

# **Regular City Council Meeting**

**August 26, 2013**

## **Agenda**

**7:30 p.m.**      **Call to Order**  
                  **Pledge of Allegiance**  
                  **Roll Call**  
                  **Approval of Agenda**  
                  **Minutes – August 12, 2013**  
                  **Public Comment:**

**I.      Old Business**

1. Second Reading - Adoption of Michigan Motor Carrier Safety Act

**II.     New Business**

1. SAW Grant Discussion

**III.   Manager's Report**

**IV.   Council Comments**

**V.     Adjournment**

The City of South Lyon  
Regular City Council Meeting  
August 12, 2013

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

Mayor Wallace led those present in the Pledge of Allegiance

PRESENT: Mayor Wallace

Council Members: Kivell, Kopkowski, Rzyzi, Kramer, Wedell and Dixon

ALSO PRESENT: City Manager Murphy, City Attorney Wilhelm, Chief Collins, Department  
Head Martin, Department Head Kennedy and Clerk/Treasurer Deaton

MINUTES

CM 8-1-13 MOTION TO APPROVE MINUTES

Motion by Kivell, supported by Kramer

Motion to approve the corrected minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

MONTHLY BILLS

Discussion was held regarding the monthly bills.

CM 8-2-13 MOTION TO APPROVE MONTHLY BILLS

Motion by Wedell, supported by Dixon

Motion to approve the payment of monthly bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 8-3-13 MOTION TO APPROVE AGENDA

Motion by Wedell, supported by Kopkowski

Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

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PUBLIC COMMENT- None

OLD BUSINESS- None

NEW BUSINESS

1. Community Center Update

Councilman Kramer stated they are here to update Council on the status of the Recreation Center. He further stated the Commission has approved an architectural firm for the design phase. Councilman Kramer stated they narrowed it down to two firms. They both gave presentations, and the Commission selected Neumann Smith. He further stated the Commission has not spent any money at this point. Councilman Kramer stated the price quoted from the firm is \$15,000 and it is well below what the three communities chipped in for this project. He further stated they are not concerned about the Legacy Center that is going in Green Oak Township. That project is mostly sport fields. Our focus will be on a pool, locker rooms, as well as gymnasiums and community rooms. Councilman Kramer stated they will have a meeting August 19<sup>th</sup> at Green Oak Township hall. The next challenge the Commission will face is the location. We are looking at a central location for all 3 communities and available properties in that location. Steve Fletcher of Lyon Township stated Neumann Smith has participated in many other community recreation centers. Discussion was held regarding the architectural design process. Mr. Fletcher stated the taxpayers in all three communities will have to approve of this and they are hoping to get it on the November 2014 ballot. Discussion was held regarding moving the Senior Center to the new Recreation Center. Councilman Rzyzi stated he is curious about how this project will be paid for? Councilman Kramer stated the Committee is looking at different ways, such as user fees, a millage, and grants. Discussion was held regarding the different issues that may affect the probability of this recreation center being built. Councilman Kramer stated they are only here to update Council on the progress of this project, and the bottom line is, if this is voted down by the taxpayers, it is a done deal and it will not be built.

2. Appointment- Historical Commission

Mayor Wallace stated we have some vacancies on our commissions and he would like to appoint Gregory Jacobs to the Historical Commission. He has been attending the meetings and looks forward to learning more.

CM 8-4-13 MOTION TO AFFIRM APPOINTMENT

Motion by Wedell, supported by Kramer

Motion to affirm Mayor Wallace's appointment of Gregory Jacobs to the Historical Commission for a term ending March 2016.

VOTE: MOTION CARRIED UNANIMOUSLY

3. Appointment Planning Commission

Mayor Wallace stated he would like to appoint Carol Segal to the Planning Commission to replace Pam Weiperts term, which ends March 2016.

CM 8-5-13 MOTION TO AFFIRM APPOINTMENT

Motion by Kopkowski, supported by Kramer

Motion to affirm Mayor Wallace's appointment of Carol Segal to the Planning Commission to fill the open position until March 2016.

VOTE: MOTION CARRIED UNANIMOUSLY

4. DDA Appointment

City Manager Murphy stated that Mary Pool and Dave Grimes Jr. have resigned from the DDA Board. He further stated he has received letters of interest from Marilyn Smith, owner of the South Lyon Resale Shop, as well as Cheryl Wickham of Divine Yoga, and would like Council to affirm the appointments.

CM 8-6-13 MOTION TO AFFIRM APPOINTMENT

Motion by Kivell, supported by Wedell

Motion to affirm City Manager Murphy's appointment of Marilyn Smith of South Lyon Resale Shop as well as Cheryl Wickham of Divine Yoga, to the DDA Board of Directors.

VOTE: MOTION CARRIED UNANIMOUSLY

5. Police Generator

Chief Collins stated the Police building, currently has a 5,000 watt generator for 4-5 circuits. He further stated this does not allow for much continuity for the Police Department during a power outage. Chief Collins stated the Police Administration training building that is shared with the Fire Department does not have any emergency power. He stated this includes the telephone system, although we wouldn't lose 911 because that is handled through Novi Dispatch. Chief Collins stated Bob Martin has allowed the use of the Wastewater portable generator. He further stated he has asked DTE to quote a price for the transfer switch and conduit. Chief Collins stated this is a budgeted item, and the new quote came in slightly lower than the previous quote. Discussion was held regarding the capacity of both buildings being run off of one generator.

CM 8-7-13 MOTION TO APPROVE TO WAIVE BID PROCESS

Motion by Kramer, supported by Wedell

Motion to waive the bid process due to the complexity of the project and the experience of Consumers Energy.

VOTE: MOTION CARRIED UNANIMOUSLY

CM 8-8-13 MOTION TO ACCEPT THE QUOTATION FOR \$29,030 FOR THE GENERATOR PROJECT

Motion by Kramer, supported by Wedell

Motion to approve the quote from Consumers Energy for Police Department generator project.

VOTE: MOTION CARRIED UNANIMOUSLY

6. Adoption of sections of the County Hazard Mitigation Plan

Chief Collins stated this has been done back in 2005. FEMA must approve the County's hazard mitigation plan, part of the process is the cities, villages and townships must adopt either a portion of their plan or the plan in its entirety. Discussion was held regarding funding from FEMA goes to the County.

CM 8-9-13 MOTION TO PASS RESOLUTION FOR PORTION OF OAKLAND COUNTY MITIGATION PLAN

Motion by Kivell, supported by Rzyi

Motion to pass the resolution adopting sections of the Oakland County Hazard Mitigation Plan specific to the City of South Lyon.

VOTE: MOTION CARRIED UNANIMOUSLY

7. Witch's Hat Run

Chief Collins stated the route is the same as in previous years. It does require the brief closure of Eleven Mile from the high school to Martindale, and Martindale from Arrow Drive to Eleven Mile. Councilman Kivell stated he is happy that the schools pay for the Police Department overtime.

CM 8-10-13 MOTION TO APPROVE THE WITCH'S HAT RUN ROAD CLOSURES

Motion by Kramer, supported by Kivell

Motion to resolve that Lisa Deaton, City Clerk/Treasurer is hereby authorized to make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permits to conduct the Fall Witch's Hat Run on September 7, 2013 and the related road closures:

Eleven Mile Road – East of South Lyon High School to Martindale Road  
Martindale Road – Arrow Drive to Eleven Mile Road

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

VOTE: MOTION CARRIED UNANIMOUSLY

#### 8. First Reading Adoption of Michigan Motor Carrier Safety Act

City Attorney Wilhelm stated he has prepared a proposal adopting Section 90-39, to the article dealing with traffic and vehicle codes in the Code of Ordinances in the City of South Lyon. This adopts the Michigan Motor Carrier Safety Act. This addresses commercial motor vehicles and safety issues such as weights, licenses, safety equipment and other fines and penalties for violating that code. Currently the City of South Lyon Police Department is not allowed to write tickets to commercial vehicles. If this is passed, the Police Department has already started training to become familiar with it, and they will be sending additional officers in the future. He further stated this will make our City streets safer. Discussion was held regarding what is considered a commercial vehicle and if they can be ticketed if they do not have their MPSC number. Councilman Kramer stated it is defined by the number of axles.

#### CM 8-11-13 MOTION TO APPROVE FIRST READING OF MICHIGAN MOTOR CARRIER SAFETY ACT

Motion by Kopkowski, supported by Kivell

Motion to approve the First Reading of Ordinance No. 2013-28 to amend the City Code of Ordinances, Chapter 90, Article II to add Section 90-39 adopting the Michigan Motor Carrier Safety Act, as amended, in its entirety.

VOTE: MOTION CARRIED UNANIMOUSLY

#### 9. Discussion of WWTP blower replacement

Department Head Martin stated he has had numerous discussions with the City Manager regarding the ongoing issues with the blowers at the WWTP and Council needs to hear about it. He further stated it

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runs 24 hours a day, and we have numerous pumps and motors. Department Head Martin stated that most of the energy is used by four large 125 horsepower blowers. They were installed back in 2005, and we began having issues shortly after that. Kaeser has not been able to remedy our problems. Department Head Martin stated he has been working with Kaeser for the last six months trying to remedy this issue. He further stated they are offering their new product at a cut rate. Discussion was held regarding other companies that may offer a similar product. Department Head Martin stated we could get something similar, but it probably wouldn't be even close to the price the current company is offering. Councilman Wedell asked the life expectancy of these products. Department Head Martin stated with basic maintenance using all of their products, we didn't think we would have any issues. The original warranty was 5 years, but that started when they were delivered, not hooked up. He further stated if we just purchase the blowers it is 2 years because we would be hooking them up to existing motors which the company will not discuss. The company will not give us a 5 year warranty on blowers that are being hooked up to older motors. He further stated we have probably spent \$50,000 on repair costs. Councilman Rzyzi stated in 2008 when we started having issues, it should have been under warranty. It is not surprising they want to give us a discount on their products when they are the one at fault. He further stated he would like Mr. Martin to be very aggressive on this issue. Councilman Kivell stated New York City uses APG-Neuros blowers. He further stated it is easier to replace what we have with the same company's product, but we may need to find out from other communities what they are using, and we need to seek some alternatives. Councilman Rzyzi stated he agrees we need to seek alternative companies. Discussion was held regarding the warranty from Kaeser and the possibility of getting an extended warranty with the company.

#### MANAGERS REPORT

City Manager Murphy stated he would like to let everyone know the first movie in the park will be August 24<sup>th</sup> and the movie will be Pirates of the Caribbean. He further stated the Farmers Market will have a corn roast in September and a wine tasting event in October. City Manager Murphy stated the Labor Day Bridge Walk will start at McHattie Park. Busch's is having a grand re-opening from 11-3 on Saturday August 24<sup>th</sup>, residents and Council are invited. He further stated Keith McCormick will be at the next meeting to talk about grants for storm and waste water.

#### COUNCIL COMMENTS

Councilman Kivell stated the paths at Volunteer Park are starting to be established. The connector to the bike path is staked, but still needs to be amended to be walkable, maybe someone can run a moor thru there.

Councilman Rzyzi stated he would like to know the status on the water lines with Colonial Acres. City Manager Murphy stated there is a meeting scheduled for Wednesday between Colonial Acres, our attorney and HRC.

Councilmember Dixon stated she is happy the Farmers Market is having some special events, because it seems to be going downhill.

Mayor Wallace stated Depot Day is coming September 7<sup>th</sup>, and it is also the Fire Departments 120<sup>th</sup> anniversary which is being celebrated together. There will be lots of things to do for the young and old.

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He further stated there are some leaks in the old water valves, and it would be costly to replace all of them right now, when they will all be completed in the next 2-3 weeks.

Mayor Wallace stated the Farmers Market has condensed itself to one parking lot. He further stated it is a cozier setting and the other parking lot will be open for parking.

Department Head Martin stated there will be two more Concerts in the Park and he hopes everyone can attend. The final concert will be on August 23<sup>rd</sup>.

ADJOURNMENT

CM 8-12-13 MOTION TO ADJOURN

Motion to adjourn by Kivell, supported by Kopkowski

Motion to adjourn the meeting at 8:55 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

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Tedd Wallace, Mayor

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Lisa Deaton, Clerk/Treasurer



# **AGENDA NOTE**

**New Business: Item #1**

**MEETING DATE:** August 26, 2013

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

**AGENDA TOPIC:** Discussion of Stormwater, Asset Management and Wastewater (Saw) Grant

**EXPLANATION OF TOPIC:** The Council has asked me to look for available grants and this is a grant that could be utilized by the City. Keith McCormack from HRC will be here to explain how the grant works and what is eligible.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** Printed power point presentation with questions and answers regarding the SAW grant.

**POSSIBLE COURSES OF ACTION:** N/A

**RECOMMENDATION:** Review of documents and discussion.

**SUGGESTED MOTION:** N/A

# Stormwater, Asset Management and Wastewater (SAW)

Presentation to South Lyon  
August 7, 2013  
By Hubbell, Roth & Clark

## Agenda

- ▶ What is the SAW Program?
- ▶ Fundable projects
- ▶ How can South Lyon take advantage of it?
- ▶ Schedule and how to prepare

## What is the SAW Program?

- ▶ A \$450 million grant and loan program funded by the 2002 *Great Lake Water Quality Bond Proposal*
- ▶ To support Sanitary, Stormwater and Nonpoint Source water quality projects
- ▶ Grant program of up to \$2 million for planning, design and other types of projects
  - 10% local match on first million
  - 25% local match on second million
- ▶ Loan program for construction activities

## Fundable Projects

- ▶ Grant Program
  - Asset Management for sanitary or storm systems
  - Stormwater management plans
  - Planning and design of sanitary and storm projects
  - Innovative projects
- ▶ Construction Loan Program
  - Sanitary, storm and nonpoint source projects
- ▶ First-come, first-served basis
  - Administratively incomplete applications will be bumped to the end of the line

## How can South Lyon take Advantage of this Program?

- ▶ Approach
  - SAW is a flexible program. Application should reflect South Lyon's most pressing needs and get biggest bang for the buck.
- ▶ Asset Management
  - GIS storm and sanitary, including hardware, software and training
  - Condition assessment (clean and TV sewers, manhole inspections, WWTP facilities)
  - Develop financial forecasts for future repairs
  - Purchase work order software
  - *Caveat: Must make progress towards funding AM program within 3 years (wastewater only). This may include the requirement to raise rates at end of three years.*

## How can South Lyon take Advantage of this Program?

- ▶ Stormwater Management Plans
  - Develop stormwater standards, create management plans for maintenance of drains, create more detailed plans for the prevention or response to spills, public education & outreach plans
- ▶ Project planning and design of sewer improvements
  - Best suited for projects you are already planning to do
  - Must commit to constructing a project within 3 years



## Example Projects

- ▶ Inventory assets (WWTP facilities, sewers, manholes, storm structures). Input into GIS and/or enhance GIS attributes (size, type, inverts, date last maintained)
- ▶ Cleaning and televising of sewers
- ▶ Perform catch basin and stormwater manhole inspections
- ▶ Review erosion and streambank stabilization problems at culvert/bridge crossings
- ▶ Prepare asset management plan for storm water systems

## Schedule and How to Prepare

- ▶ Draft application and guidance are available online. MDEQ still soliciting feedback.
- ▶ Submittal deadline is December 2. ***Start preparing early.***
- ▶ Begin to develop a list of projects that could be performed under this program
- ▶ Budget the necessary match (include South Lyon staff time contributions)
- ▶ Schedule Council presentations (Sept. & Nov.)
- ▶ Will be required of all WWTP NPDES permit holders over the next renewal cycle. No priority given to NPDES permittees, so early planning is important.

## Questions?

- ▶ Keith McCormack
  - [kmccormack@hrc-engr.com](mailto:kmccormack@hrc-engr.com)
  - 248-454-6348
- ▶ Jesse VanDeCreek
  - [jvandecreek@hrc-engr.com](mailto:jvandecreek@hrc-engr.com)
  - 248-535-3307
- ▶ Sally Duffy
  - [sduffy@hrc-engr.com](mailto:sduffy@hrc-engr.com)
  - 248-454-6583

# AGENDA NOTE

Old Business: Item #1

**MEETING DATE:** August 26, 2013

**PERSON PLACING ITEM ON AGENDA:** Police Chief, City Attorney

**AGENDA TOPIC:** Second Reading of Ordinance adopting Michigan Motor Carrier Safety Act

**EXPLANATION OF TOPIC:** The Michigan Motor Carrier Safety Act of 1963, Public Act 181 of 1963 (MCL 480.11 et seq) regulates certain commercial motor carriers traveling in Michigan. The Act regulates vehicle and carrier licensing, vehicle safety, loads and weight limits, hours of operation, record keeping, and penalties for violations.

Currently, tickets for violations of the Motor Carrier Safety Act would have to be prosecuted by the Oakland County Prosecutors office, and the bulk of the fines would go to the State. By adopting a City Ordinance adopting the Motor Carrier Safety Act, the City could prosecute these tickets and 70% of the fines are returned to the City. If adopted, the Police Department intends to send at least one officer for training in enforcing the Act.

The proposed Ordinance adopts the Motor Carrier Safety Act of 1963, as amended, in its entirety and authorizes the City to enforce the Act.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** Proposed Ordinance No. 2013-\_\_\_\_ to amend the City Code of Ordinances , Chapter 90, Article II to add Section 90-39 adopting the Michigan Motor Carrier Safety Act.

**POSSIBLE COURSES OF ACTION:** Approve/deny the Second Reading of Ordinance No. 2013-\_\_\_\_ to amend the City Code of Ordinances, Chapter 90, Article II to add Section 90-39 adopting the Michigan Motor Carrier Safety Act.

**RECOMMENDATION:** Approve the Second Reading of Ordinance No. 2013-\_\_\_\_ to amend the City Code of Ordinances, Chapter 90, Article II to add Section 90-39 adopting the Michigan Motor Carrier Safety Act.

**SUGGESTED MOTION:** Motion to approve the Second Reading of Ordinance No. 2013-\_\_\_\_ to amend the City Code of Ordinances, Chapter 90, Article II to add Section 90-39 adopting the Michigan Motor Carrier Safety Act, as amended, in its entirety.

**ORDINANCE NO. \_\_\_\_-13**

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

**AN ORDINANCE TO AMEND THE CITY OF SOUTH LYON  
CODE OF ORDINANCES, CHAPTER 90, "TRAFFIC AND  
VEHICLES," ARTICLE II, "TRAFFIC CODE AND VEHICLE  
CODE," TO AMEND SECTION 90-39, "MOTOR CARRIER  
SAFETY ACT."**

**THE CITY OF SOUTH LYON ORDAINS:**

**PART I. Amendment of Section 90-39.** Article II, "Traffic Code and Vehicle Code," Chapter 90, "Traffic and Vehicles," of the City of South Lyon Code of Ordinances is amended to add Section 90-39, "Motor Carrier Safety Act," to read as follows in its entirety:

**Section 90-39. Motor Carrier Safety Act.**

The Motor Carrier Safety Act, Public Act 181 of 1963, as amended (MCL 480.11, et seq.) is hereby adopted by reference including all sections, regulations, provisions, penalties, conditions, definitions, and terms as if fully set forth herein. References in the Motor Carrier Safety Act to the terms "local units of government", "local authorities", and "governmental units" shall mean the City of South Lyon.

The City Clerk shall publish this ordinance in the manner required by law and shall publish at the same time, a notice stating the purpose of the Motor Carrier Safety Act and that a complete copy of the Act is available to the public at the office of the City Clerk for inspection.

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

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

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

**PART V. Effective Date: Publication.** The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.



Made, Passed and Adopted by the South Lyon City Council this \_\_\_\_ day of \_\_\_\_\_, 2013.

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

\_\_\_\_\_  
Lisa Deaton, City Clerk

**Certificate of Adoption**

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the South Lyon City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Lisa Deaton, City Clerk

Adopted:  
Published:  
Effective:

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## Motor Carrier Safety Act Overview

### MOTOR CARRIER SAFETY ACT

#### (OVERVIEW)

For the purposes of this Act, a commercial motor vehicle is:

- A vehicle or combination of vehicles with an actual gross vehicle weight or a gross vehicle weight rating (GVWR: established by the manufacturer) over 10,000 lbs. or
- A vehicle designed or used to transport more than 8 passengers (including the driver) for compensation; or
- A vehicle designed or used to transport more than 16 passengers (including the driver) and is not used to transport passengers for compensation; or
- A vehicle of any size that is transporting hazardous materials in a quantity that requires placarding.

This Act only applies to commercial transportation. Farmers, landscapers, and anyone transporting freight in the furtherance of a business are all examples of commercial transportation if it is somehow related to a business or commercial enterprise. Race car and horse race enthusiasts, in certain circumstances, may be commercial transportation.

Also, this definition differs from that of a commercial drivers license (CDL). Vehicles not required to have a CDL still have to comply with this Act.

#### Driver Requirements

A driver must meet the following requirements:

- Be in good health and physically able to perform all duties of a driver.
- Speak and read English well enough to converse with the general public, understand highway signs, respond to official questions, and be able to make legible entries on reports and records.
- Be able to drive the vehicle safely.
- Know how to safely load and properly block, brace, and secure the cargo.
- Have the appropriate driver's license.
- Pass a driver's road test (or the CDL skills test).
- Complete an application for employment.

#### Driver Qualification File - Check List

Every motor carrier must have a qualification file for each regularly employed driver. The file must include:

- Drivers application for employment.
- Inquiry to previous employers - 3 years.
- Inquiry to state agencies - 3 years.
- Annual review of driving record.
- Annual driver's certification of violation.
- Drivers road test and certificate.
- Medical examinations.
- Legible copy of driver's license.

#### Driver Physical Requirements

Examples of physical requirements:

- Has no loss of a foot, a leg, a hand, or an arm.
- Has no established medical history or clinical diagnosis of diabetes requiring insulin for control. (injection only)
- Has no clinical diagnosis of any disqualifying heart disease.
- Has no clinical diagnosis of epilepsy.
- Has 20/40 vision or better with corrective lenses.
- Has the ability to recognize the colors (red, green and amber) of traffic signals.
- Has hearing to perceive a forced whisper.
- Has no history of drug use.
- Has no clinical diagnosis of alcoholism.

#### Waivers

There are provisions for a waiver of disqualification for certain physical defects if the individual is otherwise qualified to drive. Additional information is available from:

<b>Federal Motor Carrier Safety Administration</b> ( <a href="http://www.fhwa.dot.gov/">http://www.fhwa.dot.gov/</a> )	<b>Michigan State Police</b> <b>Commercial Vehicle Enforcement Division</b>
4000 Seventh St. S.W.	P.O. Box 30834
Washington, DC 20590	Lansing, MI. 48909-0834
Phone: 202-368-4001	Phone: 517- 241-0506

#### Disqualifying Offenses

A driver is disqualified from operating a commercial motor vehicle on public highways, for the following offenses:

- Revocation, suspension, or withdrawal of an operator's license.
- Conviction or forfeiture of bond for the following criminal offenses while driving a commercial motor vehicle:
  - Driving while under the influence of alcohol.
  - Driving while illegally using drugs.
  - Driving while illegally possessing or transporting drugs.
  - Leaving the scene of an accident that resulted in injury or death.
  - Using a commercial motor vehicle while committing a felony.

A first offender is disqualified for one year following conviction or forfeiture. For a second offense within three years, a driver is disqualified for three years.

#### Alcohol and Drug Testing Requirements

Drivers required to have a commercial driver's license (CDL) are subject to the controlled substance and alcohol testing rules.

This includes commercial motor vehicles operated by:

- For-hire and private companies.
- Federal, State, Local and tribal governments.
- Church and civic organizations
- Farmers and custom harvesters.
- Apilarian industries. (beekeepers)

#### Exemptions:

- Drivers exempt from commercial driver's license requirements by their issuing state.
- Companies domiciled outside of the United States.
- Active duty military personnel.

Types of alcohol and controlled substance tests:

- **Pre-employment:** No employer shall allow a driver to perform a safety sensitive function until they have received a negative controlled substance test result.
- **Post-Accident:** If a driver is involved in an accident resulting in a fatality, or a moving traffic violation resulting in a DOT recordable accident, the employer shall require the driver to be tested for alcohol within 2 to 8 hours and the driver shall be tested for controlled substances within 32 hours of the accident.
- **Random:** Companies are to randomly test a number of drivers equal to 10% of the average number of the driver positions per year for alcohol testing, and 50% for controlled substances testing.
- **Reasonable Suspicion :** A driver is required to submit to an alcohol and/or controlled substance test when a properly trained company official or supervisor has observed and documented the driver's behavior that may indicate alcohol or controlled substance abuse.
- **Return to duty:** Before a driver returns to a safety sensitive position, each employer must ensure that the driver undergoes an alcohol test with a result indicating an alcohol concentration of less than .02 and a controlled substance test with a result indicating a verified negative result.

Supervisor Training/Driver Awareness:

- Every motor carrier shall provide educational materials explaining the requirements of the regulations as well as the employer's policies regarding alcohol misuse and controlled substance abuse.

#### Hours of Service of Drivers

General rule: The hours of service rules apply to all motor carriers and drivers, with exceptions found in paragraph's (b) through (k) of Section 3 95.1.

Eleven-hour rule: Drivers are allowed to drive for eleven hours following ten consecutive hours off duty.

14-hour rule: A driver may not drive after being on duty 14 hours following 10 consecutive hours off duty.

A motor carrier must not permit or require a driver to drive after a total of :

- 80 hours on duty in 7 consecutive days or;
- 70 hours on duty in 8 consecutive days.
- If the driver works more than one job of any kind, that time must be included as On Duty Time.

**Driver's record of duty status:**

Every driver shall prepare a record of duty status (log book) in his/her own handwriting for each 24-hour period, unless operating under the 100 air-mile radius exemption.

**Inspection, Repair and Maintenance**

Every carrier shall systematically inspect, repair, and maintain all commercial motor vehicles under its control. Motor carriers must maintain the following information for every vehicle they have controlled for 30 days or more:

- Identifying information including company number, make, serial number, year, and tire size.
- A schedule of inspections to be performed, including type and due date. Inspection, repair, and maintenance records.
- Records of tests conducted on buses with pushout windows, emergency doors, and marking lights.

**Roadside Inspections**

Any driver who receives a roadside inspection report must deliver it to the motor carrier.

**Periodic Inspection**

Every commercial vehicle, including each segment of a combination vehicle, requires a periodic inspection that must be performed at least once during the preceding 12 months. Documentation of periodic inspections shall be carried on the vehicles.

For more information, contact the Michigan Center for Truck Safety at [www.Truckingsafety.org](http://www.Truckingsafety.org) (<http://www.truckingsafety.org/>), or at 800-682-4682.

**Other Trucking Regulations**

Depending upon the size of your vehicle, you may need any or all of the following:

**Fuel Tax Permits:** required for certain vehicles engaged in interstate transportation. Contact the Michigan Department of Treasury at 517-636-4580.

**Michigan Public Service Commission Decals:** required for any size vehicle engaged in the transportation of freight for hire. Contact MPSC at 517-241-6030.

**IRP (apportioned) license plates:** required for certain vehicles engaged in interstate transportation. Contact the Secretary of State IRP Unit at 517-322-1097.

**Commercial Drivers License (CDL):** required for certain sized vehicles. Contact the Secretary of State CDL Help Line at 517-322-5555.

**MDOT Oversize and Overweight Permits:** required for any vehicle transporting a load in violation of Michigan's size and weight laws. Contact the Michigan Department of Transportation Permit Unit at 517-373-2120.

**Highway User Tax:** a federal tax required for certain vehicles when license plates are purchased. Contact the IRS at 800-829-1040.

**Hazardous Materials Questions:** 800-HMR-4922 or 202-366-4488, or <http://hazmat.dot.gov/> (<http://hazmat.dot.gov/>)

**Federal Motor Carrier Safety Regulations (FMCSR) questions:** 202-366-1790 or [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) (<http://www.fmcsa.dot.gov/>)

**USDOT Safety Ratings/USDOT Numbers/New Entrants:** 800-832-5660 or [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) (<http://www.fmcsa.dot.gov/>)



# Frequently Asked Questions (FAQs)

## Michigan Intrastate USDOT Numbers

1. Question: Who needs to obtain a Michigan Intrastate USDOT number?

Answer: All carriers or operators of commercial motor vehicles that operate solely in the state of Michigan. A Commercial Motor Vehicle means any self-propelled or towed motor vehicle used on a highway in commerce as defined in Act 181, PA 1963, CFR 49, part 390.5 when the vehicle:

- Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 10,001 lbs. or more, whichever is greater; or
- Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 51 transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter 1, subchapter C.

2. Question: Who is included in the term commercial motor vehicle in commerce?

Answer: Anyone who operates one of the above mentioned vehicles. Examples include, but are not limited to: private and for-hire companies, farmers, construction companies, plumbers, landscapers, church buses, and limousines. Recreational and personal use vehicles are excluded.

3. Question: What are the requirements for lettering my vehicle?

Answer: 49 CFR part 390.21 states the marking must display the following information:

- The legal name or a single trade name of the motor carrier operating the self-propelled CMV, as listed on the motor carrier identification report (Form MCS-150)
- The motor carrier identification number issued by the FMCSA, preceded by the letters "USDOT"
- If the name of any person other than the operating carrier appears on the CMV, the name of the operating carrier must be followed by the information required in the above paragraphs, and be preceded by the words "operated by"
- Be in letters that contrast sharply in color with the background on which the letters are placed;
- Be readily legible, during daylight hours, from a distance of 50 feet (15.24 meters) while the CMV is stationary; and

The marking section does not apply to a truck eligible for and registered under a farm or manufacturer license plate, that has a gross vehicle weight of less than 10,000 pounds. These vehicles still must obtain a USDOT number.

*EXAMPLE:*

BB Express  
USDOT 12345

**NOTE:** By meeting the requirements in FMCSR 390.21 listed above a carrier and/or operator also meet the requirements of the Michigan Motor Vehicle Code, Section 257.723.

4. Question: How do I apply for a USDOT number?

Answer: The following are options for applying for a USDOT number:

- You may apply on-line at <http://www.saferysys.org> .
  - Select the "FMCSA Registrallon & Updates" link to start the registration process.
- Call The Michigan Public Service Commission toll-free at (888)464-8736.

5. Question: Is there a fee to obtain a USDOT number?

Answer: There is **NO Cost** to obtain a USDOT number. This is a free service.

6. Question: I went to the FMCSA website to obtain a USDOT number and it asked for a credit card. Why does it ask for a credit card if this is a free service?

Answer: It is a free service. The website asks for a credit card only to verify the application and to act as an electronic signature.

7. Question: How long will it take to get my USDOT number?

Answer: If you choose to obtain a USDOT number on-line, the time to process the number is approximately one hour. If you choose to submit the application by mail or fax, please allow approximately two weeks for processing.

8. Question: Do I need a different USDOT number for each of my vehicles?

Answer: No, the USDOT number is for your company and all vehicles that meet the definition of a commercial motor vehicle as specified in question #1.

9. Question: I applied for my USDOT number on the FMCSA website and it indicated that there is a verification period, but it also gave me my USDOT number. Will the USDOT number change or is the number I received the number I will be assigned?

Answer: The verification period is for FMCSA to verify your information. The USDOT number you are provided at the time you completed your on-line application is the number you are assigned and it will not change.

10. Question: How can I access my information or make changes to my MCS-150 application at a later date?

Answer: You may access your carrier information and make changes and updates to your MCS-150 by applying for a PIN (personal identification number). Intrastate carriers may obtain a PIN by following these steps:

- o Go to [www.safersys.org](http://www.safersys.org).
- o Click on "FMCSA Registration and Updates."
- o Click "Other."
- o Click "I want to request a copy of a document."
- o Click the "Continue" button.
- o Click the first "Yes" button for a USDOT number PIN.
- o Enter your issued USDOT number into the blank and click on "Mail me a new PIN"; click on the "Submit" button.
- o Your PIN will be mailed to the address on your MCS-150.

11. Question: I have a pick up truck that I use for my company and it weighs less than 10,001 lbs. I understand that the marking requirement doesn't apply to me, but I occasionally haul a trailer putting me over a combination weight of 10,001 lbs. What do you suggest?

Answer: If you do not want to permanently mark your pick up truck you may choose to use removable devices (i.e., magnetic signs) that can be placed on the pick up truck when you are towing the trailer and exceed 10,001 lbs. *The use of removable devices is not allowed for towing or platform bed wrecker road service vehicles.*

12. Question: Is it required that the name on my vehicle registration match the name on my MCS-150?

Answer: No, the name you display on your vehicle and the name you register under on your USDOT number application (MCS-150) must match, however the name on your registration does not. *Example: My company name is Smith Trucking, but my truck is registered to Jon Smith. Your MCS-150 would show Smith Trucking as the carrier and this is also the name you display on your vehicle.*

13. Question: Where may I travel after receiving the intrastate USDOT number?

Answer: The intrastate USDOT number allows you to travel anywhere in the State of Michigan. It is not valid to travel interstate (outside the boundaries of Michigan). If at anytime you need to operate in commerce outside the State of Michigan simply update your MCS-150 to reflect interstate rather than intrastate.

14. Question: Will I receive something in writing verifying my USDOT number?

Answer: Yes; you will either receive a notification letter in the mail verifying your USDOT number or a computer generated response upon the conclusion of filing on-line. Please carry a copy of your notification in all vehicles until you are able to display the USDOT number on your vehicle.

15. Question: Is there a deadline for me to get an Intrastate USDOT number?

Answer: Yes, the State of Michigan is requiring that all carriers and operators of commercial motor vehicles apply for a USDOT number prior to January 1, 2008. The USDOT Number must be displayed on each commercial motor vehicle prior to January 1, 2009. If a USDOT number is not applied for and displayed prior to the dates listed above it will be a violation of law and subject to enforcement action.

16. Question: Is this a new law?

Answer: No, this law was adopted by Michigan in 1990; however the United States Department of Transportation (USDOT) did not have the technology to process Intrastate USDOT numbers. The technology is now in place to assist companies with the process and the law will now be applied.

17. Question: Why is getting an intrastate USDOT number important and what are the benefits?

Answer: The main objective of this program is to enhance highway safety by reducing serious and fatal crashes involving a CMV. In addition, provide accurate data to identify existing safety concerns or emerging trends which will allow for a more efficient and effective deployment of the state's resources.



**South Lyon Historical Commission Meeting**  
**Wednesday, August 7, 2013**  
**Minutes**

**Members Present:** Larry Ledbetter, Beth Pfiles, Linda Ross, Phil Weipert, new member Greg Jacobs

**Members absent:** Bob Tremitiere, Roger Heiple,

Larry called the meeting to order at 7:37

**July Minutes:** Linda motioned and Phil seconded approval of the July minutes. The motion carried.

**Depot Day Update:**

-The fire department will be honored this year with the 120 year celebration. The engines are the focus of the Depot Day flyer that is being passed around town. The flyer, in full color, is being placed in city businesses, and the information will be displayed on the city activities sign and on the city Facebook page. Larry will talk to the schools about having the flyer sent out electronically the first week of school. Beth mentioned that this is the way that they send information at the K-12 level instead of sending paper flyers with each child. Linda was also able to get Depot Day mentioned with Parkside Cleaners under the Community Notes section of their monthly newsletter.

-Mr Grieves will sing and bagpipes will play Amazing Grace. Gail Smolarz will also be mentioned in the opening ceremonies.

-Overall, plans are going well. Still looking for persons to docent buildings during the day. May need face painters also. Beth is checking to see if her daughter is able to paint faces.

**Repairs:**

-Repairs to the railroad signal are progressing. Greg and Larry will meet during the week. Still to be done is to finish painting and laying rocks. The caboose needs to have some paint touch up; other repairs can wait until later. Hopefully Greg will replace the platform boards and Boy Scout Noah Gasparotto will paint the wheels and the new platform boards.

-The parking lot needs to be resurfaced, possibly next year. Phil said that is something that should be brought up with the city.

-WOW cable is sending a representative to meet with Larry re: The cable attached to the building on the rotted post. The goal is to get the cable buried and remove the rotted post. Linda asked if the cable could be moved to a different spot.

**Other Business:**

-Bob spoke to Debbie Nogle (assistant to City Manager David Murphy) and she is going to help to spark interest in the Historical Society.

-Bike Rack: Phil saw abandoned bike racks at a Vic Tanny near Pontiac. He will contact the realtor and see if they would be willing to donate a few to the Society.

-Someone kicked in the access panel on the backside of the Chapel, and it needs to be fixed again. It probably happened within the last week.

-Linda reminded everyone that Society dues must be up to date to hold a position within the Society, and requested that anyone not up to date please remit dues to her.

Business concluded at 8:22. Phil made a motion to adjourn and Greg seconded. Motion passed.

Notes recorded by Beth Pfiles

Notes transcribed by Bob Tremitiere, Secretary

Submitted by Larry Ledbetter, President



**Robert J. Martin**  
*Superintendent*

# City of South Lyon Water & Wastewater Department

August 26, 2013

TO: South Lyon City Council

FROM: Robert Martin, Water/Wastewater Superintendent

SUBJECT: MDEQ-EPA Proficiency Testing

The Department of Environmental Quality and the EPA requires special lab testing performed each year. This test is eight (8) samples with only the DEQ knowing the true value. The unknown samples are performed in our lab and the results are then forwarded to the EPA where they are then graded.

For the third straight year, James Ciaramitaro performed the evaluation and passed with a 100%. This is no easy task due to fact you are working under a time line and these are unknown samples that are measured in very small concentrations. I think we should acknowledge a job well done.

**Operations:**

23500 Dixboro Road  
South Lyon, MI 48178  
(248) 437-4006  
Fax: (248) 437-0449

**Billing & Meter**

**Repair/ Installation:**

335 S. Warren  
South Lyon, MI 48178  
(248) 437-2326  
Fax: (248) 486-0049

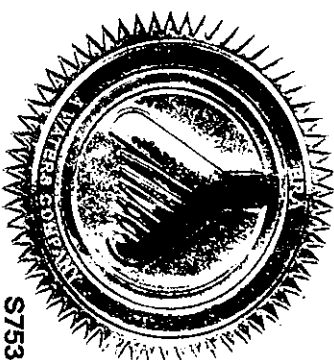
# CERTIFICATE OF RECOGNITION

*ERA congratulates  
SOUTH LYON WWTP*

*for your participation and successful evaluation in DMR-QA 33. We recognize  
the performance of this laboratory for achieving acceptable evaluations for the  
following analytes.*

Ammonia as N	Fecal Coliforms (MF)	pH
CBOD	Non-Filterable Residue (TSS)	Total phosphorus as P

Kristina Sanchez  
Quality Officer



S753323



A Waters Company

## DMR-QA 33 Final Report

NPDES Permit #: M10020273  
Permit Holder: Robert Martin  
Superintendent  
South Lyon WWTP  
248-437-4006

ERA Customer Number: S753323  
Report Issued: 07/29/13  
Study Dates: 03/18/13 - 07/08/13

TNI Analyte Code	Analyte	Units	Performance Evaluation	Reported Value	Assigned Value	Acceptance Limits	Method Description	Study Mean	Study Standard Deviation	USEPA Lab Code	Study
<b>WP Minerals (cat# 581)</b>											
1505	Alkalinity as CaCO <sub>3</sub>	mg/L	Acceptable	50.7	53.0	46.0 - 60.2	EPA 810.2 1974	52.3	2.11	M101187	WP220
1950	Total Solids at 105 °C	mg/L	Acceptable	244.	235	198 - 270	SM 2540 B-1997 1997	232	15.8	M101187	WP220
<b>WP Hardness (cat# 580)</b>											
1960	Non-Filterable Residue (TSS)	mg/L	Acceptable	35.0	35.9	26.3 - 42.2	SM 2540 D-1997 1997	32.9	3.05	M101187	WP220
<b>DMRQA Hardness (cat# 580)</b>											
1755	Total Hardness as CaCO <sub>3</sub>	mg/L	Acceptable	203.	217	189 - 247	EPA 130.1 1982	212	8.23	M101187	DMRQA33
<b>DMRQA pH (cat# 577)</b>											
5900	pH	S.U.	Acceptable	5.92	5.90	5.70 - 6.10	SM 4500H+ B-outline	5.95	0.0642	M101175	DMRQA33
<b>DMRQA Solids (cat# 241)</b>											
1960	Non-Filterable Residue (TSS)	mg/L	Acceptable	52.58	53.6	41.9 - 61.1	EPA 160.1 1979	50.0	4.43	M101175	DMRQA33
<b>DMRQA Simple Nutrients (cat# 584)</b>											
515	Ammonia as N	mg/L	Acceptable	14.5	13.5	10.0 - 16.8	EPA 350.1 21993	13.4	1.03	M101175	DMRQA33
<b>DMRQA Complex Nutrients (cat# 579)</b>											
1910	Total Phosphorus as P	mg/L	Acceptable	2.730	3.31	2.69 - 3.98	EPA 365.4 1974	3.37	0.237	M101175	DMRQA33
<b>DMRQA Demand (cat# 578)</b>											
1555	CBOD	mg/L	Acceptable	100.94	71.9	32.2 - 112	EPA 405.1 1974	78.9	15.9	M101175	DMRQA33

All analytes are included in ERA's A2LA accreditation. Lab Code: 1539-01

16341 Table Mountain Pkwy • Golden, CO 80403 • 800.372.0122 • 303.431.8454 • fax 303.421.0159 • www.eraqc.com





A Waters Company

## DMR-QA 33 Final Report

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Permit Holder: Robert Martin  
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248-437-4006

ERA Customer Number: S753323  
Report Issued: 07/29/13  
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TNI Analyte Code	Analyte	Units	Performance Evaluation	Reported Value	Assigned Value	Acceptance Limits	Method Description	Study Mean	Study Standard Deviation	USEPA Lab Code	Study
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### DMRQA WasteWater™ Coliform MicroBET™ (cat# 576)

2530	Fecal Coliforms (MFC)	CFU/100mL	Acceptable	439.17	726	670 - 1450	SM9222D mFC online	313	231	M10175	DMRQA33
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Section 6.4.3 a of the 2009 TNI Standard, "The assigned values for quantitative microbiology analyses shall be equal to the mean of the assigned value verification and/or homogeneity testing per Sections 7.1 and 7.2". The final acceptance limits are derived from the calculated study mean and study standard deviation from laboratory-reported results. Disagreement between the assigned values and study means/acceptance limits are due to the inherent variability of microbiology methods and differences in the methods used by ERA and participant laboratories. For quantitative microbiology analyses, the assigned value is not used in the evaluation of laboratories.



All analytes are included in ERA's AZLA accreditation. Lab Code: 1539-01

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