

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
May 12, 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, Rzyzi, and Wedell

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

Absent Councilmember Kopkowski

CM 5-1-14 MOTION TO APPROVE ABSENCE

Motion by Rzyzi, supported by Dixson
Motion to approve absence of Councilmember Kopkowski

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

Mayor Wallace stated we have two sets of minutes to approve for April 26th and April 28th.

CM 5-2-14 MOTION TO APPROVE MINUTES

Motion by Kivell, supported by Kramer
Motion to approve minutes from the Special Council Meeting of April 26th 2014

VOTE: MOTION CARRIED UNANIMOUSLY

CM 5-3-14 MOTION TO APPROVE MINUTES

Motion by Kramer, supported by Wedell
Motion to approve minutes from April 28th 2014 Council Meeting

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VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 5-4-14 MOTION TO APPROVE BILLS

Motion by Kivell, supported by Dixon
Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 5-5-14 MOTION TO APPROVE AGENDA

Motion by Wedell, supported by Kramer
Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Carl Richards of 390 Lenox stated he has 6 items he wanted to make Council aware of. He stated he would like to know if anyone knows anything about the tour busses that were going through South Lyon, there were a lot of them. He further stated he attended the DDA meeting and wanted to make Council aware they would not be doing the hanging baskets downtown this year. Mr. Richards stated he also attended the Historical Society meeting and it was a good meeting about the history of the Civil War and the roll Michigan played in it. He stated it will not be on the Cable Channel for the first time in many years. He further stated he spoke with Dan Pelchat and he offered to help with the Cable Commission in any way he can. Mr. Richards stated he heard Bracco will be working on the roads again soon. He stated he is hoping the railroad will be included in the road project. He further stated the Tube Mill is coming along great with its expansion.

OLD BUSINESS

1. 2ND Reading- Ordinance No. 03-14, Amending Section 58-77 Begging Ordinance

Attorney Wilhelm stated this is the second reading of the amended begging ordinance. He stated this replaces an ordinance that the City had that was similar to one that was challenged by the ACLU to the State and they won. The new ordinance has language that has been adopted by other Communities that has been accepted. He further stated there have been no changes in the language since the first reading.

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CM 5-6-14 MOTION TO APPROVE SECOND READING

Motion by Kramer, supported by Rzyzi

Motion to approve the second reading of Ordinance 03-14 amending Section 58-77 to prohibit aggressive begging.

VOTE: MOTION CARRIED UNANIMOUSLY

2. Sale of Assets- Police Department

Chief Collins stated this is for the second of the two Intrepid vehicles they are disposing of. The first one sold for over \$1,500.00 therefore he is asking Council for approval to dispose of this vehicle on the auction website and he is expecting close to the same price.

CM 5-7-14 MOTION TO APPROVE SALE OF POLICE VEHICLE

Motion by Rzyzi, supported by Dixon

Motion to approve the sale of the following vehicle: 2004 Dodge Intrepid

VIN: 2B3HD46V24H663414

VOTE: MOTION CARRIED UNANIMOUSLY

3. City Manager Contract for Elizabeth Lynn Ladner

Attorney Wilhelm stated this is a draft of an agreement with Lynn Ladner for the City Manager position. Councilman Kivell stated in Section 3 he would like the word Commission changed to Council. Councilman Kramer stated Section 12 states she would like a defined benefit contribution. He asked if we changed the number of years for being vested. Attorney Wilhelm stated MERS treats all non-union employees the same. The vesting period is 8 years. Councilman Kivell stated it seems we are paying the entire cost of the moving expenses, and he was surprised by that. He offered the idea of covering the cost as a loan to be paid back in two years. Councilman Rzyzi stated he would like to know if we will set a not to exceed amount and how will this be paid to her? Mayor Wallace stated she will present receipts to us such as she did for the interview process.

CM 5-8-14 MOTION TO APPROVE EMPLOYMENT AGREEMENT

Motion by Wedell, supported by Rzyzi

Motion to approve the presented employment agreement under the understanding of a satisfactory medical report she is capable of doing the job.

VOTE: MOTION CARRIED UNANIMOUSLY

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NEW BUSINESS

1. Proposed Amendment to the Oakland County Solid Waste Plan

City Manager Cook stated this was handled two weeks ago at a RRRASOC meeting, it was recommended that this be approved. It is an issue they deal with from year to year. They have provided a summary for Council to review.

CM 5-9-14 MOTION TO APPROVE RESOLUTION

Motion by Wedell, supported by Dixon

Motion to approve the resolution to amend the Oakland County Solid Waste Plan as amended

VOTE:

MOTION APPROVED UNANIMOUSLY

2. Waiver of Fee and Contract to Providing Training for the Police/Fire

Chief Kennedy stated they have an opportunity to have structure training. Gene Carroll has offered the use of the house behind the Village Bakery for Police and Fire training. The house will be demolished for additional parking for the brewery. Chief Kennedy stated in appreciation they would like to waive the demolition permit fee that the City would normally charge. He further stated he would like Council to approve the waiver that would release the Fire and Police from liability for destruction of property. Attorney Wilhelm stated he has prepared a draft contract for Council to approve. The owners have been contacted and there are two owners and they will both sign the Contract. He stated this contract will waive the rights of the owners for damage and the contract also states the house will be used for Police/Fire training. He further said the contract will state we will hold the owners harmless of any damage as well. Chief Kennedy stated they will not be using live fire during the training; they will be using theatrical smoke. Chief Collins stated they will not be using actual firearms. Councilman Kivell asked how long after the training will the house be demolished. Chief Kennedy stated they want to use the building for as long as possible for training purposes.

CM 5-10-14 APPROVAL OF AGREEMENT

Motion by Kramer, supported by Wedell

Motion to approve the agreement with the Lafayette Group LLC and Paula Allen as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

CM 5-11-14 MOTION TO APPROVE WAIVER OF PERMIT

Motion by Kramer, supported by Wedell

Motion to approve waiver of demolition permit fee contingent on the contract being approved by all parties.

VOTE: MOTION CARRIED UNANIMOUSLY

3. Parade/Demonstration Application from VFW Hall to hold Memorial Day Parade on May 26, 2014

Chief Collins stated the route will be the same as in previous years and he recommends the approval of the application.

CM 5-12-14 MOTION TO APPROVE THE PARADE APPLICATION

Motion by Rzyzi, supported by Kramer

Motion to approve the parade/demonstration application from the VFW for the Memorial Day Parade on May 26, 2014

VOTE: MOTION CARRIED UNANIMOUSLY

MANAGERS REPORT

City Manager Cook stated Bricco should be in town today or tomorrow, but there are things they may not be able to do until the end of the week due to the rain. He further stated there was a railroad diagnostic review in December of 2012. They are supposed to work with MDOT to redo that area. He stated he is hoping it will be worked on later this year. The Railroad told MDOT they do not intend on fixing this in 2014 but he doesn't think the Road Commission will accept that.

COUNCIL COMMENTS

Councilman Kivell stated the grand opening for the Cultural Arts show was really nice, and there were approximately 300 plus people here. He stated the Bricco issue is disappointing. Residents in town are all working on their own yards, and he doesn't understand why they can't work on them as well. Mayor Wallace stated originally the agreement was for sod to be put down, but now they are using grass seed. Mayor Wallace stated the contract states it must be finished by the end of June.

Councilman Rzyzi stated he missed the Cultural Arts Commission grand opening, but he did make a donation and he is proud to be a partner of the Cultural Arts. He stated he has spoken with Ms. Lemke from the Cultural Arts Commission and they need volunteers and he would encourage anyone interested in getting involved. They need donations as well.

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He further stated he would like to congratulate Dr. Jamie Penn because she was elected the president of the Junior Chamber and he looks forward to working with her as a board member.

Councilman Kramer stated he received a phone call from Salem Township trustee and the Library, County, and Township are all in talks to extend the shoulder across from the Library entrance. City City Manager Cook stated he will call them.

Councilmember Dixon stated she enjoyed the opening for the Arts Commission as well.

Mayor Wallace stated the art will be displayed in the lobby at City Hall for a month. He stated the Memorial Day Parade starts at 9:00 a.m. on the 26th. He stated the next Council Meeting will be on Tuesday the 27th because of the Memorial Day holiday. Mayor Wallace stated he would like to congratulate Aubrees for opening here in South Lyon. He stated he would like to thank the City's bookkeeper Lori Mosier for attending the meeting tonight in case Council had questions on the contract with the City Manager. Mayor Wallace stated the city-wide clean-up day is Saturday the 17th of May. Department Head Martin stated this event seems to get smaller every year. He stated the church will call him on Wednesday to let him know how many volunteers they have.

ADJOURNMENT

CM 5-13-14 MOTION TO ADJOURN MEETING

Motion by Dixon, supported by Kramer
Motion to adjourn the meeting at 8:15 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd Wallace Mayor

Lisa Deaton Clerk/Treasurer

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