

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
May 11, 2009

**At 7:00 p.m. Oakland County Commissioner Jeff Potter along with Phil Bertolini, Deputy Executive Director for Oakland County held a Town Hall meeting featuring a budget update, estimates of property value changes, etc., and strategic approaches to economic development challenges.

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

**The presentation by Mr. Bertolini continued until 8:03 p.m. Representatives from the City of Wixom, Lyon Township, and The City of Walled Lake were present.

PRESENT: Mayor Doyle
Council Members: Kivell, Kopkowski, Maida, Selden and Wedell
City Manager Murphy
Attorney Lee
City Clerk/Treasurer Zemke
Department Heads: Collins, Renwick and Martin

CM 5-1-09 – EXCUSE ABSENCE

Motion by Wedell, supported by Maida

To excuse the absence of Councilman Morelli

VOTE: MOTION CARRIED (2opposed)

APPROVAL OF MINUTES:

CM 5-2-09- APPROVAL OF MINUTES – SPECIAL MEETING - APRIL 20, 2009

Motion by Kivell supported by Maida

To approve the minutes of the special meeting of April 20, 2009 as written

VOTE: MOTION CARRIED UNANIMOUSLY

CM 5-3-09- APPROVAL OF MINUTES – APRIL 13, 2009

Motion by Kivell supported by Wedell

To approve the minutes of the regular meeting of April 13, 2009 as written

VOTE: MOTION CARRIED UNANIMOUSLY

CM 5-4-09- APPROVAL OF MINUTES – APRIL 27, 2009

Motion by Kivell supported by Kopkowski

To approve the minutes of the regular meeting of April 27, 2009 as written

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MONTHLY BILLS:

Discussion was held on various bills.

CM 5-5-09- APPROVAL OF MONTHLY BILLS

Motion by Wedell, supported by Selden

To approve the monthly bills as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

APPROVAL OF AGENDA

CM 5-6-09 – APPROVAL OF AGENDA

Motion by Selden, supported by Maida

To approve the agenda as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

CITIZENS SUGGESTIONS:

Mr. Tom Mihalic of 392 Stanford stated that he read in the Herald and it was discussed at the last meeting that the School Liaison Officer was removed from the High School. He stated that he read in the minutes that the Chief of Police is asking for a 9% pay raise. It sends the wrong message in our community when our property values are down. It sends the wrong message when people are being laid off and others are taking cuts in their wages and then we give somebody a 9% increase. He would like to propose that all of the players come together, that being the School Board, City Council, etc. to discuss the needs and possible reinstatement of the liaison officer. He will be making the same request to the School Board at their next meeting.

City Manager Murphy stated that he did make a request to Dr. Pearson for financial help to keep the liaison officer. However, Dr. Pearson indicated that they would not be interested. It was stated that the request was for ½ the cost of the officer.

Discussion was held on asking for support from Lyon and Green Oak Townships. City Manager Murphy further stated that while attending a meeting in Brighton Township there had been discussion about a similar issue where Green Oak was requested to participate in Brighton School's program, and there was no support. He stated that he would make the request.

Mr. Tedd Wallace of 115 Elm Place stated that he will be announcing this year's recipient of the Norma Jean Wallace "Townie" award at the next City Council meeting.

OLD BUSINESS: None

NEW BUSINESS:

1. Memorial Day Parade

Chief Collins stated that the VFW would like once again to conduct the City's Memorial Day Parade. The route is the same as in years past and the only thing lacking at his point is their proof of insurance, which they will get to us prior to the event. He would recommend approval of the parade and related road closures.

CM 5-7-09 - APPROVAL OF ROAD CLOSURES – 2009 MEMORIAL DAY PARADE

Motion by Selden, supported by Kivell

Resolved That Julie Zemke, City Clerk/Treasurer is hereby authorized make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permits to conduct the 2009 Memorial Day Parade on May 25, 2009 at 9:00 a.m. and the related road closures:

Lake Street between Warren Street and Reynold Sweet Parkway .

and that the City of South Lyon in the County of Oakland, Michigan will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permits as issued.

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Antique Car Parade

Chief Collins stated that this is a new concept presented by the South Lyon Senior Care and Rehab Center for an Antique Car Parade. They would like to close Reynold Sweet Parkway between Lafayette Street and E. Liberty Street from 7:15 pm. Until 8:00 p.m. on Friday, May 15th. Their original proposal was to close the road between 6 and 8 p.m., however on a Friday, it is not the best thing for traffic in the area. We negotiated and they have agreed to the shortened 45 minute closure.

CM 5-8-09 - APPROVAL OF ROAD CLOSURES – ANTIQUE CAR PARADE

Motion by Kivell, supported by Kopkowski

Resolved That Julie Zemke, City Clerk/Treasurer is hereby authorized make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permits to conduct the South Lyon Senior and Rehab Center Antique Car Parade and the related road closures:

Reynold Sweet Parkway between Lafayette Street and E. Liberty Street from 7:15 p.m. to 8:00 p.m. on Friday, May 15, 2009 to allow an antique vehicle parade

and that the City of South Lyon in the County of Oakland, Michigan will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permits as issued.

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Contract with South Lyon Area Youth Assistance

City Clerk/Treasurer Zemke stated that this is the same request that they have made since 2001 with a contribution of \$13,000.

Councilman Kivell stated that there was a 62.5% increase and asked what drove that increase. Mr. Tom Mihalic, Chairperson of the South Lyon Area Youth Assistance stated that South Lyon Area Youth Assistance was partnered with the City, Lyon and Green Oak Townships, Salem Township, Oakland County and the Schools back in 1970s. They have 1 ½ case managers that handle over 250 referrals throughout the year. They also fund programs to help children at risk, homework centers, community youth recognition event, summer enrichment programs, family education support group, etc. As the economy gets worse, their referrals go up and the needs go up. They do not want to turn any child away. This year they were inundated with children that wanted to go to camp. The numbers exceeded the budget that they allowed for this year so they had to go to other sources. The City's contribution each year helps significantly and they spend every penny.

Councilman Selden asked if the other communities contribute like amounts. Mr. Mihalic stated that Lyon Township contributes \$13,000 per year and Green Oak Township contributes \$6,000 based on the percentage of students who attend South Lyon Schools.

Councilman Wedell stated that he has spoken in favor of this in past years. As a former worker in the juvenile courts, he can say that every dollar spent on these prevention programs saves multiple dollars in detention services, probation, etc.

CM 5-9-09 – APPROVAL OF CONTRACT – SOUTH LYON AREA YOUTH ASSISTANCE

Motion by Maida, supported by Wedell

To approve the proposed contract between the City of South Lyon and The South Lyon Area Youth Assistance and a contribution of \$13,000 for the Fiscal Year 2009-2010

VOTE:

MOTION CARRIED UNANIMOUSLY

Councilman Kivell stated that Mr. Mihalic has indicated that it is the bad economy that is driving the potential clientele to increase. The converse of that would be with the increase in the economy Youth Assistance's role should go down. Mr. Mihalic stated that they have a goal to have a homework center in each school in the district. They have one in each of the middle schools and three in the elementary schools. They have six more to go, and to fund one center for the school year is approximately \$3,000. Every dollar they get, they spend. They have partnerships with other entities such as Walmart that help with the "Shop with a Cop" program. Also, when the kids go back to school, they want to make sure that every child has clean clothes, shoes, equipment and a backpack. They match money that Walmart donates. Councilman Kivell stated that he would agree that the money is well spent, however the explanation of the increase was that the escalation is driven by the poor economy. Mr. Mihalic stated that the more money they have the more programs they can do.

4. Liquor License Request

City Manager Murphy stated that Mr. Gus Dimopoulos from Senate Coney Restaurant and his son Steven Dimopoulos are present to answer any questions. They have made a request for a liquor license for their establishment at Eleven Mile and Pontiac Trail. We do have one available in the City. He is asking that Council not look favorably on that request. He stated that is nothing against Mr. Dimopoulos or his establishment. He does eat there and the food is great and would recommend them. However, he does not see the benefit to the City in an economic way as a result of issuing this license. He stated that he has been told by the Liquor Control Commission that they could go out on the open market and purchase a Tavern License. As far as our last liquor license, he does not feel that this is the business to give it to. We need to use it to spur economic growth.

Council Member Maida stated that she would support the City Manager's recommendation. Councilman Wedell concurred. Councilman Wedell stated that the letter from Dimopoulos refers to a banquet room project and questioned what the project was. City Manager Murphy stated that there is a portion of their restaurant that the City worked with them for their tap-in fees. It is not used for the general restaurant.

Mayor Doyle stated that he has no interest at this point in entering into further discussions on the issue.

Council Member Kopkowski asked Mr. Dimopoulos if he would be interested in a Tavern License or is he looking strictly for a Class-C license. Mr. Dimopoulos stated that he would be interested in either one. They have had people asking for beer and wine, and they do have small parties in their banquet room. Council Member Kopkowski stated that she would support them if they were to pursue a Tavern License. However, with the economy and need for growth in our area, she would like to hold onto our Class-C.

Councilman Kivell asked Mr. Dimopoulos if he has an interest in looking at the open market for a license. Mr. Dimopoulos stated that he is going to have to think about it. Councilman Kivell stated that Council's reluctance has nothing to do with the establishment. The idea of having the liquor license is to entice somebody new into the area.

5. Movie Equipment

City Manager Murphy stated that he had some requests from Council Members last summer about investigating the rental of movie equipment for movies in the park. The cost was between \$1,700-\$2,500 to rent the equipment and show a movie. He had asked Lyon Township if they would be willing to let us rent lease or borrow their equipment, or even buy into their equipment and they said "No" to all of those requests. He was able to talk with some Managers in the area at a recent conference and talked about purchasing various equipment together. There are five, possibly six communities interested in purchasing movie equipment. Kristen Delaney received the equipment information and price quotes. The communities met regarding how we would proceed and how it would work. Surprisingly, when they talked about timing for the use of the equipment, there was no conflict. The City of Plymouth is drafting an Intergovernmental Agreement. The City of Novi has offered to house the trailer with the equipment at their facility during the winter. He further stated that his thinking is that we would provide a movie three times per year. City Manager discussed the equipment and the need for durability so that it can travel between the communities.

Councilman Kivell stated that this is a good example of intergovernmental cooperation. He stated that he is proud of the City Manager and the other communities that were willing to discuss this issue. He stated that it may be something that could be available during the winter months with some cooperation with the Schools.

Council Member Kopkowski discussed the need for lighting for any concessions that may be there or getting to the restrooms, etc. City Manager Murphy stated we have not addressed that issue yet. Further discussion was held on lighting.

Councilman Selden asked about the written agreement and if it would address when, where and how. Attorney Lee stated that Council simply needs to approve the concept at this point. An intergovernmental Agreement will be reviewed and brought before Council for approval. Council will also have to authorize the expenditure.

Council Member Maida stated that it is a great idea, but asked where the funding would come from. City Manager Murphy stated that this is an unbudgeted item, but we do have some funds that will not be expended within the Beautification line item. Council Member Maida asked who would be running the equipment. City Manager Murphy stated that he has spoken with Jennifer Wilson from the South Lyon Area Recreation Authority and believes we can work something out with them.

CM 5-10-09 – APPROVAL OF CONCEPT – MOVIE PROJECTION EQUIPMENT

Motion by Kivell, supported by Kopkowski

To approve the concept of the intergovernmental cooperation with area communities for the purchase of movie projection equipment

VOTE:

MOTION CARRIED UNANIMOUSLY

MANAGER'S REPORT:

City Manager Murphy stated that Bob Martin has been talking with Lawrence Technological University about helping us with some new energy technology for the water and wastewater treatment plants to off-set some of our utility costs. Superintendent Martin stated that Lawrence Tech has an Alternative Energy School within the college. He has talked twice with a professor there and in September they are going to send students out to work with us in coming up with ways to reduce energy use by doing energy audits and possibly coming up with some form of innovative energy. There may be some grant monies available and we will be looking at anything from wind, solar, etc. Discussion was held on possibly trapping the heat, etc. from the wastewater treatment plant.

City Manager Murphy stated that he would like to propose to Council that for the first year, the City go out and perform a basic inspection of private fire hydrants. We have an ordinance in place now that indicates that the annual inspection needs to be done by April 1st. We can use our Fire Department Cadets overseen by their Officers. If there are any problems, we would provide that information to the property owner and also provide them a list of companies that can do this in the future for them. We would want a hold-harmless agreement with the property owners. This would be a one-time thing.

Council Member Maida agreed with the idea. Councilman Wedell concurred and stated that this would give base-line data going forward. He further stated that he was very supportive of the ordinance. The most important thing is that we know that when a fire truck pulls up to a hydrant, it is going to work.

Council Member Kopkowski stated that she would like us to always be the ones that inspect the hydrants, not just one time. If there is something wrong with them, because they are private, then the property owner would be responsible for the repairs. She would like to see this done at no charge to the property owner. We would still need the hold-harmless agreement. She further stated that she looks at this as a public safety issue. She discussed the qualifications of the companies or individuals doing the inspection.

Councilman Kivell stated that there are a lot of people that are qualified to do the inspections, therefore he is not concerned with that aspect. He asked if we have determined the cost for us to do it. City Manager Murphy stated that he did provide that information to Council previously and will provide those again.

Discussion was held on the available manpower for the City to do the inspections. City Manager Murphy stated that Bob Martin has indicated that he has an employee that could do the work. He stated that he also spoke with Chief Kaska who seems to think that the Cadets could do the work with supervision of the Officers.

Councilman Kivell stated that because these are private, he likes the idea that the financial burden be that of the property owner. However, he does like the idea of us doing the work simply so we have a running understanding of the condition of all fire hydrants. Superintendent Martin stated that we are making a checklist for each inspection. We will keep a copy and the property owner will keep a copy. Further discussion was held on the availability of the reports.

COUNCIL COMMENTS:

Councilman Kivell asked the status of the repairs to the fence on Pontiac Trail in front of McHattie Park. Superintendent Renwick stated that the County has determined that it is the responsibility of the Road Commission, and we should have a date for repair tomorrow. Councilman Kivell stated that they are the ones that destroyed it, and they should be the ones to fix it.

Mayor Doyle stated that there is a Girl Scout Troop from Hardy Elementary that has asked permission to come to our first meeting in June to conduct a flag ceremony. He further stated that he was contacted by Dr. Brun from Brummer Elementary about a 3rd grader at the school who was playing with a friend when the young man's friend pulled a hand gun from underneath the seat of a car. The young man told his friend to put it back and went home and told his parents and the authorities were contacted. Mayor Doyle stated that the night before this incident, the young man's brother had a seizure and the boy held his brother until the paramedics came. The family will be coming to our last meeting this month to recognize the young man's actions and good choices.

Council Member Kopkowski asked if our second meeting this month could be moved to Wednesday rather than Tuesday. City Clerk/Treasurer Zemke stated that we have already published the public hearing notice for the adoption of the budget for Tuesday, May 26th.

ADJOURNMENT:

CM 5-11-09 – ADJOURNMENT

Motion by Selden, supported by Maida

To adjourn the meeting at 9:07 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

John Doyle, Jr.
Mayor

Julie C. Zemke
City Clerk/Treasurer