

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
August 24, 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
City Clerk/Treasurer Zemke
Attorney Lee
Department Heads: Collins, Martin and Renwick

APPROVAL OF MINUTES:

Councilman Selden pointed out a typographical error on page 7 of the minutes.

CM 8-1-09 – APPROVAL OF MINUTES- AUGUST 10, 2009

Motion by Kivell, supported by Maida

To approve the minutes of the August 10, 2009 Regular Council meeting as amended

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF AGENDA:

Mayor Doyle stated that he would like to add New Business #6 for an appointment to the Planning Commission.

CM 8-2-09 APPROVAL OF AGENDA

Motion by Wedell, supported by Morelli

To approve the agenda as amended by adding New Business #6

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT:

Nancy Kern of 450 W. Liberty questioned the equipment drilling in City Hall parking lot. Mayor Doyle stated that it was for a monitoring well because of how the water flows and the location of the tube mill. This was a requirement of the DEQ.

Mr. Steve Brummer of Lyon Township introduced himself and indicated that he will be running for South Lyon School Board in November. He stated that he will soon be moving to the City.

OLD BUSINESS:

1. Michigan Suburbs Alliance

Superintendent Renwick stated that this was discussed at the last meeting and tabled. Michigan Suburbs Alliance has sent us a new contract. Council Member Kopkowski stated that we were provided a lot of information at the last meeting and she felt that they needed time to look it over. She stated that Council also wanted time for the City Attorney to review the contract.

Attorney Lee stated that we have received a contract and he has reviewed it and his questions have been answered.

Council Member Kopkowski stated that she does not see how this could hurt us. However, she would like us to continue to pursue grants as well. Attorney Lee stated that with this contract, we are not giving them any exclusive authority to apply for grants.

Councilman Kivell stated that this makes sense, and we are not obligated to anything. He further stated that he too would also like us to continue to pursue grants ourselves. He stated that he would also like to see something of a grander scale and the wastewater treatment plant and the water treatment plant seem to make the most sense for savings. He stated that he does see the benefit of being a part of a pool with other communities to try and do something jointly.

Councilman Morelli stated that he is in agreement with the contract as long as we can still pursue our own grants.

CM 8-3-09 – APPROVAL OF CONTRACT – MICHIGAN SUBURBS ALLIANCE

Motion by Selden, supported by Maida

To approve the Participation Agreement with the Michigan Suburbs Alliance

VOTE:

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS:

1. Liquor License Transfer Request

Chief Collins stated that the Police Department conducted the background investigation based on Liquor Control Commission's request. The applicants were good candidates and no negative information was found. The Police Department recommends approval of the transfer request. He further stated that the request indicated that they were not requesting the concourse permit. This is based on an LCC rule change which does not require a permit to serve outside of the bar area.

CM 8-4-09 – RECOMMEND APPROVAL OF TRANSFER CLASS C AND SDM LICENSE

Motion by Morelli, supported by Wedell

That the request to transfer ownership of 2009 Class C licensed business with Dance-Entertainment Permit located at 700 N. Lafayette, South Lyon MI 48178, Oakland County from North Lafayette Bowl Inc. to Pinz Bowling Center, Inc. be considered for approval. It is the consensus of this legislative body that the application be recommended for issuance

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Municipal Credit Contracts with SMART

City Manager Murphy stated that these are agreements between the City and SMART whereby if the City spends more than \$10,300 SMART will pay the City \$9,432. We are dealing with two years because it was an oversight that the contract was not approved last year.

Discussion was held on the cost to the City for People's Express.

CM 8-5-09 – APPROVAL OF CONTRACTS – SMART 2009 & 2010

Motion by Kivell, supported by Kopkowski

To approve the proposed agreements between the City of South Lyon and SMART for fiscal year 2009 and fiscal year 2010

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Purchase of Audio/Video Recording System

Chief Collins stated that this is the system that was discussed at budget time that will provide audio and video recording of interviews and interrogations as well as the holding cells, prisoner processing area and surveillance and security of the Police building. The Oakland County Prosecutor for years have been pushing Police Departments to have these devices installed. We were able to get Michigan Municipal Risk Management Authority to commit to \$5,000. This will be received once the City has renewed the annual contract with MMRMA for insurance after one year which is October. He is requesting that Council approve the purchase. This was budgeted, but at the time we did not have a commitment from MMRMA.

Councilman Kivell asked if this will run 24/7. Chief Collins stated that he believes it will, but he has not gotten all the information at this point. He is not sure if it runs on motion sensors. Further discussion was held on the equipment and the information storage. Councilman Kivell asked if we will also have a DVD burner. Chief Collins stated that there will be a separate unit. Councilman Kivell asked if the lighting issue for the exterior of the building been addressed. Chief Collins stated that we already have lights in both locations.

CM 8-6-09 – APPROVAL OF PURCHASE – AUDIO/VISUAL EQUIPMENT

Motion by Wedell, supported by Kivell

To approve the purchase of the requested Audio/Visual Recording System from American Video Transfer, Inc. for the quoted price of \$11,875

VOTE:

MOTION CARRIED UNANIMOUSLY

4. DDA Budget Amendment

City Manager Murphy stated that the DDA would like to make some repairs to the two parking lots on S. Lafayette, but to do that we would need to increase the budget by \$13,000.

Councilman Morelli asked if this would be lowering the fund balance and transferring the funds to the DDA budget. City Manager Murphy stated that is correct; we will be dipping into the fund balance.

Gary Fagin, business owner at 150 E. McHattie and Chairman of the DDA presented drawings of the proposed changes and maintenance work. Discussion was held on the work.

Council Member Kopkowski asked that if the DDA is a separate entity why would they not amend their own budget. Attorney Lee stated that they are a separate entity, but they come under the City. Therefore, Council has to approve their budget and any amendment.

Further discussion was held on the maintenance issues and the need for sealing, etc.

Councilman Morelli stated that he had understood that when the Ameritech building was improved that there were to be plants along the side where it abuts the parking lot.

CM 8-7-09 – APPROVAL OF BUDGET AMENDMENT

Motion by Kivell, supported by Morelli

To approve the proposed DDA budget amendment as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

5. Replacement of 1 ton Dump Truck

Superintendent Renwick stated that this is a budgeted replacement of a vehicle. The current vehicle is getting rather old and requiring greater maintenance. He stated that when we look at replacing a vehicle we also look at equipping them with a plow and spreader, which gives us greater ability to get to different areas of the City. Also with our program of pre-wetting the salt this season, this will also provide us a different avenue for pre-treatment before a storm. The current vehicle is a 1998 with 76,000 miles.

Councilman Morelli asked if the current vehicle has a plow and spreader. Superintendent Renwick stated that it does not.

Councilman Selden stated that 76,000 miles does not seem like much for a truck. He further questioned when that vehicle will be disposed of. Superintendent Renwick stated that it will be put out to bid. We do have a few vehicles that are ready now. Council Member Kopkowski asked if there is a trade-in value. Superintendent Renwick stated that there is no trade-in value. However, we did look at the idea of removing the bed and putting on a flat-bed to haul some of our mowing equipment.

Councilman Kivell stated that the Varsity bid is approximately \$1,000 over the State bid. Discussion was held on the different bids. Councilman Kivell stated that the bid is for a stainless box and asked if we looked at aluminum. Superintendent Renwick stated that aluminum was not an option.

CM 8-8-09 – APPROVAL OF BID – 1 TON DUMP TRUCK

Motion by Kivell, supported by Kopkowski

To approve the purchase of a 2010 Ford F350 4x4 1 ton dump truck with plow and salt spreader from Varsity Ford in the amount of \$43,214

VOTE:

MOTION CARRIED UNANIMOUSLY

6. Appointment – Mayor Doyle

Mayor Doyle stated that we have received an application from Wayne Chubb for appointment to the Planning Commission. We have a verbal resignation from the Planning Commission which will be followed up with a letter. Mayor Doyle reviewed Mr. Chubb's background.

CM 8-9-09 APPOINTMENT TO THE PLANNING COMMISSION

Motion by Doyle, supported by Wedell

To appoint Wayne Chubb of 225-3 Brookwood Drive to the Planning Commission to replace Mario Tartaglia

VOTE:

MOTION CARRIED UNANIMOUSLY

MANAGER'S REPORT

City Manager Murphy stated that there was a foreclosure notice on Crossroads. He did stop in to talk to them and they have acknowledged that they are having their attorneys work on it. They actually see it as a good thing because they feel that their bank will work with them, but more importantly they feel that they will be able to purchase the building.

City Manager Murphy stated that we are trying to work with the Schools to utilize one of the dumpsters in the back for recycling.

City Manager Murphy stated that we received a noise complaint coming from the wastewater treatment plant. Superintendent Martin stated that a week ago we received a few calls regarding a low humming noise. They do feel that it was probably our equipment, but we have not changed anything that would cause it. Possibly, with the cooler summer people may have their windows open more. They have gone out and re-built some enclosures around the air intakes and feel they have remedied the problem. They are going to be looking at possibly purchasing a better sound barrier that could be installed. Further discussion was held on the noise.

COUNCIL COMMENTS

Councilman Morelli asked if there is any news on the purchase of video equipment. City Manager Murphy stated that he was in contact with the insurance company and at least three out of the five communities are insured with them. We might be better off insuring the equipment through one community at a minimal cost. The other concern was what if the equipment gets broken. We would be able to rent one right away.

The question was asked regarding the replacement of the fencing at Yerke's Drain. City Manager Murphy stated that it has taken a long time for the Road Commission and the Drain Commission to decide who was going to replace it. That has been resolved and we have been looking at different types of fencing due to the fact that they no longer make the fencing that is currently there. He presented some examples of the fence. Superintendent Renwick stated that the cost would be approximately \$3,500.

Council Member Maida stated that there will be a motorcycle ride this Saturday, August 28th to support the South Lyon Firefighter's Association starting at 11:00 a.m. at the South Lyon Hotel. It will be an 80 mile ride that will end back at the South Lyon Hotel.

Councilman Wedell stated that he appreciates all of the information materials included in the packet.

Councilman Selden stated that it appears that he are making some progress with regards to the Bodnar building.

Councilman Kivell stated that Kristen Delaney did a good job putting together the list of available commercial properties. He asked if this is on the County's website. Kristen indicated that it not. Councilman Kivell asked when the lumber yard will be added to the list. City Clerk/Treasurer Zemke stated that she has not heard anything more other than they are planning a going out of business sale.

Councilman Kivell stated that although it is unfortunate that Crossroads is running into more obstacles, we did indicate to Mr. Epps that it would be a good idea to keep an eye on the existing ownership.

Fire Chief Kaska stated that Erin Welch of the Fire Department applied for and we are receiving 2008 Firefighter grant that will be used for a natural gas generator for the Fire Department and Ambulance as well as two new laptops. The grant was approximately \$45,000 and we have a 5% match.

EXECUTIVE SESSION – UNION NEGOTIATIONS.

CM 8-10-05 – ENTER INTO EXECUTIVE SESSION

Motion by Morelli, supported by Wedell

To enter into Executive Session for the purpose of discussing union negotiations

VOTE:

MOTION CARRIED UNANIMOUSLY

Council entered into Executive Session at 8:18 p.m.

CM 8-11-09 – RECONVENE REGULAR MEETING

Motion by Selden, supported by Maida

To reconvene the regular meeting

VOTE:

MOTION CARRIED UNANIMOUSLY

The regular meeting reconvened at 9:26 p.m.

ADJOURNMENT:

CM 8-12-09 ADJOURNMENT

Motion by Morelli, supported by Maida

To adjourn meeting at 9:26 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

John Doyle, Jr.
Mayor

Julie C. Zemke
City Clerk/Treasurer