

REGULAR CITY COUNCIL MEETING
MARCH 26, 2018

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

Present: Mayor Pelchat, Councilmembers: Kivell, Kennedy, Kurtzweil, Parisien, Richards and Walton
Also present: Lieutenant Sovik, Attorney Wilhelm, Department Head Boven, Fire Chief Vogel, and Clerk/Treasurer Deaton
Absent: Chief Collins

MINUTES

Councilmember Kivell stated on page 17, the minutes should reflect he asked Councilmember Kurtzweil if she had the training on the age discrimination act of 1967.

CM 3-1-18 MOTION TO APPROVE THE MINUTES AS AMENDED

Motion by Parisien, supported by Kivell

Motion to approve the minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS- None

AGENDA

Attorney Wilhelm stated he would like to add two items to the agenda under New Business. He stated we can add the budget consultant engagement letter with Plante Moran for budget services at #7, and we have a letter of understanding with the POAM to discuss as item #8.

CM 3-2-18 MOTION TO APPROVE THE AGENDA AS AMENDED

Motion by Kivell, supported by Parisien

Motion to approve the agenda as amended

VOTE: MOTION APPROVED- 1 opposed

Councilmember Richards then stated he would like to add something to the agenda under new business for discussion and action regarding tree trimming.

Councilmember Kivell stated he will need a super majority to do so.

CM 3-3-18 MOTION TO AMEND THE AGENDA ADDING ITEM #9 FOR DISCUSSION AND ACTION, TREE CUTTING

Motion by Kurtzweil, supported by Walton

Motion to amend the agenda adding item #9 for discussion and action on tree cutting.

VOTE: MOTION FAILED

PUBLIC COMMENT- None

PRESENTATION

Mayor Pelchat stated he has a couple presentations to make tonight, one is for Ashley Parr who is a 12-year-old 6th grader at Centennial Middle School who won the Young Entrepreneurial award given by the Lemon Tree, and he welcomed, Ashley Parr, her parents, Jamie and Chad Parr and Annie Buchtrup who is the owner of the lemon tree. Mayor Pelchat stated we would like to honor Ashley with a Certificate of Recognition.

Mayor Pelchat then thanked and recognized Anne Butchrup for having the contest and always being such a positive note in the downtown. He then presented Ms. Butchrup with a Certificate of Recognition as well.

OLD BUSINESS

1. Discussion- Downtown

Councilmember Kurtzweil stated she wants to express her free speech on the downtown which Bob Donohue doesn't like. She doesn't understand how Draft Street stayed in business as long as they did. She visited there before and they didn't even have hot water, therefore how were they doing dishes. She doesn't think the residents of South Lyon should have to pay the price for a restaurant that comes into town and runs it under the conditions they were running it. She then stated she hopes we can get a nice responsible restaurant or another business on that corner.

Councilmember Richards stated he agrees, and some of the things he observed in that business was unspeakable. There was a 16-year-old kid working at the Grapevine Market selling liquor at the counter. He then stated there is some beautiful work going on in the downtown on the three Richard Rowe buildings. He further stated it is a massive undertaking. He stated he has talked to the contractor and they will be there working for 2-3 weeks. All the work is being done on the outside. Councilmember Kivell stated for the record, they are working on the inside of the building as well, replacing windows and removing a drop ceiling.

2. Consider first reading of Liquor License Ordinance

Attorney Wilhelm gave an overview for the recommendation to approve a previous version of the ordinance from January. This version is designed to follow state law and deals with issues that may occur after the license is issued. The recommendation to approve the January 22 draft is based on his role as the City Attorney and he encourages Council to maintain and keep ordinances which have tools that provide Council with the ability to receive notice and make decisions on changes in liquor licenses in the community. He stated regardless if these tools are used in the ordinance, there is a less formal process through the MLCC, so the City can provide comments or object to a license transfer, but the trend has been for the State to exclude local government and go along with the business. If Council opposes a transfer, there are things the owner can do such as escrow a license. They may say they can't make a go of it here, but the license would still be allocated to our community. Councilmember Kivell asked if the plan of operation language has been added back to the ordinance, and will it be considered contractual, and would that give us the ability to sue if they don't follow through with the original plans. Attorney Wilhelm stated it is not contractual. He then stated the plan of operation is to force the business owner to have a formalized business plan to use this license and allow Council to have the ability to enforce that. If they don't, it could lead to the city objecting to a renewal. Annually they renew through the Michigan Liquor License Control. Councilmember Kivell stated he sees a benefit and a downside to that. The benefit would be to be able to recognize if they have deviated from their original plan, and this would give us an opportunity to find out if that was their plan all along, but the downside would be that we will have to monitor that to be able to recognize if there is some deviation from their plan. Unless they come forward and give us notice that they planned on not staying with the original plan, it will be difficult to monitor. Attorney Wilhelm stated the plan of operation and the substantial change in operation work together. He further stated the notice procedure, yes, he approaches this looking at the worst-case scenario. These are the tools to use to address that. Without them, you don't have the necessary controls. He would clarify because we are already in the process, this is a state process and there is some concern about the city's local control, the trend has been to cut the local government out of it. He then stated there are other on-site premises licenses that are included in that. These are policy type questions. He is willing to do what council decides. Councilmember Richards asked if council can

mandate the actual license has to be posted in plain view? He stated he has asked many business owners who owns their liquor license, and he was told they don't know. Attorney Wilhelm stated it is easy to learn who owns it. You can look on the state website, but he doesn't know if it has to be displayed. He further stated Council can require it to be posted in view, but you can also look online to find who actually owns a liquor license.

Lieutenant Sovik stated they do liquor license checks often and they are normally displayed somewhere on a wall, he hasn't had any issues locating them.

Councilmember Kivell stated it would be prudent to take Tim's recommendation and refer back to the language from January 22nd.

CM 3-3-18 MOTION TO APPROVE FIRST READING LIQUOR LICENSE ORDINANCE

Motion by Kivell, supported by Kennedy

Motion to approve the first reading of an ordinance to add Chapter 8- Alcoholic Liquor, Sections 8-1 through 8-69, Version Date 1/22/18 to the City of South Lyon code of Ordinances to provide policies, procedures and regulations for liquor licenses and the operation of licensed premises.

VOTE: Roll call vote: Richards- Yes

Walton- No

Kurtzweil- No

Kennedy- Yes

Parisien- No

Kivell- Yes

Pelchat- Yes

MOTION CARRIED

Councilmember Parisien stated at the meeting in January when this version was discussed, there was some local business owners that were here and they weren't happy with it. We had said we needed to stay as close to state law as possible. She understands we are trying to keep the city's best interest at heart, but on the other side, we need to look at our business owners, and having them come to the City to say they are remodeling or changing their game plan isn't right. She further stated she isn't comfortable with this. She stated we should let them run their businesses.

3. Consider approval of GFL contract

Attorney Wilhelm stated Sam Caramagno from GFL is here if anyone has any questions for him.

Attorney Wilhelm then stated there are some language changes that have been made on pages 3 and 4 of the revised draft. Basically, this provides for the 2000 carts, as part of the first 4-year extension, and anyone that has a cart currently gets the opportunity to request one. He further stated he sees no reason why this can't be approved. Councilmember Kivell asked if GFL has determined how many carts are currently being used. Mr. Caramagno stated they have not, there are more carts out there than what is being billed. It was a mixture of their system along with Duncan's system. Councilmember Kivell stated we are looking for 2000 users of free carts, so GFL should find out how many people they are billing so we know how many to take off the top of the 2000 to fulfill the contract, that was the obligation initially. The existing contracts you have with the people that are using them currently, and we would enjoy the balance of what is left. Mr. Caramagno stated as the resident calls them, they would log it and deliver it. Councilmember Kivell stated his concern is without actual numbers of knowing how many people are getting pulled off the rental log, we don't know how many people are getting the benefit of the 2000 free carts. Mr. Caramagno stated we will get them out as soon as possible.

Councilmember Kivell stated he thought GFL would be the one to contact the people that are renting the carts instead of the resident having to contact GFL. Attorney Wilhelm stated the instruction at the last meeting was to get the City out of the cart business. When you want to ensure someone that is renting a cart, that is putting the City back in the cart business and he thought that was not wanted.

Councilmember Kivell stated he was hoping the City wouldn't have to take an active role in this and GFL would take control of it. Mr. Caramagno stated if they are renting a recycle cart, all they have to do is contact GFL for a new recycle cart and that will wipe out the charge. Councilmember Richards asked how many people have carts for yard waste. Mr. Caramagno stated some people use the carts for yard waste, garbage and recycling. If it isn't labeled properly, it is tough and yard waste can be very heavy. Councilmember Richards stated the public should use different carts for yard waste.

CM 3-4-18 MOTION TO APPROVE AMENDMENT AND EXTENSION OF GFL AGREEMENT

Motion to approve by Kennedy, supported by Kurtzweil

Motion to approve the Amendment and Extension of the Solid Waste, Yard Waste, Recycling Collection and Disposal Agreement between the City of South Lyon and GFL Environmental USA Inc, as presented, and authorize the Mayor and Clerk to sign same

VOTE: MOTION CARRIED UNANIMOUSLY

4. Tax abatement fee

Attorney Wilhelm stated he will address this. He asked Mr. Donahue to check with other communities. Novi has a fee, but it is a 2-step process, and Lyon Township has a \$4,000 fee, which they work off of. Councilmember Kivell stated he likes the idea of having a fee, but the \$4,000 fee seems very high. It doesn't matter how many times it will be used, but if we had a \$1500.00 fee and when we have to take money against that seems to be a workable thing. Attorney Wilhelm stated the statutory language says you can only charge one fee. Councilmember Richards stated Attorney Wilhelm is recommending a singular amount of money for the first step in this process. He stated we could go with a smaller number, like Glenn said it probably won't be used very often. Attorney Wilhelm stated some communities don't charge a fee. He stated the City could charge a fee to cover publication fees, consultant fees, as well as mailing fees. Mayor Pelchat stated we could push that down the road until Mr. Donohue comes back. Postpone to first meeting in April.

CM 3-4-18 MOTION TO POSTPONE TO THE FIRST MEETING IN APRIL

Motion by Kivell, supported by Walton

Motion to postpone to the first meeting in April

VOTE: MOTION CARRIED- 1 OPPOSED

NEW BUSINESS

1. Consider approval of purchasing a heater for DPW building

Councilmember Kurtzweil asked where this money is coming from in the budget. Department Head Boven stated there has been money allocated for this in the budget. Councilmember Kurtzweil asked if next time he could mention in the agenda note that this is included in the budget and the line item it is coming from. She then reminded Council that any time bids come in, they should be looked at to ensure we don't have a conflict of interest with any of the companies.

Councilmember Richards stated he went and looked at the heater that is there. He agrees it should be replaced, but it is puzzling how the difference in cost could be \$3,800.00 for the same equipment. Department Head Boven stated a lot of times it is the labor, and sometimes people will pad the bill because they don't really want the job. Councilmember Parisien stated there is a 1-year performance tune-up in the bid but asked if there is any other warranty. Department Head Boven stated normally it is only a 1-year warranty.

CM 3-5-18 MOTION TO APPROVE PURCHASE OF HEATER FOR DPW GARAGE

Motion by Kurtzweil, supported by Kennedy

Motion to approve the purchase of the heater for the DPW garage by Lakeside Service Company for the cost of \$5,5561.27

VOTE: MOTION CARRIED UNANIMOUSLY

2. Consider approval of Biotech contract

Department Head Boven stated this is an extension and they have agreed to keep the same price for three more years. Councilmember Richards stated he went and looked at it, and he thinks it is a great deal, but you have to remember, when you total it up, it is over a hundred thousand dollars a year. He then asked if they go by the weight of the gallons, and is there a way they can cheat us? Department Head Boven stated they go by gallons and our measurements so there is a starting level and ending level, it measures by inch. He further stated they put as much on the truck because it is to their advantage

CM 3-6-18 MOTION TO APPROVE BIOTECH CONTRACT

Motion to approve Kivell, supported by Walton

Motion to approve the contract extension with Bio Tech Agronomics, Inc for a 3-year period

VOTE: MOTION CARRIED UNANIMOUSLY

3. Consider approval of rehabilitation and pump overhaul of well #2

Councilmember Richards stated Peerless Midwest is our steady provider with this technical service. He lived next to that pump station for many years. Over the years, he remembers someone saying that well was 165 feet deep, and it was laying on the bedrock. If this well is not salvageable, you could dynamite it. Department Head Boven stated we wouldn't go that far. Councilmember Richards stated you should be able to make a determination if it has gone dry. Department Head Boven stated they put a camera down there and the screen is blocked, it isn't dry.

CM 3-7-18 MOTION TO APPROVE REHABILITATION AND PUMP OVERHAUL

Motion by Kurtzweil, supported by Walton

Motion to approve proceeding with the rehab work to well #2 with Peerless Midwest to not exceed \$39,670

VOTE: MOTION CARRIED UNANIMOUSLY

4. Appointments to DDA- Anne Buchtrup

CM 3-8-18 MOTION TO APPOINT ANNE BUCHTRUP TO THE DDA BOARD

Motion to approve Kennedy, supported by Parisien

Motion to appoint Anne Buchtrup to DDA Board

5. Appointment to Ethics Commission- Angela Baker

CM 3-9-18 MOTION TO APPOINT ANGELA BAKER TO THE ETHICS COMMISSION

Motion to approve Kennedy supported by Kivell

Motion to appoint Angela Baker to the Ethics Commission

VOTE: Roll call-
Kivell-Yes
Parisien-Yes
Kennedy-Yes
Richards-Yes
Walton-No
Kurtzweil-No

Pelchat-Yes
MOTION CARRIED

6. Consider approval of Volunteer Park for annual Easter egg hunt

Phil Wiepert and Abe Ayoub stated they are asking for permission to use Volunteer Park on Saturday March 31st. The event starts at 11:00, and the hunt starts at Noon.

CM 3-10-18 MOTION TO APPROVE USE OF VOLUNTEER PARK

Motion to approve, Kennedy, supported by Walton

Motion to approve the request of the Kiwanis Club of South Lyon to use Volunteer Park for the Easter Egg Scramble on March 31, 2018 from 11:00 a.m. to 2:00 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

7. Consider approval of Plante Moran revised engagement and addendum and authorize signatures.

Councilmember Richards stated he hasn't seen this at all. Attorney Wilhelm stated there were some slight changes allowing someone other than the City Manager to sign the contract. There were some slight changes to two paragraphs he has reviewed it and finds it acceptable.

CM 3-11-18 MOTION TO APPROVE REVISED AGREEMENT

Motion by Kivell, supported by Richards

Motion to approve revised letter of engagement and addendum

8. Memorandum of understanding with POAM

Attorney Wilhelm stated Pat Alzeltine from his office has been working on this with Chief Collins. This has been ratified by the union and this is basically the same terms that was agreed to by the non-union group. Councilmember Kivell stated he was involved with this as well, it is language that was already in the existing contract.

CM 3-12-18 MOTION TO APPROVE MEMORANDUM OF UNDERSTANDING WITH POAM

Motion by Kivell, supported by Kennedy

Motion to approve the memorandum of understanding with POAM as presented and authorize the Mayor and Clerk to sign.

BUDGET

Councilmember Kurtzweil stated she spent the whole weekend going through the budget and she thanked Lori Mosier for staying late tonight and answering her questions.

She stated there is no plan in the budget to deal with the unfunded liability.

Budgets should be used as a planning tool and you solve problems through your budget and this budget doesn't solve the problem or even consider the unfunded liability. She further stated Council has limited options. She stated she spoke with MERS last week and one way to reduce the liability is to go back and reduce the multiplier which is currently 2.5. and you wouldn't have to raise taxes. She stated we can get a free ball park on what the savings would be if the multiplier was changed. She has the contact information and she would like Council to allow Lori to contact MERS to discuss this with them. We can get numbers for if it was lowered to 2.0 or 1. Attorney Wilhelm stated a change would require the unions to agree with it. Councilmember Kurtzweil stated we aren't looking at all of our options. She then asked

if there is an interest in having Lori do this. Councilmember Kivell stated the bargaining units will not entertain that and why jump through hoops knowing the bargaining units will not agree to that. Councilmember Kennedy stated the real issue is we don't have any answers. This has been asked since December, why hasn't anyone acted on this. Mayor Pelchat stated this doesn't cost the City anything, so it is more information for the City to have. Councilmember Kurtzweil stated this can be used as a bargaining tool. It is about the taxpayer's money and doing everything you can to protect the taxpayer's money. Attorney Wilhelm stated currently the unfunded liability is spread out over 19 years to get that down to zero, which is MERS plan.

Councilmember Kurtzweil stated she spoke with Lori regarding the vacation payouts and she needs direction from Council to pay out the vacation time. There are some individuals that are on the list to be paid out this year. She stated the whole point is to mitigate contingent liabilities.

She then stated you can't budget money for the work that needs to be done at the DPW yard, without someone looking at everything that needs to be fixed. She spoke with Dennis Smith the other day, and he has not been asked to look at it. She thought they gave direction at the last meeting for that to happen.

Councilmember Parisien asked if Department Head Boven could look into this. Councilmember Kennedy stated we may need to have Dennis Smith from Safebuilt look for code violations.

Councilmember Parisien stated she doesn't have a problem for Dennis to do so, but she is hoping Department Head Boven and Dennis Smith could look at this together. Councilmember Parisien asked if there is a requirement for a decontamination room for them to wash off. Councilmember Kivell stated this is a good chance to get a list, and not everything has to be done overnight, but we can schedule things with the level of importance.

Councilmember Richards stated he went through the budget three times and he wants a clear understanding of what is going to be addressed at the budget workshop Wednesday night. He then asked Clerk Deaton if certain interest that we earn, can be used for roads. Clerk Deaton stated that is more of a question for the bookkeeper or Plante Moran.

MANAGERS REPORT

Councilmember Parisien asked about the status of the sewer line that was broken. Department Head Boven stated it is fixed, the line was replaced and the flow is going really well. The restoration work of the sidewalk will be done by the DPW after the weather breaks. Councilmember Kivell asked if the dips and the restrained flow contribute to the gas problem. Department Head Boven stated it does have an effect. Councilmember Richards stated he asked some of the workers if HRC had been out to inspect the job at all. Department Head Boven stated not during an emergency fix, they didn't engineer or design it. He said it went really well. Ron Brock was at the site on a daily basis to ensure everything was done property. He further stated the DPW was monitoring everything. Councilmember Richards asked if they checked under the tracks. Department Head Boven stated no, we went manhole to manhole. Councilmember Walton asked if the work on the rental house was completed. Department Head Boven stated it was.

COUNCIL COMMENTS

Councilmember Kennedy stated he wants to recognize the Cable Commission and their volunteers for recording our way of life in South Lyon. They create a sense of pride and envy for our town. They video many events in the City and he wants to thank them and all of their volunteers for their work. Councilmember Kennedy stated he wanted to remind everyone to drop off their old papers, magazines and mail in the green and yellow recycling bins. He further stated while you are there, use your library card and get a Michigan Activity Pass that provides you with discounts including, museums, campgrounds, and the zoo among others.

Councilmember Richards stated he stopped by the rental house and he spoke with the tenant, and he is very happy with what was done. They did the garage first, it looks good. The wood was horribly rotted. He doesn't know if the electrical was fixed. He stated he met with Department Head Boven and he was very helpful, and he showed him many things at the treatment plant. Councilmember Richards stated we have an opportunity to save a lot of money. He spoke with the guys doing the tree trimming for DTE, and they told him they can't cut any other limbs unless it is on DTE's power line. It will take a direct action from Council to get a quote on removing some of the dead branches that are around the City. He sees that as an opportunity to save a lot of money.

Councilmember Parisien stated the Chamber of Commerce awarded various awards in the City and the Township. The Life Time Achievement Award went to our own Chief Collins. He really deserves it. She then stated it is well deserved. She then stated Troy Powell received Volunteer of the Year Award and he does so much for this community. She stated the Phoenix Award went to the South Lyon Hotel. Business of the year went to Martins Hardware. We are lucky to have so many great businesses in town. She then stated the Easter Egg Scramble Event starts at 11:00, but the scramble itself starts at noon. She stated we need volunteers for different boards if anyone has any interest. Councilmember Parisien thanked Anne and Angela for giving back to the community.

Councilmember Walton stated she wants to congratulations to Ashely Parr for her Young Entrepreneur Award. She stated she also wanted to remind everyone of the Easter egg hunt on Saturday the 31st of March. She then thanked Witches Hat for their fund raiser for St. Jude in which they raised thousands of dollars and thanked the Police and Fire Department for keeping everyone safe.

Councilmember Kivell stated he received an email this afternoon that the Knolls are clear cutting and he hopes Dennis Smith or Don Gotham could go speak with them about the footprint that is necessary. There is a catalog of trees that are supposed to be protected. It would be nice to have an understanding of which are which before they cut them down. This happened at the onset of this development and he wants to avoid that from happening again.

Councilmember Kurtzweil stated she wanted to discuss a few comments from our DDA Director at the last meeting. She said it seems he was attempting to curb everyone's free speech about the downtown. She wants to remind him that he owes his job and his 3% raise to free speech. The City failed to promote the downtown and they allowed the downtown to deteriorate. The vacancy rate at one time was 50-60%. She further stated she told the paper in 2015 the downtown was a dust bowl. She stated all of this was free speech and unrestricted by the hands of government. She stated finally the Council figured out the City Manager couldn't also handle the Economic Development, so it was decided to hire a Downtown Director. She further stated all the negative posts on Facebook, and it was the citizens that were first exercising their first amendment rights. She stated there were buildings in disrepair, and the interior of stores outdated, no thank you Mr. Donohue, she will not go back to silence. Councilmember Kurtzweil stated Mr. Donohue needs to read the first amendment. The first amendment protects speech you don't want to hear as well as what you want to hear. If anyone, including herself wants to comment on anything in the downtown, she will continue to speak out on the downtown. She then stated respect is what it is, it takes time to get and takes more time to get when you have lost it.

Councilmember Kurtzweil stated she wants to renew her suggestion that Council consider hiring a more permanent interim City Manager. Burnout is a real thing, and it happens. He is trying to do the right thing. If Mr. Collins burns out, we will lose a department head as well as an Interim City Manager. We are also putting more stress on officers in the police department because they are having to pick up the slack. She stated we have lost over a thousand hours of management to the City and the cracks are showing. It isn't his fault, it is the situation he is in. It will take 60-90 days to find an Interim City Manager. It is a management decision. She also wanted to bring to Council's attention, who is in charge now that he is on vacation. Mayor Pelchat stated Chief Collins is available by phone and email.

Lieutenant Sovik also stated he is available by phone and email. She spoke with two individuals outside of South Lyon, and they agreed he should have let everyone know that he was going on vacation. Councilmember Kurtzweil thanked Carl Richards for his disclosure of his conflict of interest at a previous meeting. He is not a seasoned Councilmember, but he knew enough to do so. She stated this speaks volumes of his character and integrity, and thanked him because we don't always have that on Council and that saved the City \$38,000.00

Lastly, she thanked Peters True Value, and stated she hopes everyone shops local.

Motion to recess for 5 minutes before entering into closed session

Council returned from recess at 9:30 p.m.

CM 3-12-18 MOTION TO ENTER INTO CLOSED SESSION

Motion to enter into closed session at 9:30 p.m.

Motion by Kivell supported Parisien

VOTE:

Roll call vote

Kivell-Yes

Parisien- Yes

Kennedy- Yes

Walton- Yes

Richards- Yes

Kurtzweil- Yes

Pelchat- Yes

MOTION CARRIED UNANIMOUSLY

Council reconvened at 10:00 p.m.

CM 3-13-18 MOTION TO DIRECT CITY ATTORNEY TO ENTER INTO DISCUSSION
REGARDING PERSONNEL MATTER DISCUSSED IN CLOSED SESSION

Motion by Kurtzweil, supported by Kivell

Motion to authorize the city attorney to enter into discussion regarding personal matter and move forward with the personnel issue that was discussed in closed session.

CM 3-14-18 MOTION TO ADJOURN

Adjournments

Motion to adjourn by Kivell, supported by Parisien

Motion to adjourn meeting at 10:05 p.m.

Respectfully submitted,

Mayor Dan Pelchat

Lisa Deaton Clerk/Treasurer

PERIOD ENDING 03/31/2018

FINANCIAL REPORT FOR MARCH 2018

GL NUMBER	DESCRIPTION	2017-18 ORIGINAL BUDGET	2017-18 AMENDED BUDGET	YTD BALANCE 03/31/2018 NORM (ABNORM)	ACTIVITY FOR MONTH 03/31/18 INCR (DECR)	AVAILABLE BALANCE NORM (ABNORM)	% BDCGT USED
Fund 101 - GENERAL FUND							
Revenues							
Dept 000.000							
101-000.000-402.000	REAL PROPERTY TAX	3,782,216.00	3,782,216.00	3,731,047.79	18,945.38	51,168.21	98.65
101-000.000-423.000	SOUTH LYON WOODS TAX	920.00	920.00	1,297.00	88.50	(377.00)	140.98
101-000.000-446.000	PENALTIES AND INTEREST	9,500.00	9,500.00	13,930.70	4,922.94	(4,430.70)	146.64
101-000.000-451.000	BUILDING PERMITS	150,000.00	150,000.00	185,871.00	37,605.00	(35,871.00)	123.91
101-000.000-452.000	HEATING & PLUMB. REFG. PERMIT	35,000.00	35,000.00	16,699.00	1,519.00	18,301.00	47.71
101-000.000-453.000	ELECTRICAL PERMITS	14,500.00	14,500.00	24,273.00	1,444.00	(9,773.00)	167.40
101-000.000-454.000	LICENSES & BUSINESS MISC.	4,000.00	4,000.00	1,914.00	170.00	2,086.00	47.85
101-000.000-570.000	STATE SHARED REV.	954,016.00	954,016.00	842,192.01	162,951.00	111,823.99	88.28
101-000.000-600.000	BOARD OF APPEALS	0.00	0.00	1,350.00	0.00	(1,350.00)	100.00
101-000.000-600.100	REZONING FEES	0.00	0.00	765.00	0.00	(765.00)	100.00
101-000.000-630.000	ADMIN FEE PROPERTY TAX	93,000.00	93,000.00	85,224.49	1,058.47	7,775.51	91.64
101-000.000-634.000	GRAVE OPENINGS & FOUNDATIONS	35,000.00	35,000.00	33,595.00	3,205.00	1,405.00	95.99
101-000.000-642.000	POLICE	45,000.00	45,000.00	38,013.49	12,747.83	6,986.51	84.47
101-000.000-661.000	PARKING VIOLATION	750.00	750.00	1,230.00	500.00	(480.00)	164.00
101-000.000-662.000	LOCAL COURT FINES	30,000.00	30,000.00	22,035.54	3,630.51	7,964.46	73.45
101-000.000-664.000	INTEREST	4,000.00	4,000.00	3,958.28	0.00	41.72	98.96
101-000.000-664.200	PARK AND REC. INTEREST	0.00	0.00	732.33	0.00	(732.33)	100.00
101-000.000-666.000	INTEREST-EQUALIZ. & CONTINGENC	0.00	0.00	291.90	0.00	(291.90)	100.00
101-000.000-668.200	RENTS AND ROYALTIES-CABLE	150,000.00	150,000.00	104,758.58	0.00	45,241.42	69.84
101-000.000-668.300	LEASE--ANTENNA	45,000.00	45,000.00	26,453.77	0.00	18,546.23	58.79
101-000.000-668.400	RENTAL PROPERTIES	8,800.00	8,800.00	7,758.27	762.03	1,041.73	88.16
101-000.000-675.200	CONTRIBUTIONS-WINTER EVENTS	0.00	0.00	600.00	0.00	(600.00)	100.00
101-000.000-675.600	CULTURAL ARTS REVENUES	1,000.00	1,000.00	207.00	0.00	793.00	20.70
101-000.000-698.000	MISCELLANEOUS	130,000.00	130,000.00	128,760.51	12,439.37	1,239.49	99.05
101-000.000-698.900	GRANT MONIES-CULTURAL ARTS	1,400.00	1,400.00	0.00	0.00	1,400.00	0.00
Total Dept 000.000		5,494,102.00	5,494,102.00	5,272,958.66	261,989.03	221,143.34	95.97
TOTAL REVENUES							
		5,494,102.00	5,494,102.00	5,272,958.66	261,989.03	221,143.34	95.97
Fund 101 - GENERAL FUND:							
TOTAL REVENUES							
		5,494,102.00	5,494,102.00	5,272,958.66	261,989.03	221,143.34	95.97

EXPENDITURE REPORT FOR CITY OF SOUTH LYON

PERIOD ENDING 03/31/2018

FINANCIAL REPORT FOR MARCH 2018

GL NUMBER	DESCRIPTION	2017-18		YTD BALANCE 03/31/2018 NORM (ABNORM)	ACTIVITY FOR MONTH 03/31/18		AVAILABLE BALANCE NORM (ABNORM)	% BUDGET USED
		ORIGINAL BUDGET	AMENDED BUDGET		INCR (DECR)			
Fund 101 - GENERAL FUND								
200.000 - ADMINISTRATION		1,250,429.00	1,250,429.00	954,398.39	109,148.17	296,030.61	76.33	
276.000 - CEMETERY		100,964.00	100,964.00	71,742.25	2,943.40	29,221.75	71.06	
295.000 - SENIOR TRANSPORTATION		76,359.00	76,359.00	57,080.00	6,365.00	19,279.00	74.75	
300.000 - POLICE		2,585,880.00	2,585,880.00	1,804,538.85	193,075.99	781,341.15	69.78	
335.000 - FIRE		468,130.00	468,130.00	374,525.21	29,309.50	93,604.79	80.00	
346.000 - AMBULANCE		2,075.00	2,075.00	468.68	0.00	1,606.32	22.59	
440.000 - DEPT. OF PUBLIC WORKS		807,000.00	807,000.00	534,592.91	71,192.40	272,407.09	66.24	
690.000 - PARKS AND RECREATION		162,260.00	162,260.00	95,382.75	6,400.26	66,877.25	58.78	
732.000 - HISTORICAL DEPOT		31,375.00	31,375.00	18,983.16	1,554.78	12,391.84	60.50	
800.000 - CABLE COMMISSION		4,275.00	4,275.00	267.84	267.84	4,007.16	6.27	
802.000 - CULTURAL ARTS		4,720.00	4,720.00	677.38	0.00	4,042.62	14.35	
TOTAL EXPENDITURES		5,493,467.00	5,493,467.00	3,912,657.42	420,257.34	1,580,809.58	71.22	
Fund 101 - GENERAL FUND:								
TOTAL EXPENDITURES		5,493,467.00	5,493,467.00	3,912,657.42	420,257.34	1,580,809.58	71.22	

EXPENDITURE REPORT FOR CITY OF SOUTH LYON

PERIOD ENDING 03/31/2018

FINANCIAL REPORT FOR MARCH 2018

GL NUMBER	DESCRIPTION	2017-18 ORIGINAL BUDGET	2017-18 AMENDED BUDGET	YTD BALANCE 03/31/2018 NORM (ABNORM)	ACTIVITY FOR MONTH 03/31/18 INCR (DECR)	AVAILABLE BALANCE NORM (ABNORM)	% BUDGET USED
Fund 202 - MAJOR STREETS							
000.000		0.00	0.00	0.00	0.00	0.00	0.00
212.000	- ACCOUNTANT	4,080.00	4,080.00	5,590.00	0.00	(1,510.00)	137.01
451.000		8,000.00	8,000.00	126.15	0.00	7,873.85	1.58
463.000	- STREET-ROUTINE MAINT.	164,600.00	164,600.00	91,530.71	8,352.06	73,069.29	55.61
474.000	- TRAFFIC SERVICES	27,825.00	27,825.00	13,127.11	884.31	14,697.89	47.18
478.000	- SNOW PLOWING	86,500.00	86,500.00	78,689.67	7,810.78	7,810.33	90.97
479.000	- SNOW REMOVAL	3,700.00	3,700.00	6,018.47	220.48	(2,318.47)	162.66
485.000	- TRANSFER BETWEEN FUNDS	146,113.00	146,113.00	0.00	0.00	146,113.00	0.00
491.000	- STORM SEWER	9,925.00	9,925.00	6,945.39	1,112.26	2,979.61	69.98
TOTAL EXPENDITURES		450,743.00	450,743.00	202,027.50	25,290.89	248,715.50	44.82
Fund 202 - MAJOR STREETS:							
TOTAL EXPENDITURES		450,743.00	450,743.00	202,027.50	25,290.89	248,715.50	44.82
Fund 203 - LOCAL STREETS							
000.000		0.00	0.00	0.00	0.00	0.00	0.00
212.000	- ACCOUNTANT	4,100.00	4,100.00	5,590.00	0.00	(1,490.00)	136.34
451.000		475,000.00	475,000.00	714.86	0.00	474,285.14	0.15
463.000	- STREET-ROUTINE MAINT.	158,895.00	158,895.00	86,917.68	9,929.55	71,977.32	54.70
474.000	- TRAFFIC SERVICES	6,500.00	6,500.00	2,879.83	245.21	3,620.17	44.31
478.000	- SNOW PLOWING	71,900.00	71,900.00	59,241.34	10,393.14	12,658.66	82.39
485.000	- TRANSFER BETWEEN FUNDS	0.00	0.00	0.00	0.00	0.00	0.00
491.000	- STORM SEWER	16,375.00	16,375.00	7,761.19	690.16	8,613.81	47.40
TOTAL EXPENDITURES		732,770.00	732,770.00	163,104.90	21,258.06	569,665.10	22.26
Fund 203 - LOCAL STREETS:							
TOTAL EXPENDITURES		732,770.00	732,770.00	163,104.90	21,258.06	569,665.10	22.26

EXPENDITURE REPORT FOR CITY OF SOUTH LYON

PERIOD ENDING 03/31/2018

FINANCIAL REPORT FOR MARCH 2018

GL NUMBER	DESCRIPTION	2017-18		YTD BALANCE 03/31/2018 NORM (ABNORM)	ACTIVITY FOR MONTH 03/31/18		AVAILABLE BALANCE		% BUDGET USED
		ORIGINAL BUDGET	2017-18 AMENDED BUDGET		INCR (DECR)	NORM (ABNORM)			
Fund 592 - WATER & SEWER									
452.000			0.00						
540.000 -	WATER / REPAIR	145,500.00	145,500.00	2,451.22	0.00	(2,451.22)	100.00		
550.000 -	SEWER / REPAIR	258,300.00	258,300.00	52,002.04	5,797.47	93,497.96	35.74		
555.000 -	REFUSE COLLECTION	534,240.00	534,240.00	55,701.45	13,564.88	202,598.55	21.56		
556.000 -	WATER	1,142,554.00	1,142,554.00	377,708.80	41,995.56	156,531.20	70.70		
557.000 -	WASTEWATER	1,649,650.00	1,649,650.00	652,335.08	180,065.62	490,218.92	57.09		
				758,799.13	85,233.51	890,850.87	46.00		
TOTAL EXPENDITURES		3,730,244.00	3,730,244.00	1,898,997.72	326,657.04	1,831,246.28	50.91		
Fund 592 - WATER & SEWER:									
TOTAL EXPENDITURES		3,730,244.00	3,730,244.00	1,898,997.72	326,657.04	1,831,246.28	50.91		

March 2018 Payroll Report								
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
Administration								
Blaha, M.	14.7200	14.00		\$ 206.08	\$ -		\$ 206.08	
Brandon, C.	15.3700	9.00		\$ 138.33			\$ 138.33	
Brzozowski, P.	20.0000	12.00		\$ 240.00			\$ 240.00	
Deaton, L.				\$ 7,514.07			\$ 7,514.07	
Donohue, R.				\$ 8,026.62			\$ 8,026.62	
Gotham, D.	17.2500	102.25		\$ 1,763.82	\$ -		\$ 1,763.82	
Ladner, L.				\$ 10,696.17			\$ 10,696.17	
Lanning, W.	11.0500	44.75		\$ 494.49			\$ 494.49	
Mosier, L.				\$ 7,201.38		\$ 1,600.00	\$ 8,801.38	Longevity
Pieper, Judy	18.1400	240.00	6.75	\$ 4,353.60	\$ 183.67		\$ 4,537.27	
Tiernan, P.	18.4500	132.00		\$ 2,435.41			\$ 2,435.41	
TOTAL: Administration		554.00	6.75	\$ 43,069.97	\$ 183.67	\$ 1,600.00	\$ 44,853.64	
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
Cemetery								
Bjerke, Michael	12.0700			\$ -			\$ -	
Brannun, L.	12.8300			\$ -			\$ -	
Lemke, John N.	12.0700			\$ -			\$ -	
Nicholls, William	12.0700			\$ -			\$ -	
Wauford, S.	12.0700			\$ -			\$ -	
Wedesky, J. W.	12.0700			\$ -			\$ -	
Williamson, N.	12.0700			\$ -			\$ -	
TOTAL: Cemetery		0.00	0.00	0.00	0.00	0.00	0.00	
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
Police								
Baaki, D.	36.2879	248.00	20.00	\$ 8,999.40	\$ 1,111.72	\$ 1,451.52	\$ 11,562.64	Vacation Payout
Baker, A.	33.5999	248.00	17.50	\$ 8,332.78	\$ 902.19		\$ 9,234.96	
Baker, J.	36.2879	244.00	29.95	\$ 8,854.25	\$ 1,658.31		\$ 10,512.56	
Barbour, R.	33.5999	248.00	9.50	\$ 8,332.78	\$ 487.71		\$ 8,820.48	
Brooks, T.	33.5999	240.00		\$ 8,063.98	\$ -		\$ 8,063.98	
Collins, L.				\$ 13,902.12			\$ 13,902.12	
Faught, C.	36.2879	240.00		\$ 8,709.10	\$ -		\$ 8,709.10	
Hoydic, S.	33.5999	240.00		\$ 8,063.98	\$ -		\$ 8,063.98	
Krettlin, F.	17.5400	26.50		\$ 464.81			\$ 464.81	
LaChance, J.	11.3000	125.50		\$ 1,418.15			\$ 1,418.15	
Laraway, P.	17.5400	26.50		\$ 464.81			\$ 464.81	
Ley, K.	17.5400	22.00		\$ 385.88			\$ 385.88	
Morris, Carlie	10.0000	127.00		\$ 1,270.00			\$ 1,270.00	
Raap, T.	33.5999	240.00	12.00	\$ 8,063.98	\$ 616.05		\$ 8,680.02	
Regentik, C.	19.1500	48.50		\$ 928.78			\$ 928.78	
Salysers, B.	17.5100	80.00		\$ 1,400.80			\$ 1,400.80	
Sederlund, C.	36.2879	280.00	3.00	\$ 9,434.85	\$ 166.76		\$ 9,601.61	
Sovik, C.	38.8281	240.00	23.50	\$ 9,318.74	\$ 1,395.80		\$ 10,714.55	
Sroufe, T.	33.5999	240.00	40.50	\$ 8,063.98	\$ 2,087.93		\$ 10,151.91	
Stevens, T.	33.5999	240.00	9.00	\$ 8,063.98	\$ 460.09		\$ 8,524.07	
Tomanek, J.	33.5999	240.00	19.00	\$ 8,063.98	\$ 979.52		\$ 9,043.50	
Walton, T.	33.5999	248.00	15.00	\$ 8,332.78	\$ 770.06		\$ 9,102.84	
Wilcox, W.	12.5000	35.00		\$ 437.50	\$ -		\$ 437.50	
Wilcox, W.	17.5400	27.00		\$ 473.58	\$ -		\$ 473.58	
Wittrock, M.	33.5999	240.00	44.50	\$ 8,063.98	\$ 2,284.52		\$ 10,348.50	
Total: Police		4174.00	243.45	\$ 147,908.92	\$ 12,920.67	\$ 1,451.52	\$ 162,281.11	

Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
Fire								
Achatz, R.	15.3300	8.25		\$ 126.47			\$ 126.47	
Armstrong, C.	22.3900	41.75		\$ 934.78			\$ 934.78	
Bolsvert, R.	21.2200	8.50		\$ 180.37			\$ 180.37	
Conrad, C.	18.7400	161.75		\$ 3,031.20			\$ 3,031.20	
Dobrick, Zach	9.9800	33.00		\$ 329.34			\$ 329.34	
Dziurgot, A.	9.9800	19.50		\$ 194.61			\$ 194.61	
Good, Alexander	15.3300	51.00		\$ 781.83			\$ 781.83	
Laitinen, Daniel	15.3300	68.00		\$ 1,042.44			\$ 1,042.44	
Madsen, W.	9.2500	91.50		\$ 846.38			\$ 846.38	
McGahan, K.	15.3300	77.00		\$ 1,180.41			\$ 1,180.41	
McGowan, Cain	9.9800	108.00		\$ 1,077.84			\$ 1,077.84	
Moreno, Zachary T.	9.2500	43.00		\$ 397.75			\$ 397.75	
Moylhan, B.	21.2200	110.95		\$ 2,354.36			\$ 2,354.36	
Noechel, J.	17.6900	66.00		\$ 1,167.54			\$ 1,167.54	
Olando, Michael	18.7400	136.42		\$ 2,556.51			\$ 2,556.51	
Palo, J.	9.2500	18.50		\$ 171.13			\$ 171.13	
Tooman, Brittany	16.5000	150.50		\$ 2,483.25			\$ 2,483.25	
Trudell, A.	9.2500	34.17		\$ 316.07			\$ 316.07	
Vliet, A.	15.3300	55.00		\$ 843.15			\$ 843.15	
Vogel, R.				\$ 4,038.45			\$ 4,038.45	
Weir, M.	23.5800	91.25		\$ 2,151.68			\$ 2,151.68	
Wilson, T.	21.2200	55.00		\$ 1,167.10			\$ 1,167.10	
Wozniak, H.	9.2500	8.75		\$ 80.94			\$ 80.94	
Total: Fire		1429.04		\$ 27,453.58		\$ -	\$ 27,453.58	
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
D.P.W.								
Abramowicz, J.	21.4900	240.00	29.00	\$ 5,157.61	\$ 934.82	\$ 315.00	\$ 6,407.43	On-Call
Archev, Je.	24.3500	240.00	28.50	\$ 5,844.00	\$ 1,085.18	\$ 90.00	\$ 7,019.18	On-Call
Brock, R.	25.8900	240.00	45.00	\$ 6,213.60	\$ 1,789.69	\$ 540.00	\$ 8,543.29	On-Call
Buers, D.	24.1300	240.00	6.50	\$ 5,791.20	\$ 242.78		\$ 6,033.98	
Dental, F.	22.6900	240.00	35.50	\$ 5,445.60	\$ 1,208.26	\$ 630.00	\$ 7,283.86	On-Call
Jamison, M.	19.1500	240.00		\$ 4,596.00	\$ -		\$ 4,596.00	
Moritz, M.	22.7500	240.00	5.50	\$ 5,480.00	\$ 191.68		\$ 5,651.68	
Paver, V.	22.3500	240.00	9.00	\$ 5,364.00	\$ 315.09	\$ 315.00	\$ 5,994.09	On-Call
Plasecki, T.	22.3500	240.00	21.00	\$ 5,364.00	\$ 714.63		\$ 6,078.63	
Race, J.	20.6300	240.00		\$ 4,951.20	\$ -		\$ 4,951.20	
Valencia, A.	20.2300	240.00		\$ 4,855.20	\$ -		\$ 4,855.20	
Total: D.P.W.		2,640.00	180.00	\$ 59,042.41	\$ 6,482.11	\$ 1,890.00	\$ 67,414.52	
Department	Pay Rate	Reg Hours	O.T. Hours	Reg Pay	O.T. Pay	Misc.	Total Pay	Notes
W. & W.W.								
Archev, Ju.	19.1500	240		\$ 4,596.00	\$ -		\$ 4,596.00	
Armstrong, C.	21.5000	240	3.00	\$ 5,160.00	\$ 96.75	\$ 515.00	\$ 5,771.75	On-Call
Beason, R.	27.8700	240		\$ 6,688.80	\$ -	\$ 315.00	\$ 7,003.80	On-Call
Blankstrom, D.	19.8700	240		\$ 4,768.80	\$ -	\$ 315.00	\$ 5,083.80	
Boven, Michael				\$ 9,323.07			\$ 9,323.07	
Ciaramitaro, J.	26.2200	240		\$ 6,502.56	\$ -	\$ 715.00	\$ 7,217.56	On-Call
Erdmann, Kevin	22.2000	240	12.50	\$ 5,328.00	\$ 416.25	\$ 365.00	\$ 6,109.25	On-Call
Gehringer, D.	26.0200	240	13.00	\$ 6,244.80	\$ 513.89	\$ 315.00	\$ 7,073.69	
Popravsky, P.	21.2400	240		\$ 5,097.60	\$ -		\$ 5,097.60	
Total: W. & W.W.		1928.00	28.50	\$ 53,709.63	\$ 1,026.89	\$ 2,540.00	\$ 57,276.52	
Grand Total		10,725.04	458.70	\$ 331,184.52	\$ 20,613.34	\$ 7,481.52	\$ 359,279.38	

04/05/2018 09:36 AM
User: PATRICIA
DB: South Lyon

CHECK REGISTER FOR CITY OF SOUTH LYON
CHECK DATE FROM 03/15/2018 - 04/05/2018

Page: 1/4

Check Date	Check	Vendor Name	Description	Amount	Status
Bank 01 GEN FUND CHECKING					
03/15/2018	73693	AT&T MOBILITY	PHONE SERVICE	366.26	Open
03/15/2018	73694	AVAYA INC. *	WATER DEPT PHONE SYSTEM	226.26	Open
03/15/2018	73695	KRISPEN S. CARROLL	PAYROLL DEDUCTION CASE NO. 17-57623-PUS	57.88	Open
03/15/2018	73696	CITY OF NOVI	DISPATCH SERVICES	30,522.50	Open
03/15/2018	73697	LLOYD COLLINS	REIMBURSE PETTY CASH	37.99	Open
03/15/2018	73698	CORRIGAN OIL CO.	GAS AND DIESEL FUEL	7,341.19	Open
03/15/2018	73699	DTE ENERGY	ELECTRIC SERVICE	429.77	Open
			ELECTRIC SERVICE	48.12	Open
			ELECTRIC SERVICE	125.23	Open
				603.12	
03/15/2018	73700	DYKEMA GOSSETT PLLC	CONFLICT OF INTEREST REVIEW	197.50	Open
03/15/2018	73701	ECIVIS, INC	GRANTS NETWORK SOFTWARE	4,900.00	Open
03/15/2018	73702	MATTHEW EMERY	CONCIL MEETING RECORDING	75.00	Open
03/15/2018	73703	EMPLOYEE HEALTH INSURANCE MGMT	ADMINISTRATIVE AND AGENT FEES	740.00	Open
			CLAIMS FUNDING	20,491.80	Open
				21,231.80	
03/15/2018	73704	HURON VALLEY AMBULANCE. INC	OWI BLOOD DRAWS	165.00	Open
03/15/2018	73705	INTL UNION OF OPERATING ENG	PAYROLL DEDUCTION UNION DUES - MARCH 20	218.36	Open
03/15/2018	73706	WOODROW MATNEY	CUSTODIAL SERVICES AT DEPOT	684.00	Open
03/15/2018	73707	MICHIGAN MUNICIPAL LEAGUE*	EMPLOYMENT ADS	106.10	Open
03/15/2018	73708	MISDU	PAYROLL DEDUCTION	322.07	Open
03/15/2018	73709	OAKLAND COUNTY TREASURER	FEBRUARY 2018 TRAILER PARK TAX	442.50	Open
03/15/2018	73710	MICHIGAN.COM	EMPLOYMENT ADS	2,549.85	Open
03/15/2018	73711	PURCHASE POWER	POSTAGE REFILL	445.00	Open
03/15/2018	73712	PITNEY BOWES*	POSTAGE EQUIPMENT	682.62	Open
03/15/2018	73713	PROVIDENCE OCCUPATIONAL	NEW HIRE PHYSICAL	86.00	Open
			NEW HIRE PHYSICALS	428.00	Open
				514.00	
03/15/2018	73714	SALEM-SOUTH LYON DISTRICT	TAX DISBURSEMENT	969.41	Open
03/15/2018	73715	SOUTH LYON COMMUNITY SCHOOLS	TAX DISBURSEMENT	5,568.66	Open
03/15/2018	73716	TIMOTHY DAVIDS	JANUARY 2018 AND FEBRUARY 2018 HOURLY P	1,480.00	Open
03/15/2018	73717	VANTAGEPOINT TRANSFERS	ICMA 457 PLAN #301149 PAYROLL DEDUCTION	3,179.57	Open
03/15/2018	73718	VILLAGE GLASS CO., INC.	WINDOW GLASS REPLACEMENT	245.00	Open
03/15/2018	73719	WINDSTREAM	PHONE LINES	2,099.47	Open
03/15/2018	73720	WOW BUSINESS	CABLE SERVICE	46.97	Open
			CABLE SERVICE	128.85	Open
				175.82	
03/15/2018	73721	WOW! BUSINESS	CABLE SERVICE	134.20	Open
			PARK SECURITY	62.00	Open
				196.20	

CHECK REGISTER FOR CITY OF SOUTH LYON
 CHECK DATE FROM 03/15/2018 - 04/05/2018

Check Date	Check	Vendor Name	Description	Amount	Status
03/15/2018	73722	STATE OF MICHIGAN	CLASS B EXAM FEE-D. GEHRINGER	70.00	Open
03/22/2018	73723	HUNGRY HOWIES	PIZZA FOR CREEK CLEANUP - 04/14/2018	90.00	Open
03/22/2018	73724	ARBOR SPRINGS WATER CO., INC.	WATER	13.00	Open
			WATER	26.00	Open
			5 GAL. ARTESIAN WATER	19.50	Open
			LAB SUPPLIES	45.50	Open
				104.00	
03/22/2018	73725	CORY ARMSTRONG	REIMBURSEMENT FOR D - WASTEWATER EXAM A	70.00	Open
03/22/2018	73726	AT&T	SERVICE PERIOD MARCH 1, 2018 TO MARCH 3	113.61	Open
03/22/2018	73727	BATCO, INC.	MISS DIG EQUIPMENT TRAINING CLASS - PAY	125.00	Open
03/22/2018	73728	DEANNA BLANKSTROM	REIMBURSEMENT FOR D WASTEWATER EXAM APP	70.00	Open
03/22/2018	73729	BLUE CROSS BLUE SHIELD OF MICH	HEALTH INSURANCE - MARCH 2018	38,518.62	Open
			HEALTH INSURANCE	445.19	Open
				38,963.81	
03/22/2018	73730	BUSCH'S	SUPPLIES	71.38	Open
03/22/2018	73731	FRANK FOGARTY	3 1/2 DAYS BOARD OF REVIEW PAY	350.00	Open
03/22/2018	73732	GARY BEASLEY	3 1/2 DAYS BOARD OF REVIEW PAY - MARCH	350.00	Open
03/22/2018	73733	GREAT LAKES ACE HARDWARE	COFFEEMAKER	85.49	Open
03/22/2018	73734	HAVILAND PRODUCTS COMPANY	ALUMINUM SULFATE	4,622.75	Open
03/22/2018	73735	HURON VALLEY AMBULANCE. INC	BLOOD DRAW	65.00	Open
03/22/2018	73736	JOHNSON, ROSATI, SCHULTZ &	CITY ATTORNEY RETAINER WORK - SERVICES	13,320.00	Open
			MICHIGAN TAX TRIBUNAL MATTERS - SERVICE	351.00	Open
			GENERAL LABOR MATTERS - SERVICES THROUG	422.00	Open
				14,093.00	
03/22/2018	73737	MWEA	EXAM PREPARATION COURSE - BLANKSTORM &	460.00	Open
03/22/2018	73738	BRUCE NUSBAUM	3 1/2 DAYS BOARD OF REVIEW PAY	350.00	Open
03/22/2018	73739	ODEN TRAINING	WASTEWATER EXAM REVIEW COURSE - D. GEHR	240.00	Open
03/22/2018	73740	PARKSIDE CLEANERS	4 X 10 RUG; (6) 3 X 10 RUG CLEANING	43.00	Open
03/22/2018	73741	RICHARD PERRY	CAMERA EQUIPMENT	267.84	Open
03/22/2018	73742	PROVIDENCE OCCUPATIONAL	ACHATZ PHYSICAL	388.00	Open
			EMPLOYEE DRUG SCREEN	65.00	Open
				453.00	
03/22/2018	73743	ROAD COMMISSION FOR OAKLAND	TRAFFIC SIGNAL MAINTENANCE - FEBRUARY 2	211.60	Open
03/22/2018	73744	SALEM-SOUTH LYON DISTRICT	TAX DISBURSEMENT - TAXES DUE TO LIBRARY	33,023.33	Open
03/22/2018	73745	SOUTH LYON COMMUNITY SCHOOLS	TAX DISBURSEMENT/TAXES DUE TO SCHOOLS -	416,762.69	Open
03/22/2018	73746	STANDARD INSURANCE COMPANY	LIFE & DISABILITY INSURANCE - MARCH 201	2,433.29	Open
03/22/2018	73747	STATE OF MICHIGAN**	TRAINING: BASIC REID - JANUARY 23, 2018	480.00	Open
03/22/2018	73748	STATE OF MICHIGAN**	FINGERPRINT FEES - LIVESCAN 5 @ \$42.00	210.00	Open
03/22/2018	73749	TIMOTHY WALTON	TUITION REIMBURSEMENT (PHL 1010 CRITICA	607.50	Open
03/29/2018	73750	ARBOR SPRINGS WATER CO., INC.	WATER	13.00	Open
03/29/2018	73751	BASIC	FEBRUARY/MARCH FSA FEES	201.60	Open
03/29/2018	73752	BRIANN SALYERS	REIMBURSEMENT FOR NOTARY FEES	82.00	Open
03/29/2018	73753	BROWNELLS, INC.	PATCHES - ACCT. #01720916	57.41	Open
03/29/2018	73754	CARL RICHARDS	MONTHLY COUNCIL PAY - MARCH 2018	180.00	Open
03/29/2018	73755	KRISPEN S. CARROLL	PAYROLL DEDUCTION - CASE #17-57623-PJS	57.88	Open

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Check Date	Check	Vendor Name	Description	Amount	Status
03/29/2018	73756	CITY OF SOUTH LYON	214 WEST LAKE ST. 215 WHIPPLE ST.	115.19 589.69 <u>704.88</u>	Open Open
03/29/2018	73757	CONSUMERS ENERGY	SERVICE PERIOD 02/20/2048 - 03/21/2018	305.83	Open
03/29/2018	73758	DANIEL PELCHAT	MONTHLY COUNCIL PAY - MARCH 2018	220.00	Open
03/29/2018	73759	DTE ENERGY	SERVICE PERIOD JANUARY 20, 2018 - MARCH	36.09	Open
03/29/2018	73760	MATTHEW EMERY	COUNCIL RECORDING - MARCH 26, 2018	75.00	Open
03/29/2018	73761	GLENN KIVELL	MONTHLY COUNCIL PAY - MARCH 2018	180.00	Open
03/29/2018	73762	MARGARET KURTZWELL	MONTHLY COUNCIL PAY - MARCH 2018	180.00	Open
03/29/2018	73763	LYNNE LADNER	CAR ALLOWANCE - MARCH 2018	350.00	Open
03/29/2018	73764	MISDU	PAYROLL DEDUCTION - REMITTANCE ID #9129	322.07	Open
03/29/2018	73765	MARY PARISIEN	MONTHLY COUNCIL PAY - MARCH 2018	180.00	Open
03/29/2018	73766	PEOPLE'S EXPRESS	TRANSPORTATION FEES - FEBRUARY 2018	6,365.00	Open
03/29/2018	73767	PNC BANK	OFFICE SUPPLIES	331.67	Open
03/29/2018	73768	POSTMASTER	APRIL 2018 BILLING	1,167.95	Open
03/29/2018	73769	ROAD COMM. FOR OAKLAND COUNTY	GRADE & CHLORIDE VOLUNTEER PARK	1,356.00	Open
03/29/2018	73770	ROAD COMMISSION FOR OAKLAND	WO#177457 COLD PATCH	1,161.34	Open
03/29/2018	73771	ROSE WALTON	MONTHLY COUNCIL PAY - MARCH 2018	180.00	Open
03/29/2018	73772	STEPHEN KENNEDY	MONTHLY COUNCIL PAY - MARCH 2018	180.00	Open
03/29/2018	73773	TOSHIBA FINANCIAL SERVICES	CONTRACT PAYMENT SERVICE PERIOD - 03/15	1,551.16	Open
03/29/2018	73774	VANTAGEPOINT TRANSFERS	ICMA 457 PAYROLL DEDUCTION MARCH 30, 20	3,195.74	Open
03/29/2018	73775	WOW BUSINESS	SERVICE PERIOD 03/21/2018 - 04/20/2018	35.97	Open
			CABLE TV SERVICE PERIOD 03/16/2018 - 04	10.00	Open
				<u>45.97</u>	
04/05/2018	73776	ARBOR SPRINGS WATER CO., INC.	WATER	19.50	Open
			5 GAL. ARTESIAN WATER	19.50	Open
				<u>39.00</u>	
04/05/2018	73777	AT&T	PHONE SERVICE PERIOD - FEBRUARY 23, 201	146.48	Open
04/05/2018	73778	AT&T MOBILITY	MOBILE PHONE SERVICE PERIOD FEBRUARY 20	365.32	Open
04/05/2018	73779	AVAYA INC.*	DEW PHONE SYSTEM	12.58	Open
04/05/2018	73780	CONSUMERS ENERGY	214 W. LAKE SERVICE PERIOD FEBRUARY 20, 219 WHIPPLE ST. SERVICE PERIOD FEBRUARY 250 DOROTHY ST. - SERVICE PERIOD FEBRU 300 DOROTHY ST. #3 - SERVICE PERIOD FEB 300 DOROTHY ST. - SERVICE PERIOD FEBRU 530 ADA ST. - SERVICE PERIOD FEBRUARY 2 215 WHIPPLE ST. - SERVICE PERIOD FEBRU SERVICE PERIOD - FEBRUARY 20, 2018 TO M SERVICE PERIOD FROM FEBRUARY 20, 2018 T	307.17 214.06 87.45 176.55 81.32 526.29 417.22 5,912.22 935.86 <u>8,658.14</u>	Open Open Open Open Open Open Open Open Open
04/05/2018	73781	CSX TRANSPORTATION, INC.	ANNUAL SEWER PIPELINE CROSSING FEE	550.44	Open
04/05/2018	73782	BOB DONOHUE	EMPLOYEE REIMBURSEMENT FOR ATTENDANCE A EMPLOYEE REIMBURSEMENT FOR ATTENDANCE A	1,435.86 155.68	Open Open

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CHECK REGISTER FOR CITY OF SOUTH LYON
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Check Date	Check	Vendor Name	Description	Amount	Status
04/05/2018	73783	DTE ENERGY	SERVICE FROM 02/23/2018 TO 03/25/2018	1,591.54	Open
04/05/2018	73784	DTE ENERGY	215 WHIPPLE ST. SERVICE PERIOD FEBRUARY SERVICE PERIOD FEBRUARY 23, 2018 TO MAR SERVICE PERIOD FEBRUARY 23, 2018 TO MAR HISTORICAL 300 DOROTHY ST. - SERVICE PE 250 DOROTHY STREET - SERVICE PERIOD FEB SERVICE FROM FEBRUARY 236, 2018 TO MARC SERVICE FROM FEBRUARY 23, 2018 TO MARCH	21,793.87	Open
04/05/2018	73785	DTE ENERGY	CITY HALL - SERVICE PERIOD FEBRUARY 23,	401.44	Open
04/05/2018	73786	ELECTRICAL CODE SERVICES LLC	ELECTRICAL INSPECTOR PAY - FEBRUARY 201	433.79	Open
04/05/2018	73787	DONALD GOTHAM	EMPLOYEE MILEAGE REIMBURSEMENT	138.99	Open
04/05/2018	73788	LEXISNEXIS RISK DATA MANAGEMENT INC	MARCH 2018 CONTRACT FEE, 4 REAL-TIME PH	94.75	Open
04/05/2018	73789	MARTIN'S DO IT BEST	SUPPLIES	42.31	Open
04/05/2018	73790	MICHIGAN ASSOC OF CHIEFS OF POLICE	FAUCET PARTS - MEN'S BATHROOM	183.09	Open
04/05/2018	73791	MRWA		937.71	Open
04/05/2018	73792	PRINCIPAL FINANCIAL GROUP		2,232.08	Open
04/05/2018	73793	SAM'S CLUB DIRECT		1,463.14	Open
04/05/2018	73794	TOSHIBA FINANCIAL SERVICES		492.30	Open
04/05/2018	73795	VISICOM SERVICES, INC.		56.68	Open
04/05/2018	73796	WINDSTREAM		32.00	Open
04/05/2018	73797	WOW BUSINESS		6.29	Open
04/05/2018	73798	WOW BUSINESS		103.93	Open
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04/05/2018	73802	WOW BUSINESS		5,509.14	Open
04/05/2018	73803	WOW BUSINESS		140.00	Open
04/05/2018	73804	WOW BUSINESS		84.00	Open
04/05/2018	73805	WOW BUSINESS		7,257.07	Open
04/05/2018	73806	WOW BUSINESS		2,082.34	Open
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04/05/2018	73808	WOW BUSINESS		32.97	Open
04/05/2018	73809	WOW BUSINESS		167.17	Open
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INVOICE GL DISTRIBUTION REPORT FOR CITY OF SOUTH LYON
POST DATES 04/09/2018 - 04/09/2018
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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 000.000					
101-000.000-035.000	ENGINEERING FEES	HUBBELL, ROTH, & CLARK,	SITE PLAN FEES - MARCH 15, 2018 STATE	649.60	
		Total For Dept 000.000		649.60	
Dept 200.000 ADMINISTRATION					
101-200.000-727.000	OFFICE SUPPLIES	LB OFFICE PRODUCTS	NAMEPLATE - MICHAEL BOVEN, SIGN	1,052.57	
101-200.000-801.000	PROFESSIONAL SERVICE	HUBBELL, ROTH, & CLARK,	SAFE ROUTES TO SCHOOL - MARCH 15, 201	752.80	
101-200.000-802.000	CONTRACTUAL SVCS	GFL ENVIRONMENTAL	DUMPSTER & RECYCLING SERVICE PERIOD A	63.13	
101-200.000-802.000	CONTRACTUAL SVCS	PLANTE & MORAN, PLLC	BUDGET SERVICES	5,550.00	
		Total For Dept 200.000 ADMINISTRATION		7,418.50	
Dept 276.000 CEMETERY					
101-276.000-740.000	OPERATING EXPENSE	ATCO INTERNATIONAL	MECHANIC'S SUPPLIES	15.48	
101-276.000-802.000	CONTRACTUAL SVCS	GFL ENVIRONMENTAL	DUMPSTER & RECYCLING SERVICE PERIOD A	76.27	
		Total For Dept 276.000 CEMETERY		91.75	
Dept 300.000 POLICE					
101-300.000-727.000	OFFICE SUPPLIES	OFFICE EXPRESS	DVD-R, 4.7GB,16X,SPDL	368.62	
101-300.000-740.000	OPERATING EXPENSE	AERKO INTERNATIONAL MICH	FREEZE +P .5 OZ KEY CHAIN UNIT	30.00	
101-300.000-740.000	OPERATING EXPENSE	BUSINESS COMMUNICATION S	450 MEG. WINAX P.D.-F.D.-ADMIN. 50% E	2,310.00	
101-300.000-740.000	OPERATING EXPENSE	SLIDE LOCK TOOL CO., INC	(15) AUTHORIZATION/DAMAGE RELEASE FOR	116.36	
101-300.000-740.000	OPERATING EXPENSE	W4 SIGNS	PVC SIGN 4X10	10.00	
101-300.000-802.000	CONTRACTUAL SVCS	GFL ENVIRONMENTAL	DUMPSTER & RECYCLING SERVICE PERIOD A	38.13	
101-300.000-863.000	VEHICLE MAINTENANCE	ADVANCE AUTO PARTS	9012 ST ULTRA, DIAL TIRE GAUGE, ANTIF	127.14	
101-300.000-863.000	VEHICLE MAINTENANCE	ATCO INTERNATIONAL	MECHANIC'S SUPPLIES	27.88	
101-300.000-863.000	VEHICLE MAINTENANCE	HINES PARK FORD, INC.	STEERING COLUMN REPAIR, REPLACE EVAP	697.44	
101-300.000-863.000	VEHICLE MAINTENANCE	SOUTH LYON COLLISION	REPLACE RT.OUTSIDE MIRROR - VEHICLE 2	410.68	
101-300.000-863.000	VEHICLE MAINTENANCE	TIRE WHOLESALERS COMPANY	TIRES PD 222-221	281.28	
101-300.000-863.000	VEHICLE MAINTENANCE	VICTORY LANE	FLEET OIL CHANGE	35.48	
		Total For Dept 300.000 POLICE		4,453.01	
Dept 335.000 FIRE					
101-335.000-727.000	OFFICE SUPPLIES	QUILL CORPORATION	FRAMES	52.90	
101-335.000-802.000	CONTRACTUAL SVCS	GFL ENVIRONMENTAL	DUMPSTER & RECYCLING SERVICE PERIOD A	38.14	
101-335.000-863.000	VEHICLE MAINTENANCE	ATCO INTERNATIONAL	MECHANIC'S SUPPLIES	18.58	
101-335.000-863.000	VEHICLE MAINTENANCE	SHARE CORPORATION	DRAIN & OIL SEPARATOR CLEANER	33.16	
101-335.000-930.000	REPAIR MAINTENANCE	DOUGLASS SAFETY SYSTEMS	SPEECH DIAPHRAM	77.04	
101-335.000-931.000	BUILDING MAINTENANCE	ANN ARBOR DOOR SYSTEMS,	GARAGE DOOR REPAIR	210.00	
101-335.000-977.000	EQUIPMENT	PAUL CONWAY SHIELDS	SHIELD	181.63	
		Total For Dept 335.000 FIRE		611.45	
Dept 440.000 DEPT. OF PUBLIC WORKS					
101-440.000-727.000	OFFICE SUPPLIES	LB OFFICE PRODUCTS	OFFICE SUPPLIES	22.94	
101-440.000-740.000	OPERATING EXPENSE	ANN ARBOR WELDING SUPPLY	CYLINDER RENTAL	86.52	
101-440.000-740.000	OPERATING EXPENSE	QUALITY FIRST AID & SAFE	PAPER, SAFETY & FIRST AID SUPPLIES &	180.80	
101-440.000-740.000	OPERATING EXPENSE	QUICKSILVER MARKETING SO	BUSINESS CARDS - MICHAEL BOVEN	35.50	
101-440.000-802.000	CONTRACTUAL SVCS	GFL ENVIRONMENTAL	DUMPSTER & RECYCLING SERVICE PERIOD A	119.86	
101-440.000-863.000	VEHICLE MAINTENANCE	ADVANCE AUTO PARTS	BRAKE PADS T-3	346.58	

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INVOICE GL DISTRIBUTION REPORT FOR CITY OF SOUTH LYON
POST DATES 04/09/2018 - 04/09/2018
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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 440.000 DEPT. OF PUBLIC WORKS					
101-440.000-863.000	VEHICLE MAINTENANCE	ATCO INTERNATIONAL	MECHANIC'S SUPPLIES	68.18	
101-440.000-863.000	VEHICLE MAINTENANCE	DIUBLE EQUIPMENT INC.	PARKING BRAKE STEM & COIL REPLACED -	818.07	
101-440.000-863.000	VEHICLE MAINTENANCE	INTERSTATE BILLING SERVI	FILTERS - SWEEPER	65.56	
101-440.000-863.000	VEHICLE MAINTENANCE	O'REILLY AUTO PARTS	MISC. SUPPLIES	142.91	
101-440.000-863.000	VEHICLE MAINTENANCE	SHARE CORPORATION	DRAIN & OIL SEPARATOR CLEANER	121.72	
101-440.000-863.000	BUILDING MAINTENANCE	ATOMIC CLEANING SYSTEMS	POWER WASHER REPAIRED	274.02	
101-440.000-931.000	NPDES PHASE 2 STORMWATER	HUBBELL, ROTH, & CLARK,	STORM WATER PERMIT ASST. 2017-2018 -	2,237.73	
101-440.000-935.000	LAND IMPROVEMENTS	COUGAR SALES & RENTAL, I	CONCRETE SAW BLADE & BELT	52.39	
101-440.000-974.000	LAND IMPROVEMENTS	NORMAR LANDSCAPERS, INC.	REMOVED 2 TREES	810.00	
		Total For Dept 440.000 DEPT. OF PUBLIC WORKS		5,382.78	
Dept 690.000 PARKS AND RECREATION					
101-690.000-801.000	PROFESSIONAL SERVICE	JOHN'S SANITATION	PORTA JOHNS @ PARKS	290.00	
101-690.000-930.000	REPAIR MAINTENANCE	STONE DEPOT LANDSCAPE SU	CRUSHED LIMESTONE - BIKE TRAIL DITCH	48.60	
		Total For Dept 690.000 PARKS AND RECREATION		338.60	
		Total For Fund 101 GENERAL FUND		18,945.69	
Fund 202 MAJOR STREETS					
Dept 474.000 TRAFFIC SERVICES					
202-474.000-740.000	OPERATING EXPENSE	CONTRACTORS CONNECTION	TEMPORARY STOP SIGN	284.00	
		Total For Dept 474.000 TRAFFIC SERVICES		284.00	
Dept 478.000 SNOW PLOWING					
202-478.000-740.000	OPERATING EXPENSE	CARGILL, INCORPORATED	ROAD SALT (41.78)	1,539.53	
202-478.000-740.000	OPERATING EXPENSE	LAWSON PRODUCTS, INC.	SNOW PLOW PARTS	210.99	
202-478.000-740.000	OPERATING EXPENSE	SITEONE LANDSCAPE SUPPLY	PLOW CONTROLLER & CONTROL HARNESS T-2	307.24	
		Total For Dept 478.000 SNOW PLOWING		2,057.76	
Dept 491.000 STORM SEWER					
202-491.000-740.000	OPERATING EXPENSE	COUGAR SALES & RENTAL, I	CONCRETE SAW BLADE & BELT	52.40	
		Total For Dept 491.000 STORM SEWER		52.40	
		Total For Fund 202 MAJOR STREETS		2,394.16	
Fund 203 LOCAL STREETS					
Dept 451.000					
203-451.000-801.000	PROFESSIONAL SERVICE	HUBBELL, ROTH, & CLARK,	N. HAGADORN PAVING IMPROVEMENTS - MAR	3,198.28	
		Total For Dept 451.000		3,198.28	
Dept 478.000 SNOW PLOWING					
203-478.000-740.000	OPERATING EXPENSE	CARGILL, INCORPORATED	ROAD SALT (41.78)	828.98	
203-478.000-740.000	OPERATING EXPENSE	LAWSON PRODUCTS, INC.	SNOW PLOW PARTS	113.61	
203-478.000-740.000	OPERATING EXPENSE	SITEONE LANDSCAPE SUPPLY	PLOW CONTROLLER & CONTROL HARNESS T-2	165.44	
		Total For Dept 478.000 SNOW PLOWING		1,108.03	
Dept 491.000 STORM SEWER					
203-491.000-740.000	OPERATING EXPENSE	COUGAR SALES & RENTAL, I	CONCRETE SAW BLADE & BELT	52.40	

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Fund 203 LOCAL STREETS					
Dept 491.000 STORM SEWER					
			CHICKS TO BE APPROVED 04/09/2018		
			OPEN		
			Total For Dept 491.000 STORM SEWER	52.40	
			Total For Fund 203 LOCAL STREETS	4,358.71	
Fund 509 LAND ACQUISITION					
Dept 000.000					
509-000.000-931.000	BUILDING MAINTENANCE	JOHN MCCARTER CONSTRUCTI	ROOF REPLACED - RENTAL HOUSE	10,636.00	
			Total For Dept 000.000	10,636.00	
			Total For Fund 509 LAND ACQUISITION	10,636.00	
Fund 592 WATER & SEWER					
Dept 540.000 WATER / REPAIR					
592-540.000-740.000	OPERATING EXPENSE	NCL OF WISCONSIN, INC.	LAB SUPPLIES	80.89	
592-540.000-930.000	REPAIR MAINTENANCE	COUGAR SALES & RENTAL, I	CONCRETE SAW BLADE & BELT	52.40	
			Total For Dept 540.000 WATER / REPAIR	133.29	
Dept 550.000 SEWER / REPAIR					
592-550.000-740.000	OPERATING EXPENSE	JACK DOHENY COMPANIES, I	MANHOLE HOOK	24.00	
592-550.000-801.000	PROFESSIONAL SERVICE	HUBBELL, ROTH, & CLARK,	N. LAFAYETTE SANITARY SEWER LINING -	1,522.92	
592-550.000-930.000	REPAIR MAINTENANCE	CI CONTRACTING, INC	PONTIAC TRAIL EMERGENCY SEWER REPAIR	18,658.31	
592-550.000-930.000	REPAIR MAINTENANCE	COUGAR SALES & RENTAL, I	CONCRETE SAW BLADE & BELT	52.40	
592-550.000-930.000	REPAIR MAINTENANCE	HUBBELL, ROTH, & CLARK,	N. LAFAYETTE SANITARY SEWER LINING -	775.48	
592-550.000-930.000	REPAIR MAINTENANCE	MERSINO/GLOBAL PUMP	PONTIAC TRAIL EMERGENCY SEWER MAIN. B	6,364.63	
592-550.000-956.000	MISCELLANEOUS EXPENSE	JACK DOHENY COMPANIES, I	HOSE REEL, JETS & VALVES REPLACED - V	4,500.19	
			Total For Dept 550.000 SEWER / REPAIR	31,897.93	
Dept 556.000 WATER					
592-556.000-727.000	OFFICE SUPPLIES	LB OFFICE PRODUCTS	OFFICE SUPPLIES	11.47	
592-556.000-740.000	OPERATING EXPENSE	COMPLETE BATTERY SOURCE	12 V. BATTERY - WELL 6 RTU	14.84	
592-556.000-740.000	OPERATING EXPENSE	FISHER SCIENTIFIC	LAB SUPPLIES	193.45	
592-556.000-740.000	OPERATING EXPENSE	NCL OF WISCONSIN, INC.	LAB SUPPLIES	32.34	
592-556.000-740.000	OPERATING EXPENSE	PARAGON LABORATORIES, IN	WATER ANALYSIS	2,905.00	
592-556.000-740.000	OPERATING EXPENSE	PVS NOLWOOD CHEMICALS	FLUORIDE	820.80	
592-556.000-801.000	PROFESSIONAL SERVICE	HUBBELL, ROTH, & CLARK,	WTP HS PUMPS VFDS - MARCH 15, 2018 ST	2,840.25	
592-556.000-802.000	CONTRACTUAL SVCS	GFL ENVIRONMENTAL	DUMPSTER & RECYCLING SERVICE PERIOD A	49.05	
592-556.000-802.000	CONTRACTUAL SVCS	HACH COMPANY	LAB EQUIPMENT - 1 YEAR SERVICE AGREEM	919.09	
592-556.000-863.000	VEHICLE MAINTENANCE	ATCO INTERNATIONAL	MECHANIC'S SUPPLIES	27.88	
592-556.000-863.000	VEHICLE MAINTENANCE	O'REILLY AUTO PARTS	STEERING STABILIZER W-8	57.21	
592-556.000-863.000	VEHICLE MAINTENANCE	SHARE CORPORATION	DRAIN & OIL SEPARATOR CLEANER	49.80	
592-556.000-900.000	PRINTING	BIG PDQ	WATER CYCLE POSTERS PRINTED	222.00	
592-556.000-900.000	PRINTING	QUICKSILVER MARKETING SO	BUSINESS CARDS - MICHAEL BOVEN	17.75	
592-556.000-931.000	BUILDING MAINTENANCE	HACH COMPANY	SPECTROPHOTOMETER	2,039.92	
			Total For Dept 556.000 WATER	10,200.85	
Dept 557.000 WASTEWATER					
592-557.000-727.000	OFFICE SUPPLIES	LB OFFICE PRODUCTS	OFFICE SUPPLIES	11.47	

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Fund 592 WATER & SEWER					
Dept 557.000 WASTEWATER					
592-557.000-740.000	OPERATING EXPENSE	ANN ARBOR WELDING SUPPLY	CYLINDER RENTAL	28.84	
592-557.000-740.000	OPERATING EXPENSE	BRIGHTON ANALYTICAL, L.L	WW ANALYSIS	82.50	
592-557.000-740.000	OPERATING EXPENSE	CHEMCO PRODUCTS INC.	POLYMER	4,212.00	
592-557.000-740.000	OPERATING EXPENSE	ENVIRONMENTAL RESOURCE A	WASTEWATER TESTING SAMPLES	1,108.33	
592-557.000-740.000	OPERATING EXPENSE	FISHER SCIENTIFIC	LAB SUPPLIES	193.45	
592-557.000-740.000	OPERATING EXPENSE	GRAINGER	PARTS FOR LIFT STATIONS, BLOWERS & AE	266.05	
592-557.000-740.000	OPERATING EXPENSE	HACH COMPANY	LAB SUPPLIES	2,676.20	
592-557.000-740.000	OPERATING EXPENSE	NCL OF WISCONSIN, INC.	LAB SUPPLIES	389.92	
592-557.000-740.000	OPERATING EXPENSE	O'REILLY AUTO PARTS	MISC. TOOLS	12.99	
592-557.000-740.000	OPERATING EXPENSE	QUALITY FIRST AID & SAFE	GLOVES	37.96	
592-557.000-740.000	OPERATING EXPENSE	REPUBLIC SERVICES #241	PLANT SCREENINGS REMOVAL	822.22	
592-557.000-740.000	OPERATING EXPENSE	STONE DEPOT LANDSCAPE SU	GRAVEL FOR DRYING BEDS	205.20	
592-557.000-802.000	OPERATING EXPENSE	GFL ENVIRONMENTAL	DUMESTER & RECYCLING SERVICE PERIOD A	49.04	
592-557.000-802.000	CONTRACTUAL SVCS	HACH COMPANY	LAB EQUIPMENT - 1 YEAR SERVICE AGREEM	858.85	
592-557.000-802.000	CONTRACTUAL SVCS	QUICKSILVER MARKETING SO	SPECTROPHOTOMETER	17.75	
592-557.000-900.000	PRINTING	HACH COMPANY	BUSINESS CARDS - MICHAEL BOVEN		
592-557.000-931.000	BUILDING MAINTENANCE	HECO, INC.	DEWATERING BLDG. KAESER BLOWER MOTOR	2,039.92	
592-557.000-970.000	CAPITOL IMPROVEMENTS+	PROFESSIONAL PUMP INC	REPAIR KAESER BLOWER	2,920.00	
592-557.000-970.000	CAPITOL IMPROVEMENTS+	PROFESSIONAL PUMP INC	RAW SAMLE PUMP	2,827.00	
592-557.000-977.000	EQUIPMENT			1,185.00	
Total For Dept 557.000 WASTEWATER				19,944.69	
Total For Fund 592 WATER & SEWER				62,176.76	

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CHECKS TO BE APPROVED 04/09/2018

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund Totals:					
			Fund 101 GENERAL FUND	18,945.69	
			Fund 202 MAJOR STREETS	2,394.16	
			Fund 203 LOCAL STREETS	4,388.71	
			Fund 509 LAND ACQUISIT	10,636.00	
			Fund 592 WATER & SEWER	62,176.76	
			Total For All Funds:	98,511.32	

The above checks have been approved for payment.

Lisa Deaton, City Clerk/Treasurer

Daniel L. Pelchat, Mayor

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331
(248) 489-4100 Tax ID# 38-3107356

March 09, 2018

City of South Lyon
Attn: Lisa Deaton, Clerk/Treasurer
335 S. Warren Street
South Lyon, MI 48178

Invoice # 1070194

In Reference To: General Labor Matters

Professional Services Rendered Through February 28, 2018

	<u>Hrs/Rate</u>	<u>Amount</u>
2/1/2018 PAA Telephone conference with Interim City Manager regarding status of Memorandum of Understanding and retirement bargaining	0.20 160.00/hr	32.00
2/22/2018 PAA Telephone conference with Business Agent	0.20 160.00/hr	32.00
2/26/2018 PAA Edit/revise Memorandum of Understanding for IUOE pension change	0.50 160.00/hr	80.00
2/27/2018 PAA Preparation for negotiation with POAM	0.30 160.00/hr	48.00
For professional services rendered	1.20	\$192.00
Previous balance		\$230.00
Balance due		<u>\$422.00</u>

Please include your Invoice Number on your payment. Thank you.

Johnson, Rosati, Schultz & Joppich, P.C.

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331
(248) 489-4100 Tax ID# 38-3107356

March 09, 2018

City of South Lyon
Attn: Lisa Deaton, Clerk/Treasurer
335 S. Warren Street
South Lyon, MI 48178

Invoice # 1070195

In Reference To: Michigan Tax Tribunal Matters

Professional Services Rendered Through February 28, 2018

		<u>Hrs/Rate</u>	<u>Amount</u>
<u>McDonald's/Docket 17-001243</u>			
2/1/2018	SSM Multiple emails to and from Petitioner's attorney regarding settlement language revisions	0.30 130.00/hr	39.00
2/7/2018	SSM Receipt/review of revised Stipulation and agreement	0.20 130.00/hr	26.00
2/9/2018	SSM Receipt/review of Order of Dismissal; Correspondence regarding same	0.30 130.00/hr	39.00
Subtotal:		[0.80	104.00]
For professional services rendered		0.80	\$104.00
Previous balance			\$247.00
Balance due			<u>\$351.00</u>

Johnson, Rosati, Schultz & Joppich, P.C.

Please include your Invoice Number on your payment. Thank you.

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331
(248) 489-4100 Tax ID# 38-3107356

March 09, 2018

City of South Lyon
Attn: Lisa Deaton, Clerk/Treasurer
335 S. Warren Street
South Lyon, MI 48178

Invoice # 107019
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In Reference To: City Attorney Retainer Work

Professional Services Rendered Through February 28, 2018

		<u>Hours</u>
	<u>Arcadis</u>	
2/2/2018	TSW Correspondence to Arcadis regarding status	0.30
	TSW Research regarding indemnity and reimbursement agreements for environmental issues	0.70
2/5/2018	TSW Continued preparation of correspondence to G. Taylor at Arcadis regarding status	0.10
	TSW Continued research of regarding indemnity agreement	0.60
2/6/2018	TSW Receipt/review of correspondence from G. Taylor of Arcadis responding to letter on status of restrictive covenant and other documents	0.10
2/7/2018	TSW Telephone conference with J. Beutler of ASTI regarding revised documents from Arcadis	0.60
2/8/2018	TSW Preparation of agenda note and correspondence to Interim City Manager regarding same	0.20

Johnson, Rosati, Schultz & Joppich, P.C.

			<u>Hours</u>	
2/14/2018	TSW	Telephone conference with BP Amoco attorney regarding Indemnity Agreement	0.10	No Charge
2/16/2018	TSW	Telephone conference with BP Amoco attorney regarding Indemnity Agreement and restrictive covenant	0.20	
SUBTOTAL:			<hr/> 2.90]
<u>City Council</u>				
2/7/2018	CJJ	Receipt/review correspondence from Attorney Salvatore regarding 1-18-18 City Council Meeting	0.10	
	CJJ	Receipt/review correspondence from Council Member Kurtzweil regarding 1-18-18 City Council Meeting	0.10	
2/12/2018	TSW	Preparation for Council Meeting	0.50	
	TSW	Attend Council meeting	2.80	
2/25/2018	TSW	Review of Council minutes of 2/12/18 and agenda packet	0.60	
2/26/2018	TSW	Preparation for Council meeting	1.10	
	TSW	Attend Council meeting	2.80	
SUBTOTAL:			<hr/> 8.00]
<u>District Court Prosecutions</u>				
2/5/2018	MDH	Preparation for 2/6/18 Prosecutions	1.00	

			<u>Hours</u>
2/6/2018	CDS	Receipt/review of Judge Reeds' 2/13/18 Docket	0.10
	MDH	Prosecute morning docket	3.30
2/13/2018	CDS	Prosecute morning docket	3.50
	CDS	Receipt/review of Driver's License ([REDACTED])	0.20
2/19/2018	CDS	Receipt/review correspondence from [REDACTED] ([REDACTED])	0.20
	CDS	Telephone conference with [REDACTED] ([REDACTED])	0.20
2/20/2018	CDS	Receipt/review of Judge Reed's 2/27/18 Docket	0.10
	CDS	Receipt/review of Judge Bondy's 2/27/18 Docket	0.10
	CDS	Review of Stipulation to Adjourn ([REDACTED])	0.20
	CDS	Telephone conference with [REDACTED] ([REDACTED])	0.10
	CDS	Prosecute morning docket	3.00
	CDS	Telephone conference with [REDACTED] ([REDACTED])	0.10
2/22/2018	CDS	Telephone conference with [REDACTED] ([REDACTED])	0.20
2/23/2018	CDS	Telephone conference with [REDACTED] ([REDACTED])	0.20

			<u>Hours</u>
2/26/2018	CDS	Telephone conference with [REDACTED] ([REDACTED])	0.20
	CDS	Receipt/review of Judgment of Sentence ([REDACTED])	0.20
	CDS	Receipt/review of Order Pretrial Release ([REDACTED])	0.20
	CDS	Review of files for 2/27/18 docket	0.40
	CDS	Telephone conference with [REDACTED] ([REDACTED])	0.20
2/27/2018	CDS	Prosecute morning docket	4.00
	CDS	Telephone conference with [REDACTED] ([REDACTED])	0.20
2/28/2018	CDS	Receipt/review of Judge Bondy's 3/6/18 Docket	0.10
	CDS	Receipt/review of Judge Law's 3/6/18 Docket	0.10
	CDS	Receipt/review of Judge Reeds' 3/6/18 Docket	0.10
SUBTOTAL:			<hr/> [18.20]
<u>General City Attorney Work</u>			
2/1/2018	TSW	Continued review of industrial tax abatement policies and statutory requirements; Investigation regarding City's tax incentive policies; Review of past IFT abatements in City; Continued preparation of industrial facilities tax abatement policy	2.50

		<u>Hours</u>
2/1/2018	TSW Receipt/review of draft Memorandum of Understanding with IUOE on change to MERS for new hires	0.10
	TSW Receipt/review of correspondence regarding status of Safe Routes to School grant and project	0.10
2/2/2018	TSW Research regarding Council rules and public comment rules	1.00
	TSW Correspondence to Clerk regarding response to Freedom of Information Act request	0.10
	TSW Multiple correspondence to and from Planning Department regarding draft zoning ordinance and parking requirements	0.10
2/5/2018	TSW Continued research of regarding Council rules on public comment	1.50
	TSW Continued research for industrial facilities tax abatement policies	1.80
2/6/2018	TSW Review of Dangerous Building Ordinance and preparation for meeting regarding building and code enforcement	1.00
	TSW Attend meeting regarding code enforcement	1.50
	TSW Attention to Zoning Board of Appeals appeal and record on appeal; Research regarding membership and MZEA and bylaws	0.80
	TSW Attend meeting with building services provider regarding Planning and Zoning Administration	0.50
	TSW Discussion with Interim City Manager regarding Council agenda items and status	0.30
	TSW Review of resolution amending leave accumulation policy and attention to related matter	0.30

			<u>Hours</u>
2/6/2018	TSW	Receipt/review of from RRASOC regarding draft GFL amendment and extension	0.10
	TSW	Receipt/review of correspondence regarding building code enforcement	0.10
	TSW	Preparation of Agenda Note on Council rules for public comment	0.90
2/7/2018	TSW	Preparation of draft industrial facilities tax abatement policy	1.30
	TSW	Receipt/review of correspondence regarding Michigan Department of Civil Rights Complaint and concerns arising from 1/18/18 meeting and attentio to related issues	1.50
	TSW	Correspondence to Interim City Manager and Council regarding attorney letter advising of Michigan Department of Civil Rights Complaint and concerns arising from 1/18/18 meeting	1.10
	TSW	Receipt/review of correspondence from City regarding code enforcement status	0.10
			No Charge
2/8/2018	TSW	Correspondence to City Manager regarding status and return to work	0.10
	TSW	Telephone conference with Mayor regarding Council agenda items	0.40
	TSW	Attention to issues relating to notice of Michgian Department of Civil Rights complaint	0.70
	LBB	Preparation of correspondence to City Manager regarding Family Medical Leave Act issue	0.80
2/9/2018	TSW	Review of Council agenda, packet and minutes of 1/18, 1/20, and 1/22	1.20
	TSW	Correspondence to Interim City Manager regarding appointment to Board Review	0.80

		<u>Hours</u>
2/10/2018	TSW Review of Council agenda and packet and attention to board membership issues	0.90
2/12/2018	TSW Review of proposal for budget consultants and telephone conference with Interim City Manager regarding same	0.80
	TSW Attention to issues relating to J. Clohosey letter and Complaint	2.10
	TSW Receipt/review of correspondence regarding discrimination complaint filed with Michigan Department of Civil Rights	0.50
	TSW Correspondence to and from and telephone conference with Clerk regarding Freedom of Information Act request	0.10
	TSW Attention to appointment to Board of Review	0.30
	TSW Attention to Family Medical Leave Act issues	0.60
	TSW Telephone conference with Council Member Richards regarding agenda	0.10
	CJJ Receipt/review correspondence from Attorney Salvatore regarding Discrimination Complaint	0.20
2/13/2018	TSW Telephone conference with Mayor regarding Council meeting	0.30
		No Charge
	TSW Attention to discrimination allegation	1.10
	TSW Correspondence to Interim City Manager regarding appointment to Board of Review	0.30
	TSW Attention to building code enforcement matter	0.10

			<u>Hours</u>
2/14/2018	TSW	Telephone conference with Budget Consultant regarding Engagement Letter	0.10 No Charge
	TSW	Attend meeting with owner regarding code enforcement	2.10
	TSW	Attend conference with Interim City Manager regarding personnel matters and miscellaneous matters	0.60
	TSW	Receipt/review of correspondence from Building Official regarding code enforcement matter	0.30
	TSW	Attention to Board membership matter	0.30
	TSW	Multiple correspondence to and from Clerk regarding Freedom of Information Act policy matters	0.20
	TSW	Attention to discrimination complaint	0.70
2/15/2018	TSW	Review and attention to Freedom of Information Act policy matter	0.50
	TSW	Attention to issues relating to discrimination complaint; Legal research regarding federal and state discrimination laws	2.60
	TSW	Telephone conference with B. Camiller regarding budget consultant agreement	0.20
	TSW	Attention to Council rules and correspondence to Council regarding samples	0.60
	TSW	Correspondence to and from Economic Development Director regarding request for industrial facilities tax abatement	0.50
2/16/2018	TSW	Continued review of industrial facilities tax abatement matter	0.80

		<u>Hours</u>
2/16/2018	TSW Legal research regarding laws on public employee political activities	2.50
	TSW Attention to Freedom of Information Act question from staff	0.40
	TSW Research regarding indemnity for budget consultant agreement	0.80
	TSW Telephone conference with Interim City Manager regarding personnel issues and other miscellaneous issues	0.40
2/17/2018	TSW Legal research regarding regulations on political activity by elected officials	0.50
2/19/2018	TSW Correspondence to City regarding document and information hold	0.40
	TSW Attention to Clohosey MDCR charge	0.70
	TSW Continued legal research regarding ELCRA	0.50
	TSW Receipt/review of correspondence from Police Department regarding Freedom of Information Act	0.20
	TSW attention to indemnity provision in Budget Consult Agreement	0.50
	TSW Attention to contract for roof replacement	0.40
2/20/2018	TSW Continued preparation of correspondence to Council regarding City Manager leave of absence	0.50
	TSW Telephone conference with and correspondence to and from MMRMA regarding MDCR Complaint; Telephone conference with Interim City Manager regarding MDCR Complaint, status and referral of coverage	0.30

		<u>Hours</u>
2/20/2018	TSW Investigation regarding Freedom of Information Act request to Police Department; Correspondence to Clerk regarding same	0.50
	TSW Correspondence to Planning Consultant regarding rezoning status; Receipt/review from Interim City Manager regarding status of rezoning request and Planning Commission recommendation	0.10
	TSW Continued preparation of correspondence to Interim City Manager regarding document preservation	0.30
2/21/2018	TSW Telephone conference with Mayor and Clerk regarding hold letter	0.20
		No Charge
	TSW Telephone conference with IT consultant regarding preserving digital information	0.30
	TSW Attention to Freedom of Information Act question on rules and policies	0.40
	TSW Review and revise amendment and extension of the GFL Solid Waste Contract; Correspondence to M. Csapo and S. Caramagno regarding revision; Begin preparation of correspondence to City regarding amendment and extension	1.60
2/22/2018	TSW Correspondence to IT consultant regarding document preservation	0.20
	TSW Preparation of revised agenda note for public comment item and correspondence to Interim City Manager regarding same	0.20
	TSW Continued preparation of correspondence to Interim City Manager regarding GFL proposed amendment and extension; Continue preparation of agenda note regarding GFL contract amendment and extension	0.90
	TSW Correspondence to Police Department regarding Freedom of Information Act request	0.10

			<u>Hours</u>
2/23/2018	TSW	Telephone conference with MDCR regarding status	0.40
	TSW	Attention to status of union negotiations on MERS plan changes for new hires	0.20
	TSW	Receipt/review of correspondence from IT consultant regarding system archives and backups	0.10
	TSW	Telephone conference with Interim City Manager regarding agenda items	0.30
2/25/2018	TSW	Research regarding capital improvement plan requirements	0.60
2/26/2018	TSW	Correspondence to and from GFL and RRRASOC regarding status of amendment and extension	0.10
	TSW	Correspondence to and from Building Official regarding inspection and enforcement matter	0.60
2/27/2018	TSW	Review of IFT abatement request and materials	0.90
	TSW	Multiple correspondence to and from City regarding code inspection and enforcement matter	0.60
	TSW	Review budget consultant engagement letter and research regarding terms and conditions; Correspondence to Interim City Manager regarding review of agreement	0.80
	TSW	Correspondence to and from GFL and RRRASOC regarding status of amendment and extension	0.10
2/28/2018	TSW	Attention to review of budget consultant agreement	0.40
	TSW	Telephone conference with S. Carmagno at GFL regarding recycling carts and amendment and extension agreement	0.20

			<u>Hours</u>
2/28/2018	TSW	Telephone conference with Interim City Manager regarding issues from Council meeting	0.30
	TSW	Telephone conference with Planning Consultant regarding CIP, IFT request, and status of 500 stryker rezoning	0.30
	TSW	Telephone conference with Economic Development Director regarding IFT request	0.30
	TSW	Multiple correspondence to and from City regarding code inspection and enforcement matter	0.20
SUBTOTAL:			<hr/> 56.90
			[]
<u>Ordinance Amendment</u>			
2/14/2018	TSW	Review MZEA and zoning ordinance provision regarding Zoning Board of Appeals membership	0.60
2/15/2018	TSW	Research for ethics ordinance amendment	0.80
	TSW	Research for and begin preparation of service agreement template	1.00
2/16/2018	TSW	Preparation of Zoning Board of Appeals ordinance amendment	0.50
2/18/2018	TSW	Continued preparation of Zoning Board of Appeals ordinance amendment	0.30
2/20/2018	TSW	Preparation of agenda note for ordinance amendment reducing Zoning Board of Appeals membership	0.20
	TSW	Begin preparation of agenda note for ethics ordinance amendment	0.20
2/21/2018	TSW	Continued preparation of agenda note for ethics ordinance amendment	0.40

			<u>Hours</u>
2/22/2018	TSW	Continued preparation of agenda note for ethics ordinance amendment and correspondence to Interim City Manager regarding same	0.50
	TSW	Correspondence to Interim City Manager regarding ordinance amendment to reduce Zoning Board of Appeals membership	0.40
2/23/2018	TSW	Review of ethics ordinance	0.30
2/26/2018	TSW	Review of ethics ordinance amendment and research regarding definitions and disclosure requirements	0.60
SUBTOTAL:			<hr/> 5.80
			[]
<u>Personnel</u>			
2/7/2018	TSW	Attention to personnel Family Medical Leave Act leave matters	0.80
2/13/2018	TSW	Attention to personnel matter regarding leave of absence	1.00
2/14/2018	TSW	Attention to issues regarding City Manager leave of absence	0.70
2/15/2018	TSW	Attention to City Manager leave of absence	0.50
2/18/2018	TSW	Review of City Manager leave of absence information	0.40
2/19/2018	TSW	Attention to issues relating to City Manager leave of absence	1.00
2/20/2018	TSW	Preparation of draft letter to employee requesting certification of leave; Legal research regarding related issues	0.60

			<u>Hours</u>
2/21/2018	TSW	Attention to personnel matter regarding leave of absence	0.30
2/22/2018	TSW	Telephone conference with Bookkeeper regarding personnel matter - Family Medical Leave Act leave; Receipt/review copy of correspondence requesting certification of leave	0.30
2/23/2018	TSW	Attention to personnel matter regarding credit card use policy; Review policy; Legal research; Review personnel manual; Correspondence to and telephone conference with Interim City Manager	2.70
	TSW	Attention to issues relating to City Manager Family Medical Leave Act leave	0.50
2/26/2018	TSW	Attention to questions regarding Family Medical Leave Act leave	0.70
2/27/2018	TSW	Attention to Family Medical Leave Act questions	0.60
2/28/2018	TSW	Attention to personnel matter	0.20
SUBTOTAL:			<hr/> 10.30
			[]
<u>Planning Commission</u>			
2/2/2018	TSW	Review of Planning Commission packet for 2/8/18 meeting	0.30
2/5/2018	TSW	Review of 500 Stryker conditional zoning and current rezoning request	0.60
	TSW	Correspondence to and from Planning Consultant regarding Planning Commission agenda items and status	0.20
	TSW	Correspondence to Planning Director and Planning Commission regarding issues for upcoming meeting	0.30

			<u>Hours</u>
2/8/2018	TSW	Attend Planning Commission Meeting	1.60
SUBTOTAL:			<hr/> 3.00
<u>Zoning Board of Appeals</u>			
2/1/2018	TSW	Continued preparation of correspondence to Zoning Board of Appeals regarding administrative appeal	2.40
	TSW	Telephone conference with Zoning Board of Appeals Chair regarding Alexander Appeal	0.20
	TSW	Receipt/review of correspondence from Planning Director regarding documents for Alexander Center administrative appeal	0.10
2/5/2018	TSW	Attention to matters relating to Zoning Board of Appeals case 2018-001 Alexander Center appeal	1.40
	TSW	Telephone conference with Planning Director regarding Zoning Board of Appeals case 2018-001 and record for appeal	0.30
2/8/2018	TSW	Review of Record on Appeal for Zoning Board of Appeals case 18-001 administrative appeal	1.10
	TSW	Telephone conference with Zoning Board of Appeals Chair regarding appeal status and related matters	0.20
2/9/2018	TSW	Research regarding conflicts of interest; Correspondence to Zoning Board of Appeals Chair regarding conflict of interest	1.00
2/12/2018	TSW	Correspondence to and from opposing counsel regarding Zoning Board of Appeals Case 2018-001 Alexander Center appeal	0.30
2/13/2018	TSW	Correspondence to Interim City Manager regarding Zoning Board of Appeals membership and Zoning Board of Appeals case 2018-001	0.40

	<u>Hours</u>	
2/13/2018 TSW Telephone conference with attorney for Alexander Center regarding status of administrative appeal	0.30	
SUBTOTAL:	[7.70]	

	<u>Amount</u>
For professional services rendered	112.80 \$13,320.00

Additional charges:

	<u>Qty/Price</u>	
<u>Zoning Board of Appeals</u>		
2/5/2018 Postage - Correspondence to Planning Director	1	
	\$2.68	\$2.68
SUBTOTAL:	[\$2.68]	

Total costs	\$2.68
Previous balance	\$12,577.50
Balance due	<u>\$25,900.18</u>

Please include your Invoice Number on your payment. Thank you.

Monthly flat fee of \$9,000.00 for first 80 hours of work. Anything over 80 hours to be billed at the hourly rate of \$135.00

AGENDA NOTE

Old Business: Item # 2

MEETING DATE: April 9, 2018

PERSON PLACING ITEM ON AGENDA: City Attorney

AGENDA TOPIC: Liquor Licensing Ordinance – Second Reading

EXPLANATION OF TOPIC: On 3/26/18 Council approved the first reading of the liquor license ordinance.

A revised ordinance is presented for second reading. The Ordinance contains the following:

Chapter 8 – Alcoholic Liquor

Article I – General

Sections 8-1 – 8-30 Reserved

Article II – Licensing

Section 8-31 Short Title

Section 8-32 Statement of Purpose

Section 8-33 Definitions

Section 8-34 License required

Section 8-35 Application and review procedures

Section 8-36 License transfers

Section 8-37 Objections to renewal and requests for revocation

Section 8-38 Fees

Section 8-39 Nudity

Sections 8-40 – 8-69 Reserved

As background, the City does not have a liquor licensing ordinance. It has one (1) Class C quota license available for an on-premises liquor establishment. With renewed interest in the downtown and increasing economic development occurring in the community, Council should consider adopting a liquor licensing ordinance to formalize the procedures for reviewing and deciding to approve or deny applications for on-premises liquor licenses.

The regulation of alcoholic liquor is governed by the Michigan Liquor Control Code, Public Act 58 of 1998 (the “Act”). The Act created the Michigan Liquor Control Commission (MLCC) which is the State administrative agency responsible for liquor licensing. The Michigan Administrative Code also contains rules applicable to various aspects of alcoholic liquors including licensing and sales.

In 2012, the MLCC made significant changes to the State liquor licensing process. The most important change affecting local communities was the elimination of a local

approval requirement for license transfers and other types of permits. Also, in 2012, a federal district struck down, as unconstitutional, the MLCC provisions pertaining to various permits such as dance, entertainment, topless activity, and extended hours permits. The trend at the state level has been to make liquor licensing more friendly to the applicants and business owners and to eliminate or restrict local approval requirements. Local approval of new (as opposed to transfer licenses) on-premises liquor licenses is still required under the Act. Liquor licensing involves a broad and complex set of laws and regulations. Documents from the MLCC website and other relevant materials, such as MLCC Bulletins, have been included to provide background and context for the ordinance.

The primary purpose of the proposed liquor licensing ordinance is to provide for an application and review process which the City can use in deciding to approve or deny applications for on-premises licenses.

The proposed ordinance is intended to be consistent with the Act and applicable regulations. Generally, the ordinance contains requirements and procedures for receiving and reviewing applications for on-premises licenses. Application and permit forms will need to be prepared. The ordinance provides for investigation by relevant city departments. The review criteria for use by staff and Council are also set forth in detail. This list can be added to or criteria can be deleted. The Economic Development Director has offered additional suggestions for criteria to be added which address priorities for encouraging investment in and preservation of historic buildings, and other criteria such as whether the proposed liquor establishment is located within the historic core downtown area, the DDA district, and does it comply with the Master Plan.

There are provision addressing license transfers. Note, the changes by MLCC altered the role of local units of government in the license transfer approval process. The City is allowed to offer comments to the MLCC regarding transfers, but local approval is not required for a transfer. The concern for South Lyon is the transfer of quota licenses out of the City. Some communities prohibit license transfers for a period of time similar to State law, some restrict transfers to other locations within the community, and others require an agreement and include provisions for the revocation of the license in the event of an attempt to transfer it out of the community.

The 3/21/18 version requires City Council approval for transfer of the location of an on-premises license within 3 years after the original issuance date. Generally, license transfers, including ownership and location, are subject to MLCC consent. The Liquor Control Code provides that Class C and SDD licenses will not be transferred for 3 years after issuance unless the licensee can show an unusual hardship. MCL 436.1501(2).

The ordinance also contains provisions to address conditional approvals which might apply to liquor establishments that need approvals to construct buildings or complete renovations or buildouts.

There are also provisions establishing the criteria and procedures for City objections to renewals of liquor licenses (not limited to on-premises) or its request for the revocation of a liquor license.

Provisions removed since 1/22/18 include the plan of operation requirement and the requirement for city approval of substantial changes and revisions to the transfer provision.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- Revised ordinance – clean 3/21/18 version
- Revised ordinance – clean 1/22/18 version
- Ordinance – redline showing changes from 1/22/18
- MCL 436.1501
- Overview of MLCC
- MLCC Class C Licensing Requirements
- MLCC Approval Chart
- MLCC Retail License and Permit Application
- MLCC Local Governmental Approval form
- Objections to Renewals and Recommendations for Revocation
- MLCC Bulletin 2012-12 – Changes to License Application Process
- MLCC Bulletin 2012-04 – Escrow Fees
- Rule 36.1107 Renewal of License

POSSIBLE COURSES OF ACTION: Approve/deny/postpone/table/no action

RECOMMENDATION: Approve second reading of 1/22/18 version of liquor license ordinance.

SUGGESTED MOTION: Motion to approve the second reading of an ordinance to add Chapter 8 – Alcoholic Liquor, Sections 8-1 through 8-69, VERSION DATE 1/22/18 to the City of South Lyon Code of Ordinances to provide policies, procedures and regulations for liquor licenses and the operation of licensed premises.

ORDINANCE NO. __-18

CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO ADD CHAPTER 8 – ALCOHOLIC LIQUOR – TO THE CITY OF SOUTH LYON CODE OF ORDINANCES TO PROVIDE POLICIES AND REGULATIONS FOR THE APPLICATION, REVIEW, ISSUANCE, TRANSFER, RENEWAL, REVOCATION AND ENFORCEMENT OF LIQUOR LICENSES AND FOR THE OPERATION OF LICENSED PREMISES.

THE CITY OF SOUTH LYON ORDAINS:

PART I. Addition of Chapter 8. Chapter 8 – Alcoholic Liquor – is hereby added to the City of South Lyon Code of Ordinances, to read in its entirety as follows:

CHAPTER 8 – ALCOHOLIC LIQUOR

ARTICLE I – GENERAL

Secs. 8-1 – 8-30. - Reserved.

ARTICLE II – LICENSING

Sec. 8-31. - Short title.

This ordinance shall be known and may be cited as the City of South Lyon "Liquor License Ordinance."

Sec. 8-32. - Statement of purpose.

The purpose of this article is to establish the city's policies and procedures for regulating liquor licenses including application and review procedures for the issuance of new on-premises licenses, transfers of on-premises licenses into and within the city and among owners and/or applicants, and for the renewal and revocation of liquor licenses. The process is intended to ensure that the individuals and entities seeking licenses or who propose to operate licensed on-premises liquor establishments within the city meet certain minimum requirements as to background, experience, financial resources, business operations and management and that the proposed establishment meets the needs of the community. It requires the city council to review application information in light of certain criteria to identify the kinds of applicants and establishments that best qualify for a license and best meet the needs of the City and its residents. It reserves to the city any and all discretion afforded to it under applicable laws relating to the issuance of on-premises licenses. It is the intent of the city that approved licenses shall be put into use immediately following approval.

Sec. 8-33. – Definitions.

The following definitions shall apply to this chapter:

(a) *Act* means the Michigan Liquor Control Code of 1998, Public Act 58 of 1998, MCL 436.1101 et seq., as amended.

(b) *Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, powder, liquids, and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing 1/2 of 1% or more of alcohol by volume that are fit for use for food purposes or beverage purposes as defined and classified by the Michigan Liquor Control Commission.

(c) *Applicant* means and includes all persons and entities proposed to be owners of the license and/or of the licensed premises, all key personnel involved in the management and operation of the licensed business, and all persons and entities proposed to be involved in the finance of the license and/or licensed premises. Applicant includes all owners, shareholders, officers, partners, members, and managers of an entity applying for a license.

(d) *Brewpub* means a license issued in conjunction with a class C, tavern, class A hotel, or class B hotel license that authorizes the person licensed with the class C, tavern, class A hotel, or class B hotel to manufacture and brew not more than 18,000 barrels of beer per calendar year in Michigan and sell at those licensed premises the beer produced for consumption on or off the licensed brewery premises in the manner provided for in sections 405 and 407 of the Michigan Liquor Control Code of 1998. A brewpub is considered a hybrid on- and off-premises liquor license.

(e) *Class C license* means a place licensed to sell at retail beer, wine, mixed spirit drink, and spirits for consumption on the premises.

(f) *Club license* means a liquor license issued to a club as defined by section 107 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1107).

(g) *Establishment* means a business or premises whose primary function is the serving of alcoholic beverages for consumption on-premises.

(h) *Hotel license* means a liquor license issued to a hotel as defined in section 107 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1107).

(i) *License* means a contract between the commission and the licensee granting authority to that licensee to manufacture and sell, or sell, or warehouse alcoholic liquor in the manner provided by the Act.

(j) *Licensee* means an individual or entity holding a license issued under this chapter or by the Michigan Liquor Control Commission.

(k) *Michigan Liquor Control Commission* and *MLCC* mean the liquor control commission provided for and created in Section 209 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1209).

(l) *Micro brewer* means a brewer that produces in total less than 60,000 barrels of beer per year and that may sell the beer produced to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers as provided in MCL 436.1203. In determining the 60,000-barrel threshold, all brands and labels of a brewer, whether brewed in this state or outside this state, shall be combined and all facilities for the production of beer that are owned or controlled by the same person shall be treated as a single facility.

(m) *Minor* means an individual less than 21 years of age.

(n) *Off-premises license* means a liquor license to sell alcoholic liquor at retail for consumption off the licensed premises, including SDD, SDM, and other licenses designated as such in the Act.

(o) *On-premises license* shall mean a liquor license to sell alcoholic liquor at retail for consumption on the licensed premises, including Class C, tavern, resort, club, hotel, brewpub and micro brewer licenses.

(p) *Person* means an individual, firm, partnership, limited partnership, association, limited liability company, or corporation.

(q) *Resort license* means a liquor license issued by the Michigan Liquor Control Commission in a resort area, without regard to other liquor control commission quota requirements, in accordance with the Michigan Liquor Control Code of 1998, Public Act 58 of 1998.

(r) *Sale* includes the exchange, barter, traffic, furnishing, or giving away of alcoholic liquor.

(s) *Special license* means a contract between the commission and the special licensee granting authority to that licensee to sell beer, wine, mixed spirit drink, or spirits. The license shall be granted only to such persons and such organization and for such period of time as the commission shall determine so long as the person or organization is able to demonstrate an existence separate from an affiliated umbrella organization. If such an existence is demonstrated, the commission shall not deny a special license solely by the applicant's affiliation with an organization that is also eligible for a special license.

(t) *Special permit* includes, but is not limited to, outdoor service permits, one-day licenses, after hours permits, temporary dance, entertainment, or add bar permits, specific purpose permits, and special licenses, as those terms are defined and utilized in the Michigan Liquor Control Code of 1998, Public Act 58 of 1998.

(u) *Specially designated distributor (SDD)* means a person engaged in an established business licensed by the commission to distribute spirits and mixed spirit drink in the original package for the commission for consumption off the premises.

(v) *Specially designated merchant (SDM)* means a person to whom the commission grants a license to sell beer or wine, or both, at retail for consumption off the licensed premises.

(w) *Tavern* means any place licensed to sell retail beer and wine for consumption on the premises only.

Sec. 8-34. – License required.

No person shall engage in the business of selling alcoholic liquor for consumption on premises in the City of South Lyon, transfer such a license into the city, transfer ownership or location of such a license within of the city, without first obtaining an approval for same by the city council as provided for in this chapter and also obtaining a license or approval therefor as required by the Act and MLCC.

Licensees shall comply with all applicable state and city regulations, and this chapter.

Sec. 8-35. – Application and review procedures.

(a) *Application.* In addition to such application(s) as may be required by the Act and the Michigan Liquor Control Commission for licensing by the State of Michigan, each applicant for a new on-premises license, transfer of an on-premises license into the city, or relocation or transfer of an existing on-premises license within the city or among owners and applicants, shall submit to the city clerk's office a fully completed "City of South Lyon Liquor License Application" on a form furnished by the clerk's office signed by the applicant or a duly authorized agent, along with the required fee(s) and all additional documents and materials referred to in the application form or otherwise required under this article.

(b) *Required information.* The applicant shall include, with the application, at least the following:

- (1) Name and address of the applicant. If the applicant is a partnership, the name and address of each partner shall be provided, and a copy of any partnership agreement attached. If the applicant is a privately-held corporation, the names and addresses of all corporate officers, members of the board of directors, and stockholders shall be provided, and a copy of the articles of incorporation attached. If the applicant is a publicly-held corporation, the names and addresses of all corporate officers, members of the board of directors, and stockholders who own ten percent (10%) or more of the corporate stock shall be provided. If the applicant is a limited liability company, the names and addresses of all members, managers and assignees of membership interests shall be provided, and a copy of the articles of organization attached.
- (2) The type of license and/or related permit(s) requested.
- (3) The address, legal description, and zoning district of the property where the licensed establishment is to be located.
- (4) The name and address of the record fee owner of the premises, and, if the applicant is not the owner, proof of its interest in or right to occupy the premises.

- (5) Building and site plans showing the site and existing structures for the proposed establishment demonstrating compliance with zoning requirements, adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for sound barriers and noise control. If the establishment is to be located in a proposed building for which site plan approval has not yet been obtained, or in an existing building that is to be remodeled, a conceptual plan showing the relationship of the building to the surrounding properties and uses, and proposed building elevations.
- (6) A written statement as to the applicant's character, experience, and financial ability to meet the obligations and business undertakings for which the license is to be issued, including the length of time the applicant has been in business of that character, or in the case of a partnership or other business entity, the date when it was created, established or organized.
- (7) Three (3) written references as to the applicant's character, experience, and financial ability to meet the obligations and business undertakings for which the license is desired.
- (8) A written statement identifying the source of all funds which will be relied upon for the establishment and operation of the proposed establishment sought to be licensed including the name and address of the financial institution where such funds are deposited.
- (9) A statement whether the applicant has operated or made application for a similar or another license on any premises other than described in this application, and the status or disposition of such license or application.
- (10) Whether a manager or person other than the applicant will manage the operations of the proposed establishment, and if so, the identity(ies) of such managers or persons.
- (11) A criminal background report of the applicant's criminal history through the Internet Criminal History Access Tool (ICHAT). The applicant is responsible for all charges incurred in requesting and receiving the ICHAT report and the report must be dated within thirty (30) days of the date of the application.
- (12) A statement that the applicant is not disqualified to receive a license for any reason under this chapter or state law.
- (13) An accurate record and history of any liquor license or Liquor Control Act violations by the applicant, and any entity the applicant has worked for or had a substantial interest in, or by a parent or subsidiary entity of the applicant for the immediate preceding five (5) years.
- (14) A written statement explaining in detail how the application and applicant meet the review criteria listed in subsection (f).

- (15) Any other information pertinent to the applicant, premises, and operation of the proposed establishment as may be required by this chapter, including information regarding each of the criteria listed in subsection (f).

(c) *Investigation.* Following receipt of a complete application, fees and other information as may be requested by the city, the city manager will refer the application to the police department, fire department, planning department, building department, economic development department, public works department, and such other departments as deemed appropriate, which departments shall cause a thorough review and investigation of the applicant(s) and premises to be completed, including, but not limited to, an investigation regarding the background of the applicant(s) and owners, a complete history of past business and experience and liquor law violations, the proposed premises, code compliance, payment of taxes and utility charges, availability of utilities. The findings and results of the investigations, including where applicable, recommendations, shall be provided to the city manager, who shall then report same to the city council. In making its reviews and investigations, the city, and its departments, may request other pertinent information from the applicant.

(d) *Placement upon city council agenda.* Upon receipt by the city manager of the findings, results, and recommendations of the department investigations, the city manager shall place the application on a city council agenda for consideration. Due notice will be provided to the applicant, and the applicant will be required to appear before the city council and make an oral and/or written presentation and address any questions concerning the application.

(e) *City council action required.* All applications are subject to action by the city council. The city council may approve with or without conditions, postpone consideration for a reasonable period, or deny the license. If the license is either approved or denied, the city council shall cause its decision to be transmitted to the Michigan Liquor Control Commission and promptly give notice of the decision to the applicant, in writing. Unless otherwise indicated by the city council, all approvals are conditioned upon the applicant obtaining any required building permits and any other necessary permits, licenses, or approvals from the city, including special land use approval, or approvals from other regulatory agencies within sixty (60) days or such other time period specified by the city council from the date of such conditional approval. The construction of new buildings and alterations of existing buildings shall commence within six (6) months after the date of the conditional approval, with a completion date of no more than one (1) year after the issuance of the relevant building permit. Extensions of time for completion of construction or alteration or to meet conditions may be granted by the city council for good cause as determined in its sole discretion. Failure to comply with such conditions shall render the license, and any approval, subject to revocation.

(f) *Review criteria.* In making its determination pursuant to section 8-35(e), the city council may consider and/or weigh, in its discretion, the following factors:

- (1) Surrounding land uses and proximity to residences, schools, and churches, and any potential adverse effect the surrounding area and land uses, including vehicular and pedestrian traffic and movement, parking, noise and input from residents and businesses.

- (2) The investigations, findings and recommendations of the city departments regarding the applicant, application, and proposed premises and establishment.
- (3) The applicant's history and experience, if any, in conducting a business holding a liquor license, including history of MLCC violations and other business and operations and management experience.
- (4) The applicant's financial status and its ability to build and/or operate the proposed establishment.
- (5) Past criminal convictions of the applicant for felonies and crimes involving moral turpitude, violence, or alcoholic liquors, including, but not limited to: gambling, prostitution, weapons, tax evasion, fraudulent activity, controlled substances, crimes or violations of such a nature that it may impair the ability of the applicant to operate a licensed establishment in a safe and competent manner.
- (6) Non-payment or late payment of taxes and utility bills.
- (7) The availability of utilities to serve the proposed establishment.
- (8) Compliance with applicable building, plumbing, electrical and fire prevention codes, zoning ordinance, or other applicable ordinances, laws, codes, and regulations.
- (9) The nature and extent of preservation or restoration of existing or historic buildings.
- (10) The number, proximity and capacity of similar licensed establishments in the city and surrounding area.
- (11) The amount to be invested in the proposed premises/establishment and the effect on the economic development of the city or the surrounding area.
- (12) Whether the proposed establishment is part of a multi-use project with substantial new retail, office or residential components; the size of the proposed establishment relative to the overall project or development.
- (13) Whether the applicant has demonstrated a public need or convenience for the issuance of the liquor license for the business establishment at the location proposed.
- (14) The type or character of proposed establishment and services, including the menu and entertainment to be offered, the overall theme, atmosphere, or ambiance of the proposed business, the proposed hours and days of operation, the proposed ratio of sales of food to alcohol, the size and

percent of floor area devoted to kitchen, dining, dance floor, bar, outdoor service areas.

- (15) The impact of the establishment on city policing and code enforcement activities, and the possibility of consequent costs to the city.
- (16) The overall benefits and/or detriments of the proposed establishment to the city.
- (17) Any other factors that may affect the health, safety and/or welfare of the general public.

(g) *Restrictions on licenses.* No license shall be issued to the following unless such applicable restriction is waived by city council:

- (1) Any person whose liquor license has been revoked or not renewed for cause under this article, or a comparable local ordinance or state law, whether in Michigan or otherwise.
- (2) Any person who, at the time of application or renewal of any license issued hereunder, would not be eligible for such license upon a first application.
- (3) Any applicant, including any owner, shareholder, officer, partner, member, manager, or assignee thereof, owning a ten percent (10%) interest or more would not be eligible to receive a license hereunder or the Act for any reason.
- (4) Any person who does not own the premises for which a license is sought or does not have a lease or other right to possess or occupy the premises for the full period for which the license is issued.
- (5) Any law enforcement official or any member of the council, or to any such official having interest in any way, either directly or indirectly, in manufacture, sale or distribution of alcoholic liquor.
- (6) Any applicant who omits or falsifies any information required by this article.
- (7) Any premises where there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations or any other applicable city ordinance without approved arrangements for correction or achieving compliance.
- (8) Any premises that does not, or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, noise or nuisance control, or such new construction or remodeling as proposed would not be completed.

(h) *Changes after conditional approval.* After receipt of a conditional approval by the city council, no site plan, floor plan, building elevation, seating arrangement, kitchen layout, or

other pertinent facts, drawings, or documents submitted to the city may be changed without the applicant first receiving approval from the city planning, engineering, and building departments and city council.

(i) *Recommendation for approval of liquor license.* Upon completion of the building and/or improvements and satisfaction of all other conditions and in accordance with the prior conditional approval of the city council and resolution, if applicable, the city council shall then recommend, above all others, the applicant for approval of the liquor license to the Liquor Control Commission of the State of Michigan.

(j) *Reservation of authority.* No applicant for a liquor license has a right to the issuance of such license, and the city council reserves the right to exercise reasonable discretion to determine who, if anyone, shall be entitled to the issuance of such licenses.

Sec. 8-36. – License transfers.

(a) The transfer of any on-premises liquor license into, within, or out of the city within three (3) years of the date of original issuance of the license shall require approval of the city council.

(b) An applicant for approval of a license transfer under this section shall:

- (1) Submit a license transfer application with all of the information required under Section 8-35(b) above for a new on-premises license;
- (2) Pay the applicable fees;
- (3) Furnish any necessary authorization allowing the city access to any and all files which may be in the Michigan Liquor Control Commission's possession regarding the transferee as a present licensee, or as a previous licensee, or in which transferee has or has had a partial interest in.

(c) In reviewing an application for license transfer under this section, the city council may consider the criteria listed in Section 8-35(f) and any other criteria it deems relevant and appropriate, including any unusual financial hardship to the licensee which would result from a denial of a license transfer application due to no fault of its own, changes in the business climate, illness or death, labor or supply problems, and/or other factors outside the licensee's control. Requests for license transfers shall be approved or denied in the sole discretion of the city council.

Sec. 8-37. – Objections to renewal and requests for revocation.

(a) *Generally.* The city council may, at any time, review a license and object to a renewal or request the revocation of a liquor license with the MLCC.

(b) *Procedure.* Before filing an objection to the renewal or requesting revocation of a license with the MLCC, the city shall serve the licensee a notice of hearing, by first class mail, mailed not less than ten (10) days prior to the hearing, which shall contain the following information:

- (1) Reason(s) for the hearing and proposed action.
- (2) Date, time and place of the hearing.
- (3) A statement that the licensee may present evidence and testimony, and may confront witnesses and may be represented by a licensed attorney.

(c) *Hearing and final decision.* The hearing may be conducted by city council as a whole, or by a hearing officer appointed by the city council for such purposes. If a hearing officer is appointed, it shall be the officer's duty to conduct the hearing and hear and take evidence and testimony. After the hearing, the hearing officer shall make a recommendation to the city council for its ultimate final review and decision. The city council shall submit to the licensee and the MLCC, a written statement of its ultimate findings and determination.

(d) *Criteria for non-renewal or revocation.* The city council may recommend non-renewal or request revocation of a license upon a determination by it that, based upon a preponderance of the evidence presented at a hearing, any of the following exists:

- (1) A violation of any section of this chapter, the Act, or the rules and regulations of the MLCC, including sales of alcoholic liquor to minors.
- (2) A violation of any applicable building, electrical, mechanical, plumbing or fire code; applicable zoning regulations; applicable public health regulations; applicable rules and regulations of the county health department; or any other applicable city code provision.
- (3) Maintenance of a nuisance on the premises.
- (4) A license being or remaining unused or inactive for one (1) year after being issued without further approval from the city council.
- (5) A license being placed in and remaining in escrow for five (5) years or more.
- (6) A material change in those conditions, statements or representations contained in the written application by the licensee upon which the city council based its recommendation for approval, when, in the judgment of the city council, that change is found to be contrary to the best interest of the city and/or its residents.
- (7) A licensee has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance.
- (8) The premises does not, or will not reasonably soon, have adequate off-street parking, lighting, refuse disposal facilities, screening, noise or nuisance control where a nuisance does or will exist.
- (9) Non-payment of taxes relating to the premises related to the license.

- (10) Other factors negatively impacting the general health, safety and welfare of the community and the public.

Sec. 8-38. – Fees.

Each applicant for a new on-premises license or license transfer shall pay a nonrefundable application investigation fee in an amount set by city council resolution. Such fee will be in addition to any fee(s) required by the MLCC.

Sec 8-39. – Nudity.

No person, while appearing in a state of public nudity as defined in Section 5h of Act 279 of 1909, being MCL 117.5h, shall frequent, loiter, work for or perform in any establishment licensed or subject to licensing by the state liquor control commission. No proprietor or operator of any such establishment shall allow the presence in such establishment of any person who violates the provisions of this section.

Sec. 8-40 through 8-69. Reserved.

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

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

PART V. Effective Date; Publication. This ordinance shall take effect upon the later of ten (10) days after adoption or upon publication thereof as provided by the Charter of the City of South Lyon.

Made, passed and adopted by the South Lyon City Council this ____ day of _____, 2018.

Daniel L. Pelchat, 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 _____, 2018.

Lisa Deaton, City Clerk

Adopted:
Published:
Effective:

DRAFT

ORDINANCE NO. __-18

CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO ADD CHAPTER 8 – ALCOHOLIC LIQUOR – TO THE CITY OF SOUTH LYON CODE OF ORDINANCES TO PROVIDE POLICIES AND REGULATIONS FOR THE APPLICATION, REVIEW, ISSUANCE, TRANSFER, RENEWAL, REVOCATION AND ENFORCEMENT OF LIQUOR LICENSES AND FOR THE OPERATION OF LICENSED PREMISES.

THE CITY OF SOUTH LYON ORDAINS:

PART I. Addition of Chapter 8. Chapter 8 – Alcoholic Liquor – is hereby added to the City of South Lyon Code of Ordinances, to read in its entirety as follows:

CHAPTER 8 – ALCOHOLIC LIQUOR

ARTICLE I – GENERAL

Secs. 8-1 – 8-30. - Reserved.

ARTICLE II – LICENSING

Sec. 8-31. - Short title.

This ordinance shall be known and may be cited as the City of South Lyon "Liquor License Ordinance."

Sec. 8-32. – Statement of purpose.

The purpose of this article is to establish the city's policies and procedures for regulating liquor licenses including application and review procedures for the issuance of new on-premises licenses, transfers of on-premises licenses into and within the city and among owners and/or applicants, and for the renewal and revocation of liquor licenses. The process is intended to ensure that the individuals and entities seeking licenses or who propose to operate licensed on-premises liquor establishments within the city meet certain minimum requirements as to background, experience, financial resources, business operations and management and that the proposed establishment meets the needs of the community. It requires the city council to review application information in light of certain criteria to identify the kinds of applicants and establishments that best qualify for a license and best meet the needs of the City and its residents. It reserves to the city any and all discretion afforded to it under applicable laws relating to the issuance of on-premises licenses.

Sec. 8-33. – Definitions.

The following definitions shall apply to this chapter:

(a) *Act* means the Michigan Liquor Control Code of 1998, Public Act 58 of 1998, MCL 436.1101 et seq., as amended.

(b) *Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, powder, liquids, and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing 1/2 of 1% or more of alcohol by volume that is fit for use for food purposes or beverage purposes as defined and classified by the Michigan Liquor Control Commission.

(c) *Applicant* means and includes all persons and entities proposed to be owners of the license and/or of the licensed premises, all key personnel involved in the management and operation of the licensed business, and all persons and entities proposed to be involved in the finance of the license and/or licensed premises. Applicant includes all owners, shareholders, officers, partners, members, and managers of an entity applying for a license.

(d) *Brewpub* means a license issued in conjunction with a class C, tavern, class A hotel, or class B hotel license that authorizes the person licensed with the class C, tavern, class A hotel, or class B hotel to manufacture and brew not more than 18,000 barrels of beer per calendar year in Michigan and sell at those licensed premises the beer produced for consumption on or off the licensed brewery premises in the manner provided for in sections 405 and 407 of the Michigan Liquor Control Code of 1998. A brewpub is considered a hybrid on- and off-premises liquor license.

(e) *Class C license* means a place licensed to sell at retail beer, wine, mixed spirit drink, and spirits for consumption on the premises.

(f) *Club license* means a liquor license issued to a club as defined by section 107 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1107).

(g) *Establishment* means a business or premises whose primary function is the serving of alcoholic beverages for consumption on-premises.

(h) *Hotel license* means a liquor license issued to a hotel as defined in section 107 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1107).

(i) *License* means a contract between the commission and the licensee granting authority to that licensee to manufacture and sell, or sell, or warehouse alcoholic liquor in the manner provided by the Act.

(j) *Licensee* means an individual or entity holding a license issued under this chapter or by the Michigan Liquor Control Commission.

(k) *Michigan Liquor Control Commission* and *MLCC* mean the liquor control commission provided for and created in Section 209 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1209).

(l) *Micro brewer* means a brewer that produces in total less than 60,000 barrels of beer per year and that may sell the beer produced to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers as provided in MCL 436.1203. In determining the 60,000-barrel threshold, all brands and labels of a brewer, whether brewed in this state or outside this state, shall be combined and all facilities for the production of beer that are owned or controlled by the same person shall be treated as a single facility.

(m) *Minor* means an individual less than 21 years of age.

(n) *Off-premises license* means a liquor license to sell alcoholic liquor at retail for consumption off the licensed premises, including SDD, SDM, and other licenses designated as such in the Act.

(o) *On-premises license* shall mean a liquor license to sell alcoholic liquor at retail for consumption on the licensed premises, including Class C, tavern, resort, club, hotel, brewpub and micro brewer licenses.

(p) *Person* means an individual, firm, partnership, limited partnership, association, limited liability company, or corporation.

(q) *Resort license* means a liquor license issued by the Michigan Liquor Control Commission in a resort area, without regard to other liquor control commission quota requirements, in accordance with the Michigan Liquor Control Code of 1998, Public Act 58 of 1998.

(r) *Sale* includes the exchange, barter, traffic, furnishing, or giving away of alcoholic liquor.

(s) *Special license* means a contract between the commission and the special licensee granting authority to that licensee to sell beer, wine, mixed spirit drink, or spirits. The license shall be granted only to such persons and such organization and for such period of time as the commission shall determine so long as the person or organization is able to demonstrate an existence separate from an affiliated umbrella organization. If such an existence is demonstrated, the commission shall not deny a special license solely by the applicant's affiliation with an organization that is also eligible for a special license.

(t) *Special permit* includes, but is not limited to, outdoor service permits, one-day licenses, after hours permits, temporary dance, entertainment, or add bar permits, specific purpose permits, and special licenses, as those terms are defined and utilized in the Michigan Liquor Control Code of 1998, Public Act 58 of 1998.

(u) *Specially designated distributor (SDD)* means a person engaged in an established business licensed by the commission to distribute spirits and mixed spirit drink in the original package for the commission for consumption off the premises.

(v) *Specially designated merchant (SDM)* means a person to whom the commission grants a license to sell beer or wine, or both, at retail for consumption off the licensed premises.

(w) *Tavern* means any place licensed to sell retail beer and wine for consumption on the premises only.

Sec. 8-34. – License required.

No person shall engage in the business of selling alcoholic liquor for consumption on premises in the City of South Lyon, transfer such a license into the city, transfer ownership or location of such a license within of the city, without first obtaining an approval for same by the city council as provided for in this chapter and also obtaining a license or approval therefor as required by the Act and MLCC.

Sec. 8-35. – Plan of operation required.

(a) *Plan of operation.* All on premises licensees shall operate in accordance with a plan of operation approved by the city council.

(b) *Contents of plan.* A plan of operation shall contain an operational statement outlining the proposed manner in which the establishment will be continuously operated consistent with the requirements of this chapter and the city code of ordinances, including, but not limited to, the opening date, the business concept, the anticipated food-to-alcohol ratio, a schedule of the days and hours of operation, method of alcohol management, crowd control/security, use of building facilities, parking facilities and arrangements, plan for interior use and layout, exterior design, layout of any ancillary facilities on the site, dance/entertainment permits needed or requested, estimated cost of building and site improvements, and any other pertinent information as requested by the city.

(c) *Use of liquor license.* It is the intent of the city that approved licenses shall be put into use immediately following approval. Non-use, inactivity, escrowing, or warehousing of licenses is prohibited in the plan of operation.

(d) *Compliance.* Licensees shall comply with all applicable state and city regulations, this chapter, and a plan of operation as approved by city council.

Sec. 8-36. – Application and review procedures.

(a) *Application.* In addition to such application(s) as may be required by the Act and the Michigan Liquor Control Commission for licensing by the State of Michigan, each applicant for a new on-premises license, transfer of an on-premises license into the city, or relocation or transfer of an existing on-premises license within the city or among owners and applicants, shall submit to the city clerk's office a fully completed "City of South Lyon Liquor License Application" on a form furnished by the clerk's office signed by the applicant or a duly authorized agent, along with the required fee(s) and all additional documents and materials referred to in the application form or otherwise required under this article.

(b) *Required Information.* The applicant shall include, with the application, at least the following:

- (1) Name and address of the applicant. If the applicant is a partnership, the name and address of each partner shall be provided, and a copy of any

partnership agreement attached. If the applicant is a privately-held corporation, the names and addresses of all corporate officers, members of the board of directors, and stockholders shall be provided, and a copy of the articles of incorporation attached. If the applicant is a publicly-held corporation, the names and addresses of all corporate officers, members of the board of directors, and stockholders who own ten percent (10%) or more of the corporate stock shall be provided. If the applicant is a limited liability company, the names and addresses of all members, managers and assignees of membership interests shall be provided, and a copy of the articles of organization attached.

- (2) The type of license and/or related permit(s) requested.
- (3) The address, legal description, and zoning district of the property where the licensed establishment is to be located.
- (4) The name and address of the record fee owner of the premises, and, if the applicant is not the owner, proof of its interest in or right to occupy the premises.
- (5) Building and site plans showing the site and existing structures for the proposed establishment demonstrating compliance with zoning requirements, adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for sound barriers and noise control. If the establishment is to be located in a proposed building for which site plan approval has not yet been obtained, or in an existing building that is to be remodeled, a conceptual plan showing the relationship of the building to the surrounding properties and uses, and proposed building elevations.
- (6) A plan of operation as referenced in section 8-35.
- (7) A written statement as to the applicant's character, experience, and financial ability to meet the obligations and business undertakings for which the license is to be issued, including the length of time the applicant has been in business of that character; or in the case of a partnership or other business entity, the date when it was created, established or organized.
- (8) Three (3) written references as to the applicant's character, experience, and financial ability to meet the obligations and business undertakings for which the license is desired.
- (9) A written statement identifying the source of all funds which will be relied upon for the establishment and operation of the proposed establishment sought to be licensed including the name and address of the financial institution where such funds are deposited.

- (10) A statement whether the applicant has operated or made application for a similar or another license on any premises other than described in this application, and the status or disposition of such license or application.
- (11) Whether a manager or person other than the applicant will manage the operations of the proposed establishment, and if so, the identity(ies) of such managers or persons.
- (12) A criminal background report of the applicant's criminal history through the Internet Criminal History Access Tool (ICHAT). The applicant is responsible for all charges incurred in requesting and receiving the ICHAT report and the report must be dated within thirty (30) days of the date of the application.
- (13) A statement that the applicant is not disqualified to receive a license for any reason under this chapter or state law.
- (14) An accurate record and history of any liquor license or Liquor Control Act violations by the applicant, and any entity the applicant has worked for or had a substantial interest in, or by a parent or subsidiary entity of the applicant for the immediate preceding five (5) years.
- (15) A written statement explaining in detail how the application and applicant meet the review criteria listed in subsection (f).
- (16) Any other information pertinent to the applicant, premises, and operation of the proposed establishment as may be required by this chapter, including information regarding each of the criteria listed in subsection (f).

(c) *Investigation.* Following receipt of a complete application, fees and other information as may be requested by the city, the city manager will refer the application to the police department, fire department, planning department, building department, economic development department, public works department, and such other departments as deemed appropriate, which departments shall cause a thorough review and investigation of the applicant(s) and premises to be completed, including, but not limited to, an investigation regarding the background of the applicant(s) and owners, a complete history of past business and experience and liquor law violations, the proposed premises, code compliance, payment of taxes and utility charges, availability of utilities. The findings and results of the investigations, including where applicable, recommendations, shall be provided to the city manager, who shall then report same to the city council. In making its reviews and investigations, the city, and its departments, may request other pertinent information from the applicant.

(d) *Placement upon city council agenda.* Upon receipt by the city manager of the findings, results, and recommendations of the department investigations, the city manager shall place the application on a city council agenda for consideration. Due notice will be provided to the applicant, and the applicant will be required to appear before the city council and make an oral and/or written presentation and address any questions concerning the application.

(e) *City council action required.* All applications are subject to action by the city council. The city council may approve with or without conditions, postpone consideration for a reasonable period, or deny the license. If the license is either approved or denied, the city council shall cause its decision to be transmitted to the Michigan Liquor Control Commission and promptly give notice of the decision to the applicant, in writing. Unless otherwise indicated by the city council, all approvals are conditioned upon the applicant obtaining any required building permits and any other necessary permits, licenses, or approvals from the city, including special land use approval, or approvals from other regulatory agencies within sixty (60) days or such other time period specified by the city council from the date of such conditional approval. The construction of new buildings and alterations of existing buildings shall commence within six (6) months after the date of the conditional approval, with a completion date of no more than one (1) year after the issuance of the relevant building permit. Extensions of time for completion of construction or alteration or to meet conditions may be granted by the city council for good cause as determined in its sole discretion. Failure to comply with such conditions shall render the license, and any approval, subject to revocation.

(f) *Review criteria.* In making its determination pursuant to section 8-36(e), the city council may consider and/or weigh, in its discretion, the following factors:

- (1) Surrounding land uses and proximity to residences, schools, and churches, and any potential adverse effect on the surrounding area and land uses, including vehicular and pedestrian traffic and movement, parking, noise and input from residents and businesses.
- (2) The investigations, findings and recommendations of the city departments regarding the applicant, application, and proposed premises and establishment.
- (3) The applicant's history and experience, if any, in conducting a business holding a liquor license, including history of MLCC violations and other business and operations and management experience.
- (4) The applicant's financial status and its ability to build and/or operate the proposed establishment.
- (5) Past criminal convictions of the applicant for felonies and crimes involving moral turpitude, violence, or alcoholic liquors, including, but not limited to: gambling, prostitution, weapons, tax evasion, fraudulent activity, controlled substances, crimes or violations of such a nature that it may impair the ability of the applicant to operate a licensed establishment in a safe and competent manner.
- (6) Non-payment or late payment of taxes and utility bills.
- (7) The availability of utilities to serve the proposed establishment.
- (8) Compliance with applicable building, plumbing, electrical and fire prevention codes, zoning ordinance, or other applicable ordinances, laws, codes, and regulations.

- (9) The nature and extent of preservation or restoration of existing or historic buildings.
- (10) The number, proximity and capacity of similar licensed establishments in the city and surrounding area
- (11) The amount to be invested in the proposed premises/establishment and the effect on the economic development of the city or the surrounding area.
- (12) Whether the proposed establishment is part of a multi-use project with substantial new retail, office or residential components; the size of the proposed establishment relative to the overall project or development.
- (13) Whether the applicant has demonstrated a public need or convenience for the issuance of the liquor license for the business establishment at the location proposed.
- (14) The plan of operation including the type or character of proposed establishment and services, menu and entertainment to be offered, the overall theme, atmosphere, or ambience of the proposed business, the proposed hours and days of operation, the proposed ratio of sales of food to alcohol, the size and percent of floor area devoted to kitchen, dining, dance floor, bar, outdoor service areas.
- (15) The impact of the establishment on city policing and code enforcement activities, and the possibility of consequent costs to the city.
- (16) The overall benefits and/or detriments of the proposed establishment to the city.
- (17) Any other factors that may affect the health, safety and/or welfare of the general public.

(g) *Restrictions on licenses.* No license shall be issued to the following unless such applicable restriction is waived by city council:

- (1) Any person whose liquor license has been revoked or not renewed for cause under this article, or a comparable local ordinance or state law, whether in Michigan or otherwise.
- (2) Any person who, at the time of application or renewal of any license issued hereunder, would not be eligible for such license upon a first application.
- (3) Any applicant, including any owner, shareholder, officer, partner, member, manager, or assignee thereof, owing a ten percent (10%) interest or more would not be eligible to receive a license hereunder or the Act for any reason.

- (4) Any person who does not own the premises for which a license is sought or does not have a lease or other right to possess or occupy the premises for the full period for which the license is issued.
- (5) Any law enforcement official or any member of the council, or to any such official having interest in any way, either directly or indirectly, in manufacture, sale or distribution of alcoholic liquor.
- (6) Any applicant who omits or falsifies any information required by this article.
- (7) Any premises where there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations or any other applicable city ordinance without approved arrangements for correction or achieving compliance.
- (8) Any premises that does not, or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, noise or nuisance control, or such new construction or remodeling as proposed would not be completed.

(h) *Changes in plans, drawings, etc.* After receipt of a conditional approval by the city council, no site plan, floor plan, building elevation, seating arrangement, kitchen layout, or other pertinent facts, drawings, or documents submitted to the city may be changed without the applicant first receiving approval from the city planning, engineering, and building departments and city council.

(i) *Recommendation for approval of liquor license.* Upon completion of the building and/or improvements and satisfaction of all other conditions and in accordance with the prior conditional approval of the city council and resolution, if applicable, the city council shall then recommend, above all others, the applicant for approval of the liquor license to the Liquor Control Commission of the State of Michigan.

(j) *Reservation of authority.* No applicant for a liquor license has a right to the issuance of such license, and the city council reserves the right to exercise reasonable discretion to determine who, if anyone, shall be entitled to the issuance of such licenses.

Sec. 8-37. – Substantial changes in licensed operations.

(a) Substantial changes in the licensee's operations or plan of operation within three (3) years of the license being issued must be approved by the city council. Substantial changes shall include, but are not limited to: changes in space, percentage of food or other sales not related to liquor, changes in hours of operations, capacity, or parking of twenty-five percent (25%) or more. Changes in the theme, style or character of an establishment, alone, shall not constitute a substantial change. No fee shall be charged for this process. The licensee is responsible for compliance with this section within fourteen (14) days of the change of information or circumstances.

(b) Variance from or failure to comply with an approved plan of operation or obtain approval of a substantial change in operations of a licensed establishment is a violation of this article and may result in the city objecting to the renewal or recommending revocation of the license, or other action.

Sec. 8-38. – Transfers of existing on-premises licenses.

(a) The city council has determined that profiteering by on-premises liquor licensees is contrary to the best interests of the city. Accordingly, to prevent profiteering, to the full extent authorized by law, the city council shall not approve the transfer of an on-premises liquor license issued as a new license under this chapter within three (3) years of the date of the original issuance of the license except that the city council may, but is not required to, waive this restriction in the following circumstances:

- (1) If the licensee is a natural person, he or she dies or becomes incapacitated.
- (2) If the licensee is a business entity (e.g., limited liability company, corporation, partnership), the majority interest holder or owner dies or becomes incapacitated, or the business entity dissolves for reasons other than to transfer the license.
- (3) The licensee and the proposed transferee establish that the transfer shall not result in profiteering.
- (4) The application of this section will subject the licensee to financial hardship due to no fault of its own, such as a change in the business climate, illness or death, labor or supply problems, and/or other factors outside the licensee's control.

(b) The transfer of any existing on-premises liquor license into, within, out of the city or to a different owner(s) shall require approval of the city council. An applicant for approval of a license transfer and the use and occupancy of such a license shall:

- (1) Submit an application with all of the information required under Section 8-36(b) above for a new on-premises liquor license, including a plan of operation.
- (2) Pay the applicable fees.
- (3) Furnish any necessary authorization allowing the city access to any and all files which may be in the Michigan Liquor Control Commission's possession regarding the transferee as a present licensee, or as a previous licensee, or in which transferee has or has had a partial interest in.

(c) In reviewing an application for license transfer, the city council may consider the criteria listed in Section 8-36(f).

(d) Requests for approvals of transfers of licenses shall be approved or denied in the sole discretion of the city council.

(e) Transfers that involve the following circumstances may be placed on a city council agenda for consideration, without payment of a fee and without the necessity of furnishing the information required for new licenses:

- (1) The exchange of the assets of a licensed sole proprietorship, licensed general partnership, or licensed limited partnership for all outstanding shares of stock in a corporation in which the sole proprietor, all members of the general partnership, or all members of the limited partnership are the only stockholders of that corporation.
- (2) The removal of a member of a firm, a stockholder, a member of a general partnership or limited partnership, or association of licensees from a license.
- (3) The occurrence of any of the following events: i) a corporate stock split, ii) issuing previously unissued stock shares to an existing shareholder, iii) redemption of stock shares by a licensed corporation; and iv) a public offering of stock.

(f) Existing permits ancillary to liquor licenses are transferred with the liquor license unless cancelled in writing. Transferees must present plans regarding the operation they intend to conduct using a permit.

Sec. 8-39. – Objections to renewal and requests for revocation.

(a) *Generally.* The city council may, at any time, review a license and object to a renewal or request the revocation of a liquor license with the MLCC.

(b) *Procedure.* Before filing an objection to the renewal or requesting revocation of a license with the MLCC, the city shall serve the licensee a notice of hearing, by first class mail, mailed not less than ten (10) days prior to the hearing, which shall contain the following information:

- (1) Reason(s) for the hearing and proposed action.
- (2) Date, time and place of the hearing.
- (3) A statement that the licensee may present evidence and testimony, and may confront witnesses and may be represented by a licensed attorney.

(c) *Hearing and final decision.* The hearing may be conducted by city council as a whole, or by a hearing officer appointed by the city council for such purposes. If a hearing officer is appointed, it shall be the officer's duty to conduct the hearing and hear and take evidence and testimony. After the hearing, the hearing officer shall make a recommendation to the city council for its ultimate final review and decision. The city council shall submit to the licensee and the MLCC, a written statement of its ultimate findings and determination.

(d) *Criteria for non-renewal or revocation.* The city council may recommend non-renewal or request revocation of a license upon a determination by it that, based upon a preponderance of the evidence presented at a hearing, any of the following exists:

- (1) A violation of any section of this chapter, the Act, or the rules and regulations of the MLCC, including sales of alcoholic liquor to minors.
- (2) A violation of any applicable building, electrical, mechanical, plumbing or fire code; applicable zoning regulations; applicable public health regulations; applicable rules and regulations of the county health department; or any other applicable city code provision.
- (3) Maintenance of a nuisance on the premises.
- (4) A license being or remaining unused or inactive for one (1) year after being issued without further approval from the city council.
- (5) A license being placed in and remaining in escrow for five (5) years or more.
- (6) A material change in those conditions, statements or representations contained in the written application by the licensee, including a plan of operation, upon which the city council based its recommendation for approval, when, in the judgment of the city council, that change is found to be contrary to the best interest of the city and/or its residents.
- (7) A licensee has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance.
- (8) The premises does not, or will not reasonably soon, have adequate off-street parking, lighting, refuse disposal facilities, screening, noise or nuisance control where a nuisance does or will exist.
- (9) Non-payment of taxes relating to the premises related to the license.
- (10) Other factors negatively impacting the general health, safety and welfare of the community and the public.

Sec. 8-40. – Fees.

Each applicant for a new on-premises license or license transfer shall pay a nonrefundable application investigation fee in an amount set by city council resolution. Such fee will be in addition to any fee(s) required by the MLCC.

Sec 8-41. – Nudity.

No person, while appearing in a state of public nudity as defined in Section 5h of Act 279 of 1909, being MCL 117.5h, shall frequent, loiter, work for or perform in any establishment licensed or

subject to licensing by the state liquor control commission. No proprietor or operator of any such establishment shall allow the presence in such establishment of any person who violates the provisions of this section.

Sec. 8-42 through 8-69. Reserved.

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

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

PART V. Effective Date; Publication. This ordinance shall take effect upon the later of ten (10) days after adoption or upon publication thereof as provided by the Charter of the City of South Lyon.

Made, passed and adopted by the South Lyon City Council this ____ day of _____, 2018.

Daniel L. Pelchat, 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 _____, 2018.

Lisa Deaton, City Clerk

Adopted:
Published:
Effective:

ORDINANCE NO. __-18

CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO ADD CHAPTER 8 – ALCOHOLIC LIQUOR – TO THE CITY OF SOUTH LYON CODE OF ORDINANCES TO PROVIDE POLICIES AND REGULATIONS FOR THE APPLICATION, REVIEW, ISSUANCE, TRANSFER, RENEWAL, REVOCATION AND ENFORCEMENT OF LIQUOR LICENSES AND FOR THE OPERATION OF LICENSED PREMISES.

THE CITY OF SOUTH LYON ORDAINS:

PART I. Addition of Chapter 8. Chapter 8 – Alcoholic Liquor – is hereby added to the City of South Lyon Code of Ordinances, to read in its entirety as follows:

CHAPTER 8 – ALCOHOLIC LIQUOR

ARTICLE I – GENERAL

Secs. 8-1 – 8-30. - Reserved.

ARTICLE II – LICENSING

Sec. 8-31. - Short title.

This ordinance shall be known and may be cited as the City of South Lyon "Liquor License Ordinance."

Sec. 8-32. - Statement of purpose.

The purpose of this article is to establish the city's policies and procedures for regulating liquor licenses including application and review procedures for the issuance of new on-premises licenses, transfers of on-premises licenses into and within the city and among owners and/or applicants, and for the renewal and revocation of liquor licenses. The process is intended to ensure that the individuals and entities seeking licenses or who propose to operate licensed on-premises liquor establishments within the city meet certain minimum requirements as to background, experience, financial resources, business operations and management and that the proposed establishment meets the needs of the community. It requires the city council to review application information in light of certain criteria to identify the kinds of applicants and establishments that best qualify for a license and best meet the needs of the City and its residents. It reserves to the city any and all discretion afforded to it under applicable laws relating to the issuance of on-premises licenses. ~~It is the intent of the city that approved licenses shall be put into use immediately following approval.~~

Sec. 8-33. – Definitions.

The following definitions shall apply to this chapter:

(a) *Act* means the Michigan Liquor Control Code of 1998, Public Act 58 of 1998, MCL 436.1101 et seq., as amended.

(b) *Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, powder, liquids, and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing 1/2 of 1% or more of alcohol by volume that are fit for use for food purposes or beverage purposes as defined and classified by the Michigan Liquor Control Commission.

(c) *Applicant* means and includes all persons and entities proposed to be owners of the license and/or of the licensed premises, all key personnel involved in the management and operation of the licensed business, and all persons and entities proposed to be involved in the finance of the license and/or licensed premises. Applicant includes all owners, shareholders, officers, partners, members, and managers of an entity applying for a license.

(d) *Brewpub* means a license issued in conjunction with a class C, tavern, class A hotel, or class B hotel license that authorizes the person licensed with the class C, tavern, class A hotel, or class B hotel to manufacture and brew not more than 18,000 barrels of beer per calendar year in Michigan and sell at those licensed premises the beer produced for consumption on or off the licensed brewery premises in the manner provided for in sections 405 and 407 of the Michigan Liquor Control Code of 1998. A brewpub is considered a hybrid on- and off-premises liquor license.

(e) *Class C license* means a place licensed to sell at retail beer, wine, mixed spirit drink, and spirits for consumption on the premises.

(f) *Club license* means a liquor license issued to a club as defined by section 107 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1107).

(g) *Establishment* means a business or premises whose primary function is the serving of alcoholic beverages for consumption on-premises.

(h) *Hotel license* means a liquor license issued to a hotel as defined in section 107 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1107).

(i) *License* means a contract between the commission and the licensee granting authority to that licensee to manufacture and sell, or sell, or warehouse alcoholic liquor in the manner provided by the Act.

(j) *Licensee* means an individual or entity holding a license issued under this chapter or by the Michigan Liquor Control Commission.

(k) *Michigan Liquor Control Commission* and *MLCC* mean the liquor control commission provided for and created in Section 209 of the Michigan Liquor Control Code of 1998, Public Act 58 of 1998 (MCL 436.1209).

(l) *Micro brewer* means a brewer that produces in total less than 60,000 barrels of beer per year and that may sell the beer produced to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers as provided in MCL 436.1203. In determining the 60,000-barrel threshold, all brands and labels of a brewer, whether brewed in this state or outside this state, shall be combined and all facilities for the production of beer that are owned or controlled by the same person shall be treated as a single facility.

(m) *Minor* means an individual less than 21 years of age.

(n) *Off-premises license* means a liquor license to sell alcoholic liquor at retail for consumption off the licensed premises, including SDD, SDM, and other licenses designated as such in the Act.

(o) *On-premises license* shall mean a liquor license to sell alcoholic liquor at retail for consumption on the licensed premises, including Class C, tavern, resort, club, hotel, brewpub and micro brewer licenses.

(p) *Person* means an individual, firm, partnership, limited partnership, association, limited liability company, or corporation.

(q) *Resort license* means a liquor license issued by the Michigan Liquor Control Commission in a resort area, without regard to other Liquor Control Commission quota requirements, in accordance with the Michigan Liquor Control Code of 1998, Public Act 58 of 1998.

(r) *Sale* includes the exchange, barter, traffic, furnishing, or giving away of alcoholic liquor.

(s) *Special license* means a contract between the commission and the special licensee granting authority to that licensee to sell beer, wine, mixed spirit drink, or spirits. The license shall be granted only to such persons and such organization and for such period of time as the commission shall determine so long as the person or organization is able to demonstrate an existence separate from an affiliated umbrella organization. If such an existence is demonstrated, the commission shall not deny a special license solely by the applicant's affiliation with an organization that is also eligible for a special license.

(t) *Special permit* includes, but is not limited to, outdoor service permits, one-day licenses, after hours permits, temporary dance, entertainment, or add bar permits, specific purpose permits, and special licenses, as those terms are defined and utilized in the Michigan Liquor Control Code of 1998, Public Act 58 of 1998.

(u) *Specially designated distributor (SDD)* means a person engaged in an established business licensed by the commission to distribute spirits and mixed spirit drink in the original package for the commission for consumption off the premises.

(v) *Specially designated merchant (SDM)* means a person to whom the commission grants a license to sell beer or wine, or both, at retail for consumption off the licensed premises.

(w) *Tavern* means any place licensed to sell retail beer and wine for consumption on the premises only.

Sec. 8-34. – License required.

No person shall engage in the business of selling alcoholic liquor for consumption on premises in the City of South Lyon, transfer such a license into the city, transfer ownership or location of such a license within of the city, without first obtaining an approval for same by the city council as provided for in this chapter and also obtaining a license or approval therefor as required by the Act and MLCC.

Sec. 8-35. – Plan of operation required.

~~(a) – Plan of operation. All on-premises licensees shall operate in accordance with a plan of operation approved by the city council.~~

~~(b) – Contents of plan. A plan of operation shall contain an operational statement outlining the proposed manner in which the establishment will be continuously operated consistent with the requirements of this chapter and the city code of ordinances, including, but not limited to, the opening date, the business concept, the anticipated food-to-alcohol ratio, a schedule of the days and hours of operation, method of alcohol management, crowd control/security, use of building facilities, parking facilities and arrangements, plan for interior use and layout, exterior design, layout of any auxiliary facilities on the site, dance/entertainment permits needed or requested, estimated cost of building and site improvements, and any other pertinent information as requested by the city.~~

~~(c) – Use of liquor license. It is the intent of the city that approved licenses shall be put into use immediately following approval. Non-use, inactivity, escrowing, or warehousing of licenses is prohibited in the plan of operation.~~

~~(d) – Compliance. Licensees shall comply with all applicable state and city regulations, and this chapter, and a plan of operation is approved by city council.~~

~~Sec. 8-36.~~

Sec. 8-35. – Application and review procedures.

(a) *Application.* In addition to such application(s) as may be required by the Act and the Michigan Liquor Control Commission for licensing by the State of Michigan, each applicant for a new on-premises license, transfer of an on-premises license into the city, or relocation or transfer of an existing on-premises license within the city or among owners and applicants, shall submit to the city clerk's office a fully completed "City of South Lyon Liquor License Application" on a form furnished by the clerk's office signed by the applicant or a duly authorized agent, along with the required fee(s) and all additional documents and materials referred to in the application form or otherwise required under this article.

(b) *Required information.* The applicant shall include, with the application, at least the following:

- (1) Name and address of the applicant. If the applicant is a partnership, the name and address of each partner shall be provided, and a copy of any

partnership agreement attached. If the applicant is a privately-held corporation, the names and addresses of all corporate officers, members of the board of directors, and stockholders shall be provided, and a copy of the articles of incorporation attached. If the applicant is a publicly-held corporation, the names and addresses of all corporate officers, members of the board of directors, and stockholders who own ten percent (10%) or more of the corporate stock shall be provided. If the applicant is a limited liability company, the names and addresses of all members, managers and assignees of membership interests shall be provided, and a copy of the articles of organization attached.

- (2) The type of license and/or related permit(s) requested.
- (3) The address, legal description, and zoning district of the property where the licensed establishment is to be located.
- (4) The name and address of the record fee owner of the premises, and, if the applicant is not the owner, proof of its interest in or right to occupy the premises.
- (5) Building and site plans showing the site and existing structures for the proposed establishment demonstrating compliance with zoning requirements, adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for sound barriers and noise control. If the establishment is to be located in a proposed building for which site plan approval has not yet been obtained, or in an existing building that is to be remodeled, a conceptual plan showing the relationship of the building to the surrounding properties and uses, and proposed building elevations.
- ~~(6)~~ A plan of operation as referenced in section 8-35.
- ~~(7)~~(6) A written statement as to the applicant's character, experience, and financial ability to meet the obligations and business undertakings for which the license is to be issued, including the length of time the applicant has been in business of that character; or in the case of a partnership or other business entity, the date when it was created, established or organized.
- ~~(8)~~(7) Three (3) written references as to the applicant's character, experience, and financial ability to meet the obligations and business undertakings for which the license is desired.
- ~~(9)~~(8) A written statement identifying the source of all funds which will be relied upon for the establishment and operation of the proposed establishment sought to be licensed including the name and address of the financial institution where such funds are deposited.

~~(10)~~(9) A statement whether the applicant has operated or made application for a similar or another license on any premises other than described in this application, and the status or disposition of such license or application.

~~(11)~~(10) Whether a manager or person other than the applicant will manage the operations of the proposed establishment, and if so, the identity(ies) of such managers or persons.

~~(12)~~(11) A criminal background report of the applicant's criminal history through the Internet Criminal History Access Tool (ICHAT). The applicant is responsible for all charges incurred in requesting and receiving the ICHAT report and the report must be dated within thirty (30) days of the date of the application.

~~(13)~~(12) A statement that the applicant is not disqualified to receive a license for any reason under this chapter or state law.

~~(14)~~(13) An accurate record and history of any liquor license or Liquor Control Act violations by the applicant and any entity the applicant has worked for or had a substantial interest in, or by a parent or subsidiary entity of the applicant for the immediate preceding five (5) years.

~~(15)~~(14) A written statement explaining in detail how the application and applicant meet the review criteria listed in subsection (f).

~~(16)~~(15) Any other information pertinent to the applicant, premises, and operation of the proposed establishment as may be required by this chapter, including information regarding each of the criteria listed in subsection (f).

(c) *Investigation.* Following receipt of a complete application, fees and other information as may be requested by the city, the city manager will refer the application to the police department, fire department, planning department, building department, economic development department, public works department, and such other departments as deemed appropriate, which departments shall cause a thorough review and investigation of the applicant(s) and premises to be completed, including, but not limited to, an investigation regarding the background of the applicant(s) and owners, a complete history of past business and experience and liquor law violations, the proposed premises, code compliance, payment of taxes and utility charges, availability of utilities. The findings and results of the investigations, including where applicable, recommendations, shall be provided to the city manager, who shall then report same to the city council. In making its reviews and investigations, the city, and its departments, may request other pertinent information from the applicant.

(d) *Placement upon city council agenda.* Upon receipt by the city manager of the findings, results, and recommendations of the department investigations, the city manager shall place the application on a city council agenda for consideration. Due notice will be provided to the applicant, and the applicant will be required to appear before the city council and make an oral and/or written presentation and address any questions concerning the application.

(e) *City council action required.* All applications are subject to action by the city council. The city council may approve with or without conditions, postpone consideration for a reasonable period, or deny the license. If the license is either approved or denied, the city council shall cause its decision to be transmitted to the Michigan Liquor Control Commission and promptly give notice of the decision to the applicant, in writing. Unless otherwise indicated by the city council, all approvals are conditioned upon the applicant obtaining any required building permits and any other necessary permits, licenses, or approvals from the city, including special land use approval, or approvals from other regulatory agencies within sixty (60) days or such other time period specified by the city council from the date of such conditional approval. The construction of new buildings and alterations of existing buildings shall commence within six (6) months after the date of the conditional approval, with a completion date of no more than one (1) year after the issuance of the relevant building permit. Extensions of time for completion of construction or alteration or to meet conditions may be granted by the city council for good cause as determined in its sole discretion. Failure to comply with such conditions shall render the license, and any approval, subject to revocation.

(f) *Review criteria.* In making its determination pursuant to section 8-3635(e), the city council may consider and/or weigh, in its discretion, the following factors:

- (1) Surrounding land uses and proximity to residences, schools, and churches, and any potential adverse effect on the surrounding area and land uses, including vehicular and pedestrian traffic and movement, parking, noise and input from residents and businesses.
- (2) The investigations, findings and recommendations of the city departments regarding the applicant, application and proposed premises and establishment.
- (3) The applicant's history and experience, if any, in conducting a business holding a liquor license, including history of MLCC violations and other business and operations and management experience.
- (4) The applicant's financial status and its ability to build and/or operate the proposed establishment.
- (5) Past criminal convictions of the applicant for felonies and crimes involving moral turpitude, violence, or alcoholic liquors, including, but not limited to: gambling, prostitution, weapons, tax evasion, fraudulent activity, controlled substances, crimes or violations of such a nature that it may impair the ability of the applicant to operate a licensed establishment in a safe and competent manner.
- (6) Non-payment or late payment of taxes and utility bills.
- (7) The availability of utilities to serve the proposed establishment.
- (8) Compliance with applicable building, plumbing, electrical and fire prevention codes, zoning ordinance, or other applicable ordinances, laws, codes, and regulations.

- (9) The nature and extent of preservation or restoration of existing or historic buildings.
- (10) The number, proximity and capacity of similar licensed establishments in the city and surrounding area
- (11) The amount to be invested in the proposed premises/establishment and the effect on the economic development of the city or the surrounding area.
- (12) Whether the proposed establishment is part of a multi-use project with substantial new retail, office or residential components; the size of the proposed establishment relative to the overall project or development.
- (13) Whether the applicant has demonstrated a public need or convenience for the issuance of the liquor license for the business establishment at the location proposed.
- (14) ~~The plan of operation including the~~ The type or character of proposed establishment and services, ~~including the menu and entertainment to be offered,~~ the overall theme, atmosphere, or ambiance of the proposed business, the proposed hours and days of operation, the proposed ratio of sales of food to alcohol, the size and percent of floor area devoted to kitchen, dining, dance floor, bar, outdoor service areas.
- (15) The impact of the establishment on city policing and code enforcement activities, and the possibility of consequent costs to the city.
- (16) The overall benefits and/or detriments of the proposed establishment to the city.
- (17) Any other factors that may affect the health, safety and/or welfare of the general public.

(g) *Restrictions on licenses.* No license shall be issued to the following unless such applicable restriction is waived by city council:

- (1) Any person whose liquor license has been revoked or not renewed for cause under this article, or a comparable local ordinance or state law, whether in Michigan or otherwise.
- (2) Any person who, at the time of application or renewal of any license issued hereunder, would not be eligible for such license upon a first application.
- (3) Any applicant, including any owner, shareholder, officer, partner, member, manager, or assignee thereof, owing a ten percent (10%) interest or more would not be eligible to receive a license hereunder or the Act for any reason.

- (4) Any person who does not own the premises for which a license is sought or does not have a lease or other right to possess or occupy the premises for the full period for which the license is issued.
- (5) Any law enforcement official or any member of the council, or to any such official having interest in any way, either directly or indirectly, in manufacture, sale or distribution of alcoholic liquor.
- (6) Any applicant who omits or falsifies any information required by this article.
- (7) Any premises where there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations or any other applicable city ordinance without approved arrangements for correction or achieving compliance.
- (8) Any premises that does not, or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, noise or nuisance control, or such new construction or remodeling as proposed would not be completed.

(h) *Changes in plans, drawings, etc. after conditional approval.* After receipt of a conditional approval by the city council, no site plan, floor plan, building elevation, seating arrangement, kitchen layout, or other pertinent facts, drawings, or documents submitted to the city may be changed without the applicant first receiving approval from the city planning, engineering, and building departments and city council.

(i) *Recommendation for approval of liquor license.* Upon completion of the building and/or improvements and satisfaction of all other conditions and in accordance with the prior conditional approval of the city council and resolution, if applicable, the city council shall then recommend, above all others, the applicant for approval of the liquor license to the Liquor Control Commission of the State of Michigan.

(j) *Reservation of authority.* No applicant for a liquor license has a right to the issuance of such license, and the city council reserves the right to exercise reasonable discretion to determine who, if anyone, shall be entitled to the issuance of such licenses.

Sec. 8-37. Substantial changes in licensed operations. 36. - License transfers.

(a) ~~Substantial changes in the licensee's operations or plan of operation within three (3) years of the license being issued must be approved by the city council. Substantial changes shall include, but are not limited to: changes in space, percentage of food or other sales not related to liquor, changes in hours of operations, capacity, or parking of twenty five percent (25%) or more. Changes in the theme, style or character of an establishment, alone, shall not constitute a substantial change. No fee shall be charged for this process. The licensee is responsible for compliance with this section within fourteen (14) days of the change of information or circumstances.~~

~~(b) Variance from or failure to comply with an approved plan of operation or obtain approval of a substantial change in operations of a licensed establishment is a violation of this article and may result in the city objecting to the renewal or recommending revocation of the license, or other action.~~

~~Sec. 8-38. Transfers of existing on-premises licenses.~~

~~(c) The city council has determined that profiteering by on-premises liquor licensees is contrary to the best interests of the city. Accordingly, to prevent profiteering, to the full extent authorized by law, the city council shall not approve the transfer of an on-premises liquor license issued as a new license under this chapter within three (3) years of the date of the original issuance of the license except that the city council may, but is not required to, waive this restriction in the following circumstances:~~

- ~~(1) If the licensee is a natural person, he or she dies or becomes incapacitated.~~
- ~~(1) If the licensee is a business entity (e.g., limited liability company, corporation, partnership), the majority interest holder or owner dies or becomes incapacitated, or the business entity dissolves for reasons other than to transfer the license.~~
- ~~(2) The licensee and the proposed transferee establish that the transfer shall not result in profiteering.~~
- ~~(3) The application of this section will subject the licensee to financial hardship due to no fault of its own, such as a change in the business climate, illness or death, labor or supply problems, and/or other factors outside the licensee's control.~~

~~(a) The transfer of any existing on-premises liquor license into, within, or out of the city or to a different owner(s) within three (3) years of the date of original issuance of the license shall require approval of the city council.~~

~~(b) An applicant for approval of a license transfer and the use and occupancy of such a license under this section shall:~~

- ~~(1) Submit a license transfer application with all of the information required under Section 8-3635(b) above for a new on-premises liquor license, including a plan of operation;~~
- ~~(2) Pay the applicable fees.~~
- ~~(3) Furnish any necessary authorization allowing the city access to any and all files which may be in the Michigan Liquor Control Commission's possession regarding the transferee as a present licensee, or as a previous licensee, or in which transferee has or has had a partial interest in.~~

~~(e) In reviewing an application for license transfer under this section, the city council may consider the criteria listed in Section 8-3635(f).~~

~~(f)(c)) and any other criteria it deems relevant and appropriate, including any unusual financial hardship to the licensee which would result from a denial of a license transfer application due to no fault of its own, changes in the business climate, illness or death, labor or supply problems, and/or other factors outside the licensee's control. Requests for approvals of license transfers of licenses shall be approved or denied in the sole discretion of the city council.~~

~~(g) — Transfers that involve the following circumstances may be placed on a city council agenda for consideration, without payment of a fee and without the necessity of furnishing the information required for new licenses:~~

- ~~(4) — The exchange of the assets of a licensed sole proprietorship, licensed general partnership, or licensed limited partnership for all outstanding shares of stock in a corporation in which the sole proprietor, all members of the general partnership, or all members of the limited partnership are the only stockholders of that corporation.~~
- ~~(5) — The removal of a member of a firm, a stockholder, a member of a general partnership or limited partnership, or association of licensees from a license.~~
- ~~(6) — The occurrence of any of the following events: i) a corporate stock split, ii) issuing previously unissued stock shares to an existing shareholder, iii) redemption of stock shares by a licensed corporation, and iv) a public offering of stock.~~

~~(h) — Existing permits ancillary to liquor licenses are transferred with the liquor license unless cancelled in writing. Transferees must present plans regarding the operation they intend to conduct using a permit.~~

~~Sec. 8-3937. — Objections to renewal and requests for revocation.~~

~~(a) *Generally.* The city council may, at any time, review a license and object to a renewal or request the revocation of a liquor license with the MLCC.~~

~~(b) *Procedure.* Before filing an objection to the renewal or requesting revocation of a license with the MLCC, the city shall serve the licensee a notice of hearing, by first class mail, mailed not less than ten (10) days prior to the hearing, which shall contain the following information:~~

- ~~(1) Reason(s) for the hearing and proposed action.~~
- ~~(2) Date, time and place of the hearing.~~
- ~~(3) A statement that the licensee may present evidence and testimony, and may confront witnesses and may be represented by a licensed attorney.~~

~~(c) *Hearing and final decision.* The hearing may be conducted by city council as a whole, or by a hearing officer appointed by the city council for such purposes. If a hearing officer is appointed, it shall be the officer's duty to conduct the hearing and hear and take evidence and~~

testimony. After the hearing, the hearing officer shall make a recommendation to the city council for its ultimate final review and decision. The city council shall submit to the licensee and the MLCC, a written statement of its ultimate findings and determination.

(d) *Criteria for non-renewal or revocation.* The city council may recommend non-renewal or request revocation of a license upon a determination by it that, based upon a preponderance of the evidence presented at a hearing, any of the following exists:

- (1) A violation of any section of this chapter, the Act, or the rules and regulations of the MLCC, including sales of alcoholic liquor to minors.
- (2) A violation of any applicable building, electrical, mechanical, plumbing or fire code; applicable zoning regulations; applicable public health regulations; applicable rules and regulations of the county health department; or any other applicable city code provision.
- (3) Maintenance of a nuisance on the premises.
- (4) A license being or remaining unused or inactive for one (1) year after being issued without further approval from the city council.
- (5) A license being placed in and remaining in escrow for five (5) years or more.
- (6) A material change in those conditions, statements or representations contained in the written application by the licensee, including a plan of operation, upon which the city council based its recommendation for approval, when, in the judgment of the city council, that change is found to be contrary to the best interest of the city and/or its residents.
- (7) A licensee has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance.
- (8) The premises does not, or will not reasonably soon, have adequate off-street parking, lighting, refuse disposal facilities, screening, noise or nuisance control where a nuisance does or will exist.
- (9) Non-payment of taxes relating to the premises related to the license.
- (10) Other factors negatively impacting the general health, safety and welfare of the community and the public.

Sec. 8-4038. – Fees.

Each applicant for a new on-premises license or license transfer shall pay a nonrefundable application investigation fee in an amount set by city council resolution. Such fee will be in addition to any fee(s) required by the MLCC.

Sec 8-4139. – Nudity.

No person, while appearing in a state of public nudity as defined in Section 5h of Act 279 of 1909, being MCL 117.5h, shall frequent, loiter, work for or perform in any establishment licensed or subject to licensing by the state liquor control commission. No proprietor or operator of any such establishment shall allow the presence in such establishment of any person who violates the provisions of this section.

Sec. 8-4240 through 8-69. Reserved.

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

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

PART V. Effective Date; Publication. This ordinance shall take effect upon the later of ten (10) days after adoption or upon publication thereof as provided by the Charter of the City of South Lyon.

Made, passed and adopted by the South Lyon City Council this ____ day of _____, 2018.

Daniel L. Pelchat, 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 _____, 2018.

Lisa Deaton, City Clerk

Adopted:
Published:

Effective:

DRAFT

Timothy Wilhelm

From: Robert Donohue <robert@southlyonmi.org>
Sent: Monday, September 18, 2017 10:08 AM
To: Timothy Wilhelm
Cc: Lynne Ladner
Subject: Additional Criteria for Liquor Licenses

Tim:

The following items which we recently discussed should be considered as additional criteria for granting/approving a Liquor License in the City of South Lyon:

- Is the location of the establishment which would own the Liquor License in the DDA District?
- Is the location of the establishment which would own the Liquor License in the Historic Core Downtown Area (On N. Lafayette Street between Lake Street and the Detroit Street, S. Lafayette Street between Lake Street and McHattie Street, E. Lake street between Wells street and Lafayette Street, and W. Lake Street between Lafayette Street and the first alley west of Lafayette Street?
- Is the location of the establishment which would own the Liquor License in a Historic Building as noted on the DDA's List of Buildings Eligible for Listing on the National Register of Historic Places?
- Will improvements to the Historic Building comply with the U.S. Secretary of the Interior's Standards for Historic Rehabilitation and Historic Preservation and the City of South Lyon's Design Guidelines?
- Is the location of the establishment which would own the Liquor License in a new building which complies with the City of South Lyon's New Master Plan?

I hope these are useful and will be considered. Items similar to those that I have provided here above, have been utilized in other communities. Please let me know if there is anything else you need or that I can do regarding the potential new Liquor License Policy.

Thanks,

Bob Donohue, DDA & Economic Development Director
City of South Lyon

MICHIGAN LIQUOR CONTROL CODE OF 1998 (EXCERPT)

Act 58 of 1998

436.1501 Licenses; issuance; fees; bonds or liability insurance; expiration of full-year license; license as contract; operation of establishment upon death of licensee; approval of receiver or trustee; part-year license; transfer of license; approval of application; request for revocation of license or permit by local legislative body; hotels; zones and anniversary dates for renewal of licenses; rules; nontransferable tavern licenses for concessionaires at state fairgrounds; notice contained in application.

Sec. 501. (1) The commission may issue licenses as provided in this act upon the payment of the fees provided in section 525 and the filing of the bonds required in section 801 or liability insurance as provided in section 803. The commission shall provide a notification of the ability of the purchaser or transferee to obtain a tax clearance certificate, as provided in subsection (6). Subject to section 906(2) and (3), the commission shall not issue a new on premises license or transfer more than 50% interest in an existing on premises license unless the applicant or transferee offers proof acceptable to the commission that he or she has employed or has present on the licensed premises, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served who have successfully completed a server training program described in section 906. The commission may consider an individual enrolled and actively participating in a server training program as having successfully completed the program for the time the individual is participating. The commission may allow an applicant or a conditionally approved licensee at least 180 days, or more upon a showing of good cause, to meet the minimum personnel training requirements of this subsection. The commission may suspend the license of a conditionally approved licensee if that licensee does not comply with this subsection. The commission may waive the server training requirements of this subsection on the basis of either of the following circumstances:

(a) The licensee's responsible operating experience or training.

(b) The person's demonstration of an acceptable level of responsible operation either as a licensee during the preceding 3 years or as a manager with substantial experience in serving alcoholic liquor.

(2) A full-year license issued by the commission shall expire on April 30 following the date of issuance or the date fixed by the commission. A license issued under this act is a contract between the commission and the licensee and shall be signed by both parties. If a licensee dies, the commission may approve the operation of the establishment by a personal representative or independent personal representative duly appointed by a court of competent jurisdiction, pending the settlement of the estate of the deceased licensee. The commission may approve a receiver or trustee appointed by a court of competent jurisdiction to operate the licensed establishment of a licensee. The commission may grant a part-year license for a proportionate part of the license fee specified in section 525. In a resort area the commission shall grant a license for a period of time as short as 3 months. A license may be transferred with the consent of the commission. A class C or specially designated distributor license obtained in a manner other than by transfer shall not be transferred within 3 years after its issuance except under circumstances where the licensee clearly and convincingly demonstrates that unusual hardship will result if the transfer does not receive the consent of the commission. An application for a license to sell alcoholic liquor for consumption on the premises, except in a city having a population of 600,000 or more, shall be approved by the local legislative body in which the applicant's place of business is located before the license is granted by the commission, except that in the case of an application for renewal of an existing license, if an objection to a renewal has not been filed with the commission by the local legislative body not less than 30 days before the date of expiration of the license, the approval of the local legislative body is not required. The commission shall provide the local legislative body and the local chief of police with the name, home and business addresses, and home and business phone numbers to accomplish the local legislative reviews of new and transferred license applications required by this subsection. Upon request of the local legislative body after due notice and proper hearing by the local legislative body and the commission, the commission shall revoke the license of a licensee granted a license to sell alcoholic liquor for consumption on the premises or any permit held in conjunction with that license.

(3) A local legislative body, by resolution, may request that the commission revoke the license of a licensee granted a license to sell alcoholic liquor for consumption off the premises whose place of business is located within the local legislative body's jurisdiction and that has been determined in commission violation hearings to have sold or furnished alcoholic liquor, on at least 3 separate occasions in a consecutive 12-month period, to a minor if those violations did not involve the use of falsified or fraudulent identification by the minor. If the commission verifies that the licensee who is the subject of the resolution has been found to have committed the violations as prescribed in this subsection, the commission may suspend or revoke the

licensee's license and any permit held in conjunction with that license.

(4) This act does not prohibit a hotel that is or was the holder of a license authorizing the retail sale of alcoholic liquor for consumption on the premises from applying for and receiving under this act any other and different type of license authorizing the retail sale of alcoholic liquor for consumption on the premises, and the application for the license shall not be considered a new application for a license if the total number of public licenses for consumption on the premises does not exceed the authorized total established in this act and the sale of alcoholic liquor is approved by the electors. The commission may divide the state into 3 zones and establish for each zone an anniversary date for renewal of full-year retail licenses in the licensing year. The commission shall promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the effective administration of the renewal of licenses.

(5) The commission, with the written approval of the department of agriculture and rural development for the Michigan state fairgrounds and the Upper Peninsula state fairgrounds, may issue without regard to the quota provision of section 531 a tavern license to a person as concessionaire leasing or renting a portion of either the Upper Peninsula state fairgrounds or the state fairgrounds, or both, to service the licensed area in use for recreational or exhibition purposes other than at the time of the annual Upper Peninsula state fair under section 2 of 1927 PA 89, MCL 285.142. A license issued under this subsection is not transferable.

(6) The application for initial licensure or for a transfer of a license shall contain a notice in substantial compliance with the following:

When purchasing a license, a buyer can be held liable for tax debts incurred by the previous owner. Prior to committing to the purchase of any license or establishment, the buyer should request a tax clearance certificate from the seller that indicates that all taxes have been paid up to the date of issuance. Obtaining sound professional assistance from an attorney or accountant can be helpful to identify and avoid any pitfalls and hidden liabilities when buying even a portion of a business.

Sellers can make a request for the tax clearance certificate through the Michigan department of treasury.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998;—Am. 1998, Act 416, Imd. Eff. Dec. 21, 1998;—Am. 2000, Act 431, Imd. Eff. Jan. 9, 2001;—Am. 2006, Act 547, Imd. Eff. Dec. 29, 2006;—Am. 2012, Act 82, Imd. Eff. Apr. 11, 2012.

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Department of Licensing and Regulatory Affairs

LARA / LIQUOR CONTROL COMMISSION / COMMISSION OVERVIEW

Brief Overview Michigan Liquor Control Commission

- **Commission Overview**

The Michigan Liquor Control Commission was created upon the repeal of Prohibition by the legislature acting in special session in December of 1933. The act empowered the Commission to control all alcoholic beverage traffic within this state. Today, the Commission is a Type I agency housed within the Department of Licensing and Regulatory Affairs (LARA).

The Commission consists of five members appointed by the Governor. No more than three of these members may be of the same political party. Three administrative Commissioners are responsible for all matters pertaining to licensing, purchasing, merchandising and enforcement and act as an appeal board for decisions rendered by the hearing commissioners. The remaining two Commissioners are designated as hearing commissioners who preside over violation matters. The full five-member board promulgates rules and establishes bureau policy, such as the issuance of declaratory rulings. The Governor designates one of the five members as the Chairperson.

The mission of the Liquor Control Commission is to make alcoholic beverages available for consumption while protecting the consumer and the general public through regulation of those involved in the sale and distribution of these alcohol beverage products.

- **Meet the Michigan Liquor Control Commissioners**

- **Contact the Michigan Liquor Control Commission (MLCC)**

- **Enforcement Division**

The Enforcement Division operates from district offices in Southfield, Lansing, Grand Rapids, and Escanaba.

- **Executive Services Division**

The Executive Services Division provides staff support services to the Commission.

- **Financial Management Division**

The Financial Management Division provides support for the Commission in all areas of financial management and accounting.

- **Licensing Division**

The MLCC Licensing Division processes requests for Retail licenses, such as restaurants, bars, hotels, convenience stores, and grocery stores, Manufacturer and Wholesaler licenses, such as breweries, distilleries, wineries, brokers, and salespersons, and Special licenses for nonprofit organizations. The Licensing Division administers the annual license renewal process for all licensees, verifies licensee insurance, and processes Special License applications, requests for new and temporary permits and permissions.

LARA Contacts

Contact LARA
Submit Comments,
Suggestions,
Questions
Technical Support
Media
Map & Driving
Directions

**Featured
Services**

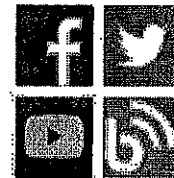
Business Entity
Search
Online Liquor
Ordering
Verify a License/
Registration for a
Health Care
Licensee

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Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Constitution Hall – 525 W. Allegan, Lansing, MI 48933
Mailing Address: PO Box 30005, Lansing, MI 48909
Toll Free 866-813-0011 – www.michigan.gov/lcc

Class C Licensing Requirements & General Information

A Class C license, as defined by MCL 436.1107(2), is a place licensed to sell, at retail, beer, wine, mixed spirit drink, and spirits for consumption on the premises.

Bars or restaurants selling beer, wine, spirits, and mixed drinks require a Class C license in order to sell alcoholic liquor to patrons at their establishment.

How to Apply

All applicants requesting new Class C license, seeking to transfer ownership of a Class C license, or transferring interest (stock or membership interest) in a Class C license must submit the following:

- **Application Form**

For a new Class C license or to transfer a Class C license - Retail License & Permit Application (Form LCC-100)

To transfer interest in a Class C license – License Interest Transfer Application (LCC-101)

- **Inspection Fee** - A \$70.00 nonrefundable inspection fee is required for each license requested in an application. ~~For example, if an applicant has requested to transfer a~~ Class C license that has a Specially Designated Merchant (SDM) license in conjunction, the inspection fee would be \$140.00.

- **License & Permit Fees** – The initial and annual renewal fee for a Class C license is \$600.00. Additional fees will vary based upon whether additional licenses and permits are requested in conjunction with a Class C license.

- **Livescan Fingerprints** – Applicants that have never been licensed through the Michigan Liquor Control Commission must submit fingerprints through the Livescan fingerprinting process - Livescan Fingerprint Background Request Form.

- **Purchase Agreement** – Applicants requesting to transfer a license from another licensee must submit an executed purchase agreement or other documentation signed by both the applicant and the current licensee, which details the sale of the liquor license(s) and other business assets.

- Purchase agreements must specifically indicate that the liquor license is being sold and provide the purchase price and terms of the sale.

- Purchasers of on-premises licenses must have at least 10% of the purchase price of the business, excluding real estate.
- Purchase agreements that are not for cash only sales and include real estate must list the personal property, including the licenses, and real estate with the terms and price for each.
- If the personal property and real estate are being purchased by separate people or entities, the purchase agreement must indicate those names and who is purchasing which items.
- If the applicant will not pay the full purchase price at closing, the balance due may be covered by a security agreement or promissory note. Alcoholic beverage inventory cannot be included on a security agreement or promissory note.
- **Property Document** – Applicants must provide documentation that demonstrates they will have control over the property that comprises the proposed licensed premises. Property documents include deeds, land contracts, and lease agreements.
 - A provision to reassign the license in the event of a default on a land contract or termination of a lease agreement may be included, but may only provide for the reassignment subject to Commission approval.
 - If the applicant is a company and its members or stockholders own the real estate as individuals or under another company, a lease agreement is needed.
 - If the applicant is an individual and he or she owns the real estate with a spouse or someone else who will not be named on the license, a lease between the applicant and the owners of the real estate is needed.

In addition to the documents required by all applicants:

Corporations must submit the following information per Administrative Rule R 436.1109:

- Copy of current, filed Articles of Incorporation.
- Current Certificate of Good Standing from the state where incorporated and Certificate of Authority to Do Business in Michigan, if incorporated outside of this state.
- Certified copy of the minutes of a meeting of its board of directors or a statement signed by an officer of the corporation naming the persons authorized by corporate resolution to sign the application and other documents required by the Commission (or Part 3 of Form LCC-301).
- Report of Stockholders/Members/Partners (Form LCC-301)

Limited Liability Companies (LLC) must submit the following information pursuant to Administrative Rule R 436.1110:

- Copy of Articles of Organization and copies of any amendments to the Articles of Organization.
- Current Certificate of Authority to Do Business in Michigan, if the LLC is a non-Michigan LLC.
- Copy of Operating Agreement entered into by members.
- Copy of most recent annual statement filed with the Corporations Division, if an existing LLC.

- Statement signed by a manager of the limited liability company or by at least 1 member if management is reserved to the members naming the person authorized to sign the application and other documents required by the Commission (or Part 3 of Form LCC-301).
- Report of Stockholders/Members/Partners (Form LCC-301)

Partnerships must submit the following information per Administrative Rule R 436.1111:

- Partnership Agreement, if a Limited Partnership.
- Report of Stockholders/Members/Partners (Form LCC-301)

Licensing Process

- The Licensing Division reviews the application and corresponding documents for completeness and verifies the appropriate fees have been received. If additional documents, fees, or corrections to documents are needed, Licensing will notify the applicant.
- Once all the necessary documents have been received Licensing will submit the request to the Enforcement Division for its investigation. If an applicant has applied for and meets the requirements for a conditional license, the request will be considered by the Commission.
- The Enforcement Division will contact the applicant to schedule an interview with the applicant (and current licensee for license transfers). At this meeting an investigator will review with the applicant documents, including:
 - purchase agreement
 - financial documents
 - property documents
 - other items pertaining to the application
- After the interview, the investigator will prepare a report for the Commission regarding the investigation and submit the request back to Licensing for further processing.
- Licensing reviews the report from Enforcement and any additional documents received during the interview process. The request is prepared for the Commission to consider and placed on a docket for an upcoming licensing meeting.
- The Commission considers the request, including:
 - the liquor license operating history of the applicant (if a current or prior licensee)
 - the arrest and conviction record of the applicant
 - whether the applicant meets the requirements for a license
 - the applicant's financial information
 - opinions of the local legislative body or police department, if received.

- The Commission will approve or deny the request based on these factors. Occasionally, the Commission will request more information from the applicant before making a final decision.
 - After the Commission makes a decision on the request, the file is returned to Licensing for final processing.
 - Approval orders are sent to the applicant requesting any final items before the issuance of the license.
 - Denial orders are sent to the applicant and the applicant may appeal the decision.
 - When all the final items are received by Licensing, the completed request is forwarded to the Renewal Unit for the issuance of the physical license documents.
 - Any changes in financial provisions at the time of closing which do not conform to the terms previously indicated and investigated may require submission of new forms and possible additional investigation.
-

Other Licenses That May Be Held in Conjunction With a Class C License

A **Specially Designated Merchant (SDM)** license for the sale of beer and wine for consumption off the licensed premises (take-out) may be held in conjunction with a Class C license.

A **Brewpub** license which allows a licensee to manufacture and sell beer produced on the premises or for take-out with an SDM license may be held in conjunction with a Class C license.

Permits, Permissions, and Authorizations

Sunday Sales Permit (A.M.) - A permit that allows the sale of liquor, beer, and wine on Sunday mornings between 7:00am and 12:00 noon, if allowed by the local unit of government.

Sunday Sales Permit (P.M.) - A permit that allows the sale of liquor on Sunday afternoons and evenings between 12:00 noon and 2:00am (Monday morning), if allowed by the local unit of government.

Additional Bar – Allows a licensee to set up an additional bar within its licensed premises or Outdoor Service area. The licensee may obtain one or more Additional Bars.

Specific Purpose Permit - A permit that allows specific types of activities (such as the service of food, sporting activities, meetings, etc.) to occur on the licensed premises outside the legal hours for the sale of alcohol. A specific purpose permit does not allow the sale of alcohol outside of the legal hours of sale.

Dance Permit - Allows dancing by patrons of a business with an on premises license. Often combined with an Entertainment Permit.

Entertainment Permit - Permits certain types of live entertainment at a business with an on premises license. An entertainment permit does not allow topless activity. Often combined with a Dance Permit.

Extended Hours Permit - A permit held in conjunction with a Dance or Entertainment Permit (or both) that allows dancing or entertainment on the licensed premises outside the legal hours for the sale of alcohol. An Extended Hours Permit does not allow the sale of alcohol outside of the legal hours of sale.

Catering Permit - Authorizes a holder of a Class C license to sell, deliver, and serve beer, wine, and spirits in the original containers at private events. A licensee must have a food service establishment license or retail food establishment license to qualify for this permit.

Banquet Facility Permit - Authorizes an on-premises licensee to serve alcohol at a separate licensed banquet facility used only for scheduled functions. An on-premises licensee may be issued one Banquet Facility Permit, as an extension of its licensed premises.

Living Quarters Permit - Allows living quarters to be directly connected to the licensed premises.

Topless Activity Permit - Allows topless activity by the employees, agents, or contractors of a business with an on premises license.

Direct Connection permission - Allows connections from the licensed premises to unlicensed premises.

Outdoor Service authorization - Authorization granted by the Commission for a licensee to sell alcohol outdoors in an area controlled by the licensee. This can be a patio area next to the licensed premises or a space as large as a golf course

License Quotas and Local Government Unit Approval for New Class C Licenses

- Each local governmental unit (city, village, or township) has a limited number of Class C licenses that may be issued based on the population from the most recent federal census.
- An applicant requesting a new Class C license must first verify that the license quota limit for Class C licenses in the local governmental unit has not been reached and an available Class C license exists.

- If an available Class C quota license exists in the local government unit, the applicant must obtain a recommendation from the legislative body of the local governmental unit (city council, village council, or township board).
 - The legislative body may pass a resolution to recommend the applicant's application for the new Class C license. It may also record its approval on the Local Government Approval Form (Form LCC-106).
 - The resolution must be submitted to the Commission with the initial application and documents.
-

Churches & Schools

A new application to sell alcoholic beverages at retail, or a request to transfer location of an existing license, may be denied if the proposed location is within 500 feet of a church or school. The Commission may waive the church/school provision if the church or school does not file an objection to the proposed license. If the church or school does file an objection, the Commission shall hold a hearing before making a decision on the issuance of the license.

Proof of Financial Responsibility

- Liquor liability coverage of at least \$50,000.00 is required by Michigan law for active operation of a licensed business. Types of acceptable coverage are:
 - liquor liability insurance
 - ~~cash~~
 - unencumbered securities
 - constant value bond
 - membership in an authorized group self-insurance pool
 - For more information, please read the instructions in the Proof of Financial Responsibility form (Form LC-95).
-



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
Toll Free (866) 813-0011 • www.michigan.gov/lc

On Premise Transactions		Is Local Legislative Body approval required?	Is Local Police approval required?	Is Local Legislative Body or Police options required to be considered?	MLCC Investigation required?	Inspection Fees?	Base Fees
Add Space		No	No	No	Yes	Yes	
Change Specific Purpose Permit hours		No	No	No	No	No	
Change status		No	No	No	No	No	
Correct address		No	No	No	Yes	No	
Drop Space (current licensees)		No	No	No	Yes	Yes	
New Additional Bar		No	No	No	No	Yes	\$350.00 per bar
New A-Hotel License		Yes	No	Yes	Yes	Yes	\$250.00
New Aircraft License		No	No	Yes	Yes	Yes	\$600.00
New Banquet Facility Permit		Yes	No	Yes	Yes	Yes	\$600.00
New B-Hotel License		Yes*	No	Yes	Yes	Yes	\$600.00
New Brewpub License		Yes*	No	Yes	Yes	Yes	\$100.00
New Catering Permit		No	No	Yes	No	Yes	\$100.00
New Class C issued under MCL 436.1521a(1)(a)		Yes	No	Yes	Yes	Yes	\$20,000 upon licensure
New Class C issued under MCL 436.1521a(1)(b)		Yes	No	Yes	Yes	Yes	\$20,000 upon licensure
New Class C License		Yes*	No	Yes	Yes	Yes	\$600.00
New Class G-1 License		Yes*	No	Yes	Yes	Yes	\$1,000.00
New Class G-2 License		Yes*	No	Yes	Yes	Yes	\$500.00
New Club License		Yes*	No	Yes	Yes	Yes	\$300.00

*except in a city having a population of 60,000 or more, pursuant to MCL 436.1501(2)

Last updated on 12-21-2012



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On Premise Transactions		Is Local Legislative Body approval required?		Is Local Police approval required?		Is Local Legislative Body or Police options required to be considered?		MLCC Investigation required?		Inspection Fees?		Base Fees	
	New Continuing Care Retirement Center License	Yes*	No	No	Yes	Yes	Yes	Yes	Yes	Yes		\$600.00	
	New Dance Permit	No	No	No	Yes	Yes	Yes	No	Yes	Yes			
	New Dance-Entertainment Permit	No	No	No	Yes	Yes	Yes	No	Yes	Yes			
	New Direct Connection	No	No	No	No	No	No	Yes	No	No			
	New Entertainment Permit	No	No	No	Yes	Yes	Yes	No	Yes	Yes			
	New Extended Hours Permit (Dance, Topless Activity, Entertainment)	No	No	No	Yes	Yes	Yes	No	Yes	Yes			
	New Living Quarters Permit	No	No	No	Yes	Yes	Yes	No	Yes	Yes			
	New Outdoor Service	No	No	No	No	No	No	Yes	No	No			
	New Participation Permit	No	No	No	Yes	Yes	Yes	No	No	No			
	New Resort A-Hotel License	Yes*	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$20,000 Enhancement upon licensure		
	New Resort B-Hotel License	Yes*	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$20,000 Enhancement upon licensure		
	New Resort Class C License	Yes*	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$20,000 Enhancement upon licensure		
	New Resort Tavern License	Yes*	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$20,000 Enhancement upon licensure		
	New SDM in conj with On Premise license	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$100.00		
	New Specific Purpose Permit (Food, Golf, etc.)	No	No	No	Yes	Yes	Yes	No	Yes	Yes			
	New Sunday Sales Permit (AM)	No	No	No	Yes	Yes	Yes	No	No	No	\$160.00		
	New Sunday Sales Permit (PM)	No	No	No	Yes	Yes	Yes	No	No	No	15% of total license fee		
	New Tavern License	Yes*	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$250.00		

*except in a city having a population of 600,000 or more, pursuant to MCL 436.1501(2)

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On Premise Transactions	Is Local Legislative Body approval required?				Is Local Police approval required?				Is Local Legislative Body or Police opinions required to be considered?				MLCC Investigation required?				Inspection Fees?				Base Fees
	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
New Topless Activity Permit																					
New Train License																					\$100.00
New Watercraft License																					\$100.00
Release license from escrow (in escrow <6 months)																					
Release license from escrow (in escrow 6+ months)																					
Temporary Permit																					
Transfer Classification Class C to Tavern																					
Transfer Classification Class C/Tavern to G1/G2																					
Transfer Classification Hotel to Class C/Tavern																					
Transfer Classification Tavern to Class C																					\$600.00
Transfer Location- On Premise																					
Transfer of stock or transfer of interest																					Upon approval by the Commission pursuant to MCL 436.1529(3)
Transfer ownership of Additional Bar																					\$350.00
Transfer ownership of A-Hotel License																					\$250.00
Transfer ownership of Aircraft License																					\$600.00
Transfer ownership of Banquet Facility Permit																					\$600.00
Transfer ownership of B-Hotel License																					\$600.00
Transfer ownership of Brewpub License																					\$100.00

*except in a city having a population of 600,000 or more, pursuant to MCL 436.1501(2)

Last updated on 12-21-2012



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On Premise Transactions	Is Local Legislative Body approval required?	Is Local Police approval required?	Is Local Legislative Body or Police opinions required to be considered?	MLCC Investigation required?	Inspection Fees?	Base Fees
Transfer ownership of Catering Permit	No	No	Yes	No	No	\$100.00
Transfer ownership of Class C License	No	No	Yes	Yes	Yes	\$600.00
Transfer ownership of Class G-1 License	No	No	Yes	Yes	Yes	\$1,000.00
Transfer ownership of Class G-2 License	No	No	Yes	Yes	Yes	\$500.00
Transfer ownership of Continuing Care Retirement Center License	No	No	Yes	Yes	Yes	\$600.00
Transfer ownership of Dance Permit	No	No	Yes	No	No	
Transfer ownership of Dance-Entertainment Permit	No	No	Yes	No	No	
Transfer ownership of Direct Connection	No	No	No	Yes	No	
Transfer ownership of Entertainment Permit	No	No	Yes	No	No	
Transfer ownership of Extended Hours Permit(Dance, Topless, Entertain)	No	No	Yes	No	No	
Transfer ownership of Living Quarters Permit	No	No	Yes	No	No	
Transfer ownership of Outdoor Service	No	No	No	Yes	No	
Transfer ownership of Participation Permit	No	No	Yes	No	No	
Transfer ownership of Resort A-Hotel License	No	No	Yes	Yes	Yes	\$250.00
Transfer ownership of Resort B-Hotel License	No	No	Yes	Yes	Yes	\$600.00
Transfer ownership of Resort Class C License	No	No	Yes	Yes	Yes	\$600.00
Transfer ownership of Resort Tavern License	No	No	Yes	Yes	Yes	\$250.00
Transfer ownership of Specific Purpose Permit (Food, Golf, etc.)	No	No	Yes	No	No	

*except in a city having a population of 600,000 or more, pursuant to MCL 436.1501(2)

Last updated on 12-21-2012



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On Premise Transactions	Is Local Legislative Body approval required?			Is Local Police approval required?		Is Local Legislative Body or Police opinions required to be considered?		MLCC Investigation required?		Inspection Fees?		Base Fees
Transfer ownership of Sunday Sales Permit (AM)			No	No	No	Yes	No	No	No	No	No	\$160.00
Transfer ownership of Sunday Sales Permit (PM)			No	No	No	Yes	No	No	No	No	No	15% of total license fee
Transfer ownership of Tavern License			No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$250.00
Transfer ownership of Topless Activity Permit			No	No	No	Yes	No	No	No	No	No	
Transfer ownership of Train License			No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$100.00
Transfer ownership of Watercraft License			No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$100.00

*except in a city having a population of 600,000 or more, pursuant to MCL 436.1501(2)

Last updated on 12-21-2012



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
Toll Free (866) 813-0011 • www.michigan.gov/lcc

Off Premise Transactions	Is Local Legislative Body approval required?				Is Local Police approval required?		Is Local Legislative Body or Police options required to be considered?		MLCC Investigation required?		Inspection Fees?		Base Fees
	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	
Add Space													
Change status													
Correct address													
Drop Space													
New Beer & Wine Sampling Permit													
New Catering Permit													\$100.00
New Direct Connection													
New Gas Pumps													
New Living Quarters Permit													
New Participation Permit													
New Resort SDD License													\$150.00 upon licensure
New SDD License													\$150.00
New SDM License													\$100.00
New Sunday Sales Permit (AM)													\$160.00
New Sunday Sales Permit (PM)													15% of total license fee
Release license from escrow (in escrow <6 months)													
Release license from escrow (in escrow 6+ months)													
Transfer Location-Off Premise													



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Off Premise Transactions	Is Local Legislative Body approval required?				Is Local Police approval required?		Is Local Legislative Body or Police opinions required to be considered?		MLCC Investigation required?		Inspection Fees?		Base Fees Upon approval by the Commission pursuant to MCL 436.1529(3)
	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	
Transfer of stock or transfer of interest	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	
Transfer owner Drive-thru/in Window(w/ alcohol beverage sales)	No	No	No	No	No	No	No	Yes	Yes	No	No	No	
Transfer ownership of Beer & Wine Sampling Permit	No	No	No	No	No	No	Yes	No	No	No	No	No	
Transfer ownership of Catering Permit	No	No	No	No	No	No	Yes	No	No	No	No	No	\$100.00
Transfer ownership of Direct Connection	No	No	No	No	No	No	No	Yes	Yes	No	No	No	
Transfer ownership of Gas Pumps	No	No	No	No	No	No	No	Yes	Yes	No	No	No	
Transfer ownership of Living Quarters Permit	No	No	No	No	No	No	Yes	No	No	No	No	No	
Transfer ownership of Participation Permit	No	No	No	No	No	No	Yes	No	No	No	No	No	
Transfer ownership of Resort SDD License	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$150.00
Transfer ownership of SDD License	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$150.00
Transfer ownership of SDM License	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	\$100.00
Transfer ownership of Sunday Sales Permit (AM)	No	No	No	No	No	No	Yes	No	No	No	No	No	\$160.00
Transfer ownership of Sunday Sales Permit (PM)	No	No	No	No	No	No	Yes	No	No	No	No	No	15% of total license fee



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Retailer License & Permit Application

For more information on retail licenses and permits, please visit the Liquor Control Commission's frequently asked questions website by [clicking this link](#).

Before you begin filling out the attached application, please review this checklist for the forms and documents you will need to submit with your completed application form.

The attached LCC-100 form will automatically calculate fees when opened using Adobe Acrobat Reader. The form's functionality may not work with third-party PDF readers. You may download a free copy of Adobe Acrobat Reader on the Adobe website: <https://get.adobe.com/reader/>

- ☐ Completed Retail License & Permit Application (Form LCC-100, attached)
- ☐ Livescan Fingerprint Form* (attached)
- ☐ Inspection, License, and Permit Fees
- ☐ Local Government Authorization (Form LCC-106) - For a new on-premises license only
- ☐ Purchase agreement - For the transfer of ownership of a license
- ☐ Property document (lease, deed, land contract, etc.)
- ☐ New Specially Designated Merchant license documents - For new Specially Designated Merchant license only (see page 3)

Are you transferring stock or membership interest? If yes, use the [License Interest Transfer Application \(LCC-101\)](#).

If applicant is a corporation also include (pursuant to R 436.1109):

- ☐ Report of Stockholders/Member/Partners (Form LCC-301)
- ☐ Copy of Articles of Incorporation filed with the Corporations Division of the Department of Licensing & Regulatory Affairs
- ☐ Current Certificate of Good Standing from the state where incorporated and Certificate of Authority to Do Business in Michigan, if incorporated outside of Michigan.
- ☐ Certified copy of the minutes of a meeting of its board of directors or a statement signed by an officer of the corporation naming the persons authorized by corporate resolution to sign the application and other documents required by the Commission or Part 3 of Form LCC-301.

If applicant is a limited liability company also include (pursuant to R 436.1110):

- ☐ Report of Stockholders/Member/Partners (Form LCC-301)
- ☐ Copy of Articles of Organization filed with the Corporations Division of the Department of Licensing & Regulatory Affairs
- ☐ Copy of the operating agreement or bylaws of the applicant company
- ☐ Current Certificate of Authority to Do Business in Michigan, if the LLC is a non-Michigan LLC.
- ☐ Statement signed by a manager of the limited liability company or by at least 1 member if management is reserved to the members naming the person authorized to sign the application and other documents required by the Commission or Part 3 of Form LCC-301.

If applicant is a limited partnership also include (pursuant to R 436.1111):

- ☐ Report of Stockholders/Member/Partners (Form LCC-301)
- ☐ Copy of the partnership agreement of the applicant limited partnership
- ☐ Each general partner of a partnership shall sign the application, bond, and other papers filed in connection with securing a new license or transferring an existing license. This requirement may be waived by the Commission upon showing of good cause, which must be submitted in writing.

*Fingerprints are required for applicants that have not been fingerprinted for MLCC licensure in the past and will hold 10% or more interest in a license or applicant entity.



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Business ID: _____

Request ID: _____

(For MLCC Use Only)

Retailer License & Permit Application

For information on retail licenses and permits, including a checklist of required documents for a completed application, please visit the Liquor Control Commission's frequently asked questions website [by clicking this link](#).

Part 1 - Applicant Information

Individuals, please state your legal name. Corporations or Limited Liability Companies, please state your name as it is filed with the State of Michigan Corporation Division.

Applicant name(s): _____

Address to be licensed: _____

City: _____

Zip Code: _____

City/township/village where license will be issued: _____

County: _____

Federal Employer Identification Number (FEIN): _____

1. Are you requesting a new license? ☐ Yes ☐ No
2. Are you applying ONLY for a new permit or permission? ☐ Yes ☐ No
3. Are you buying an existing license? ☐ Yes ☐ No
4. Are you modifying the size of the licensed premises? ☐ Yes ☐ No
If Yes, specify: ☐ Adding Space ☐ Dropping Space ☐ Redefining Licensed Premises
5. Are you transferring the location of an existing license? ☐ Yes ☐ No
6. Is this license being transferred as the result of a default or court action? ☐ Yes ☐ No
7. Do you intend to use this license actively? ☐ Yes ☐ No

Leave Blank - MLCC Use Only

Part 2 - License Transfer Information (If Applicable)

If transferring ownership of a license ONLY and not transferring the location of a license, fill out only the name of the current licensee(s)

Current licensee(s): _____

Current licensed address: _____

City: _____

Zip Code: _____

City/township/village where license is issued: _____

County: _____

Part 3 - Licenses, Permits, and Permissions

Off Premises Licenses - Applicants for off premises licenses, permits, and permissions (e.g. convenience, grocery, specialty food stores, etc.) must complete the attached Schedule A and return it with this application. Transfer the fee calculations from the Schedule A to Part 4 below.

On Premises Licenses - Applicants for on premises licenses, permits, and permissions (e.g. restaurants, hotels, bars, etc.) must complete the attached Schedule A and return it with this application. Transfer the fee calculations from the Schedule A to Part 4 below.

Part 4 - Inspection, License, and Permit Fees - Make checks payable to State of Michigan

Inspection Fees - Pursuant to MCL 436.1529(4) a nonrefundable inspection fee of \$70.00 shall be paid to the Commission by an applicant or licensee at the time of filing of a request for a new license or permit, a request to transfer ownership or location of a license, a request to increase or decrease the size of the licensed premises, or a request to add a bar. Requests for a new permit in conjunction with a request for a new license or transfer of an existing license do not require an additional inspection fee.

License and Permit Fees - Pursuant to MCL 436.1525(1), license and permit fees shall be paid to the Commission for a request for a new license or permit or to transfer ownership or location of an existing license.

Inspection Fees: _____

License & Permit Fees: _____

TOTAL FEES: _____

Schedule A - Licenses, Permits, & Permissions

Applicant name: _____

Off Premises License Type:	Base Fee:	Fee Code MLCC Use Only
New Transfer		
<input type="checkbox"/> <input type="checkbox"/> SDM License	\$100.00	
<input type="checkbox"/> <input type="checkbox"/> SDD License	\$150.00	
<input type="checkbox"/> <input type="checkbox"/> Resort SDD License	Upon Licensure/\$150.00	

Off Premises Permits:	Base Fee:
<input type="checkbox"/> Sunday Sales Permit (AM)*	\$160.00
<input type="checkbox"/> Sunday Sales Permit (PM)** (Held with SDD License)	\$22.50
<input type="checkbox"/> Catering Permit	\$100.00
<input type="checkbox"/> Secondary Location Permit - Complete <u>Form LCC-201</u>	
<input type="checkbox"/> Beer and Wine Tasting Permit	No charge
<input type="checkbox"/> Living Quarters Permit	No charge

On/Off Premises Permission Type:	Base Fee:
<input type="checkbox"/> Off-Premises Storage	No charge
<input type="checkbox"/> Direct Connection(s)	No charge
<input type="checkbox"/> Motor Vehicle Fuel Pumps	No charge

*Sunday Sales Permit (AM) allows the sale of liquor, beer, and wine on Sunday mornings between 7:00am and 12:00 noon, if allowed by the local unit of government.

**Sunday Sales Permit (PM) allows the sale of liquor on Sunday afternoons and evenings between 12:00 noon and 2:00am (Monday morning), if allowed by the local unit of government. No Sunday Sales Permit (PM) is required for the sale of beer and wine on Sunday after 12:00 noon. The Sunday Sales Permit (PM) fee is 15% of the fee for the license that allows the sale of liquor. Additional bar fees and B-Hotel room fees are also calculated as part of the permit fee.

Licenses, permits, and permissions selected on this form will be investigated as part of your request. Please verify your information prior to submitting your application, as some licenses, permits, or permissions cannot be added to your request once the application has been sent out for investigation by the Enforcement Division.

Inspection, License, Permit, & Permission Fee Calculation

Number of Licenses: _____ x \$70.00 Inspection Fee

Total Inspection Fee(s): _____

Total License Fee(s): _____

Total Permit Fee(s): _____

TOTAL FEES DUE: _____

Please note that requests to transfer SDD licenses will require the payment of additional fees based on the seller's previous calendar year's sales. These fees will be determined prior to issuance of the license to the applicant.

Make checks payable to **State of Michigan**

On Premises License Type:	Base Fee:	Fee Code MLCC Use Only
New Transfer		
<input type="checkbox"/> <input type="checkbox"/> B-Hotel License	\$600.00	
Number of guest rooms: _____		
<input type="checkbox"/> <input type="checkbox"/> A-Hotel License	\$250.00	
Number of guest rooms: _____		
<input type="checkbox"/> <input type="checkbox"/> Class C License	\$600.00	
<input type="checkbox"/> <input type="checkbox"/> Tavern License	\$250.00	
<input type="checkbox"/> <input type="checkbox"/> Resort License	Upon Licensure	
<input type="checkbox"/> <input type="checkbox"/> Redevelopment License	Upon Licensure	
<input type="checkbox"/> <input type="checkbox"/> Brewpub License	\$100.00	
<input type="checkbox"/> <input type="checkbox"/> G-1 License	\$1,000.00	
<input type="checkbox"/> <input type="checkbox"/> G-2 License	\$500.00	
<input type="checkbox"/> <input type="checkbox"/> Aircraft License	\$600.00	
<input type="checkbox"/> <input type="checkbox"/> Watercraft License	\$100.00	
<input type="checkbox"/> <input type="checkbox"/> Train License	\$100.00	

<input type="checkbox"/> <input type="checkbox"/> Continuing Care Retirement Center License	\$600.00
<input type="checkbox"/> MCL 436.1545(1)(b)(i)	<input type="checkbox"/> MCL 436.1545(1)(b)(ii)

B-Hotel or Class C Licenses Only:

<input type="checkbox"/> <input type="checkbox"/> Additional Bar(s)

Number of Additional Bars: _____

B-Hotel or Class C licenses allow licensees to have one (1) bar within the licensed premises. A \$350.00 licensing fee is required for each additional bar over the one (1) bar initially issued with the license.

On Premises Permits:	Base Fee:
<input type="checkbox"/> Sunday Sales Permit (AM)*	\$160.00
<input type="checkbox"/> Sunday Sales Permit (PM)**	15%**
<input type="checkbox"/> Catering Permit	\$100.00
<input type="checkbox"/> Banquet Facility Permit - Complete <u>Form LCC-200</u>	

A Banquet Facility Permit is an extension of the license at a different location. It may have its own permits and permissions. It is not a banquet room on the licensed premises.

<input type="checkbox"/> Outdoor Service	No charge
<input type="checkbox"/> Dance Permit	No charge
<input type="checkbox"/> Entertainment Permit	No charge
<input type="checkbox"/> Extended Hours Permit:	No charge
<input type="radio"/> Dance <input type="radio"/> Entertainment Days/Hours:	_____
<input type="checkbox"/> Specific Purpose Permit:	No charge

Activity requested: _____

Days/Hours requested: _____

<input type="checkbox"/> Living Quarters Permit	No charge
<input type="checkbox"/> Topless Activity Permit	No charge

Schedule B - New Specially Designated Merchant License Supplemental Application - New SDM License Applications ONLY

Applicant name:

Effective January 4, 2017 pursuant to MCL 436.1533(5), Specially Designated Merchant (SDM) licenses are quota licenses based on one (1) SDM license for every 1,000 of population in a local governmental unit. MCL 436.1533 provides for several exemptions from the quota for qualified applicants. Please carefully read the requirements in the boxes below, selecting the applicable approved type of business option(s) from Section 1 and an applicable new SDM license quota option from Section 2.

Section 1 - Requirements to Qualify as Approved Type of Business for New SDM License Applicants

Applicant must meet one (1) or more of the following conditions (check those that apply to your business):

- ☐ a. Applicant holds and maintains retail food establishment license or extended retail food establishment license under the Food Law of 2000, MCL 289.1101 to MCL 289.8111.
- ☐ b. Applicant holds or has been approved for Specially Designated Distributor license (Applicant must also hold and maintain food establishment license as described above).
- ☐ c. Applicant holds or has been approved for an on-premises license, such as a Class C, A-Hotel, B-Hotel, Tavern, Club, G-1, or G-2 license.

Section 2 - Quota Requirements for New SDM License Applicants

Applicant must qualify under one of the following sections of the Liquor Control Code regarding the SDM quota:

- ☐ a. Applicant is an applicant for or holds a Class C, A-Hotel, B-Hotel, Tavern, Club, G-1, or G-2 license.
MCL 436.1533(5)(a) - SDM license is exempt from SDM quota and license cannot be transferred to another location.
- ☐ b. Applicant's establishment is at least 20,000 square feet and at least 20% of gross receipts are derived from the sale of food.
MCL 436.1533(5)(b)(i) - SDM license is exempt from SDM quota and license cannot be transferred to another location.
- ☐ c. Applicant's establishment is a pharmacy as defined in the Public Health Code, MCL 333.17707.
MCL 436.1533(5)(b)(ii) - SDM license is exempt from SDM quota and license cannot be transferred to another location.
- ☐ d. Applicant's establishment qualifies as a marina under MCL 436.1539.
MCL 436.1533(5)(e) - SDM license is exempt from SDM quota and license may be transferred to another location if the applicant complies with MCL 436.1539 at the new location.
- ☐ e. Applicant does not qualify under any of the quota exemptions or waiver listed above.
MCL 436.1533(5) - Commission shall issue one (1) SDM for every 1,000 population in a local governmental unit and an unissued SDM must be available in the local governmental unit for the applicant to qualify. SDM license may be transferred to another location.

Documents Required To Be Submitted with New SDM License Application

In addition to the documents listed on the application checklist, the new SDM license applicant must submit the documents listed below, as applicable, with its application to comply with the requirements described above. Select one or more of the following:

- ☐ Copy of retail food establishment license or extended retail food establishment license for a SDM license or a SDM license to be issued in conjunction with a Specially Designated Distributor license. The name on the food establishment license must match the applicant name in Part 1 of this application form. A food establishment license is not required for a SDM license to be issued in conjunction with an on-premises license.
- ☐ If applying under Section 2b above, documentary proof that applicant's establishment is at least 20,000 square feet and at least 20% of gross receipts are derived from the sale of food.
- ☐ If applying under Section 2c above, a copy of the pharmacy license issued under the Public Health Code.

Part 5a - Information on Individual Applicant, Stockholder, Member, or Limited Partner

Each individual, stockholder, member, or partner must complete Part 5a, 5b, and 5c. If a stockholder or member of an applicant company is a corporation or limited liability company, complete Part 5a and 5c and submit a completed Form LCC-301.

For applications with multiple individuals, stockholders, members, or partners - each person or entity must complete a separate copy of this page.

Name:		
Home address:		
City:	State:	Zip Code:
Business Phone:	Cell Phone:	Email:
Have you ever been licensed by the Michigan Liquor Control Commission (MLCC) or do you currently hold an interest in any other licenses issued by the MLCC? If Yes , please list business ID numbers below. If you hold interest in 2 or more locations under the same name, please also write "chain" below. Pursuant to MCL 436.1603, a retailer licensee <u>may not</u> hold interest in a manufacturer or wholesaler licensee. <input type="radio"/> Yes <input type="radio"/> No		
Do you hold 10% or more interest in the applicant entity? <input type="radio"/> Yes <input type="radio"/> No		
If you answered "no" to the first question and "yes" to the second question, you must submit fingerprints and undergo an investigation by the MLCC. Please see the attached instructions for submitting fingerprints to the MLCC. You must submit a copy of the completed and endorsed "Livescan Fingerprint Background Request" with your application.		

Part 5b - Personal Information (Individuals)

Date of Birth:	Social Security Number:	Driver's License Number:	
Are you a citizen of the United States of America? <input type="radio"/> Yes <input type="radio"/> No			
Have you ever legally changed your name? <input type="radio"/> Yes <input type="radio"/> No			
If you answered "yes", please list your prior name(s) (including maiden):			
Spouse's full name (if currently married):			
Spouse's date of birth:	Is your spouse a citizen of the United States of America? <input type="radio"/> Yes <input type="radio"/> No		
Do you or your spouse hold any position, either by appointment or election, which involves the duty to enforce any penal law of the United States of America, or the penal laws of the State of Michigan, or any penal ordinance or resolution of any municipal subdivisions of the State of Michigan? <input type="radio"/> Yes <input type="radio"/> No			
Does your spouse hold a retail, manufacturer, or wholesaler license issued by the MLCC? <input type="radio"/> Yes <input type="radio"/> No			
Have you ever been found guilty, pled guilty, or pled no contest to a criminal charge or any local ordinance violations? If Yes , list below (attach additional pages if necessary): <input type="radio"/> Yes <input type="radio"/> No			
Date	City/State	Charge	Disposition
Has your spouse ever been found guilty, pled guilty, or pled no contest to a criminal charge or any local ordinance violations? If Yes , list below (attach additional pages if necessary): <input type="radio"/> Yes <input type="radio"/> No			
Date	City/State	Charge	Disposition

Part 5c - Signature

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003. (This form must be signed by the person whose information it contains).

Print Name

Signature

Date

Part 6 - Contact Information

Provide information on the contact person for this application. Please note that corporations and limited liability companies must provide documentation (e.g. meeting minutes, corporate resolution) authorizing anyone other than the applicant or an attorney of record to be the contact person. If an authorization is not provided, your contact person will not be acknowledged if they are anyone other than the applicant or attorney.

What is your preferred method of contact?			<input type="radio"/> Phone	<input type="radio"/> Mail	<input type="radio"/> Email	<input type="radio"/> Fax
What is your preferred method for receiving a Commission Order?			<input type="radio"/> Mail	<input type="radio"/> Email	<input type="radio"/> Fax	
Contact name:			Relationship:			
Mailing address:						
Phone:		Fax number:		Email:		

Part 7 - Attorney Information (If You Have An Attorney Representing You For This Application)

Attorney name:		Member Number: P-	
Attorney address:			
Phone:	Fax number:	Email:	
Would you prefer that we contact your attorney for all licensing matters related to this application?		<input type="radio"/> Yes <input type="radio"/> No	
Would you prefer any notices or closing packages be sent directly to your attorney?		<input type="radio"/> Yes <input type="radio"/> No	

Part 8 - Signature of Applicant

Be advised that the information contained in this application will only be used for this request. This section will need to be completed for each subsequent request you make with this office.

Notice: When purchasing a license, a buyer can be held liable for tax debts incurred by the previous owner. Prior to committing to the purchase of any license or establishment, the buyer should request a tax clearance certificate from the seller that indicates that all taxes have been paid up to the date of issuance. Obtaining sound professional assistance from an attorney or accountant can be helpful to identify and avoid any pitfalls and hidden liabilities when buying even a portion of a business. Sellers can make a request for the tax clearance certificate through the Michigan Department of Treasury.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

The person signing this form has demonstrated that they have authorization to do so and have attached appropriate documentation as proof.

Print Name of Applicant & Title

Signature of Applicant

Date

Please return this completed form along with corresponding documents and fees to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-373-4202



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Livescan Fingerprint Background Request Instructions for Michigan & Out-of-State Applicants

APPLICANTS THAT LIVE IN MICHIGAN

Applicants for a Michigan liquor license must have their fingerprints a law enforcement agency in Michigan that offers digital fingerprinting or a private Livescan vendor approved by the Michigan State Police. You may access a list of approved vendors on the Michigan State Police website (contains vendors' websites and contact information): http://www.michigan.gov/msp/0,4643,7-123-1878_8311-237662--00.html.

On the attached Livescan Fingerprint Background Request form, you must use the correct Code (LL), Agency ID Number (1479J), and Agency Name (MI DEPT OF LICENSING AND REGULATORY AFFAIRS - LIQUOR CONTROL) in order for the fingerprint report to be sent to the Michigan Liquor Control Commission. Payment receipts should not be mailed to the office, but kept for your own records.

You must bring the Livescan Fingerprint Background Request form with a driver's license or other state or federal-issued picture identification to your fingerprint appointment. You will also be required to pay a separate fee to the fingerprint agency when registering and/or scheduling your appointment. A copy of the Livescan Fingerprint Background Request form, which is signed by the Livescan Operator and returned to you, must be submitted with your application in order for your request to be investigated.

When your fingerprints are taken, a technician will perform a scan of your fingerprints and submit the data electronically to the Michigan State Police.

APPLICANTS THAT LIVE OUTSIDE OF MICHIGAN

Applicants for a Michigan liquor license that live outside of Michigan must submit fingerprints through one of the private Livescan vendors approved by Michigan State Police that offer fingerprinting for residents that live outside of Michigan. You may access a list of approved vendors that process finger print cards for non-Michigan residents on the Michigan State Police website (contains vendors' websites and contact information): http://www.michigan.gov/msp/0,4643,7-123-1878_8311-237662--00.html.

The applicant must contact a local law enforcement agency, governmental agency, or private fingerprint agency to perform ink fingerprinting on a FBI fingerprint card (FD-258) or fingerprint cards from any other state or local agency (fingerprint cards must be on card stock). These fingerprint cards must be submitted for processing to one of vendors on the Michigan State Police's list of approved vendors. Contact the vendor directly regarding its process and the fee for submitting the fingerprint cards for processing.

Make a copy of the completed and signed Livescan Fingerprint Background Request form and submit that copy with the license application.

WHAT HAPPENS AFTER FINGERPRINTS ARE SUBMITTED

The law enforcement agency or private vendor will submit your fingerprints to the Michigan State Police for analysis.

If no criminal history is found, the Michigan Liquor Control Commission will be notified.

~~If criminal history is found, the Michigan State Police will send the record directly to the Michigan Liquor Control Commission for review.~~

QUESTIONS AND ADDITIONAL INFORMATION

For questions about the Livescan fingerprinting process, call the Michigan State Police at 517-241-0606.

Please do not contact the Michigan Liquor Control Commission regarding your criminal background check, unless your fingerprints were taken more than 30 days ago.

Please note: Fingerprints taken for any other agency will not fulfill fingerprint requirements for a liquor license in Michigan.

LIVESCAN FINGERPRINT BACKGROUND REQUEST

AUTHORITY: MCL 28.214, MCL 28.273 & MCL 28.162; **COMPLIANCE:** Voluntary, however failure to complete this form will result in denial of request.

Purpose: To conduct a fingerprint-based background check for employment, to volunteer, or for licensing purposes as authorized by law.

I. Fingerprint Reason							
1. Code LL	2. Requestor/Agency ID 1479J	3. Agency Name MI DEPT OF LICENSING AND REGULATORY AFFAIRS - LIQUOR CONTROL					
II. Applicant Information: Type or clearly print answers in all fields before going to be fingerprinted.							
1a. Last Name		1b. First Name		1c. Middle Initial		1d. Suffix	
2. Any Alternative Names, Last Names, or Aliases				3. Social Security Number (Optional)			
4. Place of Birth (State or Country)	5. Date of Birth	6. Phone Number	7. Driver License State	8. Driver License Number			
9. Address		10. City		11. State		12. ZIP Code	
13. Sex	14. Race	15. Height	16. Weight	17. Eye Color		18. Hair Color	
III. Live Scan: Must be completed by the Livescan Operator at the time of fingerprinting.							
1. Date Printed		Picture ID Type Presented		3. TCN		4. Live Scan Operator	

NOTE: After fingerprinting, applicant must return signed and completed document to the requesting agency. Livescan Operator must return completed copy to applicant.

I understand that my personal information and biometric data being submitted by livescan will be used to search against criminal identification records from both the Michigan State Police (MSP) and Federal Bureau of Investigation (FBI) for the fingerprint reason listed above. I hereby authorize the release of my personal information for such purposes and release any records found to the authorized requesting agency listed above.

During the processing of this application, and for as long as your fingerprints and associated information/biometrics are retained at the State and or FBI, they may be disclosed without your consent as permitted by the Federal Privacy Act of 1974 (Pub. L. 93-579) for all applicable routine uses published by the FBI, including the Federal Register and the FBI's Next Generation Identification (NGI).

Routine uses include, but is not limited to, disclosure to: governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

Signature: _____

Date: _____

Procedure to obtain a change, correction or update of identification records:

If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency. (28 CFR §16.34)

**** ENSURE THAT THE CORRECT FINGERPRINTING REASON CODE AND AGENCY ID ARE USED. MSP WILL CHARGE FOR SECOND REQUESTS DUE TO INCORRECT CODES. ****



Michigan Department of Licensing and Regulatory Affairs
Finance and Administrative Services
Revenue Services

LARA Revenue Services **is not** a part of
the Michigan Liquor Control
Commission (see note below).

Credit Card Authorization Form

**** FAX COMPLETED FORM TO SECURE FAX LINE: 517-373-4202 ****

**** DO NOT EMAIL OR MAIL THIS FORM ****

Requests with credit card payments that are not faxed to the above secure fax line will be destroyed along with the credit card authorization in order to ensure the security of applicants' personal credit card numbers.

**** IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED ****

Name: _____ Transaction Amount: _____
Address: _____ Card Number: _____
City: _____ Check One:
State: _____ ☐ MasterCard ☐ Visa ☐ Discover
Zip Code: _____ Expiration Date: _____
Phone: _____

Applicant/Licensee Name: _____ Request or Business ID #: _____

Signature _____

Payment is for: _____

IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED.

Credit Card Payment Itemization:

Fee Type	Fee Amount	MLCC Fee Code
<input type="checkbox"/> Inspection Fee(s):	_____	4036
<input type="checkbox"/> Special License Fee(s):	_____	4008
<input type="checkbox"/> Temporary Authorization Fee:	_____	4037
<input type="checkbox"/> License Renewal Fee(s):	_____	4004
<input type="checkbox"/> Manufacturer License(s):	_____	4038
<input type="checkbox"/> Wholesaler License(s):	_____	4085
<input type="checkbox"/> New Retailer License(s):	_____	4012
<input type="checkbox"/> Transfer Retailer License(s):	_____	4034
<input type="checkbox"/> Conditional License	_____	4012
<input type="checkbox"/> New Add Bar <input type="checkbox"/> Transfer Add Bar:	_____	4012/4034
<input type="checkbox"/> Sunday Sales Permit (AM):	_____	4033
<input type="checkbox"/> Sunday Sales Permit (PM):	_____	4032
<input type="checkbox"/> Catering Permit:	_____	4031

LARA Revenue Services **is not** a part of the Michigan Liquor Control Commission (MLCC). Receipt of payment and application forms by LARA Revenue Services does not constitute receipt of an application by the MLCC. **Applications submitted through LARA Revenue Services may take up to two (2) additional business days to be received by the MLCC after receipt by LARA Revenue Services.**

For requests that require a timely receipt of an application by the MLCC to be processed, such as Special Licenses and temporary requests, please ensure that your application will be received in adequate time to be processed by the MLCC after the payment is received and processed by LARA Revenue Services.



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll Free: 866-813-0011 • www.michigan.gov/lcc

Business ID: _____

Request ID: _____

(For MLCC use only)

Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (township, city, village)

called to order by _____ on _____ at _____
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from _____
(name of applicant)

for the following license(s): _____
(list specific licenses requested)

to be located at: _____

and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the
council/board at a _____ meeting held on _____ (township, city, village)
(regular or special) (date)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

MIKE ZIMMER
DIRECTOR

Objections to Renewals and Recommendations for Revocation

Statutory Authority

MCL 436.1501(2) and (3) provides three tools for local units of government to use concerning licenses issued by the Michigan Liquor Control Commission.

1. Objection to renewal of an on-premise license
2. Request for revocation of an on-premise license
3. Request for revocation of an off-premise license

Objection to Renewal

An objection to a renewal must be filed with the MLCC by the local legislative body not less than 30 days before the date of expiration of the license. While the statute appears to be silent on the rest of the process, the courts have clearly established that a licensee has a property interest in the license, and is therefore entitled to due process protection. [See *Bundo v City of Walled Lake*, 395 Mich 697 (1976)]

Further, administrative rule R 436.1061 provides that:

"Any permit issued to a licensee by the commission or any privilege granted to a licensee by the commission may be revoked or suspended by the commission or a hearing commissioner, **after due notice and proper hearing**, if the licensee or the establishment no longer qualifies for the permit or the privilege or if the licensee is found to be in violation of the act or a commission rule which directly pertains to the permit issued or the privilege granted."

If an objection to renewal of a license is received, then the Commission will proceed to schedule and notice a hearing.

Request for Revocation of an On-Premise License

A local unit of government may request the revocation of a license or permit, after due notice and proper hearing at the local level. Upon receipt of this request, the Commission must revoke the license or permit. The statutory language is clear, using the words "shall revoke." This provision applies to on-premise establishments.

If a request for revocation of an on-premise license or permit is received, then the Commission will proceed to schedule and notice a hearing. The Commission will review and consider the information presented from both sides.

For example, in January 2012, the Commission acted on such a request in the case of an on premises licensee. A request was received by the local unit of government to revoke the permit. After a show cause hearing as to whether the license and/or permit should be considered for revocation, the Commission determined that the license as well as the requested permit should be revoked. Under its own motion, administrative rule R 436.1925(1), the Commission revoked the license and well as the permit as requested by the local unit under MCL 436.1501(2).

Request for Revocation of an Off-premise License

For off-premise establishments, a local unit of government may request, by resolution, that the Commission revoke the license if the off-premise licensee has sold or furnished alcoholic liquor to a minor on at least three separate occasions in a consecutive three-month period. The Commission may suspend or revoke the license and any permits.

If a request for revocation of an on-premise license or permit is received, then the Commission will proceed to schedule and notice a hearing. The Commission will review and consider the information presented from both sides.

Documents from the Local Unit of Government

In making any of the requests authorized by law and discussed above, the local unit of government should, at a minimum, present documentation to the Commission concerning the proper notice to the licensee of the hearing held at the local level, any board resolutions pertaining to the request, and any other findings of fact, ordinance, or other relevant information for the Commission to consider in reviewing and considering the request made by the local unit of government.

Documents from the Licensee

The licensee is welcome to submit any information or documentation concerning the license and the request by the local unit of government.

Filing of Papers

Under administrative rule R 436.1927, all documents and papers pertaining to a hearing or appeal hearing shall be filed at the Lansing office of the Commission. The presiding Commissioner has the discretion as to whether or not to allow papers to be filed at a hearing or appeal hearing.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

STEVEN H. HILFINGER
DIRECTOR

Bulletin No. 2012-12

DATE: June 21, 2012

TO: Local Units of Government, Local Law Enforcement Agencies, and Applicants for MLCC Licenses

FROM: Michigan Liquor Control Commission

SUBJECT: Changes to the License Application Process

This is an important notice about the application process for the Michigan Liquor Control Commission ("Commission"). Effective July 1, 2012, the Commission is changing the procedure for submitting applications to the Commission, and obtaining approvals for licenses. Approvals from local units of government are required only for the issuance of new licenses under MCL 436.1501. The Commission will continue to review all comments received under administrative rule R 436.1105(2), taking into consideration the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business. The Commission will provide notice to the local legislative body of pending applications.

I. Applications for New Licenses

The first step in the application process for a new on-premises license is to submit the license application to the Commission, along with any license, permit, and inspection fees. This process will result in the immediate assignment of a request identification (RID) number by the Commission at the beginning of the application process. Additionally, this will allow the Commission to conduct an initial review of the application, to notify the applicant of deficient items, and to provide the applicant with the appropriate local and police forms, including blank fingerprint cards, where applicable.

It will continue to be the responsibility of the applicant to directly submit requests for these local approvals to the local unit of government. The Commission cannot proceed with the licensing process or consider an application until that application is "complete," as defined in MCL



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

STEVEN H. HILFINGER
DIRECTOR

MLCC Bulletin No. 2012-04

DATE: February 28, 2012
TO: Holders of Escrowed Licenses and All Licensees
FROM: Michigan Liquor Control Commission
SUBJECT: Escrow Fees

This is an important notice concerning the payment of escrow fees for those licenses held in escrow with the Michigan Liquor Control Commission ("Commission").

Effective May 1, 2012 the Commission will be enforcing the fee requirements as set forth in administrative rule R 436.1107 regarding escrowed licenses.

Administrative rule R 436.1107 requires a license that is not in active operation to be placed in escrow. A licensee may place a license into escrow for a total of five (5) licensing years. During these five (5) years, the Commission must receive renewal information and payment for a license held in escrow in the same manner as an active license, including payment of all required license fees, each year by April 30.

If the license is not put into active operation within the five (5) years, then the Commission will terminate all rights to the license unless the Commission has received written verification of either of the following:

- a. That the license or an interest in the license is the subject of litigation or estate or bankruptcy proceedings in a court of competent jurisdiction.
- b. That the license was placed into escrow as a result of damage to the licensed premises by fire, flood, tornado or other natural event that makes the licensed premises unsuitable for the operation of the business and unsafe for public accommodation.

Upon receipt of written verification of court proceedings or of damage as described above, the Commission is authorized to extend the escrow beyond the five (5) years. If the Commission does extend the escrow beyond the five (5) years for these reasons, then the Commission must receive the license fees accruing beyond the five (5) years for each elapsed licensing year before the license can be placed in active operation.

[NOTE: The licensee does not need to pay the licensing fees for the period of elapsing time between the end of the initial five (5) years of escrow and during the pendency of the court proceedings or the repair of the damage. The Commission must receive payment of all accrued license fees before the license can be placed in active operation.]

Further, the Commission is authorized to extend the escrow period for a license after a showing of good cause by the licensee. If the Commission grants a "good cause" extension, then the Commission must receive renewal information and payment in the same manner as an active license, including payment of all required license fees, each year by April 30. The Commission will terminate all rights to a license if the license is not renewed in the same manner as an active license during the entire escrow period.

The Commission reminds licensees that if a license is placed in escrow, then the licensee has the responsibility to provide the Commission with current contact information, in writing, for all correspondence, which includes the name, mailing address, and telephone number.

Please contact the Commission's Licensing Division at (866) 813-0011 if you have any questions.

R 436.1107 Renewal of license.

Rule 7. (1) A license that is not in active operation shall be placed in escrow with the commission.

(2) A licensee shall have only 5 licensing years after the expiration date of the escrowed license to put the license into active operation. If the licensee fails to put the license into active operation within 5 licensing years after its expiration, then all rights to the license shall terminate unless the commission has received written verification of either of the following

(a) That the license or an interest in the license is the subject of litigation or estate or bankruptcy proceedings in a court of competent jurisdiction.

(b) That the license was placed into escrow as a result of damage to the licensed premises by fire, flood, tornado or other natural event that makes the licensed premises unsuitable for the operation of the business and unsafe for public accommodation.

(3) If the commission extends the length of time for which a licensee may renew the license during the pendency of litigation or estate or bankruptcy proceedings or as a result of damage to the licensed premises for the reasons as stated in subrule (2) of this rule, then the licensee shall pay the required license fee for each elapsed licensing year before placing the license in active operation.

(4) Except as provided in subrule (3) of this rule, a license held in escrow with the commission shall be renewed in the same manner as an active license, including payment of all required license fees, each year by April 30.

(5) A licensee who places a license in escrow with the commission shall be responsible for providing the commission with current contact information, in writing, for all correspondence, which includes the name, mailing address, and telephone number.

(6) Not later than 90 days after the effective date of this rule, the commission shall provide or attempt to provide each licensee whose license is in escrow with a copy of this rule.

~~(7) A license that is held in escrow with the commission on the effective date of this rule begins the 5-year period allowed by subrule (2) of this rule for a license to be held in escrow on the effective date of this rule.~~

AGENDA NOTE

Old Business: Item # **3**

MEETING DATE: April 9, 2018

PERSON PLACING ITEM ON AGENDA:

AGENDA TOPIC: This item was postponed from the March 12, 2018 meeting. Consider setting date for public hearing on Superb Fabricating, LLC's request to establish an industrial development district.

EXPLANATION OF TOPIC: Superb Fabricating has advised the City of its plans for expanding its facility located in the City—North Reese Street—Tax ID 80-21-20-355-004, and it has requested that the City establish an industrial development district for its property as allowed under Public Act 198 of 1974, as amended. The creation of a district is a requirement under the Act which would make a project eligible to submit an application for an industrial facilities tax abatement under the Act.

The City staff is in the process of preparing a tax abatement policy for Council consideration and approval.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- Superb Fabricating letter requesting creation of a district
- Email information provided by Bob Donohue

POSSIBLE COURSES OF ACTION: Approve/Deny/No Action/Postpone

RECOMMENDATION: Set a public hearing date for at least 30 days in the future

SUGGESTED MOTION: Motion to set a public hearing on Superb Fabricating, LLC's request to establish an industrial development district for _____, 2018 at _____ p.m.

AGENDA NOTE

New Business Item # 2
OLD

MEETING DATE: March 12, 2018

PERSON PLACING ITEM ON AGENDA:

This item was postponed from a previous meeting

AGENDA TOPIC: Consider Setting date for public hearing on Superb Fabricating, LLC's request to establish an industrial development district

EXPLANATION OF TOPIC: Superb Fabricating has advised the City of its plans for expanding its facility located in the City – North Reese Street – Tax ID 80-21-20-355-004, and it has requested that the City establish an industrial development district for its property as allowed under Public Act 198 of 1974, as amended. The creation of a district is a requirement under the Act which would make a project eligible to submit an application for an industrial facilities tax abatement under the Act.

The City staff is in the process of preparing a tax abatement policy for Council consideration and approval.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- Superb Fabricating letter requesting creation of a district

grab from minutes book

POSSIBLE COURSES OF ACTION: Approve/Deny/No Action/Postpone

RECOMMENDATION: Set a public hearing date for at least 30 days in the future

SUGGESTED MOTION: Motion to set a public hearing on Superb Fabricating, LLC's request to establish an industrial development district for _____, 2018 at _____ p.m.



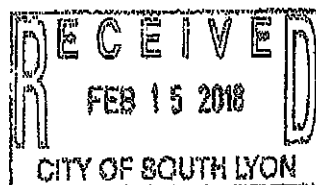
February 15, 2018

Lloyd Collins
Interim City Manager
City of South Lyon
335 South Warren Street
South Lyon, MI 48178

Dear Mr. Collins:

Superb Fabricating, LLC is a metal fabricating facility for laser cutting, metal fabricating and welding and robotic welding needs, as well as press brake operations, CNC machining, prototyping, design/reverse engineering of customer's products. It began in 2000 by Herb & Jon Stricker in a pole barn in the backyard of their home off Trebor Street. Herb moved into the South Lyon area in 1989. Jon was raised in South Lyon and is a 1999 graduate of South Lyon High School. One of their first customer's was Jeff's Bronco Graveyard located in Brighton. As the company grew they found an industrial bay in Milford. They grew from one bay to two, two bays to three, then three bays to four. With the continued growth, it became apparent they needed to move into a different facility; which lead us to purchasing our current facility in the year 2010 on Reese Street in the City of South Lyon.

We have already added onto our present facility, but with our constant growth we are in need of expanding further. If you were to visit our shop you would see that we have more work than we have floor space capacity. With projections from current customers and new customers our sales and work load continue to increase. We are in need of more manufacturing and office space.



Superb Fabricating LLC
330 N. Reese South Lyon, MI 48178
248-684-5297

We have acquired the parcel of land located south of our present building on North Reese Street. The vacant property consists of parcel #80-21-20-355-004 (T1N, R73, Sec 20 of Albert Botsford's Plat of The Village of South Lyon, Lots 2 & 8 Exc N 21.34 ft of both, also Lots 3 to 6 Incl, also Lots 9 to 14 Incl, also all of vac alley adj to same blk 15). We are looking to build a 9,567 sq foot building which will become our headquarters; it will double our manufacturing area. With this expansion we project that we will be adding at least another 6 jobs over the next 2 to 5 years.

When we moved to the South Lyon facility we had approximately 8 employees. We now employ three times that number at 24 employees. 11 of the 24 employees are South Lyon residents. 2 are from New Hudson and the others are from neighboring communities. We have at least 4 employees that have mentioned that they would like to relocate their families to the South Lyon area; those employees currently live in Sterling Heights, Highland, Commerce and Milford.

Our customer base continues to grow. But it continues to grow within the South Lyon area as well as neighboring communities. We do business with South Lyon Machine, GM Refractories, Copa Tool, Michigan Seamless Tube, South Lyon Hotel, Peter's True Value Hardware, Good Day Café, etc. We have over 30 companies listed in our customer data base with the South Lyon address. Recently we have been involved with the South Lyon Hotel, making the railing/fencing on the porches, signs, benches in the inside, bar counter tops, decorative railing inside and various other items. We have also been involved in the making of the signs for the Good Day Café.

In the past we have donated flag pole hangers for the light poles with connection of the VFW. We made the flower pot hangers for the light poles in the City. We are members of the Chamber. We have donated turkeys to the Active of Faith and also to the Methodist Church for Thanksgivings. We have donated funds to the Kiwanis Foundation, Operation Injured Soldier, Active Faith and various South Lyon School clubs/organizations. We have worked with the South Lyon Robotics team for several years. This year we participated in the Pumpkin Festival parade.

We are also working with community leaders to make signs and benches for the parks. We hosted the 2016 Lansing to Dearborn Run for Antique Automobile Club of America, which brought in more business for the local businesses. We want to continue to give back by participating in city events. It is also our goal to continue giving back to the community by ways of employing residents, working with local companies not only as selling our goods and services but purchasing from them as well. Our employees purchase consumables from the local business; such as gas, food, etc.

We believe that we are an asset to this community and are asking that the City Council create an Industrial Development District designation for the property for a tax abatement for our new facility. Superb Fabricating takes pride in its location in South Lyon and we are looking forward to increasing our strong presence with this proposed project.

Sincerely,

SUPERB FABRICATING, LLC



Jonathan Stricker
Member

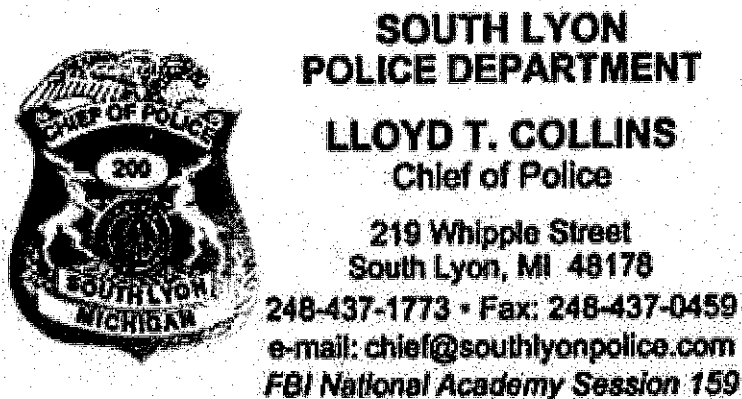
Lisa Deaton

From: Lloyd Collins <chief@southlyonpolice.com>
Sent: Thursday, April 5, 2018 10:10 AM
To: Lisa Deaton; Carol Brandon
Subject: FW: Superb Fabricating IFT Application/Request of Feb 15, 2018

Lisa & Carol,

Further documentation for the IFT agenda item.

Lloyd



From: Robert Donohue [mailto:robert@southlyonmi.org]
Sent: Thursday, April 05, 2018 10:03 AM
To: Lloyd Collins
Subject: FW: Superb Fabricating IFT Application/Request of Feb 15, 2018

Lloyd:
Here is the other item (Below) I sent to Tim re: IFT Criteria.
Bob

From: Robert Donohue
Sent: Monday, February 26, 2018 4:26 PM
To: Lloyd Collins; Timothy Wilhelm
Subject: Superb Fabricating IFT Application/Request of Feb 15, 2018

Lloyd & Tim:

With regard to the recent request (February 15) by Superb Fabricating for an IFT Abatement, at this time I have the following info to be considered as we develop "IFT Criteria", based upon some of our earlier discussions and from my perspective:

- A. The City needs to establish a "**Threshold of Investment**" (A final amount, **if any**, will be determined by City Council) to qualify for an IFT Abatement. Such a "Threshold" could look like this (even though the State Law for IFTs allows up to 12 years for a 50% IFT Abatement):
 - 1. A minimum Private Investment of \$1 Million Dollars
 - 2. Private Investment of between 1 and 5 Million Dollars would qualify for an IFT Abatement for 2 – 3 years
 - 3. Private Investment of between 6 and 10 Million Dollars: 4 - 5 years

4. Private Investment of between 11 and 15 Million Dollars: 6 – 7 years
 5. Private Investment of between 16 and 20 Million Dollars: 8 – 9 years
 6. Private Investment Over 20 Million Dollars: 10 – 12 years
- B. Job Creation is a factor (becomes a part of the criteria to determine # of yrs for the IFT)
 - C. Site Plan is a factor (“)
 - D. Infrastructure/Infrastructure Impact is a factor (“)
 - E. Master Plan/Zoning are factors (“)
 - F. Potential Adjacent Public Improvements (ie: Roads, sidewalks, green space) are factors (“)
 - G. Other items ?

Let me know what you think, what are the next steps, and when can we discuss this further?

Bob

AGENDA NOTE

Old Business Item #4

MEETING DATE: April 9, 2018

PERSON PLACING ITEM ON AGENDA: Postponed from 3/26/18

AGENDA TOPIC: Consider Setting Tax Abatement Application Fee

EXPLANATION OF TOPIC: The Council soon will be asked to consider establishing an industrial development district which is a threshold requirement to approving an application for an industrial facilities tax exemption certificate (industrial tax abatement) under Public Act 198 of 1974 (the "Act"). The Act allows the City to charge applicants a fee to cover various costs including: publishing notice of public hearings in the newspaper, mailing certified notice of public hearing, staff review, etc. The application fee shall not exceed the actual cost incurred by the City in processing the application or 2% of the total property taxes abated under the Act for the term the abatement is in effect, whichever is less, and this is the only fee the City is allowed to charge an applicant under the Act.

The IFTEC application fee charged by other communities ranges widely. Some charge only several hundred dollars while others charge as much as \$1,500, and others require an amount to be deposited in escrow and the actual costs are charged against those funds, and any unused funds returned to the applicant.

In anticipation of an application for an IFTEC, Council should establish an application fee.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:

- Act 198 of 1974
- MEDC Summary of PA 198

POSSIBLE COURSES OF ACTION: Approve/Deny/No Action/Postpone

RECOMMENDATION: Approve a tax abatement application fee consistent with Public Act 198 of 1974 and require applicants to deposit funds in an amount set by Council and that costs associated with processing the application will be paid from the deposited funds, and any unused portion will be returned to the applicant.

SUGGESTED MOTION: Motion to approve a tax abatement application fee consistent with Public Act 198 of 1974 and require applicants to deposit \$_____ with the City and that costs associated with processing the application will be paid from the deposited funds, and any unused portion will be returned to the applicant, and that this application fee be included on the City's Fee Schedule.

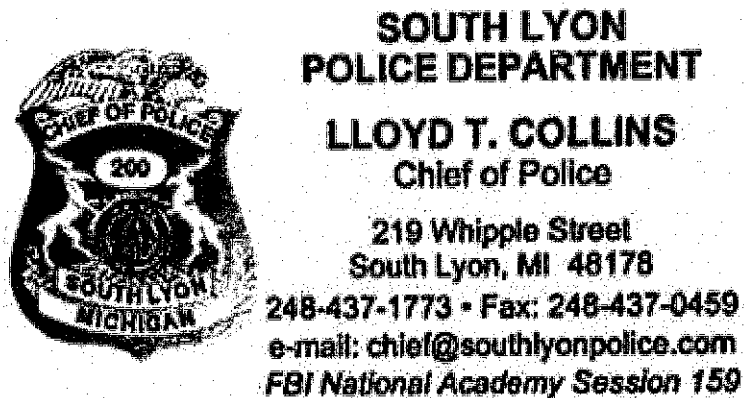
Lisa Deaton

From: Lloyd Collins <chief@southlyonpolice.com>
Sent: Thursday, April 5, 2018 10:09 AM
To: Lisa Deaton; Carol Brandon
Subject: FW: IFT

Lisa & Carol

The below information from Bob should be included as documentation for the IFT agenda item. Tim W. will be forwarding a Word document, (an Agenda Note I believe).

Lloyd



From: Robert Donohue [mailto:robert@southlyonmi.org]
Sent: Thursday, April 05, 2018 10:00 AM
To: Lloyd Collins
Subject: FW: IFT

Lloyd:

Below is the last information that I sent to Tim upon his request. I will also forward a separate e-mail that I sent to Tim previous to that regarding IFT potential criteria. That is all I have on the IFT, Tim has not asked me for any additional info that I am aware of.

Bob

From: Robert Donohue
Sent: Thursday, March 22, 2018 10:12 AM
To: 'Timothy Wilhelm'
Cc: Lisa Deaton
Subject: RE: IFT

Tim:

Here is a list and what I found for the question of "what is their tax abatement (IFT) application fee?".

- Novi: No fee, they do have a policy
- Northville: No fee and no policy
- Milford: No fee and no policy
- Brighton: No fee and no policy

- Lyon Township: The fee is a \$4,000 payment due with application, to be held in escrow. All Dept. Staff and consultants (Attorney, Planner, Engineer) time is charged against that escrow amount for IFT application review. Any unused escrow \$ are returned upon final action (approve or deny). Yes, they do have a policy

There you go Tim. I Hope this helps.

Bob

From: Timothy Wilhelm [<mailto:twilhelm@jrsjlaw.com>]

Sent: Tuesday, March 20, 2018 10:00 AM

To: Robert Donohue

Subject: IFT

Bob

Would you be able to call a few communities in the area and find out what their tax abatement application fee is? Before Thursday?

Timothy S. Wilhelm



Johnson, Rosati, Schultz & Joppich, P.C.

27555 Executive Drive, Suite 250

Farmington Hills, MI 48331

Phone: (248) 489-4100; Fax: (248) 489-1726

Email: twilhelm@jrsjlaw.com

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AGENDA NOTE

New Business: Item # {

MEETING DATE: April 9, 2018

PERSON PLACING ITEM ON AGENDA: Councilman Richards

AGENDA TOPIC: Tree trimming on Liberty, Lake, Whipple, Washington and Warren Streets

EXPLANATION OF TOPIC: Ask DTE if they will consider taking a bid from the City to instruct Asplundh to cut out the dead wood on all these streets that are not on the electrical lines and in or near the City's easements. We give them the ball park bid quotation and ask for three days of work.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: City outline map from DTE

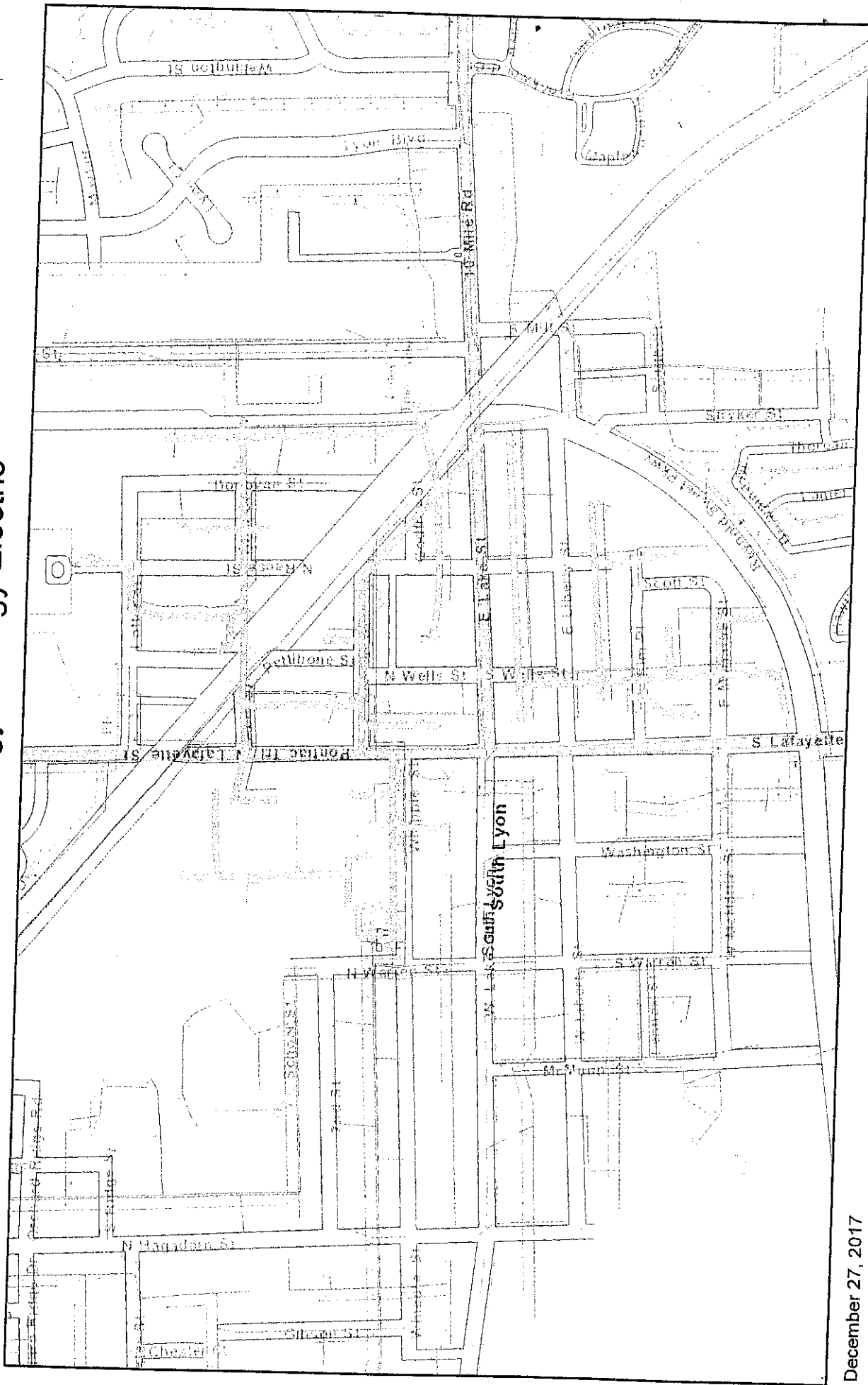
POSSIBLE COURSES OF ACTION: Ask City Manager or Superintendent Mike Boven to initiate contact with DTE regional management that have previously contacted the City.

RECOMMENDATION: Make an initial bid and dicker, if possible, to gain a positive outcome.

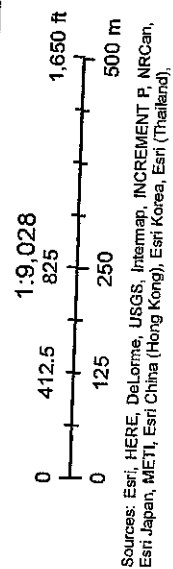
SUGGESTED MOTION: Motion by _____, supported by _____ to have an action vote to approve this money-saving initiative to improve our streets.

[illegible]

Copyright OTE Energy



December 27, 2017



Agenda Note

Meeting Date: April 9, 2018

Item placing item on agenda: Councilman Richards

Agenda Topic: Tree trimming on Liberty, Lake, Whipple and Washington and Warren Streets.

Explanation of Topic: Ask DTE if they will consider taking a bid from the City, to instruct Asphlund to cut out the dead wood on all these streets that ~~are~~ ^{are} not on the electrical lines and in or near the City's easements. We give them a ball park bid quotation and ask for 3 days of work.

Motion attached: City outline map from D.T.E.

Possible course of action: Ask city manager or sept. Mike Boven to initiate contact with D.T.E. regional management that have previously contacted the City.

Recommendation: Make an initial bid and dictate if possible to gain a positive outcome.

Suggested Motion: Action vote to approve this money saving initiative to improve our streets.

AGENDA NOTE

New Business: Item # 2

MEETING DATE: April 9, 2018

PERSON PLACING ITEM ON AGENDA: Interim City Manager

AGENDA TOPIC: Set Public Hearing date for Budget

EXPLANATION OF TOPIC: Council will need to schedule a date for a public hearing before the budget can be approved. In the past this has been done at the second meeting in May which will be Tuesday May 29, 2018.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: n/a

POSSIBLE COURSES OF ACTION: Set public hearing date

RECOMMENDATION: Set public hearing date for Tuesday May 29th at 7:30 p.m.

SUGGESTED MOTION: Motion by _____, supported by _____ to set public hearing date for 2018/2019 budget for Tuesday May 29th, 7:30 p.m.



City Manager Lynne Ladner
335 S Warren ST
South Lyon, MI 48178

Dear Tree City USA Supporter,

On behalf of the Arbor Day Foundation, I write to congratulate South Lyon on earning recognition as a 2017 Tree City USA. Residents of South Lyon should be proud to live in a community that makes the planting and care of trees a priority.

South Lyon is one of more than 3,400 Tree City USAs, with a combined population of 140 million. The Tree City USA program is sponsored by the Arbor Day Foundation in partnership with the U.S. Forest Service and the National Association of State Foresters.

If ever there was a time for trees, now is that time. Communities worldwide are facing issues with air quality, water resources, personal health and well-being, and energy use. South Lyon is stepping up to do its part. As a result of your commitment to effective urban forest management, you are helping to provide a solution to these global challenges.

We hope you are excited to share this accomplishment. Enclosed in this packet is a press release for your convenience as you prepare to contact local media and the public.

State foresters are responsible for the presentation of the Tree City USA flag and other materials. We will forward information about your awards to your state forester's office to coordinate presentation. It would be especially appropriate to make the Tree City USA award a part of your community's Arbor Day ceremony.

Again, we celebrate your commitment to the people and trees of South Lyon and thank you for helping to create a healthier planet for all of us.

Best Regards,

A handwritten signature in black ink, appearing to read "Dan Lambe".

Dan Lambe
President

cc: Lynne Ladner

enclosure

For more information, contact:
Danny Cohn, 402-473-9563
dcohn@arborday.org



FOR IMMEDIATE RELEASE:

Arbor Day Foundation Names South Lyon Tree City USA

South Lyon, MI, was named a 2017 Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management.

South Lyon achieved Tree City USA recognition by meeting the program's four requirements: a tree board or department, a tree care ordinance, an annual community forestry budget of at least \$2 per capita and an Arbor Day observance and proclamation.

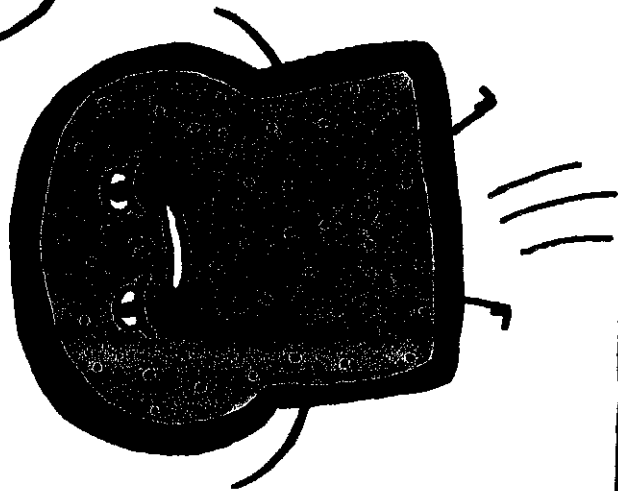
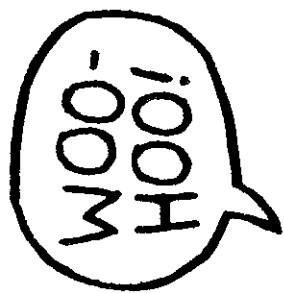
"Tree City USA communities see the impact an urban forest has in a community first hand," said Dan Lambe, president of the Arbor Day Foundation. "Additionally, recognition brings residents together and creates a sense of community pride, whether it's through volunteer engagement or public education."

Trees provide multiple benefits to a community when properly planted and maintained. They help to improve the visual appeal of a neighborhood, increase property values, reduce home cooling costs, remove air pollutants and provide wildlife habitat, among many other benefits.

More information on the program is available at arborday.org/TreeCityUSA.

About the Arbor Day Foundation: The Arbor Day Foundation is a million member nonprofit conservation and education organization with the mission to inspire people to plant, nurture, and celebrate trees. More information is available at arborday.org.

CHIEF,



JUST A LITTLE TOAST
TO CELEBRATE YOU!

YOU ARE DOING AN
EXCEPTIONAL JOB
AS POLICE CHIEF
AND CITY MANAGER.

BOB + SUZAN
MARTIN

