

**CITY OF SOUTH LYON  
REGULAR CITY COUNCIL MEETING  
AUGUST 8, 2016**

Mayor Galeas called the meeting to order at 7:30 p.m.  
Mayor Galeas led those present in the Pledge of Allegiance

**PRESENT:** Mayor Galeas  
**ALSO PRESENT:** Council Members: Dedakis, Kivell, Kramer, Kurtzweil, Rzyzi and Wedell  
City Manager Ladner, Police Chief Collins, City Attorney Wilhelm,  
Department Head Martin, DDA Bob Donahue, Bookkeeper Lori Mosier  
and Recording Secretary Marianne Jamison

**ABSENT:** Clerk/Treasurer Deaton

**MINUTES**

**CM 8-8-16 MOTION TO APPROVE MINUTES**

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

**VOTE:** **MOTION CARRIED UNANIMOUSLY**

Wedell – On Page 4 under heading **CM 7-3-16 MOTION TO APPROVE 2% PAY INCREASE FOR NON-UNION EMPLOYEES AND DEPARTMENT HEADS** –Moved by Kivell with no support (strike supported by Kurtzweil).

**BILLS**

**CM 8-8-16 MOTION TO APPROVE BILLS**

Motion by Wedell, supported by Rzyzi  
Motion to Approve the Monthly Bills as presented

**VOTE:** **MOTION CARRIED UNANIMOUSLY**

Kivell questioned on Page 3 of 5 of the Check Register at the top – Civic Research Services in the amount of \$500.

Mosier explained this is from the Cultural Arts and was the facilitator fee.

Kivell questioned, also on Page 5 Visicom Services in the amount of \$11,096.93.

Mosier responded that Visicom is our IT Company and this covers 2 months of services and the Police Department purchased 3 computers as well. There is limited room; only so much information can be put on the description line.

8/8/16



underway. The Pokémon situation has doubled the action in McHattie Park. The Blues, Brats and Beer Festival was this past weekend and young families were out in abundance.

## **NEW BUSINESS**

### 1. Resignation – Parks & Recreation Commission

Mayor Galeas stated Alex Clark has resigned from the Parks and Recreation Commission.

### **CM 8-8-16 MOTION TO ACCEPT RESIGNATION FROM ALEX CLARK, WITH THANKS, FROM THE PARKS AND RECREATION COMMISSION**

Motion by Wedell, supported by Kurtzweil

Motion to accept Alex's resignation with thanks for her service.

Kurtzweil added she personally knows Alex Clark and she is a very dedicated to whatever project she takes on. She will be sorely missed on the Parks and Recreation Commission. Good wishes on your next journey and thank you for your service to the City.

### **VOTE:**

### **MOTION CARRIED UNANIMOUSLY**

2. Consider Acceptance of Consent and Waiver of Assignment for Solid Waste, Yard Waste, Recycling Collection and Disposal Agreement Dated March 12, 2013.

### **DISCUSSION ON DISPOSAL AGREEMENT:**

Attorney Wilhelm addressed this in part as to the Proposed Consent and Waiver. As indicated by my letter to Council I requested revisions to that. Some slight language changes to what was in the packet to add an effective date, reference in paragraph 1 and 2 and the second sentence; as the effective date which Duncan has indicated will be July 21, 2016. I have no objection to the substance of the Consent and Waiver.

Kramer noted he spoke with Wilhelm last week about the assignment of Duncan to Rizzo. Is it possible to renegotiate the terms of the contract prior to us signing the existing contract?

Attorney Wilhelm stated he did not recall anything being addressed as to a reopener type concept. The information provided by Duncan is that the assignment has already occurred. In that circumstance you would have a right to terminate the contract. That might lead to discussions about terms. I believe there are representatives here tonight from Duncan and Rizzo and that may be a question for them.

Tom Duncan stated customarily the transition is not uncommon. If you can get a complete duplication of the contract that is usually what transpires rather than opening it. When the contract comes up again would be the time to renegotiate. This contract is up in June 2018.

Kramer stated that his concern is that it occurred before the board knew about it. Wondering if we can sit down now that we have this before us to perhaps extend additional time or to lock in rates. We had no chance to have any say in it.

Tom Duncan stated you have renewable years in the language there and of course those are all renegotiable. It is a smooth transition from one company to another and you will receive the same level of service. It is a simple transition from one company to another.

Kramer stated that we know the "Duncan's", we have your phone number. I don't know Rizzo's level of service. We have not had the opportunity to discuss any of the terms before we sign the contract over to the new vendor. I have heard good things.

Sam Caramagno of Rizzo Environmental stated he would welcome a sit down to discuss whatever is on your mind. A brief history. Rizzo goes back to the 1950's and I grew up in the business and it is a family company. We have a solid waste contract with RRRASOC.

Ladner noted it was her understanding that they had reopened contracts with other RRRSOC communities per Mike Szabo.

Sam Caramagno stated that all can be discussed at a sit down with him. There is nothing with a no answer.

Rzyzi thanked him for having a representative here tonight. I found out through Facebook and it shocked me we were switching. Duncan always did a great job. The last time we went out for a 3 year contract I would have preferred to test the market to be sure they are competitive but we did not do that. If we agree to it we are locked in for multiple years without testing the market. I have no clue. I can take your word for it.

Tom Duncan stated that your contact would be Mike Szabo and he will immediately tell you that you have one of the low prices in the metro area. They are very competitive. South Lyon is a special child of mine too since I grew up here. We have given you prices you would not get elsewhere.

Rzyzi stated he does not want to upset the applecart here, I am just looking out for the tax payers. Signing this tonight is uneasy for me.

Kurtzweil stated how blessed we have been with Duncan. I need to understand what your commitment is going to be to our community over and above taking our dollars out with the services you provide. For example, I have a flyer from Brown's Root Beer at the bottom it showed something different but now changed to Tom and Joanne. This is just one of the things

they did for our community; contributing to businesses in town. Until I get a feel for your corporate commitment to our City, I am going to reserve my vote on approving this. How many employees here in South Lyon did you have prior to assignment and how many took the new positions?

Tom Duncan stated about 117 employees.

Sam Caramagno stated and 85% of them took the positions.

Kurtzweil stated that it is her understanding that they are not located out of the South Lyon area. With your location in Wayne, on a winter day with a blizzard it will take more time to get to South Lyon. With Duncan there was no delay due to weather and I could call if trash were not removed and another truck would be sent out. I don't have a feel whether that same level of commitment would come from your company.

Sam Caramagno stated he can assure us of the same level of commitment. We have many, many years of experience. We will be here to collect your trash on schedule, every week, 52 weeks of the year. I will give you my personal cell phone number and you can call anytime. Rizzo participates in Community involvement sponsorships. I gave to Phyllis contact names and numbers. I am in town every week and am around the community and am your contact person.

Tom Duncan stated that we aimed for a good fit from our company to the next one which is family operated and socially conscious about their work and we are very confident that Rizzo will fill that role. They have agreed to follow up with helping at the Pumpkinfest and with Milford Memories to return something to the community.

Kramer questioned if it would be an issue to put it over to the next meeting?

Tom Duncan stated contractually said the City would not be opposed to this assignment.

Attorney Wilhelm stated that the assignment is already done so there is no provision regarding the not unreasonably withholding the consent to an assignment if it is already done.

Tom Duncan stated they are interested in keeping your business.

Kramer stated he would like to be able to review the contract to discuss some of these issues and if signed today, we would be unable to do that. I don't think it will be an issue but would like the opportunity to discuss first.

Sam Caramagno stated that we contract through RRRASOC and I have assured Mike Szabo that a sit down discussion will happen. There will be no side stepping that at all.

Ladner questioned the availability of carts for recycling versus bins. Is that a service you will make available to South Lyon if we do go forward with this assignment and have a contract with Rizzo.

Sam Caramagno responded that if that is one of your negotiating points, absolutely!

Kivell stated that if he remembered correctly that the contract prohibited the idea of reassignment to begin with. That is unfortunate that it has taken place the way it had but I was reassured that you said Rizzo will comply with the entire breadth and meaning of everything in the contract. Once we approve consent we are obligated to the terms of the contract long term. We are locking into this 6 month window. Is there a way to lessen our vulnerability?

Attorney Wilhelm stated under normal circumstances you would have to give 180 days' notice for termination.

Sam Caramagno stated the contract has specific information and they serve close to 60 residential communities currently. We met with the Operation Department at City Hall here and they have e-mail and phone cards for our route manager, operation manager and myself. We have a route manager stopping by the office here 3 days a week to ensure your service is adequate and if not the garbage would be collected within 24 hours per your contract.

Rzyi stated his thanks to Duncan and what he had done for the community and for Relay for Life. We are losing a great asset. I feel like we are being rushed into this. I am afraid being locked in until 2018. I would prefer to renegotiate the contract for a year see how it works and then renew you.

Tom Duncan stated that the contract runs out in 2017.

Attorney Wilhelm stated it is a 5 year contract effective 7/1/13, so June 30, 2018.

Duncan stated that the issue I have stated that I had represented that every consent would require me to reopen the contract and negotiating the contract which started a year ago with RRRASO

Ladner stated perhaps we can have a work session with Council and members from Duncan and Rizzo and review that before the next Council meeting then we can make a decision at the next meeting. Another question would be the availability of recycling for private developments (Lexington, South Ridge, Evergreen, Colonial Acres, Brookdale etc...). They don't have curb side recycling since they have dumpsters.

Sam Caramagno stated if they are not contracted through the municipality now it could be arranged in the future and they can have service through Rizzo. If you want carts it can be negotiated with. Very easily resolved.

8/8/16



3. Consider creating policies to outline the processes for naming and/or memorializing individuals, businesses and organizations in or on City facilities, assets, or locations

#### DISCUSSION ON PROCESS:

Galeas noted he wanted to be clear we will be discussing #4 and then #3 separate.

Michael Moore stated what the Council has asked is for our motion not to be in play anymore so they can pass the buck here. You made it so you can pass this resolution so that Parks and Recreation will now determine if we can move forward with #4. After you folks here all said you were going to support this idea and now folks on the Council don't want to go forward with it. If this is passed, #4 is a mute-point correct?

Kramer noted there are other opportunities. I wanted this to go through Parks and Rec and the Jr. League so we can see official acceptance of this. I assumed this had went through Parks and Recs. It has not gone to Parks and Rec and I have not seen anything from the Jr. League saying they support this. That is all I am asking. I am not against this. That is why we are talking about a process today. We are not all against this.

Mr. Moore said all the board members were for it. No one said to go through Parks and Recs. We went to the Doty's and told them what had transpired and they were elated. I have to tell them what was supposed to happen is not going to happen.

Kivell added that is why we want the process to include Parks and Rec and for them to review it. You keep saying that everyone on this board gave approval. I made no comment one way or the other. I was waiting for someone to pitch a proposal. Something needed to be formalized to present to us. That still has not happened. We have a Dedication Resolution that is the extent of what has been firmly positioned to us.

Mr. Moore stated they are on the agenda to meet with Parks & Rec at the next meeting on the 24<sup>th</sup>.

Kramer stated let us go to Parks & Rec so we understand the scope of the project.

Mr. Moore noted that we would work hand-to-hand with Parks & Rec and let them lead the way and that will be part of our Resolution if this is passed this evening. The Jr. League is still leading the way and getting contributions. The name of field South Lyon Field #1 in McHattie Park would be the Maddy Doty Field. This hurts nobody. The family is here and supporters.

Kivell noted that it should be easy for Parks & Rec to deliberate on.

8/8/16

Kurtzweil stated she did not find where Parks and Recreation were involved in any naming of any park in this City up into the last few weeks and we can let precedence decide how to move forward tonight.

Kivell stated we are in this constantly in the throes of how we need to determine to the empty degree all these processes that we need to do. We are trying to come to accord with the park. All these assets that the City has are going to be needing commercial or corporate sponsorship so we want to get our ducks in a row. Until we get this process moving forward we will remain in the same place. Give Parks & Recs the tools to be able to give these considerations now. So we are prepared when the time comes. This is one of the steps to get us there.

Galeas added that he is not going to disagree that a discussion needs to take place in the future but I did not want to see red tape get in the way for something that is so important to a lot of people. I do understand the Council's concern. In the future we need to make sure this type of thing does not happen again.

Frank Seconus of 350 Hagadorn stated he does not know the family but saw of it on Facebook. This community is deeply moved by Maddie's passing. I have been a high school teacher for 15 years and no precedence has been set yet and it make sense to have one. On the street the people are saying there is going to be a ballfield and on summer days we would hear Maddie's name and people are now expecting it. (APPLAUSE).

Ryzyi stated he was approached by Mr. Moore and he asked if I could help. I can't imagine a child passing away. I brought it to Council in June. I won't let money get in the way of doing something. We don't need corporate sponsorship to get a couple of grand. You will hear talk of policy today and how we need a policy. The Jr. League was approached by Council and strong armed to pull back. We have an opportunity to pass a resolution and work with Parks and Recs and that is what we are voting on tonight.

Kramer noted this is why we need a policy. We are discussing this tonight. That is why we wanted #3 and #4 together. So when it comes up next time it is rubber stamped. A bunch a parks were named in the past without a process. You have my support.

Mr. Moore stated it does not have to be this way. I ask again you to support this position tonight and name that field after Maddie Doty. The family is here tonight so don't make me have to tell them this won't happen.

Dedakis stated that it was presumptuous of you to do so. I am on board 100%, but why have a Parks and Recs Commission if we don't utilize this resource. To take that information to a family that is grieving is presumptuous on your part and if it does not pass tonight is should be on your shoulders.

Wedell reviewed previous meeting minutes and noted Kivell stated Parks and Recs should be involved; Dedakis was in agreement and Parks and Rec should be involved and Kramer agreed Parks and Rec input and Jr. League input was needed and to follow procedure to have a unified front. That was just a few of the comments. When this was brought to Council it was a poll, not a resolution. We need input from people who volunteer and are chosen by the board. One commissioner insisted this resolution be put on the agenda tonight to force a decision we are not ready to make tonight. This is why we have people in place to deal with these issues. We should not be steamrolled into making decisions. This is what has been going on. We have people ready and willing to deal with these issues.

Kurtzweil stated she would not vote on this issue. I think this is an administrative function. Put together a policy for City Council to review. There are capable individuals that can bring it to us. It is an administrative function. Start with them.

Kivell noted that the objective is to get a process in place.

Ladner noted that the idea of the policy we would put together is not just for corporate sponsorships, it is for memorials similar to what they are asking for Maddie. It does not have to be a financial donation. It is for people who have made a significant contribution to the community. We need to track our memorials such as the Blue Star Veteran's Memorial and the building SLARA is in and is a memorial building and people don't realize it. We need to know why these things were dedicated. Fifty years from now no one will know why we have these things and why they were named after them and why it was important.

Ryzyi we are reviewing #4 which would be giving authorization for Parks & Rec to move forward with the policy and #3 is the actual resolution in naming the field. This information was put together so quickly. A lot of energy was used to get something before us. The policy we are asked to look at are from Tuscan, AZ and Boise, ID.

Ladner noted others are from Novi, South Lyon, Berkeley and Mt. Pleasant, MI.

Ryzyi stated he is not opposed to the policy but whatever comes before us I hope it is only a page in length and for Parks & Rec Commission to give recommendations to Council without having to jump through hoops.

Dedakis commented that she was impressed with the Boise, ID and AZ. Granted they are lengthy the actual breakdown of definitions. I think we should put something like that together so we don't have this issue in the future.

Kivell stated the problem is with the perpetual care of these things. Once a dedication takes place it is on the City to maintain and pay for the maintenance or will there be some financial component to make sure everything is maintained. Those are things Parks & Rec will orchestrate. What is needed is a list for the funding for the care of these items.

Galeas stated we obviously need a policy. I want everyone to work with our Parks & Rec. I am sorry we stepped on some toes. After reading the guidelines there are things that describe exactly how things should take place.

Rzyzi stated myself and Mr. Moore will be at the Parks & Rec meeting on the 24<sup>th</sup>. What will happen tonight is we will pass the resolution symbolic naming the field. Any physical improvements will go through Parks & Recs. If this motion passes #4 all we are doing is giving Council authorization from Parks & Rec to the City Manager to draft a policy. I have no issues with that.

Kivell noted there was some real, genuine interest in us getting an organized process into place. There is a process that is necessary to get to the end. Parks & Rec has been prohibited from being in that process. They are the ones who would organize and make suggestions.

Erica Wilson Chairperson of the Parks and Rec Commission stated that the e-mail I sent to Council and Lynn in light in what is happening has brought forth the lack of these policies. It is vital as we move forward with Volunteer Park. Putting a name on a field is important for Corporate Sponsorship. There are memorials out there we know nothing about we do need a Registry. This is necessary. We need this policy to move forward.

CM 8-8-16 CONSIDER CREATING POLICIES TO OUTLINE THE PROCESSES FOR NAMING AND/OR MEMORIALIZING INDIVIDUALS, BUSINESSES AND ORGANIZATIONS IN OR ON CITY FACILITIES, ASSETS, OR LOCATIONS

Motion by Rzyzi, supported by Kivell

Motion to authorize Parks and Rec Commission to work with City Manager on drafting a policy for Council adoption of policies to outline the process for naming and/or memorializing individuals, businesses and organizations in or on City facilities, assets or locations.

**VOTE: MOTION CARRIED UNANIMOUSLY**

- 4 Consider Proclamation authorizing the renaming of Field 1 in McHattie Park after Maddie Doty.

CM 8-8-16 CONSIDER PROCLAMATION AUTHORIZING THE RENAMING OF FIELD 1 IN MCHATTIE PARK AFTER MADDIE DOTY

Motion by Rzyzi, supported by Kurtzweil

Motion to pass the Proclamation officially naming McHattie Park East and changing the name to Maddie Doty Field effective today.



Mosier stated she put together a couple corrections on a summary sheet for expenditures for General Fund for the Historical Society the total was incorrect on there. I also amended the Revenues since we sold some fixed assets; we sold the fire engine and 3 vehicles for the police Dept. In Water and Sewer we are doing the Dorothy Street Project and it was all budgeted into Capital Outlay and I took it out of there and put it in Construction it is easier to keep track of the expenses that way. That is basically it.

**CM 8-8-16 CONSIDER APPROVAL OF BUDGET AMENDMENT AND CORRECTION**

Motion by Kramer, supported by Kurtzweil

Motion to approve the Budget Amendments and Corrections as presented.

**VOTE: MOTION CARRIED UNANIMOUSLY**

6. Consider approval of Pumpkinfest Run on Saturday, Sept. 24<sup>th</sup> with no additional road closures

Collins noticed Coach Smith was not here. Seeking Councils approval of the Pumpkinfest Run which is held prior to the Pumpkinfest parade. The closure has already been approved so with Council's blessing the Police Department recommends approval.

**CM 8-8-16 CONSIDER APPROVAL OF PUMPKINFEST RUN ON SATURDAY, SEPT. 24<sup>TH</sup> WITH NO ADDITIONAL ROAD CLOSURES**

Motion by Kramer, supported by Kurtzweil

Motion to approve the request for the Pumpkinfest Run beginning at 9:55 am on Saturday, Sept. 24, 2016.

**VOTE: MOTION CARRIED UNANIMOUSLY**

7. Consider approval of Fall Witch's Hat Run on Saturday, Sept. 10<sup>th</sup> and authorized road closures

Collins stated that this is an annual event and the route is the same as in prior years. The Cross Country Team assumes the cost of the overtime for the police officers to make the event safe. Once again, the Police Department recommends approval of the road closures.

**CM 8-8-16 CONSIDER APPROVAL OF FALL WITCH'S HAT RUN ON SATURDAY, SEPT. 10<sup>TH</sup> AND AUTHORIZED ROAD CLOSURES**

Motion by Kramer, supported by Wedell

Motion to approve the requested road closures for the Witch's Hat Run beginning at 8:15 am on Saturday, Sept. 10, 2016.

**VOTE: MOTION CARRIED UNANIMOUSLY**

### 8. Review Whipple Street Block Party application

Collins stated it is an annual event and several years ago Council gave the Police Chief authority to approve these local block parties. Oftentimes organizers do not realize the timing cycle to getting the event before Council. I have already approved the event and this is informational only.

### 9. Consider approval of the Purchase of a 12" Drum Style Brush Bandit Chipper (Model 990 XP)

Martin stated that for the last 24 years the City has shared ownership of a 1994 used wood chipper. The problem we have is that we share it with them. At times when we need it, it may not be in the City and with the age the equipment is getting tougher to keep it running and to get part for it. We went out and secured 3 different quotes and after testing/using them it just so happens the one the department liked the best was the least expensive. Request Council to approval the purchase of a Bandit 12" Drum Style Brush Chipper (a Michigan made unit). It will be in-house 24/7 now and the price of the unit is \$29,774.00. Also, the City of Milford will purchase the old unit from us for \$500.00.

Kivell questioned if it is a fit for the truck we previously were using and Martin assured him was.

Kramer questioned if we did something to this chipper a few years ago? I thought we had an issue with Milford.

Martin replied I believe that was the street sweeper. Our mechanic did make repairs in-house. A unit that old has a fraction of the safety features that the new one now has.

Kurtzweil thanked Martin for providing the notation here that this is originally a budgeted item. She questioned if there was any reason you are going for the lowest bid?

Martin stated it was the best of the 3 in our opinion and we are very pleased with it. These are made in mid-Michigan and parts are available. The salesman is in the area. A lot of upside with it.

### CM 8-8-16 CONSIDER APPROVAL OF THE PURCHASE OF A 12" DRUM STYLE BRUSH BANDIT CHIPPER (MODEL 990 XP)

Motion by Kurtzweil, supported by Kramer

Motion to approve the purchase and installation of replacement windows in the Main Police Building

**VOTE:**

**MOTION CARRIED UNANIMOUSLY**

10. Consider approval of Purchase and installation of replacement windows in Main Police Building

During the Budget Workshop we discussed this issue with Council. We estimated the cost would be about \$25,000 to replace the drafty and leaking windows in the Police facility. We do have \$25,000 approved in this FY budget. We attempted to get numerous estimates and a number of vendors would not give a bid for a commercial building. The vendor that originally installed the windows did not want to bid. Only 2 places that bid; Pro Brother's Windows and Showroom for \$25, 938.00 and we got an estimate from a local merchant Pullum Windows for \$24,069.39. The Police Department requests the approval of local vendor Pullum.

Dedakis attested to the Police Department building needing some TLC. There was talk of a combined Police/Fire Department in maybe 5-10 years. You need windows! The Fire and DPW needs attention too. The building is actually separating from the ground. You have my vote on this. Maybe in the future we can have a feasibility session of the combo complex

Collins noted we have had a preliminary meeting with HRC to talk about investigating feasibility of sites.

Galeas noted the problems with the window installation originally at that building.

Kurtzweil stated she thanks Sgt. Sovik for noting this was a budgeted item also. That way she can note if a budget item will need an amendment down the line.

**CM 8-8-16 CONSIDER APPROVAL OF PURCHASE AND INSTALLATION OF REPLACEMENT WINDOWS IN MAIN POLICE BUILDING**

Motion by Kurtzweil, supported by Kramer

Motion to approve the purchase and installation of replacement windows by Pullum Windows in the amount of \$24,069.39.

**VOTE: MOTION CARRIED UNANIMOUSLY**

11. Consider approval of Purchase and installation of replacement windows in City Building rented by SLARA at 318 W. Lake St.

Ladner stated that the City rents the building at 318 W. Lake St. to SLARA (South Lyon Area Recreation Authority). Very little preventative or on-going maintenance has been done to the building unless when it is absolutely necessary to repair it. It is going to reach a point where it becomes an eyesore and potentially unsafe for the employees working there. Martin and I toured the building this week and Amy is here if Council has any questions of her. Several of the items can be handled by the Department of Public Works and Water & Wastewater. SLARA as a board is looking into doing the carpet replacement and paying for that themselves. There



site plan approval of a PD and rezoning. Looking at the documents there is no agenda note on that and for whatever reason I do not have an explanation but there was no formal ordinance rezoning a parcel prepared. This matter is continuing to go through the process; the developers have changed, it has been sold and Planning Commission has reviewed this again. This is a housekeeping matter to approve the First Reading of the Rezoning Ordinance. I have provided you with a large amount of background material as to the November 23, 2015 action, the planning reviews, recommendation from the Planning Commission. I also included a copy of the draft Planned Development Agreement. That is not being reviewed or approved tonight. It is there for background purposes.

**CM 8-8-16 CONSIDER FIRST READING OF ORDINANCE REZONING PARCEL 21-19-126-002 FROM RM-1 (MULTIPLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT)**

Motion by Kivell, supported by Dedakis

Motion to approve the First Reading of Ordinance rezoning Parcel 21-19-126-002 from Thomasville RM-1 (Multiple Family Residential) to PD (Planned Development).

**VOTE: MOTION CARRIED UNANIMOUSLY**

Kivell stated Planning has already approved the final.

Ladner noted there are still a few issues that need to be cleared up according to Carmine.

Attorney Wilhelm stated there was a recommendation for Council to approve under certain conditions. I will follow up with Carmine on whether those conditions have been satisfied.

13. Consider request from Village at Eagle Heights for the City to accept dedication of water and sanitary sewer utility improvements and utility easements for the Village at Eagle Heights Development

Attorney Wilhelm stated this is the request to accept the dedication of water, sanitary sewer, utilities and easements in Village at Eagle Heights. Bob Donahue has been out in the field. It is my understanding the he and Mike Darga (HRC) have done in-field inspections. All the punch list items have been satisfied. This association has gone above and beyond to provide the appropriate documentation. Everything is in order so we would ask the Council approve and accept the dedication of the utilities listed in the bill of sale and the easement that corresponds with those utilities.

Rzyzi stated whenever we do these dedications I think it has the potential to be a win-win for the residents, the development and the City. The residents deserve this. They will have better service by the DPW.

CM 8-8-16 CONSIDER REQUEST FROM VILLAGE AT EAGLE HEIGHTS FOR THE CITY TO ACCEPT DEDICATION OF WATER AND SANITARY SEWER UTILITY IMPROVEMENTS AND UTILITY EASEMENTS FOR THE VILLAGE AT EAGLE HEIGHTS DEVELOPMENT

Motion by Rzyzi, supported by Kramer

Motion to accept the dedication of water, sanitary sewer, utilities and easements at the Village at Eagle Heights.

**VOTE: MOTION CARRIED UNANIMOUSLY**

Kurtzweil stated it is a beautiful place in South Lyon. A wonderful community.

Kivell added that this is a prime example of how this process is supposed to go.

Martin stated that he got to know the folks well. Debra Zimmerman was outstanding with Your Peace of Mind Management firm there. Good people.

Ladner stated we have 2-3 more that are currently very close; Glen Meadows and Martindale Estates. Quail Run is at a standstill currently.

**DISCUSSION-DOWNTOWN**

Donahue stated I just want to bring you up-to-date; there are 2 meetings scheduled with the owners of the Hotel. One is tomorrow we are meeting with Corey Balla and Chris and Kathy Baker, Ladner and I in Milford. We will talk of all the available financial incentives and they can make an informed decision on which route to go with reconstruction at the Hotel. The second meeting will be on Monday, August 15, 2016 and it is a pre-op conference with building official, the building inspector, code enforcer, Ladner and I to get the ball rolling and which direction they will take.

DDA board meeting on Thursday. Start preparing a commercial tax abatement policy and guideline with criteria (draft) in the next 30 days. Preparing a liquor license approval policy with criteria, again in the next 30 days or so. Also preparing a business recruitment strategy. I would like to have it done in a draft in the next 2 weeks.

Rzyzi added that Bob gave a great update last time. I am excited to hear about the new businesses coming in.

Donahue stated that I had my first disappointment. I am meeting with the realtors again with the principals of the realtors. I don't think we are getting the respect from entry level staff. I did meet with Thomas Duke and Gardham and they have properties downtown. We had 2 businesses via for the building next to the theater and I had hoped we could carry forward the kitchen store but it appears there will be a salon going in there. That is not the direction we want to go. Donahue stated that is why we need a strategy.

8/8/16

Ladner noted that the kitchen store was working on getting their financing but the realtor was not willing to wait for them to get it in place. It would have been a better retail opportunity for our downtown. We have 4-5 hair salons in the downtown area.

Dedakis stated we will have back to back salons there. That may drive out 2 business since they are competing.

Kurtzweil stated these realtors need to know we are serious about developing our downtown.

Ladner asked if the Council would entertain an idea for an incentive policy if Bob and I were to put something together for facade improvements as well as other economic incentives for attracting businesses to the downtown area.

Kivell and Kurtzweil both said absolutely!

Ladner stated that she has a connection with a group with a large collection of restaurants from the small diners style all the way up to white tablecloth dining on the west side of Michigan. I would like to reach out and have Bob and I see if they would be interested in expanding into this area of Michigan. They have restaurants in Grand Haven, Ada, Cascade, Caledonia and multiple locations in Grand Rapids. They are a very large restaurant collection. I won't mention them by name so other communities won't go after them. I worked with them for several years and I know their CEO and Operations Manager. Would you be willing to authorize a trip for the two of us to go over and meet with them?

Rzyzi stated you don't need to ask for permission for something like this you have the authority to do so. That is why we have you.

Kivell stated as far as the incentives, there is not a one size fits all so it would be obviously project driven.

Rzyzi asked about the Arts & Craft Building. Any resolution?

Donahue said he has received some information to discuss with the nephew and he is supposed to paint by the end of the season. Tom Lyons has the best response rate with them. He will be back from vacation at the end of the week.

Rzyzi stated any time he had the opportunity to promote businesses downtown I will do that. EMS Furniture Restoration & More is targeting August 18, 2016. It is nice to see a vacant building filled. Ambrosia is next to Jan's Skin Spa. They have great items for the kids. You have to walk up the stairs to get there. Tracy Hill Photography is moving from the current location on Lake St. over the Coral Sash at the end of this month and she will be offering photography classes.

Kurtzweil stated that this weekend South Lyon was the place to be. Farmer's Market was buzzing. There were people with bags that had gone into Coral Sash and Grand Trunk and Lake Street Tavern was filled. The weather was great. This was before Blues, Brews and Brats even started. Andrea did an incredible job with that. That whole downtown area benefitted from that event. Downtown looked good.

Galeas stated that the parking lot the Blues festival was in. We talked of improving it with signage. It does not get used often since people don't know it's a parking lot. The Fire Department uses it for training. Clean up the yard since we do the festival in there now.

Donahue noted he would get ahold of Bob Martin to talk about that.

### **MANAGER'S REPORT**

Ladner wanted to thank the Council for your concern and graciousness while I was recovering over the past several weeks. I am very happy to be back at work and I tried to hit the ground running to achieve the goals Council and I set in the past year. South Lyon is well on its way to making several very large steps forward in the next few months and to continue to capitalize on the very positive reputation that South Lyon and the surrounding communities have as a growing, safe place to live to raise a family.

This week the City will begin 2 insurance analysis of our own and tomorrow with an MML member of the risk analysis team for our annual review and also with the Fire Department. I am also in the process of beginning the City's annual MMRMA liability insurance review. I will be asking for assistance from the department heads. Once that is reviewed we should get our check back from them. We do such a good job in keeping the City safe and we have no major liability issues we should get a refund close to \$90,000.00 of expenses we paid into them and our premiums. We got almost half of it back. I announced in May I was appointed to the State Pool Committee. The MMRMA Conference is this month in Traverse City the 17<sup>th</sup> through the 21<sup>st</sup> but with the amount of time that I have been absent from the office so I will only attend the day of August 18, 2016.

I was asked by City staff members to make an announcement at the Council meeting so it goes out on Channel 19 our staff at the City Cemetery to remind residents that the Cemetery has rules on the amount and size of memorials, decorations and plantings placed on loved ones gravesite. There are several areas that crews are having a difficult time maintaining to the standards they feel this is necessary to honor everyone as we are approaching the Labor Day weekend. Many family and friends take the opportunity to remember their loved ones. Please remember these rules exist. The employees don't want to have to disturb anyone's memorial. If it does interfere with maintaining the Cemetery they will have to relocate or remove the memorials that expand outside the burial area of an individual plot. It is a public announcement to remind people of that.

I hope everyone enjoyed the Blues, Brews and Brats festival last weekend and our entertainment is not over for the year. This Friday in McHattie Park is San, Emily & Jacob (eclectic, genre-bending, acoustic trio) that begins at 7:00 pm. Then on Friday the 19<sup>th</sup> you can enjoy Pete Fettes (red hot rockin' blues) which was one of the bands at the festival this weekend. On Saturday the 20<sup>th</sup> you can take a trip back in time and enjoy the movie Grease in the park and starts at 9:00 to 9:30 (dusk).

I was asked by Councilman Kivell to provide each of you with a copy of my City Manager Performance Evaluation so we can set a date for the evaluation. My contract states the evaluation is to take place in June or as an agreed upon date by both parties. How does the Council want to handle it?

I have on computer the concept of the new web-site for the City and an internal page to show you. If I get your approval of the new web-site then we are ready to begin content migration. Ladner reviewed the changes with the site. I asked them to use navy blue, gold and silver those are the 3 high school colors and they have not been able to work silver in. If Council is okay with the blue, gold and white or go with completely different colors. School logos and a direct link there. FAQ- I want to..... will direct you to certain topics or locations. Resident's area would list City parks.

We can set the date for my evaluation.

Kivell stated the next meeting.

Ryzyi recalled the Police Chief Contract and stated as a City we should honor our contracts. If the contract says January, we should honor that. Just because Council did not do one in February you should not be punished for that. I want to see more goals/results. Not how you get along with other agencies. No scales 1-5.

Kurtzweil noted she has no clue how you work with employees or other agencies so I can't fill it out. I have no clue what your job description is. If you give me what your goals were I would have objective criteria to evaluate. We need to do a performance evaluation that deals more with objectives than with subjectivity. You need to be a participant in this evaluation. Do a self-accomplishment report and submit that. Let's follow the contract and do it more professionally. Per the contract you are to be reviewed first in February and subsequent annual review to occur in the month of February unless the parties agree otherwise. February is gone unless you agree to something before February 2017, your contract does not require you to go under an evaluation.

Kramer stated not the next meeting since he will not be available.

Kivell stated she was on medical leave the previous year that is why we scheduled the evaluation for June but was out on medical this year in June.

Ladner noted she was out February 2015 and June 2015. Here February 2016.

Kramer stated we need to have an annual review to give you guidance and this year we did not have one.

Ryzyi stated reviews before were garbage. What goals you had and the results. If it takes some time to put that together, so be it.

Kivell replied that the contract problem went away when she agreed to have it in June. The illness prevented the February review then we established June.

Rzyzi noted it has to be a mutual agreement by Lynne and the Council.

Dedakis stated you are our City figurehead so we all need to be on the same page since you have been absent. Not a negative thing.

Attorney Wilhelm reviewed the contract.

Kurtzweil does not want the City to breach a contract. They should have to draft a contract that said that.

Dedakis stated you are due for a review.

Attorney Wilhelm stated it should occur annually in February the methodology does have to be agreed on not the timing.

Maybe this is an issue I should render a formal opinion on.

Ladner noted early September she could put together a list of goals, a self-evaluation and an executive performance evaluation. We will review the performance format at the next meeting. Do this one in September then go back to February's time frame?

Wedell stated the evaluation used last year listed new performance goal and objectives. From the 2015 evaluation I expressed goals I would like to see and have another opportunity to comment on goals and evaluation. The last question on the last page should be included. If we change the format every year you cannot look back to evaluate.

## **COUNCIL COMMENTS**

Kivell stated I love living in this City. Thank you.

Dedakis stated thank you guys have a good night.

Rzyzi stated I'm not going to be so brief. Lafayette Place the dumpster doors are always open and trash piles up.

Lynne noted the big issue is the company uses hooks on the trucks to dump them and never close the doors. It is an ordinance violation of the City. Required to have dumpster enclosures with doors.

Rzyzi stated he wanted to acknowledge the Blessing of the Back Pack extended to all the schools in the district. Also thanks to the election workers. They were really friendly. A light turn out. Are the sprinklers in McHattie Park repaired?

Martin said they had been.

Rzyzi the billboard at the entrance to McHattie Park it was leased in 2005 for 10 years. The City leased it 2005, renewed in 2015. The concern is in the lease does not stop language or material content.

Ladner stated we inherited the billboard. We did not get a copy of the lease when we purchased the property. The billboard company sent us a copy of the contract. Lease renewal every 10 year unless 180 days' notice is given. No control over what is advertised on it. The cost is \$1,300 a year.

Rzyzi stated August 18 is the Ribbon cutting of the Little Free Library. Thank you.

Wedell stated apologies again to the City staff for your elongated working day that is all I have.

Kramer stated he wanted to thank everyone who participated in the South Lyon High School Football Booster golf outing this Saturday, a great turn and there is a lot of money for the football program. Appreciate everyone who showed up.

Kurtzweil stated there must be a Julian Assange in our community. A paper was slipped under my door and it was authored by Tedd Wallace and had a nasty comment to it. It pointed me to a Section of the Charter. As of Council action of February 25, to insert Chief Collins as temporary interim City Manager for the duration I am reinstating that until the City s Manager is off medical and cleared for work and has a type written date of October 6, 2015. If this is what happened you have a violation of City Charter. The mayor does not have the ability to unilaterally appoint a successor that is done by Council need to. Another thing is the language Councilman Wedell used was noted by people in the community. I would not take the lords name in vain. Many found it offensive. We are a faith based community. The churches come to clean up in the spring even in the rain. We offended their god.

Dedakis stated Freedom of speech.

Kurtzweil suggested Wedell keep in mind and be more respectful.

Wedell stated he did use the lord's name in vain and for that I apologize. This is the second week in a row that I have been attacked by members of this Council. Why don't you clean up your act and maybe the rest of us can be more responsible as well. Thank you.

Galeas stated he is shocked about the anger that has showed up at this Council table. I think people need to question themselves. This has gotten out of hand. Some good came tonight among a lot of angst. Go home and listen to yourselves. You can laugh and dish it out but you can't take it. I have listened to this at too many meetings. This is about representing the City not yourself.

## **ADJOURNMENT**

Mayor Galeas adjourned the meeting at 11:18 pm

Respectfully submitted,

---

Mayor John Galeas

---

Marianne Jamison  
Recording Secretary