

AGENDA NOTE

New Business: Item # /

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Police Chief

AGENDA TOPIC: Pumpkinfest 2018 – Downtown Road Closures

EXPLANATION OF TOPIC: A request was received for a permit for the Pumpkinfest Downtown Event and associated road closures planned for Friday, September 28, 2018 at 2:00 p.m. until Sunday, September 30, 2018 at 8:00 p.m.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: application, map, insurance letter and quote, hold harmless, road closure resolution.

POSSIBLE COURSES OF ACTION: Approve/do not approve the requested road closures.

RECOMMENDATION: Consider approval of the requested closures, contingent upon submission of required insurance documents at least 30 days prior to the event.

SUGGESTED MOTION:

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 Pumpkinfest Downtown Event from September 28, 2018 until September 30, 2018 and the related road closures: Lafayette Street between Liberty Street and Whipple Street; Lake Street between Wells Street and Washington Street; from 2:00 p.m. on September 28, 2018 until 8:00 p.m. on September 30, 2018;

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.

Be it further resolved that Wells St. between Detroit St. and E. Lake St. shall be closed on Friday, September 28, 2018 from 7:00 a.m. to 12:00 p.m.



SOUTH LYON POLICE DEPARTMENT

219 Whipple

South Lyon, Michigan 48178

Ph: (248)437-1773 / Fax: (248)437-0459

Lloyd T. Collins

Chief of Police

BLOCK PARTY APPLICATION

Date Application Submitted: 4-6-18

Requested Block-off Date: 9-28, 29 & 30, 2018

Applicant / Contact's Name: Kathy Swann on behalf of the PH #: 248 3084512

SL Pumpkinfest

Applicant Address: P.O. Box 696 South Lyon, MI
48178

Block-off Time: 2:00 PM (9-28-18)

Block-off removal Time: 8:00 PM (9-30-18)

Street Names to be blocked off: _____

Pontiac Trail (between Whipple St & Liberty St) AND
Lake St (between Wells St & the existing alley behind
Draft Street bar)

1) Print ALL LAST NAMES and ADDRESSES participating in the Block Party. (ALL residents within the blocked-off area must agree to the block-off)

Signatures being obtained by Bob Donahue, DDA

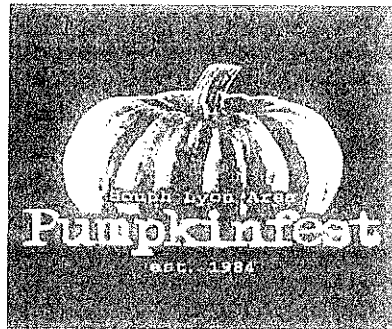
2) ATTACH sheet of paper with SIGNATURES and ADDRESSES of all residents agreeing to the Block Party.

Kathy Swann
Applicant's SIGNATURE

APPROVED [☒]

DENIED [☐]

Lloyd T. Collins 05/03/18
Lloyd T. Collins, Chief of Police



MEMO

DATE: May 1, 2018
TO: City of South Lyon City Council
FROM: Pumpkinfest of the South Lyon Area Committee
RE: Wells Street closure request for September 28, 2018 from 9am - 12pm

Based on suggestions of SLPD and SLFD the Pumpkinfest of the South Lyon Area Committee is respectfully requesting to close Well Street, from Lake Street to Detroit Street, from 9am to 12pm on September 28, 2018. The reason for the request is for unloading for festival supply trucks and materials. It is the intent to reopen Wells Street at 12 pm on September 28, 2018 when Lake Street closes to assist in routing of traffic.

Pumpkinfest of the South Lyon Area
P.O. Box 696, South Lyon, Michigan 48178
www.southlyonpumpkinfest.com

Shinberg Insurance

 ACRIURE Agency Partner

5/2/2018

Kathy Swan
Pumpkinfest of the South Lyon Area
PO Box 696
South Lyon, Michigan 48178

RE: Special Event Liability & Liquor Liability Coverage
Policy Period September 28, 2018 to October 1, 2018

Dear Ms. Swan,

This letter is to confirm our intention to provide coverage for the Pumpkinfest of the South Lyon Area. Due to underwriting requirements, we are not able to issue this policy until approximately 60 days prior to the event. The Special Event application is enclosed for completion to obtain the pricing for this year's event.

Our office has discussed with West Bend Mutual Insurance Company, and we do not anticipate a large difference in rates from prior festival policies, unless there is a significant change in exposures.

Thank you for choosing Shinberg Insurance for your Special Event Coverage. We appreciate the opportunity to provide the policies and look forward to working with you on the festival!

Best Regards,



Kimberly Smith
Commercial Lines Account Manager
(517) 913-2924
kims@shinbergagency.com



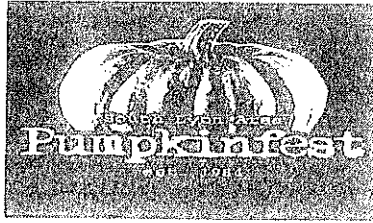
MEMO

DATE: May 1, 2018
TO: City of South Lyon City Council
FROM: Pumpkinfest of the South Lyon
Area RE: Hold Harmless Clause
Pumpkinfest of the South Lyon Area Festival
September 28, 29 & 30, 2018

To the fullest extent permitted by law Pumpkinfest of the South Lyon Area agrees to defend, pay on behalf of, indemnify, and hold harmless the City of South Lyon, its elected and appointed officials, employees and volunteers and others working on the behalf of the City of South Lyon against any and all claims, demands, suits or loss, including all costs connected therewith, and for any damages which may be asserted, claimed, or recovered against or from the City of South Lyon by reason of personal injury, including bodily injury or death and / or property damage, including loss of use thereof, which arises out of, or is in any way connected or associated with this event.

Kathy Swan 4-6-18
Kathy Swan, President Date
On behalf of the Pumpkinfest of the South Lyon Area Committee

Pumpkinfest of the South Lyon Area
P.O. Box 696, South Lyon, Michigan 48178
www.southlyonpumpkinfest.com



2018 Pumpkinfest of the South Lyon Area Festival Emergency Plan and Festival Information

Festival Dates and Times:

September 28th:

- Setup - Wells Street Lot starting at 8:00am
(requested road closure starting at 12:00 pm).

September 29th:

- 10am to 11pm

September 30th:

- 11am to 6 pm (6-8pm breakdown & cleanup)

Festival Location:

Downtown South Lyon, Wells Street Parking Lot, and City lot adjacent to the Grapevine Store

Expected Attendance:

30,000-40,000 (over the entire weekend)

Rain Date:

None

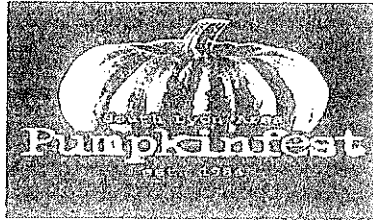
Festival Schedule:

Friday (9-28)

7:00am	Wells Street Parking Lot closure\
	(as requested)
12:00pm	Lake Street & Pontiac Trail road closure
	(as requested)
8:00am-6pm	Festival Setup
6:30pm	Festival Opens
7:00pm	Entertainment starts at Beer Garten
10:30pm	Last call at Beer Garten
11:00pm	Entertainment ends /Beer Garten closes

Saturday (9-29)

8am	Parade Line Up (in Lyon Trail Sub via Lyon Trail South Drive off Pontiac Trail)
10am	Parade/Run Starts
11am	Festival opens
6:30p	Admission for BeerGarten- 21+ over (\$5)
9pm	21+ over only inside Beer Garten area
10:30pm	Last call
11:00pm	Entertainment ends Beer Garten closed



Sunday (9-30)

11am—6 pm

Festival hours
Battle of Bands- Beer Garten
Cleanup / breakdown
Roads and parking lots re-open

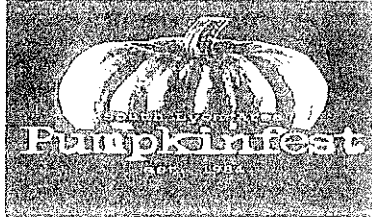
On-Site Event Coordinators:

Kathy Swan	248.308.4512
Scott Black	248.207.2035
Holly Gerdorn	248.535.5476
Shelley Oliveria	248.719.3298
Randy Paradise	248.613.6281
Brian Major	248.613.8322

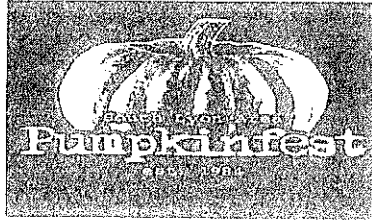
Potential Issues

Potential issues that may affect attendees will be addressed in the following manner:

Evacuation:	As advised by City of South Lyon Officials. PA system at stage for addressing crowd.	
Shelter Locations:	Fire station (Whipple Street) in the event of inclement weather.	
Event Staff:	Identified with volunteer Pumpkinfest t-shirts and lanyards with volunteer badges.	
	Points of contact (see event coordinators above).	
	Pre-event communication will include pre-event meeting and email to all volunteers outlining procedures as noted on the last page of this document.	
Event Cancellation:	As advised by City Officials	
Weather Monitoring:	24 Hours Prior	11am Friday, September 28
	8 Hours Prior	3am Saturday, September 29
	4 Hours Prior	7am Saturday, September 30



Medical Personnel:	<p>HVA and SLFD will be notified of the event and expected attendance.</p> <p>HVA and SLFD will be offered the opportunity to be on-site during the event.</p>
Event Access:	<p>(2) points of ingress only (as indicated on the layout plan).</p> <p>(4) points of egress only (as indicated on the layout plan).</p> <p>Perimeter access maintained by event staff, volunteers, and security guards with SLPD available as backup, if required.</p> <p>Attendees will NOT be allowed to bring chairs into the fenced in area or in areas of pedestrian passage.</p> <p>Table / Chair Arrangement: Loose chairs around rectangular tables outside of the fenced in area, primarily for eating. A select number of rectangular tables as well as bar height round tables will be inside the fenced in area (under the tent).</p> <p>Occupant Load: To be determined by SLFD. Wrist bands will be numbered and counters will be used to assist in determining capacity.</p>
Emergency Notification:	<p>PA system at main stage and family stage.</p>
Lost and Found:	<p>Items found at the event will be kept at the bar inside the Beer Garten tent. Event coordinators will turn over unclaimed items to the South Lyon Police Department.</p>
Fire Extinguishers:	<p>Three (3) 2A:10BC extinguishers will be provided inside the tent (borrowed from SLFD)</p>
No Smoking:	<p>Smoking will not be permitted inside the fenced in area including all tents. Signs will be posted and enforced by security guards.</p>



Staff / Volunteer Briefing
(provided for emergency procedures)

In case of an emergency, call 911 and notify an event coordinator.

Medical Emergency:

- Stay calm and reassure patient
- Avoid any patient movement
- Protect patient from weather
- Relate any medical information to firefighters / paramedics
- Clear pathway for firefighters / paramedics
- Give street location and have someone meet firefighters / paramedics to guide them to patient

Missing Person:

- Notify 911 – follow instructions of 911

Fire

- Know exit locations ahead of time
- Evacuate building or area. Direct visitors to exits
- Move visitors away from / clear area to allow access for the fire department

Suspicious Package:

- Do not touch
- Do not use words which cause panic (i.e. bomb)

Suspicious Person / Violent Act:

- Do not confront person. Do not block person's access to an exit
- Alerts others to situation
- Seek safe shelter if advised - get inside immediately and lock doors

Severe Weather:

- Follow directions of Police or Fire officials
- Direct visitors to shelter: South Lyon Fire Station (Whipple Street) and / or South Lyon Police Department Administration Building (Lake Street)

Evacuation:

- Know exit locations ahead of time
- Direct visitors to nearest exit
- Alert officials of people who may need assistance



If Told to Shelter in Place:

- Get indoors immediately. Stay away from windows and doors.
- Shuts all doors and stay inside until advised by officials that it is safe to leave



SOUTH LYON FIRE DEPARTMENT

217 Whipple Street, South Lyon, MI 48178

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

www.southlyonfire.com

TENT / CANOPY / MEMBRANE STRUCTURE PERMIT APPLICATION

Requirements for Temporary Membrane Structures, Tents and Canopies

A temporary permit is required to: Erect or operate an air-supported temporary membrane structure canopy or tent having an area in excess of 200 square feet, or a canopy in excess of 400 square feet, except for structures used exclusively for camping.

☒ Tent (size see below) ☐ Canopy (size) ☐ Membrane/Inflatable Structure

Today's Date: 5/1/18 Applicant Name: Kathy Swan Applicant Phone: 248 308 4512

Business / Organization Name: on behalf of Pumpkinfest
Pumpkinfest of the South Lyon Area

Address: P.O. Box 696 South Lyon 48178

Location for permit use: Wells St. Parking Lot

Date(s) requested for permit use: 9/28, 9/29 + 9/30

Start time: 8:00am (9/28) End Time: 6pm (9/30)

Air-Supported Structure: A structure wherein the shape of the structure is attained by air pressure and occupants of the structure are within the elevated pressure area.

Canopy: A structure, enclosure or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without sidewalls or drops on 75 percent or more of the perimeter.

Tent: A structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

The structure shall be in compliance with Chapter 24 of the 2006 International Fire Code®, including the following items:

1. Gasoline, LP gas, charcoal, candles or other cooking devices or any other unapproved open flame shall not be permitted inside or located within 20 feet of the tent. Tents where cooking is preformed shall be separate from other tents by a minimum of 20 feet. A type K extinguisher shall be provided in accordance with 2006 International Fire Code®.
2. A minimum of two 2A:10BC extinguishers are required for 400 - 1000 square feet. Provide one additional extinguisher for each 2,000 square feet. A minimum of one 40BC extinguisher for each generator or transformer.
3. All tents shall be constructed of flame-resistant materials. An affidavit shall be submitted certifying that the flame-resistant process and materials used comply with Section 2406 of the 2006 International Fire Code® and stating the date of treatment and the warranted period of effectiveness of the process. The flame-resistant process shall be in conformance with NFPA 701.

Frame tents (Wells St. Lot)

② 30' x 70'

① 40' x 70'

~ Serving Since 1893 ~



SOUTH LYON FIRE DEPARTMENT

217 Whipple Street, South Lyon, MI 48178

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

www.southlyonfire.com

4. Electrical wiring shall be in conformance with Article 305 of NFPA 70 and the International Fire Code.
5. Exits shall be clearly marked. Exit signs shall be installed at required exit doorways and where otherwise necessary to indicate clearly the direction of egress when the exit serves an occupant load of 50 or more.
6. Exit signs shall be of an approved self-luminous type or shall be internally or externally illuminated by fixtures supplied in the following manner: 1. Two separate circuits, one of which shall be separate from all other circuits, for occupant loads of 300 or less; or 2. Two separate sources of power, one of which shall be an approved emergency system, shall be provided when the occupant load exceeds 300.
7. A detailed site and floor plan for the temporary structure with an occupant load of more than 50 shall be submitted with this application for approval by the Fire Prevention Bureau. The plan shall indicate details of the means of egress facilities, seating capacity, arrangement of seating and location type of heating and electrical equipment. The arrangement of aisles shall be subject to the approval by the fire code official and shall be maintained clear at all times.
8. Upon receipt and approval of the site and floor plan an occupancy load will be issued by the South Lyon Fire Department. The Fire Chief or his designee may request the current occupant load at any time the structure is open to the public. Therefore an accurate head count shall be maintained.
9. Hay, straw, shavings or similar combustible materials shall not be located within any tent, canopy or membrane structure. The areas within and adjacent to the structure shall be maintained clear of all combustible materials that could create a fire hazard within 20 feet of the structure.
10. Smoking shall not be permitted in tents, canopies or membrane structures. "NO SMOKING" signs shall be conspicuously posted.

An electronic copy of the 2006 International Fire Code® is available at www.southlyonfire.com

Kathy Suen
Applicant's Signature

5-1-18
Date

Lloyd Collins

From: Fire Chief <Firechief@southlyonmi.org>
Sent: Wednesday, May 02, 2018 2:21 PM
To: Lloyd Collins
Subject: FW: Pumpkinfest Tent application
Attachments: Tent App.PDF

Afternoon Chief,

Fire has no issues with this tent app submitted by Pumpkin fest.

Robert Vogel, FO
Fire Chief
South Lyon Fire Department
T: 248-437-2616
C: 810-588-8238

From: Kathleen Swan <kathswan12@gmail.com>
Sent: Tuesday, May 1, 2018 2:45 PM
To: Fire Chief <Firechief@southlyonmi.org>; Chief Collins <chief@southlyonpolice.com>
Subject: Pumpkinfest Tent application

Hello,

Thank you again for your time last week, I do appreciate it. Attached is the Tent app for the festival, please let me know if you have any questions.

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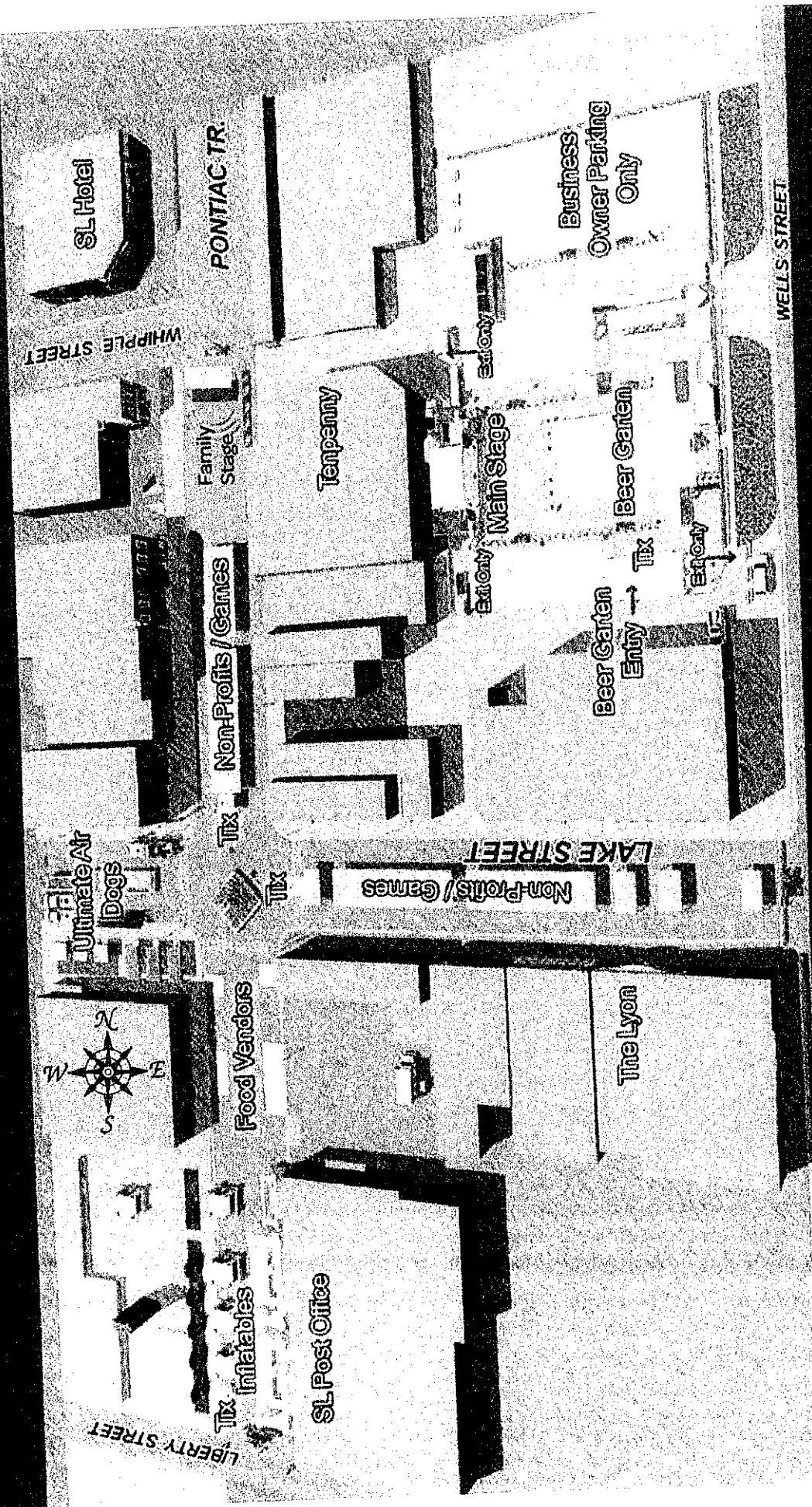
Thank you,

Kathy Swan
248.308.4512
kathswan12@gmail.com

South Lyon Pumpkinfest- President
<http://www.southlyonpumpkinfest.com/1/124/index.asp>

South Lyon Relay for Life- Event Lead
http://main.acsevents.org/site/TR/RelayForLife/RFLCY16LS?pg=entry&fr_id=72842

Pumpkinfest of the South Lyon Area



2018 Festival Map

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 Pumpkinfest Downtown Event from September 28, 2018 until September 30, 2018 and the related road closures: Lafayette Street between Liberty Street and Whipple Street; Lake Street between Wells Street and Washington Street; from 2:00 p.m. on September 28, 2018 until 8:00 p.m. on September 30, 2018;

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 May 14, 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

AGENDA NOTE

New Business: Item #

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Police Chief

AGENDA TOPIC: Pumpkinfest Parade

EXPLANATION OF TOPIC: A request was received for a permit for the Pumpkinfest Parade and associated road closures planned for September 29, 2018 from 10:00 a.m. to 12:00 p.m.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Parade application, map, Insurance Quote/letter, Road Closure Approval form

POSSIBLE COURSES OF ACTION: Approve/do not approve the requested road closure.

RECOMMENDATION: Approve the requested closures.

SUGGESTED MOTION: 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 permit to conduct the Pumpkinfest Parade on September 29, 2018 at 10:00 a.m. and the related street closure:

Pontiac Trail from 9 Mile Road to Liberty Street

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.

Be it further resolved that West Liberty St. from Lafayette St. to Warren St.; Warren St. from West Liberty St. to Bartlett Elementary School shall be closed on Saturday, September 29, 2018 from 10:00 a.m. to 12:00 p.m.



SOUTH LYON POLICE DEPARTMENT

219 Whipple
South Lyon, Michigan 48178
Ph: (248)437-1773 / Fax: (248)437-0459
Lloyd T. Collins
Chief of Police

PARADE / DEMONSTRATION APPLICATION

Date Application Submitted: 4-6-18 Requested Date of Event: 9-29-18

Applicant / Contact's Name: Kathy Swan PH#: 248 308 4512

Applicant Address: P.O. Box 696 South Lyon, MI 48178

Business / Organizations Name (If Applicable): Pumpkinfest of the S.L. area

Bus. Ph#: Same Bus. Address: Same

President/CEO (Responsible for Event): Same Direct Ph#: _____

Parade START Time: 10:00 a.m. / p.m. Parade END Time: 12 a.m. (p.m)

Approximate Number of PERSONS: _____ Organization Names: _____

Limiting to the 1st-75 entries (500-700 participants)

Approximate Number of VEHICLES: 40 Types of Vehicles: Cars, Trucks, trailers,

Scoters, golf carts

Approximate Number of ANIMALS: 4-6 SPECIFIC Animals: Horses & Dogs

Amount of space to be maintained between and /all units in Parade: 20-30 ft

Route to be traveled (Include Street Names and Turning Directions): _____

See attached parade route

Kathy Swan
Applicant's SIGNATURE

Kathy Swan
Responsible Party's SIGNATURE

APPROVED [✓]

DENIED []

Lloyd T. Collins 05/03/18
Lloyd T. Collins, Chief of Police

Shinberg Insurance

 ACRISURE Agency Partner

5/2/2018

Kathy Swan
Pumpkinfest of the South Lyon Area
PO Box 696
South Lyon, Michigan 48178

**RE: Special Event Liability & Liquor Liability Coverage
Policy Period September 28, 2018 to October 1, 2018**

Dear Ms. Swan,

This letter is to confirm our intention to provide coverage for the Pumpkinfest of the South Lyon Area. Due to underwriting requirements, we are not able to issue this policy until approximately 60 days prior to the event. The Special Event application is enclosed for completion to obtain the pricing for this year's event.

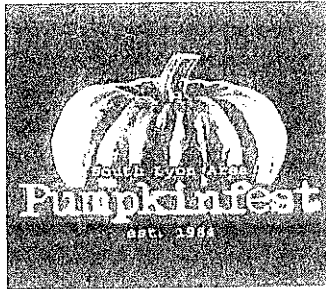
Our office has discussed with West Bend Mutual Insurance Company, and we do not anticipate a large difference in rates from prior festival policies, unless there is a significant change in exposures.

Thank you for choosing Shinberg Insurance for your Special Event Coverage. We appreciate the opportunity to provide the policies and look forward to working with you on the festival!

Best Regards,



Kimberly Smith
Commercial Lines Account Manager
(517) 913-2924
kims@shinbergagency.com



MEMO

DATE: May 1, 2018
TO: City of South Lyon City Council
FROM: Pumpkinfest of the South Lyon
Area RE: Hold Harmless Clause
Pumpkinfest of the South Lyon Area Parade
September 29, 2018

To the fullest extent permitted by law Pumpkinfest of the South Lyon Area agrees to defend, pay on behalf of, indemnify, and hold harmless the City of South Lyon, its elected and appointed officials, employees and volunteers and others working on the behalf of the City of South Lyon against any and all claims, demands, suits or loss, including all costs connected therewith, and for any damages which may be asserted, claimed, or recovered against or from the City of South Lyon by reason of personal injury, including bodily injury or death and / or property damage, including loss of use thereof, which arises out of, or is in any way connected or associated with this event.

Kathy Swan

4-6-18

Kathy Swan, President
On behalf of the Pumpkinfest of the South Lyon Area Committee

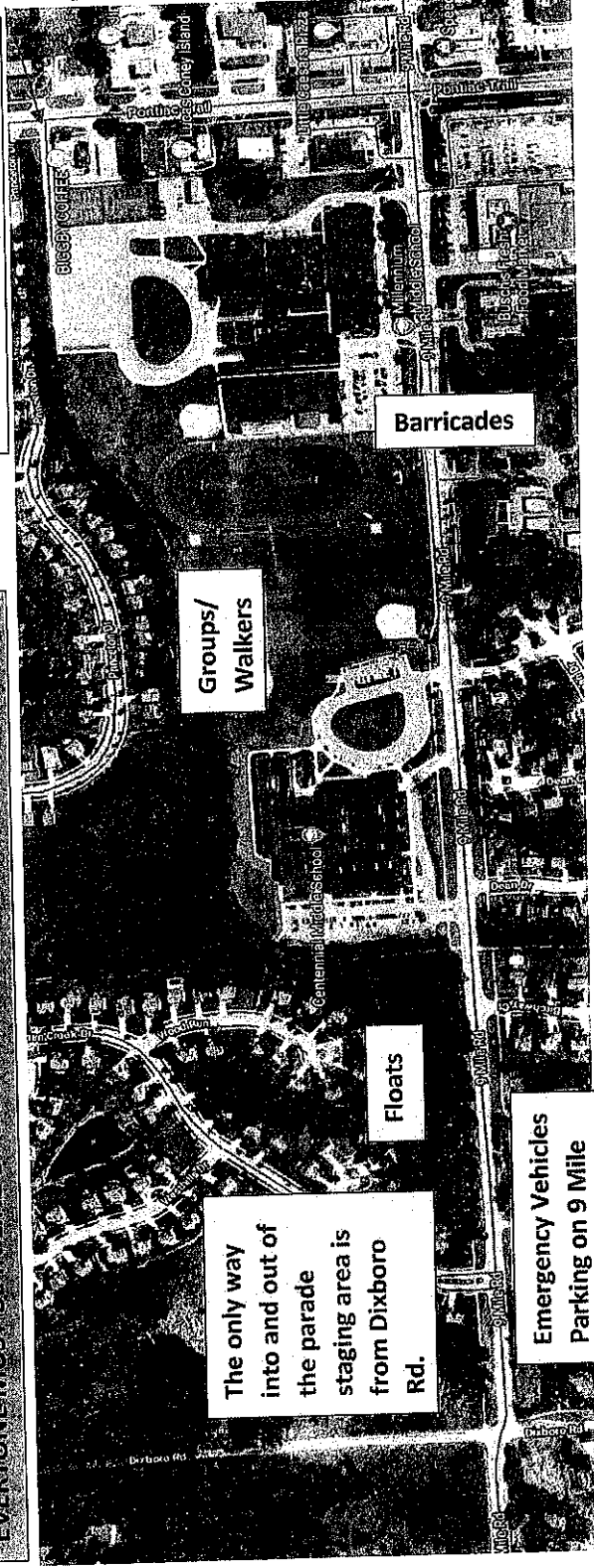
Date

Pumpkinfest of the South Lyon Area
P.O. Box 696, South Lyon, Michigan 48178
www.southlyonpumpkinfest.com

SL PUMPKINFEST PARADE SEPT. 29, 2018.

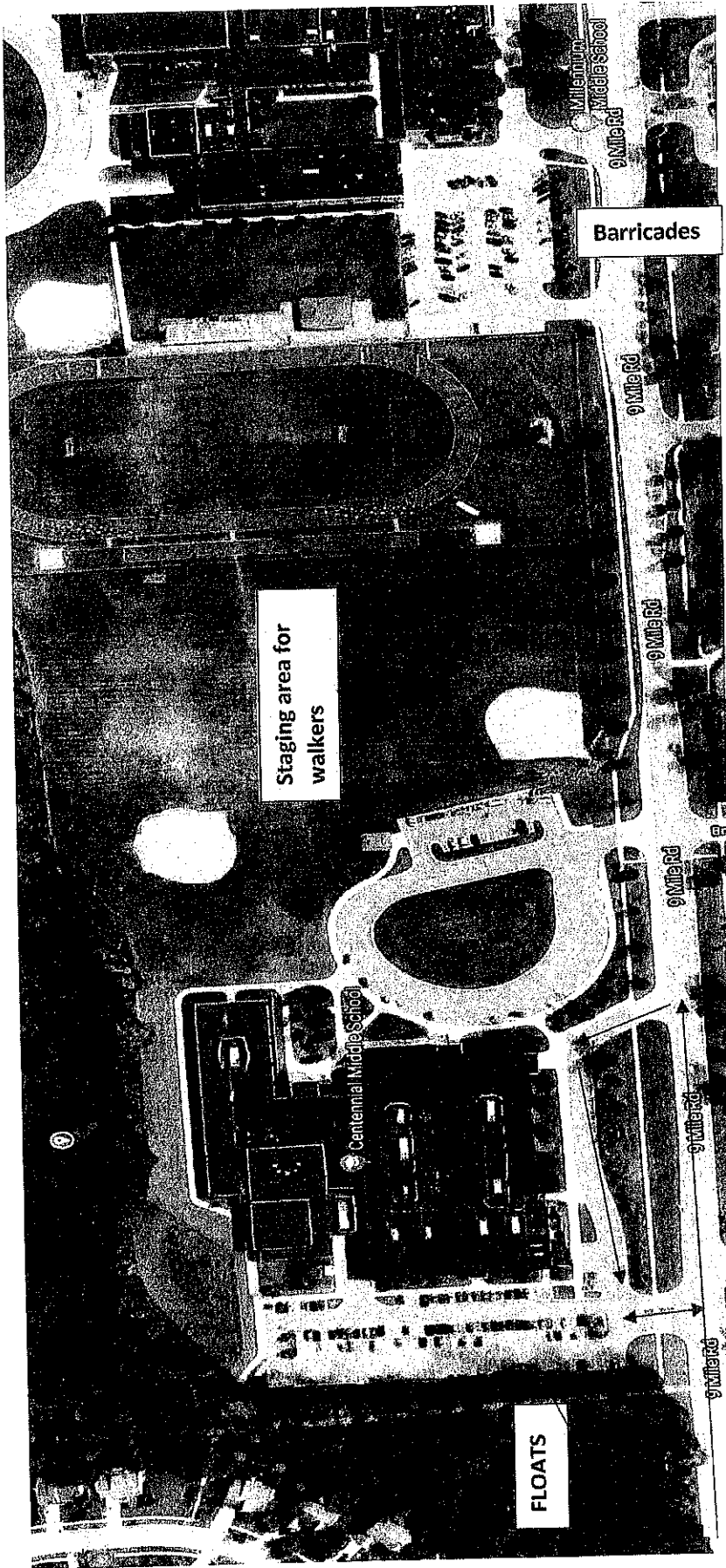
STAGING BEGINS AT 7:30 AM FOR FLOATS. WALKERS AT 8:30 AM. EVERYONE MUST BE IN LINE BY 9:30 AM. PARADE BEGINS AT 10:00 AM.

Parking Suggestion- behind MMS off PT. OR Busch's Parking Lot. Then walk to CMS.



Drop off for the Parade is ONLY from Dixboro Rd; you will enter Pontiac Trail from Dixboro Rd. No entrance from Pontiac Trail (PT) will be allowed; PT will be blocked at the corner of 9 mile and PT. (The only vehicles that can enter from PT and 9 mile, is residents that live off 9 mile between PT and Dixboro and Emergency vehicles).

- * Floats will stage in the parking lot west of Centennial MS.
- * Groups (Bands, Scouts, Walkers with no float) will be dropped off in the front loop, and proceed back to Dixboro Rd. Groups will be staged over in the large bus loop east of CMS.
- * Emergency Vehicles will stage on 9 mile, just west of CMS.



Drop off for Floats: Enter
Parking lot west of CMS; off 9
from Dixboro Rd.

Drop off for all Walkers; Scouts, bands, dance
groups etc: Enter Loop off 9 from Dixboro Rd,
drop off and proceed back to Dixboro Rd.

SL PUMPKINFEST PARADE Sept 29, 2018 10:00 am

Float Staging begins at 7:30 am; Walkers and other groups at 8:30 am

All Parade attendees need to be lined up by 9:30 am.

Parade Route- East on 9 mile from CMS, North on Pontiac Trail, West on Liberty St., North
on Warren St. to Bartlett Elem School!

APPROVAL OF ROAD CLOSURES-

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 permit to conduct the Pumpkinfest Parade _____ on September 29, 2018 at 10:00 a.m. and the related street closure: Pontiac Trail from 9 Mile Road to Liberty Street.

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.

VOTE:

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 May 14, 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

AGENDA NOTE

New Business: Item #3

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Police Chief

AGENDA TOPIC: Memorial Day Parade

EXPLANATION OF TOPIC: A request was received, on behalf of the South Lyon VFW Post, for a permit for the Memorial Day Parade on May 28, 2018. The requested permit necessitates closures of affected portions of Warren St., Lake St., Reynold Sweet Parkway, and Stryker St., between 9:00 a.m. and 11:00 a.m.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

Parade/Demonstration Application, Approval of Road Closure form, Insurance Certificate, Hold Harmless agreement.

POSSIBLE COURSES OF ACTION: Approve/Do Not Approve the requested road closures. (Retroactively)

RECOMMENDATION: Approve the requested road closures.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the closure of Warren Street from Second St. to Lake Street; Lake St. from Warren St. to Reynold Sweet Parkway; Reynold Sweet Parkway from Lake St. to Stryker St.; Stryker St. from Reynold Sweet Parkway to the South Lyon Cemetery between 9:00 a.m. and 11:00 a.m. on May 28, 2018; and to approve the resolution authorizing the City Clerk to make application to the Road Commission for Oakland County on behalf of the City of South Lyon for the necessary permits related to the closure of Lake Street between Warren St. and Reynold Sweet Parkway on May 28, 2018 at 9:00 a.m.

05/14/18



SOUTH LYON POLICE DEPARTMENT

219 Whipple

South Lyon, Michigan 48178

Ph: (248)437-1773 / Fax: (248)437-0459

Lloyd T. Collins

Chief of Police

PARADE / DEMONSTRATION / EVENT APPLICATION

Date Application Submitted: April 23 2018 Requested Date of Event: May 28 2018
Applicant / Contact's Name: Danya Johnston PH #: 248-437-5046
810-360-7156 CELL
Applicant Address: 543 McMunn S. Lyon
Name of Event(s): South Lyon V.F.W Memorial Day Parade
Business / Organizations Name (if Applicable): V.F.W. Post 1224 LOWELL HALL
Bus. Ph#: 248-437-2977 Bus. Address: 125 E. McHattie St. S. Lyon Mi.
President / CEO (Responsible for Event): John Direct Ph#: 734-389-5525
LINE up starts 8:00 AM
Event START Time: 9:00 a.m. / p.m. Event END Time: 11:00 a.m. / p.m.
Approximate Number of PERSONS: 600 Organization Names: Boyscouts, Vets, Girl Scout
Bands Cars sports teams ect.
Approximate Number of VEHICLES: 30 Types of Vehicles: Farm Tractor and wagon
Antique Cars floats
Approximate Number of ANIMALS: 25 SPECIFIC Animals: Dogs Horse and
Rescues.
Amount of space to be maintained between and /all units in Parade: 50 Feet.
Route to be traveled (Include Street Names and Turning Directions) or area to be utilized:
Line up will Be at N. Warren and Second St.
Parade steps off at Warren & Whipple Traveling up Warren to
Lake Street East on Lake St. to Ronald Sweet Blv. South on
Ronald Sweet, South on Striker East to South Lyon Cemetery.
NOTE: will stop in center of Town for Taps and Pledge of Allegiance
Danya Johnston Danya Johnston
Applicant's SIGNATURE Responsible Party's SIGNATURE

APPROVED [✓]

DENIED []

Lloyd T. Collins
Lloyd T. Collins, Chief of Police
05/07/18

HOLD HARMLESS

To the fullest extent permitted by law the VFW Post 1224 South Lyon
(Name of Applicant/Organization) Dayna Johnston
agrees to defend, pay on behalf of, indemnify, and hold harmless the City of South
Lyon, its elected and appointed officials, employees and volunteers, and others working
on behalf of the City of South Lyon against any and all claims, demands, suits, or loss,
including all costs connected therewith, and for any damages which may be asserted,
claimed, or recovered against or from the City of South Lyon by reason of personal
injury, including bodily injury or death and/or property damage, including loss of use
thereof, which arises out of, or is in any way connected or associated with this event.

Dayna Johnston
Signature
Commander John V.F.W.
734.289.5525

April 23. 2018
Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/07/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Select Underwriters Inc 100 N. Williams Lake Rd Ste A Waterford MI 48327	CONTACT NAME: Kim Andereon PHONE (A/C, No, Ext): (248) 698-7600 FAX (A/C, No): (248) 698-7834 E-MAIL ADDRESS: kim@selectunderwriters.com
INSURED South Lyon Lovewell-Hill Vfw Post 1224 125 E McHattie St South Lyon MI 48178	INSURER(S) AFFORDING COVERAGE INSURER A: MICHIGAN MILLERS MUTUAL INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
	NAIC # 14508

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD / WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		C0509111	12/15/2017	12/15/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		C0509111	12/15/2017	12/15/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	W0510760	12/15/2017	12/15/2018	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Memorial Day Parade, Monday, May 28, 2018

The City of South Lyon, all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof are named as additional insureds.

CERTIFICATE HOLDER

CANCELLATION

City Of South Lyon Fax 248-486-0049 335 South Warren South Lyon, MI 48178	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Tammy Hansen</i>
--	--

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Motion by _____, supported by _____

Resolved That Lisa Deaton, City Clerk/Treasurer is hereby authorized 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 2018 Memorial Day Parade on May 28, 2018 at 9:00 a.m. and the related road closures:

Lake Street between Warren Street and Reynold Sweet Parkway

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 resolutions adopted by the City Council of the City of South Lyon, County of Oakland, State of Michigan, at a regularly scheduled meeting of May 14, 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

AGENDA NOTE

New Business: Item #4f

MEETING DATE: April 14, 2018

PERSON PLACING ITEM ON AGENDA: Interim City Manager

AGENDA TOPIC: Resignations

EXPLANATION OF TOPIC: Randy Clark and Robert Martin are resigning from the Housing Commission.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Email resignations from Randy Clark and Robert Martin

POSSIBLE COURSES OF ACTION: Accept resignations

RECOMMENDATION: Accept resignations of Randy Clark and Robert Martin

SUGGESTED MOTION: Motion by _____, supported by _____ to accept the resignations of Randy Clark and Robert Martin from the Housing Commission with thanks.

Lisa Deaton

From: Randy Clark <grandallclark@yahoo.com>
Sent: Wednesday, May 2, 2018 9:16 AM
To: Lisa Deaton
Subject: Housing Commission

Hi Lisa

I was surprised by the ethics questionnaire, quite a list of questions. At this time I do not wish to be re-appointed to the housing commission. If my term has not expired please consider this my notice of resignation. Due to the time requirements of my school board seat I can not continue on the commission and prefer not answer the questionnaire.

Thanks

Randy Clark

Lisa Deaton

From: Bob Martin <BMartin@lyontwp.org>
Sent: Monday, May 7, 2018 8:43 AM
To: Lisa Deaton
Subject: RE: Send data from MFP11317772

Lisa

At this time I would like to submit my resignation from the Housing Commission. I have been on this board for 21 years. I am very aware of the importance of this program. Once my job commitments slow down a little I will be applying for open positions in the City. Thank you for letting me serve our community over the years.

-----Original Message-----

From: Lisa Deaton <Ideaton@southlyonmi.org>
Sent: Wednesday, May 2, 2018 10:28 AM
To: Bob Martin <BMartin@lyontwp.org>
Subject: FW: Send data from MFP11317772

Hi Bob,
I hope all is well with you.
Randy is resigning from the Housing Commission.
Take care,
Lisa

-----Original Message-----

From: scanner@southlyonmi.org <scanner@southlyonmi.org>
Sent: Wednesday, May 2, 2018 9:22 AM
To: Lisa Deaton <LDeaton@southlyonmi.org>
Subject: Send data from MFP11317772

Scanned from MFP11317772
Date:05/02/2018 09:22
Pages:1
Resolution:200x200 DPI

AGENDA NOTE

New Business: Item #5

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Interim City Manager

AGENDA TOPIC: Appointment to Board of Ethics

EXPLANATION OF TOPIC: The city code calls for a Board of Ethics to be populated for a 4-year term. Ms. Muscat will be the second board member appointed.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Application for appointment to the Board of Ethics

POSSIBLE COURSES OF ACTION: Appoint Suzanne Muscat to the Board of Ethics

RECOMMENDATION: Appoint Suzanne Muscat to the Board of Ethics

SUGGESTED MOTION: Motion by _____, supported by _____
to appoint Suzanne Muscat to the Board of Ethics



CITY OF SOUTH LYON
Application for Appointment

Date: 4/20/2018

Name: Suzanne Muscat

Address: [REDACTED]

City, State, Zip Code: South Lyon, MI 48178

Home Phone: [REDACTED] Business Phone: cell phone [REDACTED]

Occupation: Safety Engineer

Employer: Ford Motor Company

Education & Related Experience: Bachelor Degree Mechanical Engineering,
16 years in automotive safety engineering

Are you a citizen of the United States? Yes ☒ No ☐

Are you in default to the City? Yes ☐ No ☒

Is any member of your family an elected official of the City? Yes ☐ No ☒

If so, who? N/A

Please select which position(s) you are interested in

Board/Commission	
Planning Commission	<input type="checkbox"/>
Parks and Recreations	<input type="checkbox"/>
Board of Review	<input type="checkbox"/>
Housing Commission	<input type="checkbox"/>
Zoning Board of Appeals	<input type="checkbox"/>
Building Authority	<input type="checkbox"/>
Downtown Development Authority	<input type="checkbox"/>
Historical Commission	<input type="checkbox"/>
Cultural Arts Commission	<input type="checkbox"/>
Other Board of Ethics	<input checked="" type="checkbox"/>

Special qualifications: Please see over

Describe why you are interested in this position: I'm looking for a way to become more involved in my City's development.

How long have you lived in South Lyon? 19 years

Previous place of Residence? Belleville, MI; Livonia, MI; Detroit, MI

References:

1. [REDACTED] 313-999-9995
2. [REDACTED] 313-999-9994
3. [REDACTED] 313-999-9993

Applicant's Signature: [Signature] Date: 4/20/2018

Please print this application and submit to:

City of South Lyon
Attn: Clerk's Office
335 S. Warren Street
South Lyon, MI 48178
Tel. (248) 437-1735

For Office Use Only

Comments: _____

Appointed to: _____ Date: _____

AGENDA NOTE

New Business: Item # 6

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Interim City Manager

AGENDA TOPIC: Appointment to Board of Ethics

EXPLANATION OF TOPIC: The city code calls for a Board of Ethics to be populated for a 4-year term.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Application for appointment to the Board of Ethics

POSSIBLE COURSES OF ACTION: Appoint Don Beagle to the Board of Ethics

RECOMMENDATION: Appoint Don Beagle to the Board of Ethics

SUGGESTED MOTION: Motion by _____, supported by _____ to appoint Don Beagle to the Board of Ethics



CITY OF SOUTH LYON
Application for Appointment

Date: 4.13.2018

Name: DN BEAGLE
Address: ~~1999 SOUTHWESTERN AVE~~
City, State, Zip Code: SOUTH LYON MICHIGAN 48178
Home Phone: NONE Business Phone: ~~248-211-9993~~
Occupation: LANDSCAPE ARCHITECT
Employer: SELF
Education & Related Experience: B of LANDSCAPE ARCHITECTURE,
MAU, 1978.

Are you a citizen of the United States? Yes ☒ No ☐

Are you in default to the City? Yes ☐ No ☒

Is any member of your family an elected official of the City? Yes ☐ No ☒

If so, who? _____

Please select which position(s) you are interested in

Board/Commission	
Planning Commission	<input type="checkbox"/>
Parks and Receptions	<input type="checkbox"/>
Board of Review	<input type="checkbox"/>
Housing Commission	<input type="checkbox"/>
Zoning Board of Appeals	<input type="checkbox"/>
Building Authority	<input type="checkbox"/>
Downtown Development Authority	<input type="checkbox"/>
Historical Commission	<input type="checkbox"/>
Cultural Arts Commission	<input type="checkbox"/>
Other <u>BOARD OF ETHICS</u>	<input checked="" type="checkbox"/>

Describe why you are interested in this position: TO GIVE BACK TO THE
COMMUNITY

Previous place of Residence? EAST LANSING MI

References:

1.	[REDACTED], RPT.	[REDACTED] 9-8-76
2.	[REDACTED], RPT.	[REDACTED] 9-8-76
3.	[REDACTED], [REDACTED]	[REDACTED]

*Please print this application and
submit to:*

City of South Lyon
Attn: Clerk's Office
335 S. Warren Street
South Lyon, MI 48178
Tel. (248) 437-1735

Comments: _____

Appointed to: _____ Date: _____

The Board of Ethics consists of 5 members of the general public who are not personally subject to this code of ethics. The members shall be appointed and serve at the pleasure of Council and shall serve 4-year terms. The Board will recommend orders, rules, regulations to the Code of Ethics. They shall investigate and render advisory opinions to City employees and appointed officials. They shall investigate any alleged violation of the code by employees or elected officials. The Board of Ethics is not empowered to take direct administrative action, but rather, it's function shall be solely advisory.

AGENDA NOTE

New Business: Item # 7

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Interim City Manager

AGENDA TOPIC: Property Offer

EXPLANATION OF TOPIC: Mr. Patrick Allen addressed Council at the meeting of April 23rd and offered the City the first opportunity to purchase his property at 501 McMunn. At that time, Mr. Allen distributed documents regarding the property, but did not address the price. The property consists of two parcels - one having a house plus garage, and the other vacant. The Interim City Manager subsequently contacted Mr. Allen and learned that the asking price for sale of the property to the City is \$225,140.00.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Memo from Patrick Allen, Mortgage Certificate showing Parcel A and Parcel B, Assessment Notices for Parcel A and Parcel B, Picture of property

POSSIBLE COURSES OF ACTION: Entertain Mr. Allen's offer and direct the Interim City Manager to begin negotiations for purchase of the property; Decline Mr. Allen's offer.

RECOMMENDATION: Council discretion

SUGGESTED MOTION: Motion by _____, supported by _____ to _____

05/14/18

I would like to offer the City of South Lyon the first chance to buy my properties at 501 McMunn. It has a duplex and a 4 car garage on one lot and a vacant lot next to it. I would consider any reasonable offer. It would be a valuable asset for the city and its citizens. Listed below are some of its assets.

1. Keep "as is" Rental Income

\$590 Upper 3 bedroom apartment. Tenants have been there for 22 years.
Rent has not been raised since they moved in 1996.

\$460 Lower 1 bedroom apartment

\$440 Garage rent

\$1490 Current Monthly Income

\$17880 per year

2. Remove Existing Structures

Construct a Senior or Teen Center. Location is very attractive especially during rush hour to go North on McMunn onto main street and turn left onto Lafayette.

3. City could invest in a professional snow making machine (\$5000-\$6000) to make the sledding hill enjoyable for four or more months every winter. The hill gets a lot of use after a heavy snow. A snow machine would give the citizens more use of the hill. If the city keeps the existing garage they could store the snow machine and other city equipment.

Note: If the city does not have the funds, I might consider a land contract. If the city has interest in the properties please contact me within the next 30 days.

Contact Information:	Patrick R. Allen	248-860-8688
	11672 Crooked Lane	248-437-3494
	South Lyon, MI 48178	

**NOTICE OF ASSESSMENT, TAXABLE VALUATION,
AND PROPERTY CLASSIFICATION**

This form is issued under the authority of P.A. 206
of 1893, Sec. 211.24 (c) and 211.34 (c), as amended.
This is a model assessment notice to be used by the
local assessor.

Michigan Department of Treasury, STC
1019 (Rev. 12-03)

L-4400

FROM CITY OF SOUTH LYON

335 SOUTH WARREN
SOUTH LYON MI 48178

**THIS IS NOT
A TAX BILL**

NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL:

ALLEN, PATRICK R
11672 CROOKED LN
SOUTH LYON MI 48178-9311

PROPERTY IDENTIFICATION: (Parcel Code required. Property address
and legal description optional.):

80-21-30-277-024

501 MCMUNN ST

SCHOOL DISTRICT: 240

THIS PROPERTY IS CLASSIFIED AS: 401 (401 RES IMP)

PRIOR YEAR'S CLASSIFICATION IF DIFFERENT:

Since 1995 your property taxes have been calculated on your Taxable Value (see line 1 below). The Taxable Value number entered in the "Change" column does not indicate a change in your taxes. This number indicates the change in the Taxable Value.

The State Equalized Value (see line 4 below) is the Assessed Value multiplied (see line 2 below) by the Equalization Factor, if any (see line 3 below). The State Equalized Value must be approximately 50% of the market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2017, your 2018 Taxable Value will be the same as your 2018 State Equalized Value. Please see line 5 below regarding Transfer of Ownership on your property.

IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2017, your 2018 Taxable Value is calculated by multiplying your 2017 Taxable Value (see line 1 below) by 1.021 (which is the Inflation Rate Multiplier for the current year).

Physical changes in your property may also increase or decrease your Taxable Value. Your 2018 Taxable Value cannot be higher than your 2018 State Equalized Value.

*This change in Taxable Value will increase/decrease your 2018
tax bill by approximately: \$74.91 based on the 2017 tax rates.

	PRIOR AMOUNT YEAR: 2017	CURRENT AMOUNT YEAR: 2018	CHANGE
1. TAXABLE VALUE (Current amount is tentative):	60,240	61,500	1,260 *
2. ASSESSED VALUE:	98,440	102,570	4,130
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	98,440	102,570	4,130
There WAS/WAS NOT a transfer of ownership on this property in 2017: WAS NOT			

The Board of Review will meet at South Lyon City Hall on Tuesday, March 6th at 9:00 am for an Organizational Meeting.

**NOTICE OF ASSESSMENT, TAXABLE VALUATION,
AND PROPERTY CLASSIFICATION**

This form is issued under the authority of P.A. 206
of 1893, Sec. 211.24 (c) and 211.34 (c), as amended.
This is a model assessment notice to be used by the
local assessor.

Michigan Department of Treasury, STC
1019 (Rev. 12-03)

L-4400

FROM CITY OF SOUTH LYON

335 SOUTH WARREN
SOUTH LYON MI 48178

**THIS IS NOT
A TAX BILL**

NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL:

ALLEN, PATRICK R
11672 CROOKED LN
SOUTH LYON MI 48178-9311

PROPERTY IDENTIFICATION: (Parcel Code required. Property address
and legal description optional.):

80-21-30-277-025

SCHOOL DISTRICT: 240

THIS PROPERTY IS CLASSIFIED AS: 402 (402 RES VAC)

PRIOR YEAR'S CLASSIFICATION IF DIFFERENT:

Since 1995 your property taxes have been calculated on your Taxable Value (see line 1 below). The Taxable Value number entered in the "Change" column does not indicate a change in your taxes. This number indicates the change in the Taxable Value.

The State Equalized Value (see line 4 below) is the Assessed Value multiplied (see line 2 below) by the Equalization Factor, if any (see line 3 below). The State Equalized Value must be approximately 50% of the market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2017, your 2018 Taxable Value will be the same as your 2018 State Equalized Value. Please see line 5 below regarding Transfer of Ownership on your property.

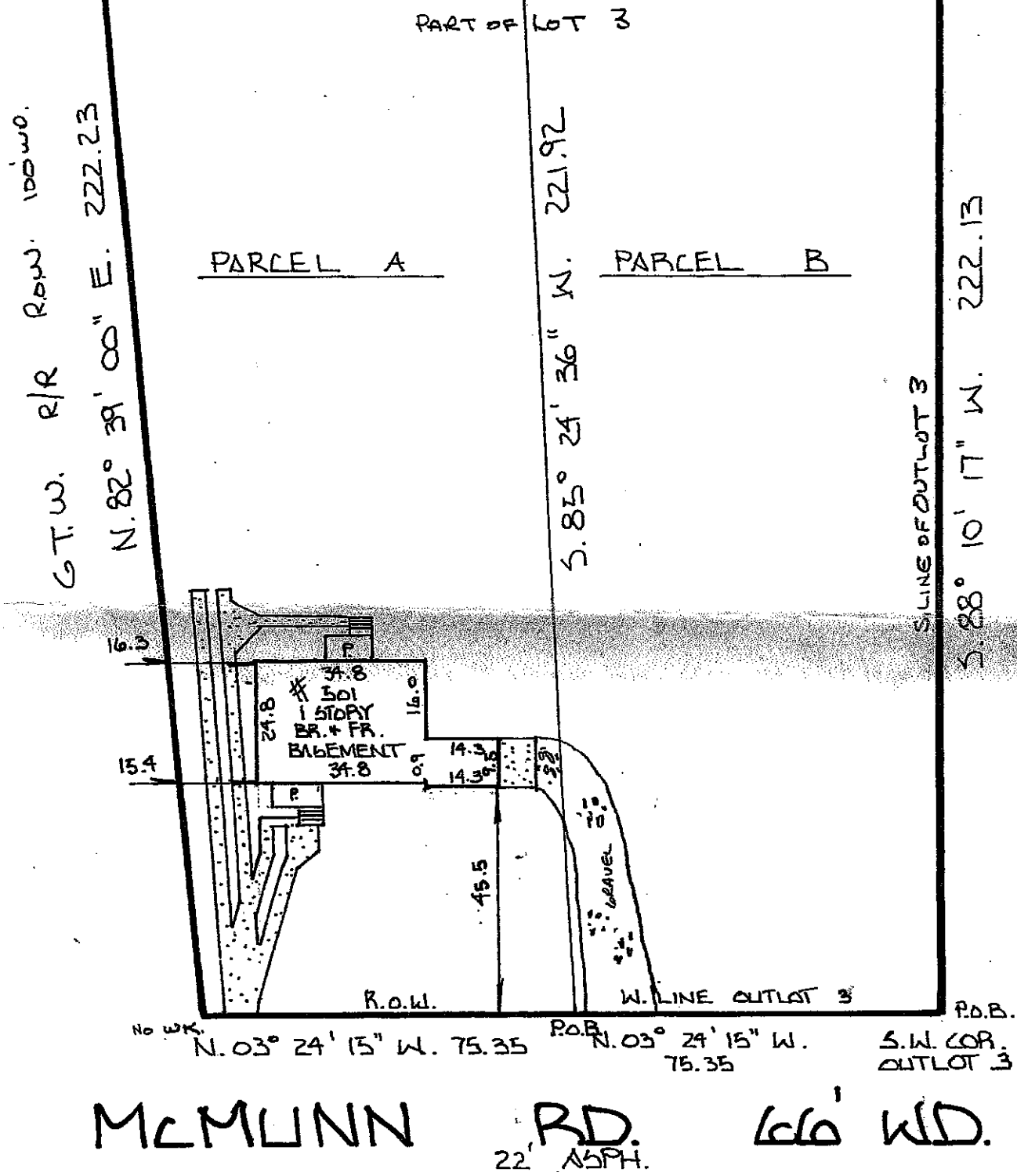
IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2017, your 2018 Taxable Value is calculated by multiplying your 2017 Taxable Value (see line 1 below) by 1.021 (which is the Inflation Rate Multiplier for the current year).

Physical changes in your property may also increase or decrease your Taxable Value. Your 2018 Taxable Value cannot be higher than your 2018 State Equalized Value.

*This change in Taxable Value will increase/decrease your 2018
tax bill by approximately: \$12.49 based on the 2017 tax rates.

	PRIOR AMOUNT YEAR: 2017	CURRENT AMOUNT YEAR: 2018	CHANGE
1. TAXABLE VALUE (Current amount is tentative):	10,350	10,560	210 *
2. ASSESSED VALUE:	14,590	14,590	0
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	14,590	14,590	0
There WAS/WAS NOT a transfer of ownership on this property in 2017: WAS NOT			

The Board of Review will meet at South Lyon City Hall on Tuesday March 6th at 9:00 am for an Organizational Meeting



MORTGAGE CERTIFICATE

We hereby certify to Standard Federal Bank
a mortgage lender, and certify to all Title Insurance Companies for the purpose of a mortgage loan to be made by said

lender to Patrick R. Allen and Lynne A. Allen #7266873
that we have measured the property herein described: that there are located entirely thereon building(s) and improvement(s) and that said building(s) and improvement(s) are within the property lines and that there are no existing encroachments upon the land and property described, except as shown. LEGAL DESCRIPTION PROVIDED BY OTHERS.

This mortgage certificate was prepared specifically for IDENTIFICATION PURPOSES for the sole use of the mortgagee and

NOTE

E
N — S
W



501 McManis

CONTACT: PAT ALLEN 248 437 3494

AGENDA NOTE

New Business: Item #8

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Mayor Pelchat

AGENDA TOPIC: Approval of charitable gaming license for South Lyon Baseball Boosters

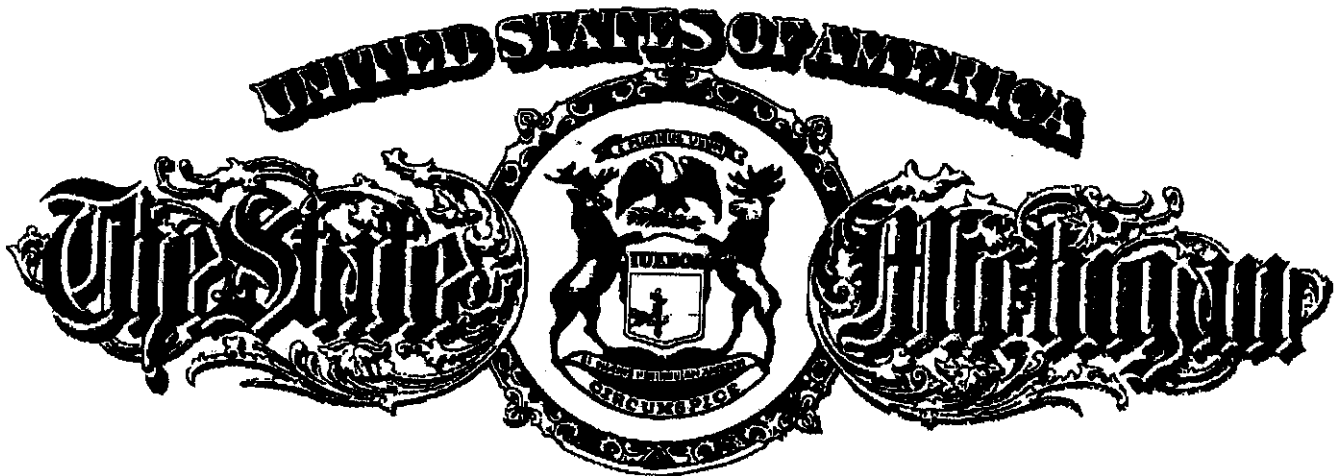
EXPLANATION OF TOPIC: The South Lyon Baseball Boosters is a nonprofit organization that is requesting a charitable gaming license. They will be selling raffle tickets.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Proof of non-profit corporation and Charitable Gaming License Resolution

POSSIBLE COURSES OF ACTION: approve/do not approve

RECOMMENDATION: Approve the proposed Local Governing Body Resolution for Charitable Gaming Licenses

SUGGESTED MOTION: Motion by _____, supported by _____ to approve Local Governing Body Resolution for Charitable Gaming Licenses recognizing South Lyon Baseball Boosters as a non-profit organization in the community for the purpose of obtaining charitable gaming licenses.



This is to Certify That

SOUTH LYON BASEBALL BOOSTERS

was validly incorporated on October 15, 2001, as a Michigan nonprofit corporation, and said corporation is validly in existence under the laws of this state.

This certificate is issued pursuant to the provisions of 1982 PA 162, as amended, to attest to the fact that the corporation is in good standing in Michigan as of this date and is duly authorized to conduct affairs in Michigan and for no other purpose.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 19th day of May, 2009.

Andrew J. Hitt, Director

Bureau of Commercial Services

Sent by Facsimile Transmission
775873



Department of Licensing and Regulatory Affairs

MICHIGAN.GOV

Michigan's
Official
Web Site[Michigan.gov Home](#)[LARA](#) | [Sitemap](#) | [Contact](#) | [Online Services](#) | [Agencies](#) | [FAQ](#)

MICHIGAN CORPORATION DIVISION ANNUAL FILING

HOME AGENT OFFICERS CERTIFY PAYMENT RECEIPT

2017 Domestic Nonprofit Corporation Information Update

(Please print a copy of this receipt for your records.)

ID Number: **775873**
Name: **SOUTH LYON BASEBALL BOOSTERS**
Payment Confirmation Nbr: **17101718471613**
Filed By: **HOLLI PLUMMER**
Title: **AUTHORIZED OFFICER OR AGENT**
Phone: **734-323-8918**
Date & Time: **10/17/2017 10:41:57**
Payment Amount: **\$20.00**
Card Type: **MC**
Reference Nbr: **71315 6800 775873 2017**

Credit Card Payment was Successful

Thank you for using Online Filings System to submit your annual filing.

The filing may be viewed within the next 24 hours on our [Business Entity Search Site](#).To complete another filing, click **FILE ONLINE** below.**FILE ONLINE**

[Michigan.gov Home](#) | [LARA](#) | [BCSC Home](#) | [Contact](#) | [State Web Sites](#) | [Site Map](#)
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Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

ID# 139774

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 South Lyon Baseball Boosters of South Lyon
NAME OF ORGANIZATION CITY

county of Oakland asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL

Yeas: _____

Nays: _____

Absent: _____

DISAPPROVAL

Yeas: _____

Nays: _____

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

COMPLETION: Required.
PENALTY: Possible denial of application.
BSL-CG-1153(R6/09)

AGENDA NOTE

New Business: Item # 9

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Interim City Manager

AGENDA TOPIC: Youth Assistance Agreement

EXPLANATION OF TOPIC: South Lyon Area Youth Assistance has requested renewal of the agreement to provide youth assistance services to the City. The current agreement expires on June 30, 2018. The new agreement would be effective from July 1, 2018 to June 30, 2019.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Letter from South Lyon Area Youth Assistance; Copy of proposed agreement

POSSIBLE COURSES OF ACTION: Approve/Do not approve agreement

RECOMMENDATION: Approve the agreement

SUGGESTED MOTION: Motion by _____, supported by _____ to authorize the Interim City Manager to execute the proposed agreement with the South Lyon Area Youth Assistance Program for Fiscal Year 2018 – 2019 in the amount of \$13,000.00.

05/14/18



South Lyon Area Youth Assistance

"Strengthening Youth and Families"

• 1000 N. Lafayette • South Lyon, MI 48178 • 248-573-8189

April 19, 2018

Chief Lloyd Collins
Acting City Manager
City of South Lyon
335 S. Warren
South Lyon, MI 48178

Dear Chief Collins:

On behalf of South Lyon Area Youth Assistance, we would like to express our gratitude and appreciation for the City of South Lyon's financial support.

With appreciation for your past support, we now present to you the request for sponsorship funding for the July 1, 2018 – June 30, 2019 fiscal year and an invoice. Please sign the contract and send it back to our office for our records and forward the invoice to the appropriate department.

Again, we thank you for your support and consideration in helping us meet the growing need of our community.

Sincerely,

Radha Vichare Kshirsagar

Radha Vichare Kshirsagar *RS*
Chairperson
South Lyon Area Youth Assistance

Enc: Invoice and Contract

AGREEMENT

SOUTH LYON AREA YOUTH ASSISTANCE PROGRAM

AND

THE CITY OF SOUTH LYON

Agreement to appropriate funds for the
support of services for the prevention
of juvenile delinquency and neglect

THIS AGREEMENT, made this first day of July, 2018, by and between the City of South Lyon, a Michigan municipal corporation of the County of Oakland, State of Michigan, whose address is 335 South Warren Street, South Lyon, Michigan 48178, hereinafter referred to as City, and the South Lyon Area Youth Assistance Program, whose address is 1000 North Lafayette, South Lyon, Michigan 48178, mutually agree as follows:

WHEREAS, the City has determined there is need for certain services to residents, specifically related to the prevention of juvenile delinquency and neglect within the community, and

WHEREAS, the City has determined that it is impractical at this time to render such services directly utilizing City Personnel and facilities, and

WHEREAS, the City has statutory authority under MCLA 123.461 to operate centers aimed at curbing juvenile delinquency within the community, and

WHEREAS, it is within the public welfare to provide other programs aimed at curbing juvenile delinquency and providing youth involvement, education, and recreation within the City, and

WHEREAS, the Juvenile Court has statutory authority under MCLA 712.2(e) to assist in or establish programs aimed at the prevention of juvenile delinquency and neglect, and

WHEREAS, the South Lyon Area Youth Assistance Program is such a program, established by the Juvenile Court for the County of Oakland, in cooperation with the City of South Lyon, the Township of Lyon, and the South Lyon Community Schools, and

WHEREAS, the South Lyon Area Youth Assistance Program is willing to furnish such services to the City and the City is willing to appropriate funds for the support of such services;

NOW, THEREFORE, the parties hereby agree as follows:

1. The South Lyon Area Youth Assistance Program agrees to furnish and the City agrees to appropriate funds for the support of counseling services for the prevention of juvenile delinquency and neglect within the City, and for youth involvement, education, and recreation programs.

2. This agreement shall become effective on July 1, 2018 and shall terminate on June 30, 2019. The terms of this agreement shall be automatically renewed each year thereafter unless either party shall notify the other in writing sixty (60) days prior to the anniversary date that it desires to modify this agreement.

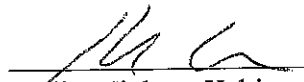
3. The City shall provide the South Lyon Area Youth Assistance Program with the sum of Thirteen Thousand Dollars (\$13,000.00) during the 2018-2019 Fiscal Year to be used for the provisions of these services.

4. The South Lyon Area Youth Assistance Program and/or The City of South Lyon reserves the right to terminate this agreement, upon sixty (60) days written notice, if and when the South Lyon Area Youth Assistance Program ceases to exist.

WITNESSED BY:

SOUTH LYON AREA YOUTH ASSISTANCE

CITY OF SOUTH LYON


Radha Vichare Kshirsagar, Chairperson

Lynne Ladner, City Manager


Stacey Willey, Treasurer

SOUTH LYON AREA YOUTH ASSISTANCE



1000 North Lafayette Street
South Lyon, MI 48178

Phone: 248-573-8189
Fax: 248-486-4067

Invoice

April 19, 2018

Bill To:

Chief Lloyd Collins
Acting City Manager
City of South Lyon
335 S. Warren
South Lyon, MI 48178

Date	Description	Amount			Total
7/01/2018	Contract for Services	13,000.00			13,000.00
to					
6/30/2019					
				Balance	13,000.00

AGENDA NOTE

New Business: Item # 6

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Michael Boven, Utility and DPW Superintendent

AGENDA TOPIC: Hagadorn Street Sewer Cleaning and Televising

EXPLANATION OF TOPIC: Bids were solicited for the televising of Hagadorn Street before the repaving work that has been scheduled for the 2018/2019 budget year. This is to ensure that the sewer line does not need to be repaired or replaced before the road is resurfaced. We also included a small storm sewer to be inspected on Mill Street while we have the contractor in town.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- HRC recommendation letter and bid tabulation sheet

POSSIBLE COURSES OF ACTION: Approve/deny the recommendation by HRC to hire the low bidder, Pipetek Infrastructure Services, LLC, to perform sewer televising on Hagadorn Street and small section of storm sewer on Mill Street.

RECOMMENDATION: Approve HRC recommendation to contract with Pipetek Infrastructure Services, LLC to perform cleaning and televising of the sewer line on Hagadorn Street and storm sewer on Mill street. We have adequate funds available in the current budget, under line item 451-969-203 Contribution-local streets, to make this purchase.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the awarding of contract to Pipetek Infrastructure Services LLC in performing the cleaning and televising of sewer line on Hagadorn Street and storm sewer on Mill Street for the amount of \$10,736.00.

PRINCIPALS

Daniel W. Mitchell
Nancy M.D. Faught
Keith D. McCormack
Jesse B. VanDeCreek
Roland N. Alix
Michael C. MacDonald
James F. Burton
Charles E. Hart

CONTROLLER

Donna M. Martin

SENIOR ASSOCIATES

Gary J. Tressel
Randal L. Ford
William R. Davis
Dennis J. Benoit
Robert F. DeFrain
Thomas D. LaCross
Albert P. Mickalich
Timothy H. Sullivan
Thomas G. Maxwell

ASSOCIATES

Marshall J. Grazioli
Colleen L. Hill-Stramsak
Bradley W. Shepler
Karyn M. Stickel
Jane M. Graham
Todd J. Sneathen
Aaron A. Uranga
Salvatore Conigliaro
Melissa A. Coatta
Michael P. Darga
Brian K. Davies
James E. Scholl
Matthew G. Slicker
James J. Surhigh
Trevor S. Wagenmaker

HUBBELL, ROTH & CLARK, INC.

STREET: 105 W. Grand River
Howell, MI 48843

PHONE: 517-552-9199

WEBSITE: hrcengr.com

OTHER OFFICE LOCATIONS

Bloomfield Hills
Delhi Township
Detroit
Grand Rapids
Jackson
Kalamazoo
Lansing

April 17, 2018

City of South Lyon
335 South Warren St
South Lyon, MI 48178

Attn: Michael Boven, Water & Wastewater Superintendent

Re: Bid Results
2018 Sewer Cleaning & Televising

HRC Job No. 2018241.07

Dear Mr. Boven:

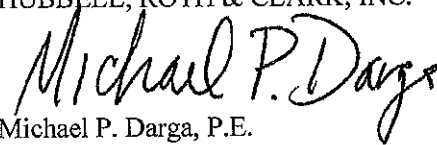
On Tuesday, April 17, 2018 the City received and opened bids for the 2018 Sewer Cleaning & Televising project. A total of five (5) contractors submitted bids ranging from \$10,736.00 to \$24,760.00. The low bid was submitted by Pipetek Infrastructure Services, LLC of Plymouth, Michigan. Attached is one (1) copy of the bid tab for your records.

Pipetek Infrastructure Services, LLC has successfully completed similar projects in accordance with the contract documents. Therefore, based on this information we have no concerns with the City awarding the contract for the 2018 Sewer Cleaning and Televising to Pipetek Infrastructure Services, LLC in the amount of \$10,736.00.

If you have any questions or require any additional information, please contact the undersigned at 517-292-1485.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Michael P. Darga, P.E.

MPD/mpd

Attachment

pc: South Lyon; L. Collins, L. Deaton
HRC; J. VanDeCreek, K. Stickel, H. Davis, file

BID TABULATION
2018 SOUTH LYON SEWER CLEANING AND TELEVISIONING
CITY OF SOUTH LYON
OAKLAND COUNTY

Bids Due: Tuesday, April 17, 2018 at 10:00 a.m.
HRC Job # 20180241

Item	Qty	Unit	Pipetek Infrastructure Services 861 William Plymouth, MI (248) 880-6965		Corby Energy Services 6001 Schooner Drive Belleville, MI (734) 547-9237		Advanced Rehabilitation Technology 01116 County Road 17 Bryan, OH (419) 636-2684	
			Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1. Mobilization	1	LS	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$700.00	\$700.00
2. Clean and Televis with PACP Reporting for 8" diameter sanitary sewer	2,596	lft	\$2.00	\$5,192.00	\$3.40	\$8,826.40	\$3.00	\$7,788.00
3. Clean and Televis with PACP Reporting for 12" diameter sanitary sewer	376	lft	\$3.00	\$1,128.00	\$3.40	\$1,278.40	\$4.00	\$1,504.00
4. Clean and Televis with PACP Reporting for 36" diameter storm sewer	220	lft	\$6.00	\$1,320.00	\$3.40	\$748.00	\$4.00	\$880.00
5. Heaving Cleaning, 8" Diameter Sewer (Base Bid Amt.)	1,298	lft	\$1.00	\$1,298.00	\$0.01	\$12.98	\$2.00	\$2,596.00
6. Heavy Cleaning, 12" Diameter Sewer (Base Bid Amt.)	188	lft	\$1.00	\$188.00	\$0.01	\$1.88	\$2.00	\$376.00
7. Heaving Cleaning, 36" Diameter Sewer (Based Bid Amt.)	110	lft	\$1.00	\$110.00	\$0.01	\$1.10	\$2.00	\$220.00
8. Traffic Maintenance	1	LS	\$500.00	\$500.00	\$125.00	\$125.00	\$500.00	\$500.00
TOTAL BID AMOUNT				\$10,736.00		\$11,493.76		\$14,564.00

ENGINEER:

Hubbell, Roth & Clark, Inc.
555 Hulet Drive
Bloomfield Hills, MI 48302

D.V.M. Utilities, Inc. (4th bidder) - \$19,987.00
Pipeline Management Co. (5th bidder) - \$24,760.00



HUBBELL, ROTH & CLARK, INC
CONSULTING ENGINEERS SINCE 1915

AGENDA NOTE

New Business: Item #))

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Interim City Manager

AGENDA TOPIC: Pilot Local Road Improvement Program Agreement

EXPLANATION OF TOPIC: The City's application for funding under the 2018 Pilot Local Road Improvement Program was approved by the Oakland County Board of Commissioners in the amount of \$25,349. In order to receive the approved funds, it is necessary to execute the cost participation agreement. The estimated city cost for the local road improvement project, (North Hagadorn Street), is \$550,000.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Letter from Oakland County Board of Commissioners – Commissioner Weipert; Copy of Local Road Improvement Matching Fund Pilot Program – Cost Participation Agreement

POSSIBLE COURSES OF ACTION: Approve/Do not approve the agreement

RECOMMENDATION: Approve the agreement

SUGGESTED MOTION: Motion by _____, supported by _____ to authorize the Mayor and City Clerk to execute the Local Road Improvement Matching Fund Pilot Program Cost Participation Agreement.

05/14/18



BOARD OF COMMISSIONERS

1200 N. Telegraph Road
Pontiac, MI 48341-0475
Phone: (248) 858-0100
Fax: (248) 858-1572

May 3, 2018

Mayor Daniel L. Pelchat
335 South Warren
South Lyon, MI 48178

Dear Mayor Pelchat,

I am pleased to inform you that the Board of Commissioners has approved your application for funding under the 2018 Pilot Local Road Improvement Program.

Poor conditions on our roads create an impediment to the economic development of our community and diminish the excellent quality of life our residents expect. Oakland County is proud to be a partner with your local government to provide much needed investment in our local transportation infrastructure.

Enclosed you will find two (2) copies of a Cost Participation Agreement. Following approval by your governing authority and execution of the agreement, please forward the documents to:

Oakland County Board of Commissioners
Attn: Michael Andrews, Sr. Analyst
1200 N. Telegraph Road
Pontiac, Michigan 48341-0475

We will return a fully executed copy to you for your records. After you receive the finalized agreement, you can invoice our Management and Budget office as instructed in the agreement for payment.

If you have any questions regarding the program or agreement, please feel to contact Michael Andrews, Sr. Analyst of the Board of Commissioners at (248)858-5115 or andrewsmb@oakgov.com. In addition, please feel free to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, reading "Philip J. Weipert". The signature is written in a cursive style with a large, stylized "P" and "W".

Philip J. Weipert
Oakland County Commissioner

LOCAL ROAD IMPROVEMENT MATCHING FUND PILOT PROGRAM

COST PARTICIPATION AGREEMENT

Repaving of North Hagadorn Street

City of South Lyon

Board Project No. 2018-07

This Agreement, made and entered into this ____ day of _____, 2018, by and between the Board of Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the City of Troy, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD has established the Pilot Local Road Improvement Matching Fund Program, hereinafter the PROGRAM, for the purposes of improving economic development in Oakland County cities and villages. The terms and policies of the PROGRAM are contained in Attachment A. The BOARD intends the PROGRAM to assist its municipalities by offering limited funds, from state statutory revenue sharing funds, for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages; and

WHEREAS, the BOARD shall participate in a city or village road project in an amount not exceeding 50% of the cost of the road improvement, hereinafter referred to as the PROJECT, and also not exceeding the Preliminary Distribution Formula as it relates to the COMMUNITY, (Attachment B); and

WHEREAS, the COMMUNITY has identified the PROJECT as the Repaving of North Hagadorn Street, as more fully described in Attachment C, attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of and within the COMMUNITY and are not under the jurisdiction of the Road Commission for Oakland County or state trunk lines; and

WHEREAS, the COMMUNITY has acknowledged and agreed to the BOARD's policies regarding the PROGRAM, Attachment A, and further acknowledge and agree that the PROJECT's purpose is to encourage and assist businesses to locate and expand within Oakland County and shall submit a report to the BOARD identifying the effect of the PROJECT on businesses in the COMMUNITY at the completion of the PROJECT. In addition, the COMMUNITY acknowledges that the program is meant to supplement and not replace funding for existing road programs or projects; and

WHEREAS, the COMMUNITY has acknowledged and agreed that the PROGRAM is expressly established as a pilot program and there is no guarantee that the PROGRAM will be continued from year to year. The COMMUNITY further acknowledges and agrees that if the PROJECT is a multi-year road improvement project, the maximum number of years for the PROJECT funding is two (2) years. The BOARD anticipates that most PROJECTS funded under the PROGRAM will be completed by the end of calendar year 2019. There is no obligation on behalf of the BOARD to fund either the PROJECT or the PROGRAM in the future; and

WHEREAS the COMMUNITY has acknowledged and agreed that the COMMUNITY shall assume any and all responsibilities and liabilities arising out of the administration of the PROJECT

and that Oakland County shares no such responsibilities in administering the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$550,000; and

WHEREAS, said PROJECT involves certain designated and approved Local Road Improvement Matching Funds in the amount of \$25,349, which amount shall be paid to the COMMUNITY by the BOARD; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing of the PROJECT and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and in conformity with applicable law and BOARD resolution(s), it is hereby agreed between the COMMUNITY and the BOARD that:

1. The BOARD approves of the PROJECT, and in reliance upon the acknowledgements of the COMMUNITY, finds that the PROJECT meets the purpose of the PROGRAM.

2. The BOARD approves of a total funding amount under the PROGRAM for the PROJECT in an amount not to exceed \$25,349. The COMMUNITY shall submit an invoice to the COUNTY in the amount of \$25,349.

a. The Invoice shall be sent to:

Lynn Sonkiss, Manager of Fiscal Services
Executive Office Building
2100 Pontiac Lake Road, Building 41 West
Waterford, MI 48328

3. Upon receipt of said invoice and upon execution of this Agreement, the BOARD shall pay the COMMUNITY the sum of \$25,349 from funds available in the PROGRAM.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

OAKLAND COUNTY BOARD OF COMMISSIONERS

By: _____

Its: _____

COMMUNITY

By: _____

It's: _____

AGENDA NOTE

~~Old Business # 12~~
new

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA:

AGENDA TOPIC: Liquor License Ordinance – First Reading

EXPLANATION OF TOPIC: The City began the process of preparing and adopting a liquor license ordinance in mid-2017. The City has reviewed a number of versions of a liquor license ordinance. Initially, the Council approving a first reading in October 2017.

Thereafter, in the latter part of 2017, City staff met with license holders and others to obtain additional input on the ordinance. A revised draft ordinance was presented for first reading in January 2018, although the matter was postponed to allow for further revision to narrow its scope and remove restrictions and make it more consistent with the Michigan Liquor Control Code.

There have been subsequent revisions and postponements to allow for more revisions to narrow the scope of the ordinance. The Council approved a first reading of the 1/22/18 version on 3/26/18, but on 4/9/18, it failed to pass a motion to approve a second reading with discussion indicating a desire for an even narrower ordinance that would be more "business friendly" and does not duplicate the MLCC application process.

Pursuant to the 4/9/18 meeting, the ordinance has been revised again to further narrow it and limit its application to liquor licenses which require approval of the local legislative body (as designated in the MLCC Chart) which would include, among others, Class C on-premises (quota licenses), hotel, banquet facility, brewpub, club, resort, tavern. The transfer provisions have been removed entirely. The plan of operation has been removed, and the 3-year time frame for continuing enforcement of an approved operation have similarly been removed.

On 4/23/18 another revised draft was presented and postponed to the 5/29/18 meeting, and Council discussion addressed specific revisions.

A revised ordinance is presented for first reading. The Ordinance contains the following:

Chapter 8 – Alcoholic Liquor

Article I – General

Sections 8-1 – 8-30 Reserved

Article II – Licensing

Section 8-31 Short title

Section 8-32 Statement of purpose

Section 8-33 Definitions

Section 8-34 License required

Section 8-35 Application and review procedures

Section 8-36 Objections to renewal and requests for revocation

Section 8-37 Fees
Section 8-38 Nudity
Sections 8-39 through 8-69 Reserved

As background, The City does not have a liquor licensing ordinance. It has one (1) Class C quota license available for an on-premises liquor establishment. With renewed interest in the downtown and increasing economic development occurring in the community, Council should consider adopting a liquor licensing ordinance to formalize the procedures for reviewing and deciding to approve or deny applications for on-premises liquor licenses.

The regulation of alcoholic liquor is governed by the Michigan Liquor Control Code, Public Act 58 of 1998 (the "Act"). The Act created the Michigan Liquor Control Commission (MLCC) which is the State administrative agency responsible for liquor licensing. The Michigan Administrative Code also contains rules applicable to various aspects of alcoholic liquors including licensing and sales.

In 2012 the MLCC made significant changes to the State liquor licensing process. The most important change affecting local communities was the elimination of a local approval requirement for license transfers and other types of permits. Also, in 2012, a federal district struck down, as unconstitutional, the MLCC provisions pertaining to various permits, such as dance, entertainment, topless activity, and extended hours permits. The trend at the state level has been to make liquor licensing more friendly to the applicants and business owners and to eliminate or restrict local approval requirements. Local approval of new (as opposed to transfer licenses) on-premises liquor licenses is still required under the Act. Liquor licensing involves a broad and complex set of laws and regulations.

The primary purpose of the proposed liquor licensing ordinance is to provide for an application and review process which the City can use in deciding to approve or deny applications which require the approval of the local legislative body per the MLCC chart.

The proposed ordinance is intended to be consistent with the Act and applicable regulations. Generally, the ordinance contains requirements and procedures for receiving and reviewing applications for on-premises licenses. Application and permit forms will need to be prepared, and the application fee established. The ordinance provides for investigation by relevant city departments. The review criteria for use by staff and Council are also set forth in detail. This list can be added to or criteria can be deleted.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- 5/10/18 revised liquor license ordinance

POSSIBLE COURSES OF ACTION: Approve/deny/postpone/table/no action

RECOMMENDATION: The City Attorney does not recommend approval of the 5/10/18 version because it does not contain necessary reasonable provisions which the City may need to protect its interests and the interests of its residents with respect to valuable liquor licenses and the effects of

licensed premises. Also, there are concerns that this ordinance relies too heavily on the MLCC process and the MLCC acting in the best interests of the City. There are many City concerns which are not addressed in the MLCC process.

SUGGESTED MOTION: Table or no action.

ORDINANCE NO. __-18

CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO ADD CHAPTER 8 – ALCOHOLIC LIQUOR – TO
THE CITY OF SOUTH LYON CODE OF ORDINANCES TO PROVIDE
POLICIES AND REGULATIONS FOR CERTAIN ON-PREMISES
LIQUOR LICENSES.

THE CITY OF SOUTH LYON ORDAINS:

PART I. Addition of Chapter 8. Chapter 8 – Alcoholic Liquor – is hereby added to the
City of South Lyon Code of Ordinances, to read in its entirety as follows:

CHAPTER 8 – ALCOHOLIC LIQUOR

ARTICLE I – GENERAL

Secs. 8-1 – 8-30. - Reserved.

ARTICLE II – LICENSING

Sec. 8-31. - Short title.

This ordinance shall be known and may be cited as the City of South Lyon "Liquor License
Ordinance."

Sec. 8-32. – Statement of purpose.

The purpose of this article is to establish the city's policies and procedures for regulating liquor licenses including application and review procedures for the issuance of new on-premises licenses designated as requiring local legislative body approval by the Michigan Liquor Control Commission and for the renewal and revocation of liquor licenses. The process is intended to ensure that the individuals and entities seeking City approval for liquor licenses or who propose to operate licensed on-premises liquor establishments within the city, meet certain minimum requirements as to background, experience, financial resources, business operations and management and that the proposed establishment meets the needs of the community. It requires the city council to review application information in light of certain criteria to identify the kinds of applicants and establishments that best qualify for a license and best meet the needs of the City and its residents. It reserves to the city any and all discretion afforded to it under applicable laws relating to the issuance of on-premises licenses. It is the intent of the city that approved licenses shall be put into use immediately following approval.

Sec. 8-33. – Definitions.

The following definitions shall apply to this chapter:

(a) *Act* means the Michigan Liquor Control Code of 1998, Public Act 58 of 1998, MCL 436.1101 et seq., as amended.

(b) *Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, powder, liquids, and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing 1/2 of 1% or more of alcohol by volume that are fit for use for food purposes or beverage purposes as defined and classified by the Michigan Liquor Control Commission.

(c) *Applicant* means and includes all persons and entities proposed to be owners of the license and/or of the licensed premises, all key personnel involved in the management and operation of the licensed business, and all persons and entities proposed to be involved in the finance of the license and/or licensed premises. Applicant includes all owners, shareholders, officers, partners, members, and managers of an entity applying for a license.

(d) *Brewpub* means a license issued in conjunction with a class C, tavern, class A hotel, or class B hotel license that authorizes the person licensed with the class C, tavern, class A hotel, or class B hotel to manufacture and brew not more than 18,000 barrels of beer per calendar year in Michigan and sell at those licensed premises the beer produced for consumption on or off the licensed brewery premises in the manner provided for in sections 405 and 407 of the Michigan Liquor Control Code of 1998. A brewpub is considered a hybrid on- and off-premises liquor license.

(e) *Class C license* means a place licensed to sell at retail beer, wine, mixed spirit drink, and spirits for consumption on the premises.

(f) *Club license* means a liquor license issued to a club as defined by section 107 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1107).

(g) *Establishment* means a business or premises whose primary function is the serving of alcoholic beverages for consumption on-premises.

(h) *Hotel license* means a liquor license issued to a hotel as defined in section 107 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1107).

(i) *License* means a contract between the commission and the licensee granting authority to that licensee to manufacture and sell, or sell, or warehouse alcoholic liquor in the manner provided by the Act.

(j) *Licensee* means an individual or entity holding a license issued under this chapter or by the Michigan Liquor Control Commission.

(k) *Michigan Liquor Control Commission* and *MLCC* mean the liquor control commission provided for and created in Section 209 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1209).

(l) *Micro brewer* means a brewer that produces in total less than 60,000 barrels of beer per year and that may sell the beer produced to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers as provided in MCL 436.1203. In determining the 60,000-barrel threshold, all brands and labels of a brewer, whether brewed in this state or outside this state, shall be combined and all facilities for the production of beer that are owned or controlled by the same person shall be treated as a single facility.

(m) *Minor* means an individual less than 21 years of age.

(n) *Off-premises license* means a liquor license to sell alcoholic liquor at retail for consumption off the licensed premises, including SDD, SDM, and other licenses designated as such in the Act.

(o) *On-premises license* shall mean a liquor license to sell alcoholic liquor at retail for consumption on the licensed premises, including Class C, tavern, resort club, hotel, brewpub and micro brewer licenses.

(p) *Person* means an individual, firm, partnership, limited partnership, association, limited liability company, or corporation.

(q) *Resort license* means a liquor license issued by the Michigan Liquor Control Commission in a resort area, without regard to other Liquor Control Commission quota requirements, in accordance with the Michigan Liquor Control Code of 1998, Public Act 58 of 1998.

(r) *Sale* includes the exchange, barter, traffic, furnishing, or giving away of alcoholic liquor.

(s) *Special license* means a contract between the commission and the special licensee granting authority to that licensee to sell beer, wine, mixed spirit drink, or spirits. The license shall be granted only to such persons and such organization and for such period of time as the commission shall determine so long as the person or organization is able to demonstrate an existence separate from an affiliated umbrella organization. If such an existence is demonstrated, the commission shall not deny a special license solely by the applicant's affiliation with an organization that is also eligible for a special license.

(t) *Special permit* includes, but is not limited to, outdoor service permits, one-day licenses, after hours permits, temporary dance, entertainment, or add bar permits, specific purpose permits, and special licenses, as those terms are defined and utilized in the Michigan Liquor Control Code of 1998, Public Act 58 of 1998.

(u) *Specially designated distributor (SDD)* means a person engaged in an established business licensed by the commission to distribute spirits and mixed spirit drink in the original package for the commission for consumption off the premises.

(v) *Specially designated merchant (SDM)* means a person to whom the commission grants a license to sell beer or wine, or both, at retail for consumption off the licensed premises.

(w) *Tavern* means any place licensed to sell retail beer and wine for consumption on the premises only.

Sec. 8-34. – License required.

No person shall engage in the business of selling alcoholic liquor for consumption on premises in the City of South Lyon without first obtaining an approval for same by the city council as provided for in this chapter and also obtaining a license or approval therefor as required by the Act and MLCC.

Licensees shall comply with all applicable state and city regulations and this chapter.

Sec. 8-35. – Application and review procedures.

(a) *Application.* In addition to such application(s) as may be required by the Act and the Michigan Liquor Control Commission for licensing by the State of Michigan, each applicant for a liquor license requiring local legislative body approval shall submit to the city clerk's office a fully completed "City of South Lyon Liquor License Application" on a form furnished by the clerk's office signed by the applicant or a duly authorized agent, along with the required fee(s) and all additional documents and materials referred to in the application form or otherwise required under this article.

(b) *Required information.* The applicant shall include, with the application, at least the following:

- (1) Name and address of the applicant. If the applicant is a partnership, the name and address of each partner shall be provided, and a copy of any partnership agreement attached. If the applicant is a privately-held corporation, the names and addresses of all corporate officers, members of the board of directors, and stockholders shall be provided, and a copy of the articles of incorporation attached. If the applicant is a publicly-held corporation, the names and addresses of all corporate officers, members of the board of directors, and stockholders who own ten percent (10%) or more of the corporate stock shall be provided. If the applicant is a limited liability company, the names and addresses of all members, managers and assignees of membership interests shall be provided, and a copy of the articles of organization attached.
- (2) The type of license and/or related permit(s) requested.
- (3) The address, legal description, and zoning district of the property where the licensed establishment is to be located.
- (4) The name and address of the record fee owner of the premises, and, if the applicant is not the owner, proof of its interest in or right to occupy the premises.
- (5) Building and site plans showing the site and existing structures for the proposed establishment demonstrating compliance with zoning

requirements, adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for sound barriers and noise control. If the establishment is to be located in a proposed building for which site plan approval has not yet been obtained, or in an existing building that is to be remodeled, a conceptual plan showing the relationship of the building to the surrounding properties and uses, and proposed building elevations.

- ~~(6)~~ A written statement as to the applicant's character, experience, and financial ability to meet the obligations and business undertakings for which the license is to be issued, including the length of time the applicant has been in business of that character, or in the case of a partnership or other business entity, the date when it was created, established or organized.
- ~~(7)~~ Three (3) written references as to the applicant's character, experience, and financial ability to meet the obligations and business undertakings for which the license is desired.
- ~~(8)~~ A written statement identifying the source of all funds which will be relied upon for the establishment and operation of the proposed establishment sought to be licensed including the name and address of the financial institution where such funds are deposited.
- ~~(9)~~(6) A statement whether the applicant has operated or made application for a similar or another license on any premises other than described in this application, and the status or disposition of such license or application.
- ~~(10)~~(7) Whether a manager or person other than the applicant will manage the operations of the proposed establishment, and if so, the identity(ies) of such managers or persons.
- ~~(11)~~(8) A criminal background report of the applicant's criminal history through the Internet Criminal History Access Tool (ICHAT). The applicant is responsible for all charges incurred in requesting and receiving the ICHAT report and the report must be dated within thirty (30) days of the date of the application.
- ~~(12)~~(9) A statement that the applicant is not disqualified to receive a license for any reason under this chapter or state law.
- ~~(13)~~(10) An accurate record and history of any liquor license or Liquor Control Act violations by the applicant, and any entity the applicant has worked for or had a substantial interest in, or by a parent or subsidiary entity of the applicant for the immediate preceding five (5) years.
- ~~(14)~~(11) A written statement explaining in detail how the application and applicant meet the review criteria listed in subsection (f).

~~(15)~~(12) Any other information pertinent to the applicant, premises, and operation of the proposed establishment as may be required by this chapter, including information regarding each of the criteria listed in subsection (f).

(c) *Investigation.* Following receipt of a complete application, fees and other information as may be requested by the city, the city manager will refer the application to the police department, fire department, planning department, building department, economic development department, public works department, and such other departments as deemed appropriate, which departments shall cause a thorough review and investigation of the applicant(s) and premises to be completed, including, but not limited to, an investigation regarding the background of the applicant(s) and owners, a complete history of past business and experience and liquor law violations, the proposed premises, code compliance, payment of taxes and utility charges, availability of utilities. The findings and results of the investigations, including where applicable, recommendations, shall be provided to the city manager, who shall then report same to the city council. In making its reviews and investigations, the city, and its departments, may request other pertinent information from the applicant.

(d) *Placement upon city council agenda.* Upon receipt by the city manager of the findings, results, and recommendations of the department investigations, the city manager shall place the application on a city council agenda for consideration. Due notice will be provided to the applicant, and the applicant will be required to appear before the city council and make an oral and/or written presentation and address any questions concerning the application.

(e) *City council action required.* All applications are subject to action by the city council. The city council may approve with or without conditions, postpone consideration for a reasonable period, or deny the license. If the license is either approved or denied, the city council shall cause its decision to be transmitted to the Michigan Liquor Control Commission and promptly give notice of the decision to the applicant, in writing. Unless otherwise indicated by the city council, all approvals are conditioned upon the applicant obtaining any required building permits and any other necessary permits, licenses, or approvals from the city, including special land use approval, or approvals from other regulatory agencies within sixty (60) days or such other time period specified by the city council from the date of such conditional approval. The construction of new buildings and alterations of existing buildings shall commence within six (6) months after the date of the conditional approval, with a completion date of no more than one (1) year after the issuance of the relevant building permit. Extensions of time for completion of construction or alteration or to meet conditions may be granted by the city council for good cause as determined in its sole discretion. Failure to comply with such conditions shall render the license, and any approval, subject to revocation.

(f) *Review criteria.* In making its determination pursuant to section 8-35(e), the city council may consider and/or weigh, in its discretion, the following factors:

- (1) Surrounding land uses and proximity to residences, schools, and churches, and any potential adverse effect the surrounding area and land uses, including vehicular and pedestrian traffic and movement, parking, noise and input from residents and businesses.

- (2) The investigations, findings and recommendations of the city departments regarding the applicant, application, and proposed premises and establishment.
- (3) The applicant's history and experience, if any, in conducting a business holding a liquor license, including history of MLCC violations and other business and operations and management experience.
- (4) The applicant's financial status and its ability to build and/or operate the proposed establishment.
- (5) Past criminal convictions of the applicant for felonies and crimes involving moral turpitude, violence, or alcoholic liquors, including, but not limited to: gambling, prostitution, weapons, tax evasion, fraudulent activity, controlled substances, crimes or violations of such a nature that it may impair the ability of the applicant to operate a licensed establishment in a safe and competent manner.
- (6) Non-payment or late payment of taxes and utility bills.
- (7) The availability of utilities to serve the proposed establishment.
- (8) Compliance with applicable building, plumbing, electrical and fire prevention codes, zoning ordinance, or other applicable ordinances, laws, codes, and regulations.
- (9) The nature and extent of preservation or restoration of existing or historic buildings.
- (10) The number, proximity and capacity of similar licensed establishments in the city and surrounding area.
- (11) The amount to be invested in the proposed premises/establishment and the effect on the economic development of the city or the surrounding area.
- ~~(12) Whether the proposed establishment is part of a multi-use project with substantial new retail, office or residential components; the size of the proposed establishment relative to the overall project or development.~~
- ~~(13)~~(12) Whether the applicant has demonstrated a public need or convenience for the issuance of the liquor license for the business establishment at the location proposed.
- ~~(14)~~(13) The type or character of proposed establishment and services, including the menu and entertainment to be offered, the overall theme, atmosphere, or ambiance of the proposed business, the proposed hours and days of operation, the proposed ratio of sales of food to alcohol, the

size and percent of floor area devoted to kitchen, dining, dance floor, bar, outdoor service areas.

~~(15)~~(14) The impact of the establishment on city policing and code enforcement activities, and the possibility of consequent costs to the city.

~~(16)~~(15) The overall benefits and/or detriments of the proposed establishment to the city.

~~(17)~~(16) Any other factor that may affect the health, safety and/or welfare of the general public.

(g) *Restrictions on licenses.* No license shall be issued to the following unless such applicable restriction is waived by city council:

- (1) Any person whose liquor license has been revoked or not renewed for cause under this article, or a comparable local ordinance or state law, whether in Michigan or otherwise.
- (2) Any person who, at the time of application or renewal of any license issued hereunder, would not be eligible for such license upon a first application.
- (3) Any applicant, including any owner, shareholder, officer, partner, member, manager, or assignee thereof, owing a ten percent (10%) interest or more would not be eligible to receive a license hereunder or the Act for any reason.
- (4) Any person who does not own the premises for which a license is sought or does not have a lease or other right to possess or occupy the premises for the full period for which the license is issued.
- (5) Any law enforcement official or any member of the council, or to any such official having interest in any way, either directly or indirectly, in manufacture, sale or distribution of alcoholic liquor.
- (6) Any applicant who omits or falsifies any information required by this article.
- (7) Any premises where there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations or any other applicable city ordinance without approved arrangements for correction or achieving compliance.
- (8) Any premises that does not, or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, noise or nuisance control, or such new construction or remodeling as proposed would not be completed.

(h) *Recommendation for approval of liquor license.* Upon completion of the building and/or improvements and satisfaction of all other conditions and in accordance with the prior

conditional approval of the city council and resolution, if applicable, the city council shall then recommend, above all others, the applicant for approval of the liquor license to the Liquor Control Commission of the State of Michigan.

(i) *Reservation of authority.* No applicant for a liquor license has a right to the issuance of such license, and the city council reserves the right to exercise reasonable discretion to determine who, if anyone, shall be entitled to the issuance of such licenses.

Sec. 8-36. – Objections to renewal and requests for revocation.

(a) *Generally.* The city council may, at any time, review a license and object to a renewal or request the revocation of a liquor license with the MLCC.

(b) *Procedure.* Before filing an objection to the renewal or requesting revocation of a license with the MLCC, the city shall serve the licensee a notice of hearing, by first class mail, mailed not less than ten (10) days prior to the hearing, which shall contain the following information:

- (1) Reason(s) for the hearing and proposed action.
- (2) Date, time and place of the hearing.
- (3) A statement that the licensee may present evidence and testimony, and may confront witnesses and may be represented by a licensed attorney.

(c) *Hearing and final decision.* The hearing may be conducted by city council as a whole, or by a hearing officer appointed by the city council for such purposes. If a hearing officer is appointed, it shall be the officer's duty to conduct the hearing and hear and take evidence and testimony. After the hearing, the hearing officer shall make a recommendation to the city council for its ultimate final review and decision. The city council shall submit to the licensee and the MLCC, a written statement of its ultimate findings and determination.

(d) *Criteria for non-renewal or revocation.* The city council may recommend non-renewal or request revocation of a license upon a determination by it that, based upon a preponderance of the evidence presented at a hearing, any of the following exists:

- (1) A violation of any section of this chapter, the Act, or the rules and regulations of the MLCC, including sales of alcoholic liquor to minors.
- (2) A violation of any applicable building, electrical, mechanical, plumbing or fire code; applicable zoning regulations; applicable public health regulations; applicable rules and regulations of the county health department; or any other applicable city code provision.
- (3) Maintenance of a nuisance on the premises.
- (4) A license being or remaining unused or inactive for one (1) year after being issued without further approval from the city council.

- (5) A license being placed in and remaining in escrow for five (5) years or more.
- (6) A material change in those conditions, statements or representations contained in the written application by the licensee upon which the city council based its recommendation for approval, when, in the judgment of the city council, that change is found to be contrary to the best interest of the city and/or its residents.
- (7) A licensee has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance.
- (8) The premises does not, or will not reasonably soon, have adequate off-street parking, lighting, refuse disposal facilities, screening, noise or nuisance control where a nuisance does or will exist.
- (9) Non-payment of taxes relating to the premises related to the license.
- (10) Other factors negatively impacting the general health, safety and welfare of the community and the public.

Sec. 8-37. – Fees.

Each applicant for a new on-premises license or license transfer shall pay a nonrefundable application investigation fee in an amount set by city council resolution. Such fee will be in addition to any fee(s) required by the MLCC.

Sec 8-38. – Nudity.

No person, while appearing in a state of public nudity as defined in Section 5h of Act 279 of 1909, being MCL 117.5h, shall frequent, loiter, work for or perform in any establishment licensed or subject to licensing by the state liquor control commission. No proprietor or operator of any such establishment shall allow the presence in such establishment of any person who violates the provisions of this section.

Sec. 8-39 through 8-69. Reserved.

PART II. 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 III. 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 IV. 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 V. 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.

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:

DRAFT

AGENDA NOTE

Budget #13

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Councilmember Kurtzweil

AGENDA TOPIC: General Fund Balance Policy

EXPLANATION OF TOPIC: Discussion/Action item.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Draft resolution from Councilmember Kurtzweil

POSSIBLE COURSES OF ACTION: Approve/not approve resolution setting a generally fund balance policy

RECOMMENDATION:

SUGGESTED MOTION: Motion by _____, supported by

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

A RESOLUTION TO ADOPT AN UNASSIGNED GENERAL FUND BALANCE POLICY

WHEREAS, the City of South Lyon has determined that a minimum unassigned general fund balance (General Fund Balance) should be maintained at all times in order to provide financial stability and sound fiscal management of taxpayer dollars;

WHEREAS, some of the purposes of a General Fund Balance include sustaining budget stabilization, providing cash flow in order to avoid short-term borrowing, building financial reserves for unanticipated one-time expenditures, meeting revenue shortfalls and/or emergency needs and mitigating risk and anticipating future needs;

THEREFORE, the City has decided that it must make an effort to maintain a minimum General Fund Balance as follows:

1. The goal of council should be to make a reasonable effort to maintain a budgetary unassigned general fund balance, i.e, the General Fund Balance, of no less than 60% of General Fund expenditures. The term "expenditures" for purposes of this paragraph means the annual budgeted expenditures stated in the adopted budget for the following fiscal year less non-recurring capital expenditures. For example, if the 2018-2019 adopted budget states expenditures less non-recurring capital expenditures in the amount of \$5, 450, 280, then the General Fund Balance for the 2018-2019 fiscal year should be maintained at \$3,270,168.

[OR MAINTAIN A BALANCE RANGING FROM 15-20% OF THE SUBSEQUENT YEAR'S BUDGETED EXPENDITURES AND OUTGOING TRANSFERS]

2. If the General Fund Balance falls below 60% of expenditures, the General Fund Balance for the following year must be adjusted to restore the General Fund Balance to the 60% level. For example, if during the 2018-2019 fiscal year a withdrawal from the General Fund Balance was made in the amount of \$270,000 in order to meet a revenue shortfall, the 2019-2020 fiscal budget must restore the \$270, 000 amount.

3. If the General Fund Balance exceeds 70% of expenditures (General Fund Overage) then council may consider using that amount of the General Fund Overage for the following purposes: funding any unfunded OPEB or pension liability, transferring funds for a capital project or for future capital improvements, or to pay down any debt (bonds, leases and the like).

4. The General Fund Balance should avoid the appropriation of fund balance monies for recurring operating expenditures such as salaries, wages, utility bills and the like. If the General Fund Balance is used to pay for operating expenditures the utilization of fund balance monies and a strategy to prohibit the future use of fund balance monies shall be addressed to council by the city manager or the chief financial officer. Other budgetary strategies that should be used to reduce a funding deficiency is to reduce the recurring expenditure or increase revenues or pursue other funding sources.

5. The General Fund Balance shall not be used as a bargaining item, nor discussed in any bargaining negotiations or settlements.

6. When an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned or unassigned) amounts are available, it shall be the policy of the city to consider restricted amounts to have been reduced first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the city that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

7. The General Fund Balance should be analyzed each fiscal year after the financial statement audit.

Revised draft date: 4.15.18
Original Draft date: 4.4.2018.

AGENDA NOTE

New Business: Item # 14

MEETING DATE: May 14, 2018

PERSON PLACING ITEM ON AGENDA: Interim City Manager

AGENDA TOPIC: Retainer Agreement for City Attorney Services

EXPLANATION OF TOPIC: The current Retainer Agreement for City Attorney Services expires on June 30, 2018. City Council has the option to renew the current agreement, (subject to renegotiated fees), or to direct the Interim City Manager to issue a request for proposals for city attorney services.

If a request for proposals was issued, several law firms would be chosen to make presentations to a selection committee. A recommendation would subsequently be made to City Council for authorization to enter into a new retainer agreement.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Copy of current Retainer Agreement for City Attorney Services with Johnson, Rosati, Schultz & Joppich, PC, (JRSJ).

POSSIBLE COURSES OF ACTION: Request an updated Retainer Agreement for City Attorney Services from JRSJ for consideration by City Council at a future meeting or direct the Interim City Manager to issue a request for proposals for city attorney services.

RECOMMENDATION: Council discretion

SUGGESTED MOTION: Motion by _____, supported by _____ to _____

05/14/18



JOHNSON ROSATI SCHULTZ JOPPICH PC

27555 Executive Drive Suite 250 ~ Farmington Hills, Michigan 48331

Phone: 248.489.4100 | Fax: 248.489.1726

Timothy S. Wilhelm
twilhelm@jrslaw.com

www.jrslaw.com

June 25, 2015

PERSONAL AND CONFIDENTIAL
ATTORNEY CLIENT PRIVILEGE

Lisa Deaton, Clerk
City of South Lyon
335 S. Warren Street
South Lyon, MI 48178

RE: Retainer Agreement for City Attorney Services

Dear Clerk Deaton:

On June 22, 2015, City Council approved the revised and renewed Retainer Agreement for City Attorney Services between the City of South Lyon and Johnson, Rosati, Schultz & Joppich, P.C. Enclosed, for execution by the City, please find two original counterpart copies executed by Johnson, Rosati, Schultz & Joppich, P.C. You and the Mayor should sign and execute both copies and retain one copy for your file and return one of the fully-executed counterpart copies to my office.

Should you have any questions or concerns regarding the foregoing, please do not hesitate to contact me.

Very truly yours,

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.



Timothy S. Wilhelm

TSW/am
Enclosures
cc: Lynne Ladner, City Manager

**RETAINER AGREEMENT
FOR
CITY ATTORNEY SERVICES**

This Retainer Agreement for City Attorney Services ("Agreement") is made and entered into by and between the City of South Lyon, a Michigan municipal corporation and Home Rule City (the "City") and Johnson, Rosati, Schultz & Joppich, P.C., a Michigan professional corporation (the "Attorneys").

1. In accordance with Section 6.6 of the City Charter, the City Council of the City of South Lyon employs the Attorneys to act as general counsel for the City in all legal matters deemed appropriate; to represent the City in all civil matters; and to represent the City in the prosecution of ordinance and/or code violations of the City. The parties agree that the Attorneys do not represent the City in the area of bonding, this specialty having been assigned to special counsel, and Attorneys agree to cooperate with special counsel whenever necessary and/or appropriate.

2. For and in consideration of the "civil matters" monthly retainer amount hereinafter mentioned, the parties agree that the Attorneys shall perform the following retainer services:

- A. Attend regular and special meetings, workshops, and study sessions of the City Council;
- B. Attend meetings of the administration as requested by the various departments' personnel;
- C. Advise the City Council on legal matters pertaining to Council and City business;
- D. Upon request, attend meetings of appointed Commissions, Committees, and Boards and advise same regarding legal matters pertaining to City business;
- E. Be available by telephone or in person when necessary and appropriate to provide advice to the City Administration, Council Members, City Officials, employees, and staff on legal matters pertaining to City business;
- F. Prepare legal opinions on issues as they arise in the business of the City when requested;
- G. Draft, review, and approve as to form ordinances, code amendments, resolutions, agreements, and other documents and reports requested by the City Council, Planning Commission, Zoning Board of Appeals, and/or City Administration;
- H. Provide training to City Officials, employees and staff as requested;

- I. Processing and prosecution of ordinance violations and related district court litigation;
- J. Perform such other legal services deemed necessary or expedient by the City Council or the City administration, except as provided in Section 4.

3. For the retainer service mentioned in Section 2 above, the Attorneys shall be paid: i) a monthly "civil matters" retainer in the amount of Nine Thousand and No/100 Dollars (\$9,000.00) for up to 80 hours per month; and ii) for each hour over 75 hours billed in a month \$135 per hour in the first year of the Agreement, \$140 per hour in the second year of the Agreement, and \$145 per hour in the third year of the Agreement.

4. The "civil matters" retainer shall not compensate the Attorneys for the following non-retainer services rendered for and on behalf of the City:

- A. Litigation, special litigation, appeals, or special prosecutions in district court, circuit court, federal district court or higher courts and any work associated with it;
- B. Other formal appearances and representation on behalf of the City before any other municipal, state, county, or federal administrative board, body, or agency, including preparation therefor;
- C. Labor negotiations or arbitrations;
- D. Personnel and employment matters;
- E. Michigan Tax Tribunal matters, specifically including the defense of tax appeals; and
- F. Special projects or assignments of a non-retainer nature and other extraordinary time-consuming matters.

5. Fees for non-retainer services mentioned in Section 4 above shall be billed and paid monthly by the City at the rate of \$135 per hour in the first year of the Agreement, \$140 per hour in the second year of the Agreement, and \$145 per hour in the third year of the Agreement, except that labor negotiations or arbitrations and personnel and employment matters shall be billed at the rate of \$160 per hour including travel time.

6. City shall reimburse Attorneys for actual costs and expenses incurred by Attorneys including, but not limited to, costs associated with any non-retainer litigation, such as deposition costs, court reporter fees, filing fees, court costs, jury fees, services fees, expert and non-expert witness fees, investigator fees, out of state travel expenses, recording or certification fees, postage, title reports, photographs, diagrams, maps, or other similar costs and expenses, and travel time for non-retainer labor services. However, expenses and costs associated with retainer services such as travel time, transportation, mileage, telephone charges, postage, facsimile charges, overnight courier or delivery charges, and photocopying costs shall not be reimbursed.

7. Attorneys will submit to the City Manager on a monthly basis before the 15th of each month an itemized invoice for all retainer and non-retainer services and costs and expenses for the previous month's activities. The invoice will identify the attorney performing the services, the matter on which the attorney worked, a description of the services provided, the hourly rate charged (if applicable), the time spent on the task in increments of tenths of an hour, and any costs or expenses eligible for reimbursement. Invoices and amounts due shall be due and payable immediately upon receipt by the City.

8. The parties agree that Timothy S. Wilhelm is hereby designated the City Attorney. He shall be primarily responsible for the provision of the services listed, and he shall attest to the accuracy of all invoices submitted pursuant to this Agreement. Attorneys agree that a sufficient number of attorneys shall be assigned to the City's work to assure timely delivery of services.

9. The monthly retainer rate and hourly rates may be amended or adjusted at any time after one year following the Effective Date stated below by mutual written agreement of the parties. Notwithstanding the foregoing, this Agreement may be amended at any time by mutual written consent of the parties.

10. This Agreement shall be effective July 1, 2015 (the "Effective Date"), and shall continue in effect for a period of three (3) years from the Effective Date, unless terminated by either party as provided for herein or renewed by City Council. Either party may terminate this Agreement at any time upon sixty (60) days written notice to the other for any reason. In the event of termination the parties agree to cooperate in the transition to successor legal counsel in conformance with State Bar of Michigan ethical guidelines to protect the public interests of the City.

IN WITNESS WHEREOF, the parties hereunto have executed this Agreement on this ____ day of June, 2015.

CITY OF SOUTH LYON

By:

Todd Wallace

Its: Mayor

By:

Ann Deaton

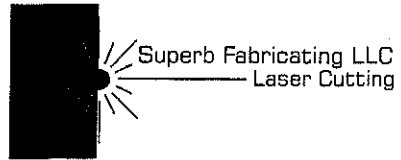
Its: Clerk

JOHNSON, ROSATI, SCHULTZ & JOPPICH,
P.C.

By:

Timothy Wilhelm

TIMOTHY WILHELM, ESQ.



May 10, 2018

City of South Lyon
South Lyon, MI 48178

To whom it may concern:

We are putting our project on hold at this time.

We are withdrawing our request for establishment of an industrial development district.

If you have any questions, please contact me.

Superb Fabricating, LLC



Jeff Hantz

JH/sar

Superb Fabricating LLC
330 N. Reese South Lyon, MI 48178
248-684-5297