

The City of South Lyon  
Regular City Council Meeting  
August 26, 2013

Mayor Wallace called the meeting to order at 7:30 p.m.

Mayor Wallace led those present in the Pledge of Allegiance to the Flag

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

AGENDA

City Manager Murphy stated he would like to add a closed session under 8h of the open meetings act to discuss privileged written correspondence from the City Attorney. He further stated he would like to add it as IVa.

CM 8-1-13 MOTION TO APPROVE AGENDA

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

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

Councilman Kramer stated at the last meeting he asked Department Head Martin to look into different Company's products and prices for comparisons for the blowers and the mounts for the Wastewater Treatment Plant, and he would like that added to the minutes.

Councilman Kivell stated the correct spelling of the vendor of the blowers on page 6 is Atlas Copco.

CM 8-2-13 MOTION TO APPROVE MINUTES

Motion by Kramer, supported by Dixson  
Motion to approve minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT- None

OLD BUSINESS

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1. Second Reading- Adoption of Michigan Motor Carrier Safety Act

City Attorney Wilhelm stated there have been no changes since the first reading. He further stated it is very complex and it is understandable that our police officers will need more training regarding enforcement. Attorney Wilhelm stated if anyone is interested there is a federal transportation authority website that has videos on the different ways to identify and pull vehicles over safely, and it is a very involved act.

CM 8-3-13 MOTION TO APPROVE THE SECOND READING ADOPTION OF MICHIGAN MOTOR CARRIER SAFETY ACT

Motion by Kivell, supported by Wedell

Motion to approve the Second Reading of Ordinance No. 2013-8 to amend the city Code of Ordinances, Chapter 90, Article II to add Section 90-39 adopting the Michigan Motor Carrier Safety Act, as amended in its entirety.

VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. S A W Grant Discussion

Keith McCormick of Hubble Roth and Clark stated this is a new grant and loan program by the State of Michigan. The State is using the money from the 2002 water quality bond, because most of it has not been spent, so in the effort to infuse money into the economy the State put together this fund. It is called the Storm Water Asset Management and Waste Water Program. It is designed for communities to look into their water treatment plants, sewers and storm water facilities and see what future requirements are needed to maintain those assets. The emphasis of this plan is the Asset Management Plan because in the future, this part of the program will be mandated by the State in the future. Mr. McCormick stated the only caveat is it may require you to raise rates if the plan shows it will be necessary in the future. He further stated this grant is on a first come first serve basis, and the final forms will be available in October, and must be turned in by December 2<sup>nd</sup> 2013. Mr. McCormick stated there is 97 million available for this year. Councilman Kramer stated if we get the grant to assess the current storm or waste water program and we find some problems, will the issues have to be fixed within the 3 years? Mr. McCormick stated that you don't have to commit to doing anything right away. Councilman Kramer stated if we take the grants, is it required that the City have an Asset Management program. Mr. McCormick stated that is one of the programs, but you don't have to have one. Councilman Kramer asked when the wastewater permit is renewed. Department Head Martin stated the renewal of the wastewater permit is renewed in October and the duration is 5 years, and the cost was \$1,500.00 He further stated one of the things the DEQ will look at is if we have an asset management plan. Mr. McCormick stated to do the full program it would probably cost the City between \$100,000 and \$200,000.

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Mr. McCormick stated there is another side of this that Council needs to think about. He further stated right now Public Act 222 protects the City from liability, but if problems are found when drains are videotaped it opens the City up to liability. Councilman Kivell asked if the City could demonstrate we have been proactive and created financial projections for our future rates, would we still have to pay consultants to do the same thing or at least would the projections need to be confirmed by a firm. Mr. McCormick stated the State is developing templates for cities to use to calculate the future asset management needs. He further stated the program is very flexible. Councilman Kramer stated he would like to the City to exhaust all of its efforts before we start using an engineering firm. City Manager Murphy stated we definitely need the asset management program and it will be mandated in the future. Councilman Kramer stated once we take the money, we are on the hook for evaluating our sewer rates and start funding for things we aren't prepared to fund. City Manager Murphy stated it is better to know now than later if there are problems. He further stated we have some information from the DWRF project and we have already found some problems and we need to be proactive. Councilman Kramer stated the three year time limit is his concern and having to raise sewer rates to pay for any problems found. He further stated he would like to know about any problems the DWRF may have found. Department Head Martin stated regardless if we do get the grant or not, we will still have to do the Asset Management Plan. Mr. McCormick stated the programs are very flexible and worthwhile. Councilman Kivell stated we already have a good idea of where some of the problems are.

#### MANAGERS REPORT

City Manager Murphy stated Pumpkinfest application will be on the next meeting. He further stated we need to set up a workshop meeting regarding MERS. He said it will be a lot of learning on Councils part. City Attorney Wilhelm stated this may be a 3-4 meeting process for Council to make decisions based on the information given to them. Discussion was held regarding the time and dates Council is available for study workshops. It was the consensus of Council to meet on Tuesday September 4, 2013 at 7:00 p.m. City Manager Murphy stated he would like Council to discuss the snow ordinance at the next meeting; the signs need to be replaced, so we need to decide if it will be changed before we order the new signs. Our Department of Public Works is shorthanded, and if it looks like things aren't getting done, that is the reason, and they are trying to keep up the best they can.

Councilman Kivell stated it was a great night for the movie in the park, and he is very impressed with the quality of the projection. He further stated we are not promoting the movies as much as we could be. He further stated maybe we could get in touch with the Library and the Chamber, or maybe the Townships.

Mayor Wallace stated Depot Day is coming up a week from Saturday, as well as the 120th anniversary of our Fire Department. Chief Kennedy stated there will be many elected officials from the state level will be there. He further stated he has been working with the Historical Commission and they have a lot of old fire equipment. Mayor Wallace stated that is Saturday September 7<sup>th</sup> from 10-4:00. He further stated the first football game is the Thursday before the Labor Day weekend. He said South Lyon will have 3 home games in a row.

MOTION TO ENTER INTO CLOSED SESSION

CM 8-4-13 TO ENTER INTO CLOSED SESSION

Motion by Kivell, supported by Kopkowski  
Motion to enter into closed session in accordance to Section 8(h) of the OMA to discuss  
written correspondence from the City Attorney at 8:25 p.m.

ROLL CALL VOTE

MOTION CARRIED UNANIMOUSLY

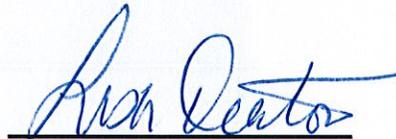
ADJOURNMENT

Motion by Kivell, supported by Kopkowski  
Motion to adjourn the council meeting at 9:30 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

  
Tedd Wallace Mayor

  
Lisa Deaton Clerk/Treasurer