

## **CITY OF SOUTH LYON POLICY STATEMENT**

The City of South Lyon reaffirms its policy to allow all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In applying this policy, the City of South Lyon and its sub-recipients of federal funds shall not:

1. Deny any individual with any services, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual's receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others;
5. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
11. Locate a facility in any way, which would limit or impede access to a federally-funded service or benefit.

The City of South Lyon will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues all within a period not to exceed 90 days.

The City of South Lyon designates Lisa Deaton, City Clerk, as the Title VI Coordinator. The City Clerk will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the City of South Lyon complies with the Title VI regulations and pursues prevention of Title VI deficiencies or violations. Inquiries concerning the City of South Lyon and Title VI may be directed to the City Clerk, 335 S. Warren Street, South Lyon, Michigan, 48178, (248) 437-1735; or via email at [ld Eaton@southlyonmi.org](mailto:ld Eaton@southlyonmi.org).

\_\_\_\_\_  
Tedd M. Wallace  
Mayor

Date: \_\_\_\_\_

\_\_\_\_\_  
David M. Murphy  
City Manager

Date: \_\_\_\_\_

## **CITY OF SOUTH LYON TITLE VI ASSURANCE**

The City of South Lyon (hereinafter referred to as the "Recipient") hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs for the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of gender, race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient received Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and hereby gives assurances that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) and (b) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the Federal Aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

"The (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom it delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

City of South Lyon, Michigan

---

David M. Murphy, City Manager

---

Date

## **AUTHORITIES**

**Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h);**

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, sex, low income, and disability.

The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

**Federal Aid Highway Act of 1973, 23 USC 324:** No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

**Age Discrimination Act of 1975, 42 USC 6101:** No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

**Americans With Disabilities Act of 1990 PL 101-336:** No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination by a department, agency, special purpose district or other instrumentality of a state or local government.

**Section 504 of the Rehabilitation Act of 1973:** No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

**USDOT Order 1050.2:** Standard Title VI Assurances

**EO12250:** Department of Justice Leadership and coordination of Non-discrimination Laws.

**EO12898:** Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

**28 CFR 50.3:** Guidelines for the enforcement of Title VI of the Civil Rights Act of 1964.

**EO13166:** Improving Access to Services for Persons with Limited English Proficiency.

## DEFINITIONS

Adverse Effects – The totality of significant individual or cumulative human health or environmental effects including interrelated social and economic effects, which may include, but are not limited to: (See Appendix E for additional discussion of “significant”)

- Bodily impairment, infirmity, illness or death
- Air, noise and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of person’s businesses, farms or non-profit organizations
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of the City of South Lyon programs, policies and activities

Federal Assistance – Includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, federal property or any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement or other contract which has, as one of its purposes, the provision of assistance.

Limited English Proficiency - Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the City of South Lyon.

Low-Income – A person whose median household income is at or below the Department of Health and Human Service Poverty guidelines (see <http://aspe.hhs.gov/poverty/>).

Low-Income Population – Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City of South Lyon program, policy or activity.

Minority – A person who is:

- a. Black – A person having origins in any of the black racial groups of Africa;
- b. Hispanic – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- c. Asian American – A person having origins in any of the original people of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands; or

- d. American Indian and Alaskan Native – A person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population – Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City of South Lyon program, policy or activity.

Non-Compliance – A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

Persons – Where designation of persons by race, color or national origin is required, the following designation ordinarily may be used; “White not of Hispanic origin”, “Black not of Hispanic origin”, “Hispanic”, “Asian or Pacific Islander”, “American Indian or Alaskan Native”. Additional sub-categories based on national origin of primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program – Includes any road or park project including planning or any activity for the provision of services financial aid or other benefits to individuals. This includes education or training, work opportunities, health welfare, rehabilitation, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Recipient - Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Significant Adverse effects on Minority and Low-Income Populations – An adverse effect that:

- a. is predominantly borne by a minority population and/or a low-income population, or
- b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Sub-Recipient – Any agency such as a council of governments, regional planning agency, or educational institution, for example, that received Federal Highway Administration (FHWA) funds through the State DOT and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

## ADMINISTRATION – GENERAL

The City of South Lyon designates Lisa Deaton, City Clerk, as the Title VI Coordinator (hereinafter referred to the “Title VI Coordinator”). Ms. Deaton shall have lead responsibility for coordinating the administration of the Title VI and related statutes, programs, plans, and assurances.

Complaints: If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age or disability, he/she may exercise his/her right to file a complaint with the City of South Lyon. Complaints may be filed with the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

Data Collection: Statistical data on race, color, national origin, English language ability and sex of participants in and beneficiaries of the City of South Lyon programs; e.g., impacted citizens and affected communities will be gathered and maintained by the City of South Lyon. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Program Reviews: Special emphasis program reviews will be conducted based on the annual summary of Title VI activities, accomplishments, and problems. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The City does not have any special emphasis programs at this time.

Title VI Reviews on Sub-Recipients: Title VI compliance reviews will be conducted annually by the Title VI Coordinator. Priority for conducting reviews will be given to those recipients of federal (U.S. Department of Transportation) funds with the greatest potential of impact to those groups covered by the Act. The reviews will entail examination of the recipients’ adherence to all Title VI requirements. The status of each review will be reported in the annual update and reported to relevant U.S. Department of Transportation (USDOT) modes upon request.

Annual Reporting Form: The Title VI Coordinator will be responsible for coordination, compilation, and submission of the annual reporting form data to the Michigan Department of Transportation (MDOT), Civil Rights Program Unit via the Sub-Recipient Annual Certification Form (MDOT form #0179) by October 5<sup>th</sup>.

Title VI Plan Updates: If updated, a copy of Title VI Plan will be submitted to the MDOT, Civil Rights Program Unit, as soon as the update has been completed, or as soon as practicable, and no later than 30 days if significant changes are made.

Public Dissemination: The City of South Lyon will disseminate Title VI Program information to the City of South Lyon employees and to the general public. Title VI Program information will be submitted to sub-recipients, contractors and beneficiaries. Public dissemination will include



inclusions of Title VI language in contracts and publishing the Title VI Plan on the City's internet website at [www.southlyonmi.org](http://www.southlyonmi.org).

**Remedial Action:** The City of South Lyon, through the Title VI Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

### **LIMITED ENGLISH PROFICIENCY (LEP)**

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency<sup>1</sup>, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter<sup>ii</sup>. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, "LEP," or Limited English Proficient. The Executive Order states that:

"Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities."

Not only are all federal agencies required to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies, to nonprofits and organizations. Title VI covers a recipient's entire program or activity. This means all parts of a recipient's operations are covered, even if only one part of a recipient's organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

The City of South Lyon receives funds from the US Department of Transportation via the Federal Highway Administration.

The US Department of Transportation published *Policy Guidance Concerning Recipients' responsibilities to Limited English Proficient Person* in the December 14<sup>th</sup>, 2005 Federal Register.<sup>iii</sup>

The Guidance implies that the City of South Lyon is an organization that must follow this guidance:

This guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local transit operators, among many others. Coverage extends to a recipient's entire program or activity, i.e., to all parts of a recipient's operations. This is true even if only one part of the recipient receives the Federal assistance. For example, if DOT provides assistance to a state department of transportation to rehabilitate a particular highway on the National Highway System, all of the operations of the entire state department of transportation—not just the particular highway program or project—are covered by the DOT guidance.

#### **Elements of an Effective LEP Policy**

The US Department of Justice, Civil Rights Division has developed a set of elements that may be helpful in designing and LEP policy or plan. These elements include:

1. Identifying LEP persons who need language assistance
2. Identifying ways in which language assistance will be provided
3. Training Staff
4. Providing notice to LEP persons
5. The recommended method of evaluating accessibility to available transportation services is the Four-Factor Analysis identified by the USDOT.

These recommended plan elements have been incorporated into this plan.

#### **Methodology for Assessing Needs and Reasonable Steps for an Effective LEP Policy**

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to the LEP Community.
4. The resources available to the City of South Lyon and overall cost.

The greater the number or proportion of eligible LEP persons, the greater the frequency with which they have contact with a program, activity, or service and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets.

The DOT guidance is modeled after the Department of Justice's guidance and requires recipients and sub-recipients to take steps to ensure meaningful access to their programs and activities to LEP persons. More information for recipients and sub-recipients can be found at <http://www.lep.gov>.

### **The Four-Factor Analysis**

This plan uses the recommended four-factor analysis of an individualized assessment considering the four factors outlined above. Each of the following factors is examined to determine the level and extent of language assistance measures required to sufficiently ensure meaningful access to City of South Lyon services and activities that may affect their quality of life. Recommendations are then based on the results of the analysis.

#### **Factor 1: The Proportion, Numbers and Distribution of LEP Persons**

The Census Bureau has a range for four classifications of how well people speak English. The classifications are: 'very well,' 'well,' 'not well,' and 'not at all.' For our planning purposes, we are considering people that speak English less than 'very well' as Limited English Proficient persons.

As seen in Table #1, the Census 2011 Data for the City of South Lyon shows a small amount of the population that would speak English less than 'very well.'

**TABLE #1**

LANGUAGE SPOKEN AT HOME	# of Individuals	Percent
Population 5 years and over	10,394	10,394
English only	9,858	94.8%
Language other than English	536	5.2%
Speak English less than "very well"	286	2.8%
Spanish	217	2.1%

Speak English less than "very well"	106	1.0%
Other Indo-European languages	78	0.8%
Speak English less than "very well"	54	0.5%
Asian and Pacific Islander languages	234	2.3%
Speak English less than "very well"	119	1.1%
Other languages	7	0.1%
Speak English less than "very well"	7	0.1%

## **Factor 2: Frequency of Contact with LEP Individuals**

The City of South Lyon has conducted an informal survey of our employees with regard to whether they have had encounters with LEP individuals in the performance of their job functions and found that they have had extremely limited encounters with LEP individuals and that those encounters occurred in specific limited "customer service" circumstances. We have offices accessible to the public and therefore accessible to LEP individuals and we have staff that work in the field that could encounter LEP individuals. Additionally, regular Council meetings are held bi-weekly which would potentially bring LEP individuals to these meetings. Given the small concentration of LEP individuals as displayed in Table #1 (above) the probability of our employees to encounter and LEP individual is low.

## **Factor 3: The Nature and Importance of the Program, Activity, or Service to LEP**

The City of South Lyon serves individuals throughout the City in a variety of ways including managing roads, water, sewer, police, fire, elections, and other services to citizens of the City and individuals from outside of the City, such as visitors and those traversing the state. The nature of the services that the City provides is very important to an individual's day-to-day life. Therefore the denial of services to an LEP individual could have a significant detrimental effect. Although the LEP population in the City is small, we will ensure accessibility to all of our programs, services, and activities.

## **Factor 4: The Resources Available to the City of South Lyon and Overall Cost**

US Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

*"Certain DOT recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written LEP plan."*

The City of South Lyon serves very few LEP persons and has very limited resources; therefore it has decided to include a LEP Section in its Title VI Plan in order to comply with the Executive Order.

## **Safe Harbor Stipulation**

Federal law provides a “Safe Harbor” situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A “Safe Harbor” means that if a recipient provides written translation in certain circumstances, such action will be considered strong evidence of compliance with the recipient’s written-translation obligations under Title VI.

The failure to provide written translations under the circumstances does not mean there is non-compliance, but rather provides a guide for recipients that would like greater certainty of compliance than can be provided by a fact-intensive, four factor analysis. For example, even if a Safe Harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient’s written translation obligations under “Safe Harbor” includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This “Safe Harbor” provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Given the small number of LEP language group members, the City of South Lyon budget and number of staff, it is deemed that written translations of vital documents would be so burdensome as to defeat the legitimate objectives of our programs. It is more appropriate for City of South Lyon to proceed with oral interpretation options for compliance with LEP regulations.

## **Providing Notice to LEP Persons**

USDOT LEP guidance says:

Once an agency has decided, based on the four factors, that it will provide language service, it is important that the recipient notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.

The guidance provides several examples of notification including:

1. Signage in languages that an LEP individual would understand when free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the recipient's services, including the availability of language assistance services.

Statements in languages that an LEP individual would understand will be placed in public information and public notices informing LEP individuals that persons requiring language assistance and/or special accommodations will be provided the requested service free of charge, with reasonable advance notice to the City of South Lyon.

### **Options and Proposed Actions**

#### **Options:**

Federal fund recipients have two (2) main ways to provide language services: oral interpretation either in person or via telephone interpretation service and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis.<sup>iv</sup>

The City of South Lyon is defining an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language and a translator as a person who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.<sup>v</sup>

Considering the relatively small size of the City, the small number of LEP individuals in the service area, and limited financial resources, it is necessary to limit language aid to the most basic and cost-effective services.

#### **What the City of South Lyon will do. What actions will the City of South Lyon take?**

- Notify the public that interpreter services are available upon request, with seven day advance notice.
- With advance notice of seven calendar days, the City will provide interpreter services at public meetings, including language translation and signage for the hearing impaired.
- The City will utilize the *Translators Resource List* as provided by MDOT for translation services and verbal interpretation.

- The Census Bureau “I-speak” Language Identification Card will be distributed to all employees that may potentially encounter LEP individuals.
- Once the LEP individual’s language has been identified, an agency from the *Translators Resource List* will be contacted to provide interpretation services.
- Publications of the city’s complaint form will be made available online and upon request.
- In the event that a City employee encounters a LEP individual, they will follow the procedure listed below:

#### OFFICE ENCOUNTER

1. Provide an I-speak language identification card to determine the language spoken of the LEP individual.
2. Once the foreign language is determined, provide information to Title VI coordinator who will contact an interpreter from MDOT’s *Translators Resource List*.
3. If the need is for a document to be translated, the Title VI coordinator will have the document translated and provided to the requestor as soon as possible.

#### ROAD ENCOUNTER

1. Road crew employee will immediately contact the Title VI coordinator for assistance, and provide an I-speak language identification card to the LEP individual to determine the language spoken of the individual.
2. Once the foreign language is determined, provide information to Title VI coordinator who will contact an interpreter from MDOT’s *Translators Resource List* to provide telephonic interpretation.
3. If the need is for a document to be translated, the Title VI coordinator will have the document translated and provided to the requestor as soon as possible.

#### IN WRITING

1. Once a letter has been received it will be immediately forwarded to the Title VI Coordinator.
2. The Title VI Coordinator will contact an translator from the MDOT’s *Translators Resource List* to determine the specifics of the letter request information.
3. The Title VI Coordinator will work with the selected agency to provide the requested service to the individual in a timely manner.

## OVER THE PHONE

1. If someone calls into our office speaking another language every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line and if possible determine the language spoken of the caller.
2. Once the language spoken by the caller has been identified, we will proceed with providing the requested assistance to the LEP individual.

## **The City of South Lyon Staff Training.**

The City of South Lyon staff will be provided training on the requirements for providing meaningful access to services for LEP persons.

## ENVIRONMENTAL JUSTICE

Compliance with Title VI includes ensuring that no minority or low income population suffers “disproportionately high and adverse human health or environmental effect” due to any “programs, policies and activities” undertaken by any agency receiving federal funds. This obligation will be met by the City of South Lyon in the following ways:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, following mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The City of South Lyon will use U.S. Census data to identify low income and minority populations.

Where a project impacts a small number or area of low income or minority populations, the City of South Lyon will document that:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment; etc.
- The project’s impact is unavoidable;
- The benefits of the project far out-weigh the overall impacts; and
- Mitigation measures are being taken to reduce the harm to low income or minority populations.



If it is concluded that no minority and/or low income population groups are present in the project area, the City of South Lyon will document how the conclusion was reached. If it is determined that one or more of these population groups are present in the area, the City of South Lyon will administer potential disproportionate effects test.

The following steps will be taken to assess the impact of project on minority and/or low income population groups:

**STEP ONE:** Determine if a minority or low income population is present within the project area. If the conclusion is that no minority and/or low income population is present within the project area, document how the conclusion was reached. If the conclusion is that there are minority population and/or low income population groups present, proceed to Step Two.

**STEP TWO:** Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts and questions contained in Appendix E. If it is determined that there are disproportionately high and adverse impacts to minority and low income populations, proceed to Step Three.

**STEP THREE:** Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project.

**STEP FOUR:** If after mitigation, enhancements and off setting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low income populations, then the following questions must be considered:

Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low income population?

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?

Question 3: Considering the overall public interest, is there a substantial need for the project?

Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action (b) have increased costs of extraordinary magnitude?

**STEP FIVE:** Include all findings, determinations or demonstrations in the environmental document prepared for the project.

## **FILING A TITLE VI COMPLAINT**

### **I. Introduction**

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the City of South Lyon programs, activities, and services as required by statute.

### **II. Purpose**

The purpose of the discrimination complaint procedures is to describe the process used by the City of South Lyon for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

### **III. Roles and Responsibilities**

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion assign a capable person to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

### **IV. Filing a Complaint**

The complainant shall make himself/herself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability: The complaint procedures apply to the beneficiaries of City of South Lyon programs, activities, and services; including but not limited to: the public, contractors, sub-contractors, consultants, and other sub-recipients of federal and state funds.

Eligibility: Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the City of South Lyon or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age or disability may bring forth a complaint of discrimination under Title VI.

Time Limitation on Filing Complaints: Title VI complaints may be filed with the Title VI Coordinator's office. In all situations, the employees of the City of South Lyon must contact the Title VI Coordinator immediately upon receipt of Title VI related complaints.

Complaints must be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know that the act was discriminatory within the 180 day period,

he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information
2. Inquiries seeking advice or information
3. Courtesy copies of court pleadings
4. Newspaper articles
5. Courtesy copies of internal grievances

## **V. Investigation**

Investigation Plan: The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s)
- Basis for complaint
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against
- Information needed to address the issue
- Criteria, sources necessary to obtain the information
- Identification of key people
- Estimated investigation time line
- Remedy sought by the complainant(s)

### Conducting the Investigation:

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained as much as possible.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- If a Title VI complaint is received on a MDOT related contract against the City of South Lyon, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a Title VI complaint filed against the City of South Lyon, the complaint and any pertinent information should immediately be forwarded to the MDOT, Civil Rights Program Unit.

### Investigation Reporting Process:

- Complaints made against the City of South Lyon sub-recipient should be investigated by the City following the internal complaint process.
- Within 40 days of receiving the complaint, the investigator prepares an investigative report and submits the report and supporting documentation to the office of the City Manager for review.
- The City Manager reviews the file and investigative report. Subsequent to the review, the City Manager makes a determination of "probable cause" or "no probable cause" and prepares the decision letter.

### Retaliation:

The laws enforced by this City prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint please contact:

David M. Murphy, City Manager  
City of South Lyon  
335 S. Warren Street, South Lyon, MI 48178  
Phone: (248) 437-1735  
Fax: (248) 486-0049  
Email: [dmurphy@southlyonmi.org](mailto:dmurphy@southlyonmi.org)

### **Reporting Requirements to an External Agency**

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the MDOT, Civil Rights Program Unit within 60 days of the date the complaint was received.

### **Records**

All records and investigative working files are maintained in a confidential area. Records are kept for three years.

**APPENDIX A**  
**[TO BE INSERTED IN ALL FEDERAL-AID CONTRACTS]**

During the performance of this contract, the contractor, for itself, its assignees and successors, in interest (hereinafter referred to as the "contractor") agrees, as follows:

1. **Compliance with Regulations:** The contractor shall comply with Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department of the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event the contractor's noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a. Withholding payments to the contractor under the contract until the contractor complies and/or
  - b. Cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include provisions of paragraphs (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

## **APPENDIX B TRANSFER OF PROPERTY**

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

### **(GRANTING CLAUSE)**

NOW THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Michigan, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4) does hereby remise, release, quitclaim and convey unto the State of Michigan all the right, title and interest of the Department of Transportation in and to said lands described Exhibit "A" attached hereto and made a part hereof.

### **(HABENDUM CLAUSE)\***

TO HAVE AND TO HOLD said lands and interests therein unto the State of Michigan, and its successors forever, subject, however, the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the State of Michigan, its successors and assigns.

The State of Michigan, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part, on, over, or under such lands hereby conveyed (,) (and)\*(2) that the State of Michigan shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination

conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.



## **APPENDIX C**

### **PERMITS, LEASES AND LICENSES**

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Michigan Department of Transportation, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases, add, "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall remain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to re-enter lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Michigan Department of Transportation and its assigns.

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.

**APPENDIX D**  
**TITLE VI COMPLAINT FORM**

**CITY OF SOUTH LYON**  
**TITLE VI COMPLAINT FORM**

Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program, service, or activity receiving federal assistance."

This form may be used to file a complaint with the City of South Lyon based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. **Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 day period, you have 60 days after you became aware to file your complaint.**

*If you need assistance completing this form due to a physical impairment, please contact Lisa Deaton, City Clerk at (248) 437-1735 or via e-mail at [ldeaton@southlyonmi.org](mailto:ldeaton@southlyonmi.org).*

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work)

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work)

Please explain your relationship with the individual(s) indicated above: \_\_\_\_\_

Name of agency and department or program that discriminated:

Agency or department name: \_\_\_\_\_

Name of individual (if known): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Date(s) of alleged discrimination:

Date discrimination began \_\_\_\_\_ Last or most recent date \_\_\_\_\_

**ALLEGED DISCRIMINATION:**

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

\_\_\_\_ Race

\_\_\_\_ Color

\_\_\_\_ Age

\_\_\_\_ Disability

\_\_\_\_ Religion

\_\_\_\_ National Origin

\_\_\_\_ Sex

\_\_\_\_ Income

Explain: Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please return completed form to:** City of South Lyon, Attn: Lisa Deaton, Clerk, 335 S. Warren Street, South Lyon, MI 48178, Phone: (248) 437-1735, Fax: (248) 486-0049, Email: ldeaton@southlyonmi.org

**Note:** *The City prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.*

## **APPENDIX E**

### **DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS**

“Significant” requires considerations of both context and intensity:

(a) *Context.* This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.

(b) *Intensity.* This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

- (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component and this no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by the City Manager.

**APPENDIX F**  
**PROGRAM COMPLIANCE/PROGRAM REVIEW GOALS**  
**FOR CURRENT PLAN YEAR**

1. The City of South Lyon's Title VI Plan will be communicated to each City Department Head who will review the plan with departmental employees.
2. The City of South Lyon's Title VI Plan will be published on the City's website.
3. Appendix A will be included in all City contracts as outlined in the Title VI Plan.
4. The language in Number 2 of the City of South Lyon's Title VI Assurance will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements.
5. The procedure(s) for responding to individuals with Limited English Proficiency will be implemented.
6. All City of South Lyon employees will be trained or made aware of the LEP procedure and the Title VI complaint procedure.
7. A review of City facilities will be conducted in reference to compliance with the American Disabilities Act.
8. The following data will be collected and reviewed by the Title VI Coordinator and included, where appropriate, in the annual report submitted to MDOT.
  - a. **Boards and Commissions:** The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities will be evaluated.
  - b. **Public Meetings:** The number of open meetings. How meeting dates and times are communicated to the general public and to individuals directly affected by the meeting.
  - c. **Construction Projects:** The number of construction projects, number of minority contractors bidding and the number selected; verification that Title VI language was included in bids and contracts for each project.
  - d. **LEP Needs:** The number of requests for language assistance that were requested or required and the outcome of these requests.
  - e. **Complaints:** The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
  - f. **Timeliness of Services:** The number of requests for services; amount of time from request to when service was delivered; number of requests denied.
  - g. **Right of Way/Imminent Domain:** The number of such actions and diversity of individual affected.
  - h. **Program Participants:** Racial Data of program participants where possible.

---

<sup>1</sup> The executive order verbatim can be found online at <http://www.usdoj.gov/crt/cor/Pubs/colep.htm>.

<sup>2</sup> Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons. Federal Register: December 14, 2005 (Volume 70, Number 239)

---

<sup>iii</sup> The DOT has also posted an abbreviated version of this guidance on their website at <http://www.dotcr.ost.dot.gov/asp/lep.asp>.

<sup>iv</sup> <http://www.dotcr.ost.dot.gov/asp/lep/asp>

<sup>v</sup> Department of Justice Final LEP Guidelines, Federal Register June 18, 2002-Vol. 67-Number 117.

# **AGENDA NOTE**

**New Business: Item #8**

**MEETING DATE:** May 13, 2013

**PERSON PLACING ITEM ON AGENDA:** City Manager

**AGENDA TOPIC:** E. Lake Street Project

**EXPLANATION OF TOPIC:** At the City Council Meeting of April 22, 2013 the Council approved the design portion of the E. Lake Street Road Project so that the Engineers can design the project and bid it out. The Council asked to have HRC come to the May 13, 2013 Council Meeting to explain the Quality Control and Resident Representative portions of the contract. Jesse VanDeCreek will be at the meeting to explain what these items are

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** Memo from Jesse VanDeCreek and original Engineering agreement.

**POSSIBLE COURSES OF ACTION:** Approve/deny the remainder of the engineering contract with HRC for the Lake Street Road project.

**RECOMMENDATION:** Approve the remainder of the engineering contract with HRC for the Lake Street Road project.

**SUGGESTED MOTION:** Motion by \_\_\_\_\_, supported by \_\_\_\_\_ to approve the remainder of the engineering contract with HRC for the Lake Street Road project.



**HUBBELL, ROTH & CLARK, INC**  
Consulting Engineers

**Principals**  
George E. Hubbell  
Thomas E. Biehl  
Walter H. Alix  
Peter T. Roth  
Michael D. Waring  
Keith D. McComack  
Nancy M.D. Faught  
Daniel W. Mitchell

**Senior Associates**  
Gary J. Tressel  
Kenneth A. Melchior  
Randal L. Ford  
Timothy H. Sullivan

**Associates**  
Jonathan E. Booth  
Michael C. MacDonald  
Marvin A. Olane  
William R. Davis  
Jesse B. VanDeCreek  
Robert F. DeFrain  
Marshall J. Grazioli  
Thomas D. LaCross  
Dennis J. Benoit  
James F. Burton  
Jane M. Graham  
Donna M. Martin  
Charles E. Hart

May 7, 2013

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

Attention: Mr. David M. Murphy, City Manager

Re: **Lake Street Pavement Rehabilitation – Dixboro Road to CSX RR** HRC Job No. 20120685.02  
Proposal for Professional Engineering Services  
**Quality Control and Resident Representative Budgets**

Dear Mr. Murphy:

At your request, we are providing this supporting documentation to assist with the explanation of specific budgets that have been established for the proposed Lake Street Pavement Rehabilitation – Dixboro Road to CSX RR. We understand that the City Council has authorized the Preliminary Engineering, Topographic Survey and the Design Services to date for the subject project and that execution of the complete Engineering Contract is subject to the explanation of the work that is necessary under the Quality Control and Resident Representative budgets. The funding for this project necessitates that the Quality Control and Resident Representation services be provided to meet the MDOT Local Agency Program (LAP) requirements for construction engineering. Therefore, a description of the work can be described as follows:

Quality Control

This is the provision of construction materials testing services for quality control including compaction testing for sub base and subgrade materials prior to placement of concrete and asphalt, undercut determination, utility bedding and back fill compaction, concrete and bituminous density and mix design verifications. Following is an abbreviated description of each of these elements of work that must be completed both in the field and in the HRC materials laboratory.

**Construction Materials Testing - MDOT Local Agency Projects**  
**Construction Materials Requiring Testing:**

**Utility Trench and Structure Backfill**

**Required Tests:**

Sieve Analysis

Compaction Tests

Y:\201206\20120685\06\_Corrs\Proposal\20130507\_QC\_RESIDENT\_REP.docx

50 Cherry Street  
Mt. Clemens, Michigan 48043  
Telephone 586 569 5000 Fax 586 569 0119  
www.hrc-engr.com

Engineering. Environment. Excellence.



**Purpose:**

To ensure the materials used are that which are specified and to prevent settlement of pavements placed over the utility trench.

**Reference Documents:**

MDOT Standard Specifications for Construction Division 4 – Drainage Features  
MDOT Materials Source Guide  
Michigan Density Testing and Inspection Manual

**Technician Certifications for Performing Tests:**

Michigan Certified Aggregate  
Michigan Density Technology

**Roadway Aggregate Base**

**Required Tests:**

Sieve Analysis  
Compaction Tests

**Purpose:**

To ensure the materials used are that which are specified and to provide a suitable base for support of the pavement as per the pavement section design.

**Reference Documents:**

MDOT Standard Specifications for Construction Division 3 – Bases  
MDOT Materials Source Guide  
Michigan Density Testing and Inspection Manual

**Technician Certifications for Performing Tests:**

Michigan Certified Aggregate  
Michigan Density Technology

**Asphalt**

**Required Tests:**

Compaction Tests  
Extraction Testing  
Sieve Analysis

**Purpose:**

To ensure that the materials used are that which are specified and to prevent premature rutting and mixture segregation by the pavement traffic and weather conditions.

**Reference Documents:**

MDOT Standard Specifications for Construction Division 5 – Hot Mix Asphalt Pavements and Surface Treatments  
Michigan Density Testing and Inspection Manual  
03SP502(O) – Acceptance of HMA Mixture on Local Agency Projects

**Technician Certifications for Performing Tests:**

Michigan Density Technology  
Michigan Bituminous Level I Lab Technician  
Michigan Bituminous QC/QA Technician

## **Concrete**

### **Required Tests:**

Slump  
Air Content  
Temperature  
Compressive Strength (Cylinders)

### **Purpose:**

To verify that the mix being used is the mix that was specified and to ensure that the concrete meets the design properties for durability and strength.

### **Reference Documents:**

MDOT Standard Specifications for Construction Division 6 – Portland Cement Concrete Pavements

MDOT Standard Specifications for Construction Division 8 – Incidental Construction

### **Technician Certifications for Performing Tests:**

MCA/ACI Concrete Level I  
MCA Concrete Level II  
ACI Concrete Strength Technician

## **Resident Representative**

This element for provide a field observer to document the construction of the work and to report to MDOT LAP and the City on the progress of the work.

### **Pre Construction**

#### **Required:**

General Contractor, Subcontractor and Supplier Meetings/Shop Drawing Review  
Regulatory Agency Coordination  
Utility Company Coordination  
Detour Signage Verification

### **During Construction**

#### **Required:**

Resident and Business Notification: Flyers  
Temporary Road Closure Coordination: City, Police & Fire  
Regulatory Agency Coordination: RCOC  
Utility Company Coordination  
Soil Erosion & Sedimentation Controls Verification  
Daily Construction Field Reports  
Documentation of Contractor's Equipment, Personnel, and Quantities of Work Performed  
Weekly Construction Progress Meetings  
Daily Project Engineer Advisement  
Pay Request Reviews and Quantity Verification

### **Post Construction**

#### **Required:**

Punch List Development  
Work Observation and Documentation  
Project Closeout and Acceptance

The budgets for Quality Control and Resident Representative equate to approximately 3% of the total Project Cost, respectively. We anticipate that up to six (6) HRC staff will be assigned to meet all of the Quality Control and Resident Representative reporting requirements for this project, that is likely to be constructed over an 8 to 10 week period during the spring and summer of 2014. Attached are examples of past testing and observation reports on the recent SW Rail to Trail Connector project, in order to serve as an example of the type and level of documentation that will be required to be maintained for this MDOT LAP Lake Street project.

We trust that with provision of this supporting documentation, the City Council will be able to authorize execution of the original proposal for the Design and Construction Engineering services. Thank you for the opportunity to serve the City on this project.

If you have any questions or require any additional information, please feel free to contact our office at (586) 569-5000.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Jesse B. VanDeCreek, P.E.  
Associate

Attachments

pc: City of South Lyon, Bob Martin  
HRC; K. McCormack, File

Accepted By:  
CITY OF SOUTH LYON

Signature: \_\_\_\_\_

Written Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_



## REPORT OF AGGREGATE TESTS

\* ASTM American Society for Testing and Materials

MTM = Michigan Test Methods

+ As modified in MDOT "Procedures for Aggregate Inspection"

\* per MDOT Materials Source Guide

**TEST DATA:**

**Test Results** ☒ **Meet**      ☐ **Do Not Meet (Shaded) Specifications**

**Remarks:** ♦ Material produced by crushing concrete.  
+ The stockpile was located at GBM's Kensington Road Plant.  
This sample represents material to be placed as aggregate base on the rail trail.  
Test results reported to Bernie O'Brien of HRC.  
Quantity of material test represents: 1,000 tons  
Previous cumulative total: 0 tons  
Cumulative total tested to date: 1,000 tons

# REPORT OF QUALITY ASSURANCE TESTING

DISTRIBUTION: ORIGINAL - Project Engineer, COPIES - QA Laboratory, TMI, and Lansing C & T

File 208

HRC Project #  
20060139.06  
RST 1052

CONTROL SECTION ST 63022	JOB NUMBER 89099K	PROJECT LOCATION South Lyon - Rail Trail	MIX DESIGN NO 13A0013	DATE SAMPLED 5/19/12	DATE TESTED 5/14/12
CONTRACTOR Buerett Paving Materials		PLANT NUMBER 60-06	PLANT LOCATION Ann Arbor	SUBLOT SIZE	
PROJECT ENGINEER Bob DeFina	NAME OF TESTER (Please Print) SUZANNE ELIOTT		QUALIFICATION NO. 04770413	LOT NUMBER -	SUB LOT NUMBER
Gsb	Gse	NAME OF TESTER (Signature) [Signature]	FORM 1911 DATE 4/09	SUBLOT RANDOM TONS	ACCUMULATED TONS 335.01
1.024	2.661	2.688			

## TEST RESULTS

## TEST RESULTS

DEV.

	JMF	MDOT	CONTR HRC	MDOT DIFF. JMF	MDOT DIFF. CONTR	TOL	ASPHALT %	JMF	MDOT	CONTR HRC	MDOT DIFF. JMF	MDOT DIFF. CONTR	TOL
P 1/2" (37.5 mm)					DEV.			5.50		5.00		-0.5	±0.5
P 1" (25.0 mm)	100.00		100.00		0.0		Gmm	2.467		2.186		+0.19	±0.019
P 3/4" (19.0 mm)	100.00		100.00		0.00	±5.0-8.0	Gmb & DESIGN	2.369		2.333		-0.036	
P 1/2" (12.5 mm)	91.19		91.19		-1.11	±5.0-8.0	AIR VOIDS	4.06		6.15		* (1.17)	±1.00
P 3/8" (9.5 mm)	85.37		85.37		0.97	±5.0-8.0	VMA	15.88		16.71		+0.83	±1.20
P No. 4 (4.75 mm)	76.00		68.98		-1.02	±5.0-8.0	VFA	74.81		12.19			
P No. 8 (2.36 mm)	58.20		56.00		-2.20	±5.0-5.0	FIA RATIO	0.96		63.20			
P No. 16 (1.18 mm)	46.10		44.97		-1.13				GRADE				% ADD
P No. 30 (600 µm)	33.60		33.18		-0.42	54.0-60.0	ASPHALT BINDER	58-22 +					CERTIFIED SUPPLIER/LOCATION/CERT#
P No. 50 (300 µm)	15.20		16.25		0.98								Terry Materials 6005 7.04
P No. 100 (150 µm)	7.80		7.67		-0.13		GYRATORY WEIGHTS/COMPACTION TEMPERATURE						
P No. 200 (75 µm)	5.30		4.97		-0.33	51.0-2.0	MARSHALL WEIGHTS/COMPACTION TEMPERATURE						
CRUSH - 1 FACE	93.0		93.8		1.8	10%	NUMBER OF SOLVENT WASHES (When using the vacuum extraction method for Asphalt %)						
CRUSH - 2 FACE													

REMARKS	Grade, Manufacturer	0/0 of Fracture	HRC took possession of sample at jobsite.
Material	9.1 No. Supplier	18	Sample was run at HRC's Lab.
SMA	81-84		* Air Void and that are outside of Tol.
3/4" chips	81-84	14	Daily Tons = 335.01
2 1/2"	81-84	33	+ Final Grade PG 64-22
CIRCLE TEST RESULTS OUT OF TOLERANCE	60-06 (4.15%)	35	extended binder = 5.64

Michigan Department  
of Transportation  
1839 (09/02)

# TESTING OF HMA (VACUUM WORKSHEET)

CONTROL SECTION <b>STE 63022</b>	JOB NO. <b>890994</b>	MIXTURE TYPE <b>13A</b>	MIX DESIGN NO. <b>12 MP013</b>	REPORT NO. <b>1</b>	DATE <b>5/14/12</b>
CONTRACTOR <b>Barrett Paving Materials</b>		PLANT NO. <b>60-06</b>	PLANT LOCATION <b>Ann Arbor</b>		SHEET <b>1 OF 2</b>
TESTER (Please Print) <b>Suzanne Elliott</b>			QUALIFICATION NO. <b>04770413</b>	LOT NO. <b>---</b>	SUBLOT NO. <b>---</b>

## ASPHALT CONTENT - VACUUM

A. WT. OF SAMPLE		SIEVE SIZE	WEIGHT RETAINED, GRAMS	FRACTION RETAINED, %	CUMULATIVE FRACTION PASSING %
B. WT. OF FILTER AND DE	1512.0	1-1/2" (37.5 mm)	0.0	0.0	100.00
C. WT. OF FILTER, DE AND FINES	200.0	1" (25.0 mm)	0.0	0.0	100.00
D. WT. OF FINES (C - B)	266.7	3/4" (19.0 mm)	0.0	0.0	100.00
E. WT. OF DRY EXTR AGGREGATE	66.7	1/2" (12.5 mm)	125.7	8.81	91.19
F. TOTAL WT. OF AGGREGATE (D + E)	1360.0	3/8" (9.5 mm)	8.30	5.82	85.37
G. WT. OF ASPHALT (A - F)	1426.7	No. 4 (4.75 mm)	2.33 <sup>8</sup>	16.39	68.98
H. % ASPHALT (G / A) * 100	85.3	No. 8 (2.36 mm)	185.2	12.98	56.00

## CRUSHED PARTICLE CONTENT

		No. 16 (1.18 mm)	157.4	11.03	44.97
X. WT. OF AGG. RET. ON No. 4 (4.75 mm) & ABOVE	442.5	No. 30 (600 µm)	168.2	11.77	33.18
Y. WT. OF 2 FACE OR MORE CRUSHED		No. 50 (300 µm)	241.2	16.91	16.28
Z. WT. OF 1 FACE OR MORE CRUSHED	419.6	No. 100 (150 µm)	122.8	8.61	7.67
% CRUSHED, 2 FACE (Y / X) * 100		No. 200 (75 µm)	38.5	2.70	4.97
% CRUSHED, 1 FACE (Z / X) * 100	94.5 <sup>8</sup>	P. No. 200 (75 µm) + D.	70.9	4.97	
		TOTAL	1426.7	100.0	

REMARKS

Placement Date: ~~4/19~~ 5/9/12

Route or Street: Ra. 1 Trail - Park to 8 miles

Sample Location: The plant sample and sent it to jobs, 4

HRC Project #

# REPORT OF QUALITY ASSURANCE TESTING

DISTRIBUTION: ORIGINAL - Project Engineer, TMI, and Lansing C & T

Michigan Department  
Of Transportation  
1903B (04/09)

20060139,06 Apt 2

CONTROL SECTION <b>STE63022</b>	JOB NUMBER <b>89099A</b>	PROJECT LOCATION <b>South Lyon - Rd. 1 Tr. 1</b>	MIX DESIGN NO. <b>12-00013</b>	MIXTURE TYPE <b>13A</b>	DATE SAMPLED <b>5/10/12</b>	DATE TESTED <b>5/16/10</b>
CONTRACTOR <b>Barrett Paving Materials</b>		PLANT NUMBER <b>60-06</b>	PLANT LOCATION <b>Ann Arbor</b>	SUBLOT SIZE ---		SUBLOT NUMBER ---
PROJECT ENGINEER <b>Bob DeFranco (HRC)</b>	NAME OF TESTER (Please Print) <b>Suzanne Elliott</b>		QUALIFICATION NO. <b>04770413</b>	LOT NUMBER ---	SUB LOT NUMBER ---	
Gsb <b>1.024</b>	Gsb <b>2.661</b>	Gse <b>2.688</b>	NAME OF TESTER (Signature) <i>[Signature]</i>	FORM 1911 DATE <b>4/09</b>	SUBLOT RANDOM TONS ---	ACCUMULATED TONS <b>508.06</b>

TEST RESULTS						TEST RESULTS				Dev	
JMF	MDOT	CONTR	MDOT DIFF. JMF	MDOT DIFF. CONTR	TOL	JMF	MDOT	CONTR	MDOT DIFF. JMF	MDOT DIFF. CONTR	TOL
P 1-1/2" (37.5 mm)						ASPHALT %	5.50				+0.18 ± 0.5
P 1" (25.0 mm)						Gmm	2.467				-0.006 ± 0.011
P 3/4" (19.0 mm)						Gmb @ M-DESIGN	2.364				+0.014
P 1/2" (12.5 mm)						AIR VOIDS	4.00				-0.83 ± 1.00
P 3/8" (9.5 mm)						VMA	15.88				+0.35 ± 1.20
P No. 4 (4.75 mm)						VFA	74.81				-4.78
P No. 8 (2.36 mm)						F/A RATIO	0.96				
P No. 16 (1.18 mm)						ASPHALT BINDER	58-22+				
P No. 30 (600 µm)						GRADE					
P No. 50 (300 µm)						GYRATORY WEIGHTS/COMPACTION TEMPERATURE					
P No. 100 (150 µm)						MARSHALL WEIGHTS/COMPACTION TEMPERATURE					
P No. 200 (75 µm)						NUMBER OF SOLVENT WASHES (When using the vacuum extraction method for Asphalt %)					
CRUSH - 1 FACE											
CRUSH - 2 FACE											

REMARKS: Grade Manufacturer % of Moisture - HRC took possession of sample at the jobsite  
 Material Pit No. 50 pphr - Sample was run at HRC's Lab.  
 SmaA 81-84 18 - There was Not enough material to run the extraction  
 3/8 Qips 81-84 14 and gradation. Only Volumetrics determined.  
 2MS 81-84 33 Daily Tons = 173.05  
 \*CIRCLE TEST RESULTS OUT OF TOLERANCE  
 Rep 60-06 (4.18%) 35  
 Final Grade PG 64-22  
 all test results are within Range TOL.

# REPORT OF QUALITY ASSURANCE TESTING

DISTRIBUTION: ORIGINAL - Project Engineer, COPIES - QA Laboratory, TMI, and Lansing C & T

File 208

HRC Project #

20060139.06 R14.3 pg 1 of 2

CONTROL SECTION STC63022	JOB NUMBER 89099A	PROJECT LOCATION South Lyon - Rail Road	MIX DESIGN NO 13A0013	MIXTURE TYPE 13A	DATE SAMPLED 5/11/12	DATE TESTED 5/14/12
CONTRACTOR Burrett Paving Materials		PLANT LOCATION 60-06	PLANT NUMBER 60-06	PLANT LOCATION Ann Arbor	SUBLOT SIZE ---	
PROJECT ENGINEER Bob DeFragin (HRC)	Gsb 2.661	Gse 2.688	NAME OF TESTER (Please Print) Suzanne Elliott	QUALIFICATION NO. 04770413	LOT NUMBER ---	SUB LOT NUMBER ---
Gb 1.024			NAME OF TESTER (Signature) [Signature]	FORM 1911 DATE 4/09	SUBLOT RANDOM TONS ---	ACCUMULATED TONS 335.27 100.7

TEST RESULTS				TEST RESULTS				Dev.	
	JMF	MDOT	CONTR HRC	MDOT DIFF. JMF	MDOT DIFF. CONTR	TOL	ASPHALT %	MDOT DIFF. CONTR	TOL
P 1-1/2" (37.5 mm)	100.0		100.00		0.0	±5.0-8.0	Gmm		
P 1" (25.0 mm)	100.00		100.00		0.0	±5.0-8.0	Gmb @ DESIGN		
P 3/4" (19.0 mm)	100.00		99.11		-0.89	±5.0-8.0	AIR VOIDS		
P 1/2" (12.5 mm)	92.30		95.06		2.76	±5.0-8.0	VMA		
P 3/8" (9.5 mm)	84.40		87.79		3.39	±5.0-8.0	VFA		
P No. 4 (4.75 mm)	70.00		72.35		2.35	±5.0-8.0	F/A RATIO		
P No. 8 (2.36 mm)	59.20		58.43		0.77	±5.0-8.0	ASPHALT BINDER		
P No. 16 (1.18 mm)	46.10		46.95		0.85	±5.0-8.0	GYRATORY WEIGHTS/COMPACTION TEMPERATURE		
P No. 30 (600 µm)	33.90		35.35		1.45	±5.0-8.0	MARSHALL WEIGHTS/COMPACTION TEMPERATURE		
P No. 50 (300 µm)	15.80		16.83			±5.0-8.0	NUMBER OF SOLVENT WASHES (When using the vacuum extraction method for Asphalt %)		
P No. 100 (150 µm)	7.80		7.64			±5.0-8.0			
P No. 200 (75 µm)	5.30		5.05		-0.25	±5.0-8.0			
CRUSH - 1 FACE	93.0		97.4		+4.4	10%			
CRUSH - 2 FACE									

REMARKS: Grade Manufacturer o/c of mixture  
Material: 8.5 Ha Supplier  
SMA: 81-84  
3/4 chips: 81-84  
2#5: 81-84  
CIRCLE TEST RESULTS OUT OF TOLERANCE  
60-06 (4.158)  
All test results are within in Range = 100  
+ Final Grade 96.64-22-  
5.72%  
extracted binder = 5.72%



Michigan Department  
of Transportation  
1839 (09/02)

# TESTING OF HMA

(VACUUM WORKSHEET)

CONTROL SECTION <b>SE63072</b>	JOB NO. <b>87099A</b>	MIXTURE TYPE <b>13A</b>	MIX DESIGN NO. <b>12MD013</b>	REPORT NO. <b>X3</b>	DATE <b>5/11/12</b>
CONTRACTOR <b>Barrett Paving Materials</b>		PLANT NO. <b>60-06</b>	PLANT LOCATION <b>Ann Arbor</b>		SHEET <b>2 OF 2</b>
TESTER (Please Print) <b>Suzanne Elliott</b>			QUALIFICATION NO. <b>044770413</b>	LOT NO.	SUBLOT NO.

## ASPHALT CONTENT - VACUUM

## AGGREGATE ANALYSIS

A. WT. OF SAMPLE		SIEVE SIZE	WEIGHT RETAINED, GRAMS	FRACTION RETAINED, %	CUMULATIVE FRACTION PASSING %
B. WT. OF FILTER AND DE	1501.0	1-1/2" (37.5 mm)	0	0	100.00
C. WT. OF FILTER, DE AND FINES	268.5	1" (25.0 mm)	0	0	100.00
D. WT. OF FINES (C - B)	68.5	3/4" (19.0 mm)	12.6	0.89	99.11
E. WT. OF DRY EXTR AGGREGATE	1346.6	1/2" (12.5 mm)	57.3	4.05	95.06
F. TOTAL WT. OF AGGREGATE (D + E)	1415.1	3/8" (9.5 mm)	102.9	7.27	87.79
G. WT. OF ASPHALT (A - F)	85.9	No. 4 (4.75 mm)	218.2	15.44	72.35
H. % ASPHALT (G / A) * 100	5.72	No. 8 (2.36 mm)	196.9	13.91	58.43
<b>CRUSHED PARTICLE CONTENT</b>		No. 16 (1.18 mm)	162.5	11.48	46.95
		No. 30 (600 µm)	104.2	11.60	35.35
X. WT. OF AGG. RET. ON No. 4 (4.75 mm) & ABOVE	391.3	No. 60 (300 µm)	242.1	18.52	16.83
Y. WT. OF 2 FACE OR MORE CRUSHED		No. 100 (150 µm)	130.0	4.19	7.64
Z. WT. OF 1 FACE OR MORE CRUSHED	381.2	No. 200 (75 µm)	36.6	2.59	5.05
% CRUSHED, 2 FACE (Y / X) * 100		P. No. 200 (75 µm) + D.	207.5	5.05	
% CRUSHED, 1 FACE (Z / X) * 100	97.4	TOTAL	115.1	100.0	

### REMARKS

Placement Date: **5/11/12**

Route or Street: **Rail Trail - Park to Run**

Sample Location: **The plant sampled and sent it to the job site**

C = CARE  
A = ACCURACY  
P = PRECISION

# REPORT OF QUALITY ASSURANCE TESTING

DISTRIBUTION: ORIGINAL - Project Engineer, COPIES - QA Laboratory, TMI, and Lansing C & T

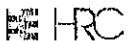
File 208

HRC Proj 2 of 4  
20060139.06 Rpt 4 of 4

CONTROL SECTION <b>STE 13022</b>	JOB NUMBER <b>89099A</b>	PROJECT LOCATION <b>South Lyon - Rail Trail</b>	MIX DESIGN NO <b>12W0013W0012</b>	MIXTURE TYPE <b>13A</b>	DATE SAMPLED <b>5/16/12</b>	DATE TESTED <b>5/16/12</b>
CONTRACTOR <b>Barrett Paving Materials</b>			PLANT NUMBER <b>60-06</b>	PLANT LOCATION <b>Ann Arbor</b>	SUBLOT SIZE ---	SUBLOT NUMBER ---
PROJECT ENGINEER <b>Bob DeFrain (HRC)</b>		NAME OF TESTER (Please Print) <b>Suzanne Elliott</b>	QUALIFICATION NO. <b>04770413</b>	LOT NUMBER ---	SUBLOT RANDOM TONS ---	ACCUMULATED TONS <b>843.31</b>
Gb <b>1.024</b>	Gsb <b>2.661</b>	Gse <b>2.688</b>	NAME OF TESTER (Signature) <i>Suzanne Elliott</i>	FORM 1911 DATE <b>4/01</b>		

TEST RESULTS					TEST RESULTS					DEV.	
JMF	MDOT	CONTR	MDOT	TOL	JMF	MDOT	CONTR	MDOT	TOL	MDOT DIFF. JMF	MDOT DIFF. CONTR
P 1-1/2 (37.5 mm)	100.00	100.00	100.00	150.00	5.50	5.50	5.16	5.16	±0.5	-0.34	±0.5
P 1" (25.0 mm)	100.00	100.00	100.00	150.00	2.467	2.467	2.480	2.480	±0.013	±0.013	±0.019
P 3/4" (19.0 mm)	100.00	100.00	100.00	150.00	2.369	2.369	2.379	2.379	0.010	0.010	0.010
P 1/2" (12.5 mm)	90.10	90.85	90.85	150.00	4.00	4.00	4.07	4.07	±1.00	±1.00	±1.20
P 3/8" (9.5 mm)	80.60	83.05	83.05	150.00	15.88	15.88	15.21	15.21	-0.67	-0.67	-1.6
P No. 4 (4.75 mm)	65.20	66.27	66.27	150.00	74.81	74.81	73.24	73.24			
P No. 8 (2.36 mm)	53.90	51.83	51.83	150.00	0.96	0.96					
P No. 16 (1.18 mm)	47.60	40.70	40.70	150.00							
P No. 30 (600 µm)	31.50	30.32	30.32	150.00							
P No. 50 (300 µm)	15.80	15.70	15.70	150.00							
P No. 100 (150 µm)	7.70	7.82	7.82	150.00							
P No. 200 (75 µm)	5.40	5.37	5.37	150.00							
CRUSH - 1 FACE	930	95.33	95.33	150.00							
CRUSH - 2 FACE				150.00							

REMARKS	Grade Manufacturer	% of	HRC took possession of the sample at the jobsite
Materials	P. & M. Supplier	Mixture	Sample was run at HRC's Lab
SMA	81-84	18	Daily Tons = 142.61
3/8 Chips	81-84	14	± Final Grade PG 64-22
2.5/5	81-84	33	all test results w/ Range 1 Tol
CIRCLE TEST RESULTS OUT OF TOLERANCE			Extracted Binder 502
Ref	60-06	35	

HRC Project Number: 4Michigan Department  
of Transportation  
1839 (09/02)**TESTING OF HMA**  
(VACUUM WORKSHEET)

CONTROL SECTION <b>STE63022</b>	JOB NO. <b>89099A</b>	MIXTURE TYPE <b>13A</b>	MIX DESIGN NO. <b>12 MPD013M0A2</b>	REPORT NO. <b>4</b>	DATE <b>5/16/12</b>
CONTRACTOR <b>Barrett Paving Materials</b>		PLANT NO. <b>60-06</b>	PLANT LOCATION <b>Ann Arbor</b>		SHEET <b>2</b> OF <b>2</b>
TESTER (Please Print) <b>Suzanne Elkott</b>			QUALIFICATION NO. <b>04770413</b>	LOT NO. <b>—</b>	SUBLOT NO. <b>—</b>

ASPHALT CONTENT - VACUUM		AGGREGATE ANALYSIS			
A. WT. OF SAMPLE	1501.5	SIEVE SIZE	WEIGHT RETAINED, GRAMS	FRACTION RETAINED, %	CUMULATIVE FRACTION PASSING %
B. WT. OF FILTER AND DE	200.0	1-1/2" (37.5 mm)	0.0	0.00	100.00
C. WT. OF FILTER, DE AND FINES	273.4	1" (25.0 mm)	0.0	0.00	100.00
D. WT. OF FINES (C - B)	73.4	3/4" (19.0 mm)	0.0	0.00	100.00
E. WT. OF DRY EXTR AGGREGATE	1349.8	1/2" (12.5 mm)	130.2	9.15	90.85
F. TOTAL WT. OF AGGREGATE (D + E)	1423.2	3/8" (9.5 mm)	111.1	7.81	83.05
G. WT. OF ASPHALT (A - F)	78.3	No. 4 (4.75 mm)	238.18	16.78	66.27
H. % ASPHALT (G / A) * 100	5.21	No. 8 (2.36 mm)	205.5	14.44	51.83
CRUSHED PARTICLE CONTENT		No. 16 (1.18 mm)	158.3	11.12	40.70
X. WT. OF AGG. RET. ON No. 4 (4.75 mm) & ABOVE	489.9	No. 30 (600 µm)	147.8	10.39	30.32
Y. WT. OF 2 FACE OR MORE CRUSHED		No. 50 (300 µm)	208.1	14.62	15.70
Z. WT. OF 1 FACE OR MORE CRUSHED	466.9	No. 100 (150 µm)	112.0	7.87	7.83
% CRUSHED, 2 FACE (Y / X) * 100		No. 200 (75 µm)	59.35.0	2.46	5.37
% CRUSHED, 1 FACE (Z / X) * 100		P. No. 200 (75 µm) + D.	2076.4	5.37	C = CARE A = ACCURACY P = PRECISION
		TOTAL	1423.2	100.00	

## REMARKS

Placement Date: 5/16/12Route or Street: S. Lyon - Rail TrailSample Location: The plant took the sample and sent it out to the jobsite.



HUBBELL, ROTH & CLARK, INC  
Consulting Engineers

RAIL TRAIL SOUTHWEST CONNECTOR  
SOUTH LYON, MICHIGAN  
MDOT # 89099A; STE 63022

Client: City of South Lyon  
335 Warren Avenue  
South Lyon, MI 48178

HRC Project Number: 20060139.06  
Date: 4-18-12  
HRC Report Number: 1 Page 1 of 2  
Concrete Supplier: Livingston Concrete

REPORT OF CONCRETE TESTS

PLACEMENT DATA: Quantity: 2 yd<sup>3</sup> Location / Item: 8 Mile / Foundation

Cyl Set No.	Time Cyls Cast	Supplier Ticket Number	Limits of Placement	Time (min.) *	Cubic Yards	Water Added +	Slump (in.)	Air (%)	Unit Wt. (lb/ft <sup>3</sup> )	Temperature F.	
										Concrete	Ambient
1	10:15 AM	01705788	Base for Pedestrian Push Button at the Southwest corner of 8 Mile and Pontiac Trail.	60	2.0		2 1/4	5.1		60	50

\* Time from batching of concrete to completion of placement

+ Approximate gallons of water added on site.

SPECIFICATIONS FOR CONCRETE:

Property	Specification		Reference
Strength	3500	psi	MDOT
Supplier Mix Id	S2(WR)	NA	Livingston Concrete
Slump	0 to 3	inches	MDOT
Air Content	5.0 to 8.0	%	MDOT
Temperature	90 Max	F	MDOT
Placement Time	90 Max	minutes	MDOT

DESIGN PROPORTIONS FOR MIX:

Material	Quantity	Unit
Cement	526	lbs.
Fine Aggregate	1529	lbs.
Coarse Aggregate	1720	lbs.
Water	243	lbs.
AEA-GRT SA-50	1.8	oz./cwt.
WRA-GRT KB-1000	3.0	oz./cwt.

COMPRESSIVE STRENGTH DATA:

HRC Test Lab No.	Job Set/ Cyl No.	Test Date	Test Age, Days	Cylinder Curing, Days +		Compressive Strength, psi	Fracture Type
				Initial	Final		
26	1A	4-25-12	7	1	6	3800	2
27	1B	5-16-12	28	1	28	5860	5
28	1C	5-16-12	28	1	28	5720	5

+ Initial = Initial Curing  
Final = Final Curing

Specification (ASTM C-31): 60° to 80° F, moist environment up to 48 hours.  
Specification (ASTM C-31): 73 +/- 3° F, minimum 95% relative humidity.

+ Curing of cylinders on site:

☒ Outside Near Placement  
☐

Ambient Temperature  
Surrounding Cylinders, ° F:

Max. = 84 °  
Min. = 40 °

Specified Max. = 80  
Specified Min. = 60

REMARKS:

☒ Cylinders cast by HRC

☐ Field Test(s) out of specification (shaded)

☒ Ambient Temperature surrounding cylinders  
outside ASTM C-31 specification (shaded)

Compressive Strength Tests:

☒ Meet specified 28 day strength

☐ Do not meet specified 28 day strength

Fracture Types (ASTM C 39-04a)							Additional Remarks:	
1	2	3	4	5	6	Other	•• Temperature for Cylinder Nos. 26, 27 and 28. Field test results reported to Bernie O'Brien of HRC.	
Field Data By: Tom Cairo Strength Data By: Suzanne Elliott							CC: HRC - T. Kniga, D. Wilcox Fonson, Inc. - S. Staley Livingston Concrete	



HUBBELL, ROTH & CLARK, INC  
Consulting Engineers

**RAIL TRAIL SOUTHWEST CONNECTOR  
SOUTH LYON, MICHIGAN  
MDOT # 89099A; STE 63022**

**Client:** City of South Lyon  
335 Warren Avenue  
South Lyon, MI 48178

**HRC Project Number:** 20060139.06  
**Date:** 4-18-12  
**HRC Report Number:** 1 Page 2 of 2  
**Concrete Supplier:** Livingston Concrete

**REPORT OF CONCRETE TESTS**

**PLACEMENT DATA:** Quantity: 9 yd<sup>3</sup> Location / Item: Mobil Gas Station / Driveway Approach

Cyl Set No.	Time Cyls Cast	Supplier Ticket Number	Limits of Placement	Time (min.) *	Cubic Yards	Water Added +	Slump (in.)	Air (%)	Unit Wt. (lb/ft <sup>3</sup> )	Temperature F.	
										Concrete	Ambient
2	1:40 PM	31182	Driveway Approach including the Curb and Gutter for Mobil Gas Station on 8 Mile Road.	70	9		2	5.0		74	60

\* Time from batching of concrete to completion of placement

+ Approximate gallons of water added on site.

**SPECIFICATIONS FOR CONCRETE:**

Property	Specification	Reference
Strength	3500 psi	MDOT
Supplier Mix Id	P1(WR) NA	Livingston Concrete
Slump	2 to 4 inches	Mix Design/ASTM C-94
Air Content	5.0 to 8.0 %	Mix Design/ASTM C-94
Temperature	90 Max °F	MDOT
Placement Time	90 Max minutes	MDOT

**DESIGN PROPORTIONS FOR MIX:**

Material	Quantity	Unit
Cement	526	lbs.
Fine Aggregate	1389	lbs.
Coarse Aggregate	1769	lbs.
Water	260	lbs.
AEA-GRT SA-50	1.2	oz./cwt.
WRA-GRT KB-1000	3.0	oz./cwt.

**COMPRESSIVE STRENGTH DATA:**

HRC Test Lab No.	Job Set/ Cyl No.	Test Date	Test Age, Days	Cylinder Curing, Days +		Compressive Strength, psi	Fracture Type
				Initial	Final		
29	2A	4-25-12	7	1	6	4190	6
30	2B	5-16-12	28	1	28	5710	6
31	2C	5-16-12	28	1	28	5240	6

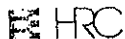
+ Initial = Initial Curing Specification (ASTM C-31): 60° to 80° F, moist environment up to 48 hours.  
Final = Final Curing Specification (ASTM C-31): 73 +/- 3° F, minimum 95% relative humidity.

+ Curing of cylinders on site: ☒ Outside Near Placement Ambient Temperature Max. = 86 °° Specified Max. = 80  
☐ Surrounding Cylinders, ° F: Min. = 48 °° Specified Min. = 60

**REMARKS:**

- ☒ Cylinders cast by HRC  
☐ Field Test(s) out of specification (shaded)  
☒ Ambient Temperature surrounding cylinders outside ASTM C-31 specification (shaded)  
**Compressive Strength Tests:**  
☒ Meet specified 28 day strength  
☐ Do not meet specified 28 day strength

Fracture Types (ASTM C 39-04a)							Additional Remarks:
1	2	3	4	5	6	Other	
							** Temperature for Cylinder Nos. 29, 30 and 31. Field test results reported to Bernie O'Brien of HRC.
Field Data By: Tom Cairo Strength Data By: Suzanne Elliott							CC: HRC - T. Kniga, D. Wilcox Fonson, Inc. - S. Staley Livingston Concrete



Michigan Department  
of Transportation  
0582B (11/03)

HRC Project Number: 20060139.06

HRC Report Number: 8

# MOISTURE AND DENSITY DETERMINATION

## NUCLEAR METHOD

DISTRIBUTION: ORIGINAL - Project Engineer, COPIES - Area Density Supervisor, Density Technology (Lansing).  
\* SEE REVERSE SIDE

DATE <b>5-16-2012</b>	CONTROL SECTION ID <b>STE 63022</b>	JOB NUMBER <b>89099A</b>	ROUTE NO. or STREET <b>BIKE PATH</b>	GAUGE NO. <b>25693</b>
DENSITY INSPECTOR <b>SEAN WALSH</b>	CERTIFICATION NO. <b>10807-0216</b>	PROJECT ENGINEER (MOOT) <b>PAUL WISNEY</b>	PROJECT MANAGER <b>ROBERT DEFRAIN</b>	PROJECT MANAGER PHONE NO. <b>248-535-3361</b>

### DETERMINATION OF IN-PLACE DENSITY

TEST		WET DENSITY			MOISTURE			DRY DENSITY			LOCATION OF TEST					
ORIGINAL	RECHECK	COUNTS (DC)	TEST DEPTH inch	WET DENSITY PCF	COUNTS (MC)	MOIS-TURE PCF	MOIS-TURE %	DRY DENSITY PCF	MAX DENSITY PCF	PERCENT OF COMPACTION	STATION	DISTANCE FROM E. FT		DEPTH BELOW PLAN GRADE FT	ITEM OF WORK *	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16
1		502	BS	142.5	98	7.0	5.1	135.5	153.9	92.6	63+50	40	2	0	BT	
2		499	BS	142.9	95	6.7	4.9	136.2	153.9	92.9	67+00	4		0	BT	
3		500	BS	142.8	92	6.4	4.7	136.4	153.9	92.8	68+00		1	0	BT	
4		494	BS	143.6	97	6.9	5.0	136.7	153.9	93.3	68+90	1		0	BT	
5		497	BS	143.2	88	6.0	4.4	137.2	153.9	93.1	69+90		4	0	BT	
6		501	BS	142.6	104	7.5	5.6	135.1	153.9	92.7	70+50	2		0	BT	
7		489	BS	144.3	101	7.2	5.3	137.1	153.9	93.8	71+50	3		0	BT	
8		503	BS	142.3	101	7.2	5.4	135.1	153.9	92.5	72+50		1	0	BT	
9		500	BS	142.8	86	5.9	4.3	137.0	153.9	92.8	73+00	2		0	BT	

### DETERMINATION OF MAXIMUM DENSITY (Soil & Bituminous)

DENSITY DETERMINATION										NOTE:	
TEST NO.	MOIS-TURE %	VOLUME MOLD CU. FT.	WET SOIL + MOLD g	MOLD g	WET SOIL g	WET SOIL lbs.	COMPACTED SOIL WET PCF	MAX DENSITY PCF	OPTIMUM MOISTURE %	To convert (g) to (lbs.): Wt. (g) ÷ 453.59 = Wt. (lbs.) To convert (m³) to (ft³): Vol. (m³) ÷ 0.02832 = Vol. (ft³).	
A	B	C	D	E	F	G	H	I	J	CHART STANDARDS	
										DENSITY	MOISTURE
										1965	684
										1926	658
										OPERATING STANDARDS	
										DENSITY	MOISTURE
										1956	662
										BITUMINOUS MIX DESIGN PCF	
										153.9 lb/ft³ - 13A	

REMARKS

12PM-280°F 2PM-295°F \* PATH CENTERLINE

1PM-275°F

DENSITY INSPECTOR'S SIGNATURE

*Sean Walsh*

AGENCY/COMPANY

HRC



**HUBBELL, ROTH & CLARK, INC**  
Consulting Engineers

**Principals**

George E. Hubbell  
Thomas E. Biehl  
Walter H. Alix  
Peter T. Roth  
Michael D. Waring  
Keith D. McCormack  
Nancy M.D. Faught  
Daniel W. Mitchell

**Senior Associates**

Gary J. Tressel  
Kenneth A. Melchior  
Randal L. Ford  
Timothy H. Sullivan

**Associates**

Jonathan E. Booth  
Michael C. MacDonald  
Marvin A. Olane  
William R. Davis  
Jesse B. VanDeCreek  
Robert F. DeFrain  
Marshall J. Grazioli  
Thomas D. LaCross  
Dennis J. Benoit  
James F. Burton  
Jane M. Graham  
Donna M. Martin  
Charles E. Hart

April 9, 2013

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

Attention: Mr. David M. Murphy, City Manager

**Re: Lake Street Pavement Rehabilitation – Dixboro Road to CSX RR**  
Proposal for Professional Engineering Services

HRC Job No. 20120685.02

Dear Mr. Murphy:

At your request, we have reviewed the limits of the proposed Lake Street Pavement Rehabilitation – Dixboro Road to CSX RR. We understand that the City wishes to upgrade the existing pavement cross-section in an effort to meet the minimum criteria that are outlined in the City of South Lyon Standard Engineering Specifications and Road Commission Standards. Note that this estimate does not include any utility work.

We have prepared a preliminary construction cost estimate that includes the following major items of work:

1. Mill the existing pavement bituminous pavement from curb to curb and edge to edge from the Dixboro Road right-of-way to the CSX Railroad right-of-way.
2. Overlay the milled section with a bituminous overlay that meets Road Commission for Oakland County (RCOC) standards.
3. Remove and replace any existing damaged brick pavers and concrete materials at the crosswalks located within the Pontiac Trail & Lake Street intersection as necessary.
4. Stripe the new bituminous pavement to match the existing road striping and parallel parking space layout.
5. In order to address areas of minimal asphalt pavement thickness a cost has been budgeted for the removal and replacement of a portion of the existing pavement and sub base section with undercutting as necessary. Final quantities will be calculated during the design phase.

Based upon our preliminary project cost estimates, the following Table 1 is a summary that reflects the preliminary apportionment of costs that will be incurred to each of the City budgets for streets, water and sewer improvements, respectively. The table reflects a 10% contingency on the estimated construction costs. This is in line with standard estimating procedures for road rehabilitation projects of this type.

Y:\201206\20120685\06\_Corrs\Proposal\02Proposal.docx

50 Cherry Street  
Mt. Clemens, Michigan 48043  
Telephone 586 569 5000 Fax 586 569 0119  
www.hrc-engr.com

Engineering. Environment. Excellence.

**Table 1:**

	<b>Streets</b>	<b>Water</b>	<b>Sewer</b>
Apportioned Construction Cost =	\$533,200.00	\$0	\$0
Construction Cost Percentages =	100.00%	0%	0%
Apportioned Contingency Fees =	\$53,320.00	\$0	\$0
Apportioned Engineering Fees =	\$133,300.00	\$0	\$0
<b>Total Apportioned Costs =</b>	<b>\$719,820.00</b>	<b>\$0</b>	<b>\$0</b>

Attached herewith, please find the itemized preliminary project cost estimates for construction of the improvements as illustrated herein.

Our fees for this project would be based on providing preliminary engineering, design, bidding and construction engineering services, as well construction observation. Our tasks can be summarized as follows:

- Collect field data of the existing roads, utilities, and topographic information necessary to prepare construction drawings.
- Prepare preliminary construction drawings and specifications.
- Prepare applications obtain clearance from DNR, SHPO, and MDOT Road Agency Programming Division as required for TEA program funding.
- Prepare permit applications for necessary Road Commission for Oakland County, Soil Erosion Control, and Michigan Department of Environmental Quality permits.
- Prepare an engineer's estimate of construction cost for the Owner's review and submission to MDOT.
- Provide Grade Inspection (GI) engineering.
- Engineer Final Plans at submit to MDOT Local Contract Agency with request to advertise for bidding.
- Distribute plans for bidding, review bids, and make recommendation of award to the City and MDOT.
- Provide field layout staking for alignment, and utilities.
- Provide construction engineering services including contract administration, review of contractor pay estimate requests, change orders, interpreting the construction documents for the contractor, and keeping the City informed of the progress of the work.
- Provide materials testing services for quality control including compaction testing for sub base and subgrade, utility bedding, bituminous density and mix design verification.
- Provide a field observer to observe the construction of the work and to report to the City on the progress of the work.



Fees for these services would be as follows:

<u>Item</u>	<u>Cost</u>
Preliminary Engineering	\$ 2,500.00
Topographic Survey	\$ 4,500.00
Design Services	\$ 46,300.00
Quality Control	\$ 22,000.00
Resident Representative	\$ 22,000.00
Construction Engineering	\$ 16,000.00
Construction Layout	\$ 20,000.00
Total	\$ 133,300.00

The cost for Resident Representation is based on an estimated 25 days for a construction observer to be on the site. We will include in the construction bid an item for "Field Observation Crew Days." This item will make the contractor subject to additional resident representative costs incurred due to delays caused by the contractor. The fees for as-built construction drawings are not included since the scope of this project is currently limited to roadway surface improvements.

Fees will be invoiced monthly and based on our contract with the city. The total fee for the design and construction engineering services as described herein is \$133,300 and will not exceed that amount without your prior authorization. In order to commence with the Preliminary Engineering, Topographic Survey and complete the Design Services it is recommended that the City authorize \$53,300.00 to commence with the design engineering as soon as practicable.

If this proposal is deemed acceptable to the City, please sign and return one copy to this office and retain one for your files. Thank you for the opportunity to serve the City on this project.

If you have any questions or require any additional information, please feel free to contact our office at (586) 569-5000.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Jesse B. VanDeCreek, P.E.  
Associate

TJK/  
pc: City of South Lyon, Bob Martin  
HRC; K. McCormack, T. Kniga, File

Accepted By:  
CITY OF SOUTH LYON

Signature: \_\_\_\_\_

Written Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_



**HUBBELL, ROTH & CLARK, INC**  
Consulting Engineers

**Principals**  
George E. Hubbell  
Thomas E. Biehl  
Walter H. Alix  
Peter T. Roth  
Michael D. Waring  
Keith D. McCormack  
Nancy M.D. Faught  
Daniel W. Mitchell

**Senior Associates**  
Gary J. Tressel  
Kenneth A. Melchior  
Randal L. Ford  
Timothy H. Sullivan

**Associates**  
Jonathan E. Booth  
Michael C. MacDonald  
Marvin A. Olane  
William R. Davis  
Jesse B. VanDeCreek  
Robert F. DeFrain  
Marshall J. Grazioli  
Thomas D. LaCross  
Dennis J. Benoit  
James F. Burton  
Jane M. Graham  
Donna M. Martin  
Charles E. Hart

April 23, 2013

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

Attention: Mr. David M. Murphy, City Manager

Re: **Municipal Project Status Report**

Dear Mr. Murphy:

Per your request we have prepared the following update of all City of South Lyon municipal projects:

**Lake Street Pavement Rehabilitation (HRC No. 20120685):** As requested a proposal and cost estimate for the mill and overlay of Lake Street (10 Mile Road) between Pontiac Trail and the CSX Railroad was sent to the City on November 9, 2012. The estimate included the mill and overlay of the existing bituminous pavement from curb to curb along with pavement re-striping along the route and undercutting as necessary. In March 2013 the City requested estimates for two (2) additional segments of Lake Street. The segments were the intersection of Lafayette and Lake Street and Lafayette to Dixboro Road. The estimates and proposal were forwarded to the City on April 9, 2013.

**DWRF Water main Improvements (HRC No. 20090414):** Project construction began January 7, 2013. Approximately 10,000 lf of new water main pipe has been installed to date on the following streets: Lyon Blvd., Lyon Court, Covington, Norchester, Lottie, Donovan, Able, Orchard Ridge E. Ridge and Chester, Chester Court and Gibson. Service leads are installed upon successful completion of pressure and bacteria testing. Three (3) Pay Estimates have been submitted to date by Bricco and forwarded to the City for payment. HRC has processed three (3) Requests for Disbursement of Funds to the MDEQ.

**City of South Lyon Roads Inventory (HRC No. 20130054):** As requested HRC prepared a proposal for updating the City's Road Inventory as required to maintain Act 51 Money using PASER evaluations. A proposal for this work was forwarded to the City on March 5, 2013.

**Dorothy Street – Huron Valley Federal Aid Route (HRC No. 20120885):** On November 30, 2012, HRC was asked by the City Manager to provide an estimate for one of the City's Federal Aid Routes; Dorothy from Pontiac Trail to McMunn. HRC provided a previous 2008 estimate that consisted of mill & overlay. The City requested that the project be re-estimated to bring the roadway up to current standards, including curb & gutter and new drainage. The cost estimate was forwarded to the City on December 13, 2012.

**Fire and Police Parking Lot Rehabilitation (HRC No. 20120847):** HRC met with the Fire and Police Chief's along with the City Manager on November 16, 2012 to discuss the rehabilitation of the common

Y:\201006\20100692\Design\Corrs\06\_SLYon\_Project\_Status\_Update.docx

50 Cherry Street  
Mt. Clemens, Michigan 48043  
Telephone 586 569 5000 Fax 586 569 0119  
www.hrc-engr.com

Engineering. Environment. Excellence.

parking lot for the South Lyon Fire and Police Departments. Items discussed included rehabilitation methods, proposed pavement section, traffic flow patterns, parking, trash receptacle placement, etc. The proposal, cost estimate and proposed preliminary conceptual plan were forwarded to the City on January 11, 2013.

**Lafayette – Liberty to McHattie Earmark Streetscape Project (HRC No. 20120673):** As requested a proposal for the engineering services to prepare and submit a Grade Inspection (G.I.) for streetscape improvements along Pontiac Trail between McHattie and Liberty was sent to the City on November 8, 2012. The proposal included all the work necessary to prepare a submittal package for the G.I. including developing unique Special Provisions, completing MDOT application, submitting for required clearance letters, development of a project estimate, etc.

**Whipple Parking Lot/2012 CDBG Project Estimate (HRC No. 20090677):** The preconstruction meeting for this project was held on October 16, 2012. Construction began on November 1, 2012. Pay Estimate No. 1 was in the amount of \$74,604.38 with \$1,000.00 being held in retainage. The punch list walk was completed on December 12, 2012. The items listed will be re-visited in the coming months and the project closed out upon completion.

**2012 Street Improvement Program (HRC No. 20110048):** The streets selected for repair as part of the program were Warren, Hagadorn, Chester, E. Liberty, Reese, Reese Extension and Stanford/Vassar. The project was advertised and bids were opened on July 24, 2012. T&M Asphalt Paving was the low bidder. Construction began on August 27, 2012. All road paving was completed by September 28, 2012. The punch list walk was completed on October 25, 2012. The only remaining item to be completed is the Joint sealing on Stanford & Vassar. Two payments have been processed to date. The first payment was in the amount of \$84,686.89. The second was a partial release of the \$9,409.65 being held in retainage. A total of \$7,409.65 in retainage was paid to T & M on February 26, 2013 with \$2,000 being held until all contract and punch list items are addressed.

**Veterans Memorial Parking Lot (HRC No. 20030661):** As requested an updated cost estimate for the South Veterans Memorial Parking Lot was sent to the City in May 2011. The estimate includes the removal and replacement of the existing pavement surface and parking blocks. It also includes the installation of a decorative block screen wall along the perimeter of the parking lot.

**South Lyon Rail Trail Southwest Connector (HRC No. 20060139):** The project was incorporated into the Road Commission for Oakland County's (RCOC) Eight Mile Road Paving project. Project construction began in August 2011. HRC performed construction engineering (CE) services on the pathway portion only. All pathway construction was completed by June 2012. Per the RCOC the contractor is scheduled to return to the site to address areas of unacceptable restoration growth as previously noted in the punch list. Once they receive the desired amount of acceptable growth the project will be closed out.

**Phase II Storm water Program (HRC No. 20120419):** The Wellhead Protection/Storm Water Focus Group is scheduled to meet April 17<sup>th</sup> to discuss permitting initiatives & upcoming education activities. HRC submitted the City's MS4 permit application to the MDEQ in March 2013. The MDEQ will be performing a MS4 Audit in the City on May 7<sup>th</sup>. HRC will be meeting with Bob Martin on the April 23, 2013 to prepare for the audit.

**South Lyon SSES Phase II (HRC No. 20080612):** Phase I was completed with report in 2007. A draft proposal for Year 2 of the study has been forwarded to the City each year for consideration in 2008 through 2012. No action has been taken by the City to date on continuing with Phase II of the SSES.

**GIS Updates (HRC No. 20070310):** At the City's request HRC has provided additional copies of the storm sewer atlas and has evaluated and updated the road ownership information (Act 51), which is now in final preparation.

**Alexander Center Amended Site Plan (HRC No. 20120547):** The original site plan was reviewed, approved and construction of the proposed commercial building completed in late 2007. In February 2012 the Owner met with the City and HRC to discuss modifying the existing approved Site Plan to include parking for a proposed restaurant. The revised site plan for the parking lot layout modification was submitted in July 2012. HRC recommended Preliminary Site Plan Approval of the revised plan in August 2012. Final Site Plan Approval was recommended on March 4, 2013. HRC prepared an estimate of the Observation Fees required for construction and forwarded to the City on April 9, 2013.

**Superb Fabricating Addition (HRC No. 20120611):** HRC reviewed the preliminary site plan (1<sup>st</sup> Submittal) for a proposed building addition at Superb Fabricating located on Donovan south of Abel on September 18, 2012. The documents were reviewed in accordance with the City of South Lyon Preliminary Site Plan checklist and the Engineering Standards. HRC did not recommend approval of the preliminary site plan. Revisions are required.

**Sun Steel Addition (HRC No. 20120048):** HRC reviewed the preliminary site plan (1<sup>st</sup> Submittal) for a proposed building addition at Sun Steel located on Mill Street on January 26, 2012. The plan included a new building, parking lot and detention facilities. HRC recommended Preliminary Site Plan Approval on March 1, 2012 and Final Site Plan Approval on August 23, 2012. The preconstruction meeting was held on September 6, 2012 and construction began the week of September 10, 2012. Site-civil construction was completed by December 2012. The punch list was developed by HRC at the request of the developer/owner and provided to all parties on December 19, 2012.

**Colonial Acres (HRC No. 2010550):** HRC provided an updated review letter regarding the utility dedication for the Colonial Acres utilities on September 10, 2012 in accordance with the City of South Lyon's Policy for Dedication of Utilities from Private Developments and the Checklist for Dedication of Utilities. HRC has reviewed historical documents at the request of the City and the City's Attorney and attended a closed session of the Regular City Council meeting on March 11, 2013.

**Village at Eagle Heights (HRC No. 20120497):** HRC reviewed the water main easements documents as provided by Makower Abbate, PLLC for the Village at Eagle Heights Condominium Association. The documents were reviewed in accordance with the Checklist for Dedication of Utilities to the City of South Lyon and the Policy for Dedication of Utilities from Private Developments. The review was sent to all parties on August 28, 2012. HRC spoke with John Calvin (attorney who represents Eagle Heights Association) on November 12, 2012 regarding the August 28<sup>th</sup> comments.

**Lexington Place Condos (HRC No. 20020874):** Robertson Brothers (new owner) is seeking an extension and revision to the PD Site Plan Approval for the Lexington Place Condominiums development. HRC has reviewed and commented on the revised plan. The review was sent to the City on September 12, 2011. Revisions were required. Revised Final Site Plan No. 2 was completed by HRC on May 7, 2012. Contingent Final Site Plan Approval was recommended. No additional revisions were

received by HRC. Robert Wagner (PEA) contacted HRC on September 20, 2012 with the intent to dedicate private utilities. HRC forwarded a copy of the City's Policy and Checklist for Dedication of Utilities.

**16" Transmission Main (HRC No. XXXXXXXXX):** HRC is assisting the City DPW as requested to locate a potential leak in the vicinity of Lafayette and South Lyon Woods Drive. HRC located the valves on the existing 16" and is assisting the City with procurement of leak detection services.

**2013 Street Improvement Program (HRC No. XXXXXXXXX):** HRC previously prepared rehabilitation estimates for a dozen of the streets in the worst condition throughout the City as previously identified in the RCOC Paser rating summary. On March 22, 2013 the City provided an additional list of streets apparently being considered for repairs in the 2013-2014 Fiscal Year. Budgetary estimates for the prior work exceeded the City's available funds. City direction must be provided to further define the objective and budgets anticipated for the 2013-2014 road repairs.

**SL WWTP – SAW Grant – S2 Grant Potential (HRC No. XXXXXXXXX):** HRC met with City staff on January 16, 2013 to review WWTP facility needs. On March 13, 2013 HRC provided City staff with list of potential project elements and also provided the 9 page PowerPoint presentation HRC developed to convey the SAW Grants and Loans initiative. Up to \$1 Million can be applied for with a 10% match and an additional \$1 Million can be applied for an additional 25% match (\$2 Million grant cap with \$350,000 match).

Very truly yours,

HUBBELL, ROTH & CLARK, INC.

A handwritten signature in black ink that reads 'Jesse B. VanDeCreek'.

Jesse B. VanDeCreek, P.E.  
Associate

TJK/jbv  
pc: City of South Lyon; B. Martin  
HRC; K. McCormack, T. Kniga, File

# **SOUTH LYON POLICE DEPARTMENT**

*Lloyd T. Collins*  
Chief



## **Memorandum**

**To:** David Murphy, City Manager

**From:** Chief Lloyd T. Collins

**Subject:** Book'n Trilogy Run

**Date:** April 24, 2013

I have received a permit request for the above-mentioned event. I reviewed the proposed route and find it to be acceptable. The event is scheduled to begin at 9:00 a.m. on Saturday, May 18, 2013. It will conclude by 11:00 a.m. The organizers have not requested a road closure for the run. A copy of the application for permit is attached for your information.

The planned event should cause minimal disruption to normal traffic in the area. Therefore, I have approved the request and have so notified the organizers. Since no road closure is requested, City Council action is not required.

c: Sgt. Chris Sovik  
Lisa Deaton, Clerk/Treasurer



**SOUTH LYON POLICE DEPARTMENT**

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

LIBRARY 4/3/13 3:35 spoke w/  
437-6431 Doreen w/ insurance  
& Holders. car

**PARADE / DEMONSTRATION APPLICATION**

Date Application Submitted: 4/1/13 Requested Date of Event: May 18 2013  
Applicant / Contact's Name: Ed Bartone PH #: 248-946-1501  
Applicant Address: 49651 Deer Run Northville Mi 48167  
Business / Organizations Name (if Applicable): Salem-South Lyon District Library  
Bus. Ph#: 248-437-6431 Bus. Address: 9800 Pontiac Trail South Lyon Mi 48178  
President / CEO (Responsible for Event): Doreen Hannon Direct Ph#: 248-437-6431

Parade START Time: 9:00 (a.m.) / p.m. Parade END Time: 11:00 (a.m.) / p.m.

Approximate Number of PERSONS: 250 Organization Names: \_\_\_\_\_

Approximate Number of VEHICLES: 0 Types of Vehicles: \_\_\_\_\_

Approximate Number of ANIMALS: 0 SPECIFIC Animals: \_\_\_\_\_

Amount of space to be maintained between and /all units in Parade: N/A

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

Please see attached Map (\* e-mail explanation ) etc

-Note: This year we are not closing 9 mile, but  
requesting traffic help at Mcmunn from 9:00 am to 9:30 am

Ed Bartone  
Applicant's SIGNATURE

Doreen Hannon  
Responsible Party's SIGNATURE

APPROVED [✓]

DENIED [ ]

Chief Lloyd T. Collins 04/24/13  
Lloyd T. Collins, Chief of Police

Wrong address, sorry!

Ed

----- Forwarded message -----

From: **Ed Bartone** <[ebartone@gmail.com](mailto:ebartone@gmail.com)>

Date: Tue, Apr 2, 2013 at 3:00 PM

Subject: Book'n Trilogy Additional Information

To: [Regentike@southlyonpolice.com](mailto:Regentike@southlyonpolice.com)

Hello! Per our discussion:

- 1) The run starts and stops on the track at Millennium Middle School.
- 2) We have permission from South Lyon Schools to use the school premises, as well as the cafeteria as we have in past years.
- 3) The run will take place on a combination of sidewalks and roads just as in previous years. The route is the same as previous years, except the runners will travel it backwards. Please reference provided map - if clarifications are needed, please let me know.
- 4) We will NOT require 9 mile to be closed this year (the runners will be on the sidewalk along 9 mile).
- 5) We will provide monitors on the Mcmunn crossing as in previous years but would ask if possible that they be supplemented by your team - drivers tend to be very aggressive on this road.

Thank you!

(Could I please ask that you confirm receipt of this email?) :)

Ed Bartone  
[Ebartone@Gmail.com](mailto:Ebartone@Gmail.com)  
248-946-1501



# BOOK'N TRILOGY

## 10K RUN, 5K RUN, 5K WALK, & STORYTIME CHALLENGE

### WHAT

Three events to benefit the Salem-South Lyon District Library! There will be a pancake breakfast from 8:00-11:00 AM (cost included in race entry).

### WHEN

Saturday, May 18, 2013

- Storytime Challenge (a fun run for the kids) start time is 8:00 AM.
- 10K Run, 5K Run, 5K Walk start time is 9:00 AM.

### WHERE

Starting and ending at Millennium Middle School, 61526 Nine Mile Road, South Lyon, MI 48178.

### WHY

Support your local library! What better reason to get out for a run or walk?

### HOW TO SIGN UP

Fill out the attached registration form and return it or mail it with a check payable to the Salem-South Lyon District Library, or register online at [www.bookntrilogy.com](http://www.bookntrilogy.com).

### HOW MUCH

- 10K Run: \$25 through April 17, \$27 through May 17, \$29 on Race Day.
- 5K Run & 5K Walk: \$23 through April 17, \$25 through May 17, \$27 on Race Day.
- Storytime Challenge: \$10 through April 17, \$11 through May 17, \$12 on Race Day.

**REMEMBER:** Your ticket INCLUDES a cool race t-shirt and a pancake breakfast for you AND your whole family.

- 2 water stations will be available.
- Refreshments available at the finish line.
- Chip Timing
- Cool t-shirt for all who register by May 1, 2013. (Mail-in forms MUST be RECEIVED by that date.) After that, t-shirts will be supplied if available, so register early!
- Net proceeds to benefit the Salem-South Lyon District Library.
- Entire route is downhill! (except for the uphill parts)

Storytime Challenge ages and times will not be published or included in the results. All Storytime Challenge participants will receive an award.

### T-SHIRT AND BIB PICKUP

At the Salem-South Lyon District Library on Thursday, May 16 from 1 PM-9 PM; on Friday, May 17 from 10 AM-5 PM; and Race Day morning at the starting line area at 7 AM.

### WEBSITE

[www.bookntrilogy.com](http://www.bookntrilogy.com)

### QUESTIONS OR TO VOLUNTEER

Contact Caryn Bartone or Lindsay Levier at the Salem-South Lyon District Library.

Telephone: 248-437-6431

Email: [cbartone@ssdl.info](mailto:cbartone@ssdl.info) or [llevier@ssdl.info](mailto:llevier@ssdl.info)

*Race entry fees are non-refundable and not transferable.*

In consideration of the foregoing, I, for myself, my heirs, my executors and administrators, waive and release any and all rights and claims for damages I have against the Salem-South Lyon District Library, South Lyon Community Schools, the City of South Lyon, and any and all sponsors and their representatives and successors, as a result of my participation in the Book'n Trilogy: 10K Run, 5K Run, 5K Walk, and/or Storytime Challenge. I attest and verify that I am physically fit and have sufficiently trained for the completion for the event and my medical condition has been verified by a licensed medical doctor. Any picture and times can be used for reporting and promotion.

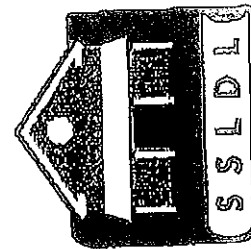
*Hold  
Happyless  
C. Jones*

Signature

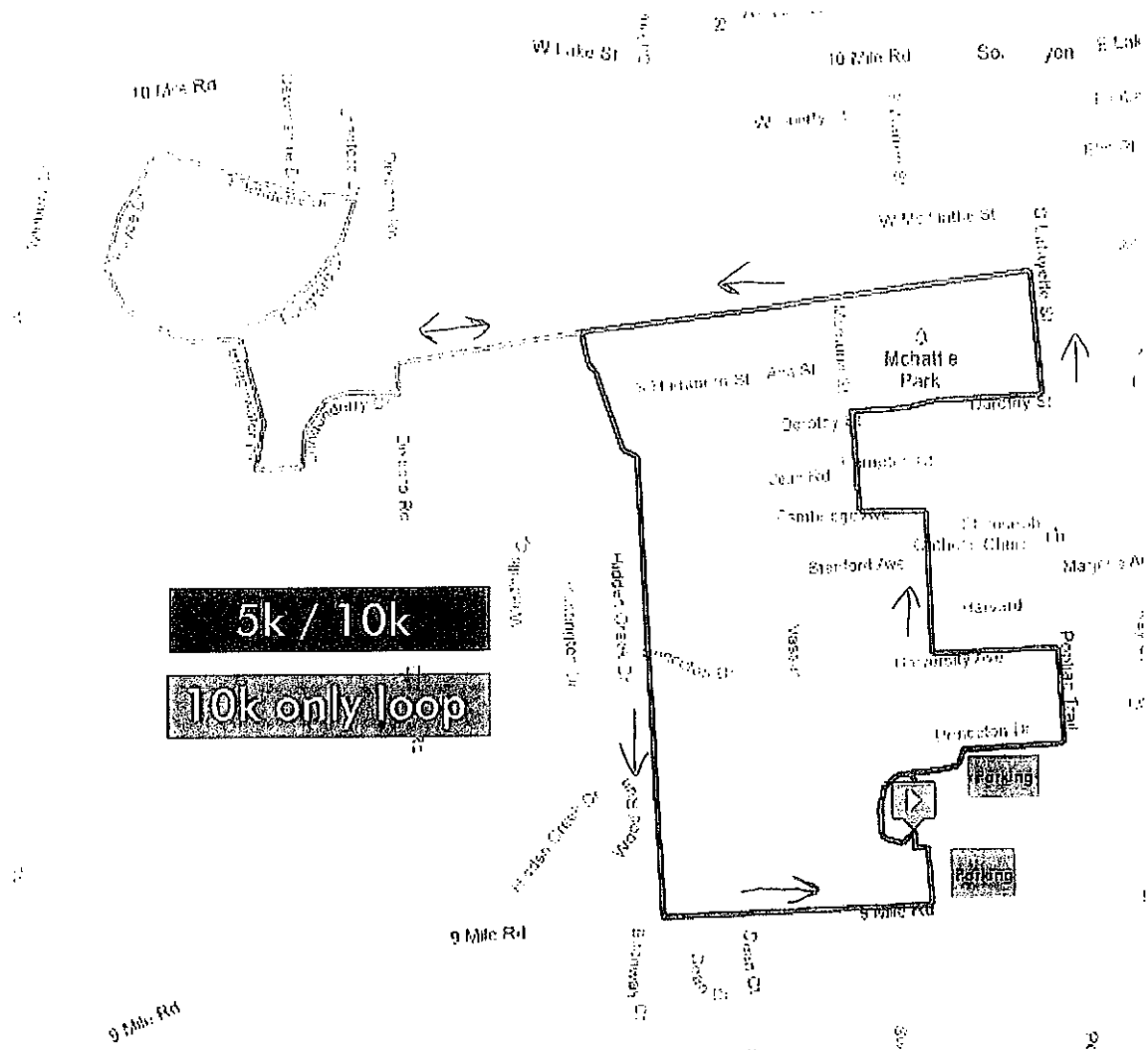
Parent Signature (if under 18)

Date

Drop off or mail your signed and completed entry form with a check payable to: Salem-South Lyon District Library



9800 Pontiac Trail  
South Lyon, MI  
48178





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

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

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

<b>PRODUCER</b>  Kendrick Corporation 1700 Opdyke Court Auburn Hills, MI 48326	<b>CONTACT NAME:</b> Kevin Q. Obeder	
	<b>PHONE:</b> 248-327-2700 <b>FAX:</b> 248-327-8878 <b>E-MAIL ADDRESS:</b> mem@mcgroupinc.com	<b>INSURER(S) AFFORDING COVERAGE</b>
<b>INSURED</b>  Salem South Lyon Library 9800 Pontiac Trail South Lyon, MI 48170	<b>INSURER A:</b> U.S. Specialty Ins. Co.	<b>NAIC #</b>
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

## COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR. LTR.	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY					EACH OCCURRENCE \$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENT. AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. <input type="checkbox"/> LOG	X	HMT-202261	10/01/2012	10/01/2013	DAMAGE TO RENTED PREMISES (Per occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ INCLUDED GENERAL AGGREGATE \$ UNLIMITED PRODUCTS - COMP/OP AGG \$ INCLUDED
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> RENTED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					EACH OCCURRENCE \$ AGGREGATE \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> RETENTION					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) (Use description under DESCRIPTION OF OPERATIONS below)	Y/N	N/A			E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

The City of South Lyon is an Additional Insured regarding the 'Book'n Trilogy' event, including a BK walk and story time taking place on City property May 18th, 2013.

### CERTIFICATE HOLDER

City of South Lyon  
 335 S. Warren Street  
 South Lyon, MI 48170

### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*John A. Evans*

© 1998-2010 ACORD CORPORATION. All rights reserved.

ACORD 25 (2010/05)

The ACORD name and logo are registered marks of ACORD

ACORDa provided by Forms Boss. www.FormsBoss.com; (c) Impressive Publishing 800-208-1877



**Salem-South Lyon  
District Library**

9800 Pontiac Trail, South Lyon, MI 48178

Ph. 248-437-6431

Fax. 248-437-6593

Web. [www.ssldl.info](http://www.ssldl.info)

April 5, 2013

In regards to the Book'n Trilogy:

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

Doreen H. Hannon, Library Director 4-5-2013

Responsible Party: Doreen Hannon, Library Director

4/5/2013

**South Lyon Historical Commission Meeting**  
**Thursday, April 4, 2013**  
**Minutes**

**Members Present:** Larry Ledbetter, Beth Pfiles, Bob Tremitiere, Phil Weipert, Jack Renwick

**Members Absent:** Roger Heiple, Norm Somers

**Others Present:** SLHS President Linda Ross

The meeting was called to order at 7:35 by President Jack Renwick.

**March Minutes:** Larry motioned and Beth seconded approval of the March minutes. The motion carried.

**Membership:** Bob reported that most of our appointments have expired. He will contact Tedd Wallace and ask him how to proceed. Jack offered his resignation due to his winter absence. Larry suggested that we use a form letter for renewal similar to what the Water Committee uses.

**2012-13 Projects:**

**School Window Repair:** Larry reported that the school window repair has been completed, and Bob will turn in the bill for payment.

**Sign Project:** The sign project final bill has been submitted for payment, although Tony still has some work to do. Larry has the new posts ready to go and will work with the DPW and Tony to get the remaining signs installed.

**Electrical Mast Replacement:** Although it wasn't listed as a project, Bob suggested that since we have the money, we should consider getting the electrical mast (which is now used only for phone) replaced. Since it penetrates the roof, we need a roofer or competent carpenter to replace it. Jack suggested that we contact Steve Gustafsen, who is a roofer and whom Jack has used at his home. Larry will contact him.

**Tree Replacement:** Bob reported that Mary Anne Guerriero researched replacement trees for the end of the tracks, and came up with a comprehensive report that we can use to choose one. Larry suggested that we wait until after the tree blooms so that we won't lose the beauty of the blooms. That will give us the summer to decide what to do and then we can replace it in the Fall, which is a good time to do it. This will put it into the next year budget, but there is already a provision for it in that budget.

**2013-14 Projects:** Bob reported that the proposed budget was submitted to David Murphy.

**Paint Witch's Hat:** We have an estimate from Dan Hansen to repair and repaint the upper half of the Witch's Hat including the trim of \$2200. We agreed that this was a very reasonable price for this work, consistent with other bids from Dan (Chapel and school), but we will need to get a few competitive bids. Bob has the names of a few other painters and will contact them about bidding on the job.

**Other Business:** Bob reported that Dick Nierenberger repaired two outside lamps which had fallen from their ball and socket joints, and suggested that due to age they should all be replaced. His estimate for the entire job (12 lamps) is a little over \$3000. Jack thought that these weren't that old, that Dick had replaced them several years ago. Bob will ask Dick about that. We all agreed that we don't want to spend \$3000+ all at once and perhaps could do it in stages.

**Cleanup Day:** Linda said that we need to be sure that volunteers have garden tools. Bob asked how we could let them know ahead of time. Larry said that he has a group from his church, and he will be sure to tell them. Bob Martin is in charge of cleanup day. Bob was requested to scan the list of cleanup day chores and include it with the minutes. Larry reported that he is leading a creek cleanup day on April 13.

Business having been concluded at 8:25, Phil motioned and Bob seconded that the meeting adjourn. Passed.

Minutes recorded by Bob Tremitiere, Secretary

Minutes submitted by Jack Renwick, President

4/18/01/13  
Hello again Chief Collins: -

I needed to send a second complimentary note to you for another one of your officers Joey, who patiently tried to teach me how to use a gun this past week at the CPT. I did meet Joey when I participated in the ride-a-long but neglected to mention how kind he was, therefore I am correcting that situation.

Joey is very professional, obviously dedicated to his chosen line of work, with a great sense of humor. He is easy to talk to and even though I had never picked up a gun before and not very good at it, he did not make me feel like a failure. He even spent time showing me where I could improve. He has made me realize I want to learn more. Therefore please thank him for me if you would be so kind.

Based on my experience in not only the City's Police Academy, but also with two of your officers I can honestly say I am impressed. Bravo to you Chief Collins for your exceptional department. I am glad I live in South Lyon with such a remarkable Police Department.

Thanks for including my second note. I believe in providing feedback and giving credit where it is due.

Sincerely,

Denise Smith

**City of South Lyon  
Downtown Development Authority  
Minutes  
April 11, 2013**



The meeting was called to order at 8:34am.

PRESENT: Bifano, Childs, Gerdorn, Jarrett, Murphy, Stowe  
ABSENT: Fagin  
OTHERS PRESENT: Marilyn Smith from SL Resale  
Jack Reutter from Co. Reutter

**APPROVAL OF AGENDA:**

MOTION by Childs

SUPPORTED by Stowe

RESOLVED, to approve the April 11, 2013 Agenda.

ALL AYES, MOTION CARRIED.

**APPROVAL OF MINUTES:**

MOTION by Childs

SUPPORTED by Stowe

RESOLVED, to approve the meeting minutes of the March 14, 2013 as amended.

ALL AYES, MOTION CARRIED

Holly would like additional detail added to the meeting minutes. She noted that there was no mention of the presentation by Jeff Hantz from Superb Fabricating at the March meeting.

**PUBLIC COMMENT**

No Comment

**OLD BUSINESS – BY-LAWS**

1. DDA by-laws (Sections 1-3)

-Sections 1&2 were reviewed and it was deemed no changes were necessary

-Section 3 (Board of Trustees) was reviewed and it was recommended that we change sections A & D to read:

A. "The Authority shall be under the supervision and control of a Board of Trustees (the Board) consisting of the City Manager of the City of South Lyon, and eight (8) members appointed by the City Manager, **upon recommendation by the board**, subject to approval by the City Council. At least five (5) of the members shall be persons having an interest in property locating in the downtown district. At least one (1) of the members shall be a resident of the downtown district, if the downtown district has 100 or more persons residing within it. **(Then removing the term limit stipulation).**

D. An appointment to fill a vacancy shall be made by the City Manager, **upon recommendation by the board**, for the unexpired term only.



**City of South Lyon  
Cultural Arts Commission**

April 3, 2013

The meeting was called to order at 6:15 p.m.

PRESENT: Bloom, Lemke, Michalik, C. Smith, K. Smith

ABSENT:

OTHERS PRESENT: Debbie Nogle, Administrative Assistant

**APPROVAL OF AGENDA:**

MOTION by Lemke

SUPPORTED by K. Smith

RESOLVED, to approve the April 3, 2013 Agenda.

ALL AYES, MOTION CARRIED.

**APPROVAL OF MINUTES:**

MOTION by Lemke

SUPPORTED by K. Smith

RESOLVED, to approve the minutes of March 6, 2013.

ALL AYES, MOTION CARRIED

**PUBLIC COMMENT**

No Comment

**OLD BUSINESS: BY-LAWS**

Nogle to get by-laws to City Council for approval.

**OLD BUSINESS: BUDGET FOR 2013 CAC ART PROJECT**

Lemke discussed the budget for the 2013 Art Project. Lemke also stated she had meet with David Murphy and the School Superintendent regarding logistics of the art. Lemke was positive about the meeting.

The commission would like to get an update regarding the Concerts in the Park and would like Bob Martin to come to the next meeting to discuss.

**ADJOURNMENT**

MOTION by Lemke

SUPPORTED by Bradley

RESOVED that the meeting be adjourned.



# **SOUTH LYON PARKS AND RECREATION COMMISSION**

## **MINUTES April 10, 2013**

Meeting was called to order at 6:40 pm by Chairperson Olando.

Present: Dianne Beagle  
Ed McLoud  
Mike Olando  
Jeff Thompson

Amy Allen – South Lyon Area Recreation Authority  
Debbie Nogle – City of South Lyon

Carl Richards – City Resident

Absent: Keith McCormick  
Erica Wilson

**Approval of Agenda** – Olando proposed the addition of item E.1. Scheduling the Volunteer Park Walkthrough since the current weather will only allow one park walkthrough tonight. Motion by Thompson, supported by McCloud, to approve the agenda as amended. Motion carried unanimously.

**Approval of Minutes** – Motion by Thompson, supported by McLoud, to approve the minutes from the March 13, 2013 Commission meeting. Motion carried unanimously.

**Citizen Comments** – Carl Richards stated that he had historical information pertaining to McHattie Park that he would like to share with the Commission. He also had several questions he wanted to ask. Mr. Richards' father owned a portion of the land that was eventually sold to the City for the construction of the two wells. The City established the Parks & Recreation Commission in the early 1970's and Mr. Richards was one of the first Commissioners. He served three terms. Due to the scheduled park walkthrough, McLoud requested that Mr. Richards return at the May Commission meeting to resume his presentation. Mr. Richards agreed. However, he wanted to briefly ask his questions.

1. How often does the Commission meet? Monthly on the 3<sup>rd</sup> Wednesday
2. How many members on the Commission? Six
3. Does the Commission create its own agenda? Yes
4. Does the Commission work with the Historical Society? Yes

**SLARA Update** – Allen highlighted the following activities scheduled for this summer. Detailed information is available in the new SLARA catalog:

- Summer Day Camp at Island Lake State park
- Safety Town June and July sessions
- Dive Team partnering with the South Lyon Sea Lions
- Senior Softball League (co-ed)

The next meeting we will discuss Sections 4-8.

#### **FINANCIALS UPDATE**

Budget/Financial report

A payment of \$358.50 was paid to Accunet for website maintenance

A payment of \$500 to Lake St. Tavern for sponsorship of the car show is still pending

#### **DESIGN COMMITTEE UPDATE**

Jarrett presented a quote for the 64 hanging baskets needed, \$25.00 for single color or \$30 for combo colors with a fiber basket. There was some concern about the fiber baskets since the baskets utilized last summer didn't work well. Jarrett to clarify basket type and effectiveness.

No updates on bracket to hang baskets from Superb Fabricating. Holly presented a picture of a simpler hanger of which Murphy will show to Superb to see if it can be used. There was a discussion of placing stamped concrete or something similar within the new asphalt being installed in the alleyway where work is already being done behind the Re-Sale shop.

#### **MARKETING AND PROMOTIONS UPDATE**

There was a lengthy discussion on the preparation, participation and management of the upcoming Ladies Night and it was resolved to go forward with the plans that we have. There is a definite need for more help with the planning and a Chair person is needed along with more Business participation for the Event in the future. A logo is in the works as well.

#### **FARMERS MARKET UPDATE**

Market opens on May 4<sup>th</sup> with a ribbon cutting, kids activities and other events

Several sponsorships have been attained as well as several vendors, including more Seasonal vendors. We also have Stonefire signed up to be the full season Chef at the Market for this year.

#### **BOARD COMMENT**

Murphy reminded the Board May 18<sup>th</sup> will be the City clean-up day and would be great if projects were completed by that date and all volunteers welcome.

#### **ADJOURNMENT**

MOTION by Jarrett

SUPPORTED by Stowe

RESOLVED to adjourn the meeting.

The meeting was adjourned at 10:00am.

The next meeting will be Thursday, April 11, 2013.

Respectfully Submitted

*Rhonda Bifano*

The meeting was adjourned at 7:25pm.

The next meeting will be Wednesday, May 1, 2013.

Respectfully Submitted by:

*Debbie Nogle*

---

Debbie Nogle, Administrative Assistant

## I. OLD BUSINESS

1. **Eagle Scout Projects Update – None**
2. **Grant Research –** Orlando will email grant information to all Commissioners for them to review and report on at the next meeting.
3. **Recreation Center Committee Representation –** McLoud stated that he would be attending the next committee meeting on April 20<sup>th</sup> and report back to all Commissioners via email. Allen stated that she will attend as well.

## II. NEW BUSINESS

- 1. Park Walk-Throughs** – Due to the weather and impending darkness, Commissioners felt that only the McHattie Park walk-through could be completed this evening. The Volunteer Park walk-through will need to be rescheduled for another night. Motion by Thompson, supported by McLoud to move the May 8, 2013 meeting time to 6:30 pm and hold the Volunteer Park walk-through immediately following the meeting. Motion carried unanimously.

### III. Commission Comments – None

**IV. Adjournment** – Motion by Thompson, supported by Wilson, to adjourn the meeting at 7:32 pm. Motion carried unanimously.

**Upcoming meetings/events:**

<b>May 8</b>	meeting at 6:30 pm park walk-throughs immediately following
<b>June 12</b>	
<b>July 10</b>	

Submitted by: Michael Olando, Chairperson

Dianne Beagle, Secretary