

The City of South Lyon
Regular City Council Meeting
February 9, 2015

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

PRESENT: Mayor Pro Tem Rzyzi
Council Members: Kivell, Kopkowski, Kramer, and Wedell
Also Present: Department Head Martin, Chief Collins,
Chief Kennedy, Attorney Wilhelm and Clerk/Treasurer Deaton
ABSENT: Mayor Wallace, Councilmember Dixson and City Manager Ladner

Mayor Pro Tem Rzyzi asked for a motion to excuse the absences of Mayor Wallace and Councilmember Dixson.

CM 2-1-15 MOTION TO EXCUSE ABSENCES

Motion by Kopkowski, supported by Kivell
Motion to excuse the absence of Mayor Wallace and Councilmember Dixson

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

CM 2-2-15 MOTION TO APPROVE MINUTES

Motion by Wedell, supported by Kivell
Motion to approve minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

Councilman Kramer stated he would like to know what the Check #'s 65782 and 65814 for Mary Navrocki from the Farmers Market were issued for. Clerk Deaton stated she will check and let him know.

CM 2-3-15 MOTION TO APPROVE BILLS

2/9/15

Motion by Kivell, supported by Kramer
 Motion to approve bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

Attorney Wilhelm stated he would like Council to add an executive session to discuss two items. One regarding the issue of purchasing real property under the open meetings act (8d), as well as on issue regarding attorney client privilege communication under (8h) under the Open Meetings Act. Mayor Pro Tem Rzyzi stated if this is added, we can add it to the Agenda after Council Comments.

CM 2-4-15 APPROVAL OF AGENDA

Motion by Kivell, supported by Wedell
 Motion to approve the Agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

SLFD UNIT CITATION

Chief Kennedy stated there was a basement fire a week ago in Colonial Acres. He further stated winter fires are the most challenging. He stated this particular fire was in the middle of a 6 unit condominium, with a unit on each side. It was originally called in as a smoke investigation. The officers immediately evacuated the surrounding residents. There were overhaul concerns, because the fire began to breach the side wall. Chief Kennedy stated considering a fire of this magnitude, and the fact the neighbors were able to reoccupy their residence that night is outstanding and a huge nod to all who were there that evening and he would like to thank all that were there. Chief Kennedy thanked the following people; Lieutenant Chris Demeniuk, Sergeant Tim Wilson, Sergeant David Johnston, Firefighter Cindy Conrad, Lieutenant Jim Shekel, Firefighter Chad Ulrich, Firefighter Russell Achatz, Firefighter Ryan Carlington, Firefighter Stephanie Shippe, Police Officer Tim Raap, Officer Travis Stevens as well as Lyon Township Fire Department Engine 2 and Green Oak Fire Department Tanker 83. He stated he would like to commend all of them for the great job they did. He further stated Lyon Township and Green Oak Township have been very helpful.

PUBLIC COMMENT- None

OLD BUSINESS- None

NEW BUSINESS

1. Purchase of 2015 F 350 Super Cab Pick-up with Poly V-Plow Blade and 2015 Ford 250 one ton dump truck with bed and salt spreader

Department Head Martin stated this was approved by Council in November of last year. Unfortunately about two weeks ago, he received a call from Hines Park Ford stating they could not honor the original bid. He stated he asked them to resubmit, but Varsity Ford honored the price they bid back in November. He further stated this truck will be used all year round, not just in the winter. Councilman Kivell asked what the time frame is for receiving the trucks. Department Head Martin stated it will be approximately 3 months.

CM 2-5-15 MOTION TO APPROVE PURCHASE OF FORD F350 SUPER CAB PICKUP WITH PLOW AND F350 ONE TON DUMP TRUCK WITH BED AND SALT SPREADER WITH PLOW

Motion by Wedell, supported by Kramer

Motion to approve the purchase of a 2015 F350 Super Cab Pick-up with 9.6 ft. Ply V-Plow Blade For \$33,786.00 And a 2015 F350 Chassis One Ton Dump with bed and salt spreader with 9/6 ft. Poly –Plow for \$56,486.00

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Resolution Updating City's Policy and Guidelines for Granting Exemption from payment of Property Taxes

Clerk Deaton stated this is a resolution we originally passed in 2008 and each year we update the poverty level guidelines according to the Federal Government. Our Assessor Jackie suggested we add some language to the Resolution stating that by meeting the poverty income level guidelines does not guarantee a 100% exemption, at the Board's discretion, the Board may approve full or partial exemption if deemed appropriate. Those applicants granted partial exemptions will be required to pay a property tax equal to 3.5% of their annual gross income. Councilmember Kopkowski asked how the assessor can change the Federal guidelines. Attorney Wilhelm stated the Federal poverty income standard is not necessarily related to property tax. This statement adds in that although you may meet the Federal poverty level, there is other criteria that the Board of Review will take into consideration.

CM 2-6-15 MOTION TO APPROVE THE RESOLUTION ESTABLISHING THE POLICIES AND GUIDELINES FOR GRANTING EXEMPTION FOR PAYMENT OF PROPERTY TAXES

Motion by Kramer, supported by Kivell

Motion to approve the resolution establishing the polices and guidelines for granting exemption for payment of property taxes

VOTE: MOTION CARRIED UNANIMOUSLY

3. Waiver of Permit Fee for the City-Wide Garage/Yard Sales

Mayor Pro Tem Rzyzi stated he has a comment from Mayor Wallace. He further stated Mayor Wallace notified him that he has received feedback from some residents regarding the weather and the normal weekend we have the City Wide Yard Sale. Mayor Pro Tem Rzyzi stated Mayor Wallace would like Council to change the dates to the 3rd weekend of May in hopes we would have better weather.

CM 2-7-15 MOTION TO APPROVE THE WAIVING OF GARAGE/YARD SALE FEES FOR THE CITY WIDE YARD SALES

Motion by Kramer , supported by Kivell

Motion to waive the Garage/Yard Sale permit fees for Thursday- Sunday, May 14-17th, 2017

VOTE: MOTION CARRIED UNANIMOUSLY

4. Acceptance of Monetary Gift from PNC for the holiday party

Clerk Deaton stated PNC bank neglected to get this to us in December but still wanted to donate to our Holiday Gathering, we received the check within the last two weeks.

CM 2-8-15 MOTION TO ACCEPT DONATION

Motion by Kopkowski, supported by Wedell

Motion to accept the donation of \$100 from PNC Bank for the City's 2014 Holiday Gathering

VOTE: MOTION CARRIED UNANIMOUSLY

5. Contract with Safebuilt

Attorney Wilhelm stated he received an email from City Manager Ladner regarding the contract with Safebuilt. He further stated according to Safebuilt there is no change in costs; the only change is the extension for two additional years. He stated he would also like an updated contract with the updated dates of March 27, 2015 to March 27, 2017 as opposed to the letter of agreement that was included with the contract. Councilman Kivell stated on page 11, it refers to Rod Cook as the City Manager and that should be changed to City Manager Lynne Ladner in the new contract. Attorney Wilhelm stated the contract also states that either party could terminate the contract with 30 days' notice. Building Inspector Dennis Smith of Safebuilt stated he will make sure a new contract is written and presented to the City Attorney.

CM 2-9-15 MOTION TO APPROVE CONTRACT EXTENSION WITH SAFEUILT

Motion by Kramer, supported by Kivell

Motion to approve to extend the contract with Safeuilt from March 27, 15 to March 27, 2015.

VOTE: MOTION CARRIED UNANIMOUSLY

MANAGERS REPORT- None

COUNCIL COMMENTS

Councilman Wedell stated he would like to recognize Chief Kennedy for his leadership and for the fine group of firefighters we have. He also acknowledged the other Department Heads for the City of South Lyon for their leadership as well.

Councilman Kivell stated all of our Department Heads can handle their own departments, but with City Manager Ladner being out of the office and not being available on a regular basis, he would like to appoint Chief Collins as Interim City Manager until she is able to be back in her office. He further stated mainly as a point of contact and running the City on a day to day basis. Discussion was held in regards to Council adding an actionable item on the agenda.

Councilman Kivell stated he would like to have someone in place to handle things when something comes up out of the ordinary. Attorney Wilhelm stated the Charter states the City Manager may designate a City administrative employee to act as City Manager if he/she is temporarily absent from their office with consent of Council. Mayor Pro Tem Rzyzi stated City Manager Ladner is in contact with us, and he thinks we should have a special meeting and ask City Manager Ladner's opinion. Attorney Wilhelm stated the vote will have to be a unanimous vote to make it an actionable item, but a majority vote for a discussion item. Councilman Wedell stated the simplest way to handle this would be to have City Manager Ladner designate someone to that position. Councilman Kramer stated he is comfortable with the assistant position as opposed to an interim manager. Attorney Wilhelm stated he sees some similarity to when Interim City Manager Cook was out of the office and Chief Collins acted as assistant to the City Manager.

CM 2-10-15 MOTION TO ADD APPOINTING AN INTERIM CITY MANAGER TO AGENDA UNDER A SUPER MAJORITY VOTE

Motion by Kivell, supported by Kopkowski

Motion to add an agenda item for appointing an interim City Manager

VOTE: MOTION CARRIED UNANIMOUSLY

CM 2-11-15 MOTION TO APPOINT ASSISTANT TO THE CITY MANAGER

Motion by Kivell, supported by Kopkowski

Motion to appoint Chief Collins as the Assistant to the City Manager up until such time the City Manager can perform her duties on a full time basis.

VOTE: MOTION CARRIED UNANIMOUSLY

Councilmember Kopkowski stated she would like City Manager Ladner to get some rest and feel better. Mayor Pro Tem Rzyzi stated Mayor Wallace will be out of the state for the next meeting as well.

EXECUTIVE SESSIONCM 2-12-15 MOTION TO ENTER EXECUTIVE SESSION

Motion by Kramer, supported by Wedell

Motion to enter into executive session to discuss purchasing real property under the Open Meetings Act (8d), as well as on issue regarding attorney client privilege communication under (8h) under the open meetings act at 8:20 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Council reconvened the regular meeting at 9:05 p.m.

ADJOURNMENTCM 2-13-15 MOTION TO ADJOURN

Motion by Kivell, supported by Kopkowski

Motion to adjourn meeting at 9:05 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Joe Rzyzi, Mayor Pro Tem

Lisa Deaton Clerk/Treasurer

2/9/15