

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
MARCH 24, 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: Dixon, Kivell, Kramer, Rzyzi and Wedell

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

Absent: Councilmember Kopkowski

CM 3-1-14 MOTION TO EXCUSE ABSENCE OF COUNCILMEMBER KOPKOWSKI

Motion by Rzyzi, supported by Dixon

Motion to excuse the absence of Councilmember Kopkowski

Mayor Wallace stated she tried to attend the meeting, but her flight was delayed.

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

Councilman Kramer stated on page 3 Councilman Kivell stated Rich Perry works on the 3 Minute Film Festival, not Councilman Kramer.

CM 3-2-14 MOTION TO APPROVE MINUTES AS AMENDED

Motion by Wedell, supported by Kramer

Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

3/24/14

BILLS- None

AGENDA

Chief Collins stated City Attorney Wilhelm has asked to add a closed session to item #6. City Attorney Wilhelm stated that would be under section 8F of the Open Meetings Act to review applications for the City Manager position candidates that have asked for confidentiality.

CM 3-3-14 MOTION TO APPROVE AGENDA AS AMENDED

Motion by Kramer, supported by Wedell
Motion to approve the agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

PRESENTATION BY THE SOUTH LYON FIRE DEPARTMENT

Chief Kennedy stated the Fire Department has gone through a promotional process, they try to do this annually and they just completed that process. He stated he would like to recognize some outstanding members of his department. He further stated one of his officers who will be promoted tonight was involved with an off duty incident. David Johnston was at home off duty when he heard a neighbor screaming fire; he went to his neighbor's apartment and found a fire in the kitchen and the neighbor still in the apartment. He quickly evacuated the apartment and grabbed a fire extinguisher and put out the fire before the Fire Department was dispatched. Chief Kennedy stated he is sure that saved many people from being displaced from their homes.

Chief Kennedy stated he would like the City Clerk to swear in the 3 Sergeants and Lieutenant. He stated David Johnston, Brad Moynihan and Chris Demeniuk are all being promoted to Sergeant and Cory Armstrong is being promoted to Lieutenant. Clerk Deaton swore the Sergeants and Lieutenant in.

PUBLIC COMMENT

Erin McKenzie of 671 E Crest Lane stated she is representing the Michigan Junior Chamber and they would like to invite anyone interested to their meeting at 7:00 p.m. on April 7th at the South Lyon Hotel.

OLD BUSINESS

1. Proposed Ordinance Amending Section 26-20 of the Code of Ordinances: Cable Communications Commission

3/24/14

Attorney Wilhelm stated this is an ordinance that amends the Cable Commission to change the number of members from 3 people to 5 people. He further stated it expands the purpose and the function of the Commission to address the regulations and policies of the government access channel.

He further stated that when Council appoints members to the Cable Commission they will also have to assign the terms of office to each commission members.

CM 3-4-14 MOTION TO APPROVE THE FIRST READING OF ORDINANCE 02-14

Motion by Kivell, supported by Rzyzi

Motion to approve the first reading of Ordinance 02-14 amending section 26-20 of the Code of Ordinances to expand the number of members of the Cable Communications Commission from three to five members, amend terms of service and amend the Commissions functions and Responsibilities.

VOTE: MOTION CARRIED UNANIMOUSLY

2. Building Inspection Services Contract

Chief Collins stated as of March 28th The Novi Building Department will no longer be under contract with us for building inspection services. He stated Interim City Manager Cook spoke with a couple of different communities as well as a private company. We have two solid proposals for Council to consider. Chief Collins stated Interim City Manager Cook suggests Council strongly consider the SAFEbuilt contract. Attorney Wilhelm stated he has spoken with Carmine Avantini from our Planning firm and he has dealt with this company and he has had a good working experience with them. They currently are contracted with Wixom for their Building Department services. Councilman Kivell questioned a paragraph on page 14 regarding the inspections of zoning and building codes. Attorney Wilhelm stated The City has a part time person who works on code enforcement. Councilman Kivell stated the contract speaks to disaster and emergency response and SAFEbuilt being the one to give notice the governmental agencies. Attorney Wilhelm stated this seems as though it is designed post disaster and regards to homes being inhabitable or not. Chief Collins stated there could be certain instances where he would have to report dollar amount of damages to different agencies and SAFEbuilt could be very helpful with that. Councilman Kivell stated the proposal was very thorough and well written document. He further stated if we contracted Milford, they could fulfill our needs, but with if they get too busy they may not be able to continue with the contract and Building services. Steve Burns and Dennis Smith of SAFEbuilt were present.

Mr. Burns stated they have been in business for 23 years, and they only contract with municipalities, not with private business so there is no conflict of interest. They have been doing business in Michigan since 2010, starting with the City of Troy. He further stated they are a customer service orientated company.

CM 3-5-14 MOTION TO WAVE BID PROCESS

3/24/14

Motion by Kramer, supported by Kivell

Motion to wave the bid process due to the time constraint

VOTE: MOTION CARRIED UNANIMOUSLY

CM 3-6-14 MOTION TO APPROVE CONTRACT WITH SAFE BUILT MICHIGAN, INC

Motion by Kramer, supported by Wedell

Motion to approve the proposed contract with SAFEbuilt Michigan, Inc. to provide building inspection services to the City of South Lyon for one year.

VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Use of Whipple Street Parking Lot for Blues, Brews and Brat Event

Kim Thompson representing the Chamber stated they are requesting the use of Whipple Street for the Blues, Brews and Brat Event. She stated they will enclose any area that isn't already enclosed. They will have a stage with four bands. This will help with the pressure of set up and the break down after such a short event. Moving it to a lot that can be closed off a day or two before, will be easier for the setup than trying to do everything within a few hours the day of the event.

Mayor Wallace stated at last year's event the food vendor was held up and luckily Sweetwater and IGA were able to supply the need for brats. Mayor Wallace stated there will be a lot of traffic parked on the streets. Ms. Thompson stated there will be some parking displaced but with the lots of the ECC and the Bartlett parking lot, that will help. Chief Collins stated he doesn't think the people will have trouble finding legal parking for the event.

CM 3-7-14 MOTION TO APPROVE USE OF WHIPPLE STREET PARKING LOT

Motion by Kramer, supported by Kivell

Motion to authorize the use of the Whipple Street parking lot by the South Lyon Chamber of Commerce for the 2014 Blues, Brews and Brats event, subject to timely submission of an updated certificate of insurance

VOTE: MOTION CARRIED UNANIMOUSLY

2. South Lyon High School Project

Kathie Evans stated she is the treasurer for this year's Project Graduation. They are hoping to get a license for a reverse raffle for a fundraiser. It will be the biggest fund raising event for this year's graduation. She stated graduation night they have a lock in party where the seniors can have a safe and fun graduation night. She stated each year there is different fundraising. Ms. Evans stated it is hard to get people to staff the different events they have had in the past. She stated it is typically \$15,000 to \$17,000 dollars and because of the larger amount of money, they need a license. She further stated to get the gaming license, they are requesting that Council recognize the group as a nonprofit. Councilman Kivell stated this is a great deal and sounds like a much easier way to raise funds rather than the Ford Field event that was held in the past.

Councilman Rzyzi stated this is a great event. He stated he and his wife attended another fund raiser with the senior all night committee to Greek town and they had a great time. He stated the auction date is May 16th at Bakers in Milford. Ms. Evans explained how the reverse raffle works. They sell 149 tickets for \$150.00 each. The ticket gets people two people a pizza dinner at Bakers. There will be a board that is posted with 150 slots. She stated people draw and if your number is drawn you lose. Until they get down to the last 10 people. The big prize is \$10,000. If all 10 people decide to split the money they each get \$1,000. If not, they keep drawing numbers and have to decide to split or not, if not each time a number is drawn a person is dropped out. She further stated it gets to be very entertaining towards the end.

CM 3-8-14 MOTION TO APPROVE RESOLUTION FOR CHARITABLE GAMING LICENSE

Motion by Kramer, supported by Kivell

Motion to approve resolution to recognize South Lyon High School

Project Graduation as a non-profit organization for purpose of obtaining a Charitable Gaming License.

VOTE:

MOTION CARRIED UNANIMOUSLY

3. South Lyon Pumpkinfest Presentation

Scott Black stated he is here to represent the Pumpkinfest Committee. He stated they are not looking for any Council action tonight, just some guidance and feedback. Mr. Black stated each year the Committee meets to find ways to make the event better, not necessarily bigger, but better. He further stated this is primarily about moving the beer tent. Mr. Black presented a PowerPoint presentation of the layout they would like to have for Pumpkinfest this year. He stated they would like to move the beer tent from Lafayette to the Wells Street parking lot. He further stated they have met with Police and Fire and they have given some comments. Next they will be meeting with the business owners to get their input. He stated the beer tent will not have any tables and chairs which will allow more people inside the tent. He further stated there will be more areas for people to watch the bands. Mr. Black stated there will be multiple egress points. He stated there will be easier emergency access if needed. He further stated they are pushing to open up the downtown. The tents got really big and they want to

open up the store fronts. They would also like to have the downtown more family friendly with Wells Street being more of the adult zone. He stated they would like more pumpkin activities and bounce houses for the kids. Councilman Kivell stated he likes the configuration, but it will be much louder for the neighbors in the area.

Councilman Rzyzi stated he would like to commend the department heads regarding last year's pumpkinfest and the police officers were very organized and very prepared, and the Fire Department was on top of everything and made sure there were no violations and the department of Public works did a great job. Councilman Rzyzi asked with these changes will this allow for more people to be inside the beer tent as opposed to last year. Chief Kennedy stated each year we continue to learn new lessons and we have not made the same mistakes, but we are trying to prevent new ones. The discussion regarding the 2014 Pumpkinfest began right after last year's Pumpkin fest. He stated this has been a continual process. He further stated this needs to be approached as a concert venue. Chief Kennedy stated he has spoken with other cities on other events. He stated they are now going to try to base the number of occupancy on the sale of tickets and doing a pre-sale of tickets. The short answer is yes, this increases the square footage of the tent. What will help the customer experience is if you are a city resident and you get your ticket before the event or earlier in the day, you will be able to go in and out of the beer tent all day and you won't have to go back into the queue line. However, when they sell out, just like other events and venues, once they are sold out, they are sold out. This gives our community an advantage. There were many residents last year who weren't able to get into the beer tent because the tent was sold out at 8:00. Councilman Rzyzi stated there were a lot of people very upset. He stated all he could say is he doesn't know why the Pumpkinfest Committee didn't address this two years ago. He further stated he is glad this is finally being addressed now. Councilman Kramer stated the band that was used the last few years was very popular and well known and that contributed to the problem. He further stated this will open up the downtown and this is a step in the right direction. Councilman Rzyzi stated this is a much needed step because from what people have told him, they were extremely upset and it is nice to see the Committee finally taking some action.

Mr. Black stated there were many things that were done between 2012 and 2013. He stated they had security, additional points of egress, changed configuration of the tent, and they recognize there were issues, and they are always trying to improve the event. Councilman Kivell stated he feels it is important to mention the vast majority of people were thrilled with the event and if you had the misfortune of stepping out at the wrong time and couldn't get back in that is unfortunate, but it was a great event. Councilman Rzyzi stated there were people standing in line for over an hour and a half. There were thousands of people that were very upset.

Holly Gerdin of the Pumpkinfest Committee stated she doesn't want this to become negative. She stated they are trying to improve on the event and they are excited because they have new volunteers. She stated they appreciate all the department heads for their support. Ms. Gerdin stated there are only a few people on this committee and they put their heart and soul into it. She stated they are bringing this to Council today to get their feedback, to move forward with talking about this with the business owners, or if they should take a step back and rework it. Councilman Rzyzi stated he was not being negative, he was just pointing out what he was seeing and what he was told by the residents. He further stated he appreciates what the Committee is bringing before Council. Councilman Kivell stated he is all

for this idea, and he thinks it is a step in the right direction and it is a chance to improve on this festival. Chief Kennedy stated no matter what set up we do and where we do it, we will run the risk of people coming down to the event and it being sold out. As Councilman Kivell stated most communities would love to be in this predicament, of having more people coming to our town than we have space for. Mayor Wallace stated he likes this idea.

4. Drug Enforcement Administration (DEA) Agreement

Chief Collins stated the DEA has offered the South Lyon Police Department to take part in a Tactical Diversion Task Force. Dave Grant and Fred Smith of the DEA were present. Mr. Grant stated he is a supervisory special agent for the DEA. Unfortunately working in the DEA they have job security. He further stated they try to find and make the investigations on the biggest and baddest drug dealers, and their organizations and put them in jail. He further stated back in 2009 they developed a Tactical Diversion Squad. He stated the diversion component is more regulatory. They do investigations on doctors, pharmacies, manufacturers and distributors of pharmaceuticals. Mr. Grant stated there is a very bad epidemic of opiate abuse. He stated Detroit has two Tactical Diversion Squads. He further stated he has representatives from different Police and Sheriff agencies as members of this task force. Mr. Grant stated because of the reputation of Chief Collins and the South Lyon Police Department, and the geographical area, it is an ideal fit. Mr. Grant stated it is a two year agreement, but if necessary the Police Department could always pull their officer out of the squad. Councilman Kramer asked how we will accommodate for that officer being away for that time period. Chief Collins stated instead of asking to hire a new officer, they will make internal staffing adjustments and utilize the one officer who is used as an overlap unit and traffic car. Mr. Grant stated there will be two weeks training for the officer at Quantico. Discussion was held regarding the training of the officer.

Kathy Sims Weir stated they have started a group for Families Against Narcotics. It is based in Oakland and Livingston County. It is something that everyone needs to do as a family. The integral part of the Families Against Narcotics is to remove the stigma of addiction through education and to inform the community of people of all ages and the growing use of heroin by our young people.

CM 3-9-14 MOTION TO APPROVE PROPOSED AGREEMENT WITH DEA

Motion by Rzyzi, supported by Dixon

Motion to approve the proposed agreement with DEA for participating in the Tactical Diversion Task Force, and authorize signature of the Federal Certification form.

VOTE: MOTION CARRIED UNANIMOUSLY

5. Appointment to the Parks and Recreation Commission

Mayor Wallace stated Jeff Thompson has resigned from the Parks and Recreation Commission and he has received an application from Alenxandra Clark. He further stated we will need more candidates and if anyone is interested please fill out an application for the board.

CM 3-10-14 MOTION TO APPROVE THE APPOINTMENT TO PARKS AND RECREATION COMMISSION

Mayor Wallace stated he would like to appoint Alexandra Clark to the Parks and Recreation Commission, supported by Kivell

VOTE: MOTION CARRIED UNANIMOUSLY

MANAGERS REPORT

Chief Collins stated the Department of Public of Works has contacted the Road Commission for Oakland County regarding pot holes on Lake Street. He stated the Police Department has also contacted the Road Commission for the condition of Dixboro Road. Department Head Martin stated they actually graded Dixboro today. Chief Collins stated Deputy Clerk/Treasurer Parzuchowski resigned today and there will be an ad placed on the MML website this week.

COUNCIL COMMENTS

Councilman Rzyzi stated he has noticed the Police website has received a facelift. Chief Collins stated they have made some internal adjustments and the new Lieutenant has taken the reigns and run with them. Councilman Rzyzi stated their website is www.southlyonpolice.com and it is very helpful that they also post on Facebook and reaching out to the community. He further stated he is happy to see the Jaycees are coming to the South Lyon Area. It will be very helpful to all of our young professionals, and benefit our community. Councilman Rzyzi stated he would like to give credit to Powerhouse Gym. Last year they won an award for comeback gym of the year, he goes to that gym and it is elbow to elbow and they are doing great. Councilman Rzyzi stated he would like to congratulate Joe Odem, he does a good job for this community. He coordinates events with the high schools and various different teams and it is a great example of a community center that we can support.

Mayor Wallace stated he would like to congratulate Josh Tropea who is a South Lyon graduate who is now a Coach for the Milan Big Red who won the Class B Basketball Championship for the state of Michigan. He further stated Brad Ortwine who grew up in the City of South Lyon, he is a fireman for the Flint Fire Department and last week he saved two little girls from sure death. He would like to congratulate Brad Ortwine and thank him for what he does.

6. CLOSED SESSION ACCORDING TO SECTION 8F OF THE OPEN MEETINGS ACT FOR DISCUSSION WITH MML CONSULTANT REGARDING THE CITY MANAGER SEARCH

CM 3-11-14 MOTION TO ADJOURN INTO CLOSED SESSION

Motion by Kivell, supported by Wedell

Motion to adjourn to enter into closed session based on section 8F of the Open Meetings Act

ROLL CALL VOTE: MOTION CARRIED UNANIMOUSLY

Council reconvened the regular council meeting at 9:45 p.m.

CM 3-12-14 MOTION TO DIRECT THE MML CONSULTANT TO SCHEDULE INTERIEWS

Motion by Kramer, supported by Kivell

Motion to direct MML Consultant to schedule interviews with candidate numbers 7, 14, 19, 32, and 41

VOTE: MOTION CARRIED UNANIMOUSLY

CM 3-13-14 MOTION TO ADJOURN MEETING

Motion by Kramer, supported by Kivell

Motion to adjourn meeting at 10:55 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd Wallace Mayor

Lisa Deaton Clerk/Treasurer