

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
August 22, 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, Ryzyi and Wedell
City Manager Ladner, Chief Collins, City Attorney Wilhelm, Chief Kennedy, and Clerk/Treasurer Deaton
ABSENT: Department Head Martin

MINUTES

Councilmember Kivell stated the vote on page 7 needs to be corrected. He further stated all the references referring to Mike need to be changed to Michael Moore. He further stated on page 9 it should reflect Councilmember Kivell stated we are in the constant throes of how we need to determine to the tenth degree all these processes that we do.

Councilmember Ryzyi stated on the last page it states there was a motion to adjourn, and he recalls the meeting just ending and no one made a motion. Mayor Galeas stated he adjourned the meeting. Councilmember Kurtzweil stated she doesn't recall a motion being made. She stated she recalls walking out but there was no motion made. She further stated there is a problem when there are things in the minutes that aren't accurate. She further stated it appears someone made an error and it needs to be removed.

Councilmember Dedakis stated she would like the word but added after 100% to the first sentence in the last paragraph on page 9 to make the sentence flow better.

Councilmember Wedell stated it is not inappropriate for the Mayor to adjourn the meeting without a motion, and the Mayor did adjourn and the minutes are incorrect they need to be corrected.

City Manager Ladner stated it was probably done in error, and it could have been that she thought she heard that. Councilmember Wedell stated it is possible it was heard after the meeting was adjourned.

CM 8-1-16 MOTION TO APPROVE THE MINUTES AS AMENDED

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

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

Councilmember Kurtzweil stated she has some questions regarding the Attorney's invoices. She asked Attorney Wilhelm regarding the charge on July 6th regarding multiple meetings with the Mayor, Police Chief, Councilmember Kivell, Bookkeeper and City Clerk for 6 ½ hours. She further stated she didn't see any emails regarding such a meeting. Attorney Wilhelm stated he originally had a meeting with the Mayor and the Police Chief, which then he met with other people regarding other issues. Councilmember Kurtzweil asked about the charge on July 12th regarding correspondence to the City Clerk regarding review of City Clerk. Attorney Wilhelm stated when the packet is received he reviews the minutes to ensure there isn't anything he thinks should be changed and he lets the Clerk know. Councilmember Kurtzweil asked about the charge on July 13th regarding research regarding electronic communication during meetings. Councilmember Dedakis stated she asked him to look into that because she has received emails from residents asking why some Councilmembers are using their phones during the meetings when they elected the councilmembers to sit on the board and make decisions and pay attention. Attorney Wilhelm stated he researched some communities that have made policies to not allow electronic communications during a meeting. Councilmember Kurtzweil asked about the charge for legal research regarding Cemetery maintenance and perpetual care. Attorney Wilhelm stated he was asked by Councilmember Kivell to look into how the City would get authority to make repairs to the Howe mausoleum. Councilmember Kurtzweil stated if someone wants something researched they don't need to talk it over with Council, they just have to ask the Attorney to do so. Attorney Wilhelm stated the City Manager was not available at the office, and it is not uncommon for him to get oriented on any issue that is brought up, and he always let the City Manager know. Councilmember Kurtzweil asked about the charge for research regarding "for cause" termination definition and application. Attorney Wilhelm stated that was regarding the other options for the Police Chief employment agreement. Councilmember Kurtzweil stated it would help if the subject was identified with the bills. Attorney Wilhelm stated if his bills are public documents, he is less inclined to include to more detail, but if that is something Council requires he will do so. Councilmember Kurtzweil asked what the charge was for on July 26th for the review personnel manual and research regarding alternative procedures. Attorney Wilhelm stated that was regarding the Police Chief employment contract. Councilmember Kurtzweil asked regarding the charge for the conference regarding Charleston Park and cell towers. Attorney Wilhelm stated there was a question regarding lot coverage and zoning issues. He further stated he was asked to chase down the consent judgement. Councilmember Kurtzweil asked about the charge for the research for the deeds of Eagle Heights and Glen Meadows. Attorney Wilhelm stated he had to make sure he had the proper master deed as well as the research for any liens on the common elements. Councilmember Kurtzweil stated the open meetings act states it is against the law to use electronic devices during votes.

Councilmember Ryzyi stated he would like to give a brief history. He stated originally the City Attorney was paid on retainer. Then the contract was out for bid. Based on the cost and reputation and interviews Council decided to go with Attorney Wilhelm's firm. After 3 years his

contract was up. Council then decided to renew his contract with a 61% raise as well as everything being changed to billable hours. He further stated it shouldn't be a major problem for more information to be given on the bills. Councilmember Rzyzi asked if the research he is doing based on Council's questions is done under retainer or billable hours. Attorney Wilhelm stated there is a retainer, and there is a set flat fee for the first 80 hours, after that each hour is billed \$180.00 Councilmember Rzyzi asked if the hours he spends at the Zoning Board of Appeals and Planning Commission meetings fall under the retainer. Attorney Wilhelm stated everything falls under the first 80 hours under retainer, then billable. Councilmember Rzyzi stated if he wasn't attending those meetings, possibly some of the billable hours would fall under the retainer. He further stated it is concerning there was a meeting for 6 ½ hours which is going towards the retainer. Attorney Wilhelm stated that was not one long 6-hour meeting, this was a series of meetings on the same day. He was at City Hall for 6 ½ hours. Councilmember Kivell stated the first thing that could happen is if our Council meetings were once again one hour as opposed to the gratuitous 3 and 4 hour meetings we have been having would save some substantial cost. He further stated he met with Tim for probably 15 minutes and as Attorney Wilhelm said the 6 ½ hours was cumulative throughout the day. He further stated when we vetted the contract, everyone read the documents from the Michigan Bar and the median pay for municipal attorney work was \$145.00 and you have this terrific ability to forget information to suit your needs. He further stated this has to stop. People are coming into City Hall and begging some members of Council to get their act together, the community is not getting any value out of the self-serving things that are happening here. Councilmember Rzyzi stated he will not apologize for questioning our City Attorney, and he is looking out for our taxpayers, they pay a lot of money, and he voted no on the new attorney contract because it should have been bid out.

Councilmember Kurtzweil stated she also receives numerous emails and phone calls that are pleased with her and one other Councilmembers due diligence. She further stated she will not back off, she has a responsibility to the taxpayer and she will continue to do her homework and ask the questions that need to be asked. She only receives applause from residents.

AGENDA

CM 8-2-16 MOTION TO APPROVE AGENDA

Motion by Kramer, supported by Wedell

Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Carl Richards of 390 Lenox stated there is a new business in town which is a refurbished furniture store. He further stated the Hotel is moving along with repairs. Mr. Richards stated Providence is again making improvements to their building for the 3rd year in a row. Mr.

Richards stated the school house porch in the historical village has been rebuilt and painted and looks great, as Depot Day will be here soon. Mr. Richards stated there is about 300 feet of new fencing along the west side of the Cemetery. Mr. Richards stated the new wood chipper is here and already being used.

OLD BUSINESS

1. Consider second reading of Ordinance rezoning Parcel 21-19-126-002 from RM-1 to PD

Attorney Wilhelm stated this is an administrative clean up from November 2015. There have been no changes since the first reading at the last meeting. We expect the final site plan to come to Council for approval shortly.

CM 8-3-16 MOTION TO APPROVE SECOND READING OF REZONING FOR THOMPSONVILLE PARCEL #21-19-126-002

Motion by Kivell, supported by Dedakis

Motion to approve the second reading of the rezoning for the Thompsonville parcel

Carl Richards of 390 Lenox stated he would like to give some facts to Council and he hopes they will delay the rezoning for six months to a year. He stated he spoke with the reps from this development at the last meeting and we need good builders, and that is a good piece of property. He stated the developers and the City have a solid gold situation and can't lose with an RM-1 zoning, but to change it to a PD, it is a roll of the dice. He further stated it isn't mandated that the City follow the footsteps of the Township to squeeze many people into a small piece of property. He further stated there is a quality of life issue. He further stated there are some questions from realtors if the PD will work at the end of Eleven Mile Road. He further stated there is a vibration factor because of the railroad. He further stated we can have up to 11 trains a day, and there could be more, and you can't build a square building on that land.

VOTE: MOTION CARRIED UNANIMOUSLY

OLD BUSINESS

1. South Lyon Area Recreation Authority Annual Presentation- Executive Director Amy Allen

Amy Allen, Director of the South Lyon Area Recreation Council gave a brief PowerPoint presentation regarding South Lyon Area Recreation Council. Ms. Allen stated the South Lyon Area Recreation Council was formed in 1999, and includes the City of South Lyon, Green Oak Township, and Lyon Township for the purpose of maintaining and operating a system of public recreation and playgrounds; acquiring land, buildings, or other recreational facilities; and employing a superintendent of recreation and assistants. She further stated it was then reformed

into the South Lyon Area Recreation Authority in 2007. She stated they serve a population of 43,348 between all three jurisdictions with a median income level of \$67,812. Ms. Allen stated they send out three programs a year to the residents of each of the three communities, with each brochure consisting of 48 pages filled with programs. She further stated they handle approximately 9,000 individual course registrations each year. She stated there are numerous special events each year that are offered for free or at low cost to the community. Ms. Allen gave a brief overview of the SLARA budget and contribution history. Ms. Allen thanked South Lyon for their contribution each year.

Councilmember Rzyzi stated he would like to thank Amy Allen for all her hard work and the money the City pays is well worth it. He further stated not everyone is aware of how many programs are out there.

Councilmember Kurtzweil asked why the contribution level is declining. Ms. Allen stated she came on board in 2010 and there were some issues. She further stated they want to show they are invested as much as the communities are. Ms. Allen stated they may be re-evaluating that in the future, but she doesn't have any doubt the communities would pitch in and help if needed.

Councilmember Kramer stated space seems to be their biggest challenge. Ms. Allen stated they would like to rent a building large enough to be able to hold classes.

Councilmember Kivell asked if the free swim is still happening. Ms. Allen stated they haven't had that program for a while, but that occurred before she was hired so she isn't sure why that was cancelled. Ms. Allen stated sometimes they have to cancel programs due to lack of interest or participation.

2. Presentation of Arts and Humanities survey results- Josie Kearns

Ms. Kearns stated the surveys tell us what the community is looking for. She further stated her husband Joe Matuzik will be going over the results and he has spent 150 hours designing and analyzing this. She also wanted to thank everyone that allowed them to post the survey on their website and Facebook. She further wanted to thank the other members of the Arts Commission, as well as all the participants, including downtown businesses and thanks to Karen Rose of the Michigan Council for the Humanities.

Joe Matuzik stated the commission members were not sure what the community wanted and what they should be working on. Therefore, we thought this survey was a good opportunity to find out. He stated he works for the University of Michigan as the Manager for the Social Research Project. He further stated when he normally does a survey to be done in a scientific manner they look at what has been done before, but they could not find one for the humanities.

He further stated the survey got 339 responses. Mr. Matuzik stated Josie went to downtown businesses and collected surveys from 30 of them. He stated their attitudes were similar to the other surveys that were completed. He further stated 40% were South Lyon residents, 20% Lyon Township, and remaining were from other areas. He stated universally most people felt there wasn't enough to do here, and they want more. He further stated the vast majority of people attended events regarding live music, cinema, festivals, and doing things in parks and gardens. These were similar to their priorities for what they are wanting more of. He stated they supported visual art in public spaces, and youth programs were very high on the list as well. Mr. Matuzik stated they are less concerned about preschool humanities, but more for things for the High School age kids. He stated more than 80% of all residents stated they would attend more events in the City if more events were offered. They said there weren't enough events, and they don't have enough information to know what is available here. He further stated people want electronic communications more than traditional outlets.

Councilmember Kivell asked if we know what activities they were hoping to see when it comes to the youth component. Mr. Matuzik stated they didn't break it down. Councilmember Kivell stated the survey fulfilled an obligation for a potential grant we were hoping to utilize into other grants. Ms. Kearns stated this will be included in every grant she applies for in the future. She stated the planning grant is to prepare for a larger grant. Councilmember Kivell asked if there was a substantial cost difference between this survey and a scientific survey. Mr. Matuzik stated it would have been much more expensive for a scientific survey. Councilmember Dedakis stated it is important to have a survey done to see what kind of festivals people want. It is interesting to see this kind of survey instead of a customer satisfaction survey. The Cultural Arts Commission is making huge strides and doing a great job. She further stated we need to step it up because 60% of people stated there is nothing to do in South Lyon. Ms. Kearns stated we have many plans in the works and she will be discussing this at the next Council meeting. Bob Donohue stated this is extremely valuable information. He further stated this will help with determining what kind of events we can add.

Councilmember Rzyzi stated this is scientific because regardless of anyone's age, everyone wants more to do downtown. We have people on Council that don't want to add things downtown. He further stated he has spoken with many people and they say they don't want to have to leave South Lyon to have a nice dinner or something to do. He believes we are on the right track and some on Council are doing a good job. Councilmember Kurtzweil stated this was designed to be a survey, and we can glean some reliable information to assist us with future planning. She further stated this has done that. She further stated this is extremely valuable tool we can use. She stated the amount of money and resources on humanities section stated 54% of people have a perception that we are not funding it to the extent we can. Councilmember Rzyzi stated the results show that people want more information on social media such as Facebook and Twitter.

3. Consider approval of ratified POLC negotiated contract for July 1, 2016-June 30, 2020

Pat Azeltine of Johnson and Rosati stated there are two significant changes. One speaks to the contribution to their MERS package. The other change is the wage increases. He stated both sides agree there needs to be an increase in wage as well as an increase in the employee contribution. The differentials between the Sergeants and Lieutenants and patrol officers are lower than most comparable, therefore that was increased. The wage increase is the same as the POAM, except they are higher in the 3rd and 4th year. This contract was discussed 5 times, and the last time by a State Mediator. The POLC ratified at the end of July. Councilmember Rzyzi is happy we are giving our officers a raise and our officers are underpaid, especially in South Lyon. They deserve every penny they get. Councilmember Kurtzweil stated she is in support of the raises for our officers. She further stated this seems to be less and less of a career path that people are choosing. It is a very risky line of work.

CM 8-4-16 MOTION TO APPROVE POLC CONTRACT

Motion by Kramer, supported by Kurtzweil

Motion to approve the ratified POLC negotiated contract for the period of July 1, 2016 Through June 30, 2020

VOTE: MOTION CARRIED UNANIMOUSLY

4. Consider resolution to change the location of Voting and Election Precincts #2 and #3 from the City Fire Hall to Bartlett Elementary School

CM 8-5-16 MOTION TO APPROVE RESOLUTION TO CHANGE VOTING LOCATION FOR PRECINCTS #2 AND #3 TO BARTLETT ELEMENTARY

Motion by Kramer, supported by Kurtzweil

Motion to approve the Resolution to change Voting and Election Precincts #2 and #3 from

The City Fire Hall to Bartlett Elementary School

VOTE: MOTION CARRIED UNANIMOUSLY

Councilmember Rzyzi stated he was at Bartlett Elementary for the November Election and people were confused as to where they were supposed to vote and asked if we can make sure we let everyone know of the change. Clerk Deaton stated we send a new voter identification card to every voter in Precincts #2 and #3, as well as we have a note online, posted on our website, and on our cable channel, we do our best to inform everyone.

5. Consider resolution establishing policies and guidelines for granting poverty exemption for payment of property taxes and poverty exemption application

Attorney Wilhelm stated there was some confusion at the December Board of Review regarding the income levels in addition to which materials they need to submit. He further stated Stephanie Morita looked into some other communities' policies as well as discussing this with Oakland County Equalization. He stated there is a full and partial exemption people can request by State law. To have any exemption they will have to look at an income and asset test. He further stated the intent is to clarify the application process. Attorney Wilhelm stated there is a statute that states the Board of Review can deviate from this, but they will have to make a motion with explanation as to why the exemption is made. Councilmember Kivell asked if we are certain the Board of Review will be educated on this policy. Attorney Wilhelm stated we will ensure they are. Councilmember Kurtzweil stated she has spent some time contacting other communities. She stated on page 2 of the application, she thinks it should be clarified. She stated the more categories you list for household income will ensure we reduce error in someone misrepresenting something on this form. She further stated you should add State of Michigan benefits, payments for charitable nonprofit organizations, public assistance, military family allotments, scholarships, lottery money and federal non cash such as Medicare, food stamps and school lunches can all be seen as income. She further stated we should add coin collections, art, antiques, silver, gold, gem and gun collections to the assets test. Councilmember Kurtzweil stated she would like more research on this. The policy of Swartz Creek stated you cannot have an exemption for more than 3 years. It also stated it cannot be granted if the value exceeds \$50,000. Councilmember Kurtzweil stated on the income portion of the application, there is a note regarding the reverse mortgage, but equity in the house should not be used in the calculation as income for the family. The point is we need to investigate if the reverse mortgage should be listed. She further stated the policy in one paragraph states the applicant cannot own any other real estate, but in another paragraph it is stating all other real estate must be listed as an asset, which is a conflict. Attorney Wilhelm stated we can table this and he can bring more information at a later meeting. Councilmember Rzyzi stated he is not comfortable with this as it is and would like to postpone this discussion for more information. Abe Ayoub 417 S Lafayette stated he was on the Board of Review for Lyon Township and would like Council to remember it is not easy for people to come and ask for help. He further stated you have to have a Board of Review that has common sense. The Oakland County Assessor can always challenge anything the Board of Review does. He further stated be careful because some people won't ask for help even though they need to. Councilmember Kivell stated to impoverish someone further by having a family heirloom so they can pay their taxes is adding more pain to their circumstance. Councilmember Kurtzweil stated you have to balance that with the protection of the taxpayer.

CM 8-6-16 MOTION TO TABLE UNTIL THE NEXT MEETING FOR FURTHER INFORMATION FROM THE CITY ATTORNEY REGARDING THE POVERTY EXEMPTION APPLICATION AND POLICY

Motion by Kurtzweil, supported by Kramer

Motion to table until the next meeting for further information from the City Attorney regarding the poverty exemption application and policy

VOTE: MOTION CARRIED UNANIMOUSLY

6. Consider approval of Lake Street Cruise-In 2016- Additional road closure

Debbie Cook representing the Lake Street Cruise-In stated they are asking to change the footprint to enhance the cruise. She stated they are asking to close Wells Street between Detroit and Liberty which will also help with pedestrian protection. We are just asking to close the intersection, not the entire street. Councilmember Rzyzi stated if you need 5:30 p.m. instead of 6:30 p.m. all summer would be fine with him. Chief Collins stated he would only object to that time due to that being rush hour. Councilmember Rzyzi stated Derek's business The Corner Café is very busy during this show, as well as the Lake Street Tavern. He stated he is all for this event, and having this twice a month would be great as well. This event adds a lot of foot traffic to our downtown which is what we want.

CM 8-7-16 MOTION TO APPROVE THE RECOMMENDED ROAD CLOSURES

Motion by Kivell, supported by Dedakis

Motion to approve the closure of N. Wells Street immediately south of the north entrance to the Wells Street parking lot to S. Wells Street immediately north of the alley that extends from S. Wells Street to Lafayette St from 6:00 p.m. to 9:30 p.m. on August 24, 2016; and from 5:30 p.m. to 9:30 p.m. on September 28, 2016

VOTE: MOTION CARRIED UNANIMOUSLY

7. Review information provided and discuss potential interest in exploring intergovernmental agreement for the provision of Fire Protection services within the City of South Lyon.

Chief Kennedy stated we have an outstanding group of men and women that currently serve the South Lyon Fire Department. He further stated the Fire Department is not failing, and we are not having staffing issues. Chief Kennedy stated for several years we have had aid agreements with Lyon Township as well as Green Oak Township, and he sees the City relying on them more heavily in the future. He further stated we run a professional department, and we do have turnover, but all Fire Departments deal with that as well. He stated this is more quantity issue, not a quality problem. He stated there are only so many models to look at regarding providing fire protection. What other communities have done is what he is presenting tonight. A

consolidated approach is the best idea for the City. The reality is our north and east border is shared with Lyon Township, and we already have a long history of mutual aid, as well as communication. Chief Kennedy stated he spoke with the Fire Chief for Melvindale, they went through this in 2013 with Dearborn, and they have made it work. He further stated this has not been brought to Lyon Township yet, we are looking to see if Council is interested in pursuing this or not. Lyon Township Fire Chief Ken Van Sparrentak stated he is here to support Chief Kennedy. Nothing has been brought to the Lyon Township Board as of yet, just talks with the firefighters, and this is the first step in the process. Councilmember Kramer stated he is concerned the timing is not right considering there is going to be a new Township Supervisor, but conceptually this is intriguing and he thinks there needs to be a lot of thought and discussion between the two communities. Mayor Galeas stated our Fire Department is very dedicated and he wants to make sure that doesn't get lost. He further stated he wants to see more emphasis on how hard they work. If we are going to keep our firefighters we have to make sure they are treated fairly. Councilmember Kivell asked if we would still be using Novi dispatch or if we would change to Pontiac. He further asked if we could do an analysis if we did have to use the other Fire Departments in the future what it could cost. Chief Kennedy stated it may change to Pontiac, but we do not have an analysis for that. He further stated he could if Council would like. Councilmember Kivell stated if it isn't too expensive, then that may be a good alternative to the current proposal. Discussion was held regarding the different ways the Fire Department are trying to gain more firefighters, such as social media, flyers, networking, and more. Councilmember Kivell asked if they have spoken with the staff if they have any concerns or ideas to gain more firefighters. Chief Kennedy stated they have had a few staff meetings and they know we are looking into this. He further stated he hasn't had anyone say they would quit if this happens, but they do want to ensure they are going to be treated fairly. Chief Van Sparrentak stated he understands this is an emotional issue for the City Firefighters. He stated seniority is a concern to everyone. He further stated he believes we can work things out. Councilmember Kivell stated people today are more family driven, and there is less incentive to get that second job, and he understand the difficulty with recruitment because of that. He further stated he appreciates Chief Kennedy's work to get ahead of this problem. Councilmember Ryzyi stated we need to think as a regional approach and it is positive to have these discussions. He further stated mergers aren't anything new, and looking at this from a business mindset, as a City, the one thing we need to remember is we need to protect our residents. He further stated we need to keep our employees happy if we are going to keep quality employees. He stated he believes in the future we need to have combined study sessions or meetings with the Lyon Township Board to ensure they are on board with this and other issues as well. Discussion was held regarding the process for moving forward. Chief Kennedy stated they would have to bring this to Lyon Township, the City Attorney will have to read and possibly make changes to the contract, then we could possibly move forward. Councilmember Wedell stated if Lyon Township is interested he will be willing to hear more about this. Councilmember Kurtzweil stated she agrees with regionalism, and this should have been done years ago, the City is way

behind. She further stated there is a retention problem. Many people are not choosing to be a paid on call firefighter, it is not a viable career option. She stated we are fortunate to have the individuals that are choosing to do it and this is a young person's field. She stated most alarming is we are averaging only 4-6 firefighters per event. She is very concerned, and the problem is our Fire Department can't do it alone. If we are at the point where mutual aid is supplementing our response to emergencies this needs to be done and should have been done years ago. She asked how many firefighters were needed for the South Lyon Hotel Fire. Chief Kennedy stated that was a 3 alarm fire with 8 fire department personal. He further stated a 3 alarm fire requires at least 70 plus firefighters. Councilmember Kurtzweil asked how many of our firefighters showed up. Chief Kennedy stated we had six firefighters arrive at the scene. Councilmember Kurtzweil asked Chief Van Sparrentak about the background experience for their on call firefighters. Chief Van Sparrentak stated their experience is diverse, 35 firefighters which include 7 officers, and we have 8-10 that are very experienced, and some have 5-15 years of experience. He further stated they also have the same problems with recruitment. She then asked Chief Kennedy how many professional firefighters do the City of South Lyon have. Chief Kennedy stated we have 21 staff, and currently 1 that works for another fire department. He further stated we have a competently trained staff and he would compare that to any other Fire Department. Councilmember Kurtzweil stated she is focusing on the experience level of the Lyon Township versus the City of South Lyon's Fire Department. She stated there may be a gap in the experience between the Lyon Township firefighters versus the City of South Lyon firefighters. She further stated there may be some cultural issues, because there is a large difference between the two departments. Chief Van Sparrentak stated there are some experience and training gaps for both sides. Councilmember Kurtzweil stated the egos need to be put aside and do what is best for the community. She asked why the contract state which vehicles will remain in South Lyon and why that won't be dealt with at the time. City Manager Ladner stated the South Lyon assets will still remain as South Lyon assets. Councilmember Kurtzweil asked why the South Lyon firefighters won't go through any probation periods. Chief Van Sparrentak stated we are benefiting from the experience of the South Lyon firefighters. Councilmember Kurtzweil asked why the City's mechanic can't work on the fire vehicles. Chief Kennedy stated he spoke with City Manager Ladner and the time isn't feasible. Chief Kennedy stated he wants to reaffirm that there is one set of state training standards, and he would put our staff up against any other departments, our staff is very qualified. Councilmember Kurtzweil asked about the HVA part of the contract. Chief Van Sparrentak stated they do some EMS transport as of August 1st. He further stated they are looking at probably 10 transports a month. Councilmember Kurtzweil asked if they thought about adding a community oversight board to watch over this the first year to report back to Council if it is working. Chief Kennedy stated this would be a contractual agreement with Lyon Township and they would both supply the boards with reports, he doesn't understand what gap an oversight board would fill. Councilmember Kurtzweil stated they would be very objective in letting Council know if the merger is working. Chief Kennedy stated he wants this to work, and if he thought it was a bad idea, he wouldn't

have brought it up. Councilmember Kurtzweil stated she is for this 100%. She further stated she would like the ability to see the expenses of Lyon Township so we can see how money is being spent with the new merged Fire Departments. Councilmember Dedakis stated she thought this was to discuss if we were interested in supporting this idea. She stated she is in support of this. Councilmember Rzyzi stated he is looking out for the current South Lyon employees, and he wants to understand how this will work for them. Chief Van Sparrentak stated we schedule for typically 30 hours a week. He further stated the only problem he is seeing is the seniority issue between the two departments and that will probably be an issue, but we can work through this. Councilmember Rzyzi stated Lyon Township is familiar with South Lyon and our firefighters know the area as well and we don't want to lose them. Mayor Galeas stated it appears Council is interested in moving forward with this. Councilmember Dedakis stated Chief Kennedy gave her a tour of their Fire Department and she is sure Lyon Township is just as qualified, but her only concern is the ranking as well.

Discussion- Downtown

Bob Donohue stated he feels the City is on target and building momentum and creating a basic foundation for building a good business plan. He further stated he met with the owners of the South Lyon Hotel on August 9th and he gave them information regarding potential financial incentives and available programs. He further stated he met with MEDC staff regarding a commercial revitalization program and grant and loan eligibility. Mr. Donohue stated he met with the hotel owners, city staff and MEDC on the 15th which was a pre-construction meeting. He further stated on the 30th he met with MEDC and hotel owners regarding CRP grant details and timing. He stated the City will be required to identify the hotel as a "Catalyst project for Downtown South Lyon's redevelopment and historic identity for the future. He further stated the total cost is 1.5 million to 1.7 million dollars and we have found tax credits, grants, incentives, other programs that may cover the cost difference between the insurance and the cost of the project. Councilmember Kurtzweil asked what the time table is for the tax abatement. Mr. Donohue stated he would like to have the draft in 30 to 60 days. He doesn't see the project being completed until summer or fall next year. Further discussion was held regarding the cost of rebuilding the South Lyon Hotel and the grants and tax breaks available. Councilmember Rzyzi asked about the façade improvement he is working on in town. Mr. Donohue stated he spoke with Leon Bonner and his son, and they will be painting the artcraft building downtown. He further stated he spoke with the owner of the Tae Kwan Do building and they are hoping to redo the front of the building. Councilmember Kurtzweil asked if he has information regarding the vacant physical therapy building in town. Mr. Donohue stated he does and he is looking into what can be done with that. Councilmember Kurtzweil stated she wanted to let everyone know of the problem in front of Browns Root Beer. She further stated the building was flooded and there is an oil slick that came up through the sewer. She further stated she was told this has happened for years and years. She further stated someone has to start fighting for South Lyon.

She stated the South Lyon Herald had an article about 8 million dollars including repairing a culvert to fix their roads, and every dollar that goes to Lyon Township is a dollar not coming to South Lyon. We don't have the right network or the right contacts, and she is now going to get involved. She is going to Oakland County Road Commission and if they found money for Lyon Township, they should find money for the City. Mr. Donohue stated he has spoken with Mr. Brown, and he has been there and looked at the situation. He spoke with the Road Commission and he feels they are dodging this. He stated he is continuing to pursue the Road Commission to get this fixed. He knows this is a long standing issue, and he is hoping we can move forward with fixing that problem. Councilmember Kurtzweil stated the flooding is an additional issue. Mr. Brown is trying to sell this building, and who would buy this when it floods out every time it rains. This problem must be solved, otherwise it will go to the wayside and end up boarded up. Mr. Donohue stated Mr. Brown is aware of things that should have been reported during construction, and he admits to that. He further stated this is an engineering nightmare, and the best idea is the redevelopment of that property. Councilmember Kurtzweil stated we should file a law suit and let the courts work it out. Councilmember Kivell stated there is a preliminary plan for the drain that was done by HRC, but we don't have the money to do that, and neither does drain and road commissions.

Managers' Report-

City Manager Ladner stated we will be getting a disbursement from the state pool from the MMRMA again this year. She stated she gave everyone a copy of a goals based performance evaluation to be turned in before the first meeting in September. She stated the safe routes to school grant is moving forward and the new stop light is almost ready to start. Councilmember Kurtzweil asked if she has spoken with anyone regarding the Elkow development. City Manager Ladner stated he is now paid up with all of his fees, and he will be turning in information for new building elevations, all the infrastructure should be completed this week. Councilmember Rzyzi stated some residents contacted him to let him know that the last few weeks there is work happening on Sundays and that is unacceptable. City Manager Ladner stated if anyone is working on Sundays, they should contact the Police and they will shut them down.

Council Comments-

Councilmember Kivell stated we passed the second reading of the rezoning for Thomasville, and at the last meeting we had some concerns about the preliminary approval. He further stated we use to get minutes from the Planning Commission, and that doesn't happen anymore. He would like to see a policy with milestone acknowledgements during the approval process and development and planning projects to ensure consistency concepts between Council and Planning instead of finding out at the end they need to make changes and it wouldn't make sense to ask the developer to make costly changes. He further stated we need to have access to the

information Planning is basing their decisions on and not to overrule them, but to make our argument to support our case of what we think is the appropriate path. Councilmember Kivell stated there have been some veiled comments made that some members on Council are not supporting of the Cultural Arts Commission and that is wrong. He further stated the striking thing is Councilmember Rzyzi voted against the first and second reading of forming the Cultural Arts Commission. Councilmember Kivell stated there was a jazz musician Toots Thieleman that passed this morning, may he rest in peace.

Councilmember Dedakis stated Dominic Ciaramitaro went to her high school and she didn't know him very well, but her fiancé did. It is important to recognize the sacrifices that many residents in South Lyon make and the more people we can let know about the field dedication is important and we should promote this. The field dedication is at the South Lyon High School on September 1st at 6:40 p.m.

Councilmember Rzyzi stated he makes his position known on the Cultural Arts Commission and he supports them fully. He further stated Panther Fest was a great event kicking off the season and it was nice seeing all the kids together. His son is on the Panthers as well. He further stated he supports the Panthers and if they need anything to contact him. Councilmember Rzyzi stated he would like more detail in the Attorney invoices because we owe it to the taxpayers to ensure there is no overbilling. He further stated at the last meeting there was a comment regarding Facebook and the field memorial for Mattie Doty and it shouldn't be discussed on Facebook. He further stated it should be discussed on Facebook because some people don't have the ability to attend the meetings, or they don't have access to the cable channel. It is a good tool and he will not stop posting on Facebook. He further stated the St Joseph picnic was a wonderful event. He stated someone mentioned to him regarding a previous meeting when the Lords name was used in vain. He further stated Councilmember Wedell apologized and another issue was the defending of that by saying it is free speech. Flag burning, racial slurs are both considered free speech, but it shouldn't be done and it shouldn't be defended. Councilmember Dedakis stated she will not take back what she said, and it is freedom of speech. She was defending him because it seems like every meeting someone gets attacked, and it was freedom of speech. Mayor Galeas stated this is enough, he apologized and just because someone brought it up, doesn't mean it needs to be brought up again during a Council meeting. People tell him a lot of things he doesn't repeat during a Council meeting. Councilmember Rzyzi stated he is speaking of the behavior of saying taking the Lords name in vain is freedom of speech. Councilmember Kramer stated he received an email from a concerned resident asking why Councilmember Rzyzi is telling new residents that the City is still being ran by the good old boy network which doesn't include him. He further asked who Councilmember Rzyzi is referring to as the good old boy network. He further stated he has been on Council for 7 years, and Councilmember Rzyzi has been on for 5 years. Why is that free speech is good for you, but when you are asked about

something you get upset. He further stated you are telling new residents these things and he would be very offended if he is included in this.

Councilmember Kurtzweil stated she was at the picnic as well, and there were many people that gave Councilmember Wedell applause for apologizing. She further stated it went a long way with the community. She further stated the Councilmember that was discussed was Mary Dedakis because she misses the issue. In order to pass the bar exam, you have to be able to identify the issue. She stated the issue was not whether or not slandering God is freedom of speech, which it is. The issue is whether exercising your right to freedom of speech sometimes be offensive to individuals and butts head with the community standard. By her defending that, it seems she finds that kind of language is acceptable in a public forum. She further stated she wants to remind her that there was a time when a Commissioner was removed from her post on a Commission because she used a racially charged word. She further stated she would challenge her to use a racially charged word and see what happens to her career.

Councilmember Dedakis stated judge her for what she said, but it was freedom of speech, and please don't construe that she is a racist. She was defending a Councilmember when being attacked.

Councilmember Wedell stated he has heard enough of people attacking other people. He received the same email as Councilmember Kramer and he doesn't understand who the good old boy network is because there are currently 3 new board members. He further stated he believes people should keep their personal attacks to themselves.

Adjournment

CM 8-8-16 MOTION TO ADJOURN

Motion by Kramer, supported by Dedakis

Motion to adjourn at 11:30 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

John Galeas, Mayor

Lisa Deaton Clerk/Treasurer