

City of South Lyon  
Regular City Council meeting  
July 9, 2018

Mayor Pelchat called the meeting to order at 7:30 p.m.  
Mayor Pelchat led those present in the Pledge of Allegiance

Present: Mayor Pelchat, Councilmembers: Kivell, Kennedy, Kurtzweil, Parisien, Richards and Walton  
Also present: Chief Collins, Attorney Wilhelm, Fire Chief Vogel and Clerk/Treasurer Deaton

MINUTES

Councilmember Parisien stated on page 6, Myer is misspelled, it should be Meyer. Councilmember Kennedy stated on page 4 it should reflect he stated "Roberts Rules of Order are good, but in some cases, they are meant for a much larger body, than the 7 of us". Councilmember Richards stated at the last meeting he passed a newspaper clipping to the Clerk regarding the Olds Cemetery. He further stated on page 8 it states the building owned by Richard Rowe is the oldest building in downtown, he stated that is not true, it is the oldest building on that portion of Lake Street. Councilmember Kivell stated on page 4 near the bottom of the page it should state "he is more inclined to have Matt and Tim come up with something because they know how they operate." He further stated on page 10, he was referring to Fire theme, not things.

7-1-18 MOTION TO APPROVE MINUTES AS AMENDED

Motion by Kivell, supported by Parisien  
Motion to approve minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 7-2-18 MOTION TO APPROVE THE BILLS

Motion by Parisien, supported by Kivell  
Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

CM 7-3-18 MOTION TO APPROVE ATTORNEY BILLS

Motion by Kivell, supported by Parisien  
Motion to approve attorney's bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 7-4-18 MOTION TO APPROVE AGENDA

Motion by Walton, supported by Richards  
Motion to approve the agenda.

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT- None

Mayor Pelchat stated he will read the new public comment rules because they are fairly new. Members of the public may speak at a Council meeting upon recognition by the Mayor. Public comment may only occur during periods designated on the agenda for public comment or a public hearing. A person may speak for up to two (2) minutes during each of the two public comment

periods on agenda items or non-agenda items. Waivers of the time requirement may only be granted at the discretion of the Mayor, and waivers to speak at a time other than a designated comment period may only be granted by the Council. Any person wishing to make a presentation longer than two minutes or requiring audio-visual equipment is asked to contact the City Clerk requesting to appear on a future agenda.

A person may only address Council from the podium. Only one person may occupy the podium at a time. All remarks are to be directed to the Mayor and Council. Speakers are not to engage in direct dialog with other meeting attendees.

Any person who violates the Rules of Conduct, disturbs the peace at the meeting, and/or interferes with the meeting may be warned, ordered to be seated, removed, and/or ticketed.

\*This summarizes Council Resolution 04-18. Complete Rules, including guidelines for considering waivers, are available in the Council Chambers and from the City Clerk.

#### DISCUSSION- Downtown

Mr. Donohue stated he is excited about Heinanen Engineering site plan being approved. He is making the final arrangements with Cool Yule to put a 35-foot tree in front of his building. He further stated that will coincide with all the white lights in the trees for the first time. The light poles will have red lights. He further stated the chair of the Cool Yule said there will be a pause at the main four corners as well as at the tree but the parade will still have the same flow.

Mr. Donohue stated the new pedestrian yield signs and the white rectangles will be put in shortly, we have approval from the road commission. If we contract it the county it will be a lot cheaper. Until then, we have permission from the road commission to improve the crossing at the hotel.

Mr. Donohue stated in August we will have the 2<sup>nd</sup> annual report from the DDA. He further stated he is proud of the DDA and how the improvements that have made and how they operate.

Councilmember Kurtzweil stated people are asking her if the 30-foot tree is a real tree. Mr. Donohue stated it will be a live tree. He further stated it is a temporary tree that will be brought in just for the season. Councilmember Kurtzweil asked if there is any hope we can get matching brick buildings at the main four corners where Draft Street was. She then asked if he is working with any developers that want to tear down that building and rebuild because it doesn't match the buildings around it. She stated it is a mismatch. Mr. Donohue stated the ownership of the property is an issue, as well as there are environmental/contamination issues with that property that is confidential at this time. Mr. Donohue stated there are currently two developers looking at it, and they have talked about possibly demolishing the property, or to trade or sell them the Farmers Market lot. He stated we can't force the issue, but we can negotiate to follow the master plan. Councilmember Kurtzweil stated she hopes they are listening to Council's comments, and she finds it difficult to think if they will be able to do an exterior that is going on downtown, they will be a misfit, and she doesn't think that is in the best interest of their marketing plan, unless they can match it up to the buildings that are currently there. Mr. Donohue stated he agrees, that is where the DDA is headed, to follow the master plan and any type of incentive they can offer, such as selling/trading the market parking lot, or to vacate the parking lot. He further stated Council will have to approve anything like that at the time. Councilmember Kurtzweil stated that building will always be the misfit, if they don't try to match the downtown. Mr. Donohue stated he is willing to push the envelope to follow the master plan. He further stated both developers stated they would tear the exterior off if not demolish it.

Councilmember Kivell asked about when the color selection for the Lake Street Tavern buildings will be made. Mr. Donohue stated he met with Richard Rowe, and they will be meeting with the painters next week and they will coordinate with the A&E Jeweler owner as well.

#### OLD BUSINESS

1. Consider approval of first reading of ordinance rezoning parcel 21-19-126-002 (Thomasville) from RM1 (multiple family residential) PD (planned development)

Attorney Wilhelm stated he handed out a supplemental agenda note with a draft ordinance of rezoning and a suggestion for a motion. He stated this is recommended for approval based on recommendations from the Planning Commission. Carmine Avantini of CIB Planning stated this is a two-step process. It goes through Planning Commission, then to Council for rezoning. This locks in the layout of the streets, lots and types of buildings. After the preliminary plan is approved, it goes back to Planning for approval of the site plan for details such as the buildings and landscaping. He stated then it will come back to Council for approval again which isn't typical, but because it is a planned development it will.

Mr. Avantini then gave Council some history of this property. It was originally approved by Council with smaller lots and houses. It was recommended for approval by Planning, but then there was a change in ownership of the property. The new owner wants larger lots, and houses, but the roads and utilities are the same, they dropped 10 units from the previous approval. Councilmember Kennedy stated he appreciates the history on this property, but his concern is some of the inconsistencies in the paperwork. He stated on one page it reflects they are going to construct 50 units. Then on page 3 it states it could provide additional access for Colonial Acres, but we all know Colonial Acres isn't interested in that, so that should be updated. He further stated on page 4, it says vehicular access to the property will be from Eleven Mile and approves the accessibility of Colonial Acres, which isn't true. Councilmember Kennedy stated the documents reflect the sidewalks are described in a few different ways, one is a sidewalk backs up to the curb, other areas show 2 or 3-foot green space, and it doesn't show sidewalks for all the units. He stated there are no sidewalks reflected for units 23-32. Councilmember Kennedy further stated on page 5 it states the applicant is seeking 62 units, yet first page shows 50. The overall density will be much lower than the previously approved 60 units.

Councilmember Kennedy stated he is concerned where the street trees will be located, as well as the utilities. He stated where will the utilities be located in this development which are typically in the right of way, and if the sidewalks meet the curb of the street, where will they be located. It will raise the cost of any repairs if the street has to be dug up.

Councilmember Kennedy stated he wants to share some comments from what happened last time when Council approved a plan development in the Knolls. He stated in 2013, Mr. Kivell stated he met with Mr. Elkow about the Knolls and their 25-foot setbacks in the front and the 35-foot setbacks from the back, and that Mr. Elkow had told him that the plan will be changed and the correct setbacks will be according to City ordinance. Councilmember Kennedy stated Mr. Kivell had stated as long as that happens, he won't have an issue with the plan, except there could be issues with the size of decks and patios. He further stated that is now on our agenda tonight. Councilmember Kennedy stated the setbacks and lots are so small we will be having the same problem that they are having at the Knolls. He further stated at a previous meeting, the former Fire Chief Kennedy reaffirmed the need for a second entrance, the emergency entrance is the last and worst choice, a full access road is the best plan.

He stated there are many inconsistencies and he wouldn't approve this without this document being clarified and updated. Mr. Avantini stated he would like to clarify a couple of things. He stated we can still put in a road and for a potential connection to Colonial Acres. As of right now, Colonial Acres are not interested in connecting to that development, but they may change their mind in the future. He further stated we can have an access easement. Mr. Avantini stated he thinks Fire Chief Kennedy meant it would have been better to have a second access on the side of Eleven Mile.

Councilmember Kennedy stated he believes he meant this development needed two access points.

Councilmember Kennedy stated his other point is this was zoned for 44 units as RM1, and if it had the 44 units the temporary road could have been widened. Mr. Avantini stated if it was RM1, there would be more unit.

Attorney Wilhelm stated the previous owner presented that Colonial Acres had agreed to the access road into their development. This property was designed to be supposed to be part of Colonial Acres, and it turned out not to be successful.

Councilmember Kennedy stated he has driven through that area, and it is not an actual road it is their parking lot. The fact they don't want this connection is understood. Attorney Wilhelm stated that isn't the issue in his point. Councilmember Kennedy stated the concern he has right now is reducing the setback to 30 feet. We have another development with 35-foot setbacks, and they are having issues putting in decks. Attorney Wilhelm stated there is an issue with the Knolls and we will be discussing that issue tonight. Mr. Avantini stated the reason we need the amendment is not because they are going to extend farther into the rear yard as planned, the lot coverage of the ordinance is very small and there are many neighborhoods that the building of decks is an issue. We want to change the percentage of the lot coverage, not the setbacks. It is more of a clerical issue than a physical issue. He spoke with the developer and they will have to redo the buffering between these units and Colonial Acres. He stated they are aware of that issue. Mr. Avantini stated the original plan had a sidewalk up to the curb, and he told them that is a safety issue as well. He said they will have to come with a site plan showing all the sidewalks. He further stated they have to have sidewalks throughout the development.

Councilmember Kennedy stated he doesn't know why we would extend the percentage of lot coverage for the entire development. We have a ZBA and a process for anyone that exceeds the 25% coverage. Mr. Avantini stated at that time, when they discussed the setback, not the property coverage when someone builds a deck, not changing the setbacks. He stated we don't want to send every homeowner to the zoning board of appeals. Councilmember Kivell stated it was a huge oversight for the lot coverage issue to have gotten by. It began with Singh, and unfortunately due to the economy, there was a little lull in the action, otherwise we would have known about this issue before now. Mr. Avantini stated we really didn't know how much of the footprint would be taken up. We only looked at the elevations. Mr. Avantini stated it isn't necessarily bad that the homes in the Knolls were built bigger. Councilmember Kivell stated if we try to amend the overall lot coverage, he would like it done through the entire City and kept very strict on what is permissible. He stated he just heard of someone losing the ability to have a 12-foot pool in their backyard because it would have too much lot coverage. Mr. Avantini stated we are going to come forward with zoning amendments for the lot coverage instead of waiting for the zoning ordinance to be approved. Most people are not asking for something horrible, most are reasonable. Councilmember Richards stated the whole concept of the project is to build too many homes in a small area. He further stated he doesn't see where HRC has reviewed this modified proposal. Mr. Avantini stated the only change will be less leads into the houses, the system is the same. Councilmember Richards stated Colonial Acres will never go along with this. He further stated it will be a disaster because of ruining the continuity of their lifestyle. There will be children in this subdivision. He further stated he hopes we can come to an agreement, and he is willing to give Mr. Avantini some advice. Councilmember Kurtzweil stated she requests Council to keep comments to the issue that is before them. It has nothing to do with the Knolls of South Lyon. Councilmember Kennedy stated he has some additional information to share from a previous Council meeting. He further stated 10-foot separation with 2 story buildings and it will look like the buildings by Sams Warehouse on Wixom Road. Councilmember Kennedy stated at a previous Council meeting, Councilmember Kivell brought up the point that with a 5-foot minimum, a house will only be 10-feet away from another house, not 12 feet. He then stated at a previous meeting, Councilmember Parisien stated she shares the concerns about the density. Councilmember Kivell stated he has a number of concerns about this project, the idea we will turn a blind eye to the lot area being literally 48% of the requirement of the open space option for R3. He further stated the lot width is 83% of what the requirement should be, and the density is 140% of what it should support. He further stated we are now talking about 5 feet on either side of the lots. The notion we would establish the property line at the back of the curb, seems bizarre. He stated the only way they can use the 25-foot setback is if the property line is at the curb. Councilmember Kivell asked if this development will want to dedicate their utilities to the City and streets to the City. Mr. Cavaliere of 30078 Shannon Road of Warren Michigan stated he is here to answer any questions Council may have. Councilmember Kivell stated it appears you asking to put the sidewalk at the back of the curb. Mr. Cavalier stated there will be a 2-foot buffer and a 5-foot walkway. Mr. Kivell stated that would utterly put the setbacks to the back of the curb property line. Mr. Cavalier stated setbacks in most cases are 20-foot or greater, some are a few feet shorter.

Councilmember Kivell stated the idea that they will have cars in the driveway will not leave the sidewalk accessible. He then asked where the utilities will be located. Mr. Cavalier stated the utilities will be decided by the City engineer and the utility companies. Mr. Cavalier stated that is something that needs to be approved and regulated by the City Engineer and the utility company. Councilmember Kivell asked if their long-term plans are to dedicate their utilities and roads to the City. He stated we don't automatically accept them. Mr. Cavalier stated if the utility and roads meet the design standards of the City, they should be dedicated to the City. Councilmember Kivell stated we need dedicated easements for that to happen, and that doesn't always happen with private developments. He further stated if the utilities are under the road, he will not approve it because if we have to fix anything under the road and we have to tear up the roads and fix them, or in their front yards, he is not comfortable with accepting the utilities. Mr. Cavalier stated he isn't here to ask questions, he is here to answer questions. He further stated he believes if their designs meet the standards of the State and the City, why would there be an issue to dedicate the streets and utilities to the City. Councilmember Kivell asked if there will be mountable curb designs, or waterfall designs. Mr. Cavalier stated it would not be a waterfall curb. That is a design standard that they have to abide by as a developer. He further stated we need to meet the design standards that are set in place. Councilmember Kivell stated when you pit this against the open space preservation option and the notion that the yards aren't going to end up being some way to extend abutting backyards. Councilmember Kivell stated if the average is 4200 square feet, that isn't even close to our lowest residential standard. Mr. Cavalier stated it is currently zoned multiple family, and at the first reading, there were originally 60 40-foot wide lots, and that was approved by Council. He stated we have increased the lots to 50-footers and lowered the number of lots. Councilmember Kivell stated the concern of that was brought up about the continuation of Lexington Road, isn't a deal breaker. There are other developments with only one entrance. Councilmember Kivell stated there are at least 5 out of 6 items that he is concerned about. Mayor Pelchat stated he suggests this plan comes back cleaner, and clearer and with more answers. We are not here to make these decisions on-site. He would entertain a motion to get this plan cleaned up and bring it back to Council. Councilmember Kivell stated we will need a clean copy of what his intentions are to remove the ambiguity.

CM 7-5-18 MOTION TO POSTPONE FIRST READING OF REZONING PARCEL 21-19-126-002

Motion by Kennedy, supported by Kurtzweil

Motion to postpone until the August 13<sup>th</sup> meeting for more information

VOTE: MOTION CARRIED- 1 OPPOSED

NEW BUSINESS

1. Consider approval of "BrotoberFest" and road closures

Mr. Donohue stated this is a DDA event, proposed for Saturday October 20<sup>th</sup> from 4:00-9:00 p.m. He further stated this is the first of what we hope will be an annual event. He stated the DDA voted and approved this event. He then introduced the chairman for this event, Joe Burchill. Councilmember Parisien stated she has a few questions. She stated there was an issue with copyright when it should have been in an employee of the City's name instead of the original person's name and it has been corrected. She then asked if this is a first, she hasn't heard of this in the past. Mr. Burchill of 213 Oakbrooke Drive Unit 5 stated he is sure other communities have similar events. He further stated this came from a discussion he had with Mr. Donohue about having a men's night out, such as the City has a ladies night out. He stated this is something new to promote the downtown businesses and the City as well. He stated men can stop in the men's play area, while the ladies shop. The downtown businesses like this idea. Councilmember Parisien stated he spoke with her husband about this and he stated many businesses in downtown Detroit have things like corn hole games, and Jenga games and things like that. She stated that might not be a bad idea for this event. Mr. Burchill stated one of the suggestions was a little Chuckie

Cheese basketball and net. He stated this is the first time out, and we want it to grow in the future. He further stated we are going to bring street food in, and have brats and a beer tent with the VFW. He further stated KV Sports have a huge TV they can put in the front window with games playing. Councilmember Parisien stated she thought we could have a goodie bag for the guys like we did for the Ladies night out. Mr. Burchill stated we thought about having Brotoberfest pens, and some kind of swag bag. Naturally if the businesses would like to supply their own, they are more than welcome too. He stated they did a field study and the local businesses really liked the idea. Mr. Donohue stated it is not a men's only night, it is a co-ed event. Councilmember Walton stated she would like to suggest a change in the paperwork under the recommendations, it should be Brotoberfest, not the brotober event. Councilmember Kurtzweil stated she is happy about this event and this is fabulous. She has a subdivision full of guys and she will be a great marketer for this, and she thanked him for his enthusiasm. She stated she knows this will be a great event. She further stated we may want to make sure you have a television because it will be during football season. Mr. Burchill stated KV Sports will have TV's in the windows showing the games. Councilmember Kurtzweil stated if the street will be closed, could you have a designated area for a beer tent in front of KV Sports. Mr. Donohue stated they are looking into doing that. Mr. Burchill stated the Lyon Theatre will also be having short films that day as well. Councilmember Parisien asked if we will be receiving a certificate of liability insurance in the future. Mr. Donohue stated the VFW has to provide the MLCC license. Chief Collins stated they may already have the insurance but they will have to submit the paperwork. He further stated when it is a DDA event, we haven't asked them to supply the insurance.

#### CM 7-6-18 MOTION TO APPROVE THE "BROTOBERFEST" EVENT REQUESTED AND STREET CLOSURE

Motion by Kurtzweil, supported by Walton

Motion to approve the "Brotoberfest" event request from the DDA as recommended by the DDA & Econ Dev/DDA Director for Saturday, October 20, 2018 from 4:00 – 9:00 p.m. with the VFW Post 1224 operating a beer and wine tent and enclosure with an MLCC License on E Lake Street and the closure of E. Lake Street between Lafayette and Wells Streets, as approved by the Police Chief, for Saturday October 20 from Noon to 10:00 p.m. pending the receipt of insurance

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Consider approval of first amendment to Knolls of South Lyon Planned Development agreement

Mr. Avantini of CIB Planning stated this will prevent many homeowners having to go to the zoning board of appeals for a lot coverage variance. He further stated they won't be able to increase the setbacks, but this will change the lot coverage problem. Councilmember Kivell stated this has been conducted in another community, he would like to see documents and their approach to doing this and it is a logical progression of amendments. He doesn't want to approve arbitrary language, he wants a good study done on this. Mr. Avantini stated with this amendment, we shouldn't have anyone having to go to the zoning board of appeals for a variance for adding a deck for lot coverage issues. He further stated if you take the open space and allocate to all of the lots, as you would a normal development, it would allow them to build the decks they are wanting. Mr. Avantini said even just extending the coverage with 25% lot coverage, stops them from having a deck or anything else. He further stated they have looked at this a lot, and there are a lot of lot coverage variance requests. Councilmember Kivell stated he wonders if people in the market or if Council had an idea this was going to be a problem, there might have been a different view if this open space was the right selection to be made. Councilmember Richards stated this is potentially having a domino effect on the rest of the community. This could be one step down a slippery slope. He further stated everyone will think they can add 25% onto their coverage. Mayor Pelchat stated he wants to clarify that this % is strictly for the Knolls. Mr. Avantini stated this is an issue throughout the City, not just at the Knolls. He further stated he thinks the project turned out very nice, but what is

happening is the homes are bigger than we thought they were going to be. He further stated the project has turned out very nice. He further stated, hind site is 20/20 and if we would have known the houses would have been built bigger, we could have dealt with that at that time. Councilmember Richards stated it is his understanding that this will apply to phase 1 and also phase 2. He further stated they have nice backyards, and homes, what is wrong with the decks they have now, just because they want to expand them a little more. Mr. Avantini stated he is hearing the new houses that have been built, the new homeowners want to build decks and if they come in right now, they are already over lot size. Councilmember Kurtzweil stated we are encouraging people to move into South Lyon and right now there are some homeowners wishing they wouldn't have. She further stated she wants to thank the developer for building larger homes, because it benefits the City's tax database. She further stated you have to be flexible for these minor adjustments or you will run into public relation problems. There is no snowball effect at all, this is a planned development and it isn't unusual for a developer to make changes or minor adjustments such as this. Everyone has worked hard to get the numbers consistent with the ordinance. She wants to support the homeowners that are moving in and she hopes it passes tonight. Councilmember Parisien asked what the detriment is if this doesn't pass tonight. Mr. Avantini stated they would have to have the appeals process. Councilmember Parisien stated they spent a lot of money on these homes, she is in favor of supporting the homeowners and this is a minor adjustment. She is happy people are moving here and it is good for the tax base. Councilmember Kivell stated he is an advocate and grateful for the people moving to South Lyon. He stated his original concern was the setbacks, not the lot coverage. He stated he is more inclined for the whole circumstance to be reviewed, but he doesn't think this is the way we should go about it. He further stated he wants to support our residents, but he wants it looked at comprehensively.

CM 7-7-18 MOTION TO APPROVE THE REVISED FIRST AMENDMENT TO KNOLLS OF SOUTH LYON PLANNED DEVELOPMENT DATED JULY 9 2018

Motion by Kurtzweil, supported by Parisien

Motion to approve the revised First Amendment to Knolls of South Lyon Planned Development Agreement dated July 9 2018 (see attachment)

ROLL CALL VOTE:

Kivell- No  
 Parisien- Yes  
 Kennedy- Yes  
 Richards- No  
 Walton- Yes  
 Kurtzweil- Yes  
MOTION CARRIED

3. Consider purchase of 2018 backhoe loader from CAT

Councilmember Kivell stated if there are no objections, he will recuse himself from this vote due to the fact his wife is an employee of CAT.

CM 7-8-18 MOTION TO APPROVE PURCHASE OF 2018 BACKHOE LOADER FROM CAT

Motion by Kurtzweil, supported by Kennedy

Motion to approve purchase of 2018 Caterpillar Model 420-F2 APR and backhoe loader from CAT for the total cost with trade in of \$89,448.65

VOTE: MOTION CARRIED- 1 recused

4. Consider purchase of 2019 Ford Super Duty truck

CM 7-9-18 MOTION TO APPROVE PURCHASE OF FORD SUPER DUTY 4X4 TRUCK

Motion by Walton, supported by Kurtzweil

Motion to purchase 2019 Ford Super Duty 4X4 truck from Varsity Ford, under the State/County bid at a cost of \$30,183.00

VOTE: MOTION CARRIED UNANIMOUSLY

5. Consider purchase of 3 sets of firefighting turnout gear

Chief Vogel stated we are asking for a waiver of the bid process. He further stated we have a great vendor with a great price and great customer service. He stated we don't like having multiple manufacturers for our gear. Councilmember Parisien stated the Police Department receives an allotted amount of money for uniforms, she asked if the Fire Department does as well. Chief Vogel stated they do, and they have a line item for the uniforms. He further stated once a firefighter becomes a full-fledged firefighter, we pay for their gear to wear for training and shifts. Councilmember Richards asked if we ever sell our old fire gear. Chief Vogel stated it isn't a good idea to sell fire gear, once it hits a certain age, it is better to let it go. The gear is loaned to the firefighter, the gear stays at the Fire Station, once we get it back, we clean it and recycle into our stock unless it meets the date. He further stated since the population of female firefighters have gone up, we have had to specialize purchasing because they don't fit into the other gear very well.

CM 7-10-18 MOTION TO WAIVE SEC. 2-224 OF THE CITY OF SOUTH LYON CITY CODE FOR COMPETITIVE BID PRICING

Motion by Kivell, supported by Kennedy

Motion to waive Sec. 2-224 of the City of South Lyon City Code of Ordinances, "Approval for purchases or contracts over \$2,000.00; competitive bidding for purchases or contracts over \$5,000.00" because "no advantage to the City would result" from competitive bidding

VOTE: MOTION CARRIED UNANIMOUSLY

CM 7-11-18 MOTION TO APPROVE PURCHASE OF THREE SETS OF FIREFIGHTING TURNOUT GEAR

Motion by Kivell, supported by Walton

Motion to award the purchase of three sets of firefighting turnout gear to First Due Fire Supply for \$6,524.84

VOTE: MOTION CARRIED UNANIMOUSLY

6. Consider approval of bid to replace police/fire admin building roof

Chief Collins stated they received 3 bids and we are recommending the lowest bid. We had originally estimated up to \$20,000 and budgeted for that, the bid came in much lower at \$13,490.00. Councilmember Richards stated he is glad we got a good bid, but from being in the roofing business in the past, the roof in question is very difficult in a matter of degree. The complexity of that building. He stated he hopes the supervision, and someone needs to inspect that, because if they don't know what they are doing, they can give you a bad job. He further stated McCarter was the highest bid, but he likes their work, he doesn't know the company we are awarding the bid to.

CM 7-12-18 MOTION TO ACCEPT BID BY THE ROOF COMPANY

Motion by Walton, supported by Kennedy

Motion to accept the bid by The Roof Company to replace the roof on the police/fire administration building at a cost of \$13,490.00

VOTE: MOTION CARRIED UNANIMOUSLY

7. Consider approval of City Manager job description



Chief Collins stated Mr. Vettrainso very strongly suggested we have a City Manager job description before we complete the process. He further stated Mr. Vettrainso sent forward the proposed City Manager job description, but Council could always decide to make changes if necessary. Councilmember Parisien stated she wants this to be clear. She further stated we have over 30 applicants, why didn't we didn't have a City Manager job description in place before. Chief Collins stated he doesn't know why we didn't have one in place previously. He further stated City Manager job descriptions are pretty standard, this is just putting in writing what we expect. Councilmember Parisien stated this should have been done beforehand. Councilmember Kivell stated this is pretty thorough and comprehensive, and it addresses our expectations for someone we want to be our City Manager.

#### CM 7-13-18 MOTION TO APPROVE CITY MANAGER JOB DESCRIPTION

Motion by Kivell, supported by Walton

Motion to approve City Manager job description

VOTE: MOTION CARRIED UNANIMOUSLY

BUDGET- No comments

#### MANAGERS REPORT

Chief Collins stated the application and approval packet for the Whipple Street block party which he has approved and it is an informational item only. It is Saturday August 11<sup>th</sup> from Noon to 9:30 p.m.

Chief Collins stated he has spent a lot of time dealing with sub-contractors working for Comcast in the Trotters Point subdivision. He further stated the sub-contractor Corner Cable who was contracted by V&M Ashton Inc has damaged 2 natural gas lines, 1 DTE electrical line, and 1 water line, and 1 AT&T cable line since beginning installation of Comcast underground cable lines. He further stated he met with numerous representatives of all the aforementioned companies, as well as Brian Dunn the representative for the homeowner association. He stated since he contacted the representative from governmental affairs representative of Comcast, there has been no new reports of damage.

Chief Collins stated the City has received an electronic fund transfer from the U.S Drug Enforcement Administration in the amount of \$3,442.01. The money received was from forfeiture funds by Officer John Tomanek while he was assigned to the DEA task force. He is currently out on a disability for a back injury, which puts us two people down in the police department.

Chief Collins stated the rap grant was for the supervisor control and data acquisition which was recently approved for \$14,000.00 He further stated the money was from a grant from MMRMA and the grant was written and submitted by himself.

Councilmember Kennedy asked when GFL will begin delivering the recycling bins. Chief Collins stated he isn't aware they have delivered any yet. He stated he has ordered one of the bins as well but hasn't received it. He further stated we are trying to let GFL handle this, and not get too involved. He further stated if they don't begin to be delivered, he will contact Sam from GFL again regarding contract compliance.

PUBLIC COMMENT- None

#### COUNCIL COMMENTS

Councilmember Kennedy stated as the SEMCOG Delegate for the City he had the opportunity to attend the SEMCOG General Assembly Meeting at the end of June and to participate in the election of the new SEMCOG officers as our own Oakland County Commissioner, Phil Wiepert, became the new Chairman of SEMCOG for the 2018-2019 year. He then congratulated Phil and to his wife Pam, who supports him in every one of his endeavors to support our county and our city.

Councilmember Kennedy stated he would like to recognize a long-time city employee as well as a friend and neighbor Judy Archey retired at the end of May after 21 years of working for our city providing

admin support for the Water/WasteWater Department. She's the person who kept track of the invoices and billing for the department as well as providing support to the department head in preparing the budget beginning back when Linden Beebe was the Department head and then followed by Bob Martin. He further stated Judy is also the person who assigned new addresses for the new residents of South Lyon as development in the city took off and the population doubled from around 6,000 residents in the early 1990s to its current level of almost 12,000. During all that time, Judy was always there, working tirelessly to help and support the operators at the plant as well as the other employees throughout the city and like so many of them, rarely, if ever, got the recognition and appreciation they truly deserve. He further stated he would like to wish Judy Archey and her husband, Steve, the very best as they get a chance to enjoy retirement and spend more time with their friends, family and those grandkids. He then thanked Judy for everything she has done for South Lyon.

Councilmember Richards stated following up on Councilmember Kennedy's comment on SEMCOG, he would like to point out that Councilmember Kennedy gave him a State of Michigan emblem that is cut by laser and it says it is for their 50<sup>th</sup> anniversary. It was made by Superb Fabricating. He then stated the DPW began working on the replacement of the playground equipment today and they have it sectioned off as of today. They are off to a good start. He thought maybe we should give it away to the trailer park, but he was told no, they would be under the same restrictions that caused the City to have to take it down, because of the age and safety of the equipment.

Councilmember Parisien stated on July 14<sup>th</sup> there will be the 12<sup>th</sup> annual Operation Injured Soldier Ride and Car Show, and even though this is in Lyon Township, it is an important event. This event encompasses the ride, car show, picnic and raffle. It will be at James Atchison Park in New Hudson. We also still need volunteers for all our boards and commissioners.

Councilmember Parisien thanked Judy Archey for all her years of service.

Councilmember Parisien thanked Chief Collins for all his hard work and he has done a great job and the fact he brought in a grant, even if it's just one, it is \$14,000 and that is huge. She hasn't seen a City Manager bring in a grant since she has been on Council. She further stated we are always getting thank you letters for our Police Department and she hopes the new City Manager can fill his shoes.

Councilmember Kivell stated he enjoyed seeing the progress taking place downtown and he is looking forward to seeing the selection of paint colors and to see everything come alive will be very impressive. He stated he has heard some concerns about the 115 and 117 buildings and the 1930's brick job is in wonderful condition, but they are concerned it won't be reflective of that time period and not provide enough pop they were looking for. He further stated he looks forward to 117 being finished, it will be a nice contrast from old to modern. He further stated he hopes we see some forward progress with the Art Craft and RCA buildings soon in making those buildings available for sale and getting two new storefronts in the downtown. Councilmember Kivell stated he is looking forward to the trajectory we are headed on.

Councilmember Kurtzweil stated she is going to put a rumor to rest that has started within our senior community. She stated the falsehood pertains to the school district deciding to obtain an SRO for the high school and the middle school from the Oakland County Sheriff Department. She stated the falsity that is being handed out states the South Lyon Police Department will lose police officers due to the school district hiring the Oakland County Sheriff. She stated that is a lie, and she is not aware of any police officer that has or will lose their job because of the school district position. She further stated they have an idea where this is coming from, but once again, not one police officer is losing their job due to the fact the South Lyon Schools have hired. She stated this does not help anyone, including the Police Department. She then thanked Lyon Township for taking the lead and professionally working with the Oakland County Sheriff department. They are one of the top ten Sheriff's department in the Country. They have a budget is approaching \$160 million dollars. She stated they are the number one sheriff department in the State. She stated a portion of our taxes are paid to the County and a portion of that is

for the Oakland County Sheriff's Department. She then thanked Oakland County Sheriffs department for moving forward with a security plan that protects all students, and she thanked Lyon Township. She stated this weekend is the South Lyon Garden Club walk on Saturday July 14, and tickets can be purchased on Saturday at the library. She further stated there is a local landscaping company called Munro Landscaping and they have done some great and incredible work. She then then thanked GFL for their wonderful service. She has been pleased with their service. She can't imagine doing that work for 14 hours a day. Councilmember Kurtzweil stated she has met with some taxpayers, and they are pleased with our Mayor. She then thanked him for all he does.

Mayor Pelchat stated this weekend is the all-star little baseball league at the high school. He stated he is excited and he will be attending.

He further stated the Cable Commission has brought on a great intern that he has worked with before, his name is Ben Wolak. He further stated he is the one that has done some great drone shots.

Mayor Pelchat stated he wanted to thank Chief Collins for stepping into the role of Interim City Manager. He has been a stabilizing factor since the last City Manager. He walked into a mess of an office. He stated he never has to question if he is working in the best interest of the City.

#### CLOSED SESSION

#### CM 7-14-18 MOTION TO ENTER INTO CLOSED SESSION

Motion by Kivell, supported by Parisien

Motion to enter into closed session at 9:40 p.m. pursuant to Section 8 (c) of the Open Meetings Act, MCL 15.2068(c) to discuss strategy and negotiations for collective bargaining agreement between the City of South Lyon and IUOE Local 324

ROLL CALL VOTE:

Kivell- Yes  
Kennedy- Yes  
Parisien- Yes  
Richards- Yes  
Walton- No  
Kurtzweil- No  
Pelchat- Yes

MOTION CARRIED

#### CM 7-15-18 MOTION TO ENTER INTO CLOSED SESSION

Motion by Kivell, supported by Parisien

Motion to enter into closed session at 9:40 p.m. to consider purchase of real property pursuant to Section 8(d) of the Open Meetings Act, MCL 125.368(d)

ROLL CALL VOTE:

Kivell- Yes  
Kennedy- Yes  
Parisien- Yes  
Richards- Yes  
Walton- No  
Kurtzweil- No  
Pelchat- Yes

MOTION CARRIED

#### ACTION RELATED TO CLOSE SESSION

CM 7-16-18 MOTION TO RECONVENE THE OPEN SESSION

Motion by Parisien, supported by Kennedy  
Motion to reconvene the open session at 10:25 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

CM 7-17-18 MOTION TO RATIFY CONTRACT BETWEEN CITY OF SOUTH LYON AND IUOE LOCAL 324

Motion by Kivell, supported by Parisien  
Motion to ratify contract between City of South Lyon and IUOE Local 324

VOTE: MOTION CARRIED UNANIMOUSLY

CM 7-18-18 MOTION TO PURSUE THE COURSE OF ACTION DISCUSSED DURING CLOSED SESSION

Motion by Kennedy, supported by Parisien  
Motion to direct City Attorney to pursue the course of action discussed during closed session regarding purchase of real estate property

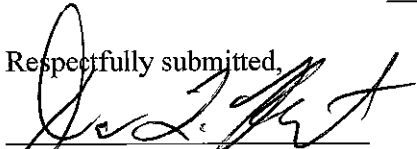
VOTE: MOTION CARRIED UNANIMOUSLY

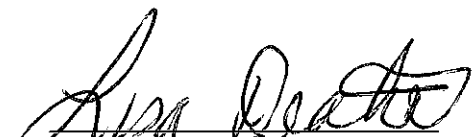
CM 7-19-18 MOTION TO ADJOURN

Motion by Parisian, supported by Walton  
Motion to adjourn meeting at 10:30 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

  
\_\_\_\_\_  
Mayor Dan Pelchat

  
\_\_\_\_\_  
Clerk/Treasurer Lisa Deaton