

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
August 13, 2012**

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: Dixon, Kivell, Kopkowski, Kramer, Rzyzi, and Wedell
City Manager Murphy
City Clerk/Treasurer Zemke
City Attorney Wilhelm
Department Heads: Collins, Kennedy, and Martin

APPROVAL OF MINUTES:

Councilman Kivell commented that it appears that many of the questions asked by Council were recorded but not necessarily the answers to the questions. [The Mayor concurred with his comment regarding the content of the minutes.](#)

CM 8-1-12 – APPROVAL OF MINUTES- JULY 23, 2012

Motion by Kopkowski, supported by Wedell

To approve the minutes of the July 23, 2012 Regular Council meeting as written

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MONTHLY BILLS:

Discussion was held on various bills

CM 8-2-12 – APPROVAL OF MONTHLY BILLS

Motion by Kivell, supported by Kramer

To approve the monthly bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF AGENDA:

City Manager Murphy stated that he would like to add a second closed session to discuss a legal opinion regarding rezoning.

CM 8-3-12 APPROVAL OF AGENDA

Motion by Wedell, supported by Rzyzi

To approve the agenda as amended adding closed session to discuss a legal opinion regarding rezoning

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT: None

OLD BUSINESS: None

NEW BUSINESS:

1. DWRF Bond Ordinance

Mr. Pat McGow of Miller Canfield, Bond Attorney stated that this is the 2nd and final act Council needs to take in order to proceed with the closing on September 18th. He explained the process and closing documents.

Mr. McGow stated that he did receive a communication from Eric Pohan of the Department of Environmental Quality indicating that the full amount eligible for the "Green Eligible" is \$5.3 million with 50% forgiveness. He explained that all of the components with the exception of one will be eligible for the 50% forgiveness, which would be for the low service pump and its installation. If the City chooses not to proceed in the 4th quarter fiscal year, they will not be guaranteed a green subsidy or principle forgiveness in the future. He further explained the 2.5% financing that the City will be receiving. Discussion was held on interest rates being good at the moment. It was stated that it would be unlikely for the City to get 2.5% financing elsewhere

Discussion was held on the City financing the full \$5.3 million. Mr. McGow stated that the City will only pay on the amount that they draw down. After the project is completed, the City will begin payment on that amount less the 50% forgiveness.

Councilman Kivell asked if there is still a way for the City to step away from this. Mr. McGow stated that we will have a written approval from the State before signing the papers.

CM 8-4-12 – DWRF BOND ORDINANCE

Motion by Kivell, supported by Kramer

To adopt the bond ordinance as presented and on file with the City Clerk (see attached ordinance as part of these minutes)

ROLL CALL VOTE:

Dixson – No
Kivell – Yes
Kopkowski – Yes
Kramer – Yes
Rzyzi – No
Wedell – Yes
Wallace – Yes

2. SMART Agreement

Mayor Wallace stated that this is our annual agreement with SMART. If the City spends more than \$12,802, SMART will reimburse us \$11,134. We will pay \$63,816 for transportation through People's Express.

CM 8-5-12 – SMART AGREEMENT

Motion by Kopkowski, supported by Wedell

To approve the proposed contract with the Suburban Mobility Authority for Regional Transportation (SMART) for Fiscal Year 2013 as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

3. 2012 Road Repair Project

Superintendent Martin stated that in July Council was presented with a list of proposed streets for rehabilitation. This is for partial fixes, not reconstruction. We received five bids for this work with the low bid being from T&M Asphalt Paving, Inc. in the amount of \$106,836, which is less than we originally anticipated. He further stated that T&M is a good company, and he would recommend approval.

Mayor Wallace reviewed the proposed streets as follows:

E. Liberty from Reese to Reynolds Sweet
Reese Extension from E. Liberty to Terminus
Hagadorn from 10 Mile Road to 110' north
Chester from Hagadorn to 60' west
Warren from Whipple Blvd. to 2nd Street
Stanford at Vassar Intersection

Council Member Kopkowski questioned the observation engineering cost of \$37,000. She stated that this is 35% of the total cost. Mr. Keith McCormack of HRC stated that construction engineering and observation costs do go up on smaller jobs and is based on the time spent on site. Additional discussion was held on the engineering costs. City Manager Murphy stated that the engineering costs are an estimate, and this estimate would have been based on the original construction estimate, which was higher. Council Member Kopkowski stated that she would like to know the total cost before voting on this item. Superintendent Martin asked that we get the \$106,000 approved in order to get the project started. We are hoping to get Warren Street completed prior to school starting.

Council Member Kopkowski stated that she would like to see something itemized for the engineering costs. It was stated that the construction engineering costs were approved at the last meeting.

CM 8-6-12 – 2012 ROAD REPAIR PROJECT

Motion by Kopkowski, supported by Kivell

To approve the 2012 Street Repair Project with the low bid of \$106,836 to T&M Asphalt Paving, Inc.

Councilman Kramer asked if it would be beneficial to look at hiring an employee for this engineering or possibly look at sharing services with Novi.

VOTE:

MOTION CARRIED UNANIMOUSLY

4. Whipple Street Parking Design

City Manager Murphy stated that we have been saving three years of CDBG funds to repave the City owned parking lot on Whipple Street. The total amount of funds that can be used towards this project is \$82,464. He is asking Council to approve the design engineering in the amount of \$13,600.

Discussion was held on the need to have design work for a project of this type. City Manager Murphy stated that this is a milling and overlay project, and we need the engineering work in order to proceed.

CM 8-7-12 – WHIPPLE STREET PARKING DESIGN

Motion by Kivell, supported by Wedell

To approve the design services from HRC in the amount of \$13,600.00 for the Whipple Street Parking Lot Project

VOTE:

MOTION CARRIED UNANIMOUSLY

5 Police Vehicles

Chief Collins stated that there was some discussion during the budget workshop regarding the purchase of two new vehicles for the Police Department. We are requesting to purchase all-wheel drive vehicles. The low bid is through the State of Michigan Bid from Gorno Ford for a total purchase price of \$46,580. These are Ford Police Interceptor vehicles.

Council Member Kopkowski questioned why the State Police are driving the Dodge Charger and the Sheriff's Department drives yet a different type of vehicle. She asked if there would be an advantage to look at another type of vehicle. Chief Collins discussed the need for the all-wheel drive vehicle.

Discussion was held on the mileage of the 2007 Crown Vic. Chief Collins discussed the mileage as well as the need for repair on the older vehicles. It was stated that one of the vehicles being replaced will go to the Water Department.

Councilman Kramer asked how many vehicles are in the Police Department fleet. Chief Collins stated that we have 6 marked cars and 4 unmarked cars.

Discussion was held on the need to purchase two at this point rather than just the one. Chief Collins stated that last year we did not purchase any new vehicles and the year before we purchased two, with one being purchased through the Drug Forfeiture Fund.

Council Member Kopkowski asked how much it would be to transfer the equipment from the older vehicles to the new vehicles. Chief Collins stated that it would be approximately \$2,000 and approximately \$3,000 for the needed new equipment.

CM 8-8-12 – POLICE VEHICLES PURCHASE

Motion by Wedell, supported by Kivell

To approve the purchase of two Ford Police Interceptor vehicles under the State of Michigan Bid, from Gorno Ford, for a total cost of \$46,580.00.

VOTE:

MOTION CARRIED (1 OPPOSED)

6 John Deere Mower Purchase

Superintendent Martin stated that with the new budget year, he is proposing the purchase of a new zero John Deere mower. This is a budgeted item. This would be for the DPW for mowing of the parks, etc. This would replace the 2003 mower, which will be moved to be used at the cemetery. He further stated that he is proposing the John Deere as our fleet is made up of John Deere equipment.

Councilman Kivell asked if this is the same equipment as the 2003. Superintendent Martin stated that it is, but more heavy duty with a diesel mower.

CM 8-9-12 – JOHN DEERE MOWER PURCHASE

Motion by Rzyzi, supported by Kramer

To approve the purchase of a zero turn mower from Bader and Sons for the price of \$14,042.49 as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

7. Closed Session

- a) Collective Bargaining
- b) Legal Opinion – rezoning issue

CM 8-10-12 – ENTER INTO EXECUTIVE SESSION

Motion by Wedell, supported by Kopkowski

To enter into Executive Session for the purpose of discussing Collective Bargaining and Legal Opinion regarding rezoning

ROLL CALL VOTE:

Nixon – Yes
Kivell – Yes
Kopkowski – Yes
Kramer – Yes
Rzyzi – Yes
Wedell – Yes
Wallace – Yes

MOTION CARRIED

Council entered into Executive Session at 8:30 p.m. and reconvened the regular meeting at 9:34 p.m.

8. I.O.U.E. Contract

8-11-12 – I.O.U.E. CONTRACT

Motion by Kivell, supported by Kopkowski

To deny the contract with the I.O.U.E. as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

MANAGER'S REPORT: None

COUNCIL COMMENTS:

Mayor Wallace stated that he recently attended a Mayor's convention and received a lot of valuable information.

ADJOURNMENT:

CM 8-12-12 ADJOURNMENT

Motion by Wedell, supported by Kramer

To adjourn meeting at 9:36 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

 10-20-12
Tedd M. Wallace, Mayor

Julie C. Zemke, City Clerk/Treasurer