

Regular City Council Meeting

June 8, 2015

Agenda

7:30 p.m. **Call to Order**
Pledge of Allegiance
Roll Call
Approval of Minutes: **May 26, 2015**
Approval of Bills
Approval of Agenda
Public Comment

I. Old Business

II. New Business

- 1) Consider City Attorney Retainer Agreement
- 2) Consider allowing city staff to pursue options related to seeking MECD cost-sharing opportunities related to Crowdfunding initiatives for development of additional playing fields and nature trail systems at Volunteer park
- 3) Review and consider new policy documents as drawn up for the City of South Lyon as applies to the statutory requirements for updating the City's FOIA policies, procedures and cost recovery fee structure.

IV. Manager's Report

V. Council Comments

VI. Pursuant to Section 8(a) of the Open Meetings Act to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. City Manager evaluation.

VII. Adjournment

The City of South Lyon
Regular City Council Meeting
May 26, 2015

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

Mayor Tedd Wallace led those present in the Pledge of Allegiance.

PRESENT: Mayor Tedd Wallace
Council Members: Kivell, Kopkowski, Kramer, Rzyzi, and Wedell
Also Present: City Manager Ladner, Department Head Martin, Chief Collins, Chief Kennedy, Attorney Wilhelm and Clerk/Treasurer Deaton

ABSENT: Councilmember Dixon

CM 5-1-15 MOTION TO EXCUSE ABSENCE

Motion by Rzyzi, supported by Kopkowski

Motion to excuse Councilmember Dixon's absence due to bereavement

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

Councilmember Kivell stated on page 3 the word business should have been building. He further stated he voted no on page 8 regarding the vote for the City Managers review date.

CM 5-2-15 MOTION TO APPROVE THE MINUTES AS AMENDED

Motion by Kivell, supported by Wedell

Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 5-3-15 MOTION TO APPROVE THE AGENDA AS PRESENTED

Motion by Wedell, supported by Kramer

Motion to approve the Agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

5/26/15

PUBLIC COMMENT- None

OLD BUSINESS

1. Second Reading of Ordinance to repeal section 82-78(4) "Sidewalks to be cleared of snow and ice" to clarify and provide that a violation of Chapter 82 is a municipal infraction

Attorney Wilhelm stated there were no changes made from the first reading. This amendment eliminates the inconsistent language in the original ordinance, and states the violation is not a misdemeanor, but a municipal infraction.

CM 5-4-15 MOTION TO APPROVE SECOND READING OF ORDINANCE TO REPEAL SECTION 82-78(4)

Motion by Kivell, supported by Wedell

Motion to approve the second reading of Motion to approve the second reading of the Ordinance to Repeal the City of South Lyon Code of Ordinances, Section 82-78 "Sidewalks to be Cleared of Snow and Ice," Subsection 4, to clarify and provide that a violation of Chapter 82, "Streets, Sidewalks and Other Public Places," Article III "Sidewalks," is a municipal civil infraction.

VOTE:

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Consider acceptance of donation to the South Lyon Fire Department from Maureen and Kim Zonmeir

City Manager Ladner stated we received a thank you letter along with a check for a donation to the Fire Department for \$100. Chief Kennedy stated the Fire Department did a standard carbon monoxide check at the home of the Zonmeirs. He further stated the firefighters did a great job and they left the residents a new carbon monoxide detector, which helps to ease the mind of the homeowners. Chief Kennedy stated they also checked smoke detectors as well. If the smoke detector is over 10 years old, they replace it. He further stated the firefighters will install the devices as well, to ensure they are done properly.

CM 5-5-15 MOTION TO ACCEPT DONATION

Motion by Kramer, supported by Rzyzi

Motion to accept the donation of \$100.00 to the South Lyon Fire Department from Maureen and Kim Zonmeir

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Consider acceptance of donation to the South Lyon Police Department of a prisoner bench from the Spectrum Group, courtesy of Councilman Kivell

Chief Collins stated we received a \$700.00 prisoner bench as a donation from one of our generous residents, on behalf of the Spectrum Group, and he is asking Council to accept the donation so they may send the appropriate thank you letter.

CM 5-6-15 MOTION TO ACCEPT PRISONER BENCH DONATION FROM SPECTRUM GROUP

Motion by Kivell, supported by Kramer

Motion to accept the \$700.00 prisoner bench donation to the South Lyon Police Department

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Consider approval to change the date for the Blues Brews and Brats event

Andrea Meyer representing the South Lyon Chamber of Commerce stated the Chamber is requesting a date change for the event to August 1st. There are no changes, other than the date.

CM 5-6-15 MOTION TO ACCEPT DATE CHANGE OF BLUES BREWS AND BRATS TO AUGUST 1ST

Motion by Wedell, supported by Kramer

Motion to approve the date change to August 1st

VOTE:

MOTION CARRIED UNANIMOUSLY

4. Review information related to the Witches Hat Fury for a Feast event

City Manager Ladner stated she has supplied Council with a string of emails that she exchanged with Chief Collins. She further stated Councilman Kivell had some of the same concerns that she did. Councilman Kivell stated he loves the business and is happy they are so successful, but the location inherently presents a great deal of logistics problems with parking. He asked what the capacity of the lot will be. Chief Kennedy stated he does not recall the exact number, he stated he looks at the square footage, not the parking issues. Councilman Kivell stated he is concerned that by the City approving the event, if we are opening ourselves up for liability for the notion of approving an event that doesn't have a safe passage from one side of Pontiac Trail to the other. City Attorney Wilhelm stated he will need more detail, but it looks as though there is a proposed parking plan, and there are two cross walks near the area. Chief Kennedy stated the capacity of the parking lot is 1,700. Councilman Kivell further stated the notion of the shuttle busses will be helpful, but it doesn't sound as though it is committed. He would have preferred for that to have been obligated of them. He stated his only other concern it the

band playing at the entrance. There will be a bottle neck with people coming and going from that entrance as well as the stage being there. Mayor Wallace asked if there is a formula for how many porta johns are required. Councilmember Kopkowski stated she is concerned because of the tension between this business and Alexander's. Jeremy of The Witches Hat stated they plan on having staff there keeping people out of the other business's parking lot. They will also have staff directing people to the proper parking area. Councilman Kivell asked if they will consider still pursuing the shuttles. Jeremy stated they are working on it. Councilmember Kopkowski stated she is also concerned because the difference between this event and the previous event discussed at a previous meeting, the major difference is there is no difference between the residential sleeping aspects. She asked if we are not considering the sleeping aspect of the mobile home park that is next to this event. Chief Collins stated the bands will end at 10:00 p.m. and they are having the band at the front of the parking lot as opposed to the back. Councilman Kramer stated this is a first time event at that location, and we can see how it works out this year, and see if any changes need to be made before the next. Councilman Rzyzi stated he has attended in the past, and it is a good event, and they are careful with the foot traffic to ensure they are not going over capacity.

5. Consider agreement for tax collection for the South Lyon Schools

Clerk/Treasurer Deaton stated this is the same agreement we have used in the past. The schools agree to allow the City to keep any interest collected.

CM 5-7-15 MOTION TO APPROVE THE AGREEMENT WITH SOUTH LYON SCHOOLS FOR TAX COLLECTION

Motion by Kopkowski, supported by Wedell

Motion to approve the agreement between the City of South Lyon and South Lyon Community Schools for the 2015 tax season as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

MANAGERS REPORT

City Manager Ladner stated she has worked with the Cable Commission and she is waiting for the edited version of the Memorial Day parade and ceremony. It should be available on the cable channel this week. City Manager Ladner stated the High School Jazz band is having a concert in the park Wednesday night at 7:00 p.m. She further stated the Concert in the Park series begin on June 5th and the Movies in the Park begin on June 13th. City Manager Ladner stated the RFP for I.T services has been sent out and also on our website and hopefully Council can review in June and make a decision by the end of the month for the new fiscal year.

COUNCIL COMMENTS

Councilman Kivell stated the City Clean-up was a lot of fun, we got a lot accomplished and he wants to thank everyone that helped out, especially the volunteers who are not South Lyon residents.

Councilman Kivell stated the grain elevator was taken down today, and it is unfortunate that the Community that financially supported it through history is only getting some scraps, and he is glad the museum in Leonard is getting some of the assets that have been saved, but it seems odd that they didn't reach out to the City more strongly. It is a different view from that intersection now.

Councilman Kivell stated on May 15th, the DPW was tasked with grooming the north east corner at Pontiac Trail and 9 Mile, and he thought after the Safe Routes to School discussion it was clear we didn't want our assets applied to jurisdictions that we do not have control over. He doesn't think that should have taken place. There are hundreds of worthy projects we could use our assets for outside of our jurisdiction, but it just isn't appropriate. He was surprised and disappointed. City Manager Ladner stated because of his concerns, she has reimbursed the City for the cost. Councilman Kivell stated that is nice, but he doesn't want it to reoccur.

Councilmember Kopkowski stated at the last meeting she asked about the Providence lot being mowed. She stated she didn't hear anything back, and as of right now, the lot is still not cut, as well as a vacant house next to her house, which may be a foreclosure. City Manager Ladner stated she spoke with Tom Lyon the Ordinance Inspector, and she will speak with him again tomorrow.

Councilman Rzyzi stated he would like to remind everyone the Relay for Life is this Saturday the 30th at 10:00 a.m. and the luminary ceremony is at 10:00 p.m. It is a very touching event and encourages everyone to attend.

Councilman Wedell stated he would like to thank all the staff and residents who helped out on Spring Clean-up day. He further stated he would like to thank everyone that purchased poppies from the veterans on Thursday and Friday last week. He stated they sold their 3,000 poppies in record time, and all the funds go to veterans and their families. Councilman Wedell stated the Memorial Day Parade was a wonderful event and ceremony, it is amazing to see, and thanks to the community.

Mayor Wallace stated he would like to thank Dana Johnston for organizing the 36th parade she has worked on. He further stated South Lyon has been having a Memorial Day Parade for 128 years and is the longest running parade in Michigan. Mayor Wallace stated the Relay for Life is a great cause, there is fundraising going on, and it is a very important cause. He further stated he wanted to thank the Cemetery crew for the great job they did on the Cemetery for Memorial Day. He further stated he wanted to thank the DPW for all the work they do as well. Mayor Wallace asked if we will have the same person watering the plants around town again this year. Department Head Martin stated Lori Stahl will be watering again this year. Mayor Wallace stated he helped at City Hall on the spring Clean-up, we had people who work at city hall, as well as Green Oak residents, Lyon Township residents, and it was a huge success.

CM 5-9-15 MOTION TO ADJOURN

Motion by Kivell, supported by Kopkowski
Motion to adjourn meeting at 8:40 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd Wallace Mayor

Lisa Deaton Clerk/Treasurer

DRAFT

May 2015 Payroll Report								
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
Administration								
Badarak, A.	18.0400	240.00	12.50	\$ 4,329.60	\$ 343.75	\$ 1,082.49	\$ 5,755.84	Longevity&Medical Stipend
Ciarelli, J.	15.5800	151.00		\$ 2,352.58	\$ -		\$ 2,352.58	
Deaton, L.				\$ 6,943.86			\$ 6,943.86	
Delaney, K.	24.0000	138.50		\$ 3,324.00			\$ 3,324.00	
Ladner, L.				\$ 10,384.59			\$ 10,384.59	
Lanning, W.	10.2200	54.00		\$ 551.88			\$ 551.88	
Lyon, Thomas	17.3400	108.00		\$ 1,872.72			\$ 1,872.72	
Mosier, L.				\$ 6,461.01		\$ 482.49	\$ 6,943.50	Medical Stipend
	16.1200			\$ -	\$ -		\$ -	
TOTAL: Administration		691.50	12.50	\$ 36,220.24	\$ 343.75	\$ 1,564.98	\$ 38,128.97	
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
Cemetery								
Bjerke, Michael	11.1600	61.00		\$ 680.76			\$ 680.76	
Brannun, L.	11.1600	109.00		\$ 1,216.44			\$ 1,216.44	
Nicholls, William	11.1600	104.00		\$ 1,160.64			\$ 1,160.64	
Wauford, S.	11.1600	84.00		\$ 937.44			\$ 937.44	
Wedesky, J. W.	11.1600	105.00		\$ 1,171.80			\$ 1,171.80	
Williamson, N.	11.8600	107.00		\$ 1,269.02			\$ 1,269.02	
TOTAL: Cemetery		570.00	0.00	\$ 6,436.10	0.00	0.00	\$ 6,436.10	
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
Police								
Baaki, D.	34.0304	240.00	32.00	\$ 8,167.30	\$ 1,670.38		\$ 9,837.68	
Baker, A.	31.3576	240.00	21.50	\$ 7,525.83	\$ 1,031.44		\$ 8,557.27	
Baker, J.	34.0304	248.00	14.00	\$ 8,439.54	\$ 727.76		\$ 9,167.30	
Barbour, R.	31.3576	248.00	16.00	\$ 7,776.69	\$ 764.12		\$ 8,540.82	
Brooks, T.	31.3576	240.00	15.50	\$ 7,525.82	\$ 746.95		\$ 8,272.78	
Callahan, J.	10.0000	146.00		\$ 1,460.00			\$ 1,460.00	
Collins, L.				\$ 10,277.73		\$ 482.49	\$ 10,760.22	Medical Stipend
Faught, C.	34.0304	240.00	35.00	\$ 8,167.29	\$ 1,811.83		\$ 9,979.12	
Forgacs, M.	16.2100	28.00		\$ 453.88			\$ 453.88	
Hoydic, S.	31.3576	240.00	3.00	\$ 7,525.83	\$ 144.57		\$ 7,670.41	
Krettlin, F.	16.2100	27.50		\$ 445.78			\$ 445.78	
Laraway, P.	16.2100	28.00		\$ 453.88			\$ 453.88	
Pieknik, Marc	10.0000	85.00		\$ 850.00			\$ 850.00	
Raap, T.	31.3576	240.00	16.00	\$ 7,525.82	\$ 764.12	\$ 482.49	\$ 8,772.44	Medical Stipend
Regentik, C.	18.0400	240.00		\$ 4,329.60		\$ 482.49	\$ 4,812.09	Medical Stipend
Sederlund, C.	34.0304	248.00	15.00	\$ 8,439.54	\$ 779.75	\$ 482.49	\$ 9,701.78	Medical Stipend
Sovik, C.	36.2478	240.00	24.00	\$ 8,699.47	\$ 1,332.62		\$ 10,032.09	
Sroufe, T.	31.3576	248.00	8.00	\$ 7,776.69	\$ 383.79	\$ 482.49	\$ 8,642.98	Medical Stipend
Stevens, T.	31.3576	240.00	19.00	\$ 7,525.83	\$ 907.39		\$ 8,433.23	
Tomanek, J.	31.3576	240.00	23.00	\$ 7,525.82	\$ 1,103.40		\$ 8,629.22	
Walton, T.	31.3576	240.00	3.00	\$ 7,525.83	\$ 143.27		\$ 7,669.11	
Wilcox, W.	11.5600	32.00		\$ 369.92			\$ 369.92	
Wilcox, W.	16.2100	27.00		\$ 437.67			\$ 437.67	
Wittrock, M.	31.3576	248.00	26.50	\$ 7,776.68	\$ 1,265.58		\$ 9,042.26	
Total: Police		4253.50	271.50	\$ 137,002.47	\$ 13,576.98	\$ 2,412.45	\$ 152,991.90	

Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
Fire								
Achatz, R.	15.4000	10.75		\$ 165.55			\$ 165.55	
Armstrong, C.	20.9000	44.50		\$ 930.05			\$ 930.05	
Bach, R.	8.1500	33.75		\$ 275.06			\$ 275.06	
Bromley, E.	14.3000	44.50		\$ 636.35			\$ 636.35	
Carlington, R.	16.5000	135.50		\$ 2,235.75			\$ 2,235.75	
Conrad, C.	9.0000	187.00		\$ 1,683.00			\$ 1,683.00	
Demeniuk, C.	19.8000	92.50		\$ 1,831.50			\$ 1,831.50	
Esper, T.	14.3000	37.50		\$ 536.25			\$ 536.25	
Johnston, D.	17.6000	50.75		\$ 893.20			\$ 893.20	
Kennedy, M.				\$ 3,273.03			\$ 3,273.03	
LaCroix, L.	14.3000	124.40		\$ 1,778.92			\$ 1,778.92	
Lynn, C.	16.5000	22.25		\$ 367.13			\$ 367.13	
McGillen, T.	16.5000	24.00		\$ 396.00			\$ 396.00	
Mitchell, Dean	9.0000	104.25		\$ 938.25			\$ 938.25	
Moynihan, B.	17.6000	56.00		\$ 985.60			\$ 985.60	
Noechel, J.	19.8000	149.00		\$ 2,950.20			\$ 2,950.20	
Olando, Michael	9.0000	111.75		\$ 1,005.75			\$ 1,005.75	
Ortwine, B.	9.0000	20.25		\$ 182.25			\$ 182.25	
Shekell, J.	19.8000	85.00		\$ 1,683.00			\$ 1,683.00	
Shippe, S.	16.5000	112.00		\$ 1,848.00			\$ 1,848.00	
Tooman, Brittany	8.1500	17.00		\$ 138.55			\$ 138.55	
Ulrich, C.	16.5000	23.75		\$ 391.88			\$ 391.88	
Vanpelt, J.	9.0000	20.75		\$ 221.20			\$ 221.20	
Weir, M.	22.0000	52.25		\$ 1,149.50			\$ 1,149.50	
Wilson, T.	17.6000	73.25		\$ 1,289.20			\$ 1,289.20	
Total: Fire		1632.65		\$ 27,785.20		\$ -	\$ 27,785.16	
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
D.P.W.								
Abramowicz, J.	16.2800	240.00	14	\$ 3,907.20	\$ 341.88	\$ 280.00	\$ 4,529.08	On-call
Archey, Je.	22.5700	240.00	19.00	\$ 5,416.80	\$ 654.74	\$ 280.00	\$ 6,351.54	On-call
Brock, R.	24.4900	240.00	5.50	\$ 5,877.60	\$ 207.19	\$ 3,259.20	\$ 9,344.03	Longevity&Vacation Payout
Buers, D.	22.9500	240.00		\$ 5,508.00	\$ -		\$ 5,508.00	
Dentai, F.	16.2800	240.00	24.00	\$ 3,907.20	\$ 586.08	\$ 360.00	\$ 4,853.28	On-call
Jamison, M.	18.0400	240.00	4.00	\$ 4,329.60	\$ 107.64		\$ 4,437.24	
Monitz, M.	20.9700	240.00	12.50	\$ 5,032.80	\$ 402.25	\$ 280.00	\$ 5,715.06	On-call
Paver, V.	20.9700	240.00	16.00	\$ 5,032.80	\$ 511.36	\$ 280.00	\$ 5,824.17	On-call
Piasecki, T.	18.5900	240.00	26.50	\$ 4,461.60	\$ 738.95	\$ 200.00	\$ 5,400.55	On-call
Race, J.	15.1100	232.00	18.00	\$ 3,505.52	\$ 407.97		\$ 3,913.49	
Valencia, A.	15.1100	232.00	6.50	\$ 3,505.52	\$ 147.32		\$ 3,652.84	
Total: D.P.W.		2,624.00	146.00	\$ 50,484.64	\$ 4,105.38	\$ 4,939.20	\$ 59,529.28	
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
W.& W.W.								
Archey, Ju.	18.0400	240		\$ 4,329.60	\$ -		\$ 4,329.60	
Armstrong, C.	15.8200	240	2.00	\$ 3,796.80	\$ 47.46	\$ 320.00	\$ 4,164.26	On-call
Beason, R.	26.5600	240	24.00	\$ 6,374.40	\$ 983.76	\$ 280.00	\$ 7,638.16	On-call
Ciaramitaro, J.	25.0300	240	10.00	\$ 6,007.20	\$ 382.70	\$ 320.00	\$ 6,709.90	On-call
Erdmann, Kevin	15.8200	240	7.00	\$ 3,796.80	\$ 166.11	\$ 280.00	\$ 4,242.91	On-call
Gehringer, D.	24.4300	240	16.00	\$ 5,863.20	\$ 594.40	\$ 980.00	\$ 7,437.60	Longevity& On-call
Martin, R.				\$ 9,606.27	\$ -		\$ 9,606.27	
Popravsky, P.	20.0100	240		\$ 4,802.40	\$ -		\$ 4,802.40	
Randall, A.	25.5300	240	1.50	\$ 6,127.20	\$ 58.85	\$ 280.00	\$ 6,466.05	On-call
Sahl, L.	10.0000	112.5		\$ 1,125.00	\$ -		\$ 1,125.00	
Total: W.& W.W.		2032.50	60.50	\$ 51,828.87	\$ 2,233.28	\$ 2,460.00	\$ 56,522.15	
Grand Total		11,804.15	490.50	\$ 309,757.52	\$ 20,259.39	\$ 11,376.63	\$ 341,393.56	

REVENUE REPORT
FINANCIAL REPORT FOR MAY 2015

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City of South Lyon

For the Period: 7/1/2014 to 5/31/2015	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 101 - GENERAL FUND							
Revenues							
Dept: 000.000							
402.000 REAL PROPERTY TAX	3,054,581.00	3,054,581.00	2,987,890.49	0.00	0.00	66,690.51	97.8
423.000 SOUTH LYON WOODS TAX	920.00	920.00	1,720.00	79.00	0.00	-800.00	187.0
444.000 PAYMENT IN LIEU OF TAXES	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00	0.0
446.000 PENALTIES AND INTEREST	30,000.00	30,000.00	7,604.06	0.00	0.00	22,395.94	25.3
451.000 BUILDING PERMITS	132,000.00	132,000.00	43,311.85	5,789.75	0.00	88,688.15	32.8
452.000 HEATING & PLUMB. REFG. PERMIT	0.00	0.00	13,542.50	840.00	0.00	-13,542.50	0.0
453.000 ELECTRICAL PERMITS	0.00	0.00	7,872.00	658.00	0.00	-7,872.00	0.0
454.000 LICENSES & BUSINESS MISC.	0.00	0.00	3,857.00	217.00	0.00	-3,857.00	0.0
570.000 STATE SHARED REV.	927,113.00	927,113.00	777,147.95	138,135.00	0.00	149,965.05	83.8
600.000 BOARD OF APPEALS	0.00	0.00	200.00	0.00	0.00	-200.00	0.0
630.000 ADMIN FEE PROPERTY TAX	92,047.00	92,047.00	89,179.83	0.00	0.00	2,867.17	96.9
634.000 GRAVE OPENINGS & FOUNDATIONS	30,000.00	30,000.00	39,405.00	1,020.00	0.00	-9,405.00	131.4
642.000 POLICE	0.00	0.00	48,959.27	3,155.28	0.00	-48,959.27	0.0
661.000 PARKING VIOLATION	4,000.00	4,000.00	1,945.00	20.00	0.00	2,055.00	48.6
662.000 LOCAL COURT FINES	25,000.00	25,000.00	24,338.57	4,702.83	0.00	661.43	97.4
664.000 INTEREST	8,600.00	8,600.00	3,969.41	276.42	0.00	4,630.59	46.2
664.200 PARK AND REC. INTEREST	0.00	0.00	303.13	27.17	0.00	-303.13	0.0
666.000 INTEREST-EQUALIZ.& CONTINGENCY	0.00	0.00	495.26	39.36	0.00	-495.26	0.0
668.200 RENTS AND ROYALTIES-CABLE	144,900.00	144,900.00	151,214.78	39,317.95	0.00	-6,314.78	104.4
668.300 LEASE--ANTENNA	50,000.00	50,000.00	34,649.47	3,376.08	0.00	15,350.53	69.3
668.400 RENTAL PROPERTIES	8,800.00	8,800.00	7,470.90	747.09	0.00	1,329.10	84.9
675.600 DONATIONS TO CULTURAL ARTS COM	0.00	0.00	6.30	0.00	0.00	-6.30	0.0
698.000 MISCELLANEOUS	160,000.00	160,000.00	219,361.71	130,526.57	0.00	-59,361.71	137.1
699.000 TRANSFERS IN	33,160.00	33,160.00	0.00	0.00	0.00	33,160.00	0.0
699.209 TRANSFER IN FROM CEMETERY FUND	98,700.00	98,700.00	64,882.81	64,882.81	0.00	33,817.19	65.7
Dept: 000.000	4,801,321.00	4,801,321.00	4,529,327.29	393,810.31	0.00	271,993.71	94.3
Revenues	4,801,321.00	4,801,321.00	4,529,327.29	393,810.31	0.00	271,993.71	94.3

EXPENDITURE REPORT
FINANCIAL REPORT FOR MAY 2015

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5:57 am

City of South Lyon

For the Period: 7/1/2014 to 5/31/2015

Original Bud. Amended Bud. YTD Actual CURR MTH Encumb. YTD UnencBal % Bud

Fund: 101 - GENERAL FUND

Expenditures

ADMINISTRATION	1,172,443.00	1,157,443.00	898,058.17	64,193.39	0.00	259,384.83	77.6
CEMETERY	98,700.00	98,700.00	77,620.17	12,737.36	0.00	21,079.83	78.6
SENIOR TRANSPORTATION	70,360.00	70,360.00	58,630.00	5,863.00	0.00	11,730.00	83.3
POLICE	2,322,597.00	2,322,597.00	1,970,677.95	157,403.17	0.00	351,919.05	84.8
FIRE	507,130.00	517,130.00	473,626.21	24,789.17	0.00	43,503.79	91.6
AMBULANCE	2,075.00	2,075.00	2,134.08	153.33	0.00	-59.08	102.8
DEPT. OF PUBLIC WORKS	685,170.00	700,170.00	666,781.78	46,934.59	0.00	33,388.22	95.2
PARKS AND RECREATION	126,015.00	127,515.00	107,089.04	17,371.65	0.00	20,425.96	84.0
HISTORICAL DEPOT	26,300.00	26,300.00	22,493.22	988.02	0.00	3,806.78	85.5
CULTURAL ARTS	4,850.00	1,035.00	465.13	331.34	0.00	569.87	44.9

Expenditures	5,015,640.00	5,023,325.00	4,277,575.75	330,765.02	0.00	745,749.25	85.2
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EXPENDITURE REPORT
FINANCIAL REPORT FOR MAY 2015

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City of South Lyon

For the Period: 7/1/2014 to 5/31/2015

Fund: 202 - MAJOR STREETS

Expenditures

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
ACCOUNTANT	3,500.00	3,500.00	2,320.00	0.00	0.00	1,180.00	66.3
CONSTRUCTION	0.00	0.00	2,815.95	698.52	0.00	-2,815.95	0.0
STREET-ROUTINE MAINT.	155,320.00	155,320.00	114,528.69	12,462.70	0.00	40,791.31	73.7
TRAFFIC SERVICES	15,400.00	49,400.00	40,421.29	724.37	0.00	8,978.71	81.8
SNOW PLOWING	84,850.00	84,850.00	90,809.84	8,085.51	0.00	-5,959.64	107.0
SNOW REMOVAL	3,700.00	3,700.00	4,593.87	0.00	0.00	-893.87	124.2
TRANSFER BETWEEN FUNDS	89,000.00	89,000.00	0.00	0.00	0.00	89,000.00	0.0
STORM SEWER	7,200.00	7,200.00	6,336.75	-3,654.62	0.00	863.25	88.0
Expenditures	358,970.00	392,970.00	261,826.19	18,316.48	0.00	131,143.81	66.6

Fund: 203 - LOCAL STREETS

Expenditures

ACCOUNTANT	3,500.00	3,500.00	2,320.00	0.00	0.00	1,180.00	66.3
CONSTRUCTION	0.00	0.00	8,378.29	3,958.29	0.00	-8,378.29	0.0
STREET-ROUTINE MAINT.	134,645.00	134,645.00	111,726.84	13,426.36	0.00	22,918.16	83.0
TRAFFIC SERVICES	7,400.00	7,400.00	4,560.86	242.51	0.00	2,839.14	61.6
SNOW PLOWING	74,350.00	74,350.00	69,205.56	5,867.20	0.00	5,144.44	93.1
STORM SEWER	13,500.00	13,500.00	9,377.46	-1,343.13	0.00	4,122.54	69.5
Expenditures	233,395.00	233,395.00	205,569.01	22,151.23	0.00	27,825.99	88.1

EXPENDITURE REPORT
FINANCIAL REPORT FOR MAY 2015

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City of South Lyon

For the Period: 7/1/2014 to 5/31/2015

Fund: 592 - WATER & SEWER

Expenditures

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
WATER/SEWER CONSTRUCTION	0.00	327,500.00	345,705.49	3,321.46	0.00	-18,205.49	105.6
WATER / REPAIR	151,100.00	151,100.00	112,726.74	14,023.01	0.00	38,373.26	74.6
SEWER / REPAIR	124,500.00	187,100.00	149,451.12	12,120.34	0.00	37,648.88	79.9
REFUSE COLLECTION	490,000.00	490,000.00	453,651.70	41,285.09	0.00	36,348.30	92.6
WATER	902,212.00	911,902.00	1,439,906.28	113,737.93	0.00	-528,004.28	157.9
WASTEWATER	1,167,734.00	1,172,394.00	1,625,931.03	138,615.14	0.00	-453,537.03	138.7
Expenditures	2,835,546.00	3,239,996.00	4,127,372.36	323,102.97	0.00	-887,376.36	127.4

Check Register Report

Checks Written Since 5/12/15

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The City of South Lyon

BANK:

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
Checks							
66603	05/14/2015	Printed		3019	BIFANO EYE CARE	VISION INSURANCE - APRIL 2015	330.42
66604	05/14/2015	Printed		3749	KRISPEN S. CARROLL	PAYROLL DEDUCTION - 5/15/15	578.26
66605	05/14/2015	Printed		0283	CORRIGAN OIL CO.	GAS & DIESEL - APRIL 2015	6,619.76
66606	05/14/2015	Printed		1334	LISA DEATON	REIMB PETTY CASH	43.15
66607	05/14/2015	Printed		5403	KRISTEN DELANEY	REIMB SITE PLAN ORGANIZER	106.85
66608	05/14/2015	Printed		0584	DTE ENERGY	ELECTRIC SERVICE	547.57
66609	05/14/2015	Printed		0317	DTE ENERGY	ELEC SVC 3/26-4/26/15	22,788.65
66610	05/14/2015	Printed		5886	DYNAMIC ENTERPRISE SOLUTIONS	IT SUPPORT FOR INTERNET OUTAGE	85.00
66611	05/14/2015	Printed		3475	GRAPHIC VISIONS, INC.	FARM MKT BANNERS & SIGNS	395.00
66612	05/14/2015	Printed		0557	INTL UNION OF OPERATING ENG	PAYROLL DEDUCTIONS - MAY 2015	255.59
66613	05/14/2015	Printed		6636	LYNNE LADNER	REIMB FOR OCCMA LUNCH	20.00
66614	05/14/2015	Printed		5937	SARAH LAMBI	VIDEO COUNCIL MTG - 5/11/15	50.00
66615	05/14/2015	Printed		5883	TOLA LEWIS	5/9/15 FARM MKT ENTERTAINMENT	125.00
66616	05/14/2015	Printed		9778	LEXISNEXIS	APRIL 2015 CONTRACT FEE	30.00
66617	05/14/2015	Printed		1509	MARTIN'S DO IT BEST	HARDWARE SUPPLIES	14.38
66618	05/14/2015	Printed		9789	MICHAEL MORITZ	MILEAGE REIMBURSEMENT	74.54
66619	05/14/2015	Printed		5627	MARY NOVROCKI	FARM MKT MGR FEES	212.50
66620	05/14/2015	Printed		0213	ROAD COMMISSION FOR OAKLAND	TRAFFIC SIGNAL MAINT -MAR 2015	160.73
66621	05/14/2015	Printed		5893	SAFEBUILT MICHIGAN, INC.	APRIL BLDG PERMITS	6,195.24
66622	05/14/2015	Printed		4976	SINGH DEVELOPMENT, LLC	BLDG BOND REFUND B14120	500.00
66623	05/14/2015	Printed		1465	TERMINEX PROCESSING CENTER	PEST CONTROL - CITY HALL	73.00
66624	05/14/2015	Printed		6032	ADOLFO VALENCIA	MILEAGE REIMBURSEMENT	74.54
66625	05/14/2015	Printed		0062	VANTAGEPOINT TRANSFERS	PAYROLL DEDUCTIONS - 5/15/15	3,463.85
66626	05/14/2015	Printed		5925	W.H. GRIFFIN, TRUSTEE	PAYROLL DEDUCTION - 5/15/15	253.85
66627	05/14/2015	Printed		3854	SUSAN L. WINTERS	PAYROLL DEDUCTIONS	139.97
66628	05/14/2015	Printed		3984	WOW! BUSINESS	CABLE & INTERNET SERVICE	322.51
66630	05/21/2015	Printed		5817	JEFFREY ABRAMOWICZ	MILEAGE REIMBURSEMENT	74.54
66631	05/21/2015	Printed		6037	KELLIE ANGELOSANTO	5/14 PLANNING COMM MTG MINUTES	165.00
66632	05/21/2015	Printed		5892	BILLY BRANDT	5/16/15 FARM MKT ENTERTAINMENT	125.00
66633	05/21/2015	Printed		5441	BRIGHTON AREA FIRE DEPT.	REFUND PUMP OPER. COURSE	235.00
66634	05/21/2015	Printed		3455	EMPLOYEE HEALTH INSURANCE MGMT	RX CHARGES 4/13 - 4/26/15	6,391.76
66635	05/21/2015	Printed		3702	MICHAEL KENNEDY	REIMB PUMP OPER COURSE FOOD	128.50
66636	05/21/2015	Printed		3520	METLIFE - GROUP BENEFITS	DENTAL INSURANCE	4,456.75
66637	05/21/2015	Printed		9789	MICHAEL MORITZ	REIMB CDL DRIVER LICENSE RENEW	65.00
66638	05/21/2015	Printed		0436	LORI MOSIER	REIMB CITY CLEAN-UP FOOD	283.43
66639	05/21/2015	Printed		5627	MARY NOVROCKI	FARM MKT MGR FEES & MISC -5/16	263.14
66640	05/21/2015	Printed		5364	PEOPLE'S EXPRESS	TRANSPORTATION - APRIL 2015	5,863.00
66641	05/21/2015	Printed		0462	PETER'S TRUE VALUE HARDWARE	CLEANING SUPPLIES	34.16
66642	05/21/2015	Printed		7935	KELLY SMITH	5/16 WEDDING & REHEARSAL	275.00
66643	05/28/2015	Printed		5310	ARBOR SPRINGS WATER CO., INC.	WATER FOR CITY HALL	19.50
66644	05/28/2015	Printed		4234	AVAYA*, INC.	DPW PHONE SYSTEM	17.12
66645	05/28/2015	Printed		3749	KRISPEN S. CARROLL	PAYROLL DEDUCTION - 5/29/15	578.26
66646	05/28/2015	Printed		0059	CITY OF NOVI TREASURER	FOIA CLASS	50.00
66647	05/28/2015	Printed		3165	CONSUMERS ENERGY^	GAS SERVICE	2,091.05
66648	05/28/2015	Printed		0962	D&G NATURES WAY LAWN CARE	LAWN FERTILIZATION-CITY HALL	95.91
66649	05/28/2015	Printed		3755	BEVERLY DIXSON	COUNCIL PAY - MAY 2015	180.00
66650	05/28/2015	Printed		0584	DTE ENERGY	ELECTRIC SERVICE 3/20 -5/19/15	31.70
66651	05/28/2015	Printed		0317	DTE ENERGY	STREETLIGHTS	8,261.04
66652	05/28/2015	Printed		3455	EMPLOYEE HEALTH INSURANCE MGMT	ADMIN FEE - MEDICAL WRAP	271.25
66653	05/28/2015	Printed		3955	JOHNSON, ROSATI, SCHULTZ &	SPECIAL ASSIGNMENT MATTERS	13,961.00

Check Register Report

Checks Written Since 5/12/15

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BANK:

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
Checks							
66654	05/28/2015	Printed		2586	GLENN KIVELL	COUNCIL PAY - MAY 2015	180.00
66655	05/28/2015	Printed		1756	ERIN KOPKOWSKI	COUNCIL PAY - MAY 2015	180.00
66656	05/28/2015	Printed		3398	MICHAEL KRAMER	COUNCIL PAY - MAY 2015	180.00
66657	05/28/2015	Printed		6636	LYNNE LADNER	CAR ALLOWANCE MAY	350.00
66658	05/28/2015	Printed		5937	SARAH LAMBI	VIDEO COUNCIL MEETING -5/26/15	50.00
66659	05/28/2015	Printed		7743	MICHIGAN MUNICIPAL LEAGUE	HELP WANTED AD	4,758.00
66660	05/28/2015	Printed		5627	MARY NOVROCKI	FARM MKT MGR FEES	191.58
66661	05/28/2015	Printed		1034	OAKLAND COUNTY	SOUTH LYON WOODS - MARCH 2015	410.00
66662	05/28/2015	Printed		3004	TREASURER OBSERVER & ECCENTRIC NEWSPAPER	ELECTION, ZBA & BUDGET NOTICES	1,187.90
66663	05/28/2015	Printed		0218	PARKSIDE CLEANERS	RUG CLEANING	43.00
66664	05/28/2015	Printed		5289	VICTOR PAVER	REIMB 1 FLAT OF FLOWERS	20.00
66665	05/28/2015	Printed		0462	PETER'S TRUE VALUE HARDWARE	APRIL 2015 STATEMENT	2,345.74
66666	05/28/2015	Printed		1555	PITNEY BOWES	POSTAGE METER REFILL -4/16	1,239.00
66667	05/28/2015	Printed		1199	PNC BANK	ART SHOW SUPPLIES	201.20
66668	05/28/2015	Printed		2507	R.R.R.A.S.O.C.	HAZARDOUS WASTE-5/9 (11 CARS)	302.50
66669	05/28/2015	Printed		0213	ROAD COMMISSION FOR OAKLAND	TRAFFIC SIGNAL MAINT - APR 15	323.62
66670	05/28/2015	Printed		3756	JOSEPH RYZYI	COUNCIL PAY - MAY 2015	180.00
66671	05/28/2015	Printed		0055	SAM'S CLUB DIRECT	MEMBERSHIP FEE & SUPPLIES	634.57
66672	05/28/2015	Printed		2656	SOUTH LYON VFW POST 1224	MEMORIAL DAY FLAGS	391.44
66673	05/28/2015	Printed		1732	STANDARD INSURANCE COMPANY	DISABILITY & LIFE INSURANCE	2,365.30
66674	05/28/2015	Printed		1465	TERMINEX PROCESSING CENTER	PEST CONTROL - 318 W. LAKE	58.00
66675	05/28/2015	Printed		0062	VANTAGEPOINT TRANSFERS	PAYROLL DEDUCTIONS - 5/29/15	3,463.85
66676	05/28/2015	Printed		5925	W.H. GRIFFIN, TRUSTEE	PAYROLL DEDUCTION - 5/29/15	253.85
66677	05/28/2015	Printed		1552	TEDD WALLACE	COUNCIL PAY - MAY 2015	220.00
66678	05/28/2015	Printed		1378	HARVEY WEDELL	COUNCIL PAY - MAY 2015	180.00
66679	05/28/2015	Printed		3984	WOW! BUSINESS	CABLE SERVICE	10.00
66680	05/28/2015	Printed		1334	LISA DEATON	PAYROLL CORRECTION	819.72
66681	06/04/2015	Printed		5310	ARBOR SPRINGS WATER CO., INC.	WATER FOR CITY HALL	13.00
66682	06/04/2015	Printed		5629	LARRY ARBOUR	FARM MKT ENTERTAINMENT - 5/30	75.00
66683	06/04/2015	Printed		5374	AT&T MOBILITY	CELL PHONE SERVICE	568.32
66684	06/04/2015	Printed		0309	DENNIS BRIDSON	REIMB HEALTH INS	500.00
66685	06/04/2015	Printed		3935	CIB PLANNING	RETAINER FEES&PLAN REVIEWS	4,262.50
66686	06/04/2015	Printed		0059	CITY OF NOVI TREASURER	CPA GRADUATION DINNER	361.00
66687	06/04/2015	Printed		3165	CONSUMERS ENERGY^	GAS SERVICE	141.17
66688	06/04/2015	Printed		0584	DTE ENERGY	ELECTRIC SERVICE	1,014.07
66689	06/04/2015	Printed		0584	DTE ENERGY	ELECTRIC SERVICE	1,300.52
66690	06/04/2015	Printed		3455	EMPLOYEE HEALTH INSURANCE MGMT	RX CHARGES	1,808.43
66691	06/04/2015	Printed		0966	KROPF MECHANICAL SERVICE CO.	HVAC MAINT INSPECTION	450.00
66692	06/04/2015	Printed		0966	KROPF MECHANICAL SERVICE CO.	ACTUATOR REPL-SHARED W/SCHOOL	229.03
66693	06/04/2015	Printed		5703	AARON LACOMBE	FARM MKT ENTERTAINMENT - 5/23	75.00
66694	06/04/2015	Printed		6041	MONIQUE LAREAU	FARM MKT MGR FEES - 2 MKT DAYS	200.00
66695	06/04/2015	Printed		0967	DAVID MURRAY	MECH INSPECTORS PAY - MAY 2015	452.75
66696	06/04/2015	Printed		5627	MARY NOVROCKI	FARM MKT MGR FEES	100.00
66697	06/04/2015	Printed		0218	PARKSIDE CLEANERS	RUG CLEANING	43.00
66698	06/04/2015	Printed		5701	QUENCH	WATER COOLER CONTRACT	117.00
66699	06/04/2015	Printed		3804	RICOH USA, INC.	COPIER MAINT AGREE 5/18-8/17	227.60
66700	06/04/2015	Printed		3009	SCHINDLER ELEVATOR CORP.	ELEVATOR MAINTENANCE	408.22
66701	06/04/2015	Printed		7935	KELLY SMITH	5/30/15 WEDDING	275.00

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BANK:

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
Checks							
66702	06/04/2015	Printed		3653	TOSHIBA BUSINESS SOLUTIONS	COPIER METER BILLING	66.98
66703	06/04/2015	Printed		3675	TOSHIBA FINANCIAL SERVICES	COPIER LEASE	1,567.80
66704	06/04/2015	Printed		3984	WOW! BUSINESS	INTERNET SERVICE	157.68
66705	06/04/2015	Printed		3834	BRANDON ZIRKLE	ELECTRICAL INSPECTIONS -MAY 15	216.88
66706	06/04/2015	Printed		6042	JAEON NEER	VIDEO MEMORIAL DAY PARADE	50.00
				Total Checks: 103		Checks Total (excluding void checks):	122,597.69
				Total Payments: 103		Bank Total (excluding void checks):	122,597.69
				Total Payments: 103		Grand Total (excluding void checks):	122,597.69

INVOICE APPROVAL LIST BY FUND
Checks to be Approved 6/8/15

Date: 06/04/2015
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The City of South Lyon

Fund	Department	GL Number	Vendor Name	Check	Invoice	Due	Amount
Account	Account	Abbrev	Invoice Description	Number	Number	Date	
Fund: GENERAL FUND							
Dept:							
101-000.000-035.000	ENGINEERIN	HUBBELL, ROTH, & CLARK, INC.		0		06/08/2015	3,594.18
		SITE PLAN FEES - 5/7/15					
					Total		3,594.18
Dept: ADMINISTRATION							
101-200.000-727.000	OFFICE SUP	OFFICE EXPRESS		0		06/08/2015	85.10
		2 CASES OF PAPER					
101-200.000-727.000	OFFICE SUP	OFFICE EXPRESS		0		06/08/2015	168.17
		OFFICE SUPPLIES					
101-200.000-801.000	PROFESSION	HUBBELL, ROTH, & CLARK, INC.		0		06/08/2015	115.27
		GLEN MEADOWS UTIL DED - 5/7/15					
101-200.000-801.000	PROFESSION	HUBBELL, ROTH, & CLARK, INC.		0		06/08/2015	267.63
		MARTINDALE ESTATE CLOSEOUT &					
101-200.000-801.000	PROFESSION	HUBBELL, ROTH, & CLARK, INC.		0		06/08/2015	1,521.13
		GENERAL ENGINEERING SVCS5/7/15					
101-200.000-971.100	LAND/ BEAU	MIKE'S GARDEN		0		06/08/2015	510.00
		FLOWERS FOR SPRING CLEANUP					
101-200.000-971.100	LAND/ BEAU	STONE DEPOT		0		06/08/2015	2,047.50
		MULCH					
					Total ADMINISTRATION		4,714.80
Dept: CEMETERY							
101-276.000-740.000	OPERATING	BADER & SONS CO.		0		06/08/2015	30.65
		MOWER BELT GUIDE					
101-276.000-740.000	OPERATING	OLD GLORY FLAGS & FLAG POLES		0		06/08/2015	49.10
		6 USA FLAGS					
101-276.000-974.000	LAND IMPRO	MILARCH NURSERY, INC.		0		06/08/2015	495.00
		NEW TREES & DDA TREES REPLACED					
101-276.000-977.000	EQUIPMENT	BADER & SONS CO.		0		06/08/2015	854.35
		MOWER DECK, BLADES, HOUSING&RIM					
101-276.000-977.000	EQUIPMENT	LAWSON PRODUCTS, INC.		0		06/08/2015	481.16
		LIFTING STRAPS					
					Total CEMETERY		1,910.26
Dept: POLICE							
101-300.000-727.000	OFFICE SUP	OFFICE EXPRESS		0		06/08/2015	37.99
		CASE COPY PAPER					
101-300.000-740.000	OPERATING	IMS, INC.		0		06/08/2015	168.30
		2 CASES - NITRILE GLOVES					
101-300.000-802.000	ONGOING RE	JW TEK, LLC		0		06/08/2015	455.00
		SONIC WALL, PORTSWITCH&TECH SVC					
101-300.000-820.000	COMPUTER	JW TEK, LLC		0		06/08/2015	998.00
		SONIC WALL, PORTSWITCH&TECH SVC					
101-300.000-851.000	RADIO MAIN	FREELINC		0		06/08/2015	137.77
		PORT RADIO ADAPTER REP/REPL					
101-300.000-863.000	VEHICLE MA	ADVANCE AUTO PARTS		0		06/08/2015	48.00
		SPARK PLUGS - PD201					
101-300.000-863.000	VEHICLE MA	ADVANCE AUTO PARTS		0		06/08/2015	40.37
		FLUID&FILTER-PD201& SWITCH-PD					
101-300.000-863.000	VEHICLE MA	ADVANCE AUTO PARTS		0		06/08/2015	246.47
		RADIATOR FAN ASSY&PARTS-PD201					
101-300.000-863.000	VEHICLE MA	ADVANCE AUTO PARTS		0		06/08/2015	17.98
		ANTI-FREEZE					
101-300.000-863.000	VEHICLE MA	VICTORY LANE		0		06/08/2015	32.48
		OIL CHANGE - PD231					
101-300.000-863.000	VEHICLE MA	ADVANCE AUTO PARTS		0		06/08/2015	155.73
		BRAKE PADS & ROTORS - PD 291					
101-300.000-863.000	VEHICLE MA	ADVANCE AUTO PARTS		0		06/08/2015	10.31
		BRAKE CALIPER PART					
101-300.000-863.000	VEHICLE MA	ADVANCE AUTO PARTS		0		06/08/2015	114.68
		STARTER - PD 242					
101-300.000-863.000	VEHICLE MA	TIRE WHOLESALERS COMPANY, INC.		0		06/08/2015	389.96
		TIRES FOR PD 291					
101-300.000-863.000	VEHICLE MA	CAR INC.		0		06/08/2015	700.00
		DENT REP/TOUCHUP PD VEHICLES					
					Total POLICE		3,553.04
Dept: FIRE							
101-335.000-727.000	OFFICE SUP	QUILL CORPORATION		0		06/08/2015	106.31
		PAPER, COFFEE SUPPLIES					

INVOICE APPROVAL LIST BY FUND
Checks to be Approved 6/8/15

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The City of South Lyon

Fund	Department	GL Number	Vendor Name	Check	Invoice	Due	Amount
Account		Abbrev	Invoice Description	Number	Number	Date	
Fund: GENERAL FUND							
Dept: FIRE							
101-335.000-863.000	VEHICLE MA		ADVANCE AUTO PARTS	0		06/08/2015	4.82
			FLUID&FILTER-PD201& SWITCH-FD				
101-335.000-863.000	VEHICLE MA		ADVANCE AUTO PARTS	0		06/08/2015	13.98
			WIPER BLADES - ENGINE 1				
101-335.000-863.000	VEHICLE MA		ADVANCE AUTO PARTS	0		06/08/2015	3.91
			HEADLIGHT BULBS				
101-335.000-863.000	VEHICLE MA		ADVANCE AUTO PARTS	0		06/08/2015	5.18
			WAXING SUPPLIES				
101-335.000-863.000	VEHICLE MA		ADVANCE AUTO PARTS	0		06/08/2015	11.43
			BULBS				
101-335.000-863.000	VEHICLE MA		HALT FIRE INC.	0		06/08/2015	349.00
			VALVE REPAIR KITS				
101-335.000-863.000	VEHICLE MA		PAYETTE SALES & SERVICE, INC.	0		06/08/2015	88.83
			SEAL FOR LADDER 1				
Total FIRE							583.46
Dept: DEPT. OF PUBLIC WORKS							
101-440.000-727.000	OFFICE SUP		OFFICE EXPRESS	0		06/08/2015	16.16
			OFFICE SUPPLIES				
101-440.000-740.000	OPERATING		QUALITY FIRST AID & SAFETY	0		06/08/2015	70.99
			HAND CLEANER				
101-440.000-740.000	OPERATING		OLD GLORY FLAGS & FLAG POLES	0		06/08/2015	147.33
			6 USA FLAGS				
101-440.000-740.000	OPERATING		QUALITY FIRST AID & SAFETY	0		06/08/2015	104.98
			PAPER SUPPLIES				
101-440.000-740.000	OPERATING		TENDER CORPORATION-US	0		06/08/2015	500.00
			INSECT REPELLENT TOWELETES				
101-440.000-740.000	OPERATING		ADVANCE AUTO PARTS	0		06/08/2015	10.54
			MOWER OIL				
101-440.000-740.000	OPERATING		ANN ARBOR WELDING SUPPLY CO	0		06/08/2015	106.55
			WELDING SUPPLIES				
101-440.000-740.000	OPERATING		ANN ARBOR WELDING SUPPLY CO	0		06/08/2015	80.55
			CYLINDER RENTAL				
101-440.000-740.000	OPERATING		POWER CLEANING SYSTEMS, INC.	0		06/08/2015	180.33
			PRESSURE WASHER REPAIRED				
101-440.000-740.000	OPERATING		QUALITY FIRST AID & SAFETY	0		06/08/2015	127.69
			FIRST AID&SAFETY SUPPLIES				
101-440.000-802.000	ONGOING RE		QUALITY FIRE SERVICES	0		06/08/2015	178.80
			ANN FIRE EXTINGUISHER INSP&SVC				
101-440.000-820.000	COMPUTER		VISICOM SERVICES, INC.	0		06/08/2015	78.68
			SERVER CYBERPOWER UPS				
101-440.000-863.000	VEHICLE MA		ADVANCE AUTO PARTS	0		06/08/2015	8.99
			ANTI-FREEZE				
101-440.000-863.000	VEHICLE MA		BADER & SONS CO.	0		06/08/2015	183.51
			MOWER DECK, BLADES,HOUSING&RIM				
101-440.000-863.000	VEHICLE MA		CORRIGAN OIL CO.	0		06/08/2015	121.00
			T-5 TOWED				
101-440.000-863.000	VEHICLE MA		HINES PARK FORD, INC.	0		06/08/2015	52.22
			RADIO RELAYS				
101-440.000-863.000	VEHICLE MA		BANDIT INDUSTRIES INC.	0		06/08/2015	696.85
			CLUTCH & BEARING FOR CHIPPER				
101-440.000-935.000	NPDES PHAS		HUBBELL, ROTH, & CLARK, INC.	0		06/08/2015	1,334.69
			2013/14 STORM H2O PERMIT ASST				
101-440.000-974.000	LAND IMPRO		STANDARD ELECTRIC COMPANY	0		06/08/2015	700.00
			LIGHTS FOR 2ND ST. PARKING LOT				
101-440.000-974.000	LAND IMPRO		STONE DEPOT	0		06/08/2015	75.20
			TOPSOIL				
101-440.000-974.000	LAND IMPRO		MILARCH NURSERY, INC.	0		06/08/2015	240.00
			TREE WATERING BAGS				
101-440.000-974.000	LAND IMPRO		MILARCH NURSERY, INC.	0		06/08/2015	1,125.00
			5 TREES REPLACED				
101-440.000-974.000	LAND IMPRO		STANDARD ELECTRIC COMPANY	0		06/08/2015	30.65
			FREIGHT - PARKING LOT LIGHTS				
Total DEPT. OF PUBLIC WORKS							6,170.71
Dept: PARKS AND RECREATION							
101-690.000-740.000	OPERATING		QUALITY FIRST AID & SAFETY	0		06/08/2015	70.99
			HAND CLEANER				
101-690.000-740.000	OPERATING		OLD GLORY FLAGS & FLAG POLES	0		06/08/2015	98.22
			6 USA FLAGS				

INVOICE APPROVAL LIST BY FUND
Checks to be Approved 6/8/15

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The City of South Lyon

Fund	Department	GL Number	Vendor Name	Check	Invoice	Due	Amount
Account	Account	Abbrev	Invoice Description	Number	Number	Date	
Fund: GENERAL FUND							
Dept: PARKS AND RECREATION							
101-690.000-740.000	OPERATING		O'REILLY AUTO PARTS	0		06/08/2015	25.96
			WEED WHIP FUEL MIX				
101-690.000-740.000	OPERATING		QUALITY FIRST AID & SAFETY	0		06/08/2015	104.98
			PAPER SUPPLIES				
101-690.000-740.000	OPERATING		QUALITY FIRST AID & SAFETY	0		06/08/2015	70.99
			FIRST AID&SAFETY SUPPLIES				
101-690.000-740.000	OPERATING		ZERO WASTE USA, INC.	0		06/08/2015	195.75
			PET WASTE BAGS				
101-690.000-801.000	PROFESSION		JOHN'S SANITATION	0		06/08/2015	645.00
			PORTA JOHNS @ PARKS				
101-690.000-930.000	REPAIR MAI		STONE DEPOT	0		06/08/2015	2,610.00
			PLAYGROUND MULCH				
101-690.000-930.000	REPAIR MAI		STONE DEPOT	0		06/08/2015	306.00
			CRUSHED CONCRETE-BIKE PATH REP				
101-690.000-930.000	REPAIR MAI		ETNA SUPPLY	0		06/08/2015	1,066.08
			PIPE&COUPLING-BIKE PATH DRAIN				
Total PARKS AND RECREATION							5,193.97
Fund Total							25,720.42
Fund: MAJOR STREETS							
Dept: CONSTRUCTION							
202-451.000-801.000	PROFESSION		HUBBELL, ROTH, & CLARK, INC.	0		06/08/2015	41.58
			2013 UPDATE ROAD MASTER PLAN				
Total CONSTRUCTION							41.58
Fund Total							41.58
Fund: LOCAL STREETS							
Dept: CONSTRUCTION							
203-451.000-801.000	PROFESSION		HUBBELL, ROTH, & CLARK, INC.	0		06/08/2015	235.62
			2013 UPDATE ROAD MASTER PLAN				
Total CONSTRUCTION							235.62
Fund Total							235.62
Fund: DOWNTOWN DEVELOPMENT AUTHORITY							
Dept:							
280-000.000-740.000	OPERATING		MIKE'S GARDEN	0		06/08/2015	35.97
			FLOWERS FOR POCKET PARK				
280-000.000-962.000	MISC EXP		MILARCH NURSERY, INC.	0		06/08/2015	910.00
			NEW TREES & DDA TREES REPLACED				
Total							945.97
Fund Total							945.97
Fund: CAPITAL IMPROVEMENTS							
Dept: CONSTRUCTION							
401-451.000-801.110			HUBBELL, ROTH, & CLARK, INC.	0		06/08/2015	2,795.23
			LAKE ST PAVEMENT REHAB 5/7/15				
Total CONSTRUCTION							2,795.23
Fund Total							2,795.23
Fund: WATER & SEWER							
Dept: WATER/SEWER CONSTRUCTION							
592-452.000-801.000	PROFESSION		HUBBELL, ROTH, & CLARK, INC.	0		06/08/2015	2,585.58
			WATER SYS UPGRADE DWRP 5/7/15				
Total WATER/SEWER CONSTRUCTION							2,585.58
Dept: WATER / REPAIR							
592-540.000-740.000	OPERATING		ADVANCE AUTO PARTS	0		06/08/2015	4.93
			MISC. TOOLS				
592-540.000-740.000	OPERATING		STONE DEPOT	0		06/08/2015	32.40
			TOPSOIL				

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Fund	Department	GL Number	Vendor Name	Check	Invoice	Due	Amount
Account		Abbrev	Invoice Description	Number	Number	Date	
Fund: WATER & SEWER							
Dept: WATER / REPAIR							
592-540.000-740.000		OPERATING	MICHIGAN PIPE & VALVE	0		06/08/2015	237.33
			REPAIR PARTS				
592-540.000-930.000		REPAIR MAI	ROSE EXCAVATING, INC.	0		06/08/2015	494.00
			SAND FOR REPAIRS				
Total WATER / REPAIR							768.66
Dept: SEWER / REPAIR							
592-550.000-740.000		OPERATING	HORNET CONCRETE CO. INC.	0		06/08/2015	486.50
			REP STREET FROM SEWER REPAIR				
592-550.000-740.000		OPERATING	PLUMBERS SERVICE	0		06/08/2015	184.50
			CABLED SANITARY LINE-368 CAMBR				
592-550.000-740.000		OPERATING	PLUMBERS SERVICE	0		06/08/2015	206.50
			CABLED SANITARY LINE - 465 ADA				
Total SEWER / REPAIR							877.50
Dept: WATER							
592-556.000-727.000		OFFICE SUP	OFFICE EXPRESS	0		06/08/2015	69.23
			OFFICE SUPPLIES				
592-556.000-740.000		OPERATING	REAGENTS HOLDINGS	0		06/08/2015	70.02
			LAB SUPPLIES				
592-556.000-740.000		OPERATING	BADER & SONS CO.	0		06/08/2015	231.96
			WEED WHIP				
592-556.000-740.000		OPERATING	IDEXX LABORATORIES*	0		06/08/2015	1,210.56
			LAB SUPPLIES				
592-556.000-740.000		OPERATING	JCI JONES CHEMICALS INC.	0		06/08/2015	972.50
			CHLORINE				
592-556.000-740.000		OPERATING	QUALITY FIRE SERVICES	0		06/08/2015	665.55
			9 FIRE EXT FURNISHED&INSTALLED				
592-556.000-740.000		OPERATING	VWR INTERNATIONAL LLC	0		06/08/2015	159.19
			LAB SUPPLIES				
592-556.000-740.000		OPERATING	JADE SCIENTIFIC, INC.	0		06/08/2015	110.91
			LAB SUPPLIES				
592-556.000-740.000		OPERATING	POWER CLEANING SYSTEMS, INC.	0		06/08/2015	180.33
			PRESSURE WASHER REPAIRED				
592-556.000-740.000		OPERATING	QUALITY FIRST AID & SAFETY	0		06/08/2015	116.25
			1ST AID&SAFETY SUPPLIES				
592-556.000-863.000		VEHICLE MA	ADVANCE AUTO PARTS	0		06/08/2015	92.73
			BATTERY FOR W-7				
592-556.000-863.000		VEHICLE MA	ADVANCE AUTO PARTS	0		06/08/2015	1.96
			BULBS				
592-556.000-931.000		BUILDING M	UTILITIES INSTRUMENTATION	0		06/08/2015	7,056.00
			WTP GENERATOR SWITCHGEAR				
592-556.000-970.000		CAPITOL IM	BADGER METER INC.	0		06/08/2015	3,748.75
			METER BODIES & HEADS, GSKTS,				
Total WATER							14,685.94
Dept: WASTEWATER							
592-557.000-727.000		OFFICE SUP	OFFICE EXPRESS	0		06/08/2015	69.23
			OFFICE SUPPLIES				
592-557.000-740.000		OPERATING	ARBOR SPRINGS WATER CO., INC.	0		06/08/2015	32.50
			LAB SUPPLIES				
592-557.000-740.000		OPERATING	BRIGHTON ANALYTICAL, INC.	0		06/08/2015	41.25
			WW ANALYTICAL				
592-557.000-740.000		OPERATING	CHEMTRADE CHEMICALS US LLC	0		06/08/2015	5,128.17
			ALUMINUM SULFATE				
592-557.000-740.000		OPERATING	KENNEDY INDUSTRIES, INC.	0		06/08/2015	342.75
			SECONDARY PUMP OIL				
592-557.000-740.000		OPERATING	PARAGON LABORATORIES, INC.	0		06/08/2015	345.00
			WW ANALYSIS				
592-557.000-740.000		OPERATING	ANN ARBOR WELDING SUPPLY CO	0		06/08/2015	53.27
			WELDING SUPPLIES				
592-557.000-740.000		OPERATING	ANN ARBOR WELDING SUPPLY CO	0		06/08/2015	26.85
			CYLINDER RENTAL				
592-557.000-740.000		OPERATING	BRIGHTON ANALYTICAL, INC.	0		06/08/2015	41.25
			WW ANALYSIS				
592-557.000-740.000		OPERATING	POWER CLEANING SYSTEMS, INC.	0		06/08/2015	180.34
			PRESSURE WASHER REPAIRED				
592-557.000-740.000		OPERATING	QUALITY FIRST AID & SAFETY	0		06/08/2015	116.26
			1ST AID&SAFETY SUPPLIES				

INVOICE APPROVAL LIST BY FUND
Checks to be Approved 6/8/15

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The City of South Lyon

Fund	Department	GL Number	Vendor Name	Check	Invoice	Due	
Account	Account	Abbrev	Invoice Description	Number	Number	Date	Amount
Fund: WATER & SEWER							
Dept: WASTEWATER							
592-557.000-802.000		ONGOING RE	KROPF MECHANICAL SERVICE CO. SPRING HVAC INSPECTION	0		06/08/2015	1,125.00
592-557.000-802.000		ONGOING RE	QUALITY FIRE SERVICES ANN FIRE EXTINGUISHER INSP	0		06/08/2015	106.15
592-557.000-962.000		MISC EXP	STONE DEPOT MULCH	0		06/08/2015	225.00
592-557.000-962.000		MISC EXP	THERMO FISHER SCIENTIFIC B.O.D. INCUBATOR SERVICED	0		06/08/2015	725.00
592-557.000-970.000		CAPITOL IM	BADGER METER INC. METER BODIES & HEADS, GSKTS,	0		06/08/2015	3,748.75
Total WASTEWATER							12,306.77
Fund Total							31,224.45
Fund: EQUIPMENT REPLACEMENT							
Dept:							
641-000.000-959.000		SALT TRUCK	KNAPHEIDE TRUCK EQUIPMENT DUMP BODY, PLOW&SPREADER	0		06/08/2015	32,269.00
641-000.000-959.000		SALT TRUCK	KNAPHEIDE TRUCK EQUIPMENT DUMP BODY REPLACED T-12	0		06/08/2015	18,806.00
641-000.000-959.000		SALT TRUCK	KNAPHEIDE TRUCK EQUIPMENT DUMP BODY REPLACED T-6	0		06/08/2015	11,780.00
Total							62,855.00
Fund Total							62,855.00
Grand Total							123,818.27

The above checks have been approved for payment.

Lisa Deaton, City Clerk/Treasurer

Tedd M. Wallace, Mayor

AGENDA NOTE

New Business: Item #

MEETING DATE: June 8, 2015

PERSON PLACING ITEM ON AGENDA: City Attorney

AGENDA TOPIC: City Attorney Retainer Agreement

EXPLANATION OF TOPIC: The City's current retainer agreement with Johnson, Rosati, Schultz and Joppich expires on June 30, 2015. The City needs to review the options being presented or decide whether to develop and complete a new RFQ/RFP process for City legal services.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Letter and documentation from the City Attorney

POSSIBLE COURSES OF ACTION: Select one of the proposed legal services options proposed by Johnson, Rosati, Schultz and Joppich or put legal services out for bid..

RECOMMENDATION:

SUGGESTED MOTION: Motion by _____, supported by _____ to accept option _____ to retain Johnson Rosati Schultz and Joppich as the City's legal counsel.

05/26/15



JOHNSON ROSATI SCHULTZ JOPPICH PC

27555 Executive Drive Suite 250 ~ Farmington Hills, Michigan 48331
Phone: 248.489.4100 | Fax: 248.489.1726

Timothy S. Wilhelm
twilhelm@jrsjlaw.com

www.jrsjlaw.com

May 29, 2015

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

RE: City Attorney Services Retainer Agreement

Dear Ms. Ladner:

As you are aware, in mid-2014 I provided the City with an analysis of the number of hours of legal services provided to the City for general city attorney work and prosecutions since Johnson Rosati began as the City's attorneys in July 2012. The analysis was provided as a preface to a request for an amendment to the monthly retainer fee pursuant to Section 9 of the Retainer Agreement to better reflect the quality and number of hours of legal services provided to the City. I also presented the City with several options for adjusting the monthly retainer fee in the Retainer Agreement and additional information regarding amounts charged for out-of-retainer labor and tax tribunal legal services.

Council did not approve an amendment to the Retainer Agreement, and the Retainer Agreement will expire on June 30, 2015 unless a new agreement is reached and approved. A copy of the current Retainer Agreement is enclosed. We would certainly like to continue to serve as the City Attorney and provide legal services to the City, but with an adjustment to the fee arrangement and clarification that personnel and employment matters will be out-of-retainer. I have included an updated hourly rate analysis for the general city attorney and prosecution services and information regarding the hours and amounts billed for labor matters. As reflected on the updated analysis, we provide an average of 88 hours of retainer legal services to the City per month. The monthly retainer is currently \$6,250 per month which equates to an average hourly rate of just over \$77 per hour which is well below our normal hourly rate of \$140 per hour for municipal clients, and it is well below market rates for similar municipal legal services as reflected in the State Bar billing rate survey, a copy of which is enclosed (see, p. 25 public corporation law).

Enclosed is a proposed Retainer Agreement for a three-year period beginning on July 1, 2015, with three alternatives for revising the monthly fee and other revisions shown in redline. The three alternatives for revising the monthly retainer rate are as follows:

- Alternative #1 is a straight hourly rate charge of \$140 per hour for all legal services except labor which would be billed at an hourly rate of \$160 including travel time. According to the 2014 State Bar billing rate survey, the \$140 per hour rate is equivalent to the 25th percentile hourly rate charged by attorneys practicing public corporation law.
- Alternative #2 is a flat monthly retainer fee of \$11,500 for the in-retainer services. General non-retainer matters, such as personnel, employment, and tax tribunal matters, would be billed at \$140 per hour and labor matters would be charged at \$160 per hour including travel time.
- Alternative #3 is a hybrid arrangement with a monthly retainer rate of \$9,000 for 75 hours per month which equates to an hourly rate of \$120 per hour, and any hours exceeding 75 in a month would be charged at \$150 per hour. General non-retainer matters, such as personnel, employment, and tax tribunal matters, would be billed at \$140 per hour and labor matters would be charged at \$160 per hour including travel time.

We believe that each of the three alternatives would be fair to both the City and our firm and the alternatives reflect a variety of factors including, the number of hours of legal services used by the City per month, market rates for municipal legal services, the quality of legal services provided, our desire to continue working with the City, and options for cost control, encouraging efficiency, and shifting risk based on the number of hours of legal services used. We are certainly willing to consider other mutually acceptable arrangements.

Over the last three years our firm has provided the City with high quality and cost effective legal services, and if given the opportunity, we intend to continue to provide this same high level of service. But, we would like to agree on a revised Retainer Agreement with an increased monthly retainer fee that is fair to the City and reflects the market rates, quality and number of hours of legal services we provide to the City. I would appreciate an opportunity to discuss the proposed Retainer Agreement and alternatives for adjusting the fee arrangement with you. Also, I would request, if you deem it appropriate, that the proposed Retainer Agreement be provided to Council for consideration prior to June 30, 2015.

If no agreement on a new Retainer Agreement is reached by June 30, 2015, we will continue to provide City Attorney, prosecution, personnel, employment, and tax tribunal legal services at \$140 per hour and labor legal services at \$160 per hour including travel time on an interim basis.

Letter to Lynne Ladner - Retainer Agreement
May 29, 2015
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I look forward to the opportunity to discuss the Retainer Agreement. If you have any questions, or if I can provide any additional information, please let me know.

Very truly yours,

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



Timothy S. Wilhelm

enc

Month	Monthly Fee	Prosecutions	City Attorney	Total Hours	Hourly Rate
Jul-12	\$6,250.00	29.9	57.9	87.80	\$71.18
Aug-12	\$6,250.00	38.6	87.2	125.80	\$49.68
Sep-12	\$6,250.00	24.4	44.3	68.70	\$90.98
Oct-12	\$6,250.00	40.8	46.4	87.20	\$71.67
Nov-12	\$6,250.00	33.5	58.6	92.10	\$67.86
Dec-12	\$6,250.00	23.2	52.7	75.90	\$82.35
Jan-13	\$6,250.00	29.8	76.1	105.90	\$59.02
Feb-13	\$6,250.00	27.9	66.6	94.50	\$66.14
Mar-13	\$6,250.00	22.5	98.0	120.50	\$51.87
Apr-13	\$6,250.00	30.4	64.3	94.70	\$66.00
May-13	\$6,250.00	21.0	69.6	90.60	\$68.98
Jun-13	\$6,250.00	20.5	68.8	89.30	\$69.99
Jul-13	\$6,250.00	31.4	43.5	74.90	\$83.44
Aug-13	\$6,250.00	26.1	79.9	106.00	\$58.96
Sep-13	\$6,250.00	22.9	52.2	75.10	\$83.22
Oct-13	\$6,250.00	27.9	98.5	126.40	\$49.45
Nov-13	\$6,250.00	11.7	38.3	50.00	\$125.00
Dec-13	\$6,250.00	14.6	18.3	32.90	\$189.97
Jan-14	\$6,250.00	27.3	49.1	76.40	\$81.81
Feb-14	\$6,250.00	21.4	39.6	61.00	\$102.46
Mar-14	\$6,250.00	11.8	88.2	100.00	\$62.50
Apr-14	\$6,250.00	22.8	66.5	89.30	\$69.99
May-14	\$6,250.00	30.3	76.3	106.60	\$58.63
Jun-14	\$6,250.00	27.7	42.7	70.40	\$88.78
Jul-14	\$6,250.00	20.5	74.1	94.60	\$66.07
Aug-14	\$6,250.00	29.4	83.2	112.60	\$55.50
Sep-14	\$6,250.00	30.0	82.1	112.10	\$55.75
Oct-14	\$6,250.00	27.9	68.1	96.00	\$65.10
Nov-04	\$6,250.00	19.3	58.3	77.60	\$80.54
Dec-14	\$6,250.00	29.4	35.8	65.20	\$95.95
Jan-15	\$6,250.00	30.4	74.0	104.40	\$59.86
Feb-15	\$6,250.00	27.9	45.1	73.00	\$85.61
Mar-15	\$6,250.00	13.2	62.1	75.30	\$83.00
Apr-15	\$6,250.00	14.9	56.0	70.90	\$88.15
	Average Hourly Rate Per Month				\$77.44
	Average Hours Per Month			87.76	
	Prosecution Avg	25.3			
	City Attorney Avg		62.4		

Labor			
	Hours	Rate	Total
Jun-12	5.5	\$160.00	\$832.00
Jul-12	1.1	\$160.00	\$176.00
Aug-12	0	\$160.00	\$0.00
Sep-12	0	\$160.00	\$0.00
Oct-12	0	\$160.00	\$0.00
Nov-12	0	\$160.00	\$0.00
Dec-12	0	\$160.00	\$0.00
Jan-13	0.0	\$160.00	\$0.00
Feb-13	0.0	\$160.00	\$0.00
Mar-13	0.0	\$160.00	\$0.00
Apr-13	2.3	\$160.00	\$368.00
May-13	0.0	\$160.00	\$0.00
Jun-13	7.2	\$160.00	\$1,152.00
Jul-13	8.8	\$160.00	\$1,408.00
Aug-13	15.2	\$160.00	\$2,432.00
Sep-13	27.0	\$160.00	\$4,320.00
Oct-13	17.5	\$160.00	\$2,800.00
Nov-13	19.4	\$160.00	\$3,104.00
Dec-13	10.6	\$160.00	\$1,696.00
Jan-14	5.9	\$160.00	\$944.00
Feb-14	1.1	\$160.00	\$176.00
Mar-14	2.1	\$160.00	\$336.00
Apr-14	5.1	\$160.00	\$816.00
May-14	3.6	\$160.00	\$576.00
Jun-14	13.9	\$160.00	\$2,224.00
Jul-14	17.9	\$160.00	\$2,864.00
Aug-14	5.2	\$160.00	\$832.00
Sep-14	9.1	\$160.00	\$1,456.00
Oct-14	3.4	\$160.00	\$544.00
Nov-14	6.6	\$160.00	\$1,056.00
Dec-14	5	\$160.00	\$800.00
	193.5		\$30,912.00
Average	6.56 hrs		\$ 1,048.96

**RETAINER AGREEMENT
FOR
CITY ATTORNEY SERVICES**

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

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

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

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

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

3. For the retainer services mentioned in Section 2 above, the Attorneys shall be paid a monthly "civil matters" retainer in the amount of Six Thousand Two Hundred Fifty Dollars and No/100 Dollars (\$6,250.00) or such amount as otherwise established in accordance with Section 9 below or established annually in the approved City budget.

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

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

5. Fees for non-retainer services mentioned in Section 4 above shall be billed and paid monthly by the City at the rate of \$130 per hour, except that labor negotiations or arbitrations shall be at the rate of \$160 per hour and non-retainer prosecutions shall be at the rate of \$100 per hour.

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

7. Attorneys will submit to the City Manager on a monthly basis before the 15th of each month an itemized invoice for all retainer and non-retainer services and costs and expenses for the previous month's activities. The invoice will identify the attorney performing

the services, the matter on which the attorney worked, a description of the services provided, the hourly rate charged (if applicable), the time spent on the task in increments of tenths of an hour, and any costs or expenses eligible for reimbursement. Invoices and amounts due shall be due and payable immediately upon receipt by the City.

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

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

10. This Agreement shall be effective July 1, 2012 (the "Effective Date"), and shall continue in effect for a period of three (3) years from the Effective Date, unless terminated by either party as provided for herein or renewed by City Council. Either party may terminate this Agreement at any time upon sixty (60) days written notice to the other for any reason. In the event of termination the parties agree to cooperate in the transition to successor legal counsel in conformance with State Bar of Michigan ethical guidelines to protect the public interests of the City.

IN WITNESS WHEREOF, the parties hereunto have executed this Agreement on this ____ day of June, 2012.

CITY OF SOUTH LYON

By:

Todd M. Wallace

Its: Mayor

By:

[Signature]
Its: Clerk

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

By:

[Signature]

**RETAINER AGREEMENT
FOR
CITY ATTORNEY SERVICES**

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

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

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

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

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

ALTERNATIVE #1

3. For the retainer services mentioned in Section 2 above, the Attorneys shall be paid ~~\$140 per hour, a monthly "civil matters" retainer in the amount of Six Thousand Two Hundred Fifty Dollars and No/100 Dollars (\$6,250.00) or such amount as otherwise established in accordance with Section 9 below or established annually in the approved City budget.~~

ALTERNATIVE #2

3. For the retainer services mentioned in Section 2 above, the Attorneys shall be paid a monthly "civil matters" retainer in the amount of Eleven Thousand Five Hundred and No/100 Dollars (\$11,500.00) or such amount as otherwise is established in accordance with Section 9 below or established annually in the approved City budget.

ALTERNATIVE #3

3. For the retainer service mentioned in Section 2 above, the Attorneys shall be paid: i) a monthly "civil matters" retainer in the amount of Nine Thousand and No/100 Dollars (\$9,000.00) for up to 75 hours per month; and ii) \$150 per hour for each hour or portion thereof over 75 hours billed in a month.

1-4. The "civil matters" retainer shall not compensate the Attorneys for the following non-retainer services rendered for and on behalf of the City:

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

E.F. Special projects or assignments of a non-retainer nature and other extraordinary time-consuming matters.

2.5. Fees for non-retainer services mentioned in Section 4 above shall be billed and paid monthly by the City at the rate of \$1430 per hour, except that labor negotiations or arbitrations shall be at the rate of \$160 per hour including travel time, and non-retainer prosecutions shall be at the rate of \$1040 per hour.

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

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

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

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

10. This Agreement shall be effective July 1, 2015 ~~June 1, 2012~~ (the "Effective Date"), and shall continue in effect for a period of three (3) years from the Effective Date, unless terminated by either party as provided for herein or renewed by City Council. Either party may terminate this Agreement at any time upon sixty (60) days written notice to the other for any reason. In the event of termination the parties agree to cooperate in the transition to successor legal counsel in conformance with State Bar of Michigan ethical guidelines to protect the public interests of the City.

7.

IN WITNESS WHEREOF, the parties hereunto have executed this Agreement on this
| ____ day of June, 2015~~2~~.

CITY OF SOUTH LYON

By: _____

Its: Mayor

By: _____

Its: Clerk

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

By: _____

Economics of Law Practice in Michigan

2014 Attorney Income and Billing Rate Key Findings Report

The survey was conducted in May 2014 and requested income and billing rate information for 2013.

The State Bar of Michigan Economics of Law Practice Survey provides Michigan attorneys with a resource that allows access to the most current law practice economic information available. The survey results are provided as a service to SBM members.

The survey has two practical objectives:

- Providing timely, relevant, and accurate information to inform and guide the practical management decisions of Michigan attorneys
- Tracking and illustrating changes and trends within the legal profession

The survey monitors and reports on several points of information useful to attorneys:

- Attorney income
- Prevailing average hourly billing rates by several indicators including fields of practice, judicial circuit, and geographic location
- Time allocated to billable and non-billable professional activities
- Management practices
- Perceptions regarding current and future economic circumstances related to the practice of law

The key findings report contains information pertaining to attorney income and billing rates. It is produced as an early and separate report to provide attorneys with this target information as quickly as possible, as it is the most requested information from all attorneys. All other information will be contained in the full 2014 Economics of Law Practice Summary Report that will follow.

Methods and measures

The 2014 Economics of Law Practice Survey was conducted in May 2014. An electronic survey was sent to 18,610 private-practice and 14,861 non-private-practice members of the State Bar of Michigan, inviting their participation. Private practitioners returned 2,734 completed questionnaires (14.7 percent response rate) and non-private practitioners returned 1,158 completed questionnaires

(7.8 percent response rate). Dr. James McComb, an independent consultant statistician, tabulated the questionnaires.

To help interpret the information presented in the survey, the following is a brief description of statistical terms of measures of central tendency (median and mean) and measures of dispersion (spread).

Mean—The mean (also called the average) is calculated by adding the values of all responses, then dividing by the number of responses. Example: Three responses (30, 1, 2) are reported. The average, or mean, is calculated by adding $30 + 1 + 2 = 33$ and then dividing by the number of responses (3). The average is 11.

Median—The median is the middle value in a series or distribution of values (50th percentile, which is initially rank-ordered from low to high or vice versa). By definition, half of the numbers are greater and half are less than the median. Example: Three responses (30, 1, 2) are reported. The median is the middle number of the order of distribution (1, 2, 30), or 2. By comparison, the average of this distribution is 11, as shown above.

Use of the median as a statistical metric of central tendency reduces the effects of "outliers" (extremely high or low values, such as the data point of 30 in the previous example), while the average does not. Median values are used throughout the survey results to denote the measure of central tendency.

Percentiles—In addition to the median, four other percentile values are used in the survey results to reveal the spread of a particular data distribution. The percentiles include:

- 25th percentile—Also referred to as the lower quartile. One-fourth of the values are less and three-fourths are more than this value.
- 50th percentile—Also referred to as the median. Half of the values are less and half are more than this value.
- 75th percentile—Also referred to as the upper quartile. Three-fourths of the values are less and one-fourth are more than this value.
- 95th percentile—Ninety-five percent of the values are less and five percent of the values are more than this value.

Note of clarification: Extreme values (multiple thousands per hour) were excluded because of their unrepresentative qualities; four were excluded for reporting \$10,000 or above per hour.

I 2013 Attorney Income

Table 1—2013 Reported Attorney Income—Private Practitioners

	VALUE BY PERCENTILE					
	N	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Sole Practitioner, office outside of home	222	9,563	25,083	47,881	64,000	175,000
Sole Practitioner, working out of home office	168	40,000	70,000	107,235	113,000	160,000
Managing Partner	161	104,000	200,000	329,036	350,000	1,100,000
Equity Partner/Shareholder	142	121,000	174,500	181,482	211,000	360,000
Non-Equity Partner	142	85,000	105,000	123,596	143,000	250,000
Senior Associate	109	42,500	42,500	131,688	230,000	500,000
Associate	8	60,000	100,000	559,055	150,000	950,000
Arbitrator/Mediator	51	2,000	20,000	30,000	100,000	200,000
Other	2,196	\$62,980	\$100,000	\$126,340	\$200,000	\$500,000

*Data is not displayed for categories with fewer than three respondents due to insufficient information but is included in the totals.

Table 2—2013 Reported Attorney Income—Non-Private Practitioners

	VALUE BY PERCENTILE					
	N	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Prothonotary	21	58,000	81,695	98,208	149,000	200,000
Law School	38	2,000	20,000	30,000	100,000	200,000
Paralegal/Counsel	210	138,000	139,900	139,646	140,000	176,000
Judge	55	42,132	55,000	56,944	71,938	95,000
Public Defender	70	52,000	75,000	75,125	98,500	116,000
Legal Service Agency	147	2,000	20,000	30,000	100,000	200,000
Federal Government	12	2,000	20,000	30,000	100,000	200,000
Local Government	12	2,000	20,000	30,000	100,000	200,000
State Government	12	2,000	20,000	30,000	100,000	200,000
Governmental Relations	*					
Whistleblower	22	30,000	58,000	72,701	98,000	180,000
Non-Law Related	22	2,000	20,000	30,000	100,000	200,000
Retired	15	2,000	20,000	57,333	130,000	155,500
Other	2,196	\$58,000	\$80,000	\$119,378	\$125,000	\$220,000

*Data is not displayed for categories with fewer than three respondents due to insufficient information but is included in the total.

II 2013 Attorney Hourly Billing Rates

Table 3—2013 Attorney Hourly Billing Rates

	VALUE BY PERCENTILE					
	N	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Sole Practitioner, office outside of home	463	\$185	\$225	\$233	\$250	\$383
Sole Practitioner, working out of home office	230	150	200	199	250	350
Sole Practitioner, sharing space	176	173	211	241	273	399
Managing Partner	171	205	250	282	325	500
Equity Partner/Shareholder	369	225	310	333	417	575
Non-Equity Partner	159	250	325	330	400	500
Of Counsel	150	225	300	310	408	500
Senior Associate	115	200	250	264	300	445
Associate	201	175	208	218	250	320
Arbitrator/Mediator	8	188	275	261	329	400
Assistant Counsel						
Other	41	180	250	254	300	523
Total	2,310	\$192	\$245	\$265	\$315	\$490

*Data is not displayed for categories with fewer than three respondents due to insufficient information but is included in the totals.

Table 4—2013 Attorney Hourly Billing Rates by Years in Practice

	VALUE BY PERCENTILE					
	N	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
1	100	\$185	\$165	\$172	\$214	\$260
1 to 2	140	150	189	189	225	284
3 to 5	197	160	200	205	290	367
6 to 10	326	180	225	236	283	370
11 to 15	228	195	250	260	300	435
16 to 25	544	200	269	291	350	488
26 to 30	264	200	250	279	347	500
31 to 35	319	200	250	276	300	515
>35	640	200	280	305	350	525
Total	2,566	\$192	\$245	\$264	\$310	\$483

Table 5—2013 Attorney Hourly Billing Rates by Firm Size in a Single Location

	VALUE BY PERCENTILE					
	N	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
1	902	175	215	228	250	300
2	249	183	225	248	275	400
3 to 4	165	200	230	259	300	400
4 to 6	302	192	235	259	300	450
6 to 10	201	192	250	275	325	450
11 to 20	184	201	260	290	366	500
21 to 30	217	212	280	299	340	500
>50	277	280	375	377	475	570
Total	2,487	\$192	\$245	\$265	\$313	\$485

Table 6—2013 Attorney Hourly Billing Rates by Office Location

	VALUE BY PERCENTILE					
	N	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Downtown Detroit & New Center area	159	\$195	\$275	\$304	\$400	\$550
Detroit (not downtown)	174	150	210	215	210	300
Remainder Wayne County	139	195	225	227	250	350
Oakland County (north of M-59)	183	200	250	286	300	350
Oakland County (south of M-59)	625	200	250	280	325	495
Southfield	167	200	250	308	385	500
Mount Clemens area	40	181	225	232	258	383
Remainder Macomb County	12	150	200	217	250	300
Ann Arbor area	127	200	275	290	350	520
Livingston County	201	200	250	270	300	350
Battle Creek area	24	183	200	203	250	250
Bay City/Midland/Scottsbluff area	97	175	210	226	250	300
Flint area	66	180	215	238	275	400
Eastland/Hillsdale	130	200	250	289	370	500
Jackson area	29	167	185	210	240	370
Kalamazoo area	27	175	200	206	240	300
Kalamazoo area	68	178	243	242	295	400
Marquette area	171	175	200	231	250	300
Lansing area	171	175	230	241	297	400
Westland area	103	200	250	292	350	500
Other metro areas	20	150	175	190	207	363
Out of state (lower peninsula)	17	175	200	212	225	300
Upper Peninsula	33	123	173	158	195	225
Don't know/blank/other	68	150	200	207	250	300
Out of state	103	225	300	312	355	613
Total	2,580	\$192	\$245	\$265	\$312	\$485

Table 7—2013 Attorney Hourly Billing Rates by Field of Practice

	N	VALUE BY PERCENTILE				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
Administrative law	85	\$200	\$250	\$284	\$350	\$520
Appellate law	189	195	275	274	350	480
Arbitration/Mediation	89	200	260	285	325	550
Auto (not lemon law)	98	250	350	344	400	500
Auto, no-fault	142	150	250	300	400	550
Bankruptcy, creditor	73	280	295	327	350	510
Bankruptcy, debtor	124	195	223	230	260	350
Business planning	83	215	260	289	325	520
Civil litigation	768	210	275	290	345	500
Civil rights	74	200	260	276	350	450
Collections, creditor	107	175	200	225	260	375
Collections, debtor	14	225	300	295	385	400
Condemnation law	5	250	300	291	330	400
Construction law	70	245	275	287	325	465
Consumer law (including lemon law)	44	200	335	321	400	500
Criminal (private defendant)	29	175	200	222	250	360
Criminal (public defendant)	111	50	85	112	190	250
Employment law (plaintiff)	34	200	250	274	330	450
Employment law (defense)	145	225	275	285	340	455
Environmental law	40	175	300	319	360	528
Family law	509	175	200	221	250	350
Foreclosure, debtor	6	200	210	237	350	350
Foreclosure, lender	48	198	215	237	250	435
General practice	261	170	200	227	250	350
Health & hospital law	62	245	298	330	420	550
Immigration law	1	175	200	251	300	400
Insurance law	149	150	195	236	300	455
Intellectual property/ trade secrets	120	170	330	342	425	560
Landlord/tenant (commercial)	30	190	250	254	300	445
Landlord/tenant (residential)	6	150	200	180	210	250
Medical malpractice (plaintiff)	39	350	400	474	500	1,000
Medical malpractice (defendant)	4	175	200	171	185	228
Other civil law	261	200	250	272	325	500
Other professional liability	20	225	315	320	388	500
Personal injury (defendant)	119	150	165	190	200	325
Personal injury (plaintiff)	104	250	350	388	400	500
Probate, administration, decedent's estates	371	195	225	234	250	395
Guardianship/coopertatorship	10	175	220	213	250	350
Probate litigation, decedent's estates	90	200	243	250	275	460
Probate, trust administration	196	200	250	272	300	425
Probate, trust litigation	68	243	295	300	350	460
Product liability	29	220	500	604	350	500

Table 7 (continued)—2013 Attorney Hourly Billing Rates by Field of Practice

VALUE BY PERCENTILE						
	N	25th Percentile	Median	Mean	75th Percentile	95th Percentile
Public benefits	14	\$180	\$225	\$231	\$250	\$395
Public corporation (excluding city & village)	21	210	175	186	225	315
Real estate	369	200	250	257	300	450
Securities law	31	250	300	327	400	600
Tax law	137	250	300	331	410	550
Worker's compensation employee	25	200	250	242	300	400
Workers' compensation employer	27	100	115	115	125	145
Total	6,321	\$195	\$250	\$263	\$300	\$480

Table 8—2013 Attorney Hourly Billing Rates by County

VALUE BY PERCENTILE						
	N	25th Percentile	Median	Mean	75th Percentile	95th Percentile
Alcona	3	\$153	\$195	\$183	\$200	\$200
Alcona	3	175	107	81	200	
Allegan	55	193	225	249	290	425
Alcona	9	150	150	188	200	275
Antrim	26	175	210	208	233	275
Antrim	26	175	210	208	233	275
Baraga	5	110	175	152	180	195
Baraga	5	110	175	152	180	195
Bay	47	175	225	233	275	450
Bay	47	175	225	233	275	450
Berrien	47	175	217	238	267	400
Berrien	47	175	217	238	267	400
Calhoun	54	175	201	220	250	375
Calhoun	54	175	201	220	250	375
Charlevoix	18	200	220	251	280	545
Charlevoix	18	200	220	251	280	545
Chippewa	4	185	183	184	203	205
Chippewa	4	185	183	184	203	205
Clinton	58	186	225	234	263	350
Clinton	58	186	225	234	263	350
Delta	7	105	133	136	175	200
Delta	7	105	133	136	175	200
Eaton	91	175	213	220	250	340
Eaton	91	175	213	220	250	340
Genesee	129	180	217	241	275	400
Genesee	129	180	217	241	275	400
Gogebic	*	-	-	-	-	-
Gogebic	*	-	-	-	-	-
Gratiot	11	183	225	255	307	500

(continued on next page)

	VALUE BY PERCENTILE					
	N	25th Percentile	Median	Mean	75th Percentile	95th Percentile
Hillsdale	7	119	190	235	292	383
Houghton	8	123	167	183	185	250
Hydon	1	320	325	363	445	445
Ingham	218	175	232	249	300	480
Ionia	111	135	200	226	250	375
Iosco	8	139	193	198	260	325
Ionia	1	320	325	363	445	445
Isabella	20	179	220	223	250	342
Jackson	28	167	190	211	300	400
Kalamazoo	121	190	242	258	320	450
Kalamazoo	1	125	200	278	225	250
Kent	389	208	280	298	370	510
Keweenaw	1	320	325	363	445	445
Lake	0	-	-	-	-	-
Lapeer	27	175	205	242	250	450
Leelanau	27	157	223	210	250	300
Leelanau	1	185	271	250	390	420
Livingston	86	185	225	231	267	350
Livingston	1	200	228	214	250	250
Mackinac	6	200	228	214	250	250
Macomb	545	200	250	282	300	450
Manistee	5	205	210	209	225	255
Manistee	1	200	180	180	225	300
Mason	4	153	190	179	205	210
Macomb	1	200	200	210	250	285
Menominee	3	75	143	131	175	175
Midland	31	138	225	248	275	470
Missaukee	3	125	150	162	210	210
Monroe	35	167	183	250	250	300
Montcalm	18	195	241	254	333	450
Montmorency	2	175	200	193	210	208
Muskegon	72	182	233	269	328	455
Muskegon	1	193	193	194	200	275
Navy	1	193	193	194	200	275
Oakland	1,226	200	250	278	325	500
Ocean	0	320	320	330	200	330
Ogemaw	6	125	163	150	180	195
Ontonagon	31	138	225	248	275	470
Oscoda	5	167	200	185	210	250
Oscoda	1	167	200	185	210	250
Otsego	13	150	200	198	225	300
Otsego	1	200	250	270	225	450
Presque Isle	5	185	200	192	200	210
Roscommon	6	150	165	174	192	250
Saginaw	80	172	225	244	299	468

Table 8 (continued)—2013 Attorney Hourly Billing Rates by County

	N	VALUE BY PERCENTILE				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
Schoolcraft	3	107	175	159	197	197
St. Clair	29	180	200	215	250	325
Tuscola	13	155	200	189	220	238
Washtenaw	245	200	250	284	342	510
Wayne	1,195	200	250	275	325	500
Wexford	10	167	230	238	288	350
Out of state practice	125	223	300	336	425	625
Total	5,988	\$192	\$245	\$264	\$309	\$480

*Data is not displayed for counties with fewer than three respondents due to insufficient information but is included in the totals.

Table 9—2013 Attorney Hourly Billing Rates by Circuit

	N	VALUE BY PERCENTILE				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
1 Hillsdale	4	\$179	\$190	\$235	\$292	\$383
2 Ingham	1					
3 Wayne	1,195	200	250	275	325	500
4 Jackson	16	167	200	212	290	300
5 Barry	16	223	258	259	292	333
6 Oscoda	226	200	250	275	325	500
7 Genesee	129	180	217	241	275	400
8 Lapeer	23	190	242	258	320	450
9 Kalamazoo	121	190	242	258	320	450
10 Sanilac	30	175	200	191	225	250
11 Alger, Luce, Mackinac, Schoolcraft	15	175	200	191	225	250
12 Branch, Cheboygan, Charlevoix	14	160	190	195	240	250
13 Antrim, Grand Traverse, Leelanau	119	167	213	211	250	300
14 Mackinac	7	160	190	195	240	250
15 Branch	11	160	190	195	240	250
16 Alcona	6	200	250	275	325	500
17 Kent	389	208	280	298	370	510
18 Benzie	19	150	205	217	235	625
20 Charlevoix	18	200	250	275	325	500
21 Isabella	20	179	220	223	250	342
22 Washtenaw	245	200	250	284	342	510

(continued on next page)

- VALUE BY PERCENTILE

	VALUE BY PERCENTILE					
	N	25th Percentile	Median	Mean	75th Percentile	95th Percentile
23 Alcona, Arenac, Iosco, Oshtemo	26	\$150	\$198	\$191	\$222	\$320
25 Marquette	23	137	180	181	225	300
27 New Aygo, Oceana	22	160	187	192	200	275
29 Clinton, Gratiot	67	185	225	238	275	350
31 St. Clair	20	180	200	215	250	325
33 Charlevoix	18	200	220	251	280	545
35 Shiawassee	28	175	200	282	250	900
37 Calhoun	54	175	201	220	250	375
39 Lenawee	31	183	241	250	300	420
41 Dickinson, Iron, Menominee	9	125	143	159	175	250
43 Cass	21	160	200	228	255	400
45 St. Joseph	21	200	235	230	250	300
47 Delta	105	135	133	136	175	200
49 Mackinac, Oceaola	14	150	200	201	250	335
51 Lake, Mason	14	150	190	179	205	210
53 Cheboygan, Presque Isle	13	180	200	206	210	333
55 Clare, Gladwin	10	185	250	249	307	350
57 Emmet	24	198	226	242	254	445
85 Out of State Practice	125	223	300	336	425	625
total	5,988	\$182	\$245	\$260	\$309	\$480

AGENDA NOTE

New Business: Item #

MEETING DATE: June 8, 2015

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Consider allowing city staff and current volunteer committee members to pursue options related to seeking MEDC cost-sharing opportunities related to Crowdfunding initiatives for development of additional playing fields and nature trail systems at Volunteer park

EXPLANATION OF TOPIC: Under Michigan state law governmental agencies can seek to partner with the public, private corporations and the MEDC to raise the necessary funds for large community projects without increasing tax levies. The process uses a fast growing and popular funding mechanism called Crowd Funding. In order to partner with the MEDC the City would need to use the site called Patroncity.com but depending upon the size of the project the city could leverage up to \$100,000 in matching funds from the MEDC.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Information about the crowd funding site, a similar project South Lyon's Volunteer Park project that is using this platform to raise funds to build an new sports complex.

POSSIBLE COURSES OF ACTION: Permit City Staff to work with local volunteer groups that have already established a preliminary master plan to finalize details and work to utilize the ability to leverage all possible funding sources to obtain the necessary funding for the continued development of Volunteer Park or Choose not to participate in the Crowd funding initiative with the possibility of matching funds from the state.

RECOMMENDATION: Permit City Staff and local organizations to move forward with capitalizing on all possible opportunities for leveraging and obtaining funding to continue development at Volunteer Park.

SUGGESTED MOTION: Motion by _____, supported by _____ to authorize City Staff to work with local groups and the MEDC to develop a collaborative plan for leveraging and obtaining funding for the continued development of Volunteer park.

05/26/15

Sponsor Projects

Creating a Space for Corporations & Foundations

Patronicity's unique sponsorship feature allows large businesses, corporations and organizations to get involved in building vibrant communities. Affirm your commitment to the community by offering matching dollars or a challenge grant to encourage donations to projects that align with your values and mission.

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about us

Patronicity supports building vibrant communities by connecting small businesses, organizations & events with local patrons and sponsors to help them grow, one project at a time.

Learn More → (</how-it-works>)

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How it works

How It Works

It Starts With a Vision

Patronicity

Building Vibrant Communities

Patronicity is a localized crowdfunding platform that enables anybody to make a difference in their community by supporting local businesses, organizations & events, while simultaneously rewarding them for doing so.

Be a Patron

Make a Difference & Be Rewarded

Become a Patron by supporting important local projects, no matter how small or large. By becoming a Patron and an integral part of making a project possible, you're making your community vibrant. In return, Patrons can receive unique rewards for supporting every project and the satisfaction of supporting others in fulfilling their dreams.

Launch a Project

It Starts with an Idea

Have a community-based project that needs funding & publicity? Whether it's a new sign for your business, ticket-sales for your event, or landscaping for your community garden, Patronicity can help you tap into your network and launch your project to find funding and support.

[Apply now \(/projects/create_project\)](/projects/create_project)[Contact Us \(/contact\)](/contact)

Grow Communities

Support Projects in Your Community

We all live in multiple "communities", such as neighborhoods, churches, organizations, etc. Patronicity makes it easy for those communities to support projects with Community Pages, that highlight the great work their members are doing and in turn give that Community a chance to show itself off.

Community Pages are free

[Contact us to get started](#)

Sparta Recreation Sports Complex

"Let's Go Play!"



([http://twitter.com/intent/tweet?original_referer=&text=Be a Patron for](http://twitter.com/intent/tweet?original_referer=&text=Be a Patron for Sparta+Recreation+Sports+Complex&url=https://www.patronicity.com/project/sparta_recreation_sports_complex)

[Sparta+Recreation+Sports+Complex&url=https://www.patronicity.com/project/sparta_recreation_sports_complex](https://www.patronicity.com/project/sparta_recreation_sports_complex))



(<mailto:friend@email.com?subject=I just backed Sparta Recreation Sports Complex on Patronicity, join me in helping to make it happen!&body=I just supported Sparta Recreation Sports Complex, an awesome project on Patronicity. It's a crowdfunding campaign, so they need lots of small contributions from donors, or 'Patrons' like you and me to make it happen. %0D%0A%0D%0AYou can read more about how this works at https://www.patronicity.com/how-it-works%0D%0A%0D%0APlease visit the project here, read more about it, choose a giving level and share with others as well!>)

https://www.patronicity.com/project/sparta_recreation_sports_complex)



8

The image is a promotional graphic for the Sparta Recreation Sports Complex. It features a large, stylized map of the complex's layout, showing various sports fields and facilities. The map is color-coded with green for fields and blue for water or other features. In the top right corner, there is a logo for SARA (Sparta Area Recreation Association) with the text "SARA Sparta Area Recreation Association" below it. Below the logo, the address "P.O. Box 142 Sparta, MI 49345" is listed. To the right of the address is a small inset map showing the location of the complex relative to the intersection of M-37 and 13 Mile / Division St. The bottom of the graphic contains the text "let's go play! Building Outdoor Recreation Facilities in Sparta" in a playful font. At the very bottom, a line of text reads "please visit www.sara-sparta.org for more information or to make a secure monetary donation online."

📍 Sparta, MI 📌 Other 📌 Causes

\$28,235

funded of \$100,000 goal

33

patrons

32

days left

Support

All donations are tax-deductible!

Sparta Area Recreation Association is a registered 501c3, Tax ID 45-4549087.

Partial Funding: This campaign launched on May 4, 2015 and will collect all funds raised by Jun 30, 2015 11:59 PM.



The Michigan Economic Development Corporation will contribute \$100,000 if we meet our goal!

Recreation in Sparta

As of May 2, 2015:

We are excited to announce we have begun construction on the Sparta Sports Complex! The community was invited to join in on the Ground Breaking Celebration on Saturday May 2 as a kick off to the final fundraising goal needed to complete the project! Hundreds of community members and financial supporters helped us take the first shovel to the site! The Ground Breaking is made possible as we are almost to the goal of **\$2.1 Million Dollars!** Please help us close the campaign to finish the construction on the sports complex by making your donation today!

SARA (Sparta Area Recreation Association) is an organization dedicated to providing youth sports opportunities for the youth in the community of Sparta! The vision is to construct a centralized facility where all of the youth sports fields that **over 1,200 kids** actively use in Sparta can utilize everyday. Other recreation amenities are arranged on the property including walking **paved trail ways, nature trails, playground, pavilion**, benches, and other possible amenities such as Frisbee golf, a giant sledding hill, and more.



Building The Sparta Complex

This is such an important addition to our community for several reasons including:

BATHROOMS! One of the biggest perks is having a centralized concession stand and restroom facility for all the complex use.

ACCESSIBILITY! Currently, the existing sports fields are not equipped to allow access for wheelchair or for anyone with disabilities. This complex will include ADA Parking spaces, paved pathways to the fields, and even a special **Challenger Little League** Field that will allow for wheelchair and other special needs uses. Sparta currently serves a growing population of

Won't you join us with a matching grant, every \$1 donated is doubled up to \$100,000! Help us spread the word because every dollar counts. Come out to the property where the park will be built to see what the excitement is about, and **"Let's Go Play!"**

Provide the citizens of Sparta and neighboring communities a recreation complex where we can help develop skills, share experiences and grow. We promote character development and life enhancing values thru community based activities and healthy recreation.

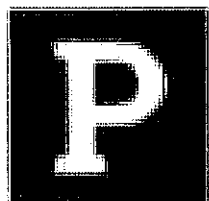
our mission

What does it take to build a strong community?

Social Setting - Community Diversity - Outdoor Resources
[READ MORE>](#)

we've got this *we've got this* *this one... working!*

project by:



[liz.morse \(/users/view/liz.morse\)](/users/view/liz.morse)

• [profile \(/users/view/liz.morse\)](/users/view/liz.morse)

Give \$10 or more

4 claimed

Friend of Sparta Recreation Complex

Every dollar helps bring the Sparta Recreation Complex to life. All donations are used for the construction, maintenance, and operations of the Sports Park. Thank you for your support!

Give \$50 or more

1 claimed

SARA Supporter

Every dollar makes this dream a reality! If every supporter gave as little as \$50 this park fundraising would be complete! Thank you for your support! Be sure to tell a friend you donated today!

Give \$100 or more

0 claimed

For the Kids Supporter

When you give \$100, your donation will help make a fun, safe playing space for kids of all ages!

Give \$150 or more

6 claimed

4"x8" Brick Engraved Paver

Make a contribution for your support! Bricks will be placed near the Veteran Memorial and entrance to the park. Engraving is 3 Lines with 16 characters per line (spaces count as a character) All text will be centered on the brick. (Items will not be shipped to you, the address is requested for a thankyou note only)

Give \$250 or more

3 claimed

8"x8" Brick Engraved Paver

Make a contribution for your support! Bricks will be placed near the Veteran Memorial and entrance to the park. Engraving is 6 Lines with 16 characters per line (spaces count as a character) All text will be centered on the brick. (Items will not be shipped to you, the address is requested for a thankyou note only)

Give \$500 or more

1 claimed

Shade Tree

A shade tree is the perfect Naming Accessory for the park that people will enjoy for decades to come. Name plaques will be positioned with your engraved plate. 2 lines with 16 characters per line. (Items will not be shipped to you, the address is requested for a thankyou note only)

Give \$1000 or more

5 claimed

Picnic Table

A picnic table will see hundreds of family picnics, sports teams taking a break between games, and people sitting to rest at the Recreation Park. A Picnic Table gift is valued at \$1,000 and will serve the park for many years. Engraved Name Plates will be created thanking our generous donors for their gift to the park. (Items will not be shipped to you, the address is requested for a thankyou note only)

Give \$2500 or more

1 claimed

Dugout Bench

It's where teams come together to strategize, to listen to their coach, and to learn the game they love. A Dugout Bench is where memories of childhood can be found. Name plates will recognize the generous donors who made it possible. A \$2,500 value to give our youth a place to wait their turn on the field. (Items will not be shipped to you, the address is requested for a thankyou note only)

Give \$5000 or more

0 claimed

Park Bench

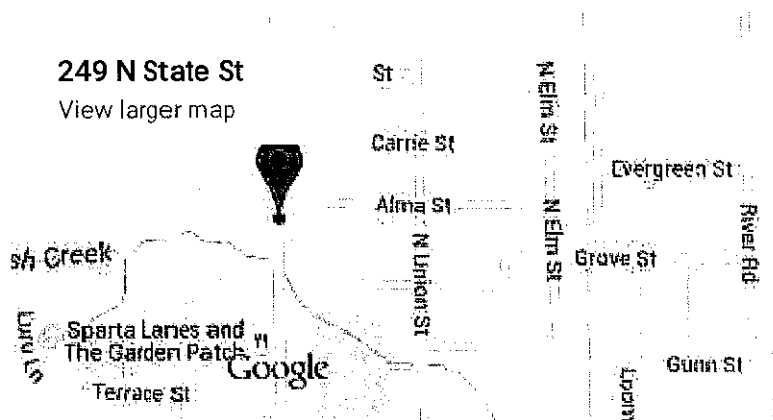
The versatility of a Park Bench can be found along the busy side of a playground, along a picnic area, and along a nature trail in the open space. Park Benches make a park a place to linger and relax. The value of a Park Bench is a gift of \$5,000, and will be enjoyed for years to come by anyone visiting the park. (Items will not be shipped to you, the address is requested for a thankyou note only)

Communities



(/community/pure-michigan-medc)

Pure Michigan - MEDC



Sign in

Map data ©2015 Google

Home (<https://www.patronicity.com/home>)

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about us

Patronicity supports building vibrant communities by connecting small businesses, organizations & events with local patrons and sponsors to help them grow, one project at a time.

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15.266 Providing copies of public notice on written request; fee.

Sec. 6. (1) Upon the written request of an individual, organization, firm, or corporation, and upon the requesting party's payment of a yearly fee of not more than the reasonable estimated cost for printing and postage of such notices, a public body shall send to the requesting party by first class mail a copy of any notice required to be posted pursuant to section 5(2) to (5).

(2) Upon written request, a public body, at the same time a public notice of a meeting is posted pursuant to section 5, shall provide a copy of the public notice of that meeting to any newspaper published in the state and to any radio and television station located in the state, free of charge.

History: 1976, Act 267, Eff. Mar. 31, 1977.

15.267 Closed sessions; roll call vote; separate set of minutes.

Sec. 7. (1) A 2/3 roll call vote of members elected or appointed and serving is required to call a closed session, except for the closed sessions permitted under section 8(a), (b), (c), (g), (i), and (j). The roll call vote and the purpose or purposes for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.

(2) A separate set of minutes shall be taken by the clerk or the designated secretary of the public body at the closed session. These minutes shall be retained by the clerk of the public body, are not available to the public, and shall only be disclosed if required by a civil action filed under section 10, 11, or 13. These minutes may be destroyed 1 year and 1 day after approval of the minutes of the regular meeting at which the closed session was approved.

History: 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1993, Act 81, Eff. Apr. 1, 1994;—Am. 1996, Act 464, Imd. Eff. Dec. 26, 1996.

15.268 Closed sessions; permissible purposes.

Sec. 8. A public body may meet in a closed session only for the following purposes:

(a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions.

(b) To consider the dismissal, suspension, or disciplining of a student if the public body is part of the school district, intermediate school district, or institution of higher education that the student is attending, and if the student or the student's parent or guardian requests a closed hearing.

(c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

(d) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

(e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(f) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, except as otherwise provided in this subdivision, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act. This subdivision does not apply to a public office described in subdivision (j).

(g) Partisan caucuses of members of the state legislature.

(h) To consider material exempt from discussion or disclosure by state or federal statute.

(i) For a compliance conference conducted by the department of commerce under section 16231 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.16231 of the Michigan Compiled Laws, before a complaint is issued.

(j) In the process of searching for and selecting a president of an institution of higher education established under section 4, 5, or 6 of article VIII of the state constitution of 1963, to review the specific contents of an application, to conduct an interview with a candidate, or to discuss the specific qualifications of a candidate if the particular process of searching for and selecting a president of an institution of higher education meets all of the following requirements:

(i) The search committee in the process, appointed by the governing board, consists of at least 1 student of the institution, 1 faculty member of the institution, 1 administrator of the institution, 1 alumnus of the institution, and 1 representative of the general public. The search committee also may include 1 or more

members of the governing board of the institution, but the number shall not constitute a quorum of the governing board. However, the search committee shall not be constituted in such a way that any 1 of the groups described in this subparagraph constitutes a majority of the search committee.

(ii) After the search committee recommends the 5 final candidates, the governing board does not take a vote on a final selection for the president until at least 30 days after the 5 final candidates have been publicly identified by the search committee.

(iii) The deliberations and vote of the governing board of the institution on selecting the president take place in an open session of the governing board.

History: 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1984, Act 202, Imd. Eff. July 3, 1984;—Am. 1993, Act 81, Eff. Apr. 1, 1994;—Am. 1996, Act 464, Imd. Eff. Dec. 26, 1996.

15.269 Minutes.

Sec. 9. (1) Each public body shall keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes shall include all roll call votes taken at the meeting. The public body shall make any corrections in the minutes at the next meeting after the meeting to which the minutes refer. The public body shall make corrected minutes available at or before the next subsequent meeting after correction. The corrected minutes shall show both the original entry and the correction.

(2) Minutes are public records open to public inspection, and a public body shall make the minutes available at the address designated on posted public notices pursuant to section 4. The public body shall make copies of the minutes available to the public at the reasonable estimated cost for printing and copying.

(3) A public body shall make proposed minutes available for public inspection within 8 business days after the meeting to which the minutes refer. The public body shall make approved minutes available for public inspection within 5 business days after the meeting at which the minutes are approved by the public body.

(4) A public body shall not include in or with its minutes any personally identifiable information that, if released, would prevent the public body from complying with section 444 of subpart 4 of part C of the general education provisions act, 20 USC 1232g, commonly referred to as the family educational rights and privacy act of 1974.

History: 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1982, Act 130, Imd. Eff. Apr. 20, 1982;—Am. 2004, Act 305, Imd. Eff. Aug. 11, 2004.

15.270 Decisions of public body; presumption; civil action to invalidate; jurisdiction; venue; reenactment of disputed decision.

Sec. 10. (1) Decisions of a public body shall be presumed to have been adopted in compliance with the requirements of this act. The attorney general, the prosecuting attorney of the county in which the public body serves, or any person may commence a civil action in the circuit court to challenge the validity of a decision of a public body made in violation of this act.

(2) A decision made by a public body may be invalidated if the public body has not complied with the requirements of section 3(1), (2), and (3) in making the decision or if failure to give notice in accordance with section 5 has interfered with substantial compliance with section 3(1), (2), and (3) and the court finds that the noncompliance or failure has impaired the rights of the public under this act.

(3) The circuit court shall not have jurisdiction to invalidate a decision of a public body for a violation of this act unless an action is commenced pursuant to this section within the following specified period of time:

(a) Within 60 days after the approved minutes are made available to the public by the public body except as otherwise provided in subdivision (b).

(b) If the decision involves the approval of contracts, the receipt or acceptance of bids, the making of assessments, the procedures pertaining to the issuance of bonds or other evidences of indebtedness, or the submission of a borrowing proposal to the electors, within 30 days after the approved minutes are made available to the public pursuant to that decision.

(4) Venue for an action under this section shall be any county in which a local public body serves or, if the decision of a state public body is at issue, in Ingham county.

(5) In any case where an action has been initiated to invalidate a decision of a public body on the ground that it was not taken in conformity with the requirements of this act, the public body may, without being deemed to make any admission contrary to its interest, reenact the disputed decision in conformity with this act. A decision reenacted in this manner shall be effective from the date of reenactment and shall not be declared invalid by reason of a deficiency in the procedure used for its initial enactment.

History: 1976, Act 267, Eff. Mar. 31, 1977.



Optima
Specialty Steel Inc

Les Whitver

Vice President/General Manager

400 McMunn St.

South Lyon, MI 48178

Phone: 248-486-0240

Fax: 248-486-0296

Email: lwhitver@mstube.com

May 20, 2015

Captain Lloyd Collins
Chief of South Lyon Police Department
219 Whipple Street
South Lyon, MI 48178

Re: MST Open House

Dear Captain Collins:

On behalf of myself and all the employees at Michigan Seamless Tube & Pipe, I would like to thank you and your staff for taking time out of your day on Saturday, May 9, 2015 to help make our Open House an overwhelming success.

The children, as well as the adults, enjoyed visiting and getting to know our officers.

Thank you for making the police vehicles accessible to our people and for sharing with them just a little of what you do to make our community a safer place to live.

Sincerely,

Les H. Whitver, Vice President/General Manager
Optima Specialty Steel Inc.
Michigan Seamless Tube LLC
lwhitver@mstube.com
248.486.0240

I WANTED TO TAKE THE
OPPORTUNITY TO THANK YOU
AGAIN FOR OFFERING THE
CITIZEN'S POLICE ACADEMY.
THE EXPERIENCE OFFERED
SUCH TREMENDOUS INSIGHT
REGARDING POLICE PROTOCOL.

I ALSO ENJOYED A PATROL
RIDE - A LONG WITH SGT.
SEAN HOYDIE WHO REPRESENTS
YOUR DEPARTMENT WITH
PROFESSIONAL AND COURTEOUS
SERVICE.

SGT. BAAK'S TEACHING AND
INPUT HELPED EVERYONE
GAIN BETTER UNDERSTANDING.

Chief Collins,

Thank you
for all your efforts.

Sincerely,

Wei Karelou

CITY OF SOUTH LYON

Freedom of Information Policies, Procedures & Guidelines

**Approved and adopted by City Council on _____, 2015
Effective July 1, 2015**

Preamble: Statement of Principles

It is the policy of the City of South Lyon that all persons, except those who are serving a sentence of imprisonment, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

The City of South Lyon's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request.

The City of South Lyon acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. The City of South Lyon acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals.

The City of South Lyon will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. The City of South Lyon's policy is to disclose public records consistent with and in compliance with State law.

Section 1: General Policies

The City Council, acting pursuant to the authority at MCL 15.236, designates the Clerk as the FOIA Coordinator. He or she is authorized to designate other City staff to act on his or her behalf to accept and process written requests for the City's public records and approve denials.

If a request for a public record is received by fax or email, the request is deemed to have been received on the following business day. If a request is sent by email and delivered to a City spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.

The FOIA Coordinator shall review City spam and junk-mail folders on a regular basis, which shall be no less than once a month. The FOIA Coordinator shall work with City Information Technology staff to develop administrative rules for handling spam and junk-mail so as to

protect City systems from computer attacks which may be imbedded in an electronic FOIA request.

The FOIA Coordinator may, in his or her discretion, implement administrative rules, consistent with State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA requests.

The City is not obligated to create a new public record or make a compilation or summary of information which does not already exist. Neither the FOIA Coordinator, nor other City staff, is obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves.

A copy of all written requests for public records received by the City shall be maintained for a period of at least one year. The retention of such requests shall be the responsibility of the FOIA Coordinator, or applicable designee, or in the event that the records were released without review by the FOIA Coordinator, by the City Department which accepted and processed the request.

The City will make these Procedures and Guidelines document and the Written Public Summary publicly available without charge.

Copies of these Policies, Procedures & Guidelines and the City's Written Public Summary will be available at City Hall, the Police Department, and Fire Department, and it will be maintained and available on the City's website at: www.southlyonmi.org/_____, so a link to those documents will be provided in lieu of providing paper copies of those documents.

Section 2: Requesting a Public Record

No specific form to submit a request for a public record is required. However the FOIA Coordinator may make available a FOIA Request Form for use by the public.

Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the City may be submitted in writing (letter, fax, email, etc.). A request must sufficiently describe a public record so as to enable City personnel to identify and find the requested public record. Verbal requests for records may be processed, but will be documented by the City. The FOIA Coordinator may insist on a written request.

Written requests for public records may be submitted in person or by mail to the City Hall. Requests may also be submitted electronically by fax and email. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator, and if applicable, his or her designee, for processing.

If a person makes a verbal, non-written request for information believed to be available on the City's website, where practicable and to the best ability of the employee receiving the request, shall be informed of the pertinent website address.

The FOIA Coordinator may implement administrative rules permitting verbal requests for public records in designated instances. Verbal requests for public records not available on the City's website are not considered to fall within the scope of the FOIA statute; shall only be responded to where the record in question will be made available or released in its entirety; and when waiver of the requirement of a written request and release of record, in the particular instance, serves the best interests of the requesting party, the general public, and the City. In the event that the public record sought by a verbal request will not be released in its entirety, the requesting party will be advised to file a written request.

A person may request that public records be provided on non-paper physical media, emailed or other otherwise provided to him or her in digital form in lieu of paper copies. The City will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.

A person may subscribe to future issues of public records that are created, issued or disseminated by the City of South Lyon on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber.

A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

Section 3: Processing a Request

Unless otherwise agreed to in writing by the person making the request, the City will issue a response within 5 business days of receipt of a FOIA request. If a request is received by fax, email or other electronic transmission, the request is deemed to have been received on the following business day.

The City will respond to a request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a written notice indicating that the public record requested is available at no charge on the City's website.
- Issue a notice indicating that due to the nature of the request the City needs an additional 10 business days to respond for a total of no more than 15 business days. Only one such extension is permitted.

If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available. The FOIA Coordinator shall provide a detailed itemization of the

allowable costs incurred to process the request to the person making the request. The FOIA Coordinator will use the City's Cost Itemization Form.

A copy of these Policies, Procedures & Guidelines and the Written Public Summary will be provided to the requestor free of charge with the response to a written request for public records, provided however, that because these Policies, Procedures & Guidelines, and the Written Public Summary are maintained on the City's website at: www.southlyonmi.org/_____, a link to the Policies, Procedures & Guidelines and the Written Public Summary will be provided in lieu of providing paper copies of those documents.

If the cost of processing a FOIA request is \$50 or less, the requestor will be notified of the amount due and where the documents can be obtained.

If the cost of processing a FOIA request is expected to exceed \$50 based on a good-faith calculation, or if the requestor has not paid in full for a previously granted request, the City will require a good-faith deposit pursuant to Section 4 of this policy before processing the request.

In making the request for a good-faith deposit the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by the City to process the request and also provide a best efforts estimate of a time frame it will take the City to provide the records to the requestor. The best efforts estimate shall be nonbinding on the City, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by the requestor, or another name reasonably known by the City; or
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and
- An explanation of the person's right to submit an appeal of the denial to either the City Manager or seek judicial review in the Oakland County Circuit Court; and
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator or the Coordinator's designee.

If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or

amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines described in this Section.

If there is a request to inspect public records, the City shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect City records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal City operations.

If there is a request for certified copies, the FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record.

Section 4: Fee Deposits

If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation, the requestor will be asked to provide a deposit not exceeding one-half of the total estimated fees.

If a request for public records is from a person who has not paid the City in full for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- The final fee for the prior written request is not more than 105% of the estimated fee;
- The public records made available contained the information sought in the prior written request and remain in the City's possession;
- The public records were made available to the individual, subject to payment, within the time frame estimated by the City to provide the records;
- Ninety (90) days or more have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- The individual is unable to show proof of prior payment to the City; and
- The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

- The person making the request is able to show proof of prior payment in full to the City;
- The City is subsequently paid in full for the applicable prior written request; or

- Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the City.

Section 5: Calculation of Fees

Consistent with the authority granted in the statute, it is the intent of the City to charge a fee for a public record search, for the necessary copying of a public record for inspection, or for providing a copy of a public record so that its general fund and departmental budgets are not unduly burdened by the costs associated with processing and responding to FOIA requests.

A fee may be charged for the labor cost of copying/duplication.

A fee will not be charged for the labor cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in "unreasonably high costs" to the City because of the nature of the request in the particular instance, and the City specifically identifies the nature of the unreasonably high costs.

The following factors shall be used to determine an unreasonably high cost to the City:

- Volume of the public record requested
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether the public records are from more than one City department or whether various City offices are necessary to respond to the request.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

The City may charge for the following six costs associated with processing a granted request:

- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the City. These labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the City. These labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may

include the cost for copies of records already on the City's website if the requestor asks the City to make copies.

- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the City's website if the requestor asks the City to make copies.
- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet. The cost to mail or send a public record to a requestor. These labor costs will be estimated and charged in one minute increments, with all partial time rounded down.
- The cost to mail or send a public record to a requestor.

Labor costs will be calculated based on the following requirements:

- Labor costs will be charged at the hourly wage of the lowest-paid City employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
- The City may add a multiplier up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage).

The cost to provide records on non-paper physical media when so requested will be based on the following requirements:

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if the City has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- The City will procure any non-paper media and will not accept media from the requestor in order to ensure integrity of the City's technology infrastructure.

The cost to provide paper copies of records will be based on the following requirements:

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
- The City will provide records using double-sided printing, if cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- The City may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless specified by the requestor.

If the FOIA Coordinator does not respond to a written request in a timely manner, the City will:

- Reduce the labor costs by 5% for each day the City exceeds the time permitted under FOIA up to a 50% maximum reduction, if any of the following applies:
 - The City's late response was willful and intentional,
 - The written request conveyed a request for information within the first 250 words of the body of a letter facsimile, email or email attachment, or
 - The written request included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy" or a recognizable misspelling of such, or legal code reference to MCL 15.231, et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an email, letter or facsimile cover page.
- Fully note the charge reduction in the Detailed Itemization of Costs Form.

Section 6: Waiver of Fees

Absent a waiver by the FOIA Coordinator in whole or in part, all charges associated with processing a FOIA request shall be paid in full before the release of any public records. The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The City Council may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

In determining whether the general public is primarily benefited, the FOIA Coordinator may consider the following factors, none of which shall be determinative:

- Whether the public record being disclosed serves the public policy purposes set forth at Section 1 of the FOIA;
- Whether the release primarily serves a private or commercial purpose;
- Whether the release implicates the rights of third persons;
- Whether waiver of the fees is in the best interests of the City; and
- The manner in which similar requests have been treated.

Section 7: Discounted Fees

Indigence:

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- Indigent and receiving specific public assistance, or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

An individual is not eligible to receive the waiver if:

- The requestor has previously received discounted copies of public records from the City twice during the calendar year; or
- The requestor requests information in connection with other persons who are offering or providing payment to make the request.

The affidavit shall be a sworn statement made under penalty of perjury. The FOIA Coordinator may make a FOIA Fee Waiver Affidavit Form available for use by the public.

Nonprofit organization advocating for developmentally disabled or mentally ill individuals:

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request from:

- A nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, or their successors, if the request meets all of the following requirements:
 - Is made directly on behalf of the organization or its clients.

- Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
- Is accompanied by documentation of its designation by the state, if requested by the City.

Section 8: Appeal of a Denial of a Public Record

When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may appeal to the City Manager by filing an appeal of the denial with the office of the City Manager.

The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial.

Within 10 business days of receiving the appeal the City Manager will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part; or
- Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the City Manager shall respond to the written appeal. The City Manager shall not issue more than 1 notice of extension for a particular written appeal.

If the City Manager fails to respond to a written appeal, or if the City Manager upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action in the Oakland County Circuit Court.

Whether or not a requestor submitted an appeal of a denial to the City Manager, he or she may file a civil action in Oakland County Circuit Court within 180 days after the City's final determination to deny the request.

If the court determines that the public record is not exempt from disclosure, the court will award the appellant reasonable attorneys' fees, costs and disbursements. If the court determines that the appellant prevails only in part, the court in its discretion may award the appellant all or an appropriate portion of the reasonable attorneys' fees, costs and disbursements.

If the court determines that the City arbitrarily and capriciously violated the FOIA by refusing or delaying the disclosure of copies of a public record, it shall award the appellant punitive damages of \$1,000.

Section 9: Appeal of an Excessive FOIA Processing Fee

If a requestor believes that the fee charged by the City to process a FOIA request exceeds the amount permitted by state law or under these Policies, Procedures & Guidelines, he or she must first appeal to the City Manager by submitting a written appeal for a fee reduction to the office of the City Manager. "Fee" means the total fee or any component of the total fee calculated under Section 4 of the FOIA, including any deposit. The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted.

Within 10 business days after receiving the appeal, the City Manager will respond in writing by:

- Waiving the fee;
- Reducing the fee and issuing a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issuing a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the City Manager will respond to the written appeal. The City Manager shall not issue more than 1 notice of extension for a particular written appeal.

Where the City Manager reduces or upholds the fee, the determination must include a certification from the City Manager that the statements in the determination are accurate and that the reduced fee amount complies with the City's publicly available procedures and guidelines and Section 4 of the FOIA.

Within 45 days after receiving notice of the City Manager's determination of an appeal, the requesting person may commence a civil action in the Oakland County Circuit Court for a fee reduction.

If a civil action is commenced against the City for an excess fee, the City is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute.

An action shall not be filed in circuit court unless one of the following applies:

- The City does not provide for appeals of fees,
- The City Manager failed to respond to a written appeal as required, or
- The City Manager issued a determination to a written appeal.

Section 10: Conflict with Prior FOIA Policies and Procedures; Effective Date

To the extent that these Procedures and Guidelines conflict with previous FOIA policies promulgated by City Council, City Manager or FOIA Coordinator these Policies, Procedures & Guidelines are controlling. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of these Policies, Procedures & Guidelines is found to be in conflict with any previous policy promulgated by the City Council or the City Administration, the administrative rule promulgated by the FOIA Coordinator is controlling.

To the extent that any provision of these Policies, Procedures & Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify these Policies, Procedures & Guidelines and all previous policies adopted by the City Council or the City Manager, and to adopt such administrative rules as he or she may deem necessary, to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law. The FOIA Coordinator shall inform the City Council of any change these Policies, Procedures & Guidelines.

These FOIA Policies, Procedures & Guidelines become effective **July 1, 2015**.

CITY of SOUTH LYON
FOIA Fee Itemization Form

<u>Component</u>	<u>Cost Calculations</u>	<u>Total</u>
1. Labor Costs – Search, Location, and Examination of Records*	<p>Enter the hourly wage of lowest paid employee capable of performing the search, location and examination \$_____per hour</p> <p>Multiply the wage by the fringe benefit multiplier (maximum of 50% of the hourly wage); OR, if the requested information is available online and the requestor request the documents to be provided in another format, the fringe benefit multiplier may exceed 50% (not to exceed actual cost) _____%</p> <p>Multiply the hourly wage times the fringe benefit multiplier \$_____x 1.____ = \$_____</p> <p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs) \$_____+_____ = \$_____</p> <p>Divide the resulting hourly wage by four (4) to determine the charge per fifteen (15) minute increment \$_____/ 4 = \$_____</p> <p>Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate _____ x \$_____ = \$_____</p>	\$_____
2. Employee Labor Costs – Redaction*	<p>If performed by the public body's employee:</p> <p>Enter the hourly wage of lowest paid employee capable of performing the redaction \$_____per hour</p> <p>Multiply the wage by the fringe benefit multiplier (maximum of 50% of the hourly wage); OR, if the requested information is available online and the requestor request the documents to be provided in another format, the fringe benefit multiplier may exceed 50% (not to exceed actual cost) _____%</p> <p>Multiply the hourly wage times the fringe benefit multiplier \$_____x 1.____ = \$_____</p>	

	<p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs)</p> <p style="text-align: right;">\$ _____ + _____ = \$ _____</p> <p>Divide the resulting hourly wage by four (4) to determine the charge per fifteen (15) minute increment</p> <p style="text-align: right;">\$ _____ / 4. _____ = \$ _____</p> <p>Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate</p> <p style="text-align: right;">_____ x \$ _____ = \$ _____</p>	\$ _____
3. Contracted Labor Costs – Redaction*	<p>If performed by Contracted Labor (Only permitted if the public body does not employ a person capable of redacting the records as determined by the FOIA Coordinator):</p> <p>Name of person or firm contracted:</p> <p>_____</p> <p>Enter the hourly rate charged by the contractor (may not exceed six (6) times the State minimum wage (i.e. \$8.15x6=\$48.90)</p> <p style="text-align: right;">\$ _____ per hour</p> <p>Divide the hourly rate by four (4) to determine the charge per fifteen (15) minute increment</p> <p style="text-align: right;">\$ _____ / 4 = \$ _____</p> <p>Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate</p> <p style="text-align: right;">_____ x \$ _____ = \$ _____</p>	\$ _____
4. Non-Paper Physical Media	<p>Actual and most reasonably economical cost of:</p> <p>Flash Drives \$ _____ x number used _____ = \$ _____</p> <p>Computer Discs \$ _____ x number used _____ = \$ _____</p> <p>Other Media \$ _____ x number used _____ = \$ _____</p>	\$ _____
5. Paper Copies	<p>Actual total incremental cost of duplication (not including labor) up to a <u>maximum of 10 cents per page</u>:</p> <p>Letter paper (8 ½" x 11")</p> <p style="text-align: right;">number of sheets _____ x \$0. _____ = \$ _____</p> <p>Legal paper (8 ½" x 14")</p> <p style="text-align: right;">number of sheets _____ x \$0. _____ = \$ _____</p>	

	<p>Actual cost of other types of paper:</p> <p>Type of Paper: _____ number of sheets _____ x \$ _____ = \$ _____</p> <p>Type of Paper: _____ number of sheets _____ x \$ _____ = \$ _____</p> <p>(NOTE: Must print double-sided if available and costs less.)</p>	<p>\$ _____</p>
<p>6. Labor Cost – Duplication Copying, and transferring records to non-paper physical media</p>	<p>Enter the hourly wage of lowest paid employee capable of performing the duplication, copying, or transferring digital records to non-paper physical media \$ _____ per hour</p> <p>Multiply the wage by the fringe benefit multiplier (maximum of 50% of the hourly wage); OR, if the requested information is available online and the requestor request the documents to be provided in another format, the fringe benefit multiplier may exceed 50% (not to exceed actual cost) _____ %</p> <p>Multiply the hourly wage times the fringe benefit multiplier \$ _____ x 1. _____ = \$ _____</p> <p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs) \$ _____ + _____ = \$ _____</p> <p>Divide the resulting hourly wage by _____ to determine the charge per _____ () minute increment \$ _____ / 4 = \$ _____</p> <p>(NOTE: May use any time increment for this category)</p> <p>Number of _____ minute increments (partial time increments must be rounded down) multiplied by the permitted rate _____ x \$ _____ = \$ _____</p>	<p>\$ _____</p>
<p>7. Mailing</p>	<p>Actual cost of mailing records in a reasonable and economical manner:</p> <p>Cost of mailing: \$ _____</p> <p>Cost of least expensive form of postal delivery confirmation: \$ _____</p>	<p>\$ _____</p>

	Cost of expedited shipping or insurance only if specifically stipulated by the requestor: \$_____	
	Subtotal	\$_____
Waivers and Reductions	<p>Subtract any Fee Waiver or Reduction: \$20.00 for indigency or nonprofit organization as further described in the Public Body's procedures and guidelines.</p> <p>Any amount determined by the Public Body due to the search and furnishing of the Public Record determined to be in the public interest. \$_____</p> <p>The reduction amount due to the late response of the Public Body. 5% of fee x _____ days late = _____% reduction (maximum reduction is 50%)</p>	-\$_____
Deposit	Subtract any good-faith deposit received: \$_____	-\$_____
	Total Due	\$_____

*Note: Labor costs for search, location, examination and redaction (categories 1 and 2 on the itemization form) may not be charged unless the failure to charge a fee would result in unreasonably high costs to the public body because of the nature of the request in the particular instance, and the public body specifically identifies the nature of these unreasonably high costs.

CITY MUST HAVE A COST SCHEDULE AS WELL THAT STATES HOURLY WAGES, COPYING COSTS AND ANY FIXED COSTS, EG DVD.

CITY OF SOUTH LYON

Public Summary of FOIA Policies, Procedures & Guidelines

It is the public policy of this State that all persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees. The people shall be informed so that they may fully participate in the democratic process.

Consistent with the Michigan Freedom of Information Act (FOIA), Public Act 442 of 1976, the following is the Written Public Summary of the City of South Lyon's FOIA Policies, Procedures & Guidelines relevant to the general public.

This is only a summary of the City's FOIA Procedures and Guidelines. For more details and information, copies of the City's FOIA Procedures and Guidelines are available at no charge at City Hall and on the City's website: www.southlyonmi.org/_____

1. How do I submit a FOIA request to the City?

- A request must sufficiently describe a public record so as to enable the City to find it.
- Please include the words "FOIA" or "FOIA Request" in the request to assist the City in providing a prompt response.
- Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the City may be submitted in writing (letter, fax, email, etc.).
- Written requests may be delivered to the City Hall in person or by mail to City Hall at 335 S. Warren Street, South Lyon, MI 48178.
- Requests may be faxed to: 248-_____. To ensure a prompt response, faxed requests should contain the term "FOIA" or "FOIA Request" on the first/cover page.
- Requests may be emailed to: _____. To ensure a prompt response, email requests should contain the term "FOIA" or "FOIA Request" in the subject line.

2. What kind of response can I expect to my request?

- Within 5 business days after receiving a FOIA request the City will issue a response. If a request is received by fax or email, the request is deemed to have been received on the following business day. The City will respond to your request in one of the following ways:

- 1) Grant the request,

- 2) Issue a written notice denying the request,
- 3) Grant the request in part and issue a written notice denying in part the request,
- 4) Issue a notice indicating that due to the nature of the request the City needs an additional 10 business days to respond, or
- 5) Issue a written notice indicating that the public record requested is available at no charge on the City's website

- If the request is granted, or granted in part, the City will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available.

- If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, the City will require a deposit before processing the request.

3. What are the City's deposit requirements?

- If the City has made a good faith calculation that the total fee for processing the request will exceed \$50.00, the City will require that you provide a deposit in the amount of 50% of the total estimated fee. When the City requests the deposit, it will provide you a non-binding best efforts estimate of how long it will take to process the request after you have paid your deposit.

- If the City receives a request from a person who has not paid the City for copies of public records made in fulfillment of a previously granted written request, the City will require a deposit of 100% of the estimated processing fee before it begins to search for the public record for any subsequent written request when all of the following conditions exist:

- 1) The final fee for the prior written request is not more than 105% of the estimated fee;
- 2) The public records made available contained the information sought in the prior written request and remain in the City's possession;
- 3) The public records were made available to the individual, subject to payment, within the best effort time frame estimated by the City to provide the records;
- 4) Ninety (90) days have passed since the City notified the individual in writing that the public records were available for pickup or mailing;
- 5) The individual is unable to show proof of prior payment to the City; and
- 6) The City has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit.

The City will not require the 100% estimated fee deposit if any of the following apply:

- 1) The person making the request is able to show proof of prior payment in full to the City;
- 2) The City is subsequently paid in full for all applicable prior written requests; or
- 3) Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the City.

4. How does the City calculate FOIA processing fees?

The FOIA permits the City to charge for the following costs associated with processing a request:

- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the City.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the City.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the City's website if you ask for the City to make copies.
- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the City's website if you ask for the City to make copies.
- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- The cost to mail or send a public record to a requestor.

Labor Costs

- All labor costs will be estimated and charged as allowed in FOIA and the City's FOIA Procedures and Guidelines.
- Labor costs will be charged at the hourly wage of the lowest-paid City employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs may also include a charge to cover or partially cover the cost of fringe benefits. The City may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage).

A labor cost will not be charged for the search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the City. Costs are unreasonably high when they are excessive and beyond the normal or usual amount for those services compared to the City's usual FOIA requests, because of the nature of the request in the particular instance. The City must specifically identify the nature of the unreasonably high costs in writing.

Copying and Duplication

The City will use the most economical method for making copies of public records, including using double-sided printing, if there will be cost-saving and is available.

Non-paper Copies on Physical Media

- The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will be charged only if the City has the technological capability necessary to provide the public record in the requested non-paper physical media format.

Paper Copies

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will charged at actual cost, not exceed \$.10 per sheet of paper.
- Copies for non-standard sized sheets will paper will reflect the actual cost of reproduction.

Mailing Costs

- The cost to mail public records will use a reasonably economical and justified means.
- The City may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless you request it.

Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The City Council may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

5. How do I qualify for an indigence discount on the fee?

The City will discount the first \$20.00 of fees for a request if you submit an affidavit stating that you are:

- Indigent and receiving specific public assistance; or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

You are not eligible to receive the \$20.00 discount if you:

- Have previously received discounted copies of public records from the City twice during the calendar year; or
- Are requesting information on behalf of other persons who are offering or providing payment to you to make the request.

An affidavit is a sworn statement made under penalty of perjury.

6. May a nonprofit organization receive a discount on the fee?

A nonprofit organization advocating for developmentally disabled or mentally ill individuals that is formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, may receive a \$20.00 discount if the request meets all of the following requirements in the Act:

- 1) Is made directly on behalf of the organization or its clients.
- 2) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
- 3) Is accompanied by documentation of its designation by the state, if requested by the City.

7. How may I challenge the denial of a public record or an excessive fee?

Appeal of a Denial of a Public Record

If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may appeal to the City Manager by filing a written appeal of the denial with the office of the City Manager.

The appeal must be in writing, specifically state the word "appeal," and identify the reason or reasons you are seeking a reversal of the denial.

Within 10 business days of receiving the appeal the City Manager will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or

- Reverse the disclosure denial in part and uphold the disclosure denial in part.

Whether or not you submitted an appeal of a denial to the City Manager, you may file a civil action in the Oakland County Circuit Court within 180 days after the City's final determination to deny your request. If you prevail in the civil action the court will award you reasonable attorneys' fees, costs and disbursements. If the court determines that the City acted arbitrarily and capriciously in refusing to disclose or provide a public record, the court shall award you damages in the amount of \$1,000.

Appeal of an Excessive FOIA Processing Fee

If you believe that the fee charged by the City to process your FOIA request exceeds the amount permitted by state law, you must first appeal to the City Manager by filing a written appeal for a fee reduction to the office of the City Manager.

The appeal must specifically state the word "appeal" and identify how the required fee exceeds the amount permitted.

Within 10 business days after receiving the appeal, the City Manager will respond in writing by:

- Waiving the fee;
- Reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the City Manager will respond to the written appeal.

Within 45 days after receiving notice of the City Manager's determination of the processing fee appeal, you may file a civil action in the Oakland County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that the City acted arbitrarily and capriciously by charging an excessive fee, court may also award you punitive damages in the amount of \$500.