

City of South Lyon
Regular City Council Meeting
September 24, 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 Kennedy, Kivell, Kurtzweil, Parisien, Richards and Walton
Also Present: Chief Collins, Fire Chief Vogel, Attorney Wilhelm and Clerk/Treasurer Deaton

MINUTES

CM 9-1-18 MOTION TO APPROVE MINUTES

Motion by Kivell, supported by Walton

Motion to approve minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

Chief Collins stated he would like to remove old business #1 from the agenda. It will be before Council again at a later time. Attorney Wilhelm stated he has spoken with Ms. Bifano's attorney and she agreed they will work together to go through some of the details of the plan of operations and bring this back to Council at a later time.

CM 9-2-18 MOTION TO APPROVE AGENDA AS AMENDED

Motion by Kivell, supported by Kennedy

Motion to approve the agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Bob Martin of 695 N Crest Lane stated he wanted to come and thank everyone for all their help with the summer concert series. He stated this has been his 10th year doing this and one person couldn't do this job. It begins in February with the booking of bands, which is becoming more competitive, because people are finding out about the beautiful settings they play in here in South Lyon. The Administration helps with taking calls, and making the posters. He then stated as spring stretches to summer we get ready for the first show in June. The DPW always makes sure the grounds look perfect. The Historical Society does a great job keeping the area beautiful and is known as our mini Greenfield Village. He stated then on the day of the show and he is worrying about the weather, someone from the DPW or Water comes and makes sure the electricity is working. Then at 5:30 at each concert, Phil Wiefert representing the Kiwanis brings cold water for everyone. Phil brings the water for the bands and the audience. Mr. Martin stated our concert series are unique, because we use all types of music. He stated it is wonderful and he thanked everyone.

DISCUSSION- Downtown

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Mr. Donohue stated the Farmers Market will be at the Veterans Parking Lot during Pumpkinfest. He stated the market people and the vendors love it. He reminded everyone the dates for Pumpkinfest are September 28th, 29th and 30th. There is a lot of work that goes into that and it is always a great event for the downtown. Mr. Donohue stated the building projects for 115 and 117 Lake Street are moving forward with the façade work, although it still needs to be painted, and it will be painted in 3 different tones. He stated he was told it will be completed in 3-4 weeks. Mr. Donohue stated the owner of 125 and 131 E Lake is going to wait to do their Victorian paint scheme until next summer. The painter is worried about the timing because of the intricate work, but the preservation work has been outstanding. He stated he is hoping to have formal announcements on the gourmet foods and candy store after the first of the year. He stated he is close to announcing an antique shop as well. Mr. Donohue stated Brotoberfest is coming up, posters and postcards will be going out this week. The billboard will be up this weekend. He further stated Ladies Night is moving forward, the billboard goes up October 22nd. The Ladies Night is November 16th. Mr. Donohue stated they are double and triple checking the new business directory and it should be out in the next 2 weeks. He stated they are looking into having a recognition night for all the improvements downtown, and we want to partner that with the fundraising for the Veterans expansion and relocation. He stated they currently have half the funding. He stated there will be an official announcement in February. Mr. Donohue stated the primary sponsors of Brotoberfest are the VFW, the South Lyon Hotel, Kiwanis Club, and KV Sports.

Councilmember Parisien stated we had an issue with 2 people that wanted to be on a board, and there were conflicting apps with date stamps. She asked what is the status of the process. Mr. Donohue stated all the boards and commissions are treated the same way. He stated he also mentioned having the forms online fillable which would be a one step process. Councilmember Parisien stated she wants the process to be as fair as possible so people can go online and see what's going on. She stated we need to stay up on this process, and maybe having the same form for all boards isn't the best idea. Mr. Donohue stated the DDA tabled one of the applications because the minutes from the July meeting are now available and the City Attorney is reviewing them as well. There was some discussion and there was some confusion on the action the DDA took at the July 12th meeting. They didn't have a quorum in August so the minutes couldn't be approved and they weren't available on the website. Councilmember Parisien stated the minutes are helpful, but they don't mean anything unless the information on the website is easily found and understandable. She stated it seems to be a confusing process for the residents.

Councilmember Walton asked when the road closures will occur this weekend for Pumpkinfest. Chief Collins stated the parade starts at Centennial and ends at Bartlett. The Fun Run starts at 9:55 and the parade at 10:00. The road closures start at 9:30 a.m. Chief Collins stated the downtown road closure for the Pumpkinfest footprint begins on Friday morning.

Councilmember Kivell stated although the time stamps are helpful, all boards and commissions have the ability to recommend someone to be appointed to a board, but there is no obligation by a board to recommend someone just because they file an application. Mr. Donohue stated the DDA has bylaws that are set by Michigan Law, and their bylaws show the DDA making a recommendation to the City Manager.

NEW BUSINESS

- I. First reading of Zoning Ordinance Amendment to amend and add definitions and limit the height of utility poles and other structures in a public right-of-way

Attorney Wilhelm stated this is a zoning ordinance amendment to address a bill that adversely effects the City with respect to control its right-of-way with respect is wireless facilities. He stated Council may recall the DAS or distributed antennae systems and this something that will keep coming up. This Ordinance amends some language and adds other language that limits 40-foot limit with 5 feet above that for wireless. Councilmember Kivell asked if this is part of the Metro Act. Attorney Wilhelm stated this is outside of the Metro Act. That is typically talking about lines, whether underground or strung on poles. A DAS is a pole with an antenna on it. He further stated the cabinets, the antenna all falls outside of the Metro Act, and this is designed to address that. Councilmember Kivell asked if there is any revenue to the City as a product of them being able to use our poles. Attorney Wilhelm stated this isn't relevant to this amendment, but as a policy decision, it would depend if the City owns the light poles or DTE. If you own infrastructure within your right-of-way or outside of it, and you want to make that available for wireless facilities and third parties, that is a policy decision. As of now the City doesn't have that.

CM 9-3-18 MOTION TO APPROVE FIRST READING OF ZONING ORDINANCE AMENDMENT

Motion by Kivell, supported by Kennedy

Motion to approve the first reading of an Ordinance amending the City of South Lyon Zoning Ordinance, Sections 102-3 and 102-104, to amend and add definitions and limit the height of utility poles and other structures in a public right-of-way

VOTE: MOTION CARRIED UNANIMOUSLY

2. Vacant City property- 318 W Lake Street

Chief Collins stated this is the old Library building and after that it was the South Lyon Recreation Authority building. He stated it has been City property the whole time. He stated he got a professional assessment of the property as well as consulting with Oakland County Equalization. He further stated we could ask a realtor to list it for sale, keep it vacant, or designate some other use for the property. Councilmember Kivell stated this building has had municipal use its entire lifetime. It was comfortable and relatively benign things going on there without much traffic. He stated this is a residential zone, and his opinion is we should make this affordable for someone to purchase the property, raze the property and build a home there. He stated he doesn't know if that is viable, but the neighbors would rather have a neighbor there and not a business. Councilmember Kurtzweil stated she knows people that live in the downtown and they aren't interested in it being turned into a residential property. Some people downtown would like to see the Cultural Arts Commission use that space. She further stated she thinks if the City keeps the property we can control the use, which is why the building has survived as long as it has. Councilmember Kurtzweil stated we could allow the pottery shop to rent some space. She stated she would like the new City Manager have an opportunity to explore some ideas. She further stated Brighton put an old building into use as a community center/cultural arts center. There are no other options for the Cultural Arts Commission. We would probably get a lot of volunteers to help get the building in shape to turn it into a gallery and possibly mixed uses. She further stated it could have a nice conference area, so maybe a mixed use is the answer. Councilmember Richards stated he agrees with Councilmember Kurtzweil, it would be great for Cultural Arts and mixed use. He stated that would be a good place for counseling services and we could have a display area for Historical. He stated there are a lot of pictures that are kept in the basement that everyone would like to see. He further stated it could be a venue for the wellhead protection committee displays. Councilmember Richards stated a multiple use for now is the best idea, it can be very valuable to the City. Councilmember Kennedy stated he wants to know what shape the building is in. He stated he wants to know what kind of obligation we will be in to maintain the

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structural integrity. He further stated he thought there was a problem with the foundation. He stated we have had discussions about the cost of being a landlord and we need to look at this as a want versus need bases. Councilmember Kurtzweil stated that is even more of a reason to not decide tonight. The City has always been short sighted, and other cities seem to be able to raise funds to accommodate some of their commissions. She further stated it would be nice to have people brag about something here in town like they are about the cultural center in Brighton. Councilmember Kennedy stated he would like to take advantage of the time we have now and ask our building official to do an inspection on the building, then in two weeks we will have more information for this discussion.

CM 9-4-18 MOTION TO DIRECT INTERIM CITY MANAGER TO HAVE THE BUILDING OFFICIALLY EVALUATE THE BUILDING

Motion by Kennedy, supported by Parisien

Motion to direct the Interim City Manager to have the building official evaluate the building and its structural integrity and ordinance and compliance standpoint

VOTE: MOTION CARRIED UNANIMOUSLY

BUDGET- None

MANAGER'S REPORT

Chief Collins stated he met with Ken Michalik from the Cultural Arts Commission regarding the paint color and the readability of the water tower. He inspected the water tower with Ron Beason. After the onsite visit, he met with someone from Dixon Engineering and he asked them to verify the color of the paint and the logo. He then initiated a color complaint with the paint manufacturer Tnemec. Chief Collins stated the Tnemec company will be comparing the paint supplied to the Pantone 5405 color standard which was the color ordered for the base and the script. He stated the laboratory will forward a color sample to the City by approximately September 28th. He further stated we will also be getting a color standard sample as well. The first step in the process to figure out what our options are because there is some dissatisfaction is first to determine if we have the color of paint that the Cultural Arts Commission chose and to see if the color standard matches as well. Councilmember Richards stated we paid a lot of money for the rehabilitation of the water tower. He stated when he made signs in the past, to make sure people can read it, he highlighted the outside to make it stand out a little more. He further stated if the color conforms, maybe we can highlight it with an accent, he can't imagine it would cost more money. Councilmember Kurtzweil stated she looked at the swatch when it was chosen. She further stated that is not the color on the tower. Somewhere along the line either someone adjusted the color that was chosen, or there is a mix up with the color itself. She stated the reason the color swatch was selected was for readability from a distance. The issue was to maximize the readability South Lyon from the greatest distance. She further stated you don't have good readability when you use a light color because it fades into the white of the background. That is why there was a darker color originally selected. She stated she doesn't want this to be a huge issue, but if it can be rectified good, if not, then we move on. Councilmember Kivell stated he loves the logo. It is very nice stylized and modern. He further stated unfortunately it doesn't translate well when you are driving by. He stated to try to get contrast is to have a white tower with black lettering. He further stated if it turns out we have the wrong paint, we cannot be held responsible for that. He further stated it is still very attractive, but it is a lost opportunity for people to be driving by and know exactly where they are at if they aren't familiar with the area.

PUBLIC COMMENT- None

COUNCIL COMMENTS

Councilmember Richards stated he hopes we all have a productive week as we head into the Pumpkinfest festivities. He then stated he took some pictures of the projects going on around town. He took pictures of the work going on at Heinanen and the island at the Marathon station. He further stated he took pictures of the work happening at 115 and 117 Lake street today. He stated the Historical Society is having their annual excursion. They used to have a dinner, but they decided to stop doing that. We are going to Holly for a historical tour. He further stated that will be exciting. Councilmember Richards stated we had a terrible accident last Friday involving a citizen at the railroad track. She is 31-year-old and a resident of South Lyon and we wish her the best on her recovery.

Councilmember Kennedy stated he would like to recognize Lt. Chris Sovik, Sgt. Doug Baaki and Officer Audra Baker for participating in the Special Olympics Law Enforcement Run on September 14 when they relayed the torch from 10 Mile & Pontiac Trail to Pontiac Trail and Silver Lake Rd. He then thanked them for their efforts and support of the worthwhile cause. Councilmember Kennedy stated he would like to remind everyone of the Soccer Game between South Lyon High School and South Lyon East High School to highlight Breast Cancer Awareness. The game will be held Monday, October 1 at South Lyon High at 5:30 pm for the JV teams and at 7:00pm for the varsity teams. There will be a 50/50 raffle benefitting the Pink Fund so let's turn out and support this worthwhile charity. Councilmember Kennedy stated that SEMCOG, the Southeast Michigan Council of Governments, will kick off a campaign beginning October 1 to emphasize the need to Walk, Bike and Drive Safe with a goal of reducing traffic fatalities and injuries throughout our region. Councilmember Kennedy stated he has been working with our Cable Commission, and they will be broadcasting public service announcements on our local TV channel and be placing posts on social media to help support this effort and increase awareness. He then thanked Rich Perry, Stephen Kaukonen and Amber King for their help with getting the message out for this initiative. Councilmember Kennedy congratulated Jill French, the owner of Glazy Days, for celebrating 10 years in business in downtown South Lyon. Glazy Days will be offering special deals during Pumpkinfest this weekend, so stop in and see what they have to offer.

Councilmember Walton reminded everyone to go to Pumpkinfest and enjoy the parade. She stated the marching band has the parade as well as a competition this weekend. Councilmember Walton stated they raised over \$900.00 at the get the red out football game. It was for the American Heart Association and she was happy to be there. Councilmember Walton thanked all the hardworking teenagers in town. She stated there are a lot of kids that spend all day at school and then they work after. She stated they don't get enough credit for what they do. They do a great job.

Councilmember Parisien stated Pumpkinfest is still looking for volunteers. She stated the kick off to Pumpkinfest parade is the annual run. Registration is open for two more days, and you can register at www.slxc.com/pumpkinfest.com She stated it is a cool race and they always have cool shirts, the logo is always cool. She further stated she is happy Bob Martin visited tonight. She thanked him for all the things he still does in our community.

Councilmember Kurtzweil thanked Mayor Pelchat for the invitation to the South Lyon football game. She stated it was great and Mayor Pelchat is a real professional behind the microphone. She stated for him to be able to manage the microphone, learn the players numbers on both teams, and be able to call the plays. Everyone was very impressed with his knowledge of the game and the players. She further stated she also wanted to thank all the volunteers, parents and grandparents that sold tickets at the gate and sold items at the concession stands. She further stated it is unbelievable the number of volunteers this

community has and what it takes to put on a football game at South Lyon High. She then stated she met the new School Resource Officer for South Lyon High. She stated he is an incredible individual and they had to wait in line to meet him because there were students introducing him to their parents. She stated he already has a fan club. She then stated she was impressed with him and she was surprised to learn the Oakland County Sheriff is now the official law enforcement agency at all football games. She then thanked Sheriff Bouchard. Councilmember Kurtzweil stated the craft show will be at Bartlett Elementary during Pumpkinfest. She thanked everyone for volunteering that will be working at the chicken barbeque at the United Methodist church. She stated it will be a sell out event. Councilmember Kurtzweil thanked Pete's True Value for installing an American flag and they also offer a military discount to veterans and she reminded everyone to shop local. Councilmember Kurtzweil stated we are all awaiting the new City Manager Paul Zelenak and everyone is very excited. She further stated we are almost out of the fog, he will be here in a week. Councilmember Kurtzweil reminded everyone to visit Pumpkinfest it will be a great weekend.

Councilmember Kivell stated the City staff had an entertaining training session to get an understanding of state and federal civil rights laws. It was necessary to be compliant as other businesses would do. He further stated Tom Fleury did a great job with the presentation. Councilmember Kivell stated the buildings at 115 and 117 are looking very nice. He then thanked Mr. Borgman for investing in our community and his effort for dressing the place up and preserving that wonderful structure. Councilmember Kivell stated Pumpkinfest will be a great time and everyone should go.

Mayor Pelchat stated he also wanted to remind everyone of Pumpkinfest. He stated there isn't a better time of year than Pumpkinfest. He is looking forward to that. Mayor Pelchat stated he received an email from Suzan Martin that he is going to read for everyone. The South Lyon Water Department is hosting an environmental and public health seminar on drinking water and wells on October 10th from 2:00-2:45 in the South Lyon City Hall auditorium. The speaker will be Kimberly Demars R.S. a senior public health sanitarian of the Oakland County Health Division environmental health services. Topics will be on-site septic systems, ensuring safe drinking water, wells, wells components and the role the Oakland County Health Division plays in regulation. This is sponsored by the Wellhead Protection program and the Water Department. If anyone has any questions, please contact the water department at 248-437-4006.

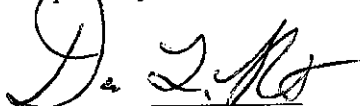
ADJOURNMENT

Motion by Kurtzweil, supported by Walton

Motion to adjourn the meeting at 8:26 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,



Mayor Dan Pelchat



City Clerk Lisa Deaton