

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
May 27, 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, and Wedell

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

MINUTES

CM 5-1-14 APPROVAL OF MINUTES

Motion by Kivell, supported by Wedell

Motion to approve minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

City Manager Cook stated he would like to add an item regarding a moratorium on Marijuana Land uses and activities. Mayor Wallace stated we will add it under New Business as #3 and move Executive Session to #4.

CM 5-2-14 MOTION TO APPROVE AGENDA AS AMENDED

Motion by Kramer, supported by Rzyzi

Motion to approve agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

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PUBLIC COMMENT

Carl Richards of 390 Lenox stated there was a good turnout for the Memorial day parade. Mr. Richards stated he has been in contact with HRC every day since the work began downtown.

OLD BUSINESS

1. Public Hearing: Annual Budget for Fiscal Year 2014-2015 & 2015-2016 for the period July 1, 2014 to June 30, 2016
 - a. Resolution adopting Millage rates
 - b. Resolution adopting Annual Budget

Mayor Wallace opened the public hearing at 7:38 p.m. There were no comments from the public. Mayor Wallace closed the public hearing at 7:39 p.m.

City Manager Cook stated the millage rate total is 13.75. He further stated this is the same millage rate as last year; the only difference is he redistributed a portion from General Fund to the Capital Improvement. Discussion was held regarding the redistributing of funds.

Councilman Kivell stated we will have a new City Manager starting soon, and she will probably have her own recommendations and we can address them as they come along. Councilman Wedell stated we have had the same millage rate since he has been on Council and that speaks well of the administration that we have had.

CM 5-3-14 MOTION TO APPROVE MILLAGE RATE RESOLUTION

Motion by Wedell, supported by Rzyzi

RESOLVED, that the City Clerk certify to the City Assessor for spreading on the Assessment Roll of the City of South Lyon for the year 2014-2015 the following amounts, based on taxable value \$313,692,530

1. At the rate of 9.7375 mills per \$1,000 of valuation for General Fund Operation
2. At the rate of 2.5000 mills per \$1,000 of valuation for Wastewater General Obligation Bonds
3. At the rate of 1.1675 mills per \$1,000 of valuation for Capital Improvement Fund

4. At the rate of .3450 mills per \$1,000 valuation for 1999 Building Authority (Land Acquisition)

RESOLVED FURTHER, that due to the May 2, 1984 Election whereby the Library became a free standing and District Library for all purposes including the levy of 1.5002 and overall levy for the City will be 15.2502 mills of which 13.75 mills will be used for City Operation and debt.

RESOLVED FURTHER, that after spreading on the Assessment Roll the amounts required to be raised by the general ad valorem tax, the Assessor certify and deliver the same to the City Treasurer, and the City Clerk be authorized to attach her warrant thereto, directing and requiring the City Treasurer to collect the same as provided by the City Charter.

RESOLVED FURTHER, that all installments reported to the City Treasurer as delinquent of Special Assessments and other charges, together with interest due thereon, as provided in Section 1.276 of the City Charter; unpaid charges for water consumption and water tap installation, as provided in Chapter 24 of the South Lyon City Code be assessed against the properties benefited and included in the 2014 Tax Roll.

RESOLVED FURTHER, that the millage for the entire fiscal year 2014-2015 budget not to exceed 13.75 mills.

VOTE: MOTION CARRIED UNANIMOUSLY

CM 5-4-14 MOTION TO ADOPT ANNUAL BUDGET

Motion by Wedell, supported by Kivell

WHEREAS, in April 2014 the City Manager submitted to City Council a proposed budget for the fiscal year July 1, 2014 through June 30, 2015 and

WHEREAS, the City Council has received the proposed budget contained herein and has discussed and reviewed the same.

NOW, THEREFORE, BE IT RESOLVED the City Council hereby adopts the 2014-2015 fiscal budget as shown in the budget document on the summary page, and detailed on the following pages, in the amount of \$5,015,640

BE IT FURTHER RESOLVED, that the City Council hereby adopts the following proposed budget or estimates for the following operations as set forth below.

	<u>FUND NO.</u>
Major Street Operation	202
Local Street Operation	203
Community Development Block Grant	274
Equipment Replacement Fund	592
Capital Improvement Fund	641
Land Acquisition	509
Downtown Development Authority	280
<u>GENERAL DEBT SERVICE</u>	
2003 G.W. WW Treatment/Bond G.O	307
1999 Building Authority-Land Acquisition	369
2005 Downtown Development Authority	369

BE IT FURTHER RESOLVED, that the City Manager is authorized to advertise for bids, or authorize at the appropriate time for contractual services, commodity purchases and / or capital expenditures throughout the fiscal year in accordance with the enclosed budget document and all applicable City Ordinance Policies or procedures in effect.

BE IT FURTHER RESOLVED, that pursuant to the Uniform Budgeting and Account Act, Section 19(2), the City Manager may make transfers within a fund and activity if the amount to be transferred does not exceed 10% or \$25,000, whichever is greater, of the appropriation item for which the transfer is to be made, with prior notification to the City Council

VOTE: MOTION CARRIED UNANIMOUSLY

2. Appointments: Cable Commission

Mayor Wallace stated we have 5 applicants and 5 positions available on the Cable Commission. Councilman Kivell stated he has a concern there could be a conflict of interest regarding Mr. Pelchat being a commissioner as well as creating product that would create revenue. He

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further stated he thinks he should be disqualified because of that. Dennis Rymarz stated he understands that it could be a conflict and he is more interested in working with that station therefore he will rescind his application to be on the Cable Commission. Dan Pelchat of 364 Stanford stated the conflict of interest problem will not be a problem anymore. He has no plans on playing the football games on the cable channel anymore. He stated he will be showing the games online, but not on the City Cable channel, it isn't worth the hoop jumping he has gone through to get this going. Councilman Rzyzi stated Mr. Pelchat can still submit the games to be played on the Cable Channel, but he will have to edit out the advertisements. He further stated we had discussed at a previous meeting that underwriting is possible. Attorney Wilhelm stated having the same person reviewing their own submissions is not a good idea. That would be a conflict of interest. As the Policy stands now, Employees at City Hall are in charge of reviewing submissions. Discussion was held regarding the Cable Commission and its policies.

CM 5-5-14 MOTION TO APPOINT AMBER KING

Motion by Kopkowski, supported by Kivell

Motion to appoint Amber King to the Cable Commission

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

CM 5-6-14 MOTION TO APPOINT RICH PERRY

Councilmember Dixson stated she will not support the appointment of Rich Perry because of the recall led by him; she wants positive people on our Commissions. Councilman Rzyzi stated his goal is to get this Cable Commission going and Dan Pelchat and Rich Perry both have a lot of talent and we can't do anything to delay the games being played on the cable channel once again. Mayor Wallace stated he sees a conflict with him as well, because he may want to play his own material on the cable channel as well. Councilman Wedell stated Rich Perry has been an advocate for the Cable Channel and not supporting him for something he may or may not do, is not fair.

Motion by Kivell, supported by Kramer

Motion to appoint Rich Perry to the Cable Commission

ROLL CALL VOTE:

MOTION CARRIED 3- OPPOSED

CM 5-7-14 MOTION TO APPOINT STEVE KAUKONEN

Motion by Kivell, supported by Kramer
 Motion to appoint Steve Kaukonen to Cable Commission

ROLL CALL VOTE: MOTION CARRIED UNANIMOUSLY

CM 5-8-14 MOTION TO APPOINT DAN PELCHAT

Motion by Rzyzi, supported by Wedell
 Motion to appoint Dan Pelchat to Cable Commission

ROLL CALL VOTE: MOTION CARRIED- 3 OPPOSED

NEW BUSINESS

1. Youth Assistance Agreement for Fiscal Year 2014-2015 for \$13,000

City Manager Cook stated this is the same contract as in previous years and he suggests Council approve it. Mayor Wallace stated this is a good cause and very important to this Community, more important now than ever.

CM 5-9-14 MOTION TO APPROVE THE AGREEMENT WITH YOUTH ASSISTANCE

Motion by Kopkowski, supported by Wedell
 Motion to approve the agreement with Youth Assistance for the amount of \$13,000

VOTE: MOTION CARRIED UNANIMOUSLY

2. CDBG Cooperative Agreement 2015-2017

City Manager Cook stated HUD has changed requirements therefore we had to amend our agreement with Oakland County. He stated there are no eligible areas in the City that is why we gave it to the Senior Center and Meals on Wheels.

CM 5-10-14 MOTION TO AMEND CDBG AGREEMENT

Motion by Wedell, supported by Kramer

Motion to approve the amended CDBG Agreement with Oakland County

VOTE: MOTION CARRIED UNANIMOUSLY

3. Marijuana Moratorium Resolution

Attorney Wilhelm stated he has brought a 6 month resolution for Council to approve a 6 month moratorium on Marijuana uses so we can have more time to get an ordinance in place regarding the land use and other activities. He stated our current ordinance is outdated and needs to be updated. We will be looking at ordinance amendments to allow the activities that apply with the Marijuana statute, and also the zoning issue. Councilmember Kopkowski stated she is alright with the Moratorium as long as we actually act on it and not just extend it again.

CM 5-11-14 MOTION TO APPROVE RESOLUTION FOR TEMPORARY MORATORIUM FOR 6 MONTHS

Motion by Kramer, supported by Rzyzi

Motion to approve resolution to establish a temporary moratorium for a period for six Months on certain land uses and activities within the City of South Lyon connected with activities involving medical marijuana

VOTE: MOTION CARRIED UNANIMOUSLY

MANAGER COMMENTS

City Manager Cook stated the Recycling Authority in Southfield was destroyed today by a fire. Everything will be covered by insurance, and it will not affect the City's pickup. City Manager Cook stated the police car that Council approved to sell was sold for \$2,125.00

COUNCIL COMMENTS

Councilman Kramer stated the discussion regarding the passing lane in front of the Library has been postponed.

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Councilman Wedell stated he would like to thank everyone that helped with the City Wide Clean Up, and thank you to everyone that attended the Memorial Day parade. He further stated he would like to bring attention to the fact that we passed a five million dollar budget in under 10 minutes, yet it took us over a half hour to appoint people to the Cable Commission.

Councilman Kivell stated he has been very disappointed with Bricco, he stated he sees more and more people out fixing their own yards because Bricco still hasn't gotten them done. He stated he is very happy with the road work at the four corners. Councilman Kivell stated he would like to thank Officer Wittrock and Cadet Conklin. His mother in law locked her keys in her car, and they were able to come and assist in gaining entry to the car.

Councilmember Kopkowski stated she would like to thank City Manager Cook for the work he has done on the budget and the reason we were able to pass a budget in that quick amount of time is due to the hard work City Manager Cook put into it.

Councilman Rzyzi stated he would like to thanks all of the veterans and the Memorial Day parade was very nice. He stated the Relay for Life at 10:00 a.m. this weekend at Millennium Middle School. He stated there is an organization called Footprints Fitness, and it is a nonprofit group that focuses on fitness. He further stated he just began getting involved with them and it is a great organization. Councilman Rzyzi asked Attorney Wilhelm if we have a sign ordinance that deals with Political signs. Attorney Wilhelm stated political signs are a very touchy issue, the only way to deal with that is the time place and manner. The way it is built, the size, and color.

Mayor Wallace stated he thinks we made a mistake when allowing them to plant seed instead of putting sod down when they were doing their work. Mayor Wallace stated they will be working on Ten Mile this week; there will not be barricades, just flagmen. Department Head Martin stated they will be done milling in 2-3 days.

Mayor Wallace stated the new City Manager will be starting June 9th.

Mayor Wallace stated Concerts in the Park begin on June 13th.

Mayor Wallace stated he needs some volunteers for the Parks and Recreation Commission.

CM 5-12-14 MOTION TO ADJOURN FOR CLOSED SESSION

Motion by Kramer, supported by Wedell

Motion to adjourn to enter into closed session to discuss Collective Bargaining communication pursuant to Section 8(h) of the Open Meetings Act at 8:47 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

The regular City Council meeting reconvened at 9:20 p.m.

CM 5-13-14 MOTION TO ADJOURN

Motion by Kopkowski, supported by Kramer
Motion to adjourn the meeting at 9:25 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd Wallace, Mayor

Lisa Deaton Clerk/Treasurer