

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
JULY 14, 2008**

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

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

PRESENT: Mayor Doyle
Council Members: Kivell, Kopkowski, Maida, Morelli, Selden and Wedell
City Manager Murphy
Attorney Lee
City Clerk/Treasurer Zemke
Department Heads: Renwick

ABSENT: Department Heads Collins and Martin

APPROVAL OF MINUTES:

Council Member Maida stated that under Council Comments, the comment she made was in reference to the sign that indicated that the businesses are open.

CM 7-1-08- APPROVAL OF MINUTES – JUNE 23, 2008

Motion by Selden, supported by Maida

To approve the minutes of the regular meeting of June 23, 2008 as amended

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MONTHLY BILLS:

Councilman Morelli questioned payment for a replacement fuel tank. Superintendent Renwick stated that this is a result of the same incident dealing with the police vehicles.

Council Member Maida questioned payment for the floor and asked if this was for the fire hall. It was indicated that it is. Council Member Maida questioned payment for legal fees. Attorney Lee stated that it is combined Police prosecutions as well as administration. Council Member Maida questioned payment for new stop signs and asked if these were new locations or replacements. Superintendent Renwick stated that they were replacements.

Councilman Wedell asked if the payment for sludge removal is monthly or quarterly. It was stated that it is billed quarterly.

Councilman Selden questioned the payment to South Lyon Cycle. It was indicated that this was payment for new police bicycles.

Council Member Kopkowski questioned the payment for the Summer Sizzle and asked the status of that event. City Manager Murphy stated that it has been canceled until Pumpkinfest. Roger Colissimo of 216 Oakbrooke Drive stated that the DDA contributed \$2,000 toward sponsorship of the event, however due to the current economy they did decide to delay that until Pumpkinfest and the funds will be used at that time.

CM 7-2-08- APPROVAL OF MONTHLY BILLS

Motion by Wedell, supported by Maida

To approve the monthly bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF AGENDA

CM 7-3-08 – APPROVAL OF AGENDA

Motion by Kivell, supported by Maida

To approve the agenda as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

CITIZENS SUGGESTIONS: None

OLD BUSINESS:

1. Approval of Cost overrun on roof re-shingling on the Witch's Hat Museum.

Superintendent Renwick stated that when we presented the bid, it did not include the decking replacement. Council asked at the time, if there were additional funds required that it be brought back before Council. There was 350 lineal feet replaced at an additional cost of \$1,050. Councilman Kivell stated that they were aware of the original price and the price per foot additional.

CM 7-4-08 – APPROVAL OF COST OVERRUN

Motion by Selden, supported by Kivell

To approve the additional cost of \$1,050 for the re-roofing of the Witch's Hat Museum

VOTE:

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS:

1. Papa E's Request for Liquor License

Mr. Earl LaFave of 10721 Stoney Creek Drive and Jeff Lafave of 9029 Stoney Creek Drive in South Lyon were present representing Papa E's Restaurant. Mr. Earl Lafave explained the building renovations made in order to open their business located at 9 Mile and Pontiac Trail as well as the research into the community that they conducted. He stated that they wanted to have a value-based restaurant that would appeal to a whole range of people in the community and surrounding area. They have been polling their customers as to what they like and do not like with a lot of good feedback. One comment that has come back repeatedly was that many people that enjoy pizza have asked could they have beer and wine. To make the business viable, they need to offer the customers what they want which is beer and wine. They do not want to take the family ambiance away, but rather appeal to all of the demographics. They would like to inquire about the one license that the City has left and ask that it be earmarked for Papa E's Restaurant. They would keep it strictly beer and wine, not liquor. A Class-C license would be required. He further discussed their participation in the community.

Councilman Morelli stated that they have done a great job with the business. However, he does not think that beer and wine is necessary to survive. He further stated that we worked very hard to hold on to and then get back that last license and does not want to go through it again. It is a tough economy, but there are a lot of great things coming in the fall. He further discussed the purchase of a license elsewhere. Mr. Lafave stated that one of the conditions that they would be willing to accept would be that in the event that Papa E's were not to survive then the license would contractually go back to the City. Attorney Lee stated that the City cannot contractually control a license. We are only a recommending body. Once the license is issued, the only way we can get it back, is similar to what we did with Bella Luna.

Mr. Lafave discussed the competition and those businesses that are adding beer and wine to their menu.

Council Member Maida stated that she can appreciate what Papa E'z has done in the City. However she does not see that liquor belongs in this restaurant, but would not be opposed to beer and wine. She discussed the family atmosphere.

Councilman Wedell asked if there is a class of license that restricts service to just beer and wine as opposed to liquor. Attorney Lee stated that there are those licenses available for purchase. Councilman Wedell stated that a full-service license would be better suited to a full-service restaurant.

Discussion was held on purchasing a license. Attorney Lee stated that Council would have to approve the transfer, but it would not take away the one that remains. He further stated that the Liquor Control Commission does have resort type licenses available that can be applied for. The City would still have veto power.

Discussion was held on the different classes of licenses. Attorney Lee stated that all of these licenses are controlled by the Liquor Control Commission. City Manager Murphy stated that a beer and wine license would be a Tavern License and information is available through the Liquor Control.

Councilman Selden stated that he would be opposed to issuing the Class-C license to this business.

Councilman Kivell stated that the facility and business is wonderful, but he is in agreement with the comments that have been made. He discussed the Escrow Licensee Listing for Oakland County. He stated that there are other licenses available in the County. He further stated that he feels that marketing strategies and timing are going to prove to be their success, not necessarily a liquor license.

Mayor Doyle stated that he is not in support of this. We spent a lot of time and money getting that last license back. Further, he stated that in his opinion the last liquor license issued to Fortuna is terribly under used and should not have been issued.

Mr. Lafave stated that they do plan to pursue a license on the open market. However, if there is not a beer and wine license available or permittable without having to purchase a full Class-C license, he asked if they could re-approach Council about the City's available license. Consensus of Council was that it still would not be supported. Attorney Lee stated that until Council has all the documents necessary to make any kind of approval and recommendation to the LCC, nothing that is said here can bind the City to any future action

2. Block Party – Whipple Street 8/9/08 Noon to 9:00 p.m.

It was stated that this is a great event and is well attended. They have never had any problems.

CM 7-5-08 – APPROVAL OF STREET CLOSURE

Motion by Morelli, supported by Wedell

To approve the closure of Whipple Street on August 2, 2008 from 12:00 noon until 9:00 p.m. for a block Party with a rain date of August 9, 2008

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Recycling Drop-off Discussion – Per Council Member Kopkowski

Council Member Kopkowski stated that our previous recycling center was neglected and abused. It was open to anyone and inappropriate things were being dropped off. What she would like to do is get our businesses in town to recycle. Residents have curbside recycling, but she would like to see us be more full service. She further stated that her idea is to have a recycling area at one of our City facilities,

possibly the DPW or Water Department open during business hours for City businesses, not necessarily the surrounding area.

Discussion was held on possible cost to the businesses.

Discussion was held on keeping the facility monitored. Discussion was held on keeping it for our own businesses as it is being paid for by City tax dollars.

City Manager Murphy stated that he could meet with Mr. Duncan and bring back more information to Council.

Discussion was held on the need to get input from the businesses.

Councilman Kivell stated that he would like to investigate going further than just the businesses. He stated that he took advantage of the old site many times.

Discussion was held on the contaminated containers at the previous site needing to be taken to the landfill. Attorney Lee stated that we would also need to adopt an ordinance to allow for the issuance of a ticket to those who violate. We did not have an ordinance previously.

Discussion was held on expanded list of recyclables.

The consensus of Council was that they would like to investigate the issue further.

COUNCIL COMMENTS:

Councilman Morelli discussed the letter from HRC regarding the construction delay. He stated that it now appears that they are on schedule. He further discussed a second letter from HRC regarding a change at McHattie Street and cost estimate. He asked if this is something that is being considered. City Manager Murphy stated that it is not. The question had been asked and HRC provided the information as well as a general cost estimate. Further discussion was held on the intersection of Pontiac Trail and McHattie Street.

Council Member Maida requested that the hedges be trimmed at the gazebo at Reynolds Sweet Parkway and Lafayette.

Councilman Wedell stated that he appreciated the report from the City Manager on Friday. He further stated that he likes the new agenda note format and is very much in support of it.

Councilman Selden stated he would like to see an agenda item added for elimination of the reward for the police car damage.

Council Member Kopkowski stated that she appreciates the updates from HRC. She further questioned the curb in front of the Veteran's parking lot. She stated the crossing does not match the others. City Manager Murphy stated that he will get additional information from HRC.

Councilman Kivell read a letter he wrote indicating that he would like to begin a conversation with the post office to change the existing distribution center in downtown to a store front. It could continue to allow the purchase of stamps, drop off mail, etc. The major difference would be to free up a large portion of a block in our downtown for retail and allow the existing building to be remodeled to soften the building by installing windows and entry doors for new stores. This would go a long way to make downtown more appealing and retail friendly area. The reason for discussions now would be to make sure arrangements are in place to relocate the distribution portion of the post office before expiration of the existing lease agreement and the store front post office could continue to exist as building remodeling takes place. He would like to have a distribution center built at the light industrial park on Dixboro Road or Mill Street. The

location of the distribution center is less important than the remodeling of the existing building. Councilman Kivell stated that he would like this to be an agenda item at the next meeting.

Councilman Kivell stated that he attended the Movie in the Park in Lyon Township last Saturday. The setting was nice and the quality and clarity of the movie was nice. He thinks that it would be great to have movies in McHattie Park on the off weeks that they are not showing a movie in Lyon Township. He would like to ask them if there would be interest in allowing us to rent their equipment. However, they did not seem too receptive. The issue was brought to the Parks and Recreation Commission by the City Manager and they seemed to be enthusiastic about the idea. A re-visit to Lyon Township would be appropriate, and possibly as a board they would have a different view. He further discussed the idea and stated that the reason to do it would not be to compete with Lyon Township, but rather augment it in an area with a more concentration of people. Further discussion was held on contacting Lyon Township regarding the use of their equipment.

Mayor Doyle stated that he would like to remind Colonial Acres residents that they will receive recycling pick up every week now.

CM 7-6-08 – ADJOURNMENT

Motion by Selden, supported by Maida

To adjourn the meeting at 8:38 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

John Doyle, Jr.
Mayor

Julie C. Zemke
City Clerk/Treasurer