

**CITY OF SOUTH LYON  
REGULAR CITY COUNCIL MEETING  
SEPTEMBER 26, 2011**

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: Cook, Kivell, Kopkowski, Kramer, Morelli, and Wedell  
City Manager Murphy  
City Attorney Lee  
City Clerk/Treasurer Zemke  
Department Heads: Collins, Kennedy, Renwick and Martin

**APPROVAL OF AGENDA:**

**CM 9-1-11 APPROVAL OF AGENDA**

Motion by Kivell, supported by Cook

To approve the agenda as presented

**VOTE:** MOTION CARRIED UNANIMOUSLY

**APPROVAL OF MINUTES:**

**CM 9-2-11 – APPROVAL OF MINUTES- SEPTEMBER 12, 2011**

Motion by Kramer, supported by Wedell

To approve the minutes of the September 12, 2011 Regular Council meeting as presented

**VOTE:** MOTION CARRIED UNANIMOUSLY

**PUBLIC COMMENT:** None

**OLD BUSINESS:** None

**NEW BUSINESS:**

1. 2010-2011 Audit Presentation

Les Pulver, Brian Camiller and Manju Patnaik of Plante Moran were present. Mr. Pulver gave a brief presentation on the City's audit indicating that the City has again received an Unqualified Opinion. He stated that not every community receives this opinion and it is the equivalent of receiving an "A" grade. Ms. Patnaik presented slides and graphs regarding the General Fund Revenue Trend, the make-up of the General Fund, property tax decreases, changes in taxable and state equalized values, revenue sharing, General Fund expenditures, Fund Balance, net assets for all activities, and the Water and Sewer Fund operations.

Mr. Camiller reviewed the Management Letter including current auditing standards, recent legislation affecting the City and other recommendations. He stressed the fact that the City received no "Significant Deficiencies", which simply means that there were no significant journal entries that had to be made based on their findings.

Council Member Kopkowski stated that she does understand that the City audit as well as the new dashboard relating to City financials are currently online, but asked why the bills are not included in the packet that is posted on line. City Manager Murphy stated that we can start doing that.

Council Member Kopkowski questioned the water loss comments. City Manager Murphy stated that it is a combination of things including fires, hydrant flushing, etc.. Superintendent Martin stated that he was somewhat surprised at the numbers, and we will be tracking it much closer. Mr. Pulver stated that almost every system has water loss due to various reasons, they are simply saying that it does need to be monitored. When something does happen, you need to catch it quickly.

Council Member Kopkowski stated that we have talked about software for capital assets and questioned if we are looking at doing that. City Manager Murphy stated that we do have the software, and we are looking at getting some training. However, it is going to be a long process.

#### CM 9-3-11 – ACCEPTANCE OF 2010-2011 ANNUAL AUDIT

Motion by Cook, supported by Morelli

To accept the audit from Plante Moran for fiscal year 2010/2011 as presented.

VOTE:

MOTION CARRIED UNANIMOUSLY

#### 2. RFP for Planner

City Manager Murphy stated that he would like to go out for proposals for a new planner and he is looking for feedback from Council on the request. He further stated that he is also looking for Council to appoint a member to sit on the committee to review the proposals.

Council Member Kopkowski volunteered to be on the Committee.

#### CM 9-4-11 – RFP PROCESS – CITY PLANNER

Motion by Kopkowski, supported by Morelli

To approve the RFP process and appoint Council Member Kopkowski to sit on the review committee.

VOTE:

MOTION CARRIED UNANIMOUSLY

#### 3. CDBG Projects/Set Public hearing

City Manager Murphy stated that this is to let Council know that the CDBG application is going to be due and we do need to hold a public hearing. The last two years we have talked about combining these funds for improvements to the Whipple Street parking lot. He stated that he has included a map showing that the eligible area has expanded. He stated that the allocation did go down slightly to \$25,581. The total amount of CDBG money available is approximately \$81,000.

Councilman Cook stated that he would like some consideration given to milling and overlay in the Hagadorn area including Chester, North Ridge, South Ridge, etc. Some of these are in fairly poor shape. He stated that normally CDBG funds are used to benefit low to moderate income families and feels that the money will be better used with this type of activity.

Mayor Wallace stated that Commissioner Weipert is in the audience and he has heard from another Commissioner that we should spend our money or we will lose it. City Manager Murphy stated that he sits on that committee and there is no talk of taking it away. However, this is our third year and we do need to spend the money.

City Manager Murphy stated that he would get the information together for the next meeting with regards to the Hagadorn area. He further stated that if Council has any other suggestions that he should get cost estimates on, they should let him know. This will be brought back at the next Council meeting for further consideration and then the public hearing at the October 24<sup>th</sup> meeting.

Mayor Wallace discussed the southern portions of the City that should be considered for eligibility. Councilman Cook stated that it has been since the late 1990s since that area has been included.

CM 9-5-11 – SET PUBLIC HEARING 2012 CDBG APPLICATION

Motion by Cook, supported by Kopkowski

To set a public hearing for October 24, 2011 for the purpose of hearing public comments on the Oakland County Community Development Block Grant Program 2012 annual application.

VOTE: MOTION CARRIED UNANIMOUSLY

4. Blight Ordinance

Attorney Lee asked that he would like Council to table this issue until the next meeting. He would like to ensure that this is being placed in the correct area of the City Code.

CM 9-6-11 – POSTPONE FIRST READING – AMENDMENT TO CHAPTER 42

Motion by Wedell, supported by Kivell

To postpone the first reading of the proposed Amendment of Chapter 42, Division II, Article II “Litter and Blight” until the next meeting

VOTE: MOTION CARRIED UNANIMOUSLY

5. MML Convention – Designation of Voting Delegate

City Manager Murphy stated that Council needs to appoint an individual to vote at the annual MML meeting. He further stated he is the only person planning on attending the convention.

CM 9-7-11 – APPOINTMENT OF MML DELEGATE

Motion by Kopkowski, supported by Morelli

To designate David Murphy, City Manager as delegate for the Annual Michigan Municipal League Meeting

VOTE: MOTION CARRIED UNANIMOUSLY

6. Lighting Grant

Superintendent Renwick stated that earlier this year we had received a grant from the Michigan Public Service Commission, however the project was put on hold. Since that time he received a call that we can proceed with our project providing we can submit an order confirmation or invoice by September 30<sup>th</sup>. There were two Michigan suppliers, however their equipment could not be used without extensive reconfiguring of the electrical. The recommended supplier does have a system that could easily be fit with our current

system. This would allow us to expand our lighting area to include Baker Park, the volleyball courts and the lights around the historic village. Therefore he is recommending purchasing lighting retrofits from Street Scape, LLC in the amount of \$84,349. By doing this before September 30<sup>th</sup>, it does secure the grant and guarantee reimbursement.

Councilman Kramer stated that the Court of Appeals has invalidated the funding sources. If we do this, where will they get the funding to reimburse us for the grant. Superintendent Renwick stated that the September 30<sup>th</sup> is the deadline. If we show that we have moved forward, we are guaranteed reimbursement. Anything after that date, funding would have to come from somewhere else.

Councilman Kramer stated that he is afraid that if we move ahead and make the purchase, and the MPSC is still in negotiations, then we could end up funding the full amount. Councilman Kramer asked if we have anything in writing from MPSC. Superintendent Renwick stated that he understands that if we have ordered the material before September 30<sup>th</sup> we are guaranteed reimbursement. We do not have anything in writing from MPSC, but we do have it from the Suburbs Alliance.

Councilman Kivell stated that he does not like that the State is mandating that we be more effective in how we dispense funds, but yet we continue to run into obstacles and we have to rush to fulfill a deadline.

Attorney Lee stated that he believes that the MPSC is currently negotiating, but no resolution yet as to the litigation. He further stated that if the funding is pulled or withdrawn we would have to negotiate with the vendor. Discussion was held on protecting ourselves and including a possible "escape clause" with the vendor including the right to withdraw within 90 days. Further discussion was held on protecting the City if the funding does not come through.

Councilman Kramer asked if the vendor knows that this is a grant situation. Superintendent Renwick stated that he does know that this is a grant, but does not know the current situation.

#### CM 9-8-11 – APPROVAL OF PURCHASE - LIGHTING

Motion by Kivell, supported by Kramer

To approve the purchase of LED lighting and retrofits from Street Scape, LLC. in the amount of \$84,349 contingent upon entering an agreement with the vendor to allow for the right to withdraw anytime within the next 90 days upon the occurrence of the termination of the State funding.

VOTE:

MOTION CARRIED UNANIMOUSLY

#### CM 9-9-11 – WAIVER OF BIDDING PROCESS – LIGHTING GRANT

Motion by Kopkowski, supported by Kivell

To forego the bid process due to the reimbursement deadlines imposed by MPSC

VOTE:

MOTION CARRIED UNANIMOUSLY

#### MANAGER'S REPORT:

City Manager Murphy stated that the asphalt on McMunn was complete last week and it does appear that the water is flowing nicely.

City Manager Murphy stated that Broadstripe is currently in bankruptcy and is trying to be sold to a company called WOW.

City Manager Murphy stated that volunteers are still needed for Pumpkinfest. He stated that he will be participating on Saturday and encouraged others to make contact with the Pumpkinfest Committee.

**COUNCIL COMMENTS:**

Councilman Morelli stated that a year ago he had asked about the bridge on Pontiac Trail near the Oil Change. This spring the City Manager had indicated that he had discussions with the property owner who indicated that they would be doing the painting as well as trimming trees, etc. City Manager Murphy stated that he did make contact with the manager yet nothing has been done. Discussion was held on the recent ownership change. Manager Murphy stated that he will make additional contacts.

Councilman Kramer stated that he had an opportunity to look at the Citizen's Guide and Dashboard on the City's website and it is quite impressive.

Councilman Kramer asked where we are with a joint meeting with Lyon Township. City Manager Murphy stated that he has had discussions with Lannie Young, but there doesn't seem that there is enough to do to warrant a joint meeting at this time.

Councilman Wedell stated it takes a lot to get an Unqualified Opinion from the auditors, and he would like to recognize Lori Mosier, the Bookkeeper and Julie Zemke, the City Treasurer for a job well done. Councilman Cook and Mayor Wallace echoed those thoughts.

Councilman Kivell stated that the Summerfest Finale was great success. He stated that he would like to express a special thanks to AnnMarie Kidder and the congregation from the First Presbyterian Church for the use of their facility for our outdoor movie.

Mayor Wallace stated that Friday Night is the South Lyon Homecoming football game and they are asking people to bring canned goods to be donated to Active Faith.

Mayor Wallace stated that the Homecoming Parade is Friday and discussed the parade route. Chief Collins stated one of the problems was that Pontiac Trail is being closed on Friday at noon for Pumpkinfest.

Discussion was held on Pumpkinfest to be held this weekend

**ADJOURNMENT:**

**CM 9-10-11 ADJOURNMENT**

Motion by Kopkowski, supported by Kramer

To adjourn the meeting at 8:29 p.m.

VOTE:

**MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,

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Tedd M. Wallace  
Mayor

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Julie C. Zemke  
City Clerk/Treasurer