

City of South Lyon  
Regular City Council Meeting  
September 12, 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: Mayor Pelchat and Councilmembers: Dilg, Kurtzweil, Kivell, Kennedy, Mosier and Hansen

Also present: City Manager Zelenak, Fire Chief Thorington, Lieutenant Baaki, Finance and Benefit Administrator Tiernan, and Clerk/Treasurer Deaton

MINUTES

CM 9-1-22 MOTION TO APPROVE MINUTES

Motion by Kennedy, supported by Kivell

Motion to approve minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

Councilmember Mosier questioned two checks regarding the Police Department, one for a garage door and one for flooring. She stated the Fire Department had to get bids and then brought the bids to Council to be approved, and she is wondering if the Police Department received bids as well. She stated the threshold of \$5,000 seems low for things that have to be approved by Council. She further stated it seems counterproductive when little things come up. She then stated she thinks the threshold should be raised. Finance and Benefit Administrator Tiernan stated the bills in question are for one invoice each, but she doesn't know if Chief Sovik followed the bid process, but they were budgeted for. She then stated many municipalities go up to \$40,000-\$50,000 for budgeted items. She stated she discussed this with Plante Moran, and they said the average their municipalities are \$20,000 and up.

CM 9-2-22 MOTION TO APPROVE THE BILLS

Motion by Dilg, supported by Kennedy

Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 9-3-22 MOTION TO APPROVE AGENDA

Motion by Kennedy, supported by Dilg

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

1. DDA Appointment

2. Wag This Way: Pup Pawrade

CM 9-4-22 MOTION TO APPROVE CONSENT AGENDA

Motion by Kurtzweil, supported by Hansen

Motion to approve the consent agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT- No public comment was made

### DISCUSSION- Downtown

DDA and Economic Development Director Mack stated at the last DDA meeting they discussed having a winter Farmers Market. The market master currently does the same for Holly and it is successful. He stated it would be every other weekend, possibly at the VFW Hall. He then stated Lefty's is having a ribbon cutting this week, corporate has taken over that franchise. He stated they are continuing to discuss the Holiday Spectacular, and they have 8 sponsors so far. He further stated he has started the RRC self-assessment and after that is completed, the MEDC will create a base line report to show where we are in relation to the best practices of the program. Mr. Mack stated they are continuing to work on the RCA building, and they have some of their final inspections shortly. He then stated the deadline for the building to be completed is September 30<sup>th</sup>. Councilmember Dilg stated our market manager is great and she likes the idea of having a winter market. Mr. Mack stated we have 20 vendors that are interested as of now. Councilmember Hansen asked about the theater. Mr. Mack stated he has spoken with the person that is assisting the owners look for someone to lease or buy the building. They would like someone to run it as a theatre. Councilmember Kurtzweil asked about the extension cords hanging downtown. There is a reason why they are there, but we need to start one block at a time, and get some outlets, and move things around. It should be an easy fix, add an outlet at the bottom of the tree, and wrap the cords around the trees. Mr. Mack stated the DPW have gone out and moved some of them. Councilmember Kennedy asked if he met the new owners of Leftys, and if he met with them about reminding them to follow our ordinances. Mr. Mack stated he had not met them yet, but will be attending the ribbon cutting and will speak with them. Councilmember Kennedy then discussed the new business in town in front of 12 Kitchen Elves. Mr. Mack stated the owner of 12 Kitchen Elves is also running a bridal salon. Councilmember Kennedy then asked how Mr. Mack will remind businesses of Pumpkinfest and what events will be in front of their businesses. Mr. Mack stated he plans on emailing the businesses with a reminder. Councilmember Kennedy asked if he will be reminding the businesses and residents of Motorfest. Mr. Mack stated he will send out an email to the business owners. Discussion was held in regards to informing residents/businesses of the annual events. Councilmember Kivell stated to start a project this late in the year to get new lights up and outlets downtown would be difficult, there will have to be engineering, trenching will need to be done, that should have been brought up while we were working on the budget. Councilmember Kurtzweil stated the issue is to resolve the problem. She further stated it isn't that complicated, and it seems to be another excuse why South Lyon still has this problem when other communities have figured it out. She further stated she just wants to make sure someone is working on it because the cords are unsightly. She then thanked Mr. Mack and said he is doing a great job. Councilmember Dilg stated she doesn't feel it is the DDA Director's responsibility to knock on residents' doors, and she is sure the Police Department will handle that as they have in the past.

### FIRE CHIEF REPORT

Fire Chief Thornton stated they have had 744 incidents this year. He then thanked the DPW for putting gravel in their training center and it looks very nice. It is hugely effective, and prevents mud from getting in the trucks and it gives them a place for training on extrication. He then stated they received 3 bids for having the floors fixed and it will be brought to Council at the next meeting. He then stated in regards to the IROL, they will be putting stickers on the panels and the fire inspector is currently going to the businesses and putting in the panels.

### POLICE CHIEF REPORT

Lieutenant Baaki stated they received \$900.00 in grant money to cover Officer Scheeman's training for his leadership training. He stated they have a new truck to be delivered later this month. He then thanked the public and everyone because they are now accredited. There was a two-day accreditation process where the public calls in and giving their opinion on the interaction with the Police Department and there were 6-8 people that did so and they were all positive. He further stated part of the process was for them to go through the station and looking at all the equipment to make sure everything's on board, then they spoke with the Mayor and the City Manager. After that was all done, they took the information and made a report, and they said we will be

recommended to be accredited. He then stated we will be formally accredited in February. Mayor Pelchat thanked him and the team because he knows they have been working on that for a while. Lieutenant Baaki stated it was a process, and we were able to get new cameras and did some other upgrades that were needed. Councilmember Kivell stated he wants to thank Officer Sederlund for all the work he did on that. Lieutenant Baaki stated he was the perfect guy for the job.

#### MERS- Presentation

Sue Feinberg of MERS gave a presentation regarding the employee's retirement programs. She discussed the annual evaluation which projects the employer's contribution. She further stated the current funded status is 70%. She explained the primary reason is we had a good market and the return was over 14%. Councilmember Kurtzweil asked if the gains made in a year is 14%, why can't the portion we receive be used to reduce the unfunded liability. Ms. Feinberg stated the gains are still being used in the city's fund, but by using a more conservative rate of return assumption it doesn't impact it as much. Discussion was held regarding the assumptions the actuaries use such as inflation which is 2.5 or 3%. Further discussion was held regarding unfunded liability. The city is expected to be fully funded within 16 years if only paying the minimum amount. They always encourage people to fund more if possible. Ms. Feinberg stated the city is currently contributing \$786,588.00 and that will be going down, and next year it will be \$50,000.00 less. For projecting for budget purposes, we are looking at the assumption of 7.00% rate of return. Councilmember Kurtzweil asked if she had heard any discussion about the government assisting cities for unfunded liability, because they are doing that now with other communities that are over 60% unfunded liability. Ms. Feinberg stated they have not heard any discussions. Ms. Feinberg explained a graph showing the history of the valuations from 2011-2021. She stated the city made over 2.2 million dollars that went into the plan. She stated the city's contribution was \$674,370 while the employee contributions were \$49,336. Councilmember Kurtzweil stated it is important to realize the city employees' contributions are much smaller than the city's contribution. She hopes the employees of the city understands the sacrifices being made by the residents of this city to fund this retirement program and she is sure they are. Ms. Feinberg stated the employee contributions are very low compared to other communities.

#### UNFINISHED BUSINESS- N/A

#### NEW BUSINESS

1. Purchase of a new Toolcat (Bobcat UW56) with attachment for the DPW

Superintendent Varney stated they are requesting the purchase for daily use. The current one we have is 11 years old and has been proven to be useful and versatile. He further stated this is a budgeted item, although there has been a price increase of \$2,868.00.

#### CM 9-5-22 MOTION TO APPROVE BUDGET AMENDMENT

Motion by Kennedy, supported by Mosier

Motion to amend the FY2022-2023 budget under account line item 642-979-900 from \$76,000.00 to \$78,868.00 to reflect the price increase of the Toolcat with attachments

#### ROLL CALL VOTE:

Mosier- Yes

Kivell- Yes

Kennedy- Yes

Dilg- Yes

Hansen- Yes

Kurtzweil- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

#### CM 9-6-22 MOTION TO APPROVE PURCHASE

Motion by Kennedy, supported by Hansen

Motion to approve the purchase of a Bobcat UW56 with noted accessories at the delivered cost of \$78,686.00 under account number 642-979-900

ROLL CALL VOTE:

Kurtzweil- Yes  
 Hansen- Yes  
 Dilg- Yes  
 Kennedy- Yes  
 Mosier- Yes  
 Kivell- Yes  
 Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

2. 2022 DPW complex paving improvements phase II contract award

Superintendent Varney stated the DPW has completed Phase I of the paving at the DPW yard. He stated Hartwell Cement has agreed to hold their pricing and they can get to it this year. The completion of the project at the DPW complex is much needed and welcomed.

CM 9-7-22 MOTION TO APPROVE CONTRACT

Motion by Dilg, supported by Hansen

Motion to approve the contract awarded to Hartwell Cement Company for \$249,290.00 under line item 401-451-802

ROLL CALL VOTE:

Kennedy- Yes  
 Kivell- Yes  
 Mosier- Yes  
 Dilg- Yes  
 Hansen- Yes  
 Kurtzweil- Yes  
 Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

3. Acceptance of Oakland County Critical Infrastructure Planning Grant

City Manager Zelenak stated earlier this year we applied for funds from Oakland County for a critical infrastructure and planning grant. We received notice two weeks ago that the city will receive \$100,000 from Oakland County. The grant will be used for the planning of a location for a new water aquifer, lead pipe removal and for sanitary sewer line replacement. In order to receive this grant, we must adopt the attached resolution.

CM 9-8-22 MOTION TO APPROVE AGREEMENT

Motion by Kivell, supported by Mosier

Motion to approve agreement for local fiscal recovery fund distribution between Oakland County and the City of South Lyon

ROLL CALL VOTE:

Dilg- Yes  
 Mosier- Yes  
 Kurtzweil- yes  
 Hansen- yes  
 Kivell- Yes  
 Kennedy- Yes  
 Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

BUDGET- No discussion was held

PUBLIC COMMENT- No public comment made

MANAGER'S REPORT

City Manager Zelenak stated at an upcoming meeting in October we will have a presentation from Plante Moran of the 2021-2022 audit. He then stated we were happy with the attendance at the last concert, and in the future, we would like to bring in the Oakland Parks stage at least once a year for a larger and more popular concert. He stated we have just received information from the contractor and the schools regarding the work being done at city hall. He further stated they will be installing HVAC units and reinforcing sections of roofing at city hall, and we will have to be closed the day they bring in the cranes and putting the equipment on top of the roof and bringing the old ones down. He stated he is also working with the schools on a cross access agreement for the parking lot between Whipple Street and the ECC facility. Councilmember Kurtzweil stated she spoke at a council meeting when the school board was in attendance and she asked if they were going to use the special filters because that is important because COVID isn't going away. City Manager Zelenak stated he will check with the schools. Councilmember Kivell asked if we are going to restripe the cross walks at Warren, or put in more of an enhancement to let people know that is a cross walk. We should be able to do a more adorn version to prevent a tragedy happening. He further stated he thinks all of them should be enhanced. Councilmember Hansen stated with pre school starting, he has been doing a lot of driving through town and when he was driving up Warren, he saw a large tree stump between the sidewalk and the street and it's been there for over a year. He further stated there is another large tree stump at St Joseph Catholic Church. He then asked if DPW could grind down the stumps. City Manager Zelenak stated those are county roads and our county usually does not always follow up with stump grounding. It isn't high on our priority list, because we would have to rent a machine as well, but DPW is aware of it. Councilmember Hansen stated that would help to beautify the city. He then asked about replacing the tree by the post office. City Manager Zelenak stated there are several to be replaced. He and the DDA Director have been discussing different types of trees for the downtown. We will also be gaining a couple of trees at the expense of the RCA building for trees that were removed for the work done at the building. There are several we will be replacing. Councilmember Kurtzweil stated she finds it highly unusual someone goes to a court appearance defending their position that they are working on the interior of a location when under a consent judgement and not bring in any evidence that the work has been. She further stated she finds this land owner to be irresponsible and probably not a good fit for the city. She then stated it shouldn't be difficult for the owner to find a roofer, she could find one for them. She then stated there are many window companies such as Pella, any local window companies could get them done immediately. She then stated the landscaping on the outside is just irresponsible ownership, you can have a landscaper come over and pull weeds and it is an embarrassment to the property owner. City Manager Zelenak stated we are not responsible for finding them contractors, we are waiting for the ruling from the court last week. Councilmember Dilg asked about the other two crosswalks. City Manager Zelenak stated we will be bringing that to council shortly. Attorney Hamameh stated we have filed a motion to sanction them and hold them in contempt of court, the judge is issuing a written opinion but we have already asked for those things. If they don't comply with the date given by the courts, that is when they will get hit pretty hard.

COUNCIL COMMENTS

Councilmember Kennedy reminded everyone that this Friday, September 16<sup>th</sup> is the last Movie in the Park. They will be showing "Ghostbusters – Afterlife." The movie will begin at dusk in McHattie Park. He then reminded everyone that the last Lake Street Cruise-in for the year will be on Wednesday, September 28<sup>th</sup> and that it will start earlier at 4:30pm that afternoon. So, make plans to attend for one last chance to see some great classic cars. He then reminded everyone that Pumpkinfest takes place on Saturday and Sunday, September 24<sup>th</sup> and 25<sup>th</sup>. It will run from 10am-7pm on Saturday and from 11am-6pm on Sunday. The Pumpkinfest Parade is scheduled to start around 9:45am on Saturday morning so come early and get a good seat.

Councilmember Kurtzweil stated we live in an incredible community. She stated it was an incredible week in South Lyon. She then thanked Jeff Archey and the great men and women at the DPW who kept Paul Baker Park in great shape all summer. She then thanked Trevor, Andy, John, and Mike. They do all the hard work. There is no shortage of volunteers in the City of South Lyon. She then thanked Jane, Bill, Barb and Elito for putting on a great garage sale at Colonial Acres, Phase 5. It was incredible and packed on Friday and people were coming from all over and she walked out with her arms filled with stuff. She thanked everyone for supporting Colonial Acres such as the volunteers and they were incredible. She stated she spent time at the Farmers Market on Saturday and it was absolutely packed. From there she went to Depot Days and there were more vendors there than last year and the kids had some great activities. She then thanked the Cultural Arts Commission and others. She thanked Ron Beason from the Water Department for being there. She thanked the South Lyon Historical Society and Linda Ross for hosting the event and a big thank you to Julie Paquette for all she is doing for the Roper Barn Fundraising project. She then thanked the Lemon Tree, she spent some money on some gift baskets, and she won one. She further stated it is incredible how the businesses in town supported the Depot Day and the barn razing project. She then went to the First United Methodist Church and spoke with all the volunteers that were there managing the Mom to Mom Sale, and it was packed. She then thanked the United Methodist Church. She then went to the Polish Festival at St. Joes Catholic Church and she thanked all the volunteers, the food was great. She never met so many new people that moved into South Lyon and it is because it is a safe and wonderful city with good values, and she heard that over and over. Several thousand people attended and next year they said they will have more tents. She stated it was interesting the people that were donating weren't even from their parish. She further stated she never seen authentic polka, and it was a great cultural event for many people in our community. She finished off the night at the beer tent with Phil and Pam Wiepert and Jeff Heinanen and Carly. It was an incredible weekend.

Councilmember Mosier stated its good to be back and wished everyone a good night.

Councilmember Hansen stated it was the first day back to school and as a father taking his 4-year-old to preschool at the Early Childhood Center, it was a first for him. He then extended his gratitude to the staff at ECC, they are very caring and you can see the passion they have for teaching and caring for our kids. He was extremely impressed. He then stated he utilized the parking lot off Whipple and used the sidewalk connecting the parking lots and it is a great addition to give parents the option to stay on paved walkways and take your kids to school. He stated it was a great first week, and the first week of many. He then stated he is looking forward to Pumpkinfest.

Councilmember Kivell stated he saw a message on Facebook, and there are a number of people assisting people when dropping and picking up their kids from the schools, and the lack of patience of people that can't follow the rules, and he hopes everyone falls into a nice pattern. It is astonishing how choked off the city is when the kids are going and coming to schools. He hopes everyone reads the rules and follows them.

Councilmember Dilg stated Pumpkinfest is still in need of volunteers, and you can search it on Facebook, and sign up. She then stated something has been weighing on her since the last meeting in regards to the gentleman that spoke about things around town. She further stated she drove around town and saw some things, but she thinks it is unfair to the business owners that invest their time and money on their properties and making their town look better. There are so many doing so. She stated her daughter visited and they drove around town, and she was very complimentary to our town. She stated it was very noticeable to her. She thanked everyone for doing their best to keep our town looking good.

Mayor Pelchat stated he wanted to take a moment to remember September 11<sup>th</sup> and all the lives lost 21 years ago. He then stated fall is a special time in South Lyon, and he hopes everyone gets out and enjoys it.

CLOSED SESSIONCM 9-9-22 MOTION TO RECESS INTO CLOSED SESSION

Motion by Kurtzweil, supported by Kennedy

Motion to recess into closed session to consider the purchase of real property in accordance with MCL.15.268(1)(d)

ROLL CALL VOTE:

Kurtzweil- Yes

Mosier- Yes

Hansen- Yes

Kennedy- Yes

Kivell- Yes

Dilg- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

\*Council entered into closed session at 8:58 p.m.\*

\*Council reconvened the open/regular Council Meeting at 9:23 p.m.\*

CM 9-10-22 MOTION TO APPROVE PURCHASE OF PROPERTY

Motion by Kurtzweil, supported by Kennedy

Motion to approve an additional amount as just compensation, not to exceed \$2,500 for a sanitary sewer easement over a portion of 606 Lakewood Drive

ROLL CALL VOTE:

Dilg- Yes

Hansen- Yes

Kurtzweil- Yes

Mosier- Yes

Kennedy- Yes

Kivell- No

Pelchat- Yes

MOTION CARRIED, 1 OPPOSED

ADJOURNMENTCM 9-11-22 MOTION TO ADJOURN

Motion by Kurtzweil

Motion to adjourn at 9:25 p.m.

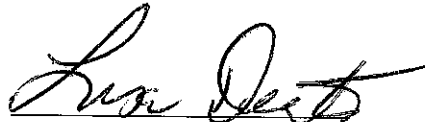
VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,



Mayor Dan Pelchat



City Clerk/Treasurer Deaton