

Regular City Council Meeting
May 9, 2011
Agenda

7:30 p.m. **Call to Order**
 Pledge of Allegiance
 Roll Call
 Minutes – April 25, 2011
 Monthly Bills
 Approval of Agenda
 Public Comment: 1. Townie Award
 2. Proclamation to City from County Commissioner Weipert

I. Old Business

None

II. New Business

1. Public Hearing for the 2011-2012 Budget
2. Adoption of the 2011-2012 Budget
3. East Point Resolution
4. Agreement with the City of Novi for Building Inspection Services
5. Salt Shed Roofing Bids
6. Bids for Heater Replacement
7. Memorial Day Parade Request

III. Manager's Report

IV. Council Comments

V. Adjournment

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
APRIL 25, 2011**

Mayor Wallace called the meeting to order at 7:30 p.m.

Mayor Wallace stated that South Lyon lost 19 year old Dominick Ciarmataro, a soldier fighting in Afghanistan. A moment of silence was observed. Mayor Wallace gave his condolences to the family.

Mayor Wallace led those present in the Pledge of Allegiance to the Flag

PRESENT: Mayor Wallace
Council Members: Kivell, Kopkowski, Kramer, Morelli, Selden and Wedell
City Manager Murphy
City Attorney Lee
City Clerk/Treasurer Zemke
Department Heads: Collins, Renwick and Martin

APPROVAL OF AGENDA:

City Manager Murphy stated that he would like to move #2 under Executive Session to New Business #4.

CM 4-1-10 APPROVAL OF AGENDA

Motion by Wedell, supported by Kopkowski

To approve the agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

CM 4-2-10 – APPROVAL OF MINUTES- APRIL 11, 2011

Motion by Kramer, supported by Kivell

To approve the minutes of the April 11, 2011 Regular Council meeting as written

VOTE: MOTION CARRIED UNANIMOUSLY

CM 4-3-10 – APPROVAL OF MINUTES- APRIL 13, 2011

Motion by Morelli, supported by Wedell

To approve the minutes of the special meeting of April 13, 2011 as written

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MONTHLY BILLS: None

PUBLIC COMMENT: None

OLD BUSINESS: None

NEW BUSINESS:

1. Set Public Hearing for 2011-2012 Budget

City Manager Murphy stated that we need to set the public hearing for the adoption of the 2011-2012 budget.

CM 4-4-10 – SET PUBLIC HEARING

Moved by Morelli ,supported by, Kivell

To approve setting a public hearing on May 9, 2011 for the purpose of adopting the 2011-2012 budget

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Waiver of Permit Fees for City-wide Garage Sale

Mayor Wallace stated that the annual City-wide garage sale is set for this weekend, April 29th, 30th and May 1st.

CM 4-5-10 – WAIVER OF PERMIT FEES

Motion by Kopkowski, supported by Selden

To waive the Garage/Yard Sale permit fees for April 29th, 30th and May 1st, 2011 for households who wish to participate in the City-wide Yard Sale

VOTE:

MOTION CARRIED UNANIMOUSLY

3. DPW Floor Replacement Bid

Superintendent Renwick stated that it is time to replace the flooring at the DPW office. We went out to bid, but unfortunately we received only one bid. The bid was from The Carpet Change in the amount of \$10,207.60.

This is to replace the tile floor that was installed 10 years ago.

CM 4-6-10 – APPROVAL OF BID – DPW FLOORING

Motion by Kivell, supported by Kramer

To approve the bid of \$10,207.60 to The Carpet Change for the removal of the existing flooring, subflooring removal and replacement as needed and the installation of new rubber flooring

Council Member Kopkowski asked if this was a budgeted item. Superintendent Renwick stated that it is.

VOTE:

MOTION CARRIED UNANIMOUSLY

4. Manager's Performance and Contract Review

City Manager Murphy presented a memo outlining his accomplishments since his last review in 2009. Mayor Wallace stated that he would have preferred to have had the information prior to the meeting. City Manager Murphy stated that Council never provided the criteria for which his performance was evaluated.

Mayor Wallace stated that the Charter calls for the City Manager to move to the City within a year's time and asked if it was agreed that he would move to the City within a certain length of time. City Manager Murphy stated that when he was interviewed he informed Council that he owned two homes and could not commit to moving to the City. Mayor Wallace asked his thoughts about possibly listing his house at this time. City Manager Murphy stated that he has no problem with listing, however the reality is that his home is not going to sell for what he wants. Further discussion was held on residency of the City Manager. Attorney Lee discussed an act passed by the Michigan Legislature indicating that you cannot require an employee to move closer than a 20 mile radius. We are barred from even negotiating this with unions. Discussion was held on Charter requirements. Attorney Lee stated that he does not believe that it is part of our Charter. If required by our Charter, it would be invalidated by the State Legislature.

Mayor Wallace stated that he has concern that when the City Manager is asked a question, the response is "I don't know". It looks weak and he would prefer a different answer. Mayor Wallace stated that he has heard concern from the merchants that the Manager is not getting out into the community.

Mayor Wallace stated that the Manager's voice mail is professional and he dresses professionally. He further stated that the MDOT issue was a fiasco and Council should have been notified. At that time, he heard that we have another \$90,000 coming to the City yet he has not heard anything further. City Manager Murphy stated that he is still working with MDOT to see how we can use it.

Mayor Wallace stated that in the near future you should look at combining departments. There are some things that are being delegated that should be done by the Manager. He is pushing off to other department heads such as grants when he should be pursuing those more often. Mayor Wallace likes the willingness to look into services and re-bidding services such as engineering, etc.

Mayor Wallace has concern over future monies and discussed taxes and expressed his hopes that the Manager is on top of things. He discussed the Bonner situation. We made some promises and would hope that we could follow through on some of them. City Manager Murphy discussed the driveway issue for Mr. Bonner. He stated that what he can find thus far is that he was treated like everyone else. Mayor Wallace stated that we would like to appease him.

Councilman Kramer stated that what he is looking for is more visibility. He complimented the City Manager on the multiple year budget. He stated that he would like more interaction with the boards and commissions. Councilman Kramer discussed future hirings. He stated that he would like to know in advance before any hiring is done. He stated that he would like to see the council meetings online through streaming video on our website.

Councilman Selden stated that there are a lot of positives, but room for improvements. He stated that he would like to see a newsletter twice per year to keep people informed. City Manager Murphy stated that we have talked about putting a newsletter out, possibly at the same time as tax bills.

Councilman Selden stated that the Manager has done a good job on budgeting, energy savings, the water well, etc. doing an overall a good job.

Councilman Kivell stated the idea of residency was addressed by Council during the interview process. We cannot hold it against him.

Councilman Kivell stated that he is very happy with the last couple of budgets and the maintenance of fund balance. Overall the budgets have been managed quite well with very little impact on the services to our residents, which speaks well of the City Manager and the department heads. He further stated that he appreciates the very managed and calm approach that he takes and applauds the relationship with Planning, DDA and Chamber. City Manager Murphy stated that he has great department heads and Mr. Cook has left the City in good financial condition. Councilman Kivell stated that even when things get crazy, he has created a very even view of how we can come to the best conclusion.

Councilman Kivell stated that the "I don't know" happened more at the beginning. Now, the more typical answer is he will research the issue. The housing commission issue has no impact on us, it was their issue, not ours. Councilman Kramer stated that he takes issue because they have not had a meeting for a year and a half. He would like meetings more than every two years. Councilman Kivell stated that nobody lost service or anything as a product of that. Councilman Kivell stated that things have been going well and he staff has a respect for the Manager.

Discussion was held on better communication with the public. City Manager Murphy stated that we have done some good things with Channel 19 and we will be working to get a newsletter out.

Councilman Morelli stated that for the most part, he is doing a good job especially with the financial end. A few things moving forward he would like the Manager to keep Council informed on where we can make some cuts, etc.

Councilman Morelli stated that he is happy to see us shopping around with our engineering consultants, and we need to look at others such as planners, and anything that the City does with outside people. We need to keep an eye on the dollar.

Councilman Wedell stated that he pulled the goals from the last time and compared to the list of accomplishments. Our fund balance is intact, and the willingness of our staff and unions to recognize the issues and financial hardships should be commended. We have a two-year budget, which was part of his goals. We continue to see progress in our economic development program. All of these things are looking to the future. We have had some success with some of our dilapidated buildings downtown and we continue to see progress. Councilman Wedell discussed the quarterly reports of revenue and expenditures.

Councilman Wedell stated that he likes the willingness to work with the DDA. We have had a couple of crisis, but the response has been reasonable and well supported.

Council Member Kopkowski stated that she feels that the Manager relies too much on the department heads. She feels more comfortable recommending someone to talk with a department head over the Manager. She stated that she would like to see some of the community come to him first. .

Councilman Selden commented on the smooth transition from manager to manager.

City Manager thanked Council for their comments and critique and stated that he will take them to heart.

MANAGER'S REPORT:

City Manager Murphy stated that the RCOC meeting will be May 16th. He requested Council fill out a survey provided by the Road Commission.

City Manager Murphy stated that he received a resolution from East Pointe asking the legislature and governor to look at the current tax structure. They are asking for other communities' support.

COUNCIL COMMENTS:

Councilman Kramer stated that he attended the Easter egg hunt and stated that it was a wonderful event and thanked everyone involved.

Councilman Morelli asked when the pump will be turned on. Superintendent Martin gave a brief update of the well and stated that it will be on line by mid May. He stated that he we will bring 2-3 options on how to enclose the well.

Mayor Wallace stated that the annual townie award will be at the next meeting. This will be the 4th Townie Award given.

Mayor Wallace stated that the egg hunt was a success. The Kiwanis did a great job.

Mayor Wallace congratulated Chief Collins for his 20 years of active service as a Police Chief and the Life Membership to the International Association of Chiefs of Police.

Mayor Wallace would like to remind everyone of this weekend's garage sales.

EXECUTIVE SESSION:

1. Discussion of South Lyon Woods Litigation

CM 4-7-10 – ENTER INTO EXECUTIVE SESSION

Motion by Wedell, supported by Kramer

To enter into Executive Session for the purpose of discussing the South Lyon Woods litigation

VOTE: MOTION CARRIED UNANIMOUSLY

Council entered into Executive Session at 8:30 p.m. and reconvened at 9:16 p.m.

ADJOURNMENT:

CM 4-8-10 ADJOURNMENT

Motion by Selden, supported by Kramer

To adjourn the meeting at 9:17 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd M. Wallace
Mayor

Julie C. Zemke
City Clerk/Treasurer

AGENDA NOTE

New Business: Item # 1

MEETING DATE: May 9, 2011

PERSON PLACING ITEM ON AGENDA: Manager

AGENDA TOPIC: Public Hearing for the 2011/2012 Budget

EXPLANATION OF TOPIC: The City Council needs to hold a public hearing to receive comments from the public on the 2011-2012 budget

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: N/A

POSSIBLE COURSES OF ACTION: Open public hearing

SUGGESTED MOTION: N/A; Close public hearing

AGENDA NOTE

New Business: Item # 2

MEETING DATE: May 9, 2011

PERSON PLACING ITEM ON AGENDA: Manager

AGENDA TOPIC: 2011/2012 Budget

EXPLANATION OF TOPIC: The City Council reviewed and made comments on the proposed 2011-2012 budget at their budget workshop meeting on April 13, 2011. The City Council now needs to adopt the attached resolutions.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Copy of resolutions for adoption of the 2011-2012 budget and 2011 millage rates

POSSIBLE COURSES OF ACTION: Approve/do not approve the resolutions adopting the 2011-2012 budget and setting the millage rates to be spread against the assessment roll

RECOMMENDATION: Approve resolutions as presented.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve attached resolutions adopting the 2011-2012 budget and setting the millage rates to be spread against the assessment roll.

The following resolution was offered by _____, and supported by _____.

RESOLVED, that the City Clerk certify to the City Assessor for spreading on the Assessment Roll of the City of South Lyon for the year 2011-2012, the following amounts, based on taxable value \$311,296,730.

1. At the rate of 10.7375 mills per \$1,000 of valuation for General Fund Operation
2. At the rate of 2.5000 mills per \$1,000 of valuation for Wastewater General Obligation Bonds for wastewater treatment (2002)
3. At the rate of .1560 mills per \$1,000 of valuation for Capital Improvement Fund
4. At the rate of .3565 mills per \$1,000 of valuation for 1999 Building Authority (Land Acquisition)

RESOLVED FURTHER, that due to the May 2, 1984 election whereby the Library became a free standing and District Library for all purposes including the levy of 1.4564 and the overall levy for the City will be 15.2064 mills, of which 13.75 mills will be used for City operation and debt.

RESOLVED FURTHER, that after spreading on the Assessment Roll, the amounts as required to be raised by the general ad valorem tax, the Assessor certify and deliver the same to the City Treasurer, and the City Clerk be authorized to attach her warrant thereto, directing and requiring the City Treasurer to collect the same as provided by the City Charter.

RESOLVED FURTHER, that all installments reported to the City Treasurer as delinquent on Special Assessments and other charges, together with interest due thereon, as provided in Section 1.276 of the City Charter; unpaid charges for water consumption and water tap installation, as provided in Chapter 24 of the South Lyon City Code be assessed against the properties benefited and included in the 2011 Tax Roll.

RESOLVED FURTHER, that the millage for the entire fiscal year 2011-2012 budget not to exceed 13.75 mills.

VOTE:

The following resolution was offered by _____, and supported by _____.

WHEREAS, in March 2011 the City Manager submitted to City Council a proposed budget for the fiscal year July 1, 2011 through June 30, 2012, and

WHEREAS, the City Council has received the proposed budget contained herein and has discussed and reviewed same

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby adopts the 2011-12 fiscal budget as shown in the budget document on the Summary page, and detailed on the following pages, in the total amount of \$ 4,656,487.

BE IT FURTHER RESOLVED, that the City Council hereby adopts the following proposed budget or estimates for the following operations as set forth below.

	<u>Fund No.</u>
Major Street Operation	202
Local Street Operation	203
Community Development Block Grant	274
Combined Water/Sewer Operation	592
Equipment Replacement Fund	641
Capital Improvement Fund	401
Land Acquisition	509
Downtown Development Authority	280
 <u>General Debt Service</u>	
2003 G.W. WW Treatment/Bond G.O.	307
1999 Building Authority—Land Acquisition	369
2005 Downtown Development Authority	369

BE IT FURTHER RESOLVED that the City Manager is authorized to advertise for bids, or authorize at the appropriate time for contractual services, commodity purchases and/or capital expenditures throughout the fiscal year in accordance with the enclosed budget document and all applicable City ordinance policies or procedures in effect.

BE IT FURTHER RESOLVED, that pursuant to the Uniform Budgeting and Account Act, Section 19 (2), the City Manager may make transfers within a fund and activity if the amount to be transferred does not exceed 10% or \$25,000, whichever is greater, of the appropriation item for which the transfer is to be made, with prior notification to the City Council.

VOTE:

AGENDA NOTE

New Business: Item # 3

MEETING DATE: May 9, 2011

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Resolution from the City of East Pointe

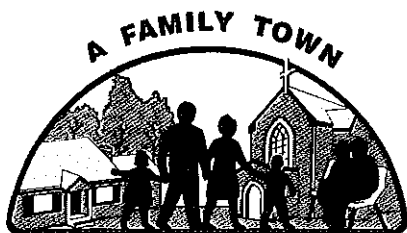
EXPLANATION OF TOPIC: The City of East Pointe adopted a resolution urging the Governor and the State Legislature to reevaluate the tax structure for local units of government. The City of East Pointe is asking other local units of government to join them in adopting this resolution.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Letter from the East Pointe City Council and City of East Pointe's Resolution No.1658

POSSIBLE COURSES OF ACTION: Adopt/do not adopt this resolution or adopt a simple resolution endorsing Resolution No.1658

RECOMMENDATION: Adopt a simple resolution endorsing the City of East Pointe's Resolution No. 1658

SUGGESTED MOTION: Motion by _____, supported by _____ to endorse the City of East Pointe's Resolution No. 1658 which asks the Governor and the State Legislature to reevaluate the tax structure for local units of government.



CITY of EASTPOINTE

MUNICIPAL OFFICES
23200 GRATIOT AVENUE
EASTPOINTE, MI 48021

April 12, 2011

Mayor & City Council
Township & Village Board

The Eastpointe City Council recently adopted Resolution No. 1658, which urges the Governor and the State Legislature to reevaluate the tax structure for local units of government. The Resolution was written vaguely since we do not feel that we should be telling the Governor or State Legislature how to address the faulty set up of our tax structure.

We believe that the reason the business tax structure is routinely debated and the structure for local units of government is not, is that the business tax structure is created in law and the structure for local units of government is constitutional in nature. We also believe the reason it is flawed is because it was created over time and some of the safeguards in the Headlee Amendment became null and void when Proposal A passed.

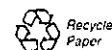
This resolution is non partisan. We have not seen either party attempt to address this situation. There is a lot of discussion in Lansing about how to address the fact that so many local units of government are facing a financial crisis, but we hear very little about the root cause of the issue.

We are asking other local units of government (cities, townships, villages, etc.) to join us in adopting this Resolution. It is our intent to generate some attention regarding this issue. If we can get the media interested, we may be able to get the Legislature interested. We hope you will consider putting Eastpointe Resolution No. 1658 on your agenda for your next meeting. Another option is to adopt a simple resolution endorsing Resolution No. 1658.

If your local Council or Board decides to adopt this resolution, please contact our City Manager's office at 586-445-5016 ext. 3 to speak with the City Manager's Executive Assistant, Linda Lince, or e-mail her at llince@eastpointecity.org. This will allow us to keep track of all the Councils and Boards that are passing the resolution. Thank you for your consideration!

Sincerely,

Eastpointe City Council



CITY OF EASTPOINTE
COUNTY OF MACOMB
STATE OF MICHIGAN

RESOLUTION NO. 1658

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EASTPOINTE, MICHIGAN

A RESOLUTION TO URGE THE MICHIGAN LEGISLATURE AND THE GOVERNOR
TO REEVALUATE AND MODIFY THE CURRENT TAX STRUCTURE
TO PROVIDE FOR LONG-TERM STABILITY OF LOCAL GOVERNMENTS

RECITALS

WHEREAS, in 1978 the Headlee Amendment to the Constitution of the State of Michigan of 1963 was passed which required, among other provisions, a local government to reduce its millage when annual growth on existing property is greater than the rate of inflation;

WHEREAS, prior to 1994, local governments were allowed to "roll up" their millage rates when growth on existing property was less than inflation, however, with the passage of Proposal A in 1994, such "roll ups" are prohibited with local governments thus being precluded from being able to share the benefits of any substantial market growth in existing property values;

WHEREAS, over the past several years local governments throughout the State of Michigan have been faced with serious financial challenges and steadily declining property values which have had an increasingly negative impact on the ability to provide municipal services as the result of a recession which has affected the entire nation;

WHEREAS, in response to falling revenues, local governments have been forced to make tough decisions and respond to growing financial challenges by considering and/or implementing the closing of parks, senior centers and community centers, laying off police officers and firefighters, and cancelling parades and community events, among others measures;

WHEREAS, it is further believed that the continuing decline in revenues in our State will also negatively affect libraries, trash removal, snow plowing, and other vital municipal services while the rest of the nation eventually recovers from the recession;

WHEREAS, it is feared that as the rest of the nation does slowly recover from these harsh economic times, local governments in our State will not be allowed to recover due to the current language of the Headlee Amendment and Michigan's tax structure making it increasingly difficult to attract and retain an educated workforce and businesses in the State of Michigan;

WHEREAS, the stability of local governments is vital to attracting residents and businesses to the State of Michigan and retaining existing residents and businesses;

WHEREAS, the City of Eastpointe believes it is in the public interest to reevaluate and modify the current tax structure to provide for long-term stability of local governments;

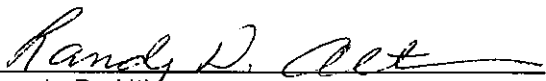
WHEREAS, the City of Eastpointe further urges all local governments in our State to adopt this Resolution and join together in requesting that the Michigan Legislature and Governor Snyder respond to this request.

NOW, THEREFORE IT IS RESOLVED that the City of Eastpointe, by a majority vote of the City Council, respectfully requests the Michigan Legislature and Governor Snyder to reevaluate and modify the current tax structure and, further, strongly urges all local governments to join together in adopting this Resolution for the betterment of the people of the State of Michigan.

CERTIFICATION

I, Randy D. Altimus, Deputy City Clerk for the City of Eastpointe, Macomb County, Michigan do hereby certify that the foregoing Resolution No. 1658 was offered by Councilperson Klinefelt and supported by Councilperson Richardson and same was duly passed at a regular meeting of the City Council in the City Hall, held on Tuesday, March 1, 2011, and that the vote was as follows:

Yeas: Klinefelt, Richardson, Guastella, Sweeney and Pixley
Nays: None
Absent: None


Randy D. Altimus
Deputy City Clerk

AGENDA NOTE

New Business: Item #4

MEETING DATE: May 9, 2011

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Agreement with the City of Novi for Building Inspection Services

EXPLANATION OF TOPIC: The City of Novi has been performing building inspections for us for almost a year now. The one year agreement is coming to an end and both parties would like to enter into a new agreement. I have been very pleased with the way the City of Novi has preformed to date and think it would be in the best interest of the City of South Lyon to continue with this arrangement.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Proposed agreement between the City of Novi and the City of South Lyon

POSSIBLE COURSES OF ACTION: Approve/do not approve the proposed two year Building Inspection Service agreement with the City of Novi.

RECOMMENDATION: Approve the proposed one year Building Inspection Service agreement with the City of Novi.

SUGGESTED MOTION(s):

Motion by _____, supported by _____ to approve proposed two year Building Inspection Service agreement with the City of Novi.

INTERGOVERNMENTAL
AGREEMENT FOR BUILDING INSPECTION SERVICES

City of Novi
and
City of South Lyon

This Agreement is between the City of Novi, a Michigan municipal corporation, ("Novi"), whose address is 45175 W. Ten Mile Road, Novi, MI 48375, and the City of South Lyon, a Michigan municipal corporation, ("South Lyon"), whose address is 335 South Warren, South Lyon, MI 48178.

RECITALS:

WHEREAS, under the Urban Cooperation Act, PA 7 of 1967, as amended, municipalities are permitted to enter into intergovernmental agreements for the joint performance of various governmental functions by public agencies; and

WHEREAS, under the Single State Construction Code Act, Section 8b(2) (MCL 125.1808b(2)), governmental subdivisions are permitted to "provide by agreement for the joint enforcement of" the act;

WHEREAS, South Lyon requires the services of qualified building inspectors for the performance of routine building plan reviews, inspections, and certain enforcement activities within the City of South Lyon, and also needs the services of an individual to act as Building Official for South Lyon; and

WHEREAS, Novi employs construction code inspectors registered in compliance with the requirements of the Building Officials and Inspectors Registration Act, PA 54 of 1986, as amended; and

WHEREAS, Novi has a sufficient number of full-time and part-time inspectors to allow it to assign inspectors to perform inspections within South Lyon and to provide services necessary to act as the Building Official for the City of South Lyon; and

WHEREAS, Novi and South Lyon desire to set forth in writing the terms and conditions upon which Novi will provide building inspection and other construction code-related services to South Lyon, including the compensation to be paid to Novi for such services:

NOW, THEREFORE, THE PARTIES AGREE that Novi will provide building inspectors to perform the construction inspection and related services for South Lyon, and will provide an individual to act as Building Official for South Lyon, in accordance with the following terms and conditions:

1. General Scope of Services:

- a. For and in consideration of payment by South Lyon as provided in this Agreement, Novi shall perform the services described herein and in Exhibit A (attached and incorporated) on an as-needed and as-requested basis, in a manner consistent with that degree of care and skill ordinarily exercised by inspectors currently practicing under similar circumstances.
- b. The individuals assigned by Novi to perform reviews, inspections, and other activities required under this Agreement within and on behalf of the City of South Lyon shall do so in a confident, efficient, timely, good, and workmanlike manner and in compliance with the following:
 - (1) All code inspectors shall be registered under the Building Officials and Inspectors Registration Act, as amended;
 - (2) All code inspectors shall carry and display the written credentials and proof that the City of Novi provides the inspector of his or her appointment and position;

2. Terms of Agreement:

The term of this Agreement shall be two (2) years, beginning on July 1, 2011 and ending on June 30, 2013. Either party may terminate this Agreement for any reason upon forty-five (45) days' written notice to the other party. Either party may terminate this Agreement upon 7 days' written notice to the other party in the event of substantial failure by the other party to fulfill its obligations under this agreement through no fault of the terminating party.

3. Payment for Services:

- a. For services set forth in the attached and incorporated Schedule B, South Lyon shall pay Novi 75% of the review and inspection fees assessed or imposed by South Lyon in accordance with the attached Schedule B, which is South Lyon's current fee schedule.
- b. For Commercial Certificate of Occupancy Inspections, Novi shall perform inspections at the cost of \$50.00 per inspection, and \$50.00 per ½ hour for follow-up inspections.

For Property Maintenance, Zoning and Building Code Complaint Inspections and attendance at requested meetings of the Zoning Board of Appeals, Planning Commission and City Council. , Novi shall perform inspections and attend meetings at a rate of \$100.00 per hour with a minimum charge of ½ (0.5) hour per property. South Lyon shall send Novi a written request for inspection setting forth the number of hours authorized and clearly defining costs and expectations.

South Lyon agrees to use all appropriate efforts and means to collect the required fees in accordance with the schedule, but shall pay Novi the fees due for services rendered regardless of whether they are collected. Novi shall invoice South Lyon on a monthly basis for services rendered. Invoices shall be generated on the basis of records of activities maintained by South Lyon and verified by Novi. Payment shall be made within thirty (30) calendar days of the time of receipt of invoice from Novi. If payment is not maintained on a thirty (30) day current basis, Novi may suspend further performance until payments are current.

4. Liability:

South Lyon acknowledges that Novi is performing a valuable and essential governmental function for and on behalf of South Lyon. It is the intent of the parties that in performing the inspection and related services under this Agreement, Novi has and shall retain governmental immunity as a governmental agency, and shall also have and receive any immunity conferred by virtue of the performance of the obligations that are by statute or otherwise the responsibility of South Lyon and for which it is immune. Neither party, its officers, officials, council members, employees, or agents shall be liable for the intentional or negligent acts of the other party, its officers, officials, council members, employees, or agents. Each party shall indemnify and hold harmless the other party for such acts.

5. Insurance:

The individuals performing services under this Agreement shall be insured by the City of Novi, which shall provide motor vehicle, worker's compensation, and general liability insurance under Novi's existing policies.

6. Entire Agreement:

This Agreement contains the entire agreement between Novi and South Lyon relating to services to be provided by Novi. Any prior agreements, promises, negotiations, and representations not expressly set forth in this Agreement are of no force or effect. Subsequent modifications to this Agreement shall be in writing and signed by both Novi and South Lyon.

7. Severability:

Waiver of any term, condition, or covenant, or breach of any term, condition, or covenant, shall not constitute the waiver of any other term, condition, or covenant, or the breach of any other term, condition, or covenant. If any term, condition, or covenant of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall be valid and binding on Novi and South Lyon, unless the court's action or holding has the effect of frustrating the purpose of this Agreement.

8. Inspection:

All work performed by Novi shall be subject to review by South Lyon to assure compliance with this Agreement.

9. Notices:

Written notices under this Agreement shall be given to the parties at their addresses on page one by personal or registered mail delivery to the attention of the following persons:

City of Novi: Charles Boulard, Community Development Director and Maryanne Cornelius, Clerk.

South Lyon: David Murphy, City Manager

10. Construction:

This Agreement shall be construed under the laws of the State of Michigan.

11. Authority:

The parties are authorized to enter into this Agreement by virtue of the provisions of the Urban Cooperation Act, Public Act 7 of 1967, as amended, being MCL 124.501, *et seq.*, and the Single State Construction Code Act, Public Act 230 of 1972, being MCL 125.1501, *et seq.*

12. No Third Party Beneficiaries:

Except as provided for the benefit of the parties, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation and/or any other right in favor of any other person or entity.

13. Reservation of Rights:

This Agreement does not, and is not intended to impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty or immunity of the parties. Nothing in this Agreement shall be construed as a waiver of governmental immunity.

14. Agreement Modifications or Amendments:

Any modifications, amendments, recessions, waivers, or releases to this Agreement must be in writing and agreed to by the parties.

15. Approvals:

The parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each party have legal authority to sign this Agreement and bind the parties to the terms and conditions contained here.

[Signatures on next page]

CITY OF NOVI

By: _____
David B. Landry, Mayor

By: _____
Maryanne E. Cornelius, Clerk

Dated: _____

CITY OF SOUTH LYON

By: _____
Tedd Wallace, Mayor

By: _____
Julie Zemke, Clerk

Dated: _____

EXHIBIT A

SCOPE OF SERVICES

The City of Novi shall:

- A. Provide building inspection services for construction-related activities, including all services, supplies, labor, material, and supervision necessary to review plans and building permit applications, authorize issuance of permits, and perform building inspections under the building code, rules, and regulations, and also to perform such services under the plumbing, mechanical, electrical, fire alarm, and fire suppression codes, rules, and regulations as requested. For purposes of this Scope of Services, the building code shall mean the State of Michigan Single State Construction Code as adopted by Public Act 230 of 1972, as amended.
- B. Perform plot plan reviews for single-family homes (but not site plan review for non-residential developments).
- C. Perform Commercial Certificate of Occupancy Inspections at the request of the City of South Lyon, consisting of the inspection of a business suite for safety, significant maintenance issues, work underway requiring permits and plumbing fixture counts. Novi shall record results on the pre-inspection checklist and forward to South Lyon staff for either the issuance of a Certificate of Occupancy, or the issuance of a correction letter.
- D. Perform Property Maintenance, Zoning and Building Code Complaint Inspections upon the written request of the City of South Lyon. Where the creation of correspondence is necessary as a result of the inspections, Novi staff will create draft text to be forwarded to South Lyon for review, formatting and placement on South Lyon letterhead. Novi staff will also attend requested meetings of the Zoning Board of Appeals, Planning Commission and City Council.
- E. Pick up and drop off permit and inspection documents from South Lyon City offices approximately 2 to 3 times each week, as needed or required.
- F. Provide representation for a reasonable number of project-related development and construction consultations at the Novi City Hall location
- G. Provide support and representation at a maximum of (4) Construction Board of Appeals meetings or other meetings per year up to maximum of four (4) hours.
- H. Maintain records of permits, applications, inspections, and enforcement actions for current projects.

- I. Designate a qualified individual to act as Building Official for the City of South Lyon.
- J. All individuals and code inspectors shall:
 - (1) Comply with all the requirements of the Single State Construction Code Act, as amended, and all requirements of the codes for and under which he or she is providing inspections and related services to South Lyon
 - (2) Perform and report the results of inspections and other services required in the time and manner required by any directives that he or she may receive from South Lyon
 - (3) Not issue any enforcement action or stop work orders without the written authorization by South Lyon; and

The City of South Lyon shall:

- A. Provide all necessary forms needed to conduct plan reviews, issue permits, and maintain comprehensive permit and project files.
- B. Arrange and schedule inspections and provide site location, inspection type information, and permit tracking information.
- C. Provide mailing, meeting space, and clerical/record keeping support for Construction Board of Appeals meetings.
- D. Monitor Soil Erosion and Sedimentation Control administration, permitting and inspections that are the responsibility of Oakland County.

EXHIBIT B.

FEE SCHEDULE

(Attached)

AGENDA NOTE

New Business: Item #5

MEETING DATE: May 9, 2011

PERSON PLACING ITEM ON AGENDA: DPW

AGENDA TOPIC: Salt Shed Roofing Bids

EXPLANATION OF TOPIC: The salt shed is in need of shingle replacement. This is a budgeted item. Bids were solicited with one company submitting a bid.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Bid documents and bid tabulation.

POSSIBLE COURSES OF ACTION: Approve bid/do not approve bid

RECOMMENDATION: Approve the sole bid in the amount of \$7,352.00 to Weathercraft Contracting

SUGGESTED MOTION: Motion by _____, supported by

_____ to approve the bid in the amount of \$7,352.00 to Weathercraft Contracting for roofing of the salt shed with a 10% Contingency.

DPW
SALT BUILDING BID 5/3/11

[illegible]

CITY OF SOUTH LYON

BID PROPOSAL

The undersigned, as Bidder, declares that he/she has familiarized themselves with the "Instructions to Bidders", "Notice to all bidders" and the attached bid specifications. Each bidder agrees to waive any claim it has or may have against the Owner and their respective employees, arising out of or in connection with the administration, evaluation, or recommendation of any bid.

Company Name: Weathercraft Contracting
Signature: Mark McDonald Title: MANAGING MEMBER
Address: 22360 NASHA LANE SO. LYON
Telephone: 248-437-2900 Fax: 248-437-2900

Total Bid Price: \$ 7,352.⁰⁰

The City of South Lyon reserves the right to accept any bid, or to reject any or all bids.

You will be notified by phone if you are awarded the bid.

Quotes will be checked for accuracy and sent to City Council with an award recommendation. Once City Council awards the bid, you will be notified of the award.

Specifications

This project shall include required permits, all tear-off, materials, labor, labor warranty and debris removal.

1. Remove all existing roofing and edge metal down to deck.
2. Inspect for any bad decking and replace with like material.
3. Install sheet metal at all edges.
4. Lay out ice/water shield (two rows) and 30# ASTM D4869 Type I, Non-UL Felt.
5. Installation of vents.
6. Install 40 year algae resistant shingle (Timber Blend Cobbleston Gray).
7. Clean up and removal of all debris.

Deck Repair Cost per square foot \$ 1.87.

EXCEPTIONS:

Any exceptions, substitutions, deviations, etc. from the City specifications and this proposal must be stated below. The reason for the exception, substitution or deviation is an integral part of this bid.

None

IMPORTANT:

All City of South Lyon purchases require a **MATERIAL SAFETY DATA SHEET**, where applicable, in compliance with the MIOSHA "Right to Know" Law.

U.S. FUNDS:

All prices quoted shall be in U.S. Currency.

AGENDA NOTE

New Business: Item #6

MEETING DATE: May, 9, 2011

PERSON PLACING ITEM ON AGENDA: DPW

AGENDA TOPIC: Bids for Heater Replacement

EXPLANATION OF TOPIC: This is a budgeted item for replacing 4 old hanging heaters in our shop garage areas with 4 efficient radiant heaters.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Bid tabulation and bid documents.

POSSIBLE COURSES OF ACTION: Approve bid/do not approve bid

RECOMMENDATION: Approve the low bid to replace 4 heaters with new radiant heating units in the garage areas at the Public Works Garage to Hauser Heating for the amount of \$11,900.00

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the low bid for replacing 4 heaters with new radiant heating units in the garage areas at the Public Works Garage to Hauser Heating for the amount of \$11,900.00

HEATING BID OPENING

5/3/11

HAUSER HEATING	\$11,900.00	1
FALLERT MECHANICAL	\$14,512.00	2
INTERNATIONAL RDIANT INC	\$15,960.00	3



**CITY OF SOUTH LYON
INVITATION TO BID ON
THE REPLACEMENT OF HEATING UNITS
AT THE DEPARTMENT OF PUBLIC WORKS
LOCATED AT 520 ADA STREET**

May 3, 2011

HEATING UNIT REPLACEMENT BID DOCUMENTS

In the event of any addendum to the bid we will need your name and address to send any updates.

Name: MIKE HAUSER

Company: HAUSER HEATING & A/C

Address: 9609 6 MILE RD

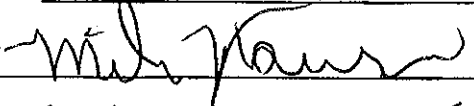
City: SOUTH LYON State MI Zip: 48178

Phone: 248-437-6299

Contact: MIKE HAUSER

CITY OF SOUTH LYON
BID PROPOSAL

The undersigned, as Bidder, declares that he/she has familiarized themselves with the "Instructions to Bidders", "Notice to all bidders" and the attached bid specifications. Each bidder agrees to waive any claim it has or may have against the Owner and their respective employees, arising out of or in connection with the administration, evaluation, or recommendation of any bid.

Company Name: HAUSER HEATING & AIR CONDITIONING
Signature:  Title: OWNER/OPERATOR
Address: 4609 6 MILE RD., SOUTH LYON, MI 48178
Telephone: 248-437-10299 Fax: 248-446-3353

Total Cost of Bid: \$ 11,900.⁰⁰

The City of South Lyon reserves the right to accept any bid, or to reject any or all bids.

Notice of Award

You will be notified by phone if you are awarded the bid.

Quotes will be checked for accuracy and sent to City Council with an award recommendation. Once City Council awards the bid, you will be notified of the award.

EXCEPTIONS:

Any exceptions, substitutions, deviations, etc. from the City specifications and this proposal must be stated below. The reason for the exception, substitution or deviation is an integral part of this bid.

IMPORTANT: All City of South Lyon purchases require a **MATERIAL SAFETY DATA SHEET**, where applicable, in compliance with the MIOSHA "Right to Know" Law.

U.S. FUNDS: All prices quoted shall be in U.S. Currency.

HAUSER

HEATING



AIR CONDITIONING

Hauser Heating and Air Conditioning, L.L.C.

Mike Hauser

24 Hr. Service

(248) 437-6299 4609 Six Mile South Lyon, MI 48178

* Licensed * Free Estimates

TYPE OF WORK

PROPOSAL

Job Site: Public Works Garage

*** WILL BEAT ANY WRITTEN PRICE ***

FAX (248) 446-3353

PROPOSAL

CUSTOMER NAME: City of South Lyon

ADDRESS: 335 S. Warren

CITY, STATE, ZIP: South Lyon, MI 48178

PHONE:

FAX: 248-587-0080

DATE: 5/2/2011

CELL: Steve 734-564-7974

DESCRIPTION: TO INSTALL

AMOUNT

Main Garage

(2) 150,000 BTU Sterling Radiant Tube Heaters

30' of tube per unit

Middle Garage

(2) 200,000 BTU Sterling Radiant Tube Heaters

60' of tube per unit

All Included

Remove used modine unit & re-install in different location

All necessary hangers

All necessary gas piping

All necessary venting

All necessary thermostat

Door switch shut-offs

Permit Costs

SUBTOTAL

\$ 11,900.00

NOTE:

Job will be completed 24 hours after Hauser Heating is notified of the acceptance of our bid.

ANY ALTERATION OR DEVIATION FROM ABOVE SPECIFICATIONS INVOLVING EXTRA COSTS WILL BE EXECUTED ONLY UPON WRITTEN ORDER.

AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE. ALL AGREEMENTS CONTINGENT UPON STRIKES, ACCIDENTS, AND/OR DELAYS BEYOND OUR CONTROL.

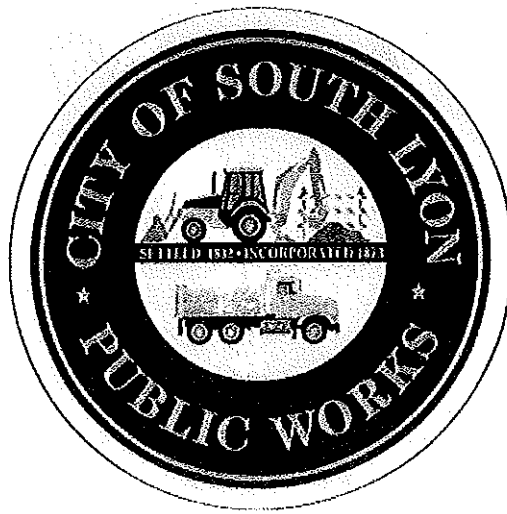
**** 1 YEAR WARRANTY ON LABOR ****

ACCEPTANCE OF PROPOSAL

The above prices, specifications and condition are satisfactory and hereby accepted. You are authorized to do the work as specified. PAYMENT TERMS: Payment due upon receipt of invoice.

Signature: _____

Date: _____



**CITY OF SOUTH LYON
INVITATION TO BID ON
THE REPLACEMENT OF HEATING UNITS
AT THE DEPARTMENT OF PUBLIC WORKS
LOCATED AT 520 ADA STREET**

May 3, 2011

City of South Lyon

Department of Public Works

The City of South Lyon is accepting sealed proposals at the Office of the City Clerk, 335 S. Warren St., South Lyon, Michigan 48178, until 2:00 p.m. Tuesday, May 3, 2011, at which time and place bids will be opened and read for the following:

The Replacement of Heating Units at the Department of Public Works located at 520 Ada Street.

Specifications are listed in the proposal bid form on file in the Office of the City Clerk.

All bids shall specify terms and show delivery dates. The City reserves the right to reject any or all bids, to waive any informality in the proposal received, and to accept any proposal or part thereof, which it shall deem to be most favorable to the interests of the City.

FURTHER INSTRUCTION TO BIDDERS

1. Any and all bids submitted must be on the City of South Lyon bid proposal forms. If more than one bid is submitted, a separate bid proposal form must be used for each. Forms are enclosed, or obtainable at the City Clerk's Office, 335 S. Warren St., South Lyon, Michigan 48178
2. Bids submitted after the exact time specified for, receipt will not be considered.
3. Municipalities are exempt from Michigan State Sales and Federal Excise taxes. Do not include such taxes in the proposal figure. The City will furnish the successful bidder with tax exemption certificate when requested.
4. If further information regarding this bid is required, please contact Steve Renwick, DPW Superintendent at (248) 437-6914.
5. All bidders are held to bid prices for 60 days or bid award, whichever comes first
6. Project must be completed prior to June 24, 2011.

CITY OF SOUTH LYON
BID PROPOSAL

The undersigned, as Bidder, declares that he/she has familiarized themselves with the "Instructions to Bidders", "Notice to all bidders" and the attached bid specifications. Each bidder agrees to waive any claim it has or may have against the Owner and their respective employees, arising out of or in connection with the administration, evaluation, or recommendation of any bid.

Fallert Mechanical

10075 Colonial Industrial Drive
South Lyon, MI 48178

(248) 437-4385

Company Name: _____

Signature: *Paul J. Fallert* Title: *OWNER*

Address: *10075 COLONIAL INDUSTRIAL DR, SOUTH LYON, MI 48178*

Telephone: *248.437.4385* Fax: *248.437.9977*

Total Cost of Bid: \$ *14512.00*

The City of South Lyon reserves the right to accept any bid, or to reject any or all bids.

Notice of Award

You will be notified by phone if you are awarded the bid.

Quotes will be checked for accuracy and sent to City Council with an award recommendation. Once City Council awards the bid, you will be notified of the award.

Specifications

This project shall include required permits, removal of existing heaters, materials, labor, labor warranty and debris removal. Installation of new heating units shall include all necessary hangers, necessary gas piping, necessary venting and thermostats, removal and sealing of existing venting if not used. Door switch shut-offs shall also be installed.

There shall be a minimum of 1 year warranty on labor.

Heating units shall be Radiant Tube Heaters.

Estimated units consist of (2) 150,000 BTU Radiant Tube Heaters and (2) 200,000 BTU Radiant Tube Heaters.

Two areas are involved:

1. Main garage is approximately 2,900 sqft
 2. Middle garage is approximately 3,900 sqft
-

EXCEPTIONS:

Any exceptions, substitutions, deviations, etc. from the City specifications and this proposal must be stated below. The reason for the exception, substitution or deviation is an integral part of this bid.

IMPORTANT: All City of South Lyon purchases require a **MATERIAL SAFETY DATA SHEET**, where applicable, in compliance with the MIOSHA "Right to Know" Law.

U.S. FUNDS: All prices quoted shall be in U.S. Currency.

City of South Lyon

Department of Public Works

The City of South Lyon is accepting sealed proposals at the Office of the City Clerk, 335 S. Warren St., South Lyon, Michigan 48178, until 2:00 p.m. Tuesday, May 3, 2011, at which time and place bids will be opened and read for the following:

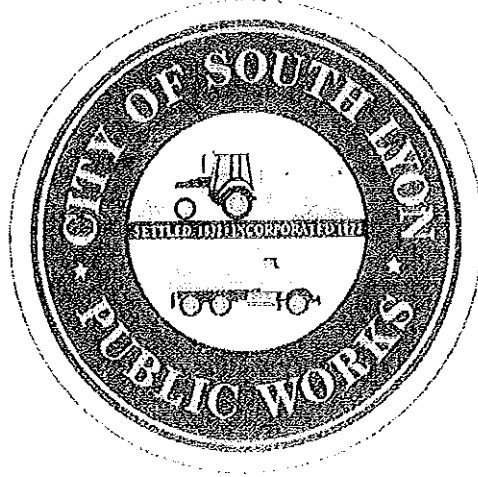
The Replacement of Heating Units at the Department of Public Works located at 520 Ada Street.

Specifications are listed in the proposal bid form on file in the Office of the City Clerk.

All bids shall specify terms and show delivery dates. The City reserves the right to reject any or all bids, to waive any informality in the proposal received, and to accept any proposal or part thereof, which it shall deem to be most favorable to the interests of the City.

FURTHER INSTRUCTION TO BIDDERS

1. Any and all bids submitted must be on the City of South Lyon bid proposal forms. If more than one bid is submitted, a separate bid proposal form must be used for each. Forms are enclosed, or obtainable at the City Clerk's Office, 335 S. Warren St., South Lyon, Michigan 48178
2. Bids submitted after the exact time specified for, receipt will not be considered.
3. Municipalities are exempt from Michigan State Sales and Federal Excise taxes. Do not include such taxes in the proposal figure. The City will furnish the successful bidder with tax exemption certificate when requested.
4. If further information regarding this bid is required, please contact Steve Renwick, DPW Superintendent at (248) 437-6914.
5. All bidders are held to bid prices for 60 days or bid award, whichever comes first
6. Project must be completed prior to June 24, 2011.




**CITY OF SOUTH LYON
INVITATION TO BID ON
THE REPLACEMENT OF HEATING UNITS
AT THE DEPARTMENT OF PUBLIC WORKS
LOCATED AT 520 ADA STREET**

May 3, 2011

CITY OF SOUTH LYON
BID PROPOSAL

The undersigned, as Bidder, declares that he/she has familiarized themselves with the "Instructions to Bidders", "Notice to all bidders" and the attached bid specifications. Each bidder agrees to waive any claim it has or may have against the Owner and their respective employees, arising out of or in connection with the administration, evaluation, or recommendation of any bid.

Company Name: INTERNATIONAL RADIANT
Signature:  Title: SALES
Address: 959 E. WHITCOMB MADISON HTS MI. 480071
Telephone: 248-589-8150 Fax: 248-589-8155

Total Cost of Bid: \$ 15,900⁰⁰

The City of South Lyon reserves the right to accept any bid, or to reject any or all bids.

Notice of Award

You will be notified by phone if you are awarded the bid.

Quotes will be checked for accuracy and sent to City Council with an award recommendation. Once City Council awards the bid, you will be notified of the award.

Specifications

This project shall include required permits, removal of existing heaters, materials, labor, labor warranty and debris removal. Installation of new heating units shall include all necessary hangers, necessary gas piping, necessary venting and thermostats, removal and sealing of existing venting if not used. Door switch shut-offs shall also be installed.

There shall be a minimum of 1 year warranty on labor.

Heating units shall be Radiant Tube Heaters.

Estimated units consist of (2) 150,000 BTU Radiant Tube Heaters and (2) 200,000 BTU Radiant Tube Heaters.

Two areas are involved:

1. Main garage is approximately 2,900 sqft
2. Middle garage is approximately 3,900 sqft

EXCEPTIONS:

Any exceptions, substitutions, deviations, etc. from the City specifications and this proposal must be stated below. The reason for the exception, substitution or deviation is an integral part of this bid.

IMPORTANT: All City of South Lyon purchases require a **MATERIAL SAFETY DATA SHEET**, where applicable, in compliance with the MIOSHA "Right to Know" Law.

U.S. FUNDS: All prices quoted shall be in U.S. Currency.

HEATING UNIT REPLACEMENT BID DOCUMENTS

In the event of any addendum to the bid we will need your name and address to send any updates.

Name: JOHN GARI

Company: INTERNATIONAL RADIANT

Address: 959 E. WHITCOMB

City: MADISON HTS State MI Zip: 48071

Phone: 248-589-8150

Contact: JOHN GARI JOHN@INTRADIANT.COM

AGENDA NOTE

New Business: Item #7

MEETING DATE: May 9, 2011

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. 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 9:45 a.m.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Memo from Chief Collins, Parade/Demonstration Application, Approval of Road Closure form, Insurance Certificate.

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

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 9:45 a.m. on May 30, 2011; 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 30, 2011 at 9:00 a.m.

05/09/11

SOUTH LYON POLICE DEPARTMENT

Lloyd T. Collins
Chief



Memorandum

To: David Murphy, City Manager

From: Chief Lloyd T. Collins

Subject: Memorial Day Parade – V.F.W.

Date: May 4, 2011

I have received a permit request for the above-mentioned event. The parade is scheduled for May 30, 2011. Staging will begin at 8:00 a.m., and the parade is scheduled to start at 9:00 a.m., beginning at Warren and Second St., and ending at the South Lyon Cemetery. The proposed route will necessitate closing affected portions of Warren St., Lake St., Reynold Sweet Parkway, and Stryker St., between 9:00 a.m. and 9:45 a.m.

The Police Department will work closely with event organizers and city staff to facilitate the event and control traffic. Therefore, I have approved the request and have so notified the organizers. I have attached a copy of the application and approval for your review, and for inclusion on the City Council agenda, relative to necessary road closures.

c: Lt. Steve Sharpe
Julie Zemke, Clerk/Treasurer
Steve Renwick, DPW
Chief Mike Kennedy, SLFD



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: 4-21-11

Requested Date of Event: 5-30-11

Applicant / Contact's Name: Dagmar Johnston

PH #: 248-437-5046

Applicant Address: 543 McManis

Cell Phone 810-360-7156

Business / Organizations Name (if Applicable): South Lyon VFW Memorial Day

Bus. Ph#: 313-550-4808 Bus. Address: 125 E. McManis

President / CEO (Responsible for Event): Mike Gordon Direct Ph#: 313-550-4808
Ken Hayes 734-546-7947

Parade START Time: 9:00 a.m. / p.m.

Parade END Time: 9:45 ? (a.m.) / p.m.

Approximate Number of PERSONS: 500 Organization Names: South Lyon Band

East Band Boy Scouts Girl Scouts Business in Town

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

Fire and EMS, Bikes,

Approximate Number of ANIMALS: 9 SPECIFIC Animals: Horses Horse, Dogs,

Amount of space to be maintained between and /all units in Parade: 10 feet

Route to be traveled (Include Street Names and Turning Directions): Line up at Bartlett
elementary Street S. 100th. Go South on Warren to
West Lake Head East on West Lake to Reynolds Street. PKwy
South on Reynolds Street to South on Spryker to the
Tee Left to South Lyon Cemetery

Dagmar Johnston
Applicant's SIGNATURE

Responsible Party's SIGNATURE

APPROVED [✓]

DENIED []

Lloyd T. Collins
Lloyd T. Collins, Chief of Police

05/04/11

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/19/2011

PRODUCER

AMERICAN FRATERNAL AGENCY
18597 Hayes Rd
Shelby Township, MI 48315
(586) 532-9830

INSURED

V.F.W. Post # 2502

125 East McHattie
South Lyon, MI 48178

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC#

INSURER A: West Bend Insurance Co

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

PRODUCER	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY	NSQ 1355926 00	9-15-10	9-15-11	EACH OCCURRENCE	\$ 300,000
	* COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
	<input type="checkbox"/> CLAIMSMADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$ 5,000
					PERSONAL & ADV INJURY	\$ 300,000
					GENERAL AGGREGATE	\$ 600,000
					PRODUCTS - COMP/OP AGG	\$ included
	GEN'L AGGREGATE LIMIT APPLIES PER:					
* POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	\$
	ANYAUTO				BODILY INJURY (Per person)	\$
	ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$
	SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	\$
	HIRED AUTOS					
	NON-OWNED AUTOS					
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
	ANYAUTO				OTHER THAN EA ACC	\$
					AUTO ONLY: AGG	\$
	EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	\$
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE				AGGREGATE	\$
						\$
	DEDUCTIBLE					\$
	RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUS: <input type="checkbox"/> TORY LIMITS <input type="checkbox"/> OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	\$
	If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	\$
	OTHER				E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

The certificate holder is considered an additional insured with respects to the Memorial Day Parade held May 30, 2011 from 7:30AM to 12 Noon.

CERTIFICATE HOLDER

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

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Motion by _____, supported by _____

Resolved That Julie Zemke, 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 2011 Memorial Day Parade on May 30, 2011 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 9, 2011, 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.

Julie C. Zemke
City Clerk/Treasurer