

Regular City Council Meeting

June 24, 2019

Agenda

7:30 p.m. **Call to Order**
 Pledge of Allegiance
 Roll Call
 Approval of Minutes: June 10, 2019
 Approval of Bills: None
 Approval of Agenda

Public Comment

Discussion- Downtown

I. New Business

1. People's Express, Inc.

II. Budget

III. Manager's Report

IV. Public Comment

V. Council Comments

VI. Closed Session: "Closed session pursuant to Sections 8(e) and (h) of the Open Meetings Act, MCL 125.268(e) and (h), to consult with its attorney regarding trial or settlement strategy in the pending lawsuit, Alexanders Polish American Restaurant v City of South Lyon.

VII. Adjournment

Please see reverse side for rules of conduct for public comment at City Council meetings

City of South Lyon
Regular City Council Meeting
June 10, 2019

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

Present: Mayor Pelchat, Councilmembers Kennedy, Kivell, Kurtzweil, Parisien, Richards and Walton
Also, Present: City Manager Zelenak, Chief Sovik, Attorney Wilhelm, Chief Vogel and Deputy Clerk Pieper
Absent: Clerk/Treasurer Deaton

MINUTES- June 10, 2019

CM 6-1-19 MOTION TO APPROVE MINUTES

Motion by Kivell, supported by Parisien

Motion to approve the minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 6-2-19 MOTION TO APPROVE THE BILLS

Motion by Kivell, supported by Parisien

Motion to approve bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

Councilmember Kurtzweil asked if we have not yet received all the State Shared Revenue Funds. Bookkeeper Lori Mosier stated we have not received all of the funds yet. Councilmember Kurtzweil stated she has noticed a trend analysis on the grave openings and foundations. She stated she knows from another municipality that they are noticing a decrease in revenue because the shift is going from full graves to cremations. Ms. Mosier stated we have a lot of burials, but trying to gage what you are going to bring in is hard, and most of our sections are getting full. Councilmember Kurtzweil asked where the funding will come from. Ms. Mosier stated we will need to do investments with the Cemetery perpetual care fund, we aren't currently doing that. She further stated the City Manager is looking into this. Councilmember Kurtzweil asked about why the interest went up. Ms. Mosier stated we made some changes to our PNC bank accounts to money markets to gain more interest. Councilmember Kurtzweil stated it is great that we are making good financial decisions, but the number looks very high. Councilmember Kivell stated the MMRMA dividend is 220% over what we forecasted. He asked if that was from grants. City Manager Zelenak stated we do get dividends from grants but we don't know what that number will be until they let us know. Councilmember Kivell asked if we could look at what has been received in the past to get a better idea for next year. City Manager Zelenak stated it has gone up and down over that last few years from what he has seen, but we can look into it.

ATTORNEY BILLS

CM 6-3-19 MOTION TO APPROVE ATTORNEY BILLS

Motion by Walton, supported by Kivell

Motion to approve attorney bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 6-4-19 MOTION TO APPROVE BILLS

Motion by Parisien, supported by Walton

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT- None

DISCUSSION- Downtown

City Manager Zelenak stated Council was given a timeline for the South Lyon business survey we are working on. It reflects how we will be gathering data and the groups we will be working with to get a better draft together. We will be working with individuals to ensure we find the best format out and a good means to get his survey out. He stated there is also discussion regarding the distribution of the survey, when we get it back, and information on getting the results to Council.

City Manager Zelenak stated there is information included about the businesses at 135 Lake Street and 111 N Lafayette and we are looking forward to that improvement downtown.

City Manager Zelenak stated they are still seeking contributions and working on fundraising for the South Lyon Veteran's Memorial for the concrete, brick and fencing. We will keep everyone up to date on the fundraising activities.

City Manager Zelenak stated the new trash containers are now downtown. He stated we will be getting a specific type of cover so they don't fill with water.

City Manager Zelenak stated the flowers are up downtown and we have a watering schedule for the person doing that work.

Councilmember Kennedy thanked the City Manager and Bob for their work and effort on the timeline for the survey, and he is looking forward to seeing the finalized survey.

NEW BUSINESS

1. Budget amendments

Bookkeeper Lori Mosier stated most of the amendments such as general fund, she didn't change the bottom line, she just moved money around. She further stated there was a lot of activity in local and major streets for snow plowing and removal. That is always hard to predict due to the weather, she moved money around so the bottom line didn't change. Ms. Mosier stated when we purchased 501 McMunn we split the cost between Capital Improvement and Land Acquisition, but she thought it would be better to do an operating transfer out of capital improvement into land acquisition so the entire asset sits within land acquisition. Ms. Mosier stated the DDA needs help, she stated they underestimated the TIF funds they were going to get, but then overestimated sponsorship money for certain events, and some

expenditures came in that we weren't expecting. Ms. Mosier stated the bond payment for the parking lot is paid so that will give the DDA an additional \$36,000 for the next budget year.

Councilmember Kivell stated in the sewer amendment he was happy to see the line item for line item 962 for miscellaneous expense is \$7,000 instead of last years \$40,000. He likes the idea of us being more deliberate on what we are going to allocate funds for.

Councilmember Kurtzweil asked where the underestimation from TIF come from. Ms. Mosier stated it is because the budget is done in February and maybe that information isn't available that early in the year. Councilmember Kurtzweil stated she was under the impression if the money is left in a fund after the budget year is over, that money went into the general fund money. Ms. Mosier stated the DDA is different, we have many different funds. The DDA has their own fund, and if they don't spend the money during the current budget year, it will go into the DDA general fund budget.

Councilmember Kurtzweil questioned the \$7,000. for operating expense in their operating expenditures. It seems we took some of that money from tuition reimbursement. The confusion is you have the proposed budget for 2017-2018 \$4,800, the amended was \$4,800 and the 2018-2019 for \$4,800 but then there is no tuition reimbursement in 2018-2019 is down to \$700.00 Ms. Mosier stated they didn't use it last year. Councilmember Kurtzweil stated it appears they are using it. Is this category overstated? Ms. Mosier stated it depends on the classes they are taking. She stated this year it was under \$700.00

Councilmember Kivell stated he wanted to point out the amendment for the \$700.00 for the fingerprinting for the schools. Ms. Mosier stated we are reimbursed from the schools and we are paid for the administrative cost.

Councilmember Richards asked if there is a fixed fee for a sponsor for the DDA. Ms. Mosier stated we get higher dollar amounts from different sponsors. City Manager Zelenak stated there are different tiers for sponsorship, it varies on what they are sponsoring. Councilmember Richards asked if there are set fees for the vendor. Ms. Mosier stated there are different fees for someone that wants to fill the spot for the summer, or if they just want to fill a spot for a weekend.

CM 6-6-19 MOTION TO APPROVE BUDGET AMENDMENTS

Motion by Kivell, supported by Parisien

Motion to approve the budget amendments

VOTE:

MOTION CARRIED UNANIMOUSLY

2. DPW upper garage roof replacement

Ron Brock, Foreman for the DPW stated he has received 3 bids for the repair of the roof at the DPW. We are recommending 5-Star roofing and they can have it completed by June 30th. Councilmember Parisien asked if we used that company before. Mr. Brock stated we have not, but we reached out to many roofing companies, but only 3 showed up. He further stated the warranty is good and they came in the cheapest as well. Councilmember Parisien asked if this is going to be a full replacement or repair. Mr. Brock stated this is just a repair. Councilmember Kennedy stated he discussed this with Mr. Brock, and he reached out to 3 local companies for referrals, and he got one response, and they highly recommended the company. Councilmember Richards asked if this is for a vinyl spray on because there are different procedures that can be done. Councilmember Richards asked if Mr. Brock thought it will hold up with the vibration and the angle of the sun without deteriorating. Mr. Brock stated he can only go by with what he has researched on the product, they are offering a 20-year warranty and a 3-year labor warranty, he is happy with this. Councilmember Richards stated as being a former roofer, he doesn't know why

they don't put down a cheap layer of particle board over the ribs. Mr. Brock stated none of the 3 companies mentioned any process like that. Councilmember Richards stated \$10,000 is cheap, but we can afford to pay more if we could get more of a guarantee on longevity and durability. Mr. Brock stated this company is offering a 20-year warranty, the other 2 companies only offered a 10-year warranty. Councilmember Kurtzweil asked why there is a 30-60 day delay for adding the second process. Mr. Brock stated the first coating has to cure for a certain number of days. Councilmember Kurtzweil stated the explanation of the agenda item was very excellent, it gave her the fiscal year, the accounting number so she could see this was budgeted for. That is important because there is a lot of people that don't come to City Council meetings, they don't watch the meetings, but what they care about is the budget. They will go to the packet and look for budget items and if they don't understand the explanation of topic, they won't know where to look in the budget. She thanked him for thinking of the public while working on his agenda note.

CM 6-7-19 MOTION TO APPROVE CONTRACT

Motion by Walton, supported by Kennedy

Motion to approve the quoted price from Five Star Roofing for a Dept of Public Works upper garage roof replacement for the amount of \$10,200.00

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Dixboro paving project

City Manager Zelenak stated we have received the cost participant agreement from Oakland County for the Dixboro paving project. The project is funded through the federal funds, road commission funds, Oakland County, the City of South Lyon, Lyon Township and Green Oak Township. The agreement reflects the cost for each entity within the agreement. The agreement has been reviewed by the City Attorney as well.

Councilmember Kivell noted our cost of the agreement is \$218,541.00

Councilmember Kurtzweil stated the agenda note reflects \$218,541.00 for total share, but the agreement says the local share is \$223,000.00 City Manager Zelenak stated the \$233,000.00 is divided by 3, and we are using tri-party funds so we only have to pay \$74,000 for that. He stated the total we have to pay is \$218,541.00 He stated this will come out of the 2019-2020 budgets and it is in the budget, but it will be less because we have the tri-party funds. He further stated we have money in the budget for the water main portion which was about \$88,000 and we had originally budgeted \$390,000 for this project.

Councilmember Kurtzweil stated she was confused because the fiscal year wasn't in the agenda note. Councilmember Richards stated when we are notified of the contractors, sub-contractors, and the time frame, he would like the City Manager to update Council. City Manager Zelenak stated he will keep Council updated. Councilmember Richards asked if the other parties get out of the agreement, will our money be safe. City Manager Zelenak stated we will only pay when we are billed as the project moves forward.

Councilmember Parisien stated on page 2 it states "the City of South Lyon will contribute the cost with an estimated amount of \$144,141.00 and anything above that cost will be covered by the City of South Lyon". City Manager Zelenak stated there is a portion of the water main that runs under 9 Mile Road and it is too close to the surface where they will be placing an elliptical cover that goes underneath the road, and because it is too close to that culvert, we will have to reroute and lower the water main to the new location that won't be damaged when the installation occurs and it won't be in any danger from freezing. He further stated because that is just for the City of South Lyon if there are more costs, we will have to

cover the cost. He stated the \$144,000 is part for water main and part of the paving of the entrance to Volunteer Park.

CM 6-8-19 MOTION TO APPROVE THE COST PARTICIPATION AGREEMENT

Motion by Kivell, supported by Walton

Motion to approve the cost participation agreement for the Dixboro Road paving project

VOTE: MOTION CARRIED UNANIMOUSLY

BUDGET

Councilmember Kurtzweil stated she wants to remind everyone that we have an unfunded liability and as Governor Whitmer noticed the unfunded pension liability for the state school system, the interest on that would have been enough to pave the roads in the State. So, she thought what could we do with five million dollars and the first thing to her mind was developing Volunteer Park, which is why it is so important to get the unfunded liability taken care of.

Councilmember Kivell stated we have been on a 23 year pay off plan with MERS and it would be terrific if we could just take all the revenue we have to pay this off, but then we wouldn't be able to do all the other things that happen every day during the City, such as making sure the water and sewer is running. He further stated if we have a windfall of revenue coming in, maybe we can pay it off early.

Councilmember Kurtzweil stated she disagrees and wanted to note that Green Oak Township was able to make an additional payment on their liability and so the City has been negligent. She further stated the 23-year plan is based on economic data and no one can forecast the economic data for 23 years.

MANAGER'S REPORT

City Manager Zelenak stated the MML convention will be September 25th-27th in downtown Detroit. If anyone is interested let us know and we will get the information on the different classes that are available. City Manager Zelenak stated the NASA photos are now on display throughout town and we will have the brochures available soon. There is interesting information on the opposite side of the photos. He further stated that was good cooperation with the library and the Cultural Arts Commission and we are the only community in Michigan that has done this.

City Manager Zelenak stated we may have a closed session at the next meeting and Michigan Seamless Tube will be at the next meeting for a presentation.

City Manager Zelenak stated he has been meeting with the Parks and Recreation Commission regarding improvements to the park and he has applied for a grant through SEMCOG to try to assist with that.

City Manager Zelenak stated he has given Council a list of grants that we have received or that are pending since he has been here.

City Manager Zelenak stated we hired a DPW Director and he will begin on July 1st.

Councilmember Parisien thanked him for the grant information and this is what she was looking for. She stated she has been on Council for 4 years and this is the most grants we have received. This shows this body is making the right decisions and moving the City forward.

Councilmember Kurtzweil asked where we are at with the cement at the DPW yard. City Manager Zelenak stated the first phase was identified in the 2019-2020 budget. We received the estimates when we were adopting the budget and it was much more than we originally thought. He further stated the first phase will be installing the detention and retention work. That has to be done before the cement and it will begin after July 1st. Councilmember Kurtzweil asked when the work will begin. City Manager Zelenak stated the intentions are normally good from the City, but the follow through usually falls apart.

She further stated even though there is a plan in place, we have some tentative timelines, maybe we will have something in place, and then it gets to November and December, and that could shift to it is now too cold and we will get to it in May or June and people have lost interest. City Manager Zelenak stated that it is not our intention because he has our engineers working on a lot of projects in regards to design such as other minor paving projects and the sewer installation going under the railroad tracks. He stated we have guestimates now, and so we need to get the bids now and get moving on it. It is his intention to get this phase completed in the next budget year. Councilmember Kurtzweil thanked him for his attention to this and she will keep up on this.

Councilmember Richards asked about the Ordinance Officer and his schedule. City Manager Zelenak stated he will be working Tuesday-Thursday. He started last week and he is an ex Police Chief and he has a lot of ordinance enforcement experience. He further stated he thinks it will work out really well. Councilmember Walton asked about the benches in front of Wendy's. City Manager Zelenak stated the benches belong to Wendy's but he will be making contact with them about having the benches removed or repaired.

PUBLIC COMMENT- None

COUNCIL COMMENTS

Councilmember Richards stated last Friday he wore his orange blazer which he has had for years for the proclamation that was made at the last meeting.

Councilmember Richards stated Peerless Crane and Water Main Company was working in McHattie Park today replacing a well point on one of the big wells on the north side of Yerkes Drain.

Councilmember Richards stated Relay for Life is this Saturday at Millennium Middle School, go purple, that is their theme.

Councilmember Richards stated the Dorothy Street block party is this Saturday and he wishes them the best.

Councilmember Richards stated the Historical Society is having an event on the 18th, The Walled Lake Amusement Park and the days gone by. It used to be an amusement park in Walled Lake in the 1920's and 1930's.

Councilmember Richards stated he saw one of the containers that were supplied by Superb Fabricating, they are big and beautiful.

Councilmember Richards stated Phil Weipert who is our County Delegate is in Omaha, Nebraska and he will be returning Wednesday afternoon and he will be attending the regular commission meeting in Waterford. He will be receiving a grant check for the City of South Lyon for \$12,000.00 He stated he is also the Chairman of the SEMCOG committee. He is on the move and doing things to benefit our community.

Councilmember Richards wished best wished to Lori Mosier who will be retiring this week and he hopes we can find someone half as competent and wonderful as she has been.

Councilmember Kennedy stated he wanted to congratulate the Salem-South Lyon District Library for their grand opening of the Children's Expansion that took place last Sunday. The weather was great and they estimated that close to 1,000 people came out to help them celebrate since they ran out of the 750 hot dogs they originally had and went to get 250 more. They had events of interest for all ages which exemplifies the library itself. Even in today's era of technology it continues to make itself relevant and indispensable to all members of our community, regardless of age.

Councilmember Kennedy congratulated the graduating classes of South Lyon High School and South Lyon East High School. Both schools had their graduation ceremonies on Saturday there were a lot of proud and excited parents and relatives watching in the audience. He wished the graduates the very best as they begin the next phase of their lives knowing that the years leading up to this point have well prepared them for ongoing success in the future.

Councilmember Kennedy stated he wanted to follow up on Council Member Richards' comment, there will be a Touch-a-Truck event on Saturday, June 15 at Millennium Middle School from 12:00-4:00pm as part of the Relay for Life event. He further stated there will be another Touch-a-Truck event at the Salem-South Lyon District Library on Wednesday, June 19 from 10:00am-11:00am. He further stated you will need to register for the library event by visiting their website.

Councilmember Kennedy stated he would also like to follow up on Council Member Richards' comment, the Historical Society's presentation about the history of the old Walled Lake Amusement Park and Walled Lake Casino will be at the Freight House beginning at 7:00 pm on Tuesday, June 18. He stated he would encourage all of the history buffs to mark their calendars and make plans to attend.

Councilmember Kennedy stated he wanted to remind everyone that the Concerts in the Park begins its 2019 season this Friday at 7:00pm with the Saline Fiddlers, a premier youth fiddling show band from Saline, Michigan and then on Friday, June 21 we'll have Pete "Big Dog" Fetters, who is a singer/songwriter/performer from Wyandotte, who performs all different genres of music, so come on down to the Gazebo in the Historical Village and enjoy the music on Friday evening.

Councilmember Walton welcomed our new Ordinance Officer and congratulated him on his new position and wishes him the best.

Councilmember Walton reminded everyone to get out on the town and see the NASA photos it is a really neat thing for our community.

Councilmember Parisien congratulated Lori on her retirement and thanked her for all her hard work and dedication and she is a shining example of what we hope to have in the future and she hopes they are half as good as she was.

Councilmember Parisien stated she wants to remind everyone to get involved with the community and join the boards and commissions. She further stated if anyone is interested, there is a Council and Mayoral Election coming up and the deadline for petitions is July 23rd at 4:00 p.m. She stated petition packets are available at City Hall.

Councilmember Parisien stated she wanted to send her thoughts and prayers to the family and friends of the young South Lyon High student that passes last week.

Councilmember Kurtzweil stated she wanted to remind everyone of the Lake Street Cruise In, and the following sponsors, Gail and Lisa at Real Estate One from South Lyon, Gibson Broach and Tool, Grande Trunk Home from South Lyon, Hot Rod and Racing Expo from Novi, and KV Sports from South Lyon. Councilmember Kurtzweil stated investing in South Lyon doesn't always mean you have to put up a building in town or redevelopment a building, it is coming forward and sponsoring some of the wholesome hometown events and they need the money.

Councilmember Kurtzweil stated she attended the open house for the new addition Salem/South Lyon Library and Salem Township Supervisor Gary Whittaker was beaming with pride as it is located in Salem Township. She stated Salem South Lyon Library is the premier library in the area, which includes Green Oak Township and Lyon Township. She thanked Donna Olson for her outstanding leadership regarding this project. Donna will say it was a team effort, and most teams need a leader. She stated she was there

through it all, through the commitment and dedication and the sleepless nights worrying about all the details.

Councilmember Kurtzweil stated she stopped in at Glazy Days and she spent about an hour with Jill. She stated the new studio is fabulous.

Councilmember Kurtzweil stated she would like to wish Lori Mosier well in her retirement. She stated she stayed with the City through many difficult times such as the recession. She further stated Lori always held her professionalism, and she has always found their discussions interesting and she has been a joy of an intellectual to be around. She then wished Lori and her husband a happy retirement.

Councilmember Kivell stated he has known Lori for many years and it will seem strange coming into City Hall and her not being there.

Councilmember Kivell stated the addition to the Salem/South Lyon Library was terrific. He stated he is envious of that group. They are very detail oriented and they do a terrific job. They have a volunteer base that is astonishingly animated. He further stated it is a beautiful place.

Mayor Pelchat thanked Lori for all her service to the City. He then thanked her for all her help.

Mayor Pelchat stated he wanted to congratulate the South Lyon East Softball team for knocking off the Lions to move on.

Mayor Pelchat reminded everyone of the American Legion Golf Outing on July 27th. If anyone is interested in getting a team together. The proceeds go to many great things around our town.

ADJOURNMENT

CM 6-9-19 MOTION TO ADJOURN

Motion by Kurtzweil, supported by Walton
Motion to adjourn the meeting at 8:40 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Mayor Dan Pelchat

Deputy Clerk Pieper

AGENDA NOTE

New Business: Item # 1

MEETING DATE: June 24, 2019

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: People's Express Inc.

EXPLANATION OF TOPIC: Doug Anderson contacted the City and asked to have a discussion with Council regarding the procedures for their transportation. They are having high usage by the residents of South Lyon. They accommodate our residents above the language in the contract and he wanted to discuss the fact they will be abiding more closely to the rules in the contract in the future.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: People's Express Contract

CONTRACT
City of South Lyon
People's Express Inc.
Duration of contract July 1, 2017- June 30, 2022

This contract is entered into by the City of South Lyon pursuant to its authority as a Home Rule city, and the City Charter (hereinafter referred to as City), and People's Express, of 10 Jennings Road, Whitmore Lake, MI, a non-profit corporation (hereinafter referred to as PEX).

1. Purpose

The purpose of this contract is to provide transportation assistance to citizens of the City of South Lyon, within and without the City of South Lyon, and provide a system for payment for services by users and to provide a mechanism by which the City can provide assistance to citizens of South Lyon who require low-cost transportation.

2. Scope and Description of Services

PEX will perform in a timely fashion for the benefit of the City, transportation services with an area shown on Exhibit A to this agreement and made part hereof.

PEX will at all times maintain its equipment in good mechanical condition in conformity with all applicable safety regulations, and will keep all vans and/or buses in clean condition, subject to inspection by the City at all times. PEX warrants that it now has and will continue to have during the term of this Agreement all necessary licenses, certification, or other documents required by any governmental agency, federal, state, which authorize or permit the operation of a public transportation service.

PEX will utilize drivers for this service who are properly qualified and lawfully licensed for the service provided in the vehicles used, and have received appropriate safety training.

Drivers shall display proper courtesy toward passengers and maintain a neat and clear appearance.

PEX shall maintain upon its vans and/or buses appropriate signage or markings indicates that the services "People's Express" is to be identified by users of the service. PEX will abide by the policies and statements set forth in this Agreement and this policy shall not be revised without the written consent of the City Manager of the City.

3. Terms of Payment Services

The City shall pay to PEX the sum of:

Year One: Six Thousand Three Hundred sixty-five dollars (\$6,365.00) per month for fiscal year to Commence July 1, 2017 and run through June 30, 2018. The parties agree that this shall total Seventy-six Thousand Three Hundred and eighty-two Dollars (\$76,382.00) unless earlier terminated pursuant to this agreement.

Year Two: Six Thousand Five Hundred and seventy -seven Dollars (\$6,577.00) per month for fiscal year to commence July 1, 2018 and run through June 30, 2019. The parties agree that this shall total Seventy Eight Thousand Nine Hundred twenty-six Dollars (\$78,926.00) unless earlier terminated pursuant to this agreement.

Year Three: Six Thousand Seven Hundred ninty-six Dollars (\$6,796.00) per month for fiscal year to commence July 1, 2019 and run through June 30, 2020. The parties agree that this shall total Eighty One Thousand Five Hundred and fifty-four Dollars (\$81,554.00) unless earlier terminated pursuant to this agreement.

Year Four: Seven Thousand and twenty-two Dollars (\$7,022.00) per month for fiscal year to commence July 1, 2020 and run through June 30, 2021. The parties agree that this shall total Eighty Four Thousand Two Hundred and seventy Dollars (\$84,270.00) unless earlier terminated pursuant to this agreement.

Year Five: Seven Thousand Two Hundred and fifty-six Dollars (\$7,256.00) per month for fiscal year to commence July 1, 2021 and run through June 30, 2022. The parties agree that this shall total Eighty Seven Thousand and seventy-six Dollars (\$87,076.00) unless earlier terminated pursuant to this agreement.

4. Legal Standing of the Parties

The parties of this Agreement mutually agree that PEX, as of the date of the Agreement, is not a mass transportation authority as provided under Act 55 of 1963 MCLA 5.3475 eq. seq. It is further agreed, that in the event PEX becomes a regional transportation authority, which expands service to communities bordering the City with Lyon Township, Green Oak Township, Salem Township, etc., that upon the date of such expansion this Agreement will be renegotiated by the parties to reflect efficiency and reduce the annual costs of the City of South Lyon by an amount up to twenty (20%) percent dependent upon the size of the Michigan Department of Transportation grant received. In the event the parties are unable to reach a modified agreement, either party may terminate this Agreement upon ninety (90) days' notice to the other.

5. Fares Charged to the General Public

The parties agree that PEX shall charge any resident of the City of South Lyon utilizing its service One (\$1.00) Dollar for each one-way trip within the City, and no more than Two (\$2.00) Dollars per round-trip. A fee of Two (\$2.00) Dollars will be charged for any trip which begins in South Lyon and proceeds outside of the City limits going to Providence Parkway hospital area and the New Hudson Walmart, With the understanding that no more than four (\$4.00) Dollars will be charged to any City of South Lyon resident for a round-trip fare. The city of South Lyon residents leaving South Lyon going to Ann Arbor, Brighton, Novi, Northville and other areas will be \$2.50 per mile. Seniors and people with disabilities ride for half fair \$1.25 per mile.

The parties further agreed that all revenue generated by fares paid by citizens of the City of South Lyon, are to be paid to the City with appropriate documentation not less frequently than each quarter and said sums shall be the property of the City and no part of said funds shall be claimed by PEX.

6. Unavoidable Delay

In the event of severe weather conditions, road conditions, strikes or conditions totally beyond PEX's reasonable control, PEX shall notify the City and its appropriate local officials in as much advance as possible of the effect of such conditions on service. PEX shall provide substitute vehicles, which are adequate in its judgment, in the event of mechanical problems or other inability to provide service. In the event of failure of PEX to provide service for a period greater than two (2) consecutive days in any month, the City shall deduct from its monthly payments a sum equal to 1/30 of the monthly charge for each day beyond two (2) days for which service is not provided.

7. Insurance

PEX shall carry and keep in force a comprehensive general liability insurance policy covering the use, maintenance, and operation of its vehicles in amounts not less than the following:

One Million (\$1,000,000.00) Dollars combined single limit of liability for each occurrence for Bodily Injury Liability and Property Damage Liability.

Upon execution of this Agreement, PEX shall present certificates for insurance coverage to the City for its review. PEX shall have the City of South Lyon names as an additional insured on its policies. PEX, its successors, assigns, officers, directors, employees, and agents shall hold the City of South Lyon and its employees and legal officials harmless from any liabilities, obligations, losses, damages, claims, or costs, including legal fees and expenses incurred by or asserted against PEX resulting from any of the following:

- Failure of PEX to operate bus service and conformance with law or this contract;
- Violation of PEX of any of the provisions of this Agreement;
- Any act or failure by any officers, director, employee, or agent of PEX; and
- Any injury to a person, loss of life, or loss of destruction of property rising out of or relating to the operation of this service.

PEX will promptly notify the City in writing of any claim or liability which PEX believes to be covered under this paragraph. PEX shall properly accept tender of defense in connection with any claim or liability which PEX has herein agreed to identify and the City shall be kept properly informed of the status of the proceedings and shall properly be furnished with copies of all documents filed or service upon Plaintiff's and shall be furnished in advance with copies of all documents for proposed to be filed and served by his defense counsel. In the event of suit, PEX shall not without first obtaining approval of the City, settle or compromise any claims, suit, or action proceeding in respect to which PEX has agreed in writing in the event there is any prospect that the City of South Lyon shall be named as Defendant or looked to for any payment of any sum arising out of litigation.

8. Prohibited Interests

The parties to this Agreement certify that no member, officer, or employee of PEX or the City, having direct or indirect control over this Agreement, shall, during his/her employment or in tenure with the City, and two (2) years thereafter, shall have any interest direct or indirect in this Agreement or the proceeds of it.

9. Equal Employment Opportunity

In the event of PEX's violation of Federal or State civil rights laws, or allegations of noncompliance with any civil rights regulation shall permit the City to void this Agreement, and sanctions or penalties if imposed upon the City shall be the responsibility of PEX. During the performance of this contract, PEX agrees as follows:

- A. That it will not discriminate against any employees or applicant for employment because of race, color, religion, sex, national origin, ancestry, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service; and further that it will examine all job classifications to determine if minority persons or

women are underutilized and will take appropriate affirmative action to rectify any such underutilization.

- B. That if it hires additional employees to perform this contract or any portion of it, it will determine the availability, in accordance with the state law, minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized.
- C. That in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, national origin, ancestry, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service.
- D. That it will send to each labor organization or representative of workers, if bound by a collective bargaining or other agreement or understanding, a notice advising such labor organization or representative of the contractor's obligation under the Department of Human Rights and the Department's Rule and Regulations for the State of Michigan. If any such labor organization or representative fails or refuses to cooperate with the contractor in its efforts to comply with such Act and Rules and Regulations, the contractor will promptly so notify the Department of Human Rights and the contracting agency will recruit employees from other sources when necessary to fulfill its obligations under this Agreement.
- E. That it will submit reports as required by the State authorizing, furnish all relevant information as may from time to time be requested and all respects comply with the Elliot Larson Act, Rules and Regulations of the Equal Opportunity Commission of the Federal Government.

F. That it will permit access to all relevant books, records, accounts, and work sits by personnel of the City or State of Michigan, for purposes of investigation to ascertain compliance with State law.

10. Notices

All notices required pursuant to this Agreement shall be in writing and shall be served upon the parties at the address listed in this Agreement. Delivery to an officer authorized to receive notices or the mailing of the notice by registered mail, return receipt requested, shall be sufficient notice.

11. Governing Laws

This Agreement shall be interpreted under and governed by the laws of the State of Michigan.

12. Compliance with Laws

PEX agrees to comply with all applicable statutes, ordinances, and regulations of the United States and State of Michigan, and units of local government.

13. Headings

The section headings of this Agreement are for convenience and reference only and in no way define, limit, or describe the scope of intent of this Agreement.

14. Fare Collection Responsibilities

All fare box receipt collected during the operation of service are the property of the City, but PEX shall be responsible for the security of those receipts until paid over to the City. PEX is responsible replacing lost or stolen venue based on average daily revenue.

15. Termination

Either party may terminate this contract for any cause at any time in the event that the other party fails to perform its obligations hereunder, or may in the alternative, withhold funds until the performance of the party in breach is brought into compliance. Either party may terminate this contract for its convenience upon 90 days written notice,

provided that the parties shall continue their obligations to each other under the terms of this agreement until it is terminated.

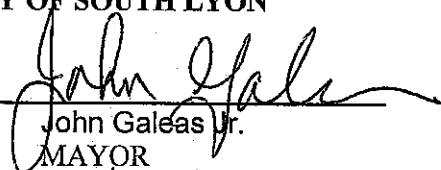
In witness, the parties have executed this Agreement on the dates recited below:

PEOPLE'S EXPRES



By: Douglas Anderson
Its: DIRECTOR

Date: 5-11-17

CITY OF SOUTH LYON


By: John Galeas Jr.
Its: MAYOR

Date: 6/22/2017


By: Lynne Ladner
Its: City Manager

Date: 6/21/17



BOARD OF COMMISSIONERS

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

June 13, 2019

City Manager Paul Zelenak
City of South Lyon
335 South Warren
South Lyon, MI 48178

Dear City Manager Zelenak,

I am pleased to inform you that the Board of Commissioners has approved your application for funding under the 2019 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: Amy Aubry, 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 Amy Aubry, Analyst of the Board of Commissioners at (248)858-1067 or aubrya@oakgov.com. In addition, please feel free to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Philip Weipert".

Philip Weipert
Oakland County Commissioner



Brittany Haney Navetta, Communications & Marketing Assistant
Office (248) 858-1983 | haneynavetta@oakgov.com

NEWS RELEASE

**Commissioner Weipert successfully secures county funds to improve,
repair Milford, South Lyon and Wixom roads**

June 17, 2019, Pontiac, Mich. – On Wednesday, June 12, 2019, the Oakland County Board of Commissioners adopted a resolution sponsored by Commissioner Philip J. Weipert securing \$12,758 for Milford roads, \$15,012 for South Lyon roads and \$28,655 for Wixom roads through the county's Local Road Improvement Program (LRIP). These funds will be used to help with road maintenance requirements and other road repairs. The Village of Milford, the City of South Lyon and the City of Wixom plan to use the funds to repair pavement on their local roads.

"We at the Board are happy to work with our local communities to improve road conditions throughout the County," said Commissioner Weipert. "Keeping our roads safe to use for everyone is one of our priorities."

"This program has allowed the Village to build on to our existing road maintenance programs and stretch our local dollars a bit further each year," said Milford Village Manager, Christian Wueth. "The leadership by the Board of Commissioners in stepping up to help our local communities is very much appreciated and the increase in funding for this program year was a much welcome surprise."

"We are thankful anytime the county can help us maintain and improve our local infrastructure," said Mayor Daniel Pelchat. "Commissioner Weipert has been a champion for the City of South Lyon and Oakland County for a long time, and we appreciate his commitment to the city and its residents."

"We are very appreciative of this collaboration with Oakland County. When combined with our local match, these County dollars will allow us to address a variety of important road improvement projects, including crack sealing, mill and overlay, catch basin and other concrete repairs," said Wixom City Manager, Steve Brown. "This program is a great example of the strong partnership between Wixom and Oakland County."

Oakland County's LRIP provides limited financial assistance to Oakland County cities and villages for repairs and improvements on roadways under their jurisdiction. The program ensures that the county investment in roads is multiplied by requiring local municipalities to match funding from Oakland County. Launched in 2016, it has driven an estimated \$70 million investment in local roads across the county. The program is an effective means for encouraging investment in local roads, which continue to be underfunded by the State of Michigan. This lack of funding from the state and federal government has resulted in poor road conditions, which negatively impact safety, quality of life and economic development in the region.


"Oakland County is stepping up, partnering with local cities and villages to help fix and maintain our local roads," said Chairman David T. Woodward. "We started this local road funding program to be part of the solution, it's now time the Michigan legislature do their job and fix the damn roads!"

In 2017, the Board of Commissioners' LRIP received national recognition when it was selected for a National Association of Counties (NACo) Achievement Award in the category of Community and Economic Development.

Commissioner Weipert represents the 8th county commission district, which includes the cities of South Lyon and Wixom, Lyon and Milford townships, and the Village of Milford. He can be reached at 248-858-0100 or via email to weipertpj@oakgov.com.

For more information, please contact the Board of Commissioners at 248-858-0100 or visit their website at www.oakgov.com/boc.







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JUNE 15 - SEPTEMBER 15, 2019

FROM **EARTH** TO THE *Solar System*

A collection of 15 two-sided photo displays placed throughout the City of South Lyon, Michigan.

Some of the programs being held at the Salem-South Lyon District Library

Adult Programs

Everybody's Reading:
Hidden Figures by Margot Lee Shetterly

Michigan UFOs
Monday, June 17, 7:00 PM - 8:00 PM

Augmented Reality Workshop
Saturday, June 22, 1:30 PM - 4:00 PM

War of the Worlds Broadcast and Discussion
Thursday, June 27, 6:00 PM - 8:00 PM

Advanced Screening of Chasing the Moon at South Lyon Theater
Monday, July 1, 1:00 PM or 7:00 PM

Before its three-night premiere in July 8, 9, and 10 on PBS, we're offering a free, public community screening of excerpts from *Chasing the Moon* by AMERICAN EXPERIENCE.

Featuring never before seen footage and archival matter about the Space Age and space race. Registration required. Details online

Michigan Ties to Space
Saturday, July 20, 1:00 - 2:00 PM

How Telescopes Work... But Do You Need One?
Saturday, August 10, 3:00 - 4:00 PM

Kids Programs

Animal Astronauts
Monday, June 24; 10:30 AM
All Ages

This program was generously sponsored by Vibe Credit Union.

Everybody's Reading: *Hidden Figures: Young Reader's Edition*
by Margot Lee Shetterly

Afternoon at the Movies: WALL-E
Wednesday, July 3, 2:00 PM-4:00 PM
Ages: Kindergarten and up

Star Wars Night
Wednesday, July 10; 6:00 PM-8:00 PM
All Ages

Hour of Code
Friday, July 19; 1:00 PM-2:00 PM
Ages: 2nd-5th grade

Astronaut Training Camp
Monday, July 22 at 11:00 AM
Wednesday, August 7th at 6:30 PM
Ages: Kindergarten-5th grade

Stellar Art
Friday, August 2; 11:00 AM-12:00 PM
Ages: Kindergarten-5th grade

Cameron Zvara - Magician and Comedian
Monday, August 5; 11:00 AM - 12:00 PM
All Ages
Registration begins July 1

This program was generously sponsored by Vibe Credit Union.

Outer Space Drive-in
Monday, August 12 at 10:00 AM
Ages: 2-4

Evening at the Movies: *Hidden Figures*
Tuesday, August 20; 6:00 PM-8:30 PM
Ages: Kindergarten and up

Teen Programs

Movie Night: 2001: A Space Odyssey
Tuesday, June 25; 5:30 PM-8:30 PM
Ages: 12 & up

Moon Phase Art: Moon Phase Banner
Tuesday, July 16; 6:30 PM-8:00 PM
Ages: 12 & up

Whose Library is it Anyways?: Improv Games for Teens
Tuesday, August 6; 6:30 PM-8:00 PM
Ages: 12 & up

Afternoon at the Movies: Everybody's Reading: *The Hitchhiker's Guide to the Galaxy*
by Douglas Adams
Thursday, August 8; 2:00 PM-4:00 PM
Ages: 12 & up

Summer Reading Programs

Sign up for the library's summer reading program at any time this summer. Track the number of minutes, hours, or books that you've read and enter your logs into an incentive drawing. See a librarian for more details.

More programs are featured on the library website <http://www.sslidl.info>.

Cultural Arts Program

Moon Walk, A Poetry Reading
Thlrld Monk Brewing
Saturday, July 20, 7:00 PM

Local and regional poets read original "celestial" poems on the anniversary of the first moon walk.

Sponsored by Cultural Arts Commission of South Lyon



Compiled by the NASA Astrobiology Program and the Smithsonian Astrophysical Observatory (SAO), this exhibit is loaned by SAO and NASA's Universe of Learning. Cosponsored by the City of South Lyon, the Cultural Arts Commission of South Lyon, the Salem-South Lyon District Library, and the Downtown Development Authority.

FROM THE EARTH TO THE Solar System South Lyon, Michigan

Salem-South Lyon Library
Overview/Introduction
(8 Mile and Pontiac Trail)
1 2



City Hall
(Front yard facing Warren Street)
3



Depot Museum
(Facing Dorothy Street)
4



McHattie Park
(facing Lafayette Street)
5



McHattie Park
(facing Warren Street)
6



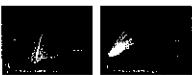
City Lot
(NW Corner of S. Lafayette and McHattie Streets, facing Lafayette next to Heinanen Engineering)
7



Paul Baker Park
(SE Corner of E. Lake Street & Reynold Sweet Parkway)
8



Veterans Parking Lot
(SW Corner of S. Lafayette & W. Liberty Streets)
9



True Value Hardware
(On walking path N. Side of E. Lake St & Reynold Sweet Parkway)
10



Barber Shop Courtyard
(Alley/Courtyard facing W. Lake Street)
11



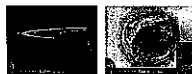
Between the Police Station and PNC Bank
(N. Side of W. Lake Street)
12



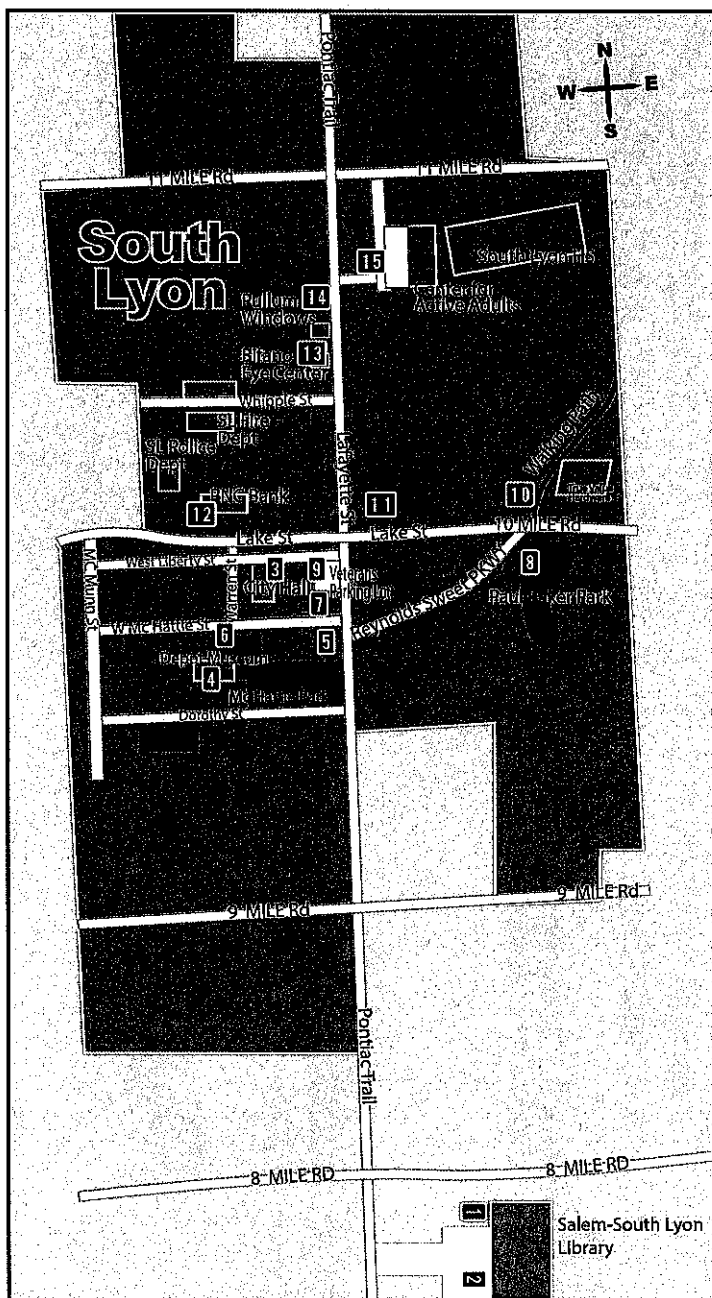
Bifano Eye Center
(317 N. Lafayette Facing N. Lafayette by the Gazebo)
13



Pullum Window
(Facing N. Lafayette)
14



Center for Active Adults
(North West facing Pontiac Trail)
15



A collection of 15 two-sided photo displays placed throughout the City of South Lyon, Michigan

(Use this map locate them)

On the 50th Anniversary of the Apollo Moon Landing, this collection of images showcases the beauty and excitement of planetary exploration, the origin and evolution of the Solar System, and the search for life.