

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
October 22, 2012**

Mayor Wallace called the meeting to order at 7:31 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 Wilhelm
City Clerk/Treasurer Zemke
Department Heads: Collins, Kennedy, and Martin

APPROVAL OF MINUTES:

CM 10-1-12 - APPROVAL OF MINUTES – OCTOBER 8, 2012

Motion by Kivell, supported by Kopkowski

To approve the October 8, 2012 minutes as submitted

VOTE: MOTION CARRIED UNANIMOUSLY

MONTHLY BILLS:

Discussion was held on various bills.

CM 10-2-12 – APPROVAL OF MONTHLY BILLS

Motion by Wedell, supported by Kramer

To approve the monthly bills as submitted

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF AGENDA:

CM 10-3-12 - APPROVAL OF AGENDA

Motion by Wedell, supported by Dixon

To approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT:

1. SLFD Staff Recognition

Chief Kennedy recognized four personnel who have recently completed their mandatory firefighter training through the Livingston County Fire Fighter Training Academy. The personnel are FF Lee Womer, FF Josh Glenn, FF Ryan Carlington, and FF Stephanie Shippe.

Fire Chief Kennedy stated that the fire department recently conducted a multi-step promotional process, which included a written examination, oral board interview comprised of outside personnel, and interview with the Fire Chief. The employees selected for promotion are Jeff Noechel to Sergeant and Mike Weir to Lieutenant.

The Fire officers came forward and were sworn in by the City Clerk. Family members pinned badges on the officers.

Chief Kennedy stated that on November 1, 2012, Doug Buers will be retiring from the rank of Assistant Chief. Doug started his fire service career with South Lyon on November 1, 1981. During his thirty-one years of service, Doug has served with honor and integrity. Although Doug will no longer be engaged in operations, he will continue to assist with training staff on the operation of fire apparatus.

Jane Felice Boudreau of West Bloomfield stated that she is running for County Sheriff in the upcoming November election. She stated that she is a former Pontiac Police Officer and Dare Officer. She further discussed her background.

OLD BUSINESS: None

NEW BUSINESS:

1. Renewal of Liability Insurance

City Manager Murphy stated that this year we will see a slight decrease of 1.6% from \$115,292 to \$113,406, a difference of \$1,886. He further stated that we have been informed that we will be receiving a Net Asset Distribution from MMRMA in the amount of \$21,909.

CM 10-4-12 – RENEWAL OF LIABILITY INSURANCE

Motion by Dixon, supported by Kramer

To approve the renewal agreement with the MMRMA in the amount of \$113,406

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Cool Yule Parade – Approval of Street Closure

Kim Thompson from the Chamber of Commerce stated that they are requesting road closures to conduct the Cool Yule Parade. She described the route from Whipple down Pontiac Trail to Dorothy Street into McHattie Park.

CM 10-5-12 – APPROVAL OF ROAD CLOSURE

Motion by Kramer, supported by Wedell

Resolved That Julie Zemke, City Clerk/Treasurer is hereby authorized to make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permits to conduct the Cool Yule Parade on December 1, 2012 from 5:30 p.m. to 6:30 p.m. and the related road closures: Whipple St. between Warren and Lafayette, Lafayette between Whipple and Dorothy St., Dorothy Street between Lafayette and McMunn.

and that the City of South Lyon in the County of Oakland, Michigan will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permits as issued.

VOTE:

MOTION CARRIED UNANIMOUSLY

3. 2013 CDBG Application – Schedule Public Hearing

City Manager Murphy stated that every year we have to have a public hearing to discuss where we are going to spend the money. We no longer have any physical place in the City to utilize these funds. However, we can use the money for programs such as Haven, Youth Assistance and the Center for Active Adults. He further stated that he will bundle the information and have it ready for the next meeting. The good thing is that we can utilize these funds for purposes that we would otherwise be coming out of our General Fund. We do need to set the public hearing.

CM 10-6-12 – SET PUBLIC HEARING

Motion by Wedell, supported by Kopkowski

To set a public hearing for the November 12, 2012 Council meeting for discussion of the 2013 CDBG Application

VOTE:

MOTION CARRIED UNANIMOUSLY

4. Water/DPW Mobile Radio Purchase

Superintendent Martin stated that January 1, 2013, the City has to abide by a new FCC regulation which mandates a new type of radio with narrowbanding requirements. Our radios will not accept this. We do have radios in all of our trucks. We tried to find out if we could adjust our existing radios to narrowbanding, but it will not work. We received three bids. We budgeted for this. There are 19 radios in the DPW with radios in all of the vehicles, tractors, etc. and there are 12 in Water & Wastewater for a total of 31 radios. The low bid was from Cynergy Wireless in the amount of \$10,626. This includes installation, programming and a two year warranty. This is approximately \$600 less than what we budgeted. This is truly an unfunded mandate.

Councilman Kivell asked if we have any recourse with the FCC. Attorney Wilhelm stated that he will look into it.

Councilman Kivell asked if we are going to retain or sell the existing units. Superintendent Martin stated that he is not sure what we can do with them at this time. Chief Kennedy stated that the Fire Department went through the same thing last fiscal year. Chief Collins discussed the Oakland County system and the local activation of the tornado sirens. We own the radios inside the outdoor warning devices. Novi also had to narrowband the transmitter.

Councilman Kivell asked if there is a private entity that we could sell to. Chief Kennedy stated that we could put them out on the bid site. A private entity could use them.

CM 10-7-12 – MOBILE RADIO PURCHASE

Motion by Kramer, supported by Kivell

To approve the purchase of 31 narrowband mobile radios from Cynergy Wireless in the amount of \$10,626.

VOTE:

MOTION CARRIED UNANIMOUSLY

5. Trick-or-Treat Hours

CM 10-8-12 – TRICK OR TREAT HOURS

Motion by Kopkowski, supported by Kivell

To set the hours for trick or treating from 6:00 p.m. to 8:00 p.m. on October 31st for Halloween

VOTE:

MOTION CARRIED UNANIMOUSLY

MANAGER REPORT:

City Manager Murphy stated that we have not had the fire hydrants checked in private developments annually as they were supposed to. Two years ago, we said if you give us the easement, we will go out and do it just one time, and we did. After that they were supposed to provide us with a report every April indicating that they have been inspected and are working properly. They have not done that. We only had one development turn over their systems. Council Member Dixson stated that Colonial Acres has been trying. Attorney Wilhelm stated that the dedication is on his desk, but there are some issues. There are also two other developments trying to do the same thing. Further discussion was held on Colonial Acres.

Discussion was held on the reports generated when the City conducted the inspections.

Discussion was held on sending the developments a letter reminding them of the need to do the inspections. Council Member Kopkowski stated that she would like those letters sent certified. Superintendent Martin stated that he hand delivered the previous letter to approximately half the private developments in the City.

Discussion was held on providing a list of qualified inspectors. It was stated that we need to make sure that when the fire truck rolls up, there is a working hydrant. Discussion was held on the need for winterizing and annual maintenance.

Discussion was held on the City Code and the enforcement and penalty. Attorney Wilhelm stated that the ordinance identifies a violation as a Municipal Civil Infraction. He is not sure that the City could do the inspection and charge the development or place a lien on the property. He stated that there is a larger policy issue.

Council Member Kopkowski stated that we need to enforce for public safety. It was stated that it is an issue that should not be taken lightly.

Discussion was held on the Fire Department conducting inspection on those hydrants on the City's system.

COUNCIL COMMENTS:

Council welcomed City Manager Murphy back.

Councilman Rzyzi stated that last Halloween it was nice to see the Fire trucks driving through the neighborhoods and passing out candy to the children. He hopes to see that again this year.

Mayor Wallace congratulated the South Lyon East football team who has made the playoffs and we wish them the best.

ADJOURNMENT:

CM 10-9-12 ADJOURNMENT

Motion by Kivell, supported by Kopkowski

To adjourn the meeting at 8:08 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd M. Wallace
Mayor

Julie C. Zemke
City Clerk/Treasurer