

The City of South Lyon
Regular City Council Meeting
January 25, 2016

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

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

MINUTES

Councilmember Dedakis stated on page 11 it should say she understands instead of she understand.
Councilmember Dedakis stated the word thru should be through. She stated the words between the ally is duplicated on page 14 and should be removed. The words to midnight should be removed at the bottom of page 17. Councilmember Kivell stated on page 10 the words blight ordinance should be changed to dangerous building ordinance.

CM 1-1-16 MOTION TO APPROVE MINUTES

Motion by Kivell, supported by Dedakis
Motion to approve minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

City Manager Ladner stated she would like to remove item #2 which is the presentation by Landmarc Development. She stated the developer has asked for this to be removed and placed back on an agenda when Carmine Avantini from CIB Planning can attend.

Attorney Wilhelm stated he would like to add an item under New Business related to 2 poverty exemption requests made to the Board of Review to waive attorney client privilege to allow City Manager, City Clerk and himself to speak openly with the Oakland County Sheriff's office.

CM 1-2-16 MOTION TO APPROVE AGENDA

Motion by Kivell, supported by Kramer

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Motion to approve Agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Susan Walters Steinaker a resident of the City of Brighton stated she is here to rebuff statements that were made by a Councilmember. She stated she has a letter from a previous Council Member of Brighton stating there was not a blight busting team or discussion held regarding blight busting. She stated she commends the 3 Councilmembers that voted against hiring the Paul Burns Law Firm. Ms. Walters Steinaker gave a brief summary of the Bonner houses in Brighton and why they were tore down. She stated that no one from the City went inside the Bonner homes before they were tore down. The decision that the buildings were condemned and dangerous was based on the outside view. Mayor Galeas asked what all of this has to do with the City of South Lyon. Ms. Walter Stainauer stated there were things stated at previous South Lyon Council Meetings that weren't true, and over \$200,000 was paid to the Paul Burns Law Firm by the City of Brighton taxpayers and she doesn't want to see that happen in the City of South Lyon. She stated their DDA has purchased a lot of buildings and now they have vacant land they cannot do anything with.

OLD BUSINESS- None

NEW BUSINESS

1. Consider resignations from the City Commissions:
 - a. Holly Gerdom resignation from the Downtown Development Board

City Manager Ladner stated Holly Gerdom has sold her downtown business and she is resigning from the DDA Board. She further stated Holly has volunteered to assist in the future.

CM 1-3-16 MOTION TO ACCEPT RESIGNATION

Motion by Rzyzi, supported by Kurtzweil
 Motion to accept resignation from Holly Gerdom with thanks

VOTE: MOTION CARRIED UNANIMOUSLY

2. Removed
3. Presentation by Parks and Recreation Commission requesting action by the Council for expenditures related to updating plan for Volunteer Park Development

Diane Beagle and Erica Wilson representing the Parks and Recreation Commission gave a brief power point presentation discussing Volunteer Park Development Plan. Ms. Wilson stated they are asking for expenditure not to exceed \$10,000 from the City of South Lyon for Russel Design to revise the current development plan for Volunteer Park. Ms. Wilson explained the stakeholders, the reasoning for development, the economic impact, as well as the growth of the community. She explained the reasons the previously approved Master Plan for Volunteer Park didn't progress because of a lack of funding, scope of work exceeded volunteer capacity, and some of the aspects of the previous plan were too specific and grand. Ms. Wilson further stated they are seeking a City-led initiative which would include easier communication between all parties, a dedicated point person, quicker turn around on decisions, qualified for more fundraising/grant opportunities and it will show a commitment by the City to make this happen. Councilmember Rzyzi stated he would like to thank the Parks and Recreation Commission for bringing this to Council. He further stated we owe it to the sporting teams and the children to move forward with this. There is a need for more fields, and the economic impact can't be overstated, when families come to the City for sports games, they spend money at the restaurants, grocery stores, and it may bring them back in the future.

Councilmember Kramer stated he is currently on the Board for the Panthers, and they have had discussions regarding Volunteer Park and how much each organization could invest. He further stated there was some discussion who would take the lead and having the City take the lead is a good idea, and this is why the property was purchased to begin with.

Mayor Galeas stated he was part of the Panthers in the past and they fought for field time. He understands this is a big problem and we should move forward with this. He further stated utilizing space we already have is a good thing.

Councilmember Kurtzweil stated she was on Parks and Recreation for years and they tried to get funding, and clearly this is an opportunity for the City to develop something no other community has. The competitive edge is closing in on South Lyon and we are not winning. She stated this could be a real jewel in the community. She questioned if the plan will include keeping the walking trails. Marc Russel of Russel Design stated walking trails will be part of the plan, possibly some will be paved, some mulched and some natural. Councilmember Kurtzweil questioned if there will be lights for night games. Mr. Russel stated that was discussed, but they will have to continue to look into that. Councilmember Kurtzweil asked about seating. Mr. Russel stated there will be seating involved, but will probably be portable. Councilmember Kurtzweil stated the City of Milford has been fortunate to have a corporate sponsor of LaFontaine. She stated they have sponsored the new amphitheater in that City and they don't even have a dealership in Milford. She further stated the City of South Lyon needs to gain corporate sponsors for the City as well.

Councilmember Kramer asked what the timeline is to move forward with the Master Plan. Mr. Russel stated it will be a few months to discuss the needs, sponsor groups, and trying to understand how the needs for all the groups can co-exist. A focus group with all the stakeholders will be a good kick off point. Dean Whitcomb representing the Junior League stated the Master Plan drives us to what is on paper. He further stated while the request for funds tonight is fairly small, do not waste it, because this will require a seven figure deal. There are other groups ready to assist, but the City needs to take the lead especially when it comes to grants.

Councilmember Kivell stated this Master Plan was originally a concept. He asked if the Parks and Recreation Commission have looked for any grants. Ms. Beagle stated they have not looked for grants because the plan stalled out, it was too big. Councilmember Kivell stated the City wants to move forward with this plan which is why we purchased the land, but it is concerning that the City is the sole provisionary, except for Atchison Park. He further stated he hopes the Townships will assist with supplying ball parks for the kids as well. Dean Whitcomb of the Junior League stated he is currently discussing supplying sports fields in their townships as well. Councilmember Kivell thanked the Parks and Recreation Commission for continuing to work on this. Councilmember Kurtzweil stated she supports the motion and there is no advantage to the City that would require an RFP due to the unique nature of the services being provided. Further discussion was held regarding the need for the fields to be divided evenly among the different sports.

CM 1-4-16 MOTION TO APPROVE VOLUNTEER PARK EXPENDITURE

Motion by Kramer, supported by Kurtzweil

Motion to approve expenditure not to exceed \$10,000.00 for update of the Master Plan for Volunteer Park

VOTE:

MOTION CARRIED UNANIMOUSLY

Mayor Galeas recessed the meeting at 8:35 p.m.

Mayor Galeas reconvened the meeting at 8:45 p.m.

4. Consider approval of first reading of Dangerous Building Ordinance

City Attorney Wilhelm stated this is the proposed Dangerous Building Ordinance; this is strongly based on Michigan housing law, as well as some language pulled from the Brighton Ordinance. This is a multi-step process. Begins with administration building official or experts to determine the building is dangerous, it would then go before a hearing officer for an evidentiary hearing, and then an order would be set with a time frame for compliance. If it becomes a noncompliance situation, it would then go before the City Council and they would set a time frame for their own review. Council can affirm, modify or reverse the decision. He further stated they also have the right to appeal to the Circuit Court. Attorney Wilhelm stated there is an unreasonable repairs provision that states if cost of repair exceeds 100% of the assessed value of the building on the City's tax roll, prior to be being deemed a dangerous building, it is presumed to be a dangerous building and the City may require that the building be demolished without providing the owner an option to repair. He stated this provision was taken from the City of Brighton's Ordinance. Councilmember Kivell asked if the language can be modified if the building has surpassed this threshold if we want the building to remain intact? Attorney Wilhelm stated he believes this may be a judgment call from the beginning. Mayor Galeas stated he agrees we need to

protect the historical integrity of our downtown is important, and we don't want this ordinance so rigid that buildings have to come down if they don't have to.

Councilmember Kurtzweil stated she wants to make sure the Dangerous Building Ordinance will include modular home parks. Attorney Wilhelm stated modular home parks have many of their own rules and regulations, and protection, he presumes it is not the case, but there may be other tools the City can use. She stated South Lyon Woods is a very blighted area, it is in our downtown area and it is not being maintained. When driving down Reynold Sweet Parkway, you can see this severely blighted area.

Attorney Wilhelm briefly described each section of the presented ordinance.

Councilmember Dedakis asked what other communities ordinances were looked at for this. Attorney Wilhelm stated he looked at Novi, Northville, Green Oak, Wixom, Brighton as well as others.

Mayor Galeas stated we need to stay pretty close the Brighton Ordinance because we know it was used successfully. He further stated other communities are struggling with this as well. He stated he likes the ordinance as written, and wants to make sure we do not venture far from what we know has worked.

Councilmember Kurtzweil stated the Planning Commission tried to get something in place 5 to 6 years ago when the economy was going bad. She further stated the brilliance of the Paul Burns Law Firm was that they were on the forefront of being able to go and advance the blight issues, and look at the City of Brighton's downtown. It is important to understand the collateral damage is the building will be gone and we will be better off. She further stated these ordinances are critical for the revitalizing of the downtown area. She further stated this will be a highly litigated and why would we veer away from the Brighton Ordinance.

Councilmember Kramer stated this Ordinance contains the parts of the Brighton Ordinance that succeeded through the Supreme Court and he likes the idea of having a hearing officer instead of Council acting as judge and jury.

Councilmember Kivell stated the hearing officer will be a benefit to all parties because they will have the knowledge of the building industry.

1-5-16 MOTION TO APPROVE FIRST READING OF DANGEROUS BUILDING ORDINANCE

Motion by Kramer, supported by Dedakis

Motion to approve the First Reading of the Dangerous Building Ordinance

VOTE: MOTION CARRIED UNANIMOUSLY

5. Consider approval of first reading of Ordinance to adopt the 2012 International Property Maintenance Code

Attorney Wilhelm stated the City currently uses by a 1996 BOCA Code, but this Ordinance will adopt the 2012 IPMC. He further stated he does want to point out he has included a provision for using the Construction Board of Appeals, instead of creating another Board.

Dennis Smith of Safebuilt stated this is ties together all construction codes. This is very standard stuff, nothing in this will hurt the City and this is nationally recognized. He stated most communities adopt

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this along with their own codes. Discussion was held regarding having conflicting ordinances versus the property maintenance code. Attorney Wilhelm stated there is a repealer on page 4 that states the Ordinance adopting the 2012 International Property Maintenance Code will prevail. Attorney Wilhelm stated we can modify that if needed.

Councilmember Kurtzweil stated there is an advantage to adopting this code, there is already a body of case law in the country. This is a recognized code, and we need to be careful to modify this due to the case law which can be used if ever needed in litigation.

1-6-16 MOTION TO APPROVE THE FIRST READING OF THE ORDINANCE TO ADOPT THE 2012 IPMC

Motion by Kramer, supported by Kurtzweil

Motion to approve the first reading of the ordinance to adopt the 2012 International Property Maintenance Code

VOTE: MOTION CARRIED UNANIMOUSLY

6. Consider Dorothy Street Sanitary Sewer Relocation Proposal for Professional Engineering Services

City Manager Ladner stated she has met with HRC regarding the relocation of a sanitary sewer line on Dorothy Street. The water line has had multiple sanitary sewer backups into at least two residential properties over the past 5 years, sometimes more often than once a year. She further stated this line is jetted at least once a month. Department Head Martin stated he cannot explain why the line seems to have changed over the last few years, but it has. We think the line has been in the ground for 60 years or so. He stated this line travels east from Dorothy Street down to McMunn Street. He further stated the line on McMunn Street is 8 feet underground so the fall from Dorothy Street is very slow. The leads coming down Dorothy Street do not fall on top of the pipe, but connect underneath it. Department Head Martin stated the fix isn't simple, but we will be able to get a proper drop if we can connect this to the Hagadorn line. He further stated this is a long term solution.

Councilmember Kivell stated he would like to make sure there is no other reasonable solution to keep this from happening that isn't a third of a millions dollars.

Councilmember Kurtzweil asked Department Head Martin if the problem is the size of the pipe or the lack of slope. Department Head Martin stated it is the flatness or lack of slope that is the problem.

CM 1-7-16 MOTION TO APPROVE THE PROPOSAL FOR ENGINEERING SERVICES AND AUTHORIZE THE CITY TO SOLICIT BIDS FOR THE RELOCATION OF THE LINE

Motion by Kramer, supported by Kivell

Motion to approve the proposal for engineering services and authorize the City to solicit bids for relocation of sewer line on Dorothy Street

VOTE:

MOTION CARRIED UNANIMOUSLY

7. Consider approval of repair for sanitary sewer line along Pontiac Trail near the Waters' Edge Complex to fix sewer line offset and existing sink hole conditions

Department Head Martin stated there is a sink hole is next to the entrance at Waters Edge Apartments. He further stated we don't know why this is occurring. Last year at this time, we rebuilt the manhole 20 feet to the east, but we don't think that has anything to do with this problem. We have filled the sinkhole twice and it is concerning. There is a manhole to the east of that, and when you look in the manhole, there is a very slow flow. The manhole we rebuilt has water gushing. We tried to send a camera through, but it could only go so far. The pipes may have separated. The only way to deal with this is to bypass the pump and drain the line, run it above ground, and dry out the line and then it can be dug. He further stated we don't have equipment to dig as far as we need to. He stated we need to dig 14 feet deep which requires a 30 foot wide hole. It drains the northwest edge of the City and it never stops flowing. We need to get this project moving, if this fails, we have nowhere to drain the northwest end of the City. Councilmember Kurtzweil asked how close the water hole is to the pond in front of Waters Edge, and is it possible it can just be leeching. Department Head Martin stated it is 50 yards away, but it is possible. He stated he believes there is something stopping the water from flowing through and causing the sink hole. Mayor Galeas stated they jetted the line and it is obvious there is something stopping the flow of water, possibly the pipe is broken. Councilmember Rzyzi stated if the sink hole is caused by the pond, possibly the cost should be shared with the Water's Edge Apartments. He further asked if we will have legal remedy if we find it is the fault of the pond. Attorney Wilhelm stated if there is a default in the pipe it is our responsibility, as of right now, there is no way of knowing what is causing this. Mayor Galeas stated it could be a cause of both things. Councilmember Kivell stated if we find later it is caused by the property owner, we can deal with that later. Further discussion was held regarding the cost.

CM 1-8-16 MOTION TO APPROVE DEPARTMENT HEAD MARTIN TO BEGIN BYPASS AND DETERMINE THE BEST CONTRACTOR TO BEGIN THE WORK NECESSARY

Motion by Kramer, supported by Wedell

Motion to begin bypass and determine the best contractor to begin the work necessary

Councilmember Kurtzweil stated she would like to add that there is no advantage to City Council that the funds be sent out for competitive bidding due to the serious nature of the situation and the expenditure nature is for professional services therefore exempting us from competitive bidding for this matter.

VOTE:

MOTION CARRIED UNANIMOUSLY

8. Consider resolution asking for repeal of the new language in Section 57, subsection (3) of PA 269 of 2016

City Manager Ladner stated the MML and other organizations are working to have language that was adopted recently repealed and revised. The Governor signed this into law January 6th, at the same time he asked the legislature to enact new legislation to address the concerns addressed by other organizations such as associations of townships, counties, and school boards. The previous language in Section 57 prior to the amendments appropriately proved an allowance of elected officials to express their views without fear of violating the act. The new sub section does not appear to account for that allowance. The prohibition on any communication by television that references a local ballot question could seem to put every public access broadcast of a City Council meeting at risk for violating this new provision. There is also no allowance for a public broadcast of a debate or voter forum, even if that forum is a third party. Community newsletters and potentially even Election Day reminders that are mailed to residents could be banned under this language. She further stated because this language specifically bans communication on only local ballot questions, the provision creates inconsistent treatment between communication with residents on statewide ballot questions. Any violation does put the City at risk for a fine by the State. We have been asked by the involved parties to approve a resolution in support of having the language appealed. Councilmember Rzyzi stated the concept of this bill is to stop public funds from being used for influencing an Election. He doesn't think taxpayer money should be used to send information to people's homes to tell them how to vote. Councilmember Rzyzi stated this is just a piece of paper, and means nothing. We should not be involved in Lansing politics and he will vote no. Councilmember Kramer stated this doesn't affect the State, it just affects local communities. He further stated if you have a school board seeking a bond issue, they shouldn't be stopped from advocating for that bond issue. He stated as a tax payer, he wants any and all information available. Councilmember Kurtzweil stated she met with people in Lansing, and their justification was that some communities were using local politician's ads to gain approval of the ballot issue, and it was construed as a conflict of interest. The second issue is the super PAC that wants the business, and you can retain them to run a campaign, which may or may not be violation. She doesn't agree with supporting the agenda of MML. Councilmember Kivell stated the super PAC is a new way of circumventing the new law. He further stated we are all vulnerable because this could cripple the City's ability to set the record straight against anyone that is lying about something we want to get support for from the voters. He stated if this remains intact, we will not be able to discuss this with anyone 60 days before the Election; he is in favor of trying to get this language changed.

CM 1-9-16 MOTION TO SUPPORT RESOLUTION FOR REPEAL OF THE NEW LANGUAGE IN SECTION 57, SUBSECTION (3) OF PA 26- OF 2016

- Motion by Kivell, supported by Kramer
 Motion to approve support resolution for repeal of the new language in Section 57 Subsection
 (3) of PA26 of 2016

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Councilmember Rzyzi stated he would like to reiterate this is just a piece of paper and the legislatures will do what they want to do, and we shouldn't be influencing voters.

Councilmember Dedakis stated she feels that every day our rights are being restricted and this particular law is limiting our freedom of speech and she doesn't agree with that, therefore she will be voting no.

Councilmember Kivell stated although this isn't actionable, it does influence our legislatures if there is enough support.

VOTE: MOTION CARRIED- 3 OPPOSED

9. Approval for City Manager to attend the MLGMA Winter Institute

City Manager Ladner stated as part of the requirements necessary for maintaining the status of ICMA credentialed Manager and ongoing professional development for the benefit of the City, she is seeking permission to attend the MLGMA Winter Institute February 3rd – 5th in Port Huron. City Manager Ladner gave a brief summary of the agenda for the Institute. Councilmember Kivell stated we understand the benefit to the City and the importance of City employees to continuing training and that should be approved for the City Manager as well. Discussion was held regarding previous training classes the City Manager has attended in the past. Councilmember Dedakis stated we should always support further education will only benefit the City.

Councilmember Rzyzi asked what the required hours to remain a credentialed Manager are. City Manager Ladner stated she has to have 40 hours of training which can include workshops and reading books. She has attended many free training sessions as well. Councilmember Kurtzweil stated she agrees the continued education is important for the City employees, and the networking opportunities at the conferences are very important as well. Further discussion was held regarding the City Manager driving to the conference each day to Port Huron versus staying at a hotel. Councilmember Kurtzweil stated the conference doesn't stop at 5:00, the networking continues after the seminar and that is very important. Councilmember Kivell stated some of the best information is learned after the seminar during the networking.

CM 1-10-16 MOTION TO APPROVE REQUEST OF THE CITY MANAGER TO ATTEND THE MLGMA WINTER INSTITUTE

Motion by Kivell, supported by Kramer

Motion to support approve the request of the City Manager to attend the MLGMA Winter Institute

VOTE: MOTION CARRIED UNANIMOUSLY

10. Consideration of approval to waive attorney client privilege to allow City Manager, City Clerk and himself to speak openly with the Oakland County Sheriff's office regarding 2 poverty exemptions granted by the Board of Review

Attorney Wilhelm stated at the previous Council meeting there was a discussion regarding two poverty exemptions that were granted by the December Board of Review. There has been a criminal complaint filed with the South Lyon Police Department which is being handled by the Oakland County Sheriff's Office Special Investigations unit. The City Manager, and the City Clerk as well as he have been asked to answer questions to speak with them openly. He is now asking Council to waive attorney client privilege so that can be done. Councilmember Kivell stated it is understandable that we need to waive attorney client privilege to discuss this.

CM 1-11-16 MOTION TO WAIVE ATTORNEY CLIENT PRIVILEGE TO ALLOW CITY MANAGER, CITY CLERK AND ATTORNEY TO SPEAK OPENLY WITH SHERIFF DEPARTMENT REGARDING BOARD OF REVIEW

Motion by Kramer, supported by Wedell

Motion to waive attorney client privilege and authorize City Manager, Clerk and Attorney to speak with Oakland County Sheriff Department regarding investigation

Councilmember Kurtzweil stated she has some additional information. She stated she would like to disclose she is the one that filed the complaint. She further stated this is not a personal issue; this is regarding a situation she was placed in. She has spoken with a criminal attorney, and what happened is the City Council received a letter from the City Attorney regarding certain matters that were handled in the December Board of Review. The letter contained language that pled a prima facie case of perjury. The perjury was in regards to a Board of Review matter. Her attorney advised her not to enter into a closed session because she could have been charged as an accessory had she gained more information on this matter. She further stated when she filed the report, no one from the City had asked the Police Department to investigate the case of perjury. She further stated she had evidence of a prima facie case of perjury; therefore she had to report this. Councilmember Kurtzweil stated you need to be careful how things are worded in a letter, because she will not risk her license. Councilmember Kramer stated he would like to know if Councilmember Kurtzweil is acting as an Attorney on behalf of South Lyon. Councilmember Kurtzweil stated she will not answer, those questions are not relevant. Councilmember Kramer stated he believes Councilmember Kurtzweil should be recused from the vote on the motion since she has already violated attorney client privilege. Councilmember Kramer asked what was alleged in the criminal complaint. Councilmember Kurtzweil stated she will not answer based on advice of Council. Councilmember Rzyzi stated something seems off and something isn't right. We all have an obligation to bring wrong doings to the proper authorities. He further stated the investigation will play itself out. He further stated he gives credit to Councilmember Kurtzweil for doing what she thinks is right. He stated he has experienced this in the past, and this needs to be cleaned up. Mayor Galeas stated he isn't disagreeing with the process, but there are some things between politics and business

that isn't right. He further stated this is not how things aren't suppose to go. Some people don't use transparency in government, and some people use it as a shield. He further stated his opinion is there are other ways things can be handled and hopefully things can be handled better in the future. Councilmember Dedakis stated she commends Councilmember Kurtzweil for doing this, if there is any kind of fraud or perjury it needs to be stopped and this is about cleaning up South Lyon. Councilmember Kurtzweil stated this isn't about cleaning up South Lyon, this is about protecting her license and she is an officer of the court. Councilmember Kramer stated you have an obligation as an attorney, not when you're acting as a Council Member. Mayor Galeas stated there are some legal issues, and we need to let the case work its way out, people will not agree on this issue at this time.

VOTE: MOTION CARRIED

IV. Discussion on Blight Ordinance and Unsafe Structures

Councilmember Rzyzi asked what the time line is so we can move forward with the blight problem downtown. Attorney Wilhelm stated after the second reading and publication it will be in effect. He further stated we will need to identify who will act as the hearing officer, then prioritize the structures then come up with a plan of action for each of them.

Tom Lyons the City of South Lyon Ordinance Officer stated he has spoken with a few owners of the buildings, and their first question is always to ask what is wrong. He stated he has been dealing with RHP Properties for over a year now, and with the help of Dennis Smith and the City Manager, they have met with the owners. They are currently removing old mobile homes, and they will be putting in new modular homes. Mr. Lyons stated normally if he speaks with an owner of a property, he normally gets compliance. He further stated just because there is an ugly building, there isn't anything we can do, it isn't against any violation. Councilman Kivell asked if the other owners have asked how this ordinance will affect them. Mr. Lyons stated he has a good working relationship with Mr. Bonner. He stated he has told him there are some façade issues, but the buildings seem to be structurally sound.

Councilmember Kurtzweil asked if the owner of the mobile home park has any interest in selling the property to the right developer. Mr. Lyons stated they have mobile homes parks all over the states and they are now putting money into this development, they have worked on the roads, and they are putting in new homes.

V. Discussion- Downtown

Councilmember Kurtzweil stated she would like to know where the Council stands with giving tax abatements. They can be used for a short period of time and it would assist the downtown building owners fix up their businesses. She further stated Lyon Township is getting very aggressive with getting new businesses in their downtown. The competition is getting smarter and smarter. Councilmember Kurtzweil stated she spoke with Phil Wiepert and he had someone replace the sidewalk in front of his building. He told her it would be nice if the City could reinstitute the 50/50 program. This was something the City did in the past, where the homeowners and business owners could fix their

sidewalks, then if approved by the City we would pay half. Councilmember Kurtzweil stated she would like the DDA to contact the Art Institute in Novi, and ask for an intern or ask for a school project for them to come in and assist a downtown business with getting some designs and the business owners will just have to fund it. Marilyn Smith of the Resale Shop stated sometimes you tend to speak kind of negatively of the DDA, but how is the DDA supposed to get anything done, if they don't have the funding to do so, and all the years she has been attending the DDA meetings, she has not seen her at one meeting. Councilmember Kurtzweil stated if the DDA takes constructive criticism as negative, that is part of the block, you have to have an open mind and realize something has to be done, and the art design would be a free service. Mayor Galeas stated he has been attending the South Oakland County Mayoral Meetings, and he has spoken with the Mayors of Novi, Berkley, Northville, Chelsea and Birmingham and something he has found out is there is such a discrepancy in the money that is available for the DDA. Comparing South Lyon to other communities is not a fair comparison. We don't have an endless supply of money, and we have other things we have to deal with. He stated we need to discuss what is needed and how we can gain more funding for the DDA. Councilmember Kivell asked what vehicles other communities are using for commercial tax abatements, he is only aware of industrial abatements that can be given. Councilmember Rzyzi stated the City should be helping the DDA with grants, and the City Manager should be coming to the DDA with which grants she can help them gain. He further stated we can discuss giving the DDA more funding at the next budget workshop. Councilmember Kivell stated the DDA would be a good vehicle for the merchants of downtown to determine what new businesses would fit in. Discussion was held regarding the times the downtown businesses are open.

VI. Managers' Report

City Manager Ladner stated she is meeting with the South Lyon Salem Library this week to discuss a cost sharing for the foundation directory as well as seeking grant opportunities. Councilmember Kurtzweil stated she would like to thank the City Manager for catching up on all the Manager reports and the detail that is involved.

VII. Council Comments

Councilmember Kramer stated he has been on Council for 6 years and for the first time he is embarrassed. We are carrying on like there wasn't a criminal complaint filed against the City Manager and Attorney. The person that filed the criminal complaint is now commending the City Manager. These are serious allegations, and the fact that in a month this will be over and there will be no hard feelings. A criminal complaint was filed without any discussion or opinion by City Council, yet the same Councilmember asks the Council's opinion on tax abatements.

Mayor Galeas stated he has made his opinion known and he isn't happy about how this situation was handled. Mayor Galeas stated the City is hosting the next dinner for the Southeastern Oakland County

Mayor Association in February and he is hoping we can show off our community in a positive way, they are very interested and in favor of our City.

Councilmember Rzyzi stated he has been on Council for 4 years, and today is the day he is most proud of. In November the residents looked at the City and decided they need to move forward with new leadership, open policies and transparency. He further stated he is not ashamed, he is proud and he wants to commend Councilmember Kurtzweil for doing something that took a lot of guts.

Councilmember Rzyzi stated he would like to thank the new owners of the South Lyon Theatre and he is pleased they will be having more adult friendly films. Councilmember Rzyzi asked the City Manager if she has suggested to the public that they should limit the time they speak during the Council Meetings. City Manager Ladner stated she has not had that conversation with anyone.

Councilmember Dedakis stated she is impressed with the annual report by the South Lyon Fire Department and happy to hear of all the assistance we give to other communities. Councilmember Dedakis further stated she would like to apologize to the residents for all the bickering that is happening on Council, it is a rough road right now, but things will get better.

Councilmember Kivell stated he appreciates the level of interest some have taken in pushing some of the difficult issues that confront all municipalities to take a more prominent position in our list of priorities. He stated he is encouraged to see the promotion of the downtown, its' vitality and efforts for advancing economic development and the redevelopment of underutilized areas as laid out in the soon to be approved Master Plan. He further stated we have a lot of talent in our Department Heads, staff, Administration, and City Council to make the most out of the plans of action we will be constructing once we determine our goals and objectives at the City Council Retreat on March 19th. He further stated although there are many constructive things taking place, all is not well. It is disappointing to see the ongoing and escalating unprofessional behavior of some on Council trying to foment distrust in the Administration, our consultants and others on Council. Differences of opinion are daily occurrences in both personal and business lives. The active pursuit to characterize these differences in a negative spectrum from a lack of caring to careless mishandling of affairs is very disturbing and unconstructive to help the groups determine the best course of action to take on any given issue. He stated he would like to ask that we all act as honest brokers and look at ourselves as a metaphorical family. You don't get to pick your family; you just try to make the best of it. He further stated he hopes Council can put this behind us and try a new start. Councilmember Kivell stated he would like to ask Department Head Martin to do a quick synopsis of the dis-similarities regarding the Flint crisis. Department Head Martin stated our water is ground water, Flint has surface water, they have homes with lead pipes, we have none, Flint has never treated their pipes for corrosion, and we have for 30 years. The DEQ recently issued a letter to the City stating the lead and copper monitoring results show a result of zero. He stated people on Facebook need to call the Water Department and ask, we do not have a problem, and our water system is safe. Councilmember Kivell asked if there is anything that can be done with the breach of attorney client privilege that has already occurred regarding the letter about the Board of Review. Attorney Wilhelm stated he will look into it.

Mayor Galeas stated he toured the water plant and he understands the commitment of the Water Department and the City residents have nothing to worry about, if you have questions, contact the Water Department.

VIII. Adjournment

Mayor Galeas called for adjournment at 11:40 p.m.

Respectfully submitted,

Mayor John Galeas

Lisa Deaton Clerk/Treasurer