5,000 blooms per day. No Mow May is for allowing flowers to bloom in late winter/early spring due to the limited flower bloom availability in our part of the country. Having a lower amount of flower blossoms, thus less pollen and nectar leads to a shorter honeybee lifespan and less pollination which leads to less food production. She then stated we need to recognize the efforts of the Cottongims and the City of South Lyon, both for being environmentally discerning.

Sara Wagner of 601 Lafayette stated she wants to support No Mow May because it is a small effort we can do to protect the biodiversity of our whole community with how many subdivisions we have now and how many encroaching developments we have it will limit our biodiversity. And not just pollinators but all other wildlife and ecological things in our area. She further stated she has been here long enough since this was a more agricultural area and not so many subdivisions. She stated she misses that because it seemed like people had more connection to the land, and people seemed to have more connection to the community. She further stated she thinks sparking the conversation about No Mow May will bring back that kind of community and love of the community.

Kim Linstrom of 1158 Chestnut stated she is here to support Erin and Ryan. She stated she appreciates all the facts people have brought to her attention, she doesn't know all the facts and details. She further stated what she does know as a long-time resident that has given back to the community as well as Erin and Ryan, twenty times fold. She further stated it is offensive Council isn't even considering it and taking it off the table. She stated she isn't offended by it and she's not offended by Norm's cars in his lot. She's not offended by driving down 10 Mile and probably seeing things that are more offensive than the tall grass at the Witch's Hat. She further stated she feels like council should listen and give it to a vote. These are important issues. She further stated she doesn't know all the details, but she participated but to her dismay, her husband mowed because he caved to the homeowner's association. She further stated the fees the city is imposing on them is outrageous. This couple brings so much to South Lyon, not only their kindness to the charities, and just bringing business and people to our city. They chose to leave their business here when they could have gone elsewhere. She hopes council will consider and give it a chance.

DISCUSSION- Downtown

DDA Director Mack stated May 4th was the first day of the Farmers Market and they had 71 vendors and that is notable because that is the greatest number we have had. He then stated in the future, they will have between 60-65 vendors and the Food Truck Rally is June 1st. He then stated they were able to raise \$727.00 dollars and 538 pounds of canned goods for Active Faith during the Ladies Night Event and they had a great turnout. He then thanked the sponsors, The Learning Experience, Lyons Counseling Center, General Family Dentistry, and Brostrum Physical therapy. He then stated we received an update on the electric vehicle charging stations from the contractor we've been working with and they met with DTE at each of the sites and provided feedback on the 5 locations they selected and a couple of them are not currently suitable for EV chargers, but they are going to be working with the state and the electric company to find more suitable areas. Councilmember Dilg stated she attends the Farmers Market and speaks with the vendors, and some had some concerns about the Indoor Farmers Market that there weren't a lot of people, so maybe the marketing can be done differently next time. She then asked if there is a time frame for getting the bike racks installed downtown. Mr. Mack stated they will be voting on the

locations at the next meeting, and then will get the bike racks ordered. Councilmember Dilg asked if they can order the racks before they vote on the locations, to move it along. She then stated she knows everyone is concerned about the vacancies downtown, then she asked for any updates. Mr. Mack stated there has been a decent amount of interest in the Coral Sash building. He stated they are still doing a lot of work on 101 S Lafayette, and they are considering doing an urgent care in the smaller section of the building. He then said they are doing some renovations on the Lake Street Tavern building, which will be a brunch restaurant, and they are looking to do a redevelopment liquor license for them and the Third Monk Brewery location as well. Mayor Kennedy stated the DDA liquor license requires the business to be opened for 10 hours a day, is that going to impact the business model for the breakfast and brunch business. Mr. Mack stated he has mentioned to them and they aren't worried about it.

FIRE CHIEF REPORT

Fire Marshal Moynihan stated they are currently at 421 calls, and he has done 5 plan reviews, and there are 5 more waiting. He then stated the Fire Open House will be on May 18th, from 11am-3pm. He then stated there have been some cancellations so they will have their burn trailer. They found some chairs and they are looking for other furniture like coffee tables if anyone is interested in getting rid of them. The smoke house will be at the open house and their vehicles will be set up. The F150 for the Fire Department and the F150 for the Police Department will be open for canned food donations for Active Faith.

POLICE CHIEF REPORT

Lieutenant Sederlund stated this Wednesday is the final graduation day for the Citizens Police Academy. He then stated Angela Bay is currently in the Police Academy and will graduate the 23rd of this month, and will be sworn in on the 24th. He then stated there were no problems with the city-wide garage sales or Ladies Night Out. He then reminded everyone of the open house and they had a great turnout last year. He then stated the 22nd is the first Lake Street Cruise In and its from 6:30 to 9:30. He stated they have to get new in-car computers because the current one's won't support windows 11. He further stated they bought one this year and 5 will be purchased in the upcoming budget year.

PUBLIC HEARING 2024-2025 Budget

Public Hearing was opened at 7:50pm

No public comment was made.

Public hearing was closed at 7:51pm

UNFINISHED BUSINESS

1. Second reading of amendment of an ordinance pertaining to the City Council meeting time
City Manager Zelenak stated at the April 22nd council meeting Council approved the first reading to change our city council meeting time from 7:30pm to 6:30pm. He further explained in order to make the change, Council must amend the current ordinance pertaining to city council meeting time. The proposed ordinance amends chapter 2, Article II, Section 2-31 council meetings to change city council meeting time effective July 1, 2024.

CM 5-5-24 MOTION TO APPROVE AMENDMENT

Motion by Bogert, supported by Hansen

Motion to approve the second reading of the ordinance to amend chapter 2, article II, section 2-31 council meetings to change city council meeting time from 7:30pm to 6:30pm.

ROLL CALL VOTE:

Mosier- Yes

Bogert- Yes

Hansen- Yes
 Dilg- Yes
 Kurtzweil- Yes
 Kivell- No
 Kennedy- Yes
MOTION CARRIED

2. Westlake Development- First Reading

Hannah Smith of CIB Planning explained this is a revised rezoning request. Council has seen multiple variations on this plan with multiple conversations on the entrance on 10 Mile, as well as traffic safety impact, and wetland impact. She stated Council approved the first reading of the rezoning in February, and requested wetland impact information on the proposed driveway location. The applicant supplied that as well as a traffic study at the March 11th council meeting. Council motioned to approve the rezoning and then the motion failed. She further states the applicant has made modifications to the plan and submitted a revised request for the rezoning and preliminary site plan. The plan provides for a modified design of the entrance drive to further minimize the impacts to the wetlands. It includes an arched bridge design which drastically reduces the amount of wetland fill required. For reference the previous plan included about 3,300 square feet impact and fill, and the current plan is more than 3,000 square feet with the wetland fill being about 365 square feet which is the posts of the bridge structure. They are also proposing to eliminate the boulevard to make the driveway as narrow as possible, and to shift the entrance west to minimize the crossing space. They have also removed the design for the boardwalk that would run down 10 mile which would go through the wetlands. By eliminating the boardwalk, it brought down the impact to the wetlands by 1,300 ft. She further stated they are maintaining pedestrian circulation just without impact to the wetlands. Bob Langen 128 N Center Street, Northville MI. He thanked Council for allowing him to bring this back to council once again. He stated after the last meeting they met with their engineers and they found some other changes they can make to further minimize the wetland impact. He stated this is the 3rd iteration of this plan. Mr. Langen discussed the changes that have been made to further minimize the impact to the wetlands from previous plans. He then stated he spoke about the community benefits they are offering. We will be offering bike racks, and electric charging stations. They haven't been asked to put them in, but they are offering. He stated they have a community garden, won't be mowed or fertilized, we hope the residents will plant native plants or vegetable gardens. Also, they are paving part of Dixboro, they are linking town 10 mile to Dixboro so there will be a circuit to town. We want the residents to feel comfortable walking or riding their bike to town. He then stated their estimated tax will be is a million dollars a year, plus whatever personal property taxes are paid with the industrial. They are adding an appropriate amount of industrial space to the city. Housing is necessary and we have 700 people coming into the development between residents and employees of the industrial in less than a mile from downtown. People will be going to town without necessarily driving cars. Mayor Kennedy thanked him for going back and revising the plan and with the reduction in the wetlands from 300 to 365 square feet with the bridge. Councilmember Kivell stated he was admiring the new configuration with the bridge because there was a concern with the two loads of wetlands going through the channel and this is wide open under and that is a step in the right direction. Councilmember Hansen stated he is glad he mentioned EV chargers because he spoke with a resident from a current apartment resident and they don't have them. He then stated having the walkway on the west side of the bridge versus the east side of the bridge. Mr. Langen stated it is shorter on the west side so there is less of an impact to the wetlands. He further stated if you go back to the January 22nd submission, there is a reference point that bisects the road, and if you look at the May 13th submission, the reference point is in the same, and we put it on the shortest side for less impact to the wetlands. He

further stated the EV stations will be free to their renters. Councilmember Bogert asked about the line up with Singh Development. Mr. Langen stated it is close but the left turn lanes won't interfere with each other. He stated it is aligned, just not exact. Councilmember Bogert stated this bridge is much better than the original plan, you are doing a lot to preserve the wetlands. He then stated he would like to see the architectural plan for the bridge if this moves forward. Mr. Langen stated they believe a 4-foot-wide footing, but it could be 2 feet wide and 36 feet long, and one is totally outside of the wetland. Councilmember Dilg asked if they know what the impact will be during the construction of the bridge. Mr. Langen stated he spoke with Mr. Hurley about that, and EGLE considers impact, impact. Hypothetically, if he had to drive a bulldozer across the swamp, do some work and go back and leave forever, that would still count as impact, even though nothing will be left there. He stated they will work within the 2,366 square feet, they go down the middle, out to the edge, then back to the middle. He further stated they aren't allowed to go outside of that area. Councilmember Dilg asked if there are concerns about oil, or gas or anything else from the vehicles spilling into the wetlands. Mr. Langen stated everyone that works in wetlands is very carefully monitored. Councilmember Dilg asked what if EGLE didn't approve this plan. Mr. Langen stated he thinks they will give them a gold star award for this with the changes they have made. Councilmember Dilg asked if they would come back with something if they said no. Mr. Langen stated they looked at a bridge and it was worse than this. Councilmember Dilg stated this plan feels less impactful, so she feels better about that. She then asked if the industrial building will be built without tenants. She is concerned about vacancies. Mr. Langen stated they are building one building immediately. He thinks paving the road is a big deal. There are no vacancies in the surrounding areas, and he feels they will feel good about this project. Councilmember Dilg asked who approves the paving of Dixboro. Mr. Langen stated Oakland County would be the one to approve. Councilmember Dilg stated some residents don't want it paved and what if the county doesn't approve it. Mr. Langen stated he would be in violation of the agreement. Councilmember Kurtzweil thanked him for the extraordinary effort he has put into this project. She thinks it is a good job and she agrees that she hopes he didn't take the push personally, it was doing what we can do to protect the wetlands. She further stated she thinks this will be very successful and that was a small point. She then asked about the reference point. She stated it was important when she looked at the reference point. She then stated that area is naturally shaded. She further stated when you have a wetland crossing at the location. She stated you have looked at everything and was there anywhere else to place the crossing. The water flow beneath was important and now we have the bridge and that is more of a flow. She further stated he understood the importance of the water movement and that shows he understands that. Further discussion was held regarding bridge. Councilmember Kurtzweil asked if there are any plans to replace the disturbed wetlands in another area. Mr. Langen stated EGLE will tell them what they need to do and they will do it. Councilmember Kurtzweil she is pleased with this plan and the pylons won't cause a permanent impact. Councilmember Hansen asked about the South Lyon city sign that is currently after Dixboro, will that be moved. Mr. Langen stated they are interested in moving it or building a new one at the corner. Discussion was held about the internet in the development. Mr. Langen stated they don't provide it AT&T does and the residents will have to subscribe to it. They want to be on the cutting edge and they want the business and we haven't had any complaints on our current site.

CM 5-6-24 MOTION TO APPROVE FIRST READING

Motion by Kurtzweil, supported by Mosier

Motion to approve the first reading of the ordinance to amend the official zoning map of the City of South Lyon by conditionally rezoning portions of the total 34.17 +/- acre parcel on the east side of Dixboro Road, south of Ten Mile/Lake Street, parcel 21-30-126-003, zoned I-1, light industrial, as follows: 24.39 +/- acres of RM-3, multiple family residential and 1.63 +/- acres, R-3, single family residential. The remaining 8.14 +/- acres will remain as I-1, light industrial

VOTE: Kivell- Yes
 Dilg- Yes
 Kurtzweil- Yes
 Hansen- Yes
 Mosier- Yes
 Bogert- Yes
 Kennedy- Yes
MOTION CARRIED UNANIMOUSLY

CM 5-7-24 MOTION TO APPROVE CONDITIONAL REZONING PRELIMINARY SITE PLAN

Motion by Kurtzweil, supported by Mosier

Motion to approve the first reading of the ordinance to amend the official zoning map of the City of South Lyon by conditionally rezoning portions of the total 34.17+/- acre parcel on the east side of Dixboro Road, south of Ten Mile/Lake Street, parcel #21-30-126-003, zoned I-1, light industrial as follows: 24.39+/- acres of RM-3, multiple family residential and 1.63+/- acres R-3, single family residential. The remaining 8.14+/- acres will remain as I=1, light industrial

VOTE: Kivell- Yes
 Dilg- Yes
 Kurtzweil- Yes
 Hansen- Yes
 Bogert- Yes
 Mosier- Yes
 Kennedy- Yes
MOTION CARRIED UNANIMOUSLY

CM 5-8-24 MOTION TO APPROVE CONDITIONAL REZONING

Motion by Kurtzweil, supported by Kivell

Motion to approve the conditional rezoning preliminary site plan, dated November 8, 2023, with the addition of the revised crossing plan sheets dated April 25, 2024 and May 6, 2024, conditioned upon:

1. Submission of an updated preliminary site plan prior to second reading of the ordinance incorporating the information on the updated crossing plan sheets dated April 25, 2024 and May 6, 2024
2. City Council approval of the conditional rezoning and conditional rezoning agreement
3. City Council's acceptance of the applicant's voluntarily offered conditions as outlined in the conditional rezoning agreement;
4. Submittal of all required information for final site plan review;
5. Façade materials and samples being presented and approved during final site plan review;
6. Approval and recording of cross access and shared use easement for access drives and utilities;
7. Rezoning is subject to review and approval of the conditional rezoning agreement by the city's engineer, planner and attorney
8. Review and approval from other applicable consultants, departments, and agencies, including, but not limited to, EGLE approval of site plan

VOTE: Kivell- Yes
 Mosier- Yes

Bogert- Yes
 Hansen- Yes
 Dilg- Yes
 Kurtzweil- Yes
 Kennedy- Yes
MOTION CARRIED UNANIMOUSLY

3. Approve 2024-2025 Budget

City Manager Zelenak stated he has given Council the proposed budget for the fiscal year of 2024-2025. He stated we held the public hearing earlier tonight for the budget. He stated Council will need to consider the millage rate resolution along with the budget resolution.

CM 5-+-24 MOTION TO APPROVE MILLAGE RATE RESOLUTION

Motion by Mosier, supported by Hansen
 Motion to approve the millage rate resolution

VOTE: Bogert- Yes
 Hansen- Yes
 Kurtzweil- Yes
 Dilg- Yes
 Mosier- Yes
 Kivell- Yes
 Kennedy- Yes
MOTION CARRIED UNANIMOUSLY

CM 5-10-24 MOTION TO APPROVE BUDGET RESOLUTION

Motion by Bogert, supported by Mosier
 Motion to approve annual budget resolution

VOTE: Kurtzweil- Yes
 Dilg- Yes
 Mosier- Yes
 Dilg- Yes
 Bogert- Yes
 Kivell- Yes
 Kennedy- Yes
MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. GASB 75 Actuarial Valuation Services Agreement

Finance and Benefit Administrator Tiernan stated the city will again engage with the Howard E. Nyhart Company to collect data and prepare a comprehensive actuarial valuation report based upon the requirements of GASB 75 and PA 202 uniform assumptions disclosure for fiscal years ending June 30, 2024 and June 30, 2025. She stated she included the service agreement and we have used this company for at least 10 years, and there is a slight increase as we are seeing with most of our contracts. This contract is about \$1,200 more but they are a good company to work with. Plante Moran works with them with a lot of their other municipalities and she is confident in their work. Councilmember Mosier asked if they are easier to work with now because the first year was horrible. Ms. Tiernan stated the first few years was rough, she stated the individuals that actually do the valuation and the people she works with is a whole new crew and they are very responsive. Councilmember Hansen asked what is the data they are

looking for. Ms. Tiernan stated it is a requirement for all municipalities and they look specifically at the OPEB which is out post-employment benefits, so they take our employee census data and retiree census data and they review how we are paying for and saving for the liabilities we have accrued for the post employment benefits.

CM 5-11-24 MOTION TO APPROVE AGREEMENT

Motion by Mosier, supported by Kivell

Motion to approve the service agreement by the Howard E Nyhart Company, to provide GASB 75 actuarial services for the city of South Lyon for fiscal years ending June 30, 2024 and June 30, 2025

VOTE:

Kurtzweil- Yes

Dilg- Yes

Mosier- Yes

Kivell- Yes

Hansen- Yes

Bogert- Yes

Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

2. Professional services agreement for audit of financial statements for fiscal year ending June 30, 2024

Finance and Benefit Administrator Tiernan stated the City of South Lyon will engage Plante & Moran to perform an audit of the fiscal year ending June 30th 2024 financial statements, assist in drafting the financial statements and related notes. The approximate cost of the engagement will be \$73,000. The proposed service agreement includes a 5% increase from the previous years contract. They are saying it has to do with a couple new GASB requirements which accounts for our estimates and the other has a lot to do with the documents provided to them during the interim audit which they call their pace forms which is our internal controls that we use within the finance and accounting department to make sure there are no misstatements or items being entered in one period when they should be entered in a different period. Councilmember Hansen stated Plante & Moran have experience with handling our books and making sure the audit is performed more than adequately. He then asked if the city has ever considered using another company. Ms. Tiernan stated they have considered bidding out to other firms but they decided to go ahead with Plante & Moran. We had a change in the audit team with the principle that is in charge of our account a couple years ago. So, there is some independence there because they make sure they do rotations with the lead partner so that you don't always have the same person reviewing the books. She further stated we are very confident with them and it's nice to have the history with a firm that has all of the records from past years, but if Council would like to the city to bid out for next year, we can look at that to make sure we have the most appropriate company looking at our books and to make sure we are paying a reasonable cost. Councilmember Kivell asked what the likelihood is that we would find a lower cost. Ms. Tiernan stated she looked around at a few different one's last year, and they were about the same. The range was between \$65,000 and \$75,000. Councilmember Kurtzweil stated the advantage with Plante & Moran brings to the table is the background with our waste water treatment plant. She further stated that is key since the water rates are based on the formula that was presented by them. That would be hard to replace. Councilmember Dilg asked when do we have to go out for bids and when don't we. City Manager Zelenak stated bidding out for professional services isn't something that is done every year. Most bidding is done for purchases. He further stated the history we have with some of the firms such as HRC and all the projects we have done with them is important. He further stated sometimes you can hire a firm that bids the lowest, but then the second year, they raise their costs. The

city has a policy to bid out for purchases for anything over \$5,000. H then stated we don't have an ordinance to bid on services, just purchases.

CM 5-12-24 MOTION TO APPROVE AGREEMENT

Motion by Hansen, supported by Mosier

Motion to approve the professional service agreement by Plante & Moran, PLLC to perform audit services for the City of South Lyon for fiscal year ending June 30, 2024

VOTE: Kurtzweil- Yes
Hansen- Yes
Dilg- Yes
Kivell- Yes
Mosier- Yes
Bogert- Yes
Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

3. Resolution authorizing the request for reimbursement from Oakland County West Nile Virus Fund

City Manager Zelenak stated Oakland County has received and approved our West Nile Virus project plan for the year on April 9, 2024. We provide insect repellent for residents and apply mosquito larvicide to the city catch basins. He further stated Council will need to adopt the resolution authorizing the reimbursement request which will then be submitted to Oakland County Health Division by June 14th. the invoice and proof of payment must be submitted by August for reimbursement allocation.

CM 5-13-24 MOTION TO APPROVE RESOLUTION

Motion by Hansen, supported by Bogert

Motion to approve the resolution for reimbursement from Oakland County West Nile Virus Fund in the amount of \$1,517.36

VOTE: Dilg- Yes
Bogert- Yes
Hansen- Yes
Mosier- Yes
Kurtzweil- Yes
Kivell- Yes
Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

BUDGET- No discussion was held

PUBLIC COMMENT

Ryan Cottingim of 601 S Lafayette thanked Mayor Kennedy for reminding him he gets another chance to speak for 2 minutes. He then apologized for taking more of Council's time for public comment. He then stated he hopes Council stands by their comments and actions from the last time West Lake Development was in front of them and they preserve the wetlands. He asked them to vote it down unless there is zero impact, not small, not minimal, not almost none, but zero. They have a completely other viable option using Dixboro and not encroaching on the pristine wetlands. He further stated that is the right thing to do for our community. He further stated please stand by your convictions and preserve the wetlands. He stated they brought up all the benefits of what they plan to do, and they can still do all of those without impacting the wetlands, every single one of them without putting in the other drive. He further stated

they said again, this is for safety, yet they narrowed the road as much as they can making it dangerous and putting in a walk that will put pedestrians in a dangerous situation. He then stated we are putting insecticides in catch basins; he wonders where all that goes.

Shannon Money of 601 S Lafayette stated part of the town's charm is the convenience of a great downtown and nature. She stated this town boasts on its website, over 200 acres of parks, as well as good restaurants and shopping. She stated her family has been drawn out of the suburbs into downtown South Lyon because of the community events at the Witches Hat has had over the last few years. She said we now come for lunches, Farmers Market, festivals and to just walk through town. She then thanked Erin and Ryan, they have led by example, and are welcoming and caring of their community. She further stated their voices on No Mow May, have sparked several heated discussions at her office at Ford and has encouraged several co-workers to come out and check out this great town. On the city's website there is a slogan that says, South Lyon, the city with small town charm. She then said please be leaders to support a family who is adding to the charm with their conversations, their community effort to care about nature big and small. She then asked them to join other cities that support and recognize No Mow May.

Erin Cottingim of 601 Lafayette stated it appears the city manager was very effective at coercing council to pass a plan that will have an effect on the wetlands. She stated there was a plan that didn't touch the wetlands, it's too bad that plan wasn't approved. She further stated she doesn't think she will ever understand why when Council has gone back and forth so much. She stated you all had a chance to save the wetlands, and you are failing your community if you don't. Now, 27,000 square feet of wetlands will be impacted, only down 10% from the original proposal, all for paving 1,100 feet of Dixboro. It doesn't match. She then stated please work on an ordinance to protect our wetlands going forward. She further stated her \$40,000 plus of tax dollars a year doesn't mean they don't get the same respect as someone with deeper pockets. She further stated you will compromise with them but not us. It's really interesting. She stated they aren't asking to destroy anything, nor are they looking for a forever change, they are just wanting to participate in No Mow May without the fear of being cited and fined. She further stated they have been here for 13 years doing business in their hometown. She stated they care deeply about this town. She further stated Council voted to change an ordinance tonight, it's possible. You made it look easy, why is it so hard to change an ordinance, what is it about really.

MANAGER'S REPORT

City Manager Zelenak stated at the next meeting we will have a conditional rezoning for Suzy's bar, and West Lake will be on an upcoming agenda after we receive materials for the second reading. He then stated Patriot Concrete has begun the repairing of the wall that runs alongside their property on the trail north of 10 Mile. He stated residents should be careful in that area as construction commences. City Manager Zelenak stated he met with the contractors for the paving projects in Brookfield and Eagle Pointe subdivisions, and the public informational meeting will be held on May 23rd from 4pm to 7pm. He then stated he and Mr. Mack met with our engineer and the architect regarding Lafayette Park and the phasing project for that plan. Councilmember Dilg asked if there is a way to move public comment before the consent agenda. If people want to speak on them, they don't have the opportunity to because they are already approved. She further stated she knows we can pull things off the agenda, but we may not realize that there is a problem with something until it's too late and that happened at the last meeting. City Manager Zelenak stated he will speak with the attorney and city clerk and then Council would have to vote on that. Councilmember Dilg stated she wanted to speak about No Mow May because Council never voted on it. She then asked him to explain the ordinance because it says weeds need to be cut or destroyed during the first half of May and the last half of September. City Manager Zelenak stated there

are two sections that apply to this. One is our ordinance and the property maintenance code when we are working with our residents. He further stated when residents contact the city or if the ordinance officer notices something the city makes every effort to work with them and advise them or ask them about cutting the grass. This is before we advise them, we will be initiating ordinance enforcement and then we finally initiate that and we try to get compliance. He further stated we have been working with residents for years on this. He thinks Mike has done a great job working with the residents. He then stated the section we work with is section 302.4 of the international property maintenance code which is regarding weeds and there is not date on it, it just says in excess of 8 inches. Councilmember Dilg found it interesting that before we start talking to residents and businesses and being overly aggressive, we should put it on an agenda and vote on it. She further stated the city should have their own house in order because she walked around and saw some of the cited, she saw a lot of city properties that had grass and weeds that were too long. She would like to make sure the city is following our ordinances before we cite others. She further stated she wants to see this on the agenda and put us on record for what we are going to do about this, we have already been in the news twice for this. City Manager Zelenak stated at one time it was on the agenda and Council decided not to vote on it. He then stated he had information in many of his mangers reports about bringing this back to get some kind of consensus and what motion council wanted to have. He further stated no one asked to bring this back for a vote. We can bring that back if Council wishes and if there are city properties that have weeds and grass that is too long, we will take care of it. He then stated to make the statement that we are very strict on this, we are not. He further stated we have not issued tickets and we have not given anyone a fine we've been working with residents for several years to come into compliance. He then stated please don't say we have been heavy handed. He further stated we have not been on the news, No Mow May has been on the news, and the reporter mistakenly stated the city manager turned down an interview, but then they quoted him 5 times during the interview that he conducted with them over the phone. Further discussion was held regarding have No Mow May on an agenda at a Council meeting for a vote. Councilmember Hansen stated he read many studies that said instead of people not mowing, they should plant clover. He then asked would the clover be considered a weed. City Manager Zelenak stated the ordinance reads if it is excessive of 8 inches in height. He then stated if you are trying to accomplish the pollinator, tall grass isn't the answer, it's the flower, the clover and its just not mowing in May. He further stated we need to look at something long-term, and the pollinator gardens is the first step in doing so. Councilmember Kurtzweil stated she recalls last year presenting Council with counter argument to the No Mow May, and she spoke with an individual from Cornell extension, and there was an article, you don't take care of pollinators in 2 weeks. It is a year long habitat and environment for pollinators, they don't live in the grass, the pollinators are going after the nectar in the flowers. And she encourages everyone to put out pollinator gardens, the grass is not the issue. She is very environmentally sensitive and no one has come to her to ask her how to plant pollinator gardens, she hears, I don't want to cut my grass. She further stated for the record, she hasn't spoken with the City Manager at all in regards to West Lake, and she doesn't recall him coercing her into any vote and she is a little offended saying that some individuals on council were coerced into a decision and that is just political retoric and that isn't based on fact. Councilmember Kivell stated lets just add a discussion to the agenda for No Mow May. City Manager Zelenak then read a letter from a resident. *Please see attached letter*.

COUNCIL COMMENTS

Councilmember Bogert thanked Mayor Kennedy for being part of the ribbon cutting ceremony for the Young Entrepreneur Market that happened this past Saturday at Biggby and it was great seeing young entrepreneur's selling their wares, and there was a lot of great products and ideas. He then stated he has a statement about No Mow May. He then stated as many of us have seen on social media, there is a large

variety of perspectives on No Mow May concept. He further stated what he has not seen is someone directly involved with pollinators. He stated he did some googling and connected with Colin Heffernan who is a bee keeper that lives and owns a bee keeping supply store in Brighton Township. In their discussion he learned that letting your grass grow can potentially support pollinators, however he mentioned the dandelion flowers that would dominate the space is a poor source of protein. He stated they then discussed how providing pollinators with a short-term food supply is a disservice since they would have to find a new food source in a months' time. He then stated Mr. Heffernan said the best approach to sustainably support pollinators is to plant flowers or flowering ground coverage and ideally use native plants. He also mentioned he has white clover in his yard and then he texted him a picture of his yard, and stated the grass is under 6 inches, plenty of dandelions and a lot of clover underneath. Councilmember Bogert stated clover is something that piqued his interest when it was discussed at a council meeting, so he did some research and it's a great ongoing source for pollen, its nitrogen fixing so it needs little to no fertilizer. He stated it crowds out weeds and its draught tolerant. He further stated it uses less water than grass alone and it keeps soil temperatures cooler in the summer and most importantly many varieties of clover are height limited so they will not exceed the 8-inch ordinance for lawns and it translates to less mowing. He then stated clover is nice under bare feet. He further stated he would like to see our community to work together to find a solution that has a broad appeal while benefiting pollinators, the environment and also prevents a changed ordinance being taken advantage of by those not concerned with maintaining their yards.

Councilmember Hansen stated he enjoyed attending the annual business innovators conference in Lansing last month with Glenn. He said they had some great conversations with business owners that deal with sustainable energy sources as well as feasibility studies for municipalities, as well as nonprofits to take advantage of reducing their carbon footprint. He stated he will be exploring that with Glenn and having future conversations with these companies and present it to city council to see if the city wants to pursue that in the future. He then stated it was brought to his attention at the conference that the city can take advantage of inflation reduction act funding for municipalities and nonprofits. He further stated there are programs out there for renewable energy devices, solar panels, etc. to be installed on municipal or school buildings to reduce their carbon footprint, and they are available through federal dollars. He stated he had conversations with a few different companies and hopefully they will be able to present that to the city manager and maybe council.

Councilmember Mosier stated we are supposed to have some good weather this weekend so she hopes to see everyone at the Farmers Market and then at the Fire and Police open house.

Councilmember Kivell stated as the city manager alluded to earlier, if you see what's going to happen with Parks and Recreation during our upcoming budget year, there is going to be a great deal of stuff going in our parkways and along the path that will dwarf what the impact everybody in the city will get from No Mow May. He stated he thinks it's a wonderful idea, it's a nice cause, it just simply isn't the solution to do much of moving of the ordinance. He hopes people will be patient enough to see the outcome of what's going to take place in the next budget year. He further stated it is going to be consequential and its going to be something that is for real and it will be a real benefit to us. He then stated it was a nice meeting he and Alex went to and learned about the federal dollars. He stated they were wondering when the fire department was talking about putting in a new roof, and wondered if there would be any potential for making a petition for the grants they are giving.

Councilmember Kurtzweil thanked all the individuals that attended the A&E which is the arts and education opening night. She stated it features the artwork of our students in the two high schools and their artwork is in the atrium right now. She further stated the attendance was unbelievable, the teachers were surprised at the number of people that came out and looked at the children's artwork. She further stated we have some young artists that are working their way up so everyone should see their artwork and continue to support them. She then stated she went to the city-wide garage sale and purchased a pair of waders and large boots to be ready for next years spring creek clean up so she isn't up to her hips in water next year. She then stated there will be a garage sale at the historical village on the 16th, 17th, and 18th and the benefits go to the Roper Barn Project. She then asked everyone to stop by and support the Roper Barn Project as much as you can.

Councilmember Kennedy reminded everyone they are looking for volunteers to place flags at the gravesites of veterans in the South Lyon Cemetery on Saturday 25th in preparation for Memorial Day. If you can help, please meet at the VFW Hall at 10am and the group will head over to the cemetery shortly thereafter. For additional information, please call 248.437.2977. Memorial Day Parade organizers are looking for groups, businesses, cars and people to participate in the parade. The parade gets organized on Monday, May 27th at 8am at Bartlett Elementary and starts promptly at 9am. Also, they are looking for vehicles to drive the veterans in the parade. If you would like to participate, please contact Kellie Fehrenbaker, Dayna Johnston's daughter, who has taken on this task in memory of her mother. She can be reached at 248.939.6224. Also, Kellie asked me to let the Council Members know that they are welcome to participate in the parade as well, if they would like to. Please call her and let her know if you're interested.

ADJOURNMENT

CM 1-11-24 MOTION TO ADJOURN


Motion by Kurtzweil, supported by Dilg

Motion to adjourn meeting at 9:34 pm

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,


Mayor Steve Kennedy


City Clerk Lisa Deaton



CITY OF SOUTH LYON

Mayor

Stephen B. Kennedy

Council Members

Glenn Kivell

Margaret J. Kurtzweil

Lisa Dilg

Lori Mosier

Alex Hansen

Thad Bogert

City Manager

Paul Zelenak

Clerk/Treasurer

Lisa Deaton

335 S Warren

South Lyon, MI 48178

Phone: 248-437-1735

Fax: 248-486-0049

www.southlyonmi.org

This proclamation declares the first Friday in June to be National Gun Violence Awareness Day in South Lyon, Michigan to honor and remember all victims and survivors of gun violence and to declare that we, as a country, must do more to reduce gun violence.

WHEREAS, every day, over 100 Americans are killed by gun violence and on average, there are nearly 18,000-gun homicides every year; and

WHEREAS, Americans are 26 times more likely to die by gun homicide than people in other high-income countries, and

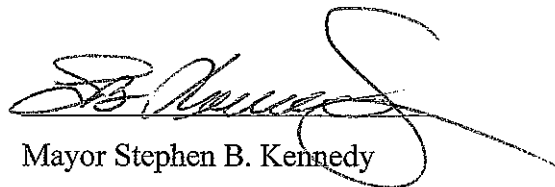
WHEREAS, protecting safety in the communities they serve is mayors' highest responsibility, and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, by wearing orange on June 7, 2024 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

NOW, THEREFORE, BE IT RESOLVED, that I, Mayor Stephen B. Kennedy, of the City of South Lyon, declare the first Friday in June, June 7, 2024, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.



Mayor Stephen B. Kennedy