

# **Regular City Council Meeting**

## **September 24, 2012**

### **Agenda**

**7:30 p.m.**      **Call to Order**  
**Pledge of Allegiance**  
**Roll Call**  
**Approval of Agenda**  
**Minutes – August 13, 2012 and September 10, 2012**  
**Public Comment:**

**I.      Old Business**

1. Second Reading – Amendment to Chapter 46 – Fire Prevention and Protection

**II.     New Business**

1. 2010-2011 Audit Presentation
2. Homecoming Parade
3. MML Convention – Designation of Voting Delegate
4. Medical Insurance
5. WWTP – Purchase of Work Barge
6. WWTP – Purchase of a Sewer Camera

**III.    Manager’s Report**

**IV.    Council Comments**

**V.     Adjournment**

**CITY OF SOUTH LYON  
REGULAR CITY COUNCIL MEETING  
August 13, 2012**

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

**PRESENT:** Mayor Wallace  
Council Members: Dixon, Kivell, Kopkowski, Kramer, Rzyzi, and Wedell  
City Manager Murphy  
City Clerk/Treasurer Zemke  
City Attorney Wilhelm  
Department Heads: Collins, Kennedy, and Martin

**APPROVAL OF MINUTES:**

Councilman Kivell commented that it appears that many of the questions asked by Council were recorded but not necessarily the answers to the questions.

**CM 8-1-12 – APPROVAL OF MINUTES- JULY 23, 2012**

Motion by Kopkowski, supported by Wedell

To approve the minutes of the July 23, 2012 Regular Council meeting as written

**VOTE:** MOTION CARRIED UNANIMOUSLY

**APPROVAL OF MONTHLY BILLS:**

Discussion was held on various bills.

**CM 8-2-12 – APPROVAL OF MONTHLY BILLS**

Motion by Kivell, supported by Kramer

To approve the monthly bills as presented

**VOTE:** MOTION CARRIED UNANIMOUSLY

**APPROVAL OF AGENDA:**

City Manager Murphy stated that he would like to add a second closed session to discuss a legal opinion regarding rezoning.

**CM 8-3-12 APPROVAL OF AGENDA**

Motion by Wedell, supported by Rzyzi

To approve the agenda as amended adding closed session to discuss a legal opinion regarding rezoning

**VOTE:** MOTION CARRIED UNANIMOUSLY

**PUBLIC COMMENT:** None

**OLD BUSINESS:** None

**NEW BUSINESS:**

1. DWRF Bond Ordinance

Mr. Pat McGow of Miller Canfield, Bond Attorney stated that this is the 2<sup>nd</sup> and final act Council needs to take in order to proceed with the closing on September 18<sup>th</sup>. He explained the process and closing documents.

Mr. McGow stated that he did receive a communication from Eric Pohan of the Department of Environmental Quality indicating that the full amount eligible for the "Green Eligible" is \$5.3 million with 50% forgiveness. He explained that all of the components with the exception of one will be eligible for the 50% forgiveness, which would be for the low service pump and its installation. If the City chooses not to proceed in the 4<sup>th</sup> quarter fiscal year, they will not be guaranteed a green subsidy or principle forgiveness in the future. He further explained the 2.5% financing that the City will be receiving. Discussion was held on interest rates being good at the moment. It was stated that it would be unlikely for the City to get 2.5% financing elsewhere.

Discussion was held on the City financing the full \$5.3 million. Mr. McGow stated that the City will only pay on the amount that they draw down. After the project is completed, the City will begin payment on that amount less the 50% forgiveness.

Councilman Kivell asked if there is still a way for the City to step away from this. Mr. McGow stated that we will have a written approval from the State before signing the papers.

**CM 8-4-12 – DWRF BOND ORDINANCE**

Motion by Kivell, supported by Kramer

To adopt the bond ordinance as presented and on file with the City Clerk (see attached ordinance as part of these minutes)

**ROLL CALL VOTE:**

Dixson – No  
Kivell – Yes  
Kopkowski – Yes  
Kramer – Yes  
Rzyzi – No  
Wedell – Yes  
Wallace - Yes

2. SMART Agreement

Mayor Wallace stated that this is our annual agreement with SMART. If the City spends more than \$12,802, SMART will reimburse us \$11,134. We will pay \$63,816 for transportation through People's Express.

**CM 8-5-12 – SMART AGREEMENT**

Motion by Kopkowski, supported by Wedell

To approve the proposed contract with the Suburban Mobility Authority for Regional Transportation (SMART) for Fiscal Year 2013 as presented

VOTE:

**MOTION CARRIED UNANIMOUSLY**

### 3. 2012 Road Repair Project

Superintendent Martin stated that in July Council was presented with a list of proposed streets for rehabilitation. This is for partial fixes, not reconstruction. We received five bids for this work with the low bid being from T&M Asphalt Paving, Inc. in the amount of \$106,836, which is less than we originally anticipated. He further stated that T&M is a good company, and he would recommend approval.

Mayor Wallace reviewed the proposed streets as follows:

**E. Liberty** from Reese to Reynolds Sweet  
**Reese Extension** from E. Liberty to Terminus  
**Hagadorn** from 10 Mile Road to 110' north  
**Chester** from Hagadorn to 60' west  
**Warren** from Whipple Blvd. to 2<sup>nd</sup> Street  
**Stanford** at Vassar Intersection

Council Member Kopkowski questioned the observation engineering cost of \$37,000. She stated that this is 35% of the total cost. Mr. Keith McCormack of HRC stated that construction engineering and observation costs do go up on smaller jobs and is based on the time spent on site. Additional discussion was held on the engineering costs. City Manager Murphy stated that the engineering costs are an estimate, and this estimate would have been based on the original construction estimate, which was higher. Council Member Kopkowski stated that she would like to know the total cost before voting on this item. Superintendent Martin asked that we get the \$106,000 approved in order to get the project started. We are hoping to get Warren Street completed prior to school starting.

Council Member Kopkowski stated that she would like to see something itemized for the engineering costs. It was stated that the construction engineering costs were approved at the last meeting.

#### CM 8-6-12 – 2012 ROAD REPAIR PROJECT

Motion by Kopkowski, supported by Kivell

To approve the 2012 Street Repair Project with the low bid of \$106,836 to T&M Asphalt Paving, Inc.

Councilman Kramer asked if it would be beneficial to look at hiring an employee for this engineering or possibly look at sharing services with Novi.

VOTE:

MOTION CARRIED UNANIMOUSLY

### 4. Whipple Street Parking Design

City Manager Murphy stated that we have been saving three years of CDBG funds to repave the City owned parking lot on Whipple Street. The total amount of funds that can be used towards this project is \$82,464. He is asking Council to approve the design engineering in the amount of \$13,600.

Discussion was held on the need to have design work for a project of this type. City Manager Murphy stated that this is a milling and overlay project, and we need the engineering work in order to proceed.

#### CM 8-7-12 – WHIPPLE STREET PARKING DESIGN

Motion by Kivell, supported by Wedell

To approve the design services from HRC in the amount of \$13,600.00 for the Whipple Street Parking Lot Project

VOTE:

MOTION CARRIED UNANIMOUSLY

## 5. Police Vehicles

Chief Collins stated that there was some discussion during the budget workshop regarding the purchase of two new vehicles for the Police Department. We are requesting to purchase all-wheel drive vehicles. The low bid is through the State of Michigan Bid from Gorno Ford for a total purchase price of \$46,580. These are Ford Police Interceptor vehicles.

Council Member Kopkowski questioned why the State Police are driving the Dodge Charger and the Sheriff's Department drives yet a different type of vehicle. She asked if there would be an advantage to look at another type of vehicle. Chief Collins discussed the need for the all-wheel drive vehicle.

Discussion was held on the mileage of the 2007 Crown Vic. Chief Collins discussed the mileage as well as the need for repair on the older vehicles. It was stated that one of the vehicles being replaced will go to the Water Department.

Councilman Kramer asked how many vehicles are in the Police Department fleet. Chief Collins stated that we have 6 marked cars and 4 unmarked cars.

Discussion was held on the need to purchase two at this point rather than just the one. Chief Collins stated that last year we did not purchase any new vehicles and the year before we purchased two, with one being purchased through the Drug Forfeiture Fund.

Council Member Kopkowski asked how much it would be to transfer the equipment from the older vehicles to the new vehicles. Chief Collins stated that it would be approximately \$2,000 and approximately \$3,000 for the needed new equipment.

### CM 8-8-12 – POLICE VEHICLES PURCHASE

Motion by Wedell, supported by Kivell

To approve the purchase of two Ford Police Interceptor vehicles under the State of Michigan Bid, from Gorno Ford, for a total cost of \$46,580.00.

VOTE:

MOTION CARRIED (1 OPPOSED)

## 6. John Deere Mower Purchase

Superintendent Martin stated that with the new budget year, he is proposing the purchase of a new zero John Deere mower. This is a budgeted item. This would be for the DPW for mowing of the parks, etc. This would replace the 2003 mower, which will be moved to be used at the cemetery. He further stated that he is proposing the John Deere as our fleet is made up of John Deere equipment.

Councilman Kivell asked if this is the same equipment as the 2003. Superintendent Martin stated that it is, but more heavy duty with a diesel mower.

### CM 8-9-12 – JOHN DEERE MOWER PURCHASE

Motion by Rzyzi, supported by Kramer

To approve the purchase of a zero turn mower from Bader and Sons for the price of \$14,042.49 as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

7. Closed Session

- a) Collective Bargaining
- b) Legal Opinion – rezoning issue

CM 8-10-12 – ENTER INTO EXECUTIVE SESSION

Motion by Wedell, supported by Kopkowski

To enter into Executive Session for the purpose of discussing Collective Bargaining and Legal Opinion regarding rezoning

ROLL CALL VOTE:

Dixson – Yes  
Kivell – Yes  
Kopkowski – Yes  
Kramer – Yes  
Rzyzi – Yes  
Wedell – Yes  
Wallace - Yes

MOTION CARRIED

Council entered into Executive Session at 8:30 p.m. and reconvened the regular meeting at 9:34 p.m.

8. I.O.U.E. Contract

8-11-12 – I.O.U.E. CONTRACT

Motion by Kivell, supported by Kopkowski

To deny the contract with the I.O.U.E. as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

**MANAGER’S REPORT:** None

**COUNCIL COMMENTS:**

Mayor Wallace stated that he recently attended a Mayor’s convention and received a lot of valuable information.

**ADJOURNMENT:**

CM 8-12-12 ADJOURNMENT

Motion by Wedell, supported by Kramer

To adjourn meeting at 9:36 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

---

Tedd M. Wallace  
Mayor

---

Julie C. Zemke  
City Clerk/Treasurer

**CITY OF SOUTH LYON  
REGULAR CITY COUNCIL MEETING  
SEPTEMBER 10, 2012**

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

PRESENT: Mayor Wallace  
Council Members: Dixon, Kivell, Kramer, Rzyzi, and Wedell  
City Manager Murphy  
City Clerk/Treasurer Zemke  
City Attorney Wilhelm  
Department Heads: Collins, Kennedy, and Martin  
ABSENT: Councilman Kopkowski

**CM 9-1-12 – EXCUSE ABSENCE**

Motion by Kivell, supported by Kramer

To excuse the absence of Council Member Kopkowski

VOTE: MOTION CARRIED UNANIMOUSLY

**APPROVAL OF MINUTES:**

Councilman Kivell stated that he would like to not approve the August 13, 2012 minutes at this point. He believes there were some additional comments that should be added.

**CM 9-2-12 – APPROVAL OF MINUTES- AUGUST 27, 2012**

Motion by Kivell, supported by Wedell

To approve the minutes of the August 27, 2012 Regular Council meeting as written

VOTE: MOTION CARRIED UNANIMOUSLY

**APPROVAL OF MONTHLY BILLS:**

Discussion was held on various bills.

**CM 9-3-12 – APPROVAL OF MONTHLY BILLS**

Motion by Wedell, supported by Kivell

To approve the monthly bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

**APPROVAL OF AGENDA:**

City Manager Murphy stated that he would like to propose a discussion in closed session for possible purchase of real estate.

**CM 9-4-12 APPROVAL OF AGENDA**

Motion by Kivell, supported by Dixon

To approve the agenda as amended by adding a second item under Executive Session for discussion of possible purchase of real estate

VOTE:

MOTION CARRIED UNANIMOUSLY

**PUBLIC COMMENT:**

Mr. Carl Richards of 390 Lennox discussed the success of the Depot Days and the great job the Historical Society did. He stated that the street repairs are coming along nicely. He further stated that he has heard that there are two new businesses going in at the old Rosey's Day Care, there is a new Pet Store going in next to Busch's and Emma's graphics has moved to the Kroger Plaza. Best wishes were given to Sweetwater.

Mr. Blain Smith of 57440 Walker Way discussed some vandalism in the cemetery where his son's stone was pushed over. He stated that the Council should adopt something that says that kids should not be in the cemetery without an adult. He presented a picture of the damaged stone.

Discussion was held on security in the cemetery. The question was asked if there had been any additional vandalism within the last two weeks. Chief Collins stated that he is not aware of any. Discussion was held on posting a sign with the Police Department phone number in case anyone sees any mischief. Discussion was held on the police patrol of the cemetery. Chief Collins stated that they do patrol the cemetery during non-committed patrol time. Further discussion was held on security in the cemetery.

**OLD BUSINESS:** None

**NEW BUSINESS:**

1. Dedication of Utilities from Lafayette Woods Condominiums

It was stated that Lafayette Woods has completed the necessary documents for dedication of their water and sanitary sewer lines to the City.

Discussion was held on the notary page. Ms. Margaret Kurtzweil, Attorney for Lafayette Woods stated that this is a dual notary page and is acceptable. Both individuals would sign before the notary.

Ms. Kurtzweil discussed the process to get this completed. She stated that this has taken two years. She further stated that she has done this pro-bono and she does not feel that any other private development would have the money to hire an attorney to do the work necessary.

**CM 9-5-12 – ACCEPTANCE OF DEDICATION OF UTILITIES – LAFAYETTE WOODS**

Motion by Kramer, supported by Wedell

To accept the dedication of utilities from Lafayette Woods Condominiums as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

2. First Reading – Amendment to Chapter 46 – Fire Prevention and Protection

Chief Kennedy stated that there was some discussion earlier this summer after the State passed legislation expanding the type and character of fireworks that can be sold in Michigan. That legislation put some strict limitations on what communities can do. We have attempted to develop an ordinance to be as restrictive as possible. It does not relate to sales or distribution, but rather ignition, discharge and use of fireworks. The biggest loophole is the holidays. The ordinance is congruent with what other communities are doing.

Discussion was held on how disturbing the noise can be, especially to those with young children. Discussion was held on the frequency of the activity and the duration.

The question was asked if the noise ordinance can play a role in this. Discussion was held on the equipment needed to measure the limits. Discussion was also held on the need to be present at the time of discharge.

Councilman Rzyzi stated that this is a good thing to ultimately protect our citizens. He questioned how this is going to be enforced and how aggressively are we going to pursue this. Chief Collins stated that the Police Department would respond if a complaint is made. He discussed the difficulties in determining who or how someone is lighting fireworks.

Councilman Rzyzi asked what kind of recourse does one have if residue, etc. ends up on your lawn, etc. Discussion was held on the need for a witness.

Discussion was held on the restrictions on storage of fireworks as well as transport of fireworks.

Discussion was held on the role of volunteer firefighters and at what point are they acting in an official capacity. Chief Kennedy stated that he would not want the firefighters enforcing the ordinance. However, if they did observe something, they could then simply call dispatch.

#### CM 9-6-12 – APPROVAL OF FIRST READING – CHAPTER 46 – FIREWORKS

Motion by Kramer, supported by Kivell

That this be the first reading of an amendment to City of South Lyon Ordinance, Chapter 46, Fire Prevention and Protection, Article V, Fire Works Control, repealing existing Division 1, Sections 46-121 through 46-140, and existing Division 2, Sections 46-141 through 46-150, in their entirety and adopting a New Article V, Fireworks Control, Sections 46-121 through 46-127, in Chapter 46 of the City of South Lyon Code of Ordinances (see attached amendment as part of these minutes)

Councilman Wedell asked if some of these issues could be enumerated and send a letter to our State Representatives.

VOTE:

MOTION CARRIED UNANIMOUSLY

**MANAGER'S REPORT:** None

#### **COUNCIL COMMENTS:**

Councilman Kramer stated that he is thankful that we have had one community/development that was able to accomplish the task of dedicating their utilities, and he is hopeful that others will be able to do the same. He discussed the need to have new complexes done this way from the beginning so they are not in a similar situation.

Council Member Dixon stated that Colonial Acres has been trying for three years to get the City to accept their utilities. City Manager Murphy stated that there has been correspondence back and forth. There are approximately nine items that still need to be taken care of.

Council Member Dixon discussed a water leak in Colonial Acres. City Manager Murphy stated that this is a service lead. He does not have the authority to authorize a repair on private property. Council Member Dixon stated that they simply do not have the money to fix the problem. Further discussion was held on repairs on private property.

Councilman Kivell stated that unfortunately he was unable to make it to Depot Days, but heard that it was a great event. Mayor Wallace stated that it was highly successful. It was great to see the people dressed in period costumes, etc.

Mayor Wallace asked if we are done with the roads project. Superintendent Martin stated that it has not yet been complete, but they are working on it.

3. Closed Session
  - a. Collective Bargaining
  - b. Possible Property Purchase

#### CM 9-7-12 – EXECUTIVE SESSION

Motion by Kramer, supported by Kivell

To enter into Executive Session for the purpose of discussing Collective Bargaining and possible property purchase

VOTE: MOTION CARRIED UNANIMOUSLY

Council entered into Executive Session at 8:37 p.m. and reconvened the regular meeting at 9:14 p.m.

4. I.O.U.E. Contract

#### CM 9-8-12 – I.O.U.E. CONTRACT

Motion by Wedell, supported by Kivell

To approve the contract between the City of South Lyon and I.O.U.E. Local 324 as presented

VOTE: MOTION CARRIED UNANIMOUSLY

#### CM 9-9-12 – ADMINISTRATIVE STAFF BENEFIT

Motion by Wedell, supported by Kramer

To extend to the administrative staff the same increase in longevity benefit as the I.O.U.E. with at least four year seniority

VOTE: MOTION CARRIED UNANIMOUSLY

#### ADJOURNMENT:

#### CM 9-10-12 ADJOURNMENT

Motion by Kivell, supported by Kramer

To adjourn meeting at 9:17 p.m.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

---

Tedd M. Wallace, Mayor

---

Julie C. Zemke, City Clerk/Treasurer

# AGENDA NOTE

Old Business: Item #1

**MEETING DATE:** September 24, 2012

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

**AGENDA TOPIC:** Second Reading – Fireworks Ordinance

**EXPLANATION OF TOPIC:** Ordinance to repeal the City's existing fireworks ordinance, Sections 46-121 through 46-140 and 46-141 through 46-150 and adopt an entirely new fireworks ordinance, Sections 46-121 through 46-127 to provide for the regulation of the ignition, discharge and use of consumer fireworks, as allowed under the Michigan Fireworks Safety Act, MCL 28.451 et seq.

On January 1, 2012, the Michigan Fireworks Safety Act, Public Act 256 of 2011, became effective. It is a comprehensive new law that expands the type and character of fireworks that can be sold in Michigan, and it revises and consolidates several existing state laws regulating fireworks. Under the new Act, fireworks are now divided into four classifications: i) display fireworks (explosive materials used by commercial operators for larger event-type fireworks); ii) consumer fireworks (firecrackers, bottle rockets, roman candles); iii) low-impact fireworks (ground-based or handheld sparklers); and novelties (party poppers, snappers, snakes and smoke balls).

The Act now allows the sale and distribution of consumer fireworks which was prohibited under the previous laws.

Under the Act, a local unit of government is expressly prohibited from enacting or enforcing any ordinance that regulates the sale, display, storage, transportation, or distribution of fireworks. A local unit of government may regulate the ignition, discharge and use of consumer fireworks, but not on the day before, the day of, or the day after a National Holiday. Note, Michigan Attorney General Opinion #7266 concludes that the preemption provision of the Fireworks Safety Act does not preempt a zoning ordinance of a local unit of government.

The attached proposed ordinance amendment does not relate to sales or distribution of fireworks. It relates only to the ignition, discharge and use of fireworks as specifically permitted under the new Michigan Fireworks Safety Act.

The proposed ordinance generally prohibits the ignition, discharge, and use of all fireworks at any time within the City with the exception of consumer fireworks on the

day before, the day of, and the day after a National Holiday which are defined by statute. Low-impact fireworks are excluded from the general prohibition.

Also, the ordinance also prohibits the discharge of consumer fireworks on public property, including streets and rights-of-way, or on school property, church property, or the private property of another, without the express written permission from the person or entity legally in possession and control of that property to undertake such action. The ordinance goes slightly beyond the statute language and prohibits the discharge of fireworks in streets and rights of way.

Although not expressly permitted by statute, Section 46-123(2) also prohibits a person from willfully causing fireworks to enter the property of another without permission, and if the person pleads or is found responsible for a violation of that section, he or she is responsible for paying restitution for any damage caused.

The ordinance also prohibits minors from possessing or discharging consumer fireworks.

The ordinance establishes that the penalty for violation is municipal civil infraction punishable by a civil fine of up to \$500 plus prosecution costs.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** Proposed Fireworks Ordinance amendment repealing old ordinance and adopting new ordinance.

**POSSIBLE COURSES OF ACTION:** Approve/do not approve the 2<sup>nd</sup> reading of the proposed ordinance amendment as presented.

**RECOMMENDATION:** Approve the 2<sup>nd</sup> reading of the proposed ordinance amendment as presented.

**SUGGESTED MOTION:** Motion by \_\_\_\_\_, supported by \_\_\_\_\_ to approve 2<sup>nd</sup> reading of the amendment to City of South Lyon Ordinance, Chapter 46, Fire Prevention and Protection, Article V, Fireworks Control, repealing existing Division 1, Sections 46-121 through 46-140, and existing Division 2, Sections 46-141 through 46-150, in their entirety and adopting a New Article V, Fireworks Control, Sections 46-121 through 46-127, in Chapter 46 of the City of South Lyon Code of Ordinances.

**ORDINANCE NO. \_\_-12**

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

**AN ORDINANCE TO AMEND THE CITY OF SOUTH LYON CODE OF ORDINANCES, CHAPTER 46, "FIRE PREVENTION AND PROTECTION," ARTICLE V, "FIREWORKS CONTROL," BY REPEALING EXISTING DIVISION 1, SECTIONS 46-121 THROUGH 46-140 AND EXISTING DIVISION 2, SECTIONS 46-141 THROUGH 46-150 AND ADOPTING A NEW ARTICLE V, SECTIONS 46-121 THROUGH 46-127 TO PROVIDE FOR THE REGULATION OF THE IGNITION, DISCHARGE AND USE OF CONSUMER FIREWORKS, AS ALLOWED UNDER THE MICHIGAN FIREWORKS SAFETY ACT, MCL 28.451 ET SEQ, AS AMENDED.**

**THE CITY OF SOUTH LYON ORDAINS:**

**PART I. Repeal of Existing Divisions 1 and 2, Article V, Chapter 46.** Existing Division 1, Sections 46-121 through 46-140, and existing Division 2, Sections 46-141 through 46-150, all contained in Article V, Fireworks Controls, Chapter 46, Fire Prevention and Protection, of the City of South Lyon Code of Ordinances are hereby repealed in their entirety.

**PART II. Adoption of New Article V, Sections 46-121 through 46-127.** New Article V, "Fireworks Control," Sections 46-121 through 46-127, in Chapter 46 of the City of South Lyon Code of Ordinances is hereby adopted to read as follows in their entirety:

**Article V. Fireworks Control.**

**Sec. 46-121. Definitions.**

As used in this Article, the following words and phrases have the meanings set forth herein:

*Act* means the Michigan Fireworks Safety Act, Public Act No. 256 of 2011, MCL 28.451 *et seq.*, as amended.

*APA standard 87-1* means 2001 APA standard 87-1, standard for construction and approval for transportation of fireworks, novelties, and theatrical pyrotechnics, published by the American Pyrotechnics Association of Bethesda, Maryland.

*Articles pyrotechnic* means pyrotechnic devices for professional use that are similar to consumer *fireworks* in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer *fireworks* but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.

*Consumer fireworks* means *fireworks* devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and

labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. *Consumer fireworks* does not include low-impact fireworks.

*Display fireworks* means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.

*Firework or fireworks* means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, and special effects.

*Low-impact fireworks* means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

*Minor* means an individual who is less than 18 years of age.

*National Holiday* means New Year's Day (January 1); Birthday of Martin Luther King, Jr (third Monday in January); Washington's Birthday (third Monday in February); Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); and Christmas Day (December 25).

*Novelties* means that term as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

(i) Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap.

(ii) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (i) are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.

(iii) Flitter sparklers in paper tubes not exceeding 1/8 inch in diameter.

(iv) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and the quantity contained in each box are printed on the box; and toy smoke devices.

*Person* means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

**Sec. 46-122. General prohibition on ignition, discharge, and use of consumer fireworks; exception.**

No person shall ignite, discharge, or use fireworks within the City at any time, except that:

- (1) Consumer fireworks may be discharged only on the day before, the day of, and the day after, a National Holiday.
- (2) This Section shall not apply to low-impact fireworks.

**Sec. 46-123. Additional prohibitions.**

(1) A person shall not ignite, discharge, or use consumer fireworks on public property, including streets and rights-of-way, or on school property, church property, or the private property of another, without the express written permission from the person or entity legally in possession and control of that property to undertake such action.

(2) A person shall not willfully cause fireworks to enter, by way of ignition, discharge, use or other means, upon the lands or premises of another without the express permission of the owner or occupant, or agent or servant of the owner or occupant of the lands or premises. A person who pleads or is found responsible for a violation of this subsection shall be presumed responsible for any resulting property damage and shall be required to pay full restitution to the owner and/or occupant of the lands or premises.

(3) A person shall not ignite, discharge, or use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor or a controlled substance or a combination of both.

(4) A minor shall not possess, ignite, discharge, or use consumer fireworks.

**Sec. 46-124. Novelties not regulated.**

This Article does not apply to novelties.

**Sec. 46-125. Enforcement.**

This Article may be enforced by the Fire Chief, Police Chief, their designees, and sworn law enforcement officers.

**Sec. 46-126. Determination of Violation; seizure of fireworks.**

If an enforcing official determines that a violation of this Article has occurred, the official may seize the fireworks as evidence of such violation.

**Sec. 46-127. Penalty.**

(1) A violation of this Article is a municipal civil infraction, punishable by a civil fine of not more than \$500.00, plus any costs, damages, and expenses as provided in Sections 1-14, and 2-241 through 2-249 of the City of South Lyon Code of Ordinances.

(2) Upon a finding of responsibility for a violation of this Article, the City may dispose of or destroy any consumer fireworks or low impact fireworks retained as evidence for prosecution of the violation.

(3) In addition to any other penalty provided herein, a person found responsible for violation of this Article shall reimburse the City for the costs of storing, disposing of, or destroying any consumer or low impact fireworks seized as provided for herein.

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

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

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

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

Made, Passed and Adopted by the South Lyon City Council this \_\_\_\_ day of \_\_\_\_\_, 2012.

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

\_\_\_\_\_  
Julie Zemke, 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 \_\_\_\_\_, 2012.

\_\_\_\_\_  
Julie Zemke, City Clerk

Adopted:  
Published:  
Effective:

# AGENDA NOTE

New Business: Item #1

**MEETING DATE:** September 24, 2010

**PERSON PLACING ITEM ON AGENDA:** Manager

**AGENDA TOPIC:** Presentation of the 2011/2012 Audit.

**EXPLANATION OF TOPIC:** Brian Camiller from Plante Moran will present the audit for the fiscal year 2011/2012.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** 2011/2012audit was already sent out.

**POSSIBLE COURSES OF ACTION:** Accept/do not accept the 2011/2012audit as presented.

**RECOMMENDATION:** Accept the audit as presented.

**SUGGESTED MOTION:** Moved by, \_\_\_\_\_ seconded by, \_\_\_\_\_ to accept the audit from Plante Moran for fiscal year 2011/2012 as presented.

# AGENDA NOTE

New Business: Item: #2

**MEETING DATE:** September 24, 2012

**PERSON PLACING ITEM ON AGENDA:** Police Chief

**AGENDA TOPIC:** Homecoming Parade – South Lyon High School

**EXPLANATION OF TOPIC:** A request was received for a permit for the South Lyon High School Homecoming Parade, and associated road closures, planned for Friday, September 28, 2012 from 4:00 p.m. to 5:00 p.m.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** Parade application, insurance certificate, road closure resolution, and memo from Chief Collins.

**POSSIBLE COURSES OF ACTION:** Approve/do not approve the requested road closures.

**RECOMMENDATION:** Approve the requested closures.

**SUGGESTED MOTION:** Motion by \_\_\_\_\_, supported by  
\_\_\_\_\_

Resolved That Julie Zemke, City Clerk/Treasurer is hereby authorized to make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permit to conduct the South Lyon High School Homecoming Parade on September 28, 2012 between 4:00 p.m. and 5:00 p.m. and the related street closures:

N. Mill Street from Lake St. to Kestrel Ridge, Kestrel Ridge from N. Mill Street to Eagle Heights, Eagle Heights from Kestrel Ridge to Eleven Mile Rd., Eleven Mile Rd. from Martindale to Pontiac Trail.

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

09/24/12

# SOUTH LYON POLICE DEPARTMENT

*Lloyd T. Collins*  
Chief



## Memorandum

**To:** David Murphy, City Manager

**From:** Chief Lloyd T. Collins

**Re:** S.L.H.S. Homecoming Parade

**Date:** September 13, 2012

I have received a permit request for the above-referenced event, planned for Friday, September 28, 2012. The parade is scheduled to begin at 4:00 p.m., and end by 5:00 p.m. The proposed route is different from the route utilized in previous years, however, I find that the new route is acceptable. Due to safety concerns, organizers have also agreed to provide adult monitors to deter the throwing of objects by parade participants.

Therefore, I have approved the request and have so notified the organizers. I have attached a copy of the application and approval for your information, and for inclusion on the City Council agenda relative to the necessary road closures. The Police Department will provide necessary assistance to facilitate the success of the Homecoming Parade.

c: Lt. S. Sharpe  
Chief Mike Kennedy, S.L.F.D.  
Bob Martin, DPW Superintendent  
Julie Zemke, Clerk/Treasurer



# SOUTH LYON POLICE DEPARTMENT

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

## PARADE / DEMONSTRATION APPLICATION

Date Application Submitted: 9/5/12 <sup>rec. 09/06/12</sup> <sub>ATC</sub> Requested Date of Event: 9/28/12

Applicant / Contact's Name: Vasili Tsavalias PH #: (248)573-8150

Applicant Address: 1000 N. Lafayette, South Lyon, MI 48178 <sub>Ext: 2225</sub>

Business / Organizations Name (if Applicable): South Lyon High School Student Council

Bus. Ph#: Same as above Bus. Address: Same as above

President / CEO (Responsible for Event): \_\_\_\_\_ Direct Ph#: See above

Parade START Time: 4:00 a.m. / (p.m.) Parade END Time: 5:00 a.m. / (p.m.)

Approximate Number of PERSONS: ~~1000~~ <sup>500</sup> Organization Names: Sports teams, band, student council floats, homecoming court

Approximate Number of VEHICLES: 40 Types of Vehicles: Convertibles or pick-up trucks, cars, trucks w/ trailers

Approximate Number of ANIMALS: 6 SPECIFIC Animals: horses

Amount of space to be maintained between and /all units in Parade: 6-8 feet

Route to be traveled (Include Street Names and Turning Directions): Start on Mill Street facing north, head north on Mill Street and turn right (east) on Kestrel Ridge Dr., turn left (north) on Eagle-Heights Dr., turn left (west) on 11 Mile Road. Turn left into the parking lot of South Lyon High School. End of parade

Vasili Tsavalias  
Applicant's SIGNATURE

\_\_\_\_\_  
Responsible Party's SIGNATURE

*Adult monitors req. to prevent participants from throwing objects & to ensure bus. drives are not blocked during line-up. ATC*

APPROVED [] DENIED []

Lloyd T. Collins 09/13/12  
Lloyd T. Collins, Chief of Police

## CERTIFICATE OF INSURANCE

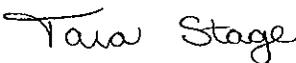
Producer <b>SET SEG</b> 415 W. Kalamazoo Street Lansing, MI 48933	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
<b>COMPANIES AFFORDING COVERAGE</b>	
Insured <b>South Lyon Community Schools</b> 345 S Warren South Lyon, MI 48178-1358	<b>A</b> MASB-SEG Property/Casualty Pool, Inc.

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

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE DATE	EXPIRATION DATE	LIMITS	
<b>A</b>	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Comprehensive Form <input checked="" type="checkbox"/> Premises/Operations <input checked="" type="checkbox"/> Incidental Medical Malpractice Coverage <input checked="" type="checkbox"/> Products/Completed Operations <input checked="" type="checkbox"/> Contractual <input checked="" type="checkbox"/> Independent Contractors <input checked="" type="checkbox"/> Broad Form Property Damage <input checked="" type="checkbox"/> Personal Injury	PC-00474-201111	11/1/11	11/1/12	BI & PD COMBINED OCCURRENCE	\$1,000,000
					BI & PD COMBINED AGGREGATE	N/A
					PERSONAL INJURY OCCURRENCE	\$1,000,000
					PERSONAL INJURY AGGREGATE	N/A

**DESCRIPTION** The City of South Lyon, all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and board members, including employees and volunteers are hereby added as additional insured but only as respects to the activities performed by or on behalf of the named Insured as it represents the districts' Homecoming Parade being held September 28, 2012.

CERTIFICATE HOLDER City of South Lyon 335 South Warren South Lyon, MI 48390	IT IS UNDERSTOOD AND AGREED THAT THIRTY (30) DAYS ADVANCE WRITTEN NOTICE OF CANCELLATION, NON-RENEWAL, REDUCTION, AND /OR MATERIAL CHANGE SHALL BE SENT TO: DAVID MURPHY, CITY OF SOUTH LYON, 335 S WARREN, WOUTH LYON, MI 48390,
--	---

AUTHORIZED REPRESENTATIVE    TARA STAGE PROPERTY/CASUALTY DEPARTMENT	Date September 4, 2012
--	------------------------

APPROVAL OF ROAD CLOSURES-

Motion by \_\_\_\_\_, supported by \_\_\_\_\_

Resolved That Julie Zemke, City Clerk/Treasurer is hereby authorized to make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permit to conduct the South Lyon High School Homecoming Parade on September 28, 2012 between 4:00 p.m. and 5:00 p.m. and the related street closures:

N. Mill Street from Lake St. to Kestrel Ridge, Kestrel Ridge from N. Mill Street to Eagle Heights, Eagle Heights from Kestrel Ridge to Eleven Mile Rd., Eleven Mile Rd. from Martindale to Pontiac Trail.

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

VOTE:

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of South Lyon, County of Oakland, State of Michigan, at a regularly scheduled meeting of \_\_\_\_\_, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

Julie C. Zemke  
City Clerk/Treasurer

# AGENDA NOTE

New Business: Item #3

**MEETING DATE:** September 24, 2012

**PERSON PLACING ITEM ON AGENDA:** City Clerk/Treasurer

**AGENDA TOPIC:** MML Convention – Designation of Voting Delegate

**EXPLANATION OF TOPIC:** The MML's annual convention is being held at the Grand Hotel on Mackinac Island October 3-5, 2011. As of this date, Mayor Wallace is the only one registered. September 7<sup>th</sup> was the deadline for the early bird rate. However, anyone still wishing to attend can still register at the regular rate. Lodging on the island would be somewhat difficult at this point. The annual meeting is scheduled for Wednesday, October 3<sup>rd</sup> during the convention, and pursuant to the provisions of the League Bylaws, Council needs to designate one official who will be in attendance as the representative to cast the vote for election of trustees, policy changes and other business that may come before the meeting.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** MML Annual Meeting Notice

**POSSIBLE COURSES OF ACTION:** Appoint/do not appoint Mayor Wallace as the Delegate for the Annual MML Meeting

**RECOMMENDATION:** Approve Mayor Wallace to act as the delegate at the Annual Michigan Municipal League Meeting

**SUGGESTED MOTION:** Motion by \_\_\_\_\_, supported by \_\_\_\_\_ to designate Mayor Tedd Wallace as the delegate for the Annual Michigan Municipal League Meeting



michigan municipal league

Better Communities.  
Better Michigan.

1675 Green Road  
Ann Arbor, MI 48105

TEL 734.662.3246 800.653.2483  
FAX 734.662.8083  
WEB [www.mml.org](http://www.mml.org)

August 9, 2012

## Michigan Municipal League Annual Meeting Notice

*(Please present at the next Council, Commission or Board Meeting)*

Dear Official:

The Annual Convention of the Michigan Municipal League will be held on Mackinac Island, October 3-5, 2012. The annual meeting is scheduled for 11:00 am on Wednesday, October 3 in the Terrace Room at the Grand Hotel. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).
2. Policy. A) To vote on the Core Legislative Principles document. B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)  
  
A) In regard to the proposed League Core Legislative Principles, the document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Susan at the League at 800-653-2483.  
  
B) In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **September 3, 2012.**
3. Other Business. To transact such other business as may properly come before the meeting.

### Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the annual meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> **no later than September 21, 2012.**

Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

"Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the

principal representative.”

### 1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

### 2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus the deadline this year for the League to receive resolutions is **September 3, 2012**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, which serves as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

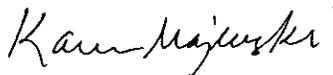
Further, “Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof.”

### 3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the annual meeting.

The Board of Trustees will meet on Wednesday, October 3 at the Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,



Karen Majewski  
President  
Mayor of Hamtramck



Daniel P. Gilmartin  
Executive Director & CEO  
Enc.

# AGENDA NOTE

New Business: Item #5

**MEETING DATE:** September 24, 2012

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

**AGENDA TOPIC:** Purchase of Work-Barge

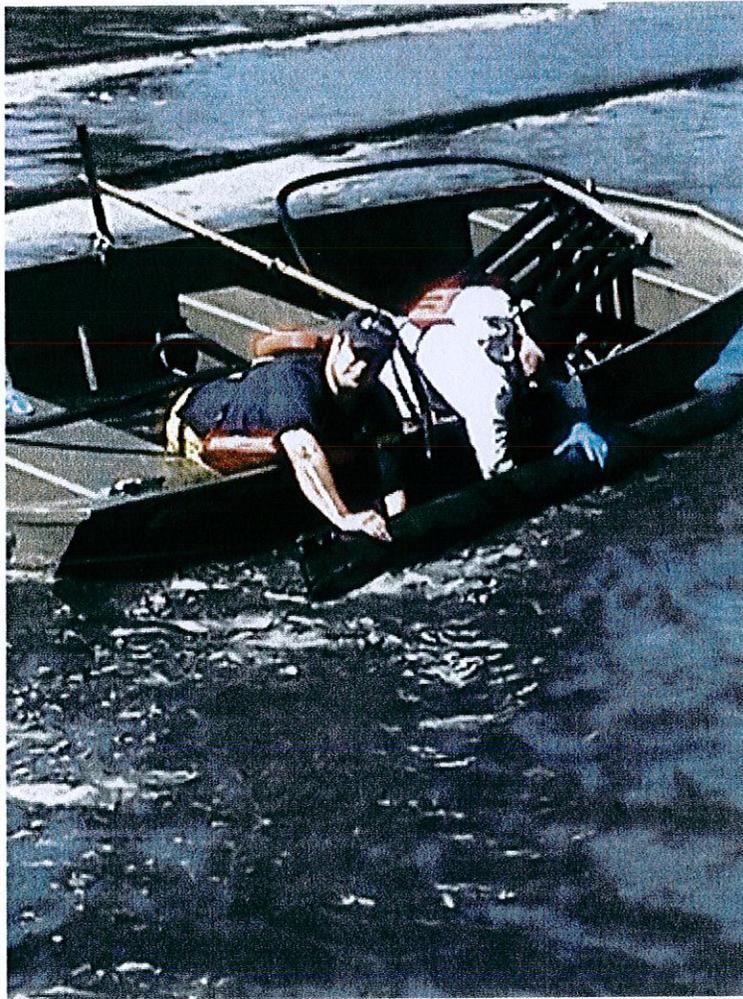
**EXPLANATION OF TOPIC:** At the South Lyon Clean Water Plant we have a 1.8 million gallon, 16 foot deep aerated basin. Oxygen is supplied to this basin through very heavy large rubber diffusers. These diffusers need to be changed out or repaired on a regular basis. Currently we use a 16' flat bottom boat, where we must lean over the side and repair the diffusers while they are still submerged. (see attached photo) Upon a recent MML inspection it was discussed that a safer method needs to be found to service the diffusers. After research, we found one company that would inspect and repair the diffusers for a cost of \$6,370.00 each time they need serviced which is twice a year. We then found a custom made work-barge called Bio-Barge (see attached brochure) which floats above the diffusers and with an attached winch lifts the diffuser to a level surface where it can be safely serviced. The price of this unit purchased from Bio-Barge, with motor and shipping would be \$10,940.00. We then contacted local marinas and found Mac's Marina in Whitmore Lake, MI who would construct a similar work-barge for the price of \$8,670.00 with motor and no shipping charges. This is a difference of \$2,270.00.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** Picture of current repair process, Bio-Barge brochure and quote for Work-Barge from Mac's Marina.

**POSSIBLE COURSES OF ACTION:** Approve/deny the purchase of Work-Barge from Mac's Marina.

**RECOMMENDATION:** Approve purchase of Work-Barge in the amount of \$8,670 from Mac's Marina.

**SUGGESTED MOTION:** Motion by \_\_\_\_\_, supported by \_\_\_\_\_ to approve the purchase of Work-Barge from Mac's Marina.



This is how we Repair  
the diffusers now.

SAFE.  
SIMPLE.  
EFFECTIVE.

BIO-BARGE™

 Bio-Barge™  
PATENT PENDING

SUBMERGED  
DIFFUSER  
WORK BARGE



# KEY BENEFITS



1500 Lb.  
Pull  
WARN Winch

All  
Aluminum  
A-Frame  
Construction

Manual  
operation or  
optional trolling  
motor power

12V Battery

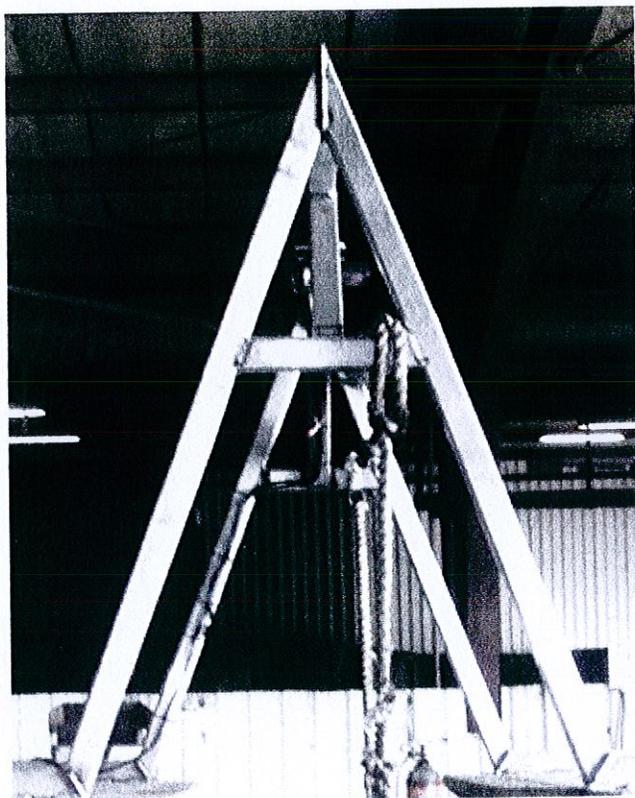
Non-skid  
Work  
Area

- All Aluminum A-Frame Construction
- 1500 lb. Pull WARN Winch
- Non-skid Work Area
- 12V Battery
- Manual Operation Or Optional Trolling Motor Power





BIO-BARGE™ Company, LLC is the manufacturer of the safe working barge for maintaining submerged diffusers in wastewater plants. There is no need for tilting and sinking Jon boats. The barge is easily operated manually or by trolling motor. The Bio-Barge™ is all welded aluminum construction for years of no maintenance. Lifting of the air laterals is done by a 1500 lb. pull WARN winch which is operated off a 12V battery. The Bio-Barge™ has lifting lugs for ease of handling. The middle of the barge is unobstructed for easy access to the submerged diffusers.



All Aluminum  
A-Frame Construction

The Bio-Barge™ is manufactured by craftsman that have been building equipment for the wastewater business for over 15 years. The Bio-Barge™ is designed to provide ease of operation with safety in mind and is equipped with handrails and non-skid surfaces for extra safety. Thus, a considerably safer and easier method of maintaining and replacing submerged air diffusers.

PLEASE CALL 1-877-546-3577 FOR  
PRICING, REFERENCES AND CO.



**PATENT PENDING**



5-11-12

Mr. David Miller  
City of South Lyon WWTP  
23500 Dixboro Road  
South Lyon, Michigan 48178

We are pleased to offer the following "Bio-Barge" for your consideration:

One (1) "Bio-Barge" (PATENT PENDING) 12'-0" x 8'-0" x 8'-0", all aluminum construction, with a "WARN" 1.5ci, 1500 lb pull .4hp motor winch.

Net price F.O.B. Factory,-----\$9,590.00

Optional Trolling Motor-----\$350.00

Optional Solar Panel for charging battery----\$150.00

Weight-----approx. 650#

Delivery---- Approx. 6 weeks ARO

**Note: Because of changes in aluminum pricing, quotes are good for 30 days.**

If the above results in an order, please make it out to:

Bio-Barge Company, LLC  
P.O. Box 709  
Metairie, Louisiana 70004

Yours truly,

  
Fred Faucher  
President



**Mac's Marina**  
 9876 Main St.  
 Whitmore Lake MI 48189

Reg No:

Phone: 734-449-4706 Fax: 734-449-0930  
 Email: macssales@gmail.com  
 Website: www.macsmarina.com

Code: **QUO12090011**  
 Currency Code **USD**

**Quotation**

Bill To:  
  
**Beason, Ron**  
 City of South Lyon Water Dept.  
 335 South Warren  
 South Lyon, MI 48178

Ship To:  
  
**Beason, Ron**

Phone: 248-437-4006 Fax: *248-437-0449* Phone: 248-437-4006 Fax:  
 Tax No:

Date	11-Sep-2012	Order No.		Sales Person		
Shipping Date	11-Sep-2012	Shipping Terms		Payment Term		
No.	Item Code	Description	Unit Price	Quantity	Discount	Amount
1		Mac's Marina will construct a barge 12'-0 x 8"-0 x 8"-0 all aluminum construction with a KFI winch 2000 lb winch water resistant. This barge will be similar to a picture that was supplied to Mac's by the South Lyon Water Dept. Mac's will customize this barge to the desire of the Water Dept. through a meeting with Mac's and the Water Dept. personnel.	0.00	0.00	0.00	0.00
2		Net Price with customer pick up at Mac's. *Included...battery with tray, trolling motor plate, all labor and materials as described above*	8,380.00	1.00	0.00	8,380.00
3	OPTIONAL	- Trolling motor 65 lb thrust	290.00	0.00	0.00	0.00
4		- Solar panel for changing battery with controller	130.00	0.00	0.00	0.00

Note:  
 Mac's requires a 50% deposit to start the project. Quote is firm for 30 days.

Sub Total: 8,380.00  
 Discount: 0.00  
 Service Tax: 0.00  
 Parts Tax: 0.00  
 Shipping: 0.00  


---

**Total: 8,380.00**  
 Deposit: 0.00  
**Amt Due: 8,380.00**

# AGENDA NOTE

New Business: Item #4

**MEETING DATE:** September 24, 2012

**PERSON PLACING ITEM ON AGENDA:** Manager

**AGENDA TOPIC:** Medical Insurance

**EXPLANATION OF TOPIC:** The third leg of the EVIP (Economic Vitality Improvement Program) requires that municipalities have a plan to have the employees share the cost of medical benefits with the employer on an 80/20 split. PA 165 otherwise known as Senate Bill 7 went into effect on January 1, 2012.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** N/A

**POSSIBLE COURSES OF ACTION:** Approve/do not approve exempting the City of South Lyon from the requirements of Public Act 165 for a period of one year

**RECOMMENDATION:** Approve exempting the City of South Lyon from the requirements of Public Act 165 until January 1, 2014.

**SUGGESTED MOTION:** Moved by, \_\_\_\_\_ seconded by, \_\_\_\_\_ to approve exempting the City of South Lyon from the requirements of Public Act 165 until January 1, 2014.

# AGENDA NOTE

New Business: Item #6

**MEETING DATE:** September 24, 2012

**PERSON PLACING ITEM ON AGENDA:** Robert J. Martin, Department of Public Works

**AGENDA TOPIC:** Sewer Camera Television (200' Insight Vision Vu Tek)

**EXPLANATION OF TOPIC:** One of the services the Department of Public Works performs is maintaining and cleaning sewer lines within the City. An essential part of this is videotaping these mains and leads so we have a clear view of not only the problem, but also helps us to determine a solution. The sewer camera the department now has is non-functioning and in fact is VHS based. We budgeted for a new camera in fiscal year 12-13 under line item 956 in the amount of \$11,000.00. We applied for and received a grant in the amount of \$5,000.00 (or 50%) from Michigan Municipal Risk Management Authority (MMRMA). By receiving this grant, we will only need to pay half of what was budgeted for.

## **MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:**

Enclosed are three bids for the Sewer Camera Television. The following is pricing for the VU Tek Unit:

1. Jack Doheny Supplies, Inc. – A 200' Insight Vision Vu Tek for \$8,000.00 plus \$1,000.00 for a locator. Total price **\$9,000.00** (includes delivery and training).
2. Kane Pipeline Solutions – A 200' Insight Vision Vu Tek with locator for a total price of **\$9,599.00**.
3. Insight Vision – A 200' Insight Vision Vu Tek for \$9,000.00 plus \$1,499.00 for a locator. Total price **\$10,499.00**.

Also enclosed is a photo and information on the Insight Vision Vu Tek.

**POSSIBLE COURSES OF ACTION:** To approve or not approve the purchase of a 200' Insight Vision Vu Tek camera in the amount of \$9,000.00 (by receiving grant the total price will be \$4,500.00).

**RECOMMENDATION:** To purchase 200' Insight Vision Vu Tek camera from Jack Doheny Supplies, Inc.

**SUGGESTED MOTION:** Motion by \_\_\_\_\_, supported by \_\_\_\_\_ to approve the purchase of a 200' Insight Vision Vu Tek camera in the amount of \$9,000.00 (with \$4,500 coming from a RAP Grant from the MMRMA).



# Jack Doheny Supplies, Inc.

*"World's Largest Distributor of Sewer Cleaning  
and Air Handling Equipment"*



777 Doheny Court  
PO Box 609  
Northville, MI 48167

800-336-4369  
Fax: 248-349-2774

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

September 6, 2012

South Lyon  
335 Warren Street  
South Lyon, MI 48178

We are pleased to provide you with a budget proposal for the following equipment:

**One (1) New 200', Insight Vision Vutek, Self Leveling camera television pipe inspection system equipped as follows:**

## **DIGITAL COMMAND CENTER**

Rugged injection molded material that incorporates an all-around water resistant package including sealed controls and recessed Molded case mounts directly to the coiler or easily detaches with carrying handle and 10' inter-link cable.

Built-in Text writer

## **MONITOR**

Recessed 8.4" Color High-Resolution LCD monitor for optimum viewing in sunlight

## **RECORDING SYSTEM**

Integrated "On-Demand" Digital Video recording system

Built-in USB port

Built-in USB network port

Built-in microphone

Built-in speaker  
Audio/Video RCA output jacks for external recording

**BATTERY**

Integrated NiMH battery with intelligent charging: provides 3 to 4 hours use on full charge  
Charges from AC or DC inputs and is fully operational during the

**DIGITAL FOOTAGE COUNTER**

Built-in digital counter provides on-screen distance displayed in feet or meters  
Includes controls for on screen position, reset and preset of footage

**CAMERA**

ClearView Self Leveling Color Camera with stainless steel body and sapphire lens  
1.3" color camera  
(8) Hi-intensity LED lights  
Visibility up to 12" pipelines while providing for easy negotiation of 3" 90's and and most 4" traps  
Sonde: 512 Hz, built-in to flex connector, Locatable in cast iron

**PUSH ROD**

Rigid Push Rod  
200 Ft. Push Rod

**ROD COILER**

Vertical, lightweight and durable steel tube design  
Includes large diameter wheels for maximum portability and ease of use  
Side support feet for horizontal operation

**ACCESSORIES**

Detachable accessory pouch  
Small skid for 2.5" to 4" pipeline centering  
Delivery to Dealer

Note: Price does not include any applicable taxes.

**EQUIPMENT PRICE: \$ 8,000.00**

**OPTIONAL EQUIPMENT**

The following items are optional. If you would like any of the options, please add corresponding price to above amount:

6' / 8" Centering skid for CVSL camera	\$	299.00
Rycom-8874PLSD Sonde Locator and Carrying Case	\$	1,000.00

601 N. 18<sup>th</sup> Ave  
West Bend, WI 53090  
262-483-5804  
262-346-8072  
kanepipelinesolutions@gmail.com



- Command Center:** The Digital Command Center incorporates an all-around water resistant package including recessed connections and sealed keypad controls. Features include: Built-in **Text-writer**, **camera/sonde test port**, AC/DC power cord. Command Center mounts directly to the coiler or easily detaches with carrying handle.
- LCD Monitor:** 8.4" Color High-Resolution LCD monitor. Recessed for optimum viewing in sunlight.
- Recording:** Integrated "On-Demand" **Digital Video recording** system. Includes; **USB port with 8GB USB drive**: Built-in USB network port; Built-in microphone; Built-in speaker and Audio/Video RCA output jacks for external recording.
- Battery:** Integrated NiMH battery with intelligent charging provides **3 to 4 hours use on full charge**. Charges from AC or DC inputs and is fully operational during the charging process. NiMH batteries provide long life and no memory effect.
- Distance Counter:** **Digital counter** provides on-screen distance displayed in feet or meters; Includes controls for on screen position, reset and preset of footage
- Camera:** ClearView **Self Leveling Color Camera** with stainless steel body and sapphire lens: This small 1.3" color camera utilizes 8 Hi-intensity LED's for visibility up to 12" pipelines while providing for easy negotiation of 3" 90's and most 4" traps.
- Sonde:** **512 Hz sealed sonde**, built-in to flex connector; Locatable in cast iron
- Push Rod:** **200 Ft.** Rigid Push Rod optimized for larger pipelines/longer runs
- Rod Coiler:** Vertical, lightweight and durable steel tube design: Includes **large diameter wheels** for maximum portability and ease of use as well as side support feet for horizontal operation. Comes standard with a 10' Inter-link cable for
- Accessories:** Complete system purchase includes (at no charge) the following: **Reel-mounted Accessory bag with operators manual, camera removal tool, 2" camera sleeve, 4/6" camera skid, and DC power cord. A \$297.00 Value!**

601 N. 18<sup>th</sup> Ave  
West Bend, WI 53090  
262-483-5804  
262-346-8072  
kanepipelinesolutions@gmail.com



<b>Total for system:</b>	<b><u>\$8,999.00/ea</u></b>
<b>+Shipping Charge</b>	<b>\$125</b>
<b>+Mandatory Training</b>	<b>\$475</b>

**Grand Total** **\$9,599.00**

DATE: 090712  
LEAD TIME: 2-3 weeks  
ATTN: Troy  
City of South Lyon  
TERMS: Net 30/Check  
VALIDITY: 30 DAYS  
WARRANTY: One year parts and labor on manufacturers defects



**GT SERIES VIDEO INSPECTION SYSTEM**

- **LARGE, HI-RESOLUTION LCD COLOR MONITOR FOR EASY VIEWING!**
- **BUILT IN DIGITAL RECORDING: DIRECT TO 8GB USB DRIVE!**
- **OPTIONAL BUILT-IN HARD DRIVE FOR 30+ HOUR VIDEO RECORDING!**
- **HIGH RESOLUTION COLOR, SELF LEVELING CAMERA!**
- **BEST PICTURE CLARITY ON THE MARKET!**
- **ON-SCREEN FOOTAGE & TEXT!**
- **3 HOUR BATTERY: INTERNAL!**
- **PREMIUM PUSH ROD WITH SPIRAL WOUND TECHNOLOGY – LOW COST AND LOW MAINTENANCE!**
- **PORTABLE, VERSATILE AND EXPANDABLE DESIGN FOR ALL LATERAL PIPELINE INSPECTION NEEDS!**

- Command Center:** The Digital Command Center incorporates an all-around water resistant package including recessed connections and sealed keypad controls. Features include: Built-in Text-writer, camera/sonde test port, AC/DC power cord. Command Center mounts directly to the coiler or easily detaches with carrying handle.
- LCD Monitor:** 8.4" Color High-Resolution LCD monitor. Recessed for optimum viewing in sunlight.
- Recording:** Integrated "On-Demand" Digital Video recording system. Includes; **USB port with 8GB USB drive:** Built-in USB network port; Built-in microphone; Built-in speaker and Audio/Video RCA output jacks for external recording.
- Battery:** Integrated NiMH battery with intelligent charging provides **3 to 4 hours use on full charge.** Charges from AC or DC inputs and is fully operational during the charging process. NiMH batteries provide long life and no memory effect.
- Distance Counter:** Digital counter provides on-screen distance displayed in feet or meters; Includes controls for on screen position, reset and preset of footage
- Camera:** ClearView Self Leveling Color Camera with stainless steel body and sapphire lens: This small 1.3" color camera utilizes 8 Hi-intensity LED's for visibility up to 12" pipelines while providing for easy negotiation of 3" 90's and and most 4" traps.
- Sonde:** 512 Hz sealed sonde, built-in to flex connector; Locatable in cast iron
- Push Rod:** Rigid Push Rod optimized for larger pipelines/longer runs
- Rod Coiler:** Vertical, lightweight and durable steel tube design: Includes large diameter wheels for maximum portability and ease of use as well as side support feet for horizontal operation. Comes with a 10' Inter-connect cable.
- Accessories:** Complete system purchase includes (at no charge) the following: Reel Mounted Accessory bag with operators manual, camera removal tool, 2" camera sleeve, 4/6" camera skid, and DC power cord. A \$297.00 value!!



**GT-200-SL (200' system) \$9,000.00 + shipping /ea**

OPTIONS:

Model 8873 Locator	\$1,499.00
Model 8872 Locator w/ 51Hz and 60Hz	\$1,599.00
120GB Solid State Integrated Hard Drive	\$ 399.00
6/8" Camera centering skid with wheels	\$ 299.00
Sunshade/cover	\$ 78.00

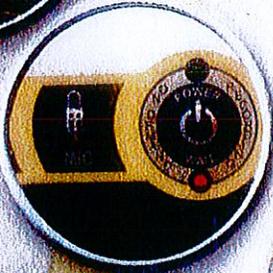
- LEAD TIME: 1-2 weeks ARO
- ATTN: Troy
- TERMS: Net 30/Credit Card/Wire/Lease
- VALIDITY: 60 DAYS
- WARRANTY: One year parts and labor on manufacturers defects



# VUTEK



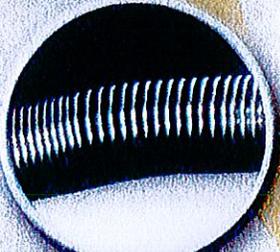
Large High Resolution  
LCD Monitor



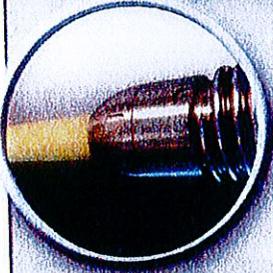
One Touch Record  
Built in recording to USB.



Ultra Strong,  
Lightweight Frame



Flexi-Guard Spring  
Effortless turns!



Spiral Wound - Push rod  
lasts 4 times as long as others.



Model  
GT-200-SL



Easy Grip  
Handle



Quick-Connect  
Center

ClearView Camera Head  
Best picture in the industry!



Off-Road Wheels  
Go anywhere!



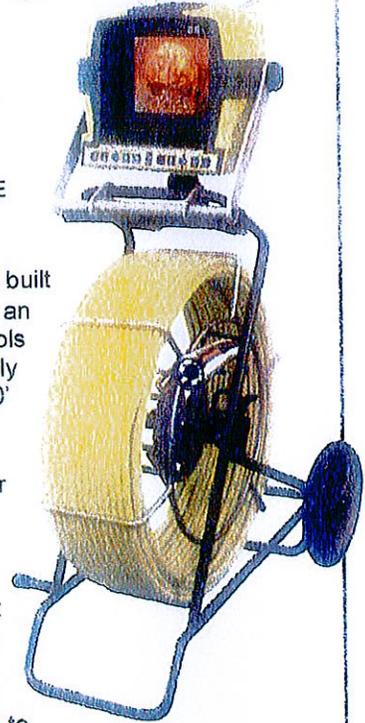
600 Dekora Woods Blvd. Saukville, WI 53080 877-310-7881 262-536-4015  
www.vutekpipe.com

POWERED BY  
**insight | VISION**

## GT SERIES VIDEO INSPECTION SYSTEM

# VUTEK

- LARGE, HI-RESOLUTION LCD COLOR MONITOR FOR EASY VIEWING
- BUILT IN DIGITAL RECORDING DIRECT TO USB
- OPTIONAL BUILT-IN HARD DRIVE FOR 30 HOUR VIDEO RECORDING
- BEST PICTURE CLARITY ON THE MARKET
- 1.3" DIAMETER COLOR, SELF LEVELING CAMERA
- ON-SCREEN FOOTAGE & TEXT
- INTEGRATED 3 HR BATTERY
- PORTABLE, VERSATILE AND EXPANDABLE DESIGN FOR ALL LATERAL PIPELINE INSPECTION NEEDS!



- Command Center:** Designed for field operations, the Digital Command Center is built from a rugged injection molded material and incorporates an all-around water resistant package including sealed controls and recessed connections. The molded case mounts directly to the coiler or easily detaches with carrying handle and 10' inter-link cable. Built in Text writer!
- Viewing:** Recessed 8.4" Color High-Resolution LCD monitor for optimum viewing in sunlight!
- Recording:** Integrated "On-Demand" Digital Video recording system that includes Built-in USB port. Built-in USB network port. Built-in microphone. Built-in speaker and Audio/Video RCA output jacks for external recording.
- Battery:** Integrated NiMH battery with intelligent charging provides 3 to 4 hours use on full charge. Charges from AC or DC inputs and is fully operational during the charging process. NiMH batteries provide long life and no memory effect.
- Digital Counter:** Built-in digital counter provides on-screen distance displayed in feet or meters; Includes controls for on screen position, reset and preset of footage
- Camera:** ClearView Self Leveling Color Camera with stainless steel body and sapphire lens. This small 1.3" color camera utilizes 8 Hi-intensity LED's for visibility up to 12" pipelines while providing for easy negotiation of 3" 90's and most 4" traps.
- Sonde:** 512 Hz, built-in to flex connector. Locatable in cast iron
- Push Rod:** 200 Ft. Rigid Push Rod optimized for larger pipelines/longer runs
- Rod Coiler:** Vertical, lightweight and durable steel tube design. Includes large diameter wheels for maximum portability and ease of use as well as side support feet for horizontal operation.
- Accessories:** Convenient and detachable, the accessory pouch easily stores: small skid for 2.5" to 4" pipeline centering, AC power cord, camera removal tool and owner's manual.

### SYSTEM TOTAL

**\$ Call for Pricing**

#### OPTIONS:

Model 8872 Locator  
 32GB Solid State Integrated Hard Drive  
 Upgrade to 300' Reel  
 Large Skid for 4" and 6" centering

\$ Call for Pricing  
 \$ Call for Pricing  
 \$ Call for Pricing  
 \$ Call for Pricing



600 Dekora Woods Blvd. Saukville, WI 53080 877-310-7881 262-536-4015 [www.vutekpipeools.com](http://www.vutekpipeools.com)

POWERED BY **INSIGHT | VISION**



**SOUTH LYON FIRE DEPARTMENT**

# OPEN HOUSE

- ❁ Meet your local firefighters
- ❁ Learn about fire and fire safety
- ❁ Tour the fire station
- ❁ Watch live demonstrations



Sunday, September 30, 2012  
10:00 am - 2:00 pm

South Lyon Fire Department  
217 Whipple Street

**FREE ADMISSION**

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