

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
May 24, 2010**

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

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

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

APPROVAL OF AGENDA:

City Manager Murphy stated that we would like to remove New Business #7. We need to correct a couple of items and it will be brought back at the next meeting.

CM 5-1-10 APPROVAL OF AGENDA

Motion by Kivell, supported by Morelli

To approve the agenda as amended by removing New Business #7

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

Councilman Kivell stated that on page 4, his statement about how the State is not able to capitalize on the money, he would like the statement to read "over \$500 million rather than "money". He further stated that on page 6, the word hardy is spelled incorrectly.

Mayor Wallace stated that during the discussion of the monthly bills, He had stated that we should always try to seek bids from local businesses when possible. He asked that this be added. Councilman Kivell stated that statement was not made. Mayor Wallace stated that he eluded to that.

CM 5-2-10 – APPROVAL OF MINUTES- MAY 10, 2010

Motion by Selden, supported by Kramer

To approve the minutes of the May 10, 2010 Regular Council meeting as amended

VOTE: MOTION CARRIED (1 opposed)

APPROVAL OF MONTHLY BILLS: None

PUBLIC COMMENT:

Ms. Pam Jackson of 5736 Lancaster in Commerce Township introduced herself and indicated that she is running for the Senate #15th District. She gave a brief description of her background.

OLD BUSINESS:

1. International Fire Code: Access Boxes

City Manager Murphy stated that at the last meeting, Council tabled the item and asked that we bring back both a suggested appeal process and a use policy as to when and how the keys would be used.

Mayor Wallace stated that he has a problem with the amendment. Approximately 75% of the people followed the code and did what they were supposed to do.

Councilman Kramer asked if the amendment that has been provided is suggesting permanent members of the Board. Attorney Lee stated that there would be the City Manager, City Attorney and the City Manager would name a fire chief from a surrounding community. Councilman Kramer asked if anyone from the business sector would be involved. Attorney Lee stated that the obligation of any appellant group is to do whatever is necessary to carry out the terms and direction of the Fire Code. It is not that this group could exempt somebody from having the lock box. In those situations where you have a strip mall for example, they could group them, etc. Under no circumstance could this body have the ability to say that one business is exempt. Councilman Kramer stated that the code as written indicates that a board member could not be an employee of the jurisdiction. Attorney Lee stated that he assumed the major objection is that the original code requires a wide range of fire, safety people. We were trying to make this as simple and efficient as possible. Councilman Kramer stated that he was not aware that there was already an appeal process. We are trying to appease everyone and it might be fruitful to have a least one person that was not a member of the City, possibly from the DDA. Attorney Lee stated that if Council sees fit to add a person, he does not have a problem with it. He suggested a fire chief from another jurisdiction so that we would have someone with expertise in the area. For one reason or another, the people who were complaining did not have faith in our Fire Department.

Councilman Kivell stated that he feels we should continue under the existing language. It eliminates the charge of bias. It does speak to having one person as a representative of the community as a non-voting member. This is not a matter of whether a business has to comply or not, but rather how it is accomplished. The other questions that have been brought up have been addressed including the coded access boxes in the vehicles, policies, etc. The only thing left hanging out there is questioning the character of our Fire Department which he feels inappropriate. We have tried to accommodate whatever security concerns that may be questioned so we should move forward with the way that it is. Nobody from Council read the entire Code so we were unaware that the appeals process was in the existing language.

Council Member Kopkowski stated that her problem is how many people have opposed this in the business community for one reason or another. It has been stated that there is no compelling reason not to have a box, but she does not see a compelling reason to have one. She further discussed circumstances such as standalone buildings or buildings downtown separated with masonry. She stated that she questions within the last 10-15 years how many times would a fire box have saved someone's life or saved their property.

Councilman Morelli stated that he did think at one time that possibly single use buildings would not need one until he started looking at the use of some of these single use buildings. He stated that he has been to 11 states in the last seven months and the only place he has been that did not have these boxes is Disney World. They are everywhere, even the small cities. He does not have a problem with the code, but he did have a problem with some of the things that have been addressed within the Fire Department. You would hope that in 100 years that they would not be needed, but you would hate to have the one time that you do need it and it is not there. He does not believe that they are easy to get into or someone will knock one off the wall, take it home and cut it open then come back and break into a building. Now that he has read the existing language he does not see any reason to revise it. He further stated that he was surprised that we do not fingerprint our firefighters and would like to see that done. He stated that he would think that in every City that the closer you get to 100% compliance, you would have the people who simply do not want to do it start raising question.

Councilman Wedell stated that the amendment that is proposed offers us some structure and suggested that we adopt the first reading to the change.

Discussion was held on the people that have already complied and if they could now go back and appeal. Councilman Morelli pointed out that the Board cannot say that they do not have to have it. The people who have already put one up did not have a problem with it.

Discussion was held on the options. It was stated that we could either adopt the amendment making the City Manager, City Attorney and a Fire Chief of an adjoining community the appeals board or we could leave the code as it is.

CM 5-3-10 – AMENDMENT TO INTERNATIONAL FIRE CODE

Motion by Kivell, supported by Kramer

To not approve the suggested amendment to the International Fire Code Section 108.3

VOTE:

MOTION CARRIED (2 opposed)

Discussion was held on the appeals board. Attorney Lee stated that if someone appeals an issue then Council would then have to appoint the board. It was stated that the board would not be solely for the lock box issue but the entire Fire Code.

City Manager Murphy stated that the code is in abeyance and needs to be addressed.

Discussion was held on the need to adopt the proposed guidelines. It was stated that typically guidelines are not approved by Council. Attorney Lee stated that is an option Council has.

Councilman Morelli stated that his only problem with the guidelines is the fact that some of the items use the word "should" rather than "must" or "shall". It leaves some leeway on whether the action is taken or not.

CM 5-4-10 – ACCEPTANCE OF STANDARD OPERATING GUIDELINES – USE OF COMMERCIAL LOCK BOXES

Motion by Morelli, supported by Kivell

To accept the Standard Operating Guidelines for the use of commercial lock boxes with the word "shall" replacing the word "should" within the text

VOTE:

MOTION CARRIED (1 opposed)

CM 5-5-10 – LIFT THE MORATORIUM – ENFORCEMENT OF INTERNATIONAL FIRE CODE – LOCK BOXES

Motion by Kivell, supported by Kramer

To lift the suspension of enforcement of the lock boxes as required by the International Fire Code

VOTE:

MOTION CARRIED (1 opposed)

Councilman Selden asked if Mr. Bonner and Mr. Bodnar have been approached about installing lock boxes. Fire Inspector Welch stated that they have not yet, but they will be contacting everyone.

2. 2nd Reading: Amendment to Section 102-442, Building Facade Design

It was stated that there have been no changes since the first reading.

Councilman Kivell stated that it had been brought up at the last meeting that Colonial Acres has been doing some façade work. Unless their project was more than 25% or \$10,000 they would not be subject to this ordinance.

CM 5-6-10 – SECOND READING – CHAPTER 102 SECTION 102-442 – BUILDING FAÇADE

Motion by Morelli, supported by Wedell

that this be the second reading of Chapter 102 Section 102-442 Building façade design.

Council Member Kopkowski stated that she has no problem with this amendment. However, she would like to send a message to the Planning Commission that although things have been slow, they could be creating some unnecessary professional fees. We should think about whether or not all of these ordinances need to be reviewed just because we are slow. Possibly we should think about skipping a couple of meetings rather than just handing money to our Planner. Councilman Kivell stated that this is a product of a matrix that they attempted to use to deal with exterior aesthetic treatments. Planning Commission Chairperson Weipert stated that they have used City staff to investigate some of the ordinances so that it is not always the Planning Consultant that is doing the work. Council Member Kopkowski stated that she is simply asking that the Planning Commission be aware. Chairperson Weipert stated that they are well aware.

VOTE:

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS:

1. Public Hearing for the 2010-2011 Budget

Mayor Wallace opened the public hearing at 8:10 p.m. Hearing no public comment, Mayor Wallace immediately closed the public hearing.

2. Adoption of the 2010-2011 Budget

City Manager Murphy stated that he has provided a budget for the fiscal year 2010-2011 which is what he is asking Council to adopt. The document also has the numbers provided for the 2011-2012 budget. This is based on the best data that we have now, but could change, perhaps dramatically, over the next several months. It was a good exercise for us to look into the future to see what our needs are going to be. He is not asking Council to adopt that at this time.

CM 5-7-10 – RESOLUTION - ADOPTION OF THE FISCAL YEAR 2010-2011 BUDGET

Motion by Wedell, supported by Morelli

WHEREAS, in March 2010 the City Manager submitted to City Council a proposed budget for the fiscal year July 1, 2010 through June 30, 2011, and

WHEREAS, the City Council has received the proposed budget contained herein and has discussed and reviewed same

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby adopts the 2010-11 fiscal budget as shown in the budget document on the Summary page, and detailed on the following pages, in the total amount of \$ 4,728,424.

BE IT FURTHER RESOLVED, that the City Council hereby adopts the following proposed budget or estimates for the following operations as set forth below.

	<u>Fund No.</u>
Major Street Operation	202
Local Street Operation	203
Community Development Block Grant	274
Combined Water/Sewer Operation	592
Equipment Replacement Fund	641
Capital Improvement Fund	401
Land Acquisition	509
Downtown Development Authority	280

General Debt Service

2003 G.W. WW Treatment/Bond G.O.	307
1996 Building Authority—Shared Administration	369
1999 Building Authority—Land Acquisition	369
2005 Downtown Development Authority	369

BE IT FURTHER RESOLVED that the City Manager is authorized to advertise for bids, or authorize at the appropriate time for contractual services, commodity purchases and/or capital expenditures throughout the fiscal year in accordance with the enclosed budget document and all applicable City ordinance policies or procedures in effect.

BE IT FURTHER RESOLVED, that pursuant to the Uniform Budgeting and Account Act, Section 19 (2), the City Manager may make transfers within a fund and activity if the amount to be transferred does not exceed 10% or \$25,000, whichever is greater, of the appropriation item for which the transfer is to be made, with prior notification to the City Council.

VOTE:

MOTION CARRIED UNANIMOUSLY

Council Member Kopkowski stated that she still has reservations about the budget. She stated that she understands that it is lean. She hopes that we can live within our means since we took the "fluff" out and not simply amend the budget several times down the road. The other issue is that the Capital Improvement fund is going down tremendously and very quickly. We cannot keep supporting this City without taking care of some of the infrastructure. She does understand that a lot of work did go into this budget.

Councilman Kivell stated that the benefit of budget amendments is that it makes things more transparent as the year progresses.

CM 5-8-10 – RESOLUTION SETTING 2010-2011 MILLAGE RATES

Motion by Kivell, supported by Kopkowski

RESOLVED, that the City Clerk certify to the City Assessor for spreading on the Assessment Roll of the City of South Lyon for the year 2010-2011, the following amounts, based on taxable value \$329,601,120.

1. At the rate of 10.4243 mills per \$1,000 of valuation for General Fund Operation
2. At the rate of 2.5000 mills per \$1,000 of valuation for Wastewater General Obligation Bonds for wastewater treatment (2002)
3. At the rate of .1560 mills per \$1,000 of valuation for Capital Improvement Fund
4. At the rate of .3326 mills per \$1,000 of valuation for South Lyon Building Authority (1996)
5. At the rate of .3371 mills per \$1,000 of valuation for 1999 Building Authority (Land Acquisition)

RESOLVED FURTHER, that due to the May 2, 1984 election whereby the Library became a free standing and District Library for all purposes including the levy of 1.3101 and the overall levy for the City will be 15.0601 mills, of which 13.75 mills will be used for City operation and debt.

RESOLVED FURTHER, that after spreading on the Assessment Roll, the amounts as required to be raised by the general ad valorem tax, the Assessor certify and deliver the same to the City Treasurer, and the City Clerk be authorized to attach her warrant thereto, directing and requiring the City Treasurer to collect the same as provided by the City Charter.

RESOLVED FURTHER, that all installments reported to the City Treasurer as delinquent on Special Assessments and other charges, together with interest due thereon, as provided in Section 1.276 of the City Charter; unpaid charges for water consumption and water tap installation, as provided in Chapter 24 of the South Lyon City Code be assessed against the properties benefited and included in the 2010 Tax Roll.

RESOLVED FURTHER, that the millage for the entire fiscal year 2010-2011 budget not to exceed 13.75 mills.

VOTE:

MOTION CARRIED UNANIMOUSLY

Councilman Morelli stated that it should be noted that our millage rate has been 13.75 for years and that is not changing. It was stated that unfortunately we will be seeing a decrease in revenue based on decreasing values.

Councilman Selden discussed the decrease in State Shared Revenues and the importance for everyone to return their Census information.

3. Road Closure for Pumpkinfest Parade and Activities

Ms. Patti Maida of 411 Second Street stated that she is asking Council to approve the road closures for Pumpkinfest which will be held October 1st from 7 p.m. until Sunday, October 3rd at 7 p.m. She would be closing the road on Friday in preparation of the events that will start on Saturday. She explained the road closure and stated that they have provided signatures of all of the business owners within the area and a map of the closure.

Councilman Kivell asked about the two stages. Ms. Maida stated that one will be for the family stage for community events and the other will be for the Saturday entertainment. Councilman Kivell stated that he thinks that it is terrific to bring the event downtown. Ms. Maida stated that Pumpkinfest is about a festival and that is what they wanted to create downtown to bring more people to the area. They have some great ideas. The purpose of coming to Council so early is that they did not want to put out information without having the permission to have the roads closed.

Mayor Wallace stated that one of the concerns about bringing it downtown is how they will have the children's mid-way. Ms. Maida stated that she assures that there will be a lot of activities for kids of all ages.

Councilman Kramer asked why they are requesting the closure so early on Friday night. Ms. Maida stated that they will have a lot of set-up to do. They will be creating a pumpkin pyramid in the center of town and it will take some time to prepare. Also, being the first year, they want to make sure everything is where it should be, etc. The parade will be leaving from the Dairy Queen parking lot and coming the opposite direction from years past and will disperse onto Liberty Street. It will be bringing the crowd to the center of town.

Attorney Lee stated that his only concern is with the insurance. Even though it provides that the City is the holder of the certificate, we must be endorsed on the certificate. Approval should be contingent upon the certificate indicating that we are a covered insured.

Discussion was held on the fact that there will be a football game in Ann Arbor that weekend. It was stated that there is only a 2 block detour.

CM 5-9-10 – APPROVAL OF ROAD CLOSURE – PUMPKINFEST – OCTOBER 1-2, 2010

Motion by Kivell, supported by Kramer

To resolve that Julie Zemke, City Clerk/Treasurer is hereby authorized to 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 Pumpkinfest Downtown Event from Friday October 1, 2010 until Sunday October 3, 2010 and the related road closures: Lafayette Street between Liberty Street and Whipple Street; Lake Street between Wells Street and Washington Street; from 7:00 p.m. on Friday October 1, 2010 until 7:00 p.m. on Sunday October 3, 2010; 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

4. Road Closure for Memorial Day Parade

Chief Collins stated that this is the usual route and is the smallest parade that we have in South Lyon but one of the most important. He would recommend approval.

CM 5-10-10 – APPROVAL OF ROAD CLOSURE – MEMORIAL DAY PARADE

Motion by Morelli, supported by Kramer

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 2010 Memorial Day Parade on May 31, 2010 at 9:00 a.m. to 9:45 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

Mayor Wallace stated that this is an important event. There will be events in the cemetery and the VFW once again provide free food at their location in celebration. He stated that the American Legion is also involved which makes it special. He further stated that he would also like to thank Dayna Johnston who has been involved with this parade for many years.

5. 1st reading; request to rezone 410 Pettibone from RM to I-1

Pam Weipert, Planning Commission Chairperson stated that this is a request to rezone from RM to I-1. This is a piece of property that looks industrial at the south end of Pettibone where it comes to the railroad tracks. In 2003, the Planning Commission recommended to Council to rezone all of the property between Pontiac Trail and the bike trail north to Lottie Street. This was done because most of the properties were single family homes and the property owners were trying to improve them. It seemed more appropriate as residential. Several pieces of property were identified as being more industrial in nature and remained I-1, but this particular piece was not excluded from the rezoning, which was probably simply an oversight. The Shigley's purchased the property for the purpose of running a landscape business. The Planning Commission unanimously agrees that industrial is the appropriate zoning for the property.

CM 5-11-10 – FIRST READING – REZONING REQUEST – 410 PETTIBONE

Motion by Wedell, supported by Kivell

That this be the first reading of the rezoning of 410 Pettibone from RM to I-1

VOTE:

MOTION CARRIED UNANIMOUSLY

6. 2009-2010 Budget Amendments

City Manager Murphy stated that these are amendments for things that transpired throughout the year. As we move forward, we will amend the budget at the time it is needed. He reviewed the budgets to be amended.

Councilman Kivell stated that he does like the idea of having amendments on a more timely manner rather than waiting until the last minute. However, these are all items approved by Council.

Councilman Wedell stated that one of the things that we talked about is that if we get into the habit of doing budget amendments as they occur, we will start to see that the budget as a living document and it moves as we move through the year. That will become more apparent as we do amendments and some more forecasting.

CM 5-12-10 – APPROVAL OF BUDGET AMENDMENTS

Motion by Kivell, supported by Wedell

To approve the budget amendments as presented (see attached amendments as part of these minutes)

VOTE:

MOTION CARRIED UNANIMOUSLY

7. Proposed Park Use Policy – Removed from the Agenda

8. Designation of park funds

City Manager Murphy stated that some years ago the developer of the Andover Creek development and the engineers made a mistake and had to pay back some money. At that time Council approved the setting aside of that money for Parks and Recreation. It has been sitting there for years and collecting interest. It started out at \$101,250 and is now \$173,761.77. At this time we are requesting that Council formally designate these funds to the Parks and Recreation and he would request that it be designated for use as leverage for grant money.

CM 5-13-10 – DESIGNATION OF FUNDS FOR PARKS AND RECREATION

Motion by Morelli, supported by

To approve the designation of \$173,761 to be segregated for use solely for Parks and Recreation to be used as leverage for grants

VOTE:

MOTION CARRIED UNANIMOUSLY

9. Water/Sewer Rate Adjustment

Mayor Wallace asked what the rates would have been if the DWRF had been approved. Superintendent Martin stated that as proposed the increase for the average user based on 25,000 gallons of usage would be \$17. If we had gone with the DWRF it would have been approximately \$40 per quarter. He stated that we used the software program developed by Plante Moran and plugged in some variables. We looked at the expenses, fund balance and the whole department and tried to address this as conservatively as possible but yet be responsible in looking at funding for the department. We are recommending a 16% increase in water and 11.25% in sewer which is an overall increase of 12.80%. This includes paying back the \$550,000 DWRF engineering study.

Councilman Morelli asked if they took into consideration that less water is being used. Superintendent stated that they have. It is the trend for a lot of reasons including not only housing but also industry. The question was asked how much are we down in usage from last year. Superintendent Martin stated that he does not have the exact number. He stated that we talk about "green" thinking and everyone is looking at ways to save water. He stated that it is a double-edged sword because when we pump more water there is more revenue, but we write bigger checks for the utilities.

Discussion was held on the increase last year. Superintendent Martin stated that it was 6% water and 13% wastewater. He stated that Plante Moran believes that you should look at and respond yearly with increases. It is an expensive operation to run. Even with this rate increase, we are still, by far, lower than the other communities in our area with their own systems. We work very hard to keep funding down. Councilman Kivell stated that it is always nice to see that we are lowest, but it does not give people seeing the increase much solace. Further discussion was held on the community comparisons. Council Member Kopkowski stated that she does not like selling this tax increase to our citizens simply because we can because other communities charge more. Superintendent Martin stated that he is not indicating that. He is trying to give a comparison. Council Member Kopkowski stated that it is not justification. It does not matter what other communities do. We have to do what is right for our community. Councilman Kivell stated that Council has the fiduciary responsibility to make sure that our residents pay the cost of providing water and sewer service.

Councilman Kramer asked how much of this rate increase is to pay back the \$550,000 and asked the time period to pay back those funds. He stated that the concept of raising the rates to him was to earmark funds for future projects including the water main replacement so that we would have a down payment so that the repayment would not be as much. He stated that the way he is understanding this is that this rate increase is only to pay back the DWRP and fund the department. Superintendent Martin stated that he did provide a chart that indicates what kind of additional revenue could be generated for future projects. Councilman Kramer stated that he would like to know how long will it take to pay back the DWRP engineering monies.

Superintendent Martin stated that this is one of the toughest things we have to do with this department, but is a necessary part of the job. Councilman Kivell stated that there are costs associated with all of the improvements necessary and the operation of the water and sewer plants.

Council Member Kopkowski stated that she did not support the DWRP engineering without knowing if we were going to move forward with the project. Due to the fact that she does not have a choice now between funding the department and a combination increase, she has to follow through and not support this increase.

Councilman Morelli asked if the \$550,000 is being paid within this budget. City Manager Murphy stated that the invoice for the design work will be paid within this budget. Councilman Wedell stated that we paid it through the Water and Sewer Fund, the increase will make that fund whole again so that it is not in a deficit situation. City Manager Murphy stated that it will replenish the money that was taken from fund balance and will take several years to build back up and maintain. We are always trying to maintain where we are.

It was stated that Plante Moran did tell us that we should raise rates every year by approximately 7%. City Manager Murphy stated that it would have been closer to 7% if it were not for the \$550,000. He further discussed the chart indicating the additional increase if Council wished to put additional funds aside for future projects. Further discussion was held on the need to set funds aside in the future.

CM 5-14-10 – INCREASE IN WATER & SEWER RATES

Motion by Wedell, supported by Kivell

To approve the water/sewer rate adjustment beginning with the June 2010 billing with an increased water rate from \$1.68 per 1000 gallons of water to \$1.95 and increased sewer rate from \$3.44 to \$3.83 per 1000 gallons of water used

It was stated that this means that the first bill affected would be October.

VOTE: MOTION CARRIED (1 opposed)

10. P.O.A.M. Union Contract

City Manager Murphy stated that this is basically the same as the Command Officers' contract approved at the last meeting. This is a three-year contract with 0% wage increases for the next three years. Like the Command Contract, he did increase the tuition reimbursement from \$400 to \$800 because he feels that is important to both the employee and the City. There were some other minor adjustments.

Councilman Kivell questioned the promotion and shift preferences. Chief Collins explained that we are not increasing the number of detectives. We have two detective positions, which is a temporary assignment. They were simply looking for a way to have a more orderly rotation. Most recently there have only been 5-6 people interested in doing it more than one time. Now with some of the younger officers, they are in a position that they would like to rotate through the Detective Bureau. It gives them a change from their normal patrol assignment. Attorney Lee stated that it should be noted that we are one of the very few departments that do not have a differential in pay between patrolman and detective.

Councilman Kivell stated that he is proud of the fact that the officers are looking at ways to make the City stay whole. They did not get an increase in salary but did end up getting other enhanced benefits.

City Manager Murphy stated that he would also like to note that Ms. Zemke was instrumental in helping him with all of the contracts since he started here.

CM 5-15-10 – APPROVAL OF UNION CONTRACT – P.O.A.M.

Motion by Selden, supported by Kramer

To approve the contract between the City of South Lyon and the Police Officer's Association of Michigan (P.O.A.M.) for the period of July 1, 2010 through June 30, 2013 as presented

VOTE: MOTION CARRIED UNANIMOUSLY

11. Witches Hat School House Roof Bids

Superintendent Renwick stated that the bids ranged from the low bid of \$8,900 to \$28,990. This is a local company. Mayor Wallace asked if he were familiar with the company and if references were checked. Superintendent Renwick stated that we did check the references and are satisfied.

Councilman Kivell stated that there were bids that were less but did not address all of the concerns. He further stated that Mr. White's bid did indicate that decking was non-applicable and he would like to make sure that we have someone on site so that when he strips the roof, we can verify that there is no decking that needs to be replaced. Superintendent Renwick stated that we have already discussed the issue with him.

CM 5-16-10 – APPROVAL OF LOW BID – WASHBURN SCHOOL REPAIRS

Motion by Morelli, supported by Kivell

To award the bid to Bill White Builders, LLC in the amount of \$8,900 for the removal and replacement and the repair of sagging ceiling at Washburn School Museum.

VOTE: MOTION CARRIED UNANIMOUSLY

MANAGER'S REPORT:

City Manager Murphy stated that he talked with Jeff Potter, County Commissioner and he has passed along some information on an issue he would like Council to consider. He brought the issue before the General Government Committee at Oakland County and it will be going on to the full Board of Commissioners. He does not like the fact that some of the communities, particularly townships in the area do not have a police force and utilize the State Police. He believes that it puts the City at an economic disadvantage. We have our own police force and he believes that these townships should hire their own police force or hire the County Sheriff. He would like to come to the next Council meeting and ask that Council take up that cause and ask us to pass a resolution of support asking the legislature to phase out the free police services. The consensus of Council was that they would consider the issue at the next meeting.

City Manager Murphy stated that the bids on the Bodnar building will be coming to Council at the next meeting. He asked the City Attorney to give an update on the court proceedings today with Mr. Bonner. Attorney Lee stated that we ran into a snag in our attempt to get Mr. Bonner pay \$100 fine for not shoveling his sidewalk. We had testimony relative to 24 hours of non snow removal. The defendant brought in documents from the Milford Proving Grounds indicating that on the day before we issued the ticket there had been ½ inch of snow there. Joe Veltri testified that he checked and there had been no new snow that had fallen within 24 hours. The Judge indicated that there was question as to whether or not there was a general snow fall and criticized our ordinance for not having a particular depth and as a result gave the defendant the benefit of the doubt.

City Manager Murphy stated that as the Administrator of the City he would like to thank the Fire Department and the volunteers for going out and doing the job that they do. There have been some things said over the last several meetings, but these people are going out there, and yes it is paid on call but it is miniscule, to save the businesses and residents. We need to applaud that and not rip apart the morale.

COUNCIL COMMENTS:

Councilman Selden reminded everyone that the South Lyon Farmer's Market will be open on Wednesday from 2-7 p.m. at the Veteran's Memorial Parking Lot. He stated that the Concerts in the Park schedule is out as well as the schedule for the Movies in the Park.

Councilman Selden thanked the Police Officers for their contract negotiations and thanked the City Manager for his budget work.

Councilman Kivell stated that Kristen Delaney did a great job selecting the movies with some timeless movies that will not generate competition with the local theatre.

Councilman Kramer stated that he heard a lot of people indicate that they were very excited about Downtown Saturday Night. He has heard nothing but positive feedback and everyone is looking forward to the next one. He would like to thank everyone that was involved with putting that together.

Councilman Wedell stated that we saw something tonight that is unique in local governments. We passed a budget that had no layoffs, salary reductions or reduction in services and more importantly no increase in taxes. The City Administration, Treasurer's Office, Bookkeeper's Office and Council need to be proud of what they have done.

Councilman Wedell stated that over the last several weeks the VFW and American Legion have been out selling poppies and thanked everyone who stopped and bought one.

Mayor Wallace asked the status of the flowers on the lamp posts downtown. Superintendent Renwick stated that it is being taken care of by the Beautification Committee. City Manager Murphy stated that Gary Childs went out and got the bids and the Beautification Committee will be doing the planting.

Mayor Wallace stated that the downtown beer tent was great but he feels that we need more things geared toward kids. Council Member Kopkowski stated that we also need more tables for people who just want to eat. City Manager Murphy stated that these things have been talked about and will be addressed.

Mayor Wallace stated that he feels that we have an ordinance that has outgrown itself, which is the ordinance that requires no parking on the streets for approximately 6 months out of the year. He wanted to see if we could go along with what most communities do which is to declare snow emergencies to address cars parked on the roads. He stated that today, many kids are still living at home and there are several cars for one house. They are having to park on their front lawn to keep them off the road. He feels that we should look into this to see if we could do something different.

ADJOURNMENT:

CM 5-17-10 ADJOURNMENT

Motion by Morelli, supported by Selden

To adjourn meeting at 9:13 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd M. Wallace
Mayor

Julie C. Zemke
City Clerk/Treasurer