

CITY OF SOUTH LYON
SPECIAL CITY COUNCIL MEETING
APRIL 11, 2018

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

Present: Mayor Pelchat, Councilmembers: Kivell, Kennedy, Kurtzweil, Parisien, Richards and Walton
Also present: Chief Collins, Attorney Zalewski, Department Head Boven, Fire Chief Vogel, and Deputy Clerk Pieper
Absent: Clerk Deaton

AGENDA

CM 4-1-18 MOTION TO APPROVE AGENDA

Motion by Kivell, supported by Walton
Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Don Beagle of 1089 Chestnut Lane stated he wanted to thank Chief Collins for what he has been doing for the City, there are many people that appreciate what he is doing. He then stated their comments made Monday night about the leaves in Volunteer Park and it was a volatile situation in the past, and it could be again in the future. He has been on a listening tour since no one filed to run for Mayor. He stands before Council encouraged, encouraged this meeting is taking place, and encouraged Council had the self-awareness to call a meeting of this nature, encouraged we are finally turning a page in South Lyon. He further stated people do not like to hear the insults, character assassinations and people are sick of the election manipulations and the us against them divisions on Council. This is inappropriate behavior, we do not believe in attacks on private citizens, or public servants. This body is here to represent people, not to degrade them. This body is here to build consensus and not barriers. As of this point Council has a chance to change the image of Council. From this point forward, the residents will know who is advocating on behalf of the residents, or themselves.

OLD BUSINESS

1. Council meeting conduct

Mayor Pelchat stated he is optimistic and this is a great opportunity to take advantage of structure and making our meetings more efficient. Councilmember Kennedy stated this has been discussed previously. He stated as someone that spoke before Council in the past, he knows it is possible to provide Council with information when handled in an organized and well-prepared way. He is proposing public comment be formally established before the agenda, as it is now, and then again just prior to council comments with a limit of 2 minutes. He further stated both public comment items, should be allowed to be based on agenda items but with a time limit of 2 minutes. With his research he has found most communities allow only one public comment and allow them to speak for 2-3 minutes. Councilmember Kennedy stated, first, he recommends that public comments be formally established on the agenda, following the approval of the agenda as it is now. Second, he recommends another session for public comments be included at the conclusion of the agenda, just prior to council comments. He recommends that both public comment sessions allow for the public to discuss items that are both on the agenda and items that are not. He also recommends that both public comments be limited to two minute sessions. The established time limits for

public discussion should be clearly documented on the agenda as well as the documentation that discussions will be conducted in a polite and respectful manner. This overall approach will help us in the manner our Council meetings are handled. Councilmember Parisien stated she agrees with Councilmember Kennedy, but it seems there are a few moving parts. She was wondering for format purposes, who will be keeping time to it will be clear moving forwards. She then stated she is ok with the 2 minutes at the beginning and at the end of the meeting is already more than most other communities allow. Mayor Pelchat he is also in favor of the 2nd public comment. He doesn't think the 2nd public comment will come into play too much. He stated he has no problem having a timer on the counter and when it is up, it is up. Councilmember Kivell stated he thinks when someone is making their comments, you will be able to discern where they are in their comments, that you can tell they may be wrapping up, but if he doesn't think we should be too rigid on cutting them off. They need their opportunity for them to finish their comments. He then stated the 2nd public comment will be valuable for someone that comes in late, or for someone to reflect on a decision Council made during the evening, Councilmember Richards stated he has spoken many times in Council and planning commission meetings. He stated going back 20 years ago, he spoke at many of the surrounding communities and they had a time keeper. He further stated they had 5 minutes, at 4 minutes it rang once, then at 5 minutes it rang again and then it was over. Another option is a sand hour glass. He then stated we can project our public comment minutes on the screen behind us with a sand timer. Councilmember Richards stated the school board requires public comment to be written down and turned in and they allow them to speak for 5 minutes. Mayor Pelchat asked if everyone is agreement for 2 minutes and for 2 public comment sections. Councilmember Parisien stated we will also need to use the discretion of the Mayor. She then asked if someone wanted to speak for longer than 2 minutes. Councilmember Kivell stated he hopes people will understand this is how it is going to work and recognize it in the future. Mayor Pelchat stated he would have to deal with that as we go. Councilmember Kennedy stated he thinks we should deal with this as we go. He stated when someone is coming to address the Council, it is their responsibility to have their thoughts together, if someone comes to the podium and freelance it, it may go over, it depends on how important it is to that person. Councilmember Parisien stated she is asking to cover different scenarios, and to cover all our bases, she wants to be able to realize, the Mayor can waive the time limit and give them more time, or will they be told to speak during the 2nd public comment. Councilmember Kivell stated common sense and being reasonable is fine. We don't want to make this so soft it means nothing, but we should have a structure where we have a rule in the event something begins to go awry. Mayor Pelchat stated people rushing to the microphone during the meetings will not be recognized and they will be asked to return to their seat. Councilmember Parisien stated we are now talking about 2 separate items. Monday night someone came up and spoke during the meeting on an agenda item, and she wants to clarify that. If she is a resident she wants to know what tools they have to use to come to the microphone. Mayor Pelchat stated it is important leaving this meeting tonight for everyone to understand how public comment will be held. He stated if they want to speak on an agenda item, they can do so at the beginning and at the 2nd public comment as well. Councilmember Kivell stated at times, we may have a question for someone in the audience during the meeting and that should be allowed. Mayor Pelchat stated if we need to ask someone during the meeting to take a vote to allow that person to speak during the meeting. Councilmember Kivell stated he thinks a vote to allow someone to speak is good with him. The example from Monday night when a councilmember had a question for someone in the audience and he came to the microphone and answered should be allowed. Councilmember Kivell stated we haven't discussed what are the rules to get permission for a presentation. Mayor Pelchat stated they usually reach out in advance and are added to the agenda. Councilmember Kennedy stated they typically send the information ahead of time and it is added to the agenda. Deputy Clerk Pieper stated it can be difficult sometimes when things are added to the agenda, and she thinks if anything should be turned in on Wednesday so we are able to include it in the packet Thursday morning. Further discussion was held regarding presentations being given during public comment. Councilmember Richards stated there have been many times when he wanted to speak on agenda items during the meeting, but he was never

recognized. He was orderly about it and he just sat back down. Some people won't go by the rules, and it should be on the screen.

Mayor Pelchat stated we can have a note of the new rules printed on the agenda. Councilmember Parisien summarized what has been discussed such as the Mayor will be keeping time, the time limits of 2 minutes, one public comment at the beginning and at the end, but we have not discussed decorum. Councilmember Kennedy stated they can discuss agenda or non-agenda items during both public comment. He further stated it came up that if someone on Council requires a stakeholder in the audience, we can take a majority vote to allow them to speak. Attorney Zalewski stated you can find some middle ground where to keep this as a discretionary matter of the matter, but you can incorporate the guidelines that was just discussed such as if it is going to be a long presentation it should have been known ahead of time. He further stated you will want to incorporate a set of considerations on the agenda if someone wants to go over the 2 minutes. Mayor Pelchat asked if it would be a good idea for the rules to be listed at the bottom of the agenda, maybe not all the rules, but just listing the framework. Councilmember Kivell stated we could always just have the rules set out next to the agenda. Councilmember Walton stated she has seen other communities they have the basic time limit information on public comment and add something all will be based on the discretion of the Mayor. Councilmember Parisien stated decorum is important. She stated we have had a disgruntled resident come before Council and after she was asked to sit down, she would not, and she thinks addressing decorum now, will set the stage for all the residents in the future. She stated if you have an individual unruly or disrespectful. Everyone should be allowed to speak, but she speaks as Council does, respectfully. Mayor Pelchat stated this doesn't need to be written in stone, but he wants to leave this meeting having everyone know that if you are not being recognized at the microphone, there is a reason, and it is a time situation. It isn't fair for Council to try to juggle nonsense while trying to do our work. Residents can reach out to the Mayor and Council at any time. This needs to be fair for everyone across the board. Mayor Pelchat stated he doesn't want people to think they can't speak, but he wants everyone to know we have a limited amount of time. Councilmember Richards stated they are the last line of defense to keep the machine afloat, and he supports Mayor using the gavel if it is needed to keep the meeting moving. He supports the Mayor. Councilmember Kivell stated it is difficult for Council to come to discussions and make decisions when being disrupted during the meeting. Councilmember Parisien stated it doesn't happen very often, but in the event, you have a disgruntled resident and they aren't abiding by the rules, you will have to set the standard, because if you allow it to slide, they will continue pushing the issue. Everyone gets their chance to speak, but we are asking to be respectful when you do so. Mayor Pelchat stated he would like our meetings to be as effective as possible. He wants to ensure everyone is on the same page, and those things will not be accepted. He will only gavel once for a warning. Councilmember Kivell stated we currently have language, are we going to amend it, or start over. Attorney Zalewski stated the Charter provides the ability to create rules for Council, and the City Code has direction for meeting disturbances, as well as the current language. You will want to look at all three of these things. He then stated you may want to set up rules for procedures and decorum. This is the first step in the process. Councilmember Kivell stated the comments from Mr. Beagle earlier, he doesn't know how to qualify that, it makes common sense, we are supposed to be making the City as attractive as possible, but negative comments shouldn't be said during the meeting.

Councilmember Kurtzweil disagrees, criticism is healthy, it provides balance to the discussion. She is not part of a picture that believes playing nice will always work. She believes in saying what's on her mind and if it is offensive to someone, then so be it. People say things to her all the time, and even if it isn't complimentary, you move on with your life. Councilmember Kurtzweil stated she will continue to speak her mind, and speak out and probably speak out louder, the only time change happens is when you become vocal and constructive. Councilmember Kivell stated we are setting up rules by the majority, not by a sole person on here. The idea of your bully tactics is completely out of bounds. Councilmember Kurtzweil stated she is not a bully, and that is a public attack, she is not a bully. Councilmember Kurtzweil stated she has an opportunity to say what she wants to say, and if she went into a business and had bad service, she will tell people. Attorney Zalewski stated there is a way to achieve what Council is

looking to do, without doing in a way that blanket says that you can't say this. That is the surest way to raise flags. Mayor Pelchat stated he is a strong supporter of everyone's first amendments rights, but sometimes a public forum isn't the right place. He further stated if anyone on Council begins attacking anyone, they will be asked to get back on topic. Councilmember Parisien stated Howell City Council meeting agendas have footer at the bottom of the agenda stating to turn the page over and read the rules. Chief Collins stated he would suggest we coordinate that all three elements cooperate with each other to have the City Attorney work on this.

COUNCIL COMMENTS

Councilmember Kurtzweil stated she would like to respond to Don Beagles comments and remind him of what has changed on Council. We now have Councilmembers willing to work together, another change is the public is now accepting of who is on council. What is changing is not Council, but the bitter factions in the City who have realized that the personal attacks on Council has backfired because they did not address public issues but aimed at individual council members. She then stated there were election manipulation in this last Election, she knows because she works on elections, she analyzes election data. She stated many of her from the democratic and republic party and looked at the data and analyzed a particular precinct, precinct 2 was looked at very hard. She stated what was beginning to happen on Facebook was inviting voters to use a plunking strategy. It isn't illegal, but it occurs when voters are instructed to vote for only one candidate on the ballot. The voting pattern in Precinct 2 and 3, and there were people including another councilmember to only vote for one candidate. It doesn't give equal opportunity but rather the voter waits and votes for only one particular candidate. We know who that was. She stated she spoke with the southern poverty center regarding the plunking in precinct 2, you want to make sure if this is happening it is reported. It is dangerous because it was a strategy used in the deep south and in the north to keep women out of office as well. When it is used, it tells people like herself there is something going on. The message to her and others, both democrats and republicans were very alarmed. Very serious manipulation in precinct 2 and she thanked him for mentioning that, it has given her an opportunity to explain to the community what happened. She then asked that you don't stack the deck, that you read the information that is sent to your home and read about the candidates you're voting for.

Councilmember Parisien stated it is interesting you are trying to steer this in a different direction. The flyers for Ms. Clohosey, Walton and Richards are identical. Are you running as a group? Election manipulation and when she gets all the flyers and they are exactly the same, that raises a red flag. You are trying to spin this to make him look bad, and that is incredibly rude. This has been done to her before. You have made comments of people being criminals, racist, discriminatory of people with disabilities, yes, Maggie you are a bully.

Councilmember Kurtzweil stated these are personal attacks.

Councilmember Parisien stated she wanted to thank Mr. Beagle for pointing out the efforts Council is making to better ourselves. She brought this up for the sole purpose that we have people that don't get to speak, then other times we have some people speak that are vicious and many times not true. She then stated this is a two-fold proposal, in June we should be discussing Council behavior and conduct.

Councilmember Kivell thanked Don Beagle for speaking up as well. He stated this is something that some of the behavior that has taken place on Council, it marvels him that people aren't outraged, but he realizes people are mostly taking care of their own business. He stated there are very few times when he leaves a meeting that we dealt with something constructive, he marvels at the degree people can drag things through the mud. He stated everyone here has work to do, we need to create some dynamics that make this a constructive body which it could be.

Councilmember Kennedy stated he wanted to thank everyone to take the time to make an effort to move forward with formality and making it more constructive.

Councilmember Walton thanked Attorney Zalewski for attending the meeting tonight.

Mayor Pelchat thanked him as well.

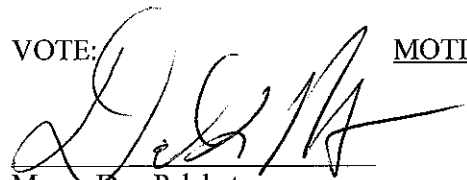
Councilmember Richards stated he wants to correct himself. He misrepresented something at the previous meeting. When he was discussing raising the rent on the rental house, what he meant was he has spoke with the renter and he is a disabled person, and we have done him a service and he appreciates it, and he doesn't think we should double his rent. He is thinking about leaving in about a year. Councilmember Richards stated he wants to alert Council to potential disasters. He stated we should consider making a position statement when there is a development going in the townships that will put a serious quality of life impact on our life and our water table. Most people haven't looked at this. Councilmember Richards stated the Yerkes Drain clean up is coming up this Saturday, and he will be there riding along. Mayor Pelchat stated he went to visit the second graders at Dolson, and he had a great time. He will be out in Salem Friday afternoon to see their second graders as well. He then wished a Happy Birthday to his brother.

CM 4-2-18 MOTION TO ADJOURN

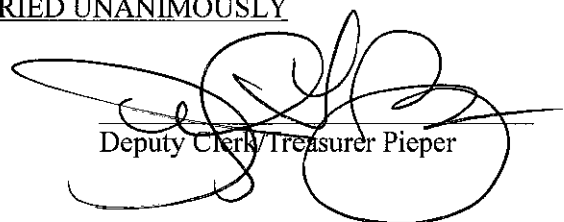
Motion by Walton, supported by Kurtzweil
Motion to adjourn at 8:50 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY



Mayor Dan Pelchat



Deputy Clerk/Treasurer Pieper