

# Regular City Council Meeting

## September 26, 2016

### Agenda

7:30 p.m.      **Call to Order**  
**Pledge of Allegiance**  
**Roll Call**  
**Approval of Minutes: Sept. 12, 2016**  
**Approval of Bills: None**  
**Approval of Agenda**

**Public Comment**

**I. Old Business – None**

**II. New Business-**

1. Presentation of Cultural Arts Commission Three year Plan – Josie Kerns
2. FY 16-17 First Quarter Budget Amendment
3. Consider request from Glen Meadows for the City to accept dedication of water and sanitary sewer utility improvements and utility easements for Glen Meadows Development.
4. Consider first reading of an ordinance to amend the City of South Lyon Code of Ordinances, Chapter 22 – Business, by amending Article 1 – In General, to Article 1 Business Registration and adding sections 22-1 through 22-5
5. Consider approval of City of South Lyon hosting Cool Yule.

**III. Discussion- Downtown**

**IV. Manager's Report-**

**V. Council Comments-**

**VI. Adjournment**

CITY OF SOUTH LYON  
REGULAR CITY COUNCIL MEETING  
September 12, 2016

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

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

MINUTES

Councilmember Kivell stated on page 1 the word should be nth degree, not tenth degree. Attorney Wilhelm stated the reference to his hourly rate should be \$135.00, not \$180.00 and he stated the spelling was incorrect for Pat Aseltyn. Councilmember Kurtzweil stated the purpose of the Open Meetings Act is to let the public be informed on what is happening during Council Meetings and any changes while sending out an email is ok, the changes should be stated during the Council Meeting.

CM 9-1-16 MOTION TO APPROVE MINUTES AS AMENDED

Motion by Kivell, supported by Dedakis  
Motion to approve minutes as amended

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

Councilmember Wedell asked if we have received all of the bills from Plante Moran for our audit. City Manager Ladner stated she believes we have, they will be giving their presentation at the first meeting in October. Councilmember Kurtzweil asked about the bill for debt and interest on page 3. City Manager Ladner stated that is a bond payment with interest for the DWRF loan. Councilmember Kurtzweil asked if the \$1081.00 payment to HRC is something we can recoup for the site plan fee. City Manager Ladner stated we pay HRC then, we recoup the money from the applicant. Councilmember Kurtzweil asked what the witness fees are for. Chief Collins stated the City will pay witness fees for a full day, or half a day for people that testify on behalf of the City. Councilmember Kivell asked if the reimbursement for the inflatable was for the movie screen. Department Head Martin stated it was for a repair that is split by all five participating communities. Councilmember Kivell asked what is the subscription charge for I am Responding. Chief Kennedy stated that is for a year subscription of a scheduling app that we have used for four years and it is very helpful, our firefighters can respond so he knows how many people will be coming in.

9/12/16

CM 9-2-16 MOTION TO APPROVE BILLS

Motion by Kramer, supported by Kivell

Motion to approve the bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

Attorney Wilhelm stated at the last meeting Council tabled the item for the poverty exemption policy and application specifically until this meeting. He further stated he has spoken with Oakland County Equalization and they would like more time to review it. He further stated we currently have a policy in place, therefore we cannot change it until the end of the year, so it isn't very time sensitive. Councilmember Kurtzweil stated she would like us to stay on this to ensure this is completed by the end of the year. Attorney Wilhelm stated he doesn't expect a long turnaround. Councilmember Rzyzi stated as he has in the past, he doesn't always agree with closed sessions because we have had too many in the past, but because this is approved by the open meetings act he doesn't disagree about entering into closed session for the City Managers review.

CM 9-3-16 MOTION TO ADD BOARD OF REVIEW AND POVERTY EXEMPTION POLICY TO AGENDA

Motion by Kurtzweil, supported by Wedell

Motion to add Board of Review discussion and poverty exemption policy under old business

VOTE: MOTION CARRIED UNANIMOUSLY

CM 9-4-16 MOTION TO APPROVE AGENDA AS AMENDED

Motion by Wedell, supported by Kramer

Motion to approve the agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Carl Richards of 390 Lenox stated we had a great Depot Day this past weekend, and people worked for weeks to get ready for it. He further stated the DPW helped with final preparations and with the clean-up. He further stated the opening ceremony with the bagpipes was very unique. He thanked everyone involved. Mr. Richards stated the ice rink is completed for the most part. He further stated they did a beautiful job. Mr. Richards stated there has been some asphalt work done within the City lately, such as behind McDonalds, as well as Ed Brown added about 3,000 square feet of asphalt, which is preparation for his part on the 24<sup>th</sup> of this month. He further stated South Lyon Woods has added 14,000 square feet of asphalt along with 25 new trailers.

9/12/16

Formal presentation of Maddie Doty Field naming proclamation

Mayor Galeas presented the family of Maddie Doty with a proclamation naming ballfield #1 in McHattie Park the Maddie Doty Field. The family of Maddie Doty thanked City Council and the community for the overwhelming support they have received from the community, and they feel very blessed to be part of this community.

OLD BUSINESS

1. Poverty Exemption Policy and application

CM 9-5-16 MOTION TO TABLE THE POVERTY EXEMPTION POLICY AND APPLICATION

Motion by Wedell, supported by Rzyzi

Motion to table the poverty exemption policy and application for a future meeting

Councilmember Kurtzweil asked if Attorney Wilhelm was able to do any additional research on this. Attorney Wilhelm stated he has reviewed Swartz Creeks policy and applications, and some of the things may have larger issues, such as the 3-year limit. He will speak with Oakland County this week to find out when they will have their feedback available. Councilmember Kurtzweil stated she was surprised to find out Council had not discussed some of the exemptions she found other communities using. She further stated this is more of an instructional process than anything.

VOTE:

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Purchase of 2017 Ford F-350 Series truck and utility box

Department Head Martin stated it is time to replenish some of our equipment for the water and sewer department. He further stated this will replace a vehicle that is on the road every day, it is a 2007 and the box is 14 years old. He further stated Ron Beason and Doug Buers worked very hard to find a good deal. He further stated this vehicle is accounted for in the budget, and it is actually under the amount he budgeted for. Department Head Martin stated he budgeted for \$47,000 and we can actually buy this vehicle for \$35,766.00 Councilmember Dedakis asked if we will be using the older vehicle or sell it. Department Head Martin stated they plan on auctioning it off. Councilmember Kurtzweil stated he did a good job on the agenda note, and she wanted to let him know, she is going to be hesitant to approve anything over the budget unless it is an emergency. Department Head Martin stated he has money budgeted for a new Superintendent vehicle as well, but he will buy a used vehicle at a later time. Councilmember Rzyzi thanked Department Head Martin for the good work. He further asked if he looked at

other companies for the utility box. Department Head Martin stated he did not, the total cost was lower than any other bid and it included the box. He further stated Varsity Ford always comes in lower than other dealers.

CM 9-6-16 MOTION TO APPROVE THE PURCHASE OF 2017 FORD F-350 TRUCK WITH UTILITY BOX FOR \$35,766.00

Motion by Kramer, supported by Wedell

Motion to approve the purchase of 2017 Ford F350 Pick-up truck with utility box for \$35,766.00

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Review information provided and discuss potential changes in the City of South Lyon fee schedule

City Manager Ladner stated this is a discussion item regarding the fee schedule for the City of South Lyon with some changes she believes should be made. City Manager Ladner reviewed the current fee schedule with Council and asked for their suggestions. She stated we currently have a \$25.00 returned check fee which we don't always collect. She further stated our bank does not charge us for returned checks, so she thought maybe this could be removed from the schedule. Councilmember Rzyzi stated he doesn't think we should add additional hardship on our residents when they are already having hardships. Councilmember Kivell stated it still takes time for the City employees to enter things twice and collect on the check. Councilmember Kurtzweil stated the City should be run as a business and we should keep the fee. Mayor Galeas stated all businesses collect a returned check fee so he is ok with keeping it as well. It was the consensus of Council to keep the returned check fee as is.

City Manager Ladner stated we have a fee for Christmas tree sales as well. She further stated we only have one non-profit that sells trees in the City and would like to remove this from the fee schedule. The consensus of Council was to remove this fee from the schedule.

City Manager Ladner stated we also have fees for amusement devices such as claw games and as far as she and the Chief of Police are aware, we have never enforced the renewal fee. Most businesses don't even know we have this fee. Further discussion was held regarding amusement devices fees. The consensus of Council was to remove the fee from the fee schedule.

City Manager Ladner stated the we need to raise fees for the Cemetery perpetual care fund, and she has looked at other communities and cemeteries and she is asking for an increase in fees which will still keep us neither at the high end or low end of the other communities. She stated she is asking Council to approve an increase in the cost of graves to \$550.00 for resident, \$1000.00 for non-resident as well as the fees for infants. Discussion was held regarding infant

graves, and the consensus of Council was to leave the infant grave fees as they are but approve the raise in regular Cemetery plots. City Manager Ladner stated she would like to add language stating if an open/close is schedule for after 2:00 p.m. they will pay the Saturday overtime rate to cover the overtime cost of two DPW workers. Council agreed to that. She further stated we are losing money on the foundations because our fees do not cover our cost. Council agreed to the suggested changes in cost.

City Manager Ladner stated our financial advisors have recommended a raise in our sewer rates to cover our costs. She stated they are suggesting a 16.75% raise, but to make it easier on our residents, she would like to spread that over three years, which would be a \$4.05 increase this year, \$4.28 increase on July 1 2017, and a \$4.52 increase as of July 1 2018. She further stated this will be the first increase in 6 years. Council agreed to the increase spread over 3 years.

City Manager Ladner stated the zoning verification letters take a significant amount of time therefore she is asking for a new fee to cover office personnel time of \$100.00. She further stated the current fee for the zoning board of appeals does not cover the cost of publication and mailing, therefore she would like that raised to \$450.00. She stated she would also like to add language to the planning and zoning fees stating the applicant is responsible for any additional fees invoiced to the City by its consultants or conjunction with these applications and meetings. City Manager Ladner stated she would also like to change the Site Plan Review Deposit to state it will be determined by the City Manager per City Code 2-301 and 2-302. It was the consensus of Council to accept the changes requested.

City Manager Ladner stated most communities determine cost on building permits based on the ICC chart by the cost of construction, plus the cost of running the building department, and because we only have one employee and the rest of the department is based on the contracted employees. She spoke with Safebuilt and Anne, and they tried to come up with a better way to do it. What we have found is when they are filling out the application they are not always accurate on the project cost, because that is currently what the fee is based on. She suggests we use the I.C.C chart for the construction cost, then use a similar formula that is easier to calculate the permit. Currently we have included initial inspection and a final inspection. Most communities have a final inspection fee separate, and that is what she is suggesting. Further discussion was held regarding the current process of the building permit process. The consensus of Council is to accept the suggested changes.

City Manager Ladner stated we have a sandwich board sign fee on the fee schedule, and some businesses and some do not. Many businesses aren't aware we have a fee for this. Councilmember Kivell stated his concern is if the sign is in the right of way and it becomes an obstruction for the sidewalk. City Manager Ladner stated most businesses use the grassy area. Councilmember Kramer asked if any other communities are charging this. City Manager Ladner

stated she does not have any knowledge of any charging this fee. Councilmember Dedakis stated this fee doesn't seem very business friendly.

City Manager Ladner stated she is asking to raise the builder registration fee from \$15.00 to \$25.00. Council agreed to that change.

City Manager Ladner stated we have never charged for a new business inspection fee or any type of registration. She further stated anytime a business comes into the community or moves to another building within the City they would be required to register their business with the City. That would help with the City knowing which businesses we have in the City and if they move within the City. Councilmember Kivell asked how we would get the word out that businesses need to do this. City Manager Ladner stated word of mouth, Bob Donohue could let the commercial realtors know as well, and we would like to take the forms to the current business owners now as well. Councilmember Kivell stated he doesn't believe a fee is necessary.

Councilmember Kramer asked if the current businesses tell the City now when they move. City Manager Ladner said they do not. Chief Kennedy stated their biggest problem is when there is a change of use when businesses change locations, such as when someone moves into an office structure, but changes it to mercantile. They try to keep an eye out for such things.

Councilmember Rzyzi stated his opinion is the less we can be involved with private property the better, although he does understand the fire concerns, but it doesn't seem business friendly to start having our business owners fill out forms and he would like it to remain the way it is.

Councilmember Kramer stated he thinks it would benefit the business owner for them to register with the City to ensure that what they are intending to use the property for can be done without more work having to be done. Councilmember Kurtzweil stated she believes the licensing and registration is important, the question is what the timeline is for when they need to do this. City Manager Lander stated that is a policy decision for Council, but she thinks it should be before the lease is signed. Councilmember Kurtzweil stated she believes we shouldn't charge a fee, but we should have a registration process. The consensus of Council was to have a registration process, but not to charge a fee.

City Manager Ladner stated she is also proposing changes in the fee schedule for plan reviews to ensure it covers our cost for the planner. There will be a difference in cost between the resident plans, and commercial plans because they take much less time. Council agreed with the changes proposed.

City Manager Ladner stated she is asking we add a final inspection fee of \$55.00 to our plumbing and mechanical permits. We haven't charged that as of now, and with the application fee covering the initial inspection and final inspection we are not covering our costs. She stated the only difference for electrical permits is the state only allows us to charge \$15.00 for registration fee. Council agreed with the proposed changes.

City Manager Ladner stated we have fee costs and she doesn't believe we need to have this in our fee schedule. Council agreed to remove the film fees from the schedule.

City Manager Ladner stated she is recommending to change the DPW charges to the MDOT rates. This hasn't been updated in many years. Councilmember Kramer asked if there is a big difference between our rates and the MDOT rates. City Manager Ladner stated there is right now because we haven't changed our rates since 2010. The consensus of Council was to change our DPW expenses to the MDOT.

City Manager Ladner stated we also have charges for barricades, and we don't currently charge people for this, and this will fall under the MDOT rates if we needed to charge someone for recovery. City Council agreed.

City Manager Ladner stated under the Police Department fee schedule, there is a charge for a bicycle license, and they don't currently charge for that so she is recommending we remove that.

City Manager Ladner stated all of the charges under the Fire Department now falls under FOIA therefore she is suggesting we state that in the fee schedule and remove the current costs.

Councilmember Rzyzi asked if each person must carry a Peddlers License. Chief Collins stated we currently charge \$10.00 per person for the background checks, then there is a fee for the license itself. He further stated our code states each person must carry the license with them, and if they do not, we will issue them a ticket. Councilmember Rzyzi asked if the people that were soliciting in town last year had permits. Chief Collins stated that is something different, we cannot charge them and that is they are allowed by law to do that. Councilmember Kurtzweil stated she has issues every year with ice cream trucks. Chief Collins stated as of right now we only have one ice cream truck with a permit. City Manager Ladner stated she will update the fee schedule and have it a future Council meeting for adoption.

#### DISCUSSION- DOWNTOWN

Bob Donohue gave a brief PowerPoint presentation of a sampling of the good things happening downtown. Mr. Donohue stated the key pieces moving forward are the entry points into town are very good, unique buildings, tree canopies, and surrounding neighborhoods. He further stated destination businesses such as The Quilt Shop, and Coral Sash. He further stated we have plenty of parking and our signage is good as well. He stated the historic architecture is a key piece to our town. Mr. Donohue stated we have building owners that are looking to restore some of the details on their buildings, and our architecture should be celebrated. He stated we have high quality and historic signage. He stated we have a lot of open space, with trees, flowers, and

benches. He further stated our light poles, and the clock are good investments for the City. Our downtown offers a lot such as flags, banners, and our Farmers Market is very positive as well. The businesses, the people and places are the building blocks for our downtown. The businesses such as Grande Trunk, the South Lyon Theatre, the Village Bakery, Third Monk Brewery, the VFW Post, and the local barbershop are classic destination businesses. We have wonderful businesses and the people that run the businesses. Mr. Donohue stated Browns Root Beer was a very important business to the community, and it's good to celebrate that. He further stated there are a lot of families spending time downtown. He stated the events we have downtown such as the Lake Street Cruise-in, Pumpkinfest, the parades are all important to South Lyon. He stated he will be trying to come up with ideas for additional events. Mr. Donohue stated we have a very good Master Plan. He stated the DDA is working to build their capacity so they function the way they should, and they play a guiding role as an advisory capacity for Council. He further stated we will be seeing the benefits of the Affiliate Level of the Main Street Program and this will help. Mr. Donohue stated the respect our employees show our business owners and residents is second to none. He further stated the fee structure and policies we have are very business friendly, and in spite of the past, the last couple of years, we are moving forward with many things to look forward to. All City Departments and Boards and Commissions reflect that the care we all have for our City. The future for the City of South Lyon is very bright. Mr. Donohue stated he is in discussions with a few businesses, such as a few boutique restaurants, two gourmet kitchen stores, two wine bars, and a wine and cheese store which is a franchise operation. He further stated we are working with business owners to update their buildings, and discussing relocating some businesses, but still within the City. He further stated the State is looking into disposing of DDA's. He stated they are fighting that. Mr. Donohue stated he will be meeting with Leon Bonner and his nephew next week regarding the painting of the building. He further stated he has been working on criteria for a certificate of appreciation to our business owners for going above and beyond. They are thinking one City-wide, then another one within the DDA district. Mr. Donohue stated they are working on a downtown business recruitment strategy. He further stated there are three property owners that are looking into making improvements to their buildings.

City Manager Ladner stated they are having another meeting on Wednesday evening between staff, the owners, and architect and engineers. She further stated they have said they will have preliminary drawings at that time because they wanted an express time to begin a rebuild, or rehab before the end of the year. She stated we are still hoping they will still consider rehabbing the building instead of knocking it down and rebuilding, although we realize it is their business and they can move forward any way they would like. Councilmember Kurtzweil stated the Hotel was a destination place because they were a historical destination place in the City with a history of how it became a hotel, then a bar. She further stated she will compare this to the New Hudson Inn, she doesn't know how successful they would have been if they wouldn't have preserved their historical landmark in their community. She further stated they are very successful. She

further stated if you change the Hotel into a different building, she wonders if the customer base will come back. Mr. Donohue stated he wants everyone to know there are two objectives that Council assigned him. One not to lose the Hotel, and another was to assist them with anything they may need. He further stated he has worked harder on this project than any other in many years. We presented them with many programs, grants, incentives, and we did that at their convenience. Further discussion was held regarding the South Lyon Hotel and their options to rehab or rebuild a new building. Councilmember Kivell stated he would like to remain hopeful that they can rehab the building instead of building an entirely new building. Mr. Donohue stated he is surprised they haven't decided to go that route.

Councilmember Rzyzi asked if Department Head Martin could look at the pavers by Diane's Doll House because some of them are loose. Department Head Martin stated he wasn't aware of that but they will look into it. Councilmember Rzyzi stated he wanted to congratulate Tracy Hill on her grand opening at her new location above Coral Sash. He stated he attended as well as Councilmember Kurtzweil and it was well attended by the community. It is nice to see our businesses growing and doing well.

#### MANAGERS REPORT

City Manager Ladner stated she is on the Board for SLARA as well as the Center for Active Adults Board and she is asking Council to appoint an alternate for her when she is unavailable to attend those meetings. She is recommending Bob Donohue.

#### CM 9-7-16 MOTION TO APPOINT BOB DONOHUE AS ALTERNATE FOR CITY MANAGER LADNER FOR SLARA AND SENIOR CENTER FOR ACTIVE ADULTS BOARD MEETINGS

Motion by Kramer, supported by Rzyzi

Motion to appoint Bob Donohue as alternate for City Manager Ladner for SLARA and Senior Center for active adult's board meetings

VOTE: MOTION CARRIED UNANIMOUSLY

City Manager Ladner stated as mentioned earlier, they are having a meeting regarding the South Lyon Hotel and she will pass along any new information. She stated she has spoken with Ron Cook and they are hoping to begin to have houses built soon, most of the required work has been completed that was necessary for them to begin building, probably about 3-4 weeks. She further stated the majority of the lots will not be built by Paul Elkow, they have sold the majority of the lots to Canzano Builders and they have built other homes in our City and they are known for being a quality builder. She stated Chief Collins has met with the Schools regarding having a school resource officer and the City splitting the cost with them. They have already approached the Lyon Township Board for splitting the cost with them for South Lyon East. City Manager Ladner stated the last Pumpkinfest meeting is this week, and they are still in need of volunteers.

The weekend of Pumpkinfest is the 23<sup>rd</sup>-25<sup>th</sup> of this month. Parade applications are due the end of this week. She further stated the Farmers Market is going through October. City Manager Ladner stated South Lyon Dental is celebrating 40 years in business and they are having an open house and ribbon cutting and Councilmembers are invited. City Manager Ladner stated she will not be at the next council meeting because she will be attending the Conference, but will be available by text, email and phone.

Department Head Martin stated Lowes employees and our own employees will be replacing the fence and painting the well house in the park.

Councilmember Kurtzweil stated she knows of Conzano Builders and it is Nick Conzano and Nick Mancilli, they have built in Lyon Trail, they finished Clarks Crossing and they tend to be on the high end side, and she may stop to speak with them to see if the price point is going to be changing.

### COUNCIL COMMENTS

Councilmember Kivell stated the Fire Department did a great job with the September 11<sup>th</sup> tribute with the Flag and the aerial unit, it was a spectacular photo opportunity. He heard there was a gathering at the fire house as well. Chief Kennedy stated they went to the Brighton Memorial. Councilmember Kivell stated he would like to thank Chief Collins for purchasing the cross walk signs to assist people getting across the road during the Farmers Market and he hopes we can use them elsewhere when needed. Councilmember Kivell stated someone from the Planning Commission stated they were concerned the sign for Heinenan is not what they approved. City Manager Ladner stated they did apply for a permit and it was approved. Councilmember Kivell stated he attended the Bridge Walk and it was a very nice event and he met many nice people. Councilmember Kivell stated he would like to begin to see Planning Commission Agendas before the last minute. Councilmember Kivell asked if there is going to be a follow-up with the Doty memorial with Parks and Recreation. City Manager Ladner stated they plan on meeting this week regarding the final designs. She further stated they asked him if they could choose a bench that was more similar to the ones already in the park.

Councilmember Dedakis stated the ceremony celebrating Dominic Ciaramitaro was heartwarming and many people attended and she wanted to thank everyone for attending and showing support.

Councilmember Rzyzi stated the Fury for the Feast by the Witches Hat was very successful. We had many of our residents as well as many people from Livonia and other areas. He further stated the Blessings for a Backpack was a great cause, and he wanted to thank the Witches Hat for that event. Councilmember Rzyzi stated they are having a packing session on Wednesday the 14<sup>th</sup> at Bartlett Elementary at 12:30p.m. Councilmember Rzyzi wanted to remind everyone of Pumpkinfest, and the night the beer tent will be open, is the same night Browns Root Beer is

having a celebration and he will be attending. Councilmember Rzyzi stated he wanted to thank Department Head Martin for getting the ice rink completed that it was a great idea. Department Head Martin stated we have to remember it is a parking lot, but if it gets cold enough in the winter, we will be flooding it for an ice rink, and the DPW did a lot of work to complete this. Councilmember Rzyzi stated there was a small vehicle tour around our City of pre-1915 vehicles, and they came from as far away as Lansing, they visited Browns and parked at the Witch's Hat and it is saying a lot they decided to come to our community. Councilmember Rzyzi stated the light is functioning at Pontiac Trail and Marjorie Ann and he understands some people are afraid it will slow down traffic, but you can't put a price on safety and it will really help with people trying to turn left from Marjorie Ann as well. He asked what is the next step in the Safe Routes to School project. City Manager Ladner stated we are finalizing the drawings, and the goal is for MDOT to bid the project by February 2017 therefore they can begin construction when school is out next year, and it will include sidewalks as well as cross walks. Councilmember Rzyzi stated the blue lights at the Police Department is a nice touch.

Councilmember Wedell stated he was at the dedication for Dominic as well, the organizers did a great job as well as the school. The speakers from the school did a very good job as well. He further stated it was a very moving ceremony and the veteran groups that attended with their flags in support was very moving.

Councilmember Kramer stated it was a very moving ceremony and it shows what the community can do in a situation like that and it was beautiful. Councilmember Kramer asked about the timing of the light at Marjorie Ann. City Manager Ladner stated it is called a school light, and it is like the light at the High School. Councilmember Kramer asked if we can extend the use of the cross walk signs at the bike trail at 9 Mile. Chief Collins stated those signs may not be appropriate at that location because they are very portable and expensive, he would be afraid they will disappear. City Manager Ladner stated we can discuss this with the Road Commission in regards to putting in a hoc signal.

Councilmember Kurtzweil stated she attended the University of Michigan game and the memorial service they had for September 11<sup>th</sup> was phenomenal. She stated she wanted to thank all of the organizers and the size of the flag covering the football field was amazing. She further stated she met many residents and they recognized her and thanked her for the work on Council. She further stated the word is out about Bob Donohue and the hard work he and City Manager Ladner are doing, and they were from all age ranges. She stated she attended Tracy Hill's open house, and it was great walking up the stairs hearing the jazz music, and she met some incredible people and she wanted to welcome Tracy to the downtown. Councilmember Kurtzweil stated she attended the Lyon Township's meeting when they were listening to the presentation regarding the Fire Department consolidation and there were many Lyon Township Firefighters in the audience and they were very respectful, and she wanted to thank them for their professional

conduct during that meeting. Councilmember Kurtzweil stated the Witch's Hat are trying to put together a craft draw next year, and she is hoping the City will pitch in with some economic incentives such as sponsoring some advertising for the event. It will be a huge event.

Councilmember Kurtzweil stated she will be attending the stuffing of the backpacks event on the 14<sup>th</sup> and she will make sure she thanks everyone for volunteering their time. Councilmember Kurtzweil stated Ed Brown has given this community so much over the years, and she thinks everyone should go and thank him for everything. Councilmember Kurtzweil stated she is a proponent for McHattie Park and we have now lost the Hotel, we are losing Browns which is another historic business and she will continue to fight for the integrity of McHattie Park, we need to hold on to everything we have.

Mayor Galeas stated the Flag from the September 11<sup>th</sup> memorial has been shared so many times on social media; it made a huge impact on everyone.

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

CM 9-8-16 MOTION TO ENTER INTO CLOSED SESSION

Motion by Wedell, supported by Kramer

Motion to enter into closed session pursuant to Section 8(a) of the Open Meetings Act to consider a periodic personnel evaluation of, a public officer, employee, staff member or individual agent, if the named person requests a closed hearing, City Manager evaluation at 10:36 p.m.

VOTE:

ROLL CALL VOTE-

Kivell - Yes  
Dedakis - Yes  
Rzyzi- Yes  
Galeas - Yes  
Wedell - Yes  
Kramer - Yes  
Kurtzweil- Yes

The Council Meeting reconvened at 11:35 p.m.

CM 9-9-16 MOTION TO APPROVE PAY INCREASE OF 3% FOR CITY MANAGER LADNER

Motion by Wedell, supported by Kramer

Motion to approve pay increase of 3% effective immediately for City Manager Ladner

VOTE:

MOTION CARRIED UNANIMOUSLY

CM 9-10-16 MOTION TO GIVE FIVE DAYS VACATION TO CITY MANAGER LADNER FOR THE CURRENT YEAR

Motion by Rzyzi, supported by Kurtzweil

Motion to approve five vacation days for City Manager Ladner to use this year

Attorney Wilhelm stated according to the City Mangers contract, the City Manager will accrue the same annual leave at the same rate and on the same terms and conditions as other non-union supervisory-level City employees in accordance to the personnel manual. In addition, the City Manager will receive 5 vacation days on January 1<sup>st</sup> of each year. City Manager Ladner stated she will get 5 vacation days on January 1, then on her employment anniversary date she will have 10 additional days. Councilmember Wedell stated we will need to look at the contract and the personnel manual because he doesn't think we should differ from that. Councilmember Rzyzi stated the City Manager isn't the same as any other Department Head or employee and has had certain circumstances that has caused her to use her time. Councilmember Dedakis stated she doesn't feel it is necessary considering she will be getting 5 days of vacation as of January 1. City Manager Ladner stated she has already purchased her plane tickets for the days for the 4-day weekend. Councilmember Kurtzweil stated then it is a moot point therefore she withdraws her support. Councilmember Rzyzi stated he withdraws his motion.

ADJOURNMENT

Mayor Galeas adjourned the meeting at 11:45 p.m.

Respectfully submitted,

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John Galeas, Mayor

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Lisa Deaton Clerk/Treasurer

**Cultural Arts Commission Report to Mayor John Galeas, City Council Members, City Manager Lynne Ladner**

**For Monday, September 26, 2016**

*Introduction*

The Cultural Arts Commission is working on several fronts to benefit the community. Below is a compilation of areas that move us forward. Chief among them is the survey and analysis funded in part by the Michigan Humanities Council through a Planning Grant secured by the Cultural Arts Commission. This has not only galvanized our mission, but has also shown us ways to recognize and connect with community priorities. As well, we continue to pursue several grants. We also plan another application to the Inside Out Program for public art in the city through the Detroit Institute of Arts, noted by many downtown businesses and citizens during data gathering. (Grant due in November, 2016.) We have included our support of Bob Martin's wonderful Summer Concert in the Park Series in terms of marketing and support. As well, we have determined not only city hall gallery shows but also linked most of them with downtown businesses. In addition, our outreach has brought us workable ideas. This year's Pumpkinfest marks almost six months since the previous Annual Report with the hope of more grants and a multi-year plan.

Also, the survey pointed out that currently the Commission's function has been two-fold. First, presentation of events like the gallery art shows, poetry readings and Violins and Seascapes (music in Paul Baker Memorial Park). Second, hosting others who want to present arts and culture, for example, the Inside Out Detroit Institute of Arts Program and free buses to the DIA. These roles can have implications for future events in the city. For example, taking on the role of festivals, highly sought after by residents and downtown business owners, will require a hosting aspect rather than a presenting one. In the future, we may serve more of a "clearing house" and "facilitator" role rather than presenting art events ourselves. This was intimated in the analysis of the Humanities Survey, completed in early September, 2016.

While we have agreed to produce gallery shows for the edification of the community and to bring in funds, we do see that the latter role above may be a better fit with our resources and community. This is ongoing and will evolve as the Council and our members navigate the next few years, committed to the priorities outlined in the Humanities Survey.

What follows is a multi-year plan, which adds an arts festival, a volunteer plan, donors and corporate sponsors in subsequent years. Briefly, this year, 2016-17, we fulfill our commitment to the City Council in terms of gallery offerings and revenue building through that and applied for grants. Year Two, 2017-2018, we target public art sculpture grant applications and research summer festivals. At that time, based on revenues from the gallery, donations, grant monies, we will revisit the gallery funding idea. Year Three, 2018-2019, we, hopefully, receive funds for and implement public art in the downtown area as well as develop donors and corporate sponsorship. This is a quite ambitious undertaking but we believe we can make strides toward these endeavors.

Of course, in any of the upcoming years, we are open to other revenues and options as possibilities appear.

*Disclaimer*

The Three-Year Plan is dependent on keeping our amazingly talented commissioners, volunteers, grant funding and raised revenues. We want to let the Council know that this is our plan, if all goes well. Of course, just like other items in the regular city budget, we will adjust as we move forward.

### ***Funding***

We are working on grant funding, fundraising through donations, Pumpkinfest, and sales from the atrium gallery. Three grants, one to the Michigan Council for Arts and Cultural Affairs and two to the Michigan Humanities Council have been written. We have secured one, the Planning Grant, and await news on the other two. As well, we continue to reach out to institutions and other commissions and societies, and local businesses in the greater South Lyon area. The Humanities Survey, funded by a Michigan Humanities Grant, has afforded us analysis which revealed that citizens and business owners desire a variety of visual arts and an art festival. We are fulfilling some of the visual art need with the Inside Out DIA Program and with the following gallery shows planned: Quilt and Fiber Arts Show, Sustainable Art and Sound Show, High School Arts One Show (also fulfilling the need recognized by respondents for K-12 involvement), Photography Show, Installation Show. Please note that we have combined some shows and recognized the High School Art Show, that includes both high schools as one of the shows. (Note: As a consequence of procuring the gallery space, we originally agreed with the South Lyon Community Schools that we would have a High School Art Show, showcasing student work once a year in the atrium gallery.) For the 2016-2017 year, we plan to add a public art grant from MCACA and the National Endowment for the Arts in 2018. There may be matching fund opportunities for the public art and we will pursue them.

### ***Gallery Shows***

As planned and requested by the City Council, we are linking each of the gallery shows to downtown businesses. The first for the 2016-2017 season, the Quilt and Fiber Arts Show, is linked with Cindy Jones, owner of Lake Street Mercantile. She has graciously offered to donate a quilt to be raffled off to support the Commission as well as serve on a panel discussing the history and impact of quilts. Pat Peruski, a fine quilter from Salem, has also offered us expertise and will serve on the same panel. The Call for Entries went out on Saturday, September 10. The South Lyon Herald also did a story on it. November 1<sup>st</sup> is the deadline for entries. The entry form is up on the CAC website. We plan to link the Photography Show with more than one photography business in the winter. Other business coordination will come with each show. If the Quilt and Fiber Arts Show is as successful as we believe it will be, we plan to make this a yearly event. With that in mind, we plan to announce *next* year's show with a theme for quilters and fiber artists.

We want to make the Council aware that the idea of the gallery raising the majority of the funds for the Cultural Arts Commission may not be feasible. As discussed at earlier budget meetings, this idea may be revisited next year. We are cautious. There are some problems unique to the gallery being in city hall (hours of operation, staffing, content limitations, beverage types) that directly and adversely affect sales, unlike a commercial or non-profit gallery. We are working on these elements by creating points of access for different members of the community with different events for the same gallery show.

One bright spot from the summer is that the Sisters of the Brush show garnered some revenue in the form of donations and a column in the Detroit News by Neal Ruin. Members of the Commission and the South Lyon Community Schools Superintendent were quoted in the column. The public relations aspect of the Commission continues to be developed with liaisons with other entities like Blessings in a Backpack. See *Liaisons*.

### *Liaisons*

We have made some liaisons with the Historical Commission in terms of linking music and K-12 programming. This is a developing plan and not yet finalized. However, the Historical Commission did provide us with letters of support for two grants for which we have applications. The Salem South Lyon District Library has given us the same support. Also, they plan to archive tapes from the upcoming Sound Show in which local writers will record personal stories with relevant themes. Then, after hearing the original stories, community members are invited to share their own story on the same theme on tape. This creates a "Listening Garden" in which audiences may listen to a growing archive throughout the show. (Grant funds were requested for tapes, recorders and headphones for this event.)

We continue to work with Third Monk Brewing with poetry readings for the area and the planned craft brew tour planned for next year. Especially since they are working on creating a 501 c (7) which is a non profit club, linking craft breweries in the area to bring audiences from out of town, we believe this liaison will grow to include visual art and activities, poetry, storytelling and music in these venues.

We are also tentatively working with South Lyon Community Schools, responding to the Humanities Survey in terms of organizing more K-12 components with cultural arts events. More will be done next year 2017-2018 as grants, hopefully, arrive and support these events.

While compiling data from the thirty downtown businesses, it was noted that almost each of the businesses had wonderful art within their doors. As such, we are planning an Art Scavenger Hunt, during which contestants may discover the art photographed out of context and posted on our website. The first three people who find ALL of the art and link it to the correct business will receive one of three prizes. The contestants MUST bring back something from each business to qualify. We will create tokens for this event. Note: Folks do not need to purchase an item to compete. The idea is to show what art is already here and to create foot traffic for downtown businesses. This is set to coincide with the photography show since photographs will be used to illustrate the various art pieces. A brief explanation of the type of art and historical context will accompany each art piece. In this way, we will involve more than one business in this event.

A successful liaison occurred last summer with Blessings in a Backpack, a wonderful charitable organization in conjunction with the Sisters of the Brush Show. We were able to raise funds for this worthy group due to donated art by Sisters of the Brush members.

***Volunteers:*** Using information from the survey, as well as other national data, we will hone our specific message for volunteers as well as having an annual party for signing up volunteers. We would like to "broker" this for all of the area commissions and societies. In this way, we are using the social aspect as well as being more specific about the number of hours expected from volunteers. We hope this will help others in the area. We will plan a party for all volunteers, request other non profit entities to attend and sign folks up for specific, two-hour blocks for specific purposes. This would be a help to the area and responds to two elements of the survey: 1) increasing the social aspect and 2) increasing the specificity of the volunteer assignment. We hope this will aid not just the Commission but other worthy entities in the area. While we are cheered by the addition of the final position being filled on the Commission by Linda Robinson, our Twitter and electronic media wonder, we do have many more roles to be filled in terms of Committee Heads. **We want to stress to the City Council that we are all volunteers, even though we produce professional events and public relations and grants.** That said, we are hopeful about the multi-year plan.

**Public Art:** As the survey states, we do have a lot of support for downtown public art. Besides pursuing another application to the Inside Out Arts Program of the Detroit Institute of Arts, we plan to pursue a MCACA grant for public art as well as National Endowment for the Arts grants for public art in 2017-18. We do not know yet what opportunities will be available for matching funds. Our preference would be to have at least one sculpture in place in 2018, pursuant to these grant funds. More will be known after investigation into these grant opportunities. Obviously, given the pressures on the city budget, matching monies from this source are limited. We may also pursue corporate sponsorship, time allowing.

The high support for this art form is probably a reflection of the wonderful citizenry, the Inside Out Program “seeding” the area and infusing folks with the quality of life and pleasure of art. Many thanks to Kelly Smith for spearheading this effort and applying this year as well. Also, the fact that other nearby cities have public art (Milford, Novi, Brighton, Northville, etc.) as well as our proximity to Ann Arbor, with its storehouse of public art, cannot be dismissed. We continue to plan for public art for South Lyon in the next two years. We plan to develop donors and corporate sponsors as we move forward into the 2018-19 year.

Murals also continue to be sought after by the community, for example, a mural has been proposed for a walk area and for the Farmer’s Market. We continue to pursue these projects with limited budgets and time.

**Festivals:** As the survey indicates, both the citizenry and the downtown businesses desire an arts festival. We plan to implement this in the summer of 2017 or 2018 after more extensive research. For example, we have found a company that specializes in putting on an arts festival for a fee. Also, in speaking with the Huron Valley Arts Council, suggestions have been made to limit the festival to one or two days on a preferred weekend with artists’ booths separated from food booths, etc. An Arts Festival, with support from downtown business owners, is definitely part of the summer, 2018 plan.

As cinema was highly supported on the survey, we also wish to plan a Film Festival, working with downtown business owner of the Lyon Theater, with a theme that will not only bring folks to the theater but also create an audience for discussion of the films. One idea is to mimic a successful program in Chicago, called Cinema Slapdown, in which professors/professionals in the field argue the merits and intent of different films in a no-holds-barred debate with a referee (in referee costume) for audiences. There is an audience-driven question and answer afterwards and during the debate. The point is the community wants to become more involved in these events and we are devising ways for this to happen. We can also add our own Academy Awards event at the close of the festival. Again, adding more social components.

### ***Cultural Arts Commission Personnel***

We want the Council to understand the slate of specific talent and insight that the current Commissioners bring to bear on this plan. First, we have the multi-talented Ken Michalik, who is our graphic designer and, recently, video director. He is amazing in his branding of the Cultural Arts Commission in terms of designing our logo and posters, banners and general visual presence to the public. Also, he recently designed and produced a video detailing the Humanities Survey featuring the Michigan Humanities Council. Next, Kelly Smith, the former chair of the Commission, has made amazing progress in the infrastructure of the Commission by spearheading several needed foundations, not the least of which is the legal contract for artists who show work in

*Cultural Arts Commission Personnel, continued*

the gallery, the Inside Out Program and free bus service through tons of coordination with the Detroit Institute of Arts. Kelly also grabs volunteers and articulates the Commission's mission to many. She is responsible for many liaisons with the Commission as well as hanging shows in the gallery and thinking strategically about it. Next, Tammy Impullitti is our official liaison with teachers in the K-12 system with South Lyon Community Schools. Her work on the annual Arts and Education One Show which highlights high school student work in the area is nothing short of amazing. As well, she has composed last year's Pumpkinfest-produced mural (which hangs outside in the atrium) and produced this year's Pumpkinfest game for children. As well, she is responsible for the liaison with the Fine Arts Society (see below). Next, Linda Robinson, our newest member of the Commission chairs our Twitter and electronic media output. She has set up accounts, Tweeted Calls for Entries, and really linked us with this technology in a helpful way. As well, she has helped us think through events and approaches. As you know, one of the Humanities Survey points was that large portions of the community wanted to be contacted in these electronic ways on social media. She has really helped us fulfill that objective and moved us forward. Finally, Josie Kearns has written grants and made liaisons with artists for gallery shows, begun poetry readings linked with a local business and written press releases and been the link to print media, specifically with the South Lyon Herald and the Detroit News.

However, the most important aspect of each of these dedicated and passionate volunteers is that they have real expertise and contribute to everyone else's area whenever the situation presents itself. Each has helped hang and take down shows, put together prizes for Pumpkinfest, discussed PR approaches, gallery topics, entry forms, etc. The discussions alone are amazing and we're all proud to be associated with each other. This is such a great group to work with because of our shared goal: making South Lyon a great cultural arts destination. Branding the city with visual and aural arts and thereby making life in South Lyon of the highest quality, remains our primary function.

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As the Council requested, we have investigated forming a non-profit incorporation to deal with accounting arising from future sales of the gallery and possibly handling donations as we grow. To that end, we have investigated merging some of these accounting responsibilities with the Fine Arts Society, an already well established artistic non-profit in the area. This is an ongoing process but we still may need to form our own in the future.

***Feedback***

As stated before, we really welcome the City Council's involvement and transparency about expectations. We are heading in these directions, hoping to make the city and surrounding area more enjoyable and economically feasible. Please let us know your thoughts and expectations. Thank you.

# AGENDA NOTE

New Business: Item #

**MEETING DATE:** September 26, 2016

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

**AGENDA TOPIC:** FY 2016-2017 1<sup>st</sup> Quarter Budget Amendments

**EXPLANATION OF TOPIC:** Due to the approved expenditure for new windows at 318 Lake St. the building currently rented by SLARA by the Council at the August 8<sup>th</sup> Council meeting an amendment to the Administration budget for expenditures on Rental Properties account 101-200-974-100 to increase to \$18,500 to cover the expenditure that was not budgeted for in this fiscal year.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** Amended General Fund Revenues sheet, General Fund Summary of Expenditures, and General Fund Administration Budget sheets.

**POSSIBLE COURSES OF ACTION:** Approve/deny FY 2016-2017 1<sup>st</sup> Quarter Budget Amendment.

**RECOMMENDATION:** Approve the FY 2016-2017 1<sup>st</sup> Quarter Budget Amendment.

**SUGGESTED MOTION:** Motion by \_\_\_\_\_, supported by \_\_\_\_\_ to approve the FY 2016-2017 1<sup>st</sup> Quarter Budget Amendment.

<b>101-200 GENERAL FUND OPERATION</b>						
<b>ADMINISTRATION</b>						
Amended 9/26/2016						
<b>Expenditure</b>	<b>Description</b>	<b>Audit 2014-2015</b>	<b>Adopted 2015-2016</b>	<b>Amended 2015-2016</b>	<b>Proposed 2016-2017</b>	<b>Proposed 2017-2018</b>
702	Wages/Salaries	289,710	332,008	290,000	425,000	444,261
715-720	Fringe Benefits	94,108	178,345	155,000	165,000	170,000
727	Offices Supplies	4,652	6,000	6,000	6,000	6,000
740	Operating Expense	14,368	40,000	40,000	30,000	35,000
801	Professional Services	86,979	101,000	101,000	101,000	100,840
802	Contractual Services	96,290	147,494	147,494	91,760	91,760
807	Auditor	32,070	50,000	50,000	50,000	50,000
817	Planning Consultant	18,088	60,000	60,000	40,000	40,000
818	Elections	16,694	13,000	13,000	16,000	13,000
820	Computers	6,010	9,000	9,000	7,000	7,000
826	Legal Fees	83,810	75,000	75,000	90,000	90,000
830	Memberships & Dues	11,561	11,745	11,745	12,000	12,000
853	Telephone	7,767	9,300	9,300	9,000	9,000
861	Transportation & Mileage	6,084	4,900	4,900	6,200	6,200
880	Community Promotions	95,878	100,000	100,000	98,000	98,000
900	Printing	4,318	6,000	6,000	6,000	6,000
900-100	Publishing	6,872	6,500	6,500	6,000	6,000
910	Insurance & Bonds	46,992	50,000	50,000	52,500	55,125
920	Utilities	21,238	27,000	27,000	22,000	22,500
931	Building Maintenance	4,927	10,000	10,000	5,000	5,000
957	Education/Training	4,894	2,000	2,000	5,000	5,000
962	Miscellaneous Expense	17,258	5,000	5,000	4,000	4,000
969-200	Contribution-Solid Waste	17,460	16,500	16,500	17,500	17,500
971-100	Beautification	6,451	6,000	6,000	6,500	6,500
974-100	Rental Properties		1,000	1,000	18,500	500
977	Equipment Miscellaneous	100	900	900	500	500
	<b>TOTAL</b>	<b>994,579</b>	<b>1,268,692</b>	<b>1,203,339</b>	<b>1,290,460</b>	<b>1,301,686</b>

<b>GENERAL FUND OPERATION</b>						
<b>SUMMARY OF EXPENDITURES</b>						
Amended 8/8/2016						
<b>Expenditure</b>	<b>Description</b>	<b>Audit 2014-2015</b>	<b>Adopted 2015-2016</b>	<b>Amended 2015-2016</b>	<b>Proposed 2016-2017</b>	<b>Proposed 2017-2018</b>
200	Administration	994,579	1,268,692	1,203,339	1,290,460	1,301,686
276	Cemetery	88,958	91,125	91,125	101,325	98,340
295	Public Transportation	70,356	72,480	72,480	73,920	75,400
300	Police	2,211,737	2,451,146	2,451,146	2,542,278	2,587,403
335	Fire	508,706	998,090	998,090	464,750	507,685
346	Ambulance	2,159	2,075	2,075	2,075	2,075
440	Public Works	729,164	806,725	806,725	877,203	870,556
690	Parks & Recreation	128,638	129,785	129,785	140,775	136,600
732	Historical	24,642	30,275	30,275	30,175	30,175
800	Cable	-	-	-	2,225	1,275
802	Cultural Arts	465	1,750	1,750	4,675	3,325
	Transfers to other funds					
	Contingencies					
	<b>Totals</b>	<b>4,759,404</b>	<b>5,852,143</b>	<b>5,786,790</b>	<b>5,529,861</b>	<b>5,614,520</b>

<b>101 GENERAL FUND REVENUES</b>						
Amended 9/26/2016						
Revenue	Description	Audit 2014-2015	Adopted 2015-2016	Amended 2015-2016	Proposed 2016-2017	Proposed 2017-2018
<b>TAXES</b>						
402	Current Property Tax (10.3662)	3,076,806	3,355,935	3,355,935	3,412,062	3,481,042
423	Mobile Home Park	1,395	920	920	920	920
444	Service fee in lieu of taxes		1,500	1,500	1,500	1,500
446	Penalties and interest	7,604	30,000	30,000	7,500	7,500
	<b>Total</b>	<b>3,085,805</b>	<b>3,388,355</b>	<b>3,388,355</b>	<b>3,421,982</b>	<b>3,490,962</b>
<b>LICENSES &amp; PERMITS</b>						
451	LICENSES & PERMITS	86,653	150,000	150,000	150,000	150,000
	<b>Total</b>	<b>86,653</b>	<b>150,000</b>	<b>150,000</b>	<b>150,000</b>	<b>150,000</b>
<b>INTERGOVERNMENTAL REVENUES</b>						
570	State Shared Revenues	918,718	954,210	954,210	946,168	946,168
570-1	State Shared Revenues-Mid Decade					
571	Federal Grant-DNR					
	<b>Total</b>	<b>918,718</b>	<b>954,210</b>	<b>954,210</b>	<b>946,168</b>	<b>946,168</b>
<b>CHARGES FOR SERVICES</b>						
630	Property Tax Admin Fees	91,500	92,047	92,047	92,047	92,047
634	Grave Openings & Foundations	40,540	30,000	30,000	35,000	35,000
635	W & S Administration					
668.4	Property Rentals	8,965	8,800	8,800	8,800	8,800
668-3	Lease-Antenna	38,026	50,000	50,000	40,000	40,000
668-2	Property Rental-Cable	151,215	144,900	144,900	150,000	150,000
	<b>Total</b>	<b>330,245</b>	<b>325,747</b>	<b>325,747</b>	<b>325,847</b>	<b>325,847</b>
<b>FINES &amp; FORFEITURES</b>						
661	Parking Violations	1,995	2,500	2,500	2,500	2,500
662	Local Court Fines	29,353	25,000	25,000	30,000	30,000
	<b>Total</b>	<b>31,348</b>	<b>27,500</b>	<b>27,500</b>	<b>32,500</b>	<b>32,500</b>
<b>MISCELLANEOUS REVENUES</b>						
642	Police Miscellaneous	54,879	40,000	40,000	40,000	40,000
664	Interest Income	7,317	6,000	6,000	7,000	7,000
669-209	Contribution-Perpetual Care	79,530	20,000	20,000	20,000	20,000
675.6	Donations to Cultural Arts Comm	6	1,000	1,000	4,100	1,000
694.3	Payment of Sidewalk by Resd.				20,000	20,000
699	Transfer from other Funds					
692	Grant Money					
698	Miscellaneous	90,161	125,000	125,000	100,000	100,000
698.2	Proceeds from Long-term					
698.6	Grant Monies - Fire Dept.					
	Grant Monies - Police Dept.					
673	Sale of Fixed Assets				38,683	
	<b>Total</b>	<b>231,894</b>	<b>152,000</b>	<b>152,000</b>	<b>229,783</b>	<b>148,000</b>
<b>TOTAL REVENUES</b>						
		<b>4,684,662</b>	<b>4,997,812</b>	<b>4,997,812</b>	<b>5,106,280</b>	<b>5,093,477</b>
<b>BEGINNING FUND BALANCE</b>						
		<b>3,572,238</b>	<b>3,497,496</b>	<b>3,497,496</b>	<b>2,708,518</b>	<b>2,284,937</b>
<b>TOTAL REVENUES AVAILABL</b>						
		<b>8,256,900</b>	<b>8,495,308</b>	<b>8,495,308</b>	<b>7,814,798</b>	<b>7,378,414</b>
<b>TOTAL EXPENDITURES</b>						
		<b>4,759,404</b>	<b>5,852,143</b>	<b>5,786,790</b>	<b>5,529,861</b>	<b>5,614,520</b>
<b>ENDING FUND BALANCE</b>						
		<b>3,497,496</b>	<b>2,643,165</b>	<b>2,708,518</b>	<b>2,284,937</b>	<b>1,763,894</b>
<b>Fund Balance %</b>						
		<b>73%</b>	<b>45%</b>	<b>47%</b>	<b>41%</b>	<b>31%</b>

# AGENDA NOTE

**MEETING DATE:** September 26, 2016

**PERSON PLACING ITEM ON AGENDA:** City Attorney / City Engineer / DPW

**AGENDA TOPIC:** Request from Glen Meadows that City accept dedication of roads, water and sewer utility improvements within the roadway for Glen Meadows Condominium development.

**EXPLANATION OF TOPIC:** In 2011, the City Council adopted a policy for accepting dedication of utilities from private developments and a checklist for dedication of utilities.

The City staff and consultants have been working with Glen Meadows Condominium Association to ensure completion of punch list items for the roads, water and sanitary utility systems in Glen Meadows and the appropriate documents required for the dedication. The DPW and City Engineers have inspected the roads and utilities and all punch list items have been completed and approved. The documents submitted by the Association have been reviewed by the City Engineer and City Attorney and are acceptable. Glen Meadows' request meets the City's policy.

Note, the Glen Meadows request is slightly different from previous dedications in that it includes the roads and all public improvements located within the road. The Glen Meadows Condominium Association will be dedicating, conveying, transferring its interests in those public improvements via a warranty deed and bill of sale. The Glen Meadows Condominium Association has approved the dedication and authorized the execution of the deed, bill of sale and any other documents required to complete the dedication as reflected in the Board of Directors resolution.

The Glen Meadows Master Deed and Association Bylaws provide the Association with authority to dedicate the roads and other public utility improvements to the City and to convey the real property on which those improvements are located as referenced in the deed and bill of sale.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:**

- City's Dedication Policy and Checklist.
- Warranty Deed
- Bill of Sale
- Resolution of the Glen Meadows Condominium Association Board of Directors
- Glen Meadows Condominium Master Deed and Bylaws (excerpts)

**POSSIBLE COURSES OF ACTION:** Accept / Reject / No Action / Postpone

**RECOMMENDATION:** Accept the dedication.

**SUGGESTED MOTION:** Motion to accept the warranty deed and bill of sale from Glen Meadows Condominium Association for the dedication of the real property, roads, water, sanitary sewer, stormsewer and other public improvements described therein all of which are located in the Glen Meadows Condominium, all in accordance with and subject to the City's policy for dedication of utilities from private developments.

## **Policy for Dedication of Utilities from Private Developments**

The City will consider individual requests from private developments for dedication of main line utilities. Acceptance will be at the sole discretion of the City. Storm water retention/detention/management facilities are specifically excluded from utility dedication

Documentation shall be submitted with each individual request as described in the City's "*Check List for Dedication of Utilities to the City of South Lyon*".

The definition "main line" means that part of the water distribution or sewer collection system located within an easement designed to supply more than one utility service lead or unit connection. This includes hydrants, hydrant valves, main line valves and manholes located within a dedicated easement.

The utility service lead means that part of the utility system connecting the main line with the premises served.

The City shall maintain only the main line, hydrants, hydrant valves, main line valves and manholes.. The owner of the premises shall maintain said utility service lead from the main line to the building or private property.

The City shall consider the acceptance based upon the main line configuration compliance with the City's Standard Engineering Specifications.

The individual private development shall be responsible for demonstrating adequate valve, hydrant, and manhole operation and repair or replace any inoperable components to the satisfaction of the City prior to any consideration for acceptance.

Restoration of any repair to the main line or noted appurtenances shall be the responsibility of the private development including but not limited to street, sidewalk and landscaping elements.

City acceptance shall be subject to the submission of electronic as-built information as required by the City's Standard Engineering Specifications as of the date of dedication.

The City shall have the right to refuse acceptance of individual requests from private developments for dedication of main line utilities, if in the opinion of the City, the existing configuration is in conflict with permanent structures or other appurtenances.

In the event that main line utility or noted appurtenances upgrades are determined to be necessary by the City as a condition of acceptance, then the City will accept requests for consideration of a Special Assessment District (SAD), at the expense of the private development in order to implement improvements acceptable to the City and considered in the sole opinion of the City to be necessary for provision of reliable service and future maintenance operations.

Unanimously Approved at SL City Council: March 14, 2011

## CHECK LIST FOR DEDICATION OF UTILITIES TO THE CITY OF SOUTH LYON

1. A drawing by a Registered Surveyor with a legal description in recordable form of the main line utilities , including hydrants, hydrant valves, mainline valves and manholes and general right of access to this equipment.
2. An easement, in recordable form, from the property owner (i.e. the registered owner of the property) granting the City the right to enter the property to maintain, repair or replace the utilities with the attached survey.
3. A bill of sale, granting the City ownership of the utilities for the nominal \$1 consideration.
4. Documentation setting forth the authority of those executing the documents. Documentation would consist of resolutions of the corporation or Condo association asserting that the proper approval of the owners was acquired in accordance with the bylaws of the organization. (i.e. if the bylaws require a 2/3rds majority or other steps to transfer property rights the resolution needs to reflect the proper adherence to those requirements) We would also need verification that persons signing the documents were properly elected officials of the organization. If ownership of the development is still in the name of the developer, then these documents would include a certified copy of the Master Deed detailing the Developers authority to dedicate, or written consent of the modification from all site owners.

Unanimously Approved at SL City Council: March 14, 2011

**WARRANTY DEED**  
**Glen Meadows – Road Dedication**

KNOW ALL MEN BY THESE PRESENTS, that GLEN MEADOWS HOMEOWNERS ASSOCIATION, a Michigan nonprofit corporation, whose address is 823 Glen Meadows Drive, South Lyon, Michigan 48178 conveys and warrants to the CITY OF SOUTH LYON, a Michigan municipal corporation, whose address is 335 S Warren Street, South Lyon, Michigan 48178, the following described premises situated in the City of South Lyon, County of Oakland, State of Michigan, to wit:

See attached Exhibit "A" attached hereto and made a part hereof.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One and no/100-----Dollars (\$1.00).

Glen Meadows Homeowners Association makes this conveyance pursuant to its authority pursuant to Article X of the Master Deed of Glen Meadows recorded at Liber 21026, Pages 372 through 428, both inclusive, Oakland County Register of Deeds, and Article XI, Section 3, subsection (f) of the Glen Meadows By-Laws which are Exhibit A to the aforesaid Master Deed. The aforesaid Master Deed pertains to Glen Meadows, a condominium development depicted and shown in Oakland County Condominium Subdivision Plan No. 1234.

THE PROPERTY CONVEYED BY THIS DEED MAY BE LOCATED WITHIN THE VICINITY OF FARM LAND OR A FARM OPERATION. GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES WHICH MAY GENERATE NOISE, DUST, ODORS, AND OTHER ASSOCIATED CONDITIONS MAY BE USED AND ARE PROTECTED BY THE MICHIGAN RIGHT TO FARM ACT.

Dated this \_\_\_\_\_ day of September, 2016.

Glen Meadows Homeowners Association, a Michigan  
nonprofit corporation

By: \_\_\_\_\_  
Name:  
Title:



Exhibit A  
Legal Description  
Glen Meadows

Together with an easement for ingress, egress and public utilities described as: Commencing at the East 1/4 Corner of Section 20, T1N, R7E, City of South Lyon, Oakland County, Michigan; thence N89°14'28"W 1323.35 feet along the East-West 1/4 line of said Section 20 to the centerline of Martindale Road (66 feet wide); thence S00°49'40"W 3.04 feet along the centerline of said Martindale Road; thence N89°11'56"W 181.24 feet along the East-West 1/4 line of said Section 20 (as monumented) to the Northeast corner of Martindale Manor Subdivision, as recorded in Liber 143, Pages 23-25, Oakland County Records; thence N89°05'41"W 513.26 feet (recorded as N89°04'20"W) along said East-West 1/4 line (as monumented) and the North line of said Martindale Manor Subdivision for a **PLACE OF BEGINNING**; thence continuing N89°05'41"W 60.00 feet (recorded as N89°04'20"W) along said line; thence N00°54'19"E 128.76 feet; thence 271.02 feet along the arc of a 260.00 foot radius circular curve to the right, with a chord bearing of N30°46'04"E 258.92 feet; thence 96.73 feet along the arc of a 260.00 foot radius non-tangential curve to the right, with a chord bearing of N09°51'43"W 96.17 feet; thence N00°47'46"E 65.11 feet; thence S89°12'14"E 60.00 feet along the South line of Eagle Heights Condominium, as recorded in Liber 13025, Pages 191-211, Oakland County Records; thence S00°47'46"W 65.11 feet; thence 72.08 feet along the arc of a 200.00 foot radius circular curve to the left, with a chord bearing of S09°31'45"E 71.69 feet; thence 80.70 feet along the arc of a 260.00 foot radius non-tangential circular curve to right, with a chord bearing of N82°47'11"E 80.37 feet; thence S88°19'20"E 430.52 feet; thence N00°49'40"E 125.01 feet; thence S88°19'20"E 27.00 feet to the Westerly right-of-way line of said Martindale Road; thence S00°49'40"W 213.31 feet along the Westerly right-of-way line of said Martindale Road; thence S70°07'39"W 28.86 feet; thence N00°49'40"E 25.89 feet; thence N88°19'14"W 42.81 feet; thence 41.77 feet along the arc of a 253.50 foot radius circular curve to the right, with a chord bearing of N83°36'08"W 41.72 feet; thence N78°52'57"W 39.63 feet; thence 37.32 feet along the arc of a 226.50 foot radius circular curve to the left, with a chord bearing of N83°36'08"W 37.28 feet; thence N88°19'20"W 270.97 feet; thence 316.86 feet along the arc of a 200.00 foot radius circular curve to the left, with a chord bearing of S46°17'29"W 284.74 feet; thence S00°54'19"W 128.76 feet to the Place of Beginning. (Being the proposed public road rights-of-way.)

**BILL OF SALE**

**Glen Meadows – Road, Water Supply, Sanitary Sewer, and Stormsewer Dedication**

**KNOW ALL MEN BY THESE PRESENTS**, that GLEN MEADOWS HOMEOWNERS ASSOCIATION, a Michigan nonprofit corporation, whose address is 823 Glen Meadows Drive, South Lyon, Michigan 48178 ("Seller"), for the sum of One Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, convey and transfer to the CITY OF SOUTH LYON, a Michigan municipal corporation, whose address is 335 S. Warren Street, South Lyon, Michigan 48178 ("City"), all of the road paving, sub-base, curbs and gutters, sidewalks, traffic control devices, signs, and the following listed pipes, valves, joints, hydrants, catch basins, and appurtenances attached to or installed in the ground as a part of the water supply, sanitary sewer, and storm sewer utility systems for the Glen Meadows condominium:

Water

Water Main, 8 inch	1,067 ft
Gate Valve & Well, 8 inch	3 ea
Fire Hydrant	3 ea

Sanitary

Sanitary Sewer, 8 inch	997 ft
Sanitary Manhole	5 ea

Storm

Storm Sewer, 12 inch	836 ft
Storm Sewer, 15 inch	293 ea
Storm Sewer, 18 inch	300 ft
Catch Basins	6 ea

All of which are located within the property, easements and/or public rights-of-way therefore established being more fully described as follows:

See Attached Exhibit A

Seller warrants and represents to City that the title conveyed is good, its transfer is rightful, and the property is delivered free from any security interest or other lien or encumbrance.

Seller, for itself and its Board of Directors, officers, members, successors and assigns, covenants and agrees with City to warrant and defend title to the property hereby sold unto City against all and every person and persons whomsoever.

In witness whereof, the undersigned has executed these presents this \_\_\_\_\_ day of September, 2016.

GLEN MEADOWS HOMEOWNERS ASSOCIATION, a Michigan nonprofit corporation

By: \_\_\_\_\_  
Name:  
Title:

STATE OF MICHIGAN )  
 ) SS  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_ [name], the \_\_\_\_\_ [title/position] of Glen Meadows Homeowners Association, a Michigan nonprofit corporation.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_ County, Michigan  
My Commission Expires:

Exhibit A  
Legal Description  
Glen Meadows

Together with an easement for ingress, egress and public utilities described as: Commencing at the East 1/4 Corner of Section 20, T1N, R7E, City of South Lyon, Oakland County, Michigan; thence N89°14'28"W 1323.35 feet along the East-West 1/4 line of said Section 20 to the centerline of Martindale Road (66 feet wide); thence S00°49'40"W 3.04 feet along the centerline of said Martindale Road; thence N89°11'56"W 181.24 feet along the East-West 1/4 line of said Section 20 (as monumented) to the Northeast corner of Martindale Manor Subdivision, as recorded in Liber 143, Pages 23-25, Oakland County Records; thence N89°05'41"W 513.26 feet (recorded as N89°04'20"W) along said East-West 1/4 line (as monumented) and the North line of said Martindale Manor Subdivision for a PLACE OF BEGINNING; thence continuing N89°05'41"W 60.00 feet (recorded as N89°04'20"W) along said line; thence N00°54'19"E 128.76 feet; thence 271.02 feet along the arc of a 260.00 foot radius circular curve to the right, with a chord bearing of N30°46'04"E 258.92 feet; thence 96.73 feet along the arc of a 260.00 foot radius non-tangential curve to the right, with a chord bearing of N09°51'43"W 96.17 feet; thence N00°47'46"E 65.11 feet; thence S89°12'14"E 60.00 feet along the South line of Eagle Heights Condominium, as recorded in Liber 13025, Pages 191-211, Oakland County Records; thence S00°47'46"W 65.11 feet; thence 72.08 feet along the arc of a 200.00 foot radius circular curve to the left, with a chord bearing of S09°31'45"E 71.69 feet; thence 80.70 feet along the arc of a 260.00 foot radius non-tangential circular curve to right, with a chord bearing of N82°47'11"E 80.37 feet; thence S88°19'20"E 430.52 feet; thence N00°49'40"E 125.01 feet; thence S88°19'20"E 27.00 feet to the Westerly right-of-way line of said Martindale Road; thence S00°49'40"W 213.31 feet along the Westerly right-of-way line of said Martindale Road; thence S70°07'39"W 28.86 feet; thence N00°49'40"E 25.89 feet; thence N88°19'14"W 42.81 feet; thence 41.77 feet along the arc of a 253.50 foot radius circular curve to the right, with a chord bearing of N83°36'08"W 41.72 feet; thence N78°52'57"W 39.63 feet; thence 37.32 feet along the arc of a 226.50 foot radius circular curve to the left, with a chord bearing of N83°36'08"W 37.28 feet; thence N88°19'20"W 270.97 feet; thence 316.86 feet along the arc of a 200.00 foot radius circular curve to the left, with a chord bearing of S46°17'29"W 284.74 feet; thence S00°54'19"W 128.76 feet to the Place of Beginning. (Being the proposed public road rights-of-way.)

## **Resolution of the Board of Directors**

### **Glen Meadows Homeowners Association**

At a duly called special meeting of the Board of Directors ("Board of Directors") of the Glen Meadows Homeowners Association ("Association"), a Michigan nonprofit corporation, held on September 14, 2016, a quorum being present and voting, the following resolution was adopted:

WHEREAS, the members of the Board of Directors, being:

- i. Brad Carse, President
- ii. Jeffrey F. Crawford, Vice President
- iii. Sean P. Gallagher, Treasurer
- iv. Ed Prange, Secretary (Non-Voting Member)

hereby waive notice of the meeting pursuant Article XI, Section 11 of the Association's Bylaws, which waiver shall constitute and be deemed equivalent to providing notice.

WHEREAS, the Master Deed for Glen Meadows condominium ("Master Deed") was recorded January 26, 2000, with the Oakland County Register of Deeds at Liber 21026, Pages 372 through 428, both inclusive and Glen Meadows Condominium was assigned Oakland County Condominium Subdivision Plan No. 1234.

WHEREAS, Article X of the Master Deed authorizes the Association to dedicate utility and access easements and public road rights of ways to a governmental entity for, among other purposes, public use and maintenance.

WHEREAS, Article XI, Section 3 of the Bylaws of the Association which are Exhibit A to the Master Deed vests the Board of Directors with broad authority to take actions necessary for the administration of the affairs of the Association.

WHEREAS, Article XI, Section 4(f) of the Bylaws of the Association which are Exhibit A to the Master Deed, authorizes the Board of Directors specifically, "to acquire, maintain and improve, and to buy, operate, manage, sell, convey, assign, mortgage, or lease any real or personal property (including any unit in the Project and easements, rights-of-way and licenses) on behalf of the Association in furtherance of the purposes or obligations of the Association."

WHEREAS, the Association and the Board of Directors desires to dedicate, transfer, and convey via warranty deed and bill of sale to the City of South Lyon, Michigan, the road rights of way, roads, pavement, gutters, curbs, sidewalks, water supply utilities, sanitary sewer utilities, storm sewer utilities, and other utility improvements located in the road rights of way in Glen Meadows condominium for public use and maintenance.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to its authority under the Master Deed and the Bylaws of the Association, the Board of Directors for and on behalf of the Association does hereby approve the dedication, transfer, and conveyance to the City of South Lyon, Michigan, the road rights of way, roads, pavement, gutters, curbs, sidewalks, water supply utilities, sanitary sewer utilities, storm sewer utilities, and other utility improvements located in the road rights of way in Glen Meadows condominium for public use and maintenance, and it approves the warranty deed and bill of sale relating to such dedication, transfer and conveyance.

IT IS FURTHER RESOLVED, that Jeffrey F. Crawford, the duly elected Vice President of the Association, is hereby authorized to execute on behalf of the Association the warranty deed and bill of sale and take any other actions, including signing other documents, necessary to accomplish the dedication, transfer and conveyance described above.

AYES: 3  
NAYS: 0  
ABSTAIN: 0  
ABSENT: 0

#### CERTIFICATION

It is hereby certified that the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Board of Directors of the Glen Meadows Homeowners Association at a special meeting duly called and held on the 14 day of September, 2016.

  
Ed Prange, Secretary  
Glen Meadows Homeowners Association

25313

LIPR 21026 PAGE 372  
\$119.00 DEED - COMBINED  
\$2.00 REINUMENTATION  
01/26/2000 02:08:58 P.M. RECEIPT# 6540  
PAID RECORDED - OAKLAND COUNTY  
G. WILLIAM CADDELL, CLERK/REGISTER OF DEEDS

MASTER DEED

GLEN MEADOWS

(Act 59, Public Acts of 1978, As Amended)

THIS MASTER DEED is made and executed on this 24th day of January, 2000, by Glen Meadows, L.L.C., a Michigan limited liability company, hereinafter referred to as the "Developer", whose office is situated at 18228 Laraugh Drive, Northville, Michigan 48167, in pursuance of the provisions of the Michigan Condominium Act as amended (being Act 59 of the Public Acts of 1978, as amended), hereinafter referred to as the "Act".

WITNESSETH:

WHEREAS, the Developer is the owner of certain real property located in the City of South Lyon, County of Oakland, Michigan, and more particularly described as follows:

Commencing at the East 1/4 Corner of Section 20, T1N; R7E, City of South Lyon, Oakland County, Michigan; thence N89°14'28"W 1323.35 feet along the East-West 1/4 line of said Section 20 to the centerline of Martindale Road (66 feet wide); thence S00°49'40"W 3.04 feet along the centerline of said Martindale Road; thence N89°11'56"W 181.24 feet along the East-West 1/4 line of said Section 20 (as monumented) to the Northeast corner of Martindale Manor Subdivision, as recorded in Liber 143, Pages 23-25, Oakland County Records; thence N89°05'41"W 82.63 feet (recorded as N89°04'20"W) along said East-West 1/4 line (as monumented) and the North line of said Martindale Manor Subdivision; thence N05°04'54"W 200.00 feet; thence N70°07'39"E 268.82 feet; thence N00°49'40"E 213.31 feet; thence N88°19'20"W 27.00 feet for a PLACE OF BEGINNING; thence S00°49'40"W 125.01 feet; thence N88°19'20"W 430.52 feet; thence 80.70 feet along the arc of a 260.00 foot radius circular curve to the left, with a chord bearing of S82°47'11"W 80.37 feet; thence 72.08 feet along the arc of a 200.00 foot radius non-tangential circular curve to the right, with a chord bearing of N09°31'45"W 71.69 feet; thence N00°47'46"E 65.11 feet; thence S89°12'14"E 129.22 feet along the South line of Eagle Heights Condominium, as recorded in

HEREBY CERTIFY that there are no TAX LIENS or TITLES held by the state or any individual against the estate description and all TAXES on same are paid for five years previous to the date of this instrument as appears by the records in the office except as stated.

Tax Code #: (part of) 80-21-20-252-004

O.K. - HAL

H.T.O. JAN 24 2000 K.R.D.

G. FRED DORRANY, County Treasurer  
Sec. 123, Act 206, 1993 as amended

O.K. - RC

Liber 13025, Pages 191-211, Oakland County Records; thence S88°19'20"E 393.80 feet to the Place of Beginning, being part of the Northeast 1/4 of said Section 20; containing 1.50 acres of land, more or less. (Units 1-6)

Commencing at the East 1/4 Corner of Section 20, T1N, R7E, City of South Lyon, Oakland County, Michigan; thence N89°14'28"W 1323.35 feet ~~along the East-West 1/4 line of said Section 20 to the centerline of~~ Martindale Road (66 feet wide); thence S00°49'40"W 3.04 feet along the centerline of said Martindale Road; thence N89°11'56"W 181.24 feet along the East-West 1/4 line of said Section 20 (as monumented) to the Northeast corner of Martindale Manor Subdivision, as recorded in Liber 143, Pages 23-25, Oakland County Records; thence N89°05'41"W 573.26 feet (recorded as N89°04'20"W) along said East-West 1/4 line (as monumented) and the North line of said Martindale Manor Subdivision for a **PLACE OF BEGINNING**; thence continuing N89°05'41"W 139.50 feet (recorded as N89°04'20"W) along said line; thence N00°49'40"E 512.42 feet along the East line of Eagle Heights Condominium, as recorded in Liber 13025, Pages 191-211, Oakland County Records; thence S89°12'14"E 251.03 feet along the South line of said Eagle Heights Condominium; thence S00°47'46"W 65.11 feet; thence 96.73 feet along the arc of a 260.00 foot radius circular curve to the left, with a chord bearing of S09°51'43"E 96.17 feet; thence 271.02 feet along the arc of a 260.00 foot radius non-tangential circular curve to the left, with a chord bearing of S30°46'04"W 258.92 feet; thence S00°54'19"W 128.76 feet to the Place of Beginning, being part of the Northeast 1/4 of said Section 20, containing 2.26 acres of land, more or less. (Units 7-12 and General Common Element)

Commencing at the East 1/4 Corner of Section 20, T1N, R7E, City of South Lyon, Oakland County, Michigan; thence N89°14'28"W 1323.35 feet along the East-West 1/4 line of said Section 20 to the centerline of Martindale Road (66 feet wide); thence S00°49'40"W 3.04 feet along the centerline of said Martindale Road; thence N89°11'56"W 181.24 feet along the East-West 1/4 line of said Section 20 (as monumented) to the Northeast corner of Martindale Manor Subdivision, as recorded in Liber 143, Pages 23-25, Oakland County Records; thence N89°05'41"W 82.63 feet (recorded as N89°04'20"W) along said East-West 1/4 line (as monumented) and the North line of said Martindale Manor Subdivision for a **PLACE OF BEGINNING**; thence continuing N89°05'41"W 430.63 feet (recorded as N89°04'20"W) along said line; thence N00°54'19"E 128.76 feet; thence 316.86 feet along the arc of a 200.00 foot radius circular curve to the right, with a chord bearing of N46°17'29"E 284.74 feet; thence S88°19'20"E 270.97 feet; thence 37.32 feet along the arc of a 226.50 foot radius circular curve to the right, with a chord bearing of S83°36'08"E 37.28 feet; thence S78°52'57"E 39.63 feet; thence 41.77 feet along the arc of a 253.50 foot radius circular curve to the left, with a chord bearing of S83°36'08"E 41.72 feet; thence S88°19'14"E 42.81 feet; thence S00°49'40"W 25.89 feet; thence S70°07'39"W 239.96 feet; thence S05°04'54"E 200.00 feet to the Place of Beginning, being part of the Northeast 1/4 of said Section 20,

containing 3.33 acres of land, more or less. (Units 13-20 and General Common Element)

Together with an easement for ingress, egress and public utilities described as: Commencing at the East 1/4 Corner of Section 20, T1N, R7E, City of South Lyon, Oakland County, Michigan; thence N89°14'28"W 1323.35 feet along the East-West 1/4 line of said Section 20 to the centerline of Martindale Road (66 feet wide); thence S00°49'40"W 3.04 feet along the centerline of said Martindale Road; thence N89°11'56"W 181.24 feet along the East-West 1/4 line of said Section 20 (as monumented) to the Northeast corner of Martindale Manor Subdivision, as recorded in Liber 143, Pages 23-25, Oakland County Records; thence N89°05'41"W 513.26 feet (recorded as N89°04'20"W) along said East-West 1/4 line (as monumented) and the North line of said Martindale Manor Subdivision for a **PLACE OF BEGINNING**; thence continuing N89°05'41"W 60.00 feet (recorded as N89°04'20"W) along said line; thence N00°54'19"E 128.76 feet; thence 271.02 feet along the arc of a 260.00 foot radius circular curve to the right, with a chord bearing of N30°46'04"E 258.92 feet; thence 96.73 feet along the arc of a 260.00 foot radius non-tangential curve to the right, with a chord bearing of N09°51'43"W 96.17 feet; thence N00°47'46"E 65.11 feet; thence S89°12'14"E 60.00 feet along the South line of Eagle Heights Condominium, as recorded in Liber 13025, Pages 191-211, Oakland County Records; thence S00°47'46"W 65.11 feet; thence 72.08 feet along the arc of a 200.00 foot radius circular curve to the left, with a chord bearing of S09°31'45"E 71.69 feet; thence 80.70 feet along the arc of a 260.00 foot radius non-tangential circular curve to right, with a chord bearing of N82°47'11"E 80.37 feet; thence S88°19'20"E 430.52 feet; thence N00°49'40"E 125.01 feet; thence S88°19'20"E 27.00 feet to the Westerly right-of-way line of said Martindale Road; thence S00°49'40"W 213.31 feet along the Westerly right-of-way line of said Martindale Road; thence S70°07'39"W 28.86 feet; thence N00°49'40"E 25.89 feet; thence N88°19'14"W 42.81 feet; thence 41.77 feet along the arc of a 253.50 foot radius circular curve to the right, with a chord bearing of N83°36'08"W 41.72 feet; thence N78°52'57"W 39.63 feet; thence 37.32 feet along the arc of a 226.50 foot radius circular curve to the left, with a chord bearing of N83°36'08"W 37.28 feet; thence N88°19'20"W 270.97 feet; thence 316.86 feet along the arc of a 200.00 foot radius circular curve to the left, with a chord bearing of S46°17'29"W 284.74 feet; thence S00°54'19"W 128.76 feet to the Place of Beginning. (Being the proposed public road rights-of-way.)

WHEREAS, the Developer desires, by recording this Master Deed, together with the By-Laws attached hereto as Exhibit "A" and together with the Condominium Subdivision Plan attached hereto as Exhibit "B" (both of which are hereby incorporated by reference and made a part hereof), to establish the real property, together with the improvements located and to be located thereon and the appurtenances thereto, as a building site project under the provisions of the Act;

NOW, THEREFORE, the Developer does, upon the recording hereof, establish Glen Meadows as a building site project under the Act and does declare that Glen Meadows (hereinafter referred to as the "Project") shall,

after such establishment, be held, conveyed, mortgaged, encumbered, lease, rented, occupied, improved, or in any other manner utilized subject to the provisions of the Act and to the covenants, conditions, easement restrictions, uses, limitations, and affirmative obligations set forth in this Master Deed and Exhibits "A" and "B" hereto, all of which shall be deemed to run with the land and shall be a burden and a benefit to the Developer, its successors and assigns, and any persons acquiring or owning an interest in the said real property, their grantees, successors, ~~heir personal representatives, and assigns.~~ In furtherance of the establishment of said Project, it is provided as follows:

ARTICLE I

DEFINITIONS

Certain terms are utilized not only in this Master Deed and Exhibits "A" and "B" hereto, but are or may be used in various other instruments such as, by way of example and not in limitation, the Articles of Incorporation and Rules and Regulations of the Glen Meadows Homeowners Association, a Michigan non-profit corporation, and deeds, mortgages, liens, land contracts, easements, and other instruments affecting the establishment of or transfer of interests in Glen Meadows. Wherever used in such documents or any other pertinent instruments, the terms set forth below shall be defined as follows:

- (1) The "Act" means the Michigan Condominium Act, being Act 59 of the Public Acts of 1978, as amended.
- (2) "Association" means Glen Meadows Homeowners Association, the non-profit corporation organized under Michigan law of which all owners shall be members, which corporation shall administer, operate, manage, and maintain the Project. Any action required of or permitted to the Association shall be exercisable by its Board of Directors unless specifically reserved to its members by the Project documents or the laws of the State of Michigan.
- (3) "Building envelope" means the portion of each unit within which the owner thereof may construct improvements such as a residence. No structures may be built outside of the building envelope within each unit as shown on Exhibit "B" attached hereto without the advance written approval of the Association and the City of South Lyon, if applicable.
- (4) "By-Laws" means Exhibit "A" hereto, being the By-Laws setting forth the substantive rights and obligations of the owners and required by Section 3(8) of the Act to be recorded as part of the Master Deed. The By-Laws shall also constitute the corporate By-Laws of the Association as provided for under the Michigan Non-Profit Corporation Act.
- (5) "Common elements", where used without modification, shall mean both the general and limited common elements described in Article IV hereof.

(b) change the pro rata interest or obligations of any unit for the purpose of (i) levying assessments or charges or allocating distributions of hazard insurance proceeds or condemnation awards; or (ii) determining the pro rata share of ownership of each unit in the common elements;

(c) by act or omission seek to abandon, partition, subdivide, encumber, sell, or transfer the common elements. The granting of easements for public utilities or for other public purposes consistent with the intended use of the common elements by the Project shall not be deemed a transfer within the meaning of this clause;

(d) use hazard insurance proceeds for losses to any Project property (whether to units or to common elements) for other than the repair, replacement or reconstruction of such improvements, except as provided by statute in case of substantial loss to the units and/or common elements of the Project.

(5) Each first mortgagee has the right to examine the books and records of the Association and the Project.

(6) No owner, or any other party, shall have priority over any rights of first mortgagees of units pursuant to their mortgages in the case of a distribution to owners of insurance proceeds or condemnation awards for losses to or a taking of units and/or common elements.

(7) Any agreement for professional management of the Project regime or any other contract providing for services which exists between the Association and the Developer or affiliates of the Developer is voidable by the Board of Directors of the Association on the transitional control date or within ninety (90) days thereafter, and on thirty (30) days' written notice at any time thereafter without cause or payment of a termination fee.

#### ARTICLE VII

#### DAMAGE TO PROJECT

In the event the Project is partially or totally damaged or destroyed or partially taken by eminent domain, the repair, reconstruction or disposition of the property shall be as provided by the By-Laws attached hereto as Exhibit "A".

#### ARTICLE VIII

#### EASEMENTS FOR UTILITIES

There shall be easements to, through and over the entire Project, including all of the land, for the continuing maintenance and repair of all utilities in the Project. In the event any improvements located on one unit encroach upon a common element, easements shall exist for the

maintenance of such encroachment for so long as such encroachment exists and for maintenance, repair and replacement thereof following damage or destruction. The Board of Directors of the Association may grant easements over or through or dedicate any portion of any general common element of the Project for utility, roadway or safety purposes.

#### ARTICLE IX

##### FUTURE UTILITY EASEMENTS

The Developer further reserves the right at any time to grant easements for utilities over, under and across the general common elements of the Project premises to appropriate governmental agencies or public utility companies and to transfer title to utilities to governmental agencies or to utility companies. Any such easement or transfer of title may be made by the Developer without the consent of any owner, mortgagee or other person and shall be evidenced by an appropriate amendment to this Master Deed and to Exhibit "B" hereto, recorded in the Oakland County Records. All of the owners and mortgagees of units and other persons interested or to become interested in the Project from time to time shall be deemed to have irrevocably and unanimously consented to such amendment or amendments of this Master Deed as may be required to effectuate the foregoing grant of easement or transfer of title.

#### ARTICLE X

##### FUTURE EASEMENTS, LICENSES AND RIGHTS-OF-WAY

The Association, acting through its lawfully constituted Board of Directors (including any Board of Directors acting prior to the transitional control date) shall be empowered and obligated to grant such easements, licenses, rights-of-entry, and rights-of-way over, under and across the general common elements of the Project for utility purposes, access purposes or other lawful purposes as may be necessary for the benefit of the Project; subject, however, to the approval of the Developer during the construction and sales period. No easement created under the Project documents may be modified nor may any of the obligations with respect thereto be varied without the consent of each person benefited thereby.

#### ARTICLE XI

##### ACCESS EASEMENTS

The Developer, the Association and all public or private utilities shall have such easements over, under, across, and through the Project, including all units and common elements, as may be necessary to fulfill any responsibilities of maintenance, repair or replacement which they or any of them are required or permitted to perform under the Project documents or by law. These easements include, without limitation, the right of the Association to obtain access to the unit during reasonable hours.

EXHIBIT A  
GLEN MEADOWS  
BY-LAWS

ARTICLE I  
ASSOCIATION OF OWNERS

Glen Meadows, a residential building site condominium located in the City of South Lyon, Oakland County, Michigan, shall be administered by an association of owners which shall be a non-profit corporation, hereinafter called the "Association", organized under the applicable laws of the State of Michigan, and responsible for the management, maintenance, operation and administration of the common elements, easements and affairs of the Project in accordance with the Project documents and the laws of the State of Michigan. These By-Laws shall constitute both the By-Laws referred to in the Master Deed and required by Section 3(8) of the Act and the By-Laws provided for under the Michigan Non-Profit Corporation Act. Each owner shall be entitled to membership, and no other person or entity shall be entitled to membership. The share of an owner in the funds and assets of the Association cannot be assigned, pledged or transferred in any manner except as an appurtenance to his unit. The Association shall keep current copies of the Master Deed, all amendments to the Master Deed and other Project documents for the Project available at reasonable hours to owners, prospective purchasers and prospective mortgagees of units in the Project. All owners in the Project and all persons using or entering upon or acquiring any interest in any unit therein or the common elements thereof shall be subject to the provisions and terms set forth in the aforesaid Project documents.

ARTICLE II

ASSESSMENTS

All expenses arising from the management, administration and operation of the Association in pursuance of its authorizations and responsibilities as set forth in the Project documents and the Act shall be levied by the Association against the units and the owners thereof in accordance with the following provisions:

Section 1. Assessments for Common Elements. All costs incurred by the Association in satisfaction of any liability arising within, caused by, or connected with the common elements or the administration of the Project, including fulfilling drainage responsibilities within individual units, shall constitute expenditures affecting the administration of the Project; and all sums received as the proceeds of or pursuant to any policy of insurance securing the interest of the owners against liabilities or losses arising within, caused by, or connected with the common elements or the administration of the Project, shall constitute receipts affecting the

the number of votes which would be required for approval if the action were taken at a meeting at which the total number of votes cast was the same as the total number of ballots cast.

Section 9. Consent of Absentees. The transactions at any meeting of members, either annual or special, however called and noticed, shall be as valid as though made at a meeting duly held after regular call and notice if a quorum is present either in person or by proxy and if, either before or after the meeting, each of the members not present in person or by proxy signs a written waiver of notice or a consent to the holding of such meeting or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the corporate records or made a part of the minutes of the meeting.

Section 10. Minutes, Presumption of Notice. Minutes or a similar record of the proceedings of meetings of members, when signed by the President or the Secretary, shall be presumed truthfully to evidence the matters set forth therein. A recitation in the minutes of any such meetings that notice of the meeting was properly given shall be prima facie evidence that such notice was given.

#### ARTICLE X

##### ADVISORY COMMITTEE

Within one (1) year after conveyance of legal or equitable title to the first unit in the Project to a purchaser or within one hundred twenty (120) days after conveyance to purchasers of one-third (1/3) of the total number of units that may be created, whichever first occurs, the Developer shall cause to be established an Advisory Committee consisting of at least three (3) nondeveloper owners. The Advisory Committee shall be established and perpetuated in any manner the Developer deems advisable, except that if more than fifty percent (50%) of the nondeveloper owners petition the Board of Directors for an election to select the Advisory Committee, then an election for such purpose shall be held. The purpose of the Advisory Committee shall be to facilitate communications between the temporary Board of Directors and the nondeveloper owners and to aid in the transition of control of the Association from the Developer to the other owners. The Advisory Committee shall cease to exist automatically when the nondeveloper owners have the voting strength to elect a majority of the Board of Directors of the Association. The Developer may remove and replace, at its discretion and at any time, any member of the Advisory Committee who has not been elected thereto by the owners.

#### ARTICLE XI

##### BOARD OF DIRECTORS

Section 1. Number and Qualification of Directors. The first Board of Directors designated by the Developer shall be composed of three (3) persons, and such first Board of Directors shall manage the affairs of the Association until a successor Board of Directors is elected at the first annual meeting of members of the Association convened at the time required

by Article IX, Section 2 of these By-Laws. The members of the Board of Directors must be members of the Association or officers, partners, trustees, employees, or agents of members of the Association. No more than one (1) owner from a unit may serve on the Board of Directors at the same time. Directors shall serve without compensation.

Section 2. Election of Directors.

(a) First Board of Directors. The first Board of Directors, or its successors as selected by the Developer, shall manage the affairs of the Association until the appointment of the first nondeveloper owner to the Board. Elections for nondeveloper owner Directors shall be held as provided in subsections (b) and (c) below.

(b) Appointment of Nondeveloper Owners to Board Prior to First Annual Meeting. Not later than one hundred twenty (120) days after conveyance of legal or equitable title to nondeveloper owners of twenty-five percent (25%) in number of the units that may be created, one (1) out of the three (3) Directors shall be selected by nondeveloper owners. When the required percentage of conveyances has been reached, the Developer shall notify the nondeveloper owners and request that they hold a meeting and elect the required Director. Upon certification to the Developer by the owners of the Director so elected, the Developer shall then immediately appoint such Director to the Board to serve until the first annual meeting of members unless he is removed pursuant to Section 7 of this Article or he resigns or becomes incapacitated.

(c) Election of Directors At and After First Annual Meeting.

(1) Not later than one hundred twenty (120) days after conveyance of legal or equitable title to nondeveloper owners of seventy-five percent (75%) in number of the units that may be created, the nondeveloper owners shall elect all directors on the Board, except that the Developer shall have the right to designate at least one Director as long as the units that remain to be created and sold equal at least ten percent (10%) of all units that may be created in the Project. When the seventy-five percent (75%) conveyance level is achieved, a meeting of owners shall be promptly convened to effectuate this provision, even if the first annual meeting has already occurred.

(2) Regardless of the percentage of units which have been conveyed, upon the expiration of fifty-four (54) months after the first conveyance of legal or equitable title to a nondeveloper owner of a unit in the Project, the nondeveloper owners have the right to elect a number of members of the Board of Directors equal to the percentage of units they own, and the Developer has the right to elect a number of members of the Board of Directors equal to the percentage of units which are owned by the Developer and for which all assessments are payable by the Developer. This

election may increase, but shall not reduce, the minimum election and designation rights otherwise established in subsection (1). Application of this subsection does not require a change in the size of the Board of Directors.

- (3) If the calculation of the percentage of members of the Board of Directors that the nondeveloper owners have the right to elect under subsection (2) or if the product of the number of members of the Board of Directors multiplied by the percentage of units held by the nondeveloper owners under subsection (b) results in a right of nondeveloper owners to elect a fractional number of members of the Board of Directors, then a fractional election right of 0.5 or greater shall be rounded up to the nearest whole number, which number shall be the number of members of the Board of Directors that the nondeveloper owners have the right to elect. After application of this formula, the Developer shall have the right to elect the remaining members of the Board of Directors. Application of this subsection shall not eliminate the right of the Developer to designate one director as provided in subsection (1).
- (4) At the first annual meeting of members, two Directors shall be elected for a term of two years and one Director shall be elected for a term of one year. At such meeting, all nominees shall stand for election as one slate, and the two persons receiving the highest number of votes shall be elected for a term of two years and the one person receiving the next highest number of votes shall be elected for a term of one year. At each annual meeting held thereafter, either one or two Directors shall be elected, depending upon the number of Directors whose terms expire. After the first annual meeting, the term of office (except for the Director elected for one year at the first annual meeting) of each Director shall be two years. The Directors shall hold office until their successors have been elected and hold their first meeting.
- (5) Once the owners have acquired the right hereunder to elect a majority of the Board of Directors, annual meetings of owners to elect Directors and conduct other business shall be held in accordance with the provisions of Article IX, Section 3 hereof.

Section 3. Powers and Duties. The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Association and may do all acts and things as are not prohibited by the Project documents or required thereby to be exercised and done by the owners.

Section 4. Other Duties. In addition to the foregoing duties imposed by these By-Laws or any further duties which may be imposed by resolution

of the members of the Association, the Board of Directors shall be responsible specifically for the following:

(a) To manage and administer the affairs of and to maintain the Project and the common elements thereof.

(b) To levy, collect and disburse assessments against and from the members of the Association and to use the proceeds thereof for the purposes of the Association, and to impose late charges for nonpayment of said assessments.

(c) To carry insurance and collect and allocate the proceeds thereof.

(d) To rebuild improvements to the common elements after casualty, subject to all of the other applicable provisions of the Project documents.

(e) To contract for and employ persons, firms, corporations, or other agents to assist in the management, operation, maintenance, and administration of the Project, including fulfilling drainage responsibilities within individual units.

(f) To acquire, maintain and improve, and to buy, operate, manage, sell, convey, assign, mortgage, or lease any real or personal property (including any unit in the Project and easements, rights-of-way and licenses) on behalf of the Association in furtherance of any of the purposes or obligations of the Association.

(g) To borrow money and issue evidences of indebtedness in furtherance of any or all of the purposes of the Association, and to secure the same by mortgage, pledge or other lien on property owned by the Association; provided, however, that any such action shall also be approved by affirmative vote of sixty percent (60%) of all of the members of the Association.

(h) To make rules and regulations in accordance with Article VI, Section 10 of these By-Laws...

(i) To establish such committees as it deems necessary, convenient or desirable and to appoint persons thereto for the purpose of implementing the administration of the Project, and to delegate to such committees any functions or responsibilities which are not by law or the Project documents required to be performed by the Board.

(j) To make rules and regulations and/or to enter into agreements with institutional lenders the purposes of which are to enable owners to obtain mortgage loans which are acceptable for purchase by the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, the Government National Mortgage Association, and/or any other agency of the Federal Government or the State of Michigan.

(k) To levy, collect and disburse fines against and from the members of the Association after notice and hearing thereon and to use the proceeds thereof for the purposes of the Association.

(l) To assert, defend or settle claims on behalf of all owners in connection with the common elements of the Project. The Board shall provide at least a ten (10) day written notice to all owners on actions proposed by the Board with regard thereto.

(m) To enforce the provisions of the Project documents.

Section 5. Management Agent. The Board of Directors may employ a professional management agent for the Association (which may be the Developer or any person or entity related thereto) at reasonable compensation established by the Board to perform such duties and services as the Board shall authorize, including, but not limited to, the duties listed in Sections 3 and 4 of this Article, and the Board may delegate to such management agent any other duties or powers which are not by law or by the Project documents required to be performed by or have the approval of the Board of Directors or the members of the Association. In no event shall the Board be authorized to enter into any contract with a professional management agent, or any other contract providing for services by the Developer, sponsor or builder, in which the maximum term is greater than one (1) year or which is not terminable by the Association upon thirty (30) days' written notice thereof to the other party, and no such contract shall violate the provisions of Section 55 of the Act.

Section 6. Vacancies. Vacancies in the Board of Directors which occur after the transitional control date caused by any reason other than the removal of a Director by a vote of the members of the Association shall be filled by vote of the majority of the remaining Directors, even though they may constitute less than a quorum, except that the Developer shall be solely entitled to fill the vacancy of any Director whom it is permitted in the first instance to designate. Each person so elected shall be a Director until a successor is elected at the next annual meeting of the members of the Association. Vacancies among nondeveloper owner elected Directors which occur prior to the transitional control date may be filled only through election by nondeveloper owners and shall be filled in the manner specified in Section 2(b) of this Article.

Section 7. Removal. At any regular or special meeting of the Association duly called with due notice of the removal action proposed to be taken, any one or more of the Directors may be removed with or without cause by the affirmative vote of more than fifty percent (50%) in number and in value of all of the owners and a successor may then and there be elected to fill any vacancy thus created. The quorum requirement for the purpose of filling such vacancy shall be the normal forty percent (40%) requirement set forth in Article VIII, Section 4. Any Director whose removal has been proposed by the owners shall be given an opportunity to be heard at the meeting. The Developer may remove and replace any or all of the Directors selected by it at any time or from time to time in its sole discretion. Likewise, any Director selected by the nondeveloper owners to serve before the first annual meeting may be removed before the first

annual meeting in the same manner set forth in this paragraph for removal of Directors generally.

Section 8. First Meeting. The first meeting of a newly elected Board of Directors shall be held within ten (10) days of election at such place as shall be fixed by the Directors at the meeting at which such Directors were elected, and no notice shall be necessary to the newly elected Directors in order legally to constitute such meeting, providing a majority of the whole Board shall be present.

Section 9. Regular Meetings. Regular meetings of the Board of Directors may be held at such times and places as shall be determined from time to time by a majority of the Directors, but at least two (2) such meetings shall be held during each fiscal year. Notice of regular meetings of the Board of Directors shall be given to each Director personally, by mail, fax, telephone or telegraph, at least ten (10) days prior to the date named for such meeting.

Section 10. Special Meetings. Special meetings of the Board of Directors may be called by the President on three (3) days' notice to each Director given personally, by mail, fax, telephone or telegraph, which notice shall state the time, place and purpose of the meeting. Special meetings of the Board of Directors shall be called by the President or Secretary in like manner and on like notice on the written request of two (2) Directors.

Section 11. Waiver of Notice. Before or at any meeting of the Board of Directors, any Director may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a Director at any meetings of the Board shall be deemed a waiver of notice by him of the time and place thereof. If all the Directors are present at any meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

Section 12. Quorum. At all meetings of the Board of Directors, a majority of the Directors shall constitute a quorum for the transaction of business, and the acts of the majority of the Directors present at a meeting at which a quorum is present shall be the acts of the Board of Directors. If, at any meeting of the Board of Directors, less than a quorum is present, the majority of those present may adjourn the meeting to a subsequent time upon twenty-four (24) hours' prior written notice delivered to all Directors not present. At any such adjourned meeting, any business which might have been transacted at the meeting as originally called may be transacted without further notice. The joinder of a Director in the action of a meeting by signing and concurring in the minutes thereof shall constitute the presence of such Director for purposes of determining a quorum.

Section 13. First Board of Directors. The actions of the first Board of Directors of the Association or any successors thereto selected or elected before the transitional control date shall be binding upon the Association so long as such actions are within the scope of the powers and duties which may be exercised generally by the Board of Directors as provided in the Project documents.

Section 14. Fidelity Bonds. The Board of Directors shall require that all officers and employees of the Association handling or responsible for the funds of the Association furnish adequate fidelity bonds. The premiums on such bonds shall be expenses of administration.

ARTICLE XII

OFFICERS

Section 1. Officers. The principal officers of the Association shall be a President, who shall be a member of the Board of Directors, a Vice President, a Secretary, and a Treasurer. The Directors may appoint an Assistant Treasurer and an Assistant Secretary and such other officers as in their judgment may be necessary. Any two offices except that of President and Vice President may be held by one person.

(a) President. The President shall be the chief executive officer of the Association. He shall preside at all meetings of the Association and of the Board of Directors. He shall have all of the general powers and duties which are usually vested in the office of the President of an association, including, but not limited to, the power to appoint committees from among the members of the Association from time to time as he may in his discretion deem appropriate to assist in the conduct of the affairs of the Association.

(b) Vice President. The Vice President shall take the place of the President and perform his duties whenever the President shall be absent or unable to act. If neither the President nor the Vice President is able to act, the Board of Directors shall appoint some other member of the Board to so do on an interim basis. The Vice President shall also perform such other duties as shall from time to time be imposed upon him by the Board of Directors.

(c) Secretary. The Secretary shall keep the minutes of all meetings of the Board of Directors and the minutes of all meetings of the members of the Association; he shall have charge of the corporate seal, if any, and of such books and papers as the Board of Directors may direct; and he shall, in general perform all duties incident to the office of Secretary.

(d) Treasurer. The Treasurer shall have responsibility for the Association's funds and securities and shall be responsible for keeping full and accurate accounts of all receipts and disbursements in books belonging to the Association. He shall be responsible for the deposit of all monies and other valuable effects in the name and to the credit of the Association, and in such depositories as may, from time to time, be designated by the Board of Directors.

Section 2. Election. The officers of the Association shall be elected annually by the Board of Directors at the organizational meeting of each new Board and shall hold office at the pleasure of the Board.

# AGENDA NOTE

New Business: Item #

**MEETING DATE:** September 26, 2016

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

**AGENDA TOPIC:** Consider first reading of an ordinance to amend the City of South Lyon Code of Ordinances, Chapter 22 – Business, by amending Article 1 – In General, to Article 1 Business Registration and adding sections 22-1 through 22-5

**EXPLANATION OF TOPIC:** Following the discussion at the Sept. 12<sup>th</sup> meeting reviewing the City Fee schedule to update the fees and review the elimination or zeroing out the fee for statutorily required items discussion was had regarding implementation of a Business Registration ordinance. This would require existing and new businesses to register with the City of South Lyon. Ordinances and registration processes were reviewed for several cities in Michigan including Northville, Sterling Heights and Muskegon. The proposed ordinance requires that all businesses existing and new businesses register with the City and provide certain basic information. We are still finalizing the application, fire safety audit and registration certificate but attached are samples of the first two based on documents from other Michigan cities.

**MATERIALS ATTACHED AS SUPPORTING DOCUMENTS:** Draft ordinance, draft business registration form, draft fire safety audit.

**POSSIBLE COURSES OF ACTION:** Approve/deny first reading of an ordinance to amend the City of South Lyon Code of Ordinances, Chapter 22 – Business, by amending Article 1 – In General, to Article 1 Business Registration and adding sections 22-1 through 22-5

**RECOMMENDATION:** Approve first reading of an ordinance to amend the City of South Lyon Code of Ordinances, Chapter 22 – Business, by amending Article 1 – In General, to Article 1 Business Registration and adding sections 22-1 through 22-5

**SUGGESTED MOTION:** Motion by \_\_\_\_\_, supported by \_\_\_\_\_ to approve first reading of an ordinance to amend the City of South Lyon Code of Ordinances, Chapter 22 – Business, by amending Article 1 – In General, to Article 1 Business Registration and adding sections 22-1 through 22-5

**ORDINANCE NO. \_\_\_-16**

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

**AN ORDINANCE TO AMEND THE CITY OF SOUTH LYON  
CODE OF ORDINANCES, CHAPTER 22 - BUSINESS, BY  
AMENDING ARTICLE I – IN GENERAL, TO ARTICLE 1 –  
BUSINESS REGISTRATION AND ADDING SECTIONS 22-1  
THROUGH 22-5.**

THE CITY OF SOUTH LYON ORDAINS:

**PART I. Amendment to Chapter 22.** Chapter 22– Business of the City of South Lyon Code of Ordinances, is amended to change the following Article I – In General to read:

ARTICLE I. – BUSINESS REGISTRATION.

Sec. 22-1. – Purpose.

The purpose of this ordinance is to promote the general health, safety, and welfare of persons in the City of South Lyon by identifying business locations and operations within the City to enhance the efficient delivery of police and fire protection; ensure compliance with building and fire safety codes; provide better efficiency and economy in furnishing public utility services within the City; and to promote compliance with all land use ordinances.

Sec. 22-2. – Registration required.

- (a) No person shall, directly or indirectly, engage in any business, trade, profession or occupation as a proprietor, owner, part owner or manager, whether or not a license is required by this chapter or any other ordinance of the city, state or federal government, without first registering and continuing to maintain such registration with the city clerk in the form and manner prescribed by him.
- (b) It shall be the duty of every registered business to report any changes in the information furnished with the current registration including location within five (5) business days of such event occurring.
- (c) The granting of a business registration shall not exempt such business from the necessity of securing a township license for those businesses requiring a license by the Township.
- (d) The issuance of a business or other license by the state or other governmental agency shall not exempt such business from the necessity of registering the business with the Township in accordance with this Article.
- (e) Registration of a business shall not exempt such business from compliance with all applicable requirements of this Code.
- (f) Registration shall not be transferable from one business to another.

Sec. 22-3. – Registration application.

Prior to initiating business operations, each business shall register with the City by submitting a business registration application to the city clerk in the form and manner prescribed by the city clerk, which shall contain at least the following information:

- (a) The legal name and form of the business entity (sole proprietor, partnership, corporation, limited liability company, or other) and any assumed name under which the business will be conducted.
- (b) The full names, business and residence addresses, business telephone numbers, and emergency contact information of the owners, proprietors, officers, partners, or members as applicable to the form of business entity, and other persons involved in the on-site supervision, management, or control of the business.
- (c) The address, telephone number, and email address or other contact information of the business being registered.
- (d) The nature and character of the business.
- (e) Contact information of person(s) to notify in the event of an emergency.
- (f) A list by name and quantity of all hazardous materials expected to be used, stored, or generated on-site, and each application shall have attached a current fire safety audit worksheet or a document substituted by the city containing the same information. This form must be approved and signed by the City Fire Marshall or his or her designee.

Sec. 22-4. – Registration fee.

The fee for registration of a business shall be established by resolution of the City Council. The registration fee shall cover the processing of a business's initial registration, annual verification, and any registration changes reported by a business.

Sec. 22-5. – Issuance.

No business registration shall be issued until the required registration fee is paid and all required information is submitted. Written proof of registration for each business address will be issued by the city clerk to and in the legal name of the owner or operator of the business.

Secs. 22-6 through 22-30. 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.** The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

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

\_\_\_\_\_  
John Galeas, Jr., Mayor

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

Certificate of Adoption

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

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

Adopted:  
Published:  
Effective:

# AGENDA NOTE

New Business: Item #

**MEETING DATE:** September 26, 2016

**PERSON PLACING ITEM ON AGENDA:** DDA Director & City Manager

**AGENDA TOPIC:** Discussion of City of South Lyon hosting Cool Yule.

**EXPLANATION OF TOPIC:** As you know Cool Yule continues to be organized by a committee of City wide volunteers from all walks of life residents, business, churches and community organizations. Last year the DDA was approached by the committee to see if they would take them under their insurance and name to ensure that the event continued when the Chamber re-focused their event strategy.

As the DDA has continued to strength their focus on building their capacity to manage downtown Lynne and I have discussed that the Cool Yule event while important for all the attention, holiday spirit and goodwill that it brings to all of South Lyon including the Downtown it is not an event solely located downtown. The DDA realizing as do I and Lynne that they are a sub recipient of the City's liability insurance understand that when they took the event under their umbrella last year it was in fact the City which was coordinating and hosting the Cool Yule event under the City of South Lyon's insurance.

This year, in an effort to allow the DDA to focus their attention on the activities located within their boundaries while not taking away from the important role which the City already played in this event previously, discussion was had with the City's liability insurer MMRMA to ensure that recognizing the City of South Lyon as the event host (a part generally played by the organizing 501 c3 committee) would not be a problem or cost an additional amount. There is no additional cost and it is not a problem for the City to host the event, in fact many communities host events. By choosing to designate the City as the host this event can officially be titled the City of South Lyon Cool Yule. If the organizing committee is able to obtain corporate or individual sponsorships those names would come after the event name.

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

**POSSIBLE COURSES OF ACTION:** Approve/deny City acting as the event Host for Cool Yule

**RECOMMENDATION:** Approve the City acting as the event Host for Cool Yule

**SUGGESTED MOTION:** Motion by \_\_\_\_\_, supported by \_\_\_\_\_ to approve the City acting as the event Host for Cool Yule.

**South Lyon Historical Commission Meeting**  
**Wednesday, September 7, 2016**  
**Minutes**

**Members Present:** Larry Ledbetter, Linda Ross, Bob Tremitiere, Jim Race, Roger Heiple, Gary Wickersham

**Members Absent:** Phil Weipert

**Others Present:** Carl Richards, Greg Jacobs

**President Larry Ledbetter** called the meeting to order at 7:35PM. A quorum was declared.

**August Minutes:** Linda motioned to accept the August minutes. Roger seconded and the motion passed.

**Depot Day (Sept 10):** Larry reported that everything is ready to go. The Scouts will set up the small tent Friday and the rental tent will also be erected Friday. The sprinklers have been turned off, the grass will be mowed Thursday and the DPW will clean the sewer trap to prevent backups. On Saturday, some of the Scouts' dads will man the entrances to prevent unwanted traffic. Extra parking will be in the field across the street. The event will kick off at 10AM with the flag raising and the National Anthem. Honorees are Ed Brown, Eleanor Donley and hometown heroes (police, firefighters etc).

Larry had a request from Ted Sturtevant who owns a food truck and wanted to sell at the event. We all agreed that we do not want anything that would compete with the Kiwanis, who often donate the food and ask only for donations. Larry will ask Phil about how the Kiwanis would feel about that. Linda suggested that it would be best if a vendor offered only snack foods that would not compete with the Kiwanis offerings. Linda also suggested that the food truck might be a good fit for Cool Yule.

**Chapel Roof:** Bob reviewed a chart showing bids from 3 contractors, with one more pending. He also has a few questions that he needs to ask the contractors. We agreed to defer the decision to next month. After that, Bob will review the bids with Lynn Ladner and get her OK before we let the contract. Larry also gave Bob a quote from Steve Gustafson for the chapel and also for the gazebo, which two roofers said needs to be re-done. Bob will add Steve's quote to his chart. Bob also said that we would probably not consider re-doing the chapel roof until next Spring, when we will know better how much money we have left in the fiscal year.

**School Porch:** Larry reported that the porch rebuild has been completed. Bob reported that the bill has been paid. Those who have looked at it are pleased with the result. Linda mentioned that the deck leading to the back entry of the school needs some repairs, primarily the railing, which is showing signs of rot. The floor of the gazebo also needs attention.

**Cool Yule (Dec. 3):** Larry reported that Kathy Swann is leading the city effort. The DDA is out of the picture. The Historical Society will be in charge of events at the historic village. Linda mentioned that last year the school was very cold from the door being open. This year she would like to have someone manning the door to be sure it isn't left open. Roger said that he has what is called pipe and drape, which could be used to block drafts when the door is open.

**Heritage Day:** There is no news to report since the last commission meeting. The next meeting is later this month, so we should have an update for the next meeting.

**New Fence and New Bench:** Bob reported that Bob Martin will replace the existing split rail fence starting Sept. 13. Bob Martin also asked for guidance in locating a new bench. We agreed that the best place would be down by the Blue Star commemorative plaque, with other suggestions being on the deck near the Witch's Hat entry door, and under the maple tree across from the school. Bob will follow up with him.

**Chapel Paint:** Larry mentioned that when Dan Hanson touched up the chapel exterior paint last Spring, he gave us a quote for a complete repaint. Bob thought that it might be a project that we could pursue in the spring, budget allowing. Jim mentioned that the 4 spires on top of the steeple look like they need some attention. Bob said that they are reproductions and have always looked like they do now.

**Carl Richards** mentioned that he has repainted the trash cans that have slats around them, but that the receptacles need to be replaced or at least power washed. Larry will follow up. Carl also painted the water pump by the school. He also gave Linda some literature that he got from Bob Donohue that lists historic grants that are available.

**Business concluded**, Jim moved to adjourn. Roger seconded and the motion passed. The meeting ended at 8:47.

Minutes recorded by Bob Tremitiere, Secretary  
Submitted by Larry Ledbetter, president

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

September 15, 2016

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

Invoice # 1067798

In Reference To: General Labor Matters

Professional Services Rendered Through August 31, 2016

	<u>Hrs/Rate</u>	<u>Amount</u>
8/3/2016 PAA Correspondence to client regarding POLC agreement	0.40 160.00/hr	64.00
8/8/2016 PAA Correspondence to client regarding POLC agreement	0.20 160.00/hr	32.00
8/16/2016 PAA Telephone conference with City Manager regarding POLC ratification	0.10 160.00/hr	16.00
PAA Telephone conference with T. Funke regarding Collective Bargaining Agreement signing for POAM	0.20 160.00/hr	32.00
8/22/2016 PAA Preparation for and attend City Council meeting on POLC ratification	3.10 160.00/hr	496.00
For professional services rendered	<u>4.00</u>	<u>\$640.00</u>
Previous balance		\$1,664.00
8/25/2016 Payment - thank you. Check No. 69874		(\$1,664.00)
Balance due		<u><u>\$640.00</u></u>

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

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Please include your Invoice Number on your payment. All payments should be mailed to the Farmington Hills' office listed above. Thank you.

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

September 15, 2016

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

Invoice # 1067799

In Reference To: Michigan Tax Tribunal Matters

Professional Services Rendered Through August 31, 2016

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>Gateway Commons/Docket 16-499</u>		
8/2/2016 SSM Preparation of Motion to Compel; Correspondence regarding same	0.60 130.00/hr	78.00
8/19/2016 SSM Review/receipt of prehearing general call and order of procedure; Correspondence regarding same	0.40 130.00/hr	52.00
Subtotal:	[ 1.00	130.00]
For professional services rendered	1.00	\$130.00

Additional Charges :

	<u>Qty/Price</u>		
<u>Gateway Commons/Docket 16-499</u>			
8/10/2016 Motion Fee - Motion to Compel	1 50.00		50.00

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

	<u>Qty/Price</u>	<u>Amount</u>
8/10/2016 Photocopies - Motion to Compel	28 0.20	5.60
Subtotal:		[ 55.60]
Total additional charges		\$55.60
Total amount of this bill		\$185.60
Balance due		\$185.60

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Please include your Invoice Number on your payment. All payments should be mailed to the Farmington Hills' office listed above. Thank you.

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

September 15, 2016

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

Invoice # 1067800

In Reference To: City Attorney Retainer Work

Professional Services Rendered Through August 31, 2016

		<u>Hours</u>	<u>Amount</u>
	<u>Arcadis</u>		
8/2/2016	TSW Telephone conference with R. Anderson at ASTI regarding status of review of restrictive covenant for 128 S. Lafayette	0.10	
8/9/2016	TSW Correspondence to and from Arcadis regarding environmental review	0.10	No Charge
8/23/2016	TSW Correspondence to and from R. Anderson at ASTI regarding status of environmental review	0.10	
8/25/2016	TSW Telephone conference with R. Anderson at ASTI regarding restrictive covenant and recommendations	0.50	
8/29/2016	TSW Review information from Arcadis and correspondence to R. Anderson regarding additional draft assurance letter from BP Amoco for 128 S. Lafayette	0.40	
	SUBTOTAL:	[ 1.20	]

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

	<u>Hours</u>	<u>Amount</u>
<u>City Council</u>		
8/5/2016 TSW Receipt/review of Council packet	0.30	
8/8/2016 TSW Review of council meeting minutes and correspondence to Clerk regarding revisions	0.50	
TSW Preparation for Council meeting	0.50	
TSW Attend Council meeting	4.00	
8/22/2016 TSW Preparation for City Council meeting	0.30	
TSW Attend City Council meeting	4.00	
TSW Review of Council packet and meeting minutes	0.20	
	<hr/>	
SUBTOTAL:	[ 9.80	]
<u>District Court Prosecutions</u>		
8/1/2016 DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Order of Acquittal/Dismissal	0.10	
DWG Receipt/review of Petition and Order for Amendment of Order of Probation	0.10	
DWG Receipt/review of Order of Acquittal/Dismissal	0.10	
DWG Receipt/review of Sentencing Order	0.10	
DWG Receipt/review of updated 8/2/16 arraignment docket	0.10	
DWG Receipt/review of Judge Bondy's updated 8/2/16 docket	0.10	
DWG Receipt/review of Judge Law's updated 8/2/16 docket	0.10	
DWG Receipt/review of Judge Reeds' updated 8/2/16 docket	0.10	

	<u>Hours</u>	<u>Amount</u>
8/1/2016 DWG Receipt/review of 8/8/16 arraignment docket	0.10	
DWG Receipt/review of Judge Bondy's 8/8/16 docket	0.10	
DWG Receipt/review of Judge Law's 8/8/16 docket	0.10	
DWG Receipt/review of Judge Reeds' 8/8/16 docket	0.10	
8/2/2016 DWG Prosecute morning docket of Pretrial Conferences and Pre-Formal Hearing	1.50	
DWG Prosecute afternoon docket of Bench Trial	0.90	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Notice to Appear	0.10	
8/3/2016 DWG Receipt/review of Judge Bondy's 8/3/16 docket	0.10	
DWG Receipt/review of Judge Law's 8/3/16 docket	0.10	
DWG Receipt/review of Judge Reeds' 8/3/16 docket	0.10	
DWG Receipt/review of Judge Bondy's 8/9/16 docket	0.10	
DWG Receipt/review of Judge Law's 8/9/16 docket	0.10	
DWG Receipt/review of Judge Reeds' 8/9/16 docket	0.10	
DWG Receipt/review of email from                   with file photographs of complainant's and Defendant's vehicles; Review same	0.20	

	<u>Hours</u>	<u>Amount</u>
8/3/2016 DWG Receipt/review of email from regarding status of code enforcement matters; Review file for sentencing date; Preparation of email correspondence to in response to same	0.20	
DWG Receipt/review of Notice of Hearing and Motion; Review same	0.20	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Motion and/or Order to Show Cause	0.10	
DWG Receipt/review of Motion and Order for Discharge from Probation	0.10	
8/4/2016 DWG Receipt/review of Judge Bondy's 8/10/16 docket	0.10	
DWG Receipt/review of Judge Law's 8/10/16 docket	0.10	
DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Petition and Order for Amendment of Order of Probation	0.10	
DWG Receipt/review of Order of Acquittal/Dismissal	0.10	
DWG Receipt/review of Motion and Order for Discharge from Probation	0.10	
DWG Receipt/review of Judge Batchik's 8/11/16 docket	0.10	
DWG Receipt/review of Judge Bondy's 8/11/16 docket	0.10	
DWG Receipt/review of Judge Reeds' 8/11/16 docket	0.10	
DWG Receipt/review of Judge Reeds' 8/10/16 docket	0.10	
8/5/2016 DWG Receipt/review of Notice to Appear	0.10	

	<u>Hours</u>	<u>Amount</u>
8/5/2016 DWG Receipt/review of Judge Bondy's updated 8/9/16 docket	0.10	
DWG Receipt/review of Judge Law's updated 8/9/16 docket	0.10	
DWG Receipt/review of Judge Reeds' updated 8/9/16 docket	0.10	
8/8/2016 DWG Receipt/review of incident report	0.20	
DWG Telephone conference with                      regarding 8/9/16 Pretrial Conference	0.20	
DWG Receipt/review of Request for Discovery	0.20	
DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Acquittal/Dismissal	0.10	
DWG Receipt/review of Acquittal/Dismissal	0.10	
DWG Receipt/review of Motion and Order for Discharge from Probation	0.10	
DWG Receipt/review of Judge Bondy's updated 8/10/16 docket	0.10	
DWG Receipt/review of Judge Law's updated 8/10/16 docket	0.10	
DWG Receipt/review of Judge Reed's updated 8/10/16 docket	0.10	
8/9/2016 DWG Prosecute morning docket of Pretrial Conferences	1.50	
DWG Receipt/review of 8/10/16 arraignment docket	0.10	
DWG Receipt/review of Judge Bondy's updated 8/10/16 docket	0.10	
DWG Receipt/review of Judge Law's updated 8/10/16 docket	0.10	
DWG Receipt/review of Judge Reeds' updated 8/10/16 docket	0.10	
DWG Correspondence to                      authorizing release of reports to Defendant's Attorney in response to request for discovery	0.20	

	<u>Hours</u>	<u>Amount</u>
8/9/2016 DWG Receipt/review of Notice to Appear	0.10	
8/10/2016 DWG Receipt/review of 8/16/16 arraignment docket	0.10	
DWG Receipt/review of Judge Reeds' 8/16/16 docket	0.10	
DWG Receipt/review of Request for Discovery	0.20	
DWG Correspondence to authorizing release of reports in response to discovery request from Defendant's Attorney	0.20	
DWG Receipt/review of Motion and/or Order to Show Cause	0.10	
DWG Receipt/review of incident report	0.20	
DWG Receipt/review of Judge Bondy's 8/17/16 docket	0.10	
DWG Receipt/review of Judge Reeds' 8/17/16 docket	0.10	
8/11/2016 DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Judge Batchik's 8/18/16 docket	0.10	
DWG Receipt/review of Judge Reed's 8/18/16 docket	0.10	
8/12/2016 DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Order of Acquittal/Dismissal	0.10	
DWG Receipt/review of Motion and Order for Discharge from Probation	0.10	
DWG Receipt/review of Motion and/or Order to Show Cause	0.10	
DWG Receipt/review of Order of Acquittal/Dismissal	0.10	

		<u>Hours</u>	<u>Amount</u>
8/12/2016	DWG Receipt/review of Petition and Order for Amendment of Order of Probation	0.10	
	DWG Begin preparation of Answer to Motion for Return of Property	0.40	
8/15/2016	DWG Preparation of email to regarding inventory of property taken for safekeeping following 5/29/16 domestic violence arrest	0.20	
	DWG Telephone conference with 52/1 District Court regarding 8/16/16 Arraignment/Pre-Trial Conference	0.20	
	DWG Receipt/review of Notice to Appear	0.10	
	DWG Receipt/review of Notice to Appear	0.10	
	DWG Receipt/review of Notice to Appear	0.10	
	DWG Receipt/review of Judgment of Sentence	0.10	
8/16/2016	DWG Receipt/review of Judge Bondy's 8/22/16 docket	0.10	
	DWG Receipt/review of Judge Law's 8/22/16 docket	0.10	
	DWG Receipt/review of Judge Reeds' 8/22/16 docket	0.10	
	DWG Receipt/review of email from regarding status of inventory of property seized for safekeeping following domestic violence arrest	0.20	
8/17/2016	DWG Receipt/review of Judge Bondy's 8/23/16 docket	0.10	
	DWG Receipt/review of Judge Law's 8/23/16 docket	0.10	
	DWG Receipt/review of Judge Reeds' 8/23/16 docket	0.10	
	DWG Receipt/review of email from regarding inventory of weapons and other property taken for safekeeping following domestic violence arrest; Review photographs of same	0.20	

	<u>Hours</u>	<u>Amount</u>
8/18/2016 DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Motion and Summons Regarding Probation Violation	0.10	
DWG Receipt/review of Motion and/or Order to Show Cause	0.10	
DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Motion and/or Order to Show Cause	0.10	
DWG Receipt/review of Motion and Summons Regarding Probation Violation	0.10	
8/19/2016 DWG Receipt/review of Judge Batchik's 8/25/16 docket	0.10	
DWG Receipt/review of Judge Bondy's 8/25/16 docket	0.10	
DWG Receipt/review of Judge Law's 8/25/16 docket	0.10	
DWG Receipt/review of Judge Reeds' 8/25/16 docket	0.10	
DWG Preparation of email to regarding receipt of notice of 8/30/16 Informal Hearing	0.20	
DWG Telephone conference with Defendant regarding 8/30/16 hearing on motion for return of firearms and other property	0.20	
DWG Continued preparation of Answer to Motion for Return of Property; Preparation of exhibits for same	0.60	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Judgment of Sentence	0.10	
8/22/2016 DWG Preparation of Release and Indemnification	0.60	

	<u>Hours</u>	<u>Amount</u>
8/22/2016 DWG Receipt/review of Order of Acquittal/Dismissal	0.10	
DWG Receipt/review of Order of Acquittal/Dismissal	0.10	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Sentencing Order	0.10	
DWG Receipt/review of Motion and/or Order to Show Cause	0.10	
DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Order of Acquittal/Dismissal	0.10	
DWG Receipt/review of Prosecuting Attorneys Association of Michigan article on PA 242 regarding the admissibility of standardized field sobriety tests; Preparation of email correspondence to regarding same	0.40	
DWG Receipt/review of 8/23/16 arraignment docket	0.10	
DWG Receipt/review of Judge Bondy's updated 8/23/16 docket	0.10	
DWG Receipt/review of Judge Law's updated 8/23/16 docket	0.10	
DWG Receipt/review of Judge Reeds' updated 8/23/16 docket	0.10	
DWG Receipt/review of Judge Bondy's 8/29/16 docket	0.10	
DWG Receipt/review of Judge Law's 8/29/16 docket	0.10	
DWG Receipt/review of Judge Reeds' 8/29/16 docket	0.10	
8/23/2016 DWG Prosecute morning docket of Pretrial Conferences	1.10	

		<u>Hours</u>	<u>Amount</u>
8/23/2016	DWG Preparation of email to _____ with dispositions from 8/23/16 Pretrial Conferences	0.20	
	DWG Receipt/review of Notice to Appear	0.10	
	DWG Receipt/review of Notice to Appear	0.10	
	DWG Receipt/review of Notice to Appear	0.10	
	DWG Receipt/review of Sentencing Order	0.10	
8/24/2016	DWG Receipt/review of 8/30/16 arraignment docket	0.10	
	DWG Receipt/review of Judge Bondy's 8/30/16 docket	0.10	
	DWG Receipt/review of Judge Law's 8/30/16 docket	0.10	
	DWG Receipt/review of Judge Reeds' 8/30/16 docket	0.10	
	DWG Receipt/review of Notice to Appear	0.10	
	DWG Receipt/review of Claim of Appeal	0.10	
	DWG Receipt/review of Judgment of Sentence	0.10	
	DWG Receipt/review of 8/31/16 arraignment docket	0.10	
	DWG Receipt/review of Judge Bondy's 8/31/16 docket	0.10	
	DWG Receipt/review of Judge Law's 8/31/16 docket	0.10	
	DWG Receipt/review of Judge Reeds' 8/31/16 docket	0.10	
8/29/2016	DWG Receipt/review of updated 8/30/16 arraignment docket	0.10	
	DWG Receipt/review of Judge Bondy's updated 8/30/16 docket	0.10	
	DWG Receipt/review of Judge Law's updated 8/30/16 docket	0.10	
	DWG Receipt/review of Judge Reeds' updated 8/30/16 docket	0.10	

	<u>Hours</u>	<u>Amount</u>
8/29/2016 DWG Receipt/review of Judge Batchik's 9/1/16 docket	0.10	
DWG Receipt/review of Judge Reeds 9/2/16 docket	0.10	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Petition and Order for Amendment of Order of Probation	0.10	
DWG Receipt/review of Amended Judgment of Sentence	0.10	
DWG Receipt/review of Sentencing Order	0.10	
DWG Receipt/review of Sentencing Order	0.10	
DWG Preparation of email to _____ regarding 8/30/16 hearing motion for return of property	0.20	
8/30/2016 DWG Prosecute morning docket of Pretrial Conferences and Motion Hearing	1.10	
8/31/2016 DWG Receipt/review of Order of Acquittal/Dismissal	0.10	
DWG Receipt/review of Motion and Order for Discharge from Probation	0.10	
DWG Receipt/review of Motion and Order for Discharge from Probation	0.10	
DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Sentencing Order	0.10	
DWG Receipt/review of Motion and/or Order to Show Cause	0.10	
DWG Receipt/review of Motion and Summons Regarding Probation Violation	0.10	

	<u>Hours</u>	<u>Amount</u>
8/31/2016 DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Notice to Appear	0.10	
DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Judgment of Sentence	0.10	
DWG Receipt/review of Order for Return of Property	0.10	
DWG Receipt/review correspondence from Michigan Department of State Police Forensic Division to ( ) to Prosecuting Attorneys Coordinating Council ( ) regarding alcohol cases involving incorrect calibration model	0.20	
DWG Receipt/review of Judge Law's 9/6/16 docket	0.10	
DWG Receipt/review of Judge Reeds' 9/6/16 docket	0.10	
DWG Receipt/review of Judge Law's 9/7/ docket	0.10	
DWG Receipt/review of Judge Reeds' 9/7/16 docket	0.10	
	<hr/>	
SUBTOTAL:	[ 26.90	]
<u>Fibertech</u>		
8/2/2016 GLD Telephone conference with Attorney regarding proposed license	0.20	
8/8/2016 GLD Receipt/review correspondence from regarding proposed license agreement, equipment specifications and DTE position on pole attachments	0.30	

			<u>Hours</u>	<u>Amount</u>
8/9/2016	GLD	Correspondence to/from                      regarding License Agreement Exhibit A and conference call	0.20	
	TSW	Receipt/review correspondence from Fibertech regarding conference call to discuss license agreement for DAS facilities	0.10	
8/10/2016	TSW	Review prior METRO Permit and issues regarding Fibertech request to install DAS equipment in City of Right of Way	0.30	
8/12/2016	TSW	Review draft licensing agreement for locating DAS facilities and equipment in City right of way and legal research regarding same; review of METRO Act permit and amendment issued to Fibertech	1.30	
8/15/2016	TSW	Review of Fibertech comments and materials; Conference call with Fibertech regarding DAS ROW licensing agreement	1.70	
8/24/2016	GLD	Revisions to draft License Agreement; Correspondence to Fibertech representatives regarding same	1.20	
8/25/2016	TSW	Receipt/review correspondence from opposing counsel regarding revised license agreement	0.20	
SUBTOTAL:			5.50	]

General City Attorney Work

8/1/2016	TSW	Telephone conference with Council Member Kivell regarding ball field dedication, Charleston Park and City Manager performance review process	0.20	No Charge
	TSW	Review and analysis of existing personnel manual procedures and research regarding alternative grievance procedures	0.80	
	TSW	Multiple correspondence to and from Planning Consultant regarding Charleston Park Consent Judgment and applicable regulations	0.20	

			<u>Hours</u>	<u>Amount</u>
8/2/2016	TSW	Receipt/review of ACLU correspondence regarding City's begging ordinance	0.20	
	TSW	Telephone conference with City Manager regarding Duncan Disposal consent and waiver	0.20	
	TSW	Telephone conference with City Manager regarding Village at Eagle Heights utility dedication, Glen Meadows, Martindale Estates, Charleston Park, alternatives to Police Chief Contract, Thomasville, Point and Pay credit card services, performance review process	0.30	
	TSW	Correspondence to and from City Manager regarding draft letter to Council regarding Duncan Disposal consent and waiver	0.20	
	TSW	Correspondence to and from Planning Consultant regarding Charleston Park; Review of Consent Judgment, Master Deed and Bylaws	0.50	
	TSW	Receipt/review correspondence from City Manager regarding revised Duncan Disposal consent and waiver form	0.10	
	TSW	Research and investigation regarding Duncan Disposal and other communities	0.40	
8/3/2016	TSW	Telephone conference with T. Duncan regarding Consent and Waiver of assignment to solid waste disposal contract	0.10	
	TSW	Receipt/review correspondence from City Manager regarding response to Auditors request for information	0.10	
	TSW	Correspondence to opposing counsel regarding revised Planned Development Agreement	0.10	
8/4/2016	TSW	Correspondence to Mayor and Council regarding Police Chief Employment Agreement alternatives and grievance process in Personnel Manual	1.20	

		<u>Hours</u>	<u>Amount</u>
8/4/2016	TSW Research regarding issues related to Duncan Disposal assignment of solid waste disposal agreement and City's rights and obligations thereunder	0.60	
	TSW Telephone conference with Council Member Kramer regarding Duncan Disposal request for Consent and Waiver and council agenda	0.20	No Charge
	TSW Telephone conference with T. Duncan regarding Duncan Disposal Consent and Waiver form; Prepare revised Consent and Waiver; Correspondence to and from T. Duncan regarding revised Consent and Waiver form	0.70	
	TSW Continued preparation of correspondence to Mayor and Council regarding Duncan Disposal request for City approval of Consent and Waiver and City's rights under Solid Waste Disposal Agreement	0.50	
8/5/2016	TSW Continued preparation of correspondence to Council regarding Duncan Disposal Consent and Waiver form and related issues	0.50	
	TSW Continued preparation of correspondence to Council regarding Police Chief employment agreement and existing grievance procedure	0.60	
	TSW Receipt/review correspondence from Clerk regarding voting precinct relocation	0.10	No Charge
8/8/2016	TSW Correspondence to and from T. Duncan regarding revisions to Duncan Disposal Consent and Waiver form	0.20	
	TSW Telephone conference with Council Member Kivell regarding council agenda items	0.20	No Charge
	TSW Correspondence to Clerk regarding begging ordinance amendment for response to ACLU	0.10	
	TSW Legal research regarding Point and Pay agreement and related statutory requirements for accepting payments by credit card and electronic funds transfers	0.60	

		<u>Hours</u>	<u>Amount</u>
8/9/2016	TSW Telephone conference with Council Member Kivell regarding Council meeting issues	0.30	No Charge
	TSW Correspondence to T. Duncan regarding final revised Consent and Waiver form for execution	0.10	
8/10/2016	TSW Review Attorney general Opinion #7291 regarding soliciting in road right of way	0.20	
	TSW Research regarding ACLU position on aggressive begging ordinances; correspondence to ACLU regarding City's amended begging ordinance; correspondence to City Clerk regarding adding City's amended begging ordinance to City website and MuniCode	0.70	
8/11/2016	TSW Continued preparation of correspondence to ACLU regarding City's amended begging ordinance	0.10	
	TSW Continued preparation of response to City's auditor regarding request for information	0.20	
	TSW Telephone conference with and correspondence to opposing counsel regarding no city signature on utility easements needed	0.30	
8/12/2016	TSW Multiple telephone conferences with City Manager regarding Duncan Disposal Consent and Waiver, Village at Eagle Heights, City Manager job description, street sweeper financing, poverty exemption forms, accepting payments via credit cards	0.30	
	TSW Correspondence to and from T. Duncan regarding signing of Duncan Disposal Consent and Waiver	0.20	
	TSW Continued legal research regarding Public Acts 280 of 1995 and 738 of 2002 regarding authority to accept payments via financial transaction devices and electronic transfers of public funds	0.80	

			<u>Hours</u>	<u>Amount</u>
8/12/2016	TSW	Preparation of resolution to accept payments via financial transaction devices, resolution to authorize electronic fund transfers and ACH policy; correspondence to City Manager regarding same	1.30	
	TSW	Research regarding City's purchasing ordinance and procedures	0.60	
	TSW	Receipt/review correspondence from City Manager regarding Fire Department consolidation memo	0.10	
8/15/2016	TSW	Preparation of resolution to relocate voting precincts 2 and 3 back to Bartlett Elementary School	0.80	
	TSW	Review ABA policy regarding lawyers responses to auditors requests for information and related documents; preparation of audit response	1.10	
	TSW	Legal research regarding request for copy of voter registration card and applicability of Freedom of Information Act privacy exemption	0.60	
	TSW	Receipt/review correspondence from ACLU attorney regarding City's amended begging ordinance	0.10	
	TSW	Correspondence to labor counsel regarding status of POAM collective bargaining agreement	0.10	No Charge
8/16/2016	TSW	Continued legal research regarding applicability of privacy exemption to voter registration cards and Michigan Election law; conference with City Clerk regarding Election law exemptions of personal information on voter registration	0.80	
	TSW	Attend meeting with City Manager and Planning Consultant regarding escrow accounts for various developments, city fee schedule	0.90	
	TSW	Attend meeting with DPW Director regarding street sweeper financing documentation	0.30	

			<u>Hours</u>	<u>Amount</u>
8/16/2016	TSW	Attend meeting with City Manager regarding status of items for Council agenda	0.50	
	TSW	Preparation of legal opinion for street sweeper financing and correspondence to DPW Director and City Manager regarding same	0.40	
	TSW	Telephone conference with City Manager regarding personnel hiring and background check issue	0.30	
	TSW	Continued preparation and finalization of audit letter to City Auditor	0.30	
	TSW	Preparation of redaction of JRSJ July 2016 legal services invoices	0.20	No Charge
8/17/2016	TSW	Receipt/review correspondence from City Manager regarding personnel hiring and background check issue	0.10	No Charge
	TSW	Receipt/review correspondence from R. Cook regarding Knolls and requirements for building permits	0.10	
8/18/2016	TSW	Correspondence to City Manager regarding cell towers	0.10	
	TSW	Correspondence to Zoning Board of Appeals member regarding possible conflict of interest	0.10	
	TSW	Correspondence to City Clerk regarding voter registration disclosure exemptions	0.40	
8/19/2016	TSW	Correspondence to and from R. Cook regarding Knolls building permits	0.30	
	TSW	Telephone conference with DPW Director regarding utilities for Knolls, Glen Meadows, Martindale Estates	0.20	
8/22/2016	TSW	Telephone conference with Economic Development Director regarding City authority regarding specific concepts and incentives; initial research regarding same	0.30	

			<u>Hours</u>	<u>Amount</u>
8/24/2016	TSW	Receipt/review correspondence from City Manager regarding SLSQ SLU conditions and occupancy	0.20	
8/25/2016	TSW	Attend meeting with City Manager and City Clerk regarding personnel matters	1.00	
	TSW	Attend meeting with City Manager and City Clerk regarding Freedom of Information Act procedures	0.10	
	TSW	Receipt/review of City Manager performance evaluation form	0.10	No Charge
8/26/2016	TSW	Telephone conference with Council Member Kivell regarding miscellaneous issues	0.10	No Charge
	TSW	Receipt/review correspondence from City Manager regarding NSF check fee policy	0.10	
8/29/2016	TSW	Receipt/review correspondence from City Manager regarding personnel matters	0.10	
	TSW	Research regarding various personnel matters	1.00	
	TSW	Receipt/review correspondence from Building Official regarding building department operations	0.20	
8/30/2016	TSW	Telephone conference with City Manager regarding South Lyon Hotel and building department	0.20	
	TSW	Telephone conference with Economic Development Director regarding tax abatement guidelines	0.20	
	TSW	Correspondence to City Manager regarding building inspection services agreement	0.30	
	TSW	Legal research regarding performance reviews	0.50	
	TSW	Review recent city approvals of tax abatements and correspondence to Economic Development Director regarding same	0.50	

		<u>Hours</u>	<u>Amount</u>
8/31/2016	TSW Correspondence to City Manager regarding NSF returned check fee policy	0.10	
	TSW Research regarding City Manager performance review procedures and legal issues	0.80	
	TSW Telephone conference with Council Member Kivell regarding Dangerous Building Ordinance, IPMC and enforcement procedures	0.10	No Charge
	TSW Continued review of City Manager comments on ACH policy; Edit/revise Resolution authorizing financial devise transactions and ACH	0.90	
SUBTOTAL:		[ 28.60	]

Glen Meadows

8/3/2016	TSW Review of Glen Meadows master deed and bylaws and issues related to dedication of roads and utilities; order title commitment	1.70	
8/5/2016	TSW Review and order title commitment for road and utility dedication; review of Master Deed and Bylaws; prepare warranty deed; prepare bill of sale; correspondence to Association regarding draft deed and bill of sale	1.30	
8/12/2016	TSW Receipt/review of title commitment for Glen Meadows road and utility dedication	0.20	
8/14/2016	TSW Receipt/review correspondence from J. Crawford at Glen Meadows HOA regarding status of dedication of roads and utilities	0.10	
8/15/2016	TSW Telephone conference with City Engineer regarding utilities and road dedications	0.10	No Charge
	TSW Receipt/review correspondence from City Manager regarding Glen Meadows road and utility dedication	0.10	

		<u>Hours</u>	<u>Amount</u>
8/15/2016	TSW Continued review of title commitment for property for dedication of roads and utilities	0.50	
	TSW Correspondence to J. Crawford at Glen Meadows HOA regarding title search for dedication of roads and utilities	0.20	
8/16/2016	TSW Attend meeting with DPW Director regarding Glen Meadows road and utility dedication issues	0.20	
8/26/2016	TSW Receipt/review correspondence from City Engineer regarding information for bill of sale of utilities and roadway dedication	0.20	
8/30/2016	TSW Preparation of Bill of Sale for water, sewer, storm sewer utilities and street paving in Glen Meadows and research regarding same	1.00	
8/31/2016	TSW Continued preparation of Bill of Sale; Edit/revise Warranty Deed; Review Glen Meadows Master Deed; Research regarding transfer tax exemptions	1.50	
	TSW Correspondence to and from J. Crawford at homeowners association regarding status of road and utility dedication	0.40	
		<hr/>	
	SUBTOTAL:	[ 7.50	]
	<u>Knolls</u>		
8/16/2016	TSW Attend meeting with City Manager, Planning Consultant and DPW Director regarding Knolls utilities and requirements for building permits	0.30	
8/18/2016	TSW Review of Planned Development Agreement for requirements building permits	0.50	
8/19/2016	TSW Telephone conference with City Manager regarding Knolls utilities and building permits	0.10	No Charge
8/22/2016	TSW Correspondence to and from City engineer, planning consultant, City Manager and DPW Director regarding Knolls requirements for building permits	0.20	

		<u>Hours</u>	<u>Amount</u>
8/29/2016	TSW Correspondence to Planning Consultant regarding Knolls Planned Development Agreement	0.10	No Charge
SUBTOTAL:		[ 1.20	]
<u>Martindale Estates</u>			
8/1/2016	TSW Receipt/review correspondence from City Manager regarding Martindale Estates surety bond release	0.10	
8/2/2016	TSW Review of Martindale Estates surety bond file and background documents	0.30	
8/3/2016	TSW Continued review of issues regarding Martindale Estates final approval and dedications and dissolved association	0.80	
	TSW Multiple Correspondence to and from City Manager regarding Martindale Estates final approval and dedication issues	0.20	
	TSW Correspondence to DPW Director and City Engineer regarding Martindale Estates utilities and roads	0.10	
8/16/2016	TSW Attend meeting with DPW Director regarding Martindale Estates utilities and roads and punch list for dedication	0.30	
SUBTOTAL:		[ 1.80	]
<u>Personnel</u>			
8/25/2016	TSW Receipt/review correspondence from City Clerk regarding personnel matter	0.10	
8/30/2016	TSW Correspondence to City Manager and Clerk regarding personnel matters	0.70	
SUBTOTAL:		[ 0.80	]

		<u>Hours</u>	<u>Amount</u>
<u>Planning Commission</u>			
8/4/2016	TSW Receipt/review of multiple emails regarding attendance and quorum for upcoming Planning Commission meeting	0.10	No Charge
8/8/2016	TSW Receipt/review correspondence from Planning Commission Recording Secretary regarding Planning Commission minutes of June 9, 2016	0.10	No Charge
8/12/2016	TSW Correspondence to and from Planning Commission recording secretary regarding June 9, 2016 minutes and South Lyon square special land use approval	0.10	
SUBTOTAL:		[ 0.30	]
<u>Poverty Exemptions</u>			
8/1/2016	SSM Analysis regarding changes to application and guidelines; Preparation of email to L. Deaton	0.80	
	TSW Review of City poverty exemption policies and guidelines	0.10	
8/2/2016	TSW Preparation of agenda note for poverty exemption policies, guidelines and application; Research regarding same	0.50	
8/3/2016	TSW Continued preparation of agenda note for consideration of poverty exemption policies, guidelines and application	0.30	
8/4/2016	SSM Poverty Guidelines: review of agenda note; memo regarding same	0.20	
8/12/2016	TSW Continued preparation and revision of Agenda Note for Poverty Exemption resolution, policy and application form; Correspondence to City Manager regarding same	0.60	
8/23/2016	TSW Review of Swartz Creek poverty exemption guidelines and application	0.30	

		<u>Hours</u>	<u>Amount</u>
8/25/2016	TSW Research regarding revisions to poverty exemption guidelines and policies per council comments	0.30	
8/29/2016	TSW Research and review City of Swartz Creek and other communities' poverty exemption application and guidelines and Michigan tax bulletins and State Tax Commission forms and statute; Continued preparation/revise/edit poverty exemption application and guidelines	1.60	
8/31/2016	TSW Continued research regarding poverty exemption and U.S. Census Bureau definitions of income and household	0.30	
	TSW Edit/revise Poverty Exemption Application and Guidelines per Council comments	0.50	
SUBTOTAL:		[ 5.50	]
<u>Quail Run</u>			
8/16/2016	TSW Attend meeting with DPW Director regarding status of Quail Run utility dedication and punch list	0.10	No Charge
SUBTOTAL:		[ 0.10	]
<u>South Lyon Square</u>			
8/17/2016	TSW Multiple correspondence to and from City Manager regarding SLSQ request for letter from City regarding SLU approval	0.10	
8/18/2016	TSW Telephone conference with opposing counsel regarding SLSQ request for letter confirming SLU approval	0.20	
8/22/2016	TSW Telephone conference with and multiple correspondence to and from City Planning Consultant regarding SLSQ SLU approval and conditions, occupancy and completion of conditions on approval	0.30	

		<u>Hours</u>	<u>Amount</u>
8/22/2016	TSW Multiple Correspondence to and from City Building Official regarding temporary occupancy for Salvation Army at SLSQ	0.20	
	TSW Telephone conference with City Manager regarding SLSQ and Salvation Army temporary occupancy and owner's position	0.20	
	TSW Telephone conference with opposing counsel regarding SLU approval and conditions and temporary occupancy for Salvation Army	0.30	
8/25/2016	TSW Review draft letter from City Manager to SLSQ regarding occupancy; Receipt/review correspondence to SLSQ from City Manager regarding SLU conditions and temporary occupation	0.30	
SUBTOTAL:		1.60	]
<u>Thomasville Site Condo</u>			
8/1/2016	TSW Preparation of ordinance amendment rezoning Thomasville parcel; prepare agenda note; telephone conference with opposing counsel regarding status of Thomasville development and related issues	1.20	
8/2/2016	TSW Continued preparation of rezoning ordinance, agenda note and assemble supporting documents	0.30	
	TSW Continued preparation and revision of Thomasville Planned Development Agreement	0.90	
8/3/2016	TSW Continued preparation of Planned Development Agreement; Continued preparation of agenda note and supporting documents	0.60	
8/4/2016	TSW Multiple correspondence to and from Planning Consultant regarding Thomasville rezoning and Planned Development approval status and procedures	0.20	

			<u>Hours</u>	<u>Amount</u>
8/9/2016	TSW	Correspondence to and from Planning Consultant and developer regarding Thomasville	0.10	
8/10/2016	TSW	Correspondence to and from Thomasville developer and City Planning Consultant and City Manager regarding dates for meeting	0.30	
	TSW	Review of proposed final site plan and other documents for setbacks	0.30	
8/12/2016	TSW	Receipt/review correspondence from City Engineer regarding Thomasville curb and utility issues	0.10	
8/15/2016	TSW	Correspondence to and from City Manager regarding status of Thomasville development and Planned Development Agreement and final site plan issues	0.20	
8/16/2016	TSW	Attend meeting with Planning Consultant regarding Thomasville Planned Development, side setbacks, curb width, Planned Development Agreement, elevation drawings, material boards, Planning Commission requirements, revised plans, emergency access	0.60	
	TSW	Multiple correspondence to and from Developer regarding rescheduling meeting to discuss Thomasville Planned Development agreement and related issues	0.10	
8/19/2016	TSW	Telephone conference with Developer regarding meeting to discuss Planned Development Agreement	0.10	No Charge
8/22/2016	TSW	Telephone conference with Developer regarding second reading of rezoning ordinance and dates for meeting to finalize Planned Development Agreement	0.10	
	TSW	Telephone conference with and receipt and review of correspondence from Fire Chief regarding Thomasville side setbacks, emergency access gate and fire department comments	0.20	
8/25/2016	TSW	Correspondence to City Manager regarding Thomasville rezoning ordinance	0.10	

	<u>Hours</u>	<u>Amount</u>
SUBTOTAL:	[ 5.40	]
<u>Village at Eagle Heights</u>		
8/1/2016 TSW Review revised easements and bill of sale for Village at Eagle Heights utility dedication and preparation agenda note; correspondence to opposing counsel regarding same	0.70	
8/2/2016 TSW Continued preparation of agenda note and supporting documents for Village at Eagle Heights utility dedication and correspondence to City regarding same	0.30	
8/5/2016 TSW Telephone conference with opposing counsel regarding Village at Eagle Heights agenda item and status	0.10	
8/12/2016 TSW Correspondence to and from and telephone conference with opposing counsel regarding utility easements for Village at Eagle Heights	0.10	
SUBTOTAL:	[ 1.20	]
<u>Zoning Board of Appeals</u>		
8/11/2016 TSW Receipt/review of Zoning Board of Appeals packet	0.20	
8/15/2016 TSW Investigation and research regarding possible Zoning Board of Appeals member conflict of interest; review of Zoning Board of Appeals bylaws and code of ordinances; legal research conflicts of interest	1.20	
TSW Telephone conference with and correspondence to Zoning Board of Appeals member regarding possible conflict of interest	0.30	
TSW Correspondence to and from Planning Consultant and Zoning Board of Appeals Chair regarding status of South Lyon Square sign variance request	0.10	

	<u>Hours</u>	<u>Amount</u>
8/16/2016 TSW Telephone conference with Zoning Board of Appeals Chair regarding member possible conflict of interest	0.30	
TSW Conference with Planning Consultant regarding Zoning Board of Appeals member possible conflict of interest	0.20	
8/18/2016 TSW Attend Zoning Board of Appeals meeting	1.00	
TSW Correspondence to Planning Consultant and Building Department regarding Zoning Board of Appeals approval of Zoning Board of Appeals Case 2016-006	0.10	
 SUBTOTAL:	<u>3.40</u>	]
For professional services rendered	100.80	<u>\$11,470.50</u>

Additional charges:

	<u>Qty/Price</u>	
<u>City Council</u>		
8/22/2016 Photocopies - Council Packet	166	33.20
	0.20	
 SUBTOTAL:	<u>33.20</u>	]

District Court Prosecutions

8/4/2016 Photocopies - Police Report (Ward)	24	4.80
	0.20	
Color Photocopies - Police Report attachments (Ward)	8	4.00
	0.50	
Postage - Police Report (Ward)	1	1.99
	1.99	

	<u>Qty/Price</u>	<u>Amount</u>
8/19/2016 Photocopies - Response to Motion for Return of Property (Evans)	24 0.20	4.80
Color Photocopies - Response to Motion for Return of Property Attachments (Evans)	4 0.50	2.00
Postage - Response to Motion (Evans)	3 1.36	4.08
 SUBTOTAL:		<hr/> [ 21.67]
 <u>General City Attorney Work</u>		
8/4/2016 Photocopies - Solid Waste Contract	32 0.20	6.40
 SUBTOTAL:		<hr/> [ 6.40]
 <u>Glen Meadows</u>		
8/12/2016 Title Search Fee - Seaver Title Agency	1 297.25	297.25
 SUBTOTAL:		<hr/> [ 297.25]
 Total costs		<hr/> \$358.52
Total amount of this bill		\$11,829.02
Previous balance		\$16,696.00
8/25/2016 Payment - thank you. Check No. 69874		<hr/> (\$16,696.00)
Balance due		<hr/> <hr/> \$11,829.02

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Please include your Invoice Number on your payment. All payments should be mailed to the Farmington Hills' office listed above. 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