

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
APRIL 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 Martin

APPROVAL OF MINUTES:

CM 4-1-12 – APPROVAL OF MINUTES- MARCH 26, 2012

Motion by Kivell, supported by Wedell

To approve the minutes of the March 26, 2012 Regular Council meeting as written

VOTE: MOTION CARRIED UNANIMOUSLY

CM 4-2-12 – APPROVAL OF MINUTES- APRIL 3, 2012 SPECIAL MEETING

Motion by Kivell, supported by Wedell

To approve the minutes of the April 3, 2012 Special Council meeting as written

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MONTHLY BILLS:

Discussion was held on various bills.

CM 4-3-12 – APPROVAL OF MONTHLY BILLS

Motion by Kramer, supported by Kivell

To approve the monthly bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF AGENDA:

City Manager Murphy stated that we have received a RAP grant from MMRMA in the amount of \$9,000 for in-car video cameras. We have also received a second grant in the amount of \$800 for tasers. He would like to add acceptance of these funds as New Business #3 & #4.

City Manager Murphy also suggested that we set a date for a special budget meeting. It was decided that Council would check their calendars and the City Clerk would coordinate a date.

CM 4-4-12 APPROVAL OF AGENDA

Motion by Wedell, supported by Kramer

To approve the agenda as amended

VOTE:

MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT:

Mayor Wallace stated that a lot of people suffer from mental illness and benefit from treatment. We are being asked to declare May as Mental Health Month.

CM 4-5-12 - MENTAL HEALTH MONTH – MAY 2012

Motion by Wedell, supported by Kivell

Whereas, mental health is critical for our individual well-being and vitality as well as that of our families, communities and businesses; and

Whereas, one in four (25%) of all Americans experience a mental health illness that requires treatment at some point in their lives; and

Whereas, one in 10 children has a serious mental illness that, if untreated, can lead to school failure, physical illness, substance use, jail and even suicide; and

Whereas, May 3rd has been designated that National Children's Mental Health Awareness Day; and

Whereas, stigma and stereotypes associated with mental illnesses often keeps those living with such an illness from seeking treatment that could improve their quality of life and help them manage the illness effectively; and

Whereas, mental illness is a biologically based brain disorder that cannot be overcome through "will power" and is not related to a defect in a person's "character" or intelligence; and

Whereas, the National Institute of Mental Health reports that mental disorders are the leading cause of disability in the United States and Canada for ages 15-44; and

Whereas mental health recovery is a journey of healing and transformation enabling a person with a mental illness to live a meaningful life in a community of his or her choice while striving to achieve his or her full potential; and

Whereas, mental health recovery not only benefits individuals with mental health disabilities by focusing on their abilities to live, work, learn and fully participate in our society, but also enriches the texture of our community life; and

Whereas, the Oakland County Community Mental Health Authority has established and is committed to empowering the individuals we serve to live full self-determined lives, embracing recovery, resilience responsibility and independence.

NOW, THEREFORE, BE IT RESOLVED that, the City of South Lyon hereby recognizes May 2012 as Mental Health Month and calls upon our citizens, government agencies, public and private institutions, businesses and schools to recommit our state to increasing awareness and understanding of mental illness, and the need for appropriate and accessible services for all people with mental illnesses to promote recovery.

VOTE:

MOTION CARRIED UNANIMOUSLY

OLD BUSINESS:

1. Second Reading – Amendment to Ch. 38 Emergency Services (Cost Recovery Ordinance)

Attorney Lee stated that they did take another look at this at Council's request, specifically they looked at the determination of fault. They found that it has been done both ways. We talked to the Michigan Department of Transportation and the Federal Transportation Department. He stated that 95% of these things are handled by insurance agencies. They did some additional research, and they are still recommending Council pass it in its original form.

Councilman Kivell stated that for as how infrequently this is going to take place, he does not feel that we are going to be overly exposed.

Councilman Kramer stated that he still respectfully disagrees, however he is not the City Attorney. Discussion was held on the determination of fault.

Councilman Kramer further discussed the No Fault Statute. He stated that he is trying to take determination of fault out of the equation.

If it is an accidental fire, it would be covered by taxes, but if there is arson there is an intentional act. We have to distinguish between an intentional act and accident.

Attorney Lee further stated that municipal law is different than insurance law.

CM 4-6-12 – SECOND READING – AMENDMENT TO CHAPTER 38 – EMERGENCY SERVICES

Motion by Kopkowski, supported by Dixon

To approve the second reading and adoption of an amendment to Chapter 38 – Emergency Services (see attached amendment as part of these minutes)

VOTE:

MOTION CARRIED (1 OPPOSED)

NEW BUSINESS:

1. Farmer's Market

RoseAna Twitchell of 558 Lyon Blvd. and Master of the Farmer's Market stated that the initial proposal to move the Farmer's Market was to the DDA and the reason was the condition of the Veteran's lot. With some renovations made to the Veteran's lot they looked at the north lot for the new location. She further stated that they have spoken to the owner of the Sweetwater Grill who is very supportive and eager to be a part of the market.

Council Member Kopkowski stated that she thinks that asking Sweetwater was nice, but she does not think he understands the impact on his business. He is going to lose all of his parking for the entire day. Ms. Twitchell stated that he is looking at being involved and is looking at being a vendor. Further discussion was held on limited parking. Ms. Twitchell asked if there is any additional recommendation. It was stated that this is a public parking lot, not Sweetwater's. It was further stated that the parking would be used in that lot for the market itself regardless of which lot is actually being used for vendors.

Council Member Kopkowski asked if they have ever considered using McHattie Park. Ms. Twitchell stated that they have talked about it, but it would take a lot more discussion and would not be feasible for this year.

Discussion was held on the condition of the parking lot. Ms. Twitchell discussed the pitch of the lot as well as the condition of certain parking spots.

Council Member Kopkowski stated that she feels that this would be setting up a new business for a problem. Ms. Twitchell further discussed her contacts with the owner of Sweetwater. She stated that he did attend the market last year and is eager to be a part of it.

Councilman Kivell asked when the cruise night is scheduled. It was stated that it will be Wednesday night once a month. Further discussion was held on the benefit of having more activity downtown.

CM 4-7-12 – APPROVAL OF USE OF NORTH MUNICIPAL PARKING LOT – PONTIAC TR/LIBERTY

Motion by Kivell, supported by Rzyzi

To approve the use of the north municipal parking lot on Pontiac Trail and Liberty for the 2012 Farmer's Market

VOTE: MOTION CARRIED (1 OPPOSED)

2. Traffic Control Order

Mayor Wallace stated that this Traffic Control Order is to accomplish the needed signage for the Farmer's Market in the north parking lot.

CM 4-8-12 – TRAFFIC CONTROL ORDER 12-01

Motion by Wedell, supported by Kivell

To approve Traffic Control Order 12-01

VOTE: MOTION CARRIED (1 OPPOSED)

3. RAP Grant – Video Cameras

City Manager Murphy stated that we have received \$9,000 in grant monies for the in-car video cameras. Council needs to accept those funds.

CM 4-9-12 – ACCEPTANCE OF RAP GRANT

Motion by Wedell, supported by Kramer

To accept the RAP Grant in the amount of \$9,000 from MMRMA

VOTE: MOTION CARRIED UNANIMOUSLY

4. RAP Grant – Tasers

City manager Murphy stated that the second grant in the amount of \$800 is for Tasers.

CM 4-10-12 – ACCEPTANCE OF RAP GRANT

Motion by Kivell, supported by Rzyzi

To accept the RAP grant in the amount of \$800 from MMRMA

VOTE: MOTION CARRIED UNANIMOUSLY

MANAGER'S REPORT:

City Manager Murphy stated that he did want to point out a letter in the packet from a resident of Trotter's Pointe Subdivision regarding a situation involving two Department of Public Works employees who went out of their way to clean up some garbage in the middle of the road. He stated that he has spoken to all of the employees about situations just like this.

COUNCIL COMMENTS:

Councilman Kivell discussed the progress taking place to install the bike path to the library.

Council Member Kopkowski asked Chief Collins to check the timing of the street light at McHattie and Pontiac Trail. The timing is very long. Chief Collins stated that he has had numerous calls about this light in the past, and after checking, it has been found to be correct. He indicated that he would further investigate.

Council Member Kopkowski stated at the last meeting there was some discussion about chickens. After reviewing the minutes, it was unclear where the issue was left. Further discussion was held on putting this on the agenda for an action item. The consensus of Council was that no further discussion would take place at this point regarding allowing chickens.

Mayor Wallace stated that we are in receipt of a letter congratulating the City for being a Tree City. He further discussed anticipation of the installation of 70 more trees throughout the City.

Mayor Wallace stated that there was a letter in the South Lyon Herald about the South Lyon Police not responding to a call which took place along Pontiac Trail. He further discussed the confusion between jurisdictions and the distinction between the City and the Township. He stated that he would hope that the paper would check out the information in the letters before publishing them.

ADJOURNMENT:

CM 4-11-12 ADJOURNMENT

Motion by Kramer, supported dixon

To adjourn meeting at 8:17 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd M. Wallace
Mayor

Julie C. Zemke
City Clerk/Treasurer