

CITY OF SOUTH LYON  
REGULAR CITY COUNCIL MEETING  
JANUARY 23, 2017

Mayor Galeas stated there is a problem with the recording equipment. City Manager Ladner stated she will be recording audio on her cell phone.

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; Kivell, Kramer, Parisien, Ryzyi, and Wedell  
ALSO PRESENT: City Manager Ladner, Chief Collins, Department Head Martin, Clerk/Treasurer Deaton, Chief Kennedy and Attorney Wilhelm  
ABSENT: Councilmember Kurtzweil

Councilmember Ryzyi stated Councilmember Kurtzweil contacted him earlier and stated she wouldn't be attending because she is ill.

CM 1-1-17 MOTION TO EXCUSE ABSENCE OF COUNCILMEMBER KURTZWEIL

Motion by Ryzyi, supported by Kramer  
Motion to excuse the absence of Councilmember Kurtzweil

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

Councilmember Ryzyi stated on page 5, he would like the word monument added where he was discussing the recreation center. He further stated it should be 2.7 million on page 11. Councilmember Kivell stated on page 12 the word responsivity should be changed to responsibility. Councilmember Parisien stated the bottom of page 5 the word what should be removed to make the sentence flow better. It was mentioned on page 2, the development mentioned should be Thomasville, not Thompsonville.

CM 1-2-17 MOTION TO APPROVE MINUTES AS AMENDED

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

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

City Manager Ladner stated she removed a discussion for 500 Stryker and added the Board of Review appointment prior to the meeting. Everyone should have the correct agenda.

CM 1-3-17 MOTION TO APPROVE AGENDA

Motion by Parisien, supported by Wedell  
Motion to approve agenda

VOTE: MOTION CARRIED UNANIMOUSLY

1/23/17

PUBLIC COMMENT

Carl Richards of 390 Lenox stated he rode his bike through Huntington Square and the pavement, lighting, and curbs are great. He further stated he is guessing it cost them about 2 million. He further stated he is wondering why there isn't more tenants moving into the mall.

City Manager Ladner introduced Don Gotham who is our new City Ordinance Officer. Mr. Gotham stated he retired from the City of Wayne with 25 years of law enforcement experience and has raised his family in this area for 26 years. He further stated he wanted to give back to the community.

OLD BUSINESS

1. Consider approval of revised resolution establishing policies and guidelines for granting poverty exemption from payment of property taxes

Attorney Wilhelm stated he confirmed that the resolution does not have to be approved each year. He stated the revised resolution makes it clear that the City will be using the updated federal poverty guidelines each year. He further stated he confirmed with Oakland County Equalization this resolution will be used for the 2017 March Board of Review.

CM 1-4-17 MOTION TO APPROVE THE REVISED RESOLUTION ESTABLISHING POLICIES AND GUIDELINES FOR GRANTING POVERTY EXEMPTION FROM PAYMENT OF PROPERTY TAXES

Motion by Kramer, supported by Wedell

Motion to approve the revised resolution establishing policies and guidelines for granting poverty exemption from payment of property taxes

VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Appointment- Board of Review- Gary Beasley

Mayor Galeas stated he does not know him personally but he comes with good recommendations. Councilmember Rzyzi stated his recommendations are stellar, Phil Wiepert, Tedd Wallace and Frank Fogarty so he would approve of this appointment as well.

CM 1-5-17 MOTION TO APPOINT GARY BEASLEY TO THE BOARD OF REVIEW

Mayor Galeas stated he would like to appoint Gary Beasley, supported by Wedell

Appointment of Gary Beasley to the Board of Review

VOTE: MOTION CARRIED UNANIMOUSLY

2. Donation acceptance (Holiday Gathering)
  - i. Huron Valley Ambulance \$100.00

City Manager Ladner stated we received this donation last week for the holiday gathering and she is asking for a formal acceptance. Councilmember Rzyzi stated he appreciates any and all donations, but as he stated before, he is uncomfortable accepting gifts from people we are issuing contracts to. Therefore, he will vote no, as he did in the past. He further stated he thought we were going to be discussing forming a donation acceptance policy at this meeting. Councilmember Kramer stated he also thought we

would be discussing having a donation acceptance policy at this meeting. Councilmember Kivell stated the notion that a donation for an employee party will sway our decision on issuing any contracts is ridiculous. Councilmember Wedell stated as he did at the last meeting, this is not a lavish party for the employees. This is a thank you for all of our volunteers on the Boards and Commissions that volunteer their time, as well as our Election Inspectors and employees. Councilmember Parisien stated she has spoken with other communities and there are still many that do accept donations from companies they work with, however there are some communities that will not accept donations at all. She appreciates any donations and she doesn't have an issue with this. Mayor Galeas stated he agrees we should discuss how donations should be handled because times are changing.

CM 1-6-17 MOTION TO ACCEPT DONATION FROM HURON AMBULANCE

Motion by Wedell, supported by Kivell

Motion to approve acceptance of donation with thanks.

ROLL CALL VOTE: Kivell- yes  
 Parisien- Yes  
 Rzyzi- No  
 Galeas- Yes  
 Wedell- Yes  
 Kramer- Yes  
MOTION CARRIED

3. Consider approval of License Agreement for Access to and use of right-of-way for Telecom antennas, support structure and equipment with Fiber Technologies Networks, LLC (Fibertech)

Attorney Wilhelm stated there are many issues in the background of this. The Metro Act covers the ability of companies to use the City's right-of-way for telecommunication purposes. He further stated it is very hard for communities to say no to this. They have to repair if they disturb anything, this sets up a fee structure as well. He further stated there are 4 nodes they want to install along Lafayette and 1 on 9 Mile. They will be on existing poles, but two will be replacement poles and they will be taller. He stated he would like to discuss this with them regarding why they must be taller because it wasn't mentioned in earlier conversations. Attorney Wilhelm stated at this point he would like to educate Council but would like to table this so he can gather more information. Councilmember Kramer stated his concern is if we let them do this, it will open it up for all the other companies to do the same. Attorney Wilhelm stated it would depend on what they want to put up. He further stated we are giving them a license to put up the antennas that they are already allowed to do under the Metro Act. He stated there is a balance, and our interest is the City right-of-way. He stated there are issues related to the Federal Communications Act and we have to be careful in saying no. He stated his approach is to not say no, but negotiate what the City can live with. Councilmember Kramer stated he is concerned that now we have the master plan in place and we don't want to do something and then later find out it may affect the look we are trying to get in the City of South Lyon. Attorney Wilhelm stated he would like to speak with Fibertech again to discuss their intentions further. He further stated we need to find out what the parameters are that the City will allow in. Mayor Galeas stated this is already an issue in many communities, we can't stop them, but if we can have an agreement on what we want it to look like. Attorney Wilhelm stated this will also bring more services to the residents as well. Councilmember Kivell stated we need to find some expertise as to what the height of the poles should be. He further stated he is concerned about the equipment that will be placed on the poles.

Attorney Wilhelm stated they did have a height limit on a pole with the City of Novi. Councilmember Rzyzi asked if this packet will be available to the public. City Manager Ladner stated everything will be except the letters marked attorney-client privilege. Councilmember Rzyzi stated he doesn't believe the letters that are included are attorney-client privilege. Attorney Wilhelm stated it is confidential and it is his legal opinion. Councilmember Rzyzi stated he disagrees and he wants that in the record. Councilmember Parisien asked if the City issues the license, is the City able to revoke at any time. Attorney Wilhelm stated he believes there are certain provisions, they would have to deviate from the license agreement. They will be providing the specs for the 4 nodes and they will have to install exactly that.

CM 1-7-17 MOTION TO TABLE UNTIL A FUTURE MEETING

Motion by Wedell, supported by Kivell

Motion to table license agreement for a future meeting

VOTE: MOTION CARRIED UNANIMOUSLY

4. Consider approval of License Agreement for Access to and use of right-of-way for Telcom antennas, support structures and equipment as a general form for use of other telecommunications providers

City Manager Ladner stated Comcast will be installing underground and overhead fiber optic lines within the City. The City entered into a franchise agreement with them by default many years ago, and they will be starting the work soon. They have already done this in Milford, Northville and Novi. Councilmember Kivell asked if this is under the regular distribution license. City Manager Ladner stated it is. She stated we are still negotiating the fees. Councilmember Kivell stated the good thing is that people will now see the City has not prohibited from allowing other cable companies into the City.

CM 1-8-17 MOTION TO TABLE UNTIL A FUTURE MEETING

Motion by Wedell, supported by Kramer

Motion to table License Agreement for Access to a future meeting

VOTE: MOTION CARRIED UNANIMOUSLY

5. Consider approval of temporary and permanent easements between the City of South Lyon and South Lyon Community School District for a storm drainage pipe leading to the Yerkes Drain from Sayre Elementary

Councilmember Rzyzi stated he wanted to disclose his wife is on the South Lyon School Board, he has not discussed this with her, and although he has no financial interest in this, he will still remove himself from this discussion and he will not vote on this.

City Manager Ladner stated the schools had contacted her regarding doing improvements to Sayre Elementary during the Summer of 2017. She further stated part of the improvements will be adding a retention pond which needs to outflow across school and City owned property to drain to the Yerkes drain. There are two easements to consider. The first is the temporary construction easement that allows the schools to lay underground storm water pipe. The second easement would take effect after the construction is completed and would provide a 20- ft. perpetual easement to allow for ongoing maintenance of the drain pipe. Councilmember Kramer asked where the detention pond will be located. City Manager Ladner stated it will be on school property.

CM 1-9-17 MOTION TO APPROVE TEMPORARY AND PERMANENT EASEMENTS BETWEEN THE CITY OF SOUTH LYON AND SOUTH LYON COMMUNITY SCHOOLS

Motion by Kivell, supported by Parisien

Motion to approve temporary and permanent easements between the City of South Lyon and South Lyon Community School District for a storm drainage pipe leading to the Yerkes Drain from Sayre Elementary

VOTE: MOTION CARRIED- Councilmember Rzyzi abstained

6. Consider approval of second quarter budget amendments

City Manager Ladner stated the redistribution checks from MMRMA were half of what we were expecting, therefore we amended the general fund revenues and we offset that by reducing expenditures and we spread it across multiple departments. The changes we made were as follows:

Administration Wages/Salaries 101.200.702 from \$425,000 to \$410,000

Police Utilities 101.300.920 from \$17,500 to \$16,000

Police Building Maintenance 101.300.931 from \$7,700 to \$3,700

Fire Utilities 101.335.920 from \$11,750 to \$7,750

DPW Utilities 101.440.920 from 18,000 to \$17,500

DPW Building Maintenance 101.440.931 from \$11,000 to \$10,000

Councilmember Kramer asked why the payout from MMRMA was smaller than in the past two years.

City Manager Ladner stated they paid out more this year than they have in the past. Councilmember Wedell asked why the rental property line items are highlighted if the budgeted amount and the amended amount are the same. City Manager Ladner stated that was adjusted at a previous meeting when Council approved the windows for the SLARA building and it just carried over. City Manager Ladner stated the amendment for the windows at the recreation building was approved at a previous meeting.

Councilmember Rzyzi stated that new information that has come to light regarding the windows for the South Lyon Recreation building and he would vote no on that.

CM 1-10-17 MOTION TO APPROVE 2<sup>ND</sup> QUARTER BUDGET AMENDMENTS

Motion by Kivell, supported by Parisien

Motion to approve the 2<sup>nd</sup> quarter budget amendments as presented

VOTE: MOTION CARRIED UNANIMOUSLY

7. Consider setting date and format for City Manager performance evaluation in accordance with employment agreement

City Manager Ladner stated her employment agreement states her evaluation should take place in February, but it took place later than that the last two years. She further stated if Council would like we could do the evaluation in October which would be a year from the last one. Councilmember Parisien stated she believes it would be wise to wait until a year has passed since the last evaluation, that way we have more to look at. City Manager Ladner stated she is fine with waiting until October. Mayor Galeas stated the agreement said February, if we changed it to October, will it stay that way in the future. City Manager Ladner stated she could work with Tim and make an amendment to the agreement. Councilmember Kivell stated he has no objections. Attorney Wilhelm stated it will need to be addressed, but it could be changed as an amendment. Councilmember Rzyzi stated he has questions regarding the sample evaluations. City Manager Ladner stated she has included the one used last October, but there are other directions we can go. Councilmember Rzyzi stated the sample ranging the City Manager from 1-5 on certain questions such as being respected by colleagues in government, they have no way of knowing

things like that. He doesn't care for any of the samples. He further stated the evaluation should be based on goals Council has given the City Manager as well as the vision meeting that was held. City Manager Ladner stated these sample evaluations are used nationwide. Councilmember Rzyzi stated we have talked about various goals, and it should be based on them. Councilmember Kivell stated he just doesn't answer the questions that don't apply. Councilmember Wedell stated we shouldn't have to guess what other people are thinking for the evaluation. Councilmember Kramer stated we have time to revise the forms.

CM 1-11-17 MOTION TO DIRECT CITY ATTORNEY TO AMEND CITY MANAGER'S EMPLOYMENT CONTRACT TO CHANGE DATE OF EVALUATION

Motion by Kramer, supported by Wedell

Motion to direct the City Attorney and City Manager to amend the City Manager's employment contract to change date for evaluation

VOTE: MOTION CARRIED UNANIMOUSLY

DISCUSSION- Downtown

Councilmember Wedell stated he saw Mr. Donohue walking around town with a group of people. Mr. Donohue stated he was with a group from Oakland County and they are interested in having the 2017 Oakland County Heritage Conference here in our City.

Mayor Galeas asked for an update on the Hotel. Mr. Donohue stated they intended on starting the cement block this week, and the footings are in. He stated there are minor issues with plumbing permits but it will be handled.

Councilmember Kivell stated there were dumpsters at 115/117 Lafayette. Mr. Donohue stated they hope to have the interior ready end of February and the outside in April.

Mayor Galeas asked for an update on Browns. Mr. Donohue stated he hasn't spoken to Mr. Fagin recently, but he knows there has been interest. He further stated Mr. Fagin would like to redevelop the entire corner in 2-3 years.

Councilmember Rzyzi asked for an update on the Mediterranean restaurant. Mr. Donohue stated they are dealing with some planning issues, but they don't have final approval yet.

Councilmember Rzyzi asked about the issues with signs in town. Mayor Galeas stated the car wash sign is still advertising for other businesses later at night. City Manager Ladner stated they can only advertise for their own business, not for other businesses. Councilmember Rzyzi asked about the welcome sign by Pete's True Value and how does it match up to our ordinance. Mr. Donohue stated they did not pull permits, and the City was not notified they were going to put up a sign. City Manager Ladner stated there is an issue because our sign ordinance exempts welcome to the City of South Lyon signs, and he would have probably presumed that is why he could put it up. Councilmember Rzyzi stated the picture depicts a 7-story building. City Manager Ladner stated she doesn't feel the graphics have anything to do with the legality of the sign. Councilmember Rzyzi stated the Methodist church had a hard time getting their sign up, and it seems we are picking and choosing who we allow signs. Councilmember Rzyzi asked if we are requiring businesses to take down their award signs. Mr. Donohue stated his goal is to improve the look of the downtown area. He further stated some of the signs were from 2013 and in bad shape. They have been adhered to a sign that was approved, and by doing that, it affects the look of the sign. He further

stated he has not seen that in any other community he has worked in. Councilmember Rzyzi asked what defines a temporary sign, and he believes they should be able to display their award signs. He stated there are multiple businesses in town that have won these awards and they should be able to advertise that. Mr. Donohue stated we have a good sign ordinance, and advertising typically never takes place on a permanent sign. Councilmember Rzyzi stated that isn't advertising, but he is concerned we are taking away an opportunity for a business to showcase what they have earned. Councilmember Parisien asked if they can place it inside of their business. Mr. Donohue stated he was hired to improve the downtown, it is a design issue, and the Ordinance covers it, but if Council wishes to allow it, it's fine. Most communities have those signs in other places. Councilmember Rzyzi his opinion is if they have won the award then they should be able to advertise it. City Manager Ladner stated there are a few businesses that have them attached to their external signs. Councilmember Kivell stated they have a sign that was approved, and if they want to go back to planning to change it, they can. Councilmember Rzyzi stated it is ridiculous. Mayor Galeas stated it does open Pandora's box, if we allow that, it will then allow other people to argue the point. We need to address it. Mr. Donohue stated this community is the most business friendly community he is aware of. He stated it is a clear violation, but it is Council's decision. Councilmember Kramer stated he would like to have this as a discussion item at the next meeting. Councilmember Rzyzi stated the Witches Hat has a bat that he considers art, not a sign. City Manager Ladner stated it is a sign according to our ordinance. Councilmember Wedell stated this isn't a debatable issue, we either change it or enforce it. Councilmember Rzyzi stated common sense is the Witches Hat is a piece of art, not a sign, and if they put up a sticker they can. Councilmember Kramer stated we don't want to make snap decisions without knowing exactly what our ordinance says. Councilmember Kivell stated we operate by the legal language in ordinances, and he agrees we either change it or enforce it.

#### MANAGERS REPORT

City Manager Ladner stated earlier we discussed the policy of donations, and several months ago, Council asked the Parks and Recreation Commission to form a donation policy and they are almost finished with that. She would like to get their input. She further stated she has viewed a few donation policies from other communities, but all of them deal with memorials, baseball fields, there is not monetary donations, such as the thank you donation for the Police Department we received a few weeks ago.

City Manager stated the online bill payment system as well as the new website will be up and ready to go this week. She further stated we will now be able to have emergency messages scrolling on the home page. She stated people can also subscribe to e-notify at the bottom of the home screen for email updates.

City Manager Ladner asked if Council still would like Downtown as a standing agenda item, now that we have Mr. Donohue issuing his reports. Councilmember Rzyzi stated he would like to keep it on, we have some serious discussions regarding the downtown and tackling the serious issues. Councilmember Parisien stated she would be ok with removing it, because if we have serious issues it could be added to the Agenda, and if Mr. Donohue has an issue that needs to be discussed he can discuss it. Councilmember Kivell stated he agrees, it can be removed because we can always add an issue to the agenda, and Mr. Donohue is always welcome to bring things to our attention. Councilmember Kramer stated he likes it on the agenda as well.

City Manager Ladner stated she will keep it as a standing item. City Manager Ladner stated she will be out of the office from January 31<sup>st</sup> through the 3<sup>rd</sup> of February at a conference.

Councilmember Rzyzi stated we spoke about MERS and it is a very big issue, and it is putting huge financial strain on the City. City Manager Ladner stated it is 4.7 million based on the actuary report of January 2016. Councilmember Rzyzi stated the City is in debt for 4.7 million. City Manager Ladner stated that is not debt, it is pension liability. Councilmember Rzyzi stated in 2013 we were at 2.7 million and now we are at 4.7 million. City Manager Ladner stated we are at 4.7 million due to the fact MERS changed the way they calculate the liability. Councilmember Rzyzi stated that is an alarming number. City Manager Ladner stated it is low compared to some other communities. Councilmember Rzyzi stated it has been a problem for a long time, and we keep kicking the can down the line. City Manager Ladner stated a hybrid program was presented to Council in the past, and Council decided not to do that. She further stated she brought a second tier defined benefit to the unions, and that was rejected. She stated she has a meeting with MERS in February to gather other options to bring to Council. Mayor Galeas stated MERS is a big problem for a lot of communities. City Manager Ladner stated the communities she has spoken with are struggling greatly with that, and it is nationally a huge problem, it is not just a Michigan problem. Councilmember Rzyzi stated he will bring this up at every meeting. Councilmember Kramer stated he is concerned that we are basing this number off of what MERS is saying we owe. He asked if any other communities have had anyone from outside of MERS, it seems no one is challenging their figures. Councilmember Wedell stated we have been paying into this each year, there is no negligence on the part of the City. Councilmember Kivell stated there are fluctuations throughout the year, and we are never made aware of what those impacts are until the following years assessment.

Mayor called a recess at 9:10 p.m.

Mayor called the meeting to order at 9:15 p.m.

Councilmember Rzyzi stated he has had residents asking him who they should contact if damage is done to their yards by the snowplow trucks. Department Head Martin stated they need to contact the DPW at 248-437-6914. He further stated we haven't had too many calls this year, but sometimes what happens is the weight of the snow can take down a mail box, but we always take care of it.

Councilmember Rzyzi stated he would like to thank Department Head Martin for cold patching Hagadorn. Department Head Martin stated he would like to cut a few parts out, and use concrete to patch it, but it will be more money, and we will have to wait until Spring. He further stated we did that on Pontiac Trail and people complain about how it looks, but it has helped a lot. He stated it will probably cost \$30,000 - \$50,000 to make those repairs. He is so happy we did that, it is much better now than it would have been if we used asphalt. Councilmember Parisien stated it has been a while since we have done any road work. City Manager Ladner stated we have had a PASER study done and she would love to fix the roads. Unfortunately, we don't receive much money from the State for this. She further stated Council does not want to raise taxes, or cut services, or borrow money, so where is the money going to come from. She stated we are one of the few communities that do leaf collections, it is very costly, if we cut that, we could redirect that money to fix our streets. Councilmember Rzyzi stated a patch is better than nothing. Department Head Martin stated they need to contact Marianne at the DPW if there are any potholes they may have missed. Mayor Galeas stated this is a problem all over the State. City Manager Ladner stated most Cities have dedicated street mills. She stated Novi, Green Oak Township, and Northville have done so. Department Head Martin stated at this point, if we put anything into the roads, we are ahead of the game. Further discussion was held regarding the roads. Councilmember Kivell asked what the break-even number was from the PASER study. City Manager Ladner stated \$900,000 a year is the stand hold number.

1/23/17



Councilmember Rzyzi asked for an update on the website. City Manager Ladner stated it should be live on the 25<sup>th</sup>, we will need to test the transactions to ensure the debit/credit card is working.

#### COUNCIL COMMENTS

Councilmember Kramer thanked Chief Collins for the 2016 report and he is looking forward to reading that over the weekend.

Councilmember Wedell thanked Chief Collins as well.

Councilmember Rzyzi stated the Council rules set in 2006 allows for Councilmembers to ask questions during Council Comments to Department Heads and others and this is his opportunity to do so. He stated he has some questions for the City Attorney for the follow up requested at the last meeting. He further stated on page 2 of the minutes there was a question that Councilmember Kurtzweil asked Attorney Wilhelm about the legal advice regarding the conflict of interest. Attorney Wilhelm stated he needs more time to look into this. Councilmember Rzyzi stated another question he would like answered is if Attorney Wilhelm was able to check his notes to find out which conflict of interest he was researching on November 26<sup>th</sup>. Attorney Wilhelm stated he wasn't able to follow through on that yet. Councilmember Rzyzi stated on page 13 he asked Attorney Wilhelm to look into March 11 2013 because there was a decision made in closed session and it was in violation because there was no decision mentioned in the open session. Attorney Wilhelm stated there is no violation with the Open Meetings Act.

Councilmember Rzyzi stated he disagrees. Mayor Galeas stated this goes back a few years. We have an Attorney that represents us. We need to give him some respect and positive feedback. Some of the questions that are thrown at him during Council meetings could be answered by the City Manager before the meeting, or during the meeting. This is her full-time job; the City Manager represents the Council as well as the residents. We can do this in a more professional way. This seems to be a witch hunt. People shouldn't be called out in front of a group of people. He understands people might disagree, but it doesn't mean we argue, and this is disrespectful to each other as well as the public. Mayor Galeas further stated this seems to be campaign talk, and to prop yourself up by making other people feel bad is not right. We all owe people respect and if you ask questions, ask questions, but you don't need to argue. If our City Attorney is giving us legal advice, and you don't agree, then ask the City Manager to get involved.

Councilmember Rzyzi stated we asked for these questions to be answered at the next Council meeting, and now I am being told there are no answers. Councilmember Rzyzi stated there have been multiple times when Council has made decisions in closed sessions. Attorney Wilhelm stated they have not. Attorney Wilhelm stated from now on, every time we have a closed session, he will ensure that Council makes some kind of a motion in the open session, even if it is to not act on the discussion in the closed session. Councilmember Rzyzi stated that proves his point. Attorney Wilhelm stated it does not, you are not dealing with all the facts. He further stated you just want to run rough shot over someone that doesn't have a chance to defend himself. Councilmember Rzyzi stated most of the closed sessions held in 2015 were not necessary. He further stated the more he looks into this, we did make decisions in closed sessions that were not noted in the open session. Attorney Wilhelm stated we will make sure your concerns are handled. There were no violations. Councilmember Rzyzi stated he is entitled to his opinion and so is Attorney Wilhelm. Attorney Wilhelm stated he wants to ensure he knows what is being asked of him. He further asked do you want me to render a legal opinion if a decision was made in closed session. He further stated it is clear to him he is being put in a position where he cannot comply with your requests and it is all done with a political bias to make me look bad. Councilmember Kramer asked for every date that Councilmember Rzyzi is alleging there was a violation of the Open Meetings Act.

Councilmember Rzyzi stated he doesn't have all the dates in front of him. He further stated going forward he will keep digging for the information and keep asking the tough questions.

Councilmember Kivell asked Councilmember Rzyzi if the value of the information that you get in return is enhanced by all your face time for talking this endlessly, and would it be as important to you if you just got the information over the phone. He further stated you could then report the information during the meeting. Councilmember Kivell stated he is sorry everyone has to go through all of this, and it won't last forever.

Mayor Galeas stated the insinuations or accusations that we don't want to talk in front the cameras is not right. He stated we are a Board and the City Manager runs the everyday business of the City and he still believes some of this could be discussed with the City Manager. He further stated we are a team and we have to work together and there are other agendas that are going on. He further stated it isn't always the questions that are asked but the delivery of the questions, and it is not very professional. We are getting so much done, but yet there is so much attacking going on. Councilmember Wedell suggested that when someone goes off the rails, maybe the Mayor should use his gavel and continue to until the meeting is in order. He further stated the disrespect that is happening here is not acceptable; we need to treat each other with respect.

Clerk Deaton stated as long as she has been doing minutes, the only time we put anything in the regular minutes is any motion made based on what occurred in the closed session. She further stated there has been discussion during closed sessions, but anytime there was a motion made, it was in open session after the meeting reconvened. She stated in the future she could add a sentence when the regular meeting reconvenes regarding what the meeting was about if Council would like her to. Councilmember Rzyzi stated she is doing a good job.

#### ADJOURNMENT

#### CM 1-12-17 MOTION TO ADJOURN

Motion by Kramer, supported by Wedell

Motion to adjourn the meeting at 10:00 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

\_\_\_\_\_  
Mayor John Galeas

\_\_\_\_\_  
Lisa Deaton Clerk/Treasurer