

Regular City Council Meeting

November 25, 2013

Agenda

7:30 p.m. **Call to Order**
Pledge of Allegiance
Roll Call
Minutes:

- **November 2, 2013 (Special Meeting)**
- **November 11, 2013**
- **November 13, 2013 (Special Meeting)**

Approval of Bills (None)
Approval of Agenda
Public Comment

I. Old Business

1. City Manager Search
2. Road Commission for Oakland County – Conceptual Support for the Paving of Dixboro Road
3. Donation of Ahura First Defender to Oakland County Haz Mat Team

II. New Business

1. Letter from South Lyon Water Department Concerning Lead in Drinking Water
2. Set Public Hearing for 2014 Community Development Block Grant Program and Fund Reprograming

III. Manager's Report

IV. Council Comments

V. Adjournment

CITY OF SOUTH LYON
SPECIAL CITY COUNCIL MEETING
NOVEMBER 2, 2013

Mayor Wallace called the meeting to order at 11:30 a.m.

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

PRESENT: Mayor Wallace
Council Members: Dixon, Kivell, Kopkowski, Kramer, Rzyzi, Wedell,
Chief Collins, Chief Kennedy, Department Head
Martin and Clerk/Treasurer Deaton

AGENDA

CM 11-1-13 MOTION TO APPROVE AGENDA AS PRESENTED

Motion by Wedell, supported by Kivell
Motion to approve the agenda as presented

VOTE: MOTION CARRIED- 1 OPPOSED

PUBLIC COMMENT

NEW BUSINESS

1. Discussion on appointing an acting City Manager

Mayor Wallace stated Rod Cook would be good as a part time City Manager. Councilman Kivell stated the concern is he is available for a very short period of time. He further stated he is concerned the Council will not find someone before that time period is up, which is February. Councilman Kramer asked if there were any other candidates. Mayor Wallace stated Kristen Delaney is in house and qualified.

T.J. Connelly of 22286 Brookfield Drive stated the firing of a City Manager can be very disruptive to a City. He stated a careful, open and transparent hiring process not only benefits the future City Manager, but the City as a whole. He further stated City Managers know the time of their stay is dependent on Council, and when they are asked to leave, their time is up. Mr. Connelly stated Mr. Murphy will leave a bit of a legacy and one that should be thought about in the next hiring process. He stated another legacy will be the fact he delegated. A side effect of delegating is accountability. At this point in time,

trust is low, and he would like to recommend Bob Martin. We can trust him, and he is highly valued in this community.

Councilman Kivell stated Bob has his hands full with operating two departments. He further stated he spoke with Chief Collins and he also has the ability to act as interim City Manager. Councilmember Kopkowski stated they are both good choices, but they are both busy with their own jobs here in the City. Councilmember Dixon stated she would like to appoint City Attorney Wilhelm to interview candidates.

Maggie Kurtzweil of Madison Crest Business Law stated she has an unfortunate opportunity to speak with someone that overheard horrible obscenities said about the two women on Council because of their vote on Monday night. Most of the men that heard it, rejected that vulgar language, and found it disgusting. It was sad that a female business owner was in the presence of the person and she did not say that is not acceptable and does not belong in this City. She stated she must agree with Mr. Wedell, what happened Monday night is a very low event, but the personal attacks on the women of Council, because they exercised a vote they were entitled to have, and they were aggressed against with horrible obscenities that she has not heard in years. Just to put this in prospective, maybe a female needs to be interim City Manager. She stated maybe a female City Manager will assist to change the culture, so the attacks that occur on women that try to move ahead in government, are not necessarily attacked as they were Monday night. She would like to thank the gentlemen that came forward with this information, and to thank Phil Wiepert for denouncing this and standing up with the moral character that he has as a County Commissioner.

Councilman Wedell stated he has thought about this at great lengths. This will stabilize the City staff, as well as save our City a lot of money. He stated we have a window of opportunity to reconsider the actions of last Monday. We need someone from the prevailing side to make a motion to reconsider the firing of the City Manager. We could change the vote and bring our City Manager back. Councilman Wedell stated to make this a reasonable job opportunity to the City Manager, after that vote is taken, he would ask Councilmembers Rzyzi, Kopkowski, and Dixon submit their resignations to the City Clerk. He stated he is not grandstanding, he thinks this is a legitimate possible solution to our problems here today. He further stated if the Mayor would promise to resign after the election next week, we could start with a fresh City Council.

Councilman Kivell stated Mr. Murphy would entertain this if the offer was made, but he doesn't think the four people resigning are a necessity. He stated Mr. Murphy is a professional, and he would be able to work with this Council. Councilman Kramer stated we are a total embarrassment because of the actions from Monday night. He thinks this is a workable solution for the chaos that was created Monday night. Councilmember Kopkowski stated she has received many emails, and phone calls telling her they are happy with what she has done, and thanking her for standing up to the bullying. She stated she works for all the residents, not just the ones that show up to the Council Meetings. She further stated she will not be resigning.

Councilman Rzyzi stated he will not be resigning, and our City is facing some serious crossroads with financial obligations of pensions, we are 2.7 million dollars in the unfunded liability. He stated he made that on his stance on October 14th, and the City Managers attitude was evident of how this process has gone on for over a year, and the lack of urgency that has been put into it and how it has affected our City in the long-term.

Councilmember Dixon stated she has received many emails and calls with different opinions than the audience, she has done nothing wrong, and she will not resign.

Mayor Wallace stated he apologizes that no one is running against him in this election, and certainly if he is around in a few years and someone runs, it will be fun to have a real election and he feels for the voters that they don't have a choice. He added he will not be resigning.

Councilman Kramer asked Mayor Wallace who he would like to be the interim City Manager. Mayor Wallace stated Rod Cook would be a reasonable person to ask. He further stated he asked Kristen Delaney and she said he could put her name out there. Councilman Kramer asked Mayor Wallace if he spoke with the Department Heads about who they would like to work with. Mayor Wallace stated no because they do not need to be drug into this. Councilman Wedell stated Kristen is not interested in the interim position.

Rich Perry of 875 Westbrook Drive stated Council should consider multiple candidates and there should be an interview process. The last person Council should consider is whoever the Mayor and the three Council Members want strictly based on Monday nights meeting. He further stated that person should be considered equally with anyone else. A City Manager should not be considered if he was a campaign manager for any of the council members or Mayor.

Councilman Kivell stated Rod Cook would be a benefit to the City and he is well known to all of us, and we wouldn't doubt his judgment and he will be trusted. Councilman Kopkowski stated if there is a vote today, who will remain our City Manager? City Attorney Wilhelm stated if there are decisions that must be made by the City Manager, someone needs to be put in place to do so, and the Mayor is a possibility. He further stated he encourages Council to authorize someone to be acting City Manager even if for a short time.

CM 11-2-13 MOTION TO APPOINT INTERIM CITY MANAGER

Motion by Kivell, supported by Kramer

Motion to appoint Chief Collins as interim City Manager

VOTE:

MOTION CARRIED- 1 OPPOSED

Kivell Yes

Kopkowski No

Rzyzi Yes

Wedell Yes

Wallace Yes

Kramer Yes

Dixon Yes

Chief Collins stated he would be happy to assist the City by being the interim City Manager for a short term basis until a time when another interim City Manager can be found. He stated he also will not accept any extra compensation.

Amber King of 791 Westbrook stated for some reason it seems the Council believes Rod Cook is the only person to approach for this position. She stated an interview process needs to happen.

Ryan Lare of 716 Grand Court stated Chief Collins has been very good to his family and it doesn't matter if it is 3 weeks. He stated he was on his High Schools Council and he never went to some other council members without discussing it as a whole. He stated he nominates Chief Collins.

Councilman Wedell stated there is no time limit on the motion. He further stated he supports the motion.

Councilman Ryzyi stated he has confidence in Chief Collins and he will do a great job.

COUNCIL COMMENTS

Councilman Kivell stated the cable contract is coming up in January for automatic renewal and the language is so archaic he would like that add to the next council meeting agenda.

He stated he has always embraced the idea of City Council having enormous potential to collectively solve problems in imaginative ways and create visions of future versions of their City that could be attained by working together. I recognize it is an idealistic view but, with the right members, it can be a reality. With that being said, there is a large group that is so disturbed by the firing of David Murphy and the way it was conducted that they are in the process of organizing their efforts to pursue recall campaigns for Council Members Dixon, Kopkowski, and Ryzyi. I would like to say I support what they are doing and will help however I can.

CM 11-3-13 MOTION TO ADJOURN MEETING

Motion by Dixon, supported by Kopkowski

Motion to adjourn the meeting at 12:05p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd Wallace Mayor

Lisa Deaton Clerk/Treasurer

11/2/13

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
NOVEMBER 11, 2013

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: Dixon, Kivell, Kopkowski, Kramer, Ryzyi, and Wedell

Chief Kennedy, Chief Collins,

Department Head Martin and

City Attorney Wilhelm, Clerk/Treasurer Deaton

MINUTES

Councilman Kivell stated Clerk Deaton did a terrific job on capturing the entire event that had taken place on October 28th.

CM 11-1-13 MOTION TO APPROVE THE MINUTES AS PRESENTED

Motion by Kivell, supported by Wedell

To approve the minutes as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

BILLS

Councilman Kivell asked Department Head Martin about the bill for the alarm dialer.

Department Head Martin stated they have had numerous faults at the waste water treatment plant when the phone lines go down. He stated we are now using a satellite system that does not depend on the phone lines. He further stated the first bill is for the product and the second is for the installation. Councilman Kivell stated we had a lot of bills from Tech Resources this month, and questioned the invoice for a new SNA. Chief Collins stated that was done when Mr. Murphy was still here, and it stands for security network assistance, which is like a firewall. Councilman Kivell stated he would like to reference the check for \$50.00 that is paid to Lindsey Webster for recording the Council meetings.

CM 11-2-13 MOTION TO APPROVE THE BILLS AS PRESENTED

11/11/13

Motion by Kramer, supported by Dixon
Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

CERTIFICATION OF AGENDA

Clerk/Treasurer Deaton stated the election was certified by the Oakland County Board of Canvassers, but didn't receive confirmation until Friday afternoon, which is why it was not included in their packets.

SWEARING IN OF ELECTED OFFICIALS

City Clerk/Treasurer Deaton administered the Oath of Office to the following:

Tedd Wallace, Mayor- 2 year term
Glenn Kivell, Councilman 4 year term
Michael Kramer, Councilman 4 year term
Harvey Wedell, Councilman 4 year term

AGENDA

CM 11-3-13 MOTION TO APPROVE THE AGENDA AS PRESENTED

Motion by Kopkowski, supported by Kivell
Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Carl Richards of 390 Lenox stated he would like to express his heartfelt congratulations to the candidates that won the last election and he hopes we can all work together in the future. He stated he is an activist and he continues to try to do that. He stated he does not criticize any of our departments. He stated he had an open door policy with the City Manager, in the past, but from now on, he might talk directly to Council instead of starting with the City Manager.

Mr. Richards stated he hopes we can all move on together. He stated we are polarized at this time, and he hopes we don't become paralyzed so we will be able to deal with issues that will be coming up in the winter time.

Ryan Lare of 716 Grand Court stated he did not have the full facts at the last Council meeting when he spoke. He now has some facts. Everyone knows that not all jobs are safe. He stated there is always a good time for a change, and he thinks what the Mayor and Council tried to do was fair and honest. Mr. Lare stated Mayor Wallace has served this community for over 30 years, and he has not done anything to harm this community. He further stated everyone makes mistakes, and maybe Mayor Wallace didn't communicate correctly but during council comments, he hopes everyone can turn to each other and apologize. He stated we need a City Manager, and we can get someone in here that will do a wonderful job, and if anyone is still angry with Mayor Wallace, they need to look at all he has done for this community. He further stated he would like to thank the Mayor for all he has done for this town.

Mrs. Mallock of 596 Lyon Blvd. stated she has lived here for 46 years and have never attended a Council Meeting. She watched it on tv and she is disgusted. She stated at the meeting when Mr. Murphy was terminated, three of the Council members stated it was a sad day in South Lyon. She stated today is a sad day for South Lyon and the women on City Council. She further stated it is obvious that Councilman Kivell and Kramer have a problem working with the women on Council. She stated at the last meeting Mr. Wedell asked for the resignations of Kopkowski, Ryzyi, Dixon, and Mayor Wallace. She stated she thinks he should resign based on his behavior. She asked why they didn't act on the language that was used by Councilman Kivell to the Mayors wife. She stated Council as a whole should have taken action, and asked him to resign. It was unprofessional. She stated Mr. Kramer acts as a bully, by talking to Mayor with a loud demanding voice and shuffling paperwork around. She further stated when Councilmember Kopkowski tried to answer a question you responded by saying you will deal with her later. She stated it has been heard around town that Mr. Kramer is bullying Councilmember Dixon. Mrs. Mallock stated this information was not presented to her by any member of Council. She stated Mr. Kivell keeps harping about the South Lyon TV. She further stated many people don't agree that it was a sad day when Mr. Murphy was fired.

Michael Moor of 938 Westbrook stated he did not plan on speaking tonight, but based on what was just said, he feels he needs to. He stated we are a City divided. Three weeks ago we were a City that was thriving and people were proud to live in. He stated the City has been happy with what has been done until 2 weeks ago. He stated he has watched both City Council meetings, and he is disgusted. He is an executive of a Fortune 500 company and he makes some good some and bad decisions, and some he has to go back and rethink. He stated he has never met Mr. Murphy, but as for delegating, he saw him pounding a sign in his subdivision,

and if he delegated too much, he is sure he could have found someone else to do that. Mr. Moore stated in two years from now, four years from now, the people that voted to fire Mr. Murphy will be up for re-election. He further stated there is a new page on Facebook regarding this and there are already over 1000 likes and the people on that page are not happy with the decision to fire the City Manager and how it was done. He further stated the Council needs to rethink what they have done. He stated they need to bring Mr. Murphy back, and get back to the way the City has always been, a place to be proud to live and work in.

George Foeman stated he was not expecting to speak today either. He doesn't know the facts regarding Mr. Murphy's firing. He further stated there is an appearance that things are going on that the public does not hear about. He stated he doesn't know the facts as to what happened with Mr. Murphy and that is a wrong. Mr. Foeman stated living in a community where he feels he cannot know what is going on is not a City he wants to live in.

Marilyn Smith of 120 W Lake stated she doesn't agree with this being turned into a man versus women thing. She stated she has never witnessed anything like that and has not seen any bullying on anyone's part. She further stated it isn't just that the City Manager was fired, it was the procedure of how it was done, and the way it was handled. The ones who were involved with that know it was wrong and they need to admit it. Also, offering an apology just to make things nice is wrong, it needs to be offered if it is sincere. She further stated it was put out there that Councilman Kramer was bullying Dixon, why can't it be discussed now.

Mayor Wallace stated he presented a letter to the South Lyon Herald earlier today. He further stated it is informational and he will not present it tonight, but it should be in the next paper. He stated the paper has been representing the other side, they can now represent both sides.

OLD BUSINESS None

NEW BUSINESS

1. Appointment- Mayor Pro Tem

Councilman Wedell stated he would like to elect Councilman Kramer as Mayor Pro Tem. He has proved himself as a second term councilmember; as well he was the top vote getter in this election and the previous election. He is also working hard on the Recreation Center Committee.

CM 11-4-13 MOTION TO ELECT COUNCILMAN KRAMER AS MAYOR PRO TEM

Motion by Wedell, supported by Kivell
 Motion to elect Mike Kramer as Mayor Pro Tem

VOTE: MOTION FAILED
 Dixson No
 Kivell Yes
 Kramer Yes
 Kopkowski No
 Rzyzi No
 Wallace No
 Wedell Yes

Councilman Rzyzi stated he would like to nominate himself as Mayor Pro Tem. He stated as a newer resident, he represents the new voice and the new direction of where South Lyon is and should be heading. He further stated he has the best interest in mind and he would serve this community with dignity, respect and he would be honored to sit next to the Mayor as Mayor Pro Tem. Councilman Rzyzi stated he would extend his hand to work with the other Council Members as a whole board and we need to move on as one unit.

Councilmember Kopkowski stated the Mayor Pro Tem needs to work with the Mayor and some of the problems we have had in the past is probably because there was no communication between the Mayor and Pro Tem for the last few years, and unfortunately that takes three people out of the running.

CM 11-5-13 MOTION TO NOMINATE COUNCILMAN RYZYI AS MAYOR PRO TEM

Motion by Rzyzi, supported by Kopkowski
 Motion to nominate Councilman Rzyzi as Mayor Pro Tem

VOTE: MOTION PASSED
 Dixson Yes
 Kivell Yes
 Kopkowski Yes
 Kramer No
 Rzyzi Yes
 Wedell No
 Wallace Yes

Councilman Kivell stated he would like to explain his vote by saying that he doesn't believe anything that Councilman Rzyzi said, but at some point we have to move forward and accomplish something.

2. Duncan Disposal Proclamation

Mayor Wallace presented Duncan Disposal a Proclamation signed by Governor Snyder for Duncan Disposal Systems and Recycling for their recognition of the importance of recycling. He stated what a fabulous job Duncan Disposal does handling the city wide pick up as well.

3. Authorization to conduct negotiations with interim City Manager Candidate(s)

Chief Collins stated after some conversation with Council members that there is some interest in a long term interim Manager. If Council would like to move forward with this, the City Attorney suggested Council approve Chief Collins and the City Attorney to conduct the negotiations with any potential candidates. Councilman Kivell stated he spoke with Chief Collins earlier and he stated he would be happy to step back in if needed, but would prefer someone else to step in for the longer period of time. He further stated we do need someone there to operate the building, there are a number of things happening right now, and it will be more stabilized if someone is here full time and can set a tone.

Councilman Wedell stated he supports this recommendation, we need someone for stabilization, and to start the process of hiring a full time City Manager, as well as we need budget amendments because of this whole fiasco. He is not interested in someone that wants to come in and clean house and start new projects, it needs to be an interim position only.

Councilman Rzyzi stated he thinks it is a great idea. When we do the search for the interim and full time City Manager, we need to have all the Council Members have equal input into that decision.

City Attorney Wilhelm stated he does not envision a search process for an interim manager. He stated the resources of the City need to be spent looking for a full time manager. City Attorney Wilhelm stated his understanding it is direction from Council to approach Rod Cook for an interim City Manager agreement.

Councilmember Kopkowski stated she would like to see Mr. Cook offered the position. She stated a major problem we have is the underfunding of the retirement account, and when Mr. Cook was here it was over funded, and she thinks he would be a great help for this.

Councilman Wedell stated he also feels Rod Cook is the best candidate for this position as well.

Discussion was held regarding a contract for the interim City Manager versus an agreement with the interim City Manager. It was the census of Council to offer an agreement with the interim City Manager and not a contract.

Mayor Wallace stated the sooner the better and if we need to have a special meeting to approve the agreement we will do that.

John Doyle of 750 Challenging Trail stated we already have spent \$50,000 to \$70,000, and now we are talking \$80.00 an hour, where is this money coming from. This should have been thought of before they fired the previous manager.

CM 11-6-13 MOTION FOR AUTHORIZATION FOR INTERIM CITY MANAGER NEGOTIATIONS

Motion by Kramer, supported by Kivell

Motion to authorize City Attorney Wilhelm and Chief Collins to negotiate on the City's behalf with former City Manager Rod Cook

VOTE: MOTION CARRIED UNANIMOUSLY

4. Discussion on the Government Access Cable Channel

Councilman Kivell stated this has been a revolving contract and it auto renews again in January. There are very few terms that actually exist in today's world, at the very least we should contact Mr. Heiple to see if he has any interest in renewing this contract originally dated 1999. It needs to be brought up to date. It started back on Channel 15 with Horizon cable. Section #4 in the contract states SLCTV will provide the staff to operate. He further stated that the City pays the person who video tapes the Council Meetings that is why he referenced the payment to Lindsey Webster when looking at the bills. The City has always paid someone for that service. He further stated the City has paid for some updated equipment also. He further stated section #9 speaks of the commercial revenue, and the revenue should be from commercial advertising and the City of South Lyon should have no financial obligation. He further stated competition produces a better product and if we had a number of entities vying to put their programming on our channel, we would get better programming, therefore the language in the Contract is not in the best interest of the City. He stated this doesn't mean the programming that is on there now, is all bad, but it is not appropriate for this to be handled by the Mayor of our City. Councilman Kivell reviewed other sections of the contract. He stated in Section 13 the terms in this agreement cannot be written or changed except by a written

document by either party. Councilman Kivell stated he thinks we should form a Cable Commission and it would be in the best interest of the City. Councilman Kivell stated he would like to vacate the agreement and have a local resident put the DVD from our council meetings online.

Councilman Kramer asked Mayor Wallace if he has a financial interest in SLCTV. Mayor Wallace stated he has for 31 years, and he could bill the City for the many hours and money he spent to keep the station alive. Mayor Wallace stated he is a vendor and provides a service to the City.

Councilmember Kopkowski asked Attorney Wilhelm if a contract can just be vacated. Attorney Wilhelm stated if either party breached the contract it can be terminated. He further stated it could be terminated in January when the contract is up for renewal by either party.

Mayor Wallace stated South Lyon football is seen in 33 communities because SLCTV purchases air time on Comcast. He stated there are some revenues to buy air time and pay for a camera man and editing. Mayor Wallace stated the network is fading because of dish, direct TV and AT&T. He has been told by WOW that many people say the only reason they keep cable is because of the local channel. Mayor Wallace stated he is willing to allow other people to run their programming on the channel as long as it is appropriate, no one has approached him to do so. Mayor Wallace stated many thousands of kids have had the chance to watch themselves on television because of him. Discussion was held regarding the City Charter and if there is a conflict of interest with the Mayor and the SLCTV. Attorney Wilhelm stated the Mayor would have to abstain from any vote when a council member has a financial interest.

Ryan Lare of 716 Grand Court stated Mayor Wallace does not have any financial gain in SLCTV. He stated he has enjoyed that channel for many years. He further stated this is ridiculous because he has done nothing but serve this City and Council for 34 years. After 30 years, why would he cheat the City.

John Galeas of 134 N Warren stated he has in the past enjoyed watching SLCTV but we are heading down a lack of following the rules and the City Charter. The rules need to be adhered to. If it isn't going to be adhered to, maybe Council should discuss it and change it.

CM 11-7-13 MOTION TO MOVE MANAGERS REPORT AND COUNCIL COMMENTS BEFORE ITEM #5 CLOSED SESSION

Motion by Ryzyi, supported by Kivell

Motion to amend agenda placing Managers' report and Council comments before item #5 closed session.

VOTE:

MOTION CARRIED UNANIMOUSLY

MANAGERS REPORT

Chief Collins stated it is time for Council to discuss what they would like to do with the CDBG money. He further stated Aubree's Pizzeria has contacted the city to explore the possibility of them moving into the City in the Big Boy Restaurant.

Chief Collins stated the Water Department is in the process of renewing the Discharge Permit and they will be working with HRC and the DEQ. He also stated the ordinance was changed recently on winter parking and the new signs are in and should be installed by the end of the week.

Chief Collins stated there were three probationary members of the Fire Department that recently passed their national exams and are now State of Michigan Certified Emergency Medical Technicians.

Chief Collins stated officer performed 49 school surveillance checks. Those checks included all public schools in the City. Uniformed officers were present on school property during student arrival and dismissal times and also performed walk through checks on a daily basis.

Council Comments

Councilman Rzyzi stated he would like to say thank you to all the veterans, and happy Veterans Day, we appreciate your service. He also stated he would like to thank Council for voting him to Mayor Pro Tem. He stated he has already met with some local business owners, and he has future meetings set up as well. He further stated we need to move forward as a group and put our differences behind us. He further stated he would like to congratulate the three men that were reelected and would like to extend his hand and say congratulations. We need to be a united City Council, not a divided City Council.

Councilmember Kopkowski stated she would like to say thank you to all the veterans, and she would like to thank Councilman Wedell because he also is a veteran.

Councilman Kivell stated he also would like to say thank you to all the veterans for their service to our Country. He further stated he has a brother and a niece serving. It is nice to see people taking notice of the service the veterans do for our country.

Councilman Kivell stated Jim Culbertson has resigned from the Planning Commission and he would like to thank him for his many years of service to the City.

Councilman Wedell stated he would like to thank the voters for reelecting him. He also stated he would like to thank the American Legion and VFW for the nice service they held at Veterans Rock in town at 11:11 a.m. He would also like to thank Ed Brown for all the chili dogs he brought over.

Councilman Kramer stated someone orchestrated something today that he never saw coming. He asked Councilmember Dixon if he has ever bullied her, and she stated no he has not. Councilman Kramer asked the Mayor why he did not give Council a copy of the letter he gave to the newspaper.

Councilman Kramer stated the Recreation Center will be giving a presentation to Salem Township. He also would like to thank all the veterans.

Councilmember Dixon stated she would like to thank the veterans for their service to our Country which includes her husband. She stated she would also like to congratulate the three incumbents.

Mayor Wallace stated he also attended the veteran's ceremony today. He stated it was very touching and we should never forget our veterans.

Jean Utley of 25393 Potomac stated this is the first City Council meeting she has attended and it has been interesting. It reminds her of Washington and it also reminds her of little kids. She stated she has known Tedd for many years, and is this a good example for the kids and the community that you don't have to go by the rules? Mayor Wallace stated his name is not on the contract.

Don Beagle of 1089 Chestnut Lane asked if they will be taking any action on what is discussed in the closed session. He also asked Councilman Rzyzi if he was acting as Mayor Pro Tem interacting with the business owners before he was officially elected. Councilman Rzyzi stated he was in contact with them as a councilman, not Mayor Pro Tem.

CM 11-8-13 MOTION TO ADJOURN INTO CLOSED SESSION

Motion by Kivell, supported by Dixon

Motion to adjourn to enter into closed session to discuss attorney-client privileged communication pursuant to Section 8(h) of the Open Meetings Act

VOTE: MOTION CARRIED UNANIMOUSLY

11/11/13

The Regular Council meeting reconvened at 9:10p.m.

CM 11-9-13 MOTION TO ADJOURN COUNCIL MEETING

Motion by Kivell, supported by Kramer

Motion to adjourn Council meeting at 9:12p.m.

Respectfully submitted,

Tedd Wallace Mayor

Lisa Deaton Clerk/Treasurer

CITY OF SOUTH LYON
SPECIAL CITY COUNCIL MEETING
NOVEMBER 13, 2013

Mayor Wallace called the meeting to order at 7:00 p.m.

Mayor Wallace led those present in the Pledge of Allegiance

PRESENT: Mayor Wallace
Council Members: Dixon, Kopkowski, Kramer, Rzyzi, and Wedell and

ABSENT: Kivell- Excused

ALSO PRESENT: Interim City Manager Collins, City Attorney Wilhelm, Chief Kennedy,
Clerk/Treasurer Deaton

CM 11-1-13 MOTION TO EXCUSE COUNCILMAN KIVELL FOR ABSENCE

Motion by Wedell, supported by Kramer

Motion to excuse Councilman Kivell's absence due to the late notice of the meeting and it is work related

VOTE: MOTION CARRIED UNANIMOUSLY

CM 11-2-13 MOTION TO APPROVE AGENDA

Motion by Wedell, supported by Kopkowski

Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Carl Richards of 390 Lenox stated in the past year there has only been one act of vandalism in the park and it has been fixed. He stated there has also been very little drug activity in McHattie Park recently. Mr. Richards stated Brico will not be finished with the repairs for the DWRF project until next year. He stated they will be fixing the worse sections in the roads, but will not finish until next year. Mr. Richards stated he said he doesn't normally bring up controversial subjects, but he now has some controversial things to say. One being that he would like to see a consensus of Council from here on out agreeing

11/13/13

with each other. He further stated he would like the City to use someone other than Jesse Van DerCreek from HRC as our representative in the future.

NEW BUSINESS

1. Approve/Deny/Consider Agreement with Rod Cook as interim City Manager

Mayor Wallace stated he reviewed the interim City Manager agreement and if approved Rod will be getting paid \$80.00 an hour, plus any reasonable expenses he may incur, but no benefits.

Councilman Kramer stated if Mr. Cook worked 25-30 hours a week for a month we will be paying him a lot of money. If he had to work 40 hours a week, we would be paying him approximately \$13,000. Mr. Cook stated he is not planning on that, but it may happen occasionally. Councilman Kramer stated he would like to keep track of how much all of this is costing the City. He would like an accounting of the hours that Mr. Cook will be getting paid for. Councilman Kramer asked if Mr. Cook's hours could be reported to Council. Mayor Wallace stated Mr. Cook could add his weekly hours to the Managers report at the end of the week.

Councilman Kramer asked Mr. Cook how soon he will start the search for a new City Manager and what process will he be using. Mr. Cook stated he would start the process right away, and he will be using the Michigan Municipal League. He further stated this is not the kind of job you can run an ad in the paper for that will not work. He stated he has already tried to make contact with the MML, and it will definitely be in the process quickly. Mr. Kramer asked when Mr. Cook will be leaving for vacation. Mr. Cook stated he has a condo reserved in February, and he will probably be leaving around February 5th. The question was asked if we will be using a Department Head again if a new City Manager has not been hired by that time. Mr. Cook stated he can make himself available by phone or computer while he is away. Mr. Kramer asked if there will be a guarantee of no overtime pay with this agreement.

Councilman Wedell asked Mr. Cook if there were any priorities given to him during the meeting with Chief Collins and City Attorney Wilhelm. Mr. Cook stated there is a CDBG that needs to be dealt with and some other issues, but he doesn't have all the information at this time. Councilman Wedell stated he is very supportive of this agreement with Mr. Cook.

Mayor Wallace stated he talked with Rod yesterday and he said he is going to be driving around to check out the town as he did when he was City Manager before to see what needs to be handled.

Rich Perry of 875 Westbrook stated he would like to ask what exactly are the duties of a City Manager. Mr. Cook stated a City Manager takes care of the day to day business of the City, he is responsible for the hiring and firing of employees, and all employees report to him.

Councilman Kramer asked Mr. Cook if the MERS will be an important issue for him. Mr. Cook stated the MERS issue is not as urgent as Council seems to believe. He stated he will have more information on that next week. Mr. Cook stated we need to get employees in here.

Councilman Wedell stated the urgency has been from Councils urging. He stated this is a long term issue,

Mr. Cook stated it could eventually smooth itself out. He further stated there are always assumptions being made by MERS, which always affects the MERS plan. Councilmember Kopkowski stated she would like Mr. Cook to bring more information to the next meeting regarding the different options.

CM 11-3-13 MOTION TO APPROVE AGREEMENT WITH ROD COOK AS INTERIM CITY MANAGER

Motion by Kopkowski, supported by Rzyzi

Motion to approve the Interim City Manager Agreement with Rod Cook and authorize the Mayor and City Clerk to execute the Agreement on behalf of the City.

VOTE: MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

CM 11-4-13 MOTION TO APPROVE ADJOURNMENT

Motion to adjourn by Kopkowski, supported by Dixon

Motion to adjourn meeting at 7:25p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd Wallace Mayor

Lisa Deaton Clerk/Treasurer

MEMO

To: Mayor Wallace and Council Members
From: Rod Cook, Interim City Manager
Date: 11/21/2013
Re: Communication from the City Manager

This is my first attempt at providing information and data on issues before the Council. Hopefully I have provided sufficient information to move forward.

Old Business

1) City Manager Search

In regards to the search for a City Manager, at this time I am suggesting that we delay advertising for the position for the following reasons:

- a) We are entering the holiday season and it is not a good time to be doing this.
- b) We cannot enter into any agreement with the Michigan Municipal League (MML) if I put an advertisement in the appropriate publications. They no longer allow that type of search.
- c) There may or may not be a recall. As it has been discussed/commented on at previous meetings, no qualified candidates will apply given that situation.
- d) If we should error in a premature advertisement and do not get a qualified pool of candidates, doing a second search will be extremely difficult.

2) Road Commission for Oakland County – Conceptual Support for the Paving of Dixboro Road

Enclosed is a letter from the RCOC requesting a letter of interest for the proposed paving of Dixboro Road. We are looking at a construction date around 2018. This letter is not a financial commitment. The estimated cost is \$3,750,000 with a 20% match between RCOC, City of South Lyon, Green Oak Township and Lyon Township. The required match would be

approximately \$187,500. The bulk of funding would be generated through the federal Urban Area program. It is my opinion that we should support this project.

3) Donation of Ahura First Defender to Oakland County Haz Mat Team

Please see the enclosed memorandum from Chief Kennedy.

New Business

1) Letter from South Lyon Water Department Concerning Lead in Your Drinking Water

The enclosed letter has been prepared by Bob Martin concerning sampling of 30 homes in the City. Four households did not meet the guideline which was 15.1% of the total sample. This is not about water coming from the treatment plant, but rather, water from pipes inside the home.

2) Set Public Hearing for 2014 Community Development Block Grant Program and Fund Reprograming

The application for Community Development Block Grant (CDBG) program year 2014 must be submitted by January 17, 2014. I will try to hold the public hearing and project selection at either the December 9th or January 13th meeting. As you are probably aware, our eligibility area is virtually non-existent which leaves authorization to spend our funding to only a few areas. The City is expected to receive \$27,290 in funding for program year 2014. The City also needs to hold a public hearing to reprogram \$5,869.62. The result is \$33,159.62 in total CDBG funding for 2014.

General Information

- 3) Bricco Construction has estimated a price of \$107,200 for the milling of Pontiac Trail from McHattie to CSX ROW with 2" of pavement, etc. This is eligible under the water project. Enclosed in this packet is a status update from HRC.
- 4) Based on what I have heard from MERS and Plante Moran, it is still my belief that we are not dealing with an emergency situation. The following should help Council understand the issue a little better:
 - 1) Underfunded is a fact within MERS with average communities underfunded at 82% ±. The City is 76% ±.
 - 2) Our current payment to MERS reflects that a portion of the payment is offsetting the underfunded amount.
 - 3) MERS is using a smoothing formula that will improve our position over time.

- 4) Market conditions as the economy continues to improve will also improve our position.
- 5) Additionally, in the future we can and should increase employee contributions from the existing levels of .86% - 1.29% to 5 - 6% through collective bargaining. The average for employee contribution to MERS for 800 ± units is above 5%.
- 6) MERS has some other programs that can be considered:
 - (i) Hybrid (defined benefit/contribution) is extremely restrictive once you approve the plan it is fixed forever. No changes can be made, period.
 - (ii) 100% contribution plan – would require the City to be 100% funded on the benefit plan.
 - (iii) Plans with 1% or 1 ½% multiplier with an employee contribution of 1.5 - 3% with a fixed position that the plan could not be negotiated for 10+ years once established and negotiated.

It would be my thought that we would look at item number 3. Further, we do need to looking at increasing staffing levels at the DPW. When I retired we had 52 employees, we are now at 44.

Board of Road Commissioners

Ronald J. Fowkes
Commissioner

Gregory C. Jamian
Commissioner

Eric S. Wilson
Commissioner

Dennis G. Kolar, P.E.
Managing Director

Gary Piotrowicz, P.E., P.T.O.E.
Deputy Managing Director
County Highway Engineer

October 18, 2013

David Murphy
City Manager
City of South Lyon
335 South Warren
South Lyon, MI 48178

RE: GRAVEL ROAD PAVING PLAN

Dear Mr. Murphy:

The Road Commission for Oakland County (RCOC) is preparing to update its Gravel Road Paving Plan which has been used to select proposed paving projects on roads under RCOC jurisdiction.

Under the federal highway bill, known as MAP-21, construction costs on federal-aid eligible roads are typically funded using 80% federal funds and a 20% local match from non-federal source(s), such as RCOC and local communities. Roads are eligible for federal-aid if they are classified as arterial, rural major or urban collector, on the National Functional Classification maps. In recent years, RCOC has been unable to commit to road projects which are not eligible for federal funds. Revenues from the Michigan Transportation Fund (MTF) no longer provide adequately for projects to be undertaken without 80% being federally funded.

Currently, the Oakland County Federal Aid Committee (FAC) sets aside \$1.5 million yearly to be used by RCOC for paving a segment of a gravel road. These funds are matched with \$0.3 million (20%) from RCOC and the local community. RCOC has been able to pave approximately one mile per year using these federal funds. Depending on specifics of a project (drainage, soils, vertical alignment, right-of-way . . .), these costs can easily exceed \$2 million per mile which may require a project to use more than one year of federal funding.

The expected use of federal funding from the Oakland County FAC for the next five years includes the following projects:

2013 funds – Oak Hill Rd., Dixie to Kier (construction early 2014)
2014 funds – Clyde Rd., Hickory Ridge to Strathcona
2015 funds – Clyde Rd., Tipsico Lake to Hickory Ridge
2016/2017 funds – Napier Rd., 9 Mile Rd. to 10 Mile Rd.

Griswold Rd., 8 Mile Rd. to 9 Mile Rd., in Lyon Township is scheduled to be paved in 2014 using federal funds from the Huron Valley Federal Aid Committee.

The revised Gravel Road Paving Plan is intended to be a long-range plan, with emphasis on the first ten years. The plan will be updated on a regular basis to ensure that the commitment of the community remains strong and to allow communities to add/remove paving projects as the needs of their community change.

Office of the Director

31001 Lahser Road
Beverly Hills, MI 48025

248-645-2000

FAX
248-645-1349

www.rcocweb.org

October 18, 2013
Page 2

We invite you to submit segments of gravel roads within your community which you would like to be considered for paving. Documentation of the following is required along with your request:

1. A commitment by your community to fully support the project, including an indication that there is positive public opinion towards the project.
2. A statement that you understand that your community will be required to fund at least half of the local share of the project cost.
 - a) For federal aid eligible roads this includes, 50% of preliminary engineering costs, 50% of right-of-way costs, and 10% of construction costs (assuming federal aid continues at 80%).
 - b) For a segment of road that is not federal aid eligible, your community must be prepared to commit to at least 50% of all costs.

Projects will be selected based on when communities will have their local match funding available. Criteria such as crash data, traffic volumes, functionality, classification (primary or local), federal aid eligibility, and the current level of maintenance required will be used to prioritize projects.

Attached is a list of all RCOC gravel roads within your jurisdiction.

All requests, and supporting documentation, of paving projects which you would like to be considered in the revised Gravel Road Paving Plan should be submitted to David Evancoe by **Monday, December 16, 2013** (mail to: David Evancoe, Director of Planning and Environmental Concerns, Road Commission for Oakland County, 31001 Lahser Road, Beverly Hills, MI 48025 or email to devancoe@rcoc.org).

If you have any questions, please contact David Evancoe at (248) 645-2000, Ext. 2233.

Sincerely,



Dennis G. Kolar, P.E.
Managing Director

Enclosure

SUMMARY OF GRAVEL ROADS

City of South Lyon

CITY	ROAD NAME	FROM	TO	Classification	Federal Aid Eligible	Length (miles)	Urban (miles)	Gravel & Similar (miles)	Bit Surface Treated (miles)	Paved (miles)
South Lyon	Dixboro	SCL of S Lyon	0.33 Mile North of 9 Mile	Local	yes	0.50	*	0.50		
South Lyon	Dixboro	0.76 Mile North of SCL	0.08 Mile South of 10 Mile	Local	yes	0.45	*	0.45		
									0.00 Primary Gravel Miles	
									0.95 Local Gravel Miles	
									0.95 Total Gravel Miles	



SOUTH LYON FIRE DEPARTMENT

217 Whipple Street, South Lyon, MI 48178
Phone: 248-437-2616 Fax: 248-437-3025
www.southlyonfire.com

MEMO

To: City Manager Rod Cook

From: Fire Chief Mike Kennedy

Date: November 15, 2013

Reference: Donation of Ahura First Defender to Oakland County Haz Mat Team

In 2008, SLFD acquired an Ahura First Defender. The equipment cost approximately \$48,000.00. However, it is my understanding this cost was completely covered via a grant. This piece of equipment allows for the identification of unknown substances during hazardous materials incidents. This procurement occurred prior to my tenure, and this instrument has not been used in the three years I have served as Fire Chief. Additionally, the unit is in need of a software upgrade, which will cost \$1,195.00.

I have been in contact with the Director of the Oakland County Hazardous Materials Response Team, and they are willing to take on ownership of this equipment. If SLFD were to need this equipment in the future, all we would have to do is call the Oakland County Hazardous Materials Response Team. SLFD currently uses the Oakland County Hazardous Materials Response Team for major hazardous materials incidents.

I am requesting permission to transfer ownership of the Ahura First Defender to the Oakland Hazardous Materials Response Team. Thank you.

IMPORTANT INFORMATION ABOUT LEAD IN YOUR DRINKING WATER

The City of South Lyon Water Department found elevated levels of lead in drinking water in some homes/buildings. Lead can cause serious health problems, especially for pregnant women and children 6 years and younger. Please read this notice closely to see what you can do to reduce lead in your drinking water.

This notice is brought to you by the City of South Lyon Water Department. Water Supply Serial Number 6110. Date: November 25, 2013.

Health Effects of Lead

Lead can cause serious health problems if too much enters your body from drinking water or other sources. It can cause damage to the brain and kidneys, and can interfere with the production of red blood cells that carry oxygen to all parts of your body. The greatest risk of lead exposure is to infants, young children, and pregnant women. Scientists have linked the effects of lead on the brain with lowered IQ in children. Adults with kidney problems and high blood pressure can be affected by low levels of lead more than healthy adults. Lead is stored in the bones and it can be released later in life. During pregnancy, the child receives lead from the mother's bones, which may affect brain development.

Sources of Lead

Lead is a common metal found in the environment. Drinking water is one possible source of lead exposure. The main sources of lead exposure are lead-based paint and lead-contaminated dust or soil, and some plumbing materials. In addition, lead can be found in certain types of pottery, pewter, fixtures, food, and cosmetics. Other sources include exposure in the work place and exposure from certain hobbies (lead can be carried on clothing or shoes).

New faucets, fittings, and valves, including those advertised or labeled as "lead-free," may contribute lead to drinking water. The law currently allows end-use fixtures, such as faucets, with up to 8 percent lead to be labeled as "lead free." However, plumbing fixtures labeled National Sanitation Foundation (NSF) certified may only have up to 2 percent lead. Consumers should be aware of this when choosing fixtures and take appropriate precautions.

The City of South Lyon water comes from ground water wells. The City of South Lyon does not have any lead in its source water or water mains in the streets. When water is in contact with pipes [or service lines] or plumbing that contains lead for several hours, the lead may enter drinking water. Homes built before 1986 are more likely to have plumbing containing lead. New homes may also have lead; even "lead-free" plumbing may contain some lead.

EPA estimates that 10 to 20 percent of a person's potential exposure to lead may come from drinking water. Infants who consume mostly formula mixed with lead-containing water can receive 40 to 60 percent of their exposure to lead from drinking water.

Don't forget about other sources of lead such as lead paint, lead dust, and lead in soil. Wash your children's hands and toys often as they can come into contact with dirt and dust containing lead.

Steps You Can Take To Reduce Your Exposure to Lead in Your Water

1. Run your water to flush out lead. Run water for 15-30 seconds or until it becomes cold or reaches a steady temperature before using it for drinking or cooking, if it hasn't been used for several hours. This flushes lead-containing water from the pipes.
2. Use cold water for cooking and preparing baby formula. Do not cook with or drink water from the hot water tap; lead dissolves more easily into hot water. Do not use water from the hot water tap to make baby formula.
3. Do not boil water to remove lead. Boiling water will not reduce lead levels.
4. Look for alternative sources or treatment of water. You may want to consider purchasing bottled water or a water filter. Read the package to be sure the filter is approved to reduce lead or contact NSF International at 800-NSF-8010 or www.nsf.org for information on performance standards for water filters. Be sure to maintain and replace a filter device in accordance with the manufacturer's instructions to protect water quality.
5. We suggest you get your child tested for lead if you are concerned about exposure. Contact your local health department or healthcare provider to find out how you can get your child tested.
6. Test your water for lead. Call us at 248-437-4006 to find out how to get your water tested for lead. There are labs in the area that are certified to test for lead in drinking water.
7. Identify if your plumbing fixtures contain lead. New faucets, fittings, and valves, including those advertised or labeled as "lead-free," may contribute lead to drinking water. The law currently allows end-use fixtures, such as faucets, with up to 8% lead to be labeled as "lead free." Visit the National Sanitation Foundation Web site at www.nsf.org to learn more about lead-containing plumbing fixtures.

What Happened? What is Being Done?

The exceedance was discovered by the City's triennial Lead and Copper testing on August 19, 2013.

The City Water Department has been adding small amounts of an orthophosphate to the water to coat the pipes to help, so the lead and copper does not leach into the drinking water in your homes.

Any lead service lines in the City have been identified.

The City of South Lyon has historically been in compliance for lead and copper until this year's testing.

For More Information

Call us at 248-437-4006. For more information on reducing lead exposure around your home/building and the health effects of lead, visit EPA's Web site at www.epa.gov/lead or contact your health care provider.

**LEGAL NOTICE
CITY OF SOUTH LYON**

NOTICE IS HEARBY GIVEN that the City Council of the City of South Lyon will hold two public hearings at 335 S. Warren, South Lyon, Michigan on Monday, December 9, 2013 at 7:30 p.m. to receive written and verbal comment regarding:

- 1) The Community Development Block Grant Program 2014 annual application in the amount of \$27,290.
- 2) The reprogramming of Community Development Block Grant funds in the amount of \$5,896.

The City Council will consider any public comments on this matter at this time. The hearing is open to the public to voice their views or submit written comments. Persons with disabilities who require assistance to participate or attend this meeting are requested to contact the City Clerk at 248-437-1735 at least 72 hours prior to the start of the meeting.

Lisa Deaton
City Clerk/Treasurer



HUBBELL, ROTH & CLARK, INC
Consulting Engineers

Principals

George E. Hubbell
Thomas E. Biehl
Walter H. Alix
Peter T. Roth
Michael D. Waring
Keith D. McComack
Nancy M.D. Faught
Daniel W. Mitchell

Senior Associates

Gary J. Tressel
Kenneth A. Melchior
Randal L. Ford

Associates

Jonathan E. Booth
Michael C. MacDonald
Marvin A. Olane
William R. Davis
Jesse B. VanDeCreek
Robert F. DeFrain
Marshall J. Grazioli
Thomas D. LaCross
Dennis J. Benoit
James F. Burton
Jane M. Graham
Donna M. Martin
Charles E. Hart

November 20, 2013

City of South Lyon
335 South Warren
South Lyon, MI 48178

Attn: Mr. Rodney Cook, Interim City Manager

Re: Water System Improvements – DWRP Segment 1
Project Update

HRC Job No. 20090414.09

Dear Mr. Cook:

The DWRP water main improvement project is 95% complete. The Contractor is wrapping up this year's work in anticipation for a winter shut down. 100% of the new 25,000 feet of directionally drilled water main has been installed and the disturbed lawn and pavement areas have been permanently or are being temporarily restored, with the final restoration to resume in the spring of 2014.

The Lake Street Alley water main and sanitary sewer element of the DWRP project will be installed in spring 2014 along with a few remaining mainline tie-ins and new water service leads along Pontiac Trail. The installation of the low service pump at the water treatment plant is anticipated to take place over the winter.

In summary, the DWRP project is scheduled to be completed in the Spring/Summer 2014 and is currently under budget by approximately 4%.

If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.

Jesse B. VanDeCreek, P.E.
Associate

MPD/mpd

pc: City of South Lyon; B. Martin
HRC; J. Booth, M. Darga, File

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555 Hulet Drive, PO Box 824
Bloomfield Hills, Michigan 48303-0824
Telephone 248 454 6300 Fax 248 454 6312
www.hrc-engr.com

Engineering. Environment. Excellence.

Rod Cook

From: Stump, Cynthia <cstump@itctransco.com>
Sent: Wednesday, November 20, 2013 10:37 AM
To: Rod Cook
Subject: Upcoming ITC Pole Replacement Project - South Lyon
Attachments: Cody-Nolan project profile V1--11-15-13.pdf

Good morning Mr. Cook,

I'm sorry I missed you this morning when I contacted your office to discuss the upcoming ITC pole replacement project. I wanted to introduce myself and the upcoming ITC Cody-Nolan pole replacement project. ITC owns and operates the high-voltage transmission in majority of lower peninsula Michigan and has poles along the CSX railroad within the City of South Lyon that are in need of replacement.

Attached is the project profile document that will be mailed to your residents in the next week along with a letter introducing ITC and our land agents, NSI. The project begins at ITC's Cody station at 9 mile and Griswold and continues Northwest along the CSX railroad. I am inserting a picture below to provide a more detailed look at where the project will impact the city.

NSI will be meeting with landowners to discuss the best way for ITC to access their properties during the project in the next few weeks. The pole replacement project is scheduled to begin in January 2014. ITC will also have vegetation management crews in the area in January to ensure that ITC crews have access to all of the poles and that there are no incompatible tree species.

Please let me know if you would like to discuss the project in more detail. I can be reached at 248.946.3503 or by email. I will be out of the office this afternoon and tomorrow, returning to the office on Friday, November 22nd. If your residents have any questions regarding the project, please have them call ITC's Customer Relations Line at 877.482.4829. Stephanie answers the phone Monday through Friday, 8 am to 5 pm.

Thank you for your time. I look forward to working with you.

Happy Holidays!

Cynthia Stump
Area Manager – Local Government and Community Affairs
ITC Holdings
27175 Energy Way
Novi, MI 48377
248.946.3503
cstump@itctransco.com
www.itctransco.com

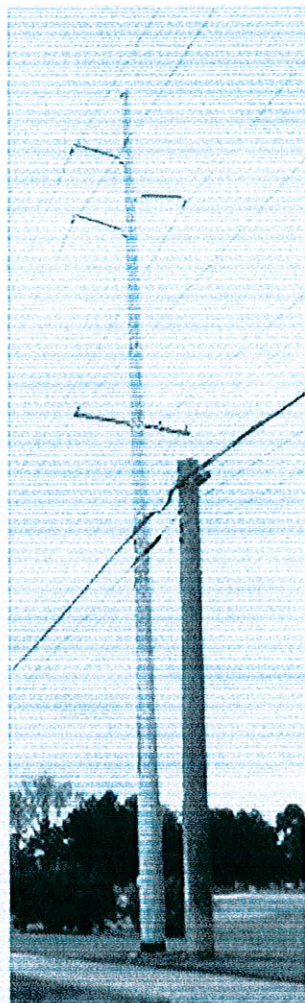


Project Profile:

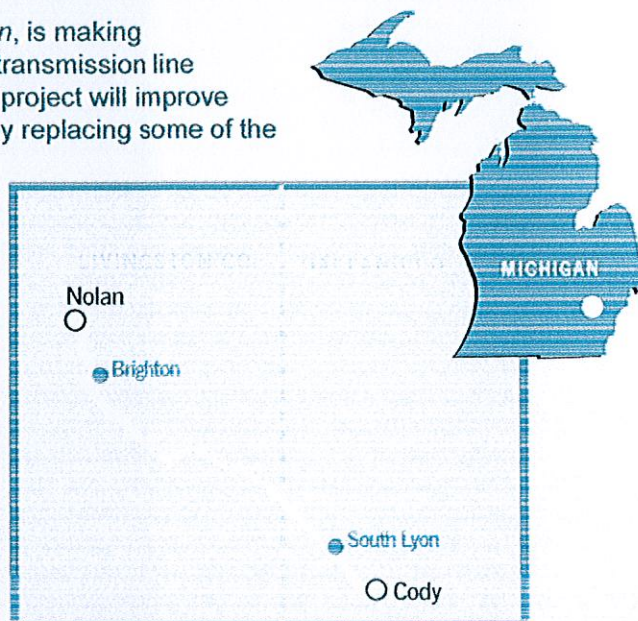
Cody-Nolan 120 kV Transmission Line Improvements

ITC Holdings Corp., through its subsidiary ITC Transmission, is making improvements to the 120,000 volt (120 kV) Cody to Nolan transmission line that serves parts of Oakland and Livingston counties. This project will improve the reliability of high-voltage electrical service in the area by replacing some of the wood poles which have reached the end of their lifespan.

The project involves replacement of 61 wood poles that are in poor condition with more durable steel poles.



The Cody-Nolan line runs northwest from the Cody substation in Lyon Township, through South Lyon, Green Oak Township and Brighton to the Nolan substation in Genoa Township for a distance of approximately 13 miles. Much of the route runs parallel to a CSX railroad line.



The Cody-Nolan project is part of ITC's ongoing program of upgrades and improvements to Michigan's high voltage transmission grid.

Since 2003, ITC has invested more than \$2.3 billion in capital improvements to its Michigan systems that include more than 8,400 miles of high voltage electric lines, transmission stations and substations throughout the Lower Peninsula.



These investments are improving the reliability and safety of the transmission grid while ensuring its ability to meet new energy demands and lower the overall cost of delivered energy.

As the nation's largest independent electric transmission company, ITC focuses solely on electric transmission. We invest in electric transmission to enhance reliability, relieve electric transmission congestion and connect all energy resources, including renewables, to customers in a non-discriminatory manner.



27175 Energy Way
Novi, MI 48377

877.ITC.ITC9
www.itctransco.com

we're your energy
superhighway

File Edit View Data Route Tools Help

South Lyon, Michigan, United States

Road map

Legend and overview



Pushpins

- My pushpins
- ITC Lattice Towers
- ITC Wood Poles
- ITC Steel Poles
- METC Lattice Towers
- METC Steel Poles
- METC Wood Poles
- ITC-METC Intertie Twrs
- METC and Shared Substations
- Non ITC-METC Substations
- ITC and Shared Substations
- Non ITC Holding Structures

Populated Places

Boundaries

Transportation

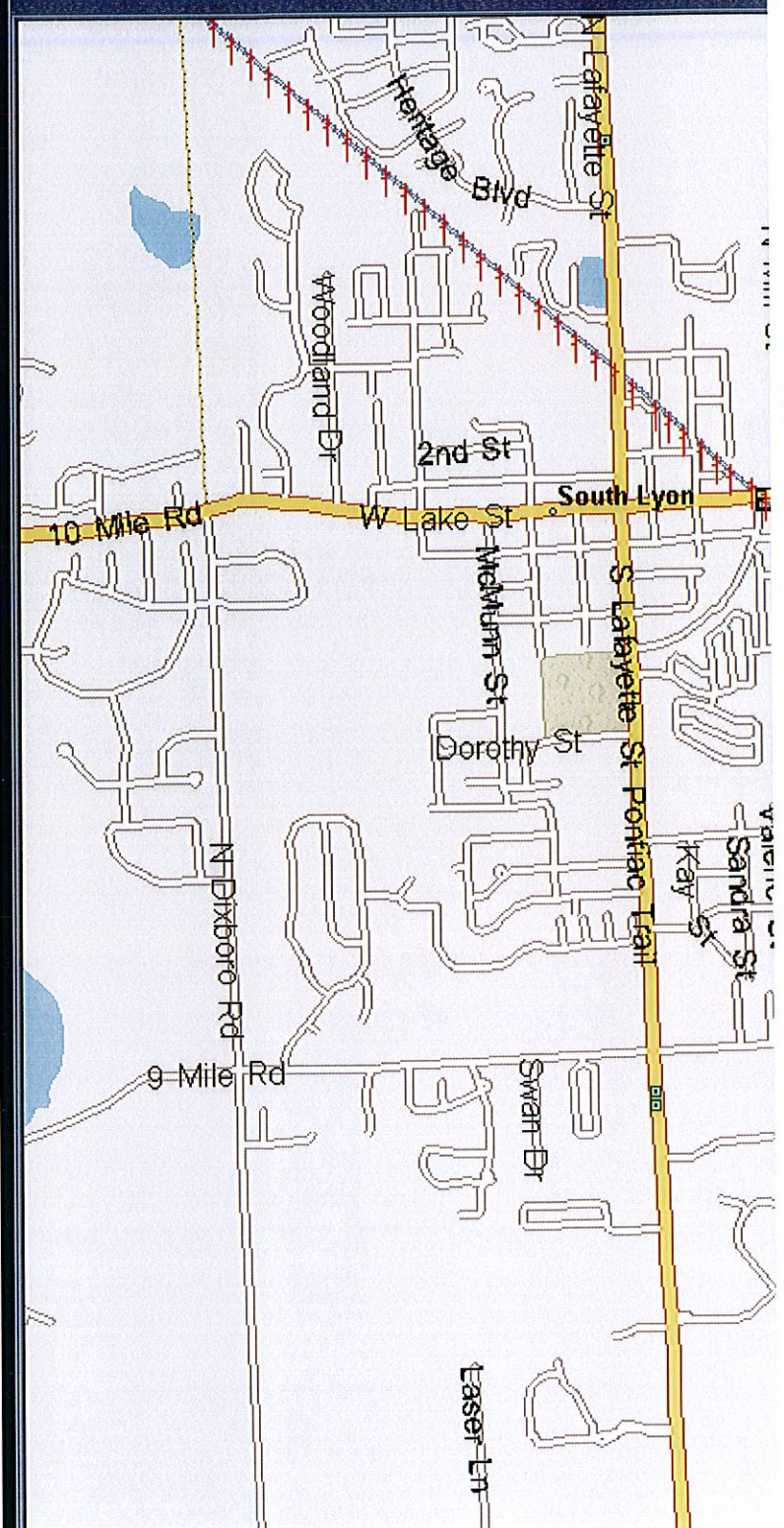
Parks and Reserves

Points of Interest

National Park Facilities

Miscellaneous

North America United States Michigan



**City of South Lyon
Planning Commission
Regular Meeting Minutes
November 14, 2013**

The meeting was called to order by Lanam at 7:04 p.m.

PRESENT: Jerry Chaundy, Secretary
Maggie Kurtzweil
Scott Lanam, Chairman
Frank Leimbach
Steve Mosier
Carol Segal
(1) vacancy

ABSENT: Keith Bradley, Vice-Chairman
Wayne Chubb

OTHERS PRESENT: Carmine Avantini, Planning Consultant
Timothy Wilhelm, City Attorney
Kristen Delaney, Director of Community & Economic Development

APPROVAL OF AGENDA:

Motion by Mosier, second by Kurtzweil
To approve the agenda for November 14, 2013 as presented.

VOTE

MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

Chaundy and Lanam presented minor corrections to the minutes. Lanam added that minutes from August should be noted as Tabled by the Planning Commission.

Motion by Mosier, second by Kurtzweil
To approve the minutes for November 14, 2013 as amended.

VOTE

MOTION CARRIED UNANIMOUSLY

COMMENTS FROM THE PUBLIC

Carl Richards
390 Lennox Street

Richards discussed topographical and geological conditions in the area around the Knolls of

South Lyon. He stated that he was here to provide facts to the Planning Commission to assist them in decision making.

PUBLIC HEARING

1) Sign Ordinance

Lanam explained the reason for the public hearing to those present. Avantini gave an overview of the progress made on the sign ordinance to date. He noted that he had worked with City Attorney Wilhelm to streamline the ordinance and to make it more defensible. He further noted that he thought that the business community would be happy with the changes to the ordinance, and find the ordinance to be more user-friendly.

Leimbach asked about the graphics that were to accompany the ordinance. Avantini responded that he was revising the graphics and would make them available to the Commission shortly.

Chaundy asked about how the revised ordinance addressed political signs. Wilhelm responded that the emphasis was on time, place and manner. He also noted that there was a section in the ordinance that dealt with removal of political signs within a specific time after an election. He stated that revising the sign ordinance is often a matter of trial and error. He concluded that the Commission may decide to make further revisions as specific circumstances arise.

Chaundy had questions about temporary signs that were being put up during the weekend. Avantini and Wilhelm stated that that was an enforcement issue. Kurtzweil suggested that Chaundy take pictures of the signs in question and notify city administration.

Lanam opened the public hearing at 7:25 p.m. and invited the public to speak. There were no comments.

Lanam closed the public hearing at 7:26 p.m.

Avantini stated that the next step would be to send the revised ordinance on to City Council for approval.

MOTION TO RECOMMEND APPROVAL OF THE REVISED SIGN ORDINANCE:

Motion by Segal, second by Chaundy

To recommend approval of the revised sign ordinance as presented to City Council.

VOTE

MOTION CARRIED UNANIMOUSLY

OLD BUSINESS

1) Master Plan

Avantini discussed the progress made on the Master Plan. He noted that he had not received any further comments from the Planning Commission about the plan. He said that there were two options: to forward the plan to City Council for approval or to have a work session in January to go over the plan one more time. He stated that he would like to see the Commission review it thoroughly one more time so that all Commissioners knew exactly what was in the plan.

MOTION TO REVIEW THE MASTER PLAN AT THE JANUARY 9, 2014 MEETING:

Motion by Leimbach, second by Mosier

To hold a work session at the January 9, 2014 Planning Commission meeting to review the proposed Master Plan.

VOTE

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1) Michigan Seamless Tube

Avantini discussed his review of the proposed addition at Michigan Seamless Tube, located at 400 McMunn Street. He reviewed his comments and stated that he did not have any problems or issues with the proposed addition that will house the pilger machine.

Avantini noted that the City's consultants and Department Heads had also reviewed the site plan and their comments were included in this packet. The comments were on relatively minor issues and could be easily addressed by the applicants.

Les Whitver, Vice-President
Michigan Seamless Tube
400 McMunn Street

Whitver noted that this addition was the final phase of a multi-year expansion at Michigan Seamless Tube. He stated that the project will add 11 jobs and increase capacity by 15%.

Leimbach asked if the proposed addition would increase the noise coming from the site, and whether or not this new equipment would operate around the clock. Whitver stated that he had listened to this machine at other locations and that it operates between 85-90 decibels. He clarified that this measurement was taken inside the building. Whitver said that the machinery would operate at Michigan Seamless Tube with the doors and windows shut, so he anticipated that the decibel readings would be even lower outside the building.

Cal Tinsley, Engineering & Maintenance Manager
Michigan Seamless Tube
400 McMunn Street

Tinsley stated that at this time the machine would not be operated around the clock. He also noted that the sound of clanging metal tubes, which had been a source of irritation for surrounding residents, would not be part of the operation of the pilger machine.

Leimbach asked if any plans had been made to reduce truck traffic on the residential streets surrounding the business. Whitver stated that he had spoken with City Manager Murphy about this in the past, but at this time, he did not have any plans in place to divert truck traffic. He noted that installing the pilger machine would actually reduce truck traffic since more work could be done on site, rather than having to transport product in and out of the factory between the various steps of production.

Kurtzweil asked about the company's commitment to spend \$100,000 per year to improve the façade facing McMunn Street, as well as the parking lot. Whitver clarified that this was a commitment to spend money when business is good. He stated that in 2013 they had spent approximately \$30,000 to remove dead trees, plant new trees and make some general repairs.

Kurtzweil asked if business was good now. Whitver stated that the company was not operating 24 hours a day and that he had recently had to lay off 40 employees, but that the expansion at the company was a long term process. He explained the process of ordering the new machine and that from ordering to installation, it could take up to two years until it would be up and running. Whitver stated that as capacity increased at the company, profits would increase. As profits increased he would dedicate more money to improving the buildings that face McMunn Street. Kurtzweil thanked him for the explanation.

MOTION TO GRANT FINAL SITE PLAN APPROVAL FOR MICHIGAN SEAMLESS TUBE:

Motion by Chaundy, second by Kurtzweil

To grant final site plan approval to the proposed addition at Michigan Seamless Tube, as amended to include the comments and recommendations made by the City's consultants and Department Heads.

VOTE

MOTION CARRIED UNANIMOUSLY

TABLED ITEMS

- 1) August 8, 2013 Meeting Minutes (no action taken)

PLANNING CONSULTANT REPORT

Avantini gave an overview of some current issues. He noted that he, Delaney and Building Official Tom Walsh had met to discuss the current standing of Alexander Center. Delaney stated that Walsh would be making a list of issues that still needed to be addressed at the site. She stated that she would forward this letter to the Commission.

Lanam stated that the Commission typically does not hold a meeting in December due to the holidays.

MOTION TO CANCEL THE DECEMBER 13, 2013 PLANNING COMMISSION MEETING:

Motion by Kurtzweil, second by Leimbach
To cancel the regularly scheduled December 13, 2013 Planning Commission meeting unless the Chair determines that a meeting is needed.

VOTE

MOTION CARRIED UNANIMOUSLY

The Commission noted that Jim Culbertson had resigned. They stated that he had served on the Planning Commission for several years and that he would be missed.

Lanam noted that several of the Planning Commission agendas and minutes on the City's were either missing or incorrectly noted as "cancelled" when the Commission had in fact met. Delaney stated that would update the website and correct the errors.

STAFF REPORT

Delaney gave an update on a recent meeting with Aubrees. They are still looking to locate a franchise in South Lyon and they hope to be before the Commission soon.

ADJOURNMENT

Motion by Leimbach, second by Segal
To adjourn the meeting at 8:20 p.m.

Scott Lanam, Chairman

Kristen Delaney, Recording Secretary

Jerry Chaundy, Secretary

SOUTH LYON PARKS AND RECREATION COMMISSION

MINUTES November 13, 2013

Meeting was called to order at 7:00 pm by Chairperson Olando.

Present: Dianne Beagle
Mike Olando
Keith McCormick
Ed McLoud
Jeff Thompson
Erica Wilson

Kristen Delaney – City of South Lyon
Mike Kramer – South Lyon City Council

Devon Walrath – Eagle Scout Candidate
Scott Walrath – Father
Jason LaPerna – South Lyon Panther Football
George Fomin – Resident
Carl Richards - Resident

Absent: Amy Allen – South Lyon Area Recreation Authority

Approval of Agenda – Olando requested that item A. be moved to the end of the agenda as Mr. LaPerna was attending another meeting and would arrive late. Motion by Wilson, supported by Thompson, to approve the agenda as amended. Motion carried unanimously.

Approval of Minutes – Motion by Wilson, supported by Thompson, to approve the minutes from the October 9, 2013 Commission meeting. Motion carried unanimously.

Citizen Comments – Mr. Fomin stated that the nature trails in Volunteer Park are in really good shape and wanted to thank the DPW for the maintenance work on them.

I. OLD BUSINESS

1. SLARA Updates – None.

2. Eagle Scout Project Updates – Devon Walrath stated he would like to propose a project in Volunteer Park. It would involve building and installing trail mile markers and trail maps. Devon gave a brief overview of the project and asked for the Commission's approval to move forward with a more specific design. His plans would be to install the markers and maps in April 2014. Commissioners approved of the project's concept and requested that Devon return to another Commission meeting with more detailed information and drawings. At that point, final approval

would be given for the installation. Commissioners cautioned Devon that the current location of the trails is temporary and when they are relocated, the markers and maps would need to be moved. Devon stated that he would try to address that in his plans.

3. Community Center Committee Update – Mike Kramer, chairperson of the Community Center Committee, provided an update. He stated that Salem Township is now interested in obtaining information on the plans and investigating the possibility of joining the project. Mr. Kramer will present a report to Salem Township officials on December 10th. The township's participation would cause current plans to be modified, including the facility's location.

Mr. Kramer stated that the conceptual design had been received and the costs to provide all of the facilities and amenities the Committee had desired were much higher than anticipated. This has caused the Committee to readdress what the facility would encompass and how it would be operated. Several different options are being explored.

The Committee will attempt to have a millage approved to provide funds for construction and the continual operation of the center, however plans are currently on hold until a decision on participation is received from Salem Township.

Mr. Kramer felt that the project is progressing very well and hoped that if everything was approved, construction could begin in 2015.

4. Parks and Recreation Master Plan Update – Delaney provided a copy of a letter from the Michigan DNR to the City dated October 18, 2013 stating that our five-year community recreation plan had expired. An updated plan must be submitted to the DNR by March 1, 2014 in order for the City to be eligible for DNR grants. Delaney stated that the last time the City received such a grant was fifteen years ago. Based on the timing of these grants, she felt that the City would be successful in obtaining one or more due to the length of time since the last one was received. Delaney will discuss starting this process with the interim City Manager. The deadline does not allow much time to complete a new plan and Delaney will explore options for assistance.

5. Volunteer Park Field Plans – Mr. LaPerna provided an update. A steering committee has been formed, including representatives from Panther Football, South Lyon Junior League, South Lyon Lacrosse, Lyon Football Club, and Nature Trail Supporters. They have hired Russell Design to assist them in creating a master facility plan for the park. This will include playing fields, nature trails, buildings, parking lots and will incorporate needs from all of these groups as well as the community. The goal is to complete the plan by the end of the year and present it to the Commission. Following that, funding and staging of projects will be addressed. Delaney stated that this plan could be incorporated into the Parks and Recreation Master Plan and used in subsequent grant applications. Delaney will share this information with the City Manager.

II. NEW BUSINESS

1. Election of Officers – Thompson nominated the current officers for re-election. McLoud supported. Officers were elected unanimously:

Chairperson – Mike Orlando

Vice Chairperson – Erica Wilson

Secretary – Dianne Beagle

2. Time Change for December Meeting – Due to the City's Holiday Gathering occurring at the same time as the Commission's December meeting, it was suggested that the meeting start time be moved up one hour. Motion by McLoud, supported by McCormick, to change the start time of the December 11, 2013 meeting to 6:00 pm. Motion carried unanimously. Delaney will post the time change on the City's website.

III. Commission Comments – None

IV. Adjournment – Motion by McLoud, supported by McCormick, to adjourn the meeting at 8:19 pm. Motion carried unanimously.

Upcoming meetings/events:

December 11
January 8, 2014
February 12
March 12
April 9

Submitted by:

Michael Orlando, Chairperson

Dianne Beagle, Secretary