

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
February 26, 2018

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; Kivell, Kennedy, Kurtzweil, Parisien, Richards and Walton
Also present: Chief Collins, Attorney Wilhelm, Department Head Boven, Fire Chief Vogel and Clerk Deaton

MINUTES

Councilmember Kivell stated on page 10 the word gleam needs to be changed to glean. He further stated on page 11 the word stakes, should be changed to straits. He then stated on page 15 the word compromising should be changed to uncompromising. Councilmember Parisien stated on page 7 the word back should be changed to bank. She further stated on page 8 the sentence should state without Council's involvement, not with. Councilmember Kurtzweil asked if there were any off-record changes made. Clerk Deaton stated no. Councilmember Richards stated on page 11, the words 13,200 volts should be added. Councilmember Kennedy stated on page 11, the word personal should be changed to personnel.

CM 2-1-18 MOTION TO APPROVE THE MINUTES AS AMENDED

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

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- NONE

AGENDA

Councilmember Kivell stated there is thin documentation regarding the 3 entries Mr. Richards added, is there a possibility we could do this at a later time when more information can be provided.
Councilmember Richards stated he plans on this being discussion items.

CM 2-2-18 MOTION TO APPROVE AGENDA AS PRESENTED

Motion by Kivell, supported by Parisien
Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Randy Clark stated he is the President of the Board of Education. He also has Laura Hewitt with him and she will be reading a prepared statement. Ms. Hewitt read the last several weeks have been a rough time for our country, students and educators. She thanked everyone for their support of the South Lyon School District. Onsite presence of a police officer added comfort to our community. She stated in 2017 South Lyon Board of Education approved a budget of having one police officer at South Lyon High School and South Lyon East with shared financial responsibility with Lyon Township and the City of South Lyon. Immediately there was an Oakland County Deputy placed at South Lyon East. Feedback from staff,

administration and parents have been nothing but positive. We owe the same to the staff and students at South Lyon High School. She stated they are here tonight to inform Council the South Lyon Board of Education have solicited assistance with Lyon Township to move forward with having a full time Oakland County Sheriff Deputy at South Lyon High School effective March 1st and we ask for support regarding jurisdiction and financial support as well. Mr. Clark stated we understand the situation the City is in, and we do certainly appreciate all the support that the South Lyon Police Department has given to the schools and we hope to work in the same manner moving forward.

Mike Horlocker of 223 E Lake Street and the pastor of the First Presbyterian Church. He stated earlier today, his daughter was in a lock down in the South Lyon High School. He further stated his daughter couldn't reach him because there are dead zones in the High School. He stated there are multiple dead zones, the commons area, the Chinese classroom, hallways near lockers that are dead zones. He wants the school board to do an investigation and fix it. He stated kids and parents are scared. He further stated for this Council he thinks it is wonderful that Lyon Township is going to flip the bill for the City, but it sucks they have to. He stated kids are afraid.

Ryan Lare of 716 Grand Court read the attached letter into the official minutes.

He stated he is here tonight to discuss a matter that he has since learned since the last meeting. He learned that a CLEMIS report was requested by Councilmember Parisien on Joyce Clohosey a public citizen, not currently in public office. He stated she had no intention of accepting Joyce as a candidate before the interview process even started as this is indicated in her emails to Glenn Kivell, she did not disclose to Mayor or Council of her filing or what she had in her possession prior to the interview. He further stated she did not disclose this to Joyce. He stated he has filed an attorney grievance with the Michigan attorney grievance commission for her actions on Council. He has asked for a full investigation on her conduct for the full time she has been on Council for Ethics violations. He further stated ethically it is his opinion a full investigation should be conducted by an outside firm of Johnson Rossetti due to a conflict of interest. He stated he is also requesting Councilmember Parisien to be suspended without pay until the investigation is completed. He then stated he hopes someday Councilmember Mary will take some responsibility for your actions because up to now she has attacked 2 public citizens and showed no remorse.

Joyce Clohosey stated she wanted to thank everyone that came out last week and this week as well in support of her. She then read a letter to Council. (See attachment) She stated she has been over-whelmed by the number of people and organizations that have come out to demand accountability from the City of South Lyon in terms of a formal apology to the community and undergoing training to update the city government on civil rights and practices. She then thanked the ACLU, Mothering Justice, Kathleen Nortonstock, Julia Pulver, Haley Stevens, and many others. She also thanked Mark Cavitt who covered this more than she could have expected as well as Channel 7. There are many more, but these are a few Council may find interesting. It is shocking that if the community is not adequate to show Council they are on the wrong side of history and in desperate need of training, you would think the opinion of these prominent people has not moved them to action. It shows City Council think they are beyond reproach. She stated herself and many others are still following this issue and are curious for how long the Mayor and the majority of Council to show they value civil rights laws in a meaningful way. If they are not even willing to undergo most likely some mediocre training of their own discretions, it is difficult to see they are taking this seriously, even in light of the fact they are now the subject of an active case with the Michigan Department of Civil Rights. She stated the State is knocking and Mayor Pelchat should move the City into the mid 1960's maybe the 1970's. Ms. Clohosey then read an email that was sent to

Councilmember Glenn Kivell, she stated she doesn't know this person and she won't reveal her name for her privacy, but she feels the response she received from Councilmember Kivell is intriguing. She then quoted from the email "You are the only one of the 3 male city council members with your email address online. I am appalled at the line of questioning from City Councilman Carl Richards to candidate Joyce Clohosey. In this political environment with poor examples popping up daily and continued uncovering of abuse and discrimination there is a need for men to stand up for these injustices. You didn't do that tonight. I certainly hope that as a fellow council member going forward that you stand up to bully cowards like Carl Richards. You must have a difficult job - I will keep you in my prayers." She then quoted part of Councilmember Kivell's response to the email. She quoted "I have to accept your evaluation of Mr. Richards inartful questions of Mrs. Clohosey as appalling to you. I would imagine you aren't very familiar with Mr. Richards because although I would call his questions unfortunate and irrelevant, I couldn't call them appalling because that would inherently assume they were meant to be demeaning or disrespectful and Carl is not a mean-spirited man. I got the impression he was trying to assess Mrs. Clohosey's schedule availability even after she had just explained she can accommodate making meetings with forewarning of the schedule. I was equally surprised why Carl would ask Bill Powell if he still lives with his mother even though Bill is a grown man with a wife and children and figure only heaven knows. I can assure you Carl is not a bully coward. He is a kind, caring man that wants to help improve his community but is not, in my opinion, equal to the task." Ms. Clohosey stated equal to the task, who are you to decide who is equal to the task again. This is an elected Council, this is not a social club. Now for them to seek stalking behavior and leveraging Police for information. Carl Richards came in a close 2nd to you in the Election and as you stated in your email to Mary Parisien, now we can move forward and make decisions now that Mr. Kennedy is seated. She then quoted from the email again, "he was recruited and his campaign was supported by people on city council that expected him to be easy to get to vote as he was told to empower themselves by creating a majority. Not because they saw him being a strong leader with ideas to move the city in a better direction. Carl was elected by people in the city that had no idea who he was or what he stood for, but because of the endorsement of manipulative people they trusted on City Council." That is a comment from a seated City Councilmember. Ms. Clohosey stated Mr. Kivell wasn't exactly honest with this person, Carl voted for your motion, yet you failed to mention it. It is interesting you are derogatory of Mr. Richards abilities but yet his vote allowed your candidate to be elected. It is a very small pool of voters, don't get too arrogant. The people you are insulting are a lot of your own supporters. She then quoted from the email again "I have a long history of standing up to bullies and I will continue to do so but, Carl is not one of them. He is simply a man in a role that exceeds his skill sets. I appreciate you reaching out to me. We may not agree on this subject but, I felt it was important to give you my observations and to suggest there are often at least two sides to a story." Ms. Clohosey stated your characterization of Mr. Richards doesn't reflect badly on him, it reflects badly of you. She stated this is bullying, bullying is degrading someone as you're doing with Mr. Richards in this email. This reflects badly on you, not Mr. Richards. She stated yourself and the majority of Council cannot even condescend to agree you need training on civil rights matters as Mr. Richards brought to your attention, perhaps inadvertently. You hold apparently everyone in low regard. You said I am not a good fit for your board in an email. Mr. Richards, the voters, the only one you seem to have any regard for is Mary who has the police run criminal searches on my background which feels a lot like being stalked to dig for dirt and screams I am a liar. We see what kind of character you like. I imagine Mr. Richards has not seen this email before but I am sure he's found it revelatory and amusing that while you find him so inadequate you all are sharing the same council table. I repeat this is an elected Council. I am certainly not here to defend Mr. Richards but to share this communication to show how deep the discrimination and lack of respect for the voting population goes in this City. Perhaps once the majority

of council and the Mayor are unable to get their own house in order and that's what is preventing from moving forward into the middle of the last century with regard to civil rights.

Charles Duty of Hillcrest Road of Northville stated he is here to speak to the issue and concern of the question, do you have any personal relationships with anyone on Council which was only asked of the 2 female applicants asked by Councilmember Parisien. He stated being an openly gay male, he has had many job interviews and conducted many job interviews. He can assure people that the question was posed was designed to be a sexual orientation question. He has never been asked or asked that question. Very inappropriate, very discriminatory and very wrong. He further stated it is nobody's business what someone's personal business are. If you google the work personal the Webster dictionary quotes "of or concerning one's private life or emotions other than one's career or public life". He then stated this line of questioning was out of line, and with an underlying intent to disqualify Ms. Clohosey based on anything other than her qualifications to be seated at this table is unacceptable. To indicate to a candidate there are Facebook photos that indicate there is a personal relationship is wrong. To then file a freedom of information act on a CLEMIS report for only one candidate is wrong. It is apparent there was an attempt by Ms. Parisien to do nothing less than stop Joyce Clohosey and that is wrong. He is appalled to think that a qualifying factor in 2018 is his or her orientation. It is obvious that there was an intent to discredit and defame Ms. Clohosey, not on her qualifications, or her desire to help South Lyon for everyone, but because of who she has personal relationships with. What has happened here is wrong and another direct reflection of the Good ole boy network making decisions behind the scenes, then bringing those decisions to the table. He stated he is disgusted with her actions, perhaps she needs to be removed from her seat and replaced with someone that has a real desire to make South Lyon better to serve and serve more fairly. These questions regardless of who they are asked to, intimidates a variety of people, surely there isn't an intent here to include all. He hopes that is not the case. She didn't deserve that treatment. He further stated the objective is through teaching, education and change to make sure no other person will suffer at the hands of an elected public servant again. Mr. Duty stated he doesn't know the Mayor's knowledge of human resources, he does not know how involved he was in the questions, or how the process would take place. He stated he does know that the Mayor was elected to serve all residents of the City. He further stated the city code of South Lyon section 2.72 states "they are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office despite their personal considerations recognizing the public interest in their primary concern. Their conduct in official and private affairs should be above reproach." Mr. Duty stated Mary Parisien is not doing the City or Council any favors. It is a mistake this line of questioning was allowed. There is an opportunity for redemption, and put this behind us, forgiven, but never forgotten. He then stated he is asking for an independent investigation and Councilmember Parisien be suspended without pay. He then stated he wants to end with a quote by Elie Wiesel "take sides, neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented."

Mike Kramer of 963 Hidden Creek Drive stated he has some questions for the School Board. He asked if they know the cost of the SRO and if the School is going to pay for it. Mr. Clark suggested he ask those questions to the Superintendent. Mr. Kramer stated he recalls having that discussion when he was on Council. Mr. Kramer stated his son was part of the lockdown today as well, and he stated it would be nice if the school could find a way to notify the parents. Mr. Kramer stated it is amazing that the comments made by a Councilmember during the questioning of a potential city council candidate are no longer the focus and you are now focusing on attacking the whole board. He sat here today and hasn't heard one person calling for Councilmember Richards to resign. He hasn't heard anyone say Carl

Richards you asked the inappropriate questions, you should resign. He is hearing calls for resignations from Glenn, Mary, and the Mayor, so he wonders who is really running this.

OLD BUSINESS

1. Discussion- downtown

Mr. Donohue, the Economic and Downtown Director mentioned he has started the process to meet with the owners of the 5 problem buildings which are 110 Detroit, 111 and 113 N Lafayette, 450 N Lafayette, and 135 W Lake. He stated we have had a lot of good discussions with people interested in wine bars, women's clothing and antique business looking at our downtown. Mr. Donohue stated he was approached with 2 more restaurants that are interested and they are talking to the owners. He stated he will be giving the owners the names of the restaurants that are interested. Mayor Pelchat stated he heard KV Sports were moving in to the resale shop. Mr. Donohue stated he wasn't involved in that, but they will be moving in to that spot. He was told the lease rates are going up in Brookdale. Councilmember Kurtzweil stated she heard a modern furniture store is thinking about coming downtown. Mr. Donohue stated he hasn't spoken with anyone, but maybe they are dealing with the building owner directly.

2. GFL USA amendment and extension of solid waste contract

Attorney Wilhelm stated he has provided Council with an amendment and extension along with a letter from Mr. Csapo and Mr. Carmano. They were advised of the amendment and Mr. Csapo acted as facilitator and he indicated the last set of changes would be acceptable to him, but he hasn't heard from GFL. Councilmember Kennedy stated he has an issue with GFL offering to supply 2000 recycling carts for free, then any additional carts they will give to the city for \$75.00 per cart. He further stated if they can give 2000 carts for \$75.00 each, why can't they take the \$150,000 off the contract. Councilmember Richards stated he agrees with Councilmember Kennedy. He then stated who decided arbitrarily that in a City with a population of 11,000 they will give the carts to the first 2000 that apply, but then charge the City for \$75.00 per can. There is something funny about that, but if Council likes it, we should approve it. Councilmember Parisien stated on page 2 Section 2 3A. subsection B states granting a request for contract extension shall be at the sole discretion of the City and shall not be contestable or appealable. She asked if that raises a due process issue, if they can ask for an extension but we don't let them to appeal it, is that an issue. Attorney Wilhelm stated it keeps the City in control to extend it and you can send it out for bid. Councilmember Parisien stated 2 paragraphs down there is a grammatical change that needs to be made, the word to needs to be added to the paragraph in Section 3. Councilmember Kurtzweil stated with the respect to due process, that is a contractual element in the contract. Due process is normally found with criminal matters. When you are looking at a contract the due process can be bargained out. Councilmember Kurtzweil stated she would like to move that we postpone this and allow the City Attorney to address the issues brought up by Councilmembers Richards, Parisien and Kennedy. Attorney Wilhelm stated the concept is they are willing to provide the carts and it is worked into the cost, and then passed along to the City. Councilmember Kennedy stated he spoke with the City Clerk and this has not been done before, this would be a new effort to undertake. If the residents want it and they're not part of the 2000, they should deal with GFL. He then stated if they give out 2000 carts, he would like to see the addresses. Councilmember Kivell stated this is a contract between the City and GFL, not the residents. All these things being funneled through the City is prevalent. He asked if we have the ability to pass the contract with GFL's approval. Attorney Wilhelm stated he doesn't recommend approval with subject to GFL's approval. He stated he will look back at his notes regarding the costs of the recycling carts. He understands this a new service not currently provided to the City.

CM 2-3-18 MOTION TO POSTPONE TO NO LATER THAN THE FIRST MEETING IN APRIL

Motion by Kurtzweil, supported by Walton

Motion to postpone to no later than the first meeting in April for the City Attorney to address issues raised by Councilmember Richards, Parisien and Kennedy

VOTE: MOTION CARRIED UNANIMOUSLY

3. Ethics ordinance and amendment- first reading

Attorney Wilhelm stated this was originally drafted by Mr. Muskovitz and Council requested some changes in section 2.76. Mr. Muskovitz tried to match this to the statute that was applicable to public employees, and he wants to remind Council we have a Board of Ethics that isn't populated, that remains in place and there is a financial disclosure statement that goes into effect 20 days after this is adopted. He further stated the changes he made with respect to political activity is he separated it between public employees, appointed and elected officials. Elected officials will have to be compliant with the finance campaign finance act and not solicit employees to engage in campaign functions while at work unless they are made available to everyone. The employees are not supposed to be using city time or resources for any campaign activities but are free to do so on their own time. Councilmember Kennedy stated he had a question regarding section 6 where it states when a matter before Council involves an entity, property or issue in which a city official has a financial interest, or if a city official has a financial interest in the outcome of a matter before Council, the official must disclose the full nature of the extent of his or her interest on the record of the City prior to the action. He stated they are City residents and if they own homes, their decisions will affect their taxes, and if someone is a renter, that decision could affect their rent. Attorney Wilhelm stated the background to that is Council is required to adopt a budget and they are also required to live in the City but they apply to everyone in the City in the same fashion, he doesn't think that would apply. He stated it doesn't appear to be an ethics issue. He further stated he would like to outline the information between the first and second reading. Councilmember Kurtzweil stated she did some research on that. For instance, Gene Carrol is on the DDA so he has knowledge of information or access of where things are going, and he could possibly gain financially from any discussions regarding his plot of land that he owns downtown. That is where the direct financial benefit comes in. She further stated she does a lot of conflict of interest work and when she looked into this, when there is a broad base which is what Tim is speaking of, that is not the issue, the issue is when you bring it close to the individual and you have to disclose your financial interest. She further stated she can tell someone she has a conflict of interest, but not put anything else on the record. Her client's information is confidential, all you need to know is there is a conflict and she removes herself from the conversation. Attorney Wilhelm stated the question seems to be is if this is a step that we don't need to take, because if it's a tax millage that affects everyone. He then stated the other question is if this applies to the DDA who is a separate entity, but he will look into that as well. Councilmember Kivell stated he doesn't see any reason to put this off, it seems to be what we were looking to accomplish.

CM 2-4-18 MOTION TO APPROVE FIRST READING OF ORDINANCE AMENDING CITY'S ETHICS ORDINANCE

Motion by Kivell, supported by Kennedy

Motion to approve first reading of ordinance amending the City's ethics ordinance

VOTE: MOTION CARRIED- 2 OPPOSED

4. Review proposed fund balance policy

Councilmember Kurtzweil stated she asked for this to be added to the agenda, but she thought we would have had a budget workshop by now. She believes we should wait until the budget workshop so Plante Moran can have some input. Councilmember Kivell stated he would prefer to have a general conversation of the parameters he is seeing. He then stated he thought the City of Bridgeman's template was compatible to what he was hoping to see. He then stated that is the same template Lynne had chosen. He further stated the minimum fund balance should be either the 2 top taxpayers or a % designated by Council. He stated he checked with Lisa and she provided him with the top 2 taxpayers and the aggregate of them is approximately 14% of the expenditures. He thinks the number should be much higher than that. We routinely had a higher unrestricted fund balance so we could capitalize on grants and we would have match money. Councilmember Kivell stated he can't imagine there is a department that can't find some grants they need, and we will need to match. He thinks whatever % will make us viable to attend to some of the larger grants, especially with the parks. He doesn't want the City to have this huge pool of wealth we are just sitting on, but we are looking pretty long term on the capital improvement things we are looking to do.

CM 2-5-18 MOTION TO POSTPONE THE FUND BALANCE POLICY UNTIL THE FIRST BUDGET WORKSHOP IN MARCH

Motion by Kurtzweil, supported by Walton

Motion to postpone the fund balance policy until the first budget workshop meeting in March

VOTE: **MOTION CARRIED UNANIMOUSLY**

5. Council meeting conduct

Attorney Wilhelm stated he supplied the agenda note identifying factors may want to consider along with some samples of rules that other communities use. Mayor Pelchat stated there was a lot of information here and a lot of information from the surrounding communities and he was wondering if possibly we could put together a subcommittee to look at this. Councilmember Parisien stated she brought this forward, a subcommittee isn't a bad idea, she doesn't think this will be cut and dry, what about decorum, tone, and attacks. She stated she likes the Mayor having the ability to waive the time limit. She further stated some communities have the Clerk take the time, and if so, who does she give notice to the Mayor or the person speaking. Councilmember Kennedy stated we have public comment at the beginning of the meeting to speak of things not on the agenda, what we don't do is have a place for people to speak on agenda items. He further stated as a courtesy we could possibly have public comment at the end of the meeting as well. He would be ok with having a subcommittee draw a strawman to see what it would look like then discuss it. Councilmember Richards asked if a Councilmember wants to give his minutes to another Councilmember, can they do that. Councilmember Kurtzweil stated that is prohibited, you cannot pass your time on to someone else. Reason being you don't want any one particular person to monopolize the conversation. Councilmember Kennedy stated we are currently discussing public comment, not council comment. Councilmember Kivell stated the City of Albion has public comment at the beginning of the meeting regarding agenda items, which could become contentious, but at the same time we have people that live in this community and they don't have a way to weigh in. He would like to have that considered and we could always modify the rules if necessary. They also have public comment at the end of the meeting too for non-agenda items. Councilmember Parisien stated she would like to see this in effect sooner than later because residents don't get to speak their mind on agenda items. Attorney Wilhelm stated the first question would be how many councilmembers would like to be part of the committee.

Ms. Clohosey went to the microphone to discuss this agenda item. Mayor Pelchat stated she had a lengthy public comment earlier but he is going to ask her to move away from the microphone. Councilmember Kurtzweil asked why Ryan Cottingin was able to speak on an agenda item previously. Mayor Pelchat stated that is because Councilmember Kurtzweil asked him to wait to speak during the agenda item. Mayor Pelchat stated we are trying to find a way to bring more structure to these meetings. He further stated he sympathizes with the anger and frustration of people that want to speak. We are staying with the rules of the meetings. If this is something we want to add, this can be discussed, but until something is changed, public comment will be at the public comment and council comments will be during council comments.

Councilmember Parisien stated she would like to be on the committee. Councilmember Kivell stated whatever the subcommittee comes up with will be discussed and decided during an open public meeting. He further stated he doesn't see a value for the subcommittee. Mayor Pelchat stated that was just a suggestion. Councilmember Kivell stated maybe we should postpone this and give people time to read through everything and get ideas.

CM 2-6-18 MOTION TO POSTPONE UNTIL THE FIRST MEETING IN MARCH

Motion by Kivell, supported by Parisien

Motion to postpone to the first meeting in March

VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Resignations- Frank Fogarty from Zoning Board of Appeals, and Cheryl Wickham from DDA Board

CM 2-7-18 MOTION TO ACCEPT RESIGNATIONS

Motion by Kurtzweil, supported by Walton

Motion to accept resignations of Frank Fogarty from the Zoning Board of Appeals, and Cheryl Wickham from the DDA Board with thanks for their service

VOTE: MOTION CARRIED UNANIMOUSLY

2. Re-appointments of board and commission members:
 - a. Board of Review for 3-year term Frank Fogarty
 - b. Planning Commission reappointments for 3-year term: Jason Rose, Scott Lanam, Wayne Chubb
 - c. Cultural Arts Commission- 3-year term Josie Kearns
 - d. Zoning Board of Appeals- 3-year term Ron Morelli
 - e. Parks and Recreation Commission 3-year term- Rose Peruski and Erica Wilson
 - f. Historical Commission: 3-year term Norm Somers

CM 2-8-18 MOTION TO AFFIRM REAPPOINTMENTS

Motion by Kurtzweil, supported by Walton

Motion to affirm reappointments of Frank Fogarty- Board of Review, Jason Rose, Scott Lanam, Wayne Chubb- Planning Commission, Josie Kearns-Cultural Arts Commission, Ron Morell-

Zoning Board of Appeals, Rose Peruski, Erica Wilson- Parks and Recreation Committee, and ask the City Clerk to attach agenda note to the minutes with their terms

Councilmember Richards stated Norm Somers has moved out of the community and his seat has been replaced with Jim Race.

Councilmember Kurtzweil amended her motion to delete Norm Somers from the Historical Commission.

VOTE: MOTION CARRIED UNANIMOUSLY

3. Reappointments to DDA
 - a. Reappoint for 4-year term- Gene Carrol and Marsha Calus
 - b. Appoint for 4-year term Mark Childs

Councilmember Richards stated he is abstaining from this vote because he has a conflict of interest because he has done work for Gene Carrol before, and he doesn't know Marsha Calus.

CM 2-9-18 MOTION TO AFFIRM REAPPOINTMENT AND APPOINTMENT

Motion by Kurtzweil, supported by Walton

Motion to affirm reappointment of Gene Carrol, and Marsh Calus to the DDA and appoint Mark Childs

VOTE: MOTION CARRIED- 1 abstain

4. Zoning Ordinance Amendment to reduce the number of members- First Reading

Attorney Wilhelm stated this ordinance will reduce the number of members on the Zoning Board of Appeals from 7 to 5 which is authorized by the Michigan Planning and Zoning Act. He further stated he wanted to clarify, one member may also be a member of the Planning Commission and the City has done that for a number of years and it was required in the past, but that has been relaxed.

CM 2-10-18 MOTION TO APPROVE FIRST READING OF ZONING ORDINANCE AMENMENT

Motion by Kivell, supported by Walton

Motion to approve the first reading of Zoning Ordinance amendment

VOTE: MOTION CARRIED UNANIMOUSLY

5. National Main Street Conference in Kansas City, MO, March 25-28th- Attendance approval for Econ Dev & DDA Director

CM 2-11-18 MOTION TO APPROVE ATTENDANCE AND TRAVEL TO NATIONAL MAIN STREETS CONFERENCE

Motion by Parisien, supported by Kennedy

Motion to approve the attendance and travel in the amount of \$1,800, to the National Main Streets Conference in Kansas City, MO, March 25-28, 2018 for the Economic Development & DDA Director

VOTE: MOTION CARRIED UNANIMOUSLY

6. Capital Improvement Plan

Councilmember Parisien stated she has been working with Bob Donohue on this for the past few months. She further stated they have met with the Planning Commission, Parks and Recreation and the DDA. This is for the City to budget long term, 5-10 years. This will be specifically for infrastructure. She further stated one of our major issues is our streets, they are terrible. This plan will go towards our infrastructure which would include roads, and if a Police/Fire complex is ever built, the money would come from this budget. She further stated attached is an example of Dexter, Farmington and Farmington Hills. Most of the communities that are thriving have a capital improvement plan. Mr. Donohue stated it is important from an economic development aspect because a big question he gets from developers is how the roads are. He stated they ask about the water and sewer as well as the roads. He further stated this helps Council and all departments because if an issue comes up such as MERS, this is a better long-term picture for everyone to do their jobs better. He stated he differs from the Michigan Association of Planners because they think they should take the lead. He believes they should be involved, and it should be a partnership, but the City should take the lead.

Councilmember Kurtzweil stated the first person she knew that mentioned this was Jeff Potter, he was one of the best visionaries and the best Mayor we ever had. She stated John Doyle came after him, and he was also interested in doing long term planning. She stated she wonders if people would have listened to them, where this City would be now. She stated she has a stack of capital improvement plans, and you need to incorporate this with your budgeting. She further stated a capital improvement plan is what you pass out to taxpayers because your looking for a mill, so this could be your marketing brochure that you send out to citizens to get them on board. She will support this 100% but there has been resistance in the past. Mr. Donohue stated this is a good way to realize our master plan.

Councilmember Kennedy stated we talked about the need for infrastructure and he has talked about this previously. This goes beyond what you see in the community. This looks at what is involved with what happens behind the scenes that people only notice when something fails. He further stated this looks at the asset replacement plan as well. He stated it looks at evaluating all the equipment to evaluate when it has exceeded its life so you can budget for when that happens. He stated he has looked at different tools that are available to objectively determine your needs from your wants. He has given Council samples of risks assessments he has used in various industries. This truly needs to be in place, we need to look at our obligations to be prepared for the future. To do this effectively, it is a huge effort, but once you have it, all you have to do is update it. Department Head Boven stated the wastewater treatment plant already has an asset management plan. They are required to do so. They have 5 year-budget plans and we want to expound on those. He further stated we have a million-dollar budget in place, for one of the wells to be replaced and using drinking water revolving funds for that.

Councilmember Kivell stated he thinks Planning is critical to the process, but they shouldn't take the lead. He stated one of the things he thought was interesting was the idea this should be individual items, not reoccurring items. He further stated Farmington has a small amount of money for the roads, he thinks a dedicated road millage is more pertinent for our needs. HRC stated if we used the act 51 money, plus \$900,000 a year would keep us where we are at and stop the roads from degrading even more so. He further stated we are not going to get that kind of money from a CIP.

Councilmember Kurtzweil stated she understands the plan for the wastewater plant is required by the State. That is a critical point, it has been in place for a very long time. She recalls Mayor Doyle was attempting to extend the statutory requirements into the overall planning for the City and that is where he

was meeting with resistance. The problem is dealing with everyone else in the City that doesn't see the need, or the skill set to do so. She further stated the problem is if the State doesn't come in to tell the City what to do, the City doesn't do it. You have that plan in place because the State told them to, not because there was great leadership in that department.

Councilmember Richards stated the problem is this will put a lot of pressure on the Planning Commission. It requires a chairman and another alternate to work closely together for hours and he doesn't think they have the time, plus every department has to kick in on this. He further stated he knows the problems he and Dan had trying to get the Cable Commission up and running. He doesn't know if this will work. He then asked if we could review this in 6 months, then review again in a year. Mr. Donohue stated this is a sizable undertaking and this isn't for this year's budget. He further stated the Planner will be the facilitator, although it is a partnership, the City will be in control. Councilmember Parisien stated to move forward with this, she and Bob thought there could be a committee consisting of a representative from Parks and Recreation, DDA, the City Manager, a Councilmember and Planning. They could speak to priorities and ideas of what needs to be tended to first. She further stated Stephen has been passing along the SEMCOG emails and there is a training on March 15th that is specifically for this, how to get it started, and all the benefits that come with it. She stated she encourages anyone interested to attend, the more you understand it, the more attainable it is.

CM 2-12-18 MOTION TO APPROVE CIP PLAN

Motion by Parisien, supported by Kivell

Motion to move forward with implementing a CIP for next year

VOTE: MOTION CARRIED UNANIMOUSLY

7. Memorial Plaque for Wilber Beckstine

Councilmember Richards stated his intention is to bring this up as a discussion topic. He stated a memorial plaque for Wilber Beckstine, who most people haven't heard of. He stated his son worked with Tedd Wallace on the cable channel for many years. He further stated Wilber Beckstine did the community a tremendous service in 1954 or 1955. He organized Little League. He was dedicated to children. He didn't die under horrible circumstances, but he led a dedicated and memorable long life. He stated he was also a World War 2 veteran, he went in on the 3rd day at Normandy Beach and stayed until the end of the war. He worked at the tube mill and he worked in his father's department. He further stated he believes his 3 kids are still alive but they aren't all in this area. He told them if he ever made it to City Council he would propose a memorial plaque for their father. Councilmember Richards stated he spoke with the schools and they said he should have a plaque but he didn't qualify. He stated his family wouldn't necessarily want something as elaborate as a ball field named after him, but he would like a plaque in the Cemetery. He then stated he would like Council to review this at a later time. He then stated Mr. Beckstine was in the papers a lot 50 years ago. The 3 teams he started was starters, juniors and seniors, then he started adult teams. He further stated he also founded a tube mill team and they played all over. Mr. Beckstine did this with his own money, he raked the fields with his own tractor, bought the bases and from that humble beginning everything grew to what we have today. Councilmember Kivell stated he would suggest this be forwarded to the Parks and Recreation Commission, they can look at their policy for dedications. Councilmember Parisien asked if he wanted the City to pay for this plaque. She stated we can't use public funds for a private purpose. Councilmember Richards stated maybe we could take donations for it. He further stated there is a memorial plaque in the Police Station for a councilmember and staff for putting a new roof on it. Councilmember Kurtzweil asked if Attorney Wilhelm can look into

this because public funds were used for the memorial for Paul Baker Park as well as to memorialize the man that passed in the island where Tedd Wallace was.

8. Cemetery Commission

Councilmember Richards stated this is his concept that we should form a Cemetery Commission, it is long overdue and as long as it doesn't have anything to do with pricing, fees, sales or monuments it would be an attractive thing to bring people into the community. He stated he would help line it up the first year, then phase out of it. He further stated he would like this reviewed at a later date. He would like a 10-12-person commission, then drop it down to 6 the second year. He then stated there are a lot of things that can be added to the list. If the Cemetery Commission doesn't deal with funds, they can qualify for grants. He then stated Lynne did a good job putting together the pricing comparisons from our Cemetery to other cemeteries. He further stated they wouldn't have a budget to begin with, they would bring in their own money. He thinks it is a wonderful thing. If we could get some grant money, maybe we could fix the roads in the Cemetery.

Councilmember Kennedy stated you are looking for a 10-12-member board, have you asked people if they are interested, and seconded you want to pull broken stones, he is sure if the DPW knew about this, they would handle it. He suggested Councilmember Richards to discuss this Commission with the DPW Director to see what this will accomplish.

Councilmember Kurtzweil stated she knows there has been discussion on this matter, she understands why Councilmember Kennedy would like him to speak with the DPW Director regarding some of these things. She believes possibly Councilmember Richards should possibly have a sub-committee who are interested in these things. She further stated the DPW is responsible for the maintenance, some of these things aren't their responsibility. She has heard our Cemetery is not maintained well in terms of information, in terms of family members looking for plots and there are a lot of broken headstones. Councilmember Richards stated he has 16 empty spots at the Cemetery. He further stated he believes persons outside of the city limits that are part of a legacy would probably enjoy being a part of this. Councilmember Kivell stated he would like him to speak with Mr. Boven to see if you can work out some of the mechanics of this. He further stated the DPW will still have oversight on the maintenance. Councilmember Richards stated there is a Cemetery Perpetual Fund that has \$700,00 in it, at one time it was much lower in the past. Councilmember Kivell stated he would like him to consider having this be an advisory board and discuss this with Mr. Boven. Councilmember Richards stated his concept is this commission would not be an advisory board to the City Manager, but it would have a degree of autonomy. He stated his concept of the Commission will be for them to be able to form cottage industries and generate its own money, no city money involved the first year. Councilmember Kennedy stated the thrust is if Councilmember Richards thinks that would give him enough time to gather more information. He further stated possibly he should explore the possibility that this could be a small work group, or an eagle scout project. These are just suggestions.

CM 2-13-18 MOTION TO POSTPONE TO A FUTURE MEETING

Motion by Walton, supported by Kurtzweil

Motion to postpone to the first meeting in May

VOTE: MOTION CARRIED- 2 OPPOSED

9. Review of Planning Commission

Councilmember Richards stated we can delay this to another meeting.

CM 2-14-18 MOTION TO POSTPONE TO THE LAST MEETING IN APRIL

Motion by Kurtzweil, supported by Walton

Motion to postpone to the last meeting in April

VOTE: MOTION CARRIED UNANIMOUSLY

BUDGET

Councilmember Kurtzweil stated she wants to make sure everyone understands; the bookkeeper got a 3% raise in July of last year. She then asked if that raise was based on an evaluation. Chief Collins stated he was not personally involved with that raise, so he doesn't know. She further she received another 3% raise in January. Her question is, is it anticipated this person will receive a raise again in July, which would then the total her raise in 1 year would be 9%. Chief Collins stated that will be decided at that time. Councilmember Kurtzweil stated not many employees in the City has ever been given a 6% raise. There are a lot of employees that are doing things they weren't hired to do and none of them asked for a raise. This is festering with the employees and they are upset about this. This is a lot of money to give to someone. She stated her husband hasn't gotten a raise in 2 years.

Councilmember Kurtzweil stated she has some information that she wants to be part of the minutes. It is a really good article regarding pension debt.

Councilmember Kurtzweil asked Chief Collins about the write off of \$50,000. Chief Collins stated he has a statement about that for the Manager's report.

Councilmember Walton asked if South Lyon Recreation is moving outside of the City. Chief Collins stated they have a meeting on the 28th and they are supposed to let him know then. He spoke with Amy Allen about the rent, they pay less than \$1,000 for the building they rent from the City, and the Duncan Building they are considering is \$5,000 a month. He further stated Amy Allen assured him they have the money to pay the rent for the next 5 years at the new building. Chief Collins stated they are looking at a contract for that building and they will let Chief Collins know after their meeting on the 28th. Councilmember Kurtzweil stated she has to disqualify herself from this conversation because she has a conflict.

MANAGER'S REPORT

Chief Collins stated the Witches Hat annual St. Patrick's Day party is Saturday March 17th from noon until midnight. The Police and Fire Department have both reviewed and approved their application for outdoor service.

Chief Collins stated he discovered billing and accounting issues regarding consulting charges such as planning, engineering and legal. City Code Chapter 2, Article 8, section 2-301 mandates review fee escrow deposits. He stated it appears processes weren't previously fully implemented to comply with the ordinance which would cover fees paid by the City that should have been charged to those escrow accounts. Accounting records indicate that as of June 30, 2016 there was \$50,000 in review fees that were written off as uncollectable. He further stated currently there is \$38,406 in consultant fees that have yet to be invoiced for recent or current projects. He stated he is taking action to ensure that appropriate

processes are put in place regarding charges against fee escrow accounts. Chief Collins stated he selected Department Head Boven to attend a 2-day training session conducted by SEMCOG on grant writing. He further stated the \$445.00 cost will be covered by a SEMCOG scholarship which was arranged by Councilmembers Kennedy and Kurtzweil. Once trained he can check and apply for available grants. Additionally, he will forward other grant information to the Interim City Manager who will then assign follow up to the appropriate individuals. Councilmember Kivell stated he hopes after the training we can compare SEMCOG's access to the commercial company that we have been paying and had no benefit from. Chief Collins stated he came in on Saturday and completed and submitted a rap grant through the MMRMA which will cover 50% of the cost of the recently approved Supervisory Control and Data Acquisition System with the potential of receiving \$14,000 for reimbursement.

Councilmember Parisien stated she had people reach out to her regarding the SRO in light of the things that have happened recently. She had asked last year to have an SRO in the South Lyon High School as South Lyon East has one. Chief Collins stated our community is the only Police Department that provides the level of service to the school district that we do. We have uniformed officers at the schools during arrival and dismissal times, we do at least one walk through for each school every day and random walk throughs along with a very fast response time which was evident with the system malfunction, unplanned lock down at South Lyon High School today. We had to do a room by room clearance because the school district couldn't identify the cause. There is a very high level of service already provided. When Council discussed this previously he spoke favorably on having an SRO in the South Lyon High School, unfortunately the finances and the schools being unwilling to budge on what they wanted to pay which was significantly lower than what that officer would cost. He further stated he was ambushed tonight, it is unfortunate, he doesn't know when this meeting took place, but he would think the School district would have extended the courtesy to speak to them first and to City Council asking if we can talk about this again, not coming in and saying this is how it is going to be. Councilmember Parisien asked if it would behoove them to reach out to the school district. It needs to be discussed with Lyon Township and the School District as well. Chief Collins stated he thinks that would be very appropriate.

Councilmember Kurtzweil stated the School District is responsible for the children, their care and their welfare. She doesn't know what has been going on, she heard this for the first time tonight, and it sounds like they made a decision and that is their prerogative. It is their decision on how they protect their children. They were elected to take care of the children. They should be permitted to make the decisions for the welfare of the children they are responsible for. She can only imagine the emails they have been getting. She stated if you have a problem with an Oakland County Sheriff at South Lyon High School, check the ego at the door. Because someone is willing to step forward and pick up the tab for 2 months, she can live with that. We haven't even had a budget meeting yet, not until March 28th. We should wait until we work on the budget then see what money we have to deal with and find out where we will be next year and to sit here and accuse someone for solving a problem, she has a problem with that.

Councilmember Kurtzweil stated she attended a meeting with Steve and a SEMCOG representative and guess what is in their brochure, government effectiveness and collaboration, leverage shared resources with neighboring communities, but we don't do that. The history of this City is we alienate all our neighbors and no one wants to help the City. She further stated we don't even have a City Manager and for someone to get upset because someone had some foresight to say enough is enough, get a resource officer in and we can deal with it in June. She stated she will call the school board tomorrow to find out what happened, but they have the legal responsibility to take care of those kids. For now, it sounds like

someone is starting on March 1st and she would not stand in the way of that happening. Chief Collins stated collaboration is a two-way street.

Councilmember Richards asked if Chief Collins will ever find out how this could have gone on for years with no one accounting for the money. Chief Collins stated he spoke with the zoning administrator and the administrative assistant, the City Manager never directed anyone to do the billing.

Councilmember Kurtzweil stated she read the ordinance, and it states the City shall maintain the records of escrow deposits and balances and shall authorize disbursement. That seems to be an accounting function. She stated who is authorized for write off's, especially \$50,000. Chief Collins stated there were spreadsheets being maintained. Councilmember Kurtzweil asked who in the City would have the capability of doing the billing. Chief Collins stated whomever was directed to do so by the City Manager, such as the administrative assistant, the zoning administrator or the bookkeeper, but we aren't throwing her under the bus because she wasn't directed to do so. She further stated this is the problem in this City. A current labor force doesn't sit there and say I am only supposed to do this. The 21st century labor force has to have broad based skills to pitch in and do what needs to be done, she doesn't how anyone could sit on \$50,000 without raising the flag and ask what to do with this money. Chief Collins stated he did let Council know as soon as he found out about it.

Councilmember Kurtzweil asked how many hours he is spending at City Hall. Chief Collins stated the majority of his time is being spent at City Hall, on top of coming in at 7 every day and not leaving City Hall until after 5:00. Councilmember Kurtzweil asked if there was an incidence last week at City Hall with a resident and a threat. Mayor Pelchat stated he may have heard something about that. Chief Collins stated it was a billing issue, and he stood by when the resident came back. Councilmember Kurtzweil stated she would like to know if an employee is being threatened. Chief Collins stated it wasn't a threat and if Council directs him to do so, he will.

Councilmember Walton stated there are 2 businesses that closed and she asked if we received resignations from them for the DDA. Chief Collins stated Mr. Donohue stated he has received one so far.

COUNCIL COMMENTS

Councilmember Kivell stated he is disappointed the School Board backed out of the Safe Routes to School program, not that time the City and Township to both go through the bid process to find out the cost of things that had been formulated to provide the Safe Routes for kids to get from their homes to the schools. He further stated it seems that once the school board were able to get their traffic light so they can have more of a scheduled and reliable scheduling of their transportation they seem to have lost interest in carrying their weight. After the City, the Township and RCOC provided their chunk of the money, we will still have kids walking in the street walking to school along with people driving down the street. It is very disappointing, it is hard to believe they would allocate funds for what was supposed to be their chunk of the Safe Routes to School program. He hopes they reconsider.

Councilmember Richards stated the way he understands it, they were mandated to put up a bridge that would have cost a million and a half. Councilmember Kivell stated that was the City's part and it was pulled from the table. Councilmember Richards stated he wanted to thank the Police, Fire and DPW for getting everyone through the snowstorm.

Councilmember Kennedy stated he and Councilmember Kurtzweil met with a SEMCOG representative and he made them aware of many different classes and materials the City can make use of. He further stated there is a number of opportunities and he will be attending a training session this week. They also have a quarterly publication that highlights things that are happening in various cities and Councilmember

Kurtzweil mentioned the South Lyon Hotel may be a good idea for an article. He stated they also went to the South Lyon Hotel and Cory was able to speak with the representative and showed him around and highlighted the community participation that happened during the rebuilding process and he hopes they will return and feature the Hotel in the publication.

Councilmember Kurtzweil stated she wanted to thank Councilmember Kennedy for attending the SEMCOG workshop. What is important to her is how the information from SEMCOG wasn't getting to Council. She further stated there was no communication from management. This is a valuable organization. Hopefully we can reset the button and get to where most communities are and to be very active with SEMCOG.

Councilmember Kurtzweil stated she will be contacting the School Board tomorrow and she wants to thank everyone that was working behind the scenes and Lyon Township as well for stepping forward and thinking about the community as a whole. She further stated South Lyon has issues and we are rebuilding and stabilizing every fiscal quarter but we have a long way to go. The leadership that was shown by Lyon Township should be commended not criticized. It should be welcomed and all of us should be following in their footsteps and that includes Salem, Green Oak Township and Northfield Township should step up in assisting with children's safety. She stated it is time to start cooperating regionally.

Councilmember Kurtzweil stated she is surprised that Chief is spending so much time at City Hall. She stated she would like an agenda item at the next Council Meeting to discuss finding a more permanent interim City Manager that can spend between 50-60 hours to focus on City issues and someone with a good background in labor and employment. She further stated it is not a secret the City Manager may not be back until June.

Councilmember Kurtzweil stated she would like an agenda item for some time in May for a seminar for all employees, officials and commission members that include understanding the 21st century requirements of a modern labor force. Including dealing with discrimination, and understanding how you interview. The time has come and we need to move forward and deal with the issue. It does a disservice to the City sitting here knowing this has never been done before. We need to move forward with this training so when issues start coming from the Department of Civil Rights, we can show we are a responsible organization and that we took steps to train our workforce, instead of waiting for the State to tell us what to do. It will show the City is moving forward with affirmative action. Get the training in and have a seminar and talk about employment files, records and personnel evaluations that should not be discussed with Councilmembers. We all need some help, we have to move on this. Start dealing with this. She sat here 3 meetings ago, and an employee didn't even know we have an ethics ordinance, and everyone needs to because there has been an ethic violation.

Councilmember Parisien stated there is going to be a K9 veterans event on April 28th. It will be a good event, we will be able to hear stories of our K9 heroes and it will be April 28th at noon at the war memorial. She stated there is another event coming up which is the Walk, Wag and run, it could be a 1 mile walk if you're not interested in running and it is May 19th in Rolling Hills Park and it benefits the homeless, abused animals and the money goes to Huron Valley Humane Society.

Councilmember Parisien stated there are vacant seats on Parks and Recreation, Board of Ethics, Cable Commission and DDA. She thinks we should do something other than just announcing it during the

meetings. Do we need to go on Facebook? We need more participation and have to have those vacancies filled.

Councilmember Parisien thanked the Police Department for all they did today, and she saw on Facebook within a half hour of when the event happened. She thanked Chief Collins for all he is doing, it is a lot being the Police Chief and as acting Interim City Manager.

Councilmember Parisien asked if Chief Collins could keep Council posted if he has a meeting with the schools or township regarding the SRO.

Councilmember Parisien thanked Steve for the information he has been sharing from SEMCOG.

Councilmember Parisien thanked all the speakers that came out today, good, bad or ugly, it is important and she appreciates their time.

Councilmember Walton stated she wanted to thank Mike for his service and he is doing a great job and she is hearing good things about him.

Councilmember Walton stated there are a few events in town she wants to highlight, such as the Marvel Movie Black Panther at the South Lyon movie theatre she suggested people should go down and see a movie and have dinner.

Councilmember Walton stated the Salem South Lyon Library has many wonderful activities and she really likes their slogan, "imagine the possibilities".

She then thanked the School Board for addressing the SRO issue and getting someone in there to make the students and parents feel comfortable, which is most important.

Mayor Pelchat stated he wanted to reiterate what Councilmember Parisien mentioned, we have a lot of seats vacant on the commissions and boards. There is information in City Hall, there is information on the website. Some boards you don't have to be a city resident.

Mayor Pelchat stated he is a huge fan of the Winter Olympics, and he wanted to congratulate the USA women's hockey team for taking the gold and as well as our good friend on the men's curling team who won the gold for the first time.

Mayor Pelchat stated he finally made it to meet to Sayre and Brummer to meet with the secondgraders and they sent him a bunch of pictures, and there is a real ground swell for a dog park, then a cat park as well. He wanted to thank all the second graders he met with, they had many great questions.

ADJOURNMENT

CM 2-15-18 MOTION TO ADJOURN

Motion by Walton, supported by Kurtzweil

Motion to adjourn meeting at 10:20 p.m.

VOTE:

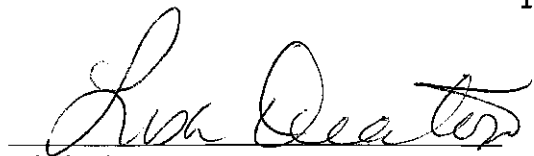
MOTION CARRIED UNANIMOUSLY

Respectfully submitted

2-26-28



Mayor Dan Pelchat



Clerk Lisa Deaton

Hi Good Evening Mayor and Council

Ryan Lare 716 Grand Court

I am here tonight to discuss a matter that I have since learned since I was at the last City Council Meeting I have learned that a Clemis report was requested by Councilwoman Mary Parisian on Joyce Closhosey a Public Citizen not currently in public office why was this done by you Mary you had no intention on accepting Joyce as a candidate before the interview process even started as this is indicated in your emails to Glenn Kivell you did not disclose to the Mayor or Council of your filing or what you had in your possession prior to the interview you also did not disclose this to Joyce Closhosey when you apply for a position it clearly states you must go thru a background check a background check was not required to obtain the seat of Joe Ryzi and you only filed against 1 candidate nobody else, are you stalking Joyce because your behavior clearly indicates a person with some very serious problems.

2. I have filed an attorney Grievance with the Michigan attorney grievance commission for your actions on council I have asked them to do a full investigation on your conduct for the full time you have been on council for Ethics violations you took an oath to conduct yourself Ethically it is my opinion that you have not done that in this case, I am also requesting that a full investigation be conducted by council for Ethics violations pertaining to the City Charter and City Code and needs to be conducted outside of Johnson and Rossetti due to a conflict of Interest in this case I am also requesting that Councilwoman Mary needs to be suspended without pay until this investigation is complete if the investigation concludes no ethics were violated then her pay should be restored at Council's Discretion.

I hope someday councilwoman Mary you will take some responsibility for your actions because up to now you have attacked 2 public Citizens and have showed no remorse that to me tells me a lot about your character and unbecoming of a newly elected lawyer of the mi bar.

Thank you for time tonight.

My name is Joyce Clohosey. I would like to thank everyone who came out last week and this week as well, and everyone who has reached out with their support.

I've been overwhelmed by the number of people and organizations who have come out to also demand accountability from the City of South Lyon in terms of a formal apology to the community and undergoing training to update the City Government on old, basic civil rights laws and practices.

Some groups and people I'd like to thank in no particular order who have voiced their support are:

The ACLU

Mothering Justice

Kathleen Norton-Stock for bringing this to THOUSANDS of prominent linkedin and twitter followers nationally and internationally.

Julia Pulver Candidate for State Rep

Haley Stevens Candidate for US Congress

Jenny Byer

Julie Paquette

Lisa Riedel

Heather Bruegl

Joe Petrillo - Candidate for State Rep

Vanessa Torres

Jim Ananich – Senate Democratic Leader

Erika Geiss – State Representative

AND

Mark Cavitt - from the Oakland Press for covering this story more than I could have possibly expected.

Channel 7 for covering this.

There are MANY More but these were a few the majority of council may find interesting.

It is SHOCKING that if the community is not adequate to compel the majority of council to think they are on the wrong side of history and desperately need training, that even the opinion of these prominent people has not moved them to action. They apparently continue to feel they are beyond reproach.

Myself and many others are continuing to follow this issue and are curious how long it will take for the mayor and majority of council to show they value civil rights laws in a meaningful way. IF they are not even willing to undergo some most likely mediocre training of their own discretion it's difficult to be convinced they're yet taking this seriously even in light of that fact they are now the subject of an active case with the Michigan Department of Civil Rights. That's right the State of Michigan is knocking Dan Pelchat, least your city into the 1960s or 70's anytime now.

I'll move on now to a specific example of a citizen reproaching council for their behavior they I obtained legitimately via FOIA. I don't know the person who submitted and I won't share their name for their privacy but I think the Response they received from Councilman Kivell is intriguing:

It states:

READ CITIZEN LETTER

1.

Not equal to the task? Who are you to decide who is equal to the task AGAIN Glenn? This is an ELECTED COUNCIL. It is not a social club for Glenn Kivell and Mary Parisian to seat as they see fit as with Mr Kennedy (Sorry Steven, you seem like a reasonable man perhaps knowingly or unknowingly caught up in this situation) anyways not for them to seat via stalking behaviors and leveraging the police for the information.

Carl Richards came in a close SECOND to you Glenn in the ELECTION. Sorry you and Mary didn't get to hand pick him. But as you stated in your email to Mary Parisian (also obtained via FOIA) you are now "free to make fair decisions" now that Mr. Kennedy is seated. I assume you and Mary are the ones who will be defining what "fair" means as you've made it clear in this email the voters choices don't mean squat to you and they don't know what they're doing.

{{BACK TO LETTER}}

2. You aren't exactly honest to this person who wrote in. Perhaps you forgot Glenn and you surely didn't mention it that Carl's vote served you very well at the interview as Carl voted FOR your motion to seat your choice Mr. Kennedy. It's interesting that you would fail to mention to this person that you were the majority that Carl was voting with that night. That is strange you wouldn't mention that as it seems very relevant. It is interesting you are so derogatory of Mr. Richards abilities but yet his vote directly allowed you to seat your applicant. VERY MANY of the same people who voted for you voted for Carl and for you to disparage them as ill informed it's inaccurate in my opinion. It's a very small pool of voters so don't get too arrogant. The people you're insulting in this email are a lot of your OWN supporters. Well maybe some of them won't be after hearing that.

3. Your characterization of Mr. Richards as a man who's roll exceeds his skills does not reflect ill on Mr Richards. IT reflects negatively on you. Only yourself and the majority of council as you've forgotten the voters elected him. It wasn't for you and Mary or anyone else on council to decide. This IS bullying Glenn. Bullying is degrading someone as you're doing with Mr. Richards in this email. You're lying to yourself thinking you're someone who stands up to bullying when you're bullying in this publicly available email. Yourself and the majority of council cannot even condescend to agree you need training on civil rights matters as Mr Richards brought to our attention perhaps inadvertently. You hold apparently everyone in low regard. Me (you said I'm "not a good fit for your board" in an email) Mr. Richards, the Voters...the only one you seem to have any regard for is Mary who has the police run criminal searches on my background which feels a lot like being stalked to dig for dirt and screams I'm a liar. We see what kind of character you like. I imagine Mr Richards has not seen this email before but I'm sure he's found it revelatory and amusing that while you find him so inadequate you all are sharing the same council table. I repeat this is an elected council.

I'm certainly not here to defend Mr. Richards but to share this communication to show HOW DEEP the discrimination and lack of respect for the voting population goes in this city.

Perhaps once the majority of council and the mayor are unable to get their own house in order and that's what is preventing from moving forward into the middle of the last century with regard to civil rights.

AGENDA NOTE

New Business: Item #

MEETING DATE: February 26, 2018

PERSON PLACING ITEM ON AGENDA: Mayor Pelchat

AGENDA TOPIC: Re-Appointments

EXPLANATION OF TOPIC: In March of each year, the staggered terms of the various boards and commissions members expire.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: N/A

POSSIBLE COURSES OF ACTION: Affirm/Not Affirm the re-appointments made by Mayor Pelchat

RECOMMENDATION: Affirm the re-appointments made by Mayor Pelchat

SUGGESTED MOTION: Moved by, _____ seconded by, _____ To affirm the re-appointments made by Mayor Pelchat of the following:

Frank Fogarty	Board of Review	3-year term, expires March 2021
Jason Rose	Planning Commission	3-year term, expires March 2021
Scott Lanam	Planning Commission	3-year term, expires March 2021
Wayne Chubb	Planning Commission	3-year term, expires March 2021
Josie Kerns	Cultural Arts Commission	3-year term, expires March 2021
Ron Morelli	Zoning Board of Appeals	3-year term, expires March 2021
Rose Peruski	Parks and Recreation	3-year term, expires March 2021
Erica Wilson	Parks and Recreation	3-year term, expires March 2021
Norm Somers	Historical Commission	3-year term, expires March 2021

Public Sector

Chaos in Traverse City, as county government wrestles with pension debt



The seven-member Grand Traverse County Board of Commissioners may have a tough time selling the job of county administrator to potential applicants, despite the high pay.

 February 20, 2018

 Bob Campbell

 Public Sector

SHARE THIS ON



TRAVERSE CITY—You’d think running a county government in the nation’s cherry capital would be like a bowl of cherries.

After all, Grand Traverse County is Michigan’s third-fastest growing county – a destination for risk-taking entrepreneurs, well-heeled retirees and more than 3 million visitors annually. In 2016, Forbes magazine called Traverse City, the county seat, one of the nation’s top 25 places to retire, citing its lifestyle amenities. And as of October, a newcomer complaint – “Where’s the Costco?” – was resolved. (It’s next to the airport.)

MORE COVERAGE

- [Michigan cities and counties haunted by retiree liabilities](#)
- [In Michigan, more than 150 communities are financially distressed](#)
- [Fending off state, cities vow to rein in retiree benefits costs](#)

But kudos have been less generous for Grand Traverse government. Since 2015, the county has seen an avalanche of firings and resignations, new get-tough fiscal policies followed by sharp reversals, and proclamations ranging from “all is well” to “bankruptcy is nigh.”

The latest flashpoint was the dramatic resignation in January of County Administrator Vicki Uppal after just four months on the job. She cited an

unspecified family matter, before hightailing it back to Mississippi the next day. That forced Grand Traverse County commissioners to begin a search for their fourth county leader in just three years.



Vicki Uppal arrived in September as Grand Traverse County's third administrator in three years. She lasted four months.

Driving the chaos has been the county's sluggish response to a public pension funding crisis that by at least one measure was the worst among Michigan's 83 counties. By the time Grand Traverse took steps to reduce the pension shortfall, a political storm had engulfed county government.

The upheaval in picturesque Grand Traverse is sure to gain attention. But the crisis it faces on retiree benefits is hardly unique, and similar tensions are likely to play out in towns and counties across the state.

A task force reported to Gov. Rick Snyder last summer that Michigan's roughly 600 municipalities had incurred \$7.6 billion in unfunded pension debt and over \$10 billion in unfunded retiree health-care liability. In county governments, pensions are the bigger nut – accounting for \$5 billion in unfunded liabilities.

These so-called legacy costs spurred efforts by the Legislature to take tighter control of how cities and counties tackle retirement shortfalls. In December, Snyder signed watered-down legislation that allows local governments to continue to control how to reduce benefit costs, but required them to be more transparent about their fiscal health through new public reporting requirements (See county map).

Ranking the fiscal health of Michigan's 83 counties

A number of counties, including Grand Traverse, are struggling with public pension debt. But overall, northern Michigan counties tend to have better balance sheets, with less debt per capita and fewer long-term pension problems, according to financial data analyzed by the state treasury department. Several downstate counties, particularly in south-central Michigan, are not faring as well. **Click on a county to see how it ranks in different categories.**

County fiscal health

On debt, taxes and revenue

- BEST 20 COUNTIES
- SECOND 20
- NEXT 19
- BOTTOM 19
- NOT ENOUGH DATA TO RANK

Map by bridgemi-admin

   CARTO

Source: [Michigan Department of Treasury](#)

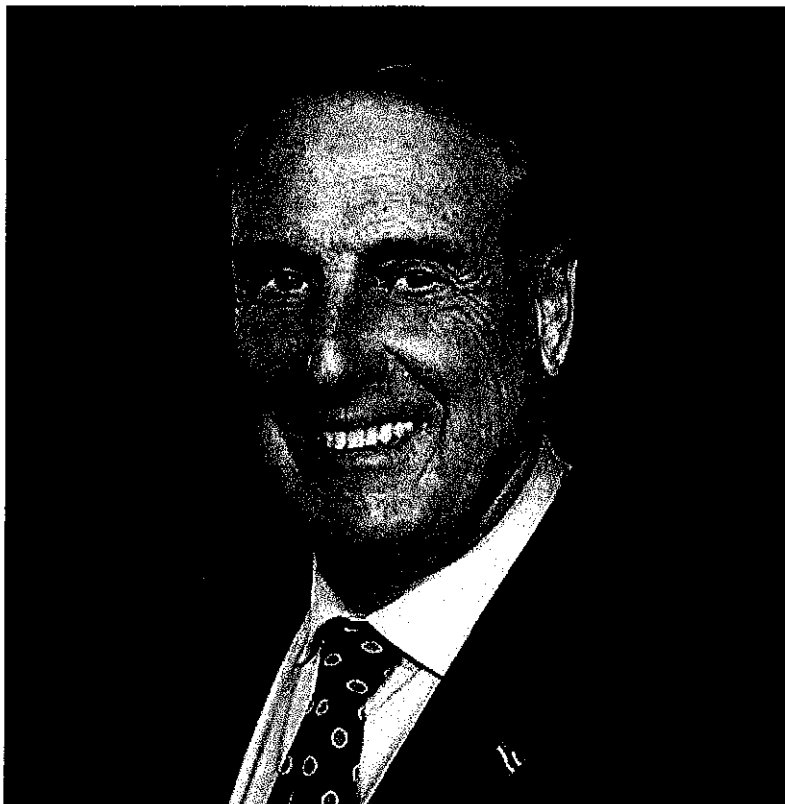
Several reasons are given for why retirement costs are difficult to manage, including: Government workers are living longer, which means they collect benefits for more years. Investment return estimates often proved too optimistic. And health-care costs were rising much faster than inflation.

Marty Dunham, who recently resigned as Grand Traverse County facilities director after 17 months, called the pension drama “the dark underbelly on the county’s glossy finish.”

A doomed effort

From 2009 through 2016, Grand Traverse funding for the defined pension plans it offered older workers (hired before 2000) and retirees shrank from 53 percent of assets needed to pay projected liabilities to just 45 percent – the lowest ratio of any Michigan county, and the only county under 50 percent.

In late 2015, Grand Traverse commissioners hired Tom Menzel, whose work to bring fiscal stability to the National Cherry Festival and Bay Area Transportation Authority had won praise, as county administrator. His prime directive was to reduce the pension debt, which would soon grow to \$54 million.



Tom Menzel took over as county administrator in November 2015 and took aggressive steps to rein in public pension retirement costs. That didn't go over well with county workers and some commissioners.

Menzel entered firing. He convinced the state administrator of municipal pensions to give the county more time to close the gap on pension funding. In return, Grand Traverse agreed to double the \$5 million-plus it paid into the pension system last year.

Menzel also announced tough cuts for county workers. Health care contributions increased from 6 to 20 percent for all employees. And workers not represented by bargaining units and eligible for the more generous defined benefit pensions were required to begin paying 10 percent of their salaries toward pensions. Until then, they had made no pension contribution.

That drew fire from workers, union and non-union, and countywide elected officials, along with a few commissioners, who accused Menzel of putting too much of the burden on workers to stem the pension crisis.

Some communities facing similar challenges have raised property taxes to fund retiree benefits. Others have issued long-term bonds. But Menzel said that

~~Grand Traverse County officials had never tightened their belts enough to earn the right to ask taxpayers to pay more.~~

Fallout was swift.

Anti-Menzel anger played out in November 2016 elections when two of Menzel's supporters on the seven-member county commission were defeated by candidates more sympathetic to county workers.

A third commissioner, Carol Crawford, who had been part of the board majority that hired Menzel, changed allegiances, becoming head of a four-member majority opposing his policies. In a recent interview with Bridge Magazine and

Interlochen Public Radio, Crawford could not even bring herself to mention Menzel's name.



Carol Crawford, chairwoman of the Grand Traverse County Board of Commissioners, listens to discussion in a Jan. 31 board meeting about its search for a new county government administrator. (Bridge photo by Bob Campbell)

"I think that the methods used by that particular administration were a little heavy-handed," said Crawford, one of six Republicans on the commission (the seventh is from the Green Party).

"We have pension debt, but I didn't think that should be borne by the employees. I just thought there seemed to be the opinion from that administration that the employees should bear all the burden for paying back that debt."

Menzel said he knew immediately after that election that he'd lost his mandate to change county government.

"We were starting to turn the corner but then the election happened and they started to go back to their old way of doing things," he said. "I had to fight all the time with the existing culture, which was trying to keep itself in place."

Resignations and firings

Menzel announced plans in early 2017 to retire before year's end and the county commissioners began looking for another leader. After the board's first choice turned the job down, commissioners hired Uppal by a 4-3 vote last September.

Menzel's departure plan prompted three members of a county pension advisory committee to resign. Chris Radu, a financial consultant, said he and the other two members hoped to draw attention to the pension crisis with their resignations.

"Obviously that didn't happen. It was very frustrating" said Radu, who called Menzel the most capable administrator the county is likely to ever have.

If the current board remains in charge, he said, "it's not a question whether the county will reach bankruptcy, it's just a question of when."

Enter Uppal, who arrived in northern Michigan after less than two years as administrator in Washington County, in the Mississippi Delta. Her mandate to reverse some of Menzel's actions was clear from the start.

She reduced the pension contributions of the defined benefit employees from 10 percent to 6 percent. She reached out to county employee group representatives, including Bob Donick, the business agent for Teamsters Union Local 214.

Donick said he'd never talked to Menzel when he was administrator. Uppal, he said, was "like a breath of fresh air."

Less than two months in, Uppal demanded the resignation of Jen DeHaan, the deputy administrator hired by Menzel. DeHaan refused and Uppal fired her. Days later, Jody Lundquist, the finance director Menzel hired, resigned, with others to follow.

As recently as early January, Uppal told commissioners she was confident she was reshaping Grand Traverse government into a workplace where employees still felt valued.

Less than two weeks later, she too quit.

"I think she did an awesome job," said Crawford, the county board chairwoman. "I think she was the exact right person for the job."

Asked how the county was running now, Crawford said: "Actually, I think it's going really well. We're headed in a really good direction."

That sentiment is not universal.

The Traverse City Record Eagle editorial page blasted commissioners after Uppal's resignation, writing: "The best leadership Grand Traverse County commissioners could provide as they face yet another administrator selection process is to acknowledge their mistakes, hire a strong leader with vision and get out of the way."

Commissioner Dan Lathrop, a foot surgeon and self-described fiscal conservative, said he's concerned the current board majority is putting the retirement needs of county workers ahead of taxpayers.



Commissioner Dan Lathrop supported the aggressive belt-tightening policies of departed administrator Tom Menzel. He said the county is now slipping back into some bad fiscal habits.

Lathrop represents part of Traverse City and the Old Mission Peninsula that divides East Bay from West Bay, a windswept mix of bay view roads, forests, orchards, vineyards, wineries and high-end homes. He is now part of the board's three-member minority.

"All this board has done is reverse the good work that Menzel did," Lathrop said.

"They like to give away the farm and that's what got us in this problem in the first place."

That's a perspective that Donick, the union official and the son of factory workers in Traverse City, hardly recognizes.

“I’ve been born and bred in unions and I truly believe in them,” he said. “My father, God rest his soul, told me unions always look out for the little guy. I believe that.”

Donick got a job after college with the sheriff’s department road patrol and worked there 28 years before retiring as a lieutenant to a full pension at age 48, taking an early buyout.

For 16 years, Donick, as business representative for Local 214, has represented the largest group of employees, about 175, among the 14 bargaining units in the county. Because of the pension crisis, his 175 members haven’t had a pay raise since 2015, he said.

What comes next?

When the county board met on Jan. 31 to discuss the search for a new administrator, commissioners said they needed to cast a wide net for qualified candidates.

Not a word was said about the elephant in the room: Why would a highly qualified administrator leave a secure job for Grand Traverse, where the balance of political power (and an administrator’s job security) seems to change with every election.

The board raised the maximum salary for the position from \$135,000 to \$145,000 to entice candidates.

“We need that consistent leader at the county who can find a long-term solution for the debt, for the employees, for the services,” said Kent Wood of the Traverse

City Area Chamber of Commerce. “Right now, we’re not in a great position, politically.”

At this point, there’s no telling how county politics may shift by the time of the next election, this November. Different groups are recruiting candidates to run for the board, but it’s a tough sell, said Alisa Korn, who lost her seat in a Republican primary in 2016.

“We have to get new interesting people,” Korn said. “But we hear the same thing – ‘It will ruin me.’”

Interlochen Public Radio interlochenpublicradio.org/ managing editor Aaron Selbig contributed to this report.

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