



CITY COUNCIL

CITY OF LATHRUP VILLAGE
27400 Southfield Road, Lathrup Village, Michigan 48076

STUDY SESSION AGENDA

MONDAY, JULY 13, 2020

6:00 P.M.

ZOOM REMOTE MEETING INFORMATION

Online:

<https://zoom.us/j/96543378582?pwd=YXB3cmZWTEVnOG9jdEs3emZUQWZsZz09>

Telephone:

1 301 715 8592 or +1 312 626 6799

Webinar ID: 965 4337 8582

Password: 190782

AGENDA ITEMS

1. **Call to Order** by Mayor Garrett
2. **Discussion Items:**
 - A. Introduction of Rami Sweidan – Code Enforcement Officer
 - B. Discussion – RFP for Realtor for House in the Woods Property
 - C. Discussion – Fireworks Ordinance
 - D. Discussion – Infrastructure Committee - Road Improvement Bond Millage
 - E. Discussion – Marijuana Study Group - Recommendation
 - F. Discussion – Evergreen Farmington Sewer Disposal District Service Agreement Study
 - G. Discussion – Parking Outside of Garage

- 3. Mayor and Council Comments**
- 4. Public Comments**
- 5. Adjourn**

Enforcements By Category

07/09/20

Rami Sweidan

Enforcement Number	Address	Status	Filed	Closed
28911	SOUTHFIELD RD		06/26/20	
6/26/2020	Dumpster enclosure has over grown tree and weeds. Along the brick wall over grown weeds must be removed. Pall			
			Total Entries:	1

DOWNSPOUT EXT.

Enforcement Number	Address	Status	Filed	Closed
28035	SOUTHFIELD RD		06/26/20	
6/26/2020	Broken down spout must be fixed or replaced.			
			Total Downspout Ext. Entries:	1

PROPERTY MAINTENANCE

Enforcement Number	Address	Status	Filed	Closed
18850	HAMPSHIRE ST		06/25/20	
6/25/2020	garbage set on the porch in public view7/2/2020 spoke with the owner of the home and asked her to make sure to ren			
26262	MEADOWBROOK WAY		06/25/20	
6/25/2020	items stored outside, plywood, 2X4's, table, adn shelf all stored on the side of the house in public view.			
18795	LACROSSE AVE		06/25/20	
6/25/2020	Broken fence must me repaired according to Lathrup Village ordinance.			
18609	RAINBOW DR		06/25/20	
6/25/2020	Fire wood stacked on the side of the house in public view must be removed. Improper firewood storage according to			
27215	SOUTHFIELD RD		06/26/20	
6/26/2020	over grown weeds all around the property, the corner landscaping needs to be cleaned of all crushed concrete, and tir			
27327	SOUTHFIELD RD		06/26/20	
6/26/2020	Rear parking lot needs to be clean of debris, and weeds. Also, weeds along the fence line.			
27347	SOUTHFIELD RD		06/26/20	
6/26/2020	The dumpster enclosure must be cleaned of all garbage on the ground. The parking lot needs patching.7/2/2020 Jack			
27411	SOUTHFIELD RD		06/26/20	
6/26/2020	Rear wall has over grown weeds, dumpster enclosure full of garbage on the ground, NO DUMPSTER IN THE DUM			
28551	SOUTHFIELD RD STE 203		06/26/20	
6/26/2020	Over grown weeds in the rear of the building. Dumpster enclosure has a broken gate that needs repair. Pallet in the 1			
28901	SOUTHFIELD RD		06/26/20	

Enforcements By Category

07/09/20

6/26/2020 Dumpster enclosure has over grown tree and weeds. Along the brick wall over grown weeds must be removed. Pall

28861 SOUTHFIELD	06/26/20
------------------	----------

6/26/2020 Dumpster enclosure must have an operable gate. Ordinance No. 429-14 Code of Ordinances 2014 of the

17370 ROSELAND BLVD	06/26/20
---------------------	----------

6/26/2020 Landscaping rocks/bricks are in a pile in front of garage.

27300 SOUTHFIELD	06/26/20
------------------	----------

6/26/2020 Rear parking lot has too many pot holes needs to be repaired or repaved. The sign in front of building must be storec

Total Property Maintenance Entries: 13

TRASH CONTAINER IN PUBLIC VIEW

Enforcement Number	Address	Status	Filed	Closed
18632 BUNGALOW DR			06/26/20	

6/26/2020 Trash containers in public view

Total Trash Container in Public View Entries: 1

YARD WASTE

Enforcement Number	Address	Status	Filed	Closed
18941 ELDORADO PL			06/25/20	

6/24/2020 Garden waste must be in brown bags.

Total Yard waste Entries: 1

Total Records: 17

Enforcement.CodeOfficer = RAMI
SWEIDAN AND
Enforcement.DateFiled Between
6/1/2020 12:00:00 AM AND
6/30/2020 11:59:59 PM

Total Pages 2

Enforcements By Category

07/09/20

KELDA LONDON

Enforcement Number	Address	Status	Filed	Closed
28731	BLACKSTONE DR		06/29/20	

Total Entries: 1

BOAT STORAGE

Enforcement Number	Address	Status	Filed	Closed
18131	ROSELAND BLVD		06/25/20	

Total Boat Storage Entries: 1

PROPERTY MAINTENANCE

Enforcement Number	Address	Status	Filed	Closed
18181	W 12 MILE RD		06/04/20	
17575	SUNNYBROOK AVE		06/22/20	
28950	LATHRUP BLVD		06/29/20	

Total Property Maintenance Entries: 3

SIGN VIOLATION

Enforcement Number	Address	Status	Filed	Closed
28821	SOUTHFIELD RD		06/29/20	
28927	SOUTHFIELD RD		06/29/20	
To Many Signs in the window				

Total Sign Violation Entries: 2

TALL GRASS/ WEEDS

Enforcement Number	Address	Status	Filed	Closed
--------------------	---------	--------	-------	--------

Enforcements By Category

07/09/20

18202 WILTSHIRE BLVD	06/04/20
18774 SUNNYBROOK AVE	06/09/20
27241 SOUTHFIELD RD	06/10/20
26300 SOUTHFIELD RD	06/10/20
18240 CORAL GABLES AVE	06/18/20
28725 BLOOMFIELD DR	06/18/20

Total Tall Grass/ Weeds Entries: 6

YARD WASTE

Enforcement Number	Address	Status	Filed	Closed
17550 SAN ROSA BLVD			06/17/20	

Total Yard waste Entries: 1

Total Records: 14

Enforcement.CodeOfficer = Kelda
London AND
Enforcement.DateFiled Between
6/1/2020 12:00:00 AM AND
6/30/2020 11:59:59 PM

Total Pages2

Enforcements By Category

07/09/20

Jim Wright

TALL GRASS/ WEEDS

Enforcement Number	Address	Status	Filed	Closed
28871 SOUTHFIELD		Discovered	06/05/20	

Total Tall Grass/ Weeds Entries: 1

YARD WASTE

Enforcement Number	Address	Status	Filed	Closed
27220 RAINBOW DR		Problem Reported	06/10/20	06/19/20

It has been reported that prior to yard waste pickup you are placing your waste bags on City or private property across the street

Total Yard waste Entries: 1

Total Records: 2

Enforcement.CodeOfficer = Jim
Wright AND
Enforcement.DateFiled Between
6/1/2020 12:00:00 AM AND
6/30/2020 11:59:59 PM

Total Pages:1



Dr. Sheryl L. Mitchell

City Administrator

City of Lathrup Village

27400 Southfield Road | Lathrup Village, MI 48076

smitchell@lathrupvillage.org

Office: 248.557.2600 x 225 | Cell: 248.520.0620

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: July 13, 2020

RE: **RFQ – HOUSE IN THE WOODS – 19600 FOREST DR**

Council had requested a Request for Quotes (RFQ) to obtain a realtor to appraise, list, and market the property 19600 Forest Drive.

Recently, a proposal was submitted by Ryan and Lo'Reill Rudolph to purchase the property to have a house constructed.

Will need direction from City Council as to how to proceed.

Village Preserve/19600 Forest Dr

	Amount Spent	Budget Money
6/30/2011 Demolition of House/Taxes	\$62,980.42	
6/30/2012 Giffels-Webster Eng	\$ 1,872.00	
7/15/2012 Water Tap	\$ 950.00	
6/30/2013 Habitate Restoration	\$ 9,995.00	
6/30/2013 Remove 4 trees/and Brush Piles	\$ 7,772.00	
6/30/2014 Remove Trunks	\$ 450.00	\$ 5,000.00
3/13/2015 Fence and Installation	\$ 3,989.00	\$ 5,000.00
6/29/2016 Mulch	\$ 650.00	\$ 5,000.00
Total Spent on 19600 Forest Dr	\$88,008.42	
Since Village Preserve total	\$ 22,856.00	

\$ 4,550.00

\$ 1,011.00

\$ 4,350.00

City of Lathrup Village
Attn: Shirley Mitchell

Greetings!

My wife and I would like to make an offer of \$40,000 on Parcel# *(19600 Forest)* 40-24-14-310-011
We are a young professional couple who have been looking for a place to raise our growing family. I have a strong bias for Southfield and the surrounding area since I lived in Southfield the majority of my life and attended grade school in Southfield (Brace Lederle, Levey, Southfield High). We think Lathrup Village community and our family would be a good fit for one another. Lathrup Village appears to be a nice, quiet and quaint neighborhood that mirrors our lifestyle. Our plans would be to build a home in this location. We would like to start construction as soon as possible if allowed to purchase the lot. We have a rendition of the proposed home we would like to build. The home would complement and add value to this neighborhood. We are a hard-working close-knit family and we know we would be an asset to the community.

We would be most appreciative if you would please consider our offer. Please feel free to call us with any questions you might have as we are excited and look forward to becoming an active part of the community.

Sincerely,



Ryan and Lo'Rell Rudolph

Contact Information

Ryan Rudolph

Phone: 313.288.4488

Email: ryan@rayneservices.com

CITY OF LATHRUP VILLAGE

House in the Woods Property

19600 Forest Drive, Lathrup Village, MI 48076

**Request for Qualifications:
Real Estate Professional Services for the City of Lathrup Village, MI**

BID NUMBER: #01-LV-2020

DATE ISSUED: July 27, 2020

DATE DUE: Friday, August 14, 2020, 4:00PM (LOCAL TIME)
Bid will be opened publicly at this time at,

**CITY OF LATHRUP VILLAGE
ATTN: YVETTE TALLEY, CITY CLERK
27400 SOUTHFIELD ROAD
LATHRUP VILLAGE, MICHIGAN, 48076**

Table of Contents

BACKGROUND	3
IMPORTANT DATES	4
SCOPE OF WORK/DELIVERABLES.....	4
THRESHOLD REQUIREMENTS/REQUIRED FOR SUBMITTAL.....	5
Document Requirements	5
W-9 Form (see Appendix D)	6
Evaluation and Scoring	7
Other Aspects to Consider	8
RFQ Overview.....	8
Term of Contract	8
Economic Sanctions.....	8
RFQ SUBMITTAL GUIDELINES	9
QUESTIONS.....	9
SUBMITTAL DUE DATE	9
CERTIFICATION FORM NOTE	10
RFQ SUBMITTAL REQUIREMENTS CHECKLIST	11
APPENDIX A – Reference list	12
APPENDIX B – Non-Collusion Affidavit	13
APPENDIX C – W-9.....	14

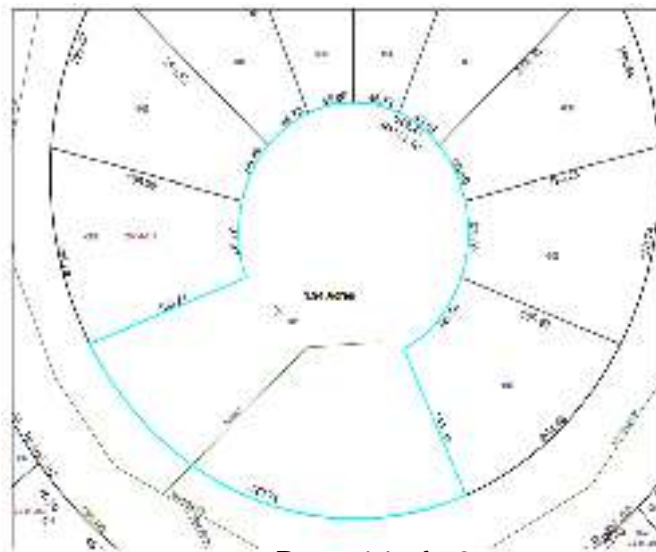
BACKGROUND

This Request for Qualifications (“RFQ”) is being issued by the City of Lathrup Village. The City of Lathrup Village invites the submission of proposals for Real Estate Professional Services to facilitate the sale of the “House in the Woods” property, located at 19600 Forest Drive, Lathrup Village, MI 48076. The successful respondent will review the scope of services and provide requested documentation demonstrating their qualifications in the area of real estate sales and high commitment to the real estate market in the City of Lathrup Village and Oakland County. Respondents that provide this service with demonstrated experience and an interest in making their services available to the City of Lathrup Village are invited to respond to this RFQ. “Respondents” means the companies or individuals that submit proposals in response to this RFQ.

The city of Lathrup Village is seeking proposals to **appraise, list, and market** the House in the Woods property, 19600 Forest Drive. The property in its current form is vacant. It is the site of Lathrup Village founder Louise Lathrup’s home, which was called “The House in the Woods.” The home was struck by lightning and burned to the ground in June 2009. The House in the Woods property was deeded to the city in September 2010.

Lathrup Village is a small city in Oakland County that was founded in 1953. Like many metropolitan Detroit suburbs that experienced a housing boom in the postwar years, Lathrup Village is almost entirely “built out.” The current population is approximately 4,100. Many of Lathrup’s neighborhoods feature historic homes; however, the homes surrounding the House in the Woods property were built within the last 20 years or so and are not historic.

The House in the Woods property is currently utilized as a low-impact nature preserve as approved by the Lathrup Village Planning Commission in March 2012. However, it is zoned as R-3 “Single-Family Cluster Housing.” This designation, according to the Lathrup Village Zoning Ordinance, “is intended to allow single-family dwelling units to be developed with varied yard setback requirements and/or design innovations so as to (a) facilitate development of parcels that are difficult to develop under the usual standards, (b) allow for a single-family detached residential development without increasing the permitted appropriate conventional lot-by-lot subdivision density, and/or (c) enhance useful open space and preserve significant trees and other natural features through the proper utilization of density transfer techniques.”



IMPORTANT DATES

RFQ Issue Date: TBD

Questions Due: TBD at 4:00pm

Proposal Due Date: TBD at 4:00pm

Award Date: TBD (estimated)

SCOPE OF WORK/DELIVERABLES

The CITY OF LATHRUP VILLAGE is looking for qualified real estate agent and/or broker that have a proven capacity to list, market, show, and sell property located at 19600 Forest Drive, Lathrup Village, MI 49224.

1. General Realtor Services that are required include, but are not limited to:

- a. Providing market analysis of properties as requested which reflect real-market conditions based on similar comps or sales.
- b. Developing written marketing plans for property sales and follow through with that plan, adjustments to the plan would need to be discussed with CITY OF LATHRUP VILLAGE.
- c. Participating in CITY OF LATHRUP VILLAGE sponsored activities to promote property sales.
- d. Coordinating the title insurance process with title agency.
- e. Taking photos of property for marketing materials and website.
- f. Communicating regularly with CITY OF LATHRUP VILLAGE's Council President and Lathrup Village City Manager regarding showings, buyers, comments, and concerns regarding specific properties, potential buyer demographics, potential offers, and any maintenance/repair/cleaning/security needs noted at the sale property.
- g. Presenting all offers to the CITY OF LATHRUP VILLAGE City Council and City Administrator with recommendations for acceptance or refusal.

THRESHOLD REQUIREMENTS/REQUIRED FOR SUBMITTAL

1. Submissions must be submitted in the format outlined below and be a **maximum of ten (10) pages**:
 - a. **Executive Summary:** Summarize the Respondent's strong points and how experience, particularly with similar responsibilities, will assist property sales.
 - b. **Business Organization:** State the full name and address of the organization and, if applicable, the branch office, consultants, or other subordinate elements that will provide or assist in providing the service. Include phone number(s), email address(s) and Respondent's website address.

Indicate whether Respondent operates as an individual, broker, partnership, or corporation; if as a corporation, include the state in which Respondent is incorporated. State the names of the principals of the Respondent who are licensed to practice in the State of Michigan.
2. **Document Requirements**
 1. These documents must be submitted along with your proposal:
 - a. **Certificate of Good Standing** for Corporations Companies issued by the Michigan Secretary of State; **or**
 - b. **Certificate of Existence for Limited Liability Companies** issued by the Michigan Secretary of State; **or**
 - c. **Certificate of Good Standing or Certificate of Existence for Joint Ventures; or**
 - d. **"Doing Business As" documentation and certificates for all other types of businesses.**
 2. **Evidence of Insurance:** Commercial General Liability with limits not less than \$500,000; Workers Compensation and Employers Liability with limits not less than \$500,000; and Automobile Liability with limits not less than \$500,000 per occurrence. The selected Contractor shall agree to indemnify and hold harmless the CITY OF LATHRUP VILLAGE, the City of Lathrup Village, and their respective officers, agents, and employees from any and all claims, causes, or actions, and damages of any kind, for injury to or death of any person and damages to property arising out of or in connection with the work done by the Contractor under this contract, and including acts or omissions of the CITY OF LATHRUP VILLAGE, the City of Lathrup Village or their respective officer, agents, or employees in connection with said contact.
 3. **Copy of State of Michigan Real Estate License and/or Brokers License:** for all employees committed to this service.
 4. **References List:** Three (3) from related work, including date of contract, contact person and phone number, and a brief description of the scope of work. (Please see and complete Appendix A)
 5. **Non-Collusion Affidavit:** Respondent shall disclose any professional or personal financial interests that may be a conflict of interest in representing the CITY OF LATHRUP VILLAGE. In addition, all Respondents shall further disclose arrangement to derive additional compensation from various investment and reinvestment products, including financial contracts. (Please see and

complete Appendix B)

6. **Sales history information:** Number of properties sold, length of time on the market, number of foreclosed homes sold and/or managed and area where properties were sold for the past three years. Please include all properties listed and sold within the City of Lathrup Village and Oakland County.
7. **W-9 Form** (see Appendix D)

Evaluation and Scoring

Qualifications of proposed bidders will be determined by the evaluation committee’s assessment of technical qualifications contained in the sealed bid submitted to the City of Lathrup Village, c/o City Clerk Yvette Talley, 27400 Southfield Road, Lathrup Village, MI 49224. A maximum score of 100 could be awarded with a minimum score of 75 needed to qualify.

<u>Part One Criteria</u>	<u>Points</u>	<u>Description</u>
Qualifications of Firm	10	Business organization
	10	Statement & Management Summary
	10	References from current clients
	10	Insurance
	20	Submittal of required documents
Capacity to Provide Service	20	Positive sales record in City of Lathrup Village and/or Oakland County for previous 3 years
	20	Marketing approach, use of tools, type of outreach (media, signage, other)



Other Aspects to Consider

1. RFQ Overview

It is understood that the selected Respondent acting as an individual, partnership, corporation or other legal entity, shall be capable of providing the specified services. The Respondent shall be financially solvent and its employees and or subcontractors shall be competent to perform the services required under this RFQ.

Nothing in this RFQ shall be construed to create any legal obligation on the part of the, the City of Lathrup Village, or any Respondents. The CITY OF LATHRUP VILLAGE reserves the right, in its sole discretion, to amend, suspend, terminate, or reissue this RFQ in whole or in part, at any stage. In no event shall the CITY OF LATHRUP VILLAGE be liable to Respondents for any cost or damages incurred in connection with the RFQ process, including but not limited to, any and all costs of preparing a response to this RFQ or any other costs incurred in reliance on this RFQ.

No Respondent shall be entitled to repayment from the CITY OF LATHRUP VILLAGE for any costs, expenses or fees related to this RFQ or responding to it. All supporting documentation submitted in response to this bid will become the property of the CITY OF LATHRUP VILLAGE. Respondents may also withdraw their interest in the RFQ, in writing, at any point in time as more information becomes known; however, submissions are to be firm and cannot be withdrawn for a period of thirty (30) calendar days after opening.

2. Term of Contract

Any contract awarded pursuant to this RFQ solicitation shall be for a contract period of six (6) months (TBD), with the option of an addition extension for an additional six (6) months (TBD), at the discretion of the CITY OF LATHRUP VILLAGE. All contracts made by the successful bidder with subcontractors shall be covered by the terms and conditions of the contract. The successful bidder shall see to it that their subcontractors are fully informed in regard to these terms and conditions.

3. Economic Sanctions

The undersigned, acting either individually or as a duly authorized representative of the entity submitting the enclosed bid/proposal hereby verifies that he/she/it is not an Iran linked business which is defined as follows in the Iran Economic Sanctions Act, Public Act 517 of 2012, MCL 129.311, et. seq.: (i) A person engaging in investment activities in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran and/or (ii) A financial institution that extends credit to another person, if that person will use the credit to engage in investment activities in the energy sector of Iran.

D. All work shall confirm to the following federal requirements where applicable:

24 CFR 570.061 – Equal Opportunity and Fair Housing

24 CFR 570.611 – Conflict of Interest

24 CFR 570.602 – Affirmative Marketing

24 CFR 85.36 – Procurement

24 CFR 570.609 – Debarred, Ineligible or Suspended Contractors Executive Order 11246 - of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 1124 of October 13, 1967 and as supplemented in Department of Labor regulations (41 CFR Chapter 60). (Applicable to all service contracts awarded in excess of \$10,000 by respondent or its subcontractors.)



RFQ SUBMITTAL GUIDELINES

The Selection Committee comprised of the CITY OF LATHRUP VILLAGE staff will review qualifications in accordance with the evaluation criteria set forth objectives and policies. Evaluations and recommendations will be presented to the City of Lathrup Village City Council for their consideration. Proposals that are submitted timely and comply with the mandatory requirements of the RFQ will be evaluated in accordance with the terms of the RFQ. Any contract resulting from this RFQ will not necessarily be awarded to the vendor with the lowest overall price. Instead, contract shall be awarded to vendor whose proposal received the most points in accordance with criteria set forth in the RFQ.

The CITY OF LATHRUP VILLAGE reserves the right to select the Respondent(s) that best meet the CITY OF LATHRUP VILLAGE's goals and objectives, required qualifications, and service level expectations. The CITY OF LATHRUP VILLAGE reserves the right, in its sole discretion, to reject any/or all proposals, to waive any irregularities and technical defects contained therein, to award the contract in its entirety, in part, or not at all and/or determine which proposal is the lowest and/or best to enter into a Contract, as deemed to be in the best interest of the CITY OF LATHRUP VILLAGE.

A submission shall constitute an irrevocable offer for a period of sixty (60) days from the opening date or until the date of award, whichever is earlier. In the event that an award is not made by CITY OF LATHRUP VILLAGE within sixty (60) days from the opening date, the Respondent may withdraw his/her submission or provide a written extension of his/her response.

QUESTIONS

Written questions must be submitted via email to Sheryl Mitchell, City Administrator at smitchell@lathrupvillage.org by **TBD** at **4:30pm**. Written answers will be provided to all potential bidders via email by **5:00pm TBD**.

SUBMITTAL DUE DATE

Responses to this RFQ are due by Friday, TBD, 4:00PM (local time). Each Respondent is responsible for labeling the exterior of the sealed envelope containing the proposal response with the proposal number, proposal name, proposal due date and time, and your firm's name. **Three (3)** hard copies must be delivered to:

CITY OF LATHRUP VILLAGE

ATTN: Yvette Talley, Lathrup Village City Clerk

27400 Southfield Road

Lathrup Village, MI 49224

LATE PROPOSALS WILL NOT BE CONSIDERED



CERTIFICATION FORM NOTE

THIS PAGE MUST BE COMPLETED AND INCLUDED WITH THE SUBMITTAL CERTIFICATION

The undersigned hereby certifies, on behalf of the Respondent named in this Certification (the "Respondent"), that the information provided in this RFQ submittal to the CITY OF LATHRUP VILLAGE is accurate and complete, and I am duly authorized to submit same. I hereby certify that the Respondent has reviewed this RFQ in its entirety and accepts its terms and conditions.

(Name of Respondent)

(Signature of Authorized Representative)

(Typed Name of Authorized Representative)

(Title)

(Date)



RFQ SUBMITTAL REQUIREMENTS CHECKLIST

Please provide Checklist with response to RFQ

- RFQ Submittal Requirements Checklist
- Certification Form Note
- Request for Qualifications Submission
- Copy of Michigan Real Estate License for individual(s), associates or firm.
- Copy Brokers Letter and License, if applicable.
- Evidence of Insurance
- Reference List (Please see and complete Appendix A)
- Non-Collusion Affidavit (Please see and complete Appendix B)
- W-9 Form (Please see and complete Appendix C)
- Sales History Information

Respondent Name: _____

Company Name: _____

Date of submission: _____



APPENDIX A – Reference list

List of Three (3) References and Description of Services Provided

Reference 1

Company/Municipality: _____

Contact Person: _____ Title: _____

Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

_____ Email: _____

Type of Project(s): _____

Reference 2

Company/Municipality: _____

Contact Person: _____ Title: _____

Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

_____ Email: _____

Type of Project(s): _____

Reference 3

Company/Municipality: _____

Contact Person: _____ Title: _____

Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

_____ Email: _____

Type of Project(s): _____



APPENDIX B – Non-Collusion Affidavit

NON-COLLUSION AFFIDAVIT

The bidder, by its officers and authorized agents or representatives, present at the time of filing this bid, being duly sworn on their oaths, say that neither they nor any of them have in any way, directly or indirectly, entered into any arrangement or agreement with any other bidder or with any public officer or representative of the Lathrup Village Building Authority, whereby such affidavit or affiant or either of them has paid or is to pay to such other bidder or public office anything of value whatsoever; or such affidavit or affiant or either of them has not directly or indirectly entered into any arrangement or agreement with any other bidder or bidders, which tends to or does lessen or destroy free competition in the letting of the contract sought for the by the attached bid; that no inducement of any form or character other than that which appears on the face of the bid will be suggested, offered, paid or delivered to any person whomsoever to influence the acceptance of the bid or awarding of the contract; nor has this bidder any agreement or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds of the contract sought by this bid. The bidder is fully informed with respect to the preparation and contents of the attached bid proposal and of all pertinent circumstances respecting said proposal.

I hereby affirm by my signature affixed hereto that the above statements are true to the best of my knowledge, information and belief.

By: _____
Signature
Date

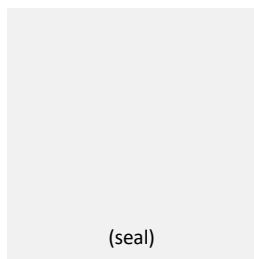
Printed Name

Title

Company

This affidavit must be notarized to be complete. Notary certification below.

Subscribed and sworn to before me on _____, 2018 in _____ County, Michigan.



_____, Notary Public
Acting in _____ County, Michigan
My Commission Expires: _____, 20____





Dr. Sheryl L. Mitchell

City Administrator

City of Lathrup Village

27400 Southfield Road | Lathrup Village, MI 48076

smitchell@lathrupvillage.org

Office: 248.557.2600 x 225 | Cell: 248.520.0620

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: July 13, 2020

RE: **FIREWORKS ORDINANCE**

We have received a number of complaints regarding fireworks. Our local ordinance wasn't consistent with the state law, which specifies the allowed days and times for fireworks.

Link to Michigan Fireworks Safety Act – Act 256 of 2011:

<http://www.legislature.mi.gov/documents/mcl/pdf/mcl-Act-256-of-2011.pdf>

Also, we couldn't use our existing ordinance to write citations.

The attached ordinance, drafted by Attorney Baker, addresses the outstanding issues.

- The dates and times coincide
- Violations are a civil infraction, punishable by a fine of \$500 or \$1,000

ORDINANCE NO. ____-20
CITY OF LATHRUP VILLAGE
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 46, MISCELLANEOUS OFFENSES, PROVISIONS, FORFEITURES AND PENALTIES, AMENDING ARTICLE III, OFFENSES AGAINST THE PERSON, SEC. 46-81 USE AND SALE OF FIREWORKS AND 46-82, PERMIT FOR USE AND SALE OF FIREWORKS.

THE CITY COUNCIL OF THE CITY OF LATHRUP VILLAGE ORDAINS:

SECTION 1. AMENDMENT.

Chapter 46, Article III, is amended to replace and repeal Sections 46-81 and 46-82 by adding Sections 46-81 through 46-86 to read as follows:

Sec. 46-81. Definitions.

As used in this section, the following terms shall be defined as follows:

(A) *APA standard 87-1* means 2001 APA standards 87-1, Standard for the Construction and Approval for Transportation of Fireworks, Novelties and Theatrical Pyrotechnics, published by the American Pyrotechnics Association of Bethesda, MD.

(B) *Consumer fireworks* means fireworks devices that are designed to comply with the construction, chemical composition and labeling regulations promulgated by the United States Consumer Protection Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks do not include low-impact fireworks.

(C) *Fireworks* means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion,

deflagration or detonation.

(D) *Low impact fireworks* means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8 and 3.5.

(E) *Minor* means an individual who is less than 18 years of age.

Sec. 46-82. Ignition, Discharge or Use of Consumer Fireworks.

A. Except as provided in this Section, a person shall not ignite, discharge, or use consumer fireworks at any time.

B. A person may ignite, discharge, or use consumer fireworks on the following days during the following hours:

1. Between 11:00 a.m. on December 31 and 1:00 a.m. on the immediately following January 1.
2. Between 11:00 a.m. and 11:45 p.m. on the Saturday immediately preceding Memorial Day.
3. Between 11:00 a.m. and 11:45 p.m. on the Sunday immediately preceding Memorial Day.
4. Between 11:00 a.m. and 11:45 p.m. on June 29, June 30, July 1, July 2, July 3 and July 4.
5. Between 11:00 a.m. and 11:45 p.m. on July 5, if that date is a Friday or a Saturday.
6. Between 11:00 a.m. and 11:45 p.m. on the Saturday immediately preceding Labor Day.
7. Between 11:00 a.m. and 11:45 p.m. on the Sunday immediately preceding Labor Day.

C. A minor shall not possess consumer fireworks

D. A violation of this Section is a civil infraction, punishable by a fine of \$1,000.

Sec. 46-83. Ignition, Discharge or Use of Consumer Fireworks on Public Property, School Property, Church Property or the Property of Another Person.

A. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises.

B. A violation of this Section is a civil infraction, punishable by a fine of not more than \$500.

Sec. 46-84. Ignition, Discharge, or Use of Consumer Fireworks While Under the Influence.

A. A person shall not ignite, discharge, or use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance.

B. As used in this Section, “alcoholic liquor” means that term as defined in Section 1d of the Michigan Vehicle Code, MCL 257.1d, as may be amended, and “controlled substance” means that term as defined in Section 8b of the Michigan Vehicle Code, MCL 257.8b, as may be amended.

C. A violation of this Section is a civil infraction, punishable by a fine of not more than \$1,000.

Sec. 46-85. Determination of Violation; Seizure; Destruction; Storage Costs.

A. If a police officer determines that a violation of this Article has occurred, the Department may seize the firework as evidence of the violation. The Department shall store, or cause to be stored, the evidence seized under this Section pending disposition of any proceedings arising from the violation.

B. Following a final disposition of an appeal of a finding of responsibility under this Article that affirms the finding, the Department may dispose of or destroy any fireworks retained as evidence in that proceeding.

C. A person from whom fireworks are seized under this Article shall pay the actual costs of storage and disposal of the seized fireworks if found responsible for a violation of this Article.

Sec. 46-86. Permit for use or sale of fireworks.

A. The city council, upon application in writing, on forms provided by the bureau of fire services created in section 1b of the Fire Prevention Code, 1941 PA [207](#), MCL 29.1b, as amended, may grant a permit for the use of fireworks otherwise prohibited by section 46-82 or 46-83, within the city, manufactured for outdoor pest control or agricultural purposes, or for public display by municipalities, fair associations, amusement parks, or other organizations or groups of individuals approved by the city, if the applicable

provisions of this Act are complied with. The permits shall be on forms provided by the bureau of fire services. After a permit has been granted, sales, possession, or transportation of fireworks for the purposes described in the permit only may be made. A permit granted under this subsection is not transferable and shall not be issued to a person under the age of 18 years.

- B. The city council, upon application in writing, may grant a permit, on forms provided by the bureau of fire services, to a resident wholesale dealer or jobber to have in his possession within the city fireworks otherwise prohibited by section 46-82 or 46-83, for sale only to holders of permits as provided in this section. A permit granted under this subsection is not transferable, nor shall a permit be issued to a person under the age of 18 years.
- C. Before a permit for a pyrotechnic display is issued, the person, firm, or corporation applying for the permit shall furnish proof of financial responsibility by a bond or insurance in an amount, character, and form deemed necessary by the city council to satisfy claims for damages to property or personal injuries arising out of an act or omission on the part of the person, firm, or corporation, or an agent or employee thereof, and to protect the public.
- D. A permit shall not be issued under this Act to a nonresident person, firm, or corporation for conduct of a pyrotechnic display in this city until the person, firm, or corporation has appointed in writing a resident member of the bar of this state or a resident agent to be the legal representative upon whom all process in an action or proceeding against the person, firm, or corporation may be served.

E. The city council shall rule on the competency and qualifications of operators of pyrotechnic displays, as the operator has furnished in his application form, and on the time, place, and safety aspects of the displays before granting permits.

Section 2 of Ordinance. Repealer.

This ordinance repeals any ordinances in conflict thereof.

Section 3 of Ordinance. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4 of Ordinance. Savings Clause.

Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5 of Ordinance. Publication and Effective Date.

This ordinance shall be effective 10 days after publication. The City Clerk is hereby ordered and directed to cause this ordinance or a summary of this ordinance to be published in the manner required by law.

Section 6 of Ordinance. Adoption.

That this ordinance was duly adopted by the City of Lathrup Village City Council at its regular meeting called and held on _____, 2020 and was ordered given publication in the manner required by law.

CITY OF LATHRUP VILLAGE

YVETTE TALLEY, City Clerk

Introduction Date: _____, 2020

Adoption Date: _____, 2020

Publication Date: _____, 2020

Effective Date: _____, 2020

DRAFT

Section 28.457

 [friendly link](#)  [Printer Friendly](#)

MICHIGAN FIREWORKS SAFETY ACT (EXCERPT) Act 256 of 2011

28.457 Local ordinances.

Sec. 7.

(1) Except as provided in this act, a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act.

(2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks, including, but not limited to, an ordinance prescribing the hours of the day or night during which a person may ignite, discharge, or use consumer fireworks. If a local unit of government enacts an ordinance under this subsection, the ordinance shall not regulate the ignition, discharge, or use of consumer fireworks on the following days after 11 a.m.:

(a) December 31 until 1 a.m. on January 1.

(b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.

(c) June 29 to July 4 until 11:45 p.m. on each of those days.

(d) July 5, if that date is a Friday or Saturday, until 11:45 p.m.

(e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

(3) An ordinance under subsection (2) shall impose a civil fine of \$1,000.00 for each violation of the ordinance and no other fine or sanction. The ordinance must provide for the remittance of \$500.00 of the fine collected under the ordinance to the local law enforcement agency responsible for enforcing the ordinance.

(4) Beginning August 1, 2019, a local unit of government with a population of 100,000 or more or a local unit of government located in a county with a population of 750,000 or more may enact or enforce an ordinance that regulates the use of a temporary structure. An ordinance established under this subsection may include, but is not limited to, a restriction on the number of permits issued for a temporary structure, regulation of the distance required between 2 or more temporary structures, or a zoning ordinance that regulates the use of a temporary structure. An ordinance established under this subsection may not prohibit the temporary storage, transportation, or distribution of fireworks by a consumer fireworks certificate holder at a retail location that is a permanent building or structure. As used in this subsection, "temporary structure" means a movable structure that is used in the sale, display, storage, transportation, or distribution of fireworks, including, but not limited to, a tent or a stand.

History: 2011, Act 256, Eff. Jan. 1, 2012 ;-- Am. 2013, Act 65, Imd. Eff. June 19, 2013 ;-- Am. 2018, Act 635, Imd. Eff. Dec. 28, 2018

INFRASTRUCTURE COMMITTEE DRAFT RESOLUTION

RESOLUTION SUBMITTING STREET IMPROVEMENTS BOND PROPOSAL

CITY OF LATHRUP VILLAGE
County of Oakland, State of Michigan

Minutes of a regular meeting of the City Council of the City of Lathrup Village, County of Oakland, State of Michigan, conducted electronically in conformity with Governor Whitmer’s Executive Order No. 2020-129, on the 27th day of July, 2020, at 7:00 p.m., Eastern Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____.

WHEREAS, the City Council (the “City Council”) of the City of Lathrup Village (the “City”) has determined that it is necessary to pay the cost of constructing street improvements throughout the City, consisting of paving, repaving, resurfacing, reconstructing and improving streets (the “Project”); and

WHEREAS, the City Council has determined that the City should borrow money in an amount not to exceed Five Million Eight Hundred Forty-Five Thousand Dollars (\$5,845,000), and issue general obligation unlimited tax bonds of the City, in one or more series, in such amount for the purpose of paying all or part of the cost of the Project; and

WHEREAS, the City Council has determined that a proposal to issue the bonds for the Project shall be submitted to the qualified electors of the City at the election to be held in the City on Tuesday, November 3, 2020 (the “Election Date”); and

WHEREAS, in order for the bond proposal to be submitted to the qualified electors, it is necessary for the City Council to certify the ballot wording of the proposal to the City Clerk and to the County Clerk of the County of Oakland (the “County Clerk”), as required by Act 116, Public Acts of Michigan, 1954, as amended (the “Michigan Election Law”).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bond proposal attached hereto as Exhibit A (the “Bond Proposal”) shall be submitted to a vote of the qualified electors of the City on the Election Date.
2. The ballot wording of the Bond Proposal is hereby certified to the City Clerk and the County Clerks for submission to the City’s electors on the Election Date. The City Clerk is

hereby authorized and directed to file this Resolution and/or complete any such forms, certificates or documents as may be required by the County Clerks to evidence the foregoing certification and/or submission by no later than Tuesday, August 11, 2020.

3. The City Clerk and the County Clerk are hereby directed to (a) post and publish notice of last day of registration and notice of election as required by the Michigan Election Law; and (b) have prepared and printed, as provided by the Michigan Election Law, ballots for submitting the bond proposal at the election, which ballots shall contain the proposal appearing herein, or the proposition shall be stated as a proposal on the voting machines, which ballots may include other matters presented to the electorate on the same date.

4. The estimated millage rate in the first year and simple average annual millage rate set forth in the Bond Proposal, which have been prepared for the City by Bendzinski & Co., financial advisors to the City, are reasonable estimates of such millage rates based on current assumptions.

5. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) If the ballot proposal is approved by the electors, the City reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from the general funds of the City subsequent to sixty (60) days prior to today.
- (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$5,845,000.
- (c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the Bonds to reimburse the City for a capital expenditure made pursuant to this resolution.

6. Miller, Canfield, Paddock and Stone, P.L.C. is hereby confirmed as Bond Counsel to the City in connection with the issuance of the Bonds.

7. Bendzinski & Co., Inc. is hereby confirmed as the registered municipal advisor to the City in connection with the issuance of the Bonds.

8. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, are hereby repealed.

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

Yvette Talley
City Clerk

I HEREBY CERTIFY that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Lathrup Village, County of Oakland, State of Michigan, at a regular meeting held on July 27, 2020, and that the meeting was conducted and public notice of the meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, and that the minutes of the meeting were kept and will be or have been made available as required by the Act.

Yvette Talley
City Clerk

EXHIBIT A

Street Improvements Bond Proposal

Shall the City of Lathrup Village, County of Oakland, Michigan, borrow the principal sum of not to exceed Five Million Eight Hundred Forty-Five Thousand Dollars (\$5,845,000), and issue its unlimited tax general obligation bonds, payable in not to exceed ten (10) years from the date of issue, to pay the cost of constructing street improvements throughout the City, consisting of paving, repaving, resurfacing, reconstructing and improving streets? If approved, the estimated millage to be levied in 2021 is 3.9307 mills (\$3.93 per \$1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is 3.9176 mills (\$3.92 per \$1,000 of taxable value).

YES

NO

36113989.1\101346-00011



Dr. Sheryl L. Mitchell

City Administrator

City of Lathrup Village

27400 Southfield Road | Lathrup Village, MI 48076

smitchell@lathrupvillage.org

Office: 248.557.2600 x 225 | Cell: 248.520.0620

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: July 13, 2020

RE: **EVERGREEN FARMINGTON SEWAGE DISPOSAL SYSTEM – AGREEMENT STUDY**

The City of Lathrup Village is a member of the Evergreen Farmington Sewage Disposal System (EFSDS) District. As part of the strategic plan for the district, it is proposed to utilize the Lathrup Village Sanitary Retention Tank (SRT) to address flow capacities. This will require some upgrades and modifications to the SRT to be able to handle higher volumes.

The EFSDS is proposing to conduct a condition assessment to determine the specifics of what will be required and the associated costs. After the results are reported in, the proposal is that Lathrup Village enter into a Service Agreement for the special use of the SRT.

The cost of the study is entirely borne by the EFSDS. The costs of the construction will be partially paid for by the EFSDS, since the use of the SRT is beneficial to the entire district meeting the requirements of the Administrative Consent Order (ACO).

Evergreen Farmington Sewage Disposal System

Lathrup Village Presentation

June 24, 2020



Agenda

- Lathrup Village ACO
- EFSFS ACO
- Grade Protection Station
- Lathrup Village SRT Condition Assessment
- Schedule
- Lathrup Village Service Agreement
- If time remaining – Steering Committee



Lathrup ACO

- Second Amended ACO-SW05-007
- Based on previous Final Order of Abatement 2103
- Current ACO language
 - Long Term Correct Action Plan must certify that it meets the TOC established in the Final Order of Abatement 2103
 - TOC from 1989 Intermunicipal contract = 3.35 cfs



Lathrup ACO

- Proposed ACO language
 - The Township and the County anticipate replacing the TOC at some time in the future as will be defined in a future contract between the Township and County. If a new contract is entered to replace the TOC, the Township must submit a copy of the new contract to EGLE. Upon written notification by EGLE to the Township, the new sewage flow capacity, as detailed in the new contract, will be incorporated into this ACO by reference. The TOC, and the sewage flow capacity in the potential new contract that will replace the TOC, shall be jointly referred to in the Consent Order as the “Flow Capacity Agreement”.
- Proposed Future Flow Allocation in the Flow Tracking Zones = 11.97 cfs

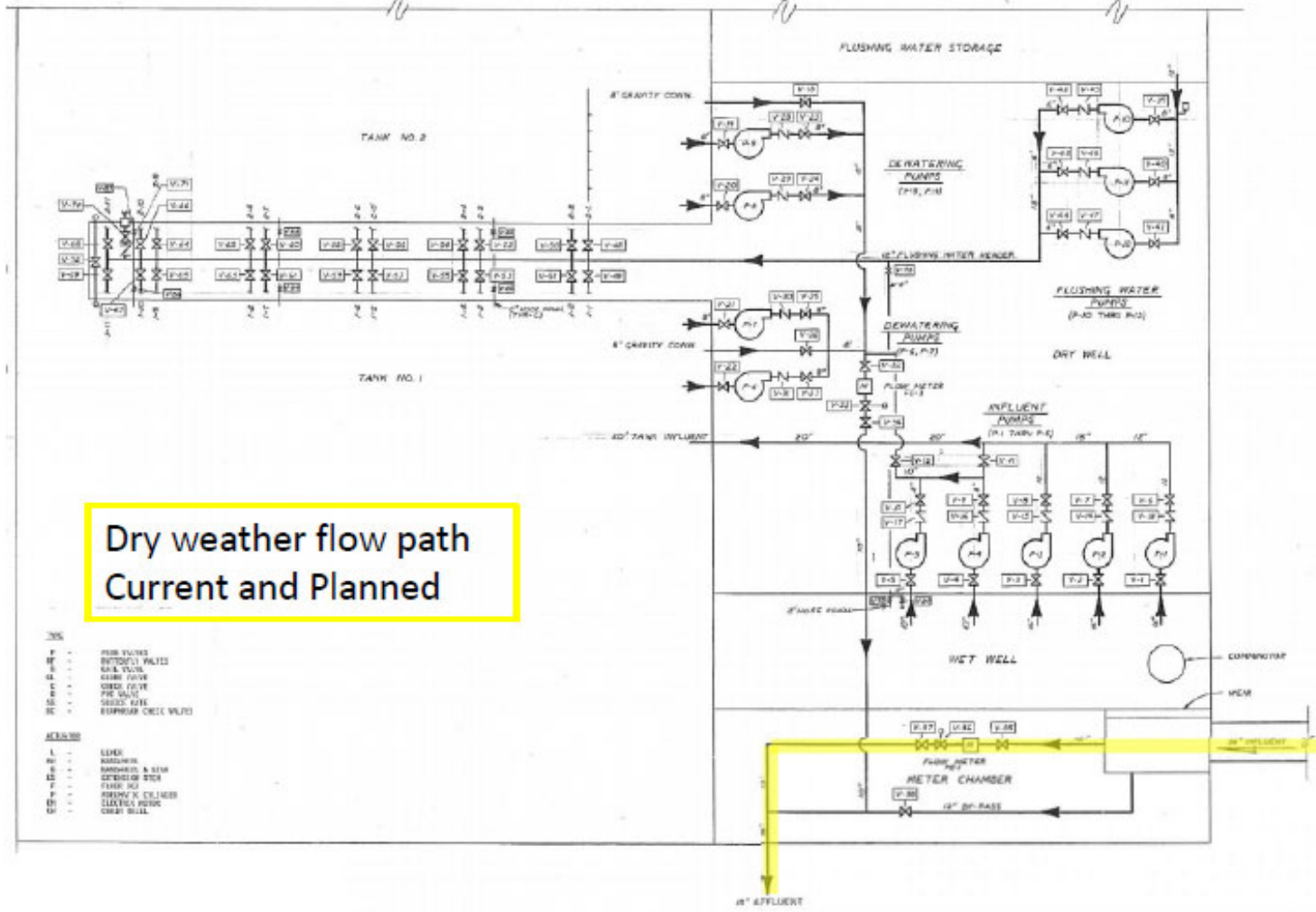


EFSDS CAP

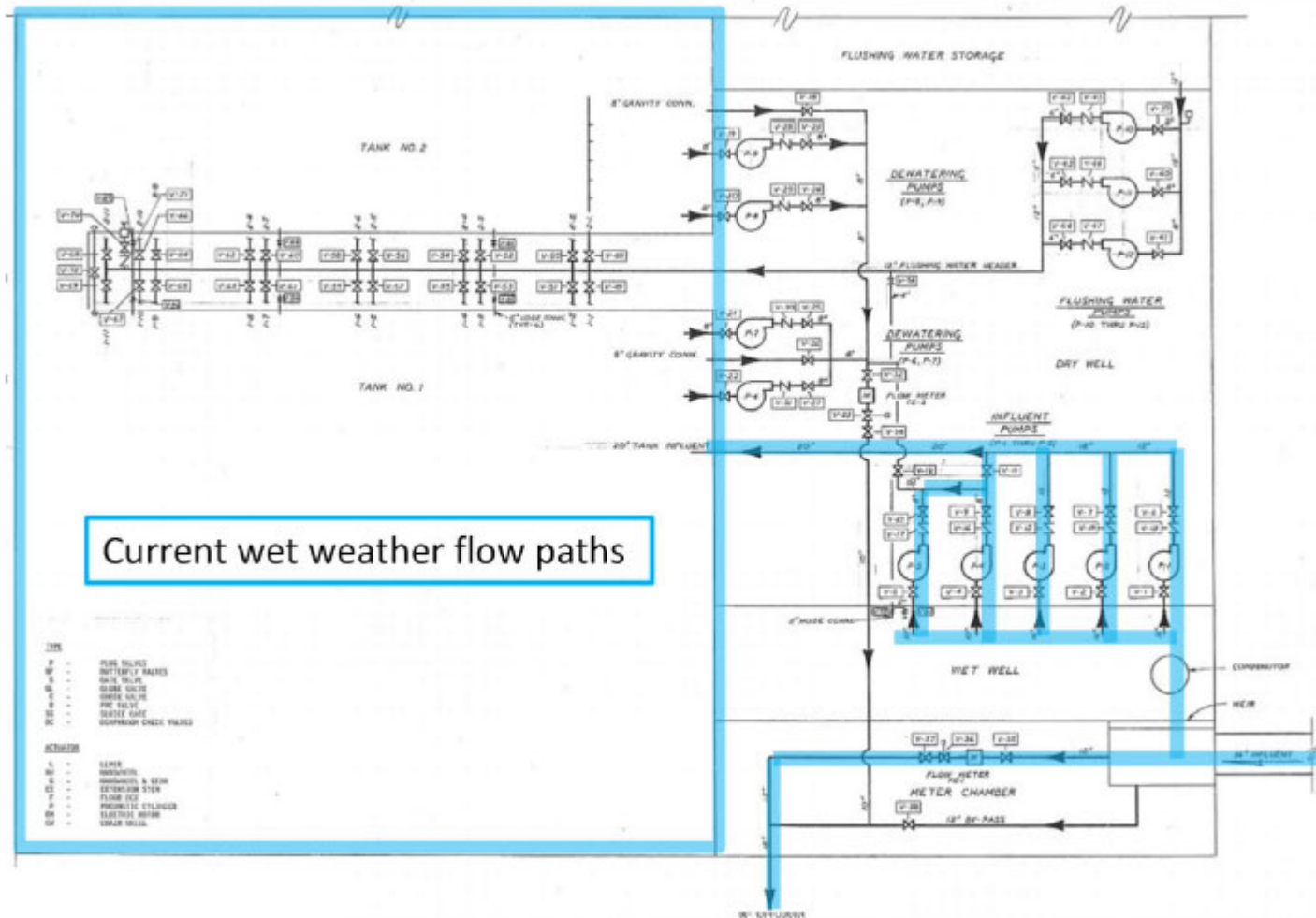
- Purchase Capacity from GLWA
- 8 Mile Road Conveyance Improvements
- WLPS1 Conveyance Improvements
 - Lowering of existing weir structure
 - Lathrup Village SRT Conversion to a grade protection station
 - Possibly other grade protection stations pending additional study



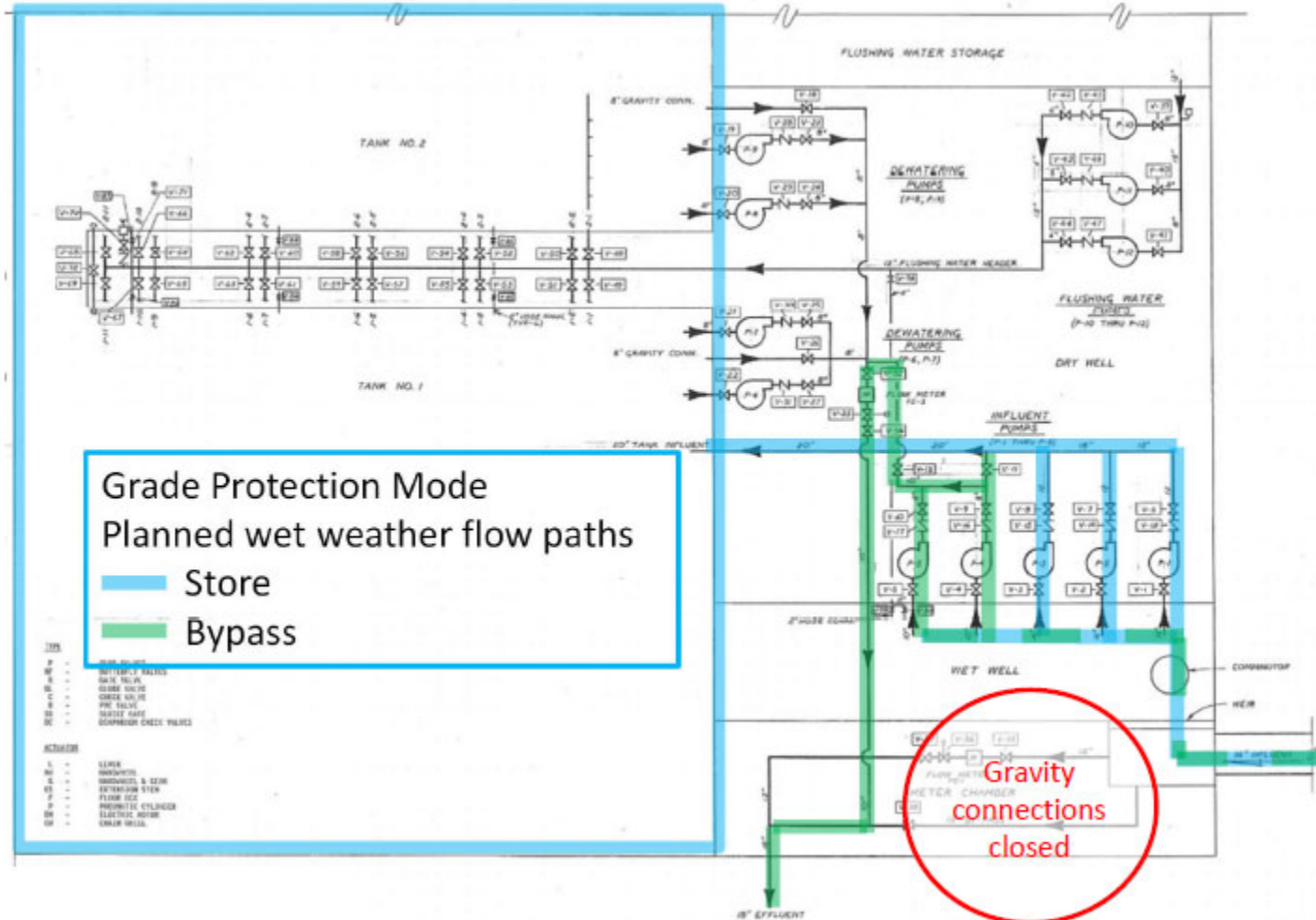
EFSDS /Lathrup Village SRT



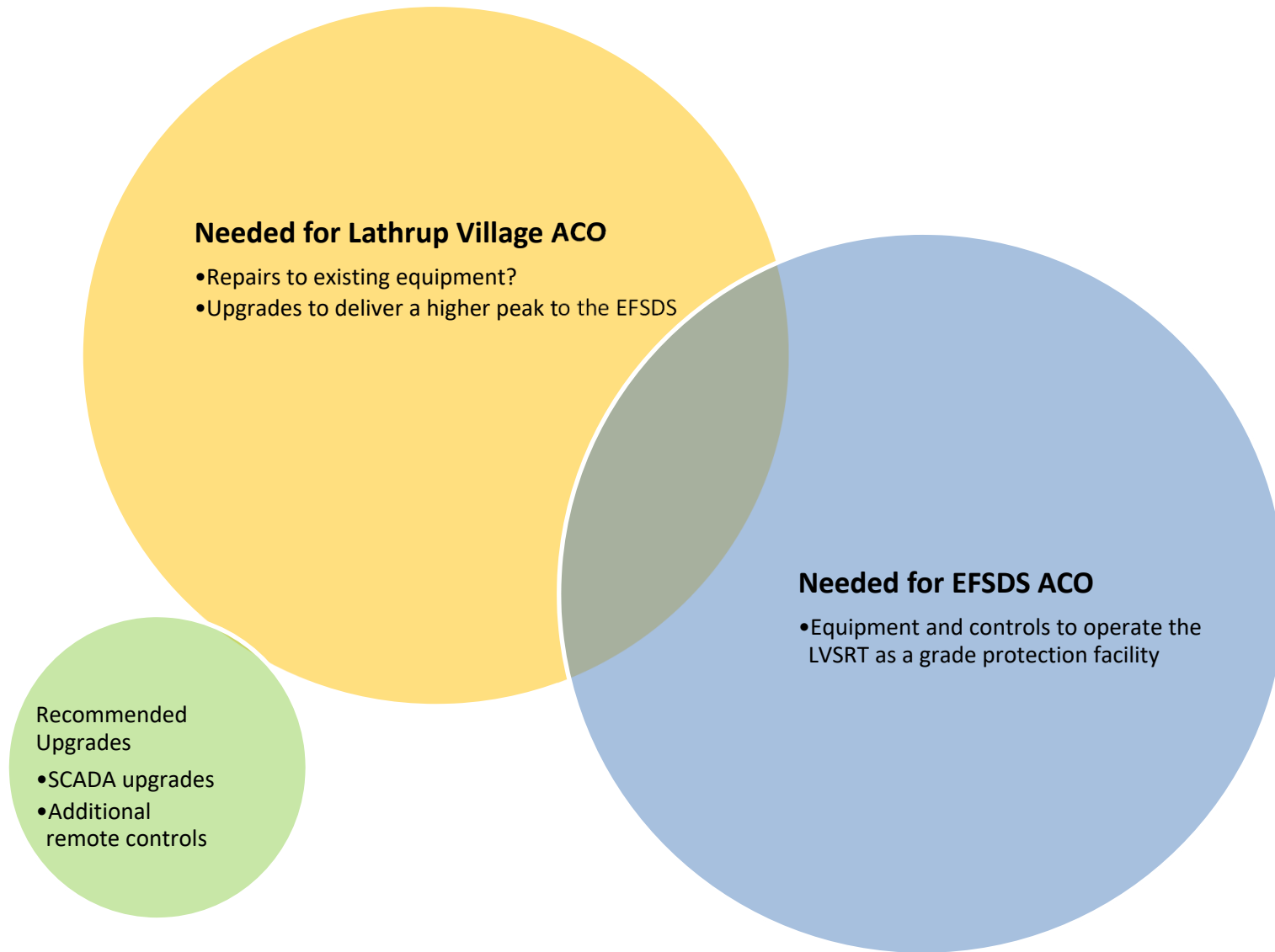
EFSDS /Lathrup Village SRT



EFSDS /Lathrup Village SRT



Lathrup Village SRT



Lathrup SRT Condition Assessment

- EFSDS will conduct a condition assessment of the Lathrup Village SRT
 - Review condition of existing assets
 - Review ability of existing electrical to accept larger pumps
 - Propose recommendations for transition to grade protection station



Schedule

- Condition Assessment Complete September 2020
- Service Agreement and Lathrup Village SRT special use agreement Fall/Winter 2020
- Design Lathrup SRT to grade protection station improvements Spring 2021
- Construction Lathrup SRT Improvements 2021-2022
- EFSDS ACO requires completion of the CAP projects by Nov 1, 2022



EFSDS Service Agreement

- Service Agreement referenced by Chapter 20 Drain petition as a prerequisite of project bonding
- Will include:
 - Specific language on contract capacities
 - Special use agreements for RTBs and Lathrup Village SRT



Questions?



Steering Committee Topics

- The goal of the committee was to have an open dialog with EFSDS customer communities
 - Are we covering the correct topics?
 - Are we providing the appropriate level of detail on these topics?
 - Is the frequency of meetings appropriate?
 - Are there any topics you would like to hear in the future?
 - Is there a better forum for this information (video, other)?





Dr. Sheryl L. Mitchell

City Administrator

City of Lathrup Village

27400 Southfield Road | Lathrup Village, MI 48076

smitchell@lathrupvillage.org

Office: 248.557.2600 x 225 | Cell: 248.520.0620

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl L. Mitchell, City Administrator

DA: July 13, 2020

RE: **PARKING OUTSIDE OF GARAGES**

Council had requested a discussion on this topic regarding the residential property on Sunset. There were concerns expressed about the number of vehicles there with temporary or dealer plates.

Below is the response from Jim Wright, Building Official:

We have tried issuing violations here before. This property has a large driveway where the owner parks several vehicles with dealer plates on them. They changed the law on this now. As long as you have a dealer's license you can plate many vehicles with dealer plates. This is a way to cheat auto insurance but legal. This is the same gentleman who had parked cars at jets old building he rents an office there. There is no violation here. We do still have on the books the ordinance that does not allow any parking outside all vehicles must be parked in the garage but don't think we want to go down that road. As Kelly mentioned this gentleman has a large family with much traffic especially during the summer. He parks jet skis and other toys in his drive also. I have issued violations for these but he does comply know only 48hrs on site.