

CITY OF SOUTH LYON  
REGULAR CITY COUNCIL MEETING  
August 10, 2009

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

Mayor Doyle led those present in the Pledge of Allegiance to the Flag

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

**APPROVAL OF MINUTES:**

Councilman Kivell stated that on page 4 of the minutes with regard to the question about the cost of a new engine, the response should be \$2,900 not \$4-5,000. Also, on that same page, the last comment regarding the equipment to be used until the repairs were complete, it should also state that Superintendent Renwick would with check with the water department as to the use of their mower.

**CM 8-1-09- APPROVAL OF MINUTES – JULY 27, 2009**

Motion by Kivell supported by Maida

To approve the minutes of the regular meeting of July 27, 2009 as amended

VOTE: MOTION CARRIED UNANIMOUSLY

**APPROVAL OF MONTHLY BILLS:**

Discussion was held on various bills.

**CM 8-2-09 – APPROVAL OF MONTHLY BILLS**

Motion by Selden supported by Maida

To approve the monthly bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

**APPROVAL OF AGENDA**

City Manager Murphy stated that he would like to request that his Manager's Review be held in Executive Session.

**CM 8-3-09 – APPROVAL OF AGENDA**

Motion by Wedell, supported by Maida

To approve the agenda as amended by moving the City Manager's Review as Executive Session

VOTE: MOTION CARRIED UNANIMOUSLY

**CITIZENS SUGGESTIONS:**

**OLD BUSINESS:**

## 1. 2009 Street Improvement Project Bid Option

City Manager Murphy stated that at the last meeting Council approved the bid for the 2009 Street Improvements. However, there was an option for 6,220 yards of TruPave paving mat in the amount of \$20,712.60, and there was question as to why we should approve that option.

Mr. Jesse VanDeCreek of HRC stated that he has provided some documentation regarding a new maintenance technology that they feel should be considered when rehabilitating the streets. When re-evaluating the maintenance program it was observed emanation of the cracks in the joints in the new paving material. The majority has not cracked, however on a wet day you can observe that there is a large "checkerboard pattern" to it which is the material moving along with the concrete slab underneath. These are maintenance projects and all they are doing is milling the top two inches, joint repair of the old concrete slabs and re-capping the road. These roads are placed on black base. Most of the roads we are dealing with are 20-30 years old and they did go in with an 8 inch sub-base aggregate that would allow the water to drain away. When we mill the roads, even when we do the joint repairs, you do get a degree of settlement. They brought this to the attention of administration and what they did was design this with a TruPave engineering mat to help mitigate the promulgation of those cracks and help redistribute the load due to frost heave if and when that happens. Due to the cost of the project, they did decide to bid this as an alternate. The final bid price did come in below the original estimate and it does include the addition of the True Pave paving mat. This is about a 7% increase in project cost to use this material. These are maintenance projects that are suppose to last 5-10 years. By adding the 7% increase we can add approximately 50% to the life of the project and save a significant amount of money. This is a design tool that they feel should be implemented where they see the concrete base is put on a black base and there is no way to get rid of the drainage without excavating the whole road. It is another way to make sure that the maintenance life is extended as much as possible. It is new for South Lyon, but it is not new for southeast Michigan or in the region where you have frost condition. He explained what the material looks like. He stated that it comes in rolls and it is laid out in a grid pattern to help distribute the reflective cracking sideways rather than just vertically. They would recommend that it become a standard when we do mill and overlay on concrete and possibly even on asphalt depending on the condition of the base.

Councilman Morelli stated that he understands based on his driveway that depending on how much it rains in the fall depends on how much it heaves in the winter when it freezes. He asked that if this product is guaranteed to work and do we have any information that says that it will extend the life of the road 50% longer. Mr. VanDeCreek stated that what they have seen is laboratory testing that is similar to vehicular and weather conditions when you add this type of material. TruPave is just one name, but is not a sole source product. Test results have shown that it does produce a longer lasting product. It appears to extend the life of maintenance projects significantly. It is difficult to say that is going to last an additional 2-3 years because it is a maintenance project and what we are trying to do is to make sure that what we put down is going to last as long as possible.

Discussion was held on the maintenance projects. Mr. VanDeCreek stated that this is our third year in what we consider a maintenance program with mill and overlay whether it be on existing concrete slab or existing asphalt. We are talking about doing several roads for just a few hundred thousand dollars. These roads have served their purpose and now we are investing a fraction of the cost that it would be to build them up as new. In five to ten years more than likely we will not have that mill and overlay option. Councilman Morelli stated that he would have like to have had something included in his packet that he could have read about the product, who has done it and how it is working. Mr. VanDeCreek stated that he could provide some additional information. He stated that this type of product does have a market that is fairly vast.

Council Member Maida asked if this is a new product. Mr. VanDeCreek stated that it is new for South Lyon. Council Member Maida too asked for additional information on the product. Councilman Wedell also agreed that he would like additional information on the product and an idea about the return on the investment.



Further discussion was held the description of the material.

Council Member Kopkowski stated that she had an opportunity to research this product, and it is her understanding that the mat is designed to go on top of the sub-grade. It is being proposed that the mat go between the milled surface and the overlay, which leads her to believe that they are not using the product in the way it was designed to be used. Mr. VanDeCreek stated that this product can be used in multiple applications. The application that Council Member Kopkowski is referring to is in an undercut application, and they have used this material where they have had poor sub-soils. He described the application and the options involved in that application. He stated that the material is used to distribute load laterally versus vertically so whether you use it at the sub base and the stone laid on top of it to stabilize the base or above the concrete pavement, it is distributing the load laterally instead of up where we have the cracks. Council Member Kopkowski stated that it is being used as a help not as a solution. Mr. VanDeCreek stated that it is another tool to extend the maintenance life of the project. Council Member Kopkowski asked what roads we would be using this product on. Mr. VanDeCreek stated that it will be used for the whole project. Discussion was held on where the funds would be coming from. City Manager Murphy stated that it would be from Capital Improvement, Major and Local Streets.

Councilman Kivell asked if there is a history of this mat releasing from the bond that you create with the concrete. Mr. VanDeCreek stated that there is not. The tack coat initially adheres it to the concrete and the temperature and the compaction of the asphalt on top of that.

Councilman Kivell discussed the distribution of load laterally versus vertically. Mr. VanDeCreek stated that where they do not have this, you can see where all the vertical cracks are. They have not reached it to the top yet, but you can see them. He stated that where you see one break, that serves as a source where the drainage goes right back into the slab that has no drainage underneath it.

#### CM 8-4-09 – APPROVAL OF TRUPAVE ENGINEERED PAVING MAT

Motion by Kivell, supported by Morelli

To approve the option for the 2009 Street Improvement Project for 6,220 yards of TruPave Engineered Paving Mat in the amount of \$20,712.60

VOTE:

MOTION CARRIED (1 OPPOSED)

#### NEW BUSINESS:

##### 2. MERS – Annual Meeting

City Clerk/Treasurer Zemke stated that this is for the upcoming MERS Annual Conference. The employees by secret ballot have chosen Lori Mosier as the delegate and Doug Buers as the alternate. Council needs to affirm those appointments and appoint an Officer delegate. Typically, Council has appointed the City Manager as the Officer delegate.

City Manager Murphy stated that he does not intend on attending given the MML convention that he will be attending around that same time. Also, only the employee delegate will be attending. If she is unable then the alternate would attend.

#### CM 8-5-09 – APPROVAL OF DELGATES/ALTERNATE TO THE MERS ANNUAL MEETING

Motion by Selden, supported by Maida

To appoint David Murphy as the Officer Delegate and approve Lori Mosier as the Employee Delegate and Doug Buers as the Alternate for the 63<sup>rd</sup> Annual MERS meeting

VOTE:

MOTION CARRIED UNANIMOUSLY



### 3. MML Annual Meeting Delegates

City Clerk/Treasurer Zemke stated that the Annual Michigan Municipal League meeting will be held at the upcoming conference in September. Council needs to appoint a voting delegate and alternate for that meeting. Discussion was held on who would be attending.

#### CM 8-6-09 – APPOINTMENT OF DELEGATE/ALTERNATE – MML ANNUAL MEETING

Motion by Wedell, supported by Selden

To appoint Councilman Morelli as the voting delegate and Council Member Maida as the alternate for the upcoming Michigan Municipal League Annual meeting

VOTE:

MOTION CARRIED UNANIMOUSLY

### 4. Michigan Suburbs Alliance

Superintendent Renwick stated that at the last meeting Council was given some information on the Michigan Suburbs Alliance program. We have Conan Smith present to answer any questions Council may have.

Mr. Conan Smith, Executive Director of the Michigan Suburbs Alliance stated that the Alliance is the fiduciary agent for the coalition of government oriented non-profits which is working on a project called the Southeast Michigan Regional Energy Office. The Suburbs Alliance is a coalition of 31 southeast Michigan cities and is partnered with the Michigan Municipal League, SEMCOG and Warren Training Center, which is a non-profit based in the City of Detroit focused on energy efficiency activities. They put together a coalition to build a regional Energy Office to help municipalities do energy efficiency and renewable energy work in anticipation of some of the changes coming from the Federal level and pressure across the region to focus on energy. They are now the only metropolitan area in the country that is looking at doing a regional Energy Office. They are hoping to bring in a lot of dollars from the Energy Efficiency and Conservation Block Grant Program. They have other partners in the project as well including DTE Energy, US Green Building Council, etc. Their focus is to create an intergovernmental cooperative agreement with municipalities throughout the region with the idea of bringing in Federal dollars into our region to do municipal based energy projects including updating City Halls, etc. and ultimately saving dollars. The Block Grant program is providing hundreds of millions of dollars to the State of Michigan and \$400 million federal dollars that will be available competitively. For communities such as South Lyon, they are not considered an entitlement community so they have to compete for the dollars available in this State. South Lyon would be eligible for \$50,000 in direct allocation and another \$250,000 for LED light projects. Both the Federal and the State are prioritized cooperative applications so you will have a better chance if you do a regional project, and the Southeast Energy Office gives an opportunity to do that. In the partnership agreement, there is a financing mechanism where they re-capture the portion of the grant that they would get for the City. They will do the fundraising, write the grant, evaluate the projects, and find partners so that you can put forth the most competitive proposal to the State and Federal. Any grants received, they ask that the City re-pay that grant back into the Energy Office, which will be structured as a 501-3C non-profit. Those funds would then be put into an endowment program so that they can continue to support municipal energy work without charging membership fees.

Councilman Morelli asked what the cost is to the City. Mr. Smith stated that there would be nothing up front. There is a payback mechanism whereby they would re-capture the grant if they win one for the City through the City's energy savings. As the City is saving dollars, they would re-pay the value of that grant into the Energy Office endowment fund. This would be broken out based on a simple payback analysis. For example if the \$50,000 grant ends up being a \$10,000 per year energy savings, the payback period would be five years.

Councilman Morelli stated that approximately a year ago, there was an organization that the City Manager recommended that we not participate with and asked if it was this group. City Manager Murphy stated that it was not this group, but rather a group dealing with right-of-ways.



Councilman Wedell asked if the group overlaps any other association or project groups. Mr. Smith stated that they are working with MML and SEMCOG and have opened to a number of local governments. There are existing energy agencies sanctioned by the State of Michigan. They do not want to duplicate services.

Councilman Wedell asked if there was a grant opportunity with a finite amount of money and there are 2-3 communities in the instance interested in that money, how would they choose which community to represent. Mr. Smith stated that this is a subject that they have been wrestling with. Their focus is on the more that they cooperate and collaborate, the more competitive they are going to be. Rather than have two or more communities fighting against each other, they will work with the communities to put together a joint application so that they can meet the needs of all of those communities. They also look at the leveraging impact of those projects. He further explained pulling together as many communities that they can. He stated that if there is a particular program that is simply going to be their cities competing against each other, they will not pick favorites and allow those communities to compete on their own. Councilman Wedell questioned the benefit if every time there is a competition they are stepping away. Mr. Smith stated that they have not run into that yet, partly because of the scope of energy grants available. They are nowhere near the number of communities participating to apply for all of that money. As money gets more scarce that is an issue that they will have to deal with. What they have proposed through the creation of the regional Energy Office is that participant cities make up the Board of Directors for this body so each community would select a delegate to that board who would be the ones that would make those decisions. He discussed the difference between the two different governing bodies. There is Board of Directors and there is the Executive Committee. Every community who joins the Energy Office will have a vote on the Board of Directors who has power over the Executive Committee. Certain communities which are considered entitlement communities under the Energy Efficiency Block Grant Program are going to have an automatic vote on the Executive Committee as well as the fact that they are putting cash on the table up front. For example Farmington Hills which is an entitlement community, their buy-in is \$80,000. They are not asking the smaller communities to put in anything up front. Any decisions by the Executive Committee can be overturned by the Board of Directors.

Councilman Wedell asked how many people are employed by the Michigan Suburbs Alliance. Mr. Smith stated that currently they have a staff of eight. They are non-profit with a budget of under \$1 million. The Alliance itself is funded by government and foundation grants. They have a small membership fee of \$ .05 per capita. That is the organization that has the fiduciary responsibility over the Energy Office. There is no membership fee to participate in the Energy Office. The Alliance itself operates like other traditional non-profit organizations. Discussion was held on the difference between the Michigan Suburbs Alliance and the Energy Office, two separate entities. The Michigan Suburbs Alliance is the administrative arm for the Energy Office. Mr. Smith stated that you do not have to be a member of the Suburbs Alliance to be a part of the Energy Office.

Mayor Doyle questioned the financials. Mr. Smith stated that it is their business plan, which would be year one once the dollars start coming in. The Energy Office fiscal year will probably line up with October 1<sup>st</sup>. Discussion was held on the percentage of revenue and expenditure projections. Mayor Doyle asked if this is like other non-profit organizations across the country. Mr. Smith discussed how their endowment fund grows over the course of time. Their direct income from grant recipients will go down over time. Their goal is to put as much money as they can into an endowment fund so that they can continue to serve the communities in a perpetual way. He further stated that the business plan was built by Plante Moran and he was very involved with the process. He stated that there are no other organizations such as this in the country. They are the first in the nation to create a region-wide energy office. He further discussed the creation of the Energy Office. Mr. Smith stated that for the Energy Office, the business plan anticipates to have 16 employees with a \$1.2-1.3 million budget a year.

Councilman Selden questioned the competition between the communities for specific funds and how would it be determined how it is split. Mr. Smith stated that the grants they would be going for now would be capped, so the City of South Lyon cannot get more than \$50,000. You would have to have 320 units of government participate to reach the total cap of the Michigan money. There is an additional \$400 million available from the Federal Government on a competitive basis. They have not addressed that problem, but he does not feel they will get that many communities. This is something that can be addressed at the



forefront when the Board meets the first time. Their goal as an organization is to promote intergovernmental cooperation.

Councilman Selden questioned the payback period. Mr. Smith stated that it would vary from project to project. There is a financial calculation that is done when the project is identified and the energy savings that would be received. Councilman Selden stated that we would not see a savings until that payback is complete. Mr. Smith stated that you would not receive the savings until the cost of the project has been recouped, but typically the life cycle of projects like this can range up to 25 years so the City would see the savings in an on-going way. There is no upfront cost to the City, but no immediate savings either.

Council Member Kopkowski asked how long the organization has existed. Mr. Smith stated that the Suburbs Alliance is in its eighth year starting in 2002. Five cities started and they have grown steadily over the years to 31 communities. Council Member Kopkowski asked if there have been any projects completed. Mr. Smith stated that none centered around energy. This is a new program that they put together with MML, SEMCOG and the Warren Training Center. The Suburb Alliance itself runs numerous programs around redevelopment, intergovernmental cooperation, etc. Council Member Kopkowski asked how many of the 31 communities that are part of the Suburbs Alliance are part of the Energy Office. Mr. Smith stated about 1/2, and most are currently being invited to be a part of it.

Council Kivell asked if the Warren Training Center works independently from the Alliance or the Energy Office. Mr. Smith stated that they are a separate 501c3 non-profit much like MML and SEMCOG, but the four organizations collaborate on the energy issue through the Energy Office. Councilman Kivell asked if we could contact them as we evaluate this issue. Mr. Smith stated that he would encourage that.

Councilman Kivell stated that it has been indicated that the City would be capped at \$50,000, however he thought that would be the case if we did it independently from this organization. Mr. Smith stated that the State of Michigan has submitted caps on how much communities can apply for based on population. Although they have not released the formula yet, they have indicated that they would give higher amounts to communities that collaborate. He explained the formula, and stated that there is also a floor that you cannot get less than that amount. If you collaborate you can get more money, but the dollar per capita drops.

Councilman Kivell asked that of communities who partner, do you find that communities have typical needs and goals. Mr. Smith asked if the City has done a re-build audit. Superintendent Renwick stated that we have had companies go through some of the buildings including the Police, Fire and DPW. Mr. Smith stated that what they are seeing is that there is a lot of common work, some as simple as putting equipment on timers, etc., very simple things. The vast majority of the communities they are dealing have not done that yet. Almost every City they have talked to want LED lighting, and there are a special set of grant dollars set aside for LEDs above the \$50,000 cap. There are a lot of common projects and opportunity for leveraging and cooperation as well as cost benefit by buying in bulk. He stated that they work with each individual community to find out what the priorities are. Councilman Kivell stated that it makes common sense to apply some of the basic things such as motion sensors, etc. However, our Wastewater Treatment Plant is a very large eater of energy. It would seem that cooperating with another community with a similar situation, even though operations could vary, there could be benefit from finding some efficiencies. He asked if they have seen anything of that size. Mr. Smith stated that they have and they feel that those are the most competitive proposals. They can aggregate some of the technical expertise to put together the right proposal. They can tap into some of the best consultants without charging every community. He further discussed the consultants that they have used. Further discussion was held on other communities benefiting as communities identify these efficiencies. Councilman Kivell stated that he was hoping that they were going to come in and say that these are the things that we could get a big return. Mr. Smith stated that they would do that once the City joins. They did not put in the analytical time for a community that did not want them.

Councilman Kivell stated that the cost savings would not be realized until after the payback, but it will reduce the overall usage over time. Mr. Smith stated that their goal is to have zero net impact on the City's budget during the payback period and a positive impact on the years after.



Councilman Wedell stated that the material they have talks about approving a participation agreement with the Michigan Suburbs Alliance. He asked if the City Attorney has seen the agreement. Attorney Lee stated that he has seen it, and it does talk about the payback period, etc. However it seems somewhat difficult for us to get a grant and not have any savings for five years, and after that time you do not know if there will be any savings at all.

Councilman Selden asked if any school districts are involved with this program. Mr. Smith stated that they have not targeted school districts at this point, but that is a place they should be looking. There are a separate set of tax dollars available for universities and schools. Councilman Selden discussed converting bussing, etc. to natural gas.

Councilman Morelli asked if we elect to join the Alliance, does everything have to go through the Alliance or can we still apply for grants on our own. He further asked if we find that it is not working, how easy is it to get out of the Alliance. Mr. Smith stated that there is a notice period, so it is as simple as notifying them that the City is leaving and dissolving the agreement. He further stated that the City could make application for grant monies separate from the Alliance.

Mr. Smith discussed companies that come in and make analysis and upgrades, etc. He stated that as a non-profit organization, all they want to do is to pay back the principal cost, not make a profit. Councilman Morelli stated that what they take is the savings that we would get if we went after the grant ourselves, and the State of Michigan has made it available to us. He asked how hard would it be to cooperate with other communities ourselves and going after the money. City Manager Murphy stated that we could do that, but we would need help writing the grants. It was stated that is a service that the Energy Office provides. Discussion was held on the cost to the City to write a grant.

Discussion was held on competing for grants. Mr. Smith stated that they would compete for a grant for the City of South Lyon or a partnership based on your projects. Councilman Morelli asked if we do not get into this now, how easy is it to get into later. Mr. Smith stated that the windows for these grants are going to be very narrow. The State is going to keep their window open for 30 days, and once that it is closed the opportunity to compete for those dollars is lost.

Council Member Kopkowski asked if we join, we get a grant and it simply does not save us any money, do we still owe the payback. Mr. Smith stated that the City would still have to pay back the money, but they are not going to back a project that is not going to save money. There is too much in our communities to save energy costs. They would not recommend a project that would not virtually guarantee savings.

Councilman Kivell asked if we do apply for a grant on our own or withdraw from the group, would we owe the Alliance anything. Mr. Smith stated that the City would not owe anything.

Attorney Lee stated that the materials talk about a participation agreement, but the participation agreement also refers to an intergovernmental agreement, which he has not seen. He further stated that paragraph 5 refers to annual membership dues. Mr. Smith stated that their goal as a coalition is to end up with no membership dues as they are recapturing dollars. They do not know how well it is going to work. He stated that there is a draft of the intergovernmental agreement available on their website and he will make sure and forward a copy to the City. They would like to formalize this so that the City has some protection under Act 8 of 1968, the Urban Cooperation Act. There is no ratification of the Intergovernmental Agreement at all, they simply want to make sure that there is a formal structure by which the City's rights over governing are in place and there is some control over any funds that might be returned back into the Energy Office. Attorney Lee stated that in the material, it suggests that we pledge 10% of our Block Grant money each year. Mr. Smith stated that 10% is what the entitlement communities are charged, but South Lyon is not an entitlement community.

Discussion was held on grant writing and the costs involved. Council Member Kopkowski stated that this is not something that our staff does on a regular basis.



Discussion was held on the agreements. Mr. Smith stated that the Participation Agreement authorizes them to start raising funds on the City's behalf. With each proposal that they write, they will have to figure out the payback method is, timing, etc. that would come back to the Council with a proposal and a contract with the Energy Office. The City will see all of this before they make any submittal.

Councilman Morelli stated that it will not cost us anything, we can get out if it is not working and we only pay if we get a grant. Councilman Kivell stated that we could be looked at more favorably if we are with them and we might be pushed to the side and not able to take advantage of the consultant expertise. Councilman Wedell stated that we would also act on each individual application and agreement separately. Council Member Kopkowski stated that this group does have a good track record, though not with energy, but a good track record in other areas.

Councilman Kivell stated that no savings are had until we pay our obligation to them. Councilman Selden stated that we would realize savings in labor in writing the grants.

Councilman Kivell stated that his only concern is if there were to be complications with the Suburbs Alliance if we do something independently. It was stated that at that point there would be no agreement.

#### CM 8-7-09 – TABLE PARTICIPATION AGREEMENT WITH THE MICHIGAN SUBURBS ALLIANCE

Motion by Kopkowski, supported by Wedell

To table consideration of the Participation Agreement with the Michigan Suburbs Alliance until the next Meeting

Councilman Wedell asked the reason for tabling the issue. It was stated that there has been a lot of information provided and two weeks will give Council some time to digest it. Councilman Wedell stated that he would like to see the intergovernmental agreement that has not been presented.

VOTE:

MOTION CARRIED UNANIMOUSLY

#### 5. Inter-local Governmental Agreement

City Manager Murphy stated that this is an inter-local agreement for the five communities that were going to jointly purchase the equipment to show motion pictures. After it was put together, the communities met and made some additional changes. It was reviewed by the City of Novi Attorney who made some additional changes. We had five communities, however one just dropped out. We do have two other communities interested and we are talking to them. We are trying to keep the number at five as it seems to be the most manageable. We cannot take action on this at this time until we finalize the fifth community.

Councilman Morelli questioned the insurance aspect. He stated that the agreement indicates that each community is to provide insurance. In his experience, they had purchased some equipment and let different stores use it and they had their own insurance. In this case if a community damages the equipment, it is covered by insurance but does the insurance policy cover rental equipment until the equipment is fixed to cover the events that other communities have scheduled. He further voiced his concern about if the equipment does not work, who is responsible, the community that was in possession of it or the community that just picked it up. City Manager Murphy stated that is a great question, but it is not something they thought about. He stated that they would have a checklist for when the equipment is picked up. He further stated that he will discuss the issue of replacement equipment and insurance with the other communities.

Councilman Wedell asked if it would be possible for one community to insure it as a rider on their insurance. Attorney Lee stated that typically a policy would not cover equipment if it is taken outside the City limits or not under the control of the insuring party. Discussion was held on the cost of an insurance rider being very minimal.



Councilman Selden discussed training.

City Manager Murphy stated that he will be bringing this back once it is finalized.

#### 6. Manager's Review

#### CM 8-8-09 – ENTER INTO EXECUTIVE SESSION – CITY MANAGER REVIEW

Motion by Selden, supported by Wedell

To enter into Executive Session for the purpose of discussing the City Manager's review based on his Request

Councilman Morelli stated that he would like to have the City Manager not present in Executive Session during his review. City Manager Murphy stated that he would like to present some information then excuse himself.

VOTE:

MOTION CARRIED UNANIMOUSLY

Council entered into Executive Session at 9:07 p.m. and reconvened the regular meeting at 10:25 p.m.

Mayor Doyle reviewed the consideration of the request for salary/benefit increase.

#### CM 8-9-09 – INCREASE IN CITY MANAGER'S SALARY/BENEFITS

Motion by Wedell, supported by Maida

To increase the City Manager's annual salary by 1%, increase the City Manager's vacation time from three (3) weeks to four (4) weeks and add long-term disability

VOTE:

MOTION CARRIED (2 OPPOSED)

**MANAGER'S REPORT:** None

#### **COUNCIL COMMENTS:**

Council Member Kopkowski stated that she was hoping to discuss an issue with Chief Collins present, however when she returned home from out of town, she had messages in her inbox from citizens who were concerned about the article that was in the paper regarding the tasing of the man 9-10 times. She stated that she would like Council to receive some information or possibly Chief Collins would like to make a presentation regarding the City's policy about using a taser, when it is used, Officer training, etc. She stated that 9 times seems extreme. City Manager Murphy asked if she would like a presentation. Council Member Kopkowski stated that she will leave that up to both the City Manager and Chief Collins. She would like some additional information so that she can address citizen's questions when asked.

It was stated that we do not have all of the facts, but there had to be a reason why the taser was used that many times. Attorney Lee stated that she may want to start by reading the Police report. He did prosecute that particular case, and the man plead guilty. His mother voiced all of these same concerns so he had her read the police report, and after reading the report, she was satisfied. The man was still fighting after being tasered 9 times. Council Member Kopkowski stated that she would simply like some additional information.

Mayor Doyle stated that the City Manager has reached out to Lannie Young at Lyon Township and he has as well, and we have not heard anything back. He further stated that he understands that their Board is interested in discussing shared services, but they simply have not done anything yet. Councilman Kivell stated that he has also spoken to Lannie Young who indicated that they are more interested in discussing fire services rather than police. Further discussion was held on this issue taking time.



**ADJOURNMENT:**

**CM 8-10-09 – ADJOURNMENT**

Motion by Selden, supported by Maida

To adjourn the meeting at 10:33 p.m.

VOTE:

**MOTION CARRIED UNANIMOUSLY**

Respectfully Submitted,

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John Doyle, Jr.  
Mayor

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Julie C. Zemke  
City Clerk/Treasurer