

AGENDA NOTE

Old Business # 3

MEETING DATE: October 8, 2018

PERSON PLACING ITEM ON AGENDA: Recommendation from the Planning Commission on 8/9/18

AGENDA TOPIC: Second Reading of Lot Coverage Zoning Ordinance Amendment

EXPLANATION OF TOPIC: The issue of lot coverage has been a topic of concern for the City. Following a Council discussion earlier this year, planning staff presented a proposed zoning amendment to increase the lot coverage percentages for residential districts. The Planning Commission held a public hearing on August 9, 2018, and after reviewing information provided by staff regarding past variance requests based on lot coverage, and lot coverage percentages in other communities, and discussing the matter, it approved a motion recommending Council approval of a zoning ordinance amendment to revise Section 102-456 by adding a Maximum Percentage of Lot Coverage of Impervious Surfaces of 35% in the R1-A, R-1, R-2, R-3, RT, RM-1, RM-2, and RM-3 Districts.

The amendment includes a definition of "impervious surfaces" in Section 102-457(p) and defines it to include: man-made and other hard surfaces made of any material(s) that impede or prevent the natural infiltration of water into the soil and may include, but are not limited to: pools, un-enclosed decks, enclosed-decks, sheds, at-grade patios, raised patios, pergolas, and any other structure covered by impenetrable materials such as asphalt, pavers, concrete, brick, and stone that limits infiltration and natural groundwater recharge.

Subsection 102-457(q) clarifies that residential driveways and walkways are not included in the impervious surface lot coverage calculation.

The current lot coverage limits for buildings remains unchanged at 25%, and the maximum lot area covered by impervious surfaces is 10% regardless of lot area covered by buildings. In no event, shall the lot area covered by both buildings and impervious surfaces exceed 35% total.

Council approved a first reading of this Ordinance on September 10, 2018, and the revisions to the since then are shown in blackline and bold.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- Revised Zoning Ordinance Amendment for lot coverage
- Planning Commission Minutes 8/9/18
- CIB Lot Coverage Review Letter from 02/07/2017
- Staff research materials
- Section 102-3 Definitions

POSSIBLE COURSES OF ACTION: Approve/Deny/Table/Postpone

RECOMMENDATION: Approve

SUGGESTED MOTION: Motion to Approve the Second Reading of the Ordinance to amend the City of South Lyon Code of Ordinances, Chapter 102 – Zoning, Article VII – Supplementary District Regulations, Division 2 – Height, Bulk, Density and Area Limitations, by amending Section 102-456 – Schedule Limiting Height, Bulk, Density and Area by Zoning District by adding a Maximum Percent of Lot Area Covered by Impervious Surfaces for Residential Districts, and by adding Subsections 102-457(p) and (q) defining Impervious Surfaces and clarifying that residential driveways and walkways are not included in the calculation, as presented.

ORDINANCE NO. __-18

CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE CITY OF SOUTH LYON CODE OF ORDINANCES, CHAPTER 102 – ZONING, ARTICLE VII – SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2 – HEIGHT, BULK, DENSITY AND AREA LIMITATIONS, BY AMENDING SECTION 102-456 – SCHEDULE LIMITING HEIGHT, BULK, DENSITY AND AREA BY ZONING DISTRICT BY ADDING A MAXIMUM PERCENT OF LOT AREA COVERED BY IMPERVIOUS SURFACES FOR ALL RESIDENTIAL ZONES, AND BY ADDING SUBSECTIONS 102-457(p) and (q) REGARDING NOTES ON MAXIMUM PERCENT OF LOT AREA COVERAGE DEFINING IMPERVIOUS SURFACES.

THE CITY OF SOUTH LYON ORDAINS:

PART I. Amendment of Chapter 102 – Zoning, Article VII – Supplementary District Regulations, Division 2 – Height, Bulk, Density and Area Limitations, Amending Section 102-456 – Schedule Limiting Height, Bulk, Density and Area by Zoning District. Chapter 102 – Zoning, Article VII – Supplementary District Regulations, Division 2 – Height, Bulk, Density and Area Limitations, Section 102-456 – Schedule Limiting Height, Bulk, Density and Area by Zoning District is hereby amended as follows:

Sec. 102-456. - Schedule limiting height, bulk, density and area by zoning districts.

Zoning District	Minimum Lot Area Per Unit		Maximum Height of Structures		Minimum Yard Setback(o) (Per Lot in Feet)				Minimum Floor Area Per Unit (square feet)	Minimum Ground Floor Area Per Unit (square feet)	Maximum Percent of Lot Area Covered By All Buildings	<u>Max Percent of Lot Area Covered By Buildings and Impervious surfaces</u>
	Area in Square Feet	Width in Feet	In Stories	In Feet	Front	Least One	Total of Two	Rear				
R-1A(n)	15,000(a)	120(a)	2	25	35(b)	10(b)	20(b)m	50(b)	1,300	800	25	<u>35(p, q)</u>

R-1(n)	12,000(a)	100(a)	2	25	35(b)	10(b)	20(b)m	50(b)	1,200	750	25	35(p, q)
R-2(n)	10,000(a)	80(a)	2	25	30(b)	8(b)	16(b)m	40(b)	1,100	700	25	35(p, q)
R-3(n)	8,750	70(a)	2	25	25(b)	6(b)	16(b)m	35(b)	1,000	650	25	35(p, q)
RT(n)	4,000	40	2	25	25	6(b)	16(b)m	30(b)	600		25	35(p, q)
									1 BR—600			
RM-1	(c)	(c)	2	25	35(d)	30(d)	60(d)m	30(d)	2 BR—800		25	35(p, q)
RM-2	(c)	(c)	2½	30	25(d)	25(d)	50(d)m	25(d)	3 BR—900		25	35(p, q)
RM-3	(c)	(c)	2½	30	25(d)	25(d)	50(d)m	25(d)	4 BR—1,000		25	35(p, q)
OS-1	—	—	—	25	20(e)	15(i)	30(i)	20(g)	—		—	
B-1	—	—	—	25	25(e, h)	10(f, h)	20(f, h)	20(g, h)	—		—	
B-2	—	—	—	—	—	—	—	(g)	—		—	
B-3	—	—	—	35	30(e)	10(f)	20(f)	20(g)	—		—	
I-1	—	—	—	35(k)	40(j)	20(j, k, l)	40(j, k, l)	20(j, k, l)	—		—	
I-2	—	—	—	50(k)	60(j)	40(j, k, l)	80(j, k, l)	40(j, k, l)	—		—	
P-1	See article VI, division 15 of this chapter for regulations governing vehicular parking districts											

PART II. Amendment of Chapter 102 – Zoning, Article VII – Supplementary District Regulations, Division 2 – Height, Bulk, Density and Area Limitations, Amending Section 102-457 – Notes to Schedule of Regulations. Chapter 102 – Zoning, Article VII – Supplementary District Regulations, Division 2 – Height, Bulk, Density and Area Limitations, Section 102-457 – Notes to Schedule of Regulations, is hereby amended to add subsection 102-457(p) **and (q)** as follows:

Sec. 102-457. - Notes to schedule of regulations.

...

- (p) Impervious surfaces **are man-made and other hard surfaces made of any material(s) that impede or prevent the natural infiltration of water into the soil and may** include, but are not limited to: pools, un-enclosed decks, enclosed-decks, sheds, at-grade patios, raised patios, pergolas, and any other **artificial**-structure covered by **impenetrable impervious**-materials such as

asphalt, pavers, concrete, brick, and stone that limits infiltration and natural groundwater recharge.

(g) The maximum percent of lot area which may be covered by impervious surfaces is ten percent (10%) regardless of the lot area covered by all buildings and accessory buildings, which shall not exceed twenty-five percent (25%). In no instance shall lot area covered by all buildings, accessory buildings, and impervious surfaces exceed thirty-five percent (35%). For the purposes of calculating lot area covered by impervious surfaces, a residential driveway and/or walkway to the entrance of the dwelling unit are not included in the calculation.

PART III. Severability. Should any division, section, subsection, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART IV. Savings Clause. The amendment of the City of South Lyon Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the City of South Lyon Code of Ordinances set forth in this Ordinance.

PART V. Repealer. All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART VI. Effective Date; Publication. ~~This Ordinance shall take effect upon the later of ten (10) days after adoption or upon publication thereof as provided by the Charter of the City of South Lyon. A public hearing having been held hereon pursuant to the provisions of Section 102 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of South Lyon stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance shall be available for public purchase and inspection at City Hall during regular business hours. The provisions of this Ordinance shall become effective seven (7) days after its publication.~~

Made, passed and adopted by the South Lyon City Council this ____ day of _____, 2018.

Daniel L. Pelchat, Mayor

Lisa Deaton, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the South Lyon City Council held on the ____ day of _____, 2018.

Lisa Deaton, City Clerk

Adopted:
Published:
Effective:

**City of South Lyon
Planning Commission
Regular Meeting Minutes
August 9, 2018**

Approved: _____

The meeting was called to order by Chairman, Scott Lanam at 7:00 p.m.

Roll Call: Scott Lanam, Chair
Keith Bradley, Vice Chair
Steve Mosier, Commissioner
Michael Joseph, Commissioner
Erin Kopkowski, Commissioner (arrived late 7:21)

Absent: Jason Rose, Commissioner, Excused
Wayne Chubb, Commissioner, Excused

**Motion to excuse Commissioner Chubb and Commissioner Rose
Motion by Bradley, Second by Mosier**

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

Also Present: Kelly McIntyre, Planning Consultant
Judy Pieper, Deputy Clerk
Patrick Brzozowski, Zoning Administrator

Motion to approve the Agenda for August 9, 2018

Motion by Mosier, Second by Joseph

Voice Vote: Ayes: Unanimous

Nays: None

Motion Approved

Public Comments: None

Public Hearings:

- 1. Consideration of Zoning Ordinance Amendment for Maximum Percent of Lot Area Covered by All buildings from 25% to 30% in the R1-A:RM-3 Districts.**

Planning Consultant McIntyre explains a bit of the background on this subject referring to the CIB Planning letter dated 2-7-2017. McIntyre states that in the past year, the City has seen an increase in the number of variance requests for lot coverage. She suggests that we may want to change lot coverage to not only include building but a large number of impervious surfaces. She then adds that Patrick has done a wonderful job on putting all the data together showing the past several years.

Zoning Administrator Brzozowski goes on to explain in detail the data that he has put together for the Commissioners. He states that he gave a comparative analysis to Cities that have similar density. Cataloging what their standards are. Second, looking at a historical view of Zoning Board of Appeal applications (since 2010) understanding what the numbers suggest. It does imply that in the past two years, there has been a large increase in the demand for lot coverage variance, which supports the need for a change.

Commissioner Joseph states that he does live in Trotter's Pointe and actually had to apply for a variance about 12 years ago. He questioned that if 25% is that the building portion.

McIntyre clarifies that the way it stands now, 25% is for everything.

Brzozowski clarifies that in the proposal; it is suggested to break things out in to 2 separate categories. He adds that a lot of the information that he has put together has come from Oakland County Equalization Department. With that said, some of the properties have not been developed yet.

Commissioner Joseph states that he feels looking back at what was approved years ago, it seems that the actual issue here is that we approved lot sizes that were way too small.

Chair Lanam Adds that Charleston Park actually went to court so that they were able to build big houses on the smaller lots.

McIntyre adds that the Knolls were approved building footprints, so they were approved a floor plan for a house but in some instances, that floor plan on top of the building envelope is already 26%.

Commissioner Joseph states with this thought in mind, you have to be able to build a house on it, you have to let people build a deck on it and a lot of people want to have a pool. So then why are we forced to approve a lot that everyone knows that is too darn small?

Commissioner Bradley states that Charleston knew that they were going to have to have a variance for every lot in there.

McIntyre adds that historically, the application of what lot coverage is has not been consistent. If you look back, it appears that sometime just buildings were considered, sometimes they considered the deck and sometimes they didn't consider the deck.

Chair Lanam goes on to question where did we miss on this one? He and Carmen (Avantini) were assured the numbers were there. Perhaps we can ask Carmen.

Commissioner Joseph adds that this should be a lesson for the future.

The conversation continues - reviewing the numbers/percentages on the report that was presented by Patrick.

Commissioner Kopkowski clarifies that we are currently at 25% and we want to go to 30% for a House with a shed or with a detached garage and then go up to 35% which includes your driveway, a pool, a patio or a deck.

Closing Public Hearing, Items #1, #2 and #3 – 8:09 p.m.

2. Motion to deny the consideration of the zoning order amendment for Maximum Percent of Lot Area Covered by All buildings from 25% to 30% in the R1-A:RM-3 Districts.

Motion by Bradley, Second by Kopkowski

Voice Vote: Ayes: Unanimous

Nays: None

Motion Approved

2. Consideration of Zoning Ordinance Amendment for Maximum Percent of Lot Coverage of Impervious Surfaces to 35% in the R1-A:RM-3 Districts.

Motion to Consideration of Zoning Ordinance Amendment for Maximum Percent of Lot Coverage of Impervious Surfaces to 35% in the R1-A:RM-3 Districts.

Motion by Kopkowski, Second by Joseph

Voice Vote: Ayes: Unanimous

Nays: None

Motion Approved

3. Consideration of Zoning Ordinance Amendment to Sec 102-457 "Notes to Schedule of Regulations" to include subsection (0) "Impervious surfaces including, but not limited to: Pools, un-enclosed decks, enclosed-decks, sheds, at-grade patios, raised patios, pergolas, and any other artificial structure covered by impervious materials such as

asphalt, concrete, brick, and stone that limits infiltration and natural groundwater recharge."

Motion to recommend to Council the Consideration of Zoning Ordinance Amendment to Sec 102-457 "Notes to Schedule of Regulations" to include subsection (0) "Impervious surfaces including, but not limited to: Pools, un-enclosed decks, enclosed-decks, sheds, at-grade patios, raised patios, pergolas, and any other artificial structure covered by impervious materials such as asphalt, concrete, brick, and stone that limits infiltration and natural groundwater recharge."

Motion by Bradley, Second by Joseph

Voice Vote: Ayes: Unanimous

Nayes: None

Motion Approved

New Business: None

Old Business: None

Tabled Items: None

Planning Consultant Report:

Parkside Apartments has re-submitted the site plans for their development. McIntyre goes on to discuss Thomasville. She states that they were at Council. The applicant had another meeting with herself and Patrick to explain to them that it is very important to provide as much information to Council as possible. Additional elevations were added with much more variations as the Planning Commission had suggested.

Staff Report:

Patrick stated that they have had more discussion regarding the Memorial Parking Lot. Also, Heinanen Engineering has added a base to install a large Christmas Tree for this season.

Adjournment:

Approval to Adjourn

Motion by Bradley, Second by Mosier

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved – Meeting Adjourned – 8:20 p.m.

Scott Lanham, Chairman

Judy Pieper, Recording Secretary

Steve Mosier, Secretary



CIB PLANNING

Community Image Builders

February 7, 2017

Planning Commission
City of South Lyon
335 S. Warren Street
South Lyon, MI 48178

Attention: Megan Blaha, Zoning Administrator

At the Planning Commission's request, CIB Planning has looked at options to modify the *development standards for lot coverage* in the RA-1, R1, R2, R3, and RT zoning districts. Over the past year, the City has seen an increase in the number of variance requests for lot coverage in these districts. The following information provides the Planning Commission examples from other communities and possible options/ amendments to allow additional lot coverage.

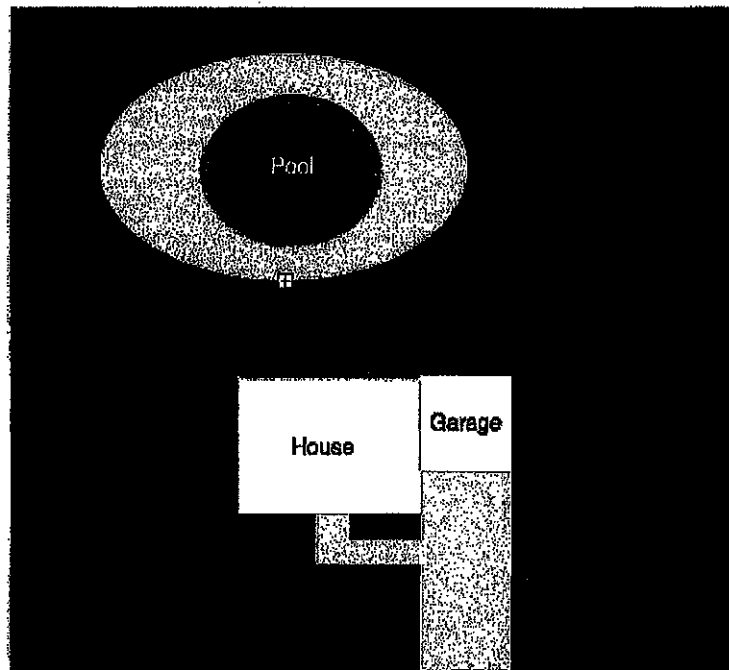
The City of South Lyon housing inventory is varied and contains two story residential structures on small lots surrounding the downtown (Lake Street and Lafayette); ranch-style residential structures on compact lots, and two story housing on "suburban-style" larger.

Varied Zoning districts and standards have been applied to residential areas of the City as it has developed over more than 100 years. As family lifestyles and housing trends continue to evolve, larger building footprints (i.e., additional rooms and bathrooms) are more common place in the single family districts. Residents not only want larger footprints, but also desire accessory buildings and structures including: garages (multi-bay), patios, decks, swimming pools, patios, sheds, pergolas, and covered breezeways. Community planners recognize the need to address development standards that no longer satisfy the needs of residents.

CIB Planning reviewed variance requests for lot coverage in the single family residential districts over the past few years. While a majority of those requests came from Charleston Park (a consent judgement development with limited lot sizes and large housing footprints), other neighborhoods are equally affected.

What is Lot Coverage?

Generally speaking, lot coverage is the percent of the total lot covered by buildings and impervious surfaces. For example, houses, garages, sheds, gazebos, swimming pools, and covered patios all count as part of lot coverage.



Lot Coverage calculations may include house, garage, deck, pool, patio, driveway, and walk.

Current Lot Coverage Standards for Residential Districts

In single and two-family residential zoning districts, the maximum lot coverage is 25 percent. This requirement applies to all lot sizes within the district, regardless of whether the lot meets the current standards or is non-conforming. Twenty-five percent lot coverage maximum is a fairly standard requirement throughout Southeast Michigan communities, however, communities with rapid residential development are increasing this standard to as much as 40 percent.

City of South Lyon Zoning Ordinance Requirements, Section 102-456

Residential District	Minimum Lot Size (square feet)	Lot Coverage Maximum	Lot Coverage Maximum by All Buildings in Square Feet
R1-A	15,000	25%	3,750
R-1	12,000	25%	3,000
R-2	10,000	25%	2,500
R-3	8750	25%	2,187.5
RT	4,000	25%	1,000

In order to increase the lot coverage area on residential parcels, a zoning ordinance amendment or revision is required. If desired, there are several different ways to accommodate an increase in lot coverage. CIB Planning will present 3 options: make changes to the definitions pertaining to lot coverage; change lot coverage requirements based on districts and/or lot sizes; and differentiate between lot coverage and impervious surface cover and establish standards.

Option 1: Definitions

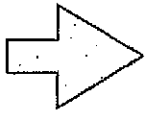
The current City of South Lyon Zoning Ordinance Bulk Height Density Requirements prescribes the "maximum percentage lot coverage by all buildings" not exceed 25%.

Our ordinance definition of lot coverage is:

Lot coverage means the part or percent of the lot occupied by buildings including accessory buildings and including but not limited to: patios, decks, pools and similar structures.

In reviewing numerous Michigan communities, there is no consistent definition for what is included in lot coverage. For example, the City of Wixom includes any part or percent of a lot covered by buildings and accessory buildings. Holland, Michigan includes buildings, accessory buildings, enclosed porches, car ports, and decks. It does not include steps and does not address pools or patios. East Grand Rapids, Michigan includes buildings and structures that do not absorb rainwater- i.e. pavement, patios, and decks. In looking at communities around the United States,

Arlington, Virginia includes buildings, driveways, parking spaces, pools, and pergolas in lot coverage calculations.



To consider:

The Planning Commission can redefine what is included and not included in lot coverage.

- Buildings
- Accessory Buildings
- Garages (attached and unattached)
- Porch
- Deck
- Patio
- Balcony
- Covered Breezeway
- Driveways and parking pads
- Pools/Spas
- Steps
- Walkways to residence

By specifying what is and what is not included in lot coverage, it may/may not be necessary to increase the lot coverage maximum by 25%. This will only require a change to the definition of lot coverage.

Option 2: Increase Lot Coverage

The City's lot coverage maximum is 25% throughout all the single family and two-family residential districts. This maximum coverage standard is the same for the 15,000 square foot lot or a 6,000 square foot lot.

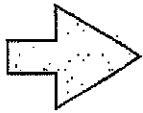
CIB Planning looked at a number of Southeast Michigan communities to compare requirements.

Lot Cover Maximum

Lot Size (square feet)	South Lyon	Northville	Birmingham	Ferndale	Green Oak Township
12,000	25%	35%			30%
10,000	25%	40%			
9,000			30%		
8,750	25%				
7,200		35%			30%
6,000	25%		30%	35%	

Some of the surveyed communities based their lot coverage on the zoning district while others based it on the parcel size(irrespective of the zoning district).

The cities of East Grand Rapids, Berkely, and Royal Oak all have a percentage maximum that applies to all residential properties, regardless of zoning district. These maximums range from 35% to 50%. This is similar to South Lyon's max coverage being the same percentage across all single and two-family residential districts, however the surveyed communities' percentage maximum is greater.



To consider:

1. Should the Planning Commission want to increase the percentage of lot coverage, how much of an increase? Should this apply to all single and two-family residential zoning districts?
2. Should a maximum percentage be based on the zoning district or the size of the existing lot?

Option 3: Lot Coverage and Impervious Coverage

Some communities have coverage standards for both lot coverage and impervious coverage, clearly defining and distinguishing between the two. This allows flexibility in coverage depending upon the structure(s) or improvement(s) on the parcel.

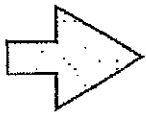
In making this distinction, one standard may apply to lot coverage and an additional standard for impervious coverage. For example: a community may allow a 25%

maximum lot coverage, but allow a 30% maximum impervious surface coverage. Green Oak Township has requirements for lot coverage and impervious cover.

The following are examples of definitions and distinctions:

Lot cover may be strictly defined as buildings and accessory buildings, while impervious cover may include buildings, accessory buildings plus driveways, porches, patios, decks, pools, walkways, etc.

Impervious cover may be defined as any structure, surface or improvement that reduces and/or prevents absorption of storm water into land. Porous paving, paver blocks, gravel, crushed stone, crushed shell, elevated structures (decks), and other similar structures, surfaces or improvements are considered impervious cover. Grass, lawns or any other vegetation are not considered impervious cover.



To consider:

What should be included in the definition of lot coverage and impervious cover?
(This will require definition changes as well as a new requirement of impervious surface be added to the Bulk Density, Height Requirements).

CIB Planning will further discuss lot coverage at the next Planning Commission meeting, February 9, 2017. Should you have any questions before that time, please do not hesitate to contact us.

Sincerely,

CIB PLANNING

Carmine P. Avantini, AICP

**CITY OF SOUTH LYON
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING**

NOTICE is hereby given that that the City of South Lyon Planning Commission will hold a Public Hearing on **Thursday, August 9th at 7:00 p.m.** at the South Lyon City Hall located at 335 S. Warren Street, South Lyon, Michigan to consider the following proposed Zoning Ordinance Amendment:

An Ordinance to amend the City of South Lyon Code of Ordinances, Article VII "Supplementary District Regulations", Division 2 "Height, Bulk, Density and Area Limitation", Sec 102-456 "Schedule Limiting height, bulk, density and area by zoning district" to the Maximum Percent of Lot Area Covered By All Buildings from 25% to 30% in the R1-A, R-1, R-2, R-3, RT, RM-1, RM-2, and RM-3 Districts.

An Ordinance to amend the City of South Lyon Code of Ordinances, Article VII "Supplementary District Regulations", Division 2 "Height, Bulk, Density and Area Limitation", Sec 102-456 "Schedule Limiting height, bulk, density and area by zoning district" to the Maximum Percentage of Lot Coverage of Impervious Surfaces to 35% in R1-A, R-1, R-2, R-3, RT, RM-1, RM-2, and RM-3 Districts.

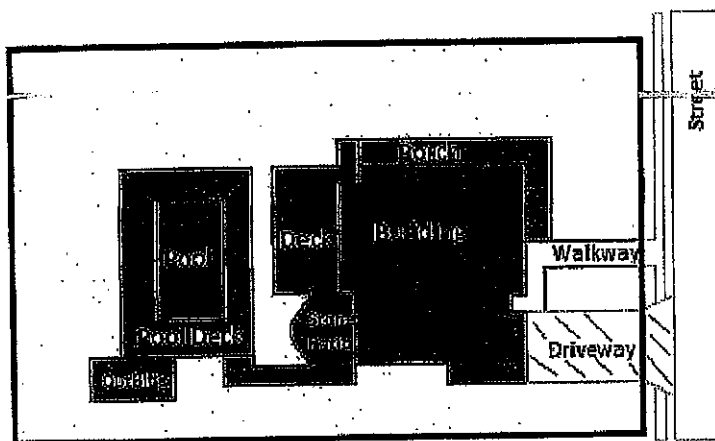
An Ordinance to amend the City of South Lyon Code of Ordinances, Article VII "Supplementary District Regulations", Division 2 "Height, Bulk, Density and Area Limitation", Sec 102-457 "Notes to Schedule of Regulations" to include subsection (o) "Impervious surfaces including, but not limited to: pools, un-enclosed decks, enclosed-decks, sheds, at-grade patios, raised patios, pergolas, and any other artificial structure covered by impervious materials such as asphalt, concrete, brick, and stone that limits infiltration and natural groundwater recharge."


All interested persons are invited to attend. Any comments can be directed to the Planning Commission at this public hearing and written comments may be submitted to the Clerk's Office at 335 S. Warren Street, South Lyon, Michigan 48178 until the close of business on the date of the public hearing.

The proposed Ordinance is available for inspection in the Clerk's Office at City Hall during regular business hours. For further information or to make arrangements for accessibility and impairment concerns, please contact the City Clerk at (248) 437-1735.

Lisa Deaton,
City Clerk
Published _____, 2018

Current



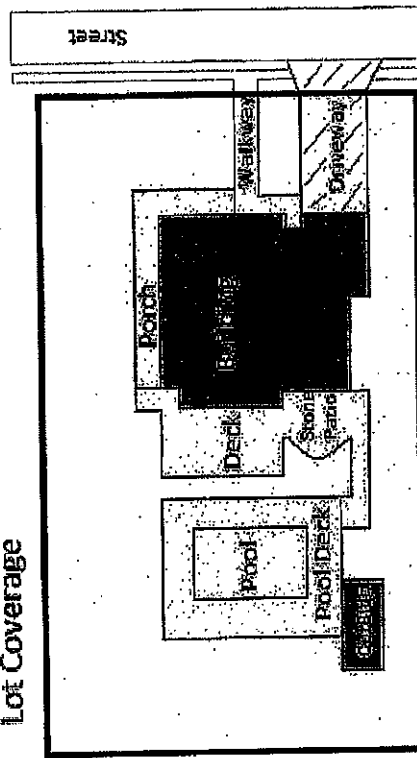
 Area counting as Building Coverage

Administrative Staff Research (Lot Coverage Analysis): Summary of Documents

- 1.) Comparative Review of Lot Coverage Standards by Community**
- 2.) Historical Review of Zoning Board of Appeals Cases**
- 3.) Spatial/Quantitative Review of Existing Lot Coverage within the City of South Lyon**

Proposed

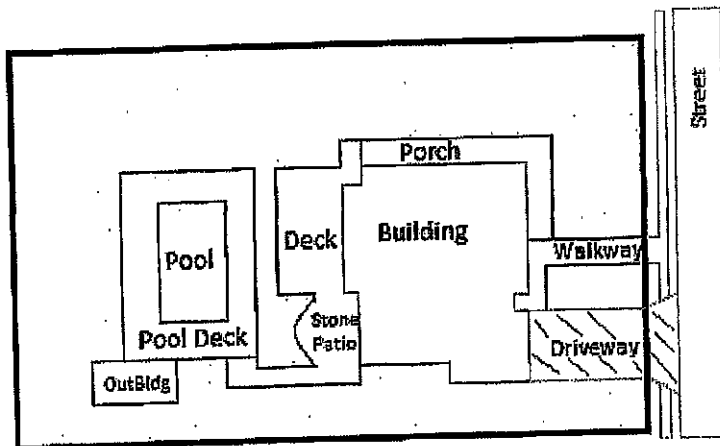
Lot Coverage



Area Counting As Building Coverage

Area Counting As Impervious Surface Coverage

Example

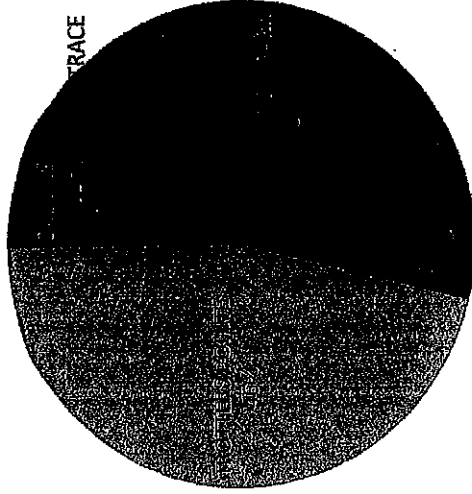


Community	Population	Density (sq mi)	R-1	R-2	R-3	RT	RM-1	RM-2	RM-3	MH Mobile Home
City of South Lyon	11,327	3,000	25%	25%	25%	25%	25%	25%	25%	30%
City of Novi	59,211	1,555	25%	25%	25%	25%	25%	45%	-	-
City of Wixom	13,498	1,400	25%	30%	30%	30%	30%	30%	-	-
Lyon Twp	14,545	352	20%	25%	25%	-	25%	25%	-	-
City of Pontiac	59,698	3,318	15%	25%	28%					
City of Fenton	11,756	1,613	30%	30%	30%	30%	35%	35%	-	-
City of Northville	14,541	3,344	30%	30%	35%	30%	50%	50%	30%	30%
Northville Twp	28,708	1,700	25%	25%	25%	-	20%	20%	-	-
City of Brighton	7,444	1,857	25%	25%	30%	25%	35%	40%	-	-
City of Farmington	10,372	3,900	25%	25%	40%	-	35%	35%	35%	-
City of Walled Lake	6,999	2,957	30%	30%	-	35%	35%	35%	35%	35%
City of Grand Blanc	8,276	2,197	25%	25%	25%	25%	25%	25%	25%	-
City of Saline	8,810	1,736	30%	30%	30%	30%	40%	40%	-	-
City of Plymouth	9,132	4,100	35%	-	-	30%	-	-	-	-
City of Howell	9,489	2,246	30%	30%	30%	30%	30%	30%	-	-
Village of Beverly Hills	10,267	2,600	-	-	-	-	30%	-	-	-
Holly Township	11,362	288	20%	20%	20%	20%	-	-	-	-
City of Clawson	11,825	5,787	35%	35%	35%	35%	30%	20%	-	-
City of Rochester	12,711	2,711	30%	30%	30%	30%	-	-	-	-
City of Berkley	14,970	5,700	35%	35%	35%	35%	35%	35%	35%	-
City of Hazel Park	16,422	5,800	35%	35%	40%	-	40%	40%	40%	-

Ave	16,732	2,770	28%	28%	30%	29%	32%	33%	32%	32
(+/-)	(5,405)	230.43	-2%	-3%	-5%	-4%	-7%	-8%	-7%	-2

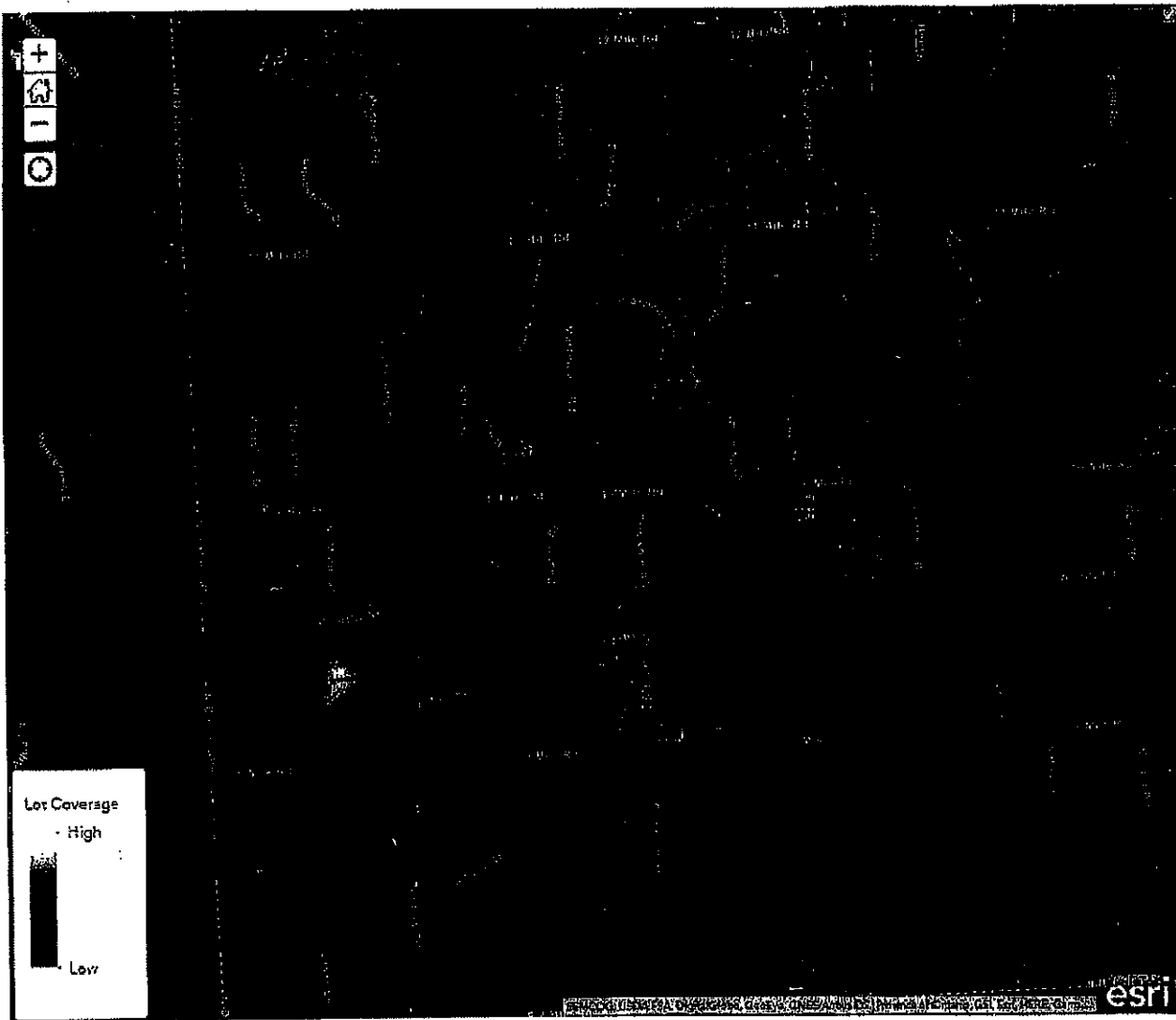
Location of Dimensional Variances Granted Approval to Max Lot Coverage Standard (2016-2018)

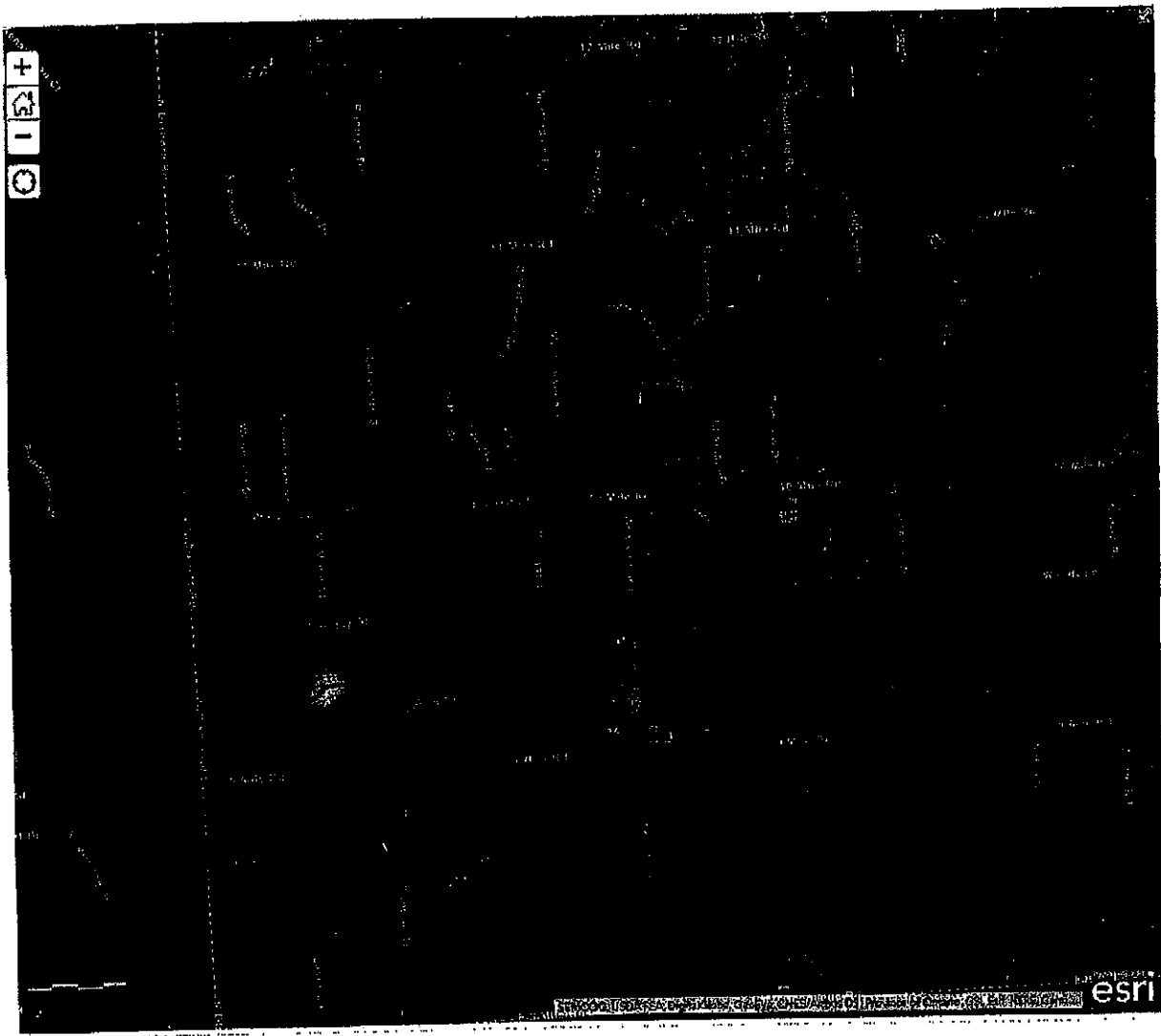
Case#:	Sub:
2017-004	CALKINS ADD
2018-002	CARRIAGE TRACE
ZBA 10-21-10	CHARLESTON PARK
ZBA 08-18-11	CHARLESTON PARK
2016-007	CHARLESTON PARK
2018-004	CHARLESTON PARK
2016-009	FRANK GIBSON
2016-006	TROTTERS POINTE
2017-001	TROTTERS POINTE
2017-006	TROTTERS POINTE
2017-007	TROTTERS POINTE
2018-003	TROTTERS POINTE
2018-005	TROTTERS POINTE

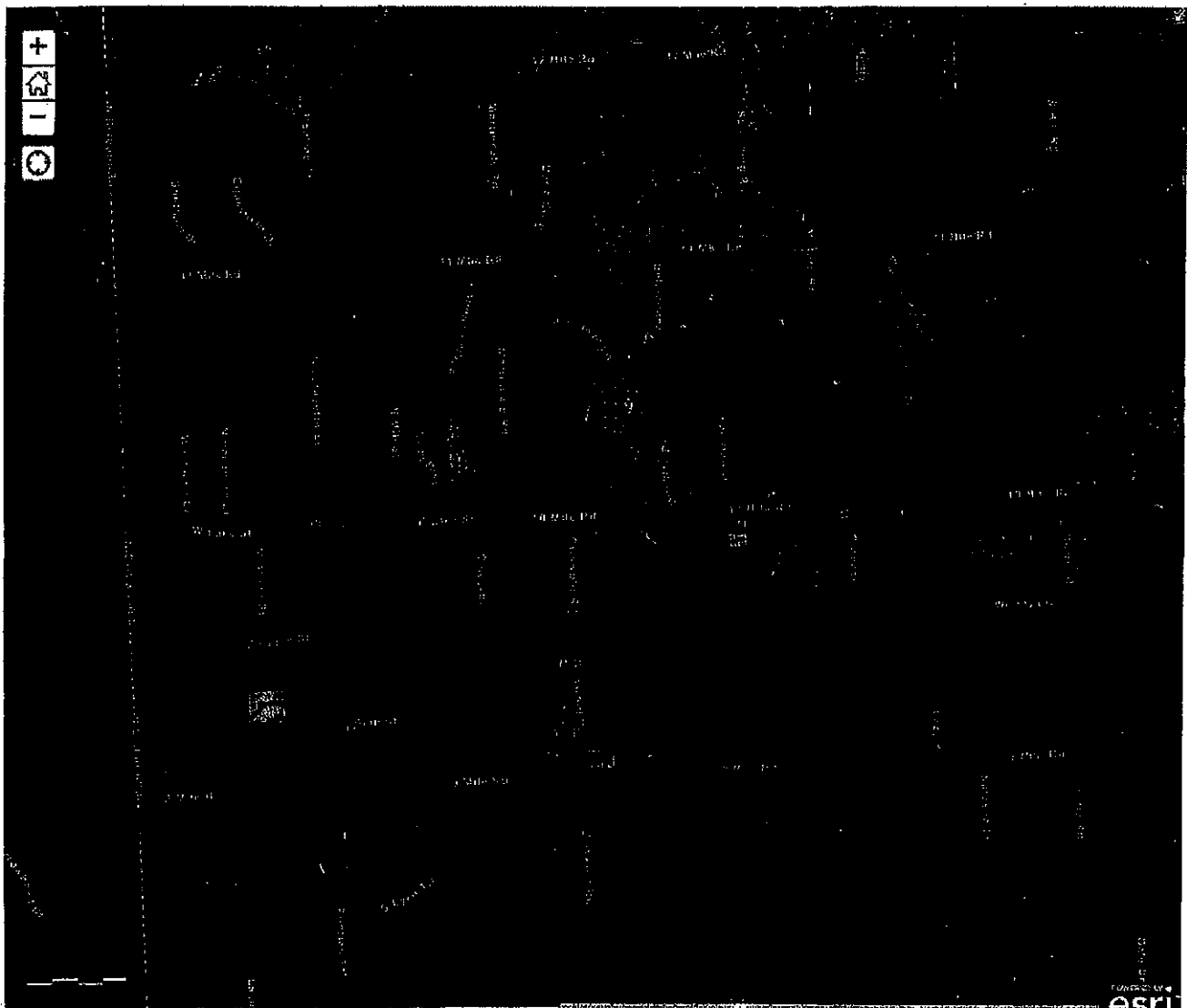


# of ZBA Cases over past two years	25
# of ZBA Cases w/% Max Standards	11
	44%
# of ZBA Cases Since 2010	71
# of ZBA Cases w/% Max Standards	13

Existing Lot coverage: Hot Spot Zones







Date:	Case#:	Address:	City	State	Zip	Request:	Variance % request resulting
1/21/2010	ZBA 10-21-10	217 Cuyahoga Ct.	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Area	15.00%
8/18/2011	ZBA 08-18-11	225 Cuyahoga Ct.	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Coverage	2.00%
8/18/2016	2016-006	1158 Chestnut Lane	South Lyon	MI	48178	Section 102-456: Lot Coverage	10.00%
9/15/2016	2016-007	439 Amelia Circle	South Lyon	MI	48178	Section 102-456: Lot Coverage	2.00%
12/15/2016	2016-009	301 Gibson	South Lyon	MI	48178	Section 102-456: Lot Coverage	7.00%
2/16/2017	2017-001	1137 Equestrian	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Coverage	3.24%
6/15/2017	2017-004	21-30-234-013	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Coverage	10.90%
8/17/2017	2017-006	1207 Corral Ln	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Coverage	6.86%
8/17/2017	2017-007	1102 Polo Dr	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Coverage	11.16%
4/19/2018	2018-002	1336 Buckboard Cir	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Coverage	8.00%
6/21/2018	2018-003	1123 Colt Dr	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Coverage	6.50%
7/19/2018	2018-004	146 Singh Blvd	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Coverage	3.50%
7/19/2018	2018-005	1168 Horseshoe Dr	South Lyon	MI	48178	Section 102-456: Maximum % of Lot Coverage	6.00%

Line	Altitude	Latitude	Longitude	Time	Speed	Direction	Remarks
1	100	30 00	150 00	1000	10	000	1000
2	100	30 00	150 00	1000	10	000	1000
3	100	30 00	150 00	1000	10	000	1000
4	100	30 00	150 00	1000	10	000	1000
5	100	30 00	150 00	1000	10	000	1000
6	100	30 00	150 00	1000	10	000	1000
7	100	30 00	150 00	1000	10	000	1000
8	100	30 00	150 00	1000	10	000	1000
9	100	30 00	150 00	1000	10	000	1000
10	100	30 00	150 00	1000	10	000	1000
11	100	30 00	150 00	1000	10	000	1000
12	100	30 00	150 00	1000	10	000	1000
13	100	30 00	150 00	1000	10	000	1000
14	100	30 00	150 00	1000	10	000	1000
15	100	30 00	150 00	1000	10	000	1000
16	100	30 00	150 00	1000	10	000	1000
17	100	30 00	150 00	1000	10	000	1000
18	100	30 00	150 00	1000	10	000	1000
19	100	30 00	150 00	1000	10	000	1000
20	100	30 00	150 00	1000	10	000	1000
21	100	30 00	150 00	1000	10	000	1000
22	100	30 00	150 00	1000	10	000	1000
23	100	30 00	150 00	1000	10	000	1000
24	100	30 00	150 00	1000	10	000	1000
25	100	30 00	150 00	1000	10	000	1000
26	100	30 00	150 00	1000	10	000	1000
27	100	30 00	150 00	1000	10	000	1000
28	100	30 00	150 00	1000	10	000	1000
29	100	30 00	150 00	1000	10	000	1000
30	100	30 00	150 00	1000	10	000	1000
31	100	30 00	150 00	1000	10	000	1000
32	100	30 00	150 00	1000	10	000	1000
33	100	30 00	150 00	1000	10	000	1000
34	100	30 00	150 00	1000	10	000	1000
35	100	30 00	150 00	1000	10	000	1000
36	100	30 00	150 00	1000	10	000	1000
37	100	30 00	150 00	1000	10	000	1000
38	100	30 00	150 00	1000	10	000	1000
39	100	30 00	150 00	1000	10	000	1000
40	100	30 00	150 00	1000	10	000	1000
41	100	30 00	150 00	1000	10	000	1000
42	100	30 00	150 00	1000	10	000	1000
43	100	30 00	150 00	1000	10	000	1000
44	100	30 00	150 00	1000	10	000	1000
45	100	30 00	150 00	1000	10	000	1000
46	100	30 00	150 00	1000	10	000	1000
47	100	30 00	150 00	1000	10	000	1000
48	100	30 00	150 00	1000	10	000	1000</

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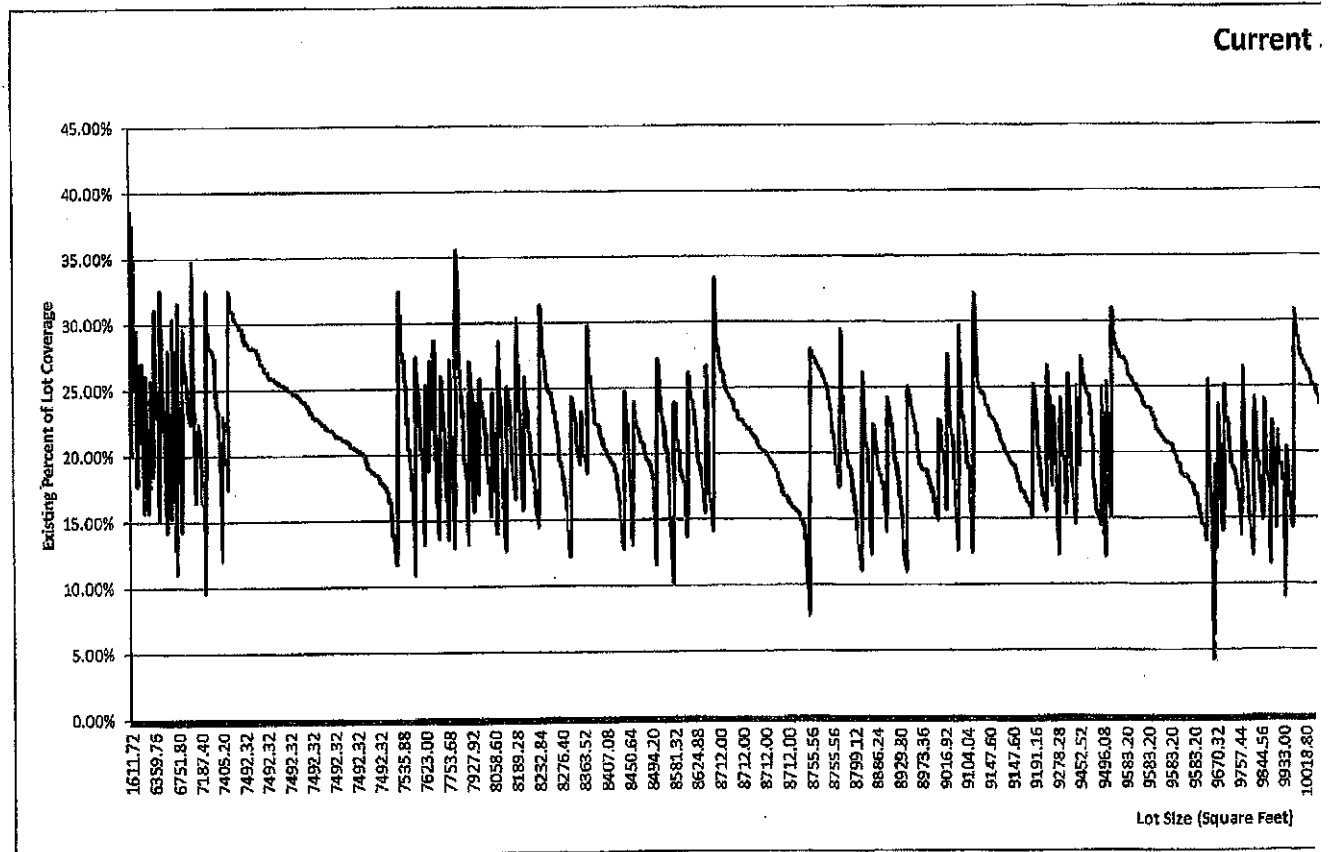
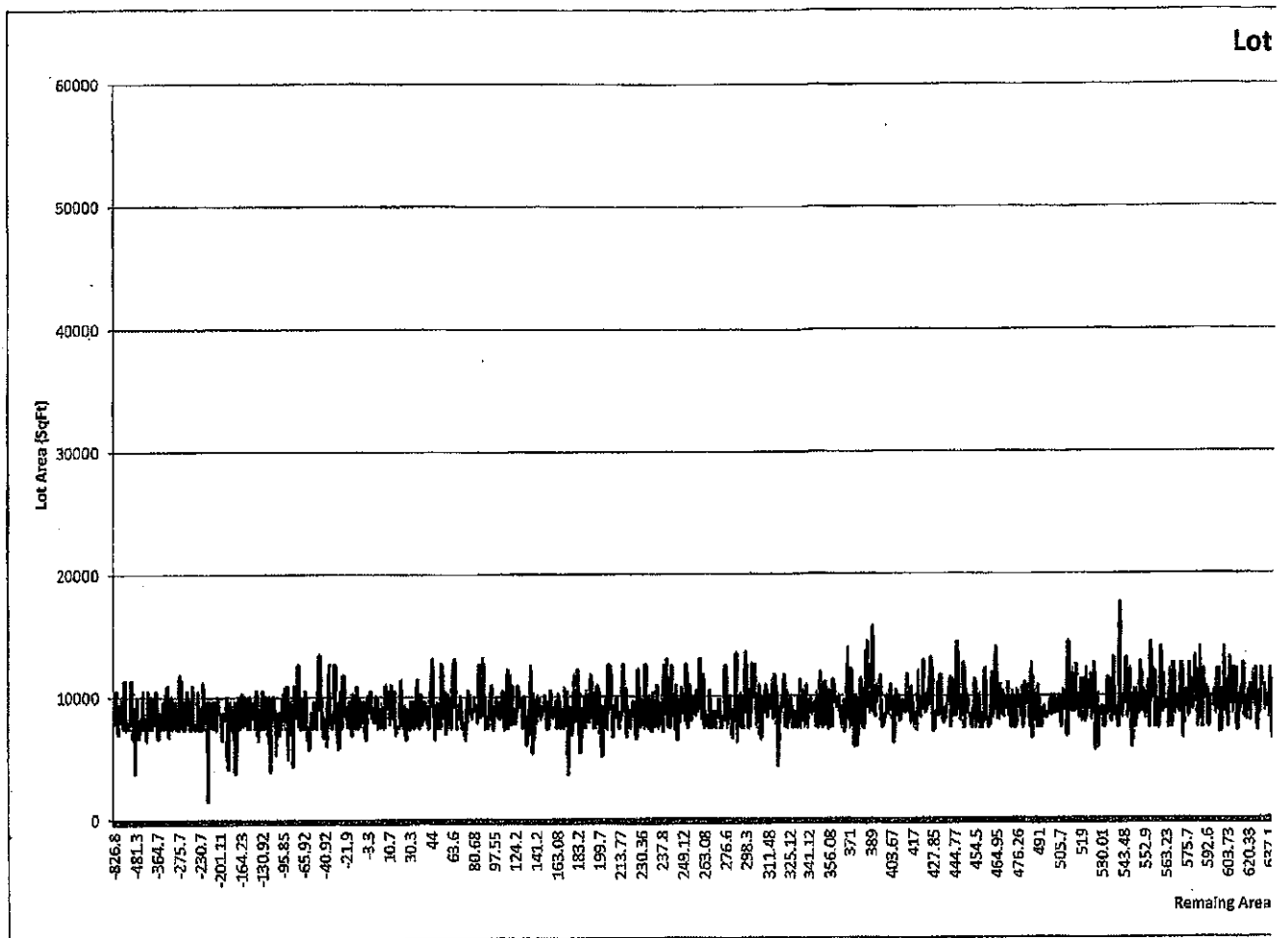
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Current:		
	#	Ave %
Total RES. w/25% or Greater Lot	283	11%
Total RES. Between 23-25%	228	9%
Total RES. Between 20-23%	476	19%
Total RES. Between 18-20%	414	16%
Total RES. Between 16-18%	374	15%
Total RES. Between 13-16%	407	16%
Total RES. Between 10-13%	234	9%
Total RES. Between 0-10%	139	5%
Total RES. Parcels	2543	

Properties by Development/Sub

Name	# of Units		Average Existing Coverage (%)		Average Lot Size (SqFt)	
TROTTERS POINTE	336	13%	20.57%	2%	10879.63	-10%
KNOLLS OF SOUTH LYON	22	1%	24.30%	6%	8811	-27%
CHARLESTON PARK	72	3%	22.70%	4%	10472.55	-13%
CARRIAGE TRACE	190	7%	17.29%	-1%	15898.84	32%
Other	2542	24%	18.53%		12026.84	



44112
24829.2
20473.2
19166.4
17816.04
16988.4
16117.2
15550.92
14810.4
14374.8
13939.2
13503.6
13068
13024.44
12632.4
12545.28
12196.8
12196.8
11761.2
11717.64
11325.6
11238.48
11020.68
10890
10715.76
10454.4
10454.4
10454.4
10236.6
10018.8
10018.8
10018.8
9975.24
9801
9583.2
9583.2
9583.2
9408.96
9191.16
9147.6
9060.48
8973.36
8886.24
8755.56
8712

Date:	Case#:	Address:	City	State	Zip	Request:	Variance % requested	Lot Coverage	Description
1/21/2010	ZBA 01-21-10	432 Washington St	South Lyon	MI	48178	Section 102-456:	-	-	To allow
1/21/2010	ZBA 10-21-10	217 Cuyahoga Ct.	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	15.00%	40.00%	Seeking
4/21/2011	ZBA 04-21-11	564 Clarks Ct.	South Lyon	MI	48178	Section 18-639 (a): Refrigeration equipment	-	-	The app
4/21/2011	ZBA 10-21-11	237 Winchester	South Lyon	MI	48178	Section 18-135: Fence Setback	-	-	The app
6/16/2011	ZBA 06-16-11	472 Princeton	South Lyon	MI	48178	Section 102-108: Deck Setback	-	-	The app
6/16/2011	ZBA 06-16-11	472 Princeton	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	The app
7/21/2011	ZBA 07-21-11	214 Easton	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	The app
8/18/2011	ZBA 08-18-11	225 Cuyahoga Ct.	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	2.00%	27.00%	The app
9/15/2011	ZBA 09-15-11	Princeton Drive	South Lyon	MI	48178	Section 70-6: Entranceway Sign Location	-	-	The app
4/19/2012	ZBA 04-19-12	300 Dorothy St	South Lyon	MI	48178	Section 70-6 (b): Sign Height	-	-	The City
8/16/2012	ZBA 08-16-12	1132 Polo Drive	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	The app
8/16/2012	ZBA 08-16-12	411 Dorothy	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	The app
8/16/2012	ZBA 08-16-12	411 Dorothy	South Lyon	MI	48178	Section 102-456: Side yard setback	-	-	The app
8/16/2012	ZBA 08-16-12	330 Reese St	South Lyon	MI	48178	Section 102-456: Front yard setback	-	-	The app
8/16/2012	ZBA 08-16-12	550 N Mill St	South Lyon	MI	48178	Section 102-457 (k): Maximum overall Height	-	-	The app
8/16/2012	ZBA 08-16-12	550 N Mill St	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	The app
9/20/2012	ZBA 09-20-12	1318 Buckboard Cir	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	Rear ya
9/20/2012	ZBA 09-20-12	1132 Cantor	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	7' Rear
10/18/2012	ZBA 10-18-12	550 N Mill St	South Lyon	MI	48178	Section 102-457 (k): Maximum overall Height	-	-	The app
10/18/2012	ZBA 10-18-12	550 N Mill St	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	The app
6/20/2013	2013-002	783 Westbrooke Dr	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	Applica
6/20/2013	2013-003	1011 Oxford	South Lyon	MI	48178	Section 102-431: Maximum square footage fi	-	-	96 sqft
7/15/2013	2013-004	1132 Polo Drive	South Lyon	MI	48178	Section 102-456: Rear yard setback	-	-	The app
8/15/2013	2013-005	304 East Lake	South Lyon	MI	48178	Section 102-456: Front yard setback	-	-	Porch-1
10/17/2013	2013-006	428 Ada St.	South Lyon	MI	48178	Section 102-431: Maximum square footage fi	-	-	To allow
12/19/2013	2013-007	264 Gibson St.	South Lyon	MI	48178	Section 102-108: Deck Setback	-	-	The rec
1/16/2014	2013-007	264 Gibson St.	South Lyon	MI	48178	Section 102-108: Deck Setback	-	-	The rec
7/14/2014	2014-001	1264 Buckboard Cir	South Lyon	MI	48178	Section 102-108: Deck Setback	-	-	8' Priv
5/21/2015	2015-001	649 Covington	South Lyon	MI	48178	Section 18-135: Front yard Setback	-	-	6' Priv
6/18/2015	2015-001	649 Covington	South Lyon	MI	48178	Section 18-135: Front yard Setback	-	-	Varian
6/18/2015	2015-002	640 S Lafayette	South Lyon	MI	48178	Section 70-76(3): Additional sign standards fi	-	-	Varian
7/16/2015	2015-003	420 Lyon Court	South Lyon	MI	48178	Section 102-431: Maximum square footage fi	-	-	Varian
7/16/2015	2015-004	676 Center Ridge	South Lyon	MI	48178	Section 102-431: Maximum square footage fi	-	-	The ap
8/20/2015	2015-005	475 Washington	South Lyon	MI	48178	Use Variance	-	-	A Sign
2/25/2016	2015-006	600 N Lafayette	South Lyon	MI	48178	Section 70-6 (c)(1): Sign Dimensional Stand	-	-	The ap
2/25/2016	2015-007	203 University	South Lyon	MI	48178	Section 102-155: Nonconforming Lots	-	-	A Sign
3/17/2016	2015-006	600 N Lafayette	South Lyon	MI	48178	Section 70-6 (c)(1): Sign Dimensional Stand	-	-	The ap
5/19/2016	2016-002	330 Reese St	South Lyon	MI	48178	Section 102-456: Front yard setback	-	-	The ap
5/19/2016	2016-002	330 Reese St	South Lyon	MI	48178	Section 102-456 (j): Parking Setback	-	-	The ap
5/19/2016	2016-003	415 N Lafayette	South Lyon	MI	48178	Section 102-456 (k): Setback	-	-	The ap
7/21/2016	2016-005	204 W Liberty St	South Lyon	MI	48178	Section 18-135(a): Fence Setback (Rear & Sid	-	-	The ap
7/21/2016	2016-005	204 W Liberty St	South Lyon	MI	48178	Section 18-135(b): Fence Setback (Front Yard	-	-	The ap
7/21/2016	2016-004	600 N Lafayette	South Lyon	MI	48178	Section 70-6(c)(1): Sign Area	-	-	The ap
7/21/2016	2016-004	600 N Lafayette	South Lyon	MI	48178	Section 70-5(f)(2): Permitted Sign	-	-	The ap
8/18/2016	2016-004	600 N Lafayette	South Lyon	MI	48178	Section 70-6(c)(1): Sign Area	-	-	The ap
8/18/2016	2016-004	600 N Lafayette	South Lyon	MI	48178	Section 70-5(f)(2): Permitted Sign	-	-	The ap
8/18/2016	2016-006	1158 Chestnut Lane	South Lyon	MI	48178	Section 102-456: Lot Coverage	10.00%	95.00%	The ap
9/15/2016	2016-007	439 Amelle Circle	South Lyon	MI	48178	Section 102-456: Lot Coverage	2.00%	27.00%	The ap
9/15/2016	2016-004	600 N Lafayette	South Lyon	MI	48178	Section 70-6(c)(1): Sign Area	-	-	The ap
9/15/2016	2016-004	600 N Lafayette	South Lyon	MI	48178	Section 70-5(f)(2): Permitted Sign	-	-	The ap
10/20/2016	2016-008	110 University Ave	South Lyon	MI	48178	Section 18-135(b): Fence Setback (Front Yard	-	-	The ap
10/20/2016	2016-008	110 University Ave	South Lyon	MI	48178	Section 18-135 (c): Fence Height	-	-	The ap
12/15/2016	2016-009	301 Gibson	South Lyon	MI	48178	Section 102-456: Lot Coverage	7.00%	32.00%	The ap
12/15/2016	2016-010	201 N Lafayette	South Lyon	MI	48178	Section 102-477(9): Off Street Parking Space La	-	-	The a
12/15/2016	2016-010	201 N Lafayette	South Lyon	MI	48178	Section 102-477(9): Off Street Parking Space	-	-	Withi
12/15/2016	2016-010	201 N Lafayette	South Lyon	MI	48178	Section 102-491(5)(a): Plant materials and la	-	-	The a
12/15/2016	2016-010	201 N Lafayette	South Lyon	MI	48178	Section 102-491(4)(a): Plant materials and la	-	-	The a
2/16/2017	2017-001	1137 Equestrian	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	3.24%	28.34%	The a
2/16/2017	2017-001	1137 Equestrian	South Lyon	MI	48178	Section 102-108: Deck Setback	-	-	The a
2/16/2017	2017-002	1174 Gentry	South Lyon	MI	48178	Section 102-108: Deck Setback	-	-	The a
5/18/2017	2017-003	719 S Lafayette	South Lyon	MI	48178	Section 102-477(9): Off Street Parking Space	-	-	The a
6/15/2017	2017-004	21-30-234-013	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	10.90%	35.90%	The a
6/15/2017	2017-004	21-30-234-013	South Lyon	MI	48178	Section 102-456: Side yard setback	-	-	The a
8/17/2017	2017-006	1207 Corral Ln	South Lyon	MI	48178	Section 102-108: Deck Setback	-	-	The a
8/17/2017	2017-006	1207 Corral Ln	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	6.86%	31.86%	The a
8/17/2017	2017-007	1102 Polo Dr	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	11.16%	36.16%	The a
9/21/2017	2017-008	220 N Mill St	South Lyon	MI	48178	Section 102-457 (k): Maximum overall Height	-	-	The a
4/19/2018	2018-002	1336 Buckboard Cir	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	8.00%	32.00%	The a
6/21/2018	2018-003	1123 Colt Dr	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	6.50%	31.50%	The a
7/19/2018	2018-004	146 Singh Blvd	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	3.50%	28.50%	The a
7/19/2018	2018-005	1168 Horseshoe Dr	South Lyon	MI	48178	Section 102-456: Maximum % of lot coverage	6.00%	31.00%	The a

Sec. 102-3. - Definitions.

The following words, terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory use or *accessory* means a use which is clearly incidental to, customarily found in connection with, and located on the same zoning lot, unless otherwise specified, as the principal use to which it is related. When "accessory" is used in this text, it shall have the same meaning as accessory use. An accessory use includes, but is not limited to, the following examples:

- (1) Residential accommodations for servants and/or caretakers.
- (2) Outdoor swimming pools, hot tubs and saunas for the use of the occupants of a residence, or their guests.
- (3) Domestic or agricultural storage in a barn, shed, tool room or similar accessory building or other structure.
- (4) A newsstand primarily for the convenience of the occupants of a building, which is located wholly within such building and has no exterior signs or displays.
- (5) Storage of merchandise normally carried in stock in connection with a business or industrial use, unless such storage is excluded in the applicable district regulations.
- (6) Storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations.
- (7) Accessory off-street parking spaces, open or enclosed, subject to the accessory off-street parking regulations for the district in which the zoning lot is located.
- (8) Uses clearly incidental to a main use such as but not limited to: offices of an industrial or commercial complex located on the site of the commercial or industrial complex.
- (9) Accessory off-street loading, subject to the off-street loading regulations for the district in which the zoning lot is located.
- (10) Accessory signs, subject to the sign regulations for the district in which the zoning lot is located.
- (11) Common household gardening in a residential district when located only in the rear yard and/or nonrequired side yard areas.
- (12) Solar panels, wind generators, television reception antenna and air conditioning units.

Alley means any dedicated public way affording a secondary means of access to abutting property, and not intended for general traffic circulation.

Alterations means any change, addition or modification in construction or type of occupancy, or in the structural members of a building such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed."

Apartments means a suite of rooms in a multiple-family building arranged and intended for a place of residence of a single family or a group of individuals living together as a single housekeeping unit.

Apartment, efficiency means a dwelling unit consisting of not more than one room in addition to kitchen, dining and necessary sanitary facilities.

Arcade means a building or structure, or any part thereof, which is devoted to the commercial use of amusement devices, pinball machines, electronic tables featuring pool, billiards, bowling, basketball, football, or the like, or electronic games of skill or dexterity utilizing videotapes or video screen or TV adaptations, etc., automatic sport devices or tables or similar activities for hire, or for amusement.

Architectural features means steps, window sills, belt courses, brick and/or wrought iron wing walls, chimneys, architraves, pediments.

Automobile repair, major means the general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; and painting of automobiles.

Automobile repair, minor means repairs other than major repair including engine tune-up, muffler shops, shock absorber replacement shops, undercoating shops and tire stores.

Basement means that portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story.

Bed and breakfast operations means a use which is subordinate to the principal use of a dwelling unit as a single-family dwelling unit and a use in which transient guest are provided a sleeping rooms and board in return for payment.

Berm, obscuring means an earthen mound of definite height and location to serve as an obscuring device in carrying out the requirements of this chapter.

Block means the property abutting one side of a street and lying between the two nearest intersecting streets (crossing or terminating), or between the nearest such street and railroad right-of-way, unsubdivided acreage, lake, river or live stream; or between any of the foregoing and any other barrier to the continuity of development, or corporate boundary lines of the municipality.

Board means the zoning board of appeals as established under this chapter.

Building means any structure, either temporary or permanent, having a roof supported by columns or walls, and intended for the shelter, or enclosure of persons, animals, chattels, or property of any kind.

Building height means the vertical distance from the established sidewalk grade at the center of the front of the building to the highest point of the roof surface of a flat roof, to the deck line for mansard roof and the mean height between the eaves and the ridge for gable, hip and gambrel roofs. Penthouses, towers cupolas, steeples and antennas used only for mechanical operation of the building shall not be included as the height of the building. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

Building line means a line formed by the face of the building, and for the purposes of this chapter, a minimum building line is the same as a front setback line.

Building, main or principal means a building in which is conducted the principal use of the lot on which it is situated.

Care center dependent housing means housing units for elderly or infirmed adult persons that provide living and sleeping space with a central kitchen and dining facility.

Care center independent housing means housing units for elderly or infirmed adult persons that provide all facilities for independent living in a self sufficient manner.

Club means an organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit.

Collector street (secondary thoroughfare) means a street used primarily to carry traffic from minor (local) streets to major thoroughfares.

Condominium subdivision plan means the site, survey and utility plans; floor plans; and sections, as appropriate, showing the existing and proposed structures and improvements including the location thereof on the land.

Condominium subdivision (site condominium) means a method of subdivision where land ownership of sites is regulated by the Condominium Act (P.A. 59 of 1978 as amended, MCL 559.101) as opposed to the Subdivision Control Act of 1967 (MCL 560.101).

Condominium subdivision shall be equivalent to the term subdivision as used in this chapter and chapter 86.

Convalescent or nursing home means a structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and limited medical care.

Day care center means a group facility for more than six children which gives care to children away from their homes.

Day care home (family) means a one-family dwelling which receives not more than six children for care during the day.

Day care home for elderly adults means a one-family dwelling which receives not more than six elderly or infirmed adults, for care during the day.

Day care home (group) means a one-family dwelling which receives not more than 12 children for care during the day.

Development means the construction of a new building or other structure on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for a new use.

District means a portion of the incorporated area of the municipality within which certain regulations and requirements or various combinations thereof apply under the provisions of this chapter.

Drive-in means an establishment where food, frozen desserts or beverages are sold to the customers in a ready-to-consume state and where the customer consumes food, frozen desserts or beverages in an automobile parked upon the premises or at other facilities provided for customers which are located outside the building.

Drive-through means an establishment so developed that some portion of its retail or service character is dependent upon providing a driveway approach and staging area specifically designed for motor vehicles so as to serve patrons while in their motor vehicles, rather than within a building or structure, for carrying out and consumption or use after the vehicle is removed from the premises.

Dwelling, multiple-family means a building, or a portion thereof, designed exclusively for occupancy by three or more families living independently of each other.

Dwelling, one-family means a building designed exclusively for and occupied exclusively by one family.

Dwelling, two-family means a building designed exclusively for occupancy by two families living independently of each other.

Dwelling density or dwelling unit density means total land area of all phases of a project created under the open space option, cluster housing option, or multiple family developments as set forth herein excluding any existing road rights-of-way and wetlands, divided by the number of units.

Dwelling unit means a building, or portion thereof, designed for occupancy by one family for residential purposes and having cooking facilities.

Elderly housing, dependent means a multiple-family housing form with central dining facilities provided as a basic service to each dwelling unit. Each dwelling unit may not contain cooking facilities, but must contain sanitary facilities.

Elderly housing, independent means a multiple-family housing form with full facilities for self-sufficiency in each individual dwelling unit.

Erected. Built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for construction, excavation, fill, drainage and the like shall be considered a part of erection.

Essential services means the erection, construction, alteration or maintenance of railroads, public utilities or municipal departments of underground, surface, or overhead gas, electrical, steam, fuel or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals and hydrants in connection herewith, but not including buildings which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety or welfare.

Excavation means any breaking of ground, except common household gardening and ground care.

Family means a single individual or individuals, domiciled together whose relationship is of a continuing, nontransient, domestic character and who are cooking and living together as a single, nonprofit housekeeping unit, but not including any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose relationship is of a transitory or, seasonal nature or for anticipated limited duration of school terms, rental period, or other similar determinable period of time.

Farming means the carrying on of any agricultural activity or the raising of livestock or small animals as a source of income.

Fence means a manmade structure constructed for the purpose of or to have the effect of enclosing the area it is constructed upon.

Fence, ornamental means a manmade structure the surface area of which is more than 75 percent open. Ornamental fences do not include chainlink fences or fences of wire construction.

Floor area, residential. For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two dwellings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches.

Floor area, usable means, for the purposes of computing parking, that area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways or for utilities or sanitary facilities, shall be excluded from this computation of "usable floor area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

FLOOR AREA

Garage, private means an accessory building or portion of a main building designed or used solely for the storage of motor-driven vehicles, boats and similar vehicles and such other lawn and home care equipment owned and used by the occupant of the building to which it is accessory.

Garage sale means any sale of personal effects, jewelry, or household items, furnishings and equipment belonging to the owner or occupant of the property held in any district by the owner, occupant or his personal representative.

Gasoline service station means a place for the dispensing, sale or offering for sale of motor fuels directly to users of motor vehicles, together with the sale of minor accessories and services for motor vehicles but not including major automobile repair.

Grade means the ground elevation established for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

Greenbelt means a planting of trees and shrubs to serve as a screening device between abutting land uses.

Guarantee means a cash deposit, certified check, irrevocable bank letter of credit, or such other instrument acceptable to the city.

Hardship means situations created by circumstances unique to an individual property that do not generally occur to land or buildings in the neighborhood or zoning district of the property in question and which circumstances make the use of such property infeasible under conditions imposed by the zoning ordinance. Hardship shall not include personal or financial hardship or economic disadvantage nor shall it constitute circumstances that are self-created.

Home occupation means an occupation carried on by an occupant of a dwelling unit as a secondary use which is clearly subservient to the use of the dwelling for residential purposes.

Hospice means a lodging place for the ill where persons are housed and furnished meals and attendant care.

Hotel means a building or part of a building, with a common entrance, or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and in which one or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial, or desk service, and bellboy service. A hotel may include a restaurant or cocktail lounge, public banquet halls, ballrooms or meeting rooms.

Improvements means those features and actions associated with a project which are considered necessary by the municipality to protect natural resources or the health, safety and welfare of the residents of the city, and future uses or inhabitants of the proposed project or project area, including parking areas, landscaping, roadways, lighting, utilities, sidewalks, screening and drainage. Improvements do not include the entire project which is the subject of zoning approval.

Junk yard means an area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled including but not limited to: scrap iron and other metals, paper, rags, rubber tires and bottles. A "junk yard" includes automobile wrecking yards and includes any open area of more than 200 square feet for storage, keeping or abandonment of junk.

Kennel, commercial means any lot or premises on which three or more dogs, cats or other household pets are either permanently or temporarily boarded or bred and raised for remuneration.

Loading space means an off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

Local street means a street of limited continuity used primarily for access to abutting properties.

Lot means a parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this chapter. A lot may or may not be specifically designated as such on public records. Lot shall mean the same as homesite and condominium unit in site condominium developments.

Lot area means the total horizontal area within the lot lines of the lot.

Lot, corner means a lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this chapter if the arc is of less radius than 150 feet and the tangents to the curve, at the two points where the lot lines meet the curve or the straight street line extended, form an interior angle of less than 135 degrees.

DOUBLE FRONTAGE, INTERIOR AND CORNER LOTS

Lot coverage means the part or percent of the lot occupied by buildings including accessory buildings and including but not limited to: patios, decks, pools and similar structures.

Lot depth means the horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

Lot, interior means any lot other than a corner lot.

Lot lines means the lines bounding a lot as defined herein:

- (1) *Front lot line* means, in the case of an interior lot, that line separating said lot from the street. In the case of a through lot, or corner lot, means that line separating said lot from each street.
- (2) *Rear lot line* means that lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long lying farthest from the front lot line and wholly within the lot.
- (3) *Side lot line* means any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is a exterior side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

Lot of record means a parcel of land, the dimensions of which are shown on a document or map on file with the county register of deeds or in common use by municipal or county officials, and which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.

Lot, through means any interior lot having frontage on two or more or less parallel streets as distinguished from a corner lot. All yards of said lots adjacent to streets shall be considered frontage, and front yard setbacks shall be provided as required.

Lot width means the horizontal straight line distance between the side lot lines, measured between the two points where the front setback line intersects the side lot lines.

Lot, zoning means a single tract of land, located within a single block which, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control.

A zoning lot shall satisfy this chapter with respect to area, size, dimensions and frontage as required in the district in which the zoning lot is located. A zoning lot, therefore, may not coincide with a lot of record as filed with the county register of deeds, but may include one or more lots of record.

LOT WIDTH AND SETBACK

Main building means a building in which is conducted the principal use of the lot upon which it is situated.

Main use means the principal use to which the premises are devoted and the principal purpose for which the premises exist.

Major thoroughfare means an arterial street which is intended to serve as a large volume trafficway for both the immediate municipal area and the region beyond, and is designated as a major thoroughfare, parkway, freeway, expressway or equivalent term on the major thoroughfare plan to identify those streets comprising the basic structure of the major thoroughfare plan.

Master plan means the comprehensive community plan including graphic and written proposals indicating the general location for streets, parks, schools, public buildings and all physical development of the municipality, and includes any unit or part of such plan, and any amendment to such plan or parts thereof.

Mechanical amusement device means any machine or device which, upon the insertion of a coin, currency, slug, token, plate or disc, operates or may be operated as a game of contest of skill or amusement when the element of skill in such operation predominates over chance or luck. It shall include mechanical, electrical, or electronic video games, mechanical grabbing devices, pinball games, mechanical, electrical, or electronic baseball, football, basketball, hockey and similar sports-type games, mechanical, electrical, or electronic card games, shooting games, target games, or any other machine, device or apparatus which may be used as a game of skill and wherein the player initiates, employs or directs any force generated by such machine, including all games of chance authorized by the State of Michigan.

Mezzanine means an intermediate floor in any story occupying not less than one-third of the floor area of such story.

BASIC STRUCTURAL TERMS

Mini storage units means storage buildings for lease to the general public for storage of personal and household effects and for dry storage of office and business effects not including the warehousing of products or supplies.

Mobile home means any building or structure, transportable in one or more sections, which is built on a chassis and designed to be sold as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in the structure. Mobile home does not include recreational equipment.

Mobile home park means a parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual nonrecreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home and those regulated by the State of Michigan Mobile Home Commission.

Motel means a series of attached, semi-detached or detached rental units containing a bedroom, bathroom and closet space. Units shall provide for overnight lodging and are offered to the public for compensation, and shall cater primarily to the public traveling by motor vehicle. This definition does not include apartments.

Municipality means the City of South Lyon, Michigan.

Nonconforming structure means a structure or portion thereof lawfully existing at the effective date of the ordinance from which this chapter is derived, or amendments thereto, and that does not conform to the provisions of the chapter in the district in which it is located.

Nonconforming use means a use which lawfully occupied a building or land at the effective date of ordinance from which this chapter is derived, or amendments thereto, and that does not conform to the use regulations of the district in which it is located.

Nonconforming use or structure, class A means a nonconforming use or structure which has been designated to be allowed to be perpetuated and improved under the provisions of this chapter.

Nonconforming use or structure, class B means a nonconforming use or structure which has been designated to be allowed to be continued within the restricted provisions of this chapter.

Nuisance factors means an offensive, annoying, unpleasant or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things, such as, but not limited to:

- (1) Noise;
- (2) Dust;
- (3) Smoke;
- (4) Odor;
- (5) Glare;
- (6) Fumes;
- (7) Flashes;
- (8) Vibration;
- (9) Shock waves, heat;
- (10) Electronic or atomic radiation;
- (11) Objectionable effluent;
- (12) Noise of congregation of people, particularly at night;
- (13) Passenger traffic;
- (14) Invasion of nonabutting street frontage by traffic;
- (15) A burned structure;
- (16) A condemned structure.

Nursery, plant materials means a space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this chapter does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

Nursery school means a facility which has as its main objective a development program for pre-school children and whose staff meets the educational requirements established by the state.

Nursing home. See definition of *Convalescent home*.

Off-street parking lot means a facility providing off-street vehicular parking spaces and drives or aisles for the parking of more than three vehicles.

Open storage means the storage of any materials or objects outside the confines of a building.

Parking means, for the purpose of this chapter, the parking of a motor vehicle for short duration, and possessing the element of a vehicle in use, being temporarily parked or placed until it is about to be again put into service or use. Temporary for the purpose of this definition shall be measured by hours or at most by not more than three days.

Parking space means an area of definite length and width; said area shall be exclusive of drives, aisles or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles.

Performance standards means criteria developed to control nuisance factors.

Pet means a domesticated animal kept, other than for commercial use, as a companion, for protection, or play.

Planned commercial center means a business development consisting of two or more retail outlets characterized by a unified grouping of stores, under common architecture, served by a common circulation and parking system.

Planned development (PD) means a specific parcel of land or several contiguous parcels of land, under single ownership and control, for which a comprehensive physical plan has been developed establishing functional use areas, density patterns, and a fixed system of streets, provisions for public utilities, drainage and other essential services, all in accord with the South Lyon Master Plan, and subject to review and approval by the planning commission and city council and which has been, or will be, developed in full accordance with the approved plan.

Plot plan means a plan drawn for use in applying for a building permit as required by this chapter.

Principal use means the main use to which the premises are devoted and the principal purpose for which the premises exist.

Public utility means a person, firm, or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

Recreational equipment means travel trailers, pick-up campers or coaches, motorized dwellings, tent trailers, boats, and boat trailers, snowmobiles, horse trailers, dune buggies, and other similar equipment and conveyances.

Room. For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom, equal to at least 80 square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage.

Plans presented showing one-, two- or three-bedroom units and including a "den," "library" or other extra room shall count such extra room as a bedroom for the purpose of computing density.

Satellite earth station means a structure designed, intended or used to receive communications or other signals from geostationary, communications satellites or other extraterrestrial sources.

Setback means the distance required to obtain minimum front, side or rear yard open space provisions of this chapter. Setbacks for buildings shall be measured from the foundation wall.

Sign definitions. The following definitions (1) through (8) are related to signs:

- (1) *Sign* means any announcement, declaration, display, billboard, illustration and insignia when designed and placed so as to attract general public attention. Such shall be deemed to be a single sign whenever the proximity, design, content or continuity reasonably suggests a single unit, notwithstanding any physical separation between parts. "Sign" shall include any banner, bulbs or other lighting devices, streamer, pennant, inflated or deflated membrane device, propeller, flag (other than the official flag of any nation or state) and any similar device of any type or kind whether bearing lettering or not.
- (2) *Accessory sign* means a sign which pertains to the principal use of the premises.
- (3) *Sign area* means the gross surface area within a single continuous perimeter enclosing the extreme limits of a sign, and in no case passing through or between any adjacent elements of same. Such perimeter shall not include any structural or framing elements, lying outside the limits of such sign, and not forming an integral part of the display. For computing the area of any wall sign which consists of letters mounted or painted on a wall, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all the letters and descriptive matter.
- (4) *Billboard* means a nonaccessory sign used for outdoor advertising purposes.
- (5) *Ground sign* means a permanent display sign supported by one or more columns, uprights or braces or mounted directly in and upon the ground surface and having a height not in excess of five feet.
- (6) *Nonaccessory sign* means a sign which does not pertain to the principal use of the premises.
- (7) *Pylon sign* means a display sign supported by one or more columns, uprights or braces in the ground surface and having a height in excess of five feet.
- (8) *Wall sign* means a display sign which is painted on or attached directly to the building wall.

Single housekeeping unit means all of the associated rooms in a dwelling unit available to and occupied by all of the occupants with an single set of cooking facilities also available to and utilized by all of the occupants of the dwelling unit.

Site condominium definitions. The following definitions (1) through (12) are related to site condominiums:

- (1) *Condominium Act* means Act 59, Public Acts of 1978, as amended.
- (2) *Condominium documents* means the master deed, recorded pursuant to the Condominium Act, and any other instrument referred to in the master deed or bylaws which affects the rights and obligations of a co-owner in the condominium.
- (3) *Condominium subdivision plan* means the drawings and information prepared in accordance with section 66 of the Condominium Act.
- (4) *Condominium unit* means the portion of a condominium project designed and intended for separate ownership and use, as described in the master deed.
- (5) *Condominium master deed* means the final amended master deed for a contractible or expandable condominium project, or a condominium project containing convertible land or convertible space, which final amended master deed fully describes the condominium project as completed.
- (6) *Contractible condominium* means a condominium project from which any portion of the submitted land or buildings may be withdrawn in accordance with this chapter and the Condominium Act.

- (7) *Conversion condominium* means a condominium project containing condominium units some or all of which before the filing of a notice of taking reservations under section 7 of the Condominium Act.
- (8) *Expandable condominium* means a condominium project to which additional land may be added in accordance with this chapter and the Condominium Act.
- (9) *Master deed* means the condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and the condominium subdivision plan for the project, and all other information required by section 8 of the Condominium Act.
- (10) *Notice of proposed action* means the notice required by section 71 of the Condominium Act, to be filed with the city and other agencies.
- (11) *Site condominium* means a condominium development containing residential, commercial, office, industrial, or other structures for uses permitted in the zoning district in which located, in which each co-owner owns exclusive rights to a parcel of land herein defined as a condominium unit, as described in the master deed, as well as a described space in a building located on a condominium unit.
- (12) *Yards, condominium subdivisions (site condominiums):*
 - a. Front yard setback shall be equal to the distance between the front yard area line and the condominium dwelling.
 - b. Rear yard setback shall be equal to the distance between the rear yard area line and the condominium dwelling.
 - c. Side yard setback shall be equal to the distance between the side yard area line and the condominium dwelling.

SITE CONDOMINIUM TERMINOLOGY

Story means that part of a building, except a mezzanine as defined herein, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. A basement shall not be counted as a story.

Story, half means an uppermost story lying under a sloping roof having an area of at least 200 square feet in area with a clear ceiling height of seven feet six inches. For the purposes of this chapter, the usable floor area is only that area having at least five feet clear height between floor and ceiling.

Street means a dedicated public right-of-way, other than an alley, which affords the principal means of access to abutting property.

Structure means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

Subdivision means the partitioning or dividing of a parcel or tract of land by the proprietor thereof or by his heirs, executors, administrators, legal representatives, successors or assigns for the purpose of sale, or lease of more than one year, or of building development, where the act of division creates five or more parcels of land, each of which is ten acres or less in area; or five or more parcels of land, each of which is ten acres or less in area, are created by successive divisions within a period of ten years.

Temporary use or building means a use or building permitted to exist during a specified period of time.

Transition or transitional means, for the purposes of this chapter, a zoning district which may serve as a district of transition; i.e., a buffer zone between various land use district or land use types.

LAND USE TRANSITION AS PROVIDED THROUGH USE OF ZONING DISTRICT

Tree and woodlands definitions:

- (1) *Activity* means any use operation or action including but not limited to filling, dredging, constructing or excavating material and/or structures.
- (2) *Diameter breast height (DBH)* means the diameter of a tree measured at four feet above the natural grade.
- (3) *Drip line* means an imaginary vertical line that extends downwards from the outermost tips of the tree branches to the ground.
- (4) *Landmark tree*. A tree, regardless of location, which stands apart from its neighbors by size, form or species and has a health/condition factor based on the standards established by section 102-492(13); trees of species and diameters shown on the landmark tree list; and any tree 24 inches DBH or greater which meets the health/condition standard are considered landmark trees.
- (5) *Tree* means any woodplant having at least one well defined stem at least six inches DBH.
- (6) *Department* means the building department of the City of South Lyon.
- (7) *Caliper* means the diameter of a tree trunk measured six inches above ground level up to and including four-inch caliper size and measured 12 inches above ground level for larger trees.
- (8) *Hardship* means circumstances unique to a property making tree removal necessary due to physical features of the site such as parcel shape, exceptional topography or the inability to utilize the property for a use allowed in the district and where no alternative location for structures exists making such property unusable.

Use means the principal purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied.

Wall, obscuring means a structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this chapter.

Yards means the open spaces on the same lot with a main building unoccupied and unobstructed from the ground upward except as otherwise provided in this chapter, and as defined herein:

- (1) *Front yard* means an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building. All yards abutting on a street shall be considered as front yards for setback purposes.
- (2) *Rear yard* means an open space extending the full width of the lot the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard shall be opposite the front building facade side of such lot.
- (3) *Side yard* means an open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of the main building.

(Ord. of 2-13-95(2), §§ 5.10—5.50; Ord. of 1-26-09(2))

AGENDA NOTE

Old Business # 4

MEETING DATE: October 8, 2018

PERSON PLACING ITEM ON AGENDA: City Attorney

AGENDA TOPIC: Resolution Authorizing City Manager and/or City Attorney to sign documents and take other actions to complete the City's purchase of 501 McMunn Street

EXPLANATION OF TOPIC: On July 9, 2018, the City Council authorized the City to take action to purchase the property at 501 McMunn Street. The City and Sellers entered into a purchase agreement on August 3, 2018.

The closing on the purchase is scheduled for October 9, 2018, and the attached resolution is presented for consideration and approval to make clear that the City Manager and/or City Attorney are authorized to sign documents and take other actions to complete the City's purchase of the property.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- Proposed Resolution

POSSIBLE COURSES OF ACTION: Approve/Deny/No Action/Postpone

RECOMMENDATION: Approve

SUGGESTED MOTION: Motion to approve the Resolution Authorizing City Manager and/or City Attorney to sign documents and take other actions to complete the City's purchase of 501 McMunn Street, South Lyon, Michigan 48178, as presented.

RESOLUTION NO. ____-18

**CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN**

**A RESOLUTION AUTHORIZING THE CITY MANAGER
AND/OR CITY ATTORNEY TO SIGN DOCUMENTS AND TAKE
OTHER ACTIONS TO COMPLETE THE CITY'S PURCHASE OF
THE REAL PROPERTY AT 501 MCMUNN STREET (PARCELS
21-30-277-024 AND 025)**

WHEREAS, on July 9, 2018, the South Lyon City Council authorized the City Attorney to pursue an agreement to purchase the real property at 510 McMunn Street, South Lyon, Michigan 48178 (Parcels 21-30-277-024 and 025), the "Property" on behalf of the City of South Lyon;

WHEREAS, on August 3, 2018, the City, as purchaser, and Patrick and Lynne Allen, as Sellers, signed and entered into a Purchase and Sale Agreement for the purchase and sale of the Property;

WHEREAS, the parties have scheduled a closing for the City's purchase of the Property for October 9, 2018;

WHEREAS, the City desires to authorize its City Manager and/or City Attorney to sign documents and take other actions to complete the City's purchase of the Property;

THEREFORE, BE IT RESOLVED, that the City of South Lyon City Council hereby authorizes its City Manager and/or City Attorney to sign documents and take any other actions necessary to complete the City's purchase of the Property located at 501 McMunn Street, South Lyon, Michigan 48178 (Parcels 21-30-277-024 and 025).

At a regular meeting of the City of South Lyon City Council, a motion was made by Council Member _____, supported by Council Member _____, to adopt the above resolution.

Ayes:

Nays:

Absent:

RESOLUTION DECLARED [ADOPTED/FAILED].

CERTIFICATION

I certify that this resolution was duly adopted by the City Council of the City of South Lyon on _____, 2018.

Lisa Deaton
City Clerk
South Lyon

AGENDA NOTE

New Business: Item # /

MEETING DATE: October 8, 2018

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Budget Amendments

EXPLANATION OF TOPIC:

Amend General Fund Revenues and Fire Department Expenditures in the amount of \$14,872 from Firehouse Subs Safety Foundation for a Lucas 3 Chest Compression System.

Amend Land Acquisition expenditures in the amount of \$27,400 (\$22,500 Earnest Monies and \$4,900 for Asbestos survey).

Amend Capital Improvement expenditures in the amount of \$210,000 (\$202,500 remaining for property purchase and \$7,500 for closing and any additional costs).

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Budget spreadsheets.

POSSIBLE COURSES OF ACTION: Approve/Reject the proposed amendment schedule

RECOMMENDATION: Approve the proposed Amendments

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the proposed Amendments

101 GENERAL FUND REVENUES								
Amended 10/08/2018								
Revenue	Description	Audited 2016-2017	Proposed 2017-2018	Amended 2017-2018	Proposed 2018-2019	Amended 2018-2019	Proposed 2019-2020	Proposed 2020-2021
TAXES								
402	Current Property Tax (11.2)	3,406,237	3,782,216	3,782,216	4,127,644	4,127,644	4,047,633	4,128,585
423	Mobile Home Park	1,067	920	920	1,100	1,100	1,100	1,150
444	Service fee in lieu of taxes	617			500	500	500	500
446	Penalties and interest	9,378	9,500	9,500	9,600	9,600	9,600	9,600
	Total	3,417,299	3,792,636	3,792,636	4,138,844	4,138,844	4,058,833	4,139,835
LICENSES & PERMITS								
451	Building Permits	220,000	150,000	150,000	175,000	175,000	180,000	170,000
452	Plumbing and Mechanical Permits	30,324	35,000	35,000	33,000	33,000	33,000	30,000
453	Electrical Permits	31,918	14,500	14,500	28,000	28,000	28,000	20,000
454	Licenses & Business Permits	6,157	4,000	4,000	3,000	3,000	3,000	3,000
	Total	288,399	203,500	203,500	239,000	239,000	244,000	223,000
INTERGOVERNMENTAL REVENUES								
570	State Shared Revenues	957,600	954,016	954,016	1,001,177	1,001,177	1,016,195	1,031,438
570-1	State Shared Rev-Comm. Stabilization	139,398			119,000	119,000	119,000	119,000
571	Federal Grant							
	Total	1,096,998	954,016	954,016	1,120,177	1,120,177	1,135,195	1,150,438
CHARGES FOR SERVICES								
630	Property Tax Admin Fees	94,283	93,000	93,000	95,000	95,000	96,000	97,000
634	Grave Openings & Foundations	45,349	35,000	35,000	37,000	37,000	37,000	37,000
635	W & S Administration							
668.4	Property Rentals	9,144	8,800	8,800	8,800	8,801	8,800	8,800
668-3	Lease-Antenna	40,304	45,000	45,000	42,000	42,000	42,000	42,000
668-2	Property Rental-Cable	154,381	150,000	150,000	140,000	140,000	140,000	140,000
	Total	343,461	331,800	331,800	322,800	322,801	323,800	324,800
FINES & FORFEITURES								
661	Parking Violations	700	750	750	750	750	800	800
662	Local Court Fines	29,322	30,000	30,000	30,000	30,000	30,000	30,000
	Total	30,022	30,750	30,750	30,750	30,750	30,800	30,800
MISCELLANEOUS REVENUES								
642	Police Miscellaneous	65,398	45,000	45,000	40,000	40,000	40,000	40,000
664	Interest Income	5,933	4,000	4,000	5,500	5,500	5,500	5,500
669-209	Contribution-Perpetual Care				50,000	50,000	50,000	50,000
675.6	Donations to Cultural Arts Comm.	918	1,000	1,000	1,000	1,000	1,000	1,000
676.005	Contribution-Parks&Rec							
694.3	Payment of Sidewalk by Resd.	1,820						
692	Grant Money							
698	Miscellaneous	94,680	130,000	130,000	50,000	50,000	50,000	50,000
	Prior Years Prop Tax				4,500	4,500	4,500	4,500
	Wedding Proceeds				3,000	3,000	3,000	3,000
	MMRMA Dividends				30,000	30,000	30,000	30,000
	SMART Credits				13,000	13,000	13,000	13,000
698.6	Grant Monies - Fire Dept.	1,705				14,872		
	Grant Monies - Police Dept.	7,363						
698.9	Grant Monies - Cultural Arts	2,183	1,400	1,400	2,000	2,000	2,000	2,000
673	Sale of Fixed Assets	38,298						
	Total	218,298	181,400	181,400	199,000	213,872	199,000	199,000
TOTAL REVENUES		5,394,477	5,494,102	5,494,102	6,050,571	6,065,443	5,991,627	6,067,873
BEGINNING FUND BALANCE		2,841,926	2,664,475	2,664,475	2,665,111	2,665,111	2,730,118	2,807,503
TOTAL REVENUES AVAILABLE		8,236,403	8,158,578	8,158,578	8,715,682	8,730,554	8,721,746	8,875,376
TOTAL EXPENDITURES		5,571,928	5,493,467	5,493,467	5,985,564	6,000,436	5,914,243	5,954,109
ENDING FUND BALANCE		2,664,475	2,665,111	2,665,111	2,730,118	2,730,118	2,807,503	2,921,267
Printed: 10/3/2018								

101-335 GENERAL FUND OPERATION								
FIRE								
		Audited	Proposed	Amended	Proposed	Amended	Proposed	Proposed
Expenditure	Description	2016-2017	2017-2018	2017-2018	2018-2019	2018-2019	2019-2020	2020-2021
702	Wages/Salaries	252,818	245,500	245,500	275,000	275,000	280,500	284,708
715-720	Fringe Benefits	27,702	27,800	27,800	31,543	31,543	32,173	32,656
721	Uniforms & Cleaning Allowance	16,056	17,000	17,000	17,000	17,000	17,340	17,600
727	Office Supplies	4,042	5,000	5,000	4,000	4,000	5,100	5,177
740	Operating Expense	10,954	10,000	10,000	10,500	10,500	10,500	10,658
802	Contractual Services	44,532	43,100	43,100	45,000	45,000	45,000	45,675
820	Computers	2,064	2,500	2,500	5,100	5,100	10,000	10,150
830	Memberships & Dues	1,674	5,000	5,000	5,000	5,000	5,100	5,177
851	Radio Maintenance	1,536	2,000	2,000	2,000	2,000	2,040	2,071
853	Telephone	1,801	1,775	1,775	1,900	1,900	1,900	1,929
860	Gas & Oil	8,016	8,200	8,200	8,000	8,000	8,100	8,222
863	Vehicle Maintenance	39,379	23,750	23,750	24,000	24,000	24,480	24,847
880	Community Promotions	1,750	1,500	1,500	1,530	1,530	1,561	1,584
910	Insurance & Bonds	22,317	23,000	23,000	23,000	23,000	23,000	23,345
920	Utilities	8,195	7,905	7,905	8,300	8,300	8,466	8,593
930	Repairs & Maintenance	8,122	4,000	4,000	4,080	4,080	4,162	4,224
931	Building Maintenance	18,948	7,800	7,800	12,500	12,500	12,750	12,941
944	Hydrant Rental	2,500	2,500	2,500	2,500	2,500	2,550	2,588
957	Education/Training	17,614	20,800	20,800	21,216	21,216	21,640	21,965
970	Capital Outlay							
977	Equipment Purchases	10,248	9,000	9,000	12,000	12,000	10,000	10,150
978	Capital Equipment	16,532			126,000	140,872	41,000	41,615
978-1	Transfer to Equipment Fund							
990	Debt-Principal							
995	Debt-Interest							
	TOTAL	516,800	468,130	468,130	640,169	655,041	567,362	575,873
Printed: 10/3/2018								

[illegible]

509 LAND ACQUISITION								
Amended 10/08/2018								
Revenue	Description	Audited 2016-2017	Proposed 2017-2018	Amended 2017-2018	Proposed 2018-2019	Amended 2018-2019	Proposed 2019-2020	Proposed 2020-2021
402	Current Property Tax							
446	Penalties & Interest							
570	State Shared Revenues							
664	Interest Income	64	200	200	250	250	250	250
676-101	Transfer In							
698	Miscellaneous Income							
698-4	Proceeds from Sale of Bonds							
668-4	Rental Income	9,650	10,800	10,800	10,000	10,000	10,000	10,000
	TOTAL REVENUES	9,714	11,000	11,000	10,250	10,250	10,250	10,250
Expenditure	Description	Audited 2016-2017	Proposed 2017-2018	Amended 2017-2018	Proposed 2018-2019	Amended 2018-2019	Proposed 2019-2020	Proposed 2020-2021
740	Operating Expense	4,007	4,000	4,000	4,010	4,010	4,015	4,020
971	Land Acquisition	216				27,400		
	Transfer Out							
931	Building Maintenance		25,000	25,000	5,000	5,000	5,000	5,000
995	Debt-Interest							
999	Agent Fees							
	TOTAL EXPENDITURES	4,223	29,000	29,000	9,010	36,410	9,015	9,020
	BEG. FUND BALANCE	141,967	148,466	147,457	147,458	147,459	121,299	122,534
	TOTAL REVENUES	9,714	11,000	11,000	10,250	10,250	10,250	10,250
	TOTAL REVENUES AVAILABLE	151,681	159,466	158,457	157,708	157,709	131,549	132,784
	TOTAL EXPENDITURES	4,223	29,000	29,000	9,010	36,410	9,015	9,020
	ENDING FUND BALANCE	147,458	130,466	129,457	148,698	121,299	122,534	123,764
Printed:	10/3/2018							

AGENDA NOTE

New Business Item #2

MEETING DATE: October 8, 2018

PERSON PLACING ITEM ON AGENDA: Bob Donohue, Director, DDA/Econ Dev

AGENDA TOPIC: Approval of DDA By-Laws Amendments

EXPLANATION OF TOPIC: At the July 12, 2018 DDA Board Meeting, the DDA voted unanimously to amend its by-laws to reflect its current operations and in conformance with the majority of other DDAs in Michigan, as allowed by the DDA Law, Public Act 197 of 1975, as amended. The Mayor now appoints members to the City's Board & Commissions, except for the DDA and Cultural Arts Commission, and City Council gives final approval. The Current DDA By-Laws indicate that "The City Manager" would make the appointment and then City Council votes to approve. The DDA wants the Mayor to make appointments. Also, there are 2 amendments that clarify the role of the City "Clerk/Treasurer" and the DDA "Treasurer"

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: DDA By-Laws with proposed amendments clearly identified; July 12, 2018 DDA Board Mtg. Mins.

POSSIBLE COURSES OF ACTION: Approve/do not approve the proposed DDA By-laws amendments, as unanimously approved and recommended for City Council Approval by the DDA at the July 12, 2018 DDA Board Meeting.

RECOMMENDATION: Approve the DDA By-laws as unanimously approved by the DDA Board at their board Meeting on July 12, 2018.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the proposed amendments to the DDA By-Laws as identified: Section 3 Board of Trustees, Items A & D; and Section 4 Officers, Items H & I, as unanimously approved and recommended by the DDA on July 12, 2018, with the specific text changes as attached.

SOUTH LYON DOWNTOWN DEVELOPMENT AUTHORITY
BY-LAWS

Section 1: Name, Purpose, and Scope

- A. The name of this organization shall be South Lyon Downtown Development Authority (the "Authority").
- B. The purposes of the Authority are to implement Act 197 of the Public Act of Michigan of 1975, as amended, (the "Act"), and include, but are not limited to the correction or prevention of deterioration in the downtown district, the encouragement of the historic preservation, the creation and implementation of development plans in the downtown district, and the promotion of economic growth therein.
- C. The rules of the Authority for the transaction of business shall be in accord with Act 197 of the Public Acts of Michigan of 1975 as amended, and the City of South Lyon Downtown Development Authority Ordinance.

Section 2: Registered Office

The registered office and principle place of business of the Authority shall be the South Lyon City Hall, located at 335 S. Warren Street, South Lyon, Michigan, 48178 or such location as may from time to time be designated by the Board of Trustees of the Authority.

Section 3: Board of Trustees

- A. The Authority shall be under the supervision and control of a Board of Trustees (the "Board") consisting of the City Manager of the City of South Lyon and eight (8) members appointed by the ~~City Manager~~ Mayor of the City of South Lyon, upon recommendation by the Board, subject to approval by the City Council. At least five (5) of the members shall be persons having interest in the property located in the Downtown District. At least one (1) of the members shall be a resident of the Downtown District, of the Downtown District has 100 or more persons residing within it. Of the members first appointed, two (2) shall be appointed for one (1) year, two (2) for two (2) years, two (2) for three (3) years, and two (2) for four (4) years. A member shall hold office until the member's successor is appointed. Thereafter, a member shall serve for a term of four (4) years.

- B. Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses approved by the Board.
- C. Resignation of the members of the Board shall be effective upon delivery of the resignation in writing to the City Manager.
- D. An appointment to fill a vacancy shall be made by the ~~City Manager~~ Mayor of the City of South Lyon, upon recommendation of the Board for the unexpired term only.
- E. Pursuant to notice and an opportunity to be heard, a member of the Board may be removed from office for neglect of duty, excessive absence (missing 25% of the regularly scheduled Board Meetings in a fiscal year), misconduct, malfeasance, or any other good cause as determined by not less than two-thirds (2/3) of the members of the Board and a majority vote of the City Council.
- F. A member of the Board who has a direct interest in any matter before the Authority shall disclose the interest prior to the Authority taking action with respect to the matter. Said disclosure shall become a part of the record of the Authority's official proceedings. Further, any member making such disclosure shall not be permitted to participate in the Authority's decision-making process relative to such matter.

Section 4: Officers

- A. The Board of the Authority shall elect from its membership a Chairperson, a Vice-Chairperson, a Secretary and a Treasurer. The specific job responsibilities of these positions shall be identified in job descriptions approved by a majority vote of the Board. In addition, the Board may appoint an assistant Secretary who need not to be a member of the Board, to be charges with duties as the Board deems appropriate. The election of any officer requires a majority vote of the members of the Board.
- B. All officers shall hold office for one year or until a successor is elected and qualified.
- C. An officer may be removed by two-thirds (2/3) vote of the Board whenever in its judgment the best interest of the Authority would be served.

- D. A vacancy in any office shall be filled for its unexpired term by a majority vote of the members of the Board.
- E. The Board may authorize any officer, agent, employee or member to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Authority, and such authority may be general or confined to specific instances. Unless so authorized, no officer, agent, employee or member or member shall have any power or authority to bind the Authority by any contract or engagement or to pledge its credit or to render it liable pecuniary for any purpose or in any amount.
- F. The Chairperson shall preside at all meetings of the Board and shall discharge the duties of the presiding officer.
- G. In the absence of the Chairperson or in the event of his inability or refusal to act, the Vice Chairperson shall perform the duties of the Chairperson and when so acting shall have all the powers and be subject to all the restrictions of the chairperson.
- H. The Treasurer shall review all budget information and perform such duties as may be delegated by the Board and shall furnish bond amount prescribed by the Board. The City Clerk/Treasurer shall keep the financial records of the Authority and shall sign all vouchers for the expenditures of the funds of the Authority which have been approved by the Board. The City Clerk/Treasurer along with the Chairperson shall be responsible for signing all of the checks for expenditures which the Board has approved. The funds of the Authority shall be deposited by the Treasurer of the Authority with the City Clerk/Treasurer.
- I. The Secretary shall maintain custody of the official seal and of records, books, documents, or other papers not required to be maintained by the City Clerk/Treasurer. The Secretary shall attend all meetings of the Board and keep a record of its proceedings, and shall perform such other duties as delegated by the Board. By majority vote the Board of Trustees can assign the responsibilities of the Secretary to another position if they determine that it is their best interest to do so.

Section 5: Submission of Budget

On or before March 1 of each year, the Authority shall prepare a budget and submit it to the City Manager for transmittal to the City Council.

- A. Each year the Board shall adopt a schedule of regular schedules meetings for that year.
- B. The most recent edition of Robert's Rules of Order shall govern the conduct of all meetings of the Board.
- C. Special Meetings of the Authority may be called by the Chairperson or by five (5) members of the Board giving not less than ~~forty-eight (48)~~ eighteen (18) hours notice to all members of the Board, in compliance with the Open Meetings Act, Act. No. 267, P.A. 1976, as amended. Members of the Board may waive receipt of such notice.
- D. Notice of a Special Meeting shall be posted at least 18 hours before the meeting in a prominent and conspicuous place at both the public body's principal office, in compliance with the Open Meetings Act, Act. No. 267, P.A. 1976, as amended.
- E. All meetings shall be held in compliance with the Open Meetings Act, Act. No. 267, P.A. 1976, as amended.
- F. Each member present at a meeting of the Authority shall be entitled to a single vote, but no member shall vote by proxy unless his/her sealed vote is delivered to the Chairperson prior to the meeting and accepted by a majority present. A proxy vote shall be used only once on a questions.
- G. Unless otherwise specified in these by-laws, actions taken by the Board shall be decided by a majority vote of the Board.
- H. A majority of the members of the Board in office shall constitute a quorum for the transaction of business.

Section 7: Committees

- A. Committees may be appointed as necessity arises and determined by either the Chairperson or the Board. At least one (1) member of the Board shall be appointed to each committee. Members may be appointed at the discretion of the Chairperson, or in the absence of the Chairperson, at the discretion of the Vice-Chairperson.

- B. Resolutions, recommendations, suggestions and reports of the communities shall be made in writing and distributed to the Authority not less than two working days prior to the meeting at which time such items are to be acted upon if such items are to be included in the agenda. Late agenda items may be added upon the unanimous approval of the Board.

Section 8: Amendments

- A. These by-laws are subject to approval of the City Council
- B. These by-laws may be altered, amended, or repealed only by the affirmation vote of two-thirds (2/3) of the members of the Board of Trustees, subject to notice and quorum requirements as set forth in these by-laws, provided, however, that any such alteration, amendment, or repeal shall require the approval of the City Council and shall be consistent with the provisions and requirements of the Act.

CERTIFICATION

I certify that this is a true and accurate copy of the by-laws passed by the Board of Trustees of the South Lyon Downtown Development Authority on the _____ day of September 2013.

Secretary

Ayes: _____

Nays: _____

I certify that this is a true and accurate copy of the by-laws passed by the City Council on the _____ day of _____



MEETING MINUTES – JULY 12, 2018

- I. **Call to Order:** 8:04 am
- II. **Approval of Agenda.** Motion to approve agenda made by Abe, supported by Anne. Motion passed unanimously.
- III. **Roll Call:** Abe Ayoub, Anne Buchtrup, Marsha Calus, Mark Childs, Jennifer Dunigan. Also present, Tim Davids, Bob Donohue, Joe Burchill, Jeff Heinanen. Absent: Chief Lloyd Collins, Gene Carroll, Dereck Mashburn.
- IV. **Approval of Minutes from June 14, 2018.** Marsha pointed out that KB Sports should be KV sports. Motion to approve minutes as corrected made by Marsha, supported by Abe. Motion passed unanimously.
- V. **Citizens Comments:** None.
- VI. **New Business:**
 - A. Farmers Market Manager Report. Market Manager, Tim Davids, reported that he created a flyer that he will be posting requesting volunteers to help with the Farmers Market. Kids Day was a success – all market spaces were full. One local business was the victim of fraud. Someone collected approximately \$40-60 from the business claiming they were representing the Farmers Market. Tim directed the person to the Police Department. Next event will be Tractors on the Town July 21. Bader & Sons will participate.
 1. Vendor attendance has been the same, but visitors are up. Tim is looking to bring in one more produce vendor.
 - B. DDA – Economic Development Activity Update. Economic Development and DDA Director, Bob Donohue, reported that Providence Medical Center may be moving within the next 6—12 months. DDA is looking to get a restaurant in that location. Bob and the City Attorney met with the owner of the house on Detroit street. There are two buyers currently interested in this property. The vacant lot at the corner of Wells and Detroit Street is owned by Providence Medical Center. An antique shop is currently negotiating with the quilt shop owners. It is

reported that Gary Fagen is willing to lease the paint shop to a retailer. State Farm agent, Brian Olender, says his space is also available for lease. First and/or second floor. There is one city liquor license remaining. The Corner Caffe has applied. An offer has been made to purchase the Draft Street building. Environmental data is currently being reviewed. Cornices and windows are done on three buildings on E. Lake Street. Victorian paint themes are being looked at. Exterior renovations at Venue and Exquisite Kitchens are progressing and the entire job may be done in approximately four weeks. Bob would like the DDA to sponsor a recognition night possibly in November. Annie wants to know how we can get more owners to put out flowers and spruce up their entrances. We need a design committee. Dereck needs to cancel his Facebook site so The Corner Caffe can get the attention. Marsha has admin rights on Ladies Night 2017, she will update for 2018. Buyers are interested in the Art Craft building (private appraisal value \$90,000) and the RCA building (private appraisal value \$120,000). The offers have been rejected by the owners so the City Manager may have to take them to court as soon as possible. No activity yet on Mo's Garage. The film company needs to be contacted for prices, timing and deadlines regarding the businesses and DDA videos. January-February is a much better target date for maximum participation.

VII. Old Business:

- A. Discussion of the bylaws changes as suggested by Bob Donohue. Motion by Abe to approve suggested changes to sections 3-A, 3-D, 4-H and 4-I, as suggested by Bob Donohue. Supported by Marsha. Motion passed unanimously.
- B. Jeff Heinanen attended the meeting and spoke briefly about his business and his desire to see the City of South Lyon succeed. He would like to join the DDA Board and help promote the city. Annie made a motion to recommend and approve Jeff Heinanen for the vacant board position. Supported by Abe. Motion passed unanimously.
- C. Crosswalk signs have been approved by Chief Collins. The DPW will place the order this week. Painted rectangles instead of stripes at crosswalks will be taken care of by the County next year. Whipple Street will be done in the next few weeks. Chief favors a 3D paint scheme and the DPW will handle the painting.
- D. Banner pole hardware has been ordered. This hardware is the same the Village of Milford has. Installation possibly in August.
- E. Downtown and City-wide events calendar.
- F. Brotoberfest has been approved by City Council for October 20. E. Lake Street will be closed for the beer tent. The VFW will apply for the liquor license. Police and fire are supporting this event. The billboard in town has been purchased for

six weeks at a cost of \$2100. Marsha made a motion to approve the \$2100 cost of the billboard subject to clarification of whether it will be one or two posters. Supported by Annie. Motion passed unanimously.

- G. Kids Trick or Treat is scheduled for October 25.
 - H. Ladies Night is scheduled for November 16. Marsha has no updates at this time.
 - I. Cool Yule is scheduled for December 1. Mike Horlacker is chairing the event, but Kathy Swan is in charge of the parade. There will be music, food, and crafts in the Farmers Market and Veteran's Parking lots.
 - J. SW Corner of Lake and Lafayette Streets. Superb Fabricating has submitted an estimated cost of \$14,390 for the proposed fence on this corner. We are waiting for the design so we can submit it to the Road Commission of Oakland County. Abe would like to see us get another quote for this item. Money for this project would have to come from DDA cash reserve. Additional quotes will be requested from South Lyon Fence, DeBord Fence, and/or others.
- VIII. **Other Items:** The County has changed the parking configuration on E. Lake Street, east of Wells Street, and there is no longer parking allowed in front of the church or Jennifer's house. This was changed because of traffic capacity in the area which required the left turn lane to be extended to the east.
- IX. **Board Member Comments:** Mark wants to know if we are really considering spending \$14,000 for this fence. Mark and Abe were surprised by the price. Last time this was discussed, there was more emphasis on plantings such as arbor vitae and flowers with decorative fence on W. Lake only. Bob noted that the fence will be more effective and visually more appealing, in his opinion. Plus, Bob spoke with a landscape architect who recommended against planting arbor vitae on the S. Lafayette Street frontage. Thus, the decorative screening fence would be approximately 24 feet on S. Lafayette and 30 feet on W. Lake Street. Following more discussion, the board generally agreed and asked for the item to be placed on the August DDA Board Meeting Agenda with other bids and a detailed drawing. Bob reported that Bill Jarrett has said he is interested in renting his space.
- X. **Motion to adjourn:** Abe made a motion to adjourn. Supported by Mark. Meeting adjourned 9:33 am.

AGENDA NOTE

New Business: Item # 3

MEETING DATE: October 8, 2018

PERSON PLACING ITEM ON AGENDA: Bob Donohue, DDA & Econ/Dev Director

AGENDA TOPIC: Revised Road Closure & Event Hours for Brotoberfest

EXPLANATION OF TOPIC: Recent confirmation of the starting time of the Michigan vs Michigan State Football Game on October 20, 2018 at 7:00 p.m. was released by the television network last week. Thus, the Brotoberfest Committee now asks for the hours of the event to be extended to accommodate the football game hours of 7 – 10 pm. Big screen TVs with the M vs MSU game will be in the windows of KV sports next to the beer tent seating area. The requested hours for the road closure are now Noon to 11:30 p.m., as approved by Police Chief Lloyd Collins. The actual event time on E. Lake Street will be from 5 – 10 p.m. with last call at the VFW beer tent at 9:45 p.m. Hours before and after the event, during the closure time of Noon – 11:30 p.m. will allow for set -up, take-down and clean-up.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Map of the Road Closure Area and Event Set-Up, Form to be signed by the City Clerk verifying approval by City Council that must be sent to the Road Commission of Oakland County by the Police Chief.

POSSIBLE COURSES OF ACTION: Approve/do not approve the revised road closure time to Noon – 11:30 p.m., and event times for Brotoberfest on E. Lake Street, 5 – 10 p.m., between Lafayette and Wells Streets on Saturday, October 20, 2018.

RECOMMENDATION: Approve the revised Road Closure and Event times for Brotoberfest on E. Lake Street in Downtown South Lyon on October 20.

SUGGESTED MOTION: Motion by _____, supported by _____ to revise the Road Closure of E. Lake Street from Lafayette Street to Wells Street to 12 Noon – 11:30 p.m., and the Event times to 5 – 10 p.m. on October 20, 2018.

Motion by _____, supported by _____

Resolved That Lisa Deaton, City Clerk/Treasurer is hereby authorized to make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permits to conduct the Brotoberfest on Saturday, October 20, 2018 and the related road closures: E. Lake Street from Lafayette St. to Wells St. from 12:00 p.m. until 11:30 p.m.

and that the City of South Lyon in the County of Oakland, Michigan will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permits as issued.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of South Lyon, County of Oakland, State of Michigan, at a regularly scheduled meeting of October 08, 2018, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

Lisa Deaton
City Clerk/Treasurer

2018 BROTOBERFEST

East Lake Street, between Lafayette & Wells Streets

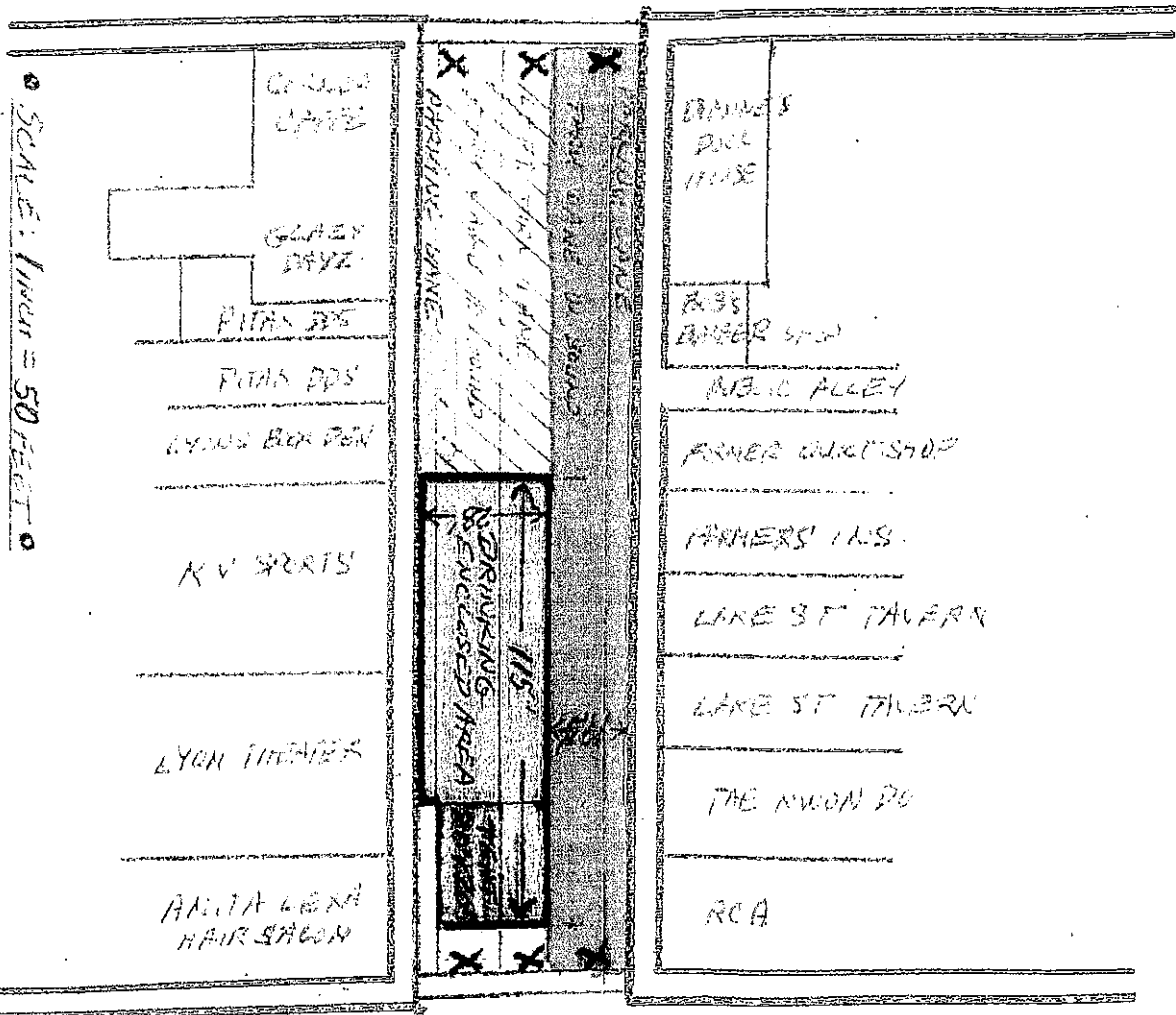
Saturday, October 20, 4p.m. to 9p.m.

All Downtown Businesses Invited to participate.

X - ENCLOSURES/
BARRICADES
2 FOOD TRUCKS

S. LAFAYETTE ST.

N. LAFAYETTE ST.



S. WELLS ST.

N. WELLS ST.

E. LAKE



SCALE: 1 inch = 50 FEET
DRINKING ENCLOSURE / GRILL FENCING
TENT / BEER TUBE SERVICE / ENCLOSURE
OPEN FIRE LANE w/ 19.5 FT. WIDE ACCESS

GAME AREA

AGENDA NOTE

New Business: Item # 4

MEETING DATE: October 8, 2018

PERSON PLACING ITEM ON AGENDA: Fire Chief Robert Vogel

AGENDA TOPIC: Acceptance of Firehouse Subs Safety Foundation grant for Lucas 3 chest compression device.

EXPLANATION OF TOPIC: SLFD has received a grant from Firehouse Subs Safety Foundation to purchase a Lucas 3 Chest Compression System and accessories. The value of the grant is \$14,871.33. There is no cost to the city for this very valuable life saving equipment.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Grant approval email from Firehouse Subs Safety Foundation, Lucas 3 product brochure and Physio Control quote.

POSSIBLE COURSES OF ACTION: Approve/do not approve the grant.

RECOMMENDATION: Approve the grant from Firehouse Subs Safety Foundation.

SUGGESTED MOTION:

Motion by _____, supported by _____ to approve the grant from Firehouse Subs Safety Foundation.

Fire Chief

From: Firehouse Subs Public Safety Foundation <foundation@firehousesubs.com>
Sent: Monday, October 1, 2018 12:59 PM
To: Fire Chief
Cc: John Kupiec; foundationteam; Sheri Kohler; Ty Lowry
Subject: APPROVED: Firehouse Subs Public Safety Foundation Grant
Attachments: Foundation Logo jpg-RGB.jpg; Foundation Logo-VectorCMYK.eps; Foundation Logo-VectorCMYK.ai

Dear Robert,

We are pleased to announce that the Firehouse Subs Public Safety Foundation Board of Directors has awarded the **South Lyon Fire Department** the requested **Lucas 3 Chest Compression System and Accessories** valued at up to **\$14,871.33**.

Please read carefully and print this email for ongoing instructions of the procurement/purchasing process. **Failure to follow these instructions can jeopardize your grant award.**

PROCUREMENT NOTES

The fulfillment of your grant award will be executed by one of the processes below, to be determined by our Foundation:

- 1) Our Foundation Team will purchase directly based on your submitted quote
 - a. The vendor will ship the equipment directly to your organization
 - b. **PROOF OF DELIVERY REQUIRED:** upon delivery, you will need to send a signed and dated copy of the packing slip to our Foundation via email (procurementfoundation@firehousesubs.com) or fax (904)886-2111 (Please note: our accounting department requires this documentation prior to paying invoices)

OR...

- 2) Our Foundation Team will draft a Memo of Understanding (MOU) for both parties to sign. Once signed and returned, the Foundation will send your organization a check directly
 - a. **PROOF OF DELIVERY/PAYMENT REQUIRED:** Once you purchase the granted items, you will be required to send us all invoice copies, proof of payment and signed and dated packing slips via email (procurementfoundation@firehousesubs.com) or fax (904)886-2111 (Please note: this documentation is required for auditing purposes)

NOTE: Our Foundation will determine which fulfillment option will be used. Our Foundation will be contacting you within eight weeks to begin the procurement/fulfillment process. If you do not hear from our team by Monday, November 26, you may email procurementfoundation@firehousesubs.com. We appreciate your patience.

PUBLIC RELATIONS NOTES

Initial PR announcements:

- Any immediate media announcements from your organization regarding the grant award are optional. If you choose to draft a press release, please send it to FirehouseSubs@Zimmerman.com cc Foundation@firehousesubs.com for approval.

Once your equipment is received:

- A Firehouse Subs or Foundation representative may be in touch if planning a future event in your area.

Use of the Firehouse Subs Public Safety Foundation logo:

- We ask that your organization acknowledges the grant by displaying our Foundation logo on granted items/equipment whenever possible. Our foundation logo is attached for your convenience. Please note that the final artwork will need to be approved by our Foundation before being displayed.

We are very excited to assist your organization and ultimately improve the life-saving capabilities of your community.

Firehouse Subs Public Safety Foundation
foundation@firehousesubs.com

FirehouseSubsFoundation.org

[Twitter](#) [Facebook](#)

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**PHYSIO
CONTROL**

PRODUCT BROCHURE



LUCAS[®] CHEST COMPRESSION SYSTEM



Your Partner in Life Support

Effective Compressions, Good Blood Flow Lead to Lifesaving CPR

Effective chest compressions deliver vital oxygen to the brain and can prime the heart for a successful shock. Maintaining sufficient coronary perfusion pressure during cardiac arrest improves the likelihood of return of spontaneous circulation (ROSC).¹

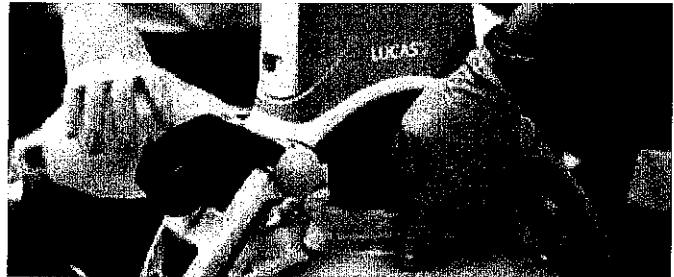
However, as any rescuer or caregiver knows, performing manual CPR according to current AHA guidelines is difficult and tiring. In fact, many organizations have added extra staff to cardiac arrest calls to switch out rescuers performing compressions.



The LUCAS Chest Compression System is designed to deliver uninterrupted compressions at a consistent rate and depth to facilitate ROSC. It delivers automated compressions from first response in the field to ambulance transport and throughout the hospital. LUCAS facilitates consistent blood flow from the moment it is turned on, helping to improve a patient's chance for a successful outcome.

“It’s simple and easy to use, and it’s small and compact.”

— Dr. Charles Lick, Medical Director, Allina Medical Transportation



Increasing opportunities for improved outcomes

Effective, consistent and uninterrupted compressions according to current AHA guidelines

LUCAS is a portable, easy-to-use device that delivers automated, guidelines-consistent chest compressions to improve blood flow in victims of cardiac arrest. LUCAS performs at a rate of at least 100 compressions per minute with a depth of at least 2 inches. It also allows for complete chest wall recoil after each compression and provides a 50% duty cycle—equal compression and relaxation time for the chest wall.

Maintain good blood flow

Several studies show the effectiveness of manual chest compressions can drop rapidly—often after only one minute—due to rescuer fatigue.²⁹ With LUCAS, automated compressions are delivered consistently and continuously, helping to maintain good circulation to the patient during transport and throughout the hospital.

Increasing operational effectiveness

Easy to use and efficient to own

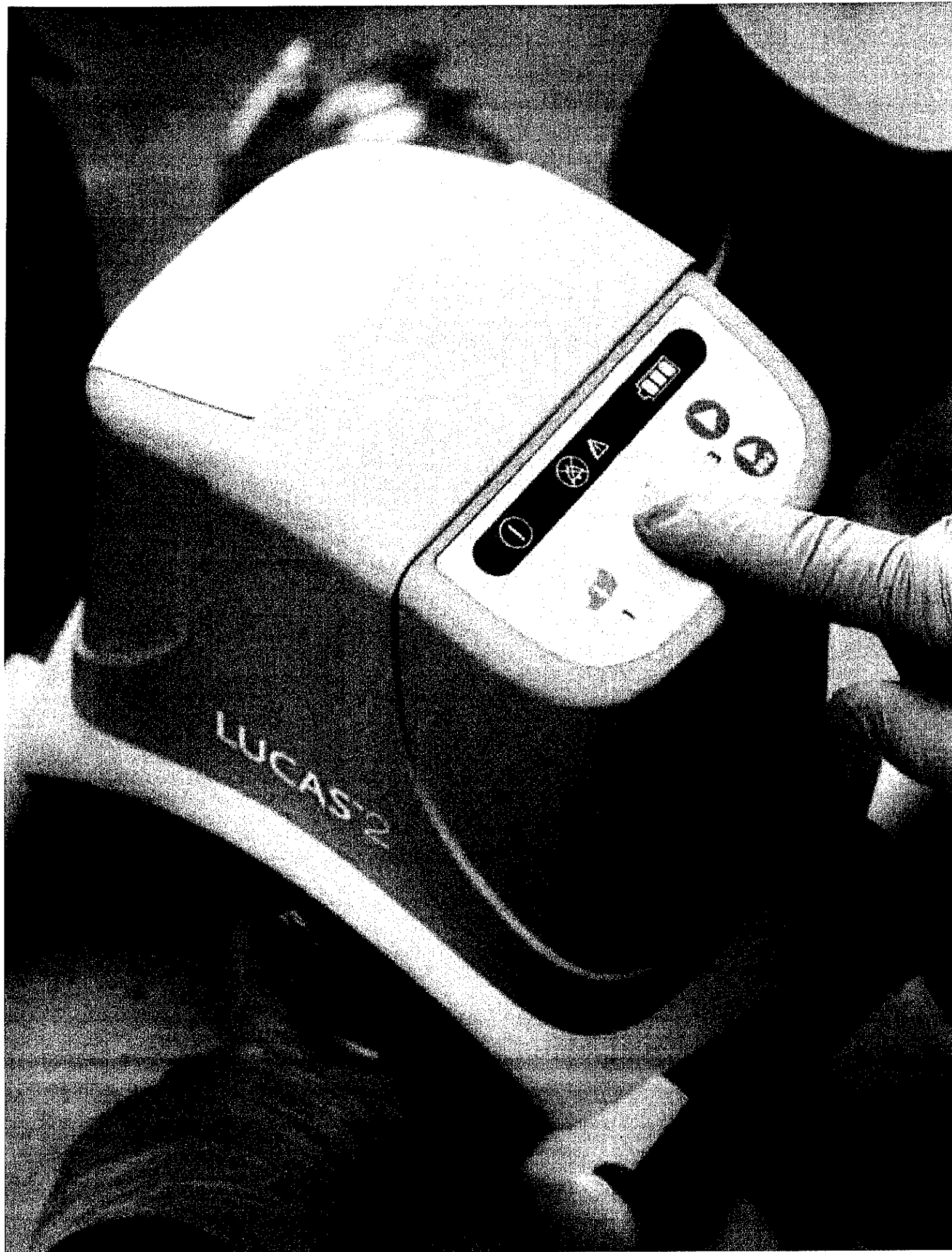
LUCAS is lightweight, comes in a backpack and can be applied quickly to a patient, interrupting manual compressions for less than 20 seconds. It’s simple to apply whether the patient is on the ground, on a bed or on a stretcher in the ambulance.

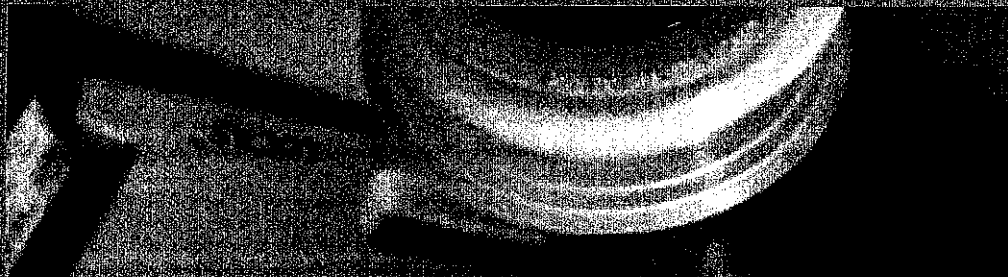
Keep personnel safe during CPR

Whether you are delivering chest compressions in the back of an ambulance or in an emergency department, LUCAS can help keep responders safe. In a mobile environment, rescuers can be safely seat-belted in the back of an ambulance while LUCAS delivers compressions. In a hospital environment, LUCAS may help decrease occurrences of back injuries sustained while delivering CPR, as rescuers will no longer have to deliver prolonged CPR on a bed.

In a study found in *Resuscitation*, of 205 respondents, over 80% experienced back discomfort; 56% felt the discomfort was related to the duration of CPR. 20% suffered back injury or prolapsed disc; 40% considered their back injury related to/aggravated by CPR.

Jones A. Can cardiopulmonary resuscitation injure the back? *Resuscitation*. 2004;61(1):63-67.





A tireless lifesaver

When Leon Schmidt, MD, suffered a massive cardiac arrest, it was LUCAS that got him alive. As soon as the paramedics arrived, they had it on the LUCAS. It really saved Gayle Schmidt, Leon's wife. Later, Gayle was told that patients who experience the same type of cardiac arrest as her husband have only a three percent survival rate.

It was all for the LUCAS machine that saved Leon. Would he be with us today?

Respiratory care is encouraging to Charles Hick, MD, medical director for Allina Medical Transportation and Emergency Department, and director of Burien Hospital.

In 2005, the AHA determined that we need to focus on getting better chest compressions to move the blood around and keep the organs working. We know that CPR is difficult to do well. People slow down. They don't always do it properly. Even professional rescuers. A machine does it a lot better. It's consistent and consistency is key. It's a lot better.

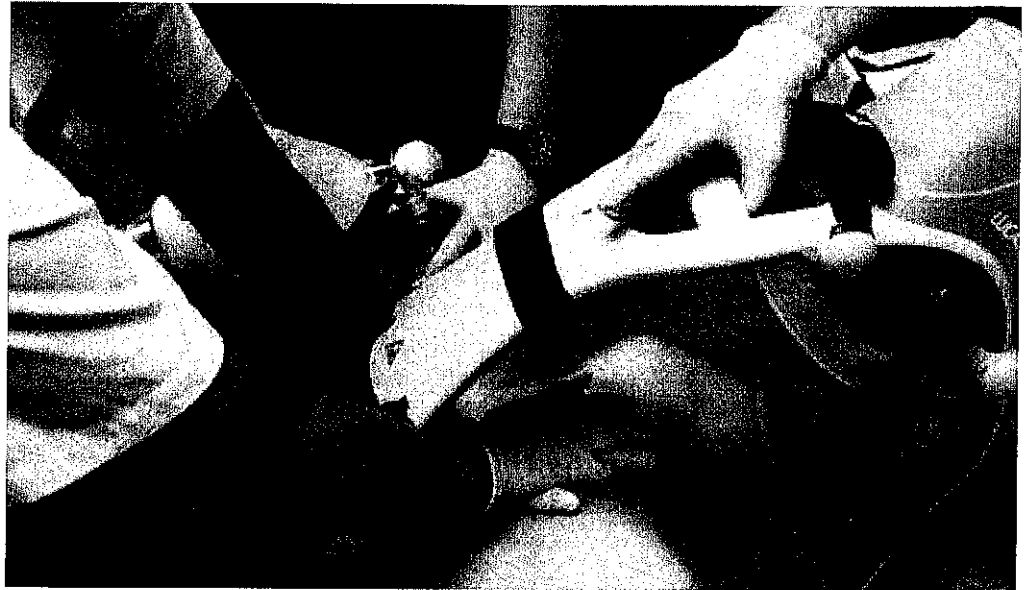
All Allina Medical Transportation ambulances are equipped with the life-saving device. And now Burien Hospital has added a LUCAS device to its Emergency Department.

Someone who has suffered a sudden cardiac arrest in the past has a good chance of suffering another one as we work on them in the Emergency Department," Hick said.

The LUCAS is valuable here as it's in the field. Let's predict that in the coming months, LUCAS will help more patients like Schmidt get on with their lives. And, of course, we can do much better CPR with LUCAS than we can with manual intervention.

In a recent survey, nearly 25% of ambulance officers suffered back injury, and as many as 62% of these reported that the cause of the injury was related to CPR delivery.

— Jones A, Lee R. Cardiopulmonary resuscitation and back injury in ambulance officers. *International Archives of Occupational and Environmental Health*. 2005;78(4):332-336.



Improving operations in the field

Chiefs, training officers and medics are always looking for ways to maximize their resources while improving response in the field. Having LUCAS at your side during a cardiac emergency allows you to reduce the number of EMTs or firefighters to assist with CPR. This lessens chaos on the scene and frees up equipment and staff to go on to other emergencies.

When the cardiac arrest victim is ready for transport, LUCAS moves with the patient from the emergency scene to the ambulance. LUCAS provides continuous, effective compressions, helping to maintain good circulation in the patient while medics remain seat-belted for better safety in a mobile environment.

CPR is difficult to do well. Manual CPR training can help and it's expensive and cumbersome to schedule and track. LUCAS is simple and easy to use with minimal training, keeping the cost of ownership low.

A vital tool for the clinically progressive agency

Medical directors know the value of quality CPR in achieving optimal clinical outcomes. With LUCAS, you can be confident that chest compressions are delivered according to the guidelines. By ensuring compressions continue uninterrupted at a consistent depth to facilitate ROSC, your teams are able to help patients to be more viable candidates for recovery.

LUCAS can be part of a clinically progressive resuscitation program. It works in tandem with cooling therapies or impedance threshold devices for a comprehensive approach to patient resuscitation.

"The mood in the cath lab was calm at all times despite the ongoing VF. This is quite contrary to what usually happens in such situations when manual compressions are used."

-- Olivecrona, Lund, Sweden, (tctmd.com 24 Oct 2006)



Provide continuous care in the emergency department

For an emergency department or nurse manager, LUCAS is a vital tool in the treatment of cardiac arrest patients. LUCAS delivers effective, consistent, uninterrupted chest compressions and can help effectively manage the code scene while helping the patient to maintain good circulation. Emergency department staff, relieved of the need to perform manual compressions, can more efficiently assess the patient's condition and determine the best treatment plan. This can reduce crowding and chaos in the emergency department, which can help to maintain calm and focus amongst the staff, and potentially free up resources for use in other emergencies.

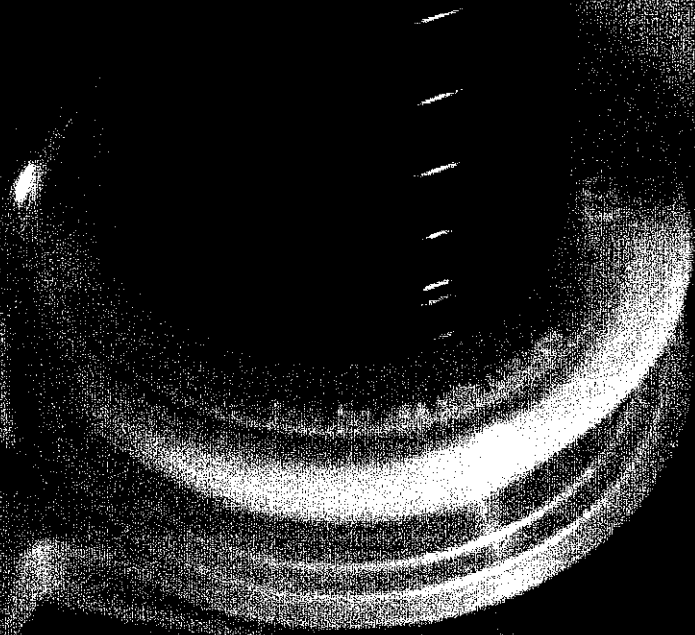
Using LUCAS in the emergency department can help maintain circulation without interruption which is crucial to improving patient outcomes.

Keep up the pressure in the cath lab

In the event of cardiac arrest due to refractory ventricular fibrillation or a nonshockable rhythm, LUCAS enables the intervention to continue by providing consistent, guidelines-quality chest compressions, which facilitates blood circulation to supply oxygen to vital organs. In addition, LUCAS creates a less stressful environment that enables quality decision making and keeps staff safely out of the x-ray field.

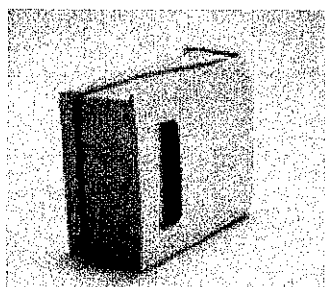
LUCAS is mainly radio translucent, except for the hood and piston, enabling you to capture most fluoroscopy projections without removing LUCAS. The following fluoroscopy projections can be captured in monoplane while LUCAS is attached to the patient: LAO Cranial/Caudal Oblique; RAO Cranial/Caudal Oblique; Straight Caudal; Straight Lateral; and Straight Cranial. The 2010 AHA Guidelines have given a Class IIa, LOE C recommendation to LUCAS use during PCI.

LUCAS™ 2

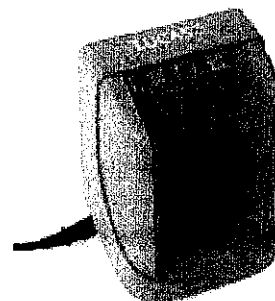


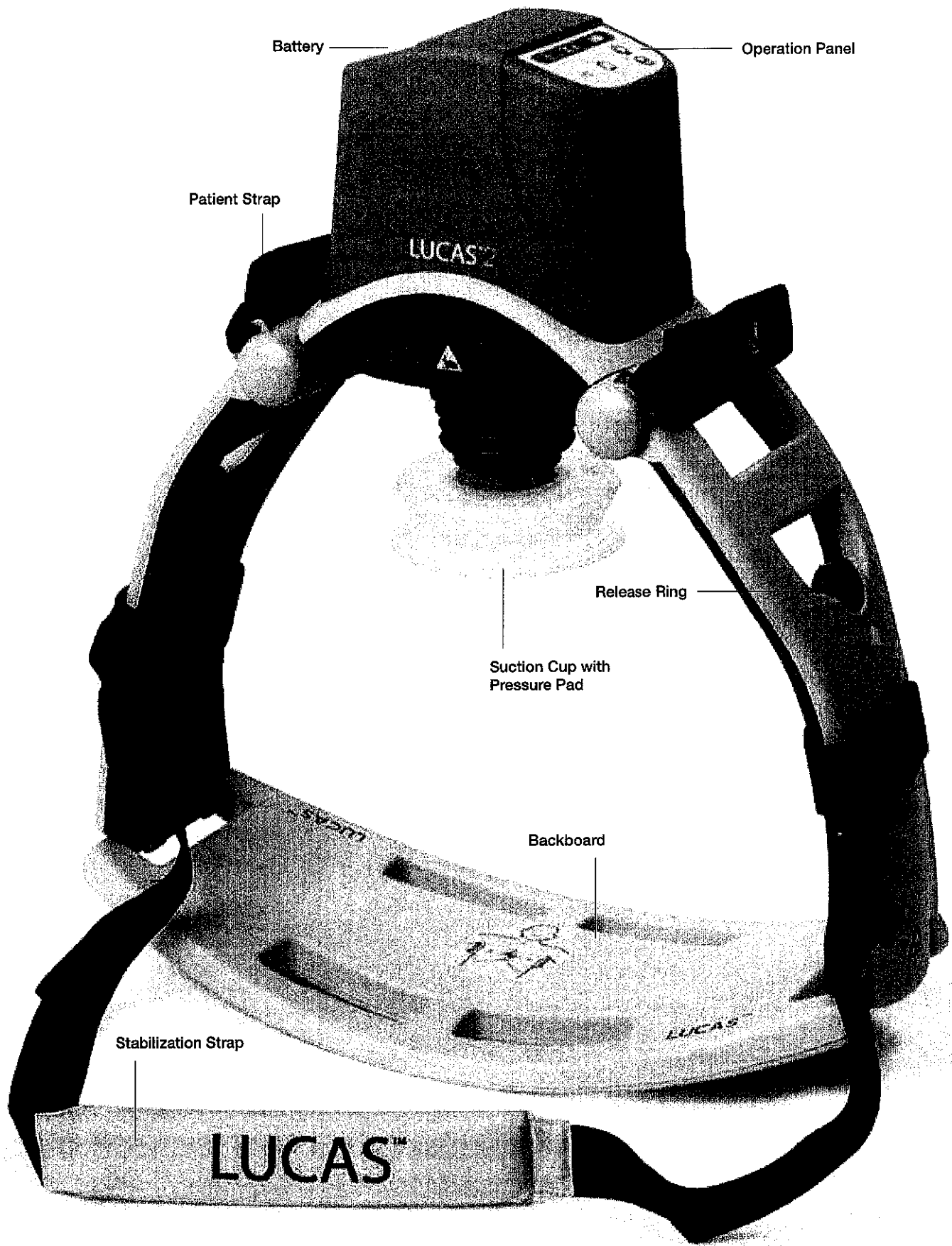
AV20

LUCAS CHEST COMPRESSION SYSTEM



The LUCAS 2 chest compression system is shipped with one battery, patient straps, three suction cups, a carrying bag and the instructions for use. Also available are additional accessories and power options designed to meet your needs.





Battery

Operation Panel

Patient Strap

LUCAS²

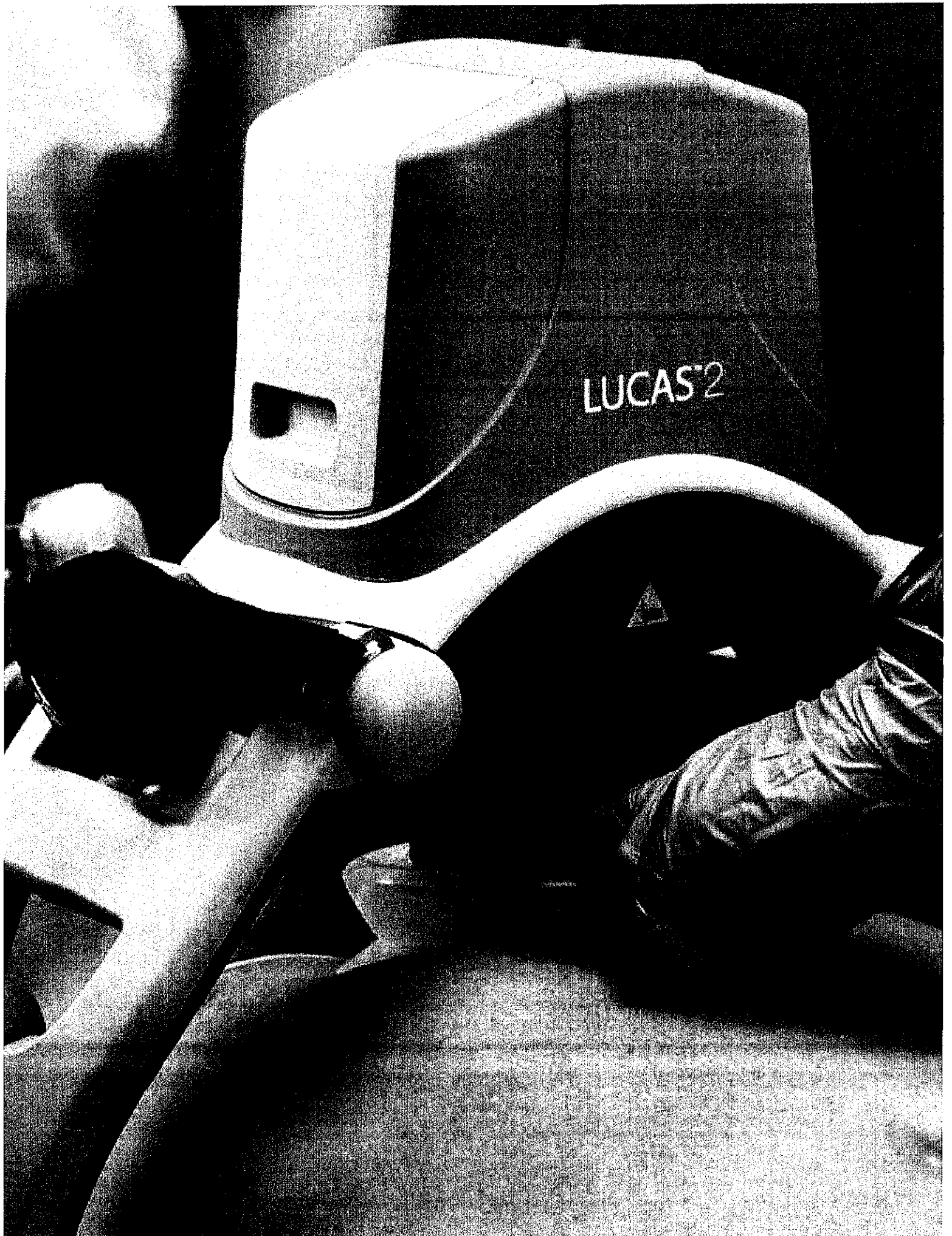
Release Ring

Suction Cup with
Pressure Pad

Backboard

Stabilization Strap

LUCAS[™]



"If I had one arm,
and could only grab
one thing to take into
the house, it would
be LUCAS."

- Paramedic and Field Supervisor
Cypress Creek

Specifications



LUCAS 2 CHEST COMPRESSION SYSTEM

COMPRESSIONS

Compression Frequency: 102 ± 2 compressions per minute

Compression Depth: 2.1 inches ± 0.1 inches for nominal patient*

Compression/Decompression Duty Cycle: $50 \pm 5\%$

Patients Eligible for Treatment:

- Sternum height of 6.7–11.9 inches (17 – 30.3 cm)
- Maximum chest width: 17.7 inches (45 cm)

The use of LUCAS is not restricted by patient weight.

*Patients with sternum height between 6.7 inches–7.3 inches will receive linearly increasing depth from 1.5 inches to 2.1 inches.

PHYSICAL CHARACTERISTICS

Height (stowed in backpack): 25.6 inches (65 cm)

Width (stowed in backpack): 13 inches (33 cm)

Depth (stowed in backpack): 9.8 inches (25 cm)

Weight (including battery): 17.2 lbs (7.8 kg)

OPERATION

Operation: Electrical

Power Source: Battery – Rechargeable Lithium-ion Polymer (LiPo)

- Size: 5.1 x 3.5 x 2.2 inches (13.0 x 8.8 x 5.7 cm)
- Weight: 1.3 lbs (0.6 kg)
- Capacity: 3300 mAh (typical), 86 Wh
- Battery voltage: 25.9 V
- Run time: 45 minutes (typical)
- Maximum battery charge time: Less than 4 hours at room temperature (72°F/ 22°C)
- Required interval for replacement of battery: Recommendation to replace battery every 3 years or after 200 uses

Battery Environmental Specifications

- Operating temperature: 32°F to 104°F / 0°C to +40°C
- Charge temperature: 41°F to 95°F / 5°C to +35°C
- Storage temperature: 32°F to 104°F / 0°C to 40°C for <6 months
- IP Classification: IP44

All specifications are at 20-25°C unless otherwise stated. Specifications subject to change without notice.

Physio-Control Family of Products and Services

Defibrillators/Monitors



LIFEPAK CR® Plus Automated External Defibrillator

Featuring the same advanced technology trusted by emergency medical professionals—yet simple to use—the fully-automatic LIFEPAK CR Plus AED is designed specifically for the first person to respond to a victim of sudden cardiac arrest.



LIFEPAK® 1000 Defibrillator

The LIFEPAK 1000 Defibrillator is a powerful and compact device designed to treat cardiac arrest patients and provide continuous cardiac monitoring capabilities. Built-in flexibility allows the 1000 to be programmed for use by first responders or professionals and enables care providers to change protocols as standards of care evolve.



LIFEPAK® 15 Monitor/Defibrillator

The LIFEPAK 15 monitor/defibrillator is the new standard in emergency care for ALS teams who want the most clinically innovative, operationally effective, and LIFEPAK TOUGH device available today.



LIFEPAK® 20e Defibrillator/Monitor

Clinically advanced and packed with power, the LIFEPAK 20e defibrillator/monitor is highly intuitive for first responders, and also skillfully combines AED function with manual capability so that ACLS-trained clinicians can quickly and easily deliver advanced therapeutic care.

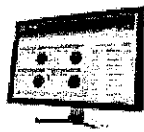
CPR Assistance



LUCAS® Chest Compression System

Designed to provide effective, consistent, and uninterrupted compressions according to AHA Guidelines, LUCAS can be used on adult patients in out-of-hospital and hospital settings.

Information Management



LIFENET® System

The LIFENET System provides EMS and hospital care teams with reliable, quick access to clinical information through a secure, web-based platform, helping to improve patient care flow and operational efficiency.

CODE-STAT™ 9.0 Data Review Software

CODE-STAT 9.0 data review software is a retrospective analysis tool that provides easy access to data, reports, and post-event review.



ReadyLink™ 12-Lead ECG

Handheld, portable, and easy-to-use, the revolutionary ReadyLink 12-Lead ECG quickly and easily captures and transmits 12-lead data to hospitals through the LIFENET System. Doctors can provide chest pain decision support, so teams in the field know exactly what kind of care the patient needs and where to take them.

Support



Physio-Control Service

As the world's leading provider of defibrillation technology, Physio-Control understands our responsibility to maintain the reliability of our lifesaving defibrillator/monitors. We have over 100 field-based technical service representatives worldwide. Physio-Control is committed to service 24/7, and to returning a customer's call within two hours to quickly assess the problem and find the best solution (U.S.). If needed, a technical service representative will be on-site within 24 hours (U.S.).

For more than 55 years, Physio-Control, maker of the renowned LIFEPAK defibrillators, has been developing technologies and designing devices that are legendary among first response professionals, clinical care providers and the community.

For further information, please contact Physio-Control at 800.442.1142 (U.S.), 800.895.5896 (Canada) or visit our website at www.physio-control.com.



Physio-Control Headquarters

Redmond, WA 98052
www.physio-control.com

Customer Support

P. O. Box 97006
Redmond, WA 98073
Toll free 800 442 1142
Fax 800 426 8049

Physio-Control Canada

Physio-Control Canada Sales, Ltd.
7111 Syntex Drive, 3rd Floor
Mississauga, ON
L5N 8C3
Canada
Toll free 800 895 5896
Fax 866 430 6115



Physio-Control, Inc
11811 Willows Road NE
P.O. Box 97006
Redmond, WA 98073-9706 U.S.A.
www.physio-control.com
tel 800.442.1142
Sales Order fax 800.732.0956
Service Plan fax 800.772.3340

To South Lyon Fire Department
Attn: Robert Vogel, Fire Chief
217 Whipple Street
South Lyon, 48178
(248) 437-2616
firechief@southlyonmi.org

Quote Number 00133787
Revision # 1
Created Date 7/17/2018
Sales Consultant Jeff Beutner
(734) 905-7300
jeff.beutner@stryker.com
FOB Redmond, WA
Terms All quotes subject to credit approval and the following terms and conditions
NET Terms NET 30
Expiration Date 10/15/2018

Product	Product Description	Quantity	List Price	Unit Discount	Unit Sales Price	Total Price
11576-000071	LUCAS Power Supply	1.00	379.00	-49.27	329.73	329.73
11576-000080	LUCAS 3 Battery - Dark Grey - Rechargeable LiPo	1.00	730.00	-94.90	635.10	635.10
99576-000063	LUCAS 3, v3.1 Chest Compression System INCLUDES HARD SHELL CASE, SLIM BACK PLATE, TWO (2) PATIENT STRAPS, (1) STABILIZATION STRAP, (2) SUCTION CUPS, (1) RECHARGEABLE BATTERY, AND INSTRUCTIONS FOR USE WITH EACH DEVICE. The device can connect wirelessly to the LIFENET® System for setup options, post-event report generation and asset management.	1.00	15,950.00	-2,073.50	13,876.50	13,876.50

Subtotal USD 14,841.33
Estimated Tax USD 0.00
Estimated Shipping & Handling USD 30.00

Current Sales Tax Rates will be applied at the time of Invoice and tax rate is based on the Ship To location

Grand Total USD 14,871.33

Pricing Summary Totals

List Price Total USD 17,059.00
Total Contract Discounts Amount USD 0.00
Total Discount USD -2,217.67
Trade In Discounts USD 0.00
Tax + S&H USD 30.00

AGENDA NOTE

New Business: Item # 5

MEETING DATE: October 8, 2018

PERSON PLACING ITEM ON AGENDA: Fire Chief Robert Vogel

AGENDA TOPIC: Sale of 2005 Ford Excursion

EXPLANATION OF TOPIC: We request permission to sell the 2005 Ford Excursion to the August Township Fire Department for \$3,500.00.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Kelley Blue Book used car value estimate. Estimated maintenance cost sheet.

POSSIBLE COURSES OF ACTION: Approve/do not approve the sale of the 2005 Ford Excursion to August Township Fire Department \$3,500.00.

RECOMMENDATION: Approve the sale of the 2005 Ford Excursion for \$3,500.00.

SUGGESTED MOTION:

#1 Motion by _____, supported by _____ to approve the sale of the 2005 Ford Excursion to August Township FD for \$3,500.00.



Advertisement

Used 2005 Ford Excursion XLS Sport Utility 4D

Lowest Priced Style



Buy from a Private Party

Private Party Range
\$3,885 - \$5,822
Private Party Value
\$4,854 (\$97/month)*



Based on Fair Condition

Private Party Values valid for your area through 9/27/2018

Your Configured Options

Engine

V10, 6.8 Liter
V8, 5.4 Liter
V8, Turbo Dsl 6.0L

Transmission

Automatic

Drivetrain

2WD
4WD

Braking and Traction

ABS (4-Wheel)

Comfort and Convenience

Air Conditioning
Air Conditioning, Rear
Power Windows
Power Door Locks
Cruise Control

Steering

Power Steering
Tilt Wheel

Entertainment and Instrumentation

AM/FM Stereo
Cassette
CD/MP3 (Single Disc)

CD/MP3 (Multi Disc)

Premium Sound
Navigation System
DVD System
Video System
Integrated Phone

Safety and Security

Parking Sensors
Dual Air Bags
Side Air Bags
F&R Side Air Bags

Seats

Power Seat
Dual Power Seats
Leather
Third Row Seat
Quad Seating (4 Buckets)

Roof and Glass

Sun Roof (Flip-Up)
Sun Roof (Sliding)
Moon Roof
Privacy Glass

Exterior

Running Boards
Custom Bumper
Grille Guard
Winch

Snow Plow
Custom Paint
Two-Tone Paint

Cargo and Towing

Roof Rack
Towing Pkg

Wheels and Tires

Alloy Wheels
Premium Wheels
Wide Tires
Oversize Off-Road Tires
Oversized Premium Wheels 20"+

Exterior Color

Beige
Black
Blue
Brown
Burgundy
Gold
Gray
Green
Orange
Pink
Purple
Red
Silver
White
Yellow

Glossary of Terms

Suggested Retail Price - Suggested Retail Price is representative of dealers' asking prices. It assumes that the vehicle has been fully reconditioned and takes into account the dealers' profit and costs for advertising. The final sale price will likely be less, depending on the car's actual condition, popularity, warranty and local market factors.

Tip:

Kelley Blue Book pricing is based on actual transactions and adjusted regularly as market conditions change.



SOUTH LYON FIRE DEPARTMENT

217 Whipple Street, South Lyon, MI 48178

Phone: 248-437-2616 Fax: 248-437-3025

southlyonfire.com

Sell of 2005 Excursion

The following the supporting documents regarding the sale of the 2005 Ford Excursion.

The estimated value is through KBB.com is \$3885-\$5822. The average private party retail is \$4854. The vehicle is in need of some serious maintenance. Including tires, brakes, oil change and tune-up. I contact Doug Buers for estimated cost for the repairs.

Tires X4	\$636.00
Brakes	\$312
Oil change and tune-up	\$238
Total	\$1,186

The estimate to sell the vehicle on the Michigan MITN auction web site is \$4000. Minus the listing fee 10%. \$3,600. We than will have to pay to have the vehicle graphics removed.

The Augusta Fire Department is in Washtenaw County and they are in desperate need of a Rescue vehicle. The Augusta Township board approved the purchase of the vehicle for \$3,500. Augusta FD is willing to purchase the vehicle "as is". I feel this is a fair price knowing the maintenance needs of the vehicle.

AGENDA NOTE

New Business: Item # 6

MEETING DATE: October 8, 2018

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: South Lyon Educational Foundation Charitable Gaming License

EXPLANATION OF TOPIC: South Lyon Educational Foundation is a non-profit group established to benefit South Lyon Community Schools by promoting the educational mission of the South Lyon Community Schools. They are attempting to get a charitable gaming license from the state of Michigan for an event they are holding on Saturday, October 13. They are asking for the attached resolution to be passed by the local government stating they are a recognized non-profit organization in the community.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

I.R.S exemption letter, Letter from the State of Michigan and By-Laws of the South Lyon Educational Foundation

POSSIBLE COURSES OF ACTION: Approve/do not approve the resolution.

RECOMMENDATION: Approve the agreement resolution.

SUGGESTED MOTION:

Moved by _____ and supported by _____
Motion to approve the request from the South Lyon Educational Foundation, of South Lyon Michigan, county of Oakland, to be recognized as a non-profit organization operating in the community for the purpose of obtaining charitable gaming licenses.



State of Michigan
Michigan Gaming Control Board
Office of the Executive Director
P.O. Box 30786
Lansing, MI 48909
Phone: (313) 456-4940
Fax: (313) 456-3405
Email: Millionaireparty@michigan.gov
www.michigan.gov/mgcb

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(k)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION CITY

county of _____, asking that they be recognized as a nonprofit
COUNTY

organization operating in the community, for the purpose of obtaining charitable gaming licenses, be

considered for _____
APPROVAL/DISAPPROVAL

<u>APPROVAL:</u>	Yeas: _____	<u>DISAPPROVAL:</u>	Yeas: _____
	Nays: _____		Nays: _____
	Absent: _____		Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted

by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

Organization Information: _____
ORGANIZATION'S MAILING ADDRESS, STREET, CITY, ZIP

ORGANIZATION'S PRINCIPAL OFFICER NAME AND TITLE ()
PHONE NUMBER

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **NOV 14 2017**

SOUTH LYON EDUCATIONAL FOUNDATION
C/O JAMES CROWLEY
MILLER CANFIELD PADDOCK AND STONE
150 WEST JEFFERSON AVE STE 2500
DETROIT, MI 48226

Employer Identification Number:
82-2137619
DLN:
17053223313027
Contact Person:
RACHEL M LEIFHEIT ID# 31617
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
May 3, 2017
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

SOUTH LYON EDUCATIONAL FOUNDATION

We sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

Stephen A. Martin

Director, Exempt Organizations
Rulings and Agreements



RICK SNYDER
GOVERNOR

State of Michigan
Bureau of State Lottery
101 E. Hillsdale • P.O. BOX 30023 • Lansing, Michigan 48909
www.michigan.gov/cg • (517) 335-5780 • FAX (517) 267-2285



BRIAN NEILL
COMMISSIONER

August 24, 2018

Organization ID: 140050

Brad Marley
South Lyon Educational Foundation
345 S Warren Street
South Lyon, MI 48178



Dear Brad Marley:

We have received documentation to qualify your organization as a Local Civic organization to conduct licensed gaming events as allowed by Act 382 of the Public Acts of 1972, as amended.

To complete the qualification process, please submit the following information:

1. A copy of the organization's current Bylaws or Constitution, including membership criteria, signed and dated by your principal officer.
2. A copy of the letter from the IRS stating the organization is exempt from federal income tax under IRS code 501(c) or copies of one bank statement per year for the previous five years, excluding the current year, from 8/24/2013 to 8/24/2017.
3. A provision in your Bylaws, Constitution, or Articles of Incorporation that states should the organization dissolve, all assets, and real and personal property will revert:
 - A. If exempt under 501(c)3, to another 501(c)3 organization.
 - B. If not exempt under 501(c)3, to the local government.
4. A copy of a resolution passed by the local government stating the organization is a recognized nonprofit organization in the community; form enclosed.
5. A revenue and expense statement for the previous 12 month period to prove all assets are used for charitable purposes, i.e. 990's, treasurer's report, audit. Do not send check registers or cancelled checks. Explain the purpose of each expenditure made to an individual. Once the organization has conducted licensed gaming events, the Bureau may require the organization to provide additional proof that all assets are being used for charitable purposes.

Please enclose a copy of this letter with the requested information and mail, fax to (517) 267-2285, or email to CG-Additional-Info@michigan.gov. Be sure to include your organization ID number 140050 on all correspondence submitted to our office.

By-Laws
of the
South Lyon Educational Foundation

Adopted June 12, 2017

**BY-LAWS
FOR
THE SOUTH LYON EDUCATIONAL FOUNDATION**
a Michigan, non-profit corporation

**ARTICLE 1
Organization and Operation**

- 1.1 **Name.** The name of this corporation shall be The South Lyon Educational Foundation (the "Foundation").
- 1.2 **Principal Place of Business and Registered Office.** The principal place of business of the Foundation shall be 345 South Warren, South Lyon, Michigan 48178. The principal place of business shall serve as the Registered Office as required by the laws of the state of Michigan.
- 1.3 **Corporate Status.** The Foundation shall be operated exclusively for charitable, religious, scientific, literary or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or comparable provisions of subsequent legislation (the "Code"), as a Michigan nonprofit corporation.
- 1.4 **Governance/Membership.** The Foundation shall have no members and shall be governed on a directorship basis. The property, business, and affairs of the Foundation shall be managed by trustees that shall serve on the Board of Directors on a voluntary basis. All Foundation actions shall be approved by the Board of Directors as provided in these Bylaws. All rights which would otherwise rest in members shall rest in the trustees/directors.
- 1.5 **Fiscal Agents.** The Foundation may retain third parties for the purpose of retaining professional services, including but not limited to legal, tax, accounting and investment advisor services, as needed and deemed necessary by the Board of Directors. The Board of Directors may terminate such services at any time, with or without cause.
- 1.6 **Property/Assets.** No officer or trustee shall have any right, title or interest in or to the property or assets of the Foundation.
- 1.7 **Fiscal Year.** The Board of Directors shall have the power to fix, and from time to time change, the fiscal year of the Foundation provided that any such change or modification to the fiscal year is based upon the advice of professional counsel. The initial fiscal year of the Foundation shall be determined by the Board of Directors.
- 1.8 **Books and Records.** The Board of Directors shall cause the records and books of account of this Foundation to be audited in such a manner as required by state and federal law and as deemed necessary or appropriate by the Board of Directors. The Board of Directors shall develop policies with respect to the investment of funds and retain professional services as deemed necessary to draft such investment policies.
- 1.9 **Corporate Seal.** The Foundation may elect to have a corporate seal. If a corporate seal is utilized it shall state the name of the Foundation, "Corporate Seal" and "Michigan."

ARTICLE 2

Purpose and Mission

- 2.1 **Purposes.** The purposes of the Foundation shall include, but not necessarily be limited to, benefiting the public schools and students of South Lyon Community Schools by promoting the educational mission of the South Lyon Community Schools. The Foundation shall conduct fundraising and other charitable activities and otherwise receive and administer funds and assets for charitable, educational and scientific purposes as set forth in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

The Foundation shall not conduct any activities which are not permitted to be carried on by (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Code, (b) a corporation eligible to receive tax deductible contributions under Section 170(c) and Section 2055, Section 2522 or Section 2106 of the Code, or (c) a nonprofit corporation organized under the laws of the State of Michigan pursuant to the Michigan Nonprofit Corporation Act, Act 162, P.A. of 1982, as amended ("Act 162"). The conduct and activities of the Foundation shall not include the operation of shall not consist of operating a school or educational institution requiring certification or approval by the Michigan Department of Education.

- 2.2 **Prohibited Activities.** No substantial part of the activities of the Foundation shall consist of attempting to influence legislation, shall not publish or distribute statements relating to political campaigns, nor shall the Foundation participate in or intervene in any political campaign on behalf of (or in opposition to) any candidate for public office. No trustee, officer or director of the Foundation shall have any title to or interest in the Foundation's assets nor shall the net earnings of the Foundation inure to the benefit of any trustee, officer or any private individual.

ARTICLE 3

Board of Directors

- 3.1 **Directors/Trustees.** The Foundation shall be organized on a directorship basis and governed by a Board of Directors (hereinafter individually referred to as "trustee" or "director"). The number of directors shall be not less than nine (9) or more than twenty-one (21), including the standing appointments under this Article. The number of directors may be increased or decreased to any odd number by amendment of these Bylaws as provided herein.
- 3.2 **Appointment of Directors and Officers.** All directors, other than the District Representatives defined below, shall be appointed by a majority vote of those remaining duly qualified Directors. Board Officers shall be elected annually as provided in these Bylaws.
- 3.3 **Standing Appointments.** The Superintendent of Schools, an Assistant Superintendent, and one to two Trustees of the Board of Education of the South Lyon Community Schools ("District Representatives") shall hold permanent seats, provided however such seats shall be held for the purpose of acting as liaisons to the South Lyon Community Schools and District Representatives shall not have the authority to vote. District Representatives may have a designee attend meetings or other act in his or her place. Each permanent Director shall hold office until his or her designated position with the South Lyon Community Schools is changed.

- 3.4 **Term of Office.** Director terms, other than those having permanent seats as set forth above, shall be for terms of three (3) years. It is the intent of the Foundation that the term of office for approximately one-third (1/3) of the elected Directors shall expire each year. Term limits shall not apply to any trustee or director unless these Bylaws are amended as provided for herein.
- 3.5 **Initial Board of Directors.** The first Board of Directors shall be appointed by the Foundation's Incorporator(s) and shall consist of fifteen (15) directors, which shall include eleven (11) board members having voting positions and four (4) standing appointments with non-voting seats as liaisons to the South Lyon Community Schools.

The initial Board of Directors not holding a standing position shall initially serve partial terms as follows:

- 1) Four (4) members of the Board of Directors shall serve a term of one (1) year;
 - 2) Four (4) members of the Board of Directors shall serve a term of two (2) years; and
 - 3) Three (3) members of the Board of Directors shall serve a term of three (3) years.
- 3.6 **Resignation; Removal; Vacancy.** A Board of Director trustee may resign by written notice to the Foundation. A trustee's resignation is effective upon its receipt by the Foundation or a subsequent time set forth in the notice of resignation. With the exception of the District Representatives, as defined above, a trustee may be removed by a majority vote of Board of Directors with or without cause. The Board of Directors shall develop policies for the appointment of successor trustees/directors as well as trustees appointed at each annual meeting. A vacancy in any Director as a result of death, resignation, removal, or any other cause shall be filled by a majority vote of the Board of Directors. The Director appointed to fill such vacancy shall hold office for the remaining term of that Director's position.
- 3.7 **General Powers.** It shall be the responsibility of the Board of Directors to carry out the purposes and mission statement of the Foundation as stated in the Articles of Incorporation and these Bylaws. The Board shall have general management and control of the business and affairs of the Foundation and shall exercise all of the powers that may be exercised or performed by the Foundation under the statutes of the State of Michigan, the Articles of Incorporation and these Bylaws.
- 3.8 **Compensation.** No part of the assets or net earnings of the Corporation may inure to the benefit of or be distributable to its volunteers, Board of Directors, Officers, or other private individuals; provided, however, that the Foundation is authorized to retain services and employ staff and to pay reasonable compensation for services as deemed necessary by the Board of Directors.
- 3.9 **Financial Support of the Corporation.** The Foundation shall raise funds throughout the fiscal year by way of donations and other charitable and fundraising events. Donations may also be made by way of an endowment fund earmarked for certain purposes or uses.

ARTICLE 4

Meetings

- 4.1 **Place.** Meetings of the Board of Directors of the Foundation shall be held at such place, within or without the State of Michigan, as may be designated by the Board of Directors.
- 4.2 **Annual Meetings.** An annual meeting of the Directors of the Foundation shall be held at the

principal office of the Foundation in the South Lyon Community Schools Administration Office in South Lyon, Michigan, or at such other place as may be selected by the Directors,. The Annual Meeting of the Board of Directors shall be held in January each year or at another date/time to be determined by the Board of Directors, for the purpose of appointing directors, electing officers and other corporate business for the ensuing fiscal year as well as any other matters properly brought before the meeting.

- 4.3 **Regular Meetings.** A regular meeting schedule of the Board of Directors may be established and scheduled based upon the determination by the Board of Directors. Unless or until such regular meeting schedule is established, the Foundation Board of Directors shall meet as needed in accordance with special meetings.
- 4.4 **Special Meetings.** Special meetings of the Board of Directors may be called as needed to conduct Foundation business affairs at the request of the Chair or not less than two (2) Directors then in office. Such meetings shall be held at the office of the Foundation, unless otherwise directed by the Board of Directors.
- 4.5 **Notice of Meetings.** When notice of a meeting is required by these By-Laws, such notice shall contain the time, place and purpose of each meeting of the Board of Directors and shall be provided to each Director at least seven (7) days prior to such meeting or ten (10) days if such notice is requested by U.S. mail as provided for below. The Secretary of the Board of Directors shall be responsible for sending notification of such meeting.

Unless specifically requested that notice be provided by U.S. mail, the Secretary will provide notice by electronic mail, phone or fax to each Director. It shall be the responsibility of each Director to provide current contact information to the Secretary. If notice is requested by U.S. mail, such notice will be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage thereon prepaid. Any Director may waive notice of any meeting. The attendance of a Director at any meeting will constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

- 4.6 **Quorum.** A majority of the Directors having voting authority then in office shall constitute a quorum for the transaction of business and the action of a majority of the Directors present at a meeting at which a quorum is present shall be the action of the Board of Directors, except as action by a majority of the Directors then in office may be specifically required by other sections of these By-Laws. Proxy voting shall be permitted.
- 4.7 **Conduct of Meetings.** Meetings of the Directors shall be presided over by the Board Chair or Vice Chair. The Secretary of the Foundation shall be responsible for recording minutes or, in their absence, a person chosen at the meeting shall act as Secretary of the meeting.
- 4.8 **Informal Meetings.** Any action required by law to be taken at a meeting of the Directors, or any action which may be taken at a meeting of the Directors, may be taken without a meeting if a consent in writing, setting forth the action so taken, will be signed by all of the Directors entitled to vote with respect to the subject matter thereof.
- 4.9 **Action By Written Consent.** Action of the Board of Directors or a committee thereof, may be taken without a meeting if, before or after the action, all Members of the Board of Directors or the committee consent thereto in writing. Written consent shall be filed with the minutes of the proceedings of the Board or committee. Such consent shall have the same effect as the vote of the

Board or committee for all purposes.

- 4.10 **Telephonic Conferences.** A Director may participate in a meeting of Directors by a conference telephone or similar communication equipment by which all persons participating in the meeting may hear each other if all participants are advised of the communications equipment and the names of the participants in the conference are divulged to all participants. Participation in a meeting pursuant to this Section constitutes presence in person at the meeting.
- 4.11 **Voting; Manifestation of Dissent.** The act of a majority of the Directors present at a meeting at which a quorum is present will be the act of the Board of Directors, unless the act of a greater number (e.g. a super-majority) is required by law or by these Bylaws. A Director may express his/her dissent to a particular action during a meeting, which shall be entered in the minutes of the meeting. A Director may also file his/her written dissent to such action with the Secretary by sending a written dissent to the Secretary.
- 4.12 **Resolutions.** All conveyances, contracts and instruments of transfer and assignment shall be approved as provided by a resolution of the Board of Directors.
- 4.13 **Adjourned Meetings.** A majority of the directors present, whether or not a quorum, may adjourn any meeting to another time and place.
- 4.14 **Compensation.** Directors shall serve without compensation but shall be reimbursed for actual, reasonable, and necessary expenses incurred by a Director in his or her capacity as a Director.
- 4.15 **Confidentiality.** The records and business of all Board of Directors proceedings shall be confidential and shall not be subject to disclosure without the Board of Directors' authorization in advance of disclosure.

ARTICLE 5

Officers

- 5.1 **Officers.** The Board of Directors shall elect officers from the Board of Directors at the annual meeting, or at another meeting as determined by the Board, the following officers: Chair of the Board, Vice Chair, Secretary and Treasurer. The Board of Directors may create additional officer positions by majority vote as deemed necessary. With the exception of the Chair of the Board, the Board of Directors may elect two (2) trustees/directors to share an officer position.
- 5.2 **Term of Office.** With the exception of the initial officers consisting of the effect at the time specified therein, the term of each officer shall commence upon their election or appointment and shall continue until the next annual or until their resignation or removal.
- 5.3 **Removal; Resignation.** Any officer elected by the Board of Directors may be removed with or without cause by the Board whenever in its judgment the best interest of the Foundation would be served thereby. Removal shall be by a vote of the majority vote of Directors of the Foundation at a special meeting of the Board. Written notice as required under Article IV shall be provided and state the purpose of removing one or more officers shall be considered. An officer may resign by written notice. Such resignation shall be effective upon its receipt by the Foundation or at a subsequent time specified in the notice of resignation.
- 5.4 **Vacancies.** A vacancy in any officer position as a result of death, resignation, removal, or any

other cause shall be filled by a majority vote of the Board of Directors. The Director appointed to fill such vacancy shall hold office for the remaining term of that Director.

- 5.5 **Compensation.** Officers shall hold office without compensation but shall be reimbursed for actual, reasonable, and necessary expenses incurred by an officer in his or her capacity as an officer.
- 5.6 **Chair of the Board.** The Chair of the Board shall assume all duties normally associated with that office. The Chair of the Board shall conduct the meetings of the Foundation. The Chair of the Board shall be the chief executive officer of the Foundation and shall have general active management of the business of the Foundation. The Chair shall, when present, preside at all meetings of the Directors. The Chair shall see that all orders and resolutions of the Board of Directors are carried into effect. The Chair shall have such other duties as may from time to time be prescribed by the Board of Directors.
- 5.7 **Vice Chairs.** Vice Chairs shall assist the Chair in the discharge of the Chair's duties and shall have such powers and shall perform such duties as determined by the Board of Directors. Multiple trustees may be appointed to the position of Vice Chair as deemed necessary to serve in such capacity for certain projects.
- 5.8 **Secretary.** The Secretary or designee shall see that the proceedings of the meetings and all other appropriate records of the Board of Directors are kept. The Secretary shall when directed to do so, notify the Directors of meetings, and perform such other duties as may from time to time be prescribed by the Board of Directors or by the Chair of the Board and, in general shall perform all duties incident to the office of the Secretary.
- 5.9 **Treasurer.** The Treasurer shall be the principal accounting and financial officer of the Foundation. The Treasurer shall cause to be kept accurate accounts of all moneys of the Foundation received or disbursed. The Treasurer shall deposit all moneys, drafts and checks in the name of, and to the credit of, the Foundation in such banks and depositories as a majority of the whole Board of Directors, by resolution shall from time to time designate. The Treasurer shall cause to be submitted to the Chair of the Board and the Directors, whenever required, a report of all transactions and the financial condition of the Foundation, and shall perform all duties incident to the office of Treasurer. All check or drafts written by the Foundation shall require the signature of the two (2) Officers which shall include the Treasurer and one additional officer to be determined by the Board of Directors. A majority of the whole Board shall periodically review and update procedures, if deemed necessary, for disbursement of such funds.
- 5.10 **Other Officers.** The Foundation may create additional officer positions as may be deemed necessary by the Board of Directors, who shall be appointed in such manner, have such duties and hold their offices for such terms as may be determined by the Board of Directors.
- 5.11 **Nominating Committee.** The Board of Directors may elect to create a Nominating Committee which shall present to all duly qualified Directors a slate of candidates to fill Director vacancies or designated Director additions.

ARTICLE 6
Committees and Administrators

- 6.1 **Committees.** The Board of Directors shall create committees ("Committees") by way of majority vote of the Board. A chairperson shall be appointed to each Committees to support the efficient functioning of such Committee. Additional officers may be appointed to each Committee as deemed necessary and based upon the recommendation of the Committee Chairperson to further the efficiency of such Committee. Each such Committee shall have such duties and responsibilities granted to it by the Board of Directors. Each Committee shall at all times be subject to the oversight and direction of the Board of Directors of the Foundation. All committee members shall serve as volunteers of the Foundation without compensation.
- 6.2 **Executive Director.** The Board of Directors may appoint an Executive Director of the Foundation. The Executive Director shall be a member of the Board of Directors. The Executive Director shall be the direct executive representative of the Board of Directors in the management of the Foundation, and shall have all the duties and authority which such position would customarily require. The requirements of the Executive Director, should a such Executive Director be appointed, shall be set forth in writing and approved by the Board of Directors. Duties of the Executive Director, if appointed, shall include, but not be limited to: implementing the purpose and mission of the Foundation; assist with the development and oversee the implementation of policies established by the Board; oversee compliance with state and federal laws and regulations, and recommend professionals (including legal, financial, accounting professionals) to the Board, recommend the hiring of staff and supervise, evaluate and recommend the discharge of staff as necessary; manage the daily operations of the Foundation and any other obligations set forth in writing by the Board of Directors.
- 6.3 **Administrators/Staff.** While it is the intent of the Foundation to operate the Foundation with the assistance of volunteers, the Foundation Board of Directors may hire staff to operate the Foundation as deemed necessary for the efficient operation of the Foundation. In the event that the Foundation elects to hire staff the Foundation shall first appoint an Executive Director who shall undertake the obligation of supervising any administrators or staff. The duties and authority of any administrators or staff members hired by the Foundation shall be set forth in writing prior to retaining such individuals.

ARTICLE 7
Indemnification of Officers, Directors, Employees and Agents

- 7.1 **Indemnification of Directors and Officers: Claims Brought by Third Parties.** The Foundation shall, to the fullest extent authorized or permitted by the Michigan Nonprofit Foundation Act or other applicable law, as the same presently exists or may hereafter be amended (the "Act"), indemnify a director or officer (the "Indemnitee") who was or is a party or is threatened to be made a party to a threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative and whether formal or informal, other than an action by or in the right of the Foundation, by reason of the fact that he or she is or was a director, officer, employee or agent of the Foundation, or is or was serving at the request of the Foundation as a director, officer, partner, trustee, employee or agent of another foreign or domestic Foundation, business Foundation, partnership, joint venture, trust, or other enterprise, whether for profit or not for profit, against expenses, including attorneys' fees, judgments, penalties, fines, and amounts paid in settlement actually and reasonably incurred by the Indemnitee in connection with the action, suit,

or proceeding, if the Indemnatee acted in good faith and in a manner the Indemnatee reasonably believed to be in or not opposed to the best interests of the Foundation, and with respect to any criminal action or proceeding, if the Indemnatee had no reasonable cause to believe the conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, does not, of itself, create a presumption that the Indemnatee did not act in good faith and in a manner which the Indemnatee reasonably believed to be in or not opposed to the best interests of the Foundation, and, with respect to any criminal action or proceeding, had reasonable cause to believe that the conduct was unlawful.

- 7.2 **Indemnification of Directors and Officers: Claims Brought by or in the Right of the Foundation.** The Foundation shall, to the fullest extent authorized or permitted by the Act or other applicable law, as the same presently exists or may hereafter be amended, indemnify a director or officer who was or is a party to or is threatened to be made a party to a threatened, pending, or completed action or suit by or in the right of the Foundation to procure a judgment in its favor by reason of the fact that the Indemnatee is or was a director, officer, employee or agent of the Foundation, or is or was serving at the request of the Foundation as a director, officer, partner, trustee, employee or agent of another foreign or domestic Foundation, business Foundation, partnership, joint venture, trust, or other enterprise, whether for profit or not, against expenses, including actual and reasonable attorneys' fees, and amounts paid in settlement incurred by the person in connection with the action of suit, if the Indemnatee acted in good faith and in a manner the Indemnatee reasonably believed to be in or not opposed to the best interests of the Foundation. However, indemnification under this Section shall not be made for a claim, issue, or matter in which the Indemnatee has been found liable to the Foundation unless and only to the extent that the court in which the action or suit was brought has determined upon application that, despite the adjudication of liability but in view of all circumstances of the case, the Indemnatee is fairly and reasonably entitled to indemnification for the expenses which the court considers proper.
- 7.3 **Actions Brought by the Indemnatee.** Notwithstanding the provisions of Sections 1 and 2 of this Article, the Foundation shall not indemnify an Indemnatee in connection with any action, suit, proceeding or claim (or part thereof) brought or made by such Indemnatee; unless such action, suit, proceeding or claim (or part thereof) (i) was authorized by the Board of Directors of the Foundation, or (ii) was brought or made to enforce this Article and such Indemnatee has been successful in such action, suit, proceeding or claim (or part thereof).
- 7.4 **Approval of Indemnification.** An indemnification under Sections 1 or 3 of this Article, unless ordered by a court, shall be made by the Foundation only as authorized in the specific case upon a determination that indemnification of the Indemnatee is proper in the circumstances because the Indemnatee has met the applicable standard of conduct set forth in Sections 1 and 3 of this Article. This determination shall be made promptly in any of the following ways:
- (a) By a majority vote of a quorum of the Board consisting of directors who were not parties to the action, suit, or proceeding.
 - (b) If the quorum described in subdivision (A) is not obtainable, then by a majority vote of a committee of directors who are not parties to the action. The committee shall consist of not less than two (2) disinterested directors.
 - (c) By independent legal counsel in a written opinion.
- 7.5 **Advancement of Expenses.** Expenses incurred in defending a civil or criminal action, suit, or proceeding described in Sections 1 or 3 of this Article shall be paid promptly by the Foundation in

advance of the final disposition of the action, suit, or proceeding upon receipt of any undertaking by or on behalf of the Indemnitee to repay the expenses if it is ultimately determined that the Indemnitee is not entitled to be indemnified by the Foundation. The undertaking shall be by unlimited general obligation of the person on whose behalf advances are made but need not be secured.

- 7.6 **Partial Indemnification.** If an Indemnitee is entitled to indemnification under Sections 1 or 3 of this Article for a portion of expenses including attorneys' fees, judgments, penalties, fines, and amounts paid in settlement, but not for the total amount thereof, the Foundation shall indemnify the Indemnitee for the portion of the expenses, judgments, penalties, fines, or amounts paid in settlement for which the Indemnitee is entitled to be indemnified.
- 7.7 **Indemnification of Employees and Agents.** Any person who is not covered by the foregoing provisions of this Article and who is or was an employee or agent of the Foundation, or is or was serving at the request of the Foundation as a director, officer, employee or agent of another foreign or domestic Foundation, business Foundation, partnership, joint venture, trust, or other enterprise, whether for profit or not for profit, may be indemnified to the fullest extent authorized or permitted by the Act or other applicable law, as the same exist or may hereafter be amended, but in the case of any such amendment, only to the extent such amendment permits the Foundation to provide broader indemnification rights than before such amendment, but in any event only to the extent authorized at any time or from time to time by the Board of Directors.
- 7.8 **Other Rights of Indemnification.** The indemnification or advancement of expenses provided under Sections 1 to 7 of this Article is not exclusive of other rights to which a person seeking indemnification or advancement of expenses may be entitled under the articles of incorporation, bylaws, or a contractual agreement. However, the total amount of expenses advanced or indemnified from all sources combined shall not exceed the amount of actual expenses incurred by the person seeking indemnification or advancement or expenses. The indemnification provided for in Sections 1 to 5 of this Article continues as to a person who ceases to be a director, officer, employee, or agent and shall inure to the benefit of the heirs, executors, and administrators of the person.
- 7.9 **Liability Insurance.** The Foundation shall have the power to purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the Foundation, or is or was serving at the request of the Foundation as a director, officer, employee or agent of another Foundation, business Foundation, partnership, joint venture, trust or other enterprise against any liability asserted against the person and incurred by the person in any such capacity or arising out of the person's status as such, whether or not the Foundation would have the power to indemnify the person against such liability under the provisions of the Act.
- 7.10 **Severability.** Each and every paragraph, sentence, term and provision of this Article shall be considered severable in that, in the event a court finds any paragraph, sentence, term or provision to be invalid or unenforceable, the validity and enforceability, operation, or effect of the remaining paragraphs, sentences, terms, or provisions shall not be affected, and this Article shall be construed in all respects as if the invalid or unenforceable matter had been omitted.
- 7.11 **Definitions.** "Other enterprises" shall include employee benefit plans; "fines" shall include any excise taxes assessed on a person with respect to an employee benefit plan; and "serving at the request of the Foundation" shall include any service as a director, officer, employee, or agent of the Foundation which imposes duties on, or involves services by, the director, officer, employee, or agent with respect to an employee benefit plan, its participants or beneficiaries; and a person who

acted in good faith and in a manner he or she reasonably believed to be in the interest of the participants and beneficiaries of an employee benefit plan shall be considered to have acted in a manner "not opposed to the best interests of the Foundation as referred to in Sections 1 and 2."

ARTICLE 8

Conflicts of Interest and Fiduciary Responsibility

- 8.1 **Conflict of Interest Policy.** All officers, directors, committee members and employees of the Foundation shall avoid any conflict between their own respective individual interests and the interests of the Foundation, in any and all actions taken by them on behalf of the Foundation in their respective capacities.
- 8.2 **Fiduciary Responsibility.** It shall be the policy of this Foundation that the Board of Directors shall assume and discharge fiduciary responsibility with respect to all funds held or administered by the Foundation.
- 8.3 **Conflicts; Common or Dual Interest.** The Foundation and these Bylaws recognize that while both actual and apparent conflicts may occur, it is also understood and expected that directors, committee members and other volunteers share a duality of interest in the affairs of this Foundation due to the common interest of those individuals serving as volunteers to the Foundation. A common interest in the Foundation and an individual's within the community and in relation to South Lyon Community Schools does not necessarily equate to or amount to an actual or apparent conflict. All actual or apparent conflicts, as defined herein, shall be disclosed to the Foundation and shall be addressed as provided under this Article.
- 8.4 **Disclosure of Conflicts.** All Directors, officers, agents and employees of the Foundation shall disclose any suspected conflict, whether actual or apparent, in writing to the Foundation.
- 8.5 **Dealing with the Foundation.** A contract or other transaction between the Foundation and one or more of its directors or officers, or between the Foundation and a domestic or foreign corporation, firm or association of any type or kind in which one or more of the Foundation's directors or officers are trustees or officers, or are otherwise interested, is not void or voidable solely because of such common trusteeship, officership or interest, or solely because such directors are present at the meeting of the Board of Directors or committee thereof at which such contract or transaction is acted upon, or solely because their votes are counted for such purpose, if any of the following conditions is satisfied:
- (a) The contract or other transaction is fair and reasonable to the Foundation when it is authorized, approved or ratified; or
 - (b) The material facts as to such trustee's relationship or interest and as to the contract or transaction are disclosed or known to the Board of Directors or committee thereof and the Board of Directors or committee thereof authorizes, approves or ratifies the contract or transaction by a vote sufficient for the purpose without counting the vote of any common or interested director.

- 8.6 **Procedure in Event of Potential Conflict of Interest.** In the event that any officer, trustee, committee member or employee of the Foundation shall have any direct or indirect interest in, or relationship with, any individual or organization which proposes to enter into any transaction with the Foundation, such officer, director, committee member or employee shall give the Board of Directors notice of such interest or relationship and shall thereafter refrain from voting or otherwise attempting to exert any influence on the Foundation, its Board of Directors, or its committees, to affect its decision to participate or not to participate in such transaction.
- 8.7 **Special Voting Rules.** Any member of the Board of Directors who has a conflict of interest on any matter involving the Foundation shall not be counted in determining the quorum for the meeting at which the matter is to be acted upon, even when permitted by law. The minutes of the meeting shall reflect that a disclosure was made, the abstention from voting, and the quorum situation.

ARTICLE 9

Dissolution

- 9.1 **General.** In the event of dissolution of the Foundation, all of the Foundation's assets, real and personal, shall be distributed as provided in Article VII of the Foundation's Articles of Incorporation. The Foundation may be dissolved upon a super-majority vote of the Board of Directors or as a matter of law or order of a court of competent jurisdiction.
- 9.2 **No Inurement.** No part of the net earnings of the Foundation shall be distributed to or inure to the benefit of any Director or Officer of the Foundation, as prohibited by Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or corresponding provisions of subsequent federal tax laws), or the Michigan General Sales Tax Act or the Michigan Use Tax Act. Upon the dissolution of the Foundation, the Board shall, after paying or making provision for the payment of all of the liabilities of the Foundation, dispose of all of the assets of the Foundation in accordance with the requirements of state and federal law.

ARTICLE 10

Miscellaneous

- 10.1 **Amendment.** These Bylaws may be altered, amended or repealed by an affirmative vote of a majority of the Board of Directors at any duly called meeting of the Directors, at which a quorum is present by a majority of the Directors, provided that written notice naming the substance of the proposed amendment has been sent to each Director of the Foundation at least ten (10) days in advance of the date of the meeting, unless such notice is waived by all the Directors.
- 10.2 **Bonds.** The Foundation may obtain a bond(s) on such people and in such amounts as may from time to time be deemed necessary by the Board of Directors.
- 10.3 **Written Policies.** The Foundation may develop written policies to effectuate the Bylaws, as amended from time to time, provided that such policies shall not be inconsistent with or in contravention of any provision of the Articles of Incorporation or these Bylaws. The Foundation shall develop and adopt a written policy with respect the expenditure of funds and investment of funds no later than six (6) months from the adoption of these Bylaws. Other written policies addressing the Foundation governance, conduct of meetings and operations in general as determined by and approved by a majority of the Board of Directors.

- 10.4 **Execution of Instruments.** All Foundation instruments and documents, including, but not limited to, checks, drafts, bills or exchange, acceptances, notes or other obligations or orders for the payment of money, shall be signed as provided by a resolution of the Board of Directors.
- 10.5 **Borrowing.** Loans and renewals of loans shall be contracted on behalf of the Foundation as provided by a resolution of the Board of Directors.

Adopted: June 12, 2017

South Lyon Educational Foundation

PROFIT AND LOSS DETAIL

July 2017 - August 2018

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
Ordinary Income/Expenses							
Income							
Donations							
						\$420.00	
	Donation-Payroll Deduction					\$2,305.05	
	One-time donation					\$59.12	
	Star Award Donation					\$2,784.17	
Total for Donations							
Grub Crawl							
						\$500.00	
	Grub Crawl Donation					\$3,811.45	
	Participant Fee					\$1,000.00	
	Sponsor					\$5,311.45	
Total for Grub Crawl							
						\$8,095.62	
Total for Income							
Cost of Goods Sold							
Fundraiser Expenses							
						\$50.00	
	Bowling Fundraiser Expense					\$50.00	
Total for Fundraiser Expenses							
						\$50.00	
Total for Cost of Goods Sold							
						\$8,045.62	
Gross Profit							
Expenses							
Advertising & Marketing							
						\$600.00	
	Website expenses					\$600.00	
Total for Advertising & Marketing							
Grant Expenses							
						\$1,236.00	
Grant Expenses Awarded Not Yet Paid							
Grant Expenses Paid							
07/17/2018	Check	1005	Danielle Kurajian		Checking-Vibe CU	350.00	350.00
08/07/2018	Check	1008	Brenda McGuire		Checking-Vibe CU	350.00	700.00
08/07/2018	Check	1007	Megan George		Checking-Vibe CU	300.00	1,000.00
08/14/2018	Check	1010	Susan Uvick		Checking-Vibe CU	339.02	1,339.02
08/14/2018	Check	1011	South Lyon East	Sarah Athey grant	Checking-Vibe CU	200.95	1,539.97
Total for Grant Expenses Paid							
						\$1,539.97	
Total for Grant Expenses							
						\$2,775.97	
Scholarships							
07/17/2018	Check	1004	Madonna University		Checking-Vibe CU	500.00	500.00
07/17/2018	Check	1003	Western Michigan University		Checking-Vibe CU	500.00	1,000.00
Total for Scholarships							
						\$1,000.00	
Total for Scholarships							
						\$865.00	
Taxes & Licenses							
Total for Expenses							
						\$5,240.97	
Total for Expenses							
						\$2,804.65	
Net Income							

AGENDA NOTE

New Business # 7

MEETING DATE: October 8, 2018

PERSON PLACING ITEM ON AGENDA: City Attorney

AGENDA TOPIC: Approval of Settlement Agreement in Joyce Clohosey v City of South Lyon, MDCR Charge Nos. 486152, 486550, 486847, and EEOC Charge No. R23A-2018-10195C

EXPLANATION OF TOPIC: Following the special meeting on January 18, 2018 to fill a vacant council position, Joyce Clohosey, who had submitted an application to be appointed to the position, filed charges of discrimination with the Michigan Department of Civil Rights (MDCR) against the City, Council, and Council Member Richards (collectively the "Respondents") and with the EEOC.

The parties have agreed on a Settlement Agreement and Release of All Claims, the basic terms of which are as follows:

Joyce Clohosey agrees to:

- Withdraw and dismiss all MDCR and EEOC charges
- Waive her rights to file suit and to recover damages and compensation
- Release all City Respondents from all claims.

The City, Council, and Council Member Richards agree:

- At an open meeting of Council, to make a statement regarding a question put to Ms. Clohosey during the January 18, 2018 selection process
- Conduct training of all City employees regarding the State and Federal civil rights laws that prohibit discrimination and to invite and encourage Council Members to attend the training
- There is no admission of liability or wrongdoing by the City Respondents.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: None

POSSIBLE COURSES OF ACTION: Approve/Deny/No Action/Postpone

RECOMMENDATION: Approve

SUGGESTED MOTION: Motion to approve the Settlement Agreement in Joyce Clohosey v City of South Lyon, MDCR Charge Nos. 486152, 486550, 486847, and EEOC Charge No. R23A-2018-10195C

MEMO



Date: October 4, 2018
To: City Council
From: Paul C. Zelenak, Manager
Re: City Update

Risk Management: Next week I will be meeting with the representatives of Michigan Municipal Risk Management Association as it relates to our risk management insurance. We will be reviewing our insurance rates and property liability coverage.

Pumpkinfest: I attended the event this weekend and obtained first hand knowledge in learning why the event is so successful. The parade had the streets lined with smiling faces of children. I had the opportunity to meet with numerous business owners and police and fire department employees during the event.

Comcast Equipment Installation: As part of providing cable services within the community, Comcast and their contractors have been installing cable equipment at various locations. They are excavating within City right of way or within utility easements on private property. Please be patient with the workers. We want to ensure that the workzones are safe. I have been in contact with their representative, and the properties will be fully restored to their original condition.

Staff Meetings: This past week I have been meeting individually with City Hall staff members and reviewing City operations. I hope to get the opportunity to meet most of the Police and Fire Department staff by next weeks end. I have scheduled tours with DPW and Water/Sewer Departments to review facilities and meeting with their staff as well. I think it would be a good idea to meet with all of you individually as your time permits.

Staffing Levels: I have been reviewing information and meeting with staff members to address the vacant position of Zoning Administrator and Utilities Superintendent. I will be reporting back to you shortly on a plan on how to address the situation.

318 Lake Street: On Monday City Council will be provided with a condition report from our building inspector. We will bring this item back to a subsequent City Council Meeting to discuss the future of this property.

501 McMunn Street: I just wanted to advise City Council that the City will be closing on this property next week.

Ballot Proposal: I have included for your review the ballot proposals that will be coming before voters on November 6th. We are reviewing the proposals to see what ordinances will need to be created, or changes that will need to be made in how we do business, if any of the ballot proposals are passed.

City Audit: All of you will have been provided a copy of our City Audit for year ending June 30, 2018. Our auditors from Plante Moran will be at the next meeting to give the audit presentation.

Future Reports: I will be working with you to provide weekly updates on pertinent issues relating to City operations. And will be providing you with monthly reports as it relates to City Departments. Together we can work to see what is too little information or too much information, ultimately coming to a conclusion on what works best for all council members. Today, I have included this weeks department reports as well as a weekly Manager report.

Economic Development & DDA Report for the Week of September 24 - 28, 2018

- **Held the Monthly Downtown Business & Property Owners Meeting on Thursday, September 27.** Well attended and lively discussion on October- December event planning and business participation
- **The final Lake Street Cruise-In Car Show of the 2018 Season was held on Wednesday, September 26.** It was a great show great show! A great job by the organizers and all of the Volunteers. Thank you to Deb and Doug Cook and their committee for a great job. Also, thank you to the SLPD and DPW for all of their assistance and involvement.
- **Met with the Farmers Market Manager and DPW Foreman to go over final preparations for Pumpkinfest**
- **Ongoing discussions with the contractors and building owners for Building Rehabs** at 115, 117 N. Lafayette (Venue & Exquisite Kitchen Design), and 110 N. Lafayette Street (A.&E. Jewelers Bldg.) The buildings on N. Lafayette are scheduled for completion in the next 1 - 2 weeks. The private parking lot and sidewalk on the north (side) and west (back) end of the building at 117 N. Lafayette will be completely redone in the Spring, 2019. 110 N. Lafayette (A & E. Jewelers Bldg.) will be completely repainted in a black, gold & pewter combination (classic circa 1880s Jewelry Store design) in the next 2-4 weeks. 125 – 131 E. Lake street buildings will have their 3-color, authentic Victorian paint schemes painted in the Spring, 2019 due to contractor schedule.
- **Continued working on an updated New Downtown Area Business Directory.** Same format as last year. Reviews (for corrections, inclusion of all businesses and basic all appropriate data) will be made by all DDA Board Members, Promotions & Marketing Committee, myself and others. Printing and distribution is now targeted for October 15.
- **Continuing to work with the Lyon Today Magazine Editor to plan a Holiday Gift Guide for the upcoming Holiday Season (November-December).** It will be a Co-op Advertising piece for Downtown & DA Businesses and possibly other retail businesses outside of the DDA. It will be inserted into Lyon today in November, plus an additional 5,000 copies will be printed for distribution in local businesses. It will be a custom designed piece, totally paid for by local businesses that are featured, similar to Holiday Gift Guides in Rochester, Birmingham and other downtowns.
- **Continued discussions with business recruits including:** Candy, Gourmet Foods, Women's Clothing, Restaurants, Antique Shop, Flower Shop, Wine Bars and a Speakeasy theme bar concept.
- **Continued assisting a retail business owner in their plans to expand and obtain financing.**
- **Attended a SEMCOG meeting on September 28** with Councilman Steve Kennedy, Frank Fogarty and our own County Commissioner Phil Weipert, who is the current SEMCOG Board Chair.

Fire Department report for the week ending September 28, 2018

Run report: September 21, 2018 – September 28, 2018

EMS calls: **4**

Good intent: **4**

Alarms: **0**

Total calls for the week: **8**

Year to-date total: **507**

Firefighter's Michael Olando and Cindy Conrad were promoted to Sergeant Monday. Thanks to Councilman Kennedy for being part of the promotional process.

Crews provided stand-by for the Wednesday night Lake Street Cruise-in.

Engine 1 was hit by a vehicle while the Engine was parked on Reese street providing coverage at Lake street Cruise-in. Engine received minor damage.

This year the SLFD will be providing additional coverage for Pumpkin Fest compared to years past. Two Firefighters will be standing by the fire engine and two Firefighters will be more mobile carrying medical supplies and assisting with lost children, etc.

Fire Inspector Report

15 Annual inspections

9 Re-inspections

Professionally,

Robert Vogel
Fire Chief

The following information is submitted relative to police department operations for the week of September 24th through September 30th, 2018. Department personnel handled 314 calls for service. Five liquor inspections were completed. Officers and cadets performed 122 vacation/property checks throughout our community. Officers conducted 32 school safety checks. Department personnel also conducted numerous safety checks at churches within our community, including extra patrols on Wednesday, Saturday, and Sunday. Officers issued 72 warnings for traffic violations and wrote 25 traffic citations. Department personnel spent 20 hours on foot patrol in the downtown area, city parks, and on the rail trail. Two subjects were arrested and/or issued appearance tickets for various offenses. Officers performed nine "citizen assists" throughout the week.

Police Department personnel handled road closures and traffic control duties for the Pumpkinfest Parade and Pumpkinfest Run. Chief Collins led the parade in a marked patrol vehicle. This is the 63rd parade that Chief Collins has led. Officer performed public relations activities throughout the Pumpkinfest weekend to facilitate the event.

City of South Lyon Code Enforcement

9/25/19

I received a complaint about the retention pond north side of the Pinz Bowling Center. Lafayette Woods Condo's stated that water from the pond is coming over onto their property. Checking the location, there was no damage. With recent heavy rains, this isn't a City issue. Ron from DPW did assist at the pond clearing a screen to improve the drainage and giving information to the owner that will help in the future. Multiple complaints about the overflowing dumpster behind and used by Mickey's Dairy Twist, 22912 Pontiac Trail and Tormina's Pizza. Owners were called and advised to get a dumpster pick up today and clean the garbage up off of the ground. Photographs were taken. By the end of the day, the dumpster was empty, but both businesses were advised again to pick up their garbage off of the ground.

09/26/18

I drove through the alley behind 22910 Pontiac Trail on the way to work. Tormina's Pizza still had garbage and old signs on the ground around their dumpster. More photographs were taken. Neighbor complaint about 344 Winchester's location of their sub-pump discharge location and siding being put on the home without a permit (confirmed through permit records). Per the Building Dept. there is no required location for the discharge. I did go by the home and issue a Red Tag for working without a permit. Mr. Roof came in a few hours later and paid the fees for the siding permit. I received another noise, music complaint about Fit Body Boot Camp in south Lyon Square. The complainant lives behind location in her Condo. This was reportedly between 5:30 and 6:00am. Per SLPD, they were dispatched to the area and had been at location earlier during the reported noise time. The Officer was conducting building checks and heard no music behind the location.

09/27/18

I went to 498 Hagadorn, the homeowner had removed the last junk unlicensed vehicle from his backyard. Trail Bar, 26800 Pontiac Trail removed all the overgrown weeds and shrubs near their business sign. They had been blocking the view of traffic on Pontiac Trail when pulling out of the parking lot. 134 N Warren trimmed all the low branches off of their sidewalk. 335 W. Lake cut all the branches growing out onto McMunn. Reports were all closed. Teamcamc Oil Change at 501 S Lafayette had cut back all the trees and weeds off of their sidewalk/bridge north of their property. They were advised again to trim them off of the guardrail and street. I later observed the manager working on this. I received a complaint from DPW about the homeowner at 1016 Vassar dumping leaves (and now branches) over their back fence. This is an area the City mows next to the bike/rail trail. The owner was given a Red Tag and advised to move the branches to the front curb for pick up. Caller reported glass on the ground in front of 22185 Pontiac Trail, a vacant section of Brookdale Square. Contact was made with the leasing agent; he later secured the window and cleaned up the glass. Assisted by SLPD I followed up on a report of someone living in a pole barn behind 825 W Lake. We found nobody at the pole barn. There was another small building behind the main house that had a window air conditioner and a satellite dish. It appeared that someone is or had been possibly staying there. This is property at the southeast corner of W Lake and Dixboro. It was annexed into the city approx. 1 ½ yrs. ago. Building Dept. is assisting with getting paperwork on the property from Lyon Twp. before moving forward.

PBRZOZOWSKI: WEEKLY WORK AGENDA (20180924-20180928)

09/24/2018 - 09/28/2018

Applications reviewed:

ZCA: 963 Westbrook Dr.

Notes: Remove & replace existing concrete patio, and extend drive way.

Action(s): Approved; new lot coverage calculations to 20%.

Building Permit App: 1014 Paddock Dr.

Notes: Construct a new 140-sqft deck (10' x 14').

Action(s): Approved, meets lot coverage and setback standards.

ZCA: 563 Hudson Cir.

Notes: Construct a new 350-sqft brick paver patio and walkway.

Action(s): Approved, meets lot coverage and setback standards.

ZCA: 632 Lyon Blvd.

Notes: Remove & disposal of asphalt driveway, replace with: 6 sac, limestone & fibermesh concrete mix.

Action(s): Approved, meets City standards.

Other items:

- 1.) Continued to work on Escrow Invoicing.
 - a.) Received \$7,958.39 this past week, and \$37,355.11 within the past month.
 - b.) Expecting to receive an additional \$21,408.37 by Oct 5, 2018 (83% compliance rate).
- 2.) Updated documents, agenda's, and meeting minutes for PC & ZBA on City's website.
- 3.) Coordinated with Thomasville applicants and CIB Planning.
- 4.) Coordinated with South Lyon Square, South Lyon Hotel, and Van Oyen for compliance issues.
- 5.) Worked to prepare updated documents for the second reading of the Lot Coverage amendment.
- 6.) Helped schedule an upcoming meeting between Charleston Park representatives and City consultants/staff to discuss a new revised phasing request for the remaining un-development property.

Below is the Building report for the week of 9/24-9/28/2018

PERMITS ISSUED

Building – 18

Electrical – 4

Mechanical – 2

Plumbing – 2

INSPECTIONS COMPLETED

Building – 14

Electrical – 1

Mechanical – 4

Plumbing – 9

WATER

- DAILY LAB
- DAILY OUTSIDE ROUNDS
- COMPLETED WATER TOWER CHLORINATION, BACTI'S, AND FILLING. WATER TOWER WAS BACK ONLINE 9-28-19 FOR A TOTAL OF 25 DAYS.
- CONTINUED WQP SAMPLING
- CONTINUED COPPER AND LEAD TESTING
- DELIVERED GENERATORS TO LOCATIONS DOWNTOWN FOR PUMPKIN FEST
- CUT AND TRIMMED LIFTSTATIONS AND WATER PLANT

WASTEWATER

- DAILY INSIDE ROUNDS
- DAILY LAB
- FIXED DIFFUSER IN WEST AERATION BASIN
- DEQ INSPECTION ON 9-27-18. THIS WAS A SURPRISE RECON INSPECTION BY DENNIS RYAN FROM THE DEQ.
- SCRAPED DRYING BED
- CLEANED ACTIFLOS

September 24th through September 28th
During the last week we processed the following:

Verified, made corrections and posted all Cash Receipts (910 receipts totaling \$3,953,368.95) to the General Ledger. Includes the following:

- Building Permits \$4,515.00
- Sale of Graves \$3,000.00
- Farmers Market vendor & Sponsor fees \$1,100.00
- Grave Openings & Foundations \$1,420.00
- Misc. Revenues \$2,426.79
- Tax Overpayments \$18,896.99
- Misc. Police Revenues \$166.00
- Parking Violations \$20.00
- Site Plan Reviews \$7,958.39
- Summer Taxes \$3,887,098.81
- Utility Bills \$26,026.41
- Water & Sewer Misc. Revenues \$739.56

Processed Thursday checks—41 checks totaling \$42,076.33

Entered invoices—47 invoices totaling \$40,555.51

Entered and submitted payroll—77 checks totaling \$119,676.12

Coded invoices for payment

Coded items for cash receipting

Compiled weekly report