

Regular City Council Meeting
May 23, 2022

Mayor Pelchat called the meeting to order at 7:30 p.m.

Mayor Pelchat led those present in the Pledge of Allegiance

Roll Call: Councilmembers: Dilg, Kurtzweil, Kivell, Kennedy, Mosier, Hansen

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

MINUTES- 5-9-2022

Councilmember Kennedy stated on page 4, the dollar amount \$180,000 should be changed to \$80,000-\$100,00.00

CM 5-1-22 MOTION TO APPROVE MINUTES AS AMENDED

Motion by Kivell, supported by Hansen

Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

CM 5-2-22 MOTION TO APPROVE AGENDA

Motion by Kennedy, supported by Dilg

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

1. Resignation of Gene Carroll from DDA Board
2. Carl & Joanne's Christmas in July fundraiser 2022
3. Carl and Joanne's Christmas Corner Fundraiser 2022
4. Carl and Joanne's South Lyon Eve Fundraiser 2022

CM 5-3-22 MOTION TO APPROVE CONSENT AGENDA

Motion by Kurtzweil, supported by Kennedy

Motion to approve consent agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

Proclamation- National Gun Violence Awareness Day *see attached*

PUBLIC COMMENT

Judy Keeling of 62180 Arlington Circle stated she is interested in the difference between the section 8 and 811, and she asked Council to research. She then stated she has been overseeing the Veterans Memorial Garden and there was a lot of money put into it, but it is very weedy. She knows Council wants to do a First Responders Memorial, but we need to take care of our Veterans Gardens. There are boxwood bushes, and a morning glory weed is choking them out. She further stated she has worked on it for 5 hours in the past week, but we need a landscaper at this point.

Ryan Lare of 716 Grand Court stated we had a wonderful victory today, most of the flags are up for the Memorial Day Parade. He thanked Larry Ledbetter, Dayna Johnston, Craig Johnston and himself. He stated we have 20 more flags on order and hopes they will be in before the parade on Monday. He further

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stated we owe our veterans and especially with everything going on overseas. We need to thank our personnel that have given up their lives for our country.

Teresa Renaud of Jim Runestad office stated she is here to honor our elected officials and our public speakers.

DOWNTOWN

DDA Director Mack thanked Gene Carroll for his time on the DDA Board, he is an architect and he was very helpful. Mr. Mack stated we now have flowers in the pocket park downtown. He then stated he attended the National Main Street Conference in Virginia. He will give a presentation at the next Council meeting. He found it beneficial and was able to learn what other communities are doing. He further stated he was able to network with DDA Directors from all over our country. He then stated the flower baskets for Paul Baker Park should be delivered Thursday or Friday this week. He stated the Farmers Market was relatively successful considering the heavy rain we had. Mr. Mack stated unfortunately the Planning Commission denied the preliminary site plan approval for the proposed development next to Pullum Window. He further stated it was proposed to be 500 square feet of commercial and 34 market based apartments. He then stated he and staff have spent months working with the developer so it would match the master plan. It would have been about 70 people within walking distance of the downtown. He then stated it would have eased some of our housing shortage. He thinks this was a missed opportunity. Councilmember Hansen asked why they denied the site plan, he was excited about it. Did they not like the two story. Mr. Mack stated this was preliminary site plan approval and they would have had to get a variance. They were proposing 78 parking places and our ordinance required 93. They felt that would have been adequate parking. He further stated this was the 4th or 5th plan they brought forward to make it work, the water table is high in that area, so there are other issues such as sanitary issues. Councilmember Kurtzweil stated for the most part, she thinks the Planning Commission does a great job for our community, and sometimes the wisdom in that decision isn't always seen at first glance. They all do their homework and they live in our community and she stands with their decision. She isn't thrilled with apartments in the downtown area, they are too transitory. People that live in apartments don't stay for 10-15 years. She thinks we need more of a long-term commitment such as condos. Councilmember Kivell stated it was denied, not just tabled, so if anything is going to happen, they have to start from the beginning.

FIRE CHIEF REPORT

Fire Chief Thorington stated they have had 408 calls as of today. He then stated they assisted Lyon Township with a commercial fire. They were able to knock it down quickly. He then stated they are having training in the burn building. It is a great training tool, with real heat and fire. He further stated they will have training at 501 McMunn before it is demolished. There will not be fire, but they will be breaching walls and looking at different techniques for safety. We have posted on social media that we need firefighters. He further stated we are going to be changing our schedule so there is always at least one person at the firehouse at night. He stated with one firefighter at night, the Police will go to the calls as well. Councilmember Kivell asked about the status of the ladder truck. Chief Thorington stated they are still saying it will be ready this fall. Councilmember Hansen stated he is happy to see the social media updates from the Fire Department showing the training and information updates.

POLICE CHIEF REPORT

Chief Sovik stated Jonathan Schneemann will be graduating tomorrow from the Shield Institute Command Level 1 instruction which is pretty intense leadership training, two days a month for four months with plenty of homework and projects. One day soon he will be promoted to Sergeant. He stated

we saved a 26-year-old male last night with Narcan and he came around and he was up walking and talking. Had this happened somewhere other than the city, he may not be here right now. He then reminded everyone of the Lake Street Cruise In this Wednesday at 6:30. He then reminded everyone of the Memorial Day parade on Monday at 10:00. Chief Sovik stated they will be having a meeting for the First Responders Memorial tomorrow, and we have approximately \$8,000.00 He then stated they haven't gotten too much done lately. We are trying to recruit some of the local landscaping companies in town to help with the gardening. He then stated the PD has many gun locks available if anyone is interested. Councilmember Kivell stated he thought Munro added all the landscaping and he thought they agreed for the perpetual care. Chief Sovik stated he thought so too, but he hasn't heard anything from them. He further stated he will get more information tomorrow. Councilmember Hansen thanked the department and the staff for how they handle some situations after Millennium and Centennial schools get out. He has spoken with some businesses and residents about the kids gathering in the parking lot and restaurants after they get out of school, causing some mischief. He stated he appreciates their quick response. Chief Sovik stated it happens a lot when the weather gets warmer and they are about to get out of school for the summer, some businesses will only allow so many people in the store at one time. He further stated they try to interact with the kids, and not be too authoritative with them. It has been working out very well.

PUBLIC HEARING- Millage Rates

The public hearing on the budget and budget mill rate was opened at 7:53 p.m.

The public hearing on the budget and budget mill rate was closed at 7:54 p.m.

UNFINISHED BUSINESS

1. Water and Sewer Tap fee Resolution

City Manager Zelenak stated in past City Council has discussed the guidelines for the use of tap in fees for water and sewer revenues. The prior use of the funds was established by a policy adopted in April of 1989 whereby City Council segregated 80% of water and sewer tap fees with a breakdown of 56.25% to sewer capital improvement and 43.75% to water capital improvement. We are currently using those funds for the improvements in the water and sewer system. Our attorney's assisted us in preparing the proposed language for the use of future water and sewer tap fees. The prior funds and future funds, will be deposited into one single water and sewer account. It would then allow for the use of those combined funds for improvements to either the water or sewer system.

CM 5-4-22 MOTION TO APPROVE RESOLUTION TO AMEND POLICY

Motion by Kurtzweil, supported by Dilg

Motion to approve the proposed resolution to amend administrative policy regarding water and sewer tap fees

ROLL CALL VOTE:

Hansen- Yes

Kurtzweil- Yes

Dilg- Yes

Mosier- Yes

Kennedy - Yes

Kivell- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. 2022-2023 Budget Approval

City Manager Zelenak stated tonight we held the public hearing for the budget. We are now asking Council to approve the resolution for the millage rate, as well as the 2022-2023 budget resolution.

Councilmember Kivell asked if the SRO is still included in the budget. City Manager Zelenak stated it is still reflected as it was originally presented in the budget and any changes, if necessary, would come before Council at a later time.

CM 5-5-22 MOTION TO APPROVE MILLAGE RATE RESOLUTION

Motion by Kennedy, supported by Mosier

Motion to approve the millage rate resolution

ROLL CALL VOTE:

Kennedy- Yes

Mosier- Yes

Kivell- Yes

Dilg- Yes

Kurtzweil- Yes

Hansen- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

CM 5-6-22 MOTION TO APPROVE THE ANNUAL BUDGET RESOLUTION

Motion by Kennedy, supported by Kivell

Motion to approve the annual budget resolution

ROLL CALL VOTE:

Dilg- Yes

Mosier- Yes

Hansen- Yes

Kennedy- Yes

Kivell- Yes

Kurtzweil- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. GASB 75/actuarial services agreement

Finance and Benefit Administrator Tiernan explained this is our bi-annual contract to engage with the Howard Nyhart Company to perform our GASB 75 actuary services agreement. This is the 6th year we have been working with them. They will be collecting data and preparing a comprehensive actuarial valuation report based upon the requirements of GASB 75 for fiscal years ending June 30, 2022 and June 30, 2023. Which we have to have for our OPEB for our current and future retirees. She further stated this is the same contract, with the exception of a \$250.00 increase in cost per year.

CM 5-7-22 MOTION TO APPROVE SERVICE AGREEMENT WITH NYHART

Motion by Kurtzweil, supported by Kennedy

Motion to approve the service agreement by The Howard E Nyhart Company, Inc. to provide GASB 75 actuarial services for the City of South Lyon for fiscal years ending June 30, 2022 and June 30, 2023

ROLL CALL VOTE:

Kivell- Yes

Mosier- Yes

Dilg- Yes

Kurtzweil- Yes

Kennedy- Yes

Hansen- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. WOW cable franchise agreement

City Manager Zelenak stated we have reviewed the uniform video services local franchise agreement with WOW along with our City Attorney. This is a boilerplate agreement issued by the State of Michigan, and local government franchising entities have no authority to modify them. Under state law, if the city fails to take action to approve the franchise, it is automatically deemed approved. He further stated WOW sent the agreement with blanks for the city to fill in for the franchise fee and for the PEG fee. Under state law, the city cannot charge WOW any more than it charges any other cable operator with franchises in the city which is 5% and 0 for PEG fees. Councilmember Kivell stated the language is bizarre, it states if we don't agree, it is automatically in place. Why isn't this just boiler plate and we move on to the next item. City Manager Zelenak stated for the ability for the public to be aware and it's an approval process that should be approved by the Council.

CM 5-8-22 MOTION TO APPROVE CABLE VIDEO FRANCHISE AGREEMENT

Motion by Kennedy, supported by Dilg

Motion to approve the uniform video services local franchise agreement with WOW

ROLL CALL VOTE:

Hansen- Yes

Kurtzweil- Yes

Dilg- Yes

Kivell- Yes

Mosier- Yes

Kennedy- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

BUDGET

Councilmember Hansen stated he was speaking with a board member from a neighboring community, and he said if we receive under ten million from the ARPA funds, that the money could be put into the general fund. Ms. Tiernan state that is true, that information just came out with the recent guidance from the State. She stated we will be discussing that at a future council meeting. We are a non-entitlement unit and we have the option to utilize those services and we still have to show how the expenditures will be used and they have to be within a certain uniform guidance, but there is more flexibility within the general fund. Councilmember Hansen stated if he understands, we no longer must use the funds for the categories discussed in the budget meeting. Ms. Tiernan stated it will be the same categories, but more flexibility in the general fund, it doesn't have to be Covid related. Councilmember Kurtzweil stated the argument is we diverted resources that could have been used to develop the park in order to take care of issues at city hall. Can we use some of the funds for that park, that would provide an outdoor place for families to visit and getting people outside. She further stated the commissions could meet in the park instead of inside. Ms. Tiernan stated we will be able to do those types of activities, that is one of the things that recently opened up. Councilmember Kivell asked if we will still be able to reflect on other communities that have already proved out so we don't make any mis-steps. Ms. Tiernan stated she is seeing the reports showing what other communities are spending the funds on, so she is going to give Council some examples at a future meeting.

PUBLIC COMMENT- N/A

MANAGER'S REPORT

City Manager Zelenak stated at a future council meeting we will be bringing information regarding the SRO agreement with the schools. We are awaiting the beginning of construction repairs at city hall. We are currently waiting for roofing material; the AC work will occur in September. He then stated the

original approval to move forward with the Pontiac Trail Pathway project was based upon estimates provided by the engineer of the township and were low. We will be discussing this at the next meeting, the bids that came in were much higher than originally approved. He stated he is working with the contractor on the final items relating to the water tank project, including the restoration of the staging area on Dorothy. We are looking at approximately 30 additional spaces to be added. He further stated Carol Brandon worked on getting sponsors for the concerts in the park, such as Safebuilt, CIB Planning, and HRC. Councilmember Kennedy stated he is hoping we can rectify the situation with the Veterans Garden and get the landscaper to come back this year. He then stated we had discussions last year with another landscaping company that reached out and offered to take care of the landscaping by the signs entering the city, and it may be too early, but it may behoove us to contact them to make sure they are still planning on doing so. Councilmember Kurtzweil stated there was a posting on social media regarding a smell coming from the concrete company, and she asked if anyone checked that out. City Manager Zelenak stated we had our inspectors go and take a look. They spoke with the contractor and that smell is a process in limestone that was delivered. The smell went away after the rain we had. Councilmember Kurtzweil asked how long does it last. City Manager Zelenak stated it doesn't last long, the smell occurs when it is extracted and then dropped off. We haven't had any calls in the past about that. Councilmember Kurtzweil asked if the wall can be built up and block some of the smell. City Manager Zelenak stated the whole wall would have to be redone, including the footings. Then the question is how safe is that. Further discussion was held regarding the cement factory. Councilmember Kurtzweil asked about getting an additional table at Paul Baker Park. City Manager Zelenak stated we have a new table on order, and we will have additional waste basket delivered as well. Councilmember Dilg stated the wall on the path seems to be to be cracking and there are gaps and it seems dangerous. She sees kids playing in there and it seems dangerous. City Manager Zelenak stated our Ordinance Officer has spoke with them, but he doesn't know where they left off. Councilmember Hansen asked about the EV chargers. Mr. Mack stated we are waiting on the final drawings; he hopes they will be done soon.

COUNCIL COMMENTS

Councilmember Kennedy stated he wanted to congratulate the Salem South Lyon Library on their new pavilion, which was funded by the Friends of the Salem/South Lyon Library through their book room sales and other fundraising events. He then reminded everyone the Lake Street Cruise In will have their first car show on Wednesday the 25th of May at 6:30. He then reminded everyone of the book exchange at the freight house in the historic village on Saturday and Sunday, June 3rd and 4th. You can drop off books on Friday from 3-8 pm and Saturday morning from 9-11am

Councilmember Kurtzweil reminded everyone that the Arts and Education show featuring art from our students at South Lyon East and South Lyon High School is still happening and is being extended until July 9th. You can see the artwork throughout the city. It is incredible art and the response has been great. She then stated she wants to support the sponsors of the Lake Street Cruise In, Quick Silver Marketing Solutions, Vanguard Motor Sales, Sellers Buick-GMC and Bells Landscape Services. She thanked them for investing in our city. She then reminded everyone that we need additional Election Inspectors and if anyone is interested in working an Election, contact our City Clerk, it is a wonderful way to serve your community. She is very involved with Election integrity issues throughout the past couple years and she can say that South Lyon ran an excellent Election. Voters in South Lyon do not need to worry about Election integrity, but that doesn't mean you should sit back, get involved. Councilmember Kurtzweil thanked Judy Keeling for taking time out of her day to respect the Memorial by making it look pleasant. She then thanked Larry, Craig, Dayna and Ryan for providing the American Flags that we are so proud of and our constitution, first amendment right protections including our second amendment. She then reminded everyone that Memorial Day is about honoring our brave men and women that died while

serving in our military, she hopes everyone will think and say a prayer about those that are no longer with us.

Councilmember Hansen congratulated the Salem South Lyon Library on their ribbon cutting ceremony for their new pavilion. It was a great celebration of the expansion of the library and he thanked all the organizations and volunteers that helped the library build upon what they already have. Many volunteers were celebrated especially Jennifer Redfern who was named Person of the Year and Vibe Credit Union for Organization of the year, and the library is still taking donations for the pavilion if anyone would like to contribute to the library. He then stated he was approached by a library individual that pointed out Telcom Credit Union previously by literally over 50 years ago bought a stone in the garden. He then congratulated the library.

Councilmember Kivell thanked Gene Carroll for his time on the DDA Board, there was a lot of things happening and he will miss him. He then stated it was nice to be at the opening of the Music in the Park last week, and the High School Jazz did a great job. He then stated it was nice to see the fountain is again working. He and his whole family love walking to that park.

Councilmember Dilg stated she received her voter registration card in the mail and she wants everyone to pay attention to the new districts and watch who is running in our district. She then thanked Judy for her work as well as Dayna, Larry and Craig for getting the flags up, it is really appreciated. She then stated she is excited about the Christmas and South Lyon Eve coming back this year. The Christmas in July will also be a great event and it will bring a lot of people out.

Mayor Pelchat stated if you have never been to our Memorial Day Parade, it will make you very proud. He stated whether you make it to the parade, or the ceremony at the cemetery it is a great day to be an American. Mayor Pelchat stated two of his favorites are retiring from South Lyon Schools. They are both incredible people that have the same job, media center specialist and librarian. He stated when you are growing up, those are the first people you meet that teach you there are consequences to your actions by not returning books, or leaving your laptop charger at home. Gail Joslin and Nancy Pantaglio at Millennium Middle School are two of the finest people and we will miss them.

ADJOURNMENT

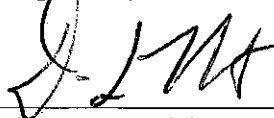
CM 5-9-22 MOTION TO ADJOURN

Motion by Kurtzweil

Motion to adjourn meeting at 8:30 p.m.

MOTION CARRIED

Respectfully submitted,



Mayor Dan Pelchat



City Clerk/Treasurer Lisa Deaton