

CITY OF SOUTH LYON
REGULAR COUNCIL MEETING
MAY 8, 2017

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

PRESENT: Mayor Galeas, Councilmembers Parisien, Kivell, Kramer, Kurtzweil, Rzyzi and Wedell
ALSO PRESENT: Chief Collins, Chief Kennedy, Department Head Martin,
Attorney Wilhelm and Clerk/Treasurer Deaton
ABSENT: City Manager Ladner

MINUTES- APRIL 24, 2017 AND APRIL 19, 2017

Councilmember Kivell stated on page 6 CCS students and then the next sentence be removed. He further corrected the motion to state the Motion by Kramer, supported by Kivell. Councilmember Kivell stated the sentence regarding the crosswalks should be removed. Councilmember Parisien stated Councilmember Rzyzi's name is misspelled on page 1. She further stated on page 10 after the sentence Councilmember Parisien stated she will step back if Maggie will not work with her and someone else can step in, she would like the sentence added, Maggie Kurtzweil stated no that's ok Mary, you can find someone else to bribe, which is a direct quote. Councilmember Kurtzweil stated she was going to add that as well.

CM 5-1-17 MOTION TO APPROVE THE MINUTES OF APRIL 24, 2017 AS AMENDED

Motion by Kramer, supported by Wedell
Motion to approve the minutes as amended
VOTE: MOTION CARRIED UNANIMOUSLY

CM 5-2-17 MOTION TO APPROVE MINUTES OF APRIL 19, 2017

Motion by Kivell, supported by Parisien
Motion to approve the minutes as presented
VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

Councilmember Kivell asked if the \$245.00 marked for Arbor Day was for 1 tree. Department Head Martin stated that was for 1 tree, and he is picking up 16 more that he will have a better price on. Councilmember Kivell asked where the tree was planted. Department Mead Martin stated it was planted on Friday at 2:00 at the Catholic Church.

Councilmember Rzyzi asked what was purchased from Martin's Hardware for \$949.62. Department Head Martin stated that is the top page of an entire month of bills from both departments for things such as motor oil and other things as well. Councilmember Rzyzi stated he is happy we purchase locally. He asked what fund that comes out of. Department Head Martin stated Judy codes the bills depending on what the items were purchased for, if it was for the DPW it is charged to the DPW and if the items were for water, it is charged to the Water Department. Councilmember Rzyzi asked about the charge for a stump grinder. Department head Martin stated that was a mini excavator that was budgeted for and we

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just purchased it. Councilmember Rzyzi stated the attorney bills are over the retainer and it is a goal for us to remain under the retainer, and he will vote no on the bills because of that. Attorney Wilhelm stated anything over the 80-hour limit is charged at an hourly rate, and there are other line items for other areas not included in the monthly retainers. Councilmember Kivell stated this is Joes beef, not a Council beef.

Councilmember Kurtzweil stated the stump grinder is charged to the Cemetery and also to the DPW. Department Head Martin stated because they are used in both departments we split the cost in both departments. The total was about \$6,000. Councilmember Kurtzweil asked if the revenue report is correct and it states we have an amended budget and the year to date column is what we have collected in revenue up to this date. Clerk Deaton stated she believes that is correct. Councilmember Kurtzweil stated she is starting to watch overtime on the payroll report. She further stated labor is the highest expenditure the City has. She stated last month we had approximately \$8,000 in overtime and multiply that 12 and it is almost \$100,000 a year. She further stated she is bringing that to people's attention and the budget review will be interesting on Wednesday.

Councilmember Rzyzi stated the bills is a healthy discussion. He further stated in the future he will be scrutinizing the bills even more because we are having a budget review and one of the proposals is to raise the mill rate 1.75 mills. We need to stop spending where we can, be smarter and do what we can to defer the tax increases. It will be difficult on our taxpayers.

CM 5-3-17 MOTION TO APPROVE THE BILLS

Motion by Kramer, supported by Kivell

Motion to approve the bills as presented

VOTE: ROLL CALL-
Kivell- Yes
Parisien- Yes
Rzyzi- No
Galeas- Yes
Wedell- Yes
Kramer- Yes
Kurtzweil- No
MOTION CARRIED

AGENDA

The original agenda noted there were no bills to be approved. Agenda changed to include bills.

CM 5-4-17 MOTION TO APPROVE AGENDA AS AMENDED

Motion by Kivell, supported by Parisien

Motion to approve the agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Carl Richards of 390 Lennox stated we had a nice weekend for the City-wide garage sales and he enjoyed the last day of it, it was quite an event and an effort. He further stated last weekend the tube mill union clean up worked out well, even though they only had 4 or 5 guys show up. He stated they went down Nine Mile to Griswold and on Dixboro. He stated they have their own crusher and their own dumpsters.

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He further stated it is quite an innovation. It was a big success. Mr. Richards stated there are some critters that have moved into the chapel, but they will be removed and the fencing will be nailed up properly. Mr. Richards stated many people have been telling him they have concerns about the façade grant program. He stated he is in favor of improving the downtown, everyone is. He further stated there is a problem with performance bonding, and it needs to be written in the corporation. It would fall under the Johnson Rosati area. He further stated when the banking authority approves the improvements above and beyond the grant funds, and if the banks don't like the credit rating of the business and they won't loan them the balance, it could be a problem. This is more of an area for people that have experience in the construction business, such as Glenn Kivell that worked on the Grande Trunk building, and another one he mentioned was Diane's Doll House and the third one is the vacant parking lot where Norm Fultz parks his cars. He further stated at one time, there was a historic building there, a two-story with full basement and chances are that won't be replaced in historical respective when something is built there in the future. He further stated we aren't getting a complete historical reproduction of the Hotel, we are getting an imitation of history in the rest of the town. What do we want, how is this going to work out, what is practical, what is impractical, he stated he doesn't have the answers? He is in favor of it, but he doesn't know where to go with this.

Rose Walton of 365 Hampton Court stated she is here to announce she is running for City Council this November. She stated she is a lifetime resident and a graduate of South Lyon High School. She further stated she has had two daughters go through South Lyon Community Schools, her family has been involved with this community for over 40 years. She stated she feels very connected to this community, and she has been involved with many programs throughout the years, and she is currently on the Board of Directors of her home-owner's association, and she is a member at large of Footprints Fitness which is a non-profit which offers general fitness programs to all ages at little or no cost. She further stated she has volunteered with South Lyon High School bands which includes the VFW Bingo program. She stated she supports our local veterans as well as our Cultural Arts Commission. She stated she has seen a lot of changes in our community, such as when Reynolds Sweet Parkway was built, the new library, the new High School, the Senior Center which was huge for our seniors to have a gathering place and very fitting it is intermingled with our youth. It is very important to take care of all of our citizens from our children to our families to our senior citizens. She believes in fiscal responsibility instead of raising taxes. She stated we need to budget effectively to spend our money wisely to provide quality services our residents deserve and expect. Ms. Walton stated she is very happy to be part of one of the safest communities in the State and that is because of our Police and first responders and we must always continue to support them. She stated it is now her turn to be involved and make changes big and small. She further stated she is a team player and she can work with anyone on this Council. She has spoken with her family and friends and she is receiving a lot of support and she looks forward to winning a seat on Council.

OLD BUSINESS

1. Consider adopting revised four-year contract with People's Express for public transportation

Tammy Harrison stated she is representing People's Express. Councilmember Kramer stated at the last meeting we had a discussion regarding a 2% increase. Ms. Harrison stated the original contract has a 2, 4 and 6% percent increase each year. She further stated they discussed a 3.3% increase for 5 years. Attorney Wilhelm stated he spoke with City Manager Ladner before the meeting. He stated this contract is normally 3 years, and to sign a contract for 5 years raises a question for the City budgeting for this contract for 5 years out, and he thinks we may want to add a termination clause. Councilmember Kurtzweil stated even in a 3-year contract, we should have a termination clause. She stated if a

competitor comes into town, we have no way of getting out of this contract. Attorney Wilhelm stated this contract is created on behalf of People's Express, and many other communities have signed the same contract, and some did a single year contract. Councilmember Kurtzweil stated we should have a termination clause for no reason and she doesn't understand why it isn't already in here. Councilmember Kurtzweil stated she would like to know where the fare revenue is reflected on the revenue statement. Ms. Harrison stated they send a statement along with the check each month. Ms. Harrison stated she will add the termination clause to the current contract. Councilmember Rzyzi stated it serves both parties to have a termination clause and that should be easy language to add. He further stated he wants to clarify how the fares are charged. Ms. Harrison stated if we stay in South Lyon it is \$1.00 each way, if we go to Walmart, or Providence it is \$2.00 each way, and if it goes outside of the area of most people want to go, there is a charge per mile, which it could be \$5.00 or \$6.00 each way, and seniors and people with disabilities pay half, we can do that because we use grant money. Mr. Rzyzi asked if we could have a 10 mile or 12-mile radius map reflecting what the charge would be. Ms. Harrison stated we can look into that. Mr. Rzyzi stated for example, if someone wants to go to Milford, which is close to Walmart, would that be a different charge. It isn't clear as it stands. Ms. Harrison stated we try to generalize to the health care centers and Walmart because it takes a half hour there and half hour back, which leaves other people not being able to go to the places they would like to go, we try to consolidate the most people moved in the smallest amount of time. Councilmember Rzyzi stated he doesn't have an issue with a 5-year contract because they do great work. Mayor Galeas stated we understand you try to save money by piggy backing trips so it doesn't end up like a cab service. Ms. Harrison stated we would like people to schedule their appointments 3 days in advance and ask them to be flexible so we can make sure everyone gets to their medical appointments and things like that. She further stated we try to get everyone where they want to go when they want to go. Councilmember Parisien stated she has a question and a comment. The contract needs to be updated with Mayor Galleas' name instead of Tedd Wallace. She then stated the contract states the City is able to inspect the vehicles at any time, and she asked who from the City would do that. Department Head Martin stated the City used to have our own van for transportation. She asked why we stopped. Department Martin stated we only had one vehicle and People's Express has many. Councilmember Kivell stated it saved the City a lot of money as well. Chief Collins stated any inspection the Police Department would do would be limited to the function of brake lights, and head lights and things like that. Any mechanical inspection would have to be done by a licensed mechanic. Ms. Harrison stated their drivers do the basic inspection every day, and every 6 months we have DOT certified mechanics that do the full mechanical inspections. We just had a MDOT audit that checked the employee hires, mechanics, maintenance and we earned a 100%.

CM 5-5-17 MOTION TO TABLE PEOPLE'S EXPRESS UNTIL THE NEXT COUNCIL MEETING

Motion by Kramer, supported by Kurtzweil

Motion to table People's Express contract until the next meeting for the purpose of adding a termination clause

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Consider adopting Naming Policy for Parks and other City owned and operated facilities

Councilmember Rzyzi stated he had some concerns, but for the most part it is a good piece of work, and he wants to commend the Parks and Recreation Commission for their work. He stated one of his concerns was to ensure it is clear any naming of individuals will be spelled out, and it stated any parks and facilities named after individuals will not be changed unless it is found that because of the individual's character the continued use of their name would not be in the best interest of the community

because he wanted to make sure the Maddie Doty field will never be renamed. Councilmember Kivell stated this accomplishes exactly what we wanted to accomplish.

CM 5-6-17 MOTION TO APPROVE THE NAMING POLICY OF THE CITY OF SOUTH LYON FOR PARKS AND CITY OWNED AND OPERATED FACILITIES

Motion by Kivell, supported by Parisien

Motion to approve the naming policy of the City of South Lyon for parks and City-owned and operated facilities

VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Consider approving annual Memorial Day Parade

Chief Collins stated the Police Department has reviewed the application and it is the same route as in previous years and they support and recommend the approval. Councilmember Wedell stated on the hold harmless document, the post number 6885 should be post number 1224.

CM 5-7-17 MOTION TO APPROVE THE MEMORIAL DAY PARADE

Motion by Ryzyi, supported by Kurtzweil

Motion to approve the closure of Warren Street from Second St. to Lake Street; Lake St. from Warren St. to Reynold Sweet Parkway; Reynold Sweet Parkway from Lake St. to Stryker St.; Stryker St. from Reynold Sweet Parkway to the South Lyon Cemetery between 9:00 a.m. and 11:00 a.m. on May 29, 2017; and to approve the resolution authorizing the City Clerk to make application to the Road Commission for Oakland County on behalf of the City of South Lyon for the necessary permits related to the closure of Lake Street between Warren St. and Reynold Sweet Parkway on May 29, 2017 at 9:00 a.m.

VOTE: MOTION CARRIED UNANIMOUSLY

2. Consider authorizing auction of retired police/city vehicles

Chief Collins stated the vehicles have been out of service for some time, but were being used by other departments. We are trying to remove them from the water department storage area. He stated we would like to auction them on the MITN website, with a minimum bid of \$100.00 but we will need Council's approval if the bid is over \$500.00 therefore we are asking permission.

CM 5-8-17 MOTION TO APPROVE THE SALE OF THE RETIRED CITY VEHICLES AS DETAILED

Motion by Wedell, supported by Kivell

Motion to approve the sale of the retired city vehicles as detailed

VOTE: MOTION CARRIED UNANIMOUSLY

3. Consider adopting resolution to remain in Oakland County's Urban County Community Development Programs

CM 5-9-17 MOTION TO APPROVE RESOLUTION TO OPT-IN TO THE OAKLAND COUNTY'S URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK PROGRAM FOR 2018-2020

Motion by Kramer, supported by Kivell

Motion to approve resolution to opt-in to the Oakland County's Urban County Community Development Block Grant Program for years 2018, 2019 and 2020

VOTE: MOTION APPROVED UNANIMOUSLY

DISCUSSION- DOWNTOWN

Mr. Donohue stated we have decided to go back and include all businesses that have opened within the past year to the ribbon cutting. He further stated there are 18 total, and we are currently contacting the media and state representatives and County officials. He stated the Farmers Market is opening on May 13th and it will be opening an hour earlier than in the past. He further stated the first car show is on Wednesday May 24th from 6:00 to 9:00 p.m. Councilmember Parisien asked about the delay of the opening of the Mediterranean restaurant. Mr. Donohue stated there has not been follow through on things the building department notified the owner that needed to be done, such as ADA compliance. Mr. Donohue stated the sushi restaurant is close to opening. Councilmember Rzyzi asked if Mr. Donohue met with Toarmina's yet? Mr. Donohue stated he has not, but he plans on it, they have not been open when he has gone to speak with them. Councilmember Rzyzi stated he wants to ensure someone from the City is introducing themselves such as the City Manager or Mr. Donohue. Councilmember Rzyzi stated the article from the Oakland County Press was a nice article, and many people are always asking him about new restaurants coming to town. Mr. Donohue stated he noted that over 7 different restaurant groups want to locate downtown, but ironically there are 7 restaurants that are in place or about to open, the writer got their information mixed up. Councilmember Kurtzweil stated she was in Brighton over the weekend and the difference a good restaurant can do for a downtown is unbelievable. She stated you have to sit back and observe, there were crowds, and some with wait times up to 2 hours. She further stated and the crowds were shopping and it was unbelievable to see. Councilmember Kurtzweil stated it appears Mr. Donohue does a lot of business at the Corner Café, and asked if he could include some other meeting areas in town. Mr. Donohue stated he would be happy to, but there aren't many places around that have enough room.

MANAGERS REPORT

Councilmember Rzyzi stated this is a bizarre circumstance, but a resident contacted him and said at the Maddie Doty field dedication there was a photographer that was told to take pictures of the people at the dedication and more specifically of this particular person. He further stated there is nothing in the bills showing we paid anyone to take pictures. Councilmember Kivell stated Councilmember Rzyzi could have contacted the City Manager and asked her. Councilmember Rzyzi stated he did contact City Manager Ladner and she stated no one from the City hired anyone to take pictures at the dedication. Councilmember Kurtzweil stated City Manager Ladner did not look well at the last budget meeting, and she doesn't know if she isn't completely healed but she wishes her well.

Councilmember Kurtzweil stated there was a rumor about a business owner that passed away, and it is not true, and anyone that continues that rumor is a pretty sick person with a sick mind. She further stated if you have to go around and talk about people that are passing and don't get it confirmed, you have a sick mind. She further stated she spoke with the attorney for that person, and it is not true. Councilmember Kurtzweil stated people have to remember that this is a small town and it is upsetting for neighbors,

friends and family to hear that someone passed when they really didn't. She further stated if someone is out there predicting someone's death, maybe Bob needs to speak with Chief Collins about who is doing this because maybe this person's life may be in danger, she can't believe someone is doing that. Please be careful and get your confirmation of facts.

COUNCIL COMMENTS

Councilmember Kivell stated he is happy the weather is turning, and it was disappointing for people that were having their yard sales on Thursday and Friday, but it did end up nice on Saturday and Sunday. Councilmember Kivell stated Maggie had mentioned the overtime issue in our budget, but he would much rather we have some overtime as opposed to hiring more employees with benefits and legacy costs.

Councilmember Parisien stated the Maddie Doty Field dedication was incredible and to see the outpouring of love was incredible. She stated our Council may have some rough times, but our community is fantastic and we have residents that reach out and support each other. She further stated she wanted to thank the DPW for their work on the concrete, the sign and the bench. Department Head Martin stated Hornet Concrete donated all of the concrete, and John Race, Trevor Piasecki, and Ron Brock did all of the work. Councilmember Parisien stated she also wanted to thank Parks and Recreation and Michael Moore. She stated even though the weather wasn't the best, there were a lot of garage sales happening around town. She further stated she participated in the Footprints Fitness Pint Sized marathon and it was a great event. The routes were well planned and it is a fantastic event in downtown South Lyon.

Councilmember Rzyzi stated he spoke with the family of Maddie Doty and everyone behind the dedication and it is amazing despite the opposition on Council that we were able to get it done. He further stated everyone that supported it and thanked the DPW for doing the right thing. He further stated he wanted to thank Michael Moore that was the driving force for getting this through. Politics is ugly sometimes and he fought the right battle. Councilmember Rzyzi stated he wanted to congratulate Rose Walton on her running for Council and that is the second person, he is getting the idea we may have more people running as well. He further stated competition is good and he hopes when he runs for re-election he will have people running against him, it helps to turn over a new leaf and get some new people in here. He further stated getting engaged in the community and democracy and it will be a good road ahead. Councilmember Rzyzi stated we do have overtime and we have expenses, and he doesn't think we are getting the bang for our buck with Johnson Rosati and there is money right there we could cut out. He stated what we have are philosophical differences with some people on Council that some people think we can keep going with the spending and not question things and raise taxes. He stated when we work on the budget some people will ok the tax increase, but he is going to challenge the budget and the tax increase, he will not rubber stamp anything. He stated on a positive note there are good things going on in the City but he thinks there needs to be change.

Councilmember Wedell stated he wanted to thank Mr. Donohue for his work and he is not campaigning for anything tonight, therefore he has nothing else to say.

Councilmember Kurtzweil stated she wants to respond to her nemesis Glenn Kivell who has been after her for 10 years, which is why she has cameras on her house. She stated thinking things through, Glenn seems to have a problem with reality, such as telling the truth. She stated thinking things through means you challenge the status quo, not become part of it or part of your club, she was elected to challenge the

status quo and to stand independent of you, she was elected because she is different. She stated she will look at the budget, and if you understand the budget which Mr. Kivell does not. She stated when looking at a budget you look at overtime, because that is one of the key components you look at when analyzing one of the most expensive which is wages and benefits. She further stated clearly Mr. Kivell's comments tells her that he is devoid of any understanding of responsible fiscal discipline. She stated that is why we need change on this Council because we need responsible fiscal discipline. Councilmember Kurtzweil stated voters ask her why we don't have new equipment, why Volunteer Park isn't developed, why our downtown is struggling, you have to look at what the priorities of this Council has been over the decades. She further stated if Mr. Kivell would have been thinking the budget through, he may have approved an increase in the mill that is now appropriately paying the bond on the sewer debt, and that didn't happen until she got on Council, and she did the research, she analyzed the budget and she fought the boys on Council. If the City didn't raise that mill, we would be in very bad shape right now. What was happening was the City was draining other funds to pay for that bond. She further stated the City was risking its general fund, if you understand bond litigation, you risk litigation for the inability of repaying that bond debt. She stated if Mr. Kivell would have been thinking it through, we would have increased the water and sewer rate. When she came on Council the water department was running in the red, and now we have water and sewer rates moving up to make sure the department breaks even or running a bit in the black. Councilmember Kurtzweil stated if Mr. Kivell was thinking things through with the downtown, you were on Council for 18 years, what have you done, we now have Bob Donohue here since the Election, if you were interested in our downtown someone like Bob Donohue would have been hired years ago. You have had years to think things through and hopefully the voters will tell you that in November.

Councilmember Kurtzweil stated she has had a great two weeks, if you missed the Little Mermaid you missed a great production at South Lyon East. She stated it was a sell out and that must be a true rumor because when they came out to announce the production they asked to leave the programs because they didn't have enough for the Sunday show. She stated to all the volunteers and parents it was a great production and it was a super event. Councilmember Kurtzweil stated she attended the Maddie Doty dedication and she wants to thank Councilman Joe Rzyzi and Michael Moore for their efforts for the dedication and it is always amazing when you do the right thing, and they definitely did the right thing. She stated she wanted to thank Ron Brock, Trevor Piasecki and John Race for all their time and effort they put into the dedication. Councilmember Kurtzweil stated she attended the South Lyon Area Assistance breakfast at St Joseph Catholic Church and it was a great event with over 200 people there. She met many of the students that were getting the fabulous awards and she is very proud we have this kind of community with these kinds of students. She further stated she attended the Arts and Education that is put on by the Cultural Arts Commission in the lobby and it was a raging success and she met many parents she knew, and didn't know their children were border line creative geniuses and she wants to congratulate everyone. She further stated she attended the kick off for the Lake Street Cruise In and thanks Mary from the Lake Street Tavern for opening her doors and she met Doug Cook and his wife preparing for that. She further stated the Arts and Cars event is on July 26th and if anyone has not seen the award-winning poster for the event, it is in the lobby. Councilmember Kurtzweil stated she was out garage sale shopping over the weekend and had a fabulous time and she had the best time of her life and she spent her money in South Lyon. She stated she attended the Oakland County Sheriff's Cinco De Mayo celebration that was put on by the Kensington Valley Chamber of Commerce and they did a great job. She stated she always calls Ryan Lare citizen #1, but she also appreciates someone that always keeps us posted, and has a lot of input and she wants to nominate and approve Carl Richards of Citizen #2 and she thanked Carl for all he does for the City.

Mayor Galeas stated the Maddie Doty dedication was amazing and everyone involved did a wonderful job. We were going to read the proclamation, but we decided to let the family have time to speak during the time to honor their daughter. He further stated it was a rainy day, but as soon as the family entered the field, the sun came out and the rain stopped. He stated his heart goes out to the family. Mayor Galeas stated he doesn't agree the downtown is suffering, he stated Bob Donohue is doing a great job and everyone on Council agreed to make the downtown a priority. He further stated with the talk of the restaurants coming to town, some businesses may be worried their businesses won't make it, but maybe they will. He further stated he thinks the talk about not allowing trucks to come down-town wasn't feasible, but talking with the County and using Bob's connections and they saw how bad it is, and if things go as planned, the big trucks won't be allowed to turn at the 10 Mile and Pontiac Trail intersection.

ADJOURNMENT

CM 5-10-17 MOTION TO ADJOURN

Motion by Kramer, supported by Kurtzweil

Motion to adjourn the meeting at 8:49 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Mayor John Galeas

Clerk Lisa Deaton