

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
SEPTEMBER 13, 2010**

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, Selden and Wedell
City Manager Murphy
Attorney Hill
Department Heads: Martin & Renwick
Deputy Clerk/Treasurer Lynch
ABSENT: Council Member Morelli, City Clerk/Treasurer Zemke

CM 9-1-10 EXCUSE ABSENCE OF COUNCILMAN MORELLI

Motion by Kivell, supported by Wedell

To excuse the absence of Councilman Morelli

VOTE: MOTION CARRIED 1-OPPOSED

Councilman Selden stated Mr. Morelli needs to decide if he wants to be a Councilman, or if he wants to pursue his business career.

Councilman Wedell stated that should be brought up when Councilman Morelli is here.

APPROVAL OF MINUTES:

CM 9-2-10 APPROVAL OF MINUTES

Motion by Kivell, supported by Wedell

To approve the minutes of the August 23, 2010 meeting as presented.

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MONTHLY BILLS:

Discussion was held regarding the monthly bills.

CM 9-3-10 APPROVAL OF MONTHLY BILLS

Motion by Selden, supported by Kramer

To approve the monthly bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF AGENDA:

CM 9-4-10 APPROVAL OF AGENDA

Motion to approve Wedell, supported by Kopkowski

To approve the agenda as presented.

VOTE:

MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT:

Debra Green of 408 Washington stated she does not have a car, and her only form of transportation is her wheel chair. She further stated it is hard to get around in the winter time because the sidewalks are not always cleared, even 24 hours after the snowfall. Ms. Green stated it is very frustrating and difficult to get to the stores for her groceries.

Lori Green of 404 Washington stated she corresponded with Mayor Wallace regarding the snow on the sidewalks last year, but it is still a problem. She further stated it is a very dangerous situation because sometimes they even have to go onto the road to get around the snowy sidewalks.

Councilman Kivell stated it will probably be more of an issue this year because we do not have the Building Inspector to keep an eye on the situation. It will have to fall on someone else's shoulders.

Mayor Wallace stated that maybe the City Manager and the DPW could monitor the situation. City Manger Murphy stated we may need to change the ordinance to allow us to handle the snow after the 24 hours and charge the property owner. Mayor Wallace stated something must be done.

Councilman Kivell stated we had a court issue with a property owner regarding this issue last year and we lost because it was demonstrated they were in violation, but the way the language in our ordinance is we lost. We need to adjust the language in our ordinance so there is metrics assigned to it, rather than something that is judgment driven.

Mayor Wallace stated as the Mayor, he promises we will do something to take care of this.

Councilmember Kopkowski stated we should look into this at the next meeting.

Jim Herman of 1107 Appaloosa stated he is the South Lyons Football Booster President. They are interested in being incorporated as a nonprofit organization, and would like Council to approve it. He further stated they do drawings and other things to raise money for equipment that the schools can't afford to do. We stated they have their bylaws and their article of incorporation. Mayor Wallace stated this should be added to the next agenda.

Mr. Herman stated they would also like to change the homecoming parade route, time and the day of the parade. He stated it will benefit the community because more people will be able to attend. It is hard for everyone to be here for the parade on a Friday at 4 p.m. It is even difficult for the football team to attend because they have to be at the school to get ready for the game by 5 p.m. Mr. Herman stated they are hoping to change the time to 6, 6:30, or 7p.m. and changing the date to Thursday nights. He further stated they are asking the parade route to be changed to start at Bartlett then go to 10 Mile, and then left onto Pontiac Trail to the first entrance of the high school with a pep rally to follow, and maybe in the future a bon fire, but the bon fire thing is for another time to discuss.

Councilman Kivell stated changing the time is a great idea. Changing the time to 6:00 will allow a lot more people to attend. There should not be too much rush hour traffic at that time. Other communities do this the same way, and they seem to survive it. The pep rally after the parade will get people wound up for the game the next night.

Chief Collins stated the ordinance reads they need to submit the application to the Police Department and that has not been done, so he has not had a chance to look it over. Chief Collins stated it will be cutting it close if they want to change the route from what it has been the last 12 years. He further stated he has some major concerns

regarding changing the route. He stated the train tracks is an issue, we can call the railroad and ask them to see when their trains are scheduled and if they could hold off for that time period, but at least one time in the past a train did come despite our calls during the parade. He further stated it is a concern for emergency personal to gain access to Trotters Point, Carriage Trace, and Colonial Acres as well the Pon Trail Apartments. Mayor Wallace stated the kids could get out of the way for the emergency personal, it is only an hour. Councilman Kivell stated he doesn't see the danger of the railroad tracks. They could stop the parade if a train is coming, then continue through after it goes by. Councilmember Kopkowski stated maybe we could have a police officer at the rail road. Chief Collins stated it would depend if he had any personal left after blocking off the access points. Mayor Wallace stated we could use crossing guards and volunteers. Councilman Kramer stated the Football Boosters should get their application in and this issue could go on the next agenda and then we can move on from there. Discussion was held regarding the route and safety issues.

NEW BUSINESS: None

OLD BUSINESS:

1. Mower for Cemetery

Superintendent Renwick stated he is asking Council to approve the purchase of this mower for the Cemetery crew. Mayor Wallace asked if the cemetery guys will be happy with his. Renwick stated they would. Councilman Selden asked what will be happening to the old one. Renwick stated they will use it until it cannot be used anymore.

CM 9-5-10 APPROVAL OF PURCHASE OF MOWER

Motion to approve Selden, supported by Kivell

Motion to approve the purchase the purchase of an X300 Tractor with 42" mowing deck from Theiser Equipment at a cost of \$2,429.19.

VOTE:

MOTION CARRIED UNANIMOUSLY

2. MML Delegate

City Manager Murphy stated this is for the annual meeting that is being held next week in Dearborn, and we need to approve a delegate and an alternate to attend the conference.

CM 9-6-10 MOTION TO APPROVE DELEGATE AND ALTERNATE FOR MML

Motion by Selden, supported by Kivell

To designate City Manager Murphy as delegate and Councilman Selden as alternate for the Annual Michigan Municipal League Meeting.

VOTE:

MOTION CARRIED UNANIMOUSLY

3. 2005-2006 FY Capital Improvement Funds

City Manager Murphy stated back in May of 2005 Council approved the budget with 3.6100 mills for Capital Improvement which was part of the General Fund. That has generated \$1,340,00.00 of tax revenue. In that budget it was broken down into two different things. One was for Capital Improvement, that was for \$754,912.00 just into Capital Improvement for roads, the remainder of that was going to future debt service payments for the Wastewater Treatment Plant. For some reason that money was never transferred over. We were made aware of that a couple of weeks ago. We had the auditors check into it and verify, and he reviewed the minutes from that meeting, so with interest that \$580,000 has jumped to \$724,456.00. What he is asking Council to do is to honor

what Council wished to do at the time to put it into the debt service for the Wastewater Treatment Plant. However, we have the option of leaving it in the Capital Improvement fund.

Councilman Wedell asked if it is moved, is it then restricted funds? City Manager Murphy stated yes it would.

Councilman Kivell stated that bond money right now is at a very attractive rate. By leaving that money earning interest, that money will grow. Councilman Kramer stated this money has been sitting there. We have not missed any payments. Kramer stated that if we moved this money it will not affect the General Fund, but it will just affect the Capital Improvement fund. Superintendent Martin stated if we leave it in the Capital Improvement fund it is not restricted. Mayor Wallace stated maybe we should just leave it there and move it at a later time.

Discussion was held regarding what the money may be used for if it is left where it is, or if it is moved.

CM 9-7-10 MOTION TO TABLE DISCUSSION OF 2006-06 CAPITAL IMPROVEMEN FUND

Motion by Selden, supported by Kivell

To table the Capital Improvement fund money discussion until the next meeting

VOTE: **MOTION CARRIED UNANIMOUSLY**

4. RAW SEWAGE PUMP REPLACEMENT

Superintendent Martin stated the pumps are the heartbeat of the plant. He further stated they have been worked on over and over again. The pumps are 31 years old. We can fix the old pumps for \$10,000 a piece or we can purchase new ones for \$23,970.00. Martin stated the old pumps will be sold for scrap metal. They will not be of any use. He further stated this would be paid for from the budget by moving funds between line items. Martin stated this would mean 4 out of our 5 pumps will be new. The technology has changed and they should last a very long time.

CM 9-8-10 MOTION TO APPROVE THE PUMP REPLACEMENT

Motion by Wedell, supported by Selden

Motion to approve the requested purchase of two new raw sewage pumps in the amount of \$23,970

VOTE: **MOTION CARRIED UNANIMOUSLY**

MANAGERS REPORT:

City Manager Murphy stated the cub scouts will be at the next meeting to lead the Pledge Allegiance. He further stated the date for the CDBG projects have moved up. At the next meeting we will need to discuss what projects Council would like to do. He further stated we had already discussed using the money for the parking lot across from the fire station, but if Council thinks of anything please let him know. He further stated the Medical Marijuana issue will be discussed at 9 a.m. at the MML on Tuesday, he will be there for an hour, but then he has another meeting at 10:00.

COUNCIL COMMENTS:

Councilman Selden asked when the mower will be delivered. Renwick stated this week.

Councilmember Kopkowski stated there have been some really nice community events lately and would like to thank all the volunteers and everyone that has helped with them.

Councilman Kivell stated Saturday the 18th of September is the Crop Walk. He further stated 25% of the funds go directly to Active Faith, and the rest goes to other national and global relief efforts.

Councilman Kramer stated he would like to remind everyone that school is back in session and drivers should watch out for the busses, the kids and slow down around the bus stops. He further questioned why Plante and Moran just found this issue with the Capital Improvement fund money. City Manager Murphy stated, they did not find it, Lori our book keeper found it.

Mayor Wallace stated he will be at the MML, but will also be attending the Mayors summit. He knows there will be many of our Council members there to learn more about the Medical Marijuana issue.

Mayor Wallace stated he wanted everyone to pay attention to the painting on the side of the Herald building and how beautiful it is. It was from the DIA. The original painting was done in 1883. Mayor Wallace stated there are 3 weeks left for the Farmers Market. He further stated it was unfortunate it rained on Depot days, but it was very nice anyway. Mayor Wallace stated Gail Smolarz is ill and he would like everyone to send a thought and a prayer her way. She is a great lady.

ADJOURNMENT:

CM 9-9-10 MOTION TO ADJOURN

Motion to adjourn by Selden, supported by Kopkowski

Motion to adjourn meeting at 8:30 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Tedd Wallace
Mayor

Lisa Lynch
Deputy Clerk/Treasurer