

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
JANUARY 9, 2012**

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

PRESENT: Mayor Wallace
Council Members: Dixon, Kivell, Kopkowski, Kramer, Rzyzi, and Wedell
City Manager Murphy
City Attorney Lee
City Clerk/Treasurer Zemke
Department Heads: Collins, Kennedy, and Renwick
ABSENT: Superintendent Martin

APPROVAL OF MINUTES:

CM 1-1-12 – APPROVAL OF MINUTES- DECEMBER 12, 2011

Motion by Kivell, supported by Wedell

To approve the minutes of the December 12, 2011 Regular Council meeting as presented

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MONTHLY BILLS:

Discussion was held on various bills.

CM 1-2-12 – APPROVAL OF MONTHLY BILLS

Motion by Kivell supported by Rzyzi

To approve the monthly bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF AGENDA:

CM 1-3-12 APPROVAL OF AGENDA

Motion by Wedell supported by Kopkowski

To approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT:

Mr. Chris Blough of 518 N. Reese Street representing Hickory Pointe Condominiums who recently experienced a fire that occurred commended the personnel that were involved. He read the following resolution into the record:

The Citizens & Owners of the Hickory Pointe Condominium Present the following Resolution to the City Council of the City of South Lyon, Michigan

Whereas, residents of the Hickory Pointe Condominium called upon the City's emergency services to respond to a building fire within the Condominium presenting imminent threat to life, property, and community welfare during the early morning hours of December 22, 2011,

Whereas, the responding firefighters ensured no lives were lost, safely evacuated all those in harm's way, and contained the fire to the structure from which it originated,

Whereas, Fire Chief Kennedy's leadership and his team's dedication enabled the responders to achieve control of the fire within 64 minutes after its initial report,

Whereas, firefighters from the South Lyon Fire Department were joined by firefighters from Green Oak, Brighton, Lyon, Milford and Hamburg Townships representing a valiant force of 50 responders committed to protecting those at great risk of peril,

Whereas, the City's policy to participate in mutual aid agreements with its surrounding communities to share fire and emergency response resources significantly augments the City's fire department and demonstrates how local service sharing is a proven, effective policy our elected leaders should continue to endorse and pursue,

Whereas, those affected by this tragic event ask the Oakland County Sheriff's Office to expedite its investigation to identify the cause of the fire and release its findings as quickly as possible so our community can commence the recovery process,

Now, Therefore Be It Resolved, the citizens and owners of the Hickory Pointe Condominium commend all the emergency services responders and support personnel who distinguished themselves by upholding the most essential of public services and leading by the example they have conspicuously demonstrated.

Respectfully submitted by the Hickory Pointe Condominium Owners on this Ninth Day of January, Two-Thousand and Twelve.

Mayor Wallace stated that it should be noted that it has been signed by all of the residents.

Mr. Blough stated that he would also like to thank Chief Collins and the Police Department for their help and the extra patrols following the incident.

OLD BUSINESS: None

NEW BUSINESS:

1. Board of Review letters of Protest

City Clerk/Treasurer Zemke stated that we are being requested by Oakland County Equalization to adopt this resolution. This will allow property owners to protest their assessments by mail rather than appearing before the board. We have allowed that in the past, but this will solidify that and set forth the time frame for which to make that written appeal.

Mayor Wallace asked if there is a set time set aside for the Board to review these requests. City Clerk/Treasurer Zemke stated that it will be done during their normal sessions. If extra time is needed, they can add additional times. However, the appeals must be made before the Board adjourns their sessions.

Discussion was held on the need to receive the letter prior to the Board adjourning. Discussion was held on receiving the letters by fax or email.

Discussion was held on publicizing this option. City Clerk/Treasurer Zemke stated that it will be on the notice that the taxpayer receives and it will be published in the newspaper as well as part of the regular notification.

The question was asked if there is a clearer way of putting this. City Clerk/Treasurer Zemke stated that this is the language that the County has asked us to adopt.

CM 1-4-12 BOARD OF REVIEW – LETTERS OF PROTEST

Motion by Kivell, supported by Kopkowski

In order to ease the burden on taxpayers, the Assessor and the Board of Review and to ensure that all taxpayers have an equal opportunity to be heard by the Board of Review, the City Council of the City of South Lyon hereby resolves, according to provisions of MCL 211.30 (7) of the General Property Tax Act, that the Board of Review shall receive letters of protest regarding assessments from resident taxpayers from the first Tuesday in March until it adjourns from the public hearings for which it meets to hear such protests.

All notices of assessment change and all advertisements of the Board of Review meetings are to include a statement that the resident taxpayers may protest by letter to the Board.

Mayor Wallace stated that he did recently present a protest, and it does pay to go before the Board of Review sometimes.

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Liquor License Investigation – South Lyon Sweetwater & IGA

Mr. Nannoshi representing the applicant and owner was present.

Mayor Wallace asked the progress of the building. Mr. Nannoshi stated that they expect to be open in approximately 60 days.

Chief Collins stated that the Police Department did an investigation and found no serious problems. The Detective did visit the applicants' other establishments and the Police Department recommends approval of all the licenses as requested.

Councilman Kivell asked if they were planning on packaged liquor in the IGA. Mr. Nannoshi stated that they are not, just beer and wine.

Council Member Kopkowski asked if there will be dancing. Mr. Nannoshi stated that they are not proposing any entertainment at this time.

Councilman Wedell asked how many seats. Mr. Nannoshi stated that there are 133. The question was if the building would be split in half. Mr. Nannoshi stated that it will be split almost exactly in half.

Chief Collins stated that the request is a resort SDD for the IGA and that is a request for package liquor. He stated that the SDD is done by lottery with only ten awarded each year. He asked Mr. Nannoshi if he receives the SDD would he in fact be selling package liquor. Mr. Nannoshi stated that he would. Further discussion was held on the odds of receiving an award. Mr. Nannoshi stated that there are people that have been on the list for many years. Attorney Lee stated that there was recent legislation passed that would allow DDAs to award resort licenses. Mr. Nannoshi stated that would be for Class C license, not SDD.

CM 1-5-12 RESOLUTION – LIQUOR LICENSE – SOUTH LYON SWEETWATER, INC.

Motion by Kivell supported by Wedell

That the request to transfer ownership of an escrowed 2009 Class C licensed business with Dance Entertainment Permit, located at 106 S. Lafayette, South Lyon, MI 48178, from Crossroads Grille LLC to South Lyon Sweetwater, Inc. (Step 2 be considered for approval above all others

It was stated that this is the license that has been at that location since they went out of business.

VOTE: MOTION CARRIED UNANIMOUSLY

3. Liquor License Request – South Lyon Moose Lodge #2685

It was stated that the name is slightly different than what was originally approved by Council. LCC is asking that Council re-adopt the resolution as corrected. Nothing else about the application has changed.

CM 1-6-12 RESOLUTION – LIQUOR LICENSE – SOUTH LYON MOOSE LODGE #2685

Motion by Wedell supported by Dixon

That the request made by South Lyon Lodge No. 2685, Loyal order of Moose for a new Club License, with Dance Entertainment Permit, to be located at 507 S. Lafayette, South Lyon, MI 48178, Oakland County be considered for approval above all others

VOTE: MOTION CARRIED UNANIMOUSLY

4. Agreement for Planning Services

City Manager Murphy stated that in late September we went out with a Request for Proposal for planning services. Went sent the request to approximately ten different firms and received four proposals. We put a committee together to review the proposals and narrowed it down to two firms which we interviewed. The committee is unanimously recommending that we choose LSL Planning, Inc. Mr. Carmine Avantini from the firm is present to answer any questions.

Council Member Kopkowski stated that she is very pleased with what she saw from LSL. They have a lot of energy and excitement and she is looking forward to working with them.

Attorney Lee asked if we have given notice to our existing planner. City Manager Murphy stated that he has spoken with them, but did not give them formal notice. Attorney Lee stated that we should have notification giving the 30 day notice of termination with this contract effective after that termination date. City Manager Murphy stated that he did not want to do that until after Council approval. He further stated that he would like this contract effective immediately and he will send notice to Beckett & Reader due to the fact that the two firms may need to coordinate on a few items.

CM 1-7-12 APPROVAL OF CONTRACT – PLANNING SERVICES

Motion by Kopkowski, supported by Dixon

To approve the three year contract between the City of South Lyon and LSL, Planning, Inc., for planning services effective immediately

Mayor Wallace stated that he did receive an email from John Enos from the other company that was interviewed, and although he was disappointed he did commend the company that was chosen.

Councilman Kivell asked if it is normal to have contact only with the senior partner. City Manager Murphy stated that was by our choice, because he did want Mr. Avantini to be our main contact.

VOTE: MOTION CARRIED UNANIMOUSLY

MANAGER'S REPORT:

City Manager Murphy stated that the Planning Commission has approved a change in the B-3 zoning to allow for lofts above some of the businesses. This will be brought back for Council approval on the next agenda. The other business districts allow it, but not the B-3, which may have been simply an oversight.

COUNCIL COMMENTS:

Council Member thanked Mr. Schultz for following up and resolving many of our blight issues. She further commended Chief Kennedy on his annual report.

Councilman Kramer stated that on January 20th, the South Lyon Junior League will be holding a fundraiser for the new baseball field at McHattie Park. It will be 7-9 p.m. at Pinz bowling center.

Councilman Kivell commended Pinz for their participation. They reach out to the whole community. He further stated that he hopes everyone had a great holiday and enjoy the nice weather.

Councilman Ryzyi wished the new owners of Sweetwater the best of luck.

Mayor Wallace stated that The Currant newspaper will now be covering our area. It is a great new addition.

Mayor Wallace asked how the Township reacted to terminating the mechanic's contract. City Manager Murphy stated that they were fine with it. They had known that the mechanic was out for a while and the work was not being done. Mayor Wallace asked if we will be able to get them back once the work is caught up. City Manager Murphy stated that the agreement had always been that the Township's work would be done only when there is time. He further stated that he cannot see that happening for a long time. We could always go back to them if the opportunity arises.

Mayor Wallace thanked the Hickory Pointe Condominium Association for the resolution. He stated that it is nice to have some positive feedback.

ADJOURNMENT:

CM 1-8-12 ADJOURNMENT

Motion by Kramer, supported by Kivell

To adjourn meeting at 8:04 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd M. Wallace
Mayor

Julie C. Zemke
City Clerk/Treasurer