

City of South Lyon  
Regular City Council Meeting  
May 24, 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: Councilmembers: Dilg joined the meeting from South Lyon MI, Kurtzweil joined the meeting from South Lyon MI, Walton joined the meeting from South Lyon MI, and Kennedy joined the meeting from South Lyon MI, Richards joined the meeting from South Lyon MI, and Mayor Pro Tem Kivell joined the meeting from South Lyon MI

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

MINUTES

CM 5-1-21 MOTION TO APPROVE MINUTES

Motion by Kivell, supported by Kennedy

Motion to approve the minutes

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

CM 5-2-21 MOTION TO APPROVE AGENDA AS PRESENTED

Motion by Dilg, supported by Kennedy

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

Proclamation – National Gun Violence Awareness Day

Mayor Pelchat reads the above Proclamation and proclaims Friday, June 4, 2021 to be National Gun Violence Awareness Day in the City of South Lyon, Michigan.

Public Comment –

Joe Freeman, 313 W. Lake Street, South Lyon, Michigan

Mr. Freeman states that he has a young family that he walks to school every day, and it has come to their attention how fast everyone is driving down W. Lake Street. It has also come to their attention that the speed limit on Lake Street from N. Dixboro to N. Mill Street, is 35 mph, dropping to 25 mph in the downtown area. He states that he understands that there was a traffic study done about 10 years ago. He would like to challenge the Council to re-do the study as a lot has changed over the last 10 years. He would also like to bring it to their attention that he feels we have done our citizens an injustice with our lack of crosswalks. Especially from S. Warren, crossing W. Lake Street direct path to the elementary school, you can talk with the Cross Guards there and they have almost been hit about 90 times a year. Freeman states that our cousin downtown areas, Milford, Northville, Brighton, etc., have even done a better job with highlighting their crosswalks.

Ryan Lare, 716 Grand Court, South Lyon, Michigan

Mr. Lare states that he posted a video earlier today and it can be seen on his website, South Lyon News and Weather. He states that he was able to clean up the entire parade route for the parade starting next

Monday. He did five bags of trash on Reynold Sweet Parkway and cleaned up that whole stretch of that area. He also spoke with Larry Ledbetter and he plans on getting a few scouts to do another full sweep of the parade area. Lare states that he also cleaned up Paul Baker Park as well as the cemetery and the route all the way to Stryker Street from downtown. He states that he also had a chance to visit with the SLFD as they were emptying out the fire hydrants and getting them nice and clean and they thanked him for the job. Lare goes on to say that he did not get a chance at the last Council Meeting to congratulate Mayor Pelchat on his announcement to run for Mayor. He wishes Dan the best, and adds that he hopes he can campaign for him and he will be giving 110% support to Dan for Mayor and hopes he is Mayor for as long as he wants to be. He adds that he thinks Dan did a great job through Covid and it's wonderful to sit on his porch and listen to Dan broadcast the football games. It's been a wonderful time through a terrible stretch and he again thanks Mayor Pelchat for being the best outstanding Mayor that he can be.

#### Discussion – Downtown - DDA Director Nate Mack

Mack states his report has some good news and some bad news. Starting with the bad news, he advises the Council that the hanging baskets will not be ready until after Memorial Day, because of a soil shortage. It's unfortunate, but with the pandemic and shortages seemingly everywhere, that's the case. He goes on to say that he and some members of the DDA Design Committee spruced up the pocket park between Bob's Barber Shop and 12 Kitchen Elves. He adds that he was able to add some new plants and planters and stained the planters that were already there. We are hoping to make it more inviting for those of you down there. Mack states that he is hoping to have an application for a small wine maker's license at 105 N. Lafayette at the next Council Meeting. This is not a quota license, this type of license is done through the state.

Councilmember Walton states that she thinks that she saw something on Facebook asking for donations for that area. Was this one of the DDA members asking for donations? She states that they were asking for lanterns and anything and everything. Mack states that he is not aware of this, but he can reach out to them and see what was being requested. Walton questions why the Cultural Arts Commission was asked to remove the piece of artwork that was in the pocket park. Mack states that he did not make that request, and obviously that would be welcome there, he is not sure where that came from. Walton states that it was originally said that the DDA was giving \$2,500 toward the mural and now they are only giving \$500. She questioned if Mack knows what happened or where this is coming from. Nate advised that back in October, we received a \$500 grant toward the Mural for Grand Trunke which was from the County. City Manager Zelenak confirmed that there is also \$2,000 in the coming years DDA budget for murals for the downtown. Walton requests someone to advise the Cultural Arts of this.

Councilmember Kivell questions if Jarratt has been approached or given permission to use his out lot by his building. Mack states that they have not yet, but it's definitely something that we can look in to.

Councilmember Kurtzweil confirms that the nurse's are having an extremely hard time this year. As Nate mentioned, there is a soil shortage and also there is a problem with containers. Container are made with oil products, plastic and petroleum products and the cost has gone up. Nurse's crops were depleted last year and it takes a good 18 months to replenish their supplies. Kurtzweil states that the most important problem is the enhanced unemployment problem here in the state of Michigan. The labor shortage that everyone is experiencing is due to the enhanced unemployment. She states that when she had a conversation with Duke, he said that he is normally operating with between 10 and 15 people, he is currently operating with under 5.

Councilmember Dilg compliments Mack on the Pocket Park, and appreciates the work he put in to it. Mayor Pelchat also compliments Mack and his team on the work that was done.

Mack adds Annie Buchtrup from the Lemon Tree, Gene Carroll and Emily Gray all helped with the Pocket Park.

### Fire Chief Report – Chief Robert Vogel

Chief Vogel starts by touching base about the power outage today. He states that there was multiple issues and a number of areas were without power. There was a pole fire in Green Oak and they were definitely working at the police station and the power station. It appears that power has been restored. He goes on to say that yesterday (Sunday) they were able to meet with their vendor for the Rescue and it is done. They are just adding a few more touches and we will head up after Memorial Day with some of the staff members to do a walk through and bring it home. He states that they also met with the Vendor for the ladder truck and they will be getting a final price. We know what the goal is and he states that he is confident that we will be way under the goal. Vogel adds they utilized the current ladder truck on a call yesterday which worked great until they tried to put the ladder down. They were able to manipulate it and with many hours of work and minimal cost, they were able to get it working again.

Councilmember Walton verifies that she did not miss the event to see the new truck. Vogel states that she did not. He adds that the vendor promised him a half day, probably the first or second week of June about 7:30. He wants to make sure that he gives Council some time to come and check it out and be confident that this is the truck that we want. He wants everyone to feel confident about the purchase.

### Police Report – Chief Chris Sovik

Chief Sovik states that in connection with the proclamation regarding the Nation Gun Violence Awareness Day, he states that the Police Department has gun locks available. Hundreds and hundreds of gun locks. He states that there is no charge, and they will do what they can to help reduce the gun violence. Chief goes on to say that the story came out about Officer Baker and a four-year-old little girl name Casey that wants to become a Police Officer. It is a great little story in Hometown Life that you may want to read. Chief adds that they have gone through about 60 years of reports and were able to take 122 boxes and condense it down to 21. A shredding company will be coming to get rid of about 70 of the banker boxes. He states that the phones are still working, there was a little glitch today with the power, but we were actually able to forward our phones from an app on our phones.

Chief Sovik adds that he has two calls for service that he would like to share. He goes on to explain that calls of service are when they go out and do public relation events or community ordering policing events. He states we stop into businesses, stop people in the park or on the bike path and have some communication with them. Chief goes on to read about a discussion that he had with a male and female in front of the listed address. They thanked me for my service and wanted to let me know that they were pulled over yesterday around 9:30 p.m. by a South Lyon Officer. They advised him that it was the best experience they have had with an Officer and wanted to say thank you. He advised them that he would pass on the message. The second one reads; he stopped and spoke with the woman who was going on a walk. Being that it was almost midnight, he asked her if everything was okay. The woman said she was just getting some fresh air and was almost home. She pointed at her house, which was right behind him, she thanked him for his time and told him she lives alone so she feels safe knowing that we drive through the neighborhood.

Chief advises that they have about 40 of these calls for service every week. He states that he is really proud of the efforts that they are making just to communicate and coordinate and try and provide the best safety they can. It's the little things that make the difference in our small town. Thank you for the support. Councilmember Dilg states that those stories are really great to hear, and she hopes that he reads those occasionally or posts those on Facebook, just to get them out there. She also asks the Chief to post the information that he shared on the gun locks.

Councilmember Kivell questions if they have an obligation to scan the material so there is some record before they get rid of them. Chief states that as far as record retention, we are actually not supposed to be holding on to those records. He adds that certain crimes have a certain statute of limitations that we have

to keep, but most of our cases are 40 to 50 years old and we are way beyond what we should have been keeping them. We are getting rid of everything lawfully that we should get rid of.

Public Hearing: Millage Rates – Opening the floor at 7:55 p.m.

City Manager Zelenak advises the Mayor that at this time, anyone can ask questions or make comments regarding the proposed 2021-22 Budget. If there are any comments or questions we can address it during the next agenda item under unfinished business.

Deputy Pieper advises the Mayor that there are no hands up from the public.

Public Hearing: Millage Rates – Closed at 7:56 p.m.

#### Unfinished Business

##### 1. 2021-2022 Budget Approval

City Manager Zelenak states that everyone has received the proposed 2021-22 budget document. At tonight's meeting, we just recently held the public hearing for the budget and now you'll consider the approval of the milage rate resolution and also to consider the approval of the 2021-22 budget resolution. Noted in your packet today, regarding the additional one-mil levy discussed the prior budget meetings is being placed within the general fund. The additional general fund is amounts transferred from the general fund will go to local and major streets via a fund transfer each year. We've included the milage rate resolution annual budget resolution for your packet as well budget sheets that reflects additional revenue and changes with that additional mil. Zelenak states that tonight your possible course of action is to withhold the public hearing 2021-2022 budget and then under two separate motions approve or not approved the mileage rate resolution and the budget resolution.

Councilmember Kivell states that there is a correction necessary in the resolution itself. It should actually be 17.9307.

Councilmember Kurtzweil states that she would like a clarification. Does this budget mileage resolution include an increase in a mil? Zelenak states that it does as was discussed at the last couple meetings and was proposed was the additional mil that we discussed that we are still under the maximum levy that we're allowed to levy for the City of South Lyon. Kurtzweil questions if they had voted on that. Zelenak advises that the Council will be voting on this tonight. He adds that this is why the last couple meetings he brought up regarding any questions regarding that if anybody had any favoritism or didn't want to have it or whatever in any short reason and then obviously, we can talk about it this evening. If Council chooses not to levy that additional mil you can choose to do that. Kurtzweil states that she does not want to levy a mil until she sees the state revenue share numbers, which she understands have increased. She would also like to see what is coming out of the infrastructure bill out of Washington D.C. She would like to see what kind of money is going to be coming to the state that would be available to us to apply to the roads. She states that she is not prepared to vote for an increase in the mil tonight. She states that she was not aware that it was going to be seriously considered.

Councilmember Kivell states as far as our needs are concerned, irrespective of what the feds or the state are going to be offering up, we are still going to be way behind the eight ball. It's been difficult to justify that we haven't captured this already, knowing about 10 years ago we could have been making some improvements with this extra revenue to try to keep the roads from deteriorating. We are in a long stretch to find a solution to this.

Councilmember Kennedy states just to emphasize what Councilmember Kivell has said, this is absolutely the case. In the great recession of 2008, property values dropped and they have been increasing at the restricted rate of inflation or 5%, whichever is less for the last 13 years. We are behind, as mentioned

during one of the budget meetings, we are one of about 3% of the municipalities in Michigan that do not levy the full mileage.

CM 5-3-21 MOTION TO APPROVE THE MILEAGE RATE RESOLUTION

Motion by Kennedy, supported by Kivell

Motion to approve the mileage rate resolution

Councilmember Kurtzweil references prior City Manager Rod Cook, and states that he diligently, carefully and strategically was able to put money aside in a budget for road repair. Then the great depression hit and it's been interesting to see what happened to the road money as it was used at various points with various City Managers to fund certain items in the General Fund. Another words, the money was shifted. Kurtzweil states that she is not in favor of raising any mil for roads particularly when there is a history of the fund being robbed when there is a period of financial strength. She states that she doesn't feel that the city has the appropriate checks and balances in place in order to protect that money and secure it for roads and maintenance. She again states, Rod Cook did a brilliant job, but unfortunately, City Managers after him took advantage of his hard work. Every year, Rod made some sort of changes to repairs to the roads. She believes at one point that fund was close to a million dollars.

Councilmember Dilg asks the City Manager, what kind of plan we have in place to protect it.

City Manager Zelenak states, as we can state within this motion, we just want to make sure that we do in fact make mention of Councilmember Kivell's correction to the mileage rate that was stated overall in Mr. Kennedy's motion. Zelenak explains that our checks and balances are the City Council decides the budget. They have the budget before them, approves the budget and that particular dollar amount would in fact be transferred to Major Streets and from there it could be transferred to Local Streets. It can't be transferred from Local Streets to Major Streets. The checks and balances are there, it's a budget that you approve and is what we have to go by as our fiduciary responsibility with the city. Zelenak states that there is certainly not enough to do the 40+ million dollars within road improvements that we need for a city. This additional mil will only raise approximately \$417,000.00 within its first year and that is not even a drop in the bucket for what we need to do each year. We need to do somewhere in the range of \$2-\$2.5 million dollar road improvements every single year just to start catching up for the number of new subdivisions that have been in over the last 10 years. To do maintenance on those and make repairs to subdivisions that have been in place for 40+ years. Those are some of the discussions that will occur later on in tonight's meeting. If Council decides that they do not want to levy this edition of bill and wants to move forward in another plan, that's okay, but this budget approval cannot be tied with what's going on with the federal government or the state legislature because you are approving the millage rate now that will be levied this July. Any additional changes will have to wait until next year's budget year.

Councilmember Kivell explains that the reason Rod Cook was so successful is that at the time Rod took over, this was an opportunity for people that wanted to invest in and develop raw land. He states, we had water, we had sewer and we had dirt and we had developers that decided this was a very promising place to make money. So the money that was being gathered through the boom years, late 80's and early 90's, we were flush with money to be able to do an awful lot of things. City Hall, the District Library and road improvements all came as a product of our growth. Kivell goes on to explain that when we got boxed out by the Township, that pretty much pulled the plug on our ability to maximize that growth rate. We have had minor opportunities for some new developments, some of which has been lingering for quite a few years. Kivell states that he feels this is important to recognize that this is why we are in the position that we are in. It is not because we have had a bunch of terrible City Managers or that Rod was magic. We had great circumstances that just kind of fell off the edge and now we are trying to struggle to find a solution that doesn't have to be reliant on new development.

Finance and Benefit Administrator, Patricia Tiernan

Tiernan states she will first comment on Councilmember Kivell's comment about the mil count on the resolution, those numbers are correct. The overall mils that we're allowed to levy, that is the number that we've gotten from the state and that was reviewed by City Clerk Treasurer Deaton before this meeting. It is 15.9307 mils overall and what we are requesting in this resolution is 16.4938 mils.

Councilmember Kivell states that that is what we are requesting, but when you add the library on there that's what takes it to the 17. Tiernan advises that he is correct, but the Library is not part of this resolution, that's a separate mil. Kivell asks Tiernan why it isn't in the narrative. Tiernan states that she is not sure with that language and that the City Clerk Deaton isn't here to answer that question. Tiernan states that those two numbers are the accurate numbers of what the city has an overall allowance to raise and what we are requesting. Kivell states that when you add the Library Mileage and what we are suggesting, our mileage will be 17.9307.

Councilmember Kivell states that he is concerned with just leaving this on the table. An official decision should be made on that language.

City Manager Zelenak states that Mr. Kivell is correct. It is 17.9307. If you look at last year's budget, it was 16.9307. It is stated in here that this was reviewed by Lisa and that number needed to be adjusted. So the person that made the motion needs to add this correction to the motion.

CM 5-4-21 MOTION TO APPROVE THE MILEAGE RATE RESOLUTION TO THE ADJUSTED AMOUNT OF 17.9307, AS AMENDED

Motion by Kennedy, supported by Kivell

Motion to approve the mileage rate resolution to the adjusted amount of 17.9307, as amended

ROLL CALL VOTE:	Councilmember Walton	No
	Councilmember Richards	No
	Councilmember Kivell	Yes
	Councilmember Kennedy	Yes
	Councilmember Kurtzweil	No
	Councilmember Dilg	Yes
	Mayor Pelchat	Yes

Vote: MOTION PASSES – 3 OPPOSED

CM 5-5-21 MOTION TO APPROVE THE ANNUAL BUDGET RESOLUTION

Motion by Kennedy, supported Councilmember Dilg

Motion to approve the annual Budget Resolution

Further Discussion -

Councilmember Kurtzweil verifies with Tiernan if the Budget Resolution includes the increase of 1 mil. Tiernan states that the budget before Council has the 1 mil increase in the general fund. Kurtzweil so you already increased the mil before you even had the vote. Tiernan states yes, and that is per the documents from the last Council Meeting.

Councilmember Kivell states that it is with the additional mil because that was the lead that we were playing under for the last three discussion we have had.

ROLL CALL VOTE:	Councilmember Dilg	Yes
	Councilmember Kivell	Yes
	Councilmember Richards	Yes
	Councilmember Kennedy	Yes
	Councilmember Walton	Yes
	Councilmember Kurtzweil	No
	Mayor Pelchat	Yes

Vote: MOTION PASSES – 1 OPPOSED

2. Adoption of Ordinance to Amend the City of South Lyon Zoning Ordinance and Official Zoning Map of the City of South Lyon, in their entirety

CM 5-6-21 MOTION TO APPROVE THE RECOMMENDATION FROM THE PLANNING COMMISSION FOR THE APPROVAL OF THE SOUTH LYON ZONING ORDINANCE AND THE OFFICIAL ZONING MAP

Motion by Kivell, supported by Kennedy

Motion to approve the recommendation from the Planning Commission for the approval of the South Lyon Zoning Ordinance and Official Zoning Map of the City of South Lyon, in their entirety.

Councilmember Richards states that the greatest responsibility for this rests on the Planning Commission and it should not rest on City Council to correct everything and ward off disasters.

ROLL CALL VOTE:	Councilmember Kurtzweil	No
	Councilmember Dilg	Yes
	Councilmember Walton	No
	Councilmember Kivell	Yes
	Councilmember Kennedy	Yes
	Councilmember Richards	Yes
	Mayor Pelchat	Yes

Vote: MOTION PASSES – 2 OPPOSED

3. City Road Improvement Plan Discussion

City Manager Zelenak states that the City and City Council has had several discussions over the last year regarding the City Road Improvement Program. City Council first discussed the Pacer Ratings that was distributed to Council back in July of 2020, where we also discussed the road and asset management plan. In September 2020, we discussed improvement plans and options. In October 2020, we also discussed the funding options. Tonight, we're having a discussion regarding project planning materials.

Zelenak refers the Council to the information in their packet. Tonight with discussion we are reviewing funding options pertaining to the city road improvement plan and we will be looking for direction regarding this.

He goes on to explain, the city currently receives approximately \$1 million per year in road funding through the state through Act 51 funds. The revenues received from state (gas tax) distributed to local municipalities (Local Streets and Major Streets) based upon population and road miles under our jurisdiction.

Act 51 funds are used to pay for wages and benefits associated with costs of routine maintenance, patching, sweeping, snow plowing, salt applications, storm sewer repairs, traffic services, signals and equipment. The current funding we receive through Act 51 distribution, is inadequate to fully fund any type of road improvement program.

Because additionally through our PASER study, we identified that 90% of our roads were in poor condition. One scenario that we could fund a Road Improvement Plan is through a voted millage increase dedicated specifically to roads. This raises the most amount of money, therefore, has the greatest impact on repairing the roads. Each mill increase will increase revenue approximately \$415,000.00.

The program could also use some City Road and general fund revenue, and couple it with the millage increase to improve the roads by paving whole subdivisions one at a time. Every few years the generated revenue could be used in several different areas on multiple segments of road, to have a much greater impact on making repairs on city roads. A funding method (3 mill voted increase, plus Act 51 and general fund revenue) would generate approximately \$2 million per year.

We have attached a couple sections/subdivisions of the city that identifies how the road funding program could work in those areas. We first identify the costs for repaving/reconstruction in a particular subdivision. If there are sanitary sewer water or water main repairs that are needed in the area of road work, those items are bid within the project, and are paid for by the water and sewer funds. But still bid out together to get economies of scale and done prior to putting down pavement.

This type of large-scale project only occurs if we get the additional funds with a voted millage increase, which would pay for the Road Improvement project in that subdivision. Part of this buy-in will be a full marketing plan with public meetings where the public can see what the cost is to repair roads and what areas the roads will be improved with the dollars raised.

A 10-year voted millage increase will not fund all the necessary road improvements that are our infrastructure needed within the City. However, we will touch as many roads as possible to make the greatest impact with the dollars raised. This is a major step forward in maintaining and improving

If a new millage would be placed on the ballot, the ballot language would designate that the dollars raised would only be for costs associated with the road improvements. If the millage is placed on a ballot, and passed in the November election, the dollars would not be collected until the following summer tax bill. However, the City could partially fund design and other work through the use of general fund/Act 51 money in advance, to ensure that the project could be completed the following summer after the passage of the millage, and before all tax dollars are collected. The average homeowner would pay approximately \$125 per year additional on their taxes to fund the program per 1 mill increase.

Funds raised through a millage increase will be deposited in an interest bearing capital road improvement fund, until projects are designed, bid and constructed. If a total year's revenue is



unutilized, the remainder will be kept in the fund and applied to the next project. Funds can only be used as described in the ballot proposal and cannot be used for city operating expenses.

Project priority will be based on PASER Rating, road surface conditions, age and additional information on our 23.5 miles of local streets, and 4.5 miles of major streets. Underground utilities will be assessed prior to bidding out projects.

The implementation of the Road Improvement Program will be the result of an ongoing process of road improvement priorities, developing the scope of work (which could include road, storm sewer, water main, sanitary sewer work), designing, soliciting and awarding bids. Each year the city will review and revise priorities whenever necessary.

We have attached information on the estimated cost for the various methods of improving the road conditions. Everything from routine crack filing, to structural overlay, to total reconstruction.

Another alternative for funding roads would be through a Special Assessment District. The establishment of an SAD would entail getting 51% of the property frontage in an area to approve the improvement.

Zelenak states that he has outlined for the Council, all the applications, the petition circulations, the resolutions and the public hearing before the award of bid. If no additional mileage is passed, the establishment of an SAD would be needed for every single road grouping that would be done, i.e. individual streets or subdivisions. As you can see, this is a long tedious process which could potentially be halted at numerous stages through the process.

The SAD is usually resident initiated and we use a combination of existing road funds and public special assessment district funds to pay for the project. Most likely, it's a 75% to 25% split, or you can change that percentage if you desire. The total cost for improvement on a particular street would be approximately \$10,000 to \$15,000.00 for mill and overlay and between \$20,000 to \$25,000 for reconstruction per household.

If the city decides to take out a bond to fund any road improvement program, there would be additional costs for bonding and interest costs. Which would add approximately 15% in additional costs to the project.

Since there are no federal or state programs to fund local subdivision road improvements, these are the two alternatives that we must look at if we want to create a road improvement program.

Zelenak directs Council to the sample ballot language that he has provided. He states that any ballot language would need to go through the City, County and State for approval, within the allotted timeframe per election cycle.

Zelenak states that tonight we will be looking at direction from Council and moving forward, right-sizing the road improvement program. He adds that he has identified for Council, by industry standards, the condition of all our roads, which was mentioned last July, when it had totaled \$41 million in road improvements that are needed to be done.

Zelenak goes on to explain – year one would be a subdivision, whether we decide to mill, overlay or reconstruct it. Year two could be the same subdivision, mill, overlay or reconstruct, and the third year could be a city-wide asphalt or concrete patching program, which would hit more subdivisions and would impact more residents. The following year. We'd basically be repeating the cycle. He states that we will continue to identify underground utilities that need repairing, which may affect

the order in which roads are repaired. We will create a road committee who will participate in public meetings, forums and town hall presentations. Zelenak adds in order to move this forward, if we are going to go for a millage increase on the ballot and let the electorate decide in November on whether to fund this program, we need to continue these meetings because by the end of July we need to make the decision and submit that information to the county for ballot language approval.

Mike Darga, Hubbell Roth and Clark (HRC)

Mr. Darga shares his screen and begins his presentation for the meeting. He states that the chart that is on the screen shows what our average PASER rating is right now, we show the average city road to be 2.3. (1 is the worst and 10 is the best) He states that if nothing is done, the rating goes down to 1.17. In order to maintain our 2.3 rating, it would take approximately \$800,000 a year in road improvements. Darga then shows, in increments how additional funding will get us moving in the right direction. He goes on to show a color coded map of the city and points out that most of the streets are red (rated poor) with only one street in the blue (rated good) He adds that normally you want to catch the roads when they are at a 4 or 5 and bump them up to a 6 or 7.

Darga explains two different scenarios. In regards to the Hagadorn area, what would a \$2 million project look like for the city? After completing the sanitary sewer investigation we know that the sewer on N. Hagadorn needs to be replaced, which will impact the road. This is the same with the sewer on Ridge. Together, that is about a million dollars' worth of road improvements. This would take two years' worth of money to attach that project. He states that it would then make sense to pave as many roads as you can while you are in that subdivision. You normally would want to start in the back and pave your way out, but N. Hagadorn is probably the worst road and it's most traveled, so that if we go through and pave that first, you will have construction traffic driving over your new road. We do try to avoid this, but it's not the end of the world if we can't. After adding in Crest and Chester, you are looking at \$3 million just in pavement. Looking at another area, this time the University streets. Looking just at the asphalt roads, you are over \$1 million there, and it's about the same for the concrete roads. So looking at \$800,000 a year, you are not going to be able to do those roads in one year. Darga goes on to discuss additional projects, perhaps a couple of smaller projects.

Councilmember Kivell states in regards to the Hagadorn area, is that with adding storms through that whole section. Darga states that they planned on using the existing but there is money in there for rehab to the current storm systems. Rehab to the storm systems, some new structures, new castings, just repairing what's there. Kivell goes on to say this will illustrate how complicated things are going to be for us. If you are one of the people that are not in the first projects you are probably going to be more resident to try to flip the yes vote when you know it may be 10 years before your sub is dealt with. This is going to be hard for us to sell this. Darga adds that roads are not getting any cheaper to repair, so now is the time to do something for future generations.

Councilmember Dilg states she thinks this is why we are in this position in the first place, because we've kicked it down the road. She goes on to question, when we have these marketing campaigns and we put out there what the plan is, prior to the vote, are we going to outline who will go first. City Manager Zelenak states that we are talking about identified in a road improvement program, not necessarily saying which road when. Some of these conditions will be constantly changing based upon road conditions or based upon utilities. He goes on to say that Council has identified in the past that this subdivision was perhaps the worst or one of the worst within the community. Based upon that expression, as well as the original intent to allocate dollars a couple years ago, this one would be on the forefront of getting done. He goes on to say that with the other subdivisions, it will be hard to make that determination. We identified that we needed to continue to move this process along. This is the number one constant call that we get at the city and the city does not have the additional \$2.5 million to make improvements to these roads every year. Down the road as road conditions get worse, and because we did not put a million

dollars into each one of the roads for the last 10 or 20 years, we are at the point where we have to do something. Dilg states that she doesn't think anyone will be shocked that Hagadorn will go first, but she has the same concerns that Councilmember Kivell.

Councilmember Kivell states that there is a lot of positive narrative that we should be able to get people to digest. This will end up adding substantial future growth in the value of properties. Let's try to paint the brighter picture.

Councilmember Kennedy, looking at some of the pros and cons, verifies with the City Manager Zelenak the two approaches that you have listed here. Putting out a millage increase and asking the voters to vote on it basically distributes that obligation across all of the residents for the city. All 12,000 residents will see that reflected in their ongoing property taxes over the period of time that the millage is voted in for versus the special assessment district that applies to just a specific location. Kennedy questions if someone were to sell their home, would that obligation have to be cleared before they could transfer title to the new owner. Zelenak states that this is a possibility, but they don't necessarily have to clear those before that house is sold. It is obviously a cost that's going to be incurred by the new owner, so those are always discussed because it is technically a lien on that property.

Councilmember Kurtzweill states that the people that she has talked to about the road issue, particularly those individuals from the subdivisions, seem to be pretty understanding of the Hagadorn and Ridge area. Kurtzweill states that anyone that disagrees, she gives them directions on how to get to Hagadorn and they come back and say, you're right, but our sidewalks are horrible. She goes on to say that she doesn't know if the resistance is going to be that great because I think people do have an understanding that the subdivisions are newer and the downtown area along with the Hagadorn area are really in need of assistance. Kurtzweill adds that she does like the ballot initiative because she likes leaving increases in property taxes to the voter.

Councilmember Richards addresses Mr. Darga. He states in the time that you compiled these figures, and you're combined with the PASER study, did your own company oversee it all, or did you sub it out.

Darga states that back in 2013 member of the DPW and I believe a member of HRC drove all the sites and came up with the initial PASER rating. Then in 2019 the City Manager got a grant through Semcog to update those ratings and HRC did those. Richards states with Hagadorn being a unique situation, what is wrong with the feasibility of approaching the residents and saying you don't have any sidewalks or curbs, if you want this done right, and within a year and a half, as we are able to do it, why couldn't we go with a combination of SAD along with what we can come up with from a millage increase. Hagadorn being a priority and residents that live there are ready to see something come about. Darga states that SAD's are complicated, and you will have a hard time getting your 51% yes votes. You will make it pretty complicated by doing that. Councilmember Kurtzweill states that the problem with Special Assessment Districts is on the collection side. You can assess 100 homes in the Special Assessment District, it's voted 51% to include their home in the Special Assessment District that means you have 49% that did not. The Special Assessment District now goes on your taxes. What the homeowners will do is pay the property tax portion of the tax bill and will attempt to work out an installment plan with the local municipality to pay off that SAD over a period of time. But what do you do if a Homeowner doesn't pay? Your option is just to foreclose on the lien, so not only do you not get your money up front to pay HRC to come and do the road, you are now going to become a landowner with your foreclosures. So one of the complicating issues is on the collection side. You don't get your money up front, somebody is not going to pay, so you might as well roll it in and do a ballot initiative where the cost is spread out throughout the city and it's up to the city to do a good job explaining why one area should wait and another area should go first.

Councilmember Richards asks what's wrong with the possibility of doing the worse part on the first go round and then addressing the other two ends. Darga states that we know that the sanitary sewer needs to be replaced and when you do that, you have leads going across the street. That whole thing is going to get

orn up and you will end up replacing the base and the new pavement everywhere as soon as you touch that sewer. That road is going to be a full reconstruct.

Mayor Pelchat thanks Mike and Rolland for their insight on this situation. He states that he is leaning toward Councilmember Kurtzweil's opinion on this. This is a huge project and in his opinion should be our top project. The Mayor states that he would not feel comfortable trying to take on a project like this without taking it to the voters. He states that this is the topic of conversation that comes up, and they have been hearing the same answer for several years and we need to find an answer for these people.

Rolland Alex, HRC, states that they did help the City of Berkley a few years ago. They had a similar problem and they were able to pass a 10 year millage, and to one of the Councilmembers points, they did not say which street were going to be the lucky lotto winners and that seemed to help garner support from the community. He goes on to say, as the City Manager mentioned, every third or fourth year, a concrete patching or having a more city-wide where you are touching lots of different areas and people are seeing that their money is being spread out throughout the community and not just these lucky four or five streets helped. He adds that Berkley had a few different ways to help sell their millage. From sandwich board signs that were placed around the city to town hall meetings that were held on or near the roads that were in need of repair so people could see the roads in need of repair.

Councilmember Kennedy states that he is also in agreement with Councilmember Kurtzweil. It has the entire population shoulder the burden.

City Manager Zelenak advises the Mayor that we can bring additional information back to the next council meeting, we can then talk about the dollar amount or what the millage rate is, and what the time frame for something like this would be. We can look at putting things together for establishing that particular road committee and then start to identify that marketing plan.

Councilmember Kurtzweil states that when you raise money through a specific mill, the city has an obligation to hold that money specifically for roads. You can't put it into the general fund and pay bills. That money stays in that fund. Kurtzweil states that this is the check and balance that she feels is very important for the voters to understand. She adds another thing to bring up in the City marketing material is when the debt load is erased in the water treatment plant, and you go for a 10 or 12 year mill for roads, at some point the financing bond will drop off and then it's a no brainer at that point.

City Manager Zelenak state that the final question is the number of mills that we will be looking at raising, based on that \$2 million figure, we are looking at approximately 3 mills to reach that and that would also include some of the funds from the Act 51 as well as the additional mill that went in to approval tonight for the millage rate that would transfer directly to Major or Local Streets. Kurtzweil questions why couldn't the mill, whatever that mill is going to be in the first 3 or 4 years and when the debt load is paid off over at water, then you would be able to increase it to 2.5 because you will be able to pick up a mill or two off of that. I'm just saying you replace it. Zelenak states that you could do that, there could be changes, it could be a certain millage rate for so many years and certain millage rate for so many years after that. He states that he would caution at that the millage rate you are only looking at raising only a mill increase. That additional \$400,000 is not going to be able to make an impact in order to do Hagadorn. You would have to save up three years of road funding in order to start to work on that particular project. He states that he thinks if anyone is going to look at any sort of Road Improvement Program, they are going to expect to see improvements of the year immediately following that millage rate increase.

Mayor Pelchat adds that he likes that we are kicking things around. We are not going to solve this problem tonight, but I like that we are coming up with ideas.

Councilmember Richards states that now is the time to send out a letter to the residents that live on Hagadorn and the associated streets to let them know exactly what the dynamics of our situation and total costs and methods of the reality of paying for this before we pass something.

Mayor Pelchat confirms with Richards that if this is the method we choose to go with, he assures you that this we will be out pounding the street to get the information out there. So that they understand what is going on.

Zelenak states that he would propose that we prepare additional information for up and coming meetings, leave this on the agenda discussing the additional data that we have because if we in fact do decide, our council votes to actually place something on the ballot, we do have the time constraints, so we will include that information. We are basically educating the public on this and providing information about the ballot initiative.

Mayor Pelchat agrees that by leaving it on the agenda until we have a game plan and possibly getting it on a ballot, it can be a talking point each and every meeting until we get there.

Councilmember Kivell states that he thinks it's important and that there is bench marks that we will build off of. This is a good start.

#### New Business

1. Resolution Authorizing the Request for Reimbursement from Oakland County West Nile Virus Fund

#### CM 5-7-21 MOTION TO APPROVE THE RESOLUTION FOR REIMBURSEMENT FROM THE OAKLAND COUNTY WEST NILE VIRUS FUND IN THE AMOUNT OF \$1,546.18

Motion by Kennedy, supported by Walton

Motion to approve the resolution authorizing the request for reimbursement from Oakland County West Nile Virus Fund in the amount of \$1,546.18

ROLL CALL VOTE:	Councilmember Richards	Yes
	Councilmember Kivell	Yes
	Councilmember Walton	Yes
	Councilmember Kurtzweil	Yes
	Councilmember Kennedy	Yes
	Councilmember Dilg	Yes
	Mayor Pelchat	Yes

Vote: MOTION PASSES

2. Purchase and Installation of 2 New 550-gallon Double Wall Tanks (diesel and unleaded) for Fueling Vehicles and Equipment at the DPW Facility

Superintendent, Doug Varney states the diesel storage tank at the DPW facility is actually past its useful life and no longer could be replaced with the exact same tank that is there. The new technology is a double walled tank and we've replaced one already at the Water Plant. This is a similar tank in that construction the current location is not compliant with a future potential building that we'd like to have built there. Attached are three quotes and although Corrigan is not the lowest, they do provide the service for switching of the tanks, using their own truck with a crane that will pick ours out and put theirs where we want it. This plant expenditure can be purchased out of the Building and Equipment Maintenance account under line end 101-440-931.

CM 5-8-21 MOTION TO APPROVE THE PURCHASE AND INSTALLATION OF 2 NEW 550-GALLON DOUBLE WALL TANKS FOR THE DPW FACILITY FOR \$7,682.40, PLUS FEES TO TRANSFER THE DIESEL AND CHARGE TO THE CORRESPONDING LINE ITEM 101-440-931

Motion by Kurtzweil, supported by Kennedy

Motion to approve the purchase and installation of 2 new 550-gallon double wall tanks for the DPW facility for \$7,682.40, plus fees to transfer the diesel and charge to the corresponding line item 101-440-931

ROLL CALL VOTE:	Councilmember Kivell	Yes
	Councilmember Kurtzweil	Yes
	Councilmember Richards	Yes
	Councilmember Walton	Yes
	Councilmember Dilg	Yes
	Councilmember Kennedy	Yes
	Mayor Pelchat	Yes

Vote: MOTION PASSES

Budget: None

Public Comment:

Ryan Lare, 716 Grand Court, South Lyon, Michigan

Mr. Lare states that next Sunday he will be doing a full sweep of the parage route including the cemetery and Paul Baker Park. He adds that Larry will be taking care of Reynolds Sweet Parkway. Councilmember Kurtzweil is going to mention the dumping that is going on at the Parkway. He would also like to thank HRC for their presentation tonight on the roads. He states that he does agree with the Mayor and Councilmember Kurtzweil regarding getting this to the voters. He states that Hagadorn has been a problem for a long time and when he was campaigning for Mayor, Hagadorn was one of his pet projects. He goes on to thank the City Manager for working 7 days a week to provide the city with the great resources that we have. He states that he is not commended enough and he thinks that good praise is good when it is due. He adds, we have a great City Manager who is out running in the city and is going to all the different events. He also adds that we have a wonderful City Hall and commends all the clerks there that work very hard. There are a lot of people that work behind the scenes that keep the city running.

Manager's Report – City Manager Zelenak advises Council that we've already initiated a road study on W. Lake Street, gathering information regarding speeds and number of vehicles. Also reviewing reports regarding records and tickets. He then updates Council regarding the Cemetery and Volunteer Park grading. We had 4 packets picked up for bids, no one bid and when we made initial contact with one of the bidders, they said the job was too small and they are extremely busy. He advised that we will be re-bidding that, if we do not get anything done before the end of this budget year, looking at next year and perhaps making a budget adjustment because we did not spend the money. Zelenak states that we are still looking at information regarding the handicap accessible equipment at McHattie Park. He states that he is talking to people from the school system regarding upgrading equipment within the council auditorium. Due to some change in pricing, they are recollecting data and checking out the numbers. Zelenak reminds everybody regarding the Memorial Day Parade on May 31<sup>st</sup>. Roads will be closing starting at 9:00 a.m. and finishing everything up at the cemetery at 11:00 a.m. He states that someone paid for a flyover from Willow Run Airport, this will take place at 11:45 a.m. Zelenak states that we are putting together the

safety precautions to open up City Hall. We have information from Michigan Department of Health and Safety regarding guidelines and regulations. We are also looking for information from the county, we are still looking to provide a Covid -19 preparedness and response plan.

Councilmember Kurtzweil stated at the last meeting she had mentioned the Reynolds Sweet Parkway clean up and unbeknownst to me, Ryan Lair jumped to the opportunity to be of service to the City. I was shocked at the trash that he picked up along the Parkway, it was disgusting and she is sad that Ryan went and handled some of that trash. She commends Lair for being a decent individual committed to cleaning up the city for the Memorial Day Parade. She advised she has gone back to look at the fence area and questions if the City has met with the management of South Lyon Woods about cleaning up the interior fence on their property. City Manager Zelenak states that Doug Varney followed up with DPW for additional cleaning after Ryan did. He thanks Ryan for doing that. He states our Ordinance Officer placed a call with South Lyon Woods to discuss the debris that is actually inside the fence. Kurtzweil states that it was Ryan's opinion that there was strong evidence of dumping going on, meaning piles of stuff that looked like it was coming out of somebody's home. She questioned who owns the land that sits on the other side of the fence. She states that she tried to follow the property line down to the Laundry Mat and it appears the property belongs to South Lyon Woods. If it does, they need to step up and clean up their property whether on the interior or exterior, so thank you to Ryan and DPW.

Councilmember Kivell states regarding W. Lake Street. He states when this had taken place at the County, unfortunately, this is one traffic control order that goes from Dixboro all the way to Farmington, so that was why the County was pretty adamant that they wanted to end up just going forward and changing the speed limit here in town. He states a number of us that live in what we consider a linear neighborhood along 10 Mile, feel that this is just that, that people walk down the streets, this is their front yard. There are some devices that when you are doing the PASER or the 85 percentile kind of formulaic thing, it's not really a reflection of some of the other devices that the Michigan State Police has at hand. He goes on to ask Zelenak if there has been any movement on the library property. Zelenak states that he has not heard anything from the individual and the going to be moving forward as if they have just decided to decline to work with the city. We will be re-initiating and taking bids on that particular property like we did the last time. Initially it was 30 or 60 days of receiving bids, phone calls and contacts made with individuals.

Councilmember Walton questions if there is any thought about putting in sidewalks leading in to McHattie Park. Zelenak states that we would have to completely redesign the roadway, change the ditch line and looking at re-doing the road. This would definitely be a much larger project.

Councilmember Kennedy questions if the City Manager has any information on the house on Detroit Street. Zelenak states he has nothing to report. We initiated a letter to the new contact regarding repairs. He will need to check with the Building Department.

#### Council Comments –

Councilmember Dilg states that she too had the privilege of being one of the people who interviewed High School Students for their class where they practice their interviewing skills and she added that we have some impressive High School Seniors. They were intelligent, articulate and driven. They made her very proud. She also states that she feels that they didn't miss a step with this pandemic. Dilg states that she wanted to say Congrats and an official welcome to Preferred Pet Salon. She states that she and Steve were able to attend the ribbon cutting this weekend and they are very excited to be a business in our community. She added that this is where her cat goes and they do a great job.

Mayor Pelchat adds that he participated in the interviews and had the same opinion.

Councilmember Walton states that we definitely have a busy week in South Lyon, starting with Wednesday and the Lake Street Cruise, come on out and enjoy the cars. Monday is our Memorial Day Parade. Line up starts at 8 a.m. and the parade starts at 9:00 a.m. sharp. The parade will go up 10 Mile to

Reynolds Sweet Parkway, over to Stryker and then in to the Cemetery. If you want to get involved in the parade, contact Dana Johnston at 248-437-5046. Walton goes on to wish Lieutenant Baaki a very Happy Birthday. She goes on to say that she had been out of town and she got the pleasure to run in a group called Ragnar, it's a 24 hour run where eight people on your team is constantly running. It's about a 200 mile run and we were in the Zion National Park. She states the background behind her right now was taken in Bryce Canyon where they hiked after the run was over. She states that Ragnar is a JDRF Fundraiser (Junior Diabetes Research Foundation) and they wanted to say that they are united in the common purpose of creating a world without Type 1 Diabetes.

Councilmember Richards states that at the last Farmers Market, he took the time to look in the windows at the old Draft Street Building and the old horseshoe that was on the inside where the restaurant and later bar was located is gone. He added that the whole ceiling had been removed and the back wall is gone. He states that he would like to thank our Attorney for the Township, Mr. Phil Weipert for contacting the Oakland County Drain Commission, regarding problems we have at Yerkes along with some of the other drains in the City. Richards also goes on to mention the contribution of our Methodist Church and adds the Mission Outreach Team they formed contributed and help out at the Witches Hat Museum, Over 170 people arrived for the event at the church and there were 24 different teams targeting 18 different locations. He adds that he would like to send out his best wishes for all the prom goers that our venturing out to celebrate graduation.

Councilmember Kennedy states he also had the pleasure to have been asked by South Lyon High School to participate in those interviews. As mentioned, the students were impressive. They were very well prepared and have goals with plans in place to meet them. Kennedy adds to come out and support the Lake Street Cruise starting Wednesdays at 6:30 p.m. and the 4<sup>th</sup> Wednesday of every month through September. With the Exception of July, when we will have the all-day Motor Fest.. So come and check out the cars, get some wonderful food it's going to be a terrific evening.

Councilmember Kurtzweil wants to thank the women of Mary who invited her to speak about gardening. She adds that it was a great group of women from all over the city. They went home with plants and seeds and hopefully a renewed appreciation for gardening. She adds it was great meeting people that have a real strong interest in improving and making our City look gorgeous, including the women that are down there at Colonial Acres, improving their front as you drive by on Pontiac Trail. She adds that she would also like to remind everybody about Lake Street Cruise. She adds that she would like to thank the sponsors for Lake Street and would like to thank Sellers Buick GMC, South Lyon Collision, Lyon Homescape, Quicksilver Marketing Solutions with Roger, Art Creations and Performance Creative Resources. She adds that there will be more to come. Kurtzweil states that she would also like to thank all the individuals that invited her to the graduation parties. This great, you are going to be able to sit outside, shake hands and she is a hugger, so she is sure that there will be a couple of hugs. Congratulations to everybody that is graduating. She adds that Memorial Day is coming up and she hopes that everybody keeps in mind what Memorial Day or weekend is the opportunity to plant our plants and get out and open our windows and pull out our lawn furniture and move outside for the summer. But let's not forget what Monday is all about, it's about the incredible individuals that served our country that knelt before god and stood before the American Flag and carried their banners and went and fought for freedom. So everybody please, if you see a Veteran, please thank them for everything they did, for all the rights that we have, including our second amendment rights and our first amendment rights. Everything that our Country stands for. God Bless every Veteran on Monday – thank you.

Councilmember Kivell states he is hoping for a great car show and fingers crossed that the weather is cooperative. He adds that he is really looking forward to it, it's been a long time since we have been able to get out and enjoy. He adds that he was at the retirement ceremony for South Lyon resident and Lyon Township DDA Director, Tina Archer, and he bumped in to a guy that does the music and sings the National Anthem at the beginning of the show. He couldn't have been any more gassed up about the idea



of the show starting up again. He states that the RCA Building, Dan Schweigler's building, just to see the transitioning that is taking place down there has been really remarkable and he adds that he is glad that Dan had the same interest in retaining the cornerstone that was up in the beltline. It will be a real exciting time once that building is up and running.

Mayor Pelchat states that he is looking forward to working with each and every one to come up with a game plan for the roads. He states that Memorial Day is a sacred American Holiday, and he is very proud of our community and Dana Johnston in her unbelievable efforts to continue the Memorial Day Parade tradition. He adds that he looks forward to seeing the folks on Monday morning, fingers crossed for good weather.

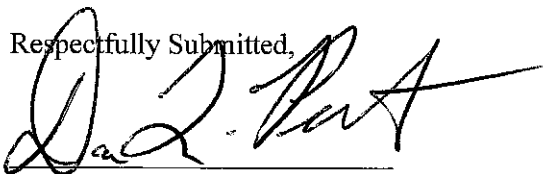
ADJOURNMENT

CM 5-9-21 MOTION TO ADJOURN

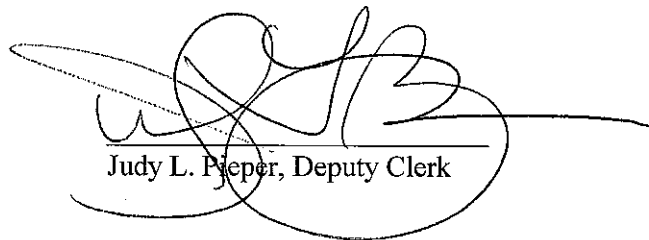
Motion by Kurtzweil, supported by  
Motion to adjourn meeting at 9:37 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,



Dan Pelchat, Mayor



Judy L. Pieper, Deputy Clerk