

Regular City Council Meeting

September 22, 2025

Agenda

6:30 p.m. **Call to Order**
Pledge of Allegiance
Roll Call
Approval of Minutes: September 8, 2025
Approval of Bills
Approval of Agenda
Public Comment
Consent Agenda
1. Credit Card Policy
2. Melissa D'Angelo- Cultural Arts Commission
3. Ken Fader- Downtown Development Authority Board

Discussion - Downtown

Fire Chief Report
Police Chief Report

Public Hearing- DDA Tif Plan

- I. Unfinished Business**
- II. New Business**
 - 1. E -Bike Ordinance**
 - 2. Award of Bid for Water Service Line Material Verification**
 - 3. Adams Outdoor Advertising- Consent Judgement**
- III. Budget**
- IV. Public Comment**
- V. Manager's Report**
- VI. Council Comment**
- VII. Closed Session:"Closed Session Pursuant to Section 8(a) of the Open Meetings Act, MCL15.268 at the request of the City Manager to conduct performance evaluation."**
- VIII. Adjournment**

Please see reverse side for rules of conduct for public comment at City Council meetings

****Next Council meeting will be October 13 at 6:30pm**

City of South Lyon
City Council Meeting
September 8, 2025

Mayor Kennedy opened the meeting at 6:30 p.m.
Mayor Kennedy led those present in the Pledge of Allegiance

ROLL CALL

Roll Call: Mayor Kennedy and Councilmembers: Bogert, Dilg, Hansen, Kivell, and Kurtzweil
Also present: City Manager Zelenak, Police Chief Unruh, Fire Chief Conrad, Finance and Benefit Administrator Tiernan and Clerk/Treasurer Deaton

ABSENT: Councilmember Mosier

CM 9-1-25 MOTION TO APPROVE ABSENCE

Motion by Kurtzweil, supported by Hansen

Motion to approve absence of Councilmember Mosier

VOTE: MOTION CARRIED UNANIMOUSLY

MINUTES

CM 9-2-25 MOTION TO APPROVE MINUTES- August 28, 2025

Motion by Hansen, supported by Bogert

Motion to approve minutes as presented

VOTE: MOTION CARRIED UNANIMOUSLY

BILLS

CM 9-3-25 MOTION TO APPROVE BILLS

Motion by Hansen, supported by Dilg

Motion to approve bills as presented

VOTE: MOTION CARRIED UNANIMOUSLY

AGENDA

CM 9-4-25 MOTION TO APPROVE AGENDA

Motion by Dilg, supported by Hansen

Motion to approve agenda as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Steve Archibald of 57303 Windmill Point of New Hudson he then read a statement. The South Lyon Community Schools aims to support and update the district's facilities and infrastructure to ensure students are able to learn and grow utilizing modern facilities, equipment, and materials. He then stated to support our mission; the Board of Education is asking voters to consider a \$350 million bond proposal that would fund district-wide improvements at a zero-tax increase. The proposal focuses on safety, infrastructure, and providing students with the state-of-the-art technology and future ready learning environments. He further stated they will be having informational meetings in September and October for the public. He further stated, he wanted to provide informational materials in case residents. He further stated, if anyone has any questions, they can contact them at slcs.us/2025-bond-proposal, or call with any questions. It is important for everyone to vote and make an informed decision. Mayor Kennedy asked when the opening of the new pool at the high school will be opening. Mr. Archibald stated it will be

9-8-2025

opened by the end of the week. It is a beautiful facility and he is looking forward to our students and members of the community using it.

CONSENT AGENDA

1. Board of Review Appointment- Terrance Delaney
2. Emergency Operations Plan

CM 9-5-25 MOTION TO APPROVE CONSENT AGENDA

Motion by Kurtzweil, supported by Dilg

Motion to approve consent agenda as presented

VOTE:

MOTION CARRIED UNANIMOUSLY

DISCUSSION- Downtown

City Manager Zelenak stated they are continuing to work on Lafayette Park, at the corner of McHattie St and Pontiac Trail and the first phase is almost complete. Last week the contractor installed the sod for erosion control and future use of the site until the next phase of the project is completed. We are currently waiting for the drinking fountains and the light poles to be delivered. He suggests people keep an eye on the progress that is being made on the site. It will almost be ready for immediate use. He then stated we are completing the background checks for the DDA Director and we hope to make an announcement as early as the next Council Meeting. He then reminded everyone that the amended DDA TIF plan public hearing will be held at the next City Council Meeting. He then stated he reached out to DTE regarding the electronic chargers, but has yet to receive a response. He then stated the DDA Board will be discussing applications they have received for the board at the next DDA meeting. Then the appointment will be done at the next Council Meeting. Councilmember Bogert asked if there are sprinklers at the park. City Manager Zelenak stated there is water there, but most of the grass that is there now will be removed because it is there now for soil erosion control. There will be turf grass, bushes, trees, shrubs and a lot of brick work will be done on the site. Councilmember Dilg stated the bike racks look great in town and it is a great addition to the downtown. Councilmember Kurtzweil asked for an explanation on the TIF plan. City Manager Zelenak stated every so many years the TIF plan must be updated by law. The first plan was for 25 years, and now developing the new plan it allows the DDA to set forth ideas and plans to look at what the tax incremental financing dollars will actually be collected within the district so they can start to project into the future what improvements they will be making within the district. Councilmember Kurtzweil asked if it raises taxes. City Manager Zelenak stated it doesn't raise taxes; it's just a plan to show the improvements they plan on making in the future. Councilmember Kivell stated he was talking with a crossing guard and he was told there was no increase in their pay. City Manager Zelenak stated every year we look at all the rates of pay at the beginning of the year, and he will have to look into this.

FIRE CHIEF REPORT

Chief Conrad stated we are at 989 calls and it is trending 25% up from last year. She further stated we've had 40 since August 28th. 26 EMS calls, 3 service calls, 5 false alarms, a vehicle fire, 2 hazardous conditions, and 3 good intent calls. Councilmember Hansen asked if there is a reason there is an uptick in calls. Chief Conrad stated there is an uptick across the state. She stated she thinks people have also figured out they are problem solvers as well, so they don't just call for fires anymore. they call for leaky water heaters, and other things like raccoons with cans stuck on their heads. Councilmember Bogert asked if they get many calls with accidents from E-bikes. Chief Conrad said she has not personally. She knows there was one incident when a child fell off his E-Bike on Reynold Sweet and he had a gash in his leg, but there hasn't been an up tick in them. Councilmember Kivell asked if we have a good inventory of the carbon monoxide detectors and smoke detectors. Chief Conrad stated yes, as far as she knows we still

9-8-2025

have a good quantity available. She stated we also have some adapters that help with the wired smoke/carbon monoxide detectors. Councilmember Bogert stated on behalf of the South Lyon Youth Assistance, he thanked her and her staff for participating in the back-to-school shopping event.

POLICE CHIEF REPORT

Chief Unruh stated the Police Department provided extra patrols for Depot Day as well as the St. Joes Polish event. She further stated the Officers said the food was very good. She also attended and won a gift basket, so it was a good night. She then stated the Officer's are still surveilling the churches, and they are making a high visibility presence at the schools. She then stated our 3 recruits graduated from the academy on Friday of last week, and will be sworn in on Wednesday of this week. They will then have additional training on Thursday and Friday and then start their FTO's this weekend. She further stated they hired an Administrative Coordinator and they are excited about that. The position has been vacant, but they wanted to wait to make sure they hired the right person. She further stated they will start on September 29th. Councilmember Bogert asked if there was an update on the E-bike ordinance. Chief Unruh stated they are still working on it. Councilmember Bogert thanked her on behalf of the South Lyon Youth Assistance for participating in the back-to-school shopping event. Chief Unruh stated she enjoyed it and didn't realize there was such a need out there. She stated they were very nice backpacks, and they were filled with school supplies, and they also gave out paper towel, toilet paper, toothbrushes and toothpaste. It was a lot more than that and the kids were so appreciative and they thanked us. Councilmember Hansen asked about the camera that was installed at 10 mile to monitor traffic, license plates and linked up with other precincts to track data and suspects. Chief Unruh stated she thinks they are still working on the contracts because some of the language was not favorable to the city. Councilmember Kivell asked if she had heard of something about the State considering giving the cities and townships some favor for having some speed limits changed. He further stated he hopes they can research that because there are a lot of people upset about the increase of the speed on some roads.

UNFINISHED BUSINESS

1. 2nd reading Cross Connection Ordinance

Water and Wastewater Superintendent Beason stated at the August 25th Council meeting we held the first reading to amend the cross-connection ordinance. The South Lyon Water Department has contracted HydroCorp to assist in residential cross connection surveys. Water Dept staff, HydroCorp, and the City Attorney have reviewed the current cross connection ordinance and suggest changes be made to better align with the updated cross connection program rules. He further stated they are requesting to amend Chapter 94, Article II, Section 94-65 cross connections, Section 94-66 enforcement, Section 94-173 continued violation, and add a new Section 94.33 remedies.

CM 9-6-25 MOTION TO APPROVE SECOND READING CROSS CONNECTION ORDINANCE

Motion by Bogert, supported by Hansen

Motion to approve the second reading to amend Chapter 94, Article II, in the City of South Lyon Code of Ordinances under Chapter 94, Section 94-65, Section 94-66, Section 94-173 and add a new Section 94-33.

ROLL CALL VOTE:

Kivell- Yes
Bogert- Yes
Hansen- Yes
Dilg- Yes
Kurtzweil- Yes
Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

1. Annexation

City Manager Zelenak stated the city was approached by a property owner at 543 Woodland with a request to annex their property into the City of South Lyon from Lyon Township. Lyon Township consents to the annexation. The attached resolution and agreement outline the detachment of property from Lyon Township into the City of South Lyon. A resolution approving detachment for the negotiated annexation agreement between the Charter Township of Lyon and Kenneth Coleman was approved by the Lyon Township Board at their September 2, 2025 board meeting. Councilmember Kurtzweil asked if the property owner will be covering costs for the city and township for costs. City Manager Zelenak stated they have filed an escrow with the city so that is where the costs will be covered.

CM 9-7-25 MOTION TO APPROVE RESOLUTION AND ANNEXATION AGREEMENT

Motion by Hansen, supported by Dilg

Motion to approve the resolution and negotiated annexation agreement to annex 543 Woodland

ROLL CALL VOTE:

Kurtzweil- Yes

Dilg- Yes

Hansen- Yes

Bogert- Yes

Kivell- Yes

Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

2. Chevy Tahoe purchase- Police Dept

Chief Unruh stated they are requesting approval to replace the 2019 Ford Explorer which has 106,455 miles on it and has experienced numerous maintenance issues and is showing signs of significant wear. Ongoing repairs have become costly and disruptive to operations, making it no longer reliable for frontline or support use. This replacement will allow for reassignment of existing vehicles within the department to better align with operational needs. Specifically, the 2022 Ford F-150 and is currently serving as the command vehicle, will be reassigned as the utility vehicle, its original intended use. This truck is more practical for utility functions, particularly for the truck bed can be used for hauling equipment to the range and property to the storage unit at the water treatment plant. The newly purchased vehicle, a 2025 Chevy Tahoe will serve as a patrol vehicle. Current patrol vehicle 553 will now be utilized as a command vehicle. She further stated she received 3 bids and Berger Chevrolet was the lowest. Discussion was held regarding the three quotes.

CM 9-8-25 MOTION TO APPROVE REQUEST TO PURCHASE VEHICLE

Motion by Hansen, supported by Kurtzweil

Motion to approve request to purchase a 2025 Chevrolet Tahoe from Berger Chevrolet in the amount of \$53,794.00 from GL account line item 101-301-978

ROLL CALL VOTE:

Dilg- Yes

Kurtzweil- Yes

Hansen- Yes

Bogert- Yes

Kivell- Yes

Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

3. Chevy Tahoe equipment

Chief Unruh stated they are requesting to outfit a new 2025 Chevy Tahoe with emergency equipment. Equipment will include lights, sirens, prisoner and cargo screens, plastic seat inserts, and push bumpers. The price also includes the removal of emergency equipment from the decommissioned 2019 Ford Explorer to include the computer and in-car camera to place in the new vehicle. Discussion was held regarding the different bids.

CM 9-9-25 MOTION TO APPROVE PURCHASE OF EMERGENCY EQUIPMENT

Motion by Hansen, supported by Kurtzweil

Motion to approve request to purchase emergency equipment for 2025 Chevrolet Tahoe from Mid- Michigan Emergency Equipment in the amount of \$16,802.94 from GL account line item 101-301-978

ROLL CALL VOTE:

Hansen- Yes

Kivell- Yes

Kurtzweil- Yes

Dilg- Yes

Bogert- Yes

Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

BUDGET

Councilmember Kurtzweil stated there has been a lot of questions since the house side of the budget has been announced. Her concern is the state revenue sharing that comes into the city. She spoke with Chairwomen of the appropriations committee and she explained what it means. What it means is the House has made a proposal where there is about a 12% cut in state revenue. It isn't in stone; it is only the House's proposal. She then explained that is a claw back from the increase from the previous year, it was a one-time grant. She further stated other than that, we will be status quo, but what the house is also proposing that additional funding for roads which will be substantial. She further stated there will be a public safety trust fund and it will be targeted to Police Departments. She then stated there may be other opportunities to get other funds beyond the state finding. She then stated Senator Runestads office sent her the Senate Fiscal Agency out of his side what the state funding would be, and we are showing a decrease in the House side by 3% but the Senate wants to restore it. We will see what happens on September 30th, nothing is in stone. She stated she expressed her concern in any decrease in funding.

PUBLIC COMMENT

Linda Benson of 438 Washington stated she is a grandma to her grandson's dog, she visited the Lyon Oaks Dog Park, and it is so big, she thought of McHattie Park. She said as she sits outside on her porch, she sees a lot of dogs on leashes, which is good, but they need to run. She stated she is going to Parks and Recreation as well. She stated there is a lot of land there.

MANAGER'S REPORT

City Manager Zelenak stated the foundation was poured for the columbarium at the cemetery and we are waiting for the columbarium and there will be a sidewalk poured around it. He then stated the new electronic sign has been installed, and we are awaiting training before we can start doing the messaging. He further stated the County is working with property owners for easements and they are working on eco

permits and water permits for the 2026 Pontiac Trail project. We expecting it to start in March of next year.

Mayor Kennedy reminded everyone that the City Manager's evaluation is due to the City Clerk by Friday the 12th.

COUNCIL COMMENTS

Councilmember Hansen stated he attended the ribbon cutting ceremony at Venue Next Door and it was well attended. He then congratulated them on opening a new business in downtown South Lyon. He then reminded everyone that Pumpkinfest still needs volunteers.

Councilmember Bogert stated he attended Depot Day and it was well attended and seeing the train going around on the sidewalk was cool. He stated he then went to the Polish Festival at Saint Joe's and it was a great time and the polka band was cool. He then stated the back-to-school shopping event happened, and over 120 kids received backpacks full of school supplies, toiletries, and a gift card for clothes shopping. He then thanked Vibe Credit Union for a financial contribution, St. James Catholic Church for providing backpacks, Meijer for providing discounts for gift cards, Ethos Human Performance, the Coral Family and Missy Garcia. He then thanked Doreen their case worker, Bob who is the chairperson and his co-chair for the program Andrea. He then stated Pumpkinfest and South Lyon Live is coming up and they both still need volunteers.

Councilmember Kurtzweil stated this was another incredible weekend for the City of South Lyon, it was packed. She enjoyed the Farmers Market. Depot Day was flooded with a lot of enthusiasm, and it was a great event. She further stated the Cultural Arts Commission was there and people are always requesting to do things with them. It was an incredible event. She further stated the Polish Festival at St. Joe's was extremely well attended, and she met a lot of people that weren't from the South Lyon area, and this was their first visit and they had nothing but positive incredible things to say about how wonderful the community has been. And every time she saw the police, mostly at St. Joes, everyone was talking with them and shaking their hand and thanking them for their service. She further stated the comment that was made was that it was great being in a community that appreciates and respects their Police Officer's. She then thanked all the businesses for donating items for the gift baskets. She then thanked all the volunteers at Depot Day, and at the Polish Festival. She hopes people will volunteer for Pumpkinfest.

Councilmember Kivell stated he went to the park and took some pictures and his mother-in-law moved into the city.

Councilmember Dilg stated she had 9 people staying in her house again, because they were there for the Kensington Disc Golf Tournament and last year, she entered them all in South Lyon and she told them she was going to do it again and they didn't believe her. She stated they went to the Witches Hat and the Hotel on Thursday, the Tiki Bar on Friday, on Saturday they went to the Farmers Market, and shopped at Grande Trunk, Venue Next Door, the Venue, and we went to the ribbon cutting event. She stated she is excited because next year there will be a tournament will be for the word's disc golf event. She stated there will be a lot of people around us and she knows some will go to Brighton and South Lyon, but we should think about some ways to funnel some of the people to our town.

Mayor Kennedy stated On Saturday, September 13, the Youth Entrepreneur Market will take place next to Biggy Coffee from 10am until 3pm. Stop by and see what these young business owners have made and have available for sale. Also, on Saturday and Sunday this weekend, Furry Friends Rescue will be collecting returnable bottles and cans in the Pet Supplies Plus parking lot. They will be there from 11am

9-8-2025

until 3pm both days. So, please stop by and drop off your returnables to help this organization continue its great work. He then stated on Saturday; the South Lyon Farmers Market will have a food truck rally with 8 to 10 food trucks available as well as all of the regular market vendors. So, head to the Farmers Market, there's bound to be something there for everyone. Finally, on Saturday September 20 at 9am, the Chamber of Commerce will hold its second Canine Crawl through downtown. There will be giveaways and awards for best costumes, so check out the Lyon Area Chamber of Commerce website for the details.

CLOSED SESSION- "Motion to recess into closed session to consult with its Attorney regarding trial or settlement strategy in connection with South Lyon v. Adams Outdoor, 52-1 District Court Case No. 2025-04293-LT, in accordance with MCL 15.268(1)(E)"

CM 9-10-25 MOTION TO ENTER INTO CLOSED SESSION

Motion by Kurtzweil, supported by Hansen

Motion to recess into closed session to consult with its Attorney regarding trial or settlement strategy in connection with South Lyon v. Adams Outdoor, 52-1 District Court Case No. 2025-04293-LT, in accordance with MCL 15.268(1)(E)

VOTE:

Hansen- Yes

Kurtzweil- Yes

Bogert- Yes

Kivell- Yes

Dilg- Yes

Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

Council recessed to enter into closed session at 7:18 p.m.

Council reconvened the regular Council meeting at 7:44 p.m.

CM 9-11-25 MOTION TO

Motion by Kurtzweil, supported by Hansen

Motion to direct Attorney to proceed as discussed in closed session

ROLL CALL VOTE:

Bogert- Yes

Dilg- Yes

Kurtzweil- Yes

Kivell- Yes

Hansen- Yes

Kennedy- Yes

MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

CM 9-12-25 MOTION TO ADJOURN

Motion by Kurtzweil, supported by Hansen

Motion to adjourn meeting at 7:45 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Mayor Steve Kennedy

Clerk/Treasurer Lisa Deaton

9-8-2025

AGENDA NOTE

Consent Agenda Item #1

MEETING DATE: September 22, 2025

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Credit card policy

EXPLANATION OF TOPIC: City Council approved a credit card policy in 2014. This resolution updates the credit card policy removing Chief Baaki, and adding Chief Unruh, as well as removing Chief Thorington, and adding Chief Conrad. It also still recognizes City Manager Zelenak and Clerk/Treasurer Deaton as authorized users.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Resolution to update credit card policy

POSSIBLE COURSES OF ACTION: approve/do not approve

RECOMMENDATION: Approve resolution updating credit card policy

SUGGESTED MOTION: Motion by _____, supported by _____ to approve resolution updating the city credit card policy.

RESOLUTION NO.
CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN

**RESOLUTION TO REVISE AND UPATE THE CITY'S CREDIT CARD USE POLICY IN
ACCORDANCE WITH PUBLIC ACT 266 OF 1995**

WHEREAS the City of South Lyon wishes to use credit cards for the purchase of goods and services for the official business of the City, and

WHEREAS, in accordance with Public Act 266 of 1995, on July 28, 2014, the City adopted a Resolution establishing a credit card use policy consistent with State Law;

WHEREAS, due to administrative personnel changes, the City desires to revise and update its Credit Card Use Policy for the City use and their respective credit limits, and to identify the individual employees authorized to use such credit cards

THEREFORE, BE IT RESOLOVED, that the City of South Lyon hereby revises, updates and adopts the following as its Credit Card Use Policy:

CREDIT CARD USE POLICY

A. The City Manager is responsible for the issuance, accounting, monitoring and retrieval, and generally for the overseeing compliance with the credit card use policy, are as follows:

B. The authorized City credit cards, as of the adoption of this policy, are as follow:

CARD	CREDIT CARD LIMIT	ISSUED TO
___ PNC VISA	\$10,000	City Manager Paul Zelenak
___ PNC VISA	\$10,000	Police Chief Bonnie Unruh
___ PNC VISA	\$10,000	City Clerk Lisa Deaton
___ PNC VISA	\$10,000	Fire Chief Cindy Conrad

C. The City Manager shall notify the City Council regarding the issuance of any additional City credit cards, or an increase of credit limits on any existing credit cards

D. City credit cards may be used only by those officers or employees authorized and only for the purchase of goods or services for official business of the City of South Lyon. City credit cards shall be used in conformance with the City's purchasing policies.

E. The officer or employee using any City credit card must submit documentation (e.g.) receipts detailing the goods or services purchased, cost, date of the purchase, and the specific official City business for which it was purchased

F. The City officer or employee issued or using any City credit card is responsible for its protection and custody and shall immediately notify the City Manager if the card is lost or stolen

G. Any City officer or employee issued a City credit card must immediately surrender the card upon termination of his or her employment or upon request

- H. The City Treasurer, in conjunction with the affected operating department, shall establish a system of internal controls to monitor the use of any City credit card.
- I. The relevant department head shall approve all credit card purchases and invoices before payment
- J. The balance including interest due on an extension of credit under all credit card arrangements shall be paid not more than 60 days of the initial statement date
- K. Unauthorized or inappropriate use of any City credit card is subject to disciplinary action or measures
- L. The total combined authorized credit limit or all credit cards issued by the City of South Lyon shall not exceed 5% of the total budget of the local unit for the current fiscal year.

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

Motion by:
Supported by:

Ayes:
Nays:
Absent:

RESOLUTION DECLARED ADOPTED/FAILED

CERTIFICATION

I certify that this resolution was duly adopted by the City Council of the City of South Lyon on _____, 2025

Lisa Deaton
City Clerk

AGENDA NOTE

Consent Agenda #2

MEETING DATE: September 22, 2025

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Cultural Arts Commission Appointee

EXPLANATION OF TOPIC: We have received a candidate questionnaire from Melissa D'Angelo who would like to be appointed to the Cultural Arts Commission.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: City Candidate Questionnaire

POSSIBLE COURSES OF ACTION: Appoint or not appoint Melissa D'Angelo to the Cultural Arts Commission.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve Mayor Kennedy's nomination of Melissa D'Angelo to the Cultural Arts Commission.



RECEIVED

SEP 04 2025

CITY OF SOUTH LYON
OFFICE OF TREASURER

CANDIDATE QUESTIONNAIRE

The City of South Lyon wishes to thank you for your interest in serving as a Volunteer Citizen Representative on a Board, Commission or Committee. Your Candidate Questionnaire will be kept on file and entered for consideration for posted openings on any Board, Commission or Committee that you expressed an interest in for a period of two years. Please feel free to submit an updated Candidate Questionnaire to the City Clerk at any time.

Please be advised that the information contained in this Questionnaire is not confidential, and will be reviewed by the Mayor, City Council and other appropriate personnel as vacancies or openings occur on the various Boards, Commissions and Committees. This Candidate Questionnaire may also be included in any City Council Meeting Packet which is published and made available for public inspection in print and on the Internet. Your address, phone numbers and email will not be published, even in the Meeting Packet.

Please be advised that even though you may submit an application to serve on a Board, Commission or Committee, it does not guarantee that you will be appointed to that Board, Commission or Committee.

BOARDS/COMMISSIONS/COMMITTEES ON WHICH YOU WANT TO SERVE (please check up to five applicable boxes; see attachment for descriptions):

Appointed by Mayor-Confirmed by City Council

- ☐ Planning Commission
- ☐ Zoning Board of Appeals
- ☐ Cable Commission
- ☒ Cultural Arts Commission
- ☐ Historical Commission
- ☐ Parks and Recreation Commission
- ☐ Downtown Development Authority
- ☐ Housing Commission
- ☐ Board of Ethics
- ☐ Road Improvement Committee
- ☐ Other

AGENDA NOTE

Consent Agenda # 3

MEETING DATE: September 22, 2025

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Downtown Development Authority Appointee

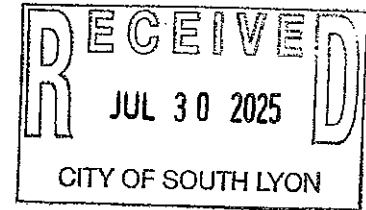
EXPLANATION OF TOPIC: We have received a candidate questionnaire from Ken Fader who would like to be appointed to the Downtown Development Authority Board. At their meeting on September 11th the DDA Board recommended to City Council to appoint Ken Fader to the open board seat.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: City Candidate Questionnaire

POSSIBLE COURSES OF ACTION: Appoint or not appoint Ken Fader to the Downtown Development Authority Board.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the DDA Boards recommendation to appoint Ken Fader to the Downtown Development Authority Board.

appears
DDA



CANDIDATE QUESTIONNAIRE

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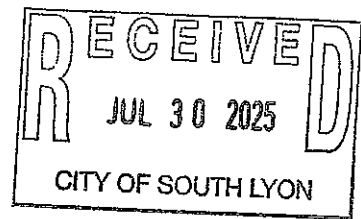
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Please be advised that even though you may submit an application to serve on a Board, Commission or Committee, it does not guarantee that you will be appointed to that Board, Commission or Committee.

BOARDS/COMMISSIONS/COMMITTEES ON WHICH YOU WANT TO SERVE (please check up to five applicable boxes; see attachment for descriptions):

Appointed by Mayor-Confirmed by City Council

- ☐ Planning Commission
- ☐ Zoning Board of Appeals
- ☐ Cable Commission
- ☐ Cultural Arts Commission
- ☐ Historical Commission
- ☐ Parks and Recreation Commission
- ☒ Downtown Development Authority
- ☐ Housing Commission
- ☐ Board of Ethics



NAME Ken Fader CITY OF SOUTH LYON RESIDENT FOR 41 YEARS

ADDRESS [REDACTED] ZIP [REDACTED]

PHONE (home) [REDACTED] PHONE (business or cell) [REDACTED]

EMAIL [REDACTED]

OCCUPATION: Comcast Director of Sales Engineering

ARE YOU A CITIZEN OF THE UNITED STATES? ☒ YES ☐ NO

IS ANY MEMBER OF YOUR FAMILY ON ANOTHER BOARD OR COMMISSION? ☐ YES ☒ NO
IF SO, WHO? _____

INTERESTS/REASONS/QUALIFICATIONS: (Resume may be attached)

Long time resident who is excited by the development of downtown and sees the potential for future growth

BOARDS/COMMISSIONS/COMMITTEES ON WHICH YOU HAVE SERVED (LIST MUNICIPALITIES AND DATES):

ELECTIVE OFFICES THAT YOU HAVE HELD:

OTHER ORGANIZATIONS: (Ex. Homeowners Association, Volunteer Groups, PTA, etc...)

ADDITIONAL INFORMATION:

Friend of Jeff Heimanen who encouraged me to apply

Signature [Signature] Date 6/19/25

TIF Public Hearing

MEETING DATE: September 22, 2025

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: TIF Public Hearing

EXPLANATION OF TOPIC:. The City published the Public Hearing Notice on August 27th and September 11th which tonight gives the opportunity for hearing public comments relating to Amended Development Plan and Tax Increment Financing Plan.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: TIF Public Hearing Notice

REQUIREMENTS OF TONIGHTS PUBLIC HEARING:

Open the Public Hearing
Hear any Public Comments
Close Public Hearing.

The TIF plan will come back before City Council at a future meeting for adoption.

**CITY OF SOUTH LYON
OAKLAND COUNTY
PUBLIC HEARING NOTICE
Amended Development Plan and Tax Increment Financing Plan**

Notice is hereby given that, pursuant to Michigan Public Act 57 of 2018, the South Lyon City Council will hold a Public Hearing on Monday September 22, 2025 at 6:30 p.m., at City Hall, located at 335 South Warren Street, South Lyon, MI. The public hearing is intended to provide an opportunity for interested citizens and property owners within the Downtown Development (DDA) District and taxing jurisdiction representatives, which will be captured during the term of the plan, to express their opinions regarding all aspects of an amendment to Tax Increment Financing and Development Plan (Development Plan) for the South Lyon DDA.

The Development Plan serves as a guide for all development and redevelopment related projects within the DDA District. The development area is proposed to remain the same and generally includes all of the downtown commercial properties along both sides of North and South Lafayette from CSX Railroad south to former Grand Trunk Western railroad right-of-way (now South Lyon City/Trails/Reynold Sweet Parkway). In total, the DDA District encompasses approximately 24 acres of land, and a map delineating the district boundaries is shown below. A draft copy of the amended Development Plan with all maps is available for review at the City Hall during regular business hours, Monday through Friday, 8:30 a.m. to 5 p.m., and the plan is also available for download from the City website at www.southlyonmi.org.

Those unable to attend the public hearing are invited to submit written comments to the attention of the Mayor of South Lyon at the City Hall address cited above. Written or electronically submitted comments must be received by no later than 3:00 p.m., on September 22, 2025. All aspects of the proposed amended Development Plan will be open for discussion at the public hearing.

City of South Lyon

Downtown Development Authority

DDA BOUNDARY MAP

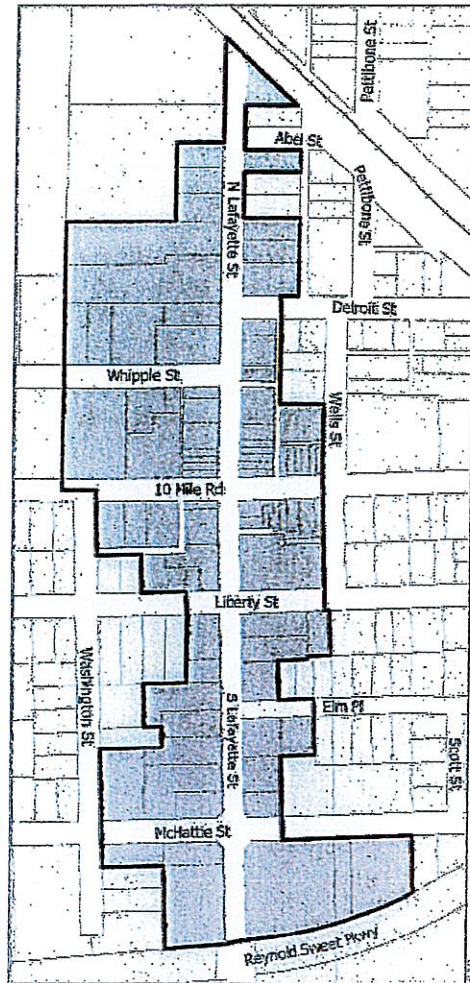
Base Layers:

- Railroad
- Parcels
- DDA Boundary

Existing Land Uses:

- Single-Family Residential
- All Other Land Uses

No Single-Family Residential uses are currently found within the DDA district. The DDA area accounts for 23.8 total acres.



City of South Lyon
Downtown Development Authority
10000 Reynolds Street
South Lyon, MI 48186

April 2005
MADE
TEAM
PLANNING & DESIGN

AGENDA NOTE

New Business # 1

MEETING DATE: September 22, 2025

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: E-Bike Ordinance

EXPLANATION OF TOPIC: The City staff and City attorney have been working on an E-Bike ordinance to address the large increase in e-bike users in the community, and also to improve public safety.

I have attached a copy of the proposed ordinance for your review. This is not a first reading of the ordinance. It was placed on the agenda to get feedback from City Council on the initial ordinance work

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Draft copy of the proposed E-Bike Ordinance.

POSSIBLE COURSES OF ACTION: Provide feedback and give staff direction on the proposed E-Bike Ordinance.

SUGGESTED MOTION: None.

ORDINANCE NO. __

CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 58 OF THE CITY OF
SOUTH LYON CODE OF ORDINANCES "OFFENSES AND
MISCELLANEOUS PROVISIONS", ARTICLE II "OFFENSES
AGAINST PUBLIC PEACE", CHAPTER 62 OF THE CITY OF
SOUTH LYON CODE OF ORDINANCES "PARKS AND
RECREATION", ARTICLE III "USE OF PUBLIC PARKS" AND
CHAPTER 90 "TRAFFIC AND VEHICLES", ARTICLE IV
"BICYCLES" TO REGULATE THE USE OF ELECTRIC
BICYCLES AND ELECTRIC SKATEBOARDS WITHIN THE
CITY

THE CITY OF SOUTH LYON ORDAINS:

PART I. AMENDMENT TO CHAPTER 58 OFFENSES AND MISCELLANEOUS
PROVISIONS

Article II, Section 58-124. "Roller skates, roller blades, street skates and skateboards" is amended as follows:

Sec. 58-124. - Roller skates, rollerblades, street skates and skateboards and electric skateboards.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
(a) Definitions. The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Electric skateboard means a wheeled device that has a floorboard designed to be stood upon when riding that is no more than 60 inches long and 18 including wide, is designed to transport only 1 person at a time, has an electronic propulsion system with power of no more than 2,500 watts, and has a maximum speed on a paved level surface of no more than 25 miles per hour. An electric skateboard may have handlebars and, in addition to having an electrical propulsion system with power of no more than 2,500 watts, may be designed to also be powered by human propulsion. MCL 257.13f.

Roller skates, rollerblades and street skates means a set or series of small wheels on the bottom of a shoe or a frame that would attach to a shoe which are used for gliding on a surface such as a floor or sidewalk, etc.

Skateboards means an item consisting of a short board on small wheels at each end used for coasting and/or for performing athletic stunts.

To *roller skate* means to skate on any type of roller skates, rollerblades or street skates.

(b) *Use regulated.* It shall be unlawful for any person to roller skate or use a skateboard(s) within the city without complying with the terms of this section.

(c) *Riding on certain devices or structures.* It shall be unlawful to roller skate or ride on a skateboard or electric skateboard on any bench, table, planter wall, retaining wall or other device or structure which is not intended for pedestrian or vehicle traffic, or to jump or step on or off such devices or structures in the process of roller skating or riding a skateboard. Riding of electric skateboards shall be prohibited in the central and historic districts.

(d) *Riding prohibited where posted.* The city manager is hereby authorized to erect signs on any publicly owned parking area, street, sidewalk, parking structure, parking lot, or other public property prohibiting roller skating, the riding of skateboards or electric skateboards thereon. It shall be unlawful to roller skate or ride a skateboard on any such posted parking area, street, sidewalk, parking structure, parking lot or other public property.

(e) *Reckless or dangerous skating or riding.* It shall be unlawful for any person to roller skate or ride a skateboard or electric skateboard on any sidewalk or other paved surface intended for pedestrians in a reckless or careless manner, or in a manner which is likely to result in injury or harm to any person or property.

(f) *Riding on private property without permission.* It shall be unlawful for any person to roller skate or ride a skateboard or electric skateboard on private property that has been posted no skateboarding.

(g) *Penalty for violation of section.* Any person who violates any of the provision of this division shall be responsible for a municipal civil infraction.

PART II. AMENDMENT TO CHAPTER 62 PARKS AND RECREATION

Article III, Section 62-61. “Definitions” is amended to add the following definition:

Electric bicycle means a device upon which an individual may ride that satisfies all of the following:

- (a) The device is equipped with all of the following:
 - (i) A seat or saddle for use by the rider.
 - (ii) Fully operable pedals for human propulsion.
 - (iii) An electric motor of not greater than 750 watts.
- (b) The device falls within 1 of the following categories:
 - (i) *Class 1 electric bicycle* means an electric bicycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 20 miles per hour.

(ii) *Class 2 electric bicycle* means an electric bicycle that is equipped with a motor that propels the electric bicycle to a speed of no more than 20 miles per hour, whether the rider is pedaling or not, and that disengages or ceases to function when the brakes are applied.

(iii) *Class 3 electric bicycle* means an electric bicycle that is equipped with a motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 28 miles per hour.

Electric skateboard means a wheeled device that has a floorboard designed to be stood upon when riding that is no more than 60 inches long and 18 including wide, is designed to transport only 1 person at a time, has an electronic propulsion system with power of no more than 2,500 watts, and has a maximum speed on a paved level surface of no more than 25 miles per hour. An electric skateboard may have handlebars and, in addition to having an electrical propulsion system with power of no more than 2,500 watts, may be designed to also be powered by human propulsion. MCL 257.13f.

Article III, Section 62-63 “Use of Public Parks,” is amended to read as follows:

Sec. 62-63. - Use and parking of vehicles and electric bicycles and electric skateboards

It shall be unlawful to drive or operate a vehicle in areas other than designated roadways and parking areas existing, maintained, and designated as such. It shall also be unlawful for any vehicle to exceed posted speed limits within such a park. Any person who operates a vehicle in violation of this section is responsible for a civil infraction

It shall be lawful to operate a class 1, class 2 or class 3 electric bicycle and an electric skateboard on a linear trail that has an asphalt, crushed limestone, or similar surface. Riders of electric bicycles and electric skateboards shall yield to the right of way to pedestrians, bicycles, and other human-powered conveyances. A person under the age of fourteen shall not operate a class 3 electric bicycle. It shall be unlawful to operate an electric bicycle or electric skateboard on a trail that is specifically designed as nonmotorized and that has a natural surface tread that is made by clearing and grading of native soil and has no added hard surfacing materials. An individual less than 18 years of age who operates or rides as a passenger on a class 3 electric bicycle shall wear a properly fitted and fastened bicycle helmet that meets federal standards established under federal law, including standards adopted by the United States Consumer Product Safety Commission.

It shall be a misdemeanor for person to operate an electric bicycle or electric skateboard in violation of this section. A violation shall be punished by a fine of not more than \$100.00, or by imprisonment of not more than 90 days, or both.

Article III, 62-74 “Trailway regulations and prohibitions” be amended to add a new subsection (j) for electric bicycles to read as follows:

Sec. 62-74. - Trailway regulations and prohibitions

(a)-(i) Unchanged

(j) *Electric bicycles* No person shall operate an electric bicycle on a trailway in a careless or reckless manner and shall not operate an electric bicycle in excess of ten (10) miles per hour.

(k) *Electric skateboard* No person shall operate an electric skateboard on a trailway in a careless or reckless manner and shall not operate an electric bicycle in excess of ten (10) miles per hour.

PART III AMENDMENT TO CHAPTER 90 TRAFFIC AND VEHICLES

Article IV-BICYCLES Sec. 90-131 "General Traffic laws" is amended to add requirements for electric bicycles as follows:

Sec. 90-131. - General traffic laws.

(a) Every person riding a bicycle or electric bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the responsibilities applicable to the driver of a motor vehicle by the laws of this state declaring rules of the road applicable to motor vehicles or by article II of this chapter applicable to the driver of any vehicle, except as to special regulations in this article and except as to those provisions of law and article II of this chapter which by their nature can have no application.

(b) Any person operating a bicycle or electric bicycle shall obey the instructions of official traffic control signals, signs and other traffic control devices applicable to motor vehicles, unless otherwise directed by a police officer.

(c) No person shall park a bicycle or electric bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building, or in such manner as to afford the least obstruction to pedestrian traffic.

(d) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. As provided in the Michigan Vehicle Code, electric bicycles are not permitted to ride on sidewalks.

(e) Every bicycle or electric bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear, of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.

(f) Every bicycle and electric bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(g) It shall be prohibited to ride electric bicycles in the historic or central business district.

(h) *Riding prohibited where posted.* The city manager is hereby authorized to erect signs on any publicly owned parking area, street, sidewalk, parking structure, parking lot, or other public property prohibiting the riding of electric bicycles thereon. It shall be unlawful to ride an electric bicycle on any such posted parking area, street, sidewalk, parking structure, parking lot or other public property.

Article IV-BICYCLES Sec. 90-132 Registration shall be deleted in its entirety.

Article IV-BICYCLES Sec. 90-133 Rental agencies shall be deleted in its entirety.

Part V. – Severability. If one or more sections, provisions, phrases or words of this Ordinance are declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, this Ordinance is declared to be severable.

PART VI. 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 South Lyon Code of Ordinances set forth in this Ordinance.

PART VII. 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 VII. 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.

CERTIFICATION

I hereby certify that the foregoing Ordinance was adopted by the South Lyon City Council, Oakland County, Michigan, at a meeting of the Council duly called and held on the ____ day of _____, 2025.

Lisa Deaton, City Clerk

Adopted:
Published:
Effective:

AGENDA NOTE

New Business #2

MEETING DATE: September 22, 2025

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Award of bid for Water Service Line Material Verification

EXPLANATION OF TOPIC: The City went out for bid for the Water Service Line Material Verification. We received a total of six (6) bids. The low bid was submitted by Duke's Root Control, Inc of Elgin, Illinois. We are recommending that the City award the contract for the water service line material verification project to Dukes Root Control in the amount of \$108,532.00. From Acct # 592-540-801.

The funding for this project will come out of a grant of \$384,530 we received from EGLE.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Bid Tab and letter of award letter from HRC.

POSSIBLE COURSES OF ACTION: Approve or not approve the award of the bid for water service line material verification project to Dukes Root Control in the amount of \$108,532.00, from Acct # 592-540-801.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the award of the bid for water service line material verification project to Dukes Root Control in the amount of \$108,532.00 from Acct # 592-540-801.



September 15, 2025

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

Attn: Mr. Paul Zelenak, City Manager

Re: Bid Results
Water Service Line Material Verification Program

HRC Job No. 20240099

Dear Mr. Zelenak:

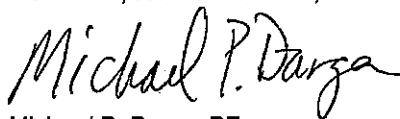
On Friday, August 22, 2025, the City opened bids for Water Service Line Material Verification. A total of six (6) contractors submitted bids which ranged from a low of \$108,532 to a high of \$240,000. The low bid was submitted by Duke's Root Control, Inc of Elgin, Illinois. Attached is one (1) copy of the bid tab for your records.

Upon reviewing references, HRC has determined that Duke's Root Control Inc. has, with positive recommendation, worked on similar projects in the past and has successfully completed their projects in accordance with the contract documents. Therefore, based on this information we would recommend that the City award the contract for the Water Service Line Material Verification project to Duke's Root Control Inc. in the amount of \$108,532.00

If you have any questions or require any additional information, please contact the undersigned at 248-535-3350

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Michael P. Darga, PE

MPD/mpd
Attachment

pc: City of South Lyon; J. Archey
HRC; R. Alix, File

BID TABULATION
CITY OF SOUTH LYON
WATER SERVICE LINE MATERIAL VERIFICATION PROGRAM

Bids Due: August 22, 2025 at 10:00 a.m.
HRC Job # 20240099

Duke's Root Control, Inc. M. L. Chartier Excavating, Inc. National Ind Maint, Inc.
Elgin, IL Fairhaven, MI East Chicago, IN

No.	Item Description	Qty	Unit	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	
1	Service Line Material Certification, Curb Stop	300	Ea	\$ 305.00	\$ 91,500.00	\$	379.00	\$ 113,700.00	\$ 395.00	\$ 118,500.00
2	Additional Service Line Material Verification, (As Needed)	100	Ea	\$ 70.00	\$ 7,000.00	\$	100.00	\$ 10,000.00	\$ 395.00	\$ 39,500.00
3	Site Restoration	200	Syd	\$ 50.16	\$ 10,032.00	\$	1.00	\$ 200.00	\$ 50.00	\$ 10,000.00
	Total Construction Cost				\$108,532.00		\$123,900.00		\$ 168,000.00	

ENGINEER: Michael Darga
Hubbell, Roth & Clark, Inc.

All Seasons Underground Const.. (4th bidder) - \$177,900
Pipeline Management Co. (5th bidder) - \$205,000.00
Five Star Energy Service (6th bidder) - \$240,000.00



All Seasons	Pipeline Management Co.	Five Star Energy Services, LLC
Tipton, MI	Milford, MI	Waukesha, WI

Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
\$ 425.00	\$ 127,500.00	\$ 450.00	\$ 135,000.00	\$ 450.00	\$ 135,000.00
\$ 450.00	\$ 45,000.00	\$ 450.00	\$ 45,000.00	\$ 350.00	\$ 35,000.00
\$ 27.00	\$ 5,400.00	\$ 125.00	\$ 25,000.00	\$ 350.00	\$ 70,000.00
	\$ 177,900.00		\$ 205,000.00		\$ 240,000.00





**COMMUNITY TECHNICAL, MANAGERIAL, AND FINANCIAL SUPPORT FOR LEAD
SERVICE LINE REPLACEMENT GRANT AGREEMENT (ARP FUNDED)**

**BETWEEN THE
MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
AND CITY OF SOUTH LYON**

This Grant Agreement ("Agreement") is made between the Michigan Department of Environment, Great Lakes, and Energy (EGLE), **Finance Division** ("State"), and **City of South Lyon** ("Grantee").

The purpose of this Agreement is to provide funding in exchange for work to be performed for the project named below. The State is authorized to provide grant assistance pursuant to P.A. 166 of 2022. This Agreement is subject to the terms and conditions specified herein.

PROJECT INFORMATION:

Project Name: SLV, PPD, OE

Project #: TMF-077

Amount of grant: \$384,530

% of grant federal 100%

Amount of match: none required

PROJECT TOTAL: \$384,530

Start Date: 10/1/2023

End Date: 9/15/2026

FISCAL RECOVERY FUND (FRF) ITEMS:

Recipient Type: Subrecipient

Can be used for allowable expenditures incurred on/or after: 10/1/2023

Federal Awarding Agency: US Department of Treasury

CFDA Number and Name: 21.027

FAIN Number: SLFRP0127

Research and Development Award: ☐ Yes ☒ No

SLFRF Category: 5.15 Drinking water: Other water infrastructure

SLFRF Short Name: FRF4873-TMF077

Major Program: ARPTMF

GRANTEE CONTACT INFORMATION:

Name/Title: Paul Zelenak, City Manager

Organization: City of South Lyon

Address: 335 S Warren St

City, State, ZIP: South Lyon, MI 48178

Phone Number: (248) 437-1735

E-Mail Address: pzelenak@southlyonmi.org

Federal ID: 38-6004651

Grantee UEI Number: JIPQN9EL25N7

SIGMA Vendor Number: CV0047817

Address Code (if applicable): 28F

STATE'S CONTACT INFORMATION:

Name/Title: Arielle Lytkowski, Department Analyst

Division/Bureau/Office: Finance Division

Address: 27700 Donald Ct

City, State, ZIP: Warren, MI 48092

Phone Number: (586) 917-5277

E-Mail Address: LytkowskiA@michigan.gov

The individuals signing below certify by their signatures that they are authorized to sign this Agreement on behalf of their agencies and that the parties will fulfill the terms of this Agreement, including any attached appendices, as set forth herein.

FOR THE GRANTEE:

E-SIGNED by Paul Zelenak
on 2024-06-11 09:04:46 EDT

Paul Zelenak, City Manager

2024-06-11 09:04:46 UTC

Signature

Name/Title

Date

FOR THE STATE:

Kelly Green, Administrator

Signature

Name/Title

Date

AGENDA NOTE

New Business #

MEETING DATE: September 22, 2025

PERSON PLACING ITEM ON AGENDA: City Manager

AGENDA TOPIC: Adams Outdoor Advertising Consent Judgement

EXPLANATION OF TOPIC: The City has made a request to Adams Outdoor to remove the billboard from McHattie Park. Based upon that request we have included a consent judgement that outlines the removal process.

I have attached a copy of the consent judgement for your review.

MATERIALS ATTACHED AS SUPPORTING DOCUMENTS: Copy of Consent Judgement

POSSIBLE COURSES OF ACTION: Approve or not approve the Consent Judgement with Adams Outdoor Advertising regarding the removal of the Billboard at McHattie Park.

SUGGESTED MOTION: Motion by _____, supported by _____ to approve the Consent Judgement on the removal of the Billboard at McHattie Park.

STATE OF MICHIGAN
IN THE 52-1 DISTRICT COURT FOR OAKLAND COUNTY

CITY OF SOUTH LYON, a Michigan
municipal corporation,

Case No. 25-04293-LT

Plaintiff/Counter-Defendant,

JUDGE TRAVIS REEDS

v.

ADAMS OUTDOOR ADVERTISING
LIMITED PARTNERSHIP OF
MINNESOTA, a foreign limited partnership,

Defendant/Counter-Plaintiff.

Lisa J. Hamameh (P57936)
Amanda Waske (P81128)
ROSATI SCHULTZ JOPPICH & AMTSBUECHLER, P.C.
Attorneys for Plaintiff/Counter-Defendant
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331-3550
(248) 489-4100
llhamameh@rsjalaw.com
awaske@rsjalaw.com

David R. Russell (P68568)
Allison M. Collins (P78849)
FOSTER SWIFT COLLINS & SMITH, PC
Attorneys for Defendant/Counter-
Plaintiff
313 W. Washington Square
Lansing, MI 48933
(517) 371-8150
drussell@fosterswift.com
acollins@fosterswift.com

CONSENT JUDGMENT

At a session of said Court, held in the City of Novi,
County of Oakland, State of Michigan
On September __, 2024

Present: Honorable Travis Reeds
District Court Judge

This matter comes before the Court upon the stipulation of the Parties; the Parties to this Consent Judgment having agreed to settle this dispute as reflected in this Consent Judgment, which Consent Judgment is deemed to incorporate all exhibits attached hereto; each of the Parties to this Consent Judgment having represented that all requirements necessary for the party to bind itself

to this Consent Judgment have been met; and the Court being otherwise fully advised in the premises:

1. Plaintiff/Counter-Defendant City of South Lyon ("City") is the owner of real property located in South Lyon, Oakland County, Michigan, as described in attached Exhibit A (the "Property").

2. The City purchased the Property on or about October 25, 2007.

3. Defendant/Counter-Plaintiff Adams Outdoor Advertising Limited Partnership ("Adams") entered into a Lease Agreement to place a billboard on the Property with the Property's previous owner, Bonnie C. Niece, on November 23, 2004 ("Lease"). The Lease is attached as Exhibit B.

4. Adams' Lease was assigned to the City of South Lyon on or about October 25, 2007.

5. The City filed this action for breach of contract, declaratory judgment, trespass, conversion, quiet title, and seeking to evict Adams from the Property.

6. Adams filed counterclaims for breach of contract, declaratory judgment, and inverse condemnation.

The parties now desire to settle this lawsuit and their respective claims against each other in accordance with the terms and conditions set forth in this Consent Judgment.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

A. Adams' Lease on the Property is extended for five (5) years without any option for renewal, and the Lease shall terminate on March 31, 2030.

B. No later than April 30, 2030, Adams shall remove the billboard structure and repair any

damage caused to the Property, including, but not limited to, repairing the lawn by leveling and seeding.

- C. The rental amount during the extended lease term will be \$650 per year.
- D. The side of the billboard facing South shall be used exclusively for the display of one public service advertisement provided by the Ad Council. Adams must provide the proposed Ad Council advertisement to the City Manager for approval prior to placement or any replacement of said advertisement. Such advertisement shall be placed within thirty (30) days of entry of this Consent Judgment and shall be maintained in good condition until the expiration of the five (5) year term. Examples of the advertisements are those identified in Exhibit C, which is incorporated herein by reference. No other advertising shall be displayed on the side of the billboard facing South.
- E. The parties agree that the following portion of Lease Paragraph 9 shall be deemed stricken from the Lease as of the date of entry of this Consent Judgment:

“ . . .with the exception of any termination rights of Lessor set forth in the Lease Agreement or any addendum or subsequent amendment, which rights may only be exercised by the original Lessor (whose name is set forth at the top of this lease) and not by or for the benefit of any entity with the power of eminent domain.”
- F. All remaining provisions of the Lease, except as altered by the above terms and conditions, remain in full force and effect.
- G. The terms of this Consent Judgment may only be amended, modified, or altered by written agreement of the parties and approval by the Court.
- H. Subject to the terms and provisions of this Consent Judgment, all claims and causes of action that were alleged or which could have been alleged by the City or Adams in this

lawsuit shall be and hereby are merged into this Consent Judgment, fully released, and dismissed with prejudice and without cost or attorney fees to any party.

I. The Court retains jurisdiction to enforce the terms of this Consent Judgment.

SO ORDERED AND ADJUDGED.

THIS IS A FINAL ORDER WHICH RESOLVES ALL CLAIMS AND CLOSES THE CASE.

By: _____
Travis Reeds
District Court Judge

Stipulated and Agreed to:

Lisa J. Hamameh (P57936)
ROSATI SCHULTZ JOPPICH & AMTSBUECHLER, P.C.
Attorneys for Plaintiff/Counter-Defendant
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331-3550
(248) 489-4100
llhamameh@rsjalaw.com

David R. Russell (P68568)
FOSTER SWIFT COLLINS & SMITH, PC
Attorneys for Defendant/Counter-
Plaintiff
313 W. Washington Square
Lansing, MI 48933
(517) 371-8150
drussell@fosterswift.com

Exhibit A

Legal Description

That part of Outlot 1, Calkins' Addition to South Lyon, as recorded in Liber 3 on Page 48 of Plats, Oakland County Records, lying Southerly of the South line of the Grand Trunk Western Railroad Right of Way, EXCEPT that part described as: Beginning at Southeast Lot corner; thence West to Southwest Lot corner; thence North 10 feet; thence Southeasterly to the point of beginning.

ALSO described as: Part of Outlot 1, Calkins' Addition to South Lyon, as recorded in Liber 3 on Page 48 of Plats, Oakland County Records, more particularly described as: Commencing at the Southeast corner of Outlot 6 of said Calkins' Addition to South Lyon; thence along the East line of said Outlot 6, North 01 degrees 50 minutes 00 seconds West 300.24 feet (previously described as 300.96 feet), to the Southeast corner of Outlot 1, and the point of beginning of the Parcel to be described; thence along the North line of Parcel 2, as described in Liber 9976 on Page 299, Oakland County Records, South 89 degrees 41 minutes 39 seconds West 396.00 feet; thence along the West line of said Outlot 1, North 01 degrees 48 minutes 59 seconds West 229.76 feet; thence along the South line of a Railroad Right-of-Way, as monumented (now abandoned), North 85 degrees 02 minutes 16 seconds East, 396.18 feet; thence along the East line of said Outlot 1, South 01 degrees 50 minutes 00 seconds East 261.93 feet to the point of beginning.

Commonly known as: 464 Lafayette Street and
Parcel I.D. #21-30-277-021

461 Washington

Exhibit B

Lease Agreement



LEASE AGREEMENT

Lease # 20469

Board/Structure # 2225

THIS AGREEMENT, made this 23 day of November, 2004, by and between ADAMS OUTDOOR ADVERTISING LIMITED PARTNERSHIP ("Lessee"), whose address is 130 S First Street Ann Arbor MI 48104 and Bonnie C. Niece ("Lessor"), whose address is 4573 Cornwell Lane Whitmore Lake, MI 48189-9373; WITNESSETH:

1. **DEMISE:** Lessor hereby leases and demises to Lessee the following described property ("Property") for the purpose of erecting, operating, maintaining, repairing, modifying and reconstructing outdoor advertising structures, together with any advertising, equipment and accessories that Lessee may desire to place thereon ("Structures"), and Lessor warrants to Lessee the quiet enjoyment of the Property during the term of this lease; the Property is located in the City/County of South Lyon in the State of Michigan, and is more particularly described as:

Existing Structure(s) <input checked="" type="checkbox"/>	Address: <u>S Pontiac Trail</u>	Tax Parcel #:
W/S S PONTIAC TRAIL S/O OLD RR, 500' SO Ten Mile Road South Lyon, Oakland County		
One outdoor advertising sign structure accommodating back to back 12 x 25' sign faces		

Lessor also hereby grants to Lessee the following easements over the Property and adjacent property owned or controlled by Lessor: a) an easement for reasonable access to Lessee's Structures; b) an easement to maintain an unobstructed view of the advertising copy on the Structures by passing motorists and pedestrians, including, but not limited to, the right to trim and remove any trees and other vegetation as often as Lessee in its sole discretion deems appropriate to prevent obstructions; and, c) an easement to connect utilities to Lessee's Structures.

2. **TERM:** This Lease is for a term of ten (10) years, commencing on the 1 day of April, 2005, and shall continue in full force and effect and be automatically extended for a like term, and thereafter automatically for successive like terms; after the initial extended term, Lessor and Lessee shall each have the right to terminate this lease by giving Notice of termination to the other as provided for herein at least ninety (90) days in advance of the next automatic lease term extension.

3. **RENT:** Rent shall commence on the later of completion of the Structure or commencement of the term and shall be the amount of \$ \$1300, payable annually in advance.

4. **STRUCTURES:** All Structures erected by or for the Lessee or its predecessors-in-interest on the Property shall at all times be and remain the property of the Lessee and may be removed by the Lessee before or within a reasonable time of termination or expiration of this lease, notwithstanding that such Structures are intended by Lessor and Lessee to be permanently affixed to the Property. Similarly, all license and permit rights relating to the use of the Property for outdoor advertising purposes are and shall at all times be and remain the property of the Lessee.

5. **REPRESENTATIONS:** Lessor represents that it is the owner or the authorized agent of the owner of the Property and has full authority to enter into this Lease Agreement as or on behalf of owner. If ownership of the Property changes, Lessor shall promptly notify Lessee of such change and shall furnish the new owner with a copy of this Lease Agreement. Lessor agrees not to enter into any lease or other relationship with any of Lessee's competitors for the erection, operation or maintenance of any outdoor advertising structure on the Property or on any adjacent property.

6. **INDEMNIFICATION:** Lessee shall indemnify and hold Lessor harmless from all injuries to the Property or third persons caused by Lessee, Lessee's employees, agents, licensees and contractors; Lessor shall indemnify and hold Lessee harmless from all injuries to Structures or third persons caused by Lessor, Lessor's employees, agents, licensees and contractors.

7. **CANCELLATION:** If, in Lessee's sole opinion: a) the view of the advertising copy on any Structure becomes obstructed; b) the Property cannot be safely used for the erection, maintenance or operation of any Structure for any reason; c) the value of any Structure is substantially diminished, in the sole judgment of the Lessee, for any reason; d) the Lessee is unable to obtain, maintain or continue in force any necessary permit for the erection, use or maintenance of any Structure as originally erected; or, e) the use of any Structure, as originally erected, is prevented by law or by exercise of any governmental power, then Lessee may, at its option, either: (i) reduce and abate rent in proportion to the impact or loss that such occurrence has upon the value of Lessee's Structure for so long as such occurrence continues; or, (ii) cancel this Lease and receive a refund any prepaid rent, prorated as of the date of cancellation.

8. **CONDEMNATION:** In the event that all or any part of the Property is acquired or sought to be acquired by any entity or person possessing or acting on behalf of any entity possessing the power of eminent domain, whether by condemnation or sale in lieu thereof, Lessee shall be entitled, in its sole and absolute discretion, to: a) contest the acquisition; b) reconstruct any of its Structures on the remaining property of the Lessor; and/or, c) recover damages and compensation for the fair market value of its leasehold and Structures taken or impacted by the acquisition.

9. **ASSIGNMENT:** This Lease is binding upon the heirs, successors and assigns of both Lessor and Lessee, with the exception of any termination rights of Lessor set forth in this Lease Agreement or any addendum or subsequent amendment, which rights may only be exercised by the original Lessor (whose name is set forth at the top of this lease) and not by or for the benefit of any entity with the power of eminent domain. Lessor agrees not to terminate or assign this lease for the benefit of any competitor of Lessee without Lessee's written permission. Lessee shall have the absolute right to assign its rights under this lease.

10. **NOTICE:** Any notice ("Notice") to Lessor or Lessee described in this Agreement in order to be effective must be in writing and sent certified mail, return receipt requested, and then shall only be effective upon the earlier of a) the date that said Notice is delivered and received by a person at the address specified in this Agreement; or, b) the date that is three (3) days after mailing (postage prepaid) by certified mail, return receipt requested, to such address; provided that in either case Notice shall be delivered to such other address as Lessor or Lessee, as the case may be, has previously designated in writing and provided to the other by Notice as set forth herein.

11. **MISCELLANEOUS:** In the event of litigation between Lessor and Lessee predicated upon this Lease Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs. Neither Lessor nor Lessee shall be bound by any terms, conditions or oral representations that are not set forth in this Lease Agreement. The law of the state in which the Property is located shall govern. This Lease Agreement (and any addendum) represents the entire agreement of Lessee and Lessor with respect to the Structures and the Property.

12. **ADDENDUM:** There is ☒ is not ☐ an addendum attached to this Lease Agreement and incorporated by this reference (check one).

Adams Outdoor Advertising Limited Partnership
By: Adams Outdoor Advertising, Inc.
Its Managing General Partner

Accepted By: [Signature]
Its Authorized Corporate Officer

Approved By: [Signature]
General Manager

Witness (1)

Witness (2)

By: [Signature]
Lessor or Authorized Representative

Soc Sec or EIN #: [Redacted] 4606 BH

Lessor's phone #: 517-223-6802 810-231-0769

[Signature]
Witness (1)

Witness (2)

Exhibit C

Ad Council examples of the advertisements

adams
COLLABORATE

DWordPride.org

#DWord

Disability is not a bad word.



Kids in foster care

need you.

adams
COLLABORATE



HATW.org
HANDS ACROSS THE WATER

adams
COLLABORATE



Be a good human(e).
Adopt, don't shop.



Humane Society of
Huron Valley

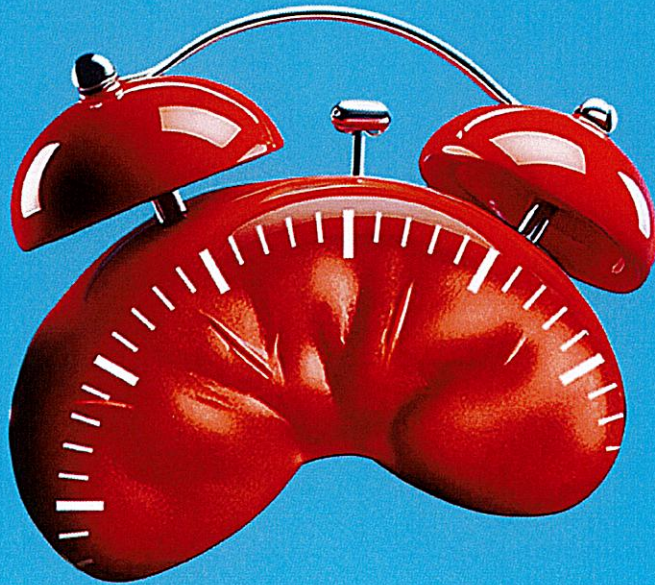
 **adams**
COLLABORATE

ARE YOU AT RISK FOR KIDNEY DISEASE?

TAKE THE 1 MIN QUIZ



KidneyMI.com



 **adams**
COLLABORATE

You Can Empower



girl scouts 
heart of michigan

**Become a
Troop Leader!**

So no one faces cancer alone.



 **adams**
COLLABORATE



**CANCER SUPPORT
COMMUNITY**
GREATER ANN ARBOR

MEMO



Date: September 18, 2025
To: City Council
From: Paul C. Zelenak, Manager
Re: City Update

2026 Pontiac Trail Road Project: The \$11 million project begins next spring. Easements are being obtained, and permits are also being worked on with various agencies. The cost to the city for the entire project will be approximately \$1.3 million dollars.

Columbarium: The concrete foundation for the columbarium has been poured. We will await the delivery of the actual columbarium (after the concrete cures). After which we will pour the remaining sidewalk in and around the site.

Lafayette Park: They continue to work on the new Lafayette Park at the corner of McHattie St and Pontiac Trail. They have almost completed the first phase of the project. The contractor installed sod yesterday for future use, as well as for soil erosion control until the next phase of the project is completed. We await the delivery of the light poles and the drinking fountain. This initial phase will make it available for almost immediate use.

9 Line Project: On an upcoming City Council agenda in October I will be bringing to City Council the Memorandum of Understanding for the Oakland County Nine Mile Pathway Phase II Task Force. This is a non-binding agreement which shows our cooperation and participation in this pathway project. The other communities will also be bringing the MOU to their council / board for their approval as well. We will have representatives of Oakland County at the meeting to answer questions.

DTE Chargers: The chargers have all been prepped and energized. We await their connection to the WIFI for them to become operational.

DDA: Our new DDA / Economic Development Director (Kim Rivera) will be starting on Monday, September 22nd. She will be in attendance at the meeting. Her first full report will be coming at the next City Council meeting.

Pumpkinfest: The event will be held next weekend on September 26th, 27th and 28th

Audit Presentation: The Auditors will be in attendance at our October 13th City Council meeting to discuss and present this years Audit.

138 S. Lafayette: As you may know, the City owns the property at 138 S. Lafayette and Liberty, which is currently used as a City parking lot. The property was formerly a gas station, and the former property owner has been working with EGLE on remediation. Recently, we received communication from a representative of the former property owner requesting the City agree to restrict use of the property by the execution and recording of a restrictive covenants which would, in summary: prohibit use of the property as a residence; restrict groundwater use; and require compliance with EGLE regulations for the construction of buildings on the property. However, after discussions with the City Attorney and EGLE we learned that there are alternatives to remediation including excavation of the southern portion of the property, or collection of more soil gas samples to see if we get better results or waiting for the concentrations to continue to decline naturally. Since there are alternatives that will not encumber the City's property, we declined to consider the restrictive covenant option. If Council would like to discuss this issue further, please let me know and we can put it on a future agenda.

Building Department

PERMITS ISSUED

Building - 9

Electrical - 5

Mechanical - 5

Plumbing - 2

Sign - 1

INSPECTIONS COMPLETED

Building - 13

Electrical - 8

Mechanical - 4

Plumbing - 7

- A building permit has been issued for the Waste/Water Plant at no charge
- A new sign has been issued for 450 N. Lafayette (The Zone Marketplace)

Code Enforcement

New Enforcements

204 E. Liberty – Sign: The ordinance officer observed a temporary sign in the city right of way. The ordinance officer spoke with the homeowner, who moved the sign.

Closed Enforcements

204 E. Liberty – Sign: Sign moved

Municipal Civil Infraction Notice Tickets issued:

301 S. Lafayette – Unsafe Conditions and Parking Lot Maintenance

521 W. Lake – Unsafe Conditions



SOUTH LYON FIRE DEPARTMENT

Fire Chief Cindy Conrad
217 Whipple Street | South Lyon, MI 48178
firechief@southlyonmi.org
(248) 437-2616

Training Tuesday: Day 1 of 2 training days with Green Oak Twp. Crews met each other and familiarized themselves with each other's apparatus and equipment. Members of both departments were split up into 2 groups with the first group assigned to the training building to simulate the first 10 minutes of arrival on a structure fire and how we would best complement each other's departments should we get called for mutual aid. The second group was assigned to the wastewater treatment plant building simulating an HVAC fire on the roof. South Lyon's Ladder-71 extended to the building and crews set up a hose line attached to the bucket of the ladder truck to simulate a standpipe and flowed water. Green Oak's tanker used large diameter hose to supply water to the ladder.





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Incidents to date: 1017 (January 1st through September 18th)

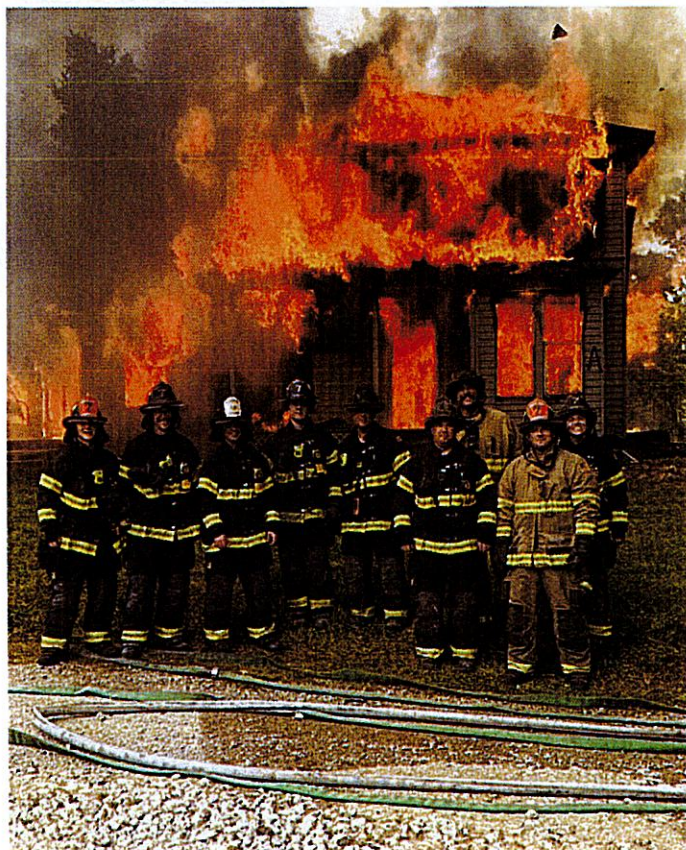
Thursday, Sept. 11th through Thursday, Sept. 18th

Incidents: 20

- 14: EMS
- 3: Service Call
- 2: Hazardous Condition
- 1: Good Intent Call

New Hire: Brett Cook is a resident of Lyon Township and comes to us with no training. He will start academy this October.

Training: Saturday, we had a joint live burn training in Salem Twp. with Salem Twp. fire and Northfield Twp. fire.





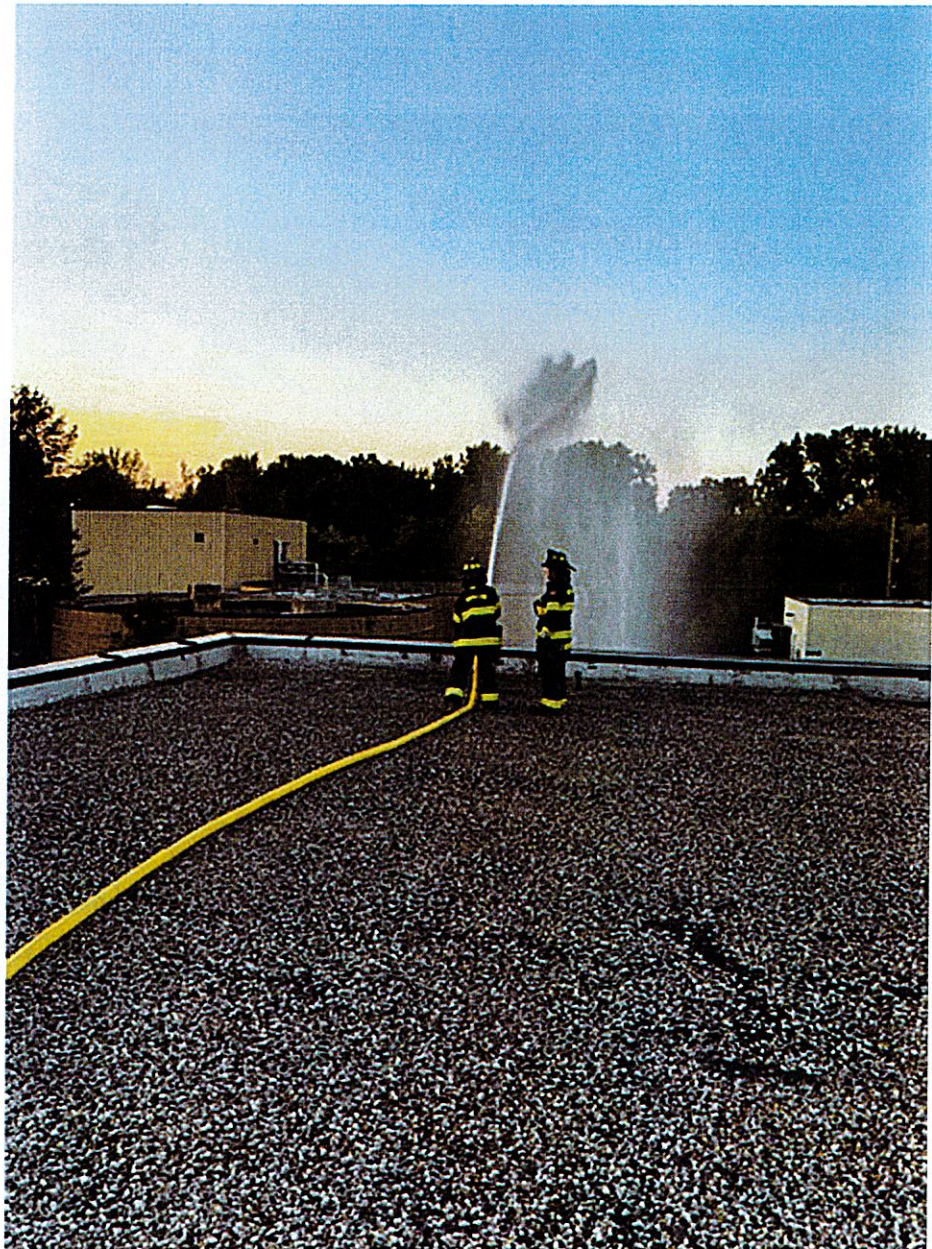
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South Lyon

Police Department

"Safeguarding Our Community"

SOUTH LYON P.D. WEEKLY REPORT

09/11/25 – 09/17/25

- Calls for Service - 273
- Property Checks - 36
- School Checks - 14
- Church Checks - 86
- Traffic Warnings - 34
- Traffic Citations - 4
- Arrests – 6
- COPs - 36
- Other: Introduction of new South Lyon Police Officers Ryan Boote, Shane Sovik and Jacob Hoisington. The new 2025 Tahoe has been delivered to replace the aging patrol vehicle 281. The Tahoe is currently being equipped with emergency equipment and will be ready for patrol use in a few weeks. Officers Tim Raap and Shane Sovik participated in the annual torch run for Special Olympics.

WEEKLY UPDATE:

FOR WEEK OF September 12, 2025 – September 18, 2025

WATER & WASTEWATER:

WATER

- DAILY LAB & OUTSIDE ROUNDS
- GENERAL CLEANING AT WTP
- BACKWASHED IRON FILTERS
- METER HEADS REPLACED
- BI-WEEKLY WQP SAMPLING
- LEAD AND COPPER SAMPLING-** COMPLETED 31 OF 31 SAMPLES**
- THE WATER DEPT. HAS SENT OUT OVER 50 WATER METER REPAIR NOTICES TO REPLACE THE METER HEADS – REPAIRS ON GOING
- RECEIVED PROOF OF UPDATED CROSS CONNECTION PROGRAM FROM HYDROCORP-SENT TO EGLE FOR APPROVAL-ONGOING
- TTHM SAMPLING COMPLETED HAA5 SAMPLING COMPLETED MET WITH CONTRACTOR TO DISCUSS REPLACEMENT OF TONKA FILTER AIR WASH SYSTEM – THIS IS A BUDGETED CAPITAL IMPROVEMENT FOR THE WATER TREATMENT PLANT-ONGOING
- BACTI TESTING ON NEW WATERMAIN ON MARTINDALE- BACTI WAS NEGATIVE
- NEW WATERMAIN ON PONTIAC TRAIL WAS PRESSURE TESTED AND CHLORINATED – FIRST SET OF BACTI'S ON 9/18

WASTEWATER

- DAILY LAB & INSIDE ROUNDS
- SCUM TANKS PUMPED DOWN - WEEKLY
- DUMPED GRIT AND SCREENINGS – BIWEEKLY
- CLEANED ACTIFLO'S -WEEKLY
- GENERAL MAINTENANCE AND CLEANING
- WWTP GENERATOR EXERCISED WEEKLY
- MET WITH HRC TO DISCUSS THE REHAB OF THE SECONDARY CLARIFIERS – THIS IS A BUDGETED CAPITAL IMPROVEMENT FOR 2025/2026-ONGOING
- TOXCITY SAMPLING – ONGOING
- PFAS, SELENIUM, CHLORIDE TESTING
- REPLACED CENTRAL SLUDGE PUMP GASKET
- COL ACRES LIFTSTATION PHASE FAIL ON 9/16 - RESET

WEEEEKLY REPORT: For September 12-September 18, 2025

Department of Public Works:

- Miss Dig City Utilities per request (they have increased to the point that an DPW staff member is occupied all day)
- Pick up trash in the DDA, parks, walking trails and cemetery
- Clean Comfort Station daily at McHattie Park
- Mowing performed on all City owned properties
- Tilled areas for future pollinator gardens in the cemetery and along the bike trail in the park area south of the DPW yard
- Watered flowers on the DDA light poles, City buildings and at Paul Baker Park
- Swept streets in the DDA and surrounding area
- Weed whipping and cleaning of DDA
- Open and close multiple cremations at City cemetery
- Trimmed trees in the cemetery in preparation for the delivery of the columbarium
- Trimmed trees back along Rail Trail should be complete by Friday the 18th. A project that was long overdue
- Completed repairs to storm drain basin and sewer manhole in Trotter Point
- Marked sidewalks for upcoming sidewalk program. Areas being affected are Hidden Creek, University Ave, Harvard Ave, and Lake St.
- Picked up movie trailer in preparation for the final Movies In The Park on Friday the 18th
- Replaced garbage disposal at City Hall lunch room
- Making final decision on leaf truck purchase. Will coming for City Council approval soon
- Starting prep for Pumpkinfest and Parade