

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
April 14, 2014

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: Dixson, Kivell, Kramer, Kopkowski, Rzyzi, Wedell,

Also Present: City Manager Cook, Chief Collins, Chief Kennedy,
Department Head Martin, City Attorney Wilhelm,
and Clerk/Treasurer Deaton

MINUTES

Councilman Kivell stated on Page 8 there is a misspelling, the name Thomas should be Thompson.

CM 4-1-14 MOTION TO APPROVE MINUTES

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

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

Discussion was held regarding the bills.

CM 4-2-14 MOTION TO APPROVE BILLS

Motion by Wedell, supported by Rzyzi
Motion to approve payment of bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

4/14/14

AGENDA

Mayor Wallace stated he would like to add an agenda item for City-wide Yard Sales. He stated he would also like to add an appointment to the Zoning Board of Appeals.

CM 4-3-14 MOTION TO ADD TWO ITEMS TO AGENDA

Motion to Kivell, supported by Kopkowski

Motion to add City-wide Yard sales as #5 under New Business and appointment to ZBA as #6 under Old Business

VOTE: MOTION CARRIED UNANIMOUSLY

CM 4-4-14 MOTION TO APPROVE AGENDA

Motion by Wedell, supported by Dixon

Motion to approve the agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Dr. Jamie Penn of 327 N Lafayette stated the South Lyon Junior Chamber will be having their next meeting at the South Lyon Hotel on May 5th at 7:00 p.m. It is for everyone interested in networking and you must be between 21 and 40 years old.

Jim Copas of 110 Singh Boulevard stated he is a City resident and he has met many wonderful people in the community. He further stated he has attended many Council meetings. Mr. Copas stated he has applied for the City Manager position. He further stated he has contacted Joyce Parker and was told he needs 7 years of experience for the job. Mr. Copas described his work and education experience and asked that Council interview him for the City Manager position.

OLD BUSINESS

1. Second Reading: Cable Ordinance No. 02-14

City Attorney Wilhelm stated this is the second reading and there have been no changes since the last meeting. He further stated this ordinance is basically changing the number of the Committee members from three to five.

CM 4-5-14 MOTION TO APPROVE SECOND READING OF CABLE COMMITTEE ORDINANCE

Motion by Kivell, supported by Wedell

Motion to approve the second reading of Ordinance Number 02-14

VOTE: MOTION CARRIED UNANIMOUSLY

2. Revised Cable Channel Policies

Attorney Wilhelm stated this policy is based on Council discussion regarding administering and operating the cable channel. He stated he revised page 4 item 7a to reflect the changes Council requested to prohibit commercial advertising. He stated the message boards do not need a lot of detail but if needed it could be added in the future. Attorney Wilhelm stated underwriting has been a concern for Council and what defines underwriting. He stated there were modifications to section 9, 11 and 12. He stated underwriting will be a way for credit to be given to someone for providing support given with the production of the broadcast.

Councilman Kivell stated this is a good baseline to get things going and help maintain the channel. He further stated the underwriting is similar to what you would see at the beginning or end of a public broadcast channel. He stated once the Commission is established and if they have concerns regarding the policy it can be dealt with at that time.

Councilman Rzyzi stated the council packet stated appointments to the Cable Commission cannot be made until after the second reading of the publication and the earliest it can be done will be at the first meeting in May. Councilman Kopkowski stated she requests the appointments to on the agenda for the second meeting in May, because she has a conflict.

Discussion was held regarding the operation of the cable channel being done by the staff and not the Cable Commission. Councilman Kopkowski stated our staff already has their own job descriptions and she doesn't think overseeing everything requested to be shown on the cable channel will be their top priority.

Dan Pelchat of 364 Stanford stated South Lyon has one of the longest running publicly broadcast high school football games. He further stated Council will be effectively making that impossible to continue by not allowing sponsoring by local businesses. He stated South Lyon will be having their first game on August 28th and it will not be televised. He further stated when people ask him why, he will tell them he did everything to continue the broadcast and they will have to ask their elected City Council members why the games will not be on television.

Councilmember Kopkowski stated the underwriting is a way for someone to gain credit for providing support for a program. The name of the supporter can be shown at the beginning or the end of the program. More discussion was held regarding the policy of the Cable Commission and underwriting.

CM 4-6-14 MOTION TO APPROVE THE CABLE CHANNEL POLICY

Motion by Kivell, supported by Dixon

Motion to approve Cable Channel Policy as presented

VOTE: MOTION CARRIED UNANIMOUSLY

3. Annual Budget Fiscal Year 2014-2016, schedule of meetings, etc.

City Manager Cook stated there are a few options for Council regarding the budget. He stated Council can use the draft budget or use the second year budget that was approved last year and it can be changed. This will also give the new Manager some time to look it over and make adjustments as needed. City Manager Cook stated he will be having a budget amendment for this year based on the increase in wages. Councilman Wedell stated we should go ahead with the base line budget that City Manager Cook has handed out. He stated the new Manager will probably not have time to form a new budget. He stated we should have at least 1 budget workshop session. Councilman Wedell stated the City Manager has prepared and the new City Manager can make adjustments as needed. Discussion was held regarding the date for the budget workshop meeting, two Council Members stated they will be out of town different times next month.

4. Kiwanis Request Use of Volunteer Park for Easter Egg Scramble

Mayor Wallace stated the Kiwanis is requesting the use of Volunteer Park for the Easter Egg Scramble. He further stated a good time to be there is around 11:00, for special features and the scramble is at noon.

CM 4-7-14 MOTION TO APPROVE USE OF VOLUNTEER PARK

Motion by Wedell, supported by Rzyzi

Motion to approve the use of Volunteer Park for the Easter Egg Scramble on April 19th

VOTE: MOTION CARRIED UNANIMOUSLY

5. 10 Mile Road Federal Aid Project, stamped concrete vs. brick pavers

City Manager Cook stated there was a thought a while back that we may need to switch from brick pavers to stamped concrete. Stamped concrete is much stronger and the DDA has offered \$35,000 to cover the cost of two of the four corners that need to be done. Councilman Kopkowski asked if the DDA paid back the money they owed to the General Fund. City Manager Cook stated they do have the money to pay that, but doesn't think it has been paid yet. He further stated the truck traffic is destroying the brick pavers at the corners in town. The brick pavers which are there now probably do not meet the criteria for the barrier free access.

Mayor Wallace stated Pinckney has some gorgeous stamped concrete, he doesn't like the current pavers we have at the crosswalks. Councilman Kivell stated the pavers are not failing, but they are poorly designed. The transition from the road bed to the pavers is the problem. Councilman Kopkowski stated she doesn't understand why the tray has to be removed, why can't the stamped concrete be poured into the current tray. Councilman Kivell stated there are options. Department Head Martin stated the corners will be restructured. The handicapped and the contour is going to be slanted down more and the radius will be larger. The corners will be down all the way down so trucks will no longer affect the corners. Councilman Kivell stated he is worried about the trucks driving up on the actual sidewalk and the safety issues it raises. Councilman Kramer asked if the City Planner will be involved with this project. City Manager Cook stated the planner can meet with the DDA, but they are really talking about color and design. Councilman Kivell stated we will have to match or coordinate with the current pavers on those roads. Councilman Rzyzi stated he would like to see the breakdown of any estimates they offer.

6. Zoning Board of Appeals

Mayor Wallace stated he would like to appoint Brian Dunn to the ZBA Board. Mr. Dunn of 1087 Stable Lane stated he would like to become more involved with the Community. Councilman Rzyzi stated he would like to welcome him aboard.

CM 4-8-14 MOTION TO APPROVE APPOINTMENT TO ZBA BOARD

Motion by Wallace, supported by Rzyzi

Motion to approve the appointment by Mayor Wallace of Brian Dunn to the ZBA Board

VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Metro Act Permit Application

City Manager Cook stated we have received a Metro Act Permit Application for overhead fiberoptic work to be done from Ten Mile, down Stryker Street to South Street. City Manager Cook stated we get approximately \$23,000.00 a month under the Metro Act for use on the Major Streets. He stated we have all the paperwork required as well as the proof of insurance. It is a considerable amount of money, but we can only use the funds for certain projects.

CM 4-9-14 MOTION TO APPROVE THE METRO ACT PERMIT APPLICATION

Motion by Kramer, supported by Dixon

Motion to approve the Metro Act Permit Application by Fibertech Networks, LLC

VOTE: MOTION CARRIED UNANIMOUSLY

2. Social Security Number Privacy Act Policy

Attorney Wilhelm stated this is a proposed resolution to adopt a Social Security policy which is required by National Social Security Number Privacy Act.

CM 4-10-14 MOTION TO APPROVE THE SOCIAL SECURITY POLICY RESOLUTION

Motion by Kopkowski, supported by Wedell

Motion to approve the Social Security Act Policy as presented

VOTE: MOTION CARRIED UNANIMOUSLY

3. Rescheduling the May 26th Meeting Due to Memorial Day

Mayor Wallace stated he would like to move the Council Meeting to Tuesday the 27th of May, because the regularly scheduled meeting falls on Monday May 26th Memorial Day.

CM 4-11-14 MOTION TO RESCHEDULE COUNCIL MEETING

Motion by Kivell, supported by Kopkowski

Motion to reschedule Monday May 26th Council Meeting to Tuesday May 27th.

VOTE: MOTION CARRIED UNANIMOUSLY

4. Evidentiary Blood Draw Agreement with HVA

Chief Collins stated this agreement will come into play if someone is asked to take a Breathalyzer or urine test and the person refuses. He stated currently if someone refuses a test, the officer must get a Warrant and then take the person to the hospital to have the blood draw done. He further stated it doesn't happen very often, but when it does, the hospital charges us \$220.00 per draw. Chief Collins stated we have investigated using our own HVA and it is the best deal at \$50.00 per draw. Councilmember Kopkowski asked where the blood draw will be done. Chief Collins stated it is required that it has to be done in a medical facility, such as an ambulance or a booking room can be considered a medical facility as long as the procedure is done by a licensed medical professional.

CM 4-12-14 MOTION TO APPROVE BLOOD DRAW AGREEMENT WITH HVA

Motion by Kramer, supported by Kivell

Motion to approve the Blood Draw Agreement with Huron Valley Ambulance

VOTE: MOTION CARRIED UNANIMOUSLY

5. City-wide Yard Sale

Mayor Wallace stated he wanted to add this to the agenda to give more people time to get ready for the City-wide Yard Sales. He further stated it is normally the first weekend in May and people can have yard sales without purchasing a permit. It is a traditional thing that has been done for many years. Chief Collins stated it is his experience that many homeowners like to start their yard sales on Thursday. Mayor Wallace stated he agrees and has no problem changing the sales from 3 days to 4. Chief Collins stated the sign ordinance will still be enforced.

CM 4-13-14 MOTION TO APPROVE THE WAIVER OF YARD SALE PERMITS

Motion by Wedell, supported by Dixon

Motion to approve the waiver of permits for the City Wide Yard Sales of
May 1st – May 4th 2014

VOTE: MOTION CARRIED UNANIMOUSLY

MANAGERS REPORT

City Manager Cook stated there is a storm sewer that is in the middle of Ten Mile. There is no basin to jet it, and he is hoping it was discontinued. They are checking their records to find out. He stated he has contacted the County, the Railroad and MDOT regarding the crossing at Ten Mile. It is still in bad shape. He further stated they need to fix it, but they told the State they weren't prepared to do this until 2016, but the original requirement from the onsite hearing stated it had to be completed by the end of 2014. He stated this could affect our east end of our Ten Mile project, but he is still trying to get the information.

COUNCIL COMMENTS

Councilman Kivell asked when Bricco will be working on the restoration. Department Head Martin stated he is having a meeting with them on the 17th of April, and he will have more information then.

Councilmember Kopkowski stated she received the email from Jim Copas in March and she stated it peaked her interest. She further stated she has spoken with some of the Council Members and there is an interest offering Mr. Copas an interview.

Councilman Rzyzi stated he would like everyone to know this week is National Library Week, and they are sponsoring a Book 'n Trilogy Run, and the last day to register is April 16th. The run

itself is May 17th. He further stated he is also looking forward to bringing his son the Easter Egg Hunt and he would like to thank the Kiwanis. Councilman Rzyzi stated he attended the first meeting of the Junior Chamber and it was very productive. Councilman Rzyzi stated he believes the more people interviewed for the City Manager position the better. He stated Mr. Copas is a South Lyon Resident and that would be a plus, as well as outside of government real world experience. He further stated if you can manage at one place, you can manage at another. He stated he doesn't have a problem with interviewing Mr. Copas.

Councilman Kramer asked how many applicants do we have scheduled for Saturday the 26th? City Manager Cook stated he will check with Ms. Parker, but as far as he knows she has contacted all five.

Councilmember Dixson stated she is also interested in interviewing Mr. Copas.

Mayor Wallace stated May 17th is also the Spring Clean Up. We have had help from some of the local churches in the past for the Spring Clean Up. Department Head Martin stated he has spoken with Rob Rhodes regarding a date. He further stated the numbers have dwindled since the first year. Councilmember Kopkowski stated she will not be able to attend; she will be out of town. Mayor Wallace stated he would like to thank Chief Collins for helping out while City Manager Cook was on vacation. Mayor Wallace stated he is disillusioned with the MML process of the City Manager search, he recently met with some other Mayors and there are other ways we could have done this. He further stated he wouldn't mind interviewing 6 people on that Saturday, and it doesn't hurt to give Mr. Copas a chance.

MOTION TO ADJOURN MEETING

Motion by Kopkowski, supported by Kivell
Motion to adjourn the meeting at 9:05 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd Wallace Mayor

Lisa Deaton Clerk/Treasurer

