

City of South Lyon
Regular City Council Meeting
September 9, 2019

Mayor Pelchat called the meeting to order at 7:30 p.m.
Mayor Pelchat led those present in the Pledge of Allegiance.

Present: Mayor Pelchat, Councilmembers Kennedy, Kivell, Kurtzweil, Parisien, Richards and Walton
Also, present: City Manager Zelenak, Chief Sovik, Superintendent Varney, Fire Chief Vogel, Attorney Hamameh and Clerk/Treasurer Deaton

MINUTES- 8-26-19

Councilmember Kivell stated on page 5, the letter a should be removed before the word pricier.
Councilmember Kivell stated on page 6, there is a double negative so get rid of aren't.
Councilmember Kivell stated on page 7, the word is should be added to reflect the ordinance is in place.
City Attorney Hamameh stated the language should be changed for the closed session, to reflect Section 8 (a) instead of e and the MCL should be 15.268 not 125.268.

CM 9-1-19 MOTION TO APPROVE THE MINUTES

Motion by Kivell, supported by Kennedy
Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 9-2-19 MOTION TO APPROVE BILLS

Motion by Parisien, supported by Walton
Motion to approve bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

ATTORNEY BILLS

CM 9-3-19 MOTION TO APPROVE ATTORNEY BILLS

Motion by Parisien, supported by Kennedy
Motion to approve attorney bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 9-4-19 MOTION TO APPROVE AGENDA

Motion by Walton, supported by Kurtzweil
Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Dayna Johnston of 543 McMunn stated she is here to announce she is running for City Council. She stated she is a longtime member of the community, a graduate of South Lyon Schools, as well as her siblings and children. She stated this is a great community and she wants to be more of a part of South Lyon. This Council has been standing for our Council for many years and she would like to work with everyone on Council. She stated Council doesn't make all the motions, they are backed up by the City Manager, Police, Fire and everyone that works in the office every day. She hopes to bring somethings she knows to enhance the City Council. She stated she has a background in Art, she is not a lawyer, a finance person, a lawyer but she is a volunteer. Ms. Johnston stated she was part of the first Pumpkinfest Committee, and she is still in charge of the Memorial Day Parade. She further stated she has started many things that are still going on in this community. She stated she believes in this community, the people and where South Lyon is going. She further stated she remembers when there was only one light in town, and we were the horse capital of Michigan. We have a lot of great people and she wants to be more a part of it. She then stated she is having a meet and greet on September 16th at the Corner Caffé.

Josie Kearns of 229 Lyon Blvd stated there are 4 new artworks that have been installed as part of the Art & Commerce in the pocket park between the new kitchen place and the barber shop. There will be 4 more to be installed later this week. There is a new part which include poets writing poems about different businesses such as the furniture store, jewelry store, hardware, bicycle and hopefully a baker poem. She stated we have been delayed due to the wonderful NASA photos which is almost over, and thank you to Amelia of the Salem South Lyon Library and the City Manager who helped with that. She then thanked KV Sports for the donation of \$95.00 for the metal plaques that are on them identifying the Michigan Arts and Cultural Affairs that gave them the grants and the Cultural Arts Commission. Ms. Kearns thanked Ken Michalik who is a great graphics designer and right now is developing a brochure for the project and it will thank everyone involved. She stated he also designed the water tower design. She stated he is amazing. She then thanked Ron Brock and his team for making the frames and installing them. She then thanked Jeff Robinson from Third Monk Brewing for hosting the Moonwalk Poetry Reading. She then stated there will be a poetry walk in October and if you volunteer 4 hours with the Cultural Arts Commission, Joe Matuzak will do a presentation on how to set up an eBay account and sell on eBay.

Ryan Lare of 716 Grand Court stated today he viewed Steve Kennedy's literature on his run for City Council. He stated there are some discrepancies he would like to clear up. He stated the literature stated you designed the water tower, as Josie mentioned, Ken Mihalic designed the graphics and he thinks it is terrible that he would take responsibility for it. He then stated he is taking credit for snow plows and vehicles for the DPW, these are hard working people that are working behind the scenes and it is funny you are taking credit for these things that are going on yet, the Fire, DPW and Water. There are other people that have done the work and you are taking the credit for it. He then stated why don't you recognize all the city employees that helped get the truck, the plow, or the life saving device like Chief Vogel and Deputy Weir. He further stated if you want to be on Council, you have to tell the truth. The truth is important, honesty is important. If you want to be in public office, you should start now. Mr. Lare stated you have no consideration for other people. He stated he asked for a copy of the pamphlet and he was ignored and that was rude.

Carol Sadoko of Raleigh Court stated she spoke at a council meeting about a year ago about the city taking the responsibility for the green building in town and how horrible it looked. She is thrilled to see

that it is finally being fixed up and she wanted to thank Council for that. She stated she spoke with the only Councilmember that she knows about the small house next to the Cemetery and she is happy to see the eyesore has been taken down. She thanked Council for everything.

CONSENT AGENDA

1. Resignation of Keith Bradley from Planning Commission
2. Road Closures & Events for Cool Yule

CM 9-4-19 MOTION TO REMOVE ITEM AND ADD UNDER NEW BUSINESS

Motion by Richards, supported by Parisien

Motion to remove item #3 "South Lyon Eve" and add it as item #3 under New Business

VOTE: MOTION CARRIED UNANIMOUSLY

CM 9-5-19 MOTION TO APPROVE CONSENT AGENDA AS AMENDED

Motion by Kurtzweil, supported by Walton

Motion to approve consent agenda that contains item #1 and #2

VOTE: MOTION CARRIED UNANIMOUSLY

DISCUSSION- Downtown

Bob Donohue stated they are moving along with Cool Yule. He stated there will be more details at the next meeting. Mr. Donohue stated the distribution of the business survey has been completed and it is on schedule. Mr. Donohue stated he wanted to remind everyone of some downtown events, such as the Downtown Trick or Treating will be on October 24th and Ladies Night Out will be on November 15th. Mr. Donohue thanked the Cultural Arts Commission for their efforts to bring art downtown and throughout the community.

Councilmember Walton stated when the city purchased the property and McHattie and Pontiac Trail, she had spoken with a Councilmember regarding that becoming a gathering spot for our community. She stated we could put in a fire pit, places to sit as well as some art in the park. She further stated we encourage people to come to our city, but she would like to see a gathering spot as some other communities do. Mr. Donohue stated the DDA is going to be creating an economic development committee to look at available properties in the DDA. He further stated some of her ideas have been discussed for that property as well as Farmers Market or sale of the property. They are going to be looking at what could be the better use of the vacant parcels.

Councilmember Richards stated someone from the Veterans club asked him about the Veterans rock. Mr. Donohue stated a member of the American Legion approached him when he first began at the City. Harvey Wedell asked if we could have a better monument for the Veterans. He stated we looked at designs to expand the monument. We started with the American Legion, then the Veterans. We never had approval, but we had support and they asked us to take it through the process and we had approval at every step. He stated it then became a funding situation. We have been able to gain most of the \$40,000 in in-kind services along with some cash donations. He stated the site plan has not changed, but the position of the flag poles has slightly changed. He further stated he was asked by the veterans to have a document stating the monument will face the road and the brick pavers would be in front of the marker as well. Mr. Donohue stated they stated if the monument was moved, they would want to sell the property. He stated we have verified the property the monument is currently sitting on is owned by the City. He further stated by moving it from one City property to another will create a better atmosphere so people don't have to stand in the street during ceremonies. He further stated Lyon Township is proposing a large

elaborate veterans memorial and the City should do the same. He further stated we have a wonderful plan and now we are close to moving forward.

Councilmember Parisien asked if there is a time frame to have the business surveys returned to City Hall. Mr. Donohue stated it is steered toward Survey Monkey, but they do have the option to mail it to the city as well. He further stated they are working with Survey Monkey to gather the information, then the work groups will look through it and put it into a format to be turned into Council. City Manager Zelenak stated the information should be given to Council in October.

NEW BUSINESS

1. Purchase of new F-350 w/ plow package for DPW

City Manager Zelenak stated the DPW has budgeted for a new Ford F-350 with western MVP3 plow package. This purchase is accounted for in the 2019 budget under line item #641-959-300, vehicle equipment replacement fund. This truck will be built in November and not available for use until early 2020. He stated we received 3 quotes and Varsity is the low bid with the amount of \$40,238.80. Councilmember Kivell stated he is happy that Varsity was such a substantial amount lower than the competition. Councilmember Richards stated he is happy we are using Ford because they are the most rugged for the job.

CM 9-6-19 MOTION TO APPROVE PURCHASE OF FORD F-350 TRUCK

Motion by Kurtzweil, supported by Walton

Motion to approve the purchase of a new 2020 Ford F-350 (SD) with Western MVP3 Plow package from Varsity Ford in the amount of \$40,238.80 from account number 641-959-300, vehicle equipment replacement fund.

VOTE: MOTION CARRIED UNANIMOUSLY

2. Sanitary Sewer Evaluation Study Phase I

City Manager Zelenak stated this is part of a multi-year plan to inspect our infrastructure and the City has gone out for bid for Sanitary Sewer Inspection. Phase I of the project is to inspect sewers in the NW quadrant of the City. A total of five bids were received, ranging from \$34,350.50 to \$69,762.00. The low bid was submitted by Pipetek Infrastructure Services LLC of Livonia. The funding from the project will come from the Water/Sewer Professional Services Account 592-557-801. Discussion was held on the timeline for the project. City Manager Zelenak stated the project should be completed in December, then the review to see what work needs to be done and the work will be done in next year's budget. He is hoping to get it all quadrants done in the next couple of years.

CM 9-7-19 MOTION TO APPROVE PHASE I OF THE SANITARY SEWER EVALUATION STUDY

Motion by Kivell, supported by Walton

Motion to approve the award of Phase I of the Sanitary Sewer Evaluation Study to Pipetek Infrastructure Services LLC of Livonia, MI in the amount of \$34,350.50, water and sewer account number 592-557-801

VOTE: MOTION CARRIED UNANIMOUSLY

3. "South Lyon Eve", New year's Eve Event

Councilmember Richards stated this is the first he has heard of it. He stated there are people living on McHattie Street and Washington. Have the residents been notified there will be live music and a big party on New Year's Eve. He further stated there will be complaints. He said people came to him and complained about the music from Blues and Brews. Mr. Donohue stated we had to have approval before the event is publicized, which is why he hasn't heard of it. Councilmember Richards asked if the security will be the same as Pumpkinfest. Mr. Donohue stated the event is similar to Pumpkinfest. The City Police Department will do the security and will be paid for it. The barricades will be put out by the DPW as is the case with Pumpkinfest. Councilmember Richards stated he is in favor of this event, but a New Year's Eve party caught him off guard. He stated you can't count on the weather. Jeff Heinanen stated there will be a tent and there will be heaters in the tents. Councilmember Richards asked if there is a plan for parking. Mr. Heinanen stated there is parking downtown and many people will probably plan on walking as they do for other city events. It is important to bring people to the downtown. Councilmember Walton stated she is excited about this event. She stated she would be happy to volunteer.

Councilmember Kurtzweil questioned the 40 ft pole for the ball drop. Mr. Heinanen stated it will actually be about 30 feet and it is a temporary. Councilmember Kurtzweil stated they may need a variance from the ZBA. Councilmember Parisien asked the City Attorney since this is a city event and money is coming through the non-profit to pay for the tree, will it be a problem. Attorney Hamameh stated if the city isn't using city funds to purchase anything for a private event, it isn't an unlawful expenditure. Mr. Donohue stated this is a DDA event so the DDA will be spending funds for promotions and marketing as we do for all DDA events. Councilmember Parisien stated she is happy about the event, she just wanted to ensure the city wasn't funding the tree or anything with the event. Councilmember Kivell stated he thinks this is a cool event. He further stated he wants the City Attorney to review all the paperwork to ensure everything is done right to make sure no city funds are going towards anything it shouldn't. He further stated this could be a long-standing real event so we need to nurture it to make sure it is successful. Mr. Donohue stated the same scrutiny of the process should be applied to Pumpkinfest to make sure they don't run into any issues as well. Councilmember Parisien stated we need to have a standard operating procedure so that everyone follows the same rules. Attorney Hamameh stated she is happy to work with the DDA Director to come up with a check list to ensure everything is being followed through.

CM 9-8-19 MOTION TO APPROVE SOUTH LYON EVE EVENT

Motion by Walton, supported by Richards

Motion to approve the December 31 and January 1 "South Lyon Eve" event and activities, including a ball drop at midnight to ring in the New Year, and the closure of W McHattie St from S Lafayette to S Washington St, from 5:00 p.m. on Tuesday, December 31 to 2:00 a.m., Wednesday January 1, for the inaugural "South Lyon Eve" New year's Eve event in downtown South Lyon, and a beer tent from 8:00 p.m. to 1:00 a.m. and live music from 9:00 p.m. to 1:00 a.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

BUDGET

Councilmember Kurtzweil stated there is an article she would like to be part of the minutes tonight. It is from the Detroit News and it is titled "Michigan Cities Must tackle pension debt". She stated the first sentence states "unfunded liabilities, including pensions remains one of the biggest drags on Michigan

communities". She suggests that after the Election, we form a committee to explore options, and she would like to be a part of it. She stated we are a small city, and five million dollars is a lot of money. She then stated she will contact the Oakland County Treasurer to find out how they took care of their unfunded pension liability. She further stated she believes they bonded out. She then stated we currently have a bond for water and sewer so she doesn't know if that is a possibility or not. She further stated even though the economy is good now, doesn't mean it will be months from now and we need to be prepared.

MANAGER'S REPORT

City Manager Zelenak stated he included the mural ordinance language with his managers report dated August 30th. City Manager Zelenak stated we are trying to get the veterans groups together to hear all their concerns regarding the Veterans monument.

PUBLIC COMMENT- None

Chief Vogel stated he has been in contact with the dealer regarding the Jaws of Life and the set is being sent back to the manufacturer since it is a demo, they will look at it to ensure it is working properly so we can get the full warranty.

Chief Vogel stated he has been working on a study on the opioid crisis in our City. He thanked Briann, and Chief Sovik for their help on this. He stated the numbers are much more staggering than we thought. He further stated the reason this came about is because there was a call that affected his staff. He thought this is really taking a toll on our city, our staff and our budgets. He further stated each time Narcan is used, it costs \$141.00 He stated he has done a lot of work on this, but he has a lot more to go.

Councilmember Kurtzweil stated she spent Labor Day weekend with some union workers and they were discussing the Jaws of Life. She then asked Chief Vogel if it is the electric battery or the hydraulic.

Chief Vogel stated it is the electric battery, it is quicker, lighter and the staff is familiar with it.

Councilmember Kurtzweil stated she understands the hydraulic jaws restricts the distance you can go, but the electric one doesn't. Chief Vogel stated this is better technology as well.

Councilmember Walton thanked him and Chief Sovik for their special attention to the opioid crisis. It is not only a problem in our City for many others as well. Her daughter lost a friend over the weekend and this is very near and dear to her heart. Chief Vogel stated that also affected his department. He stated it happened outside of the City, but he was a South Lyon High graduate and had been struggling and our hearts go out to his family. Chief Vogel stated he is having some issues getting the real numbers from Oakland County, but he believes there was a 10-12% increase but that spiked last year. Councilmember Kivell stated he is sure that Chief Sovik has a lot of innate information from family members that are going through this. Councilmember Richards thanked Chief Vogel for having a fire truck at Depot Day, the children loved it.

Chief Sovik stated Sgt. Wittrock is leaving law enforcement to pursue a business adventure with his father. He has an MBA and has been considering this for a couple of years. We will miss his leadership and his presence after 17 ½ years. Sgt. Hoydic will be stepping into the Sargent role and we will be looking to hire another officer. He further stated we will be losing someone at top pay, but the new officer will be hired in at a lower pay rate and with the defined contribution retirement plan.

COUNCIL COMMENTS

Councilmember Richards stated the Cemetery is looking much better. The 7 gentlemen that work there have been taking care of it all summer. He further stated the vandalism has been repaired as well. He stated the gardens were smaller this year, and it is getting to be harvest time. Councilmember Richards stated he has taken pictures of the work that has been done on the Artcraft building. He stated they are sandblasting the building to not damage the bricks. Councilmember Richards stated he likes the way the bills are arranged; it is easier for him to read. Councilmember Richards thanked Patricia for her innovation. Councilmember Richards stated this was the best Depot Day and there were probably 700 people there. The Kiwanis never ran out of food or pop. He further stated there was a vendor from Dexter that had a hit or miss gas powered engine. He stated he had an excerpt of a copy of an 1886 newspaper and there was historical account of a train wreck in South Lyon that he had never heard of. He stated his area is research and development.

Councilmember Walton thanked Cook Automotive for the 3-4 carts of food they brought into Active Faith. Councilmember Walton stated Oak Pointe Church dropped off several boxes of backpacks and school supplies. She then mentioned a little girl that held a garage sale and a lemonade stand and donated the proceeds to Active Faith. She stated with the holidays coming, we should think about adopting a family. It makes the holidays a lot less stressful for those families. Councilmember Walton stated Michigan is now a no kill state for rescues. She further stated she wanted to mention Depot Day and what a great event that was. She stated Dayna Johnston was there dressed as a clown, and Lisa Dilg was there volunteering. She stated Dayna Johnston painted the butterfly mural at the café. She stated she wanted to thank the cultural arts commission for all the art that they have brought to our town. There are so many great things that are bringing people to our city. Councilmember Walton thanked the DPW for filling in the pot holes at the Dorothy and McMunn Street parking lot and for cutting down the dead tree and the large wasp nest. She further stated Coach Smith and the cross-country team had another successful Witches Hat Run. Councilmember Walton stated we have a vibrant community and as we are approaching September 11, she asks for everyone to think about how you can make a difference in other peoples lives. She further stated take a moment to make an extra donation at the grocery store. She wants to remind everyone that your friends and families would rather spend hours talking to you on the phone rather than a few minutes reading your obituary.

Councilmember Kurtzweil thanked Keith Bradley for his time on the planning commission. This is a tremendous loss to the planning commission. She wished Keith and his family luck.

Councilmember Kurtzweil stated she ran into Kathy Swann and she was volunteering for another organization. She then reminded everyone of the pumpkin pie baking contest during Pumpkifest. Councilmember Kurtzweil stated she is a strong advocate for fighting substance abuse, and she thanked our Governor for her working very hard on the new administrative order to ban vaping. It is important to know the juice is from China and they do not have an FDA as we do. Councilmember Kurtzweil stated it is a health crisis. Councilmember Kurtzweil stated there are 3 businesses that are looking for workers. Aubree's is hiring, and Tuffy Tire and Auto, and South Lyon Collision is hiring as well. She stated this weekend she spent some time with union workers and it is important to understand the trade individuals probably have a better mass skill then anyone sitting here tonight. She further stated they are a great group of guys. Councilmember Kurtzweil stated you can't automate a pipefitters job and you can't automate an electrician. Those jobs are secure.

Councilmember Kurtzweil stated on September 30th there will be a seminar at the Novi Library from 10:00 to 11:30. It's being hosted by Jim Runestad. She further stated this is a great event for anyone that is an elder or cares for the elderly.

Councilmember Kurtzweil stated Dr. Ray will be at St. Joseph's church on Saturday, September 15th at 7:00 p.m. for a discussion regarding parenting.

Councilmember Kurtzweil stated September 11th is approaching and she hopes everyone can find time to think about all the people that lost their lives or family members that day. She stated she remembers where she was on that day. There will be a ceremony at the Michigan Fallen Hero's memorial in Pontiac at 6:00. She then stated be nice to someone, remember the events of September 11th and be grateful that didn't happen to you.

Councilmember Kennedy stated in the interest of accuracy let's talk about the erroneous comments made by the mayoral candidate. He states that he has taken full credit for various activities that have occurred. Nothing could be farther from the truth. Here are the statements contained on my campaign flyer

- Worked with the South Lyon Fire Department to obtain the Life Saving Lucas CPR device at no cost.
- Worked with the South Lyon DPW to replace equipment (Backhoe and Snow Removal Truck)
- Assisted the South Lyon Water Department with Water Tower Renovation and Graphic Design
- Worked with the South Lyon Fire Department to provide Free Smoke Detectors and Carbon Monoxide Alarms to Residents

Each listed item was a collaborative effort between this Council Member and the various departments. That is exactly how each statement reads. How novel that a Council Member reached out, worked with the city departments for the benefit of the city and its residents. With regard to the graphic design for the water tower absolutely Ken Michalik from the Cultural Arts did design the graphic that is on there. That was then provided to the City Council members for their review and input. Two members from the council said "it looks good;" four members from the council provided no feedback: and he provided additional feedback to Superintendent Mike Boven, and that was included in the graphic. There was discussion about the font size and exactly what it was going to look like. He stated he added the "Established 1873 (Est. 1873)" to the graphic because he thought it needed to be highlighted how old the city is and how long it's been here. Further, he worked with the Fire Chief, with the Police Chief, with the DPW Superintendent and the Water Department Chief Engineer in drafting each statement and obtaining their approval before including it in my flyer. In fact, the mayoral candidate took the information to Chief Vogel and he, Chief Vogel, verified that statement exactly and then that mayoral candidate proceeds to come here and provide false information tonight. The innuendo, baseless allegations and outright lies on the part of the mayoral candidate should perhaps cause the voters to think long and hard and decide if those are the characteristics, they want in an individual representing our great city. For a candidate who has stated that "he treats everybody with absolute respect," Councilmember Kennedy stated he would say his actions speak louder than his words. So, for the mayoral candidate, if you want to be the Mayor, as you've already said, you'll have to remember that honesty is important. And as has been said before, for the residents and voters in the city, do your homework in preparation for the upcoming elections and pay attention to who you are truly voting for. Councilmember Kennedy stated this Friday, September 13, there will be another Movie in the Park. This week will feature the movie Ralph Breaks the Internet, rated PG, starting at dusk in McHattie Park. He then congratulated the Salem-South Lyon District Library for a successful Summer Reading Program with 1,430 children, teens and adults participating in the reading programs compared to 897 individuals last year. And finally, at last count the library currently has about 87,000 print and media items available as well as access to another 882,000 digital downloadable items

available for the residents in our community. Just a great job providing a wealth of services for its patrons.

Councilmember Parisien thanked the DPW, Fire and Police for keeping things running over the weekend. Councilmember Parisien thanked Keith Bradley for his time on the planning commission and she wished him luck with his future endeavors.

Councilmember Parisien reminded everyone to volunteer for boards/commissions and Pumpkinfest still needs volunteers. Councilmember Parisien thanked Sergeant Wittrock for all his years of service, he will be missed.

Councilmember Parisien reminded everyone to do their research and look at the candidates and see if their values agree with your values. She stated there are meets and greets and be open minded. Even if you have different views, it is good to be challenged. She then stated everyone should look at past Council meetings to see how the current councilmembers work together.

Councilmember Kivell stated the Depot Day was very well attended and everyone was happy. Councilmember stated he ran into Kathy Swann, and she said they are still looking for volunteers for Pumpkinfest. Councilmember Kivell thanked Keith Bradley for his time on the Planning Commission and he knows he is enjoying his retirement. Councilmember Kivell stated Mike Wittrock is such a nice guy and we are sorry to see him move on.

Mayor Pelchat thanked Sergeant Wittrock for his service to the City. He then thanked Keith Bradley for his time on the Planning Commission. Mayor Pelchat thanked Tim Wilhelm for his years with the City and welcomed Lisa Hamameh our new City Attorney. Councilmember Parisien thanked Attorney Wilhelm for all his years with the City as well. Councilmember Kurtzweil stated she has friends that applied for the City Attorney for the City of Ann Arbor. This is a great job for him and he has earned it. He is a brilliant attorney.

ADJOURNMENT

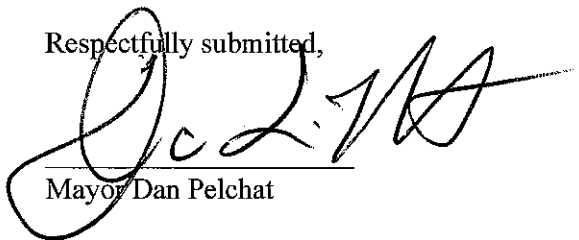
CM 9-9-19 MOTION TO ADJOURN

Motion by Kurtzweil, supported by Walton

Motion to adjourn meeting at 9:06 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,



Mayor Dan Pelchat



Clerk/Treasurer Lisa Deaton