

**CITY OF SOUTH LYON**  
**REGULAR CITY COUNCIL MEETING**  
**September 27, 2010**

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

Mayor Wallace along with the Cub Scouts of Den 5, 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  
Attorney Lee  
Department Heads: Martin & Renwick  
Deputy Clerk/Treasurer Lynch  
ABSENT: City Clerk/Treasurer Zemke

**APPROVAL OF AGENDA:**

**CM 9-1-10 APPROVAL OF AGENDA**

Motion by Kivell, supported by Kopkowski

To approve the agenda as presented.

VOTE:

MOTION CARRIED UNANIMOUSLY

**APPROVAL OF MINUTES:**

**CM 9-2-10 APPROVAL OF MINUTES**

Motion by Kivell, supported by Kramer

To approve the minutes of the September 13, 2010 meeting as presented.

VOTE:

MOTION CARRIED UNANIMOUSLY

**PUBLIC COMMENT:** Life Saving Award Presentation

Chief Collins stated it is an honor to give the Life Saving Award to Officer Faught, and Officer Hoydic. He further stated on April 23<sup>rd</sup>, 2010, they answered a radio call for an unconscious resident. After the officers arrived at the residence, they took over CPR, and used the difibrillator to help the victim. Due to the actions of these two officers, the victim did begin breathing on her own and she has survived. Also, it is thanks to the Lions Club that we have the difibrillator in the police cars.

Ray Dryer of 17747 Park Shore in Northville Township stated he is asking for Council to consider naming something appropriate after Jeff Potter. He did a lot of great things for this community as well as others.

Bill Stenovich of the South Lyon Bakery stated he is very concerned with the parking situation for his business and the businesses surrounding his. He is concerned about the Pumpkinfest parade and the farmers market being moved to the south parking lot. Many people usually like to sit and stand there to eat and watch the parade. He further stated the north parking lot will be having a pie contest and the farmers market will be moved to the south parking lot. He is very concerned the parking will not be available for his customers.

**OLD BUSINESS:**

1. 2005-2006 FY Capitol Improvement Funds

City Manager Murphy gave a brief synopsis of the Capitol Improvement issue. Brian of Plante and Moran stated the Council can leave this money where it is, or move it for the debt service. Attorney Lee stated there is no obligation to move the money to the debt service payments for the waste water treatment plant. Discussion was held regarding moving the money or leaving it where it is.

CM 9-3-10 MOTION TO LEAVE FUNDS IN THE CAPITOL IMPROVEMENT FUND

Motion by Kivell, supported by Wedell

Motion to leave the Capitol Improvement Funds in the existing fund

VOTE:

MOTION CARRIED UNANIMOUSLY

**NEW BUSINESS:**

1. Jennifer Foley- 9 Mile School Crossing

Jennifer Foley of 61351 Dean Drive stated she is here representing herself along with many other parents that are concerned about the 9 mile school crossing. They are hoping something can be done before someone gets hurt. She further stated they have a petition with over 145 signatures requesting something be done. Ms. Foley stated 9 Mile has changed a lot over the years. We have asked for help for the last 7 years. The yellow flashing lights do not help. She further stated that she herself was almost struck by a car passing another car on the right. Ms Foley stated she spoke with a police officer at the crossing, and he told her he would like to have gotten out and stopped traffic so the kids could cross. The parents are very concerned that one of our children could be hurt or killed.

Councilman Wedell stated before the meeting, Chief Collins handed out a report and also a Traffic Improvement Association Traffic Engineer survey of the same area. Based on that survey, it is recommended that a crossing guard be place at 9 Mile and Brookdale. He further stated based on that study he would like Council to support the recommendation.

Councilman Kramer stated the Chief did a lot of work getting this traffic engineer and there are also some other suggestions regarding speed limit signs. Chief Collins stated that would clarify the drivers obligations at the crossing. We could purchase signs to put adjacent to the traffic lanes that say Stop for Pedestrians in the Cross Walk. He further stated he has a lot of confidence in the recommendations of the engineer.

Councilmember Kopkowski stated she never wanted the speed limit to change from 25 to 35. She further stated that Ms. Foley stated she had a conversation with a police officer that wished he could help. She asked why he could not. Chief Collins stated he has not spoken with the officer of that conversation, but he was supposed to observe and give tickets to the people flagrantly breaking the traffic laws.

Discussion was held regarding the use of police officers for the cross walks in the morning and afternoon.

Chief Collins stated if a crossing guard is approved tonight, he could have someone there next week.

Cynthia Kivell of 235 W Lake stated she has many years of experience being a crossing guard. She further stated it is the crossing guard's duty to wait for a gap in traffic then stop traffic for the children to cross. With her past experience she stated the crossing guard at Nine Mile will have a tough time finding a gap for the children to cross. She further stated something needs to be done to bring attention to the school crossing.



CM 9-4-10 MOTION TO ADD AN ADDITIONAL CROSSING GUARD

Motion by Kramer, supported by Wedell

To approve an additional crossing guard at 9 Mile and Brookfield

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Non Profit Status – South Lyon Football Boosters

Jim Herman of 1107 Appaloosa stated he is the president of the South Lyon Boosters Club, and they are asking for Council to recognize their group as a nonprofit organization.

CM 9-5-10 MOTION TO APPROVE SOUTH LYON FOOTBALL BOOSTERS AS NON PROFIT

Motion by Kivell, supported by Selden

To approve the Local Governing Body Resolution for Charitable Gaming Licenses recognizing South Lyon High School Boosters as a non-profit organization operating in the community for the purpose of charitable gaming licenses.

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Homecoming Parade - South Lyon Football Boosters

Jim Herman of 1107 Appaloosa stated he is the President of the South Lyon Football Boosters and he is asking Council to approve the date and time of the homecoming parade.

Justin Allen of 12004 Pembroke Circle stated he is on the South Lyon School Council and they have been working on this and are really excited about it. It will be great for the community.

Councilman Kramer stated that at the previous meeting it was discussed to have the parade on a Thursday, but that is not happening this year. Mr. Allen wanted it on Thursday so it would be closer to the game which is on Friday. They could not move the Panther's games from Thursday to Wednesday, so we are requesting to have it on Wednesday. Councilman Kramer stated he thinks the Student Council, the Boosters and the City should be involved in deciding the route so everyone is on the same page. He further stated the original route submitted was unacceptable to the police and the fire department.

Councilman Kivell stated they may not be legitimate safety concerns because there are solutions for them and if you mitigate the safety concerns then there are no longer safety concerns that disqualify that route for being vital.

Councilmember Kopkowski stated she thinks it is a great idea to have the parade come through town, but she thinks it came together too fast, and there were too many people involved and not enough people sitting down together to work on it. Maybe it will be possible in the future. She further stated there are still a lot of safety concerns.

Devon Petrica of 434 Dorothy street stated they have submitted an application and asked if there was some expression of contempt in regards to what we have decided the route will be. Councilmember Kopkowski

stated there are some issues, and the route was turned down. The route can be re-worked, and they can possibly still achieve the same goal of coming through town, but it has not been 100% thought out by everyone involved.

Mayor Wallace suggested the route be Bartlett to 10 mile, then through the 4 corners, then run it to Bella Luna go right, then Liberty street back to Warren back to Bartlett. That would give you a chance to go through town twice. That way people will still be able to get around. He further stated he would like the parade to come through the downtown.

Councilman Kivell stated the idea of a train coming through there, is just such a preposterous notion that you cannot make adjustments to control the safe transport of kids walking down the street without the kids walking out in front of a train. If there was a willingness to find solutions to the meager problems that have been portrayed for this route, it could happen.

More discussion was held regarding the route and the safety issues, and the time frame left to make this parade happen.

#### CM 9-6-10 – APPROVAL OF PARADE ROUTE

Motion by Kivell, supported by Morelli

To approve the requested homecoming parade route.

MOTION FAILED

1 YAY  
6 NAYS

#### 4. 2009-2010 Audit Presentation

Brian Camiller and Manju Patnaik of Plante and Moran gave a brief overview of the 2009-2010 audit. Les Pulver stated the City is doing a great job with its finances. He further stated the Bookkeeper's office and Treasurer's office are doing a great job. The City is in good shape financially.

#### CM 9-7-10 - ACCEPT 2009-2010 AUDIT

Motion by Wedell, supported by Kramer

To accept the audit from Plante and Moran for fiscal year 2009-2010 as presented.

VOTE:

MOTION CARRIED UNANIMOUSLY

#### 5. Sidewalk Snow Removal Discussion

Attorney Lee stated we cannot do the snow ordinance the same as the weed ordinance. There is no ordinance to charge for the removal of snow. We can however amend the ordinance so the City can step in after 24 hours after the snow has fallen, and have the City remove it. We could then issue a ticket and ask the District Court Judge upon a conviction of a civil infraction, to repose the cost as part of the fine. He has adjusted the proposed ordinance to take care of that.

Councilman Kivell stated the fact that the trigger is 3 inches, clearly does not address why this was brought to our attention. If we have over an inch of snow on the sidewalks, it will still be hard for the elderly and the



people in wheel chairs to get through there. He further stated he thinks the 3 inches is on the extreme side. He further stated the language on the last page of the proposed ordinance change should have a stated amount of time for it to take place. Also, it stated it could be collected as any other debt to the City. Attorney Lee stated that is the only way we can collect a debt. He further stated we need a notice provision to be given. We will need to tack it on the door in case it is an absent landlord.

Councilman Kramer stated the question that keeps coming back is we have the ordinances, but we do not have the enforcement. Councilman Wedell stated he does not know how enforceable the ordinance will be. There are many homes, foreclosed or not, where the people never shovel the snow. He further stated the Post Office never shovels their walk. He further stated he does not know how we can enforce it. City Manager Murphy stated he will send something out, to everyone down Pontiac trail from 11 to 9 mile to let them know we will be enforcing the snow removal ordinance. He further stated he does not know if it will help, but it is worth a try.

Discussion was held regarding the language in the ordinance.

#### CM 9-8-10 APPROVAL OF FIRST READING OF SNOW ORDINANCE

Motion by Wedell, supported by Kivell

To approve the first reading of the ordinance to amend section 82-78 of the City of South Lyon City Code, and to add a time frame.

VOTE:

MOTION CARRIED UNANIMOUSLY

#### 6. Land Survey RFP

City Manager Murphy stated we needed an easement from the property owner at the north/west corner of Nine Mile and Pontiac Trail. The owner agreed if we would provide them with a new ALTA survey. He further stated he put the work out for bid and Kem-Tec & Associates had the lowest bid.

#### CM 9-9-10 APPROVE LAND SURVEY

Motion by Morelli, supported by Kopkowski

To approve the ALTA Survey bid from Kem-Tec & Associates in the amount of \$1,850.00

VOTE:

MOTION CARRIED UNANIMOUSLY

#### 7. Alcohol in the Park

City Manager Murphy stated we are hosting an Oakland County Mayor's Association Meeting on October 13, 2010 and we would like to supply them with beer and wine for the social hour and wine with dinner. HRC and Plante and Moran will be paying the bill for the alcohol. The Cities of Novi, Wixom, Northville and Farmington are all sharing the cost of the dinner.

#### CM 9-10-10 TO APROVE ALCOHOL IN MCATTIE PARK

Motion by Selden, supported by Kramer

To approve the serving of alcohol in McHattie Park for the South Oakland County Mayor's Association Meeting on October 13, 2010.

VOTE:

MOTION CARRIED INANIMOULSY

8. DPW Purchase

Superintendent Renwick stated he is asking Council to approve the purchase of a budgeted service truck and a plow for a truck that was purchased the previous year. The pricing we received is from the state purchasing program and the lowest price was from Varsity Ford.

CM 9-11-10 TO APPROVE PURCHASE OF TRUCK

Motion by Wedell, supported by Kramer

To approve the purchase of a 2011 Ford F250 4x4 with service body and plow, and an additional plow for 2009 F250 at the cost of \$38,374.00

VOTE:

MOTION CARRIED UNINAMOULSY

9. Farmers Market Extension

Rosanna Twitchell of 558 Lyon Boulevard stated she wanted to thank everyone for the support and the vote to approve the famers market. She further stated the vendors and the community have expressed interest to extend the market for two more Wednesdays.

Mayor Wallace stated he does not see a problem with extending it.

Discussion was held regarding what a success it has been.

CM 9-12-10 APPROVAL OF FARMERS MARKET EXTENTION

Motion by Wedell, supported by Kivell

To approve the extension of the Farmers Market through Wednesday, October 13, 2010 along with the regulations pertaining to the Farmers Market.

VOTE:

MOTION CARRIED UNANIMOUSLY

**MANAGER'S REPORT:** None

**COUNCIL COMMENTS:**

Councilman Selden stated he would like to remind everyone this weekend is Pumpkinfest. He further stated the True Value store is open and they will have a grand opening in the future.

Councilmember Kopkowski stated someone had told her the packet was not on our website. City Manager Murphy stated it was put up today; we were unable to scan it on Friday to put it on the website.

Councilman Kivell stated he would like to remind everyone that the Household Hazardous Waste will be collected on Saturday October 2<sup>nd</sup> at 20000 8 mile in Southfield and Saturday October 9<sup>th</sup> at Novi City Hall.

Mayor Wallace stated he attended a Meals on Wheels directors meeting at the Senior Center and they are looking for donations and volunteers. He further stated it is amazing what they provide to the community. If anyone is interested the number to call is 810-632-2089.

**ADJOURNMENT:**

**CM 9-12-10 ADJOURNMENT**

Motion by Kivell, supported by Kramer

To adjourn the Council meeting at 10:20 p.m

VOTE:

MOTION CARRIED UNANIMOUSLY

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Ted Wallace  
Mayor

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Lisa Lynch  
Deputy Clerk/Treasurer

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