

**CITY OF SOUTH LYON  
REGULAR CITY COUNCIL MEETING  
October 25, 2010**

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

Cub Scouts of Den 10, Pack 38 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:**

**CM 10-1-10 APPROVAL OF AGENDA**

Motion by Kramer, supported by Kivell

To approve the agenda as presented

VOTE:

**MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF MINUTES:**

Councilman Kivell stated that he would like to add a sentence to the bottom of page three in regards to the "corner clip" easement. He would like to add that Mr. Rucinski stated that the corner clip is to provide good site lines.

**CM 10-2-10 – APPROVAL OF MINUTES- OCTOBER 11, 2010**

Motion by Morelli, supported by Kramer

To approve the minutes of the October 11, 2010 Regular Council meeting as amended

VOTE:

**MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF MONTHLY BILLS:** None

**PUBLIC COMMENT:** None

**OLD BUSINESS:**

1. 2<sup>nd</sup> Reading – Snow Removal Ordinance

City Manager Murphy stated that the 2<sup>nd</sup> reading was tabled at the last meeting in order to make some modifications. We have added language in (2) to designate the Wastewater Treatment Plant as the location to determine the cessation of snow. He stated that there is also an error in (4), it should read lawn rather than law. Further, he stated that the City Clerk, after reviewing the ordinance has questioned whether (2) should read ".....as determined at the Waste Water Treatment Plant" rather than using the word "measured". He stated that the measuring of the depth of the snow will actually be done at the property location. The Treatment Plant is to be used as the determination of the cessation of the snow.

CM 10-3-10 – AMENDMENT TO THE 2<sup>ND</sup> READING – SNOW REMOVAL ORDINANCE

Motion by Wedell, supported by Kramer

To amend the proposed amendment (2) to read “determined” rather than “measured”

VOTE:

MOTION CARRIED UNANIMOUSLY

Councilman Kivell stated that the idea behind this amendment was to allow us to more easily pursue people who had not been addressing their sidewalks. This language does help us to move in that direction, but that with the 3 inch limitation makes it more difficult for us to handle this in a reasonable way. Had the 3 inch language of the current ordinance been removed, it would put us in a better position. He feels that this whole package makes it more difficult. Mayor Wallace asked if he would like to see 2 inches versus 3 inches. Councilman Kivell stated that he feels that the language referring to the cessation of snow being determined at the treatment plant gives us an assist, but he would like us to disregard all of the language that speaks to the depth. He stated that the threshold is so high that it will not be used or used very infrequently. We want to put pressure on these individuals more quickly.

Discussion was held on the existing language.

Councilman Morelli stated that he does not see how we can have an ordinance without a depth. Councilman Kivell stated that if they have not addressed their snow within 24 hours after the snow has been determined to have stopped at the treatment plant, then we can pursue that. Discussion was held on a dusting of snow with now accumulation. Councilman Kivell stated that we would not pursue a dusting, but rather when people are clearly negligent in maintaining their sidewalk. Discussion was held on that being subjective. Discussion was held on being able to hold up in court. Attorney Lee stated that there has to be a standard of some kind.

Mayor Wallace stated that he feels that 3 inches is too deep.

Council Member Kopkowski stated that we can try it this way and make changes for next year if we need to.

CM 10-4-10 – SECOND READING – AMENDMENT TO SECTION 82-78 – SNOW ORDINANCE

Motion by Selden, supported by Wedell

That this be the second reading of an amendment to Section 82-78 of the City Code as amended (see attached amendment as part of these minutes)

ROLL CALL VOTE:

MOTION CARRIED

Kivell – No  
Kopkowski – Yes  
Kramer – Yes  
Morelli – Yes  
Selden – Yes  
Wedell – Yes  
Wallace - No

NEW BUSINESS:

1. SMART Agreement

City Manager Murphy stated that the City can receive a municipal credit back from SMART in the amount of \$9,432 if we spend at least \$11,495 on public transportation. Our current budget for transportation is \$57,890. We need to approve the contract so that we receive that credit.



Councilman Kramer asked why we receive the credit. City Manager Murphy stated that we receive the funds because we opted out of the SMART system and we provide our own. It was stated that prior to us providing transportation, we transferred the money to the schools.

CM 10-5-10 – APPROVAL OF SMART AGREEMENT FOR FY 2011

Motion by Morelli, supported by Kopkowski

To approve the proposed agreement between the City of South Lyon and the Suburban Mobility Authority for Regional Transportation (SMART) for fiscal year 2011

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Bids for Drain Pipe in Wells Street Parking Lot

Superintendent Renwick stated that they were called out for a problem at the Wells Street Parking lot. They found part of the line had collapsed. We need to go in and replace it.

Council Member Kopkowski asked why the DDA is paying for this repair. City Manager Murphy stated that it is within the DDA district and it is within the parking lot that they built. One of the functions of the DDA is to repair and update the infrastructure within the district. Council Member Kopkowski asked if the parking lot belongs to the DDA. City Manager Murphy stated that it does not belong to them, but it is within their district. The DDA captures money that would normally come into the general fund and one of the uses is for this purpose.

Council Member Kopkowski asked if this is something that should have been caught when the parking lot was built. Superintendent Renwick stated that it was working fine at that time.

City Manager Murphy stated that this will also give us the opportunity to connect the downspouts into the drain and out of the parking lot.

Councilman Kramer asked how long this project will take. Superintendent Renwick stated that it will be a couple of days.

Councilman Morelli asked if we have consent from all of the property owners. City Manager Murphy stated that we do. He further stated that he met with Mr. Bonner and he could not have been nicer.

CM 10-6-10 – APPROVAL OF BID – DRAIN PIPE IN WELLS STREET PARKING LOT

Motion by Kivell, supported by Kramer

To approve the replacement of storm line and concrete in the Wells Street Parking Lot and the bid from K-Mak Concrete, LLC at the cost of \$10,950 plus a 10% contingency

VOTE:

MOTION CARRIED UNANIMOUSLY

Mayor Wallace stated that he is happy to see a local business receiving the bid.

3. DDA Budget Amendment

City Manager Murphy stated that this is the amendment to cover the cost of the approved repair. Council had requested to see the budget amendments as these approvals were given. He stated that the approximate \$11,000 will be coming out of their fund balance.

CM 10-7-10 – APPROVAL OF BUDGET AMENDMENT

Motion by Morelli, supported by Kramer

To approve the amendment to the 2010-2011 DDA budget as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

Councilman Wedell asked if we have to amend the 2011-2012 budget. City Manager stated that we do not at this time.

**MANAGER'S REPORT:**

City Manager Murphy stated that he is looking for Council's opinion on whether or not to pursue an item. He stated that he would like to look into an "electrical outlet" where people could bring their electric cars and plug in to re-charge. He further explained the use of the outlet. He stated that he was thinking that we could put it on the side of our building. They are giving these away. The only thing we would have to pay for is the conduit coming from the building. They suggest providing this to people for free for a year. After that we would set the price. We would not be looking to make any revenue, but we would be providing the convenience to our residents. He stated that they could turn us down because of our location, but he would like to look into it. Further discussion was held on the configuration of the outlet. The consensus of Council was that they would like to see more information.

**COUNCIL COMMENTS:**

Councilman Kramer encouraged everyone to get their flu shot.

Councilman Kramer stated that he would like to thank Council for approving the crossing guard on Nine Mile. He stated that he is getting positive input from neighbors. He stated that they particularly like the flashing stop sign.

Councilman Kramer stated that the election is next week and encouraged everyone to get out and vote.

Councilman Wedell stated that the VFW Post 2502 is sponsoring a program to put brick pavers in front of Veteran's Rock. He stated that the City's website has some additional information and a link for an application. He stated that they brought this before the American Legion after being approached by Randy Clark of the Beautification Committee about this project.

Council Member Kopkowski asked if there was any information that can be put together for Council about the financial success of the Pumpkinfest. City Manager Murphy stated that he can ask.

Council Member Kopkowski also encouraged everyone to vote next Tuesday.

Mayor Wallace stated that he would like to express his thanks to our former Fire Chief Kaska for his 30 years of service. He was not only heavily involved with the Fire Department, but also involved as a football coach in the community for many years and other community organizations. And, he is still currently employed as a DPW worker.

**ADJOURNMENT:**

CM 10-8-10 ADJOURNMENT

Motion by Morelli, supported by Kramer

To adjourn meeting at 8:02 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

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Tedd M. Wallace  
Mayor

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Julie C. Zemke  
City Clerk/Treasurer

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