

The City of South Lyon
Regular City Council Meeting
August 24, 2015

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

PRESENT: Mayor Tedd Wallace
Council Members: Dixson, Kivell, Kopkowski, Kramer, Rzyzi, and Wedell
Also Present: City Manager Ladner, Department Head Martin, Lt. Sovik, Chief Kennedy, Attorney Wilhelm and Clerk/Treasurer Deaton

MINUTES

Councilman Kivell stated on page 2 the word cities should be people, on page 3 the names of Councilmembers need to be added to the roll call vote. He further stated on page 7 there are two sentences that need to have language added.

CM 8-1-15 MOTION TO APPROVE MINUTES AS AMENDED

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

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

CM 8-2-15 MOTION TO APPROVE AGENDA

Motion by Wedell, supported by Rzyzi
Motion to approve Agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Mellissa Baker, Superintendent for South Lyon Schools stated she wanted to attend the meeting tonight to introduce herself to everyone, and she invited everyone to stop by her office at any time. She further stated she also wanted to thank the Police Department and the first responders that assisted with the full scale open shooter exercise at the High School it was a challenging day and she

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hopes that will never be necessary, but everyone learned a lot. She further stated she would like to thank Lynne for her work on the Safe Routes to School Grant.

Carl Richards of 390 Lenox stated he would like to thank the DPW for the wonderful job they did on the curbing at McHattie Street and Washington Street. He further stated the new DPW worker did a great job trimming the trees in the downtown area. Mr. Richards further stated he wanted to let Council know Active Faith will be doing some floor work.

OLD BUSINESS

1. Discussion item: Option for Pontiac Trail

City Manager Ladner stated she has received a resurfacing option from HRC for Pontiac Trail from curb to curb from Lafayette to McHattie. The total amount for that stretch of road is \$\$847,800. City Manager Ladner stated she believes this is something that should be discussed in a work session with Council and HRC.

She further stated this needs to be prioritized along with the other streets. Mayor Wallace stated he would like the City Manager to contact the Oakland County Road Commission to see if they would go 50/50 with the City because it is a County Road and the residents want something done.

2. Consider setting date for work session related to Streets and Dorothy Street Parking Lot

Discussion was held regarding a work session to discuss options for Street improvement and Dorothy Street Parking Lot. It was the consensus of Council to have a special meeting on Wednesday September 9, 2015 at 7:00 p.m.

NEW BUSINESS

1. Consider adopting proclamation for September as National Recovery Month in conjunction with Oakland County Community Mental Health

City Manager Ladner stated being part of Oakland County, this is an annual Resolution we pass during the month of September to recognize National Recovery Month as requested by Oakland Community Health Authority.

CM 8-3-15 MOTION TO APPROVE RESOLUTION

Motion by Wedell, supported by Rzyzi

Motion to approve resolution recognizing September as National Recovery Month

VOTE:

MOTION CARRIED UNANIMOUSLY

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2. Consider adopting renewal of Huron Valley Ambulance contract

Chief Kennedy stated the HVA tri party contract between the City, Lyon Township and Huron Valley Ambulance came up for renewal earlier this year. Lyon Township desired to increase their transport frequency and ability. Later this year, Lyon Townships Fire Department will receive a new ambulance the Township has purchased. Lyon Township sent notice they wanted to terminate the contract, which opened the contract for negotiations, and through several meetings, we were able to come up with an agreement for all three parties which allows Lyon Township to do more of their transporting than in previous contracts. He stated his prospective is the City is very happy with HVA; they have been an outstanding community partner. He further stated if Lyon Township decided to terminate the tri party contract, we may have had to look at other options; there is a mutual benefit of the City and the Township using the same ambulance service provider. Councilman Wedell asked if there is a change in cost to the City. Chief Kennedy stated there is not. Councilman Kramer asked what if Lyon Township decides to provide their own ambulance services to their residents in the future, where would that leave us. Chief Kennedy stated he doesn't foresee that in the near future, but there are a lot of issues that would need to be worked out. If that did happen we could still stay with HVA, they cover Green Oak Township and Washtenaw County as well, he had confirmation early on from Dale Berry if Lyon Township did cancel the contract, HVA would remain with the City. Chief Kennedy stated he is happy with this contract. Councilman Kivell asked why Lyon Township doesn't do the major emergency events, is it a training issue, or time intensity issue. Chief Kennedy stated it is a training level issue. Right now the City and Lyon Township both operate on basic life support, but we cannot do cardiac monitoring, or advanced airways, so for someone that is acutely ill, they need the services HVA can supply. Dale Berry of HVA stated they are a non-profit nationally accredited agency. He stated they are based in Ann Arbor and serve 144 municipalities. He stated he was a City Police Officer for South Lyon in 1976-1981. He further stated he was the ambulance Chief when the City owned their own ambulance. Mr. Berry gave a brief history of the ambulance services in the City of South Lyon. Mr. Berry stated they have served South Lyon since 1990. He spoke with Lyon Township and two changes were made to the contract because Lyon Township wanted some flexibility if the HVA ambulance was too far away, they wanted to use their own ambulance. Another change is that we have agreed to improve ambulance to fire truck communication and they are working on that currently. He further stated he has spoken with Lannie Young from Lyon Township and they do not plan on getting into the ambulance business, it is very expensive. He further stated the HVA gets revenue from the patients' health insurance. He further stated the current agreement is very solid. He further stated HVA crosses municipal boundaries every day. Councilman Rzyzi stated he is impressed with the collaboration with our Fire Truck and the HVA.

CM 8-4-15 MOTION TO APPROVE HURON VALLEY AMBULANCE TRI PARTY CONTRACT

Motion by Rzyzi, supported by Kivell

Motion to approve the tri party contract with Huron Valley Ambulance and Lyon Township

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Consider adopting use of Unsafe structure placards

Chief Kennedy stated earlier this summer the Fire Department responded to a call and from the outside of the house, everything looked fine, but once inside they found a very hazardous hoarding situation. He stated they were able to get the homeowner some much needed help. Had our crew entered this house to respond to a fire in the middle of the night, they would have had no way of knowing the dangerous situation inside. He has spoken with other Fire Chiefs across the State regarding this issue and he is asking Council to allow the use of unsafe structure placards to be placed on buildings that have a hazardous situation. This is a literal red flag to our staff that there is an unsafe issue inside. Chief Kennedy stated this is permitted with the current code. He further stated this is a good idea, but if Council is not supportive, he will not move forward. Chief Kennedy stated in speaking with other Fire Chiefs that currently use these placards, it has caused some of the local businesses to clean up the buildings; therefore it has helped in that way as well. Councilman Rzyzi stated he thinks the City has been lacking with not insisting businesses keep their buildings up. He further stated we need to protect our Firefighters we need to do this, and if it prompts the business owners to clean up their building, that is good too. Councilman Kramer asked why we need to add a scarlet letter by the Fire Department, why can't we force the business owners to tear the building down. He further stated he believes we should do as Brighton has done in the past and take the building owners to court and force them to clean it up or tear it down. He believes this is a good first step, but we should be able to do more. City Manager Ladner stated we are currently looking at Brighton's Ordinance and we are looking at adopting the International Property Maintenance Code. Councilman Wedell stated he is supportive of this, but will we go back again to check the property to see if the building has been improved. Chief Kennedy stated they would check the building annually, but he is also hoping to be in contact with the business/property owners more than annually. City Attorney Wilhelm stated he believes the placards will go hand in hand with Building Code and property maintenance code enforcement, which will offer the potential for additional legal action for the City to force a property owner to make their buildings safe. Council agreed to allow Chief Kennedy to use hazardous placards when necessary.

4. Consider approval of application for Street closures for Pumpkinfest

Scott Black of the Pumpkinfest Committee stated they are requesting the same street closures as last year. He stated the road closures will begin at noon. Councilmember Kopkowski stated she was not contacted regarding the sign off sheet for closing Wells, and neither were her neighbors. She has a public email and she thinks they should have been able to contact her. She further stated there are three different times listed for when the road will be closed and her neighbors will be asking her. Mr. Black stated the street will be closed from 9:00 to 12:00. Councilman Rzyzi stated he is looking forward to Pumpkinfest it is very exciting for the City.

CM 8-5-15 MOTION TO APPROVE REQUESTED ROAD CLOSURE FOR PUMPKINFEST

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Motion by Kivell, supported by Kramer

Motion to approve from September 25, 2015 until September 27, 2015 and the related road closures: Lafayette Street between Liberty Street and Whipple Street; Lake Street between Wells Street and Washington Street; from 12:00 p.m. on September 25, 2015 until 8:00 p.m. on September 27, 2015.

VOTE: MOTION CARRIED UNANIMOUSLY

5. Consider approval of parade application for Pumpkinfest

Phil Weipert of 134 N. Warren stated the parade will use the same route as last year. They are trying to tweak a few issues from the previous year regarding the set up in the Lyon Township subdivision. Councilman Kivell stated he doesn't understand the misgivings of the busses. Mr. Wiepert stated the Homeowners Association does not want busses in their sub, they stated it was too congested. Mr. Wiepert stated they will try to stage the busses between McDonalds and Dairy Queen.

CM 8-6-15 MOTION TO APPROVE THE PARADE PERMITS FOR PUMPKINFEST

Motion by Wedell, supported by Dixon

Motion to approve the Pumpkinfest Parade on September 26, 2015 at 10:00 and the Related street closures: Pontiac Trail from 9 Mile Road to Liberty Street.

VOTE: MOTION CARRIED UNANIMOUSLY

6. Consider approval of Pumpkinfest Run

Scott Black of the Pumpkinfest Committee stated the route for the Pumpkinfest Run will be the same as last year.

CM 8-7-15 MOTION TO APPROVE PUMPKINFEST RUN

Motion by Kivell, supported by Kopkowski

Motion to approve the application for the Pumpkinfest Run at 9:55 a.m. on Saturday, September 26, 2015.

VOTE: MOTION CARRIED UNANIMOUSLY

7. Consider approval of Fall Witch's Hat Run

Chief Collins stated the Fall Witch's Hat Run route will be along 11 Mile through the Eagle Heights Subdivision therefore there will be a brief road closure along 11 Mile. He further stated it is the same route as last year.

CM 8-8-15 MOTION TO APPROVE FALL WITCH'S HAT RUN

Motion by Kopkowski, supported by Rzyzi

Motion to approve to the application for the Pumpkinfest Run at 9:55 a.m. on Saturday, September 26, 2015.

VOTE: MOTION CARRIED UNANIMOUSLY

8. Consider resolution to move South Lyon voting Precincts #2 & #3 from City Fire Hall to Bartlett Elementary School

Clerk Deaton stated our City Attorney and South Lyon School's Attorney have reached an agreement so that we may use Bartlett School instead of the Fire Hall for Precinct #2 and #3. We think this will be much better for our voters, election workers as well as the Fire Department. City Attorney Wilhelm stated we have a resolution as well as a memorandum of understanding for Council to approve for the change in polling location. There is also a hold harmless indemnification holding the schools harmless for anything that arises out of the election activities. He stated this is a 5 year renewable agreement. Mayor Wallace asked how the set up will be at the school. Clerk Deaton stated both Precincts will be in the gymnasium. Councilman Rzyzi stated this is for the betterment of the Community. Chief Kennedy stated Green Oak Township also uses Brummer Elementary school and it works out well.

CM 8-9-15 MOTION TO APPROVE RESOLUTION TO CHANGE VOTING LOCATION FOR PRECINCTS #2 & #3

Motion by Kivell, supported by Kramer

Motion to approve the resolution allowing the change in polling location for Precincts #2 and #3 From the South Lyon Fire Hall to Bartlett Elementary School

VOTE: MOTION CARRIED UNANIMOUSLY

CM 8-10-15 MOTION TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH SOUTH LYON COMMUNITY SCHOOLS

Motion by Kramer supported by Wedell

Motion to approve the memorandum of understanding with South Lyon Schools to use Bartlett Elementary for polling locations for Precincts #2 and #3

VOTE: MOTION CARRIED UNANIMOUSLY

9. Consider demolition bids for 390 S Lafayette

City Manager Ladner stated we received 2 bids for demolition; we were not able to get a bid package out for rehabilitation. She further stated she believes we need more time to get additional complete bids. She feels Council should reject the bids and we will advertise once again with additional time to get more bids. City Manager Ladner stated she received a letter from the code enforcement officer stating the building is rotting out with a horrible stench. Councilman Kivell stated just because it is dirty doesn't mean it cannot be refurbished. He further stated it is too short of a timeline to gather good information. He stated good decisions are made by actually thinking things through and seeing the possibilities rather than rushing and acting radically.

Councilman Wedell stated he wants to disclose he knows Mr. Hoffman who is one of the bidders. Mr. Hoffman worked as a County Commissioner when he worked for the Board of Commissioners, but that will not forfeit him from the discussion or vote. He further stated the two bids appear to be based on two entirely different bases. One was based on a tour and one was with remediation of asbestos and lead paint, the other one just stated there would be additional fees. He stated he agrees with the City Manager that we reject the two bids that were received and re-bid the demolition project and require they either tour the building or include any remediation with the bid.

Councilmember Kopkowski stated she is all for getting rid of blight, but she would like to see all aspects of all information. She stated she is not against tearing it down, but we need to look at what will happen after it is torn down. There is a change in zoning ordinance that needs to be taken into consideration. We need more information then we should make a decision. Councilman Rzyzi stated he agrees that we need to give more time for bids to come in, but he does want this item on the next Council Agenda. Councilman Kramer stated he is worried about the liability, so he wants something done sooner than later, the overhang is falling down.

CM 8-11-15 MOTION TO REJECT BIDS AND REBID THE DEMOLITION PROJECT

Motion by Wedell, supported by Dixon

Motion to reject and rebid the demolition project of 390 Lafayette

VOTE: MOTION CARRIED UNANIMOUSLY

CM 8-12-15 MOTION TO BID REHABBING OF 390 LAFAYETTE

Motion by Kopkowski, supported by Kivell

Motion to bid for the rehabilitation of the building at 390 Lafayette

VOTE: MOTION CARRIED UNANIMOUSLY

10. Consider resolution supporting reasonable and sustainable tree trimming practices

City Manager Ladner stated this resolution follows the public meeting that was held August 19th. DTE no longer calls this the ground to sky program, so any references to that were removed from the resolution, other than that, there are no changes. The resolution refers to reasonable tree trimming and removing, adhering to reasonable tree trimming standards, as well as letting the City know 15 days before. Councilman Wedell stated is there anything in the resolution that requires DTE to follow the language in the resolution. Attorney Wilhelm stated DTE does not have to follow the resolution, we are requesting DTE to follow the guidelines. He further stated this is a statement/request, but we cannot force them to do as we asked. Councilman Rzyzi stated at the public televised forum DTE stated they would work with the residents and replace trees and the stumps, and we are at their mercy. He further stated there is still a lot of concern and even though this resolution is symbolic, it does let DTE know the City is serious and committed about this issue. Councilman Kivell stated he doesn't understand why the City is involved with private homeowners having their trees trimmed and why we would request notice for that.

CM 8-13-15 MOTION TO APPROVE THE RESOLUTION SUPPORTING REASONABLE TREE TRIMMING PRACTICES

Motion by Rzyzi, supported by Dixon

Motion to approve the resolution requesting DTE for reasonable and sustainable tree trimming in the City of South Lyon

Councilman Kivell stated the Resolution is a request it does not give the City any power to stop it. Councilman Rzyzi stated he understands that, but the City represents the homeowners and we need to do what we can. Councilman Kivell stated the situation ended perfectly, the citizens created a scenario where their ire was apparent, and we intervened because the system was out of control, and it arrested them back into performing the way they said they were going to do it. This resolution doesn't amplify or take away the ability to have that same thing take place.

VOTE: MOTION CARRIED UNANIMOUSLY

11. Discussion Item: How to resolve the continued use of residential streets thru Eagle Heights Subdivision by heavy truck traffic

Mayor Wallace asked if a "no construction traffic" sign is at the entrance. Chief Collins stated there is a traffic control order on the south end of the development. If we have a traffic control order on the north end, we would have to do a traffic control order on every possible entrance along with signs. Councilman Kivell stated if we had that sign at the Mill Street entrance and the 11 Mile road entrance

would help. Ryan Lare of 760 Grand Court stated there are no placards and for the safety for the Police Department and the Fire Department there are no warning construction signs. He further stated there were kids playing on the construction equipment and there should be some kind of warning signs in that area. He thinks it is hazardous and dangerous for the children living in that area. Councilman Kivell stated whether there are signs there or not, kids may still play there.

Mark Kep of 691 Grand Court requested Council to ask the builder to mow around the orange fencing. No one has been cutting the field and the weeds are over his head. It is an eye sore.

Mayor Wallace asked the City Manager to have our ordinance officer look into this. City Manager Ladner stated she will contact Mr. Elkow. Councilman Rzyzi stated he requested this to be added to the agenda because it seems there are little things adding up over and over with non-compliance. He stated we are now having large construction trucks going through subdivisions, it is an issue.

Councilman Rzyzi stated he spoke with Chief Collins and the Police Department will be keeping an eye on this. Chief Collins stated this has been addressed. The residents that are witnessing this needs to call the Police Department, if we do not catch them doing anything we cannot do anything about it.

Councilmember Kopkowski stated the residents need to call the business number for the South Lyon Police Department, not 911. Chief Collins stated residents can call 248-437-1735.

MANAGERS REPORT

City Manager Ladner stated she wanted to remind everyone of the last Concert in the Park is this week, which is The Invasion, as well as the Farmers Market on Saturday. City Manager Ladner stated she will make sure the projects are rebid and she will contact Mr. Elkow.

COUNCIL COMMENTS

Councilman Kivell stated the two concerts in the park the previous week, Moxxy Strings and Stella were both really nice. He further stated the Fury for the Feast was great and there were no issues or concerns regarding the parking and foot traffic. At the onset there was an influx of people but they had people there directing people to the crosswalk and it was well attended and they were able to bring in a lot of can goods for Gleaners Food Bank and the music was really good.

Councilmember Kopkowski asked if Duncan still has the clothing donation program. City Manager Ladner stated Duncan does. Councilmember Kopkowski stated the dumpster by the rail road tracks is overflowing and it needs to be dumped. She stated it is being used by construction companies and it needs to be emptied. City Manager Ladner stated she will contact CSX right away.

Councilman Rzyzi stated he would like to remind everyone of the Labor Day Bridge Walk on Labor Day at the McHattie Park. It is a nice event for the family. Councilman Rzyzi stated Fury for the Feast was a huge success and there were people there from all over and it was good exposure for the City. He further stated there were no parking issues as was originally thought. He further stated the event not only collected for Gleaners, they also supported Blessings in a Backpack which is a local charity.

Mayor Wallace stated Pumpkinfest is coming and the City does put on a great parade.

ADJOURNMENT

CM 8-14-15 MOTION FOR ADJOURNMENT

Motion by Kopkowski, supported by Rzyzi
Motion to adjourn meeting at 9:25

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd Wallace, Mayor

Lisa Deaton Clerk/Treasurer