

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
JUNE 9, 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

Councilman Kivell stated there were two misspellings that he already talked to the Clerk about, which were Wittrock and Conklin. Attorney Wilhelm stated in the last motion it should state there was a roll call vote and 8(c) instead of 8(h).

CM 6-1-14 MOTION TO APPROVE MINUTES AS AMENDED

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

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 6-2-14 MOTION TO APPROVE BILLS

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

VOTE: MOTION CARRIED UNANIMOUSLY

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AGENDA

Mayor Wallace stated Chief Collins has requested a few minutes for a promotion before Public Comment.

CM 6-3-14 MOTION TO APPROVE AGENDA

Motion by Kivell, supported by Rzyzi

Motion to approve the Agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

Chief Collins stated Chris Sederlund has been on the top of the promotional list for a while now. He stated to get there he had to study 500 to 600 pages of 5 different books. He stated Mr. Sederlund did an excellent job on the oral and written tests. He has been working for the South Lyon Police Department since 1995. He further stated he would like to promote Chris Sederlund to Sergeant.

PUBLIC COMMENT

Carl Richards of 390 Lennox stated the Historical Village has had two more busloads of children visit, with another one scheduled. Mr. Richards stated Active Faith collected 13,000 pounds of food from the Postal food drive.

Vickie Berthet of 500 N Hagadorn stated she would like to thank Mayor Wallace for his service. She further stated she is a single conservative person and moved here because she felt safe and it was like a step back in time to what America is about. She has some concerns regarding Pumpkinfest. She stated she was looking forward to Pumpkinfest and invited some friends out for it. She further stated toward the end of the evening, the atmosphere was horrible. She stated the beer tent is a big issue. Ms. Berthet further discussed her experience with Pumpkinfest last year.

George Fomin of 863 Huntington stated he would like everyone to know there will be a wildflower expedition on June 14th at 10:00 until 1:00 at Volunteer Park. He invited anyone interested to join.

Mayor Wallace introduced the new City Manager Lynne Ladner from Hiawatha Kansas.

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OLD BUSINESS

1. Proposed Amendment to the Annual Budget for Fiscal Year 2014-2015

City Manager Cook stated he is presenting an amendment to the budget for the paving and milling of the northbound lane of Pontiac Trail. This amendment is just adjusting some things that will be more in-line with the way things are going. Councilman Kivell stated he would have liked to see some verbiage for the new City Manager to read as to what was changing and why.

CM 6-4-14 MOTION TO APPROVE AMENDMENT TO BUDGET

Motion by Wedell, supported by Rzyzi

Motion to approve the budget amendment as presented

VOTE: MOTION CARRIED UNANIMOUSLY

2. Sale of Police Department Firearms

Chief Collins stated he is asking Council approval for the final step in replacing old weapons owned by the South Lyon Police Department. He stated we are prepared to dispose of old weapons that are 15-17 years old. He further stated he put this out for bid and he would like to sell them to Michigan Taser for \$225.00 each, which then \$4,000 will go back into General Fund. Michigan Taser is a local company and we do business with them, they are also a licensed federal firearm dealer.

CM 6-5-14 MOTION TO APPROVE SALE OF FIREARMS

Motion by Kivell, supported by Kopkowski

Motion to approve the firearm sale to Michigan Taser

VOTE: MOTION CARRIED UNANIMOUSLY

3. Mill and Overlay on Northbound Lane of Pontiac Trail (McHattie to CSX right of way)

Mayor Wallace stated there is not enough money in the DWRF fund to mill and overlay, and that project caused a lot of patches. He further stated he would like to have the whole road milled and overlaid. Discussion was held regarding the use of the federal funds that we have

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had since 2004. City Manager Cook stated it is not enough money to do the whole road and if we use it for the whole road we will have to wait for the Road Commission to go out for bids, and we will lose the estimate given to us by Bricco. Councilman Kramer stated he does not want half of the road done, he would rather the whole road be fixed. Councilman Wedell asked about the contingency fund, and City Manager Cook stated there is nothing left. Councilman Rzyzi stated we need to do something; it is part of keeping our City up and getting some housekeeping done. Councilmember Kopkowski stated it is unfortunate that HRC misled us a little bit regarding the amount of patches that were going to be left after this project. With our weather we need to do something. Discussion was held regarding the evaluation of our streets that HRC will be doing, which should give us an idea of the condition of the roads and what needs to be done first. City Manager Cook stated we could lose the \$90,000 federal money any time. He believes we should use it soon. Discussion was held regarding remilling and overlaying half of the road and the cost it would be to do both sides which is \$333,000.00

CM 6-6-14 MOTION TO APPROVE THE MILL/OVERLAY PROJECT ON PONTIAC TRAIL

Motion by Rzyzi, supported by Dixon

Motion to approve the mill/overlay project of northbound lane of Pontiac Trail from McHattie to Railroad Crossing

ROLL CALL VOTE:

MOTION FAILED-4 OPPOSED

4. Agreement for Tax Collection for South Lyon Schools

Clerk/Treasurer Deaton stated this is an agreement we have had in the past with South Lyon Schools to add their tax rates to our summer tax roll. In exchange for doing so, they have agreed the City can keep the penalty and interest that is collected.

CM 6-7-14 MOTION TO APPROVE AGREEMENT WITH SOUTH LYON COMMUNITY SCHOOLS

Motion by Wedell, supported by Kivell

Motion to approve the agreement between the City of South Lyon and South Lyon Community Schools for the 2014 tax season as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

5. Resignations/Appointment:

- a. Resignation of Linda Lemke from the Cultural Arts Commission

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Mayor Wallace stated Linda Lemke has turned in her resignation from the Cultural Arts Commission.

CM 6-8-14 MOTION TO ACCEPT RESIGNATION OF LINDA LEMKE

Motion by Kopkowski, supported by Kivell
 Motion to approve the resignation of Linda Lemke from the Cultural Arts Commission with thanks.

VOTE: MOTION CARRIED UNANIMOUSLY

6. Pumpkinfest- September 26-28, 2014:
 - a. Request for Road Closure of Pontiac Trail- Whipple to Liberty and 10 Mile to Wells Street and Alleyway
 - b. Requested use of Wells Street Parking Lot (for Beer Tent/Stage/Seating)
 - c. Requested use of North Municipal Lot (next to Sweetwater)

Scott Black of the Pumpkinfest Committee stated the Committee is hoping to have a bigger and better Pumpkinfest this year, and hoping to fine tune any issues they have had in the past. Discussion was held regarding 6 businesses' that did not sign off on the Road Closure approval list. Phil Weipert of 135 N Warren stated there were some business owners who would not sign, and a few he was unable to reach. Mr. Black stated they invited the business owners to attend a meeting to discuss the road closures and to address their concerns. They tried to accommodate the concerns with marking off the north part of parking lot for the business owner's use. Discussion was held regarding the concerns of closing the roads at 9:00 a.m. Councilman Rzyzi stated he is a big supporter of Pumpkinfest, and he has volunteered in the past and would like to volunteer again this year. He further stated it is a great benefit to the Community, but there are some residents concerned regarding the noise level. Councilmember Kopkowski stated she was called but her neighbors were not. They have expressed concerns and she doesn't understand why she was the only one called. Holly Girdom of the Pumpkinfest Committee stated they were not told to contact the residents to address their concerns. Councilman Kivell stated the facing of the stage was discussed at the last time the Committee presented the change in location, and even though they weren't told to do so, they should have known. Councilman Rzyzi stated he is ultimately here to represent all the businesses, not just some and if they have concerns, he would like to see them addressed and get approval of all of the businesses. Councilman Kramer stated he has attended some of these meetings and he feels the business owners main concern is the street closures during the day, and the Committees' concern is not enough time and volunteers to finish setup in a timely manner.

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Councilmember Kopkowski stated she doesn't understand where they plan on people parking their cars and she doesn't understand how this helps the fire egress issue. Chief Kennedy stated this gives double occupancy from last year. The issue was the defined alcohol border and the folks on the public right of ways, therefore we had no means of egress for people to get out of the designated areas. He stated Wells Street allows them to have more and safer access points. Councilmember Kopkowski stated she would like to see the music events enjoyed by everyone, not just the people in the beer tent. She stated that is the biggest issue she has with the music. She would like the beer tent in its own area and the music in another area for families to enjoy. Mr. Black stated to offset the cost of the bands, we need the beer tent to pay for the entertainment. Discussion was held regarding moving the Pumpkifest to Volunteer Park and the reason it was originally moved to town which was for the benefit of the local businesses. Vickie Berthet of 500 N Hagadorn stated the beer tent does nothing to benefit the businesses; it draws in people that just want to get drunk and to watch a band. She further stated some of the crowd that was there last year made her very uncomfortable. She stated the Pumpkifest is about the community and the band and the beer tent does not benefit the community and it should be moved elsewhere. Ms. Berthet further discussed her concerns regarding the beer tent. Councilman Kramer stated these issues have been ongoing and addressed for the last three months and we gave them the green light to move forward with this months ago. Discussion was held regarding the necessity of the beer tent because it finances the beer tent as well as other events at the Pumpkifest. Councilman Kramer stated people do not understand how many hours the Committee has spent trying to get Pumpkifest going. It has been an ongoing process since last year. Now at the eleventh hour some of Council wants to add new conditions. He further stated they are doing this on their own time and they are not getting paid for it. They are doing this for our community.

CM 6-9-14 MOTION TO TABLE THE PRESENTED ROAD CLOSURES AND USE OF WELLS STREET PARKING LOT FOR PUMPKINFEST

Motion by Kopkowski, supported by Rzyzi

Motion to table presented road closures and use of Wells Street parking lot until next meeting

Councilman Kivell stated he would like the Commission to keep working with the business owners and residents.

VOTE:

MOTION FAILED

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CM 6-10-14 MOTION TO APPROVE THE PLAN PRESENTED

Motion by Kivell, supported by Kramer

Motion to approve plan presented by Pumpkinfest for the use of the Wells Street parking lot and Sweetwater parking lot.

VOTE: MOTION PASSED UNANIMOUSLY

CM 6-11-14 MOTION TO APPROVE ROAD CLOSURE AS PRESENTED BY PUMPKINFEST COMMITTEE

Motion by Kivell, supported by Wedell

Resolved that Lisa Deaton, City Clerk/Treasurer is hereby authorized to make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permits to conduct the Pumpkinfest Downtown Event from September 26, 2014 until September 28, 2014 and the related road closures: Lafayette Street between Liberty Street and Whipple Street; Lake Street between Wells Street and Washington Street; from 9:30 a.m. on September 26, 2014 until 8:00 p.m. on September 28, 2014

And that the City of South Lyon in the County of Oakland, Michigan will faithfully fulfill all permit requirements and shall save harmless indemnify, defend and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permits as issued.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a regularly scheduled meeting on June 9, 2014 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and the minutes of said meeting were kept and will be or have been made available as required by said act.

VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Acceptance of Donations to the Cultural Arts Commission in the amount of \$1,035

Mayor Wallace stated several people have donated money to the Cultural Arts Committee.

CM 6-12-14 MOTION TO APPROVE DONATIONS TO THE CULTURAL ARTS COMMISSION

Motion by Wedell, supported by Kivell

Motion to approve the donations made to the Cultural Arts Commission in the amount of \$1,035.00

VOTE: MOTION CARRIED UNANIMOUSLY

Councilman Rzyzi stated he would like to thank everyone who have donated.

MANAGERS REPORT- None

COUNCIL COMMENTS- Councilman Kivell stated he would like to thank Rod Cook for helping and keeping the City on track. Councilman Kivell stated we are putting a cap on 10 Mile and we have a lot of approaches that are destroyed, and there will be a lot of ponding at the base of their approach. He has contacted a couple of different contractors to get some unit pricing for anyone interested in having their approach fixed.

Councilman Kopkowski thanked Rod Cook for his help.

Councilman Rzyzi stated he would like to thank Rod and Chief Collins for stepping in for the last few months. He further stated he is happy to welcome the new City Manager.

Councilman Dixson stated she would like to thank Rod Cook and welcome the new City Manager Ms. Ladner.

Councilman Kramer stated he would like to thank Rod Cook as well, and to wish his son a happy birthday. He also wants to thank Council for approving the crossing guard at 9 mile, every day when he is driving to work, he is so thankful that the guard is there because people actually stop when kids are trying to cross the street.

Councilman Wedell stated he would like to thank Rod Cook and welcome Ms. Ladner

Mayor Wallace stated we have a couple vacancies on the Parks and Recreation, Cable Commission and the Cultural Arts Commission if anyone would like to volunteer.

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He further stated there are a few more garden plots available if anyone is interested they can call the Clerk's office at City Hall 248-437-1735. Mayor Wallace also stated he would like to thank Rod Cook and welcome our new City Manager Ms. Ladner.

ADJOURNMENT

Motion by Kivell, supported by Kramer

Motion to adjourn the meeting at 9:15p.m.

Respectfully submitted,

Tedd Wallace, Mayor

Lisa Deaton Clerk/Treasurer