

Regular City Council Meeting

November 28, 2016

Agenda

7:30 p.m. **Call to Order**
Pledge of Allegiance
Roll Call
Approval of Minutes: November 28, 2016
Approval of Bills:
Approval of Agenda

Public Comment

I. Old Business –

1. Discussion with Executive Leadership of GFL USA (formerly Rizzo Environmental)
2. Consider approval of final site plan for Thomasville development
3. Consider approval of PUD agreement for Thomasville development
4. Consider approval of second reading of Housing Commission Ordinance Amendment

II. New Business-

1. Consider approval of Quit Claim deed for South Lyon Housing Authority
2. Consider approval of Parks and Recreation Master Plan
3. Consider approval of City of South Lyon Master Plan
4. Consider approval of Phase 1 cost estimate for Volunteer Park improvements.
5. Consider approving for Pint Sized Marathon and related road closures
6. Consider approval of auction sale of Water Dept. out of service vehicle.
7. Consider approval of purchase of Department Head vehicle.

III. Discussion- Downtown

IV. Manager's Report

V. Council Comments-

VI. Adjournment

CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
NOVEMBER 14, 2016

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

PRESENT: Mayor Galeas, Council Members; Dedakis, Kivell, Kramer, Kurtzweil and Rzyzi
ALSO PRESENT: City Manager Ladner, Chief Collins, Department Head Bob Martin, Clerk/Treasurer
Deaton, Chief Kennedy, City Attorney Wilhelm
ABSENT: Councilmember Wedell

Mayor Galeas stated Councilmember Wedell contacted him to let him know he would be unable to attend tonight's meeting.

CM 11-1-16 MOTION TO EXCUSE ABSENCE

Motion by Kramer, supported by Dedakis
Motion to excuse Councilmember Wedell's absence

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES- OCTOBER 24, 2016

Councilmember Kurtzweil stated on the first page, 4th line from bottom the word recording should begin with a capital, which is a grammatical error. She further stated on page 6 it states Councilmember Kurtzweil stated when you have property that is flooded and you lower the property values, the word and should be removed. Attorney Wilhelm stated the motion to appoint Michael Joseph to the Planning Commission should state he is completing Carol Segal's term.

CM 11-2-16 MOTION TO APPROVE MINUTES AS AMENDED

Motion by Kivell, supported by Kramer
Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 11-3-16 MOTION TO APPROVE BILLS

Motion by Kivell, supported by Dedakis
Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 11-4-16 MOTION TO APPROVE AGENDA

Motion by Kramer, supported by Dedakis
Motion to approve the agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

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PUBLIC COMMENT

Josie Kearns of the Cultural Arts Commission stated she would like to invite everyone to the Quilt and Fabric opening reception on Wednesday from 6:00 p.m. to 8:00 p.m. She further stated there will be treats and raffle tickets. The drawing will be Friday December 9th. Ms. Kearns stated she wanted to thank everyone on the Cultural Arts Commission and Cindy and Lloyd Jones for helping to put everything together. She further stated there will be other things for sale other than quilts.

Carl Richards of 390 Lenox stated democracy is alive and well and we had a great turnout at last week's Election. He stated he wanted to mention the Historical Open House is tomorrow night and it was in the first page of the paper. He further stated he wants to thank the DPW for the great job they are doing picking up the leaves. Mr. Richards stated the South Lyon Woods trailer park now has part of the playground equipment installed and the kids are loving it. They are doing a great job. He further stated they are bringing in more trailers and getting rid of old ones and a lot of this is owed to Tom Lyons, our previous ordinance inspector. He further stated they also have a better management team at the trailer park as well. Mr. Richards stated there has been a lot happening at South Lyon Square since the last meeting and they are doing a great job on the parking lot and it is a victory for our City. He further stated there is a new business in town called Plymouth Physical Therapy in the ATI building, which is another victory for our City. Mr. Richards stated the Planning Commission got everything right at the last meeting and progress was made.

Cheryl Van Vliet stated she resides in Canton Michigan and she is a member of the Canton Civitan Club. They are forming a new club in this area called the Kensington Valley Civitan Club. She stated she has attended many of the local events in South Lyon. She further stated it is a great way for residents to get involved in their community and the club will determine what they work on in the City.

FIRE OFFICER SWEARING IN

1. Brad Moynihan- Lieutenant

Chief Kennedy stated Brad Moynihan has been a member of our Fire Department for 9 years. He further stated we have an outside process of a written exam as well as oral exams and he is very happy to swear in Brad Moynihan as Lieutenant. Clerk Deaton came forward and swore in Brad Moynihan as Lieutenant.

PUBLIC HEARING- Community Development Block Grant for FY 2017

Mayor Galeas opened the public hearing at 7:45 p.m.

Sierra stated she is here to represent Haven in Pontiac and they are asking for the City of South Lyon to continue to support the program. She stated in the last year, they were able to assist 18 members of South Lyon and they assisted with 7 crises calls.

Mayor Galeas closed the public hearing at 7:47 p.m.

OLD BUSINESS

1. Consider approval of Resolution establishing policies and guidelines for granting poverty exemption from payment of property taxes and poverty exemption application

Attorney Wilhelm stated this was tabled in August for more review and numerous revisions have been made. He stated after further discussion with Oakland County Equalization, one of the changes is that a property held in trust may under certain circumstances be eligible for an exemption. He further stated upon their suggestion there is now a statement in the resolution that reflects a person 65 or older can increase their household size by 1 for determining eligibility. Attorney Wilhelm stated they also removed the formula for a partial exemption based on their suggestion as well. He further stated they changed some of the terminology in the household resources to help clarify and it is much more straight forward. He further stated Oakland County Equalization will be doing training with our Board of Review members and they will make sure they have a full understanding of the new resolution and application. Councilmember Kivell asked what the advantage is for not using a formula for a partial exemption. Attorney Wilhelm after discussing this with OCE, they suggested that be removed because the Board of Review will be hearing the story of the applicant and will be making the decision based on all of the information. Councilmember Kivell stated he agrees with that, but if OCE is so vital in this, why do we have a Board of Review. Attorney Wilhelm stated they act as a staff member, but according to our Charter, the Board of Review is the decision maker. Councilmember Kurtzweil stated it is not intended to be a controlled decision by the County. The Board of Review members live in the community and they may be familiar with the applicant's situation and they know the backgrounds. She further stated this is a major overhaul for the Board of Review, it has been archaic in the past. She is very impressed with the information Attorney Wilhelm came up with. She stated there is additional criteria that may require some additional policy issue and review. She further stated we need to discuss if we will limit the number of years' people can apply or receive an exemption for taxes, as well as someone with a very high S.E.V should be approved for an exemption. She would like this discussion as an agenda item at a future meeting. Councilmember Kurtzweil stated she is very interested in the management of this form, and sometimes we do things at the last minute and we don't have the training to go along with it, but she is happy to hear there will be training involved to anyone dealing with the Board of Review. We need to follow through on this.

Councilmember Kramer asked if OCE will look at the application before the Board of Review. Attorney Wilhelm stated the application will be turned into the Clerk's office, then it will go to OCE and they will make sure all information that is necessary is supplied.

Councilmember Rzyzi stated he would like to commend Attorney Wilhelm on the hard work they did on this as it was a lot of work to overhaul this process. He further stated the City is finally following the correct procedure, and in the past he believes we were in violation of our City Charter regarding terms for the Board of Review members. He further stated he wants to commend Councilmember Kurtzweil for pushing for this issue to be handled.

CM 11-5-16 MOTION TO APPROVE RESOLUTION POLICIES, GUIDELINES AND APPLICATION FOR POVERTY APPLICATION FOR THE CITY OF SOUTH LYON

Motion by Kramer, supported by Rzyzi

Motion to approve the Resolution establishing policies and guidelines for granting poverty exemption from payment of property taxes and approve the poverty exemption application form for the City of South Lyon for 2017

VOTE: **MOTION CARRIED UNANIMOUSLY**

NEW BUSINESS

1. Mayoral proclamation for TUBACHRISTMAS

Mayor Galeas read a proclamation proclaiming December 12, 2016 as TUBACHRISTMAS DAY. He further stated this honors all great tuba and euphonium players through the legendary artist/teacher William J Bell and pays tribute to all composers who have given solo and ensemble literature to these grand and deserving instruments through American composer Alec Wilder who contributed his arrangements of Christmas carols to TUBACHRISTMAS. He further stated he invites everyone to attend the event at the Salem/South Lyon District Library on December 12th at 7:00 p.m. Mayor Galeas stated he played clarinet and trumpet as a kid, but he also liked sports, and he has a heartfelt feeling about this event.

2. Consider approval of application for CDBG funds for FY 2017

City Manager Ladner stated we are continuing to support the Center for Active Aging as well as Haven. She stated we are anticipating \$36,024 with \$31,024 going to the Senior Center and \$5,000 going to Haven.

CM 11-5-16 MOTION TO APPROVE CDBG APPLICATION AND FUND ALLOCATION

Motion by Kramer, supported by Kurtzweil

Motion to approve CDBG application for FY 2017 as presented on application

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Consider proposal from HRC to begin preliminary design work for Federal Aid project on McMunn Street

City Manager Ladner stated we have \$90,000 earmarked federal funds that was originally marked for Lafayette between Liberty and McHattie. The Federal legislature approved a new bill which allows for us to relocate within 50 miles of the original earmarked area. She stated SEMCOG asked if we would donate our money for other work to be done, and she said no, we will use this money within our own City. She further stated we are asking for permission to begin a preliminary design for McMunn Street between Dorothy and McHattie. She stated the total project would be \$461,630 which \$90,000 would be from the earmarked funds. Councilmember Kramer stated this would be two tenths of a mile. City Manager Ladner stated we are limited on any streets we can use the federal money on. She stated we looked at what streets are eligible with the pacer study. Councilmember Kramer stated there is a lot of heavy truck traffic on that street. City Manager Ladner stated the new street would be able to withstand the truck traffic. Councilmember Kurtzweil asked where this money would come out of the budget. City Manager Ladner stated this was not anticipated, therefore we would do a budget amendment. Councilmember Kurtzweil asked if we would lose the federal ear-marked money if we don't do this project until after we work on the project. City Manager Ladner stated we would. Councilmember Kurtzweil stated she is not comfortable with this with the budget being as it is. Further discussion was held regarding the fund balance of local and major streets. Councilmember Ryzyi asked what the cost was for the water main break at Waters Edge to the City. Department Head Martin stated there was two projects done at that time, one cost \$24,000 and the second was \$30,000. Councilmember Ryzyi stated there are always unforeseen circumstances that could cost the City additional money. He further stated we need to look at all options. Department Head Martin stated he is getting mixed signals, because he thought roads were a priority and he and City Manager Ladner are bringing this to Council for a possibility of fixing the roads, not to upset Council. Councilmember

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Dedakis stated our roads are a priority for our residents and we need to show we are taking some type of effort, and at this point we haven't done much of that, but this effort is appreciated. She further asked Mike Darga of HRC if they do a core sample if that would give closer estimate of the cost if we don't go for the highest cost. Mr. Darga stated we could spend approximately \$2,000 to get a core sample to see what is left underneath the road. Councilmember Dedakis stated her opinion is to pay the \$2,000 to get the core sample to possibly get an understanding if another option is available. She further stated roads are a priority and needs to be addressed. Councilmember Kivell asked if we spoke with the Oakland County Road Commission to see if they are interested in assisting to pay with some of the road costs. City Manager Ladner stated she has not, they are the ones that wanted to use our federal money outside of the City. She further stated she is hoping to meet with them regarding Pontiac Trail. City Manager Ladner stated to work on Pontiac Trail, we have to work with the Road Commission and use tri-party funds. Department Head Martin stated they are already scheduling for 2018. Councilmember Kurtzweil stated she understands that City Manager Ladner is frustrated, but when the Road Commissions budget was passed, it was raised. She further stated we should be making a presence, such as Lyon Township does, and the benefits are going to them. She stated we need to get the networking done and that was not done in the past. Councilmember Kurtzweil stated the corrective action plan from the State of Michigan raises flags. She further stated other communities received this as well, but it is a problem. She further stated we cannot drain our rainy-day fund, we need to get back to fiscal responsibility. She stated she wants to know if the deficiency in the operating loss in the sewer/water department is being taken care of and if the mill increase has helped with the operating loss. Councilmember Kurtzweil stated the problems with the budget plays an intricate part of how we operate the City including the roads. She stated she needs more financial information. Councilmember Dedakis stated she wants to ensure the total cost of the core sample will not exceed \$2,000. Mr. Darga of HRC stated it will not exceed \$2,000. Councilmember Rzyzi stated in the past we asked HRC to look at Dorothy Street parking lot, and we ended up with a bill for \$15,000. He further stated he understands they will not work for free, but HRC gets all the City's engineering work and he thinks they should give the City a break in the future. Amber King of 791 Westbrook asked if the City has considered asking Michigan Seamless Tube to assist with paying for the road work. Department Head Martin stated it is a public road, and everyone uses that road not just MST. Mayor Galeas stated he understands truck traffic is a big issue in South Lyon and he thanked Department Head Martin for bringing this to their attention, but he would like more information regarding what is needed as well. Carl Richards of 390 Lenox stated he lived on McMunn for many years and he has been working on this project for 6 years, and his plan is three times the cost of what is presented tonight, but that included the MST paying for two thirds of the cost by special assessments. He further stated at this time he is willing to share what he knows with the HRC people for the benefit of the City.

CM 11-6-16 MOTION TO POSTPONE THE PROPOSAL FROM HRC

Motion by Kramer, supported by Dedakis

Motion to postpone the proposal from HRC for the preliminary design for McMunn Street until we have a better understanding of the condition of McMunn Street

VOTE:

MOTION CARRIED UNANIMOUSLY

4. Consider approval of final site plan for Thomasville Development

City Manager Ladner stated the developer Lorenzo Cavaliere is here to answer any questions Council may have. Attorney Wilhelm stated he was not able to do a full review the document sent to him on Friday. Mr. Cavaliere stated the intent of the letter is very clear, the document states we are agreeing with Colonial Acres for a cross access agreement. He further stated it is a cross access easement agreement, this is what Police and the Fire Department has asked for, and it isn't controversial and we would like to move forward. Councilmember Kivell stated he has not seen anything from Colonial Acres stating they have agreed to the cross-access easement. Councilmember Kramer asked why this project has taken so long, and how the developer is now coming to have this approved, without the agreement with Colonial Acres for the cross easement. He further stated the problem is this is coming to Council at the last minute, but without anyone from Colonial Acres signing and approving the agreement. Mr. Cavaliere stated he just came onto this project in early 2016, and there were some delays that were out of his control. He is asking Council to understand the intent and approve this tonight. Councilmember Dedakis asked if he discussed this with Colonial Acres. Mr. Cavilear stated yes they have. Mr. Cavaliere stated without that easement agreement there is no Thomasville Development. Mayor Galeas stated the agreement is something that needs to be signed by Colonial Acres. Councilmember Rzyzi stated he will not approve this tonight without a signed document from Colonial Acres, there were many residents in Colonial Acres that were very concerned with this. Councilmember Kivell stated he is not comfortable without our City Attorney reviewing it. Councilmember Kurtzweil stated she is a real estate attorney and she understands the hard work he has put into this. She further stated there were some restrictions that she recalls from when she was on the Planning Commission that is not represented on this document, such as swing sets, dog houses, sand boxes, and basketball nets. Carmine Avantini of CIB Planning stated the Planning Commission decided some of the restrictions were too restrictive, such as saying no to dogs. He stated Colonial Acres residents were concerned because they didn't want big families living in this development. He further stated, it is anticipated that there will be few or none with many children. Councilmember Rzyzi stated he would like to see the list of restrictions that is still part of the agreement. This was supposed to be a smooth transition between Colonial Acres and this development. Councilmember Kurtzweil stated she would also like a full list of restrictions. She further stated Colonial Acres wants assurance that this development will be compatible with their lifestyle, which is why the restrictions are so important. Mr. Avantini stated there are two items on the agenda this evening, but Council may approve the plan conditional of the approval of the condo documents, if Council is happy with the plan. He further stated it was his understanding the owner of Colonial Acres understood the easements would be necessary. Further discussion was held regarding the cross-access agreement. Attorney Wilhelm suggested Council wait until they have the signed agreement with Colonial Acres. He further stated we will have to review the restrictions as well. Councilmember Kurtzweil stated she doesn't believe the backyards will be large enough for inground pools and that should be looked at as well. Councilmember Rzyzi stated there are issues that need to be dealt with.

CM 11-7-16 MOTION TO POSTPONE FINAL SITE PLAN FOR THOMASVILLE DEVELOPMENT

Motion by Rzyzi, supported by Kramer

Motion to postpone the approval of the final site plan for Thomasville Development

VOTE: MOTION CARRIED UNANIMOUSLY

5. Consider approval of PUD agreement for Thomasville Development

CM 11-8-16 MOTION TO POSTPONE PUD AGREEMENT WITH THOMASVILLE DEVELOPMENT

Motion by Ryzyi, supported by Kramer

Motion to postpone PUD agreement with Thomasville development until next meeting

VOTE: MOTION CARRIED UNANIMOUSLY

6. Consider approval of Kiwanis Club for use of Historic Village/Depot grounds for annual Christmas tree sale event

Phil Wiepert stated he is here representing the Kiwanis Club and asking for permission to use the Depot grounds for the Christmas tree sales. He further stated the funds stay within the City and they assist with Cool Yule and the tree lighting each year as well as helping to keep McHattie Park clean.

CM 11-9-16 MOTION TO APPROVE CHRISTMAS TREE SALES AT HISTORICAL DEPOT FOR KIWANIS CLUB

Motion by Kramer, supported by Kurtzweil

Motion to grant permission for the Kiwanis to hold their annual Christmas tree sales in McHattie Park contingent on getting an updated insurance document

VOTE: MOTION CARRIED UNANIMOUSLY

7. Consider approval of first reading of Housing Commission Ordinance Amendment

Attorney Wilhelm stated this is the first reading of an ordinance amendment for Article 6 Chapter 34 for the Housing Commission. This is the precursor for asking the City to quit claim the deed of the property dismissing any claim the City has of the Washington Street property to the Housing Commission. The current ordinance states the City must be on the deed, but there has been an amendment by the State that no longer requires the City to be on the Deed. He further stated there is some additional clean-up of the ordinance.

CM 11-10-16 MOTION TO APPROVE FIRST READING OF HOUSING COMMISSION ORDINANCE AMENDMENT

Motion by Kivell, supported by Kramer

Motion to approve the first reading of Ordinance to amend Chapter 34, Article 6 of the City of South Lyon Code of Ordinance by repealing Sections 34-87 through 34-91 and amending Section 34-84

VOTE: MOTION CARRIED UNANIMOUSLY

8. Consider approving Traffic Control Orders 16-01; 16-02

Chief Collins stated he was able to get the results of a traffic study for the Knolls and Glen Meadows. He stated he is suggesting an addition of 2 stop signs in the Knolls. There is currently a stop sign there, but the traffic study suggested to make that a 3 way stop. Chief Collins stated traffic control order 16-02 is for Glen Meadows. He stated the streets have already been dedicated and most signs are existing, but after doing the traffic study, the TIA suggested to erect a stop sign at southbound Glen Meadows and Norchester. Councilmember Ryzyi stated he recalls this was discussed before and this is a really important safety issue because there are so many children and frustrating because sometimes red tape gets in the way of things and he thanked Chief Collins for pursuing this.

CM 11-11-16 MOTION TO APPROVE TRAFFIC CONTROL ORDER 16-01 AND 16-02

Motion by Kramer, supported by Kivell

Motion to approve Traffic Control Orders 16-01 and 16-02 and to authorize the Mayor and City Clerk to sign approval forms for both orders.

VOTE: MOTION CARRIED UNANIMOUSLY

9. Consider approval of permit for Cool Yule and associated road closures

Bob Donohue stated the road closures are the same as last year from 5:30 to 6:15 p.m. Chief Collins stated he would like to change the ending time to 6:30 p.m. Councilmember Ryzyi asked who is leading this event. Mr. Donohue stated he is representing the City, as this is really a City event. Councilmember Ryzyi stated it was a wonderful event last year and asked if it will be similar this year. Mr. Donohue stated there will be additional activities as well. City Manager Ladner stated they are centralizing the events in a tent in the Veterans parking lot or the Draft Street parking lot instead of having people having to go around town for the activities, they are combining it in one area, and there will be heaters and entertainment in the tent as well. Councilmember Ryzyi stated this is a wonderful event and it seems to be mostly a South Lyon and Lyon Township event, and he is hoping there is a way we can advertise to get other communities involved as well. This along with Pumpkinfest is one of our best events in the City. Mr. Donohue stated he wants to thank Kathy Swan for chairing this great event. Mayor Galeas asked if the key to the City was found. Mr. Donohue stated it was.

CM 11-12-16 MOTION TO APPROVE COOL YULE AND THE REQUESTED ROAD CLOSURES

Motion by Kramer, supported by Ryzyi

Motion to approve the associated road closures as requested for Cool Yule on December 3, 2016 from 5:30 p.m. to 6:30 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

DISCUSSION- Downtown

Councilmember Dedakis asked how large the St Joseph sign is. Carmine Avantini of CIB stated it is 50 square feet and it meets the ordinance requirements.

Councilmember Kurtzweil stated she received emails regarding the signs in the blue light district being gone. City Manager Ladner stated she handled that. Councilmember Kurtzweil stated there are many people that are very happy and she thanked City Manager Ladner handling that. Councilmember Kurtzweil stated she attended the Chamber opening event in Lyon Township and Lyon Township's Economic Development coordinator was there pitching for retail, and she asked Mr. Donohue if he normally attends those meetings. Mr. Donohue stated he does but had another priority that day. Councilmember Kurtzweil asked who will be handling the revised zoning map because Lyon Township is handing out beautiful large zoning maps. Mr. Avantini stated he is working on that. Councilmember Kurtzweil asked if the Hotel has brought in drawings yet. Mr. Donohue stated they are expecting the plans this week. City Manager Ladner stated they will be applying to the Zoning Board of Reviews for a few things. Councilmember Kurtzweil stated as she said before, we have an opportunity to keep this business in this town. City Manager Ladner stated she has spoken with Corey and they are moving

forward. Mr. Donohue stated the City has done everything we can do to assist them in every facet regarding anything within our power, we are working with them, and we are on top of it.

Councilmember Rzyzi asked for an update with the Mediterranean restaurant. City Manager Ladner stated the last she heard, there was an issue with the owner not having the proper permits, but her understanding is that has been worked out. Councilmember Rzyzi asked when City Manager Ladner and Mr. Donohue will be attending the trip to Grand Rapids. Mr. Donohue stated he has had meetings with a few people regarding new businesses in the City. Councilmember Rzyzi asked if it is public knowledge who bought Browns. Mr. Donohue stated the sale will be announced soon, and a local business owner has purchased the building and would like to redevelop the entire corner in the future. Councilmember Rzyzi stated he is very happy the sidewalks were added in front of Kings Plaza, it is a big improvement for safety as well. Mr. Donohue stated the City Manager and Department Head Martin worked on that. Councilmember Rzyzi thanked the City Manager and Department Head Martin.

Mr. Donohue stated the Discover the D television show on channel 56 in which the City was featured will be airing on November 21st, then again two weeks after.

MANAGERS REPORT

City Manager Ladner stated the open house for the Witches Hat is tomorrow between 7:30 p.m. and 9:00 p.m. She further stated the Parks and Recreation is having a special meeting on the 21st to review the master plan and they are seeking two new Commission members as well. City Manager Ladner stated we are also having the last tailgating event next weekend which will lead into Small Business Saturday. She further stated City Hall will be closed on Thursday and Friday of next week for the Thanksgiving Holiday.

Councilmember Kurtzweil stated at the next meeting she would like to have more information regarding the revenue for the City and if there are any overages in the budget as well as how much money has been restored to water and sewer for operating loss. Councilmember Kurtzweil asked how board resignations are handled. City Manager Ladner stated Council approves all resignations.

Councilmember Kurtzweil stated she had an opportunity to speak with the general contractor at South Lyon Square and she believes it was a good opportunity to sit down and discuss her vision for how that property should be developed with a nice facade, and landscaping. She stated she received a good response from them. Councilmember Kurtzweil stated she received a confidential letter from our Attorney, although she doesn't see what is confidential about it. She further stated she is very interested in how the transaction occurred between Duncan, Rizzo and G.F.L. She stated the CEO of G.F.L is coming to Michigan to oversee some of the transitioning. She further stated she found out the CEO will be attending a Bloomfield Township meeting and she would like the same treatment and she would like to see him at our next Council meeting to answer our questions.

Councilmember Rzyzi stated that is great news that the CEO will be attending the next meeting, given the allegations that have happened and having them here answering our questions on tape will kind of put their feet to the fire. He stated DTE changed their ways after being before our Council and on tape, so this is great he will be here to discuss this.

COUNCIL COMMENTS

Councilmember Dedakis stated she wanted to give a shout out to South Lyon High marching band that did a great job at States and they sounded fantastic and our community is proud of them. She stated

she is excited about the quilt show and wishes a Happy Thanksgiving to everyone. City Manager Ladner stated South Lyon East participated as well for their first year and they placed 8th out of 13.

Councilmember Rzyzi stated it is hard to believe Halloween has already passed and he wanted to thank our Firefighters and Police Officers for handing out candy to all the children. He stated he wanted to thank all the downtown business owners for passing out candy as well. Councilmember Rzyzi stated his wife ran for school board and he wants to thank everyone for the support. He further stated he wanted to thank the 2,500 voters from South Lyon and 3,000 voters from Lyon Township and for the 800 residents in Salem, and 300 in Wixom and Novi that voted for his wife. He also wants to congratulate Margaret Fallow for gaining a seat on the School board as well. He further stated he is very proud of the 75% voter turnout. He further stated our residents have told him they are tired of not being heard and that includes our local government as well. He stated the City can do better as a Council, and as well as getting roads fixed and doing our due diligence. He further stated we have come a long way in the past year and now we can go after our slum lords. He stated more change is coming on this City Council so we can serve our residents better than ever before. He further stated he would like any interested residents to run for Council in 2017 and he will assist anyone interested.

Councilmember Kramer asked the City Attorney about a letter regarding G.F.L and Rizzo and it seems we don't have all the information regarding the assignment for the City and other Cities as well. He asked if we can substantiate GFL's claim that it wasn't an assignment. Attorney Wilhelm stated it is not clear if RRASOC will see any of the documentation because of confidentiality. Councilmember Kramer stated it will be interesting to see if they hide behind that.

Councilmember Kurtzweil stated the reason she called Rich is because she is interested if this was a stock purchase agreement or asset purchase agreement. She stated there is nothing to sign, if it was a stock purchase agreement. She understands if we can get the CEO here, his attorney will be here as well. Councilmember Kurtzweil stated she wanted to thank all the Police and Fire Department for handing out candy on Halloween. Councilmember Kurtzweil stated she was active politically for the last year or so, and she has met with many exciting people over the last year. She stated this was a great Election turnout and thanks to everyone that voted. She further stated she worked with 15 other Clerks and Clerk Deaton was on top of everything, responding to voters regarding ballots, questions and she did a fabulous job. She further stated she assisted on the campaigns of Shelia Rzyzi and Margaret Fallow. She stated they were entering into the political field for the first time and both are highly educated. She further stated she assisted Dawn Belinger and she was at her congratulatory party. She further stated she assisted another female candidate in Washtenaw County and she did not win, but that does not mean it has derailed her, she will continue to be involved. Councilmember Kurtzweil stated women can win elections and she is asking women in the City to run for South Lyon City Council and she will assist them entering into the field of politics. She further stated she believes there is more change to come to the City of South Lyon.

ADJOURNMENT

CM 11-13-16 MOTION TO ADJOURN

Mayor Galeas called the meeting to adjourn, supported by Kurtzweil
Motion to adjourn meeting at 10:10 p.m

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Mayor John Galeas

Lisa Deaton Clerk/Treasurer

DRAFT

AGENDA NOTE

New Business: Item #

MEETING DATE: November 28, 2016

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Thomasville - final site plan for Thomasville development and Consider approval of PUD agreement for Thomasville development

EXPLANATION OF TOPIC: These two items were tabled at the Nov. 14th council meeting. The parties involved have not as of mid-day Wednesday the 23rd completed their negotiations. I am asking that this item be postponed until such time as the involved parties mutually agree to have the items placed back on the agenda.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: N/A

POSSIBLE COURSES OF ACTION: Re-table the items to a specific date, Approve a motion to postpone approval of the final site plan and approval of the PUD agreement for Thomasville development until such time as the involved parties mutually agree to have the items placed back on the agenda

RECOMMENDATION: Approve a motion to postpone approval of the final site plan and approval of the PUD agreement for Thomasville development until such time as the involved parties mutually agree to have the items placed back on the agenda

SUGGESTED MOTION: Motion by _____, supported by _____ to approve a motion to postpone approval of the final site plan and approval of the PUD agreement for Thomasville development until such time as the involved parties mutually agree to have the items placed back on the agenda

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AGENDA NOTE

MEETING DATE: November 28, 2016

PERSON PLACING ITEM ON AGENDA: City Attorney

AGENDA TOPIC: Approve the second reading of the Housing Commission Ordinance Amendment

EXPLANATION OF TOPIC: The South Lyon Housing Commission is pursuing a Rental Assistance Demonstration (RAD) conversion through HUD which will allow it to utilize different financial mechanisms to provide housing assistance. HUD requires that the South Lyon Housing Commission have clear title to the property which is subject to the HUD agreements. The property in question was deeded to the City acting on behalf of the South Lyon Housing Commission which was required per ordinance (Code Section 34-87). HUD has advised that the City must quit claim its interest to the Housing Commission or sign the HUD agreements. The latter is not recommended.

Section 34-87 prohibits the City from quit claiming its interest in the property to the Housing Commission. In 1996, the Michigan legislature amended the Housing Facilities Act to clarify that housing commissions are separate legal public corporations. Thus, the requirement in Section 34-87 that deeds be in the name of the city is no longer required. The Housing Commission is a separate legal entity and can own and hold property, among other things, without the City being involved even if in name only. The repeal of Section 34-87 is to enable the City to execute a quit claim deed to the Housing Commission to satisfy HUD requirements for the RAD conversion. The quit claim deed will be presented separately for Council approval.

In addition, in June 2012, at the Housing Commission's request, the Council approved an ordinance adding provisions to the Code of Ordinance pertaining to the Housing Commission which included, among other things, procurement provisions. HUD advised that the 2012 ordinance amendments were in conflict with HUD regulations and the Housing Commission's separate legal existence as clarified by the 1996 amendments to the Michigan Housing Facilities Act. Thus, the proposed ordinance amendment repeals Sections 34-88 through 34-91.

Lastly, the proposed ordinance amends Section 34-84 relating to the South Lyon Housing Commission's Powers and Duties to clarify that it has all powers, duties, rights and obligations provided for under statute, including the Michigan Facilities Act, Public Act 18 of 1933, 125.651 et. seq.

No changes from first reading.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- a. Proposed Ordinance
- b. MCL 125.654
- c. Article VI, Chapter 34 of the City of South Lyon Code of Ordinances
- d. 2012 Housing Commission Ordinance Amendment

POSSIBLE COURSES OF ACTION: Approve/deny/postpone

RECOMMENDATION: Approve the second reading of the Housing Commission Ordinance amendment

SUGGESTED MOTION: Motion to approve the second reading of the Ordinance to Amend Chapter 34, Article IV of the City of South Lyon's Code of Ordinances by repealing Sections 34-87 through 34-91 and amending Section 34-84.

ORDINANCE NO. __-16

CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE CITY OF SOUTH LYON CODE OF ORDINANCES, CHAPTER 34 – COMMUNITY DEVELOPMENT, ARTICLE IV – HOUSING COMMISSION, TO REPEAL SECTIONS 34-87 THROUGH 34-91 AND TO AMEND SECTION 34-84 RELATING TO THE HOUSING COMMISSION'S POWERS

THE CITY OF SOUTH LYON ORDAINS:

PART I. Repeal of Existing Sections 34-87 through 34-91, Chapter 34, Article IV.

Existing Sections 34-87 through 34-91, all contained in Article IV – Housing Commission, in Chapter 34 – Community Development of the City of South Lyon Code of Ordinances, are hereby repealed.

PART II. Amendment of Section 34-84. Section 34-84, in Article IV – Housing Commission, Chapter 34 – Community Development, of the City of South Lyon Code of Ordinances is amended to read as follows in its entirety:

Sec. 34-84. – Powers and duties.

In addition to such other powers, duties, rights and obligations provided for by Charter and statute, Such commission shall have the following enumerated powers and duties:

(1) To determine in what areas of the city it is necessary to provide proper sanitary housing facilities for families of low income and for the elimination of housing conditions which are detrimental to the public peace, health, safety, morals, and/or welfare.

(2) To purchase, lease, sell, exchange, transfer, assign and mortgage any property, real or personal; or any interest therein, or acquire the same by gift, bequest or under the power of eminent domain; to own, hold, clear and improve property; to engage in or to contract for the design and construction, reconstruction, alteration, improvement, extension, and/or repair of any housing project or projects or parts thereof; to lease and/or operate any housing project or projects.

(3) To control and supervise all parks and playgrounds forming a part of such housing development but may contract with existing departments of the city for operation or maintenance of either or both.

(4) To establish and revise rents of any housing project or projects, but shall rent all property for such sums as will make them self-supporting, including all charges for maintenance and operation, for principal and interest on loans and bonds, and for taxes.

(5) To rent only to such tenants as are unable to pay for more expensive housing accommodations.

(6) To call upon other city departments for assistance in the performance of its duties, but said departments shall be reimbursed for any added expense incurred therefor.

(7) It shall have such other powers relating to said housing facilities project as may be prescribed by ordinance or resolution of the governing body of the city or as may be necessary to carry out the purposes of the act.

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

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

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

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

Made, Passed and Adopted by the South Lyon City Council this ____ day of _____, 2016.

John Galeas, Jr., Mayor

Lisa Deaton, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the South Lyon City Council held on the ____ day of _____, 2016.

Lisa Deaton, City Clerk

Adopted:
Published:
Effective:

HOUSING FACILITIES (EXCERPT)

Act 18 of 1933 (Ex. Sess.)

125.654 Municipal housing commission; appointment and terms of members; tenant of public or subsidized housing as member; notice; removal; vacancies; compensation and expenses; public body corporate; powers of commission; definitions.

Sec. 4. (1) Subject to subsection (2), the commission shall consist of 5 members to be appointed by the chief administrative officer of the city or village, except that if a city or village has a chief administrative officer who is not elected by the electors of the city or village, the members of the commission may be appointed by the official designated by a resolution adopted by the governing body of the city or village. The term of office of members of the commission shall be 5 years. Members of the first commission shall be appointed for the terms of 1 year, 2 years, 3 years, 4 years, and 5 years respectively, and annually thereafter 1 member shall be appointed for the term of 5 years.

(2) One member of the commission shall be a tenant of public or subsidized housing as provided in this subsection. If, on the effective date of the amendatory act that added section 11a, a commission is managing an occupied project and has no tenant member, a tenant member shall be appointed for at least 1 of the next 3 vacancies after that effective date, or within 2 years after that effective date, whichever comes first. If, on the effective date of the amendatory act that added section 11a, a commission did not yet exist or did not yet manage an occupied project, a tenant member shall be appointed for at least 1 of the next 2 vacancies after the first project of the commission is occupied or within 2 years after the first project of the commission is occupied, whichever comes first. Beginning on the effective date of this amendatory act that added section 11a, the chief executive officer of the housing commission shall send written notice of a commission vacancy to the president of each resident organization. The notice shall be included in the rent notice to each tenant. For a commission with authority for less than 250 units, if no tenant applies for membership on the commission within 60 days after notice is sent to tenants, the appointing official may appoint a person otherwise qualified under this act to serve as a member of the commission, if the chief executive officer of the commission has proof of the written notice required under this section.

(3) Upon recommendation of the appointing authority to the governing body, the governing body of the incorporating unit may remove a member of the commission from office before the expiration of his or her term. Subject to subsection (2), a vacancy in office shall be filled by the appointing authority for the remainder of the unexpired term.

(4) A member of the commission may receive compensation for actual expenses incurred in serving as a member of the commission in an amount determined by the commission. The governing body of an incorporating unit may adopt a resolution establishing limitations on the amounts of actual expenses that may be paid to a member of a commission.

(5) The commission shall be a public body corporate. Except as otherwise provided in this act, the commission may do all of the following:

- (a) Sue and be sued in any court of this state.
- (b) Form or incorporate nonprofit corporations under the laws of this state for any purpose not inconsistent with the purposes for which the commission was formed.
- (c) Serve as a shareholder or member of a qualified nonprofit corporation organized under the laws of this state.
- (d) Authorize, approve, execute, and file with the Michigan department of commerce those documents that are appropriate to form and continue 1 or more nonprofit corporations.
- (e) Form or incorporate for-profit corporations, partnerships, and companies under the laws of this state for any purpose not inconsistent with the purposes for which the commission was formed.

(6) As used in this section:

- (a) "Chief administrative officer" means:
 - (i) The manager of a village or, if a village does not employ a manager, the president of the village.
 - (ii) The city manager of a city or, if a city does not employ a city manager, the mayor of the city.
- (b) "Vacancy" means a seat for which the current appointee discontinues membership by death, resignation, or removal from office; by not seeking reappointment in writing prior to the expiration of his or her term; or by not being reappointed by the appointing authority within 5 days following the expiration of his or her term.

History: 1933, Ex. Sess., Act 18, Imd. Eff. Jan. 9, 1934;—Am. 1935, Act 80, Imd. Eff. May 24, 1935;—CL 1948, 125.654;—Am. 1969, Act 327, Eff. Mar. 20, 1970;—Am. 1983, Act 227, Imd. Eff. Nov. 28, 1983;—Am. 1984, Act 207, Imd. Eff. July 9, 1984;—Am. 1996, Act 338, Imd. Eff. June 27, 1996.

ARTICLE IV. - HOUSING COMMISSION

Sec. 34-81. - Housing commission continued.

The city housing commission, heretofore created pursuant to Act No. 18, Public Acts of 1933 (Ex. Sess.), State of Michigan, as amended is hereby continued.

(Code 1988, § 1.151)

Sec. 34-82. - Members, term and appointment.

In accordance with section 4 of said Act 18 of 1933 (Ex. Sess.) the city housing commission shall consist of five members to be appointed by the mayor with the approval of the city council. Each of said members shall serve for a term of five years and until his successor shall be appointed and qualified. Members of the first commission shall be appointed for staggered terms. Members shall serve without compensation but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.

(Code 1988, § 1.152)

Sec. 34-83. - Meetings, rules, record, quorum, officers, employees.

The commission shall meet at regular intervals, said meetings to be public. It shall adopt its own rules of procedure, and shall keep a record of the proceedings. Three members shall constitute a quorum for the transaction of business. A president and vice-president shall be elected by the commission. The commission may appoint a director who may also serve as secretary, and such other employees or officers as shall be necessary. The commission shall prescribe the duties of all of its officers and employees and may, with the approval of the appointing authority, fix their compensation. The commission may from time to time as necessary employ engineers, architects and consultants.

(Code 1988, § 1.153)

Sec. 34-84. - Powers and duties.

Such commission shall have the following enumerated powers and duties:

- (1) To determine in what areas of the city it is necessary to provide proper sanitary housing facilities for families of low income and for the elimination of housing conditions which are

detrimental to the public peace, health, safety, morals, and/or welfare.

- (2) To purchase, lease, sell, exchange, transfer, assign and mortgage any property, real or personal, or any interest therein, or acquire the same by gift, bequest or under the power of eminent domain; to own, hold, clear and improve property; to engage in or to contract for the design and construction, reconstruction, alteration, improvement, extension, and/or repair of any housing project or projects or parts thereof; to lease and/or operate any housing project or projects.
- (3) To control and supervise all parks and playgrounds forming a part of such housing development but may contract with existing departments of the city for operation or maintenance of either or both.
- (4) To establish and revise rents of any housing project or projects, but shall rent all property for such sums as will make them self-supporting, including all charges for maintenance and operation, for principal and interest on loans and bonds, and for taxes.
- (5) To rent only to such tenants as are unable to pay for more expensive housing accommodations.
- (6) To call upon other city departments for assistance in the performance of its duties, but said departments shall be reimbursed for any added expense incurred therefor.
- (7) It shall have such other powers relating to said housing facilities project as may be prescribed by ordinance or resolution of the governing body of the city or as may be necessary to carry out the purposes of the act.

(Code 1988, § 1.154)

Sec. 34-85. - Interest of members, officers, employees in contracts.

No member of the housing commission or any of its officers or employees shall have any interest directly or indirectly in any contract for property, materials or services to be acquired by said commission.

(Code 1988, § 1.155)

Sec. 34-86. - Report to governing body.

The commission shall make an annual report of its activities to the city council and shall make such other reports as the city manager may from time to time require.

(Code 1988, § 1.156)

Sec. 34-87. - Deeds, contracts, leases, purchases.

All deeds, contracts, leases or purchases entered into by the commission shall be in the name of the city and shall be approved by the city council. Contracts for the purchase of necessary materials costing less than \$500.00 and leases with tenants and options need not be so approved.

(Code 1988, § 1.157)

**CITY OF SOUTH LYON
ORDINANCE AMENDMENT**

CHAPTER 34, ARTICLE IV SECTION 34-87 AND ADDING SECTIONS 34-88 THROUGH 34-91

The City of South Lyon Ordains:

An amendment to the City Code of the City of South Lyon, Chapter 34 – Housing Commission by amending Section 34-87 and adding Sections 34-88 through 34-91 as follows:

Sec. 34-81. - Housing commission continued.

The city housing commission, heretofore created pursuant to Act No. 18, Public Acts of 1933 (Ex. Sess.), State of Michigan, as amended is hereby continued.

(Code 1988, § 1.151)

Sec. 34-82. - Members, term and appointment.

In accordance with section 4 of said Act 18 of 1933 (Ex. Sess.) the city housing commission shall consist of five members to be appointed by the mayor with the approval of the city council. Each of said members shall serve for a term of five years and until his successor shall be appointed and qualified. Members of the first commission shall be appointed for staggered terms. Members shall serve without compensation but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.

(Code 1988, § 1.152)

Sec. 34-83. - Meetings, rules, record, quorum, officers, employees.

The commission shall meet at regular intervals, said meetings to be public. It shall adopt its own rules of procedure, and shall keep a record of the proceedings. Three members shall constitute a quorum for the transaction of business. A president and vice-president shall be elected by the commission. The commission may appoint a director who may also serve as secretary, and such other employees or officers as shall be necessary. The commission shall prescribe the duties of all of its officers and employees and may, with the approval of the appointing authority, fix their compensation. The commission may from time to time as necessary employ engineers, architects and consultants.

(Code 1988, § 1.153)

Sec. 34-84. - Powers and duties.

Such commission shall have the following enumerated powers and duties:

(1) To determine in what areas of the city it is necessary to provide proper sanitary housing facilities for families of low income and for the elimination of housing conditions which are detrimental to the public peace, health, safety, morals, and/or welfare.

(2) To purchase, lease, sell, exchange, transfer, assign and mortgage any property, real or personal, or any interest therein, or acquire the same by gift, bequest or under the power of eminent domain; to own, hold, clear and improve property; to engage in or to contract for the design and construction, reconstruction, alteration, improvement, extension, and/or repair of any housing project or projects or parts thereof; to lease and/or operate any housing project or projects.

(3) To control and supervise all parks and playgrounds forming a part of such housing development but may contract with existing departments of the city for operation or maintenance of either or both.

(4) To establish and revise rents of any housing project or projects, but shall rent all property for such sums as will make them self-supporting, including all charges for maintenance and operation, for principal and interest on loans and bonds, and for taxes.

(5) To rent only to such tenants as are unable to pay for more expensive housing accommodations.

(6) To call upon other city departments for assistance in the performance of its duties, but said departments shall be reimbursed for any added expense incurred therefor.

(7) It shall have such other powers relating to said housing facilities project as may be prescribed by ordinance or resolution of the governing body of the city or as may be necessary to carry out the purposes of the act.

(Code 1988, § 1.154)

Sec. 34-85. - Interest of members, officers, employees in contracts.

No member of the housing commission or any of its officers or employees shall have any interest directly or indirectly in any contract for property, materials or services to be acquired by said commission.

(Code 1988, § 1.155)

Sec. 34-86. - Report to governing body.

The commission shall make an annual report of its activities to the city council and shall make such other reports as the city manager may from time to time require.

(Code 1988, § 1.156)

Sec. 34-87. - Deeds, contracts, leases, purchases.

All deeds, contracts, leases or purchases entered into by the commission shall be in the name of the city and shall be approved by the city council. Contracts for the purchase of necessary materials costing less than \$500.00 \$2,000.00 and leases with tenants and options need not be so approved.

The manager shall act as purchasing agent of the city. The manager shall adopt any necessary rules respecting requisitions and purchase orders.

Sec. 34-88 - Written contract required.

All purchases and sales, regardless of monetary value, shall be made the subject of a written contract. A purchase order shall be a sufficient written contract in cases where the expenditure is in the usual and ordinary course of the city's affairs.

Sec. 34-89. - Approval for purchases or contracts over \$2,000.00; competitive bidding for purchases or contracts over \$5,000.00.

Any expenditure for supplies, materials, equipment, construction project or contract obligating the city, where the amount of the city's obligation is in excess of \$2,000.00, shall be first approved by the city council. Where such expenditure or contract exceeds \$5,000.00, it shall be subject to competitive bidding as herein prescribed except where the council shall determine that no advantage to the city would result or where the expenditure or contract is for professional services. Where competitive bidding is required, the following procedure will apply.

(1) The purchasing agent shall solicit bids from a reasonable number of such qualified prospective bidders as are known to him by sending each a copy of the notice requesting bids and notice thereof

shall be posted in the city hall. Bids shall also be solicited by newspaper advertisement when directed by the city council.

(2) Unless prescribed by the council, the manager shall prescribe the amount of any security to be deposited with any bid, which deposit shall be in the form of cash, certified or cashier's check or bond written by a surety company authorized to do business in the State of Michigan. The amount of such security shall be expressed in terms of percentage of the bid submitted. Unless fixed by the council, the manager shall fix the amount of the performance bond and in the case of construction contracts, the amount of the labor and materials bond to be required of the successful bidders.

(3) Bids shall be opened in public at the time and place designated in the notice requesting bids in the presence of the purchasing agent, the city clerk and at least one other city official, preferably the head of the department most closely concerned with the subject of the contract. The bids shall thereupon be carefully examined and tabulated and reported to the council with the recommendation of the purchasing agent at the next council meeting. After tabulation all bids may be inspected by the competing bidders. In lieu of the procedure for opening bids herein specified, the council may direct that bids be opened at a council meeting.

(4) When such bids are submitted to the council, if the council shall find any of the bids to be satisfactory, it shall award the contract to the lowest competent bidder meeting specifications, unless the council shall determine that the public interest will be better served by accepting a higher bid. Such award may be by resolution or ordinance. The council shall have the right to reject any or all bids and to waive irregularities in bidding and to accept bids which do not conform in every respect to the bidding requirements.

(5) At the time the contract is executed by him, the contractor shall file a bond executed by a surety company authorized to do business in the State of Michigan, to the city, conditioned to pay all laborers, mechanics, subcontractors and material-men as well as all just debts, dues and demands incurred in the performance of such work and shall file a performance bond when one is required. Said contractor shall also file evidence of public liability insurance in an amount satisfactory to the city manager, and agree to save the city harmless from loss or damage caused to any person or property by reason of the contractor's negligence.

(6) All bids and deposits of certified or cashier's checks may be retained until the contract is awarded and signed. If any successful bidder fails or refuses to enter into the contract awarded to him within five days after the same has been awarded, or file any bond required within the same time, the deposit accompanying his bid shall be forfeited to the city, and the council may, in its discretion, award the contract to the next lower competent bidder meeting specifications, or to another competent bidder meeting specifications if the council shall determine that the public interest will be better served by accepting such other bid, or said contract may be readvertised.

Sec. 34-90 - Inspection of materials.

The responsibility for the inspection and acceptance of all materials, supplies and equipment shall rest with the ordering department.

Sec. 34-91 - Sale of property.

Whenever any city property, real or personal, is no longer needed for corporate or public purposes, the same may be offered for sale. Personal property not exceeding \$500.00 in value may be sold for cash by the purchasing agent after receiving quotations or competitive bids therefore for the best price obtainable. Property with a value in excess of \$500.00 may be sold after advertising and receiving

competitive bids, as provided in section 2-224 of the Code and after approval of the sale has been given by the council.

CERTIFICATION

I hereby certify the foregoing is a true and accurate copy of an ordinance amendment enacted by the South Lyon City Council at a regular meeting held on the ____ day of _____, 2012.

Julie C. Zemke, Clerk

AGENDA NOTE

MEETING DATE: November 28, 2016

PERSON PLACING ITEM ON AGENDA: City Attorney

AGENDA TOPIC: Consider approval of quit claim deed from City to South Lyon Housing Commission

EXPLANATION OF TOPIC: The South Lyon Housing Commission is pursuing a Rental Assistance Demonstration (RAD) conversion through HUD as authorized under Public Law 112-55. HUD requires that the South Lyon Housing Commission have clear title to the property which is subject to the HUD agreements and the declaration of trust. The property in question was deeded to the City acting on behalf of the South Lyon Housing Commission in 1964. The City was included as the grantee as required by ordinance.

Based on Amendments to the Michigan Housing Facilities Act which clarify that housing commissions are separate legal public corporations; the City has repealed Section 34-87 requiring the deeds need to be in the name of the City acting on behalf of the Housing Commission.

In order to allow the RAD conversion to proceed, which is in the best interest of the Housing Commission and the residents of South Lyon, the Housing Commission has requested that the City quit claim its interests in the property used for housing assistance to the Housing Commission to comply with HUD for the RAD conversion. Alternatively, the City would need to be added as a party to the HUD agreements which is not recommended.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- a. Proposed Quit Claim Deed
- b. Warranty Deed from Pollock to City of South Lyon, Liber 4621 page 715
- c. Declaration of Trust, Liber 4668 page 355
- d. RAD Use Agreement (draft)

POSSIBLE COURSES OF ACTION: Approve/deny/postpone

RECOMMENDATION: Approve the quit claim deed and authorize Mayor and Clerk to execute.

SUGGESTED MOTION: Motion to approve the quit claim deed from the City of South Lyon to the South Lyon Housing Commission as to the property located at 432 Washington Avenue, South Lyon, Michigan, 48178, Tax Parcel No. 21-30-234-006, and authorize the Mayor and Clerk to execute same.

QUIT CLAIM DEED

KNOW ALL PERSONS that the **CITY OF SOUTH LYON**, a Michigan municipal corporation, whose address is 335 S. Warren Street, South Lyon, MI 48178, Quit Claim(s) to **SOUTH LYON HOUSING COMMISSION**, a Michigan municipal corporation, whose address is 335 S. Warren Street, South Lyon, MI 48178, the following described premises situated in the City of South Lyon, Oakland County of Oakland, State of Michigan, to-wit:

Tax Parcel No. 21-30-234-006, more particularly described as:

Lots 1, 2, 3, 10, 11 and 12, Block 10, of Calkins Addition to the Village of South Lyon, according to the plat thereof as recorded in Liber 3 of Plats, page 48, Oakland County Records.

The grantor grants to the grantee the right to make any and all remaining divisions under section 108 of the land division act, Act No. 288 of the Public Acts of 1967, as amended. This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan right to farm act.

Subject to building and use restrictions and easements, if any, and zoning ordinances.
Exempt from county and state taxation pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

WHEREFORE, upon approval by the City Council, the undersigned Grantor hereby creates, confirms, and conveys the Quit Claim Deed described herein for the sum of \$1.00.

Dated this ____ day of November, 2016.

GRANTOR:

CITY OF SOUTH LYON, a Michigan municipal corporation

John A. Galeas, Jr., Mayor

Lisa Deaton, Clerk

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

On this _____ day of November, 2016, John A. Galeas, Jr., executed the foregoing document before me and, being duly sworn, stated that he/she is the Mayor of the City of South Lyon with its full authority and as its free act and deed.

Notary Public

My commission expires: _____
Oakland County, Michigan
Acting in the County of _____

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

On this _____ day of November, 2016, Lisa Deaton, executed the foregoing document before me and, being duly sworn, stated that he/she is the Clerk of the City of South Lyon with its full authority and as its free act and deed.

Notary Public

My commission expires: _____
Oakland County, Michigan
Acting in the County of _____

Drafted By:
Timothy S. Wilhelm, Esq.
Johnson, Rosati, Schultz & Joppich, P.C.
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331-3550

When recorded return to:
Lisa Deaton, Clerk
City of South Lyon
335 S. Warren Street
South Lyon, MI 48178

LITER 4621 PAGE 715

64 58020

Form No. 1-44

WARRANTY DEED - Standard Form
Act 187 P. A. 1881 - M.S.A. 26.571

Lawyers Title Insurance Corporation

KNOW ALL MEN BY THESE PRESENTS: That Robert W. Pollock and Erma E. Pollock,
his wife, 416 Washington St., South Lyon, Michigan,Conveys and Warrants to the City of South Lyon, a Michigan Municipal Corporation,
acting by and through the South Lyon Housing Commission,

whose Street Number and Post Office address is

the following described premises situated in the City of South Lyon County of Oakland
and State of Michigan, to-wit:Lots 1, 2, 3, 10, 11 and 12, Block 10 of Oaklin's
Addition to the Village (new City) of South Lyon,
being a part of the North 3/4 of the East 1/2 of
the Northeast 1/4 of Section 30, Town 1 North, Range
7 East, Township of Lyon, Oakland County, Michigan,
according to the Plat thereof as recorded in Liber 3
of Plats, Page 48, Oakland County Records,

together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise

for the sum of

and other valuable considerations;

subject to easements and restrictions of record.

Dated this 31st day of August
Signed, Sealed and Delivered in Presence of:A. D. 19 64
Signed and Sealed:*Robert W. Pollock* (L.S.)

Robert W. Pollock

Erma E. Pollock (L.S.)

Erma E. Pollock

STATE OF MICHIGAN
COUNTY OF OaklandOn this 31st day of August A. D. 19 64 before me personally
appeared Robert W. Pollock and Erma E. Pollock, his wife,to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they
executed the same as their free act and deed.

My commission expires March 1, A. D. 1966

Notary Public Oakland County, Michigan

Instrument Drafted by C. H. Leasing, Attorney

Business Address 121 E. Lake St., South Lyon, Mich.

County Treasurer's Certificate

City Treasurer's Certificate

Recording Fee

U. S. Revenue Stamp

When recorded return to

14650

123301

South Lyon, Mich.

TITLE INSURANCE - ABSTRACTS - ESCROWS

TITLE INSURANCE - ABSTRACTS - ESCROWS

OAKLAND COUNTY RECORDS
RECORDED
1964 SEP 8 AM 10 19
One Dollar
DEEDS RECORDS

100-2190
 July 1951

4068 355

64 84614

DECLARATION OF TRUST

WHEREAS, The City of South Lyon acting by and through
The South Lyon Housing Commission
 (herein called the "Local Authority"), a public body corporate and politic, duly
 created and organized pursuant to and in accordance with the provisions of the
 laws of the State of Michigan, and the Public Housing Admin-
 istration (herein called the "FHA") which is administering, in accordance with
 Reorganization Plan No. 5 of 1947, effective July 27, 1947, the functions of the
 United States Housing Authority, created in pursuance of the provisions of the
 United States Housing Act of 1937, Public No. 412, Seventy-fifth Congress, entered

into a certain contract dated as of June 30, 1951 (herein
 called the "Annual Contributions Contract") providing for a loan and for annual
 contributions to be made by the FHA to assist the Local Authority in developing,
 and in achieving and maintaining the low-rent character of, low-rent housing
 project(s), and

WHEREAS, as of the date of the execution of this Declaration of Trust the
 Annual Contributions Contract provides for the development and operation by the

Local Authority of certain low-rent housing in the State of
Michigan, County of Oakland, City

of South Lyon, which will provide approximately 15
 dwellings; and which low-rent housing will be known as Project No. MIOM 21-27

~~Project No. _____ with approximately _____ dwellings,~~

~~Project No. _____ with approximately _____ dwellings,~~

~~and Project No. _____ with approximately _____ dwellings,~~

and
 WHEREAS, the Local Authority (1) proposes to issue and deliver its Bonds and
 Permanent Notes to aid in financing the Projects from time to time provided for
 under the terms of the Annual Contributions Contract to which Contract reference
 is hereby made for definitions of the Bonds, Permanent Notes, and Projects, and
 (2) may from time to time issue and deliver its obligations (herein called "Re-
 funding Bonds") to refund said Bonds and Permanent Notes; and

WHEREAS, each Project and the site or sites thereof will have been construct-
 ed or acquired with the proceeds of the Bonds and/or advances by the FHA on account
 of the loan provided for in the Annual Contributions Contract and the Bonds and
 Permanent Notes will be secured (1) severally, by pledges of specific amounts of
 the annual contributions payable to the Local Authority by the FHA pursuant to
 said Contracts; and (2) by a pledge of certain revenues of the Projects financed by
 an issue or issues of Bonds to the extent and in the manner described in the
 Annual Contributions Contract and the resolutions of the Local Authority authoriz-
 ing such Bonds and Permanent Notes;

NOW, THEREFORE, to assure the FHA and the holder or holders of the Bonds,
 Refunding Bonds, or Permanent Notes, and each of them, of the performance by the
 Local Authority of the covenants contained in the Annual Contributions Contract
 and the resolutions of the Local Authority authorizing the issuance of the Bonds,
 Refunding Bonds, or Permanent Notes, the Local Authority does hereby acknowledge
 and declare that it is possessed of and holds in trust for the benefit of the FHA
 and said holders of the Bonds, Refunding Bonds, or Permanent Notes, for the pur-
 poses hereinafter stated, the following described real property situated in the

State of Michigan County
 of Oakland City of South Lyon
 TO VIT:

 Project No. MIOM 21-27

O. Kenneth Galt
 Mayor of South Lyon
 attested my hand and seal
 of office this 1st day of July 1951

RECEIVED
 MIOM 21-27
 JUL 11 1951

1881 4668 356

Lots 1, 2, 3, 10, 11, and 12, Block 10 of
Calhoun's Addition to the Village (now City)
of South Lyon, being part of the North 3/4 of
East 1/2 of Northeast 1/4 of Section 30, Town
1 North, Range 7 East, Township of Lyon,
Oakland County, Michigan, according to the
Plat thereof as recorded in Liber 3 of Plats,
Page 48, Oakland County Records.

USE 4668 REC 358

STATE OF MICHIGAN
COUNTY OF Oakland SS

On this 4th day of November,
1964, before me appeared John E. Noel
and Jane Small, to me personally known,
who, being by me duly sworn, did say that they are the
Mayor and City Clerk, respectively, of the City of
South Lyon, Michigan; that the seal
affixed to the foregoing Declaration of Trust is the
corporate seal of said City; and that said Declaration
of Trust was signed and sealed on behalf of said City by
authority of its City Council and they acknowledged said
Declaration of Trust to be the free act and deed of said
City.

Stanley D. Spencer
NOTARY PUBLIC

Oakland Co, Michigan

My commission expires 1-15-68.

Stanley D. Spencer
Notary Public
Oakland County, Michigan
His commission expires January 15, 1968

Witnessed by Evelyn M. Swanson
234 E. Larnard
South Lyon, Mich

Rental Assistance Demonstration
Use Agreement

U.S. Department of Housing
and Urban Development
Office of Housing
Office of Public and Indian Housing

OMB Approval No. 2577-0276 (Exp. 02/29/16)

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Paperwork Reduction Project (2577-0276), Office of Information Technology, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This Rental Assistance Demonstration Use Agreement (hereinafter called the "Agreement") made the _____ day of _____, 20 16, by and between the United States of America, Secretary of Housing and Urban Development (hereinafter called "HUD") and South Lyon Housing Commission, Owner, (hereinafter called the "Owner"), provides as follows:

Whereas, Rental Assistance Demonstration (hereinafter called "RAD") provides the opportunity to test the conversion of public housing and other HUD-assisted properties to long-term, project-based Section 8 rental assistance to achieve certain goals, including the preservation and improvement of these properties through access by Owners to private debt and equity to address immediate and long-term capital needs.

Whereas, Projects funded under the public housing programs may under RAD convert their assistance to long-term, project-based Section 8 rental assistance contracts. Under this component of RAD, Owners may choose between two forms of Section 8 Housing Assistance Payment (HAP) contracts: project-based vouchers (PBVs) or project-based rental assistance (PBRA). No incremental funds are authorized for this component. Owners will convert their assistance at current subsidy levels.

Whereas, Projects shall have a RAD Use Agreement that will be recorded superior to other liens on the property, run for the same term as the initial term of the HAP contract, automatically renew upon each extension or renewal of the HAP contract for a term that runs with each renewal term of the HAP contract, and remain in effect even in the case of abatement or termination of the HAP contract (for the term the HAP contract would have run, absent the abatement or termination).

Whereas, HUD has approved the conversion of the "Project" identified as Washington Manor and covering real property as described in Exhibit "A" attached hereto; and that this approval is evidenced by and through the terms of the RAD Conversion Commitment as described in Exhibit "B" attached hereto; and that was previously subject to a public housing Declaration of Trust dated November 4, 1964 and recorded on December 21, 1964 in the Recorder's Office of Oakland County as document number _____, Liber 4668, Page 355; and such public housing Declaration of Trust was released on (date) _____ and recorded on (date) _____ in the Recorder's Office of _____ County as document number _____, Book _____, Page _____

Whereas, pursuant to the Consolidated and Further Continuing Appropriations Act of 2012 (Public Law 112-55, approved November 18, 2011) and the corresponding PIH Notice 2012-32 published on July 26, 2012 (hereinafter called the "RAD Notice"), which this Use Agreement incorporates, in exchange for HUD's agreement to permit this conversion to PBVs or PBRA, the Owner has agreed to continue to operate the assisted PBV or PBRA units only as rental housing for the initial term, and each renewal term of the HAP Contract, unless otherwise approved by HUD;

Now Therefore, in consideration of the mutual promises set forth herein and of other valuable consideration, the parties hereby agree as follows:

1. **Definitions.** All terms used in this Agreement have the same meaning as set forth in the definitions in RAD Notice.
2. **Term.** The initial term shall be 20 years. Unless otherwise approved by HUD, this Agreement shall remain in effect through the initial term, and for an additional period to coincide with any renewal term of the HAP Contract. This Agreement will survive HAP abatement or termination of the HAP Contract unless otherwise approved by HUD.
3. **Use Restriction and Tenant Incomes.** The HAP-assisted units within this Project shall be used solely as rental housing for tenants meeting the eligibility and income-targeting requirements under the HAP Contract. In the case that the HAP Contract is terminated (due to, e.g.: breach, or non-compliance), new tenants must have incomes at or below 80 percent of the average median income (AMI) at the time of admission for the remainder of the term of the Agreement, applicable to all units previously covered under the HAP contract. Additionally, rents must not exceed 30% of 80% of median income for an appropriate sized unit. Notwithstanding the foregoing, in the event the Owner is able to demonstrate to HUD's satisfaction that despite the Owner's good faith and diligent efforts to do so, the Owner is unable either (1) to rent a sufficient percentage of Units to Low Income Tenants or Very Low Income Tenants in order to satisfy the restrictions in this paragraph, or (2) to otherwise provide for the financial viability of the Project, HUD may, in its sole discretion, agree to reduce the percentage of units subject to the restriction under this paragraph or otherwise modify this restriction in a manner acceptable to the Owner and HUD. Any such modification of the restrictions listed in this paragraph shall be evidenced by a

written amendment to this Agreement executed by each of the parties hereto.

4. **Subordination.** Any mortgage liens will be subject to this Agreement. This Agreement will survive foreclosure and bankruptcy.
5. **Fair Housing and Civil Rights Requirements.** Compliance with all applicable fair housing and civil rights requirements including the obligation to affirmatively further fair housing and the site selection and neighborhood standards requirements set forth in 24 CFR §§ 1.4(b)(3) and 941.202, as applicable, is required.
6. **Federal Accessibility Requirements.** Compliance with all applicable federal accessibility requirements under the Fair Housing Act and implementing regulations at 24 CFR Part 100, Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR Part 8, and Titles II and III of the Americans with Disabilities Act and implementing regulations at 28 CFR Parts 35 and 36, respectively, is required.
7. **Transfer of the Agreement.** HUD has been granted and is possessed of an interest in the above described Project such that the Owner shall remain seized of the title to said Project and refrain from transferring, conveying, encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of said Project or any part thereof without the release of said covenants by HUD. The Owner has constituted HUD as its attorney-in-fact to transfer PBV or PBRA assistance to another entity in the event of default under the HAP Contract. With HUD approval, after 10 years from the effective date of the initial term of the HAP Contract, if the Project is economically non-viable or physically obsolete, assistance may be transferred subject to this Agreement. Any such new Owner shall assume the obligations under this Agreement as a condition of any transfer. This Agreement shall be binding upon the Owners and all future successors and assigns until released by HUD.
8. **Release.** The endorsement by a duly authorized officer of HUD (1) upon any conveyance or transfer made by the Owner of any real or personal property which is determined to be excess to the needs of the Project, or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as

streets, alleys, or other public rights-of-way, or for the establishment, operation and maintenance of public utilities, or (3) upon any instrument transferring or conveying an interest therein, or (4) upon any instrument of release made by the Owner of the assisted PBV or PBRA units shall be effective to release such property from the restrictive covenants hereby created.

9. **Enforcement.** In the event of a breach or threatened breach of any of the provisions of this Agreement, any eligible tenant or applicant for occupancy within the Project, or the Secretary or his or her successors or delegates, may institute proper legal action to enforce performance of such provisions, to enjoin any acts in violation of such provisions, to recover whatever damages can be proven, and/or to obtain whatever other relief may be appropriate.
10. **Severability.** The invalidity, in whole or in part, of any of the provisions set forth in this Agreement shall not affect or invalidate any remaining provisions.
11. **Impairment of HAP Contract.** The terms and provisions of this Agreement shall continue in full force and effect except as expressly modified herein. Any conflicts between this Agreement and the HAP Contract shall be conclusively resolved by the Secretary.
12. **Execution of Other Agreements.** The Owner agrees that it has not and will not execute any other agreement with provisions contradictory of, or in opposition to, the provisions of this Agreement, and that in any event, the provisions of this Agreement are paramount and controlling as to the rights and obligations set forth and supersede any other conflicting requirements.
13. **Subsequent Statutory Amendments.** If revisions to the provisions of this Agreement are necessitated by subsequent statutory amendments, the Owner agrees to execute modifications to this Agreement that are needed to conform to the statutory amendments. In the alternative, at HUD's option, HUD may implement any such statutory amendment through rulemaking.
14. **No Negotiation.** This Agreement is not subject to negotiation by the Owner or any lender.

In Witness Whereof, HUD and the Owner thereunto duly authorized has caused these presents to be signed in its name and its corporate seal to be hereunto affixed and attested this _____ day of _____, 20_____.

(Seal)

HUD Attest:

By:

Title:

Date:

State or)
County of) ss:
_____)

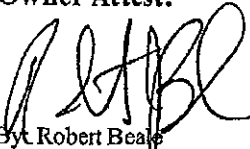
Before me, _____, a Notary Public in and for said State,
on this _____ day of _____, 20_____,
personally appeared _____,
who is personally well known to me to be the _____, of HUD, and the person who
executed the foregoing instrument by virtue of the authority vested in him by, and I having first made known to him the contents
thereof, he did acknowledge the signing thereof to be a free and voluntary act and done on behalf of the Secretary of Housing and
Urban Development for the uses, purposes and considerations therein set forth.

Witness my hand and official seal this _____ day of _____, 20_____.
(Seal)

(Notary Public)

My commission expires _____, 20_____.

Owner Attest:


By: Robert Beale

Title: Executive Director

Date: 10/6/16

State or)
County of) ss:
)

On this _____ day of _____, 20____, before me residing therein, duly commissioned and sworn, personally appeared _____, a Notary Public in and for said county and State, proved to me on the basis of satisfactory evidence to be the Owner of _____, that executed the within instrument and acknowledged to me that such _____ executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this Certificate first above written.
(Seal)

(Notary Public)

My commission expires _____, 20____.

EXHIBIT A – Property Subject to this RAD Use Agreement

Lots 1, 2, 3, 10, 11 and 12, Block 10, of Calkins Addition to the Village of South Lyon, according to the plat thereof as recorded in Liber 3 of Plats, page 48, Oakland County Records.

EXHIBIT B – RAD Conversion Commitment

AGENDA NOTE

New Business: Item #

MEETING DATE: November 28, 2016

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Consider approval of Resolution Adopting Parks and Recreation Master Plan 2016-2021

EXPLANATION OF TOPIC: The P & R Commission have been working for quite some time to update and finalize the new Parks and Recreation Master Plan. They have held community input session, discussed and revised the plan at their monthly meetings and have held a formal public hearing on the Master Plan. Following the public hearing the Commission recommends to the Council that the Parks and Recreation Master Plan be adopted by formal resolution.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Resolution, Copy of Master Plan

POSSIBLE COURSES OF ACTION: Approve/Do Not Approve the adoption of the Resolution Adopting the Parks and Recreation Master Plan

RECOMMENDATION: Approve the adoption of the Resolution Adopting the Parks and Recreation Master Plan

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the adoption of the Resolution Adopting the Parks and Recreation Master Plan

11/28/16

RESOLUTION OF ADOPTION

CITY OF SOUTH LYON

CITY COUNCIL

November 28, 2016

WHEREAS, the City of South Lyon has undertaken a planning process to determine the recreation needs and desires of its residents during a five-year period covering the years 2016 through 2021, and

WHEREAS, the City of South Lyon, with assistance from Russell Design and Community Image Builders, began the process of developing the South Lyon Parks and Recreation Master Plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the City of South Lyon were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the parks and recreation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least two weeks, and

WHEREAS, a final public comment session was held on November 21, 2016 at South Lyon City Administration building to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the South Lyon Parks and Recreation Master Plan, and

WHEREAS, the City of South Lyon has developed the plan as a guideline for improving parks and recreation for the City of South Lyon.

NOW, THEREFORE BE IT RESOLVED that the South Lyon City Council hereby adopts the South Lyon Parks and Recreation Master Plan.

At a regular meeting of the City of South Lyon City Council, a motion was made by Council Member _____, supported by Council Member _____, to adopt the above resolution.

Ayes: Nays: Absent:

RESOLUTION DECLARED [ADOPTED/FAILED] on this 28th day of November, 2016.

CERTIFICATION

I certify that this resolution was duly adopted by the City Council of the City of South Lyon on November 28, 2016.

Lisa Deaton
City Clerk
South Lyon

AGENDA NOTE

New Business: Item #

MEETING DATE: November 28, 2016

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Consider approval of City of South Lyon Master Plan

EXPLANATION OF TOPIC: The Planning Commission has recommended for approval the new Master Plan. There has been a focus on maintaining and building upon the original character of the Downtown and the plan preserves the character of the existing neighborhoods. The downtown PUD will not impact the uses of the area but it will provide guidance on the type of buildings, architecture, location of shared parking and be pedestrian oriented. This master plan focuses on redevelopment and continues to emphasize the use and development of park areas. The new master plan is very user/reader friendly and visually appealing.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Resolution to adopt the new master plan, draft master.

POSSIBLE COURSES OF ACTION: Approve/Deny resolution to adopt the new Master Plan.

RECOMMENDATION: Approve a motion to approve resolution to adopt the new Master Plan.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve a motion to approve resolution to adopt the new Master Plan.

11/28/16

RESOLUTION NO. ____-16

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

**CITY COUNCIL RESOLUTION APPROVING
2016 MASTER PLAN OF THE CITY OF SOUTH LYON**

WHEREAS, the City of South Lyon ("City") has a duly constituted Planning Commission ("Planning Commission"), pursuant to the provisions of the Public Act 33 of 2008, MCL 125.3801 *et seq.*, known as the Michigan Planning Enabling Act ("Act"); and

WHEREAS, the Planning Commission is required by Section 31 of Public Act 33 of 2008, as amended, to make and approve a Master Plan as a guide for current and future land use and development, including but not limited to physical improvement, transportation and circulation, community facilities, infrastructure, environmental features, and open space; and

WHEREAS, the Planning Commission worked with the consultants LSL Planning and CIB Planning to oversee a planning process that included significant resident and other input, as well as investigations and surveys of existing resources, to develop a proposed Master Plan for the City of South Lyon; and

WHEREAS, the Planning Commission, in accordance with Section 39(2) of the Act, notified the adjacent communities and Oakland County of the intent to develop a master plan and, in accordance with Section 41(2) of the Act, distributed the final draft to adjacent communities and Oakland County for review and comment; and

WHEREAS, on April 14, 2016, the Planning Commission held a duly-noticed public hearing to consider approval of the proposed Master Plan in accordance with Section 43(1) of the Act, and it unanimously adopted a resolution approving the 2016 Master Plan for the City of South Lyon, Michigan as presented and directed that it be forwarded to the City Council for review and approval; and

WHEREAS, the City Council by resolution asserted the right to approve or reject any Master Plan, or amendments or revisions thereto, as provided for in Section 43 of the Act, MCL 125.3843;

THEREFORE, BE IT RESOLVED, THAT:

1. The City of South Lyon City Council hereby approves the 2016 Master Plan for the City of South Lyon, Michigan as presented, together with all maps and drawings contained therein or attached thereto;

2. A statement recording the City Council's approval of the 2016 Master Plan, signed by the Clerk shall be included on the inside front or back cover of the Master Plan and, if the future land use map is a separate document from the text of the Master Plan, on the future land use map.

3. Any resolutions in conflict with this Resolution are hereby repealed but only to the extent to give this Resolution full force and effect.

At a regular meeting of the City of South Lyon City Council, a motion was made by Council Member _____, supported by Council Member _____, to adopt the above resolution.

Ayes:
Nays:
Absent:

RESOLUTION DECLARED [ADOPTED/FAILED].

CERTIFICATION

I certify that this resolution was duly adopted by the City Council of the City of South Lyon on _____, 2016.

Lisa Deaton
City Clerk
South Lyon

AGENDA NOTE

New Business: Item #

MEETING DATE: November 28, 2016

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Consider approval of the Phase 1 cost estimate for Volunteer Park improvements

EXPLANATION OF TOPIC: The P & R Commission have been working with Marc Russell to develop the cost estimates for the Phase 1 improvements at Volunteer Park. This provides the Commission with a basis to begin the formal fund raising process including applying for grants, seeking corporate and organizational donations/sponsorship and City funding.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Phase 1 cost estimate, Phase 1 design plan

POSSIBLE COURSES OF ACTION: Approve/Do Not Approve the Phase 1 cost estimate for Volunteer Park improvements

RECOMMENDATION: Approve the Phase 1 cost estimate for Volunteer Park improvements

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the Phase 1 cost estimate for Volunteer Park improvements

11/28/16



RUSSELL DESIGN

LANDSCAPE ARCHITECTURE
Design ■ Planning

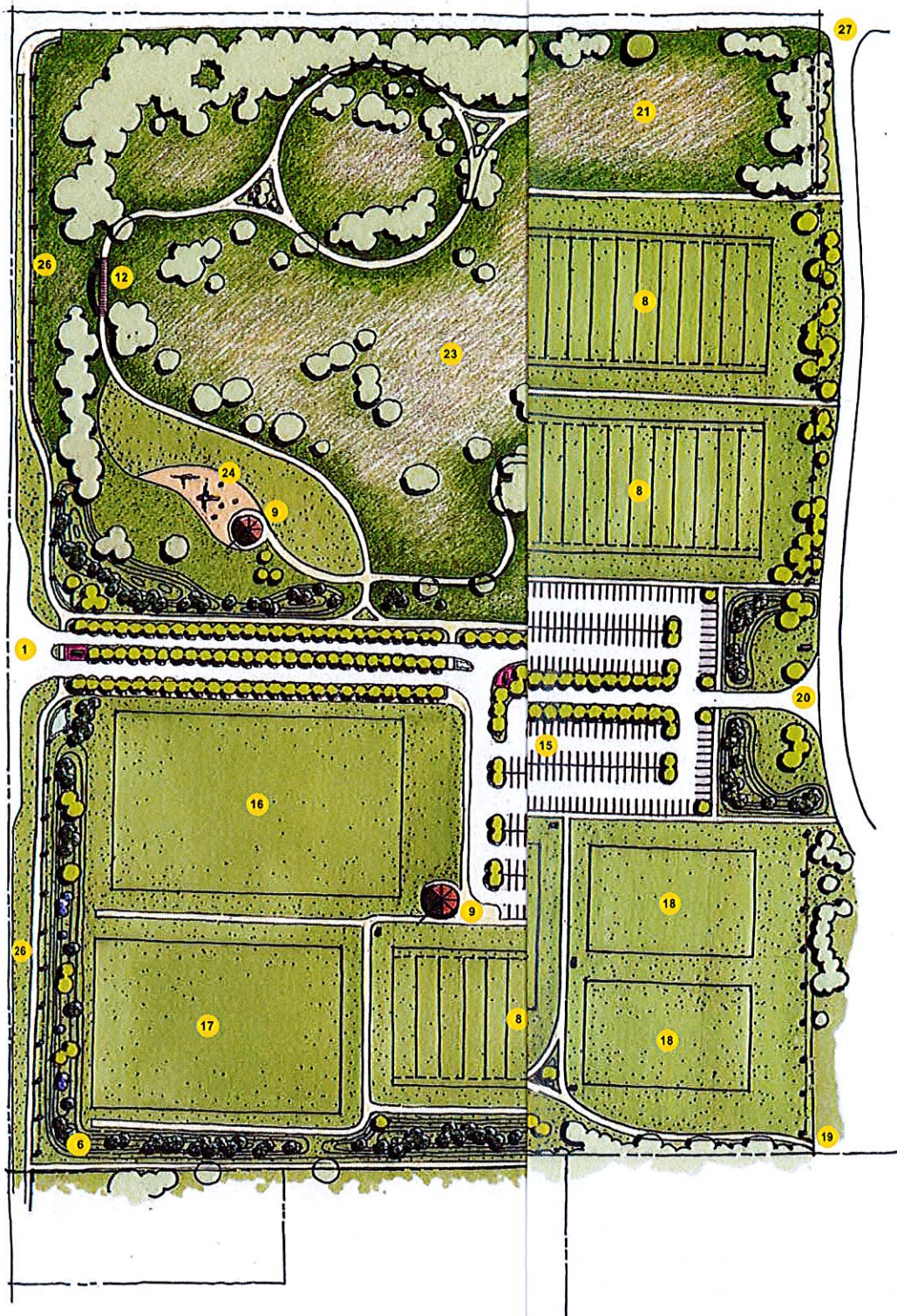
August 24, 2016
Volunteer Park - Opinion of Costs

<u>Quantity</u>	<u>Item Description</u>	<u>Unit Cost</u>	<u>Total Cost</u>
34 ac	Clearing and Grubbing	2500.00	\$85,000.00
100,000 cy	Land Balancing	6.00	\$600,000.00
1,500,000 sf	Rough Grading	0.50	\$750,000.00
7,800 lf	Concrete Curb and Gutter	20.00	\$156,000.00
18,000 sy	Asphalt Paving (parking)	20.00	\$360,000.00
820 sy	Asphalt Paving (8' wide paths)	22.00	\$18,040.00
1,000 lf	Perimeter Fence (assume split rail)	30.00	\$30,000.00
25 ea	Masonry Piers	3500.00	\$87,500.00
7 ea	Site Signage	1000.00	\$7,000.00
1 ea	Bridges	150000.00	\$150,000.00
2 ea	Comfort Station (Vault)	65000.00	\$130,000.00
2 ea	Football/Lacrosse Field	125000.00	\$250,000.00
2 ea	Baseball Fields	325000.00	\$650,000.00
1 ea	Large Multi-Purpose Fields	125000.00	\$125,000.00
3 ea	Soccer Fields	100000.00	\$300,000.00
58,000 sy	Seeded Lawn (site)	1.50	\$87,000.00
21 ea	Deciduous Canopy Trees	450.00	\$9,450.00
25 ea	Evergreen Trees	350.00	\$8,750.00
28 ea	Ornamental Trees	300.00	\$8,400.00
Lump Sum	Water Service (service line, 4 hydrants)		\$300,000.00
Lump Sum	Electrical Service (est. from DTE 8.26.16)		\$100,000.00
Lump Sum	Storm Sewer		\$150,000.00
			\$4,362,140.00
10% Design Contingency			\$436,214.00
10% General Conditions			\$436,214.00
Grand Total			\$5,234,568.00

Note: Estimate does not include:

- Topographic Survey
- Wetland or Woodland Determination
- Annual Inflation and Material Surcharges
- Agency Review Fees, Permits and Inspections
- Gas and Sanitary Utilities
- Lighting

8 MILE ROAD



Note Key

- | | |
|--|-----------|
| 1. New 8 Mile Road Entry with Sign and Boulevard | 8. Prac |
| 2. Parking Lot - 45 cars | 9. Com |
| 3. Parking Lot - 535 cars | 10. Base |
| 4. Pavilion with Concessions, Storage, Restrooms, Scorer's Booth | 11. Tree |
| 5. Landscaped Pedestrian Walkway | 12. New |
| 6. Earth Berm with Evergreen and Deciduous Plantings | 13. Exist |
| 7. Existing Huron Valley Rail Trail | 14. Exist |

VOLUNTEER

SOUTH LYON PARKS AND RECREATION CENTER



JULY 2016



RUSSELL DESIGN
LANDSCAPE ARCHITECTURE
Design ■ Planning
114 Royton St Suite 2A Northville, MI 48167
ph 248.374.3222

PRELIMINARY MASTER PLAN

AGENDA NOTE

New Business: Item #

MEETING DATE: November 28, 2016

PERSON PLACING ITEM ON AGENDA: Police Chief

AGENDA TOPIC: Road Closure – Pint Sized Marathon

EXPLANATION OF TOPIC: The applicant is seeking approval to conduct the Pint Sized Marathon on Saturday, April 29, 2017. The event would start at the Witch's Hat Depot at 11:30 a.m., and end in McHattie Park by 2:00 p.m. The applicant has requested closure of Dorothy Street between Pontiac Trail and McMunn, McMunn between Dorothy and McHattie, McHattie between McMunn and Washington, Washington between McHattie and the Rail Trail during the race.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Application, Insurance Certificate, Hold Harmless Statement, Map, Flyer

POSSIBLE COURSES OF ACTION: Approve/Do Not Approve the requested road closures and use of the Witch's Hat Depot, McHattie Park, and Rail Trails.

RECOMMENDATION: Approve the request

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the closure of Dorothy Street between Pontiac Trail and McMunn, McMunn between Dorothy and McHattie, McHattie between McMunn and Washington, Washington between McHattie and the Rail Trail on April 29, 2017 between 11:30 a.m. and 2:00 p.m.; and to approve use of the Witch's Hat Depot, McHattie Park, and Rail Trails for the Pint Sized Marathon.

11/28/16



November 1, 2017

HOLD HARMLESS CLAUSE

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

Stephanie Rife

Director of
Footprints Fitness



footprints fitness info@footprintsfitness.com

www.footprintsfitness.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/26/2016

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

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

PRODUCER Doeren Mayhew Insurance Group 305 West Big Beaver Rd. Suite 102 Troy MI 48084		CONTACT NAME: Holly Jones PHONE (A/C No. Ext.): (248) 290-0650 FAX (A/C No.): (248) 290-0654 E-MAIL ADDRESS:	
INSURED Footprints Fitness 21011 Parkwoods Dr. South Lyon MI 48116		INSURER(S) AFFORDING COVERAGE INSURER A: West Bend INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 16/17 Master **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	218476601	12/1/2016	12/1/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPIOP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below					
	DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required) RE: April 29, 2017, 2.62 Mile Fun Run, Downtown South Lyon. The City of South Lyon, all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof are included as Additional Insured's on a Primary and Non Contributory basis on the General Liability coverage. A 30 day notice of cancellation for non renewal and 10 days for non payment of premium will be sent to The City of South Lyon in the event such occurs.					

CERTIFICATE HOLDER

The City of South Lyon Attn: Ms. L. Ladner 335 South Warren South Lyon, MI 48178-1317	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Matthew Kunz/HCJ



SOUTH LYON POLICE DEPARTMENT

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

PARADE / DEMONSTRATION APPLICATION

Date Application Submitted: 11-1-16 Requested Date of Event: 4-29-17

Applicant/Contact's Name: Stephanie Rife PH #: 248-231-6766

Applicant Address: 21011 Parkwoods Dr., South Lyon, MI 48178

Business / Organizations Name (if Applicable): FOOTPRINTS FITNESS

Bus. Ph#: 248-231-6766 Bus. Address: 21011 PARKWOODS DR., SOUTH LYON, MI 48178

President/CEO (Responsible for Event): STEPHANIE RIFE Direct Ph#: 248-231-6766

Parade START Time: 11:30 am a.m./p.m. Parade END Time: 2:00 PM a.m./p.m.

Approximate Number of PERSONS: 500 Organization Names: FOOTPRINTS FITNESS

Approximate Number of VEHICLES: 0 Types of Vehicles: _____

Approximate Number of ANIMALS: 0 SPECIFIC Animals: _____

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

Route to be traveled (Include Street Names and Turning Directions): Start corner of Dorothy/Lafayette West on Dorothy, North on Mcmunn, East on McHattie South on Washington, West on City Trails follow city trails west, turn south and follow to Princeton loop back at the way to McHattie and end in McHattie Park

Kid Race at 11:30, Fast runner start 15 minutes prior later.

Applicant's SIGNATURE

Responsible Party's SIGNATURE

APPROVED [✓]

DENIED []

Chief Lloyd T. Collins 11/22/16
Lloyd T. Collins, Chief of Police

DISTANCE
2.62 MI

UNDO

CLEAR

CENTER

OUT+BACK

REVERSE

RETURN

☒ Auto Follow Roads

☒ Avoid Highways

☒ Walking Mode

☒ Bicycling Mode

☒ Driving Mode

☒ Distance Markers

1 mi

Units

☒ Imperial

☐ Metric

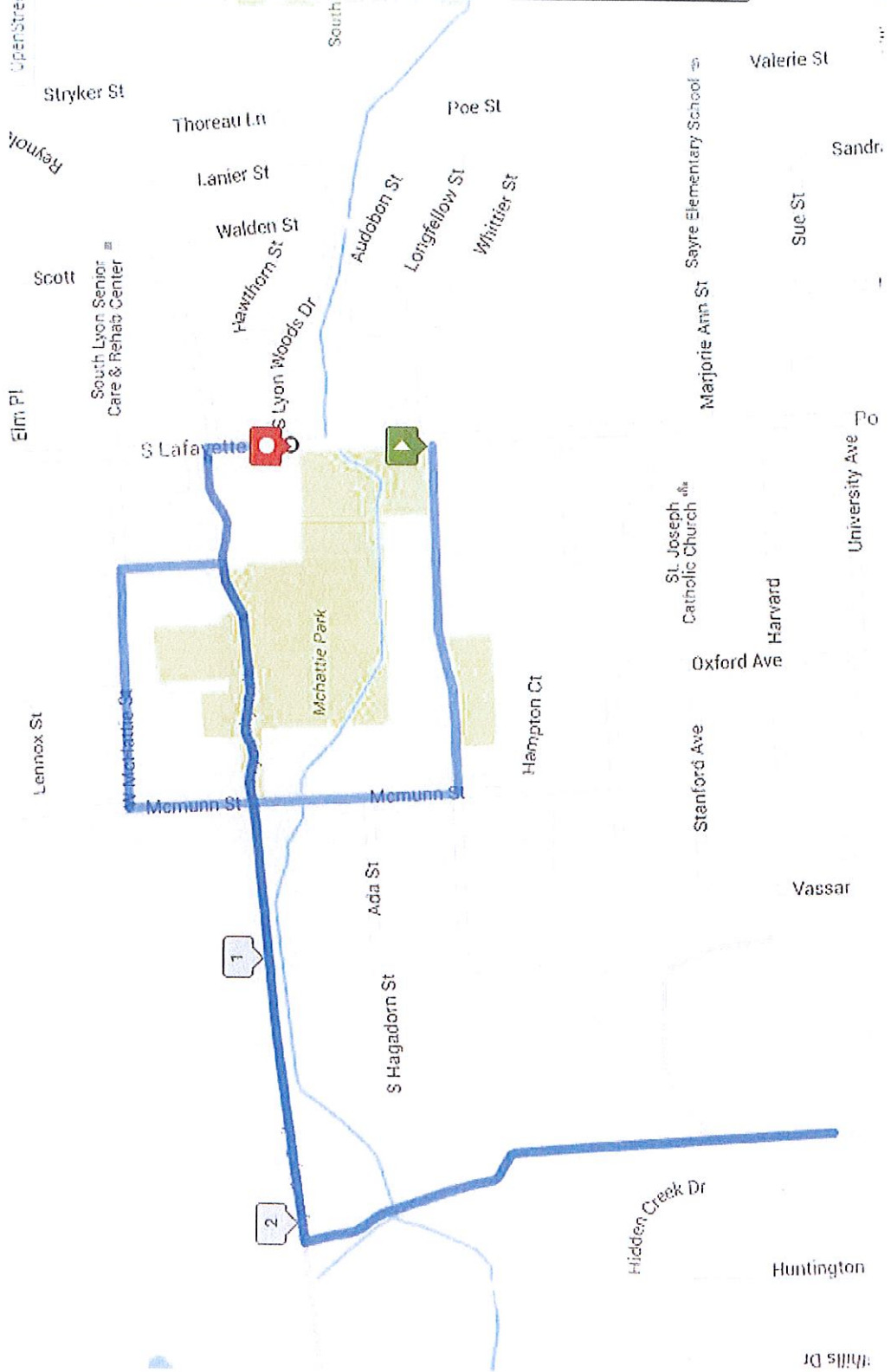
☐ Elevation

☐ Bicycle Paths

☐ Traffic

☐ Center on Click

☒ Scroll to Zoom





PINT SIZED MARATHON

April 29, 2017, 11pm

Fun Run in Downtown South Lyon

Registration and Release Waiver

Name_____

DOB_____ Age on April 29, 2017_____

Email_____

Address_____

Home Phone_____ Cell_____

*******Please mail this registration and the \$30.00 fee to**

Footprints Fitness, 21011 Parkwoods, South Lyon, MI*****

T-Shirt Size Child M Child L S M L XL XXL (Circle one)

I know that running [volunteering for] a road race is potentially hazardous activity, which could cause injury or death. I will not enter and participate unless I am medically able and properly trained, and by my signature, I certify that I am medically able to perform this event, and am in good health, and I am properly trained. I agree to abide by any decision of a race official relative to any aspect of my participation in this event, including the right of any official to deny or suspend my participation for any reason whatsoever. I attest that I have read the rules of the race and agree to abide by them. I assume all risks associated with running in this event, including but not limited to: falls, contact with other participants, the effects of the weather, all such risks being known and appreciated by me. Having read this waiver and knowing these facts and in consideration of your accepting my entry, I, for myself and anyone entitled to act on my behalf, waive and release the Pint Sized Marathon, Footprints Fitness, or, the city of South Lyon, all event sponsors, their representatives and successors from all claims or liabilities of any kind arising out of my participation in this event, even though that liability may arise out of negligence or carelessness on the part of the persons named in this waiver. I grant permission to all of the foregoing to use my photographs, motion pictures, recordings or any other record of this event for any legitimate purpose.

Signature:_____ Date:_____

Parent's Signature if under 18 years:_____ Date:_____

AGENDA NOTE

New Business: Water Department Vehicle Auction

MEETING DATE: November 28, 2016

PERSON PLACING ITEM ON AGENDA: Robert Martin / Water Department

AGENDA TOPIC: Auction of Retired Service Vehicle

EXPLANATION OF TOPIC: The Department of Public Works utilizes the sale of out of service vehicles by placing them on MITN (Michigan Inter-Governmental Trading Network) website. Our department no longer utilizes the service of a 2002 Dodge Dakota work truck due to its poor condition and repair expense. The truck has 52,000 miles on the odometer and is in very poor shape. The City Code requires Council's approval to sell/auction any item that meets a \$500 threshold (Sec. 2-226. - Sale of property). In the event any of the vehicles sell for at least \$500.00, I am requesting council's permission to approve the sale of the vehicle. We will start the auction at a bid price of \$100.00 for this vehicle. It should also be noted that we add 5% to all final bids to cover any and all City costs.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: N/A

POSSIBLE COURSES OF ACTION: Approve/do not approve the sale of the vehicle

RECOMMENDATION: Approve the sale of the vehicle

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the sale of the following vehicle:

2002 Dodge Dakota VIN: 1B7GG16X42S519354

2002 Dodge Dakota VIN: 1B7GG16X4S519354



AGENDA NOTE

New Business: Item #

MEETING DATE: November 28, 2016

PERSON PLACING ITEM ON AGENDA: Robert J. Martin, Water/Sewer Department Superintendent & DPW Director

AGENDA TOPIC: Purchase of Department Head Vehicle

EXPLANATION OF TOPIC: I am requesting the approval of purchasing a vehicle for the Department Head of the Water/Wastewater Departments and the Department of Public Works. Currently the Department Head is using a 2004 Ford Explorer which was previously used by the South Lyon Police Department. This vehicle is in need of engine and transmission service along with a decaying body (see attached pictures). In the current FY 2016/2017 Water/Wastewater budget (line item 592-556-970 & 592-557-970) we have budgeted at total of \$22,000 for the purchase of a vehicle. In the past we have always purchased new vehicles but in this instance we have researched and feel that a certified used vehicle will more than need meet our needs. Varsity Ford is holding a 2014 Ford 4x4 SE Escape, which has 6,213 miles, is in perfect shape and can be purchased for \$20,114. This vehicle will be used by the department head and shared with employees when needed for going to educational classes.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Photos of current Department Head vehicle. Invoice and photo for 2014 Ford 4x4 SE Escape. Two stickers with prices for 2017 Ford Escapes.

POSSIBLE COURSES OF ACTION: Approve/deny the purchase of 2014 Ford 4x4 SE Escape from Varsity Ford.

RECOMMENDATION: Approve purchase of 2014 Ford 4x4 SE Escape from Varsity Ford in the amount of \$21,114.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the purchase of 2014 Ford 4x4 SE Escape from Varsity Ford.

NOV 14, 2016 NEW VEHICLE INQUIRY

Store 01 SALES01 813/5092 4042

ORD# 146824 14 ESCAPE 4WD SE DELIVERED 1
.....AZ VF127129G12BODYSIZE X #CYL 4 MPG 1-390 08/04/2014
EXT/INT CLR UG WHITE PLAT MET/ 7B CHAR BLACK CLTH
SERIAL# 1FMCU9GX3EUE24826X28651 LOCATION
KEYTRAK

0087

OPTIONAL EQUIPMENT

PKG 201A -EQUIPMENT GROUP
SE

99X	1.6L ECOBOOST	446	6-SPEED SELECTSHIFT AUTO TRANS
TJL	P235/55R17 99H A/S TIRE	76R	REVERSE VEHICLE AID SENSOR
52G	SYNC VOICE ACTIVATED SYS	SSD	SYNC AND SOUND DISCOUNT

(SE=STD EQUIP) (F=FUEL CMP) (VU=VMS UDF) (RETURN) (TAB)

~~\$19,900.00~~
~~199.00~~ DOC FEE
~~15.00~~ TITLE

\$20,114.00

Patrick Manner
VARSITY FORD
11-15-16

6213 MILES



2014

Escape

Major Product Summary

The following pages indicate Escape standard and available equipment. Each model adds to or upgrades the equipment of the preceding model, except where additions/exemptions are noted. Escape is available in three models:

- S
- SE
- Titanium

PERFORMANCE/HANDLING	S	SE	Titanium
Active Grille Shutter System (1.6L EcoBoost I-4 and 2.5L iVCT I-4 engines only)	S	S	S
Brakes — 4-wheel disc	S	S	S
Drivetrain			
Front-wheel drive	S	S	S
Intelligent 4WD	—	A	A
Engine			
1.6L EcoBoost I-4	—	S	S
2.0L EcoBoost I-4	—	A	A
2.5L iVCT I-4	S	—	—
Exhaust system			
Single	S	—	—
Single, dual exit	—	S	S
Final drive ratio			
3.07:1 (2.0L EcoBoost I-4; FWD/4WD)	—	A	A
3.21:1 (1.6L EcoBoost I-4; FWD)	—	S	S
3.51:1 (2.5L iVCT I-4; FWD)	S	—	—
3.51:1 (1.6L EcoBoost I-4; 4WD)	—	A	A
Spare tire — steel mini	S	S	S
Steering — electric power-assisted (EPAS) with pull-drift compensation and active nibble control	S	S	S
Suspension — European-inspired independent MacPherson strut front with stabilizer bar and independent control blade rear with stabilizer bar	S	S	S
Tires			
P235/50R18 all-season BSW	—	—	S
P235/55R17 all-season BSW	S	S	—
Torque Vectoring Control	S	S	S
Transmission — 6-speed SelectShift automatic with thumb switch operation	S	S	S
SAFETY/SECURITY			
AdvanceTrac with RSC (Roll Stability Control), Anti-Lock Braking System (ABS) and traction control	S	S	S
Airbags — driver knee, dual-stage front, front-seat side and Safety Canopy System with rollover sensor	S	S	S
Alarm — Perimeter Anti-Theft	—	A	S
Belt-Minder — driver/front-passenger	S	S	S
Child safety locks — rear door	S	S	S
Curve Control	S	S	S
Emergency brake assist	S	S	S
Illuminated entry	S	S	S
LATCH (Lower Anchors and Tethers for Children) System	S	S	S
MyKey	S	S	S
Personal Safety System	S	S	S
Safety belts — 3-point for all passengers, height-adjustable with pretensioners (front)	S	S	S
SecuriLock Passive Anti-Theft System	S	S	S
SOS Post-Crash Alert System	S	S	S
Tire Pressure Monitoring System (TPMS) (excludes spare)	S	S	S

S = Standard A = Available as a stand-alone option, part of a package or part of an Equipment Group — = NA

NOTE: The above information is an excerpt to be used with the **11/1/13** Escape Dealer Ordering Guide. For more information and the latest Dealer Ordering Guide, go to **fmcdealer.com**.

Revised November 2013

Escape

Major Product Summary

2014

COMFORT/CONVENIENCE	S	SE	Titanium
12-volt powerpoints (2) — front, rear (rear NA on Titanium)	S	S	S
110-volt AC outlet	—	A	S
Accessory delay	S	S	S
Active park assist	—	—	A
Armrest — rear center with 2 cupholders	—	S	S
Audio/Entertainment			
9 speakers	—	A	—
Audio System from Sony® single-CD/MP3 with 12 speakers in 10 locations and 390 watts	—	—	S
HD Radio™	—	—	S
Single-CD/MP3 with 6 speakers, 60 watts and audio input jack	S	S	—
SiriusXM Radio EXPIRED	—	S	S
BLIS (Blind Spot Information System) with cross-traffic alert	—	—	A
Cabin air filter	S	S	S
Cargo area floor hooks (4)	S	S	S
Cargo area protector	—	A	A
Climate control			
Dual-zone electronic automatic temperature control	—	—	S
Single-zone manual	S	S	—
Coat hooks (2)	S	S	S
Console — front center with armrest and storage	S	S	S
Cruise control — steering wheel-mounted	S	S	S
Cupholders			
6 total	S	—	—
8 total	—	S	S
Defroster — rear window	S	S	S
Door locks — Autolock/Autounlock	S	S	S
Easy Fuel capless fuel filler	S	S	S
Floor mats — front/rear carpeted	S	S	S
Footrest — driver left	S	S	S
Glove compartment — illuminated	S	S	S
Grab handles (4) — front (2), rear (2)	S	S	S
Headlamps			
Autolamp with wiper activation	—	S	S
High-intensity discharge (HID)	—	—	A
Quad-beam halogen	S	S	S
Hill start assist	S	S	S
Instrumentation			
Message center and trip computer	S	—	—
Message center with trip computer, outside temperature and compass	—	S	S
Intelligent 3-blink turn signal	S	S	S
Intelligent Access with push-button start	—	—	S

S = Standard A = Available as a stand-alone option, part of a package or part of an Equipment Group — = NA

Escape

NOTE: The above information is an excerpt to be used with the 11/1/13 Escape Dealer Ordering Guide. For more information and the latest Dealer Ordering Guide, go to fmcdealer.com.

Revised November 2013

RE&T 2014 Source Book

2014

Escape

Major Product Summary

COMFORT/CONVENIENCE cont'd	S	SE	Titanium
Liftgate			
Hands-free power (avail. with Class II Towing Package)	—	—	S
Power	—	A	—
Lighting — exterior			
Light-emitting diode (LED) parking lamps	—	S	S
Remote perimeter	S	S	S
Lighting — interior			
Delayed accessory	S	S	S
Front dome/map	S	S	S
Rear cargo area dome/map	S	S	S
Mirror — interior			
Day/Night	S	S	—
Electrochromic auto-dimming rearview	—	—	S
Mirrors — exterior			
Driver memory	—	—	S
Dual power manual folding with integrated blind spot mirrors (integrated blind spot mirrors not included with BLIS)	S	S	S
Heated	—	A ⁽¹⁾	S
Security approach lamps	—	—	S
Side marker lamps	—	—	S
Navigation System — voice-activated with SiriusXM Traffic and SiriusXM Travel Link Services	—	—	A
Rear heat ducts	S	S	S
Rear view camera	S	S	S
Remote Keyless Entry System with integrated keyhead transmitters	S	S	S
Remote Start System	—	S	S
Reverse Sensing System	—	A	S
Roof-rack side rails			
Black	—	A	—
Silver	—	—	S
Roof-rack side rail crossbars	—	A	A
Seating			
Cloth	S	—	—
Driver 6-way manual with manual recline	S	—	—
Driver 10-way power with power lumbar/recline	—	S	S
Driver memory	—	—	S
Front 4-way adjustable head restraints	S	S	S
Front-passenger 4-way manual with recline	S	S	S
Heated front seats	—	A ⁽¹⁾	S
Leather-trimmed	—	A ⁽¹⁾	S
Rear 2-way adjustable head restraints	S	S	S
Rear 60/40 split-fold-down seat backs	S	S	S
Rear-seat recline	S	S	S
Sport-styled with lumbar support	—	—	A
Unique cloth	—	S	—
SecuriCode invisible keypad	—	S	S

S = Standard A = Available as a stand-alone option, part of a package or part of an Equipment Group — = NA

(1) Late availability.

NOTE: The above information is an excerpt to be used with the 11/1/13 Escape Dealer Ordering Guide. For more information and the latest Dealer Ordering Guide, go to fmcdealer.com.

Escape

Major Product Summary

2014

COMFORT/CONVENIENCE cont'd	S	SE	Titanium
Steering column — manual tilt/telescoping	S	S	S
Steering wheel — cruise and redundant audio controls	S	S	S
Storage			
Business card holder	S	S	—
Driver/front-passenger seat back map pockets	—	S	S
Front door bins	S	S	S
Front-passenger seat back map pocket	S	—	—
Overhead console with sunglasses holder	S	S	S
Under floor (in front of rear passenger seat)	S	S	S
Sun visors			
Sliding driver/front-passenger with vanity mirrors	S	S	—
Sliding driver/front-passenger with illuminated vanity mirrors	—	A ⁽¹⁾	S
SYNC with MyFord	S	S	—
SYNC with MyFord Touch	—	A	S
Tonneau cover	—	A	A
Universal garage door opener	—	—	S
Windows			
Power driver one-touch-up/-down	S	S	—
Power driver/front-passenger one-touch-up/-down open	—	A ⁽¹⁾	S
Windshield wipers			
Rain-sensing	—	—	A
Variable intermittent	S	S	—
Wiper, rear — fixed interval	S	S	S
QUALITY/RELIABILITY/DURABILITY			
Battery saver	S	S	S
Intelligent Oil-Life Monitor	S	S	S
DESIGN/STYLING			
Ambient lighting	—	—	S
Badging			
"SE" on liftgate	—	S	—
"TITANIUM" on liftgate	—	—	S
Beltline molding			
Black	S	—	—
Chrome	—	S	S
Bumpers, front and rear — body-color	S	S	S
Door handles — exterior			
Black, molded-in-color	S	—	—
Body-color	—	S	S
Exhaust tips			
Bright, dual	—	S	S
Bright, single	S	—	—
Exterior colors — premium			
Ruby Red Metallic Tinted Clearcoat (RR)	—	A	A
White Platinum Metallic Tri-coat (UG)	—	A	A
Fog lamps	—	S	S

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(1) Late availability.

NOTE: The above information is an excerpt to be used with the **11/1/13** Escape Dealer Ordering Guide. For more information and the latest Dealer Ordering Guide, go to fmcdealer.com.

Revised November 2013

RE&T: 2014 Source Book

2014

Escape

Major Product Summary

DESIGN/STYLING cont'd	S	SE	Titanium
Glass			
Privacy on rear doors, quarter windows and liftgate window	—	S	S
Solar-tinted	S	—	—
Grille			
Black upper/lower	S	—	—
Black upper with chrome bar	—	S	—
Gloss Black upper with chrome bar insert; Gloss Black lower	—	—	S
Instrument cluster gauges — Ice Blue backlighting	S	S	S
Liftgate trim			
Body-color	S	S	—
Chrome	—	—	S
Mirrors — exterior			
Black caps	S	—	—
Body-color caps	—	S	S
Panoramic Vista Roof — power	—	A	A
Rocker moldings — black	S	S	S
Shift knob — leather-wrapped with chrome insert	—	A ⁽¹⁾	S
Spoiler, rear — body-color	S	S	S
Steering wheel — leather-wrapped, color-keyed	—	A ⁽¹⁾	S
Trim — interior			
Black painted center stack and top of dash	S	—	—
High-gloss black center finish panel and window switch bezels	—	—	S
Satin Chrome	—	S	S
Unique door and instrument panel	—	—	S
Wheels			
17" steel with Sparkle Silver painted covers	S	—	—
17" Sparkle Silver painted aluminum	—	S	—
18" chrome alloy finish aluminum	—	A	—
18" Sparkle Nickel painted aluminum	—	—	S
19" Luster Nickel painted aluminum	—	—	A

S = Standard A = Available as a stand-alone option, part of a package or part of an Equipment Group — = NA

(1) Late availability.

NOTE: The above information is an excerpt to be used with the 11/1/13 Escape Dealer Ordering Guide. For more information and the latest Dealer Ordering Guide, go to fmcdealer.com.

Stillwell Ford

(1)

Click Here to Like Us (<https://www.facebook.com/stillwell.fordlincoln>)

(2)

Ford Escape SE 4WD

888-897-5574 (toll-free)

Service Appointment

Exterior: Oxford White, Status: In Stock, Mileage: 37, Engine: Intercooled Turbo Regular Unleaded I-4 1.5 L/91, Trans: Automatic, Stock#: 17210, VIN #: 1FMCU9GD4HUB88388



*Picture may not represent actual vehicle.

**Internet Price**MSRP
Retail Owner Loyalty
Retail Customer Cash
"Elack Friday" Retail Bonus Cash**\$24,245***
\$27,745¹
-\$1,000*
-\$1,500*
-\$1,000*

Get ePrice Quote (/LeadDelivery/EnticementLead?title=New&vehicleId=50326464)

Current Incentives (/Inventory/VehicleIncentives?inventoryViewId=2535&vin=1FMCU9GD4HUB88388&paCode=09624&zipCode=49242)

Email Seller (/Inventory/VehicleLead?viewId=2535&vehicleId=50326464&customerId=33929)

Vehicle Video (<http://vid.dmotorworks.com/vid5/?client=FORD&vid=413D1F54649F6AFCE05347824D64143F&h=500&w=603&mobile=true>)EPA-Est
City MPG*
22EPA-Est
Hwy MPG*
28<http://www.windowsticker.forddirect.com>[/windowsticker.pdf?token=nU%2FqyYTz62463g197Jzd6PRS](#)[%2B%2Ben9wMK81Aih4gksRa7oavEsk%2F2omCv3lb5%2FbFL%2B8IOA0WpkAqfg](#)Credit
Pre-Approval[\(/quickcredit\)](#)**Our Partners****CREDIT SCORE
ESTIMATOR****Safe, Fast, Easy
NO Bureau Check!**[\(/Black-Book-Credit-Estimator/\)](#)**Current Incentives**Special offers
for zip code: 49242



Go Further

ford.com

ESCAPE

2017 ESCAPE SE 4WD
108.9" WHEELBASE
1.5L ECOBOOST ENGINE
6-SPD AUTO TRANS W/SLT SHFT

HU C24067

EXTERIOR: WHITE PLATINUM MET TRI-COAT
INTERIOR: CHARCOAL BLK LTHR-TRIM SEAT

EQUIPMENT INCLUDED AT NO EXTRA CHARGE

EXTERIOR

- ACTIVE GRILLE SHUTTERS
- DOOR HANDLES - BODY COLOR
- DUAL EXHAUST CHROME TIPS
- DUAL POWER MIRRORS
- ENVY RUBICAPLBS FILLER
- RNG LAMPS
- HEADLAMP COURTESY DELAY
- HEADLAMPS - AUTO HALOGEN
- LED TAILLAMPS
- PRR/ACTY GLASS

INTERIOR

- 4-WAY FRT HEAD RESTRAINTS
- 12V POWERPOINT
- 60/40 SPLIT FOLD REAR SEAT
- DUAL ILLUM VIS VANITY MIRR
- DUAL-ZONE ELECTRONIC AUTO CLIMATE CONTROL
- FLOORMATS-1ST AND 2ND ROW
- 10E BLUE LIGHTING
- ILLUMINATED ENTRY SYSTEM
- PAWR DRIVER SEAT - 10 WAY
- SMART CHARGING USB PORT(S)
- TILT STEERING WHL/ CRUISE & AUDIO CONTROLS

FUNCTIONAL

- AUTO START STOP TECH
- AM/FM SINGLE CD W/MP3
- BRAKES, 4-WHEEL DISC/ABS
- CURVE CONTROL
- ELECTRIC-ASSIST PARK BRAKE
- MYKEY
- POWER LOCKS AND WINDOWS
- POWER STEERING W/EPAS
- REAR VIEW CAMERA
- REMOTE KEYLESS ENTRY
- SECURICODE KEYLESS KEYPAD
- SIRIUS XM - SVC N/A AKAH

SAFETY/SECURITY

- ADVANCED TRAC WITH RSC
- AIRBAGS - DRIVER & PASSENGER
- AIRBAGS - DUAL STAGE FRONT
- AIRBAGS - FRONT SEAT
- LOCKED-ROCK PASS ANTI THEFT
- AIRBAGS - SAFETY CANOPY
- FAT-PASS SENSITIVE SYSTEM
- LATCH CHILD SAFETY SEAT SYSTEM
- SECURILOCK PASS ANTI THEFT
- SOS POST CRASH ALERT SYS
- TPMS

WARRANTY

- 5YR/60,000 BUMPER-TO-BUMPER
- 5YR/60,000 POWERTRAIN
- 5YR/60,000 ROADSIDE ASSIST

INCLUDED ON THIS VEHICLE

EQUIPMENT LEASE ONLY

- SE TECHNOLOGY PACKAGE
- SYNC 3
- KEYING DOWNLOCK
- RIVERSIDE VIEWING SYSTEM
- ROOF-RACK SIDE RAILS, BLACK
- BLIS (BLIND SPOT INFO SYSTEM)

(MSRP)

1,395.00

PRICE INFORMATION

BASE PRICE

\$35,820.00

TOTAL OPTIONS/OTHER

4,143.00

TOTAL VEHICLE & OPTIONS/OTHER

\$41,000.00

DESTINATION & DELIVERY

895.00

OPTIONAL EQUIPMENT/OTHER

2017 MODEL YEAR

- WHITE PLATINUM MET TRI-COAT
- 18" ULTRA-BST MACH ALUM WHL
- WEATHER-PROOFING PACKAGE
- LEATHER-WRAPPED STR WHEEL
- POWER-TO SIDE MIRRORS W/BLIS
- HEATED FRONT SEATS

(MSRP)

695.00

695.00

1,595.00

RAMP ONE

CM18

RAMP TWO

FINAL ASSEMBLY PLANT

LOUISVILLE

METHOD OF TRANS.

CONVOY

ITEM # 48 E37E OIT 2

GK261 N RB 2X 745 006355 10 25 16

TOTAL MSRP \$31,925.00

This label is affixed pursuant to the Federal Automobile Information Disclosure Act. Gasoline, License, and Title Fees, State and Local taxes are not included. Dealer-installed options or accessories are not included unless listed above.

EPA DOT Fuel Economy and Environment

Baseline Vehicle

Fuel Economy

24 MPG

combined city/hwy

22

city

28

highway

4.2 gallons per 100 miles

Small SUV's range from 18 to 23 MPG

The best vehicle rates 119 MPG

You spend

\$750

more in fuel costs
over 5 years
compared to the
average new vehicle.

Annual fuel cost

\$1,550

Fuel Economy & Greenhouse Gas Rating

Smog Rating

1 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100

This vehicle emits 370 grams CO₂ per mile. The best emits 0 grams per mile (hybrids only). Producing and delivering fuel also create emissions. Learn more at fuelconomy.gov

Actual results may vary for many reasons, including driving conditions and how you drive and maintain your vehicle. The average new vehicle gets 24 MPG and emits 370 grams of CO₂ per mile. Fuel economy estimates are based on 15,000 miles per year at 42 mph per gallon. EPA's miles per gallon system is an estimate. Vehicle emissions are a significant cause of climate change and smog.

fuelconomy.gov

Calculate personalized estimates and compare vehicles

GOVERNMENT 5-STAR SAFETY RATINGS

Overall Vehicle Score

★★★★★

Based on the combined ratings of frontal, side and rollover. Should ONLY be compared to other vehicles of similar size and weight.

Frontal

Driver

★★★★★

Crash

Passenger

★★★★★

Based on the risk of injury in a frontal impact. Should ONLY be compared to other vehicles of similar size and weight.

Side

Front seat

★★★★★

Crash

Rear seat

★★★★★

Based on the risk of injury in a side impact.

Rollover

★★★★★

Based on the risk of rollover in a single-vehicle crash.

Star ratings range from 1 to 5 stars (★★★★★), with 5 being the highest.

Source: National Highway Traffic Safety Administration (NHTSA)

www.safercar.gov or 1-888-327-4236

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11/17/2016







11/15/16

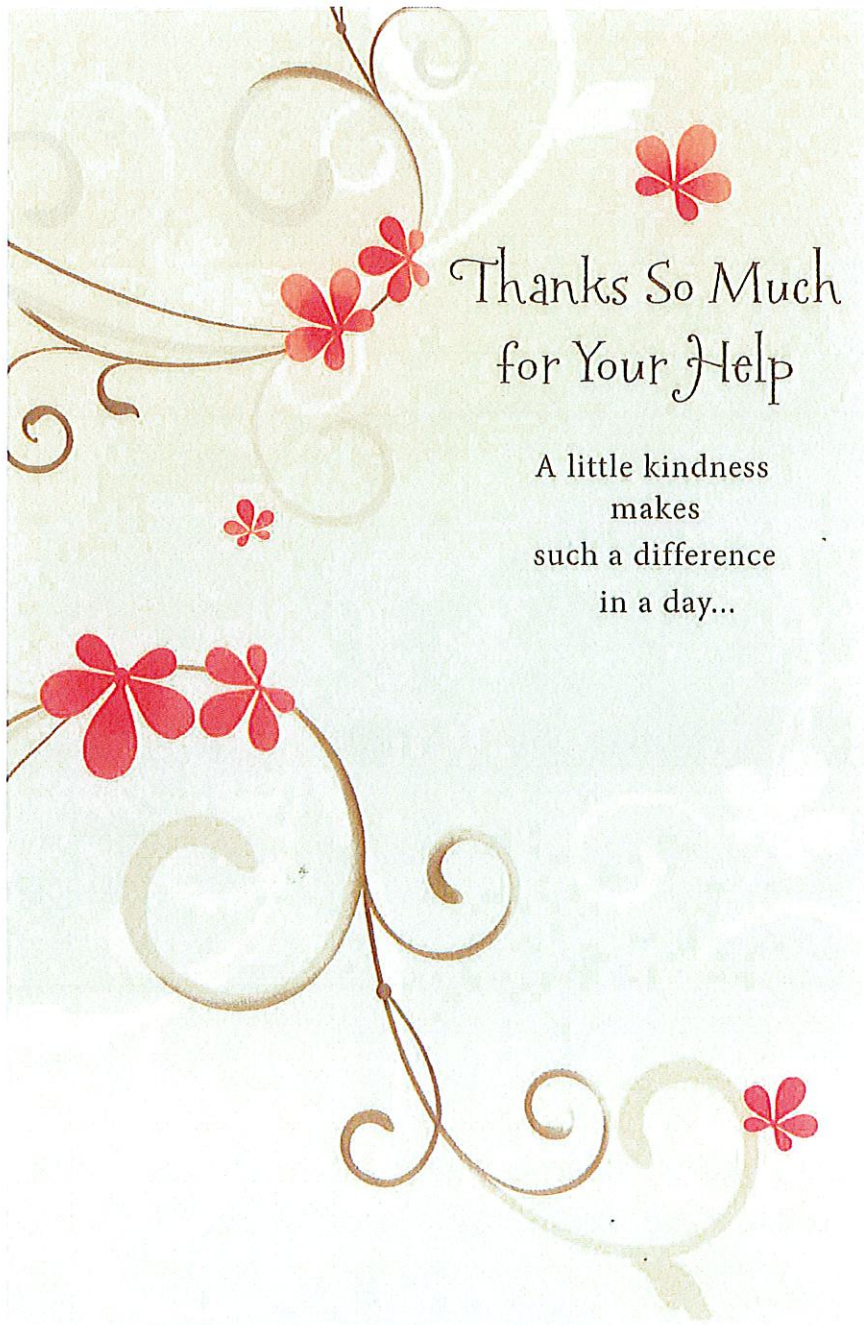
Tim,

Great job on CFS # 16-11980, "citizen assist"!

Ms. Zimmerman greatly appreciated your help.

Chief Collins

Officer Tim Walton





Thanks So Much
for Your Help

A little kindness
makes
such a difference
in a day...



Saturday - November
5th I was lost
in South Lyon
one of the police
officer helped
me get back on
track. I am
staying right now
at Staybridge Inn
24105 Michigan Ave
Dearborn Mich
48124 as my home
at 4270 William-
is being repaired
from a fire. The
police officer get me
to Rayburn road
and instructed me
how to get back to
seven mile road.
I am very thankful

Your thoughtfulness
certainly made
a difference in mine.

Thanks Again

Can't tell
how much
help was
appreciated
I didn't get a
name. Lynn
MS Lynn