CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
October 10, 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: Kivell, Kopkowski, Kramer, Morelli, and Wedell
City Manager Murphy
City Clerk/Treasurer Zemke
Attorney Lee
Department Heads: Collins, Kennedy, Martin and Renwick

ABSENT: Council Member Cook

APPROVAL OF MINUTES:

CM -10-1-11 – APPROVAL OF MINUTES –SEPTEMBER 26, 2011

Motion by Kivell, supported by Kramer

To approve the minutes of the Regular City Council meeting of September 26, 2011 as written

VOTE: MOTION CARRIED UNANIMOUSLY

Discussion was held on various bills.

CM 10-2-11 – APPROVAL OF MONTHLY BILLS

Motion by Kivell, supported by Kramer

To approve the monthly bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF AGENDA:

CM 10-3-11 – APPROVAL OF THE AGENDA

Motion by Wedell, supported by Kopkowski

To approve the agenda as written

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT:

1. Recognition of Firefighters Promotions

Chief Kennedy stated that they conducted a multi-step promotional process which included a written examination and oral board interview.

DRAFT

City Clerk/Treasurer Zemke administered the oath of office to the following:

Sergeant Mike Weir
Sergeant Tim Wilson
Lieutenant Jim Shekell
Captain Dan Hammon
Assistant Chief Doug Buers

Members of the individuals' families pinned their badges.

Mayor Wallace congratulated the officers and thanked them for serving our community.

OLD BUSINESS:

1. Blight Ordinance Revision

Ms. Pamela Weipert Chairperson of the Planning Commission stated they have talked about these items before and these were items that Council felt that the Planning Commission should look at. It is the expectation of the Planning Commission that the City will enforce the ordinance in the same fashion as other ordinances including the weed ordinance.

Discussion was held on enforcement. Mayor Wallace stated that he does not know if we have the capabilities. He further stated that he does not know if putting this on the books is worth it.

Council Member Kopkowski stated that she agrees with the Mayor. She discussed paragraph (e) relating to dead and dying trees. The City cannot even keep up with dying trees. She discussed broken windows, etc. She further stated that she agrees that this is not the right time to adopt such an ordinance. Councilman Kivell further discussed the tree issue.

Discussion was held on the time for which individuals would have to replace broken windows. Ms. Weipert stated that the idea is not for occupied properties, but rather bank foreclosures.

Councilman Kivell discussed the landscape maintenance portion. He stated that he feels that it is over-reaching.

Councilman Kramer asked what other ordinances were looked at when this was being developed. Ms. Weipert stated that they did look at other communities' ordinances but does not recall the details.

Councilman Morelli stated that he does not have problem with the ordinance, but rather the enforcement of the ordinance.

Further discussion was held on enforcement. Ms. Weipert stated that the expectation is that the Code Enforcement Officer would handle it the same as the weed and snow ordinances, etc.

Councilman Wedell stated that his recollection is that they have asked that the Planning Commission to undertake this task. He does not have difficulty with the ordinance.

Councilman Kramer asked if we could enforce the ordinance against the County for maintenance of the trees. City Murphy stated that we could not.

Councilman Kramer stated that he agrees with Councilman Wedell and can see what we are trying to do.

CM 10-4-11 – FIRST READING – BLIGHT ORDINANCE

Motion by Wedell, supported by Kramer

That this be the first reading of the proposed Amendment of Chapter 42, Division II, Article II "Litter and Blight" adding Section 42-34 to 42-34 (g)

VOTE: MOTION FAILED (3 opposed)

Councilman Kivell stated that he feels that if we cannot impose the ordinance against ourselves or the County, then we should not impose it against others.

2. CDBG Project List

City Manager Murphy stated that he is looking for a consensus of Council as to which project they would like to see move forward. Mr. Cook had asked for additional information regarding the Hagadorn/ Chester Street areas, which has been provided.

Discussion was held on the Whipple Street lot and the fact that Council has discussed this for the past few years.

Council Member Kopkowski stated that she felt that Mr. Cook's idea was good, but either way the money is going back into the community.

Councilman Morelli stated that if this is going to create parking for downtown, we are helping more people in the community. He stated that the lot would be used a lot more if it were in better shape.

Discussion was held on the need to use the money this year after deferring for two years.

Councilman Kivell asked if we can see where these roads are in the pecking order. Superintendent Renwick stated he could provide that information. However if we do proceed with the DWRF program, some of these streets will also be affected.

The consensus of Council was to proceed with the Whipple Street parking lot.

NEW BUSINESS:

1. HVA Agreement

Mr. Dale Berry, President & CEO of HVA stated that the reason they are on the agenda is to renew the agreement between the City, the Township and HVA. Paul Hood, Vice President of Operations was also present. Mr. Berry stated that HVA has served the City for over 21 years since they took over the ambulance service from the City. HVA is a charitable non-profit organization serving all or part of nine counties. The agreement with the City was an agreement which was renewed once per year unless notice from either party. It was felt that after 21 years, it was time to review the agreement. It was reviewed by a committee made up of Chief Kennedy, City Manager Murphy and Chief Collins as well as the Fire Chief and Supervisor of Lyon Township and his staff. He reviewed the changes including response time, quarterly reporting, training for the Fire Departments, etc. This is a 5 year agreement and provides for a one year extension much like the last agreement. However, this agreement does call for an annual meeting every November between the City,

Lyon Township and HVA. The agreement is joint with Lyon Township, and the Township did approve the agreement last Monday.

Mayor Wallace asked if there are still two ambulances here in town. Mr. Berry stated that the first ambulance is based here and operates 24/7. The second one is always operated 12 hours per day 7 days per week. The second ambulance will be moved to New Hudson. They have grown to service the City of Wixom and Milford Township as well. He further stated that Chief Kennedy is in need of the second bay to keep all of his vehicles inside.

Mayor Wallace stated that he had a concern over the high senior citizen population but also sees the fact that there is an ambulance on the other side of the railroad tracks. Mr. Berry further discussed the dispatching services and the ability to re-locate an ambulance as needed to cover the areas.

Discussion was held on the hours of operation of the second ambulance. Mr. Berry stated that it will be operated 12 hours per day from 10 a.m. to 10 p.m.

Councilman Kivell stated that he does like the annual evaluation. He further stated that HVA has been very professional and capable throughout the entire relationship.

CM 10-5-11 – APPROVAL OF AGREEMENT - HVA

Motion by Kramer, supported by Kopkowski

To approve the agreement with HVA for a five year term.

VOTE: MOTION CARRIED UNANIMOUSLY

2. Liability Insurance Renewal

City Manager Murphy stated that our liability insurance is up for renewal. Three years ago we switched our insurance provided from the MML to MMRMA. Last year we saw a slight increase, however this years the premium has decreased to $115,292. Furthermore we are also getting back $9,000 as a rebate we are also looking at a grant for the alarm system at the Historic Village.

CM 10-6-11 – APPROVAL OF INSURANCE RENEWAL - MMRMA

Motion by Morelli, supported by Wedell

To approve the liability insurance agreement with the MMRMA in the amount of $115,292

VOTE: MOTION CARRIED UNANIMOUSLY

3. Alarm System at Historical Village/Warming Station

Superintendent Renwick stated that we are looking at a grant from our insurance company for up to 50% of the cost. We have experienced vandalism and damage in the past. We did go out for bid. A number of companies contacted were either owned by ADT or Guardian. After talking with them he has found that Coactive System, although is not the cheapest system, their monthly fee is only $12 per month. They can do everything remotely and it does give us the option of doing a real-time log-in. He would recommend proceeding with getting this system installed at the Witch's Hat and Comfort Station. This would also include a camera on the playground area.

Councilman Kivell asked about the trees being interference. Superintendent Renwick stated that it should not be a problem.

Councilman Morelli asked if this company were to go out of business, could ADT or Guardian be able to take over. Superintendent Renwick stated that they could take over.

Councilman Morelli asked about the remaining funds being budgeted. Superintendent Renwick stated that we do have some parks funds budgeted that we could use. Councilman Morelli stated that if it is a budgeted item and it could be taken over by another company if needed, then he does not have a problem with it.

Councilman Kramer asked who would be contacted in the event of an incident. Superintendent Renwick stated that depending on the situation, the Police or Fire Department would be contacted. He further stated that it could also notify anyone else that we choose. Discussion was held on the Police Department being able to have access to the feed. Superintendent Renwick stated that they will be able to access through the internet or phones.

CM 10-7-11 – APPROVAL OF PURCHASE – ALARM SYSTEM & CAMERAS

Motion by Kopkowski, supported by Kivell

To approve the purchase and installation of alarm system and cameras from Coactive Systems in the amount of $16,363.95.

VOTE: MOTION CARRIED UNANIMOUSLY

4. Video Cameras For Police Vehicles

Chief Collins stated that they did an extensive review of the systems and made sure that they were comparing "apples to apples". He stated that we do have this purchase in the budget and have a $9,000 rebate from MMRMA. His recommendation is to proceed with the low bid and purchase of the system as quoted by L3 Mobile Vision, Inc. for a total cost of $44,710.68.

Councilman Wedell asked if this is purchased straight from the vendor or is this through someone else's contract. Lieutenant Sharpe stated that this is through the vendor.

Councilman Wedell asked about what our neighbors are using. Lt. Sharp stated that Wixom has this system as well as Green Oak and he has spoken with both departments as well as others.

Councilman Kramer asked how long it would take to equip the vehicles. Lieutenant Sharpe stated that it would take 30 days.

Mayor Wallace stated that it is important to have this equipment and it keeps both sides honest.

CM 10-8-11 – APPROVAL OF PURHASE – VIDEO CAMERAS FOR POLICE VEHICLES

Motion by Wedell, supported by Kramer

To approve the purchase of the replacement mobile video system as quoted by L3 Mobile Vision, Inc. for a total cost of $44,710.68

VOTE: MOTION CARRIED UNANIMOUSLY

5. Cell Tower Lease Agreement

City Manager Murphy stated that he was approached by Crown Castle to extend the contract so they could assure their co-locaters that they would be there for years to come. We did go back and forth with them and he asked for a $5,000 signing fee. We settled on three additional five-year terms.

Mayor Wallace asked if this was researched with other communities with similar agreements. City Manager Murphy stated that he did check with Brighton, Novi and Farmington and we are a little lower than Novi, but they do have additional space. Mayor Wallace stated that he talked to a couple owners of sites, one of which is White Lake. They are getting $5,000 per month. We need to be sure to thoroughly check.

City Manager Murphy discussed the increase. City Clerk/Treasurer Zemke stated that with the co-locators, we are getting $3,100-3,200 per month. City Manager Murphy stated that we receive 30% of the co-locators. Attorney Lee stated that with this new agreement we will receive 3% or the CPI, which will keep us in line with "real" dollars. City Manager Murphy stated that we would receive a minimum 3% per year.

Discussion was held on the contract language. Attorney Lee stated that the letter of agreement will be read with the old agreement. Discussion was held on potential termination of the agreement. Attorney Lee stated that they would have to restore the site.

Mayor Wallace asked if there is a deadline? He stated that he feels that this needs to be researched further. Discussion was held on comparable comps provided. Discussion was held on checking with the schools for the tower on the old bus garage site. City Manager Murphy stated that there are still two more five-year terms in the original agreement. It would not hurt to put this off for another meeting.

CM 10-9-11 – APPROVAL OF AGREEMENT – CROWN CASTLE

Motion by Kivell, supported by Morelli

To table until the next meeting the approval of the letter agreement with Crown Castle and the modifications to the lease agreement.

VOTE: MOTION CARRIED UNANIMOUSLY

6. METRO Act Permit Application

Attorney Lee stated that we have little control of franchise contracts. The agreement does conform with the Statute, and State Law requires that they submit a contract to us. If we have some special concerns that we want to deal with then we would have to go to a State board for review and approval. It does conform to the METRO Act and he recommends approval.

Councilman Kivell stated that this is primarily along Pontiac Trail. Attorney Lee stated that it is mostly. They can also utilize existing lines of other providers.

CM 10-10-11 – APPROVAL OF THE PERMIT – METRO ACT - PAETEC

Motion by Kramer, supported by Wedell

To approve the Right-of-Way Telecommunications Permit for McLeod USA Telecommunications Services, LLC d/b/a PAETEC Business Services

VOTE: MOTION CARRIED UNANIMOUSLY

MANAGER'S REPORT:

City Manager Murphy commented on the length of the agenda tonight as well as the Lion's Football game.

COUNCIL COMMENTS:

Councilman Morelli stated that he is happy to see the report from the Code Enforcement Officer.

Councilman Kramer thanked the Pumpkinfest Committee. Everyone was very happy with the downtown event. Councilman Wedell also thanked the Pumpkinfest Committee as well as all the other volunteers. Councilman Kivell agreed and stated that it was important to have good entertainment, which enhanced the event. It was well-organized and people were well behaved. Council Member Kopkowski agreed. Mayor Wallace stated that the Committee worked on the event for a very long time and was very well done.

ADJOURNMENT:

CM 10-11-11 ADJOURNMENT

Motion by Morelli, supported by Kramer

To adjourn meeting at 8:43 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd M. Wallace
Mayor

Julie C. Zemke
City Clerk/Treasurer