

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
March 12, 2018**

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

Present: Mayor Pelchat, Councilmembers; Kivell, Kennedy, Kurtzweil, Parisien, Richards and Walton
Also present: Chief Collins, Attorney Wilhelm, Department Head Boven, Fire Chief Vogel, DDA
Director Donohue and Deputy Clerk Pieper

Clerk Deaton - absent

MINUTES

Councilmember Kivell stated changes for the following: page 3, the words in artful needs to be changed to inartful, page 5 spelling correction from rearding to regarding, page 7 correcting the sentence to read – higher unrestricted fund balance, and a correction 4th line from the bottom of page 7 changing to to too, and last, on page 15, correcting first sentence in Council Comments to read – now that it is time for the city and the township.

Councilmember Walton stated changes for the following: at the bottom of page 10, correct the dollar amount to \$900,000.00.

Councilmember Kennedy stated changes for the following: page 7, 4th line down, change perimeters to parameters.

Councilmember Parisien stated changes for the following: page 8, the word stated is typed twice.

CM 3-1-2018 MOTION TO APPROVE THE MINUTES AS AMENDED

Motion by Parisien, supported by Kennedy

Motion to approve the minutes as amended

VOTE: **MOTION CARRIED UNANIMOUSLY**

BILLS - CITY

Councilmember Kurtzweil states that the only issue she has is to separate the bills out, approval of the City bills and approval of the Attorney bills. As her vote will be different depending on which bills and that is how it's been done in the pass.

Mayor states, we will begin with the City bills.

Councilmember Richards states that the Revenue Report for the City of South Lyon, period ending 2-28, it lists the balance on the bottom line, \$101,483,541.16, as the money that came in for that period and on another page it reads, \$469,618.61 is our expenditure for the same period, that leaves us a balance of \$13,822.55. He goes on to say that if he is reading this right, Lori isn't here, he just wants to put this in the minutes that he tallied that up.

Councilmember Kivell states he has a question on that same Revenue Report. The second line down for South Lyon Woods Tax, their budget revenue is 131.36 %. He goes on to question if more trailers have

come in to the place that has gone on line, so they are generating revenue now? Kivell adds that he will ask Lori about it the next time he sees her.

CM 3-2-2018 MOTION TO APPROVE CITY BILLS

Motion by Kivell, supported by Parisien

Motion to approve City bills as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

BILLS-ATTORNEY

Councilmember Kurtzweil states that she has had an opportunity to take a look at the attorney invoices and there seems to be a lot of issues in the invoices regarding HR issues, fairly extensive issues. Once again, I'm going to sort of bring to Council's attention that they may, at some point, want to get a Human Resource individual on staff, at least part time. This is getting a little bit out of control. She then states, that initially when she went over the bills, there are a lot of phone call conversations here with Council Members, the Interim City Manager and I would just like to know (Tim) if you could find out from Lyon Township if the Johnson Rosati contract that is with them, bills for phone calls. She goes on to state that she does think that she recalls listening to that conversation and they were not going to be billed for phone calls and if that is the case, she would like to have a similar deal to what Lyon Township got to not have thousands of dollars billed on phone calls. There are a lot of phone calls in here, a lot of phone calls. But I understand. Attorney Wilhelm states that he can certainly look in to that. He goes on to say to Kurtzweil, that he is sure that as an attorney you realize a lot of work is done through phone calls and communications. Kurtzweil states that her attorney work is subsative and I don't see a lot of subsative work in here. It's a lot of phone calls, and that is either telling me that the people calling you are inexperienced and maybe are in over their head a little bit, maybe you need more people with a better fit of a skill set, something is definitely off. Look at these invoices, it's substantially a lot of phone calls. I sat there and said, "I don't get this." But I understand, we can take a look at it. Wilhelm states that he would only take issue that subsative work can only take place in a phone call. In addition, there are several staff members, we are using an Interim City Manager and his time is being used differently because of that staffing issue. Councilmember Kurtzweil states point taken.

Councilmember Richards states that he has gone through the Attorney bills also, and there is a substantial amount where his name is mentioned. He stated that not all on the telephone, he had a very substantial meeting with the Interim Manager Collins, and the attorney and it was all very necessary. Richards goes on to speak to Wilhelm regarding his conversations with the Tube Mill, and wants to know if Council will be brought up to speed on whatever it is that is going on. Wilhelm states, absolutely.

Councilmember Walton states that she noticed a conference regarding a complaint with South Lyon Police regarding a rental structure damage and theft of appliances. She questions Attorney Wilhelm if this was our rental property. Wilhelm states that this is Beth, a prosecuting attorney, from his office and he would have to find out. She then goes on to question on January 24th, a conference with a resident regarding recent council meetings and wants to know if we allow residence to call you, how does that work? Wilhelm advises that if a resident calls him, he will take the call and he would not bill it unless it is something of substance. Walton reiterates that she is just questioning if there is a process/procedure in place.

CM 3-3-2018 MOTION TO APPROVE ATTORNEY BILLS

3-12-2018

Motion by Kivell, supported by Parisien

Motion to approve Attorney bills as presented

VOTE: MOTION CARRIED – ONE OPPOSED

AGENDA

Interim City Manager Collins requests removal of New Business item #4, there is some additional language work that needs to be done on that contract before we can bring it before council. Attorney Wilhelm states that item #6, the closed session; there is no need for a closed session. He states he was unable to get the information needed out to Council.

CM 3-4-2018 MOTION TO APPROVE THE AGENDA AS AMENDED

Motion by Kivell, supported by Kennedy

Motion to approve the Agenda as amended

VOTE: MOTION CARRIED

PUBLIC COMMENTS

Barbara Donley, 225 E. Liberty, South Lyon, MI 48178

Barbara states that she is here to address the re-zoning of 500 Stryker, she goes on to explain that this is a request to re-zone that is not conditioned on anything. They have no obligation to put in what they have presented. They can do anything within the R2 zoning that they are seeking and I would regret that Council gives up what goes on at this property. She goes on to state that the comments made by City Planner, Carmen Avantini, does not really address if this re-zoning is to occur. She states that it appears to her that the owner's interest is making money and not necessarily an interest in what the city of South Lyon wants. All the property around that is zoned single family residential, the four duplexes that are on the corner must have been done through an exception to zoning, and these folks are asking you to make the exception the rule and that is really not how things should happen. Barbara states that she feels that Carmen's report is just bold statements. She goes on to discuss the effects on traffic and the effect on the wetlands. She also states that one of the most important things in zoning consideration is putting the land use to the highest and best use, and sometimes, this is leaving the property just as it is. Barbara goes on to say that she thinks that we should be dealing with fact not with what someone thinks they should be and that after looking at the zoning code, she adds it doesn't say anywhere that it is the City of South Lyon's responsibility to insure that a real-estate speculator makes money. Barbara goes on to discuss the phone calls received by her mother regarding the property that she owns, which backs up to the back of this property, which would give them the two ways, in and out of the property. She states that as a concerned citizen and a nearby land owner that you not accept this and frankly, if all we want from the person that does our zoning is bold statements, without any fact, she would like to apply for the job. She goes on to state that she would hope that council votes no on this re-zoning or at the very least make it a conditional re-zoning. Finally, she states that this property was purchased for \$76,000.00 and if the people that owned this property would have updated the brick bungalow that was recently torn down, they would have more than made a reasonable profit.

Diane Still, 61037 Heritage Blvd., South Lyon, MI 48178

3-12-2018

Diane states that she lives in Colonial Acres, Phase 1, Building 4. On February 27th there was a blockage in a sewer line that caused a very great back up in all the basements. (8 Units) She wanted to make sure that Council was aware of what actually happened. She goes on to state that on the 1st there was another problem, and this took place after some of us had already had their units cleaned. There was a great deal of damage in some of the units and her concern is that when they do another long-term fix of the sewer line that this will happen again. Again, she wants to make sure that Council is aware and that this has caused a lot of problems, it was a great deal of damage, and it was difficult trying to make a claim for the city for overage that the insurance companies do not cover.

DISCUSSION – DOWNTOWN

DDA Director Bob Donohue states asks if there are any questions regarding the weekly report that is done by Chief Collins. Councilmember Parisien questions if there are any plans for the S.L.A.R.A. building located at 318 W. Lake. Donohue states that there has been some brief discussion but nothing definite. He adds, he would gladly assist in marketing the location.

Donohue goes on to read the attached report titled – Observations and thoughts by the DDA & Economic Development Director.

Councilmember Kurtzweil states that she is the one that made the comment regarding Tenpenney, she adds that she has received (probably) seven phone calls from individuals that agreed with what she said. The fact of it is that competition is coming to South Lyon. One of the competitors that is coming in to South Lyon is an upscale furniture store and that's just the way it is. She goes on to say that she always tells people that you have a decision to make when you are faced with competition your either going to succumb to the competition or you are going become better. She states that she is not going to become restricted in her free speech about comments about businesses that are going to be coming to this town that may compete with businesses in the downtown. She stands by her comments and she has probably received more phone calls and support of what...it wasn't a negative comment. It's about competition coming in to this town, and the businesses in this town need to understand. The competitor may be better than you, provide a better product than you, may dress their windows better than you, competition will eat you alive. Kurtzweil goes on to say that she is not going to back off and that she is the one that made the comment about the furniture store.

Councilmember Kivell states to Kurtzweil that first of all you called it Onepenny, so if you don't think that is derogatory. Kurtzweil adds that this is what she thought the name of the store was. Kivell goes on to ask Donohue about the building that Emily's used to be in. He states that the For Rent sign is out of the window. Donohue states he will contact Mr. Jarrett. Kivell adds, for the record, he applauds Bob's characterization of things, the negative comments were completely inappropriate and he is glad this was brought to the front. Focusing on some of those points is a great idea and a great message.

Councilmember Kurtzweil states to Donohue, that the only negativity that she has heard about is the inappropriate display between him and the City Manager. Donohue states that he would like to address that, and that really doesn't exist publicly, ever, and he has never heard one business tell him that.

Councilmember Parisien states that it is important that we recognize all of our downtown businesses and let them know that they are appreciated. She states that she is one of seven, but she thinks it is important to keep our morale up. We are doing a great job with our Downtown, but we still have a long way to go and it is important to let our businesses know that they are appreciated. She goes on to say that Tenpenny does a lot for the community with giveaways and donations, and apologize on behalf of herself and thanks Tenpenny for being a part of South Lyon and a part of Downtown.

Councilmember Kennedy states that he appreciates Bob bringing this to the Council meeting and he agrees with what Bob said. He adds that everyone here at this table needs to understand that we are all in the same boat and we will either sink or swim, collectively. We need to reinforce and support every business in this town. We don't single out a single business because they didn't do something for us or they don't carry the right merchandise. There is plenty of room for competition to co-exist in this town, and each business brings in additional customers for the other businesses, other funds, other merchandise and additional taxes for this city. We have heard before that this city is anti-business, we have heard enough of that, and they certainly don't need the people on City Council belittling their business.

OLD BUSINESS

1. CONSIDER SECOND READING OF ZONING ORDINANCE AMENDMENT TO REDUCE NUMBER OF MEMBERS

Mayor Pelchat states the recommendation for this is to approve the first reading of this amendment. Attorney Wilhelm addresses this matter. He states this is the 'second' reading of this ordinance, there has been no change from the first and it simply reduces the membership of ZBA from 7 to 5, as authorized under state law. Wilhelm has spoken with staff and planning consultant and we feel this will help with some of the attendance issues allowing us to fill a full board. He adds that we will have to follow through and appoint alternates in the event there are absents or conflicts in scheduling. Kivell adds that this certainly makes the most sense.

CM 3-5-2018 MOTION TO APPROVE THE SECOND READING OF THE ORDINANCE AMENDING THE CITY OF SOUTH LYON ZONING ORDINANCE SEC 102-81B TO REDUCE THE NUMBER OF THE ZONING BOARD OF APPEAL MEMBERS FROM SEVEN TO FIVE

Motion by Kivell, supported by Parisien

Motion to approve

VOTE:

MOTION CARRIED UNANIMOUSLY

2. CONSIDER SECOND READING OF ETHICS ORDINANCE AMENDMENT

Mayor Pelchat states that the agenda note recommendation for this is to approve the second reading. Councilmember Kurtzweil states she has a couple of things on this ordinance. She adds that the problem that she had with establishing a Board of Ethics, is not that it shouldn't be there, she thinks it should be a Board of Ethics or any other remedy that is deemed to be applicable for the circumstances. She adds that some ethic violations that can be pretty simple and can be solved through the City Manager with a simple disciplinary type of issue, there are other ethics violations that can be resolved through City Council and there are other ethics violations that require very sophisticated ability to analyze the issue. This Board of Ethics, she doubts that any one serving on that board of ethics would have been able to go through the case law and do the statutory analysis that was done on the Dykema-Gossett conflict of interest. And, she thinks that when you have a board of ethics that is not specialized in a skill set to deal with not only case law and the law of statutes, you are potentially setting yourself up for litigation. If you get it wrong, you are going to be sued. Kurtzweil states that what she thinks she would do is leave that as an option, but say that Council is free to have other remedy's available to it, other than populating a board of ethics. Because the people probably sitting on that board are going to be residents of the city and don't have the developed sense of how to resolve these issues. Again, she adds, if you disagree than you need to read the Dykema-Gossett opinion. It was a brilliant piece of writing. It is used all over the state of Michigan.

Again, she adds, that she doesn't not agree with the Board of Ethics, she just doesn't think it is the only way to resolve an issue regarding a conflict of interest.

Councilmember Kivell states that the only failing in this argument is that the guy that did the brilliant job on the Conflict of Interest issue that you were so glowing about is the same guy that wrote this and thought that the Ethics Board was the way to go. Kivell adds that he is inclined to take that recommendation and make a motion.

CM 3-6-2018 MOTION TO APPROVE THE SECOND READING OF THE ORDINANCE
AMENDING THE CITIES ETHICS ORDINANCE

Motion by Kivell, supported by Richards

Motion to approve

VOTE:

MOTION CARRIED – ONE OPPOSED

3. CONSIDER GFL USA AMENDMENT AND EXTENSION OF SOLID WASTE CONTRACT

Attorney Wilhelm begins by introducing Sam Caramagno from GFL and Mike Csapo from RRRASOC . He states that they are here to address some issues that came up with the proposed amendment extension, the last question related to details regarding recycling carts.

Sam Caramagno, from GFL, begins with the explanation of the recycling cart program and how it will work. He states that they would handle all the calls regarding the recycling carts and produce a report back to the city, monthly or quarterly – which ever preferred, up to the first 2,000 carts. If the city were to exceed 2,000 carts, the additional carts would be provided and there would be a \$75.00 charge per cart that the city would be billed for on an annual basis.

Councilmember Kennedy asks if the city does not take the 2,000 carts, would the price of the contract go down. Caramagno states, that it would. RRRASOC representative, Mike Csapo, states that the annual savings on a single family would be roughly \$7,200.00 - \$7,300.00. On a multi-family discount, the annual price would go from \$124.92 to \$123.00. Csapo goes on to explain the other program options that are available. Kennedy confirms that the savings is relatively minimal. He goes on to confirm that if we take the 2,000 free carts, the current residents that already have carts (Caramagno adds that this is approximately 30% of our residents or roughly 1,000 residents) would get their carts first and stop being charged for them. The remainder of the carts would be left to distribute. He confirms that any carts over the first 2,000 would be \$75 a cart. He goes on to say that the City of South Lyon does not want to be in the cart business and resident number 2,001 would deal directly with GFL. Kennedy also confirms that this is based on this 4 year contract and upon the next extension; these numbers would be revisited and adjusted accordingly. Caramagno agrees, the numbers will be based on what the city needs will be. Kennedy again states that he does not want to extend beyond the 2,000 carts, and we may not go past 2,000, but the city does not want to absorb the extra cost.

Councilmember Kivell states that the judgement was going to be predicated upon the bottom line of what the credit would be with not having the carts. The estimate is saving \$7,000.00 a year when GFL would be charging \$150,000.00 a year if the City were buying them straight up. Clearly, that is no incentive for us to not capitalize on that offer.

Councilmember Richards questions Caramagno about changing the contract when we are only three months in to it. If someone does not want to invest in a cart, they can put out a cardboard box.

Caramagno explains to Richards that the City is not in the middle of the deal. The contract is coming due in June of 2018, so it's an option to extend the deal. The carts are just an option that some folks like and some folks don't. Csapo stated that the idea of the carts came from a discussion between us and your City

3-12-2018

Manager. The 2,000 is a number that happens to be the sweet spot. As discussed, you have about 1,000 homeowners that already are using the carts. This has been a sort of under promoted opportunity here in South Lyon. This will institutionalize that having carts is part of the service that the community provides. Mayor Pelchat questions the City Attorney if we are looking to amend this deal to have this type of language in there? Wilhelm states that yes we are looking for direction from Council about what the specific terms are with the carts being the main interest. Csapo calls everyone's attention to the draft that they have been working on with the City Attorney on page 4. It would be a simple matter to modify the paragraph that eliminates that last line. Councilmember Kennedy would like to include the verbiage that Councilmember Kivell mentioned about when it comes time for renewal that we look at additional carts for the upcoming period, just so it doesn't get lost between now and the next four years. Attorney Wilhelm adds that he would like to add some sentence that indicates that when residents go above that 2,000 threshold, they are to go directly to GFL and we should also clarify the existing count on the carts and that the residents will no longer be billed for them. Also, figuring out a proper reporting obligation that we can figure out through staff what an appropriate periodic reporting period is. Possibly quarterly. Csapo adds that they actually give monthly reports on the City's behalf to GFL. Councilmember Kivell adds that it would be helpful to know how many carts are out there now, so that we know what the balance will be. Caramagno states that he will get those numbers. He adds that the residents can call and say that I currently have a Duncan cart and I want to go to a GFL cart program through the city for recycling, and we will take care of that business. They can switch out their Duncan cart, or they can keep it for something else, GFL has no use for them. Kivell adds, if the resident were to have a cart of their own, would they be able to use that too? Caramagno adds that it becomes difficult when there are different carts and different colors, they should probably have it labeled so that it is not taken by garbage trucks instead. GFL does have recycle decals that they will be happy to distribute, anything to make the program operate smoother. Attorney Wilhelm would like to work through the language and bring it back to the next meeting.

4. CONSIDER WORKPLACE SEMINAR

Councilmember Kurtzweil states that she has learned that the city has never provided any workplace education to any of the employees that work in the city. Chief Collins adds that the police department has had certain training, but is not aware that the other departments have received any. Kurtzweil states that there are particular defenses that are available to the city with respect to workplace issues. Kurtzweil has presented a list to council of possible employment topics which include: whistle blower, Elliot Larson Civil Rights Act, discriminatory harassment, hostile work environment and other areas that can be included in a work place seminar. The broad brush of this potential seminar is have about a two hour training session for all the department heads and supervisors, that would be a fairly intense seminar which would include: sexual harassment, sexual discrimination, hostile work environment and how to respond, which is something the city has never done. That would run approximately an hour and a half with about a half hour of questions and then there would be another training session for employees, and that would take place a little later on in the evening. Kurtzweil states that this can all change; she is just trying to provide an outline for people to start thinking about and talking about. She adds that the management training could take place about 3:00 in the afternoon, ending around 4:30-5:00, maybe spring for a little bit of pizza for the employees to come in after work and start the employee portion of the seminar around 5:45. She states that this is a kind of training that most employers do, other municipalities have done this, and our city has not. She states that the person that she spoke with, Annemarie suggests that you do the first one in person so that the employees have the opportunity to ask a lot of questions. Tape the event so

3-12-2018

that an employee that is unable to make it can sit at a computer, watch the seminar and at least get the employees update with the skills and current with the law in terms of workplace appropriate conduct and behavior. Kurtzweil states that she did attach some Bios of individuals, she has called some people. She did receive a few phone calls back, but the person that she was able to spend time with because her name was passed off to me, was Annemarie Welch. She does this for a living and her credentials are phenomenal, she represents management only and this is what she does. She goes in and does training and seminars. She probably has the best skill sets to do this. She goes on to say, she doesn't know if Council wants to engage in this at this time, but the clock is ticking. As Annemarie said, we are clearly at a disadvantage if you do not have workplace training. We have great employees and a great work force, as far as she knows; there has never been a problem. You have to train your workforce and get them through this training.

Councilmember Parisien she states she is all in favor of a workplace seminar, it's important and she thinks we need it. Not that Councilmember Kurtzweil's research isn't on par, it's fine, I just think to avoid any appearances of impropriety, if we could have Tim pick out some people from ICLE. If you go under ICLE and you look at Attorneys under Employment and Labor Law, there is a list of about 50 under Ethics and more than double under Employment and Labor.

Councilmember Kivell states we have a retainer with Johnson Rosati, and he can't imagine that they would not have someone that is capable of handling this. He goes on to recommend Chief Collins to set up some people that could act on this, especially the Johnson Rosati angle as they are the firm that's on retainer. He states that he can't imagine that there are not video seminars that can walk everybody through this with the same volume of information and have some kind of way to validate that you have actually paid attention to what the seminar is pointed toward.

Attorney Wilhelm states that he would suggest that the City reaches out to the MMRMA and the MML as resources to identify trainers and sessions as well.

Councilmember Kurtzweil suggested that Council sets some parameters on here. She states that she doesn't mind Johnson Rosati Law Firm doing – whether they want to do it or they don't – I don't think Lloyd has the skill or the mind set to pick out, question and go over these things. She states that you need an attorney with the background. She goes on to say to Wilhelm, she doesn't have a problem with him or his law firm picking the people, or your law firm doing this, your law firm can do this. The employees need this education, it's critical. We need to move on this, it's an issue that we agree that this gets done. If you want to add more topics, you can.

Attorney Wilhelm goes on to state that the factor that has not been discussed yet is cost. He questions if there was a discussion with Councilmember Kurtzweil and any of these people and what they are charging. That might include the number of hours, taping, the number of sessions/shifts, etc. There may be some sources that can provide this through the city's memberships, through MML, he goes on to say that he is sure that they must have some resources that they can point us to.

Councilmember Kurtzweil states she is trying to move this forward. She questions if Tim's law firm is going to grab hold of this, she adds that she knows what the attorney fees are going to be. Going with a private attorney will run about \$350.00 an hour, probably looking at a total of 12 hours – 4 hours in seminar work and 8 hours in prep, potentially \$4,300.00. Annemarie, from Clark Hill, did say that they do have a computer program that is \$15 an employee. An employee can log on to a computer, go through the sexual harassment issues and take a test at the end. Her professional recommendation was that this would be okay, once they had the foundation work in the actual seminar itself and then 2 years from now do an update through the computer. You have a city that has never trained its employees, ever. She did feel

that it needed to be separated out in terms of management because the seminar discussion is very different for management than it would be for the employees. So you are looking at two seminars.

Attorney Wilhelm states that there are attorneys in his firm that does these, in fact some of the attorneys did some seminars last week, and the week before. I didn't get a chance to talk with them about cost, frankly, I didn't think that Council would find my firm to be an acceptable choice. To be very blunt, he states he needs more direction, Lloyd needs more direction, and if he is going to be involved with this, he is going to be required to make phone calls, and he does not want to be criticized for doing what he's being asked to do. This is normally something that the City Manager would be all over.

Councilmember Kivell states that the first blush should be made with a live facilitator, so down the road, you are going to have new employees that will need this. Because they haven't had the experience of the facilitator, are they not going to be able to just go online and do the \$15.00 version?

Councilmember Kennedy states that if you tape the first session, you have the opportunity to see the instructor lead version, as opposed to just signing on the computer based program.

Attorney Wilhelm states that we can take this a couple of ways. This could be a request for proposals, or you can task some body to come back with narrowed down choices, with recommendations. We need to understand, whose available, what their qualifications are, management session and employee session, having some control over what the items covered are and cost. Then you have to get in to the administrative and getting everything set up.

Councilmember Kivell questions if we can reach out to MMRMA to see what categories that they feel are the most need for being protected from.

Attorney Wilhelm states that he thinks the list is a great starting point. Whoever is chosen needs to have some input on what topics are covered, or if there is a reason why they would think something should or should not be covered. He further states that anybody that accepts this task is going to be receptive on what the city needs to be trained on.

Councilmember Parisien states that we should request RFP's from everyone. Price is a factor, and for as important as it is to have this seminar, and there is a sense of urgency to have it, we still need to take our time to review all the RFP's, see what the cost is and really take our time to pick a candidate. The laws are the laws; they are pretty straight forward. The information is going to be the same. Parisien states that whether we pay a lawyer from a prestigious firm \$500.00 or an attorney that may charge us \$200.00, again the laws are going to be the same. She goes on to add that Tim should include his firm, see if they are interested and what they would charge (or if they would charge). She goes on to ask if we are going to be paying for the recording. Is this something the city can do?

Mayor Pelchat states that some places may charge you to film it, but with that said, we do have a cable commission that is quite competent of filming the event. We would need to run this buy whoever is doing the presentation.

Councilmember Walton questions if we do regulatory training now for all our employees now on a regular basis. Mayor Pelchat defers to Chief Collins as he doesn't believe so.

Chief Collins states that there are certain topics on the list and some that are not on the list that he provides to Police personnel on an ongoing basis, he does not have the knowledge to speak for the other city departments, but does go on to say that the Fire Department has some extensive training. Chief Vogel adds that they do their training annually.

Councilmember Walton states that her experience with regulatory training is that whether the laws change or not, we give the same training every year so they know it. She states that she does like the idea and wants to see what we can get.

Councilmember Kurtzweil states that she finds this interesting that the Police Department are receiving training and the Fire Department is receiving training. The problem is, or maybe it's not a problem, but you now have different employees getting different types of training, with different pieces of emphasis, and this probably should be a policy decision driven by the city saying that all our employees are going to get a minimum of this, this, this and this. We will provide the minimum requirements and then if Fire and Police want to do their additional training you can do it. But part of the defense for the city is that all the employees are getting the same message.

Councilmember Kennedy, states he agrees with Councilmember Kurtzweil, and he feels that establishing a consistency with a core set of training and then other department specific training can be done on top of that. Establishing the consistency would be a real plus for the city.

Mayor asks City Attorney Wilhelm if he could possibly pull together information for the next meeting or maybe two meetings to get the information that Johnson Rosati can offer us.

Wilhelm states that he is aware that they have this type of seminar. His question for Council is do you want information from any other training sources.

Councilmember Parisien states that she would like you to look in to them all. Cost is a factor.

Councilmember Kivell states that is going to cost and who is going to be the one that is orchestrating and reaching out to all the other entities. Tim working with Johnson Rosati is one thing but him asking all these other entities, he's going to end up needing to bill us for that. Parisien adds that she is fine with that. Kivell states, if Johnson Rosati will do it for free or a marginal cost, why would we go any further.

Councilmember Kurtzweil suggests that Wilhelm come back to the next meeting with a proposed outline. Let's look at Johnson Rosati first, because she is already aware of what the attorney's that she pulled from ICLE is going to cost. They are running anywhere between \$350.00 and \$360.00 an hour, at 12 hours, that comes out to \$4,320.00.

Wilhelm states that there is a different avenue that we can address, possibly through the MMRMA, and he would like to pursue that. He adds that he will talk to his partners and see who would be giving the seminar. Then he can prepare a proposal and have them come in to present it to you.

Councilmember Parisien states she would like to hear from Johnson Rosati, but because we have memberships with MMRMA and MMLA, we should also tap in to those resources. That was my original intentions.

Wilhelm states that his concern is that they already have seminars set up for municipal employees to go to, more of a refresher course. Whereas, if you are asking for a full seminar with differentiation between employee and management, they may suggest that we talk to Attorney X which is very similar to what has been pulled together already.

Councilmember Parisien questions the subject of videotaping this and when we would need to act on this.

Wilhelm states that this should be baked in to the proposal.

At the time, a resident approaches the microphone with a question. Mayor Pelchat explains to her that we did go over this at the last meeting and that the Council does not take public comments during the meetings. The resident states that we allowed the people from GFL to talk on the agenda item.

Councilmember Kivell states that they were invited speakers.

Mayor Pelchat goes on to say that we are about to speak to the subject of Council meeting conduct, and we will discuss this in that, but tonight, just like two weeks ago, I am going to ask you to please respect the form of this meeting and withhold from your public comment. The resident proceeds with her question anyway and asks if Council, because they are paid by the City with City funds, would they be subjecting themselves to the training that is being discussed.

Councilmember Kurtzweil states that she left that out and she did not originally plan for commission members to participate in this seminar. The attorneys that she had spoken with suggested to start with the employees, management and then elected officials. So every elected officials would be required to attend. This would also include third party vendors, which would include Carmen, Dennis from Safebuilt, but that is for Council to decide. It was suggested for Council to attend both sessions. But the most important one would be the management.

Tim adds that he will have this ready for the next meeting.

5. NONE

6. COUNCIL MEETING CONDUCT

Mayor states that this is where we will discuss if we will tolerate or allow public comment throughout the meeting or if we will have a second public comment. Hopefully this will help us to structure our meetings and keep us from being here until the next day.

Councilmember Parisien, as she said in the last meeting, there are a lot of moving parts for this to take place. She goes on to highlight the ones that she thought were important. Who would keep the time, would the City Clerk be able to do that, but how would it be done. Deputy Clerk Pieper states that she cannot speak for City Clerk Deaton, but it would be possible for her to keep track of time and let the Mayor know when the speaker's time would be up. Parisien states that the time that the individual would speak would be limited, especially if they are given two different opportunities to speak. She also touches on the fact that the provision for the Mayor to waive the time limit is important. She also feels decorum is important. Coming to the microphone and being professional is important.

Councilmember Kivell states that he does agree with the general consensus of that. He states he can see the potential of speaking on an agenda item can be hazardous, but he still thinks this is important. He would rather have both of the sessions being able to have people speak to whatever issue they would like to do. Mayor Pelchat states he agrees completely. Kivell also agrees with the 2 and 3 minute thing and also the Mayor being able to waive the time limit.

Councilmember Kennedy distributes a compiled list from other cities and how time and public speaking is handled. He also says that we are definitely in the minority by not timing a resident speaking on any give issue. (See attached document)

Mayor Pelchat states that you should be able to get your point across in 3 minutes. We just need to hammer out time limits and if we are going to allow public comments in the middle of the meeting.

Councilmembers go on to discuss in length, the difference between public hearings and public comments. They also go on to speak about public comments and not allowing comments during the agenda items. Also, discussing placing time limits and avoiding and/or trying not to restrict speaking. Allowing for the exception but preparing for the normal. To help eliminate extending these meetings as long as they are and making sure that we have structure.

Councilmember Parisien makes the suggestion of a special meeting. Attorney Wilhelm agrees and states that is exactly what a special meeting is for.

CM 3-7-2018 MOTION TO SCHEDULE A SPECIAL MEETING TO DISCUSS COUNCIL MEETING CONDUCT.

Motion by Parisien, supported by Richards

Motion to approve

VOTE:

MOTION CARRIED – TWO OPPOSED

NEW BUSINESS

1. FIRST READING OF ORDINANCE AMENDMENT FOR REZONING OF 500 STRYKER FROM R-3 TO RM-2

Attorney Wilhelm introduces this item. He states that this is the first reading for the rezoning of 500 Stryker from R-3 to RM-2. We have Justin Sprig from CIB, representing our Planning Consultant Carmen Avantini. The Planning Commission did make a recommendation for approval.

CM 3-8-2018 MOTION FOR A FIVE MINUTE RECESS

Motion by Kivell, supported by Parisien

Motion to approve

VOTE:

MOTION CARRIED

CONTINUATION - FIRST READING OF ORDINANCE AMENDMENT FOR REZONING OF 500 STRYKER FROM R-3 TO RM-2

CIB Planning Vice President, Justin Sprague speaks on the behalf of the rezoning of this property. There was a Planning Commission meeting in February where they held a Public Meeting to review the facts of the case and have recommended that the Council approve this re-zoning request. He goes on to state that one of the things that they do as a Planning Consultant is to make sure that this plan is compliant with the City's Master Plan. CIB provided a letter to Council dated January 15, 2018, in which the case is discussed. This property did receive a conditional re-zoning to go to an industrial space. The applicant has decided that this is not going to work out for them and as a conditioning of this re-zoning the property has gone back to an R-3, they are now requesting that the zoning go to RM-2. The RM-2 is a multi-family zoning and in the letter there is suggested uses. Sprig goes on to say that this is in compliance with the Master Plan and we recommend approving with the following conditions: that the rezoning is consistent with the South Lyon Master Plan, there is a need to provide land that is zoned for multi-family housing, that the re-zoning of the land to multiple family residential addresses a community need, the site is capable of accommodating the range of uses permitted in the RM-2 district, there is adequate public services available to the site and finally that residential use for this site is appropriate for the adjacent single and multiple family housing on all four sides of the property.

Councilmember Kivell asks why this would not be contingent on providing an approved plan. There is a circumstance that could have some very high density with one ingress in there. He states that he does not want them to have the ability to access the roadway in the cemetery. If there is only one way in and one way out, this could have a pretty potentially hazardous effect in the event of an emergency.

Sprig states that he will defer the issue on how they will access the property to the applicant. He adds that this does have to go for site plan approval; anything done on this site would have to go in front of the Planning Commission. We would require that it meets all the standards for building and design within the City of South Lyons Code of Ordinances.

Councilmember Parisien addresses Attorney Wilhelm on a prior circumstance where Council told an individual no on a rezoning and then if they approve this, will this cause issues for past and future circumstances.

Wilhelm states that each re-zoning request is evaluated on its own circumstances and details.

3-12-2018

Mayor Pelchat states that it sounds like we have some residents that have concerns regarding this re-zoning. He would prefer to talk with the Planning Commission and with the residents before he makes his decision.

Police Chief Collins is interested to find out what the density difference is, either total number of structures allowed or total number of residents allowed between the two residential zonings, because the Police and the Fire Department will have various concerns if there is only one way in and one way out of a residential complex.

Mark Schovers, Design House Architecture, 301 Walnut Blvd., Rochester, Michigan

Schovers states that there will be 2 points of egress on this site. As far as the density, the shape of the lot doesn't allow for an extreme density due to having to have a ring road and the two means of egress. Upon approval of the site plan, that's where we will let that out and meet all the ordinances and make sure that the Police Chief is happy and that the Fire Chief is happy.

Chief Collins along with the Mayor and Councilmember Kennedy state that they are interested to find out what the second access point will be.

Schovers explains that there will be one entrance point towards the Mobile Home Park and one towards the Cemetery, similar to a big horseshoe. Both off of Stryker Street.

Councilmember Richards gets a clarification on how the entrance and exit points are going to be laid out.

Sprague states that currently in the zoning district that is there, the minimum lot size is about 8,000 square feet, it's a six acre lot if they were to go to the new zoning district, a rough calculation is that they would be allowed roughly 245 rooms.

Schovers confirms that they are talking about developing 5 ½ acres, the remaining acreage cannot be developed because of the drain.

Councilmember Richards states that he is very happy with the plans.

CM 3-9-2018 MOTION TO POSTPONE THE FIRST READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SOUTH LYON RE-ZONING PARCEL 21-29-176-012 , 500 STRYKER STREET FROM R3 TO RM2 UNTIL NO LATER THAN THE LAST COUNCIL MEETING IN APRIL IN ORDER FOR THE CITY ATTORNEY TO ADDRESS QUESTIONS AND ISSUES THAT HAVE BEEN RAISED TONIGHT

Motion by Kurtzweil, supported by Walton

Motion approved

VOTE:

MOTION CARRIED UNANIMOUSLY

2. CONSIDER SETTING DATE FOR PUBLIC HEARING SUPERB FABRIATING, LLC

Attorney Wilhelm stated the first step for granting an industrial facilities tax exemption is to approve the establishment of the district, and in order to do that, you have to hold a public hearing, and provide notice. He stated he has been working with Bob Donohue on establishing an industrial development district policy and we have provided it to the Oakland County Assessor for review. He suggested if Council sets a public hearing, we put it out far enough so we can get feedback from the County. He stated if that isn't how Council wants to proceed, we could postpone to allow for additional time. Attorney Wilhelm stated the first step is to approve the district, if approved, then Council will exercise their discretion if you want to approve the abatement for up to 12 years. He stated when looking at the application, Council will need to consider the applicant, the jobs that this may bring in, conformity with master plan, among other things. He stated he would like to have the policy completed before Council moves forward.

3-12-2018

Councilmember Kivell stated he would like to have the policy in place before we move forward. He then stated he really likes Superb and Herb has been a benefactor of the community. He further stated the majority of this will end up being more personal property tax and unfortunately the State has taken that away so we can't get much revenue. He further stated the policy will be instrumental to see if establishing the district is in our benefit.

Councilmember Richards asked if this would be a blanket district or is it just for this property. Attorney Wilhelm stated this would create a district on their property alone. His concern is if we don't have a policy in place, because we have granted IFT's in the past, we need to get the policy in place. He further stated there is not a time deadline to establish the district. If you establish the district, a deadline kicks in. Councilmember Kennedy stated if we focus on the policy and set the bar as to where the abatement will kick in, it may preclude even having this discussion and this could go by the wayside. Attorney Wilhelm stated there is a question if Council is required to hold the public hearing and make a decision of saying yes or no, as opposed to saying nothing. Councilmember Kennedy stated we could table this until the policy is established. Attorney Wilhelm stated there is some urgency because the request was made, but there is no deadline. He further stated Council has time to address the policy then look at this.

Councilmember Kurtzweil stated generally these tax abatements are normally given to bring a company into town, this company is already here, so why do we have to provide them with a tax incentive that will come out of our revenue. That is why she had an issue with the tax abatement for Michigan Seamless Tube as well. Attorney Wilhelm stated he doesn't disagree, but it is clear there is also a component the abatements are eligible for businesses in the community to expand. There are many policies that he reviewed discussed business retention and job retention criteria.

Councilmember Kurtzweil stated you can't enforce the tax abatement of bringing jobs in the community. There was a famous case called Poletown in which General Motors was not required to adhere to the job creation even though they were given all tax abatements. If it isn't enforceable, it doesn't matter what they say. Attorney Wilhelm stated that is correct, you cannot force job creation, and the State Tax Commission will not revoke the abatement if they don't bring in more jobs. Councilmember Kurtzweil asked how much tax dollars are we looking at. Attorney Wilhelm stated a combination of real and personal property will be between \$700,000 and \$800,000. Councilmember Kurtzweil stated she cannot vote for this. Councilmember Kennedy stated he agrees, and if you give up that tax revenue, you are looking at far more of an investment especially since the bulk of it is personal property. Attorney Wilhelm stated he has asked Oakland County Equalization could help Council create the policy so we have the framework to evaluate this and other abatement requests.

CM 3-10-2018 MOTION TO POSTPONE MATTERS RELATED TO SUPERB FABRICATING, LLC REQUEST TO ESTABLISH AN INDUSTRIAL DEVELOPMENT DISTRICT INCLUDING THE PUBLIC HEARING ON THE DISTRICT, POLICY AND OTHER ISSUES RAISED DURING COUNCIL DISCUSSION NO LATER THAN 30 DAYS AFTER TODAY

Motion by Kurtzweil, supported by Kivell
Motion approved

VOTE: MOTION CARRIED UNANIMOUSLY

3. CONSIDER APPROVAL OF RENTAL HOUSE CONTRACTOR WORK

3-12-2018

Mayor Pelchat stated this was a concern of his earlier. Councilmember Kivell stated the idea that McCarter did the inspection shows their diligence in them wanting to get their clients the best options available. The fact there is marginal insulation, and venting, but there is still no mold in the attic space. The objective for this house is to continue to serve us financially until we can get funding for McHattie Park. He further stated we can prolong the life of the house and accomplish our goal. As a side note, he asked Mr. Donohue to reach out to a realtor to find out what a current rental cost would be for that home, and he suggested between \$1200.00 and \$1500.00 a month. We should reevaluate what we are charging for this. Councilmember Kennedy stated he spoke with someone from McCarter and if we aren't going to keep this home, why put the money into it. This provides no benefit. The question becomes when we think we will pull the trigger on this property. Mayor Pelchat stated it is hard to put a timeframe on when the improvements to McHattie Park will happen. Department Head Boven stated his concern is with no insulation there will be ice damming. That may have caused the damage we are seeing now. Councilmember Kennedy stated there are no gutters so the ice won't build up in the gutters, and the roof itself, even looking at the pictures, there is no saddle, yet the shingles around the chimney looks in pretty good shape. He further stated the question is there may be other repairs that we need to be aware of.

CM 3-11-2018 MOTION TO TAKE NO FURTHER ACTION EXCEPT THE ROOF TO BE REPLACED

Motion by Kivell, supported by Kennedy

Motion approved

VOTE:

MOTION CARRIED UNANIMOUSLY

4. APPROVAL OF LEASE EXENTION FOR 318 W LAKE TO MONTH TO MONTH

Amy Allen of SLARA stated they are officially giving notice they are giving their 120-day notice of not renewing the lease of 318 W Lake. She stated they plan on vacating by June 30TH 2018 assuming the new building will be ready for the move. She then thanked the City of South Lyon for all of their support for the last 19 years. She stated the 318 W Lake location served as a great location and allowed them to grow and flourish. She stated they will continue to work with the City and along with that a short letter was submitted and there is a chance the building may not be ready so they are asking to go to a month to month lease. Ms. Walton asked if there is any language for a hold over cause. Attorney Wilhelm stated there is, it acknowledges there can be a hold over and the City can consent to it or not consent to it, and if they do there would be 150% of the monthly rent due. Ms. Allen stated they have no issues with it. Mayor Pelchat stated he doesn't see why there would be a problem with that.

CM 3-12-2018 MOTION TO APPROVE THE LEASE EXTENSION OF THE LEASE OF 318 W LAKE TO A MONTH TO MONTH LEASE

Motion by Richards, supported by Walton

Motion approved

VOTE:

MOTION CARRIED- 1 ABSTAINED

Councilmember Kurtzweil stated she would like the minutes to reflect she abstained because she has a conflict of interest.

3-12-2018

5. CONSIDER TAX ABATEMENT APPLICATION FEE

Attorney Wilhelm stated the range of fees he has come across ranges widely. He further stated Lyon Township uses a formula to charge exactly the cost of publication, notice and other costs to ensure they aren't over charging. He suggests Council does the same. Councilmember Kivell stated this is a great idea, but we have to make sure someone is managing the inflow and outflow of costs, this make total sense. Attorney Wilhelm stated he believes staff time is not a chargeable option, but mostly publication, mailing, postage. Councilmember Kivell asked who decides the assessing value of the project. Attorney Wilhelm stated that would be Oakland County Assessing. Further discussion was held regarding the fee.

CM 3-13-18 MOTION TO POSTPONE TO 2ND MEETING IN MARCH

Motion by Kivell, supported by Kennedy

Motion approved

VOTE:

MOTION CARRIED UNANIMOUSLY

6. SEARCH FOR INTERIM CITY MANAGER

Councilmember Kurtzweil stated when Lloyd was appointed Interim City Manager, she was expecting him to only serve for only 60 days. He has done an ok job, but there have been a lot of issues that have popped up. It is clear the person that is sitting in that position needs experience managing a City and Chief doesn't. She stated he may think he has the qualification, but there have been things that have popped up. We need someone working on grants, projects, and running the City, it is tough asking the City to run 2 departments. She further stated she thinks it would help people in the community to know we have a full time City Manager in place. She further stated it is seriously affecting our image through the various communities. She stated we need to take a look and see what is available. The City cannot continue to move forward with a few hours here and there. She doesn't know what happens with Lynne, and she doesn't care, she cares about moving forward with the City. There is no harm in at least searching to see who is out there. She found some management companies other communities have used to find a new City Manager. This isn't about the City Manager, it is about a more permanent interim City Manager until we get some direction from Lynne. She stated she spoke with the MML, and they could post this on their web site with an executive search.

Councilmember Kivell stated he is delighted with the work Chief Collins has done, and he has accomplished more than the City Manager has in previous years. He further stated there are number of issues that are a direct result of our actual City Manager not assigning responsibilities and not being addressed. He stated until we have a better understanding of what is happening with the existing City Manager, he is happy with Lloyd staying in place.

Councilmember Parisien stated she is hoping to keep Chief Collins in place as long as possible and we should all be grateful to him. She stated she hasn't seen any issue come up that he hasn't handled with finesse. She further stated she gives him a lot of credit for all the work he has done.

Councilmember Richards stated he is very satisfied with Chief Collins as well, even though it can't go on forever. Whatever happens in the future, he doesn't want to see what happened last time with the debacle with MML with them surveying candidates and interviewing them and none of them passed until Lynne came along. He wasn't on the board then. He wants us to find someone to find an interim then become the City Manager.

Mayor Pelchat stated it has been a privilege working with Chief Collins as the City Manager. There are a lot of variables in this process. We need to have some guidance from our City Attorney.

Councilmember Kennedy stated he is satisfied and pleased with the work Chief Collins has done. The real question is, what are we as Council going to do. Treat the root cause of the problem, or will we treat the symptom.

Mayor Pelchat stated that is something that needs to be discussed with the City Attorney.

Councilmember Kurtzweil stated the issue is the City is in transition and Lloyd is a band aid, and he handled the administrative work, but it wasn't hard to do the job. She stated she could have done the job, but she doesn't feel she is qualified to be the City Manager. She stated she is talking about a visionary, someone to come in and work with us for a year. She further stated she isn't ready to deal with the root problem at this point. She further stated she doesn't know if Council correctly analyzed the skill set that was needed at this time in the city's history in evolution when the hiring decision was made 3 years ago. She stated she tends to take her time, she is more analytical, and look at the data points. There are some data points that are bothering her about some decisions made by Chief Collins. That is inexperience, nothing being done deliberately. She further stated at this time with everything the City is facing, we need someone with good 10 years of experience needs to come in here and help us through the transition. We need someone full time, and if you can be here at City Hall for 50 hours a week, why do we need your position at the Police Department. Chief Collins stated to clarify, he is working between 50 – 60 hours a week, about 35 at City Hall. The remaining is at the Police Department. That too is a band aid over there; Lt. Sovik is picking up a lot of extra work. He then stated he has no axe to grind either way, the bottom line is if Council wants him to go back to the Police Department tomorrow, he will.

Councilmember Kurtzweil stated employee burnout is real and she has seen it before. She then stated he is approaching 70 years old, and she doesn't want to be held responsible for that. She further stated burnout is a very real issue. The pressures will continue to build and she is concerned about burnout. She is sure he can handle it, but now we will be looking at grants and there will be more and more time expected of him. Councilmember Kivell asked Councilmember Kurtzweil had the training on the age discrimination act from 1967. Chief Collins stated he appreciates Councilmember Kurtzweil's concern and he would hope Council wouldn't base any decision on any employees age. Councilmember Parisien stated she doesn't know of any issue that has risen that he hasn't handled. She further stated she has no qualms about it, he is getting the job done on both sides. She further stated at this point we haven't had any issues. He is doing a great job.

Mayor Pelchat stated he understands and we will stay on top of this.

BUDGET

Councilmember Kurtzweil stated she is very thankful to Judy at Highland Township who gave her a sample of a fund balance policy. She further stated the most important thing is the unassigned fund balance.

Councilmember Kurtzweil asked if we could get Safebuilt to go over to the DPW and get a list of anything that needs to be fixed over there, such as any code violations. She stated the conditions they are working in is horrible. There is water leaking, the steps are icy, she was appalled. She further stated everyone else has a nice facility, and the DPW should as well. The dust effects your lungs, and they are inhaling that air. They are walking on dirt every day and dirt carries disease and mold as well. She further stated when Marianne's office was fixed years ago, there was mold. We have not accommodated that facility for those workers. She wants to know what is wrong over there and get it up to code.

Department Head Boven stated the history behind that was it was originally the water treatment plant. He stated he sees a huge DPW facility in the future. We have already addressed a few items, we will be replacing a furnace, and the gas line will be replaced. Things need to be looked at and they will be addressed.

Councilmember Kennedy stated this gets into some of the things he has discussed with the 5-year plan. We need to look at what the true needs are.

Councilmember Walton thanked Mike for looking into this.

MANAGERS REPORT

Chief Collins stated the 14th annual creek clean-up is scheduled for April 14th from 9:00a.m.-1:00 p.m. people can meet at the tube mill and the contact person is Larry Ledbetter.

Parks and Recreation is holding a special meeting on Monday March 19th at 7:00 p.m. and Council has been invited. Please let the Clerk Deaton know if councilmembers plan on attending for proper notice.

Chief Collins stated there was another sewer line that failed on the west side of Lafayette street. It is the same line that had previously failed. He stated it was already budgeted for repairs. He stated emergency operations are underway to avoid a catastrophic back-up in that line.

Councilmember Walton stated there are signs throughout the City indicating where parking is, but the parking lot at the corner of Dorothy and McMunn doesn't have a sign, and no indication it is down there. Chief Collins stated that is a good point for future reference.

Councilmember Parisien stated her understanding is the SRO is at South Lyon High School until June which is the end of the school year. Chief Collins stated he went and met with Deputy Walker at the High School to meet with him. It was a concern of his that there could be a blue on blue incident or blue on brown incident. He further stated there are 3 officers that may respond to any emergency issues during the day and he wanted to make sure they all knew each other. Councilmember Parisien stated she hopes over the summer, we could meet with Lyon Township and the school board and discuss this with them. We should be prepared to collaborate with them. If we meet in June, that will give everyone enough time. Chief Collins stated he has spoken with a few people. He stated Mr. Clark of the school board pledged to solicit the surrounding communities that also use South Lyon schools for funding as well.

COUNCIL COMMENTS

Councilmember Kennedy stated he had the opportunity to attend a seminar at the Salem South Lyon Library. He stated they are a great resource and we are very fortunate to have them in our community. He further stated they have multiple services, such as weekly sewing for you, individual genealogy assistance, or the 30-minute appointments for resume review with Michigan works, or a seminar on the changing tax code on the personal property tax. He then suggested everyone to stop by or check out their website to see what they have that may interest you.

Councilmember Kennedy then reminded everyone since it is daylight savings time, to change the batteries in their smoke detectors and carbon monoxide detectors. He further stated the life expectancy for carbon monoxide detector is 5-7 years and the smoke detectors life expectancy is 8-10 years.

Councilmember Richards stated the KV Sports did move to where the resale shop was. He is amazed how fast they moved. He stated he was fortunate to be able to buy a number of things on discount from

the resale shop when they closed. He then stated Larry Ledbetter is putting on his own historical program at the Presbyterian church at 6:30 tomorrow night.

Councilmember Richards stated regarding the trailer park, not the one we currently have, but the one from World War 2 called Victory Lane. The land that his father owned was confiscated by the "Works progress administration" and turned into a trailer park. It is lost in the history books of South Lyon.

Councilmember Parisien stated there is a special meeting with Parks and Recreation and she hopes all of Council can attend. She stated we need to make sure Volunteer Park doesn't get lost in our goals. A couple years ago, we had a vision session and we as a Council discussed points that were important to Council and one of the points was Volunteer Park. She further stated it seems things have come to a standstill where we are having issues trying to get into contact with the donors that can get it going. She stated it is important to have as many people there as possible that are interested in assisting in getting the first phase moving by either donating, or even if anyone is just interested in what that plans are for Volunteer Park. The meeting is Monday March 19th at 7:00 p.m.

Councilmember Parisien stated the Kiwanis are having their Easter Egg Hunt and the 11:00 is when it begins, but the Easter egg scramble/hunt doesn't start until Noon. She stated that is on March 31st.

Councilmember Parisien stated we need volunteers to join our boards and commissions and if anyone is interested or knows anyone that is, please fill out the application and volunteer.

Councilmember Walton stated she wants to thank everyone for being here and wished everyone a Happy St Patrick's Day, be safe and don't drink and drive, there are driving services available.

Councilmember Kivell stated he just wanted to thank Chief Collins again, he has performed stellarly and making all the right call. He can't thank him enough for stepping up and taking care of business. It has been helpful and stabilizing.

Councilmember Kivell stated he hopes some better judgement goes into some decision making by a councilmember. He understands someone on Council reached out to Plante Moran for a 2 ½ hour phone call at \$300 an hour. He stated those questions could have benefited everyone on the board. He stated he would like to find a better mechanism, because the idea that someone can just reach out and spend \$750.00 it seems very inappropriate.

Councilmember Kurtzweil addresses Kivell's issue regarding Plante Moran. She states that she did take 2½ hours with Plante Moran, I do not know if Brian is going to bill the city for that time. It was understood that I was going to speak with Plante Moran at that time. She states that Kivell should take a look at the attorney invoices over the past two years and you will see that you've spent more than your share of money on talking to people and not sharing it with Council including the \$38,000.00 that was spent by Dykema Gossett on resolving your conflict of interest issue. So you are not exactly a stellar individual that I would even consider talking about being careful on how you are spending the city's money. She goes on to address the Chief and states that there is no doubt that she is going to be around ten more years doing something with the city, her issue is burn out and the city has complete and total liability if you burn out. The issues are going to compound, 35 hours a week is probably not enough to be over here, we probably need someone over here more than 35 hours a week. She goes on to thank the Chief for his time, but once again, you are not a professional City Manager, somebody should be sitting in your chair with close to 10 years' experience. I want to thank you very much for everything that you have done, my issue right now is burn out and the city has complete liability should anything happen with

3-12-2018

DOWNTOWN DISCUSSION, March 12, 2018

Observations and thoughts by the DDA & Economic Development Director

Tonight we need to have an actual discussion, not just a report.

I will begin this discussion with recognition of some Downtown Management essentials. Those essentials are: The City of South Lyon and the DDA are now part of the National Main Street Program through Main Street Oakland County, which the City joined in October, 2016 as an Affiliate Member. We all need to better understand what it means to be a well managed downtown using the "Main Street" strategy. And, we all need to learn how to use the Main Street strategy in a genuine, positive manner for the common good of all businesses & citizens throughout the City of South Lyon.

Under the ORGANIZATION point of the National Main Street Four Point Approach to Downtown Management, the number one priority is a "a Business Friendly Environment." In addition to organization, the South Lyon DDA is now beginning to establish the other 3 points of Main Street/Downtown Management: DESIGN, ECONOMIC VITALITY and PROMOTIONS & MARKETING. All four points must rely upon the following key elements of the Main Street downtown management philosophy:

- Teamwork
- Leadership
- Partnership
- Courtesy & Civility
- Transparency
- Diversity
- Communication
- Trust
- Business Friendly

It is important to note that Oakland County, with its' "One Stop Ready Program" and the State, with the Michigan Economic Development's (MEDC) "Redevelopment Readiness Program," both stress, and are in fact based upon, the premise of "A BUSINESS FRIENDLY ENVIRONMENT IN A BUSINESS FRIENDLY COMMUNITY."

Public negative comments, whether they are direct or indirect, about a downtown business or a business anywhere in the City, or for that matter, any business in a neighboring community, are absolutely unacceptable. Such negative comments set us back whenever they are made. Instead, we should always be moving forward, looking at ways to improve! Negative comments are not to be misconstrued with constructive criticism. And constructive criticism does not have to be negative. There is always room for improvement, with individuals and with organizations. Above all, we must always strive to be professional, civil and courteous whenever we discuss our local businesses, at all times! Valid negative issues can be professionally addressed face to face with a business, if necessary, out of the public limelight.

Public Negative Comments will not help us attain our goals to be a long-term quality downtown, to become a successful downtown that attracts successful businesses, or to implement our Master Plan for the future of our downtown and for the future of economic development and a high quality of life for the entire community!

The National Main Street Program is our officially adopted Downtown Management Philosophy. We chose that program because of the following: it is based upon a proven track record of success across the United States and throughout Michigan, it is ongoing, professional, comprehensive, citizen & business involved, transparent and business friendly. At least, that is the intended goal.

respect to that. Next she goes on to say that in my sub-division just about everyone has kids at the High School, and they are extremely happy with the Oakland County Deputy that has been present in the High School. I guess they have taken a lot of Facebook pictures and she is glad to see that that transition is doing very well. Thank you to all the party's involved and whatever the schoolboard wants over there, I will agree with. Last and most importantly, the Avengers is coming out this Summer, Infinity War and if you are a Marvel Comics person, here it is

Mayor Pelchat states that he would like to thank the Chief for doing a great job and it's an honor to work with him. He states, he will keep it short as this was another Marathon Session. Thank you and have a good night.

ADJOURNMENT

CM 3-14-2018 MOTION TO ADJOURN

Motion by Kurtzweil, supported by Parisien

Motion to adjourn meeting at 11:41 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,



Mayor Dan Pelchat



Deputy Clerk Judy Pieper

3-12-2018

Our best business recruitment tool is a strong downtown management organization, the DDA, fully supported by the City, local businesses and the residents, and a business friendly environment. Such an environment is a magnet for attracting businesses who are seeking a quality, safe and secure, well managed environment. Negative comments made publicly, by anyone, about our businesses can and will kill that! We all need to keep it classy and professional at all times. The relationship between the DDA, all of it's businesses and the City, in every regard, needs to be a positive, respectful partnership.

Over the past two weeks, I have received several phone calls and have had follow-up discussions with several downtown and DDA businesses, who are extremely upset with negative comments about Tenpenny Furniture, that were made by a City Council person, during the Downtown Discussion at the February 26 City Council Meeting.

In fact, Tenpenny Furniture is an outstanding local business. They sell high quality, brand name, skilled craftsmanship furniture and accessories. Most of their products are American made, and they carry Amish designed and manufactured items as well. They are widely known for their excellent customer service. They have served this community for over 31 years. They are the largest downtown retailer. During most of their 31 years in business, they were the single largest business tax payer in the Downtown. They also attract a wide spectrum of customers in a broad demographic range from communities throughout Oakland, Wayne, Washtenaw, Genesee and Livingston Counties and beyond. That is a huge plus for Downtown South Lyon. I hope that they will continue to serve this community for many more years to come. Any downtown would be proud to have them!

Over the next few months, perhaps every other City Council Meeting, we could have a relatively brief discussion on each of the 4 points of the "Main Street" Downtown Management strategy.

- ORGANIZATION: the role of the DDA with City support & Partnership, DDA Budget, committees with citizen & business involvement, goals & objectives, pro-active leadership, ethics and communication.
- PROMOTIONS & MARKETING: Market information, local events & activities, wayfinding, merchandising, media & publicity, education, communication and cultural programs
- DESIGN: Historic buildings & historic preservation, reuse of historic buildings, infill architecture, master plan, zoning, ordinances, infrastructure (streets, sidewalks, sewer & water, lighting), parking, maintenance, signage and the natural environment.
- ECONOMIC VITALITY: Market information/market potential, business recruitment & retention, business development, existing building data, space available, business & property owner relationships, financial incentives and programs available, developer selection n& development partnerships, broad retail, service & housing mix, healthy competition and collecting data to benchmark and compare success over time.

All of those four points must work together to enhance the downtown and to preserve our sense of place for the future! 2018 will be a good year for Downtown South Lyon, a potentially great year if we all work together! Thank you for this opportunity to discuss these important Downtown issues.

Respectfully submitted,
Bob Donohue, Director
Economic Development & DDA

Response?

Public Comment Duration for Various Cities & Townships		
Location	Public Comment Duration as Specified in the City Council/Township Board Meeting Procedure and/or on the Agenda	
City of Albion	3 minutes at opening for agenda items and at close of the meeting for any item	
City of Ann Arbor	3 minutes	
City of Brighton	5 minutes - at opening and close for topics on or not on the agenda	
City of Chelsea	5 minutes	
City of Farmington Hills	5 minutes	
City of Fraser	5 minutes for agenda item at beginning of meeting; no participation on agenda items during discussion; 5 minutes at end of meeting	
City of Garden City	3 minutes following discussion of agenda item-prior to vote; 5 minutes at close of meeting for any topic	
City of Howell	3 minutes for item not on agenda; 5 minutes for public hearing on agenda item	
City of Marshall	5 minutes for agenda item at beginning of meeting; no participation on agenda items during discussion; 5 minutes at end of meeting	
City of Northville	5 minutes	
City of Novi	3 minutes	
City of Southgate	2 minutes	
City of Standish	3 minutes	
City of Troy	3 minutes	
City of Williamston	5 minutes	
Lyon Township	2 minutes	
West Bloomfield Twp	2 minutes	