

The City of South Lyon
 Regular City Council Meeting
 November 23, 2015

Mayor Galeas called the meeting to order at 7:30 p.m.
 Mayor Galeas led those present in the Pledge of Allegiance.

PRESENT: Mayor Galeas
 Council Members: Dedakis, Kivell, Kurtzweil, Rzyzi, and Wedell
 Also Present: City Manager Ladner, Chief Collins, Chief
 Kennedy, Department Head Martin, Attorney Wilhelm, and Clerk/Treasurer Deaton
 ABSENT: Councilman Kramer

CM 11-1-15 MOTION TO EXCUSE ABSENCE OF COUNCILMAN KRAMER

Motion by Wedell, supported by Kurtzweil
 Motion to excuse absence of Councilman Kramer

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

Councilman Kivell stated he would like to change a couple sentences on page 4. Councilmember Kurtzweil stated on page 8, she would like the 3 words "and we think" removed from that sentence.

CM 11-2-15 MOTION TO APPROVE MINUTES

Motion by Wedell, supported by Rzyzi
 Motion to approve minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

City Manager Ladner stated there were two requests to add 2 items onto the Agenda. Mayor Galeas requested item #8 to be a discussion on blight and blight ordinances, and Councilmember Kurtzweil requested a discussion item on the downtown which will be item #9.

CM 11-3-15 MOTION TO APPROVE AGENDA

Motion by Kivell, supported by Kurtzweil

Motion to approve agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Bob Ziegler of 1000 N Lafayette stated he is here with other members of the South Lyon Youth Assistance and they would like to give a brief presentation. Radha Vichave-Kshirsadar stated she has been a board member for about 10 years and they are here to thank the City for their sponsorship and to share some updates. Dorian Brant stated she is the caseworker and she works with families and youth that are having difficulties. She receives referrals from many different agencies as well as families and she works with the Board to provide the area with programs. Ms. Vichave-Kshirsadar stated they have many programs which include tutorial services, summer camp which is drama based, summer camp, family education, shop with a hero and many more. Thad Bogert stated that Mentors Plus is a program that help young people that could benefit from having a friend. He stated the commitment of being a mentor is one hour a week for a year and the only qualification is compassion and a desire to be a role model. He further stated he has been a mentor for 3 years, and it has been the most rewarding experience. Mr. Bogert stated one hour a week can make a huge difference in a young person's life. He further stated if anyone is interested in becoming a mentor please contact a board member or visit the website at slaya.org.

OLD BUSINESS

1. Consider approval of funding for the City's portion of the Safe Routes to School Grant

Leslie Zawata stated she made some revisions to the estimate. She stated she has modified a few things since the last meeting. Ms. Zawata stated they modified the unit prices throughout the estimate. She stated the additions to the estimate are due to the increase in cost of the pedestrian bridge crossing over the Sayer Drain. MDOT requires a 14 foot wide pedestrian bridge when they are grant projects. She further stated the estimate is conservative and we want our numbers high because if you apply to low and the bids come back high, the grant will not cover that. She stated if the bids do come in too high, we have the ability to reject the bids and not continue with the project. Ms. Zawata stated the pedestrian bridge will connect the residents at Princeton over the Sayer Drain directly to the middle school and avoid Pontiac Trail completely. She further stated it is a pre-fabricated bridge; it will be delivered in pieces and fabricated on site. Councilman Wedell stated the cost for the engineering has increased significantly. City Manager Ladner stated the current numbers are for the entire project, the original smaller amount was just for the traffic signal.

CM 11-4-15 MOTION TO APPROVE CITY'S PORTION OF THE SAFE ROUTES TO SCHOOL GRANT

Motion by Kivell, supported by Rzyzi

Motion to approve the City's portion of the safe routes to school grant of \$110,709.48

VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Consider appointment/resignations from City Commissions

Mayor Galeas stated Carl Richards resigned from the Cable Commission and Council needs to approve his resignation.

CM 11-5-15 MOTION TO ACCEPT RESIGNATION

Motion by Wedell, supported by Rzyzi

Motion to accept Carl Richards resignation with thanks

VOTE: MOTION CARRIED UNANIMOUSLY

Mayor Galeas stated he has received an application from Rich Neely for the Parks and Recreation Commission. City Manager Ladner stated the Parks and Recreation Commission members are excited to have him join.

Mayor Galeas stated he would like to appoint Rich Neely to the Parks and Recreation Commission and thank him for his interest.

CM 11-6-15 MOTION FOR APPOINTMENT

Appointment by Galeas, supported by Kivell

Motion to appoint Rich Neely to the Parks and Recreation Commission

VOTE: MOTION CARRIED UNANIMOUSLY

2. Consider approval of preliminary site plans for Thomasville Development on 11 Mile Road

Carmine Avantini of CIB Planning stated this is the preliminary site plan for Thomasville Development on 11 Mile near Colonial Acres. He stated it is zoned multifamily residential and the developer could have built an apartment complex according to the zoning. After speaking with the developer, they agreed on a small lot, single family residential development would be beneficial. He further stated this is a two-step process. The Planning Commission recommends the Council to approve the preliminary plan, which means they agree with the road layout and house configuration. If the Council approves the plan, the developer will then go back to the Planning Commission for a final site plan, which will then come back to Council for final approval with much more of a detailed plan. Mr. Avantini stated the road will connect with Colonial Acres which is something the Fire and Police Department were in strong approval of. He further stated they added an emergency access as well per the request of the Fire Chief. Councilman Kivell stated the plan looks like a nice transition from Colonial Acres to the regular

residential across 11 Mile. He further stated he is concerned about the side-yard setbacks only being 5 foot minimum. He stated with a 5 foot minimum it basically means a house could be only 10 feet away from another house as opposed to 12 feet. He stated if there is a fire or rescue attempt that needs to be made; the extra 2 feet can make a huge difference. He stated he hopes they take that into account before they come back for final approval. Councilmember Dedakis stated she shares the concerns regarding the density. She asked if residential sprinklers will be required because of the density level. Mr. Avantini stated there are thresholds that need to be met before they are required. Councilmember Dedakis asked if this would be a senior development or will it be available for all ages. Mr. Avantini stated it will not be age restricted, but the size of the units is geared more towards seniors, or people looking to downsize. Councilmember Kurtzweil stated she was on the Planning Commission when this development began with 90 condo units, but the Planning Commission was able to bring the number down to 62. She further stated they discussed some green space areas, therefore the developer agreed to lower the number by 2. Councilmember Kurtzweil stated the setbacks requirements in Novi developments are beginning to decline. She stated some of the buildings in Krightbridge are very tight to each other and the emergency vehicles do not have any issues. She further stated that reflects the high demand for real estate. She stated she is not bothered by the 6 foot setback, and she is happy with the transition from Colonial Acres. She further stated she will continue to advocate for restrictions to be placed on the use of the properties so it doesn't interfere with the residents of Colonial Acres. Mayor Galeas stated he agrees with Councilman Kivell regarding the setbacks, but he understands the setbacks are becoming smaller because of the demand for real estate. He further stated he believes this development will sell out and it will be a good development for the community. Councilman Kivell stated he understands the residents will have a small yard, but because there are other developments that are having tighter setbacks, doesn't mean South Lyon needs to follow along. Councilman Rzyzi stated this is a transitional community abutting Colonial Acres and he would also like to see restrictions excluding swing sets and such to ensure it will remain that way.

CM 11-7-15 MOTION TO APPROVE PRELIMINARY SITE PLAN FOR THOMASVILLE DEVELOPMENT

Motion by Kivell, supported by Dedakis

Motion to approve the transition to Planned Development rezoning and Preliminary PUD site plan conditioned on the execution of the planned development agreement along with any other conditions according to City staff and consultants.

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Request to address Council by Dr. Kaplan regarding drive approach to Kaplan Chiropractic
410 N Lafayette Street

Mayor Galeas stated Dr. Kaplan requested to speak with Council regarding problems with his drive way approach. Dr. Kaplan stated he has been at 410 N Lafayette for 10 years and at the southern end of this parking lot water continues to accumulate and it is continually getting worse. He stated he understands he needs to maintain his property, but there is a difference between maintain and repair. This needs to be repaired. He further stated any time there is road work done on Pontiac Trail, the problem

continually gets worse. He stated he has spoken with Bob Martin, past City Managers and they all say it is a County problem. He stated the County says this is a low priority. Dr. Kaplan stated it appears the road is continually being built up and the water is not getting to the drain. He further stated he was told to just put asphalt down and possibly to move the water to the drain would be \$2,500. He further stated he was told the old concrete foundation would need to be replaced and he was told it would be thousands of dollars and Dr. Kaplan stated he doesn't have that kind of money. Dr. Kaplan stated he is asking for help from the City to get this fixed. Councilman Rzyzi stated this speaks to a larger issue. He further stated he also had a resident come to him regarding a draining issue at the end of his driveway. He stated he wants to know who is responsible. City Manager Ladner stated it is a driveway approach, it is the property owner's property, but there is an easement with a right of way, but that easement does not give up the property owner's responsibility for repair and maintenance. She further stated the Road Commission has told her it is not their issue. She further stated if the City begins making improvements on private property with individual property owners we will need to be repaired to do that throughout the City. Councilman Kivell stated we can contact the Road Commission on your behalf, but there are other issues that we don't seem to have a huge impact on them. City Manager Ladner stated she can ask to meet with Oakland County Road Commission again and ask them to look at it again, and if it is truly a drain issue, we can ask them to see if they can work with us as they have in the past. Councilman Kivell stated he doesn't think it is a drain issue; he thinks it may be a Road Commission problem. Councilmember Kurtzweil stated it is interesting that the Road Commission would come out and do patchwork if it is not their problem. She further stated there needs to be an investigation and it speaks to a larger problem. She stated she is tired of South Lyon being put on the back burner when it comes to Oakland County. The City leadership needs to become the squeaky wheel and stick up for the City. She further stated she will go to an Oakland County Road Commission meeting and demand they come to South Lyon. South Lyon needs to be a priority to Oakland County. Mayor Galeas stated he agrees with Maggie and it seems we don't get top priority because we are in the far corner of Oakland County, but he thinks we do need to do what we can to get answers so we can address these issues. Department Head Martin stated there are drainage issues from the rail road tracks down Pontiac Trail to McHattie. The storm sewers are old and undersized and some don't drain very well. We had the drain Commission jet the drains, but every time the County works on Pontiac Trail and 10 Mile, it changes the grade. If the homeowners don't have their driveway approaches changed as well, it can cause ponding. He further stated how much does the City take on? Councilman Rzyzi stated the City needs to help the residents that are in that situation. Department Head Martin stated the street and the sidewalk in front of Dr. Kaplan's is fine, but the approach is the problem. Councilman Kivell stated he has made many comments and suggestions on the RCOC website and to demonstrate how strongly South Lyon is thought of, there is a drop box for each City in Oakland County, and the City of South Lyon is not even represented. They told him to use Lyon Townships drop box. Councilman Rzyzi stated this is a safety issue and it needs to be addressed. Councilmember Kurtzweil stated she will be attending an Oakland County Road Commission meeting and if she has to she will meet with L. Brooks Peterson himself. She stated there are a few communities that get top notch service, but South Lyon is not one of them. She further stated the City leadership needs to start letting people know South Lyon is on the map.

4. Consider setting public hearing date for CDBG application- projects Senior Center and HAVEN

City Manager Ladner stated the due date for the application is December 18th and we need to hold a public meeting for the projects, and the amount is \$35,261.00. She further stated there is a minimal area we can use the money, it seems reasonable to continue to support of the Senior Center and HAVEN which is public services for battered and abused spouses. Councilmember Kurtzweil asked if there is a reason why we cannot consider supporting South Lyon Youth Assistance instead of a non-local service. City Manager Ladner stated we already support the South Lyon Youth Assistance, and HAVEN is a multi-county organization, but if Council wishes we could look into other services. Councilmember Kurtzweil asked if we could assist with a local area organization that deals with drug problems, there is a drug problem in our area. City Manager Ladner stated she will look into if there are any other organizations that are CDBG eligible. Councilman Wedell stated HAVEN does service the City of South Lyon and we are notified of the number of people in South Lyon that HAVEN assists. Councilman Rzyzi stated it is always good to see what else is out there to support. He further stated there was a request from a resident to look into free medical clinics. City Manager Ladner stated she can look into it, but we will not be able to meet the December 18TH deadline. Councilmember Kurtzweil stated she doesn't want to hold up the process and possibly next year we can look into other organizations to support. Councilman Kivell stated he agrees to move forward with this, and look into other funding sources to try to address the ancillary issues.

CM 11-8-15 MOTION TO APPROVE DECEMBER 14, 2015 FOR CDBG PUBLIC HEARING DATE

Motion by Kivell, supported by Wedell

Motion to set public hearing for CDBG application on December 14, 2015 7:30 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

5. Consider renewal of lease agreement with SLARA for two year term

City Manager Ladner stated the South Lyon Area Recreation Authority have asked to renew their lease for the building at 318 W Lake. She further stated the lease includes a 2% increase for each of the two years, which totals \$9,144.36 annually. Councilmember Kurtzweil stated paragraph 4 in the contract does not have a holdover clause for rent, which is normally included in a commercial lease in case there is a holdover situation. Councilmember Kurtzweil stated Paragraph 10 regarding maintenance and repairs there needs to be a statement regarding the Landlord having reasonable access to premises to perform repairs. Councilmember Kurtzweil stated on Paragraph 14 is not clear if the renter is leasing the parking lot or just the building. City Manager Ladner stated they are leasing the building and the parking lot. Councilmember Kurtzweil stated there should be detailed descriptions of what they are leasing. Councilmember Kurtzweil stated paragraph 17 indemnity isn't broad enough, it needs to include everything the landlord is responsible for under the lease. Paragraph 20 is outdated and needs to be removed, this paragraph is considered self-help. You may only enter the premises by court order or permission by the resident. Paragraph 30 regarding attorney fees, the language needs to be broader including reasonable attorney fees, and all fees to be determined by the court should be removed. Mayor Galeas stated he agrees some of the language needs to be tightened up. We have a good

relationship with South Lyon Recreation but we need to ensure we are covered for any situation. Councilman Rzyzi stated we need to have an effective and correct contract to ensure the City is covered. Councilman Kurtzweil stated the matter regarding lease terms needs to be discussed in a public meeting because it is a public matter. Councilman Kivell agreed the changes should be made but regrets they weren't conveyed to the City Attorney in private before the meeting.

CM 11-9-15 MOTION TO TABLE SLARA LEASE AGREEMENT UNTIL NEXT MEETING

Motion by Rzyzi, supported by Kurtzweil

Motion to table SLARA lease agreement until December 14, 2015 Council Meeting

VOTE: MOTION CARRIED UNANIMOUSLY

6. Consider adopting resolution opting out of Public Act 152 for 2016

City Manager Ladner stated per the Public Act 152 of 2011, the City has 3 options for the health insurance employees, a hard cap, 80/20 cost sharing or to opt out. Through the collective bargaining process, the City has implemented the 80/20 cost sharing, but will not be in full compliance until 2017 which means the City needs to opt out once again for 2016. If we do not opt out, we will not receive the ACT 51 money or revenue sharing.

CM 11-10-15 MOTION TO OPT OUT OF PUBLIC ACT 152 FOR 2016

Motion by Kivell, supported by Wedell

Motion to opt out and exempt the City from the requirements of Public Act 152 of 2011 for calendar year 2016

VOTE: MOTION CARRIED UNANIMOUSLY

7. Consider cancellation of second City Council Meeting in December per past practice

City Manager Ladner stated it has been the past practice of the City to cancel the 2nd Council meeting in December. It falls on December 28th which will follow a 4 day weekend for the Christmas holiday. Councilmember Dedakis stated she feels Council has many things to discuss and a lot of business to handle and we owe it to the residents to have that meeting. Councilman Rzyzi stated he has no issues coming in for a meeting that night, he also feels we owe it to our residents. He further stated we need to have a standing agenda item regarding the downtown. Councilmember Kurtzweil stated she also agrees with Councilman Rzyzi and Councilmember Dedakis we have a lot of work to do and many things to discuss.

8. Blight Ordinance

Mayor Galeas stated there is a lot happening with other towns and he would like to know what we are working on regarding the Blight ordinance. Attorney Wilhelm stated he has discussed this with the City Manager. Many of the surrounding communities use the Dangerous Building Act and Housing Law which provides for a show cause hearing, an appeal and the right to go to circuit court. He further stated South Lyon does not have an Ordinance like the City of Brighton. The City of Brighton issues a notice of unsafe structure is prepared and issued by the administration, then the show-cause hearing is presented to the City Council. The City Council will take evidence and reach a conclusion. There is also an appeal process that would bring the issue back to City Council, or the property owner has the right to go to Circuit Court. An alternative to that process would be to have the administrative office issue the notice of dangerous building, then a show-cause hearing would be held before a Hearing Officer who would look at the evidence and make a ruling within 5 days after the hearing. If the property owner wants to appeal, they could appeal the decision back to City Council, or go to Circuit Court. Councilman Wedell stated he would prefer to appoint someone to act as the fact finder so the City isn't reviewing their own findings, then any appeal could be brought before Council, or Circuit Court. Discussion was held regarding who would be qualified as the Hearing Officer. Attorney Wilhelm stated it could not be our own Building Inspector because that would be a conflict of interest and the statute does not allow for a City employee to act as the Hearing Officer. Councilman Kivell asked if we could appoint a building inspector from a neighboring community. Attorney Wilhelm stated that could be done and having a building background would be helpful. Mayor Galeas stated we will need to make sure the language is perfect and whoever we appoint will have to have knowledge of the building codes so they will be prepared to answer any questions that may be asked. Attorney Wilhelm stated if the City moves forward with the Dangerous Building Act, we may need to update the property maintenance code as well. He further stated the City is using the 1996 BOCA code. Councilmember Dedakis stated she agrees the code needs to be revamped and start fresh. City Manager Ladner stated the 2015 International Property Maintenance code will be adopted by the State of Michigan in 2016 and we have the option to adopt that code now. Councilman Rzyzi stated we need to recognize we have a problem with landlords that don't care, we go after them legally, and it doesn't help. We need to talk with Brighton and see how they were able to move ahead with their blight problems successfully and follow along. City Manager Ladner stated she has been working on modifying the City of Brighton's Ordinance. She stated there are a few things Council will need to discuss. She stated a definition in their ordinance states if the cost of the repairs of the structure is damaged beyond 50% of the value, demolition is necessary. She further stated we may want to remove that section due the fact we have buildings with historic value and if we do not want them considered for demolition we will need to set the 50% higher or remove that section. City Manager Ladner stated that also tied into unreasonable repairs section states if the cost of repairs is over 100% of value of the building, the building should be ordered demolished without option of the owner. She stated that is a very strong statement. She further stated where would we draw the line regarding when the building became blighted. City Manager Ladner stated there is also an issue with Brighton's Ordinance which gives our Ordinance Officer Police powers and she feels that may not be something Council would approve of. She stated in some communities their Ordinance Officer is a member of the Police Department, but that is not the case here in the City. Additional discussion was held regarding giving an Ordinance Officer Police powers. Chief Collins stated to the best of his knowledge local ordinance cannot supersede State Law, and absent of licensing by the Michigan Law Enforcement standards a person cannot be empowered with full Police Authority. Mayor Galeas stated

we need to look into this and be proactive regarding our blight ordinance. We do not want to make rash decisions, but we do need to move forward with this. Councilmember Kurtzweil stated she was in Brighton last week and spoke with the Building Department regarding their Blight Ordinance. She stated Brighton's City Council has done a great job and they need to be commended. She further stated she then spent an hour with the City of Brighton's Attorneys. They are very experienced and could hit the ground running, she would be happy to use the firm as special counsel for about 3 years and let them do their job. They are extremely experienced with handling difficult property owners. She would like them to give a presentation to City Council and if it was her decision, she would bring them on as special Counsel. She further stated one of the attorney's teach code enforcement, they have a very strong background in real estate and a winning track record with difficult property owners. This is not a learning curve project, we need to use the people that have the skill set to do this work. They have been there, and have litigated a very difficult tenant and they have won. She recommends Paul Burns and Branford Maynes are asked to give us a presentation where we can get all of our questions answered. Councilmember Kurtzweil stated we have blight because the City of South Lyon has permitted it to happen. She further stated if you don't make an investment, you will have blight. She has read that in many studies. We have nothing to lose by asking them to give us a presentation. It would be an interview for them. Mayor Galeas stated this has been an issue for a very long time. He further stated it the area has been growing so fast in the past 12 years, and the ordinances need to be kept up. Councilmember Kurtzweil stated there were 3 points of discussion. The City of Brighton has a smaller population than South Lyon. She also found out they have less square mileage than the City of South Lyon and their downtown is booming every week Thursday, through Sunday. She also learned the University of Michigan is bringing an 178 million dollar investment is coming into Brighton and one of the factors they used to make that decision was their downtown. She further stated we could be missing out on many outside investments because of the condition of our downtown. Councilman Rzyzi stated what everyone here has in common is the heart of the City is our downtown. He further stated he has spoken with many residents that want our downtown to be more attractive. He stated a year ago we were unable to have this discussion and he is happy this is going in the right direction. He also would like to meet with the City of Brighton's Attorneys and get more information. Mayor Galeas stated that this is a good start. Councilmember Kurtzweil stated she has spoken with many residents in the area, and this is not a South Lyon issue. Green Oak and Lyon Township residents are just as interested in our downtown succeeding. She further stated worse days are to come for downtown South Lyon if we don't get this handled immediately. Further discussion was held regarding the downtown blight issue. Mayor Galeas stated he believes Council is all on the same page and this is a good starting point for us to move forward. He further stated perception is huge and if we work on the downtown issues, some developers will be looking at our downtown differently and this is a good start. Councilman Rzyzi stated personally he would like to see downtown/blight as a standing Agenda item whether there has been any progress or not. City Manager Ladner stated she will contact Brighton's attorneys and ask if they would attend a future Council Meeting for a presentation and to answer questions. Councilman Kivell stated this is the perfect time with the growth that is on the perimeter and we have made it through difficult financial times since 2008 and we came out intact. We can now begin being more assertive and move forward. The redevelopment potential in downtown is enormous. We can capitalize on taking advantage of structures that already exist and improving and redeveloping the areas that are underserved will be a great augment to what already exists. We must do this before the Grand River

corridor is developed or we will lose the position of our downtown being able to service the entire region.

9. Downtown

Mayor Galeas stated the downtown issue is part of the downtown blight issue we just discussed. We are in competition with our surrounding areas and the downtown issues need to be addressed. He further stated many people are driving through our downtown and we need to understand how important it is. City Manager Ladner stated the City's Master Plan was updated but has not been formally approved. Kelly McIntyre is in the process of sending letters to residents to inform them of the Master Plan approval. She further stated our City Planner and City Attorney have been working on updating our zoning ordinance that will need to be approved as well. She further stated they are working on moving the downtown forward. City Manager Ladner stated the City of Brighton considers all commercial and industrial is considered part of the downtown development authority which gives them an \$800,000 budget. The City of South Lyon Downtown Development Authority is much smaller and a much smaller budget. She stated they also have 2 full time employees that deal with their downtown. She further stated Milford is similar, their downtown encompasses everything except residential. She stated there are other things we can do to keep moving things forward. Mayor Galeas stated he didn't realize their downtown development authority is so much larger. Councilman Kivell stated in the past there have been conversations in regards to expanding the DDA area. Councilman Kivell stated in the past there have been conversations in regards to expanding the DDA area, and the problem was the existing agreement is perpetual, a new agreement would have a fixed sunset. Carmine Avantini of CIB Planning stated some communities are re-doing their DDA plan because that would fix the sunset and re set the numbers as well as deal with the \$80,000 personal property tax exemption. Mr. Avantini stated there are other ideas communities can do to strengthen the DDA as well as raise the numbers. Discussion was held regarding moving forward with the Master Plan.

MANAGERS REPORT

City Manager Ladner stated she would like to bring in an outside facilitator and possibly going off site for a goals meeting and envision discussion for the direction Council wants the City to move towards. She further stated she feels that would be good for the Council as well as the Department Heads to see what Council expects of all of us. We could discuss the policies, goals, and any other issues that need to be discussed. Mayor Galeas stated he believes this is a good idea and will be helpful for everyone to understand what needs to be accomplished. Discussion was held regarding the location and having a facilitator to make sure Council stays on topic. Councilman Rzyzi stated he feels this vision session needs to be tied to the goals for the City. Councilmember Kurtzweil stated she has attended conferences and meetings at the Holiday Inn in Ann Arbor and if you order lunch you don't have to pay for the conference room. Further discussion was held regarding the Council retreat. City Manager Ladner stated the Holiday Party will be held on the 16th of December at the South Lyon Hotel. City Manager Ladner introduced Kelly McIntyre who is the new Downtown Development employee.

COUNCIL COMMENTS

Councilman Kivell stated the DPW did a great job with the snow plowing as they always do. He stated over the weekend there was a pump that flourates the water was overactive and the Water Department caught it and had it handled immediately. Department Head Martin stated Dan Gehringer caught the problem right away and took care of the problem.

Councilmember Dedakis thanked Dr. Kaplan for coming in and that our business owners are vital to the City and the problem will be addressed. She also thanked Mayor Galeas for adding the blight ordinance issue to the Agenda. She thanked Councilmember Kurtzweil for suggesting we bring in outside Counsel to discuss the blight issue with us. She wished everyone a Happy Thanksgiving.

Councilman Rzyzi stated he noticed the lights at Paul Baker Park look great and wanted to thank the DPW. Councilman Rzyzi stated the issue with Dr. Kaplan reminds him of when the City shut down Chad Lindsey which upset him and the community. He further stated it speaks to the mentality of City Hall. He further stated we should be asking how we can help our business owners. Councilman Rzyzi stated he is disappointed the building at 390 S Lafayette isn't torn down yet. City Manager Ladner stated she was told they would have it torn down before Thanksgiving and she will contact the contractor. Councilman Rzyzi stated the vision session is a good idea and he believes it will be helpful if Council can see the job description of Kelly McIntyre as well as a list of any grants she will be going after.

Councilman Wedell wished everyone a Happy Thanksgiving.

Councilmember Kurtzweil stated the budget she received does not include any amendments that have been done throughout the year. Councilmember Kurtzweil stated she would like to know what the City's policy is regarding performance bond. She stated she would like this added to the next Agenda. She stated there is a difference between a performance bond which is provided as cash which must be held in trust, versus a performance bond via an insurance company. She stated she received an email from a business owner trying to close out his performance bond since June of this year. She stated there is case laws stating the cash bond is for the performance of the job, and then the cash should be returned. Councilmember Kurtzweil stated the City doesn't have a written bond, therefore there is no written conditions stating the City can make deductions. She stated the business owner could make a police report requesting an investigation which could be a felony if the money is missing. She stated this is a business issue and there may still be a dispute. Councilmember Kurtzweil stated there also needs to be a release to ensure the bonds are handled properly. Councilmember Kurtzweil stated she attended a Planning Commission meeting and was very disappointed with the representatives Leon Gonzales and Brian Najor of South Lyon Square. She stated they would not commit to any time frame for any improvements until they know what they will be doing with the property. She stated she is disturbed by their lack of commitment to the City. The property is blighted and we need to get on this right away. She stated that property is the first property you see, and it is blighted. We need to find a way to work with the developer to get something other than a dollar store in that mall. She stated she also found out they received a tax refund of \$13,000 and they are still involved in a tax tribunal case. She stated that is why he wouldn't go on record with any improvements because he didn't want to take a chance of

damaging his case. Councilmember Kurtzweil stated the game of buying and dumping property in South Lyon needs to be stopped. Using vacant property as a tax write off must stop. She stated the same people purchased property in Detroit for the purpose of moving the 3rd Precinct from the Woodward location to that property. The cost was one million dollars. He then went to Detroit City Council with a lease for 3 years and after the 3 years there is an option to purchase the property for 3.1 million dollars. She stated she wants him to spend that 2 million dollar profit on the property he purchased in the City of South Lyon.

Mayor Galeas stated he appreciates the Handbook that was given to everyone. He stated some of the chapters are very interesting, such as communicating with the media, and relationships with municipal staff. He stated he met with Chief Collins for a few hours and he has a good understanding of what is happening in his department and he has great respect for the Police Officers. Mayor Galeas stated he met with Department Head Bob Martin and had the tour of the water plants and he has a good understanding of how they operate and he appreciates the meeting. He thinks everyone should take the time to set up a tour of the water plants with Bob and to see how it works, it is second to none. Mayor Galeas stated he wants everyone to come out for the small business shopping day on the 28th of this month. He stated Cool Yule will be on December 5th and it is a great event. He stated December 9th he will be attending the South Oakland County Mayors luncheon and he hopes to represent the City well. Mayor Galeas wished everyone a Happy Thanksgiving.

ADJOURNMENT

CM 11-12-15 MOTION TO ADJOURN MEETING

Motion by Kivell, supported by Rzyzi
Motion to adjourn meeting at 10:35 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

John Galeas Jr. Mayor

Lisa Deaton Clerk/Treasurer