AGENDA

REGULAR MEETING OF THE VILLAGE COUNCIL

Monday, October 26, 2026

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

ADDRESSING THE VILLAGE COUNCIL: Each person wishing to address the Village Council shall be afforded an opportunity to do so. If you wish to comment, please stand or raise a hand to indicate that you wish to speak. When recognized, give your name and address and direct your comments to the Chair.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call and Determination of Quorum**
4. **Presentations**
5. **Call to the Public**
6. **Approval of Agenda**

   By order of the President/Chair, no matters will be discussed after 9:30 PM, unless the Council votes to continue the meeting.

7. **Consent Agenda**

   All items on the Consent Agenda are approved by one vote.

   A. Approval of Special Event: Shop Small Saturday

   B. Approval of Special Event: Orion Lighted Parade

   C. Approval of Village Council Regular Meeting Minutes of October 12, 2026

   D. Receive and File of DDA Regular Meeting Minutes of September 15, 2026

   E. Receive and File of September 2026 Planning and Zoning Monthly Report by McKenna

F. Receive and File of Invoice Distribution Report for October 27, 2026

8. **Items Removed from the Consent Agenda**

9. **Public Hearings**

10. **Other Items**

A. Ordinance Amendment – Chapter 30 – Downtown Development Authority – Second Reading and Adoption

B. Zoning Ordinance Amendment – Rezoning of 96 Park Island Road from R-M to R-L – Second Reading and Adoption

C. 2026 Street Improvement Project Special Assessment Methodology

D. Tour on Orion and Pedal Boat Pub Green's Park Access Agreements

E. FOIA Appeal - Hopkins

F. Parks and Recreation 2027-28 Capital Improvement Project Requests

11. **Call to the Public**

12. **DDA Executive Director Comments**

13. **Council Comments**

14. **Village Manager Comments**

15. **Closed Session Items**

16. **Business From Closed Session**

17. **Adjournment**

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Village, at least three (3) business days in advance of the meeting, if requesting accommodations. The Village of Lake Orion will provide foreign language or hearing impaired interpretation services for those individuals who contact the village to request such services at least seven (7) days prior to the meeting.

En el espíritu de la observancia de la Ley de Estadounidenses con Discapacidades, las personas con discapacidad debe sentirse libre para ponerse en contacto con el pueblo, por lo menos tres (3) días hábiles de antelación a la fecha de la reunión, si se solicitan alojamiento. El municipio de Lake Orion proporcionará idioma extranjero o personas con problemas de audición servicios de interpretación para las personas que se ponen en contacto con el pueblo de solicitar dichos servicios con no menos de siete (7) días antes de la reunión.

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC: Approval of Special Event: Shop Small Saturday

BACKGROUND BRIEF:

Shop Small Saturday serves as a key community initiative designed to stimulate the local economy by driving consumer traffic to Downtown Lake Orion's independently owned retail shops, restaurants, and businesses. Scheduled at the launch of the holiday shopping season, the event directly reinforces the municipality's economic health, sustains local entrepreneurship, and preserves the unique cultural identity of the downtown district. To enhance consumer experience and foster a festive atmospheric appeal, the event will feature complimentary horse and wagon rides throughout downtown.

RECOMMENDED MOTION:

To adopt Resolution No. 2026-037 approving the "Shop Small Saturday" Special Event Permit and the License Agreement between the Village of Lake Orion and the Lake Orion Downtown Development Authority, represented by Tracy Woodrum, for the event to be held on November 28, 2026, and to authorize the Village Council President and Village Clerk to execute the agreement on behalf of the Village.

VILLAGE OF LAKE ORION
COUNTY OF OAKLAND
STATE OF MICHIGAN

RESOLUTION NO. 2026-037

A RESOLUTION APPROVING A SPECIAL EVENT PERMIT APPLICATION FOR SHOP SMALL SATURDAY AND AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT

VOTING YEA:
VOTING NAY:
ABSENT:
MOTION:

RESOLVED: To approve the Special Event Permit Application submitted by Tracy Woodrum on behalf of the Lake Orion Downtown Development Authority, requesting the use of Downtown Streets for the Horse and Wagon Rides on Saturday, November 28, 2026, from 10:00 AM to 2:00 PM, for the "Shop Small Saturday," as outlined in the application.

FURTHER RESOLVED: To approve the License Agreement between the Village of Lake Orion and the Lake Orion Downtown Development Authority, and to authorize the Village Council President and Village Clerk to execute the agreement on behalf of the Village.

FURTHER RESOLVED: To approve the Sign Permit for Shop Small Saturday, as submitted.

FURTHER RESOLVED: This approval is conditioned on the following:

Administrative Requirements:

1. Clean-up of the area is the responsibility of the applicant.

Police Department Requirements:

1. Event staff and on-site manager contact information (cell phone numbers) must be provided

to the Police Department at least 24 hours before the event.

DPW Requirements:

1. Village properties will be properly maintained by DPW prior to the event.

Fire Department Requirements:

1. No parking is permitted in the Fire Station parking lot.

THIS RESOLUTION WAS DULY ADOPTED BY LAKE ORION VILLAGE COUNCIL AT ITS REGULAR MEETING HELD ON MONDAY, OCTOBER 26, 2026.

Debbie Nogle
Village of Lake Orion Clerk/Treasurer

CERTIFICATION

I, Debbie Nogle, duly appointed Clerk of the Village of Lake Orion, Oakland County, Michigan, do hereby certify that the foregoing is a true and correct copy of Resolution No. 2026-037 adopted by the Village of Lake Orion Village Council at its regular meeting held on the 26th day of October 2026.

Given under my hand and seal of the Village of Lake Orion, Oakland County, Michigan this 26th day of October 2026.

Debbie Nogle
Village of Lake Orion Clerk/Treasurer

DATED: October 27, 2026

Village of Lake Orion

Printed: 10/15/2026

Special Event
SE-2026-021

Balance
$0.00

Applicant	Application #	Submitted	Issued	Starts	Expires	Identifier
Office DDA	**TRF-HII**	**Oct 12, 2026**	**Oct 14, 2026**	**Nov 28, 2026**	**Nov 29, 2026**	**--**

Applicant Information

APPLICANT
Office DDA

office@downtownlakeorion.org

(248) 693-9742

118 N Broadway St, Lake Orion, MI 48362

Same as mailing address

Agent

N/A

Internal

Conditions

No Police Resources:

This event does not require dedicated police resources. If police support becomes necessary, contact Chief Mark Amundson at amundsonm@lakeorionpolice.org to schedule a pre-planning meeting.

The Fire Department has no issues with this event.

Issued By:

N/A

Internal Notes - Employee Communication

N/A

Approved Event:

N/A

General Information

Event Location

118 N BROADWAY ST
LAKE ORION, MI 48362-3102

Event Locations

Businesses along Lapeer, S. Broadway, N. Broadway, E. Flint, S. Anderson, E. Shadbolt & Church Street
Not on M-24.

Zoning District

DC - Downtown Center

Event Name

Shop Small Saturday

Event Details

Shopping at the downtown businesses, check in table in front of Ed's on Broadway, Horse & Wagon rides from 10am-2pm.

Date / Hours of Event

Saturday, November 28, 2026 10am-7pm, Horse & Wagon rides 10am-2pm

Date / Hours of Set-up and Tear Down

No setup or tear down nessecary

Event Map

Shop Small Saturday 2026 Horse and...

Street Closures and / or Parking Lot closures necessary?

No

If yes, how many days?

N/A

If yes, describe

N/A

Green's Park Reservation?

No

Green's Park Reservation Date/Hours

N/A

Green's Park Reservation Duration (Days)

N/A

Gazebo Rental?

No

Gazebo Rental Type

N/A

Gazebo Rental Date/Time

N/A

Gazebo Hour

N/A

Coordinating Event Details

N/A

Coordinating with Another Event?

No

If yes, Event Name

N/A

Event Details

Type of Event

DDA

Status

Not-for-Profit

If Non-Profit, provide proof of non-profit status such as IRS Determination Letter 501(c)(3), IRS Form 990, or Articles of Incorporation

Is this event expected to occur next year?

Yes

If Yes, provide next year's specific dates

End of November next year.

If this event a Fund raiser?

No

If YES, indicate beneficiary information

N/A

Is this the first time the event is being held in Village of Lake Orion?

No

Describe above selection

Annual event in downtown.

Was this event previously held outside the Village of Lake Orion?

No

Describe above selection

Annual event in downtown.

Event Details (continued)

Total estimated attendance each day

300

What parking arrangements will be necessary to accommodate attendance?

Normal use of parking lots & street parking.

Parking Plan

How will trash be handled?

No additional trash will be generated by this event.

Is amplification of music or speakers planned or anticipated?

If yes, describe

No

N/A

Will tents be used?

No

If yes, indicate number of tents, use of each, location and size

N/A

Portable restrooms

No

If yes, number of portable restrooms and location

N/A

Food / Alcohol / Merchandise

Will alcoholic beverages be served?

No

If yes, describe

N/A

Is liquor license issued by the State of Michigan?

N/A

If yes, whose name is the license issued to

N/A

Copy of License

Will food and beverages be sold?

No

If yes, describe

N/A

Will merchandise be sold?

No

If yes, describe

N/A

Request Use of Village Equipment ONLY

Use of Equipment Start (Day / Time)

N/A

Use of Equipment End (Day / Time)

N/A

Barricades/Traffic Cones

No

If yes, describe

N/A

Temporary Closure Signage

N/A

Trash Cans

N/A

Electrical Connections

No

If yes, describe

N/A

Water
No

If yes, describe
N/A

Emergency Fire Equipment, such as ambulance
No

If yes, describe
N/A

Use of Police Services
No

If yes, describe
N/A

Other Village Services
No

If yes, describe
N/A

Municipal Equipment

Event Signs

Will this event include the use of signs?
Yes

Location(s) of Sign
Banners at M-24 in front of Autozone and in front of Lumberyard, Aframe signs in downtown & children's park

Sign Dimensions
Banners: 9'x3', Aframes: 24"x36"

Sign Sketch Plan
Shop Small Saturday 2026 Signage M...

Location Map
Shop Small Saturday 2026 Signage M...

Temporary Display Start
Oct 26, 2026

Temporary Display End
Dec 1, 2026

Quantity of Temporary Signs
7

OLD_Quantity of Temporary Signs
N/A

Certifications and Signatures

Signature of Sponsoring Organization's Agent

Tracy Signature for Event Application...

Certificate of Insurance naming the Village of Lake Orion as Certificate Holder and Additional Insured

DDA-Village Event Insurance 2026.pdf

Hold Harmless Agreement

Hold Harmless Agreement

Shop Small Saturday 2026 Hold Har...

Fees

Application Fee	$25.00
Special Event - Right Of Way	$75.00
Application Sign Fee	$25.00
Sign Fee	$525.00
Admin Waive Fee	-$650.00
TOTAL	**$0.00**
PAID	**$0.00**
BALANCE DUE	**$0.00**

Communication

October 12, 2:20 PM

Your application for a Special Event has been successfully submitted. The reference number for your application is TRF-HII

Please keep a copy of this email as record of your application. Staff may use the reference number when communicating with you.

Thank you,

Village of Lake Orion

October 12, 2:20 PM
Payment Required

There are fees due that require your immediate payment. Please click below to pay online.

Special Event [TRF-HII]

Balance $125.00

Dda O October 12, 2:22 PM
Here are the banner & A-frame signs.
Light Up Lake Orion & Shop Small Sat Nov 2026 - Aframe 24 x 36.pdf

Dda O October 12, 2:25 PM
Please note for LOPD - we are open to any route for the Horse & Wagon rides that Chief Amundson deems best.

Lynsey B October 12, 4:21 PM
Hi Tracy, how many temporary signs is the DDA putting up for this event in total?

Dda O October 12, 4:30 PM
2 banners & 5 A-Frames

Mark A October 13, 2:40 PM
No Police Resources

This event does not require dedicated police resources. If police support becomes necessary, contact Chief Mark Amundson at amundsonm@lakeorionpolice.org to schedule a pre-planning meeting.

Mark A October 13, 2:40 PM
As far as the route, we historically had no preference on it.

Workflow

1. Payment - COMPLETED
Assignee: Lynsey Blough

2. Administrative Review - COMPLETED
Assignee: Lynsey Blough

3. Dept. of Public Works Review - COMPLETED
Assignee: Sam Hicks

4. Public Safety Review - COMPLETED
Assignee: Mark Amundson

5. Fire Department Review - COMPLETED
Assignee: John Pender

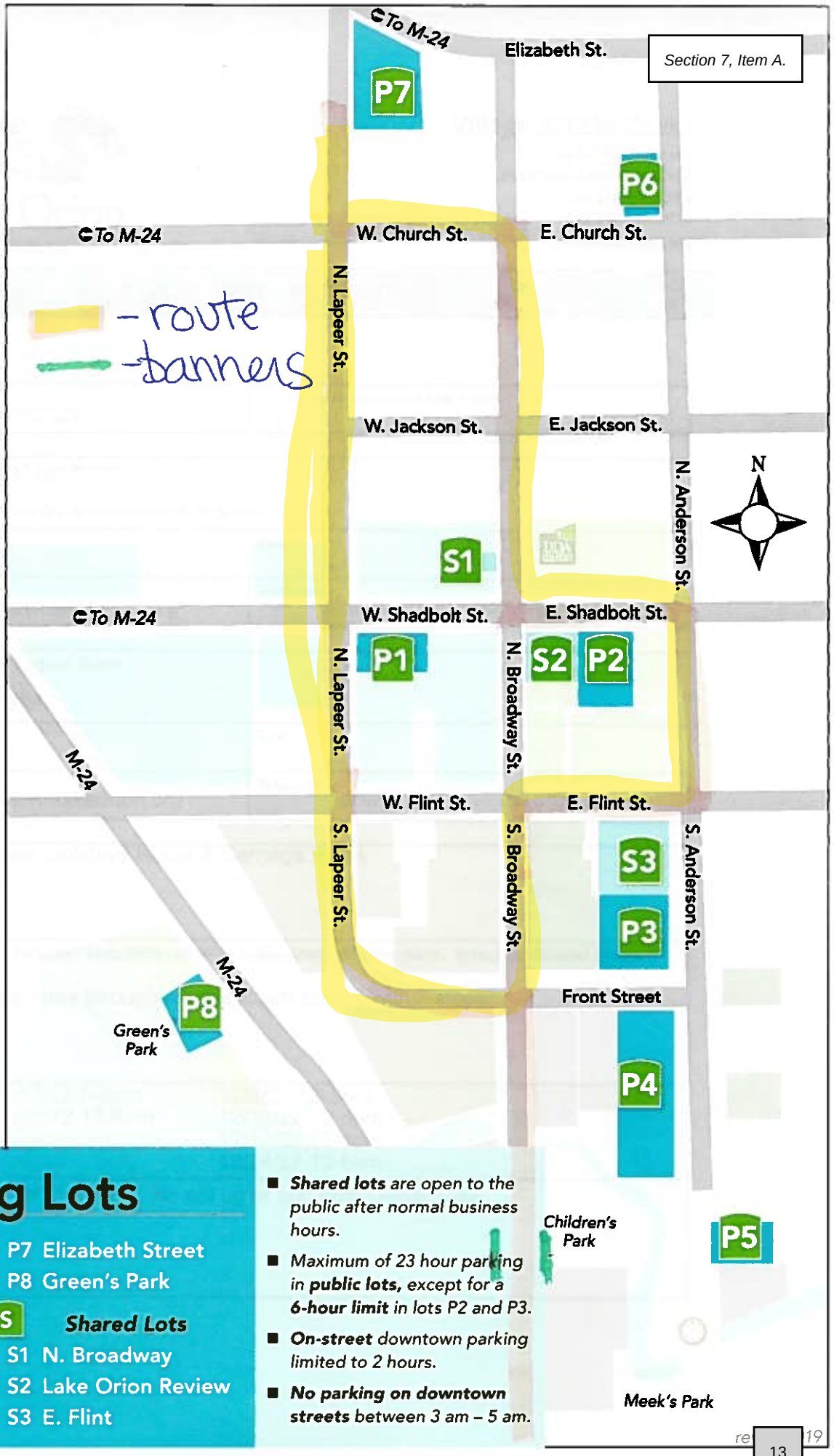
6. Council Review - ACTIVE
Assignee: Lynsey Blough

7. Planning & Zoning Review - INACTIVE
Assignee: Sommer Nafal

8. Issue Permit - INACTIVE
Assignee: Lynsey Blough

DOWNTOWN LAKE ORION

PARKING



Parking Lots

P1 N. Lapeer
P2 E. Shadbolt
P3 S. Anderson
P4 Children's Park
P5 Art Center
P6 Village/Police
P7 Elizabeth Street
P8 Green's Park

Shared Lots

S1 N. Broadway
S2 Lake Orion Review
S3 E. Flint

- ***Shared lots*** *are open to the public after normal business hours.*
- *Maximum of 23 hour parking in* ***public lots,*** *except for a* ***6-hour limit*** *in lots P2 and P3.*
- ***On-street*** *downtown parking limited to 2 hours.*
- ***No parking on downtown streets*** *between 3 am – 5 am.*

Village of Lake Orion
EST 1859

Village of Lake Orion
21 E. Church Street
Lake Orion, Michigan 48362
Tel 248.693.8391
Fax 248.693.5874
www.lakeorion.org

HOLD HARMLESS AGREEMENT

FOR AND IN CONSIDERATION of the granting by the Village of Lake Orion to permit/allow *

Shop Small Saturday — Saturday, November 28, 2026, 10am-7pm
Activity/Event — Dates and Time

Shopping at the downtown businesses, check in table in front of Ed's on Broadway, Horse & Wagon rides 10am-2pm
General Description of Location

as requested by the undersigned, the undersigned does hereby agree to fully hold harmless, defend and indemnify the Village of Lake Orion, and all of its officers, officials, agents and employees, with respect to all claims, losses, damages, causes of action, judgments, costs and expenses, including reasonable attorney fees, whether or not the same are now known, liquidated, discovered, discoverable or justifiable, which may be asserted, brought or rendered against, incurred or suffered by, and/or imposed upon, the Village of Lake Orion and/or its officers, officials, agents and employees, by reason of or arising out of the grant or exercise of the rights stated above granted by the Village of Lake Orion to the undersigned.

Applicant/Property Owner/Contractor Signature**

Witness One Signature ***

Tracy Woodrum/DDA
Applicant/Property Owner/Contractor Printed Name

Matthew Gibb
Witness One Printed Name

10-12-26
Date

Witness Two Signature ***

Maddox Going
Witness Two Printed Name

* *Applicant MUST provide information regarding what the activity is, date(s), times activity will be held and the areas (public sidewalks, streets, parking spaces, etc.) that are affected.*

** *If the activity is obstructing public right-of-way for work on private property, the property owner or contractor MUST provide their signature.*

*** *The signatures from two (2) witnesses are required.*

michigan municipal league Liability & Property Pool

COMMON POLICY DECLARATIONS

IN RETURN FOR THE PAYMENT TO THE POOL AND SUBJECT TO ALL THE TERMS OF THIS COVERAGE DOCUMENT, THE POOL AGREES WITH YOU TO PROVIDE COVERAGE AS STATED IN THIS CONTRACT. THESE COVERAGES ARE PROVIDED IN ACCORDANCE WITH THE INTERGOVERNMENTAL AGREEMENT WHICH FORMS THE LEGAL BASIS FOR THE OPERATION OF THE POOL.

Contract Number: MML001238341 **Renewal of Number:** MML001238340

Pool Member: Village of Lake Orion

Coverage Period From: 7/1/2026 **To:** 7/1/2027
12:01 A.M. Standard Time

THIS COVERAGE DOCUMENT CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM CHARGE IS INDICATED. THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.

	PREMIUM
PROPERTY COVERAGE PART	$ Included
CRIME COVERAGE PART	$ Included
MUNICIPAL GENERAL LIABILITY COVERAGE PART	$ Included
LAW ENFORCEMENT LIABILITY COVERAGE PART	$ Included
PUBLIC OFFICIALS LIABILITY COVERAGE PART	$ Included
AUTOMOBILE LIABILITY COVERAGE PART	$ Included
EMPLOYEE BENEFIT LIABILITY COVERAGE PART	$ Included
CYBER LIABILITY AND DATA BREACH RESPONSE COVERAGE PART	$ Included
TOTAL	$ Included

FORM(S) AND ENDORSEMENT(S) MADE A PART OF THIS CONTRACT AT TIME OF ISSUE:
MMLC TRX (09/10), MMLB (07/26), MMCC (07/17), MMLCYD (09/17), MMPA (01/02), MMLC (11/99)

By: _____
Authorized Representative

Date: 6/10/2026

THESE DECLARATIONS TOGETHER WITH THE COVERAGE PART DECLARATIONS, COVERAGE PART COVERAGE FORM(S), AND FORMS AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.

A SERVICE OF THE MICHIGAN MUNICIPAL LEAGUE

michigan municipal league Liability & Property Pool

PROPERTY DECLARATIONS

IN RETURN FOR THE PAYMENT TO THE POOL AND SUBJECT TO ALL THE TERMS OF THIS COVERAGE DOCUMENT, THE POOL AGREES WITH YOU TO PROVIDE COVERAGE AS STATED IN THIS CONTRACT. THESE COVERAGES ARE PROVIDED IN ACCORDANCE WITH THE INTERGOVERNMENTAL AGREEMENT WHICH FORMS THE LEGAL BASIS FOR THE OPERATION OF THE POOL.

Contract Number: MML001238341 **Renewal of Number:** MML001238340

Pool Member: Village of Lake Orion

Coverage Period From: 7/1/2026 **To:** 7/1/2027
12:01 A.M. Standard Time

COVERED PREMISES: Coverage is provided to those premises described per the attached schedule.

LIMIT OF COVERAGE

Coverage is provided to all real and personal property at the described premises for all risks of physical loss or damage, except as hereinafter excluded, subject to all of the forms and endorsements attached, for an amount not to exceed:

COVERAGE	LIMIT OF INSURANCE*	DEDUCTIBLE

See Attached Schedule For Coverages, Limits of Insurance, and Deductibles

FORM(S) AND ENDORSEMENT(S) applying to this Coverage Part and made part of this policy at time of issue: MMP100 (01/14), MMP 101 (01/11), MMP 107 (07/15), MMP 129 (01/06), MMP106 (11/99), MMP118 (01/02)

TOTAL PROPERTY PREMIUM $ INCLUDED

By: _____ Date: 6/10/2026
Authorized Representative

A SERVICE OF THE MICHIGAN MUNICIPAL LEAGUE

michigan municipal league Liability & Property Pool

LIABILITY DECLARATIONS

IN RETURN FOR THE PAYMENT TO THE POOL AND SUBJECT TO ALL THE TERMS OF THIS COVERAGE DOCUMENT, THE POOL AGREES WITH YOU TO PROVIDE COVERAGE AS STATED IN THIS CONTRACT. THESE COVERAGES ARE ALSO PROVIDED IN ACCORDANCE WITH THE INTERGOVERNMENTAL CONTRACT WHICH FORM S THE LEGAL BASIS FOR THE OPERATION OF THE POOL.

Contract Number: MML001238341 **Renewal of Number:** MML001238340

Pool Member: Village of Lake Orion

Coverage Period From: 7/1/2026 **To:** 7/1/2027
12:01 A.M. Standard Time

(This policy applies to only those Coverage Parts marked with an "X")

LIMITS OF INSURANCE

☒ **MUNICIPAL GENERAL LIABILITY COVERAGE PART**

EACH OCCURRENCE LIMIT	$5,000,000	
FIRE DAMAGE LIMIT	$100,000	Any One Fire
MEDICAL EXPENSE LIMIT	$10,000	Any One Person
DEDUCTIBLE:	$0	Each Occurrence

☒ **LAW ENFORCEMENT LIABILITY COVERAGE PART**

EACH WRONGFUL ACT LIMIT	$5,000,000	
DEDUCTIBLE:	$0	Each Wrongful Act

☒ **PUBLIC OFFICIALS LIABILITY COVERAGE PART**

EACH WRONGFUL ACT LIMIT	$5,000,000	
DEDUCTIBLE:	$0	Each Wrongful Act

(This policy applies to only those Coverage Parts marked with an "X")

LIMITS OF INSURANCE

☒ **EMPLOYEE BENEFIT LIABILITY COVERAGE PART**

EACH OCCURRENCE LIMIT $1,000,000

AGGREGATE LIMIT $1,000,000

DEDUCTIBLE: $0 Each Occurrence

☒ **AUTOMOBILE LIABILITY COVERAGE PART**

EACH OCCURRENCE LIMIT $5,000,000

DEDUCTIBLE: $0 Each Occurrence

☒ **THE COMBINED POLICY LIMIT** $5,000,000

Regardless of the number of **Insureds**, **Claims** made or **Suits** brought, persons or organizations making **Claims** or bringing **Suits** or coverages or coverage parts which may be applicable, the Combined Policy Limit shown above is the most we will pay for the sum of all **Damages** arising out of an **Occurrence**, **Wrongful Act,** act or omission and any series of related **Occurrences**, **Wrongful Acts,** acts or omissions.

The Combined Policy Limit is the most we will pay regardless of the number of Coverage Parts under which coverage may be sought.

FORMS AND ENDORSEMENTS applying to these Coverage Parts and made part of this policy at time of issue: MML200 (01/14), MML202 (07/26), MML240 (07/25), MML203 (11/99), MML208 (11/99), MML223 (07/10)

TOTAL LIABILITY PREMIUM **$ INCLUDED**

BY _____
Authorized Representative

Date: 6/10/2026

A SERVICE OF THE MICHIGAN MUNICIPAL LEAGUE

THESE DECLARATIONS ARE A PART OF THE COMMON POLICY DECLARATIONS.

michigan municipal league Liability & Property Pool

COMMERCIAL AUTO COVERAGE PART BUSINESS AUTO COVERAGE FORM DECLARATIONS

Contract Number: MML001238341

Pool Member: Village of Lake Orion

Coverage Period From: 7/1/2026 **To:** 7/1/2027

SCHEDULE OF COVERAGES

This policy provides only those cover ages where a charge is shown in the premium column below. Each of these coverages will apply only to those "**autos**" shown as covered "**autos**". "**Autos**" are shown as covered "**autos**" for a particular coverage by the entry of one or more of the symbols from the **COVERED AUTOS** Section of the Business Auto Coverage Form next to the name of the coverage.

Coverages	Covered Autos	Limit	Premium
Liability Coverage	1	Included in the Combined Single Limit shown on the Liability Declarations Page	**$ INCLUDED**
Personal Injury Protection or Equivalent No-Fault	5	As indicated in SECTION III - LIMITS OF COVERAGE 6a.	$ **INCLUDED**
Property Protection Coverage (MI only)	5	$ 1,000,000	$ **INCLUDED**
Uninsured Motorists Coverage	2	$ 100,000	$ **INCLUDED**
Comprehensive Coverage	7	Actual cash value or cost of repair, whichever is less, minus $ PER SCHEDULE deductible shown for each covered auto	$ **INCLUDED**
Specified Perils Coverage	**NO COVERAGE**	Actual cash value or cost of repair, whichever is less, minus $ deductible shown for each covered auto	$ **NO COVERAGE**
Collision Coverage	7	Actual cash value or cost of repair, whichever is less, minus $ PER SCHEDULE deductible shown for each covered auto	$ **INCLUDED**
		Total Premium:	$ **INCLUDED**

☐ NON-OWNED AND HIRED ONLY

FORMS AND ENDORSEMENTS applying to this Coverage Part and made part of this policy at time of issue: MML300 (07/21), MML301 (07/20), MML308 (11/99), MML307 (11/99), MML310 (07/18)

THESE DECLARATIONS ARE PART OF THE COMMON POLICY DECLARATIONS

michigan municipal league Liability & Property Pool

CRIME DECLARATIONS

IN RETURN FOR THE PAYMENT TO THE POOL AND SUBJECT TO ALL THE TERMS OF THIS COVERAGE DOCUMENT, THE POOL AGREES WITH PROVIDE COVERAGE AS STATED IN THIS CONTRACT. THESE COVERAGES ARE PROVIDED IN ACCORDANCE WITH THE INTERGOVERNMENTAL CONTRACT WHICH FORMS THE LEGAL BASIS FOR THE OPERATION OF THE POOL.

CONTRACT NO. MML001238341 RENEWAL OF NUMBER. MML001238340

POOL MEMBER Village of Lake Orion

COVERAGE PERIOD From: 7/1/2026 To: 7/1/2027

12:01 A.M. Standard Time at your mailing address shown above.

COVERAGE AGREEMENT	*LIMIT OF LIABILITY*
I. EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY BLANKET COVERAGE	$100,000
II. LOSS INSIDE THE PREMISES COVERAGE	$100,000
III. LOSS OUTSIDE THE PREMISES COVERAGE	$100,000
IV. MONEY ORDERS AND COUNTERFEIT PAPER COVERAGE	$100,000
V. DEPOSITORS FORGERY COVERAGE	$100,000
VI. COMPUTER FRAUD COVERAGE	$100,000
VII. FUNDS TRANSFER FRAUD COVERAGE	$100,000
VIII. IMPERSONATION FRAUD COVERAGE	$100,000

FORM(S) AND ENDORSEMENT(S) applying to this Coverage Part and made part of this Contract at time of issue: MCC100 (7/17), MML23 (07/11),

TOTAL CRIME PREMIUM: $ INCLUDED

BY _____
Authorized Representative

Date: 6/10/2026

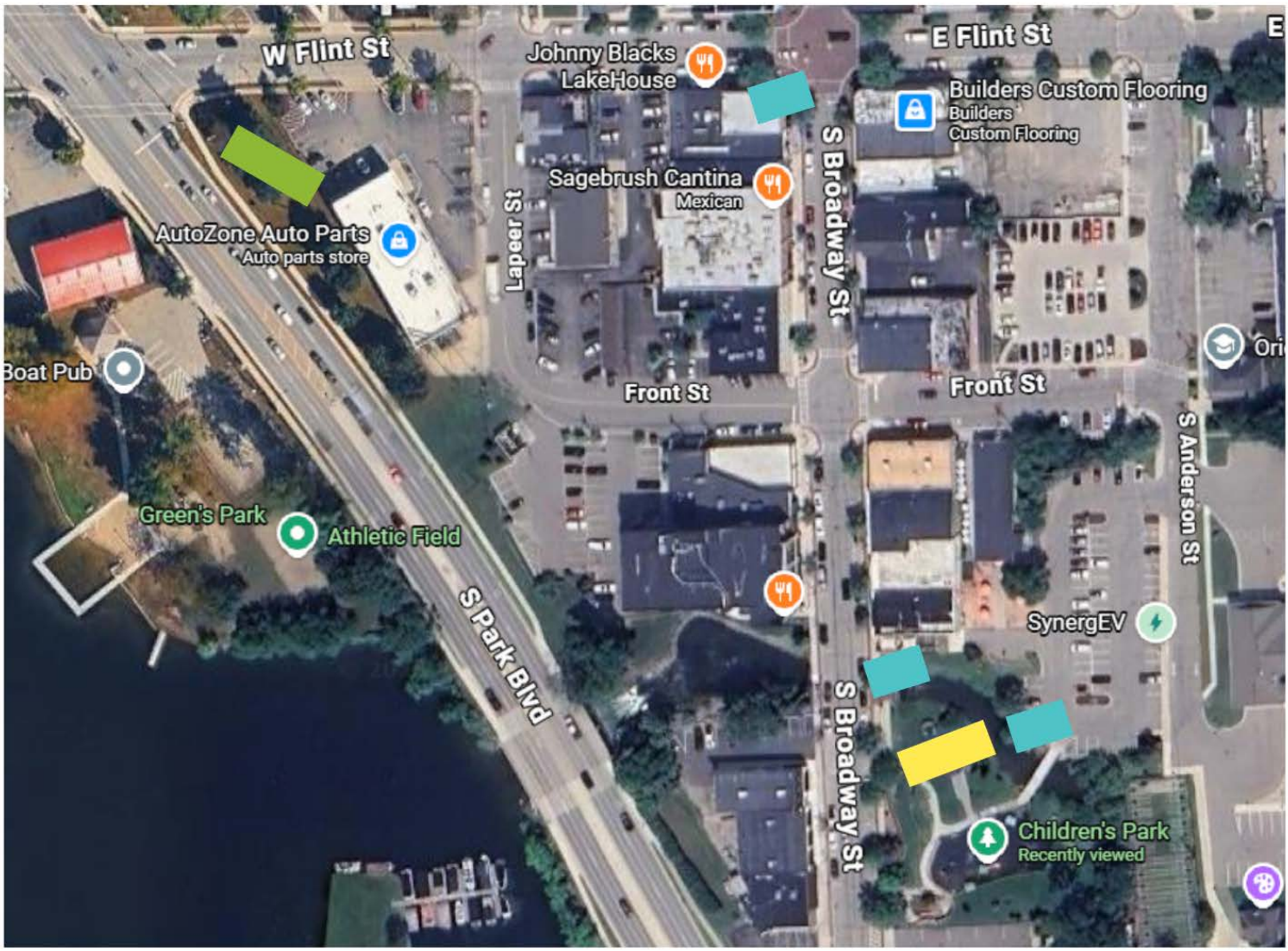
THESE DECLARATIONS ARE A PART OF THE COMMON POLICY DECLARATIONS.

michigan municipal league Liability & Property Pool

CYBER LIABILITY AND DATA BREACH RESPONSE COVERAGE DECLARATIONS

SCHEDULE	**Policy #:** CYB001238341
Member: Village Of Lake Orion	
Member Address**:** 21 E Church St., Lake Orion, MI 48362	
Coverage Period: 07/01/2026 to 07/01/2027	
Aggregate Limit of Liability Aggregate for all **Loss**, including **Claims Expenses** subject to the following:	$100,000
Information Security and Privacy Liability Limit:	$100,000
Regulatory Defense and Penalties Aggregate Sublimit**:**	$20,000
Website Media and Content Liability Limit:	$100,000
PCI Fines, Expenses and Costs Aggregate Sublimit**:**	$10,000
Cyber Extortion Aggregate Sublimit:	$25,000
First Party Data Protection Aggregate Sublimit:	$25,000
First Party Network Business Interruption Aggregate Sublimit:	$25,000
Liability Retention Per Claim or Incident	
Information Security and Privacy Liability:	$0
Regulatory Defense and Penalties:	$0
Website Media and Content Liability:	$0
PCI Fines, Expenses and Costs:	$0
Cyber Extortion:	$5,000
First Party Data Protection:	$5,000
First Party Network Business Interruption:	The greater of $5,000 or income loss during 12 hour waiting period.
Privacy Breach Response Services Limit of Coverage	
Computer Expert Services, Legal Services and **Public Relations and Crisis Management Expenses** Limit**:**	$50,000
Notified Individuals - Notification Services, Call Center Services and **Breach Resolution and Mitigation Services** Limit	10,000
Privacy Breach Response Services Retention	
Computer Expert Services, Legal Services and **Public Relations and Crisis Management Expenses:**	$0
Notified Individuals Threshold:	0
Retroactive Date	09/01/2017

2026 Outdoor Movie Night - Teens/Kids Signage Map



Event Banner - 9 ft. wide x 3 ft. tall

Aframe - 2 ft. wide x 3 ft. tall

Event Signage/Sponsor Signage - 4 ft. wide x 1 ft. tall

Light Up Lake Orion

November 19th

5-7pm

Shop Small Saturday

November 28th

10am-7pm

SHOP SMALL

Downtown Lake Orion

Light Up Lake Orion

November 19th
5-7pm
including Horse & Wagon rides

Shop Small Saturday

November 28th
10am-7pm
Horse & Wagon rides 10am-2pm
Enter to win downtown gift certificates

Downtown Lake Orion

SHOP SMALL

Light Up Lake Orion

November 19th

5-7pm

Shop Small Saturday

November 28th

10am-7pm

SHOP SMALL

Downtown Lake Orion

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC: Approval of Special Event: Orion Lighted Christmas Parade

BACKGROUND BRIEF:

The 31st Annual Orion Lighted Christmas Parade is a premier Lake Orion tradition and a vital community engagement initiative that serves as Lake Orion's formal launch of the holiday season. Scheduled for Saturday, December 5, 2026, from 6:00 PM to 9:00 PM, the event draws thousands of regional spectators to the downtown district.

To authorize the logistically complex event, Bill Kokenos of the Orion Area Parade Group has submitted the Special Event Permit Application. The proposed procession will follow its traditional route, deploying from Blanche Sims Elementary School and concluding at the old Lake Orion School Administration Building. Execution of the parade relies heavily on a dedicated network of community volunteers and corporate sponsors who coordinate the illuminated themed floats, musical ensembles, and live choreography, culminating in the highly anticipated appearance of Santa Claus.

Ultimately, the parade functions as a powerful tool for civic pride and cross-sector collaboration. By bringing together regional schools, non-profit entities, public organizations, and local business owners, the event successfully preserves Lake Orion’s distinct small-town identity while generating immediate economic benefits for downtown merchants.

RECOMMENDED MOTION:

To adopt Resolution No. 2026-038 approving the “Orion Lighted Christmas Parade” Special Event Permit and the License Agreement between the Village of Lake Orion and the Orion Area Parade Group represented by Bill Kokenos, for the event to be held on December 5, 2026, and to authorize the Village Council President and Village Clerk to execute the agreement on behalf of the Village.

VILLAGE OF LAKE ORION
COUNTY OF OAKLAND
STATE OF MICHIGAN

RESOLUTION NO. 2026-038

A RESOLUTION APPROVING A SPECIAL EVENT PERMIT APPLICATION FOR THE ORION LIGHTED CHRISTMAS PARADE AND AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT

VOTING YEA:
VOTING NAY:
ABSENT:
MOTION:

RESOLVED: To approve the Special Event Permit Application submitted by Bill Kokenos on behalf of the Orion Area Lighted Parade Group, requesting the use of various Village properties on Saturday, December 5, 2026, from 3:00 PM to 9:00 PM, for the "Orion Lighted Christmas Parade," as outlined in the application.

Public Areas to be Utilized:

- **Parking:** All parking lots and streets throughout the Village, except those along the parade route.
- **Parade Route Streets:** Florence Avenue, Flint Street, Anderson Street, Front Street, Broadway Street, and Elizabeth Street.
    - **Parade Route:** From Blanche Sims Elementary School to the old LOCS Administration Building.
    - **Setup and Lineup:** Begins at 3:00 PM.
    - **Parade Start Time:** 6:00 PM.

Municipal Equipment Requested:

- Barricades
- Cones

- Temporary closure signages
- Electrical connections

FURTHER RESOLVED: To approve the License Agreement between the Village of Lake Orion and Orion Area Lighted Parade Group, and to authorize the Village Council President and Village Clerk to execute the agreement on behalf of the Village.

FURTHER RESOLVED: To approve the Sign Permit for the Orion Lighted Christmas Parade, as submitted.

FURTHER RESOLVED: This approval is contingent upon compliance with the following conditions:

Administrative Requirements:

1. A Certificate of Insurance listing the Village of Lake Orion as a Certificate Holder and named as an Additional Insured must be provided to the Village prior to the event.
2. All tents and temporary structures must be properly secured in case of inclement weather or high winds.
3. Cleanup of the event area is the responsibility of the applicant.
4. Additional trash receptacles must be provided by the applicant.

Police Department Requirements:

1. Event staff and on-site manager contact information (cell phone numbers) must be provided to the Police Department at least 24 hours before the event.
2. The Police Department will direct the placement of all required barricades for parking lot and any approved street closures.
3. The applicant shall be responsible for reimbursing the Village for all police resources and related ancillary costs dedicated exclusively to this event. This policy is intended to ensure full cost recovery, and the applicant will be billed for the actual costs incurred. This includes, but is not limited to, staffing of the event, time spent on event planning, coordination meetings, site inspections, and setup.
4. At a minimum, one dedicated police officer must be assigned to the event from start to finish. The need for additional staffing will be evaluated during planning meetings with the Chief of Police or their designee.
5. Upon request, the Chief of Police may provide a preliminary cost estimate for police services. The final invoice will reflect only the actual costs of police services provided.
6. A pre-planning meeting with the Chief of Police or their designee is required for all events involving dedicated police resources. To schedule this meeting, please contact Chief Mark Amundson at amundsonm@lakeorionpolice.org.

DPW Requirements:

1. Use of Village orange cones is subject to availability.

2. The DPW will not provide extension cords or cord covers.
3. Village properties will be properly maintained by DPW prior to the event.

Fire Department Requirements:

1. The Fire Department continues to have concerns with the parade route using Front street. This hinders emergency response from the Station as this is the only way out.
2. The Fire Department will approve the event as presented with concerns noted. It should be understood, in the event of an emergency response, the FD will stop the parade to exit the area.

THIS RESOLUTION WAS DULY ADOPTED BY LAKE ORION VILLAGE COUNCIL AT ITS REGULAR MEETING HELD ON MONDAY, OCTOBER 26, 2026.

Debbie Nogle
Village of Lake Orion Clerk/Treasurer

CERTIFICATION

I, Debbie Nogle, duly appointed Clerk of the Village of Lake Orion, Oakland County, Michigan, do hereby certify that the foregoing is a true and correct copy of Resolution No. 2026-038 adopted by the Village of Lake Orion Village Council at its regular meeting held on the 26th day of October 2026.

Given under my hand and seal of the Village of Lake Orion, Oakland County, Michigan this 26th day of October 2026.

Debbie Nogle
Village of Lake Orion Clerk/Treasurer

DATED: October 27, 2026

Village of Lake Orion

Printed: 10/20/2026

Special Event
SE-2026-022

Balance
$0.00

Applicant	Application #	Submitted	Issued	Starts	Expires	Identifier
Bill Kokenos	**OE6-F6S**	**Jun 9, 2026**	**--**	**Dec 5, 2026**	**Dec 6, 2026**	**--**

Applicant Information

APPLICANT
Bill Kokenos

b21koko@gmail.com

(248) 802-5521

3321 Grove Ln, Auburn Hills, MI 48326

Same as mailing address

Agent

AGENT
Jerry Narsh

jerrynarsh@yahoo.com

(248) 884-0911

433 E Shadbolt St, Lake Orion, MI 48362

Same as mailing address

Internal

Conditions

Police Reimbursement

The applicant shall be responsible for reimbursing the Village for all police resources and related ancillary costs dedicated exclusively to this event. This policy is intended to ensure full cost recovery, and the applicant will be billed for the actual costs incurred. This includes, but is not limited to, staffing of the event, time spent on event planning, coordination meetings, site inspections, and setup.

At a minimum, one dedicated police officer must be assigned to the event from start to finish. The need for additional staffing will be evaluated during planning meetings with the Chief of Police or their designee.
Upon request, the Chief of Police may provide a preliminary cost estimate for police services. The final invoice will reflect only the actual costs of police services provided.

Pre-Planning Meeting with Chief of Police
A pre-planning meeting with the Chief of Police or their designee is required for all events involving dedicated police resources.

To schedule this meeting, please contact Chief Mark Amundson at amundsonm@lakeorionpolice.org.

The Fire Department continues to have concerns with the parade route using Front street. This hinders emergency response from the Station as this is the only way out.

The Fire Department will approve the event as presented with concerns noted. It should be understood, in the event of an emergency response, the FD will stop the parade to exit the area.

Issued By:

N/A

Internal Notes - Employee Communication

- Mr. Kokenos called and spoke with me, stating that he will provide a copy of the insurance certificate closer to the event date and confirming that the parade route will remain the same as shown on the submitted event map and in previous years, beginning at Blanche Sims Elementary School and ending at the Ehman Center. -LBlough on 6/9/2026
- Signature is missing (map route was uploaded) - KRB 6.12.26
- Some of the information related to signs is missing - KRB 8.12.26

~~~~~~~~~~~~~

Applicant stopped by Village Hall on 10/7/2026 and paid $100 for the right-of-way (ROW) portion of the permit fee. They mentioned adding an additional tent in front of Lucky's and stated they have already coordinated this with the Police and Fire Departments. The applicant will provide a copy of their insurance closer to the event date. -LBlough on 10/7/2026

~~~~~~~~~~~~~~~

Per a conversation on 10/12/2026 with co-applicant Jerry Narsh, the parade committee has decided to promote the event strictly on social media to save on sign fees. —LBlough on 10/12/2026

Approved Event:

N/A

General Information

Event Location

Florence St, Flint St, Anderson St, Front St, Broadway St, Elizabeth St, Ehman Center
Lake Orion, MI 48362

Event Locations

From Blanche Sims School to the old school admin building

Zoning District

DC - Downtown Center

Event Name

Orion Lighted Christmas Parade

Event Details

Date / Hours of Event

THis is the annual Orion Lighted Christmas Parade

12/05/26 3:00 pm to 9:00pm

Date / Hours of Set-up and Tear Down

3:00 pm till 9:00pm 12/05/2026

Event Map

2025 Parade Route.pdf

Street Closures and / or Parking Lot closures necessary?

Yes

If yes, how many days?

1

If yes, describe

The date of the parade is Saturday December 5th from approx 3:00pm till 9:00 pm

Green's Park Reservation?

No

Green's Park Reservation Date/Hours

N/A

Green's Park Reservation Duration (Days)

N/A

Gazebo Rental?

No

Gazebo Rental Type

N/A

Gazebo Rental Date/Time

N/A

Gazebo Hour

N/A

Coordinating Event Details

N/A

Coordinating with Another Event?

No

If yes, Event Name

N/A

Event Details

Type of Event

Group

Status

Non-Profit

If Non-Profit, provide proof of non-profit status such as IRS Determination Letter 501(c)(3), IRS Form 990, or Articles of Incorporation

tax exempt doc.pdf

Is this event expected to occur next year?

Yes

If Yes, provide next year's specific dates

12/04/2027

If this event a Fund raiser?

No

If YES, indicate beneficiary information

N/A

Is this the first time the event is being held in Village of Lake Orion?

No

Describe above selection

This is the annual Orion Lighted Christmas Parade

Was this event previously held outside the Village of Lake Orion?

No

Describe above selection

it is always held in the village

Event Details (continued)

Total estimated attendance each day

10,000

What parking arrangements will be necessary to accommodate attendance?

Parking Plan is done by the Lake Orion Village Police

Parking Plan

How will trash be handled?

DPW

Is amplification of music or speakers planned or anticipated?

Yes

If yes, describe

12/05/2026 from approx 1:00 pm (for testing) Til 8:00 pm. Parade starts at 6:00 pm and will be announced between 6:00 pm and 8:00 pm

Will tents be used?

Yes

If yes, indicate number of tents, use of each, location and size

2 tents. The location will be at the corner of Broadway and Shadbolt, In the old Orion Review parking lot. This is our Santa Tent and has been there for the past 4 years. One more tent in front of Lucky's at the corner of Broadway and Front Street.

Portable restrooms

If yes, number of portable restrooms and location

Yes

Possibly- Have to see what our budget allow

Food / Alcohol / Merchandise

Will alcoholic beverages be served?

No

If yes, describe

N/A

Is liquor license issued by the State of Michigan?

N/A

If yes, whose name is the license issued to

N/A

Copy of License

Will food and beverages be sold?

No

If yes, describe

N/A

Will merchandise be sold?

Yes

If yes, describe

Possibly by stores that are in the village. No outside vendors will be allowed per the Orion Area Parade Group and the Lake Orion Police Dept

Request Use of Village Equipment ONLY

Use of Equipment Start (Day / Time)

LOPD uses equipment

Use of Equipment End (Day / Time)

12/05/2026-

Barricades/Traffic Cones

Yes

If yes, describe

L.O.P>D takes care of this

Temporary Closure Signage

Yes

Trash Cans

Yes

Electrical Connections

Yes

If yes, describe

L.O.P.D. takes care of closure signs, DPW takes care of the trash and we use generators and electricity from the poles if required

Water

No

If yes, describe

N/A

Emergency Fire Equipment, such as ambulance

Yes

If yes, describe

Fire Dept is on hand in case of an emergency

Use of Police Services

Yes

If yes, describe

They control traffic crowds and whatever else needs to be done

Other Village Services

No

If yes, describe

N/A

Municipal Equipment

Event Signs

Will this event include the use of signs?

No

Location(s) of Sign

PNC Bank,Lumber Yard, American Legion Fence, Auto Zone and fence at Greens Park - Cancelled

Sign Dimensions

Orion LIghted Christmas Parade
This Saturday
6:00 pm In the Village of Lake Orion - Cancelled

Sign Sketch Plan

Location Map

Temporary Display Start

Nov 22, 2026

Temporary Display End

Dec 8, 2026

Quantity of Temporary Signs

0

OLD_Quantity of Temporary Signs

N/A

Certifications and Signatures

Signature of Sponsoring Organization's Agent

2025 Parade Route.pdf

Certificate of Insurance naming the Village of Lake Orion as Certificate Holder and Additional Insured

2025 Parade Route.pdf

Hold Harmless Agreement

Hold Harmless Agreement

20260609 Hold Harmless.pdf

Fees

Application Fee	$25.00
Special Event - Right Of Way	$75.00
Application Sign Fee	$0.00
TOTAL	**$100.00**
PAID	**$100.00**
BALANCE DUE	**$0.00**

Transaction Log

10/07/2026 **Payment** Other **$100.00**

Receipt #60500 - paid in office

Communication

Mark A October 14, 2:36 PM EDT
Police Reimbursement

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Pre-Planning Meeting with Chief of Police

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To schedule this meeting, please contact Chief Mark Amundson at amundsonm@lakeorionpolice.org.

Workflow

1. Payment - COMPLETED
Assignee: Lynsey Blough

2. Administrative Review - COMPLETED
Assignee: Lynsey Blough

3. Dept. of Public Works Review - COMPLETED
Assignee: Sam Hicks

4. Public Safety Review - COMPLETED
Assignee: Mark Amundson

5. Fire Department Review - COMPLETED
Assignee: John Pender

6. Council Review - ACTIVE
Assignee: Lynsey Blough

7. Planning & Zoning Review - INACTIVE
Assignee: Sommer Nafal

8. Issue Permit - INACTIVE
Assignee: Lynsey Blough

2024 ORION LIGHTED CHRISTMAS PARADE ROUTE



Village of Lake Orion
EST 1859

Village of Lake Orion
21 E. Church Street
Lake Orion, Michigan 48362
Tel 248.693.8391
Fax 248.693.5874
www.lakeorion.org

HOLD HARMLESS AGREEMENT

FOR AND IN CONSIDERATION of the granting by the Village of Lake Orion to permit/allow *

Orion Lighted Parade	12/05/2026 12:00 pm till 9:00pm
Activity/Event	Dates and Time

Orion Lighted Christmas Parade
General Description of Location

Village of Lake Orion

as requested by the undersigned, the undersigned does hereby agree to fully hold harmless, defend and indemnify the Village of Lake Orion, and all of its officers, officials, agents and employees, with respect to all claims, losses, damages, causes of action, judgments, costs and expenses, including reasonable attorney fees, whether or not the same are now known, liquidated, discovered, discoverable or justifiable, which may be asserted, brought or rendered against, incurred or suffered by, and/or imposed upon, the Village of Lake Orion and/or its officers, officials, agents and employees, by reason of or arising out of the grant or exercise of the rights stated above granted by the Village of Lake Orion to the undersigned.

Applicant/Property Owner/Contractor Signature**

Witness One Signature ***

Bill Kokenos
Applicant/Property Owner/Contractor Printed Name

Kim LaValley
Witness One Printed Name

06/09/2026
Date

Witness Two Signature ***

Cathy Grant
Witness Two Printed Name

* *Applicant MUST provide information regarding what the activity is, date(s), times activity will be held and the areas (public sidewalks, streets, parking spaces, etc.) that are affected.*

** *If the activity is obstructing public right-of-way for work on private property, the property owner or contractor MUST provide their signature.*

*** *The signatures from two (2) witnesses are required.*

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC: Approval of Village Council Regular Meeting Minutes of October 12, 2026

RECOMMENDED MOTION: To approve the Village Council Regular Meeting Minutes of October 12, 2026, as presented.

MINUTES

REGULAR MEETING OF THE VILLAGE COUNCIL

Monday, October 12, 2026

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

1. Call to Order

The October 12, 2026, Village Council Regular Meeting was called to order by President Rutt at 6:30 PM.

2. Pledge of Allegiance

3. Roll Call and Determination of Quorum

PRESENT
President Teresa Rutt
President Pro Tem Stan Ford
Council Member Nancy Moshier
Council Member Michael Lamb
Council Member George Dandalides
Council Member Alex Comparoni Jr
Council Member Eric Papacek

STAFF PRESENT
Village Manager Darwin McClary
Chief of Police Mark Amundson
DPW Interim Director Sam Hicks
Clerk/Treasurer Debbie Nogle
Deputy Clerk/Treasurer Lynsey Blough
DDA Executive Director Matthew Gibb

4. Presentations

None.

5. Call to the Public

Annalise Costantino, owner of Boutique Chic at 120 South Broadway, expressed interest in a DDA appointment and made herself available to answer any questions.

6. Approval of Agenda

MOTION made by President Pro Tem Ford, Seconded by President Rutt, to approve the October 12, 2026, Village Council Regular Meeting Agenda, as presented.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

7. Consent Agenda

All items on the Consent Agenda are approved by one vote.

MOTION made by President Rutt, Seconded by President Pro Tem Ford, to approve the Consent Agenda with the removal of the following:

C. Receive and File of Planning Commission Regular Meeting Minutes of September 8, 2026
G. Downtown Development Authority Board of Directors Reappointments and New Appointment

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

A. Approval of Village Council Regular Meeting Minutes of September 28, 2026

MOTION made by President Rutt, Seconded by President Pro Tem Ford, to approve the Village Council Regular Meeting Minutes of September 28, 2026, as presented.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

B. Receive and File Board of Zoning Appeals Regular Meeting Minutes of September 3, 2026

MOTION made by President Rutt, Seconded by President Pro Tem Ford, to receive and file the Board of Zoning Appeals Regular Meeting Minutes of September 3, 2026, as presented.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

C. Receive and File of Planning Commission Regular Meeting Minutes of September 8, 2026

Removed for further discussion.

D. Receive and File of Financial Statements for September 2026

MOTION made by President Rutt, Seconded by President Pro Tem Ford, to receive and file the Financial Reports for September 2026.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

E. Receive and File of Investment Report for August and September 2026

MOTION made by President Rutt, Seconded by President Pro Tem Ford, to receive and file the Investment Report for August and September 2026.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

F. Receive and File of Invoice Distribution Report for October 13, 2026

MOTION made by President Rutt, Seconded by President Pro Tem Ford, to receive and file the bills in the amount of $ 232,986.89 of which $ 17,875.88 are DDA bills for a net total of $ 215,111.01 and to receive and file the DDA bills.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

G. Downtown Development Authority Board of Directors Reappointments and New Appointment

Removed for further discussion.

H. Receive and File of September 2026 Police Department Activity Report

MOTION made by President Rutt, Seconded by President Pro Tem Ford, to receive and file the September 2026 Police Department Activity Report.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

8. Items Removed from the Consent Agenda

C. Receive and File of Planning Commission Regular Meeting Minutes of September 8, 2026

Council Member Papacek expressed concern that the Planning Commission had not fully addressed Council's request to evaluate established front setbacks in the RL District for both lakefront and side-street locations. He explained that varying lakefront setbacks can affect neighboring properties' views, property values, and the overall appearance of the lakefront, and requested that the matter be reconsidered with a more thorough analysis. Council Member Dandalides questioned the need for another motion, noting that Council had already directed the Planning Commission to evaluate the issue.

Council Member Lamb, who attended the Planning Commission meeting, stated that the Commission appeared to interpret the matter as a resident's request rather than Council's direction and was not inclined to pursue it. He supported referring the matter back to the Commission with clearer direction. President Rutt confirmed that Council's August 24 meeting motion directed the Planning Commission to evaluate established front setbacks in the RL District for lakefront and side-street locations, with no intention of reducing the setbacks. Discussion followed regarding whether a new motion was needed to clarify the direction and whether the Village Planner should provide an analysis and recommendation.

Council Member Dandalides emphasized that the Planning Commission and Village Manager should follow through on Council's direction, while Council Member Lamb acknowledged a communication issue and expressed willingness to support sending the matter back to the Planning Commission.

MOTION made by Council Member Papacek, Seconded by Council Member Comparoni Jr, to send the topic of Established Front Setbacks in the RL District back to the Planning Commission with input from the planner analyzing the lake front side setbacks.

Council Member Lamb asked Village Manager McClary whether he could communicate Council's prior direction and the resident's memorandum to the planner for consideration by the Planning Commission. Village Manager McClary agreed to share the information and determine whether the Commission would give the matter further consideration.

Council Member Dandalides clarified that he expected the Planning Commission, with the planner's expertise, to evaluate the existing lakefront setback provisions and return with either a recommendation for changes supported by objective criteria or an explanation of why the current requirements were sufficient. Council Member Lamb agreed that a more complete evaluation was needed but emphasized that the matter appeared to stem from a misunderstanding and that communication with the Planning Commission should be clarified rather than questioning its members' performance.

Council Member Dandalides added that if the Commission declined to address the matter, Council could consider it directly. President Rutt reiterated the pending motion to refer the matter back to the Planning Commission with input from the planner. Village Manager McClary noted that the discussion had clarified Council's expectations and recommended amending the

motion to specify that the Commission should provide either proposed changes and the rationale for them or an explanation supporting the adequacy of the existing provisions.

MOTION made by Council Member Papacek, Seconded by Council Member Comparoni Jr, to amend the initial motion to send the topic of Established Front Setbacks in the RL District back to the Planning Commission with recommendations and changes from the planner analyzing the lake front side setbacks and why the current provisions are adequate.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

Harry Stephen clarified that the issue concerns applying the existing street-side setback formula which considers the setbacks of three houses in a row, to lakefront setbacks as well. He emphasized that the intent was to apply the same formula currently used for street-side locations to the lakeside.

MOTION made by President Rutt, Seconded by President Pro Tem Ford, to receive and file the Planning Commission Regular Meeting Minutes of September 8, 2026.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

G. Downtown Development Authority Board of Directors Reappointments and New Appointment

Council Member Lamb clarified that his concerns were not directed at the DDA nominees or the Council President's nominations, but rather at the need for broader representation on the DDA Board. He noted that the nine-member Board primarily consists of business owners, with the Council President and one other citizen representing residents and expressed concern that residents outside the DDA District lacked representation despite residential properties contributing a substantial portion of the tax dollars captured by the DDA. He recommended postponing action on the reappointments and new appointment until the next meeting to allow Council to address a related agenda item concerning DDA protocols. Village Manager McClary advised that the item could be postponed.

Council Member Dandalides reviewed the DDA Board composition requirements under Public Act 57, noting that at least five members must have an interest in property located in the downtown district, at least one must be a district resident, and no more than two may be appointed at large. He stated that only one application had been received since the appointments were previously postponed and questioned the benefit of further delay. Deputy Clerk/Treasurer Blough confirmed that one application had been received and it's Ms. Costantino's. Council Member Papacek clarified that his previous concerns were procedural rather than related to Board composition, explaining that he preferred to complete the proposed structural changes before making appointments but was willing to proceed if the statutory requirements were met. President Rutt noted that the Council President serves on

the DDA Board regardless of whether the officeholder resides within the district. Council Member Lamb disputed aspects of the discussion regarding the Board's composition and recruitment process, reiterated his concerns about longstanding appointments and maintaining the status quo, and favored postponing action until related procedural issues were resolved. Pro Tem Ford supported making the appointments before changing the process, suggesting that revisions could be considered for future appointments. Council Member Comparoni Jr also supported proceeding with the appointments, noting that the applicants were available and that the matter had already been delayed.

MOTION made by Council Member Lamb, Seconded by Council Member Moshier, to postpone the reappointments and appointment to the next meeting.

VOTING YEA: Lamb, Moshier
VOTING NAY: Rutt, Ford, Dandalides, Comparoni Jr, Papacek
ABSENT: None
MOTION: Failed

MOTION made by Council Member Dandalides, Seconded by President Rutt, to approve the President's appointment of Alaina Campbell, Todd Garris, and Annalise Costantino, to the DDA Board with terms expiring October 31, 2030.

VOTING YEA: Rutt, Ford, Dandalides, Comparoni Jr, Papacek
VOTING NAY: Lamb, Moshier
ABSENT: None
MOTION: Carried

9. Public Hearings

None.

10. Other Items

A. Ordinance Amendment – Chapter 30 – Downtown Development Authority – Second Reading and Adoption

Council Member Lamb questioned the need for additional legal review, noting that the Village Attorney drafted the ordinance and that the item was at its second reading and final adoption. He supported the proposed change as a means of improving DDA oversight and communication without altering the Board's structure. President Rutt requested a written legal opinion clarifying the Village Charter's distinction between the Chief Executive Officer and Chief Administrative Officer and how those provisions relate to state law. Village Manager McClary confirmed that he would refer the questions to the Village Attorney. Council Member Dandalides supported obtaining the additional legal input, while Council Member Papacek expressed concern that further review would delay a proposed improvement. During public comment, DDA Executive Director Gibb supported referring the matter to the Village Attorney, citing questions regarding the Village Charter, Council rules, and the Village Manager's authority under Public Act 57. He also questioned the need for the change, noting that the Village Manager already attends DDA meetings and maintains communication with the Board.

MOTION made by Council Member Comparoni Jr, Seconded by President Rutt, to postpone action until we get written communication opinion from the village attorney.
VOTING YEA: Rutt, Ford, Dandalides, Comparoni Jr,
VOTING NAY: Lamb, Moshier, Papacek
ABSENT: None
MOTION: Carried

B. Review of Village Hall Hours of Operation

Council Member Comparoni supported a four-day, ten-hour schedule, citing estimated annual savings of $25,000–$30,000 and low Friday counter usage. Council Member Moshier favored a five-day schedule, questioning the reduction in staff availability. Council Member Papacek supported either four ten-hour days or five eight-hour days, provided cost savings were maintained. President Rutt supported cost savings, noting that Friday visits were limited, particularly after excluding police-related services. Council Member Dandalides favored five eight-hour days, citing the need for consistent public access, insufficient data comparing daily visits, and the potential to avoid hiring additional staff. Council Member Lamb also supported five eight-hour days, arguing that the Village should provide service five days a week without requiring employees to work ten-hour days. Village Manager McClary clarified that staff contracts do not require a four-day schedule and explained that Friday visits had declined following residents' adjustment to monthly water and sewer billing.

Rosemary Ford questioned whether the longer hours were intended to accommodate residents and contractors before and after typical work hours and urged Council to make a decision and clearly communicate the schedule.

Harry Stephen supported a later start time, questioned the need for a 7:30 a.m. opening, and recommended collecting reliable data on daily counter traffic.

Francesco Komendera supported maintaining five-day public access, expressing concern that reduced availability would inconvenience residents, particularly those on fixed incomes, and suggested staggered staff schedules to accommodate public needs.

Dave Otto also supported a five-day, 40-hour workweek, emphasizing public service, flexible hours for contractors, and the opportunity to achieve cost savings without closing Village Hall on Fridays.

MOTION made by Council Member Comparoni Jr, Seconded by President Rutt, to approve a change in Village Hall administrative hours of operations from the current Monday through Friday, 7:30 AM to 5:30 PM, to a new schedule of Monday through Thursday, 7:30 AM to 5:30 PM, effective Monday, November 2, 2026.
VOTING YEA: Rutt, Ford, Comparoni Jr
VOTING NAY: Dandalides, Lamb, Moshier, Papacek
ABSENT: None
MOTION: Failed

MOTION made by Council Member Dandalides, Seconded by Council Member Moshier, to approve a change in village hall administrative hours of operation from the current Monday through Friday, 7.30 a.m. to 5.30 p.m. to Monday through Friday, 8 hours a day, to be determined by the village administration, effective on Monday, November 2, 2026.

VOTING YEA: Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: Rutt, Ford
ABSENT: None
MOTION: Carried

11. Call to the Public

Harry Stephen raised concerns regarding eight credit card charges made on cards assigned to former employees, the limited attendance of Council candidates at the meeting, the lack of information about special assessments for road improvements, and service fees associated with the water and sewer bill autopay system. He recommended issuing new cards to current employees and expressed concern about the timing of special assessment notifications and the additional costs to residents using autopay.

Rosemary Ford thanked the DDA for the festive downtown decorations, noting that they have attracted families and visitors taking photos. She also recognized the DPW for its work, specifically highlighting the bright yellow paint on the Village Hall steps to improve visibility.

Francesco Komendera expressed concern that essential services and personnel, including firefighters, police officers, and DPW staff, must seek additional funding for necessary needs. He emphasized the importance of public participation, listening to residents' personal and financial struggles, and balancing data-driven decisions with compassion. He stressed that protecting the lake is essential to the community's future.

12. DDA Executive Director Comments

DDA Executive Director Gibb announced that Lake Orion had been named a semifinalist for the Great American Main Street Award, recognizing the community's downtown revitalization efforts, and credited Village leadership, local businesses, sponsors, and volunteers for their contributions. He reported that the Lumberyard Project was progressing toward Planning Commission and Council review of the final PUD, the project budget remained generally on track despite rising construction costs, and a SEMCOG Greenways Initiative grant for bank stabilization was under review. Downtown businesses continued to transition, with Clover and Creek nearing opening, a financial office moving into the former Twice Blessed location, and only one downtown vacancy remaining. Upcoming events included the October 21 Halloween parade and extravaganza, October 24 Witches Night in partnership with Oxford, Shop Small Saturday, the Lighted Parade, and Polar Express. He also announced plans for public informational meetings in November and December to review DDA finances and activities, encouraged public participation in DDA committees and meetings, and emphasized the significance of the national recognition for future investment and tourism.

13. Council Comments

Council Member Lamb asked where residents could access the preliminary estimated special assessments for the paving project, emphasizing the importance of understanding the anticipated costs, rationale, and timing. Village Manager McClary said he would address the information in his report. Council Member Lamb also noted the progress on street paving and sewer repairs and rising costs.

Council Member Comparoni Jr praised the Police Chief and department for their service and commitment to public safety, commended Village Manager McClary for managing Village finances efficiently, welcomed Ms. Nogle, recognized Deputy Clerk/Treasurer Blough for her assistance, and thanked everyone for attending.

President Pro Tem Ford praised the success of the recent parade and thanked the Police Department and reserve officers for their coordination and interaction with attendees. He also highlighted upcoming DDA events, including the Halloween Extravaganza and Witches Night, and expressed appreciation for the Village's community activities.

Council Member Dandalides thanked Alaina Campbell and Todd Garris for their DDA service and congratulated them on their reappointments, while welcoming Annalise Campbell. He praised President Rutt for her presentation at the Chamber of Commerce State of the Community meeting. He also clarified his recommendation for adjusting staff schedules to provide earlier and later office coverage while maintaining five eight-hour workdays, leaving implementation to the Village Manager.

Council Member Moshier thanked those attending and watching the meetings, noted that the street improvement project was progressing, and acknowledged that his area was not included in the current phase but may be addressed later. He also commented on the pleasant weather and changing fall temperatures.

Council Member Papacek praised the downtown decorations and community activities, including an Orion Township Fire Department event. Regarding the street paving project, he acknowledged ongoing communication with residents but recommended providing earlier information about special assessment costs and more detailed advance notice of work affecting driveways to improve communication on future projects.

President Rutt thanked DDA members for their service and welcomed the new appointee, praised the downtown fall decorations and community events, and commended the Police Department for ensuring safety during the Homecoming Parade. She also highlighted community participation in Chamber of Commerce events and expressed frustration with fees charged for automatic water bill payments.

14. Village Manager Comments

Village Manager McClary reported that staff are exploring an autopay option without additional fees, welcomed new Clerk/Treasurer Debbie Nogle, and thanked the DDA for the downtown Halloween decorations. He provided updates on the Atwater Park basketball court replacement, administrative assistant hiring, and Public Works Director recruitment. The 2026 Street Improvement Program began September 28, with substantial completion expected in early

November. Council will discuss special assessment options at its October 26 meeting, with assessments potentially spread over 10 years. He also reported that Public Works outsourcing options are under review, a property acquisition inquiry at North Broadway and West Elizabeth is progressing, and additional Council discussions are forthcoming.

15. Closed Session Items

16. Business From Closed Session

17. Adjournment

MOTION made by Council Member Comparoni Jr, Seconded by Council Member Lamb, to adjourn the October 12, 2026, Village Council Regular Meeting.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

The October 12, 2026, Village Council Regular Meeting adjourned at 8:29 PM.

_____
Teresa Rutt
President

_____
Lynsey Blough, CMC
Deputy Clerk/Treasurer

_____
Debbie Nogle
Clerk/Treasurer

Date Approved: as presented on October 26, 2026

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC: Receive and File of DDA Regular Meeting Minutes of September 15, 2026

RECOMMENDED MOTION:

To receive and file the September 15, 2026 Regular Meeting Minutes of the Downtown Development Authority Board, as presented.

MINUTES

REGULAR MEETING OF THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD

Tuesday, September 15, 2026

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

1. Call to Order

The September 15, 2026 Downtown Development Regular Meeting was called to order at 6:31 PM by Vice Chairperson Caruso.

2. Roll Call and Determination of Quorum

PRESENT
Vice Chairperson Sam Caruso
Treasurer Matt Shell
Secretary Hank Lorant
Board Member Alaina Campbell
Board Member Todd Garris
Board Member Chris Barnett
President Teresa Rutt

ABSENT
Chairperson Debbie Burgess
Board Member Lloyd Coe

STAFF PRESENT
Executive Director Matthew Gibb
Administrative Coordinator Tracy Woodrum
Village Manager Darwin McClary
Deputy Clerk/Treasurer Lynsey Blough

3. Approval of Minutes

A. Approval of DDA Regular Meeting Minutes of August 18, 2026

MOTION made by Vice Chairperson Caruso, Seconded by Secretary Lorant, to approve the Downtown Development Authority Board Regular Meeting Minutes of August 18, 2026, as presented.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

4. Approval of Agenda

MOTION made by Treasurer Shell, Seconded by President Rutt, to approve the Downtown Development Authority Board Regular Meeting Agenda of September 15, 2026 with the addition of the following item under 8. New and Old Business:

H. Joint Facilitated Leadership Training

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

5. Call to the Public

None.

6. Consent Agenda

7. Financial Matters

A. Financial Reports

MOTION made by Board Member Barnett, Seconded by Secretary Lorant, to receive and file the financial reports for September 2026.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

B. Bill Approval

MOTION made by Treasurer Shell, Seconded by Secretary Lorant, to approve disbursements in the amount of $69,033.06 for August 2026.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

8. New and Old Business

A. Lumber Yard Budget - Site Development / Cost to Complete

Executive Director Gibb presented the proposed Lumber Yard site development and cost-to-complete budget, noting approximately $1.9 million in available project funds. Site development was estimated at $1.15 million, while the Village Engineer's cost-to-complete estimate was approximately $900,000 plus a 15% contingency. The overall remaining project cost was estimated at approximately $1.65 million, leaving a contingency of approximately $250,000 to $450,000 depending on the final available balance. The budget provides for completion of the site improvements, including the trailhead, walkways, lighting, parking, landscaping, market rack, barn, and bakery build-out.

MOTION made by Treasurer Shell, Seconded by Board Member Barnett, to approve the Lumber Yard at Paint Creek Site Development Budget Comparison Report and Cost-to-Complete Budget Report as the basis for a combined working budget of $1,653,500, consisting of $1,200,000 for site development, $74,000 for the contracted fire- suppression system, $330,000 for the seven identified completion categories and $49,500 in contingency; to retain $246,500 of the assumed $1,900,000 in available funds as uncommitted reserve; and to direct staff to reconcile scope, confirm the treatment of excluded structures, and bring contracts back for Board approval as required under applicable procurement policies

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

Board Member Barnett thanked Executive Director Gibb for the thorough work and information provided, noting that the presentation addressed questions raised at the previous meeting.

B. Budget Adjustment – Lumber Yard

Executive Director Gibb explained that the balance sheet through August 31 confirms sufficient funds and fund balance in the bond funds to proceed with the requested action. He requested authorization to transfer $1.9 million from the bond fund balance in Account 301 to Account 301-901-971, Capital Outlay – Buildings, to consolidate project expenditures into a single capital line for detailed accounting and auditing purposes.

MOTION made by Board Member Barnett, Seconded by Secretary Lorant, to amend the adopted Fund 301 budget to appropriate $1,900,000 of available Fund 301 fund balance for the Lumber Yard at Paint Creek project and to increase the appropriation in account 301- 901-971-000, Capital Outlay – Buildings, by $1,900,000. I further move to direct the Village's finance staff to record the corresponding planned use of fund balance and adjust the projected ending Fund 301 fund balance in the budget. This action establishes budget authority; individual contracts and expenditures remain subject to applicable procurement requirements and Board approval where required.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None

ABSENT: Burgess, Coe
MOTION: Carried

C. Mickey's Construction reconciliation and Triple R Electric invoices

Executive Director Gibb explained that the $28,930 in change orders for Mickey's Construction primarily involved preliminary site work necessary to prepare for electrical, water, and other utilities. He noted that much of the work supported the installation of electrical conduit and was completed in coordination with DTE and previously approved concrete work. He stated that a signed reconciliation agreement brings Mickey's Construction current on all amounts owed through the date of the meeting.

MOTION made by Treasurer Shell, Seconded by Board Member Barnett, to approve the Mickey's change order detailed in the agenda in the amount of $28,930.83 that would be payable from GL 301-901-971-000, Capital Outlay Buildings.
VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

MOTION made by Treasurer Shell, Seconded by President Rutt, to approve the Triple R Electric for the main bar exterior layout, boxes, cable supports, and south wall conduit in the amount of $7,408.41 from GL 301-901-971-000, Capital Outlay Buildings.
VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

D. HVAC System – Lumber Yard

Executive Director Gibb explained that the DDA remains committed to providing the bakery building to Tringali's Bakery as a finished shell with basic utilities and HVAC. He stated that the existing HVAC system is obsolete and that the building requires heating and air circulation to protect recent water improvements and prevent moisture-related damage. Three local firms submitted design-build proposals, with two at approximately $40,000 and Thermal Care, Inc. at $19,000. He recommended awarding the contract to Thermal Care, Inc., noting that the DDA would be responsible for approximately $7,000 in additional gas service costs but would still remain below the other viable proposals.

Treasurer Shell questioned whether Thermal Care's proposed system would be sufficient. Executive Director Gibb explained that it would provide an adequate base system for the intended retail use and could be expanded by the future tenant if needed. Board Member Barnett supported the proposal and design-build approach but suggested obtaining pricing for a three-ton air conditioning system. President Rutt agreed that the additional pricing would be helpful to confirm adequate capacity. Executive Director Gibb agreed to obtain the information and return to the Board for approval of any additional cost exceeding the authorized amount.

Board Member Campbell asked to confirm if future tenant could make additional improvements to the system, which Executive Director Gibb affirmed.

MOTION made by Treasurer Shell, Seconded by Board Member Barnett, to approve Thermal Care Heating and Air Conditioning estimate No. 3259 for heating, cooling and ductwork at the Lumber Yard bakery building, in an amount not to exceed $19,245 from Fund 301, GL 301-901-971-000 Capital Outlay - Buildings; and authorize the Executive Director to execute the agreement after written confirmation of adequate capacity and distribution for retail use and available gas, electrical, venting and permits within that price. Any increase or material scope change shall return to the Board.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

E. Budget Adjustment – Lumber Yard

Executive Director Gibb requested that the item be postponed to October due to an incorrect agenda title. He noted that the DDA's $595,000 Public Spaces Grant through Main Street Oakland County has been fully expended and reconciled, with all required accounting submitted and supporting documentation maintained in the Village's BS&A system. He stated that the reports would be presented at the next meeting for filing and inclusion in the public record.

MOTION made by Treasurer Shell, Seconded by Secretary Lorant, to table the item to the next meeting.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

F. PUD Development Agreement – Lumber Yard

Executive Director Gibb explained that the proposed 46-page Planned Unit Development (PUD) Agreement is comprehensive because of the project's complexity and anticipated future uses. He stated that the agreement establishes parameters for retail uses, open-air markets, events, signage, fire and safety requirements, and other operations while allowing certain future changes administratively without requiring repeated reviews when the use and site plan remain unchanged. Director Gibb requested that the DDA Board adopt the agreement in draft form to establish a framework for the PUD process and provide a public record of the project's requirements and permitted activities.

MOTION made by Treasurer Shell, Seconded by Secretary Lorant, to approve the draft Planned Unit Development Agreement for the Lumber Yard at Paint Creek, as prepared by the Executive Director and included in the Board agenda packet; authorize the Executive Director to incorporate any necessary edits or revisions recommended by the Village Attorney; and authorize the Executive Director to execute and deliver the final agreement on behalf of the

Authority following Village approval, together with any related exhibits and documents reasonably necessary to implement and record the agreement.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

Vice Chair Caruso commended Director Gibb for his expertise and the significant time and effort he has devoted to the project, noting that his work has resulted in substantial savings on architectural and legal costs. Treasurer Shell and Board Member Campbell agreed, and Executive Director Gibb acknowledged that the work was a team effort.

G. Horse and Wagon Rides – Sing & Stroll Event

Executive Director Gibb stated that the annual tree-lighting event, being rebranded as "Light Up Lake Orion," will include horse and wagon rides. He requested authorization to enter into a contract for the horse and wagon service, at an anticipated cost of approximately $2,200, noting that the contract is separate from the Village's event-application approval process.

MOTION made by Board Member Barnett, Seconded by Secretary Lorant, approve horse-drawn carriage rides as a recurring component of the DDA's Light Up Lake Orion and Shop Small Saturday programming; approve the Blackstone Stables Horse Drawn Carriage Co. agreement for November 19 and November 28, 2026, in an amount not to exceed $2,200, charged to GL 248-729-880-012, Sing & Stroll Tree Lighting; and authorize the Executive Director to finalize the route, staging, schedule and internally consistent deposit terms and execute the agreement, provided the total price and material scope do not change. Attachment: Blackstone Stables Carriage Ride Contract for November 19 and November 28, 2026.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

Board Member Campbell questioned whether the horse-drawn vehicle would be a carriage or wagon. Executive Director Gibb confirmed that the same wagon service used the previous year would be provided. President Rutt noted that the wagon rides were highly popular at the prior event.

H. Joint Facilitated Leadership Training

Executive Director Gibb reported on follow-up discussions from the joint meeting with the Village and stated that one consensus was to pursue facilitated leadership training for the DDA Board and newly elected Village Council following the November election. He requested authorization to invite the Village Council, through the Village Manager, to participate in the training beginning in January and noted that the cost would be shared. He identified Oakland County and Main Street Oakland County as potential facilitators.

Secretary Lorant asked whether the proposed leadership training had already been presented to the Village Council. Executive Director Gibb clarified that the motion would authorize him to extend an invitation to the Village Council through the Village Manager for its consideration, with no binding commitment by either body.

MOTION made by Treasurer Shell, Seconded by Secretary Lorant, to direct the DDA director to issue an invitation to the Village Council through its Village Manager to jointly participate in a facilitated leadership training beginning in January 2027, sharing the cost thereof equally, and mutually choosing a neutral facilitator in the quality and reputation of filament who is offered as an approved option.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

9. Reports, Resolutions and Recommendations

A. Main Street Committee Minutes

Executive Director Gibb apologized to Board Member Campbell for inadvertently omitting her committee minutes from the packet and stated that they would be included at the next meeting. He explained that, going forward, minutes from all four committees would be presented to the Board to become part of the public record. The item before the Board was to receive and file the attached Promotions and Design Committee minutes.

MOTION made by Treasurer Shell, Seconded by Board Member Barnett, to receive and file the Promotion and Design Committee Minutes.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

B. Executive Directors Report

Executive Director Gibb provided an update on DDA activities, including plans to add event and marketing metrics to future reports, the success of Dragon on the Lake and LOLive, and continued collaboration with community partners. He reported on efforts to monitor utility costs, use Placer.ai data to support downtown economic development, pursue grant funding for bank stabilization and creek improvements, and upcoming recognition through the American in Bloom program.

MOTION made by Treasurer Shell, Seconded by Secretary Lorant, to receive and file the Executive Director's Report.

VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt
VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

10. Board Comments and Training Feedback

Board Member Barnett expressed frustration regarding recent Village Council discussions concerning the DDA and the appointment of Board members. He emphasized the contributions of DDA volunteers and Board members to the community and downtown, and stated that he believes the Board's work and volunteers should be supported and appreciated. He also thanked those attending and serving the community.

Board Member Garris agreed with Board Member Barnett's comments, commended Executive Director Gibb's work on the PUD, and expressed appreciation for the Board and its members.

Secretary Lorant commended the team for the thoroughness of the 168-page Board packet and thanked the Board for its support. He also noted the success of Dragon on the Lake and the DDA's role in attracting attendees despite the rain.

Treasurer Shell echoed the earlier comments and thanked Executive Director Gibb, Administrative Coordinator Woodrum, and the Board for their significant work and contributions.

Board Member Campbell expressed her appreciation for the community and downtown businesses and emphasized the importance of local businesses supporting the community through event sponsorships. She thanked the Board members and businesses that sponsored Dragon on the Lake and recognized the support provided to the Arts Center. She also thanked Executive Director Gibb for pursuing the SEMCOG grant.

Board Member Barnett suggested contacting SEMCOG staff for assistance with the grant application and noted that communities that have not previously received SEMCOG grants may receive consideration. He offered to help facilitate a conversation with SEMCOG.

Board Member Campbell supported the grant application, noting the importance of stabilizing the banks of Paint Creek, a designated trout stream, due to erosion near Children's Park and the gazebo. She thanked Executive Director Gibb and Administrative Coordinator Woodrum for their work on the project.

President Rutt emphasized the longstanding need for Paint Creek bank stabilization due to erosion in Children's Park and thanked Executive Director Gibb for pursuing grant funding. She also noted that the Village Council's 3-3 vote on the reappointments of Board Members Garris and Campbell resulted in no action, and recognized their contributions to the Board. President Rutt further noted that Board Member Coe will not seek reappointment when his term expires at the end of October, resulting in an upcoming Board vacancy.

11. Next Regular Meeting – October 20, 2026

12. Adjournment

MOTION made by Treasurer Shell, Seconded by Secretary Lorant, to adjourn the September 15, 2026, Downtown Development Authority Board Regular Meeting.
VOTING YEA: Caruso, Shell, Lorant, Campbell, Garris, Barnett, Rutt

VOTING NAY: None
ABSENT: Burgess, Coe
MOTION: Carried

The September 15, 2026, Downtown Development Authority Board Regular Meeting adjourned at 7:43 PM.

_____
Debbie Burgess
Chairperson

_____
Lynsey Blough, CMC
Deputy Clerk/Treasurer

Date Approved: as presented on October 20, 2026

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC: Receive and File of September 2026 Planning and Zoning Monthly Report by McKenna

RECOMMENDED MOTION:

To receive and file the September 2026 Planning and Zoning Monthly Report by McKenna, as presented.

21 E. Church Street
Lake Orion, Michigan 48362
Tel 248.693.8391
Fax 248.693.5874
www.lakeorion.org

Monthly Planning & Zoning Report

SEPTEMBER 2026

Each month, the Village Planning Consultant, McKenna, assists in drafting a report on recent activities of the Planning Commission, Zoning Board, and the Planning & Development Department; we welcome comments.

DEPARTMENT INITIATIVES AND PROJECTS

The following projects are currently in progress:

Rezoning – 96 Park Island Road:
The Planning Commission recommended the rezoning of 96 Park Island Road from RM, Multiple Family Residential, to RL, Lake Single Family Residential at the September 8th Meeting. The next step is for review by Village Council, and if approved, followed by the Amendment of the Zoning Map.

Tax-Exempt Parcels and Village ROW Inventory: Phase III: Full inventory, inspection, and mapping of Village-owned parcels and public rights-of-way to identify the extent of improvements/encroachments on public property. A report has been created detailing the encroachments and the processes which has been undergoing review and revisions. The final report is under review.

Engineering Code Amendments: The Village Engineering Consultant has met with the Village Attorney to discuss amendments to the existing code, which will be revised to update processes and remove inconsistencies with the zoning ordinance. This process is under review.

PERMIT DETAILS

PERMIT TYPE	ADDRESS / PROJECT	DESCRIPTION	SUBMITTED	APPROVED
ZONING COMPLIANCE				
V0E-0TS	490 GRAMPIAN AVE	Installation of Deck	Sep 8, 2026	Under Review
QIK-46O	91 WASHINGTON ST	Installation of Shed	Sep 3, 2026	Under Review
RG9-47Q	29 S Slater St	Repaving existing parking lot	Sep 1, 2026	Under Review
TEMPORARY USE OF RIGHT OF WAY				
R-26-40	207 N BROADWAY ST	Remove and replace 20 linear ft of 5' wide sidewalk in front of residence.	Sep 3, 2026	Sep 8, 2026
FENCE / WALL				
M40-LQQ	90 PARK ISLAND RD	Installation of a 4 ft tall, decorative bronze aluminum non-obscuring fence, 30 LF.	Sep 4, 2026	Under Review
SIGNAGE				
SCD-CEH	468 MYSTIC COVE LN	Installation of two permanent ground signs.	Sep 9, 2026	Under Review
DEMOLITION				
No permits applications have been submitted since the date of the last meeting.				
CHANGE OF USE				
No permits applications have been submitted since the date of the last meeting.				
SPECIAL EVENT				
No permits applications have been submitted since the date of the last meeting.				

ACTIVE DEVELOPMENT PROJECTS

NAME / LOCATION	DESCRIPTION	REVIEW & APPROVAL STATUS
44. E Flint	VLO-24-02 4-story, mixed-use, multi-family, retail, and office on existing parking lot.	Planning Commission Approval: August 5, 2024; variance required BZA Approval: October 2, 2024. Engineering & Fire Marshal Approval: Awaiting revised plans ***STATUS: Has an extension until August 2026 to submit permits. Applicant will not be continuing with current plans, awaiting submittal of revised plans.***
ORION VILLAS *597 E. Flint*	VLO-23-03 Attached townhomes, 8-unit site condominiums.	Planning Commission Approval: June 5, 2023 Council Condo Docs Approval: April 8, 2024 Engineering Approval: January 10, 2024, as noted Final Zoning Approval: January 9, 2024 ***STATUS: Construction: Nearing Completion. Approved stormwater management agreement.*** ***St & Det As-builts Approved.*** ***Final Engineering received August 17, 2026***
WEST VILLAGE *55 W. Elizabeth*	VLO-23-04 Former Ehman Center PUD for mixed-use, multiple-family residential flats and lofts at the former Ehman Center property.	PC / Council PUD Eligibility Approval: September 7 / 13, 2021 PC / Council Preliminary PUD Approval: October 4 / 25, 2021 PUD Extension Approval: October 10, 2022 Planning Commission Final PUD Approval: September 5, 2023 Engineering & Fire Approval: Revise and Resubmit October 24, 2023 Council PUD Agreement Approval: December 11, 2023 Council Amended PUD Agreement Approval: June 10, 2024

		PUD Execution / Recording: Completed May 2025 Pre-Construction Meeting: Pending Final Engineering Meeting with Architects and Engineers held January 13, 2026. ***STATUS: Awaiting plan submittal.***
Lake Street Realignment and Improvements	Improvements to Lake & Flint intersection; license agreement w/Village.	Preliminary Council Approval: August 14, 2023; License Agreement Approval: November 27, 2023. Engineering Approval: August 29, 2024, as noted ***STATUS: Awaiting construction start.***
SNUG HARBOR *160 Heights*	VLO-24-01 Multifamily development; adjacent to Mystic Cove	Planning Commission Approval: May 6, 2024. Engineering Approval: September 25, 2024 Final Zoning Approval: Pending additional information ***STATUS: Condo conversion approved with conditions.***
MYSTIC COVE	VLO-22-05 Mixed-use, multifamily townhomes & dock/shoreline improvements.	Planning Commission Approval: October 3, 2022. Council Lot Reconfigurations Approval: June 2023 Final Zoning Approval: April 23, 2024 Engineering Approval: October 31, 2024 ***Construction: In Progress. Phase-1 Final As-builts approved.***
STARBOARD	VLO-23-05 Mixed-use, multifamily townhomes & marina improvements.	Planning Commission Approval: November 6, 2023. Council License Agreement Approval: November 27, 2023 Engineering Approval: Revise & Resubmit Final Zoning Approval: Pending Approved Boat House Renovation Zoning Compliance. Showroom and garage demolished. ***Status: Approved for construction.***
CONSTELLATION BAY	VLO-23-02 Mixed-use residential, multi-family townhomes and apartments, shoreline improvements.	Planning Commission Approval: October 3, 2022. Planning Commission on April 3, 2023 (amended site plan) Engineering Approval: December 16, 2024 Final Zoning Approval: November 26, 2024 Construction: December 3, 2024 - Pre-con; Demo underway ***STATUS: Received site plan extension approval. Awaiting engineering permit renewals.***
THE PENINSULA	VLO-23-07 Single-family site condominiums	Planning Commission Approval: February 5, 2024 Council Condo Doc Approval: April 8, 2024 Engineering Approval: March 10, 2025, as noted Pre-Construction Meeting: March 18, 2025 Final Zoning Approval: Granted ***STATUS: Construction ongoing, nearing finalization.***
CLOUD RETAIL *494 S. Broadway*	VLO-21-10 Commercial (marijuana retail) site plan.	Council Lot Reconfiguration Approval: March 13, 2023 Planning Commission Approval: April 3, 2023. Engineering Approval: Revise & Resubmit July 12, 2024 Final Engineering approval received May 2026. **Status: Final planning and zoning review issued May 2026. Waiting on building permits.**
WEST HARBOR ORION *225 Lake Street*	Residential, single family homes (2)	PC / Council Lot Split Approval: January 6 / 13, 2025 Demolition: In Progress Recording: Ready per Engineering Approval April 22, 2025 Zoning Review: TBD; required for each new build. ***Construction: Demolition ongoing***
EASTPORT	VLO-25-01 Cross-jurisdiction redevelopment of former commercial greenhouse for mixed use, retail, multiple-family, and single family.	Site Plan Submitted: May 5, 2025 (Township portion submitted as PUD Concept) Village-Township Joint Public Hearing: June 18, 2025. Pre-Construction Meeting: Pending Final Engineering – **Status: Awaiting formal submittal.**

ORION LUMBERYARD	Public parking lot, pavilion, and gathering space.	Demolition & Cleanup: Ongoing; Building Structural Rehab: Building permit issued and structures to be saved are receiving necessary structural shoring. PUD Application: Held pre-application at the September Planning Preliminary plans: received May 2026. Approved at the June PC Meeting. **STATUS: Received final plan submittal. Under review.**
WEST VILLAGE TOWNHOMES *315 N Lapeer St*	VLO-25-003 Demolition of school admin building and construction of 15 townhomes	Planning Commission Approval: September 2, 2025. *Awaiting applicant submittal of revised plans to address conditions of approval.* **STATUS: *Received site plan approval from Planning Commission. Applicant submitted revised final plans. Final zoning review was approved 7/20/26. Awaiting final engineering. Demo permit under review.***

LOOKING AHEAD: POTENTIAL PROJECTS

Zoning Amendments: The following table summarizes staff recommendations for Zoning Ordinance and/or Map amendments for consideration by the Planning Commission. Should the Planning Commission wish to pursue one or more of these amendments, the Commission may direct staff to further study the issue(s) and/or prepare draft amendment ordinance(s). All proposed amendments require a public hearing, a recommendation by the Planning Commission, and adoption by the Village Council.

SECTION	TOPIC / ISSUE	CHANGES
§ 91.02 UNLAWFUL TO KEEP CERTAIN ANIMALS.	The keeping of animals.	The Code of Ordinances, which prohibits the keeping of animals, is in conflict with the Zoning Ordinance, which permits the keeping of chickens and the use of chicken coops.

Prepared by:

MCKENNA

McKenna provides day-to-day assistance to Village staff and administration, applicants and developers, and the public regarding planning, zoning, and economic development matters. We also assist in the administration of the Planning Commission and the Board of Zoning Appeals. Contact your McKenna team via email:

- **Jake VanBoxel, MSA, Principal Planner (jvanboxel@mcka.com)**
- **Sommer Nafal, NCI, Assistant Planner (snafal@mcka.com)**

Or visit us during on-site office hours:

Orion Township Hall: Tuesdays, 10:00am-3:00pm

Lake Orion Village Hall: Tuesdays, 3:00pm-5:00pm

Virtual: Thursdays, 8:00am-1:00pm, Available by Appointment

(248) 693-8391 ext. 107
zoning@lakeorion.org

As always, thank you for your support and participation – *it takes a Village!*

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC: Receive and File of Invoice Distribution Report for October 27, 2026

RECOMMENDED MOTION:

To receive and file the bills in the amount of $ 211,368.94 of which $ 45,510.08 are DDA bills for a net total of $ 165,858.86 and to receive and file the DDA bills.

INVOICE DISTRIBUTION REPORT FOR VILLAGE OF LAKE ORION

EXP CHECK RUN DATES 10/27/2026 - 10/27/2026
POSTED AND UNPOSTED
OPEN

GL Number	Invoice Line Desc	Vendor Name	Invoice Description	Amount	Check Number
Fund: 101 GENERAL FUND					
Department: 000 REVENUE					
101-000-228-100	LIVE SCAN FINGERPRINT SERV	STATE OF MICHIGAN	LIVE SCAN INV. 551-675973	30.00	None
101-000-279-000	GENERAL PORTION	BLUE CROSS BLUE SHIELD OF	HEALTH COVERAGE FOR SHANK NOVEMBER 20	351.05	None
101-000-279-000	RETIREE HEALTHCARE-RETIREE	BCBSM MEDICARE ADVANTAGE	RETIREE COVERAGE NOVEMBER 2026	917.64	None
101-000-281-004	SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	M900 FLATS AT WEST VILLAGE 55 ELIZABE	600.00	None
101-000-281-005	SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	N034 CONSTELLATION BAY	62.50	None
101-000-281-016	SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	O929- 315 N LAPEER ST ADMIN BUILDING	1,393.75	None
101-000-281-028	SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	M917-01 LUMBERYARD DDA 215 S BROADWAY	3,770.00	None
			Total Department 000 REVENUE	7,124.94	
Department: 215 VILLAGE CLERK					
101-215-801-000	PC MINUTES OCT 5, 2026	SMITH, DANIELLE	OCTOBER 5, 2026 PLANNING COMMISSION M	150.00	None
101-215-900-000	OAKLAND PRESS AD: CLERK -	21C ADVERTISING	OAKLAND PRESS AD: CLERK & ADMIN ASSIS	558.75	None
101-215-900-000	OAKLAND PRESS AD: ADMIN AS	21C ADVERTISING	OAKLAND PRESS AD: CLERK & ADMIN ASSIS	558.75	None
101-215-900-000	OAKLAND PRESS: ORDINANCE	21C ADVERTISING	OAKLAND PRESS AD: CLERK & ADMIN ASSIS	134.73	None
			Total Department 215 VILLAGE CLERK	1,402.23	
Department: 228 Information Technology					
101-228-801-000	OFFICE 365 - OCTOBER	VC3, INC.	OFFICE 365 - OCTOBER	316.23	None
101-228-801-000	CLOUD DATA RECOVERY - OCTO	VC3, INC.	CLOUD DATA RECOVERY - OCTOBER	466.59	None
101-228-801-000	INSTALL BROTHER MFC-L8930C	VC3, INC.	INSTALL BROTHER PRINTER	362.25	None
			Total Department 228 Information Technology	1,145.07	
Department: 260 GENERAL ACTIVITIES					
101-260-716-001	RETIREE HEALTHCARE	BCBSM MEDICARE ADVANTAGE	RETIREE COVERAGE NOVEMBER 2026	917.65	None
101-260-727-000	COOLER EXCHANGE	CRYSTAL WATER COMPANY	VILLAGE WATER 10/12/2026	28.00	None
101-260-801-000	SUSAN CROWTON	COREWELL HEALTH URGENT CAR	NEW HIRE PHYSICALS	185.00	None
101-260-801-000	DEBBIE NOGLE	COREWELL HEALTH URGENT CAR	NEW HIRE PHYSICALS	135.00	None
101-260-930-000	PAINT ROLLER INV#8893	GREAT LAKES ACE HARDWARE	SUPPLIES	5.69	None
101-260-930-000	PAINT ROLLER INV#8893	GREAT LAKES ACE HARDWARE	SUPPLIES	6.26	None
101-260-930-000	PAINT ROLLER INV#8893	GREAT LAKES ACE HARDWARE	SUPPLIES	5.69	None
101-260-930-000	PAINT YELLOW INV#8895	GREAT LAKES ACE HARDWARE	SUPPLIES	80.74	None
101-260-930-000	PAINTER TAPE #8895	GREAT LAKES ACE HARDWARE	SUPPLIES	14.24	None
101-260-930-000	WOOD SCREW INV# 8897	GREAT LAKES ACE HARDWARE	SUPPLIES	6.56	None
101-260-930-000	3 INCH SCREW INV# 5597	GREAT LAKES ACE HARDWARE	SUPPLIES	9.49	None
101-260-930-000	DRILL BIT INV# 8898	GREAT LAKES ACE HARDWARE	SUPPLIES	16.99	None
			Total Department 260 GENERAL ACTIVITIES	1,411.31	
Department: 721 PLANNING AND ZONING					
101-721-801-000	BZA 10/01/2026	SMITH, DANIELLE	BZA 10/01/2026	150.00	None
			Total Department 721 PLANNING AND ZONING	150.00	
Department: 880 CONTRACT SERV - LEAGAL/ACCTING/ENGINEER					
101-880-806-000	N885 ENGINEERING DESIGN 10	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN THROUGH SEPTE	145.00	None
101-880-806-000	SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	M629 - GENERAL ENGINEERING SERVICES	475.00	None
			Total Department 880 CONTRACT SERV - LEAGAL/ACCTING/ENGINEER	620.00	
			Total Fund 101 GENERAL FUND	11,853.55	
Fund: 202 MAJOR STREET FUND					
Department: 260 GENERAL ACTIVITIES					
202-260-801-000	N885 ENGINEERING DESIGN 20	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN THROUGH SEPTE	290.00	None

INVOICE DISTRIBUTION REPORT FOR VILLAGE OF LAKE ORION

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GL Number	Invoice Line Desc	Vendor Name	Invoice Description	Amount	Check Number
Fund: 202 MAJOR STREET FUND					
Department: 260 GENERAL ACTIVITIES					
			Total Department 260 GENERAL ACTIVITIES	290.00	
Department: 463 ROUTINE MAINTENANCE					
202-463-726-000	40LB PRO PAN TANK INV#4138	TRACTOR SUPPLY CO.		149.99	None
202-463-726-000	30LB TANK INV# 413823	TRACTOR SUPPLY CO.		99.99	None
202-463-726-000	7.2 GAS INV#413823	TRACTOR SUPPLY CO.		25.85	None
202-463-726-000	9.2 GAS INV# 413823	TRACTOR SUPPLY CO.		33.03	None
202-463-801-000	INV#63637	CURBCO SWEEPING	SWEEPING ROADS	150.00	None
202-463-801-000	INV#63957	CURBCO SWEEPING	SWEEPING ROADS	150.00	None
			Total Department 463 ROUTINE MAINTENANCE	608.86	
			Total Fund 202 MAJOR STREET FUND	898.86	
Fund: 203 LOCAL STREET FUND					
Department: 260 GENERAL ACTIVITIES					
203-260-801-000	N885 ENGINEERING DESIGN 10	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN THROUGH SEPTE	145.00	None
			Total Department 260 GENERAL ACTIVITIES	145.00	
Department: 474 TRAFFIC SERVICES					
203-474-726-000	FLARE UNION INV#8900	GREAT LAKES ACE HARDWARE	SUPPLIES	6.64	None
203-474-726-000	FLARE CAP INV# 8900	GREAT LAKES ACE HARDWARE	SUPPLIES	5.69	None
			Total Department 474 TRAFFIC SERVICES	12.33	
Department: 478 WINTER MAINTENANCE					
203-478-726-000	50 TONS ROAD SALT INV# SI2	DETROIT SALT COMPANY	ROAD SALT	3,757.02	None
			Total Department 478 WINTER MAINTENANCE	3,757.02	
Department: 875 CONSTRUCTION					
203-875-977-000	SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	P230 - 2026 STREET IMPROVEMENT PROGRA	3,479.50	None
			Total Department 875 CONSTRUCTION	3,479.50	
			Total Fund 203 LOCAL STREET FUND	7,393.85	
Fund: 207 POLICE FUND					
Department: 301 POLICE/SHERIFF/CONSTABLE					
207-301-716-001	POLICE PORTION	BLUE CROSS BLUE SHIELD OF	HEALTH COVERAGE FOR SHANK NOVEMBER 20	1,053.16	None
207-301-716-001	RETIREE HEALTHCARE	BCBSM MEDICARE ADVANTAGE	RETIREE COVERAGE NOVEMBER 2026	917.65	None
207-301-730-000	POLICE PRINTER CONTRACT 5	U.S. BANK EQUIPMENT FINANC	RICOH CONTRACT PAYMENT POLICE PRINTER	228.96	None
207-301-730-000	COPY CHARGES BW-$12.52 COL	APPLIED INNOVATION	POLICE COPY MACHINE USAGE INVOICE 329	101.87	None
207-301-730-000	FREIGHT	APPLIED INNOVATION	POLICE COPY MACHINE USAGE INVOICE 329	4.07	None
207-301-740-000	FIRE EXTINGUISHER REFILL /	PATRIOT FIRE EXTINGUISHERS	FIRE EXTINGUISHER REFILL / NEW EXTING	232.99	None
207-301-740-000	BATTERIES FOR DIGITAL CAME	AMAZON CAPITAL SERVICES	AMAZON	22.99	None
207-301-801-000	MICROSOFT 365 POLICE - VC3	VC3, INC.	MICROSOFT 365 POLICE - DUE 11/6/2026	415.80	None
207-301-804-000	SHERIFF DISPATCH SERVICES	OAKLAND COUNTY TREASURER	SHERIFF DISPATCH SERVICES INVOICE DAT	4,094.96	None
207-301-807-000	MEMBERSHIP USAGE FEE JUL-S	OAKLAND COUNTY TREASURER	CLEMIS MEMBERSHIP INVOICE DATE 09/30/	445.25	None
207-301-807-000	MDC PARTICIPATION FEE JUL	OAKLAND COUNTY TREASURER	CLEMIS MEMBERSHIP INVOICE DATE 09/30/	1,094.00	None
207-301-807-000	LIVESCAN JUL-SEP 2026	OAKLAND COUNTY TREASURER	CLEMIS MEMBERSHIP INVOICE DATE 09/30/	720.00	None
207-301-807-000	MUG CAPTURE STN MAINT JUL	OAKLAND COUNTY TREASURER	CLEMIS MEMBERSHIP INVOICE DATE 09/30/	1,000.00	None
207-301-865-000	POLICE JUNE	ROAD COMMISSON FOR OAKLAND	FUEL FOR DPW & POLICE AUG	358.95	None
			Total Department 301 POLICE/SHERIFF/CONSTABLE	10,690.65	
			Total Fund 207 POLICE FUND	10,690.65	

INVOICE DISTRIBUTION REPORT FOR VILLAGE OF LAKE ORION

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GL Number	Invoice Line Desc	Vendor Name	Invoice Description	Amount	Check Number
Fund: 225 DEPT OF PUBLIC WORKS FUND					
Department: 441 DEPARTMENT OF PUBLIC WORKS					
225-441-716-001	RETIREE HEALTHCARE	BCBSM MEDICARE ADVANTAGE	RETIREE COVERAGE NOVEMBER 2026	3,015.13	None
225-441-820-000	BOOTS	UHAN'S DEPARTMENT STORE	CLOTHING ALLOWANCE	182.00	None
225-441-820-000	SOCKS	UHAN'S DEPARTMENT STORE	CLOTHING ALLOWANCE	39.00	None
225-441-820-000	BOOTS	UHAN'S DEPARTMENT STORE	CLOTHING ALLOWANCE	135.00	None
225-441-820-000	SHIRT	UHAN'S DEPARTMENT STORE	CLOTHING ALLOWANCE	38.00	None
225-441-865-000	DPW JUNE	ROAD COMMISSON FOR OAKLAND	FUEL FOR DPW & POLICE AUG	235.01	None
225-441-930-000	FLEX SEAL / SPRAY - COUPON	GREAT LAKES ACE HARDWARE	SUPPLIES FOR BASEMENT TRAINING ROOM	8.48	None
225-441-930-000	DILLMAN AND UPTON - SEALAN	BERRY, RICHARD	BASEMENT REPAIR SUPPLIES REIMBURSEMEN	19.08	None
225-441-930-000	HOME DEPOT BASEMENT REPAIR	BERRY, RICHARD	BASEMENT REPAIR SUPPLIES REIMBURSEMEN	119.48	None
225-441-930-000	HOME DEPOT RETURNS EXTRA P	BERRY, RICHARD	BASEMENT REPAIR SUPPLIES REIMBURSEMEN	(19.43)	None
225-441-930-000	HOME DEPOT BASEMENT SUPPLI	BERRY, RICHARD	BASEMENT REPAIR SUPPLIES REIMBURSEMEN	68.22	None
225-441-932-000	2016 CHRVY 1500 INV#79611	MOTO-MEDIC INC.	TRUCK REPAIRS	240.00	None
225-441-932-000	FOR F-250	MOTO-MEDIC INC.	TRUCK REPAIRS	569.92	None
			Total Department 441 DEPARTMENT OF PUBLIC WORKS	4,649.89	
Department: 443 PHASE II STORMWATER					
225-443-801-000	SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	M671 MS4 PERMIT ASSISTANCE	600.00	None
225-443-801-000	N885 ENGINEERING DESIGN 10	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN THROUGH SEPTE	145.00	None
			Total Department 443 PHASE II STORMWATER	745.00	
			Total Fund 225 DEPT OF PUBLIC WORKS FUND	5,394.89	
Fund: 248 DOWNTOWN DEVELOPMENT AUTHORITY FUND					
Department: 260 GENERAL ACTIVITIES					
248-260-920-000	ACCT#1000 6299 5376, DUE 1	CONSUMERS ENERGY	DDA OFFICE MONTHLY CONSUMERS BILL	31.65	None
248-260-921-000	ACCT#910040951774, 38 S WA	DTE ENERGY	STREETLIGHTS FOR DOWNTOWN VILLAGE LIG	57.64	None
248-260-921-000	ACCT#910040951725, 22 E SH	DTE ENERGY	STREETLIGHTS FOR DOWNTOWN VILLAGE LIG	117.97	None
248-260-921-000	ACCT#910040951659, 38 E FL	DTE ENERGY	STREETLIGHTS FOR DOWNTOWN VILLAGE LIG	454.42	None
248-260-921-000	ACCT#910040951824, 380 S B	DTE ENERGY	STREETLIGHTS FOR DOWNTOWN VILLAGE LIG	36.51	None
248-260-942-000	10-12-26, DRINKING WATER*3	CRYSTAL WATER COMPANY	DRINKING WATER FOR DDA OFFICE	28.00	None
			Total Department 260 GENERAL ACTIVITIES	726.19	
Department: 725 ORGANIZATION					
248-725-825-000	GC #4748	BOUTIQUE CHIC	GIFT CERTIFICATE REDEMPTION (DOWNTOWN	25.00	None
248-725-825-000	GC#4749	BOUTIQUE CHIC	GIFT CERTIFICATE REDEMPTION (DOWNTOWN	25.00	None
248-725-825-000	GC#4750	BOUTIQUE CHIC	GIFT CERTIFICATE REDEMPTION (DOWNTOWN	25.00	None
			Total Department 725 ORGANIZATION	75.00	
Department: 726 DESIGN					
248-726-745-000	INV#117010, 10-2-26, SEASO	HARVEST TIME	FALL DECOR FOR DOWNTOWN - CORNSTALKS,	1,775.00	None
			Total Department 726 DESIGN	1,775.00	
Department: 729 PROMOTION					
248-729-880-004	INV#3171, 10-21-26 BANNERS	EPRINT SOLUTION LLC	HALLOWEEN & WITCHES NIGHT PRINTING	261.00	None
248-729-880-017	MOVIE NIGHT 10-2-26 EQUIP,	SPARKFUSION MARKETING	EQUIPMENT FOR GROWN UP OUTDOOR MOVIE	500.00	None
			Total Department 729 PROMOTION	761.00	
			Total Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY FUND	3,337.19	
Fund: 301 DOWNTOWN DEV BOND PROJECT 2023					
Department: 901 CAPITAL OUTLAY					
301-901-971-000	CUST#200133, 10-12-26	GREAT LAKES ACE HARDWARE	PLANT STAKES	17.44	None

INVOICE DISTRIBUTION REPORT FOR VILLAGE OF LAKE ORION

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GL Number	Invoice Line Desc	Vendor Name	Invoice Description	Amount	Check Number
Fund: 301 DOWNTOWN DEV BOND PROJECT 2023					
Department: 901 CAPITAL OUTLAY					
301-901-971-000	INV#1388, 10-20-26,CONCRET	JAH SERVICES	CONCRETE FOR LUMBERYARD	7,000.00	None
301-901-971-000	INV#10698, 10-12-26, MAIN	PINE TREE LIGHTING	LIGHT & FAN FIXTURES FOR LUMBERYARD M	16,155.45	None
301-901-971-000	INVOICE 1386 - LUMBER YARD	JAH SERVICES	CONCRETE SERVICES	19,000.00	None
			Total Department 901 CAPITAL OUTLAY	42,172.89	
			Total Fund 301 DOWNTOWN DEV BOND PROJECT 2023	42,172.89	
Fund: 401 CAPITAL PROJECTS FUND					
Department: 751 PARKS AND RECREATION					
401-751-806-000	SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	P093 - ATWATER PARK BASKETBALL COURT	210.00	None
			Total Department 751 PARKS AND RECREATION	210.00	
			Total Fund 401 CAPITAL PROJECTS FUND	210.00	
Fund: 592 WATER AND SEWER FUND					
Department: 548 SEWER ACTIVITIES					
592-548-801-000	SEPTEMBER 2026	GREAT LAKES WATER AUTHORIT	INDUSTRIAL SPECIFIC RETAIL SEPTEMBER	917.56	None
592-548-801-000	N885 ENGINEERING DESIGN 25	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN THROUGH SEPTE	362.50	None
592-548-801-000	THRU SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	N434 SANITARY SEWER PUMP STATION	1,125.00	None
592-548-801-000	THRU SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	M809- GRANT ASSISTANCE/GRANT WRITING	125.00	None
592-548-801-000	CONTRACT SERVICES: 07/01/2	OAKLAND COUNTY WATER RESOU	SEWER MAINTENANCE COSTS	125,025.00	None
			Total Department 548 SEWER ACTIVITIES	127,555.06	
Department: 556 WATER ACTIVITIES					
592-556-801-000	N885 ENGINEERING DESIGN 25	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN THROUGH SEPTE	362.50	None
592-556-801-000	SEPTEMBER 27, 2026	NOWAK & FRAUS ENGINEERS	O823 LEAD SERVICE LINE REPLACEMENT	125.00	None
592-556-931-003	COMPRESSION MIP INV#22740	GUNNERS METERS & PARTS, I	METER PARTS	32.00	None
592-556-931-003	COMPRESSION FIP INV#22740	GUNNERS METERS & PARTS, I	METER PARTS	38.00	None
592-556-931-003	COPRESSION PVC INV#22740	GUNNERS METERS & PARTS, I	METER PARTS	110.00	None
592-556-931-003	INSERTS INV#22740	GUNNERS METERS & PARTS, I	METER PARTS	10.50	None
592-556-931-003	RANGER MIP INV#22805	GUNNERS METERS & PARTS, I	METER PARTS	414.00	None
592-556-931-003	COMPRESSON INV#22805	GUNNERS METERS & PARTS, I	METER PARTS	228.00	None
592-556-931-003	1/4 INSERT INV#22805	GUNNERS METERS & PARTS, I	METER PARTS	21.00	None
592-556-931-003	1INCH INSERT INV#22805	GUNNERS METERS & PARTS, I	METER PARTS	35.00	None
592-556-931-003	3/4 INSERT INV#22805	GUNNERS METERS & PARTS, I	METER PARTS	30.00	None
592-556-931-003	3/4 INSERT INV#22805	GUNNERS METERS & PARTS, I	METER PARTS	18.00	None
592-556-931-003	ERIE LID INV#22805	GUNNERS METERS & PARTS, I	METER PARTS	240.00	None
592-556-931-003	1 COUPLING INV#22805	GUNNERS METERS & PARTS, I	METER PARTS	90.00	None
592-556-931-003	STEEL ROD INV#22805	GUNNERS METERS & PARTS, I	METER PARTS	108.00	None
			Total Department 556 WATER ACTIVITIES	1,862.00	
			Total Fund 592 WATER AND SEWER FUND	129,417.06	

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--- TOTALS BY FUND ---					
		101	GENERAL FUND	11,853.55	
		202	MAJOR STREET FUND	898.86	
		203	LOCAL STREET FUND	7,393.85	
		207	POLICE FUND	10,690.65	
		225	DEPT OF PUBLIC WORKS FUND	5,394.89	
		248	DOWNTOWN DEVELOPMENT AUTHORITY FUND	3,337.19	
		301	DOWNTOWN DEV BOND PROJECT 2023	42,172.89	
		401	CAPITAL PROJECTS FUND	210.00	
		592	WATER AND SEWER FUND	129,417.06	
		Total For All Funds:		211,368.94	

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC Ordinance Amendment – Chapter 30 – Downtown Development Authority – Second Reading and Adoption

BACKGROUND BRIEF:

Village Council is scheduled to consider giving second reading to, and adopting, an amendment to Chapter 30 of the Village Code of Ordinances – Downtown Development Authority – to designate the Village Manager as the chief executive officer of the Village for purposes of serving on the Downtown Development Authority board of directors and as the appointing authority of the board members subject to Council approval.

The Village Attorney has advised that the amendatory ordinance as drafted complies with State law and the Village Charter. An attorney-client privileged written legal opinion will be sent to Council prior to Monday's meeting.

SUMMARY OF PREVIOUS COUNCIL ACTION:

11/25/2024 - Council adopted a motion to direct the Village Manager to enter a discussion with the DDA Executive Director, to weigh the relative merits of the proposal and make the recommendation to Village Council on what they feel may be in the best interests of the community.

02/10/2025 – Council accepted the report and recommendation of the Village Manager to maintain separate DDA Board of Directors and Planning Commission as requested by the Village at its November 25, 2024, regular meeting.

04/13/2026 – Council directed the Village Manager to provide an updated report outlining the pros and cons of aligning the DDA Board with the Planning Commission and to present the findings to Council in a few weeks.

08/24/2026 – Council received the updated report from the Village Manager regarding DDA Board/Planning Commission consolidation and directed the Village Manager and Village Attorney to draft an amendatory ordinance for consideration by the Village Council to designate the Village Manager as the chief executive officer of the Village pursuant to Sections 201(h) and 204(1) of the Michigan Recodified Tax Increment Financing Act, Public Act 57 of 2018, as amended.

09/14/2026 – Council introduced and gave first reading to an ordinance amending Chapter 30 of the Village of Lake Orion Code of Ordinances – Downtown Development Authority – to designate the Village Manager as the chief executive officer of the Village pursuant to Sections 201(h) and 204(1) of the Michigan Recodified Tax Increment Financing Act, Public Act 57 of 2018, as amended, for purposes of serving on the Lake Orion Downtown Development Authority and appointing members of the Downtown Development Authority Board of Directors subject to Council approval; directed the Village Clerk to publish the required notice; and scheduled the ordinance for second reading and consideration for adoption at Village Council's October 12, 2026, regular meeting.

10/12/2026 – Council postponed action on second reading and adoption of the ordinance until the Council can get written communication opinion from the Village Attorney.

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

To give second reading to, and adopt, an ordinance amending Chapter 30 of the Village of Lake Orion Code of Ordinances – Downtown Development Authority – to designate the Village Manager as the chief executive officer of the Village pursuant to Sections 201(h) and 204(1) of the Michigan Recodified Tax Increment Financing Act, Public Act 57 of 2018, as amended, for purposes of serving on the Lake Orion Downtown Development Authority and appointing members of the Downtown Development Authority Board of Directors subject to Council approval; and to direct the Village Clerk to publish the required notice.

STATE OF MICHIGAN, COUNTY OF OAKLAND
VILLAGE OF LAKE ORION

ORDINANCE NO _____

An Ordinance to amend the Village Code of Ordinances, Chapter 30, Sections 30.01 – 30.06.

THE VILLAGE OF LAKE ORION ORDAINS:

The Village Code of Ordinances is amended as follows:

30.01 ESTABLISHMENT.

In recognition of the fact that it is in the best interest of the public to prevent further property value deterioration in the downtown business district of Lake Orion, to eliminate the causes of such deterioration and to promote economic growth in the downtown business district consistent with Land Use Plan guidelines, a Downtown Development Authority is hereby established pursuant to Public Act **57 of 2018, as amended** ~~197 of 1975, as amended, being M.C.L.A. §§ 125.1651 through 125.1657 and 125.1659 through 125.1680~~, to be known as the Downtown Development Authority of the Village of Lake Orion.

30.02 ORGANIZATION.

The Authority shall be under the supervision and control of a Board consisting of the Village **Manager** ~~President~~ and eight members appointed by the Village **Manager** ~~Council President~~ subject to the approval of Village Council. At least five of the members shall be persons having an interest in property located in the downtown district. Of the members first appointed, two shall be appointed for one year, two for two years, two for three years, and two for four years. Thereafter, a member shall serve for a term of four years. An appointment to fill a vacancy shall be made by the Village **Manager** ~~Council President~~ for the unexpired term only. Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The Chairperson of the Board shall be elected by the Board.

30.03 DUTIES.

The Downtown Development Authority as herein created shall be charged with the following duties:

(A) Prepare an analysis of economic changes taking place in the downtown district.
(B) Study and analyze the impact of a maturing community upon the downtown district.
(C) Plan and propose the construction, the renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the Board, aids in the economic growth of the downtown district.
(D) Develop long-range plans, in cooperation with the Village Planning Commission, designed to prevent the deterioration of property values in the downtown district, and take such steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.
(E) Implement any plan of development in the downtown district necessary to achieve the purposes of this subchapter, in accordance with the powers of the authority as granted by this subchapter.
(F) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
(G) Acquire by purchase or otherwise, on terms and conditions and in a manner the Authority deems proper, or own, convey, or otherwise dispose of, or lease as lessor lessee, land and other property, real or personal, or rights or interests therein, which the Authority determines is reasonably necessary to achieve the purposes of this chapter, and to grant or acquire licenses, easements, and options with respect thereto.
(H) Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances thereto, within the downtown district for the use, in whole or in part, of any public or private person or corporation, or a combination thereof.
(I) Fix, charge, and collect fees, rents, and charges for the use of any buildings or property under its control or any part thereof, payment of revenue bonds issued by the Authority.
(J) Lease any building or property under its control, or any part thereof.
(K) Accept grants and donations of property, labor, or other things of value from a public or private source.
(L) Acquire and construct public facilities.

30.04 FINANCING.

The activities of the Authority shall be financed from one or more of the following sources:
(A) Donations to the Authority for the performance of its functions.

(B) Proceeds of a tax imposed pursuant to Section **212** ~~12~~ of Public Act **57 of 2018, as amended**. However, the Board shall not request that the Village Council authorize such a tax without first holding a Public Hearing, following the sending of a notice to every property owner in the district.

(C) Monies borrowed and to be repaid as authorized by Sections **213-213b** ~~13~~ of Public Act **57 of 2018, as amended** ~~197 of 1975, being M.C.L.A. § 125.1663~~.

(D) Revenues from any property, building, or facility owned, leased, licensed or operated by the Authority or under its control, subject to the limitations imposed upon the Authority by trusts or other agreements.

(E) Proceeds of a tax increment financing plan, established under Sections **214**~~14~~ through **216** ~~16~~ of Public Act **57 of 2018, as amended** ~~197 of 1975, being M.C.L.A. §§ 125.1664 through 125.1666~~.

(F) Monies obtained from other sources approved by the Village Council.

(G) Monies received by the Authority and not covered under division (A) shall be immediately deposited to the credit of the Authority, subject to disbursement pursuant to Public Act **57 of 2018, as amended**~~197 of 1975~~. Except as provided in Public Act **57 of 2018, as amended** ~~197 of 1975~~, the village shall not obligate itself, nor shall it ever be obligated to pay any sums from public monies, other than monies received by the village pursuant to this section, for or on account of the activities of the Authority.

30.05 DEVELOPMENT PLANS.

When the Board decides to finance a project in the downtown district by the use of revenue bonds as authorized in Section **213-213b** ~~13~~ or tax increment financing as authorized in Sections **214** ~~14~~ through **216** ~~16~~ of Public Act **57 of 2018, as amended** ~~197 of 1975, as amended, being M.C.L.A. §§ 125.1664 through 125.1666~~, it shall prepare a development plan. The development plan shall contain:

(A) The designation of boundaries of the development area in relation to highways, streets, streams, or otherwise.

(B) The location and extent of existing streets and other public facilities within the development area and shall designate the location, character, and extent of the categories of public and private land uses then existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses and shall include a legal description of the development area.

(C) A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion.

(D) The location of existing improvements in the development area.

(E) A statement of the construction or stages of construction planned, and the estimated time of completion of each stage.

(F) Description of any parts of the development area to be left as open space and the use contemplated for the space.

(G) A description of any portions of the development area that the Authority desires to sell, donate, exchange, or lease to or from the municipality and the proposed terms.
(H) A description of any desired zoning changes and changes in streets, street levels, intersections, and utilities.
(I) An estimate of the cost of the development, a statement of the proposed method of financing the development and the ability of the Authority to arrange the financing.
(J) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken if that information is available to the Authority.
(K) The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the Authority and persons, natural or corporate, that all or a portion of the development will be leased, sold or conveyed in any manner to those persons.
(L) A plan for compliance with Public Act 227 of 1972, being M.C.L.A. §§ 213.321 through 213.332.
(M) Other material that the Authority, local public agency, or governing body deems pertinent.

30.06 GOVERNING PROCEDURES.

The Downtown Development Authority of the Village of Lake Orion shall have all the power and duties prescribed by Public Act **57 of 2018, as amended** ~~197 of 1975, as amended, being M.C.L.A. §§ 125.1651 through 125.1657 and 125.1659 through 125.1680~~. Any questions of interpretation of the powers and duties and responsibilities of the Authority shall be resolved by reference to Public Act **57 of 2018, as amended** ~~197 of 1975, as amended~~. The Authority shall provide the Village Council and Planning Commission with all reports and studies regulating the information and implementation of project development plans. The Authority shall submit the proposed development plan to the Village Planning Commission for review and recommendation to the Village Council prior to the hearing specified in Section 218 ~~18~~ of Public Act **57 of 2018, as amended** ~~197 of 1975, being M.C.L.A. § 125.1668~~.

Amended only as specified above and in the Chapter specified, the Code of Lake Orion shall remain in full force and effect.

The above is a true copy of the language as approved by the majority of the Village Council at a public meeting held on _____, 2026. A synopsis of this ordinance passed by the Council shall be published at least once in some legal newspaper of general circulation in the village within fifteen (15) days after its adoption by the Council. This ordinance shall

become effective immediately upon the publication of said synopsis after having been passed. If any provision of this Ordinance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision.

VILLAGE OF LAKE ORION

By:_____
Teresa Rutt, PRESIDENT

By:_____
_____, CLERK/TREASURER

Date:

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC Zoning Ordinance Amendment – Rezoning of 96 Park Island Road from R-M to R-L – Second Reading and Adoption

BACKGROUND BRIEF:
Council is scheduled to consider giving second reading to, and adopting, an ordinance to rezone 96 Park Island Road from R-M multi-family residential to R-L lake single family residential. The property is currently occupied by a single-family detached residence in the Village of Lake Orion.

The applicant applied for and requested three (3) dimensional variances from the Board of Zoning Appeals at the July 2, 2026, regularly scheduled meeting for front, side, and rear setbacks. The front setback variance was approved, and the side and rear setback variances were denied with the intent that the applicant apply for a rezoning to alleviate the need for variances and allow the applicant to continue with the proposed conditions in compliance with the provisions of the new district.

The Future Land Use Map of the Village of Lake Orion 2022 Master Plan identifies this property and the surrounding properties to be designated for Lake-Single Family Residential.

The Planning Commission recommended approval to Village Council at its September 8, 2026, meeting. The proposed zoning ordinance amendment is attached.

SUMMARY OF PREVIOUS COUNCIL ACTION:

09/28/2026 – Council introduced and gave reading to the ordinance; directed the Village Clerk to publish the required notice; and scheduled the ordinance for second reading and consideration for adoption at the Village Council's October 26, 2026, regular meeting.

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

To give second reading to, and adopt, Ordinance No. 26-111 which amends the Village of Lake Orion Zoning Map to rezone the property located at 96 Park Island Road (Parcel No. 09-11-252-005) from RM, Multiple Family Residential, to RL, Lake Single Family Residential; and to direct the Village Clerk to publish the required notice.

MCKENNA

August 18, 2026

Planning Commission
Village of Lake Orion
21 E. Church St.
Lake Orion, MI 48362

Subject: Proposed Rezoning of Parcel # 09-11-252-005

Dear Commissioners:

We have received materials from Matthew Phillips, the applicant, for a proposed rezoning for parcel # 09-11-252-005 (96 Park Island Dr.). The proposed rezoning is to amend the current zoning classification from Multiple Family Residential District (RM) to the (RL) Single Family Residential district.



The subject site is currently occupied by a single-family principal residence. The parcel is currently zoned RM, encompassing approximately 7,875.5 square feet.

BACKGROUND

The applicant is requesting the proposed rezoning of the property from RM to RL to eventually pursue the construction of an addition utilizing the RL setback regulations, rather than the more restrictive regulations of the RM district.

At the July 2,2026 Board of Zoning Appeals, the applicant received a granted variance request to allow deviation from the front yard setback regulations of the Village's Zoning Ordinance. The request was granted after the Board of Zoning Appeals determined that the front yard variance would allow reasonable improvement of the property while maintaining consistency with the established development pattern along Park Island Drive, which identified the majority of the residential dwellings as having been built with a pattern that did not align with the front setback regulations of the Ordinance. The additional variance requests (side and rear yard) were denied as the Board of Zoning Appeals determined that the applicant should first request a rezoning of the property, consistent with the Village's Master Plan that would eliminate the need for the subsequent variance requests.

We have reviewed the rezoning request for compliance with the Village of Lake Orion Zoning Ordinance, 2022 Lake Orion Master Plan, Michigan Zoning Enabling Act (PA 110 of 2006 as amended), and sound planning principles. We offer the following comments for your consideration.

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.COM

SITE CONDITIONS OVERVIEW

Current Zoning: RM - Multiple Family Residential



Zoning Districts:

- RV - Village Single Family Residential
- RL - Lake Single Family Residential
- RM - Multiple Family Residential
- CC - Corridor Commercial
- DC - Downtown Center
- MU - Mixed Use
- PUD - Planned Unit Development
- Height Overlay
- P — Approved Planned Unit Developments (PUD)

Master Plan Future Land Use Classification: Lake Single-Family Residential



Future Land Use Category

- Lake Single-Family Residential
- Village Single-Family Residential
- Multiple-Family Residential
- Corridor Commercial
- Mixed Use: Downtown
- Mixed Use: Transition
- Mixed Use: M-24 Corridor
- Civic/Institutional/Recreation and Open Space

Intent of the Single Family Residential Districts (Sec. 4.01)**:**

Purpose. The Single Family Residential Districts are established as districts in which the principal use of land is for single family dwellings and related educational, cultural, and religious uses where found appropriate and harmonious with the residential environment. For these Single Family Residential Districts in promoting the general purpose of this Ordinance, the specific intent of this Section is:

1. *To encourage the construction of, and the continued use of the land for single family dwellings.*
2. *To establish zoning districts consistent with the historic development pattern and existing platted lot widths in the Village.*
3. *To prohibit business, commercial or industrial use of the land, and to prohibit any other use, which would substantially interfere with the development or maintenance of single family dwellings in the district.*

4. *To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this Ordinance.*
5. *To discourage any land use which would generate traffic on minor or local streets, other than normal traffic to serve the single family dwellings on those streets.*
6. *To discourage any use which, because of its character or size would create requirements and costs for public services, such as fire and police protection, water supply and sewerage, substantially in excess of such requirements and costs if the district were developed solely for single family dwellings.*

Development Standards:

Zoning District	Lot Minimum		Maximum Lot Coverage	Maximum Building Height (feet)	Minimum Setback Requirement (Feet)				Min Floor Area (sq. ft.) per Dwelling Unit [b, j]	Max. 1st Floor Area (sq. ft.)
	Area (sq. ft.)	Width (feet)			Front (Street)	Each Side	Rear	Water Front [c]		
RV, Village Single Family Residential	7,200[k]	60 [k]	40%	30	25 [m]	10 [a, d]	25	--	1,200	--
RL, Lake Single Family Residential	7,200 [l]	60 [l]	40%	30	25	5 [a]	25	25	900	--
RM, Multiple Family Residential	8,000 [g, h]	70 [g]	35% [g]	40 [g]	25	25 [g]	25	25	i	--
DC,										

RL District Regulations (Sec. 4.03.B)

Minimum Lot Width – 60 ft.
Minimum Lot Area – 7,200 sq. ft.
Maximum Building Height – 30 ft.
Minimum Setbacks:
- Front (Street) – 25 ft.
- Front (Water) – 25 ft.
- Side – 5 ft.
- Rear – 25 ft.

Maximum Lot Coverage – 40%
Minimum Floor Area – 900 sq. ft.

RM District Regulations (Sec. 12.04.g)

Requirement	Multiple Family	Duplex	Single Family
Maximum Building Height	40 ft.	30 ft.	30 ft.
Setbacks			
Front	25 ft.	25 ft.	25 ft.
Side (each)	15 ft.	10 ft.	10 ft.
Rear	25 ft.	25 ft.	25 ft.
Maximum Lot Coverage	35%	40%	40%
Minimum Lot Area	*	8,400 sq. ft.	7,200 sq. ft.
Minimum Lot Width	70 ft.	70 ft.	60 ft.

REZONING ANALYSIS

As a conventional rezoning, the Planning Commission's responsibility is to hold a public hearing and make a recommendation for the rezoning proposal to the Village Council. A rezoning is also considered a zoning map amendment, which, as part of the Village's Zoning Ordinances, equates to an ordinance amendment which the Council has authority to approve as the governing body.

To help the Planning Commission evaluate the appropriateness of rezoning requests, McKenna staff has provided the following questions for consideration. These questions are meant to help the Planning Commission evaluate whether the rezoning is appropriate; they are not standards that must be met for approval.

1. **Is the requested rezoning consistent with the goals, policies and future land use map of the Master Plan? Or, has applicant demonstrated conditions have changed significantly since the Master Plan was developed, and request is demonstrably consistent with the development trends in the area?**

   The proposed rezoning is consistent with the Village's Master Plan. The existing zoning is RM. The Future Land Use designation for all of the nearby, waterfront parcels located along Park Island Dr. is Lake Single-Family Residential. Rezoning the property to the RL zoning district would align directly with the Village's Zoning Plan.

   The existing land use, current zoning, and Master Plan future land use designations for the subject site and for the surrounding parcels is provided in the following table as a reference.

Location	Existing Land Use	Current Zoning	Future Land Use Designation
Subject Site	Single-Family Home	RM – Multiple Family Residential	Lake Single-Family Residential
North	Multi-Tenant Residential	RM – Multiple Family Residential	Lake Single-Family Residential
East	Multi-Tenant Residential	RM – Multiple Family Residential	Village Single-Family Residential
West	NA (Lake)	NA	NA
South	Single-Family Home	R-M Multiple Family Residential	Lake Single-Family Residential

2. **Are all the potential uses allowed in the proposed zoning district compatible with surrounding uses in terms of land suitability, density of use, environmental impacts, nature of use, traffic impacts, aesthetics, infrastructure and maintenance of property values?**

   Yes, given that the Future Land Use plan calls for the site to eventually align with the Lake Single-Family Residential District, we find that the permitted uses are suitable and similar in nature to.

3. **Has the applicant demonstrated that he/she cannot receive a reasonable return on investment through developing the property with at least one (1) of the uses permitted under the current zoning?**

   We do not feel this question is applicable as the proposed zoning is consistent with the Future Land Use designation, and both the current and proposed zoning are primarily for single-family residential use only.

4. **Is the capacity of the infrastructure and municipal services, including public schools, adequate to accommodate the uses permitted in the requested zoning district without compromising the "health, safety and public welfare"?**

   We believe that municipal services adequately accommodate uses permitted.

5. **Is the rezoning necessary to avoid exclusion of a lawful land use?**

   Yes. The applicant intends to construct an addition to the existing garage. The proposed plans would not conform to setback requirements of the RM district, however, if the property were to be rezoned, as supported by the Village's Master Plan, the applicant would conform to the regulations of the RL district and a variance would not be necessary to proceed.

6. **Is the rezoning establishing a desirable zoning trend policy for similar or identical lands?**

   The proposed rezoning would move the parcel zoning closer to the Future Land Use map, while permitting similar uses to those that exist in the vicinity. This would be a desirable trend for similar parcels to follow where the development style is appropriate. Additionally, the majority of principal structures located along the western (waterfront facing) side of Park Island Drive are currently single-family residential.

7. **Are the boundaries of the requested rezoning reasonable in relationship to surroundings and ability to meet the dimensional regulations in the zoning ordinance?**

   The surrounding properties near the subject site are generally developed in a similar fashion as described in the application as the intended use. The RM district would continue to impose more strict regulations on the property, which has been demonstrated over the years by the volume of variance requests along Park Island Dr. Therefore, we believe the rezoning is appropriate.

8. **If a rezoning is appropriate, is the requested zoning district more appropriate from the community's perspective than even some other zoning district?**

   As previously stated, the existing zoning is RM to the north, east, and south. The Future Land Use designation for the waterfront properties is Lake Single-Family residential, and the property to the east is designated for Village Single-Family Residential. We find that due to the compatibility of the single-family districts, waterfront features of the property, and alignment with the Master Plan, that RL Lake Single Family Residential would be the most appropriate for this site.

9. **If the request is to permit a specific use, is rezoning the land (changing the map) more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use changing the text?**

   Yes. Both the existing and proposed district permit single-family residential uses. The RM district imposes stricter regulations than the RL district based on the same single-family residential use.

10. **Does the requested zoning correct an error in the zoning map? or zoning text?**

    No, the rezoning is not necessary to correct a zoning map or text error.

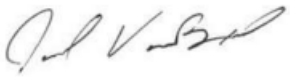
RECOMMENDATION

As the findings above dictate, the requested rezoning is compatible with the Village's Master Plan, existing land uses and the intent and purpose of the Zoning Ordinance. We recommend that the Planning Commission make a recommendation of **approval** for the rezoning to the Village Council.

If you have any questions regarding this case, please do not hesitate to contact us.

Respectfully submitted,

McKENNA



Jacob VanBoxel, MSA
Principal Planner



Sommer Nafal, NCI
Assistant Planner

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC 2026 Street Improvement Project Special Assessment Methodology

BACKGROUND BRIEF:

Council is scheduled to adopt a resolution establishing Council's desired methodology for specially assessing a portion of the costs of the 2026 Street Improvement Project against benefitting properties. Village Engineer Spence prepared a report with three options for specially assessing properties for the improvements. The report is attached. Engineer Spence will be in attendance at Monday's meeting to answer questions.

Administration recommends adhering to the Village's 2023 special assessment policy, which is reflected in Alternative A in the Engineer's report (cost per front foot/no unit). The proposed resolution assumes approval of Alternative A as the special assessment methodology. The special assessments would be divided into up to 10 annual assessments at a minimum of $500.00 annually until paid in full. The interest rate would be 6.00% simple interest annually on the unpaid principal special assessment balances after the first year. Therefore, if a property owner paid the entire special assessment to the Village prior to June 1, 2027, they would incur no interest charges and will be removed from the special assessment roll.

Once Council determines the desired method of specially assessing for the project, Administration will have the Township Assessor prepare the proposed special assessment roll. Once the proposed special assessment roll is prepared and filed with the Village Clerk, a public hearing on the proposed assessments will be scheduled. Notices of the proposed special assessments and the public hearing will be mailed to each affected property owner prior to the public hearing in accordance with ordinance requirements.

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

FINANCIAL IMPACT:

The total cost of the project is estimated to be $909,150.00. The Village will be contributing $159,843.39 through its Act 51 Local Street funds. A total of $499,306.61 would be specially assessed against benefitting properties over up to ten years. The Village would front the project costs using Act 51 and General Fund reserves. All special assessment revenue, including interest, would be posted to

the Local Streets Fund. The first year's special assessments would be collected with the Summer 2027 taxes.

RECOMMENDED MOTION:

#1 – To accept and approve Nowak & Fraus Engineers' **2026 Pavement Improvements, Local Streets west of M-24, east of Lake Orion - Village of Lake Orion Estimate for Final SAD Project Costs** dated October 7, 2026; and to authorize the Village Manager to execute the acceptance and approval on behalf of the Village.

#1 - To adopt Resolution No. 2026-039 determining to proceed with the 2026 Street Improvement Program, Contract A; establishing the special assessment district; determining the estimated cost and allocation of project expenses; establishing the method of determining special benefits; and directing preparation of the special assessment roll and scheduling of a public hearing on the same.

VILLAGE OF LAKE ORION

COUNTY OF OAKLAND

STATE OF MICHIGAN

RESOLUTION NO. 2026-_____

RESOLUTION DETERMINING TO PROCEED WITH THE 2026 STREET IMPROVEMENT PROGRAM, CONTRACT A; ESTABLISHING THE SPECIAL ASSESSMENT DISTRICT; DETERMINING THE ESTIMATED COST AND ALLOCATION OF PROJECT EXPENSES; ESTABLISHING THE METHOD OF DETERMINING SPECIAL BENEFITS; AND DIRECTING PREPARATION OF THE SPECIAL ASSESSMENT ROLL

At a regular or special meeting of the Village Council of the Village of Lake Orion, Oakland County, Michigan, held on October 26, 2026.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Councilmember _____ and supported by Councilmember _____.

WHEREAS:

1. Section 12.1 of the Charter of the Village of Lake Orion authorizes the Village Council to determine by resolution that all or part of the expense of a public improvement shall be defrayed by special assessment upon properties especially benefited, in proportion to the benefits derived or to be derived; and
2. Section 12.2(b) of the Village Charter requires that a resolution determining to proceed with a public improvement financed by special assessment state the nature of the improvement, its estimated cost, the portion to be financed by special assessment, the portion to be paid from Village general funds, the district or properties to be assessed, and the method of determining benefits; and
3. The Village Council has considered the 2026 Street Improvement Program, Contract A, consisting of pavement improvements and associated drainage, sidewalk, accessibility, restoration, and related work on portions of Grove Street, Clare Street, Lake Street, Flint Street, Andrews Street, Axford Street, and North Shore Drive, located west of M-24 and east of Lake Orion; and
4. The Village's consulting engineers, Nowak & Fraus Engineers, have prepared an October 7, 2026 report, including an opinion of probable project cost, proposed special

assessment district map, proposed assessment schedules, and alternative methodologies for allocating costs among benefited properties; and

5. The engineer estimates the total project cost, including construction, contingency, design, grant implementation, construction administration, inspection, testing, special assessment methodology preparation, and resident interaction expenses, at **$909,150.00**; and
6. The engineer's report identifies $250,000.00 in Transportation Economic Development Fund grant funding and a proposed Village contribution of $159,843.39 from Act 51 street funding, leaving $499,306.61 to be financed through special assessments; and
7. The engineer has identified the properties proposed to be included in the special assessment district and has prepared three alternative methods for allocating the assessable project costs based upon adjusted street frontage, or a combination of adjusted street frontage and unit assessments; and
8. The Village Council recognizes that the assessment imposed upon each parcel must bear a reasonable relationship to the special benefit conferred upon that parcel by the improvements and that the aggregate assessments must not exceed the aggregate special benefits conferred; and
9. Initial cost estimates were prepared and, on March 23, 2026, the Village Council conducted a public hearing on the advisability of proceeding with the improvement by special assessment, following publication and first-class mailing of notice to the affected property owners at least ten days before the hearing, as required by Section 12.2(a) of the Village Charter; and
10. After the public hearing and considering comments and objections received, and the nature and extent of the benefits to the affected properties, the Village Council determined that proceeding with Contract A improvements, and excluding Contract B improvements, and establishing the special assessment district is appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF LAKE ORION:

SECTION 1. Determination to Proceed.

The Village Council hereby determines to proceed with the 2026 Street Improvement Program, Contract A, consisting of pavement reconstruction, rehabilitation, resurfacing, associated drainage improvements, sidewalk and accessibility improvements, restoration, and related work as described in the plans, specifications, and October 7, 2026 engineer's report.

The Council determines that the improvements serve a public purpose and are expected to confer special benefits upon the properties within the designated special assessment district through improved access, pavement condition, drainage, safety, and related property-serving improvements.

SECTION 2. Estimated Project Cost.

The estimated total cost of the public improvements is established at **$909,150.00**, consisting of:

Description	Estimated Cost
Construction, including alternate	$751,815.10
Construction contingency	$75,184.90
Engineering design	$35,112.00
TEDF grant implementation	$6,000.00
Construction administration	$17,630.00
Inspection and testing	$17,408.00
SAD methodology and resident interaction	$6,000.00
Total	**$909,150.00**

These amounts are estimates based upon the engineer's October 7, 2026 opinion of probable cost.

SECTION 3. Allocation of Project Costs.

The Village Council hereby establishes the following proposed allocation of project expenses:

Source	Amount
TEDF grant funding	$250,000.00
Village Act 51 street funds	$159,843.39
Special assessments against benefited properties	$499,306.61
Total	**$909,150.00**

The Village's contribution from Act 51 street funds shall be $159,843.39, as calculated in the engineer's report.

For purposes of Section 12.2(b) of the Village Charter, the portion of project costs to be paid from unrestricted Village general funds is $89,150.00, provided that the Act 51 contribution is to be paid from restricted street funds and no additional General Fund appropriation has been authorized.

The special assessment portion shall not exceed $499,306.61 under this resolution, subject to any subsequent action lawfully taken by the Village Council.

The Village Council acknowledges that actual project expenses may differ from estimated expenses and that any adjustment to the special assessment obligations shall be governed by the Village Charter and applicable law.

SECTION 4. Establishment of Special Assessment District.

The Village Council hereby establishes a special assessment district designated:

2026 Street Improvement Program — Contract A Special Assessment District

The district shall consist of the lands and premises identified in the Special Assessment District Map dated October 7, 2026, prepared by Nowak & Fraus Engineers, and the corresponding parcel identification schedule contained in the engineer's report.

The district includes properties identified as receiving special benefit from the improvements along portions of Grove Street, Clare Street, Lake Street, Flint Street, Andrews Street, Axford Street, and North Shore Drive.

The district map and parcel identification schedule are incorporated by reference as **Exhibit A** and shall be maintained in the office of the Village Clerk.

The Village Assessor shall use the identified parcels, subject to verification of current parcel descriptions, ownership, and boundaries, in preparing the special assessment roll.

SECTION 5. Method of Determining Special Benefits.

The Village Council hereby determines that the special benefits accruing to the properties within the district shall be measured and allocated according to the following method outlined in the Village Engineer’s report:

Alternative A — Adjusted Street Frontage Method (Cost Per Front Foot/No Unit)

The assessable project cost of $499,306.61 shall be allocated among benefited properties in proportion to their adjusted assessable street frontage.

The engineer has determined a total adjusted assessable frontage of 4,889.795 feet, producing an estimated assessment rate of $102.1120 per adjusted assessable front foot.

The frontage factor for each property shall be determined in accordance with the engineer's assessment schedule, including the application of a 0.5 factor to applicable corner-lot frontages and a 1.0 factor to applicable full frontages.

Selected Method: Alternative A.

The Village Council finds that the selected methodology provides a reasonable and equitable means of distributing the cost of the improvements in proportion to the special benefits derived or to be derived by the properties in the district, based upon the evidence presented.

Annual assessments shall be divided into up to 10 equal annual installments as practicable, except that all annual installments but the last shall be no less than $500.00. Special assessments paid in full prior to June 1, 2027, shall be removed from the special assessment roll and shall not incur any interest charge.

An annual interest charge of 6.00% of the remaining unpaid special assessment balance shall be added to each special assessment beginning on July 1, 2028, and annually thereafter.

The Assessor shall apply the selected method consistently, using the engineer's underlying calculations rather than rounded illustrative rates, and shall identify any property-specific circumstances requiring Council review.

No parcel shall be assessed an amount exceeding the special benefit attributable to that parcel.

SECTION 6. Incorporation of Engineer's Report.

The October 7, 2026 report prepared by Nowak & Fraus Engineers, including the Total Project Cost Opinion, Special Assessment Options, Assessment Methodology Calculations, and Special Assessment District Map, is hereby received and incorporated by reference as the technical basis for this resolution.

The engineer's report shall be designated **Exhibit B** and maintained as part of the official record of the proceedings.

In the event of a discrepancy between an illustrative amount in the engineer's report and the methodology expressly adopted in this resolution, the methodology adopted by the Village Council shall control, subject to applicable law and any subsequent Council determination.

SECTION 7. Direction to Prepare Special Assessment Roll.

Pursuant to Section 12.2(c) of the Village Charter, the Village Assessor is hereby directed to prepare a special assessment roll for the district.

The roll shall identify and describe the lands and premises to be assessed, identify the owners chargeable with the assessments insofar as known, and calculate the proposed assessment against each property according to the method established in Section 5.

Upon completion, the Assessor shall endorse the roll and file it with the Village Clerk.

SECTION 8. Subsequent Hearing and Review.

Following completion and filing of the proposed special assessment roll, the Village Council shall schedule a public hearing for review and correction of the roll pursuant to Section 12.2(d) of the Village Charter.

The Village Clerk shall cause notice of the hearing to be published and mailed by first-class mail to the owners of property within the district, as shown by the current assessment roll, not less than ten days before the hearing.

At the hearing, the Village Council shall consider objections, review the proposed assessments, and determine whether to correct or confirm the roll in accordance with the Charter.

SECTION 9. No Confirmation of Assessments by This Resolution.

This resolution establishes the project, special assessment district, allocation of estimated project costs, and method of determining special benefits.

It does not constitute confirmation of the special assessment roll or establish final assessments against individual parcels.

Confirmation of the assessment roll shall occur only through subsequent Council action in accordance with Section 12.2(d) of the Village Charter.

SECTION 10. Administrative Implementation.

The Village Manager, Village Clerk, Village Assessor, and Village Engineer are authorized and directed to take the administrative steps necessary to implement this resolution, including preparation of the assessment roll, maintenance of the supporting records, and scheduling of the required subsequent hearing.

SECTION 11. Effective Date.

This resolution shall take effect immediately upon adoption.

ADOPTION

AYES: _____

NAYS: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Lake Orion, Oakland County, Michigan, at a regular meeting held on _____, 2026, and that said meeting was conducted and public notice was given in accordance with applicable law.

Debbie Nogle, Village Clerk

Exhibit A: Special Assessment District Map and Parcel Identification Schedule, Nowak & Fraus Engineers, October 7, 2026.

Exhibit B: Engineer's Report, Total Project Cost Opinion, Special Assessment Options, and Assessment Methodology Calculations, Nowak & Fraus Engineers, October 7, 2026.

NF ENGINEERS
Civil Engineers | Land Surveyors | Land Planners | Geospatial Engineers
48680 Van Dyke, Ste 200 Shelby Twp, MI 48317 | P: 844-416-3364 | www.nfe-engr.com

October 7, 2026

Darwin McClary
Village Manager
Village of Lake Orion
21 E. Church St.
Lake Orion, MI 48362

RE: 2026 Pavement Improvements
Local Streets west of M-24, east of Lake Orion
Village of Lake Orion
Estimate for Final SAD Project Costs

Dear Mr. McClary:

Nowak & Fraus Engineers (NFE) appreciates the opportunity to submit our proposal for Professional Civil Engineering services for the Village of Lake Orion. This is for completion of the 2026 Street Improvement Program, Contract A, and include estimates of professional services not previously detailed in our original proposal. Please find detailed below a breakdown of our anticipated scope of services and associated fees.

You will recall that our earlier proposal was expanded by action of the Village Council to include an area to the north, Contract B. During our first billing cycle, we separated the total costs into costs attributable to each of the two street contracts, and left staking, inspection, and testing as time and materials. In order to determine a final amount to assess, we have estimated costs for the remaining and additional services not detailed or not included in the original proposal.

Attached to this letter is our Total Project Cost Opinion, prepared to generate an overall assessable total cost. You will note that with our estimate of costs required for construction inspection as well as costs estimated for SAD Methodology and Resident Interactions, the total assessable amount utilized is **$909,150**. This includes:

- Contract A construction costs as bid and corrected, including the Alternate and a 10% contingency;
- Contract A Design Costs (lump sum, under contract);
- TEDB Grant implementation costs (lump sum, under contract);
- Contract A Construction Administration (lump sum, under contract);
- Hourly estimates for Inspection and Testing (based on contractor's current schedule); and
- Frontage determination, SAD list preparation, map, assessment methodologies for consideration, spreading of the costs under different methods, and resident meetings / interactions (meetings, in person and virtual, email responses).

With Village Administration approval, we are coordinating with the construction contractor, Diamond Excavating, to value engineer certain aspects of the site with the intent to improve overall site drainage where feasible. This is being coordinated with the overall construction budget. Once the existing asphalt overlay on Flint Street has been removed, we should have a clearer understanding of the need for the contingency, if any.

Opinions of Probable Cost: Opinions of probable cost provided represent NFE's best judgment as design professionals familiar with the construction industry; however, NFE has no control over the cost of labor, materials, equipment or services provided by others. Therefore, NFE cannot guarantee that proposals, bids or actual construction costs will not vary from the opinions of probable cost prepared by our firm.

Acceptance and Authorization to Proceed:

Provided this proposal meets with your approval, please sign, date and return a copy of this Work Authorization to our office. Receipt of your signed Work Authorization will serve as our authorization to proceed.

The above Proposal is valid if accepted within 30 days of its receipt.

Thank you for choosing Nowak & Fraus Engineers to provide Engineering and Surveying services to the Village of Lake Orion.

Sincerely,

Nowak & Fraus Engineers

Wendy E. Spence, PE
Sr. Project Manager

Dated: 10/7/26

Accepted and Approved By:

_____
(Signature)
Darwin McClary, Village Manager

_____
(Date)

Enclosure: Village of Lake Orion Discounted Rate Schedule
Total SAD Cost Opinion
SAD List with three Methods
Assessment Methodology calculations
SAD Map

Village of Lake Orion

2021 DISCOUNTED FEE SCHEDULE

Personnel	Hourly Rate
Corporate Principal	$ 150.00
Senior Associate	$ 135.00
Associate	$ 125.00
ALTA Survey Manager	$ 130.00
Land Surveyor/Field Coordinator	$ 120.00
Plat Manager	$ 120.00
CAD Manager	$ 120.00
Senior Project Manager	$ 125.00
Project Manager	$ 115.00
Registered Landscape Architect	$ 96.00
Project Engineer	$ 110.00
Engineer III	$ 105.00
Engineer II	$ 95.00
Engineer I	$ 85.00
Engineering Technician III	$ 95.00
Engineering Technician II	$ 85.00
Engineering Technician I	$ 80.00
Senior Testing/Inspection Engineer	$ 82.00
Testing/Inspection Engineer	$ 75.00
Engineering Assistant	$ 65.00
Survey Crew – 3 Person	$ 175.00
Survey Crew – 2 Person	$ 145.00
Survey Crew – 1 Person	$ 110.00
Land Survey Technician	$ 95.00

Survey Crew size will be determined on a per project basis.

Reimbursable Expenses:

Round trip vehicle mileage from the NFE offices will be charged $0.56 per mile, when identified in the Work Authorization as a reimbursable expense.

The following expenses, when incurred in direct connection with the project, will be charged at the rates indicated (includes handling):

Courier services and project related purchases	Cost + 15%
Prints	$2.00 Each
Oversize Prints	$3.00 Each
Mylars & Vellums	$20.00 Each
Express Deliveries	$25.00 Each
Electronic Data Transfer - CD	$100.00 Each
Electronic Data Transfer - Email	Hourly
Subconsultants	Fee + 10%
Traffic Counter	$50.00/Day

Village of Lake Orion
2026 Street Improvements, Contract A
Total Project Cost Opinion

VILLAGE OF LAKE ORION
2026 STREET IMPROVEMENTS CONTRACT A, with Alternate
CONTRACT "A" - CATEGORY B GRANT #879
Grove St, Clare St, Lake St, Flint St, Andrews St, Axford St, North Shore Dr

BID DATE: 18-Aug-26
PROJECT # P230

41 ITEMS PARTICIPATING

Diamond Excavating, LLC
4340 N State Rd
Davison, MI 48423
O: 810-658-2638, C: 810-358-8956
Derrickdiamond21@yahoo.com
diamondexcavating21@gmail.com

	MDOT Item Code	Item Description - PARTICIPATING COSTS	Estimated Quantities	Unit	Unit Price	Bidder's Amount	Computed Amount
1	1027060	_ Reimbursed Permit Fees	1	Dlr	$2,500.00	$2,500.00	$2,500.00
2	1500001	Mobilization, Max. 5%	1	Lsum	$35,000.00	$35,000.00	$35,000.00
3	2017011	_ Pavt, Rem, Modified	179	Syd	$24.00	$4,296.00	$4,296.00
4	2040055	Sidewalk, Rem	132	Syd	$20.00	$2,640.00	$2,640.00
5	2050016	Excavation, Earth	24	Cyd	$45.00	$1,080.00	$1,080.00
6	2050043	Subgrade Undercutting, Type IV, 21AA	82	Cyd	$65.00	$5,330.00	$5,330.00
7	2080020	Erosion Control, Inlet Protection, Fabric Drop	28	Ea	$95.00	$2,660.00	$2,660.00
8	2080036	Erosion Control, Silt Fence	6,614	Ft	$1.00	$6,614.00	$6,614.00
9	3020026	Aggregate Base, 10 inch	100	Syd	$62.00	$6,200.00	$6,200.00
10	3050002	HMA Base Crushing and Shaping	4,901	Syd	$3.95	$19,358.95	$19,358.95
11	3050010	Material, Surplus and Unsuitable, Rem, LM	32	Cyd	$45.00	$1,440.00	$1,440.00
12	3077011	_ Shld, Cl II, 4 inch, Modified	807	Syd	$29.00	$23,403.00	$23,403.00
13	3077011	_ Shld, Cl II, 2 inch, Modified	207	Syd	$18.00	$3,726.00	$3,726.00
14	4027001	_ Sewer, CPE, 6 inch, Tr Det B	38	Ft	$110.00	$4,180.00	$4,180.00
15	4027001	_ Trench Drain, Type 1	10	Ft	$180.00	$1,800.00	$1,800.00
16	4027002	_ Trench Drain, Type 2	334	Ft	$185.00	$61,790.00	$61,790.00
17	4030005	Dr Structure Cover, Adj, Case 1	12	Ea	$1,000.00	$12,000.00	$12,000.00
18	4030210	Dr Structure, 48 inch dia	3	Ea	$5,800.00	$17,400.00	$17,400.00
19	4030306	Dr Structure, Tap, 6 inch	3	Ea	$395.00	$1,185.00	$1,185.00
20	4037050	_ Dr Structure Cover, WM, Modified	13	Ea	$1,000.00	$13,000.00	$13,000.00
21	5010001	Pavt, Cleaning (Flint Street)	1	Lsum	$1,000.00	$1,000.00	$1,000.00
22	5010001	Pavt, Cleaning (Clare Street, Axford Street, Andrews Street)	1	Lsum	$1,000.00	$1,000.00	$1,000.00
23	5010002	Cold Milling HMA Surface (Axford Street, Andrews Street)	157	Syd	$15.00	$2,355.00	$2,355.00
24	5010005	HMA Surface, Rem	6,228	Syd	$3.00	$18,684.00	$18,684.00
25	5012024	HMA, 4EL	1,268	Ton	$134.00	$169,912.00	$169,912.00
26	5012036	HMA, 5EL	1,385	Ton	$141.00	$195,285.00	$195,285.00
27	6030090	Saw Cut, Intermediate	372	Ft	$2.75	$1,023.00	$1,023.00
28	8027001	_ Valley Gutter, Conc, Modified	103	Ft	$34.00	$3,502.00	$3,502.00
29	8027001	_ Curb and Gutter, Conc, Det F2, Modified	50	Ft	$38.00	$1,900.00	$1,900.00
30	8030010	Detectable Warning Surface	95	Ft	$65.00	$6,175.00	$6,175.00
31	8030030	Curb Ramp Opening, Conc	108	Ft	$39.00	$4,212.00	$4,212.00
32	8030044	Sidewalk, Conc, 4 inch	883	Sft	$8.00	$7,064.00	$7,064.00
33	8032002	Curb Ramp, Conc, 6 inch	564	Sft	$10.00	$5,640.00	$5,640.00
34	8110044	Pavt Mrkg, Ovly Cold Plastic, 18 inch, Stop Bar	158	Ft	$15.00	$2,370.00	$2,370.00
35	8110126	Pavt Mrkg, Regular Dry, 4 inch, Yellow	1,971	Ft	$0.75	$1,478.25	$1,478.25
36	8110153	Pavt Mrkg, Sprayable Thermopl, 4 inch, White	520	Ft	$5.00	$2,600.00	$2,600.00
37	8127051	_ Traffic Control and Maintenence	1	Lsum	$55,000.00	$55,000.00	$55,000.00
38	8130010	Riprap, Plain	133	Syd	$30.00	$3,990.00	$3,990.00
39	8167011	_ Surface Restoration	1	Lsum	$3,500.00	$3,500.00	$3,500.00
40	8252145	Sanitary Structure Cover, Adj, Case 1	20	Ea	$1,000.00	$20,000.00	$20,000.00
41	8507051	_ Audio Visual Record of the Construction Influence Area	1	Lsum	$2,500.00	$2,500.00	$2,500.00
		BASE BID Subtotal Construction Cost A:					**$734,793.20**

MDOT Item Code	**Alternate - Item Description:** Treat Clare, Axford and Andrews as HMA Crushing and Shaping with 4" HMA overlay to match expected lifespan of other streets in project, per Geotechnical report.	Estimated Quantities	Unit	Unit Price Must Match Above	Bidder's Amount	Computed Amount
3050002	**HMA Base Crushing and Shaping** (add Clare, Axford, Andrews)	+1,132	Syd	$3.95	$4,471.40	$4,471.40
3077011	_ **Shld, Cl II, 4 inch, Modified** (add Clare, Axford and Andrews)	+207	Syd	$29.00	$6,003.00	$6,003.00
3077011	_ **Shld, Cl II, 2 inch, Modified** (remove Clare, Axford, Andrews)	-207	Syd	$18.00	-$3,726.00	-$3,726.00
5010001	**Pavt, Cleaning** (remove Clare, Axford, Andrews)	-1	Lsum	$1,000.00	-$1,500.00	-$1,000.00
5010002	**Cold Milling HMA Surface** (remove Axford Street, Andrews Stre	-157	Syd	$15.00	-$2,355.00	-$2,355.00
5012024	**HMA, 4EL** (add Clare, Axford, Andrews)	+122	Ton	$134.00	$16,348.00	$16,348.00
5012036	**HMA, 5EL** (remove FILL from cold milled Axford St, Andrews St)	-18	Ton	$141.00	-$2,538.00	-$2,538.00
6030090	**Saw Cut, Intermediate** (remove Clare, Axford, Andrews)	-66	Ft	$2.75	-$181.50	-$181.50
	Subtotal ALTERNATES:				$16,521.90	$17,021.90
	Subtotal Construction Cost A with ALTERNATES:				$751,315.10	**$751,815.10**

Total Construction Cost, As Bid, Corrected, including Alternate	$751,815.10
Contingency, 10%	$75,184.90
Construction plus 10% Contingency	$827,000.00
Design, Contract A, LS	$35,112.00
TEDF Grant Impementation, LS	$6,000.00
Construction Admin, LS	$17,630.00
Inspection and Testing, Estimate	$17,408.00
SAD Methodolgy and Resident Interaction, Estimate	$6,000.00
	$909,150.00

Village of Lake Orion
2026 Street Improvements, Contract A
Special Assessment Options

# Unit	Tax ID per SO	Site Address If Different	Address #	Street	Frontage	Frontage Factor	Assessible Frontage	Cost per Front Foot, NO UNIT $102.1120	TOTAL ASSESSMENT	Unit Assessment 25% $1,402.54	Cost per Front Foot, WITH UNIT $76.5841	TOTAL ASSESSMENT	UNIT $1000 & $500, per Frontage Factor	Cost per Front Foot, WITH UNIT $86.8762	TOTAL ASSESSMENT
1	09-02-332-001		191	N. North Shore	90.00	1	90.00	$9,190.07	$9,190.07	$1,402.54	$6,892.57	$8,295.11	$1,000.00	$7,818.85	$8,818.85
2	09-02-332-002		173	N. North Shore	40.50	1	40.50	$4,135.54	$4,135.54	$1,402.54	$3,101.66	$4,504.20	$1,000.00	$3,518.49	$4,518.49
3	09-02-332-003		165	N. North Shore	42.00	1	42.00	$4,288.70	$4,288.70	$1,402.54	$3,216.53	$4,619.07	$1,000.00	$3,648.80	$4,648.80
4	09-02-332-006		135	N. North Shore	45.00	1	45.00	$4,595.04	$4,595.04	$1,402.54	$3,446.28	$4,848.82	$1,000.00	$3,909.43	$4,909.43
5	09-02-332-007		127	N. North Shore	20.00	1	20.00	$2,042.24	$2,042.24	$1,402.54	$1,531.68	$2,934.22	$1,000.00	$1,737.51	$2,737.51
6	09-02-332-008		121	N. North Shore	25.00	1	25.00	$2,552.80	$2,552.80	$1,402.54	$1,914.60	$3,317.14	$1,000.00	$2,171.90	$3,171.90
7	09-02-332-011		65	N. North Shore	56.00	1	56.00	$5,718.27	$5,718.27	$1,402.54	$4,288.71	$5,691.25	$1,000.00	$4,865.07	$5,865.07
8	09-02-332-012		55	N. North Shore	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
9	09-02-332-013		45	N. North Shore	103.00	1	103.00	$10,517.53	$10,517.53	$1,402.54	$7,888.17	$9,290.71	$1,000.00	$8,948.24	$9,948.24
10	09-02-332-014		25	N. North Shore	53.00	1	53.00	$5,411.94	$5,411.94	$1,402.54	$4,058.96	$5,461.50	$1,000.00	$4,604.44	$5,604.44
11	09-02-332-016		7	N. North Shore	66.50	1	66.50	$6,790.44	$6,790.44	$1,402.54	$5,092.84	$6,495.38	$1,000.00	$5,777.26	$6,777.26
12	09-02-332-017		15	N. North Shore	26.45	1	26.45	$2,700.86	$2,700.86	$1,402.54	$2,025.65	$3,428.19	$1,000.00	$2,297.88	$3,297.88
13	09-02-332-019		83	N. North Shore	102.00	1	102.00	$10,415.41	$10,415.41	$1,402.54	$7,811.58	$9,214.12	$1,000.00	$8,861.36	$9,861.36
14	09-02-332-020		159	N. North Shore	107.50	1	107.50	$10,977.03	$10,977.03	$1,402.54	$8,232.80	$9,635.34	$1,000.00	$9,339.18	$10,339.18
15	09-02-332-021		115	N. North Shore	63.00	1	63.00	$6,433.05	$6,433.05	$1,402.54	$4,824.80	$6,227.34	$1,000.00	$5,473.20	$6,473.20
16	09-02-332-022		95	N. North Shore	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
17	09-02-333-008		138	N. North Shore	87.18	0.5	43.59	$4,451.06	$4,451.06	$1,402.54	$3,338.30	$4,740.84	$500.00	$3,786.93	$4,286.93
18	09-02-333-009		126	N. North Shore	33.03	0.5	16.52	$1,686.38	$1,686.38	$1,402.54	$1,264.79	$2,667.33	$500.00	$1,434.75	$1,934.75
19	09-02-333-011		94	N. North Shore	61.50	0.5	30.75	$3,139.94	$3,139.94	$1,402.54	$2,354.96	$3,757.50	$500.00	$2,671.44	$3,171.44
20	09-02-333-012		84	N. North Shore	53.00	0.5	26.50	$2,705.97	$2,705.97	$1,402.54	$2,029.48	$3,432.02	$500.00	$2,302.22	$2,802.22
21	09-02-333-013		72	N. North Shore	32.00	0.5	16.00	$1,633.79	$1,633.79	$1,402.54	$1,225.35	$2,627.89	$500.00	$1,390.01	$1,890.01
22	09-02-333-014		64	N. North Shore	35.00	0.5	17.50	$1,786.96	$1,786.96	$1,402.54	$1,340.22	$2,742.76	$500.00	$1,520.32	$2,020.32
23	09-02-333-015		56	N. North Shore	64.00	0.5	32.00	$3,267.58	$3,267.58	$1,402.54	$2,450.69	$3,853.23	$500.00	$2,780.04	$3,280.04
24	09-02-333-016		44	N. North Shore	64.00	0.5	32.00	$3,267.58	$3,267.58	$1,402.54	$2,450.69	$3,853.23	$500.00	$2,780.04	$3,280.04
25	09-02-333-018		348	W. Flint	60.00	0.5	30.00	$3,063.36	$3,063.36	$1,402.54	$2,297.52	$3,700.06	$500.00	$2,606.29	$3,106.29
26	09-02-333-019		172	N. North Shore	92.67	0.5	46.34	$4,731.36	$4,731.36	$1,402.54	$3,548.52	$4,951.06	$500.00	$4,025.41	$4,525.41
27	09-02-333-021		358	W. Flint	43.00	0.5	21.50	$2,195.41			$1,646.56		$500.00	$1,867.83	
27	09-02-333-021			N. North Shore	128.00	0.5	64.00	$6,535.16	$8,730.57	$1,402.54	$4,901.38	$7,950.48	$500.00	$5,560.07	$8,427.90
28	09-02-333-022		34	N. North Shore	64.00	0.5	32.00	$3,267.58	$3,267.58	$1,402.54	$2,450.69	$3,853.23	$500.00	$2,780.04	$3,280.04
29	09-02-333-023		146	N. North Shore	87.18	0.5	43.59	$4,451.06	$4,451.06	$1,402.54	$3,338.30	$4,740.84	$500.00	$3,786.93	$4,286.93
30	09-02-333-026		116	N. North Shore	54.76	0.5	27.38	$2,795.83	$2,795.83	$1,402.54	$2,096.87	$3,499.41	$500.00	$2,378.67	$2,878.67
31	09-02-333-027		106	N. North Shore	56.90	0.5	28.45	$2,905.09	$2,905.09	$1,402.54	$2,178.82	$3,581.36	$500.00	$2,471.63	$2,971.63
32	09-02-334-013		328	W. Flint	70.00	0.5	35.00	$3,573.92	$3,573.92	$1,402.54	$2,680.44	$4,082.98	$500.00	$3,040.67	$3,540.67
33	09-02-334-014		318	W. Flint	55.00	1	55.00	$5,616.16	$5,616.16	$1,402.54	$4,212.13	$5,614.67	$1,000.00	$4,778.19	$5,778.19
34	09-02-334-015		306	W. Flint	55.00	0.5	27.50	$2,808.08	$2,808.08	$1,402.54	$2,106.06	$3,508.60	$500.00	$2,389.09	$2,889.09
35	09-02-376-001		8	S. North Shore	62.76	1	62.76	$6,408.54	$6,408.54	$1,402.54	$4,806.42	$6,208.96	$1,000.00	$5,452.34	$6,452.34
36	09-02-376-002		16	S. North Shore	63.24	1	63.24	$6,457.55	$6,457.55	$1,402.54	$4,843.18	$6,245.72	$1,000.00	$5,494.04	$6,494.04
37	09-02-376-003		416	Lake Street	148.00	0.5	74.00	$7,556.28			$5,667.22		$500.00	$6,428.83	
37	09-02-376-003			S. North Shore	60.00	0.5	30.00	$3,063.36	$10,619.64	$1,402.54	$2,297.52	$9,367.28	$500.00	$2,606.29	$10,035.12
38	09-02-377-001		357	W. Flint	66.00	0.5	33.00	$3,369.70			$2,527.28		$500.00	$2,866.91	
38	09-02-377-001			S. North Shore	93.00	0.5	46.50	$4,748.21	$8,117.91	$1,402.54	$3,561.16	$7,490.98	$500.00	$4,039.74	$7,906.65
39	09-02-377-002		341	W. Flint	75.00	1	75.00	$7,658.39	$7,658.39	$1,402.54	$5,743.81	$7,146.35	$1,000.00	$6,515.71	$7,515.71
40	09-02-377-003		325	W. Flint	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
41	09-02-377-004		317	W. Flint	105.00	0.5	52.50	$5,360.88			$4,020.67		$500.00	$4,561.00	

Village of Lake Orion
2026 Street Improvements, Contract A
Special Assessment Options

# Unit	Tax ID per SO	Site Address If Different	Address #	Street	Frontage	Frontage Factor	Assessible Frontage	Cost per Front Foot, NO UNIT $102.1120	TOTAL ASSESSMENT	Unit Assessment 25% $1,402.54	Cost per Front Foot, WITH UNIT $76.5841	TOTAL ASSESSMENT	UNIT $1000 & $500, per Frontage Factor	Cost per Front Foot, WITH UNIT $86.8762	TOTAL ASSESSMENT
41	09-02-377-004			S. Axford	90.00	0.5	45.00	$4,595.04	$9,955.92	$1,402.54	$3,446.28	$8,869.49	$500.00	$3,909.43	$9,470.43
	09-02-377-005		Axford ROW		0.00			$0.00	$0.00		$0.00	$0.00		$0.00	$0.00
42	09-02-377-006		352	Lake Street	44.00	0.5	22.00	$2,246.46			$1,684.85		$500.00	$1,911.27	
42	09-02-377-006			S. North Shore	93.00	0.5	46.50	$4,748.21	$6,994.67	$1,402.54	$3,561.16	$6,648.55	$500.00	$4,039.74	$6,951.01
43	09-02-377-009		326	Lake Street	45.00	1	45.00	$4,595.04	$4,595.04	$1,402.54	$3,446.28	$4,848.82	$1,000.00	$3,909.43	$4,909.43
44	09-02-377-010		318	Lake Street	45.00	1	45.00	$4,595.04	$4,595.04	$1,402.54	$3,446.28	$4,848.82	$1,000.00	$3,909.43	$4,909.43
45	09-02-377-011		32	S. Axford	90.00	0.5	45.00	$4,595.04			$3,446.28		$500.00	$3,909.43	
45	09-02-377-011			Lake Street	60.00	0.5	30.00	$3,063.36	$7,658.40	$1,402.54	$2,297.52	$7,146.34	$500.00	$2,606.29	$7,515.72
	09-02-377-012		Axford ROW		0.00			$0.00	$0.00		$0.00	$0.00		$0.00	$0.00
46	09-02-377-013		340	Lake Street	44.00	1	44.00	$4,492.93	$4,492.93	$1,402.54	$3,369.70	$4,772.24	$1,000.00	$3,822.55	$4,822.55
47	09-02-377-014		332	Lake Street	34.00	1	34.00	$3,471.81	3471.81	$1,402.54	$2,603.86	4006.4	$1,000.00	$2,953.79	$3,953.79
48	09-02-378-004		135	Grove Street	95.00	0.5	47.50	$4,850.32			$3,637.74		$500.00	$4,126.62	
48	09-02-378-004			Lake Street	40.00	0.5	20.00	$2,042.24	$6,892.56	$1,402.54	$1,531.68	$6,571.96	$500.00	$1,737.51	$6,864.13
49	09-02-378-005		355	Lake Street	100.00	1	100.00	$10,211.19	$10,211.19	$1,402.54	$7,658.41	$9,060.95	$1,000.00	$8,687.61	$9,687.61
50	09-02-378-006		120	Clare Street	82.50	0.5	41.25	$4,212.12			$3,159.09		$500.00	$3,583.64	
50	09-02-378-006			Lake Street	60.00	0.5	30.00	$3,063.36	$7,275.48	$1,402.54	$2,297.52	$6,859.15	$500.00	$2,606.29	$7,189.93
51	09-02-378-007		130	Clare Street	51.50	1	51.50	$5,258.77	$5,258.77	$1,402.54	$3,944.08	$5,346.62	$1,000.00	$4,474.12	$5,474.12
52	09-02-378-009		415	Lake Street	77.33	0.5	38.67	$3,948.16			$2,961.12		$500.00	$3,359.07	
52	09-02-378-009			Grove Street	64.00	0.5	32.00	$3,267.58	$7,215.74	$1,402.54	$2,450.69	$6,814.35	$500.00	$2,780.04	$7,139.11
53	09-02-378-010		154	Grove Street	31.00	1	31.00	$3,165.47	$3,165.47	$1,402.54	$2,374.11	$3,776.65	$1,000.00	$2,693.16	$3,693.16
54	09-02-379-003		305	Lake Street	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
55	09-02-379-006		295	Lake Street	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
56	09-02-379-007		315	Lake Street	60.00	0.5	30.00	$3,063.36			$2,297.52		$500.00	$2,606.29	
56	09-02-379-007			Clare Street	134.00	0.5	67.00	$6,841.49	$9,904.85	$1,402.54	$5,131.13	$8,831.19	$500.00	$5,820.70	$9,426.99
57	09-02-404-018	20 N. Axford		W. Flint	64.75	0.5	32.38	$3,305.88	$3,305.88	$1,402.54	$2,479.41	$3,881.95	$500.00	$2,812.62	$3,312.62
58	09-02-404-021	7 N. Andrews		W. Flint	120.00	0.5	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$500.00	$5,212.57	$5,712.57
59	09-02-451-005		246	W. Flint	60.00	0.5	30.00	$3,063.36	$3,063.36	$1,402.54	$2,297.52	$3,700.06	$500.00	$2,606.29	$3,106.29
60	09-02-451-006		230	W. Flint	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
61	09-02-451-008		216	W. Flint	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
62	09-02-451-009		206	W. Flint	60.00	0.5	30.00	$3,063.36	$3,063.36	$1,402.54	$2,297.52	$3,700.06	$500.00	$2,606.29	$3,106.29
63	09-02-452-005		190	W. Flint	60.00	0.5	30.00	$3,063.36	$3,063.36	$1,402.54	$2,297.52	$3,700.06	$500.00	$2,606.29	$3,106.29
64	09-02-452-006		180	W. Flint	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
65	09-02-452-007		176	W. Flint	35.00	1	35.00	$3,573.92	$3,573.92	$1,402.54	$2,680.44	$4,082.98	$1,000.00	$3,040.67	$4,040.67
66	09-02-452-008		170	W. Flint	55.00	1	55.00	$5,616.16	$5,616.16	$1,402.54	$4,212.13	$5,614.67	$1,000.00	$4,778.19	$5,778.19
67	09-02-452-009		164	W. Flint	30.00	1	30.00	$3,063.36	$3,063.36	$1,402.54	$2,297.52	$3,700.06	$1,000.00	$2,606.29	$3,606.29
68	09-02-452-010	25 N. Park Blvd		W. Flint	117.10	0.5	58.55	$5,978.66	$5,978.66	$1,402.54	$4,484.00	$5,886.54	$500.00	$5,086.60	$5,586.60
69	09-02-455-001		281	W. Flint	62.00	0.5	31.00	$3,165.47			$2,374.11		$500.00	$2,693.16	
69	09-02-455-001			S. Axford	120.00	0.5	60.00	$6,126.72	$9,292.19	$1,402.54	$4,595.05	$8,371.70	$500.00	$5,212.57	$8,905.73
70	09-02-455-003		6	S. Andrews	60.00	0.5	30.00	$3,063.36			$2,297.52		$500.00	$2,606.29	
70	09-02-455-003			W. Flint	120.00	0.5	60.00	$6,126.72	$9,190.08	$1,402.54	$4,595.05	$8,295.11	$500.00	$5,212.57	$8,818.86
71	09-02-455-004		18	S. Andrews	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
72	09-02-455-006		274	Lake Street	95.00	0.5	47.50	$4,850.32			$3,637.74		$500.00	$4,126.62	
72	09-02-455-006			S. Axford	60.00	0.5	30.00	$3,063.36	$7,913.68	$1,402.54	$2,297.52	$7,337.80	$500.00	$2,606.29	$7,732.91
73	09-02-455-007		30	S. Andrews	60.00	0.5	30.00	$3,063.36			$2,297.52		$500.00	$2,606.29	

Village of Lake Orion
2026 Street Improvements, Contract A
Special Assessment Options

# Unit	Tax ID per SO	Site Address If Different	Address #	Street	Frontage	Frontage Factor	Assessible Frontage	Cost per Front Foot, NO UNIT $102.1120	TOTAL ASSESSMENT	Unit Assessment 25% $1,402.54	Cost per Front Foot, WITH UNIT $76.5841	TOTAL ASSESSMENT	UNIT $1000 & $500, per Frontage Factor	Cost per Front Foot, WITH UNIT $86.8762	TOTAL ASSESSMENT
73	09-02-455-007			Lake Street	82.80	0.5	41.40	$4,227.44	$7,290.80	$1,402.54	$3,170.58	$6,870.64	$500.00	$3,596.67	$7,202.96
74	09-02-456-001		275	Lake Street	94.60	1	94.60	$9,659.79	$9,659.79	$1,402.54	$7,244.86	$8,647.40	$1,000.00	$8,218.48	$9,218.48
75	09-02-456-002	106 S. Andrews		Lake Street	80.00	0.5	40.00	$4,084.48	$4,084.48	$1,402.54	$3,063.36	$4,465.90	$500.00	$3,475.05	$3,975.05
76	09-02-457-001		247	W. Flint	60.00	0.5	30.00	$3,063.36			$2,297.52		$500.00	$2,606.29	
76	09-02-457-001			S. Andrews	120.00	0.5	60.00	$6,126.72	$9,190.08	$1,402.54	$4,595.05	$8,295.11	$500.00	$5,212.57	$8,818.86
77	09-02-457-002		229	W. Flint	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
78	09-02-457-003		221	W. Flint	60.00	1	60.00	$6,126.72	6126.72	$1,402.54	$4,595.05	5997.59	$1,000.00	$5,212.57	$6,212.57
79	09-02-457-004		238	Lake Street	120.00	0.5	60.00	$6,126.72			$4,595.05		$500.00	$5,212.57	
79	09-02-457-004			S. Andrews	60.00	0.5	30.00	$3,063.36	$9,190.08	$1,402.54	$2,297.52	$8,295.11	$500.00	$2,606.29	$8,818.86
80	09-02-457-005		228	Lake Street	60.00	1	60.00	$6,126.72	$6,126.72	$1,402.54	$4,595.05	$5,997.59	$1,000.00	$5,212.57	$6,212.57
81	09-02-457-006		211	W. Flint	30.00	0.5	15.00	$1,531.68			$1,148.76		$500.00	$1,303.14	
81	09-02-457-006			Lake Street	30.00	0.5	15.00	$1,531.68	$3,063.36	$1,402.54	$1,148.76	$3,700.06	$500.00	$1,303.14	$3,606.28
82	09-02-457-007		203	W. Flint	30.00	1	30.00	$3,063.36	$3,063.36	$1,402.54	$2,297.52	$3,700.06	$1,000.00	$2,606.29	$3,606.29
83	09-02-457-009		197	W. Flint	60.00	0.5	30.00	$3,063.36	$3,063.36	$1,402.54	$2,297.52	$3,700.06	$500.00	$2,606.29	$3,106.29
84	09-02-457-012		Reserve	W. Flint	48.00	0.5	24.00	$2,450.69	$2,450.69	$1,402.54	$1,838.02	$3,240.56	$500.00	$2,085.02	$2,585.02
85	09-02-457-013		189	W. Flint	59.81	0.5	29.91	$3,053.66	$3,053.66	$1,402.54	$2,290.25	$3,692.79	$500.00	$2,598.03	$3,098.03
86	09-02-457-014		181	W. Flint	63.00	0.5	31.50	$3,216.53	$3,216.53	$1,402.54	$2,412.40	$3,814.94	$500.00	$2,736.60	$3,236.60
87	09-02-457-015		173	W. Flint	116.98	0.5	58.49	$5,972.53	$5,972.53	$1,402.54	$4,479.40	$5,881.94	$500.00	$5,081.39	$5,581.39
88	09-02-458-001	105 S. Andrews		Lake Street	85.00	0.5	42.50	$4,339.76	$4,339.76	$1,402.54	$3,254.82	$4,657.36	$500.00	$3,692.24	$4,192.24
89	09-02-458-014		225	Lake Street	140.00	1	140.00	$14,295.67	$14,295.67	$1,402.54	$10,721.78	$12,124.32	$1,000.00	$12,162.66	$13,162.66
						Entire Assessible Frontage	**4889.7950**								
				Entire Project Frontage	7228.54			$499,306.61	$499,306.61	$124,826.06	$374,480.55	$499,306.61	$74,500.00	$424,806.61	$499,306.61
							VLO Act 51 Funds:		$159,843.39			$159,843.39			$159,843.39
							Total - Grant		$659,150.00			$659,150.00			$659,150.00
							TEDF Grant:		$250,000.00			$250,000.00			$250,000.00
							TOTAL PROJECT COST EST		**$909,150.00**			**$909,150.00**			**$909,150.00**

Village of Lake Orion
2026 Street Improvements, Contract A
Assessment Methodolgy Options

Total SAD Project Cost Opinion **$ 909,150.00**

Amount to Spread, NO UNIT ASSESSMENT			
Subtract TEDF Grant	-$250,000.000		
Total Project minus Grant	**$659,150.000**		
Cost of Project minus Grant, per Area, Street Cost			VLO Act 51
Street Cost, Clare	$23,855.52	10%	$2,385.55
Street Cost, Grove	$9,105.23	10%	$910.52
Street Cost, Axford	$22,394.76	25%	$5,598.69
Street Cost, Andrews	$19,022.47	25%	$4,755.62
Street Cost, Lake	$126,971.47	25%	$31,742.87
Street Cost, Flint	$306,664.90	25%	$76,666.22
Street Cost, North Shore	$151,135.66	25%	$37,783.91
	$659,150.00		$159,843.39
Amount VLO Contributing from Act 51 Funding			$159,843.39
Remainder to Spread, After Grant and VLO Act 51 funds			$499,306.610
Cost of Remainder to Spread, per assessible foot	**4889.795**		**$102.11**

Total SAD Project Cost Opinion **$ 909,150.00**

Amount to Spread, 25% UNIT ASSESSMENT			
Subtract TEDF Grant	-$250,000.000		
Total Project minus Grant	**$659,150.000**		
Cost of Project minus Grant, per Area, Street Cost			VLO Act 51
Street Cost, Clare	$23,855.52	10%	$2,385.55
Street Cost, Grove	$9,105.23	10%	$910.52
Street Cost, Axford	$22,394.76	25%	$5,598.69
Street Cost, Andrews	$19,022.47	25%	$4,755.62
Street Cost, Lake	$126,971.47	25%	$31,742.87
Street Cost, Flint	$306,664.90	25%	$76,666.22
Street Cost, North Shore	$151,135.66	25%	$37,783.91
	$659,150.00		$159,843.39
Amount VLO Contributing from Act 51 Funding			$159,843.39
Remainder to Spread, After Grant and VLO Act 51 funds			$499,306.610
25% Unit Assessment			$124,826.060
Unit Assessment per # of Units	**89**		**$1,402.540**
Remainder to Spread per Foot, after UNIT			$374,480.550
Cost of Remainder to Spread, per assessible foot	**4889.795**		**$76.58**

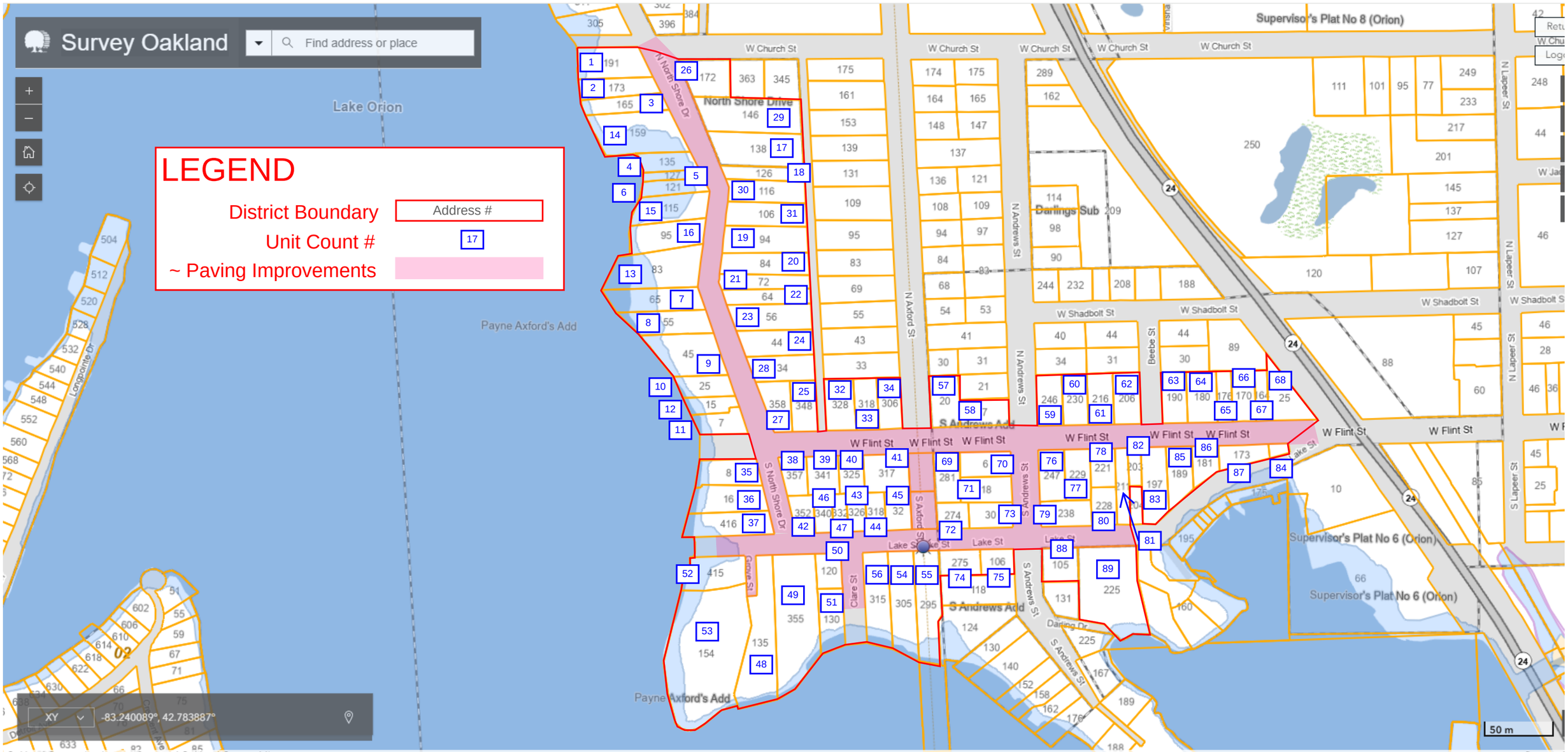
Amount to Spread, $1000 & $500 UNIT ASSESSMENT			
Subtract TEDF Grant	-$250,000.000		
Total Project minus Grant	**$659,150.000**		
Cost of Project minus Grant, per Area, Street Cost			VLO Act 51
Street Cost, Clare	$23,855.52	10%	$2,385.55
Street Cost, Grove	$9,105.23	10%	$910.52
Street Cost, Axford	$22,394.76	25%	$5,598.69
Street Cost, Andrews	$19,022.47	25%	$4,755.62
Street Cost, Lake	$126,971.47	25%	$31,742.87
Street Cost, Flint	$306,664.90	25%	$76,666.22
Street Cost, North Shore	$151,135.66	25%	$37,783.91
	$659,150.00		$159,843.39
Amount VLO Contributing from Act 51 Funding			$159,843.39
Remainder to Spread, After Grant and VLO Act 51 funds			$499,306.610
Unit Assessment, $1000 full, $500 Half	From SAD List		$74,500.000
Remainder to Spread per Foot, after UNIT			$424,806.610
Cost of Remainder to Spread, per assessible foot	**4889.795**		**$86.88**

Survey Oakland

gis.oakgov.com/surveyoaklandviewer/?ao_session_id=55710429-093a-121b-ea6b-ba14d3360bee&ao_logon_id=7333&ao_user_id=7167&sel_ao_bprod_id=0&sel_ao_prod_usage_id=82&sel_ao_prod_usage_typ=S&sel_ao_pay_type_cd=I&sel_ao_prod_desc=S...

New Tab

All Book



Village of Lake Orion 2026 Street Improvements
Special Assessment District Map

Darwin McClary

From: matt szadyr <mszadyr@gmail.com>
Sent: Thursday, October 15, 2026 12:25 PM
To: Darwin McClary; Eric Papacek; Alex Comparoni, Jr.; George Dandalides; Nancy Moshier; Michael Lamb; Stan Ford; Teresa Rutt
Subject: Street Improvement SAD

Dear President Rutt, Members of the Village Council, and Mr. McClary,

I have reviewed the Oct 7, 2026 NFE cost opinion, the Aug 24 Council packet and minutes, the Aug 20 budget amendment, and NFE's December 2025 letters. I am writing because the numbers raise questions that I think many residents will share. I would appreciate written answers before the special assessment roll hearing.

WHAT THE DOCUMENTS SHOW

- Total project cost (NFE, Oct 7): $909,150

- Less TEDF grant: $250,000, leaving $659,150

- Village share (Act 51 funds): $159,843 (about 24% of the net, or 17.6% of the total)

-Village 25% portion $ 124,826.060

- Residents' share: $499,307, spread over 4,889.8 assessable feet = $102.11 per front foot + plus two other options resulting in a $76.58 per foot and $86.87 per foot.

HOW THIS COMPARES TO WHAT WE WERE TOLD EARLIER

- December 2025 (NFE): residents' share was about $225,425, or $30–32 per front foot. I know This didn’t include the added roads to the project.

- Today: $499,307, or $102.11 per front foot. That is more than double the dollars and more than three times the per-foot rate.

- Of that increase, about $38 per foot comes from higher costs (bid above estimate, a 10% contingency, and about $82,150 in added engineering and inspection costs). About $33 per foot comes from reducing assessable footage from 7,228.5 ft to 4,889.8 ft through an undefined "frontage factor."

QUESTIONS I WOULD LIKE ANSWERED

1. The Aug 24 summary lists a $876,000 project cost. NFE now says $909,150. Why the $33,150 difference?

2. The last meeting motion ($400,000 Major Streets + $146,000 General Fund + $250,000 grant) total $796,000, not $876,000. What covers the other $80,000? ((amendment BA-2027-203-01 from the August 24 meeting)

3. The Village has appropriated $546,000 in cash, yet only $124,826.06 is treated as the Village's share. Is the $546,000 a temporary advance to be repaid by assessments, or a permanent Village contribution? If permanent, why are residents being assessed $499,307 rather than about $113,150?

4. The budget worksheet expected about $240,000 in assessment revenue. The roll is now more that. When and where was Council told? (amendment BA-2027-203-01 from the August 24 meeting

5. Village policy (per NFE, Dec 4) is 25% for local streets and 10% for dead ends. Is that percentage meant to apply to the total cost or only to the cost after the grant? Applying it to the total would make the Village's share about $187,326.65 instead of $124,826.060

6. Can the Village provide the written policy and the Charter Chapter 12 provisions (including 12.3, excessive assessments) it is relying on?

7. What exactly is the "frontage factor" (the 0.5 and 1.0 values)? Which parcels receive it, why, and who pays for the discount?

8. NFE's December letter said the North Shore drainage work was not included. The bid now includes roughly $86,000 in drainage items (including $61,790 of trench drain) and about $45,000 in structure cover adjustments. Why are storm drainage and utility adjustments, which benefit the public, being assessed to abutting owners?

9. About $25,700 of ADA ramp, detectable warning and sidewalk items are included. Should these be a Village cost?

10. Residents are being charged a $75,185 contingency, yet NFE says the need for it is unknown until Flint Street's overlay is removed. Will unused contingency be refunded or credited?

11. The $6,000 TEDF grant implementation and $6,000 SAD methodology/resident meeting costs are administrative work for the Village. Why are they assessed to residents?

12. The $17,408 inspection figure is an hourly estimate using a 2021 rate schedule. Is there a cap, and will residents be assessed actual cost only?

13. Did Council approve the Oct 7 NFE work authorization (about $23,400 in new fees)?

14. Assessments are scheduled to begin on the July 2027 tax bill and be spread over several years. What interest rate will apply??

OPTIONS THAT STILL FOLLOW VILLAGE POLICY

Based on NFE's own figures, these structures keep the Village at 25% or more and still assess by front foot:

- As proposed: residents pay $499,307 ($102.11 per foot)

- 25% of total cost after Local ACT 51, with the full grant credited to residents: $311,979.96 ($63.80 per foot)

- Public-benefit items (drainage, utility adjustments, ADA) paid by the Village, then 25% of the rest: about $407,533.96 (about $62 per foot)

- Village keeps its $546,000 appropriation as its share: $113,150 to the residents ($23.14 per foot)

MY RECOMMENDATION

Readjust the SAD proposal to the 3 below options:

1.) apply 25% to the total cost before grant funding:
Total cost $909,150.00
Local act 51: $159,843.39
Toal Remaining: $ 749,306.61
25% unit assessment paid by village: $ 187,326.65
Grand funds: 250,000
Total resident SAD: 311,979.96
Per foot cost: $63.80

2.) Remove Public Benefit Items from the SAD:
Total cost $909,150.00
Local act 51: $159,843.39
Toal Remaining: $ 749,306.61
25% unit assessment paid by village + Public benefit items: $ 187,326.65 + 154,446.00 = $341,772.65
Grand funds: 250,000
Total resident SAD: 407,533.96
Final Per foot cost: $83.34

3.) Total Project Cost: $909,150.00
Village Total Appropriation (Major Street + General Fund): $546,000.00
Total Remaining: $363,150.00
State TEDF Grant Funds: $250,000.00
Total Remaining for SAD: $113,150.00
Final Per-Foot Cost: $23.14
(AMENDMENT # BA-2027-203-01)

I am relying on the documents published in the Council packets. If I have misread anything, please correct me. **Please also consider this email my written protest and objection to the proposed assessment options**, and please enter it into the record for the roll hearing.

Thank you for your time and for the work you are doing on our roads.

Matt Szadyr

7 N North Shore Dr

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC Tour on Orion and Pedal Boat Pub Green's Park Access Agreements

BACKGROUND BRIEF:

Council is scheduled to consider a request from Riva Beatty and Marcella Robinson to grant three-year park access agreements to permit Tour on Orion LLC and Pedal Boat Pub LLC to continue to use Green's Park for their pedal boat tour operations. For the past five years, the Village has approved annual access agreements for these business operations. The agreements require certain payments to the Village as consideration for the access. Concerns have arisen by some Council members regarding the appropriateness or legality of this public/private partnership.

Administration is seeking direction on (1) whether Council wishes to continue this public/private partnership; and (2) if Council wishes to continue the partnership, is the Council interested in considering three-year access agreements rather than one-year agreements.

Attached is the letter of request from Tour on Orion and Pedal Boat Pub. Also attached are the meeting minutes from the March 23, 2026, Village Council meeting. The attorney-client privileged written legal opinion will be provided to Council under separate cover.

If the Council wishes to discuss the contents of the Village Attorney's legal opinion, Council should convene into closed session for the discussion. Village Attorney Clark will be in attendance at Monday's meeting.

SUMMARY OF PREVIOUS COUNCIL ACTION:

03/23/2026 – Council convened into closed session to consider the attorney-client privileged legal opinion from the Village Attorney regarding this matter, reconvened into open session, and approved the 2026 park access agreements for Tour on Orion LLC and Pedal Boat Pub LLC.

FINANCIAL IMPACT:

The Village receives approximately $5,000 annually under the agreements with Tour on Orion and Pedal Boat Pub.

RECOMMENDED MOTION:

None

October 5, 2026

Village of Lake Orion Village Council
21 E. Church Street
Lake Orion, MI 48362

RE: Request for Three-Year Agreements

Dear Village Council,

We are writing jointly on behalf of **Tour on Orion and the Pedal Boat Pub** regarding our continued use of the Village dock at Green's Park. Although each business may be considered separately, we are submitting one letter because we are making the same request and hope to simplify the process for the Village.

Earlier this year, Council approved our operations for the 2026 season. We sincerely appreciate that support and are pleased to have completed another successful season at Green's Park.

As the Village prepares our agreements for 2027, we respectfully request that Council approve **three-year agreements for each business**, rather than requiring annual renewal.

Both businesses have established successful operating procedures at Green's Park. Our experiences are scheduled and personally managed, with organized boarding and direct oversight of our guests. Each experience lasts under two hours, including boarding, and involves approximately 10–15 minutes total in the park. Both businesses carry commercial liability insurance and maintain policies for responsible guest conduct and compliance with park rules.

A three-year agreement would provide greater stability for planning, marketing, scheduling, maintenance, insurance, and other investments made well before each season. At the same time, the Village would remain protected by the existing provision allowing termination **with or without cause upon 30 days' written notice**.

Tour on Orion has completed 18 seasons and the Pedal Boat Pub nine, with both businesses operating from Green's Park for the past five seasons. Our shared goal is to represent Lake Orion positively, connect residents and visitors with the lake and community, and support the downtown businesses that benefit from bringing people into the Village.

Thank you for your consideration and continued support. We look forward to another successful season in 2027.

Sincerely,

Riva Beatty
Tour on Orion

Marcella Robinette
Pedal Boat Pub

MINUTES

REGULAR MEETING OF THE VILLAGE COUNCIL

Monday, March 23, 2026

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

1. Call to Order

The March 23, 2026 Village Council Regular Meeting was called to order by President Rutt at 6:30 PM.

2. Pledge of Allegiance

3. Roll Call and Determination of Quorum

PRESENT
President Teresa Rutt
President Pro Tem Stan Ford
Council Member Nancy Moshier
Council Member Michael Lamb
Council Member George Dandalides
Council Member Alex Comparoni Jr
Council Member Eric Papacek

STAFF PRESENT
Village Manager Darwin McClary
Police Chief Mark Amundson
Clerk/Treasurer Sonja Stout
DPW Director Wes Sanchez

4. Presentations

A. Reserve Officer of the Year 2025 Presentation

Chief Amundson recognized Reserve Officer Cedar Chan as the 2025 Reserve Officer of the Year. He noted that Officer Chan demonstrated professionalism and strong community engagement, attended 100% of scheduled events, and volunteered 284 hours at local events. Chief

Amundson presented Officer Chan with a plaque and a photo was taken. President Rutt thanked Officer Chan for his dedication and service to the community.

5. Call to the Public

None.

6. Approval of Agenda

Council Member Dandalides suggested adding an agenda item for the next meeting to consider adopting a resolution opposing Michigan House of Representatives Bills 5529–5532 and 5581–5585 regarding local municipal zoning authority. The Village Manager stated that Administration would place the item on the next agenda and that it was not necessary to add it to the current agenda.

MOTION made by Council Member Comparoni Jr, Seconded by Council Member Lamb to approve the agenda for the March 23, 2026, Village Council Regular Meeting as presented.

VOTING YEA:	Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY:	None
ABSENT:	None
MOTION:	Carried

7. Consent Agenda

All items on the Consent Agenda are approved by one vote.

MOTION made by President Rutt, Seconded by President Pro Tem Ford to approve the March 23, 2026 Village Council Regular Meeting Consent Agenda with the removal of items:

- Removal of Item 7.A -*Approval of Village Council Regular Meeting Minutes of March 9, 2026* for further discussion
- Removal of Item 7.F-*Receive and File of Orion Township Building Permit Report from February 24, 2026 to March 10, 2026* for further discussion

VOTING YEA:	Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY:	None
ABSENT:	None
MOTION:	Carried

A. Approval of Village Council Regular Meeting Minutes of March 9, 2026

Removed for further discussion.

B. Receive and File of DDA Regular Meeting Minutes of February 17, 2026

MOTION made by President Rutt, Seconded by President Pro Tem Ford to receive and file the Downtown Development Authority Regular Meeting Minutes of February 17, 2026, as presented.

VOTING YEA:	Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY:	None
ABSENT:	None

MOTION: Carried

C. Approval of Elections Facility Usage Agreement- Orion Charter Township and Village of Lake Orion

MOTION made by President Rutt, Seconded by President Pro Tem Ford to approve the Elections Facility Use Agreement between Orion Charter Township and the Village of Lake Orion for the use of Village Hall for elections, and to authorize the Village Manager to execute the agreement on behalf of the Village.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

D. Budget Amendment- Administration Computer Workspace-Continuation

MOTION made by President Rutt, Seconded by President Pro Tem Ford To approve Budget Amendment BA-2026-101-260-04, increasing the Capital Outlay line item (101-260- 977-000) in the amount of $1,257, funded from General Fund balance, and to authorize the Clerk/Treasurer to coordinate with VC3 to complete the workstation upgrades.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

E. Receive and File of Invoice Distribution Report for March 24, 2026

MOTION made by President Rutt, Seconded by President Pro Tem Ford to receive and file the bills in the amount of $120,804.51 of which $73,380.53 are DDA bills for a net total of $47,423.98 and to receive and file the DDA bills.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

F. Receive and File of Orion Township Building Permit Report from February 24, 2026 to March 10, 2026

Removed for further discussion.

G. Receive and File Correspondence Request from Matt Szadyr

MOTION made by President Rutt, Seconded by President Pro Tem Ford to receive and File the request from Matt Szadyr to request Administration to review the Special Assessment District (SAD) funding model for the 2026 Street Improvement Program.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None

MOTION: Carried

H. Approval of Social District Permit: Michigan By the Bottle

MOTION made by President Rutt, Seconded by President Pro Tem Ford To adopt Resolution No. 26-009 recommending approval of the Social District Permit Application of Michigan By the Bottle at 146 S Broadway Suite 150, and authorize the Village Clerk to complete and sign the Local Governmental Unit Approval section (Form LCC-208) of the Michigan Liquor Control Commission application.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

8. Items Removed from the Consent Agenda

A. Approval of Village Council Regular Meeting Minutes of March 9, 2026

Council Member Dandalides stated that during a previous meeting a resident and a council member questioned his calculations regarding interest earnings. He clarified that his estimate indicated the Village was losing approximately $12,000 per month in interest by maintaining funds in the current bank account. Council Member Dandalides asked the Clerk/Treasurer if his calculations had been confirmed; the Clerk/Treasurer stated that she had not verified the numbers. He also asked whether the balance in the bank account had been reduced, to which the Clerk/Treasurer responded that it had.

MOTION by Council Member Dandalides requesting that the Village Manager present to Council at the April 13, 2026 meeting an investment plan outlining the process for managing the Village's investment accounts to maximize yield while ensuring the security and proper insurance coverage of Village funds. **Motion failed for lack of support.**

Council Member Lamb stated that at the March 9, 2026 meeting Council had already directed the Village Manager and Clerk/Treasurer to bring back an investment strategy outlining how Village funds are being managed by the April 13, 2026 meeting.

The Village Manager confirmed that he is currently working with the Clerk/Treasurer to develop the best approach for managing the Village's accounts and will present a plan to Council on April 13, 2026. He noted the plan may include moving accounts to another financial institution to ensure the safety and security of Village funds.

MOTION made by President Rutt, Seconded by President Pro Tem Ford to approve the Village Council Regular Meeting Minutes of March 9, 2026, as presented.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

F. Receive and File of Orion Township Building Permit Report from February 24, 2026 to March 10, 2026

Council Member Lamb inquired about having the Village Manager reach out to the Township and inquire about obtaining more detail in the future of obtaining the Building Permit report.

MOTION made by Council Member Lamb, Seconded by President Rutt to receive and file the Orion Township Building Permit Report from February 24, 2026 to March 10,2026, as presented.

VOTING YEA:	Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY:	None
ABSENT:	None
MOTION:	Carried

9. Public Hearings

A. Public Hearing on Necessity - 2026 Street Improvement Program

MOTION made by President Rutt, Seconded by Council Member Comparoni Jr to open the 2026 Street Improvement Program Public Hearing on Necessity at 6:48 PM.

VOTING YEA:	Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY:	None
ABSENT:	None
MOTION:	Carried

Lori Pesci, 95 N. Axford St., stated that her street does not require repaving.

David Lidgey, 18 S. Andrews St., inquired about properties not included in the highlighted project area and spoke about concerns related to weight restrictions and potential construction damage.

Natalie Daversa, 238 Lake St., inquired about how the project would be funded and referenced a previous sewer collapse at her property that she had to pay for.

Amy Tunney, 94 N. North Shore Dr., expressed concern that special assessments could price residents out of the Village.

Ken VanPortfliet, 152 S. Andrews St., stated that his road does not require replacement and suggested the Department of Public Works could address any necessary repairs. He also expressed concerns regarding the sewer on the road and reiterated his opposition to the Special Assessment District.

Cathy Laich, 120 Clare St., noted that the map provided did not include a legend. She also stated that storm drainage contributes to flooding issues and inquired about the cost of repairs.

Natalie Daversa, 238 Lake St., spoke about the sensitivity of the sewer system and referenced a prior lawsuit.

A resident stated that they recently purchased a lot on Hill Street, noted that the road is narrow, and expressed support for road improvements on that street.

Jeff Synor, 416 Lake St., thanked the Village for sending the informational letter and for seeking resident input regarding road improvements. He stated that he did not believe residents should determine whether road improvements are made and that the cost of road improvements should not be assessed to residents.

Patrick Bauer, 75 N. Andrews St., stated that the road is currently in good condition. He also inquired about the color coding on the map and the potential cost of the project.

Ron Henig, 174 N. Axford St., stated that Axford Street is in good condition. He expressed that the Village, rather than residents, should pay for road improvements and also commented on increased water bills.

A resident spoke about concerns that the special assessment would be required as a lump sum payment rather than being spread out over time.

Johannes Merck, 354 N. North Shore Dr., stated that Hill Street does not require widening or full replacement and suggested that only minor repairs are needed.

Jason Verbrugghe, 305 Park Ave., stated that Park Avenue and Central Street were reconstructed several times in recent years and inquired about warranty coverage for those projects. He also stated that Village tax revenue should fund the improvement project.

Mel Bradley, 300 Hill St., stated that a map was not included in the mailer he received. He also stated that Hill Street does not require widening and expressed concern about the ability to pay for the project, stating that taxes should cover the cost.

Natalie Parraghi, 30 Beebe St., stated that she recently purchased a home in the Village and does not believe the street requires repairs. She also stated that taxes should cover the cost of the project and expressed concern about high water bills.

Dorothy Belaney, 380 N. North Shore Dr., stated that she does not believe the road requires repair but believes the sewer should be replaced. She also expressed opposition to a special assessment.

Timo Nicholaou, 8 S. North Shore Dr., stated that taxes should cover the cost of the project and inquired about the estimated costs.

Brenda Beyer, 172 Saber Way, inquired whether the roads had been inspected prior to the project being proposed.

MOTION made by Pro Tem Ford, Seconded by Council Member Comparoni Jr to close the 2026 Street Improvement Program Public Hearing on Necessity at 7:15 PM.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None

ABSENT: None
MOTION: Carried

Village Manager McClary addressed concerns raised during the public hearing regarding the map and project scope. He explained that the areas highlighted in red represent the original scope of the project that was submitted for grant funding based on the Pavement Asset Management Plan (PAMP), identifying the streets in the poorest condition in the area. He stated that Council later added the sections highlighted in blue to expand the project and potentially achieve economies of scale; however, those areas are not eligible for grant funding. He also explained that the section of Lake Street not included in the project is expected to be repaved by the developer of the Starboard project as part of that development. Regarding special assessment concerns, he stated that the intent was for the assessment to be spread over approximately 15 years in equal annual installments rather than paid as a lump sum.

Council Member Lamb inquired about the availability of grant funding for the project. The Village Manager responded that this is the final year for Transportation Economic Development Fund (TEDF) grant funding.

President Rutt asked the Clerk/Treasurer to take a tally of how many residents felt they were in favor of the road improvements and those where not in favor of the road improvements.

Timo Nicholaou questioned the purpose of taking a tally. President Rutt responded that it was intended to gauge the general sentiment of those present. Timo Nicholaou stated that he did not believe the tally fairly represented the broader public based solely on those in attendance.

Council discussed various options for determining whether and how the project should proceed, as well as methods for obtaining additional public input. Discussion included potential ways to reduce costs, such as limiting work to necessary repairs, removing certain streets from the project, and considering how such changes could impact available grant funding.

Council Member Lamb encouraged residents to submit comments regarding whether their streets should be included in the project by emailing, visiting, or providing written correspondence to the Clerk’s Office.

The Village Manager stated that the Village collects approximately $1.5 million in taxes to operate the entire Village, with only about $330,000 received through Act 51 funds designated for major and local streets. He noted that a significant portion of those funds is used for snow removal and routine maintenance, which limits available funding for major road improvements and necessitates reliance on special assessments.

The Village Manager explained that the proposed Special Assessment District would be calculated based on linear footage rather than the taxable value of homes. Council Member Papacek and the Village Manager also discussed alternative funding options, including bonds and millages, with the Village Manager noting that millages may not be an equitable method for assessing project costs.

MOTION made by President Rutt, seconded by Council Member Lamb, directing Village Administration to return at the next meeting with additional information and a revised project map that eliminates streets based on feedback received from residents at the public hearing, through email, and from any additional comments received over the following week. The revised information will include the original streets identified in red for grant purposes and provide the estimated project cost per linear foot in the meeting packet.

Council Member Lamb discussed the importance of providing residents with an opportunity to submit input regarding whether their streets should be included in the project. The Clerk/Treasurer, President Rutt, and Council Member Lamb agreed to publish a notice in the newspaper requesting public input, with a submission deadline of April 6 at the close of business.

Resident Timo Nicholaou inquired whether the costs associated with the areas highlighted in red would be anticipated to be lower due to grant funding.

A resident inquired how linear footage would be calculated for a corner lot. The Village Manager responded that the assessment would be divided between the two streets.

A resident spoke about the overall cost of the project.

A resident asked whether requests regarding whether their street requires repairs must be submitted in writing.

A resident asked whether the project could be completed in phases. The Village Manager responded that the project could be completed in smaller sections over multiple years.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

President Rutt called for a two-minute recess between public hearings at 8:04 PM. The meeting resumed at 8:09 PM.

B. Public Hearing on Necessity – 2026 Sidewalk Improvement Program (SWIP) District #2

MOTION made by Council Member Comparoni Jr, Seconded by President Pro Tem Ford opened the 2026 Sidewalk Improvement Program (SWIP) -District 2 Necessity Hearing at 8:09 PM.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

Nick Wieland, 674 Orion Road, inquired whether sidewalk repairs could be completed by the homeowner and asked about liability responsibilities and why the homeowner would be responsible for the cost.

A resident, 552 Bagley St., stated that homeowners could perform their own due diligence when researching contractors and associated costs.

A resident, 18 S. Andrews St., stated that it would be helpful if the project were presented in a more objective manner.

Brenda Beyer, 172 Saber Way, stated she would be willing to assist the Village with sidewalk-related efforts, including participating in sidewalk walks, and referenced lessons learned from processes over the past year.

A resident, 174 N. Axford St., inquired about the different districts and stated that he is located in District 3 and would plan to provide input next year.

MOTION made by Council Member Dandalides, Seconded by Council Member Lamb to close the 2026 Sidewalk Improvement Program (SWIP) -District 2 Necessity Hearing at 8:22 PM.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

MOTION made by President Rutt, Seconded by President Pro Tem Ford to find that the 2026 Sidewalk Improvement Program (SWIP) District #2 as presented as necessary.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

MOTION made by President Rutt, Seconded by President Pro Tem Ford to direct the Village Manager to complete the design, bid, and contract specifications and to competitively bid the 2026 Sidewalk Improvement Program (SWIP) District #2 project and to cause to have a proposed special assessment roll prepared based on the bid results.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

10. Other Items

A. Finalize and Adopt FY 2026-27 Village Council Goals and Objectives

Council Member Dandalides and President Rutt agreed that additional time was needed to address the matter and discussed the possibility of holding a special meeting due to time constraints during the current meeting.

MOTION made by President Rutt, Seconded by President Pro Tem Ford to schedule a special meeting for April 13, 2026 at 5:30 PM to finalize the FY 2026-27 Village Council goals and objectives.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

B. Award of Contract – Atwater Park Basketball Court Replacement Project – Titan Pavement

Council Member Dandalides stated he has mixed feelings about the project due to the increasing cost over time and noted that it would benefit a relatively small portion of the population, while additional funds may be needed for the water and sewer project, which impacts more residents. Council Member Comparoni Jr. agreed with Council Member Dandalides, and Council Member Lamb stated he did not support spending the money on the project.

Pro Tem Ford acknowledged the cost concerns but stated he did not want to abandon efforts to update the Village or reduce recreational opportunities for residents. He noted that the Parks and Recreation Commission has invested considerable time into the project and stated he would support moving forward. Council Member Moshier agreed with Council Member Dandalides, citing the cost and suggesting the project could potentially be delayed rather than rushed. President Rutt stated the project has been postponed for several years despite being an ongoing concern and expressed full support for proceeding.

MOTION made by President Rutt, Seconded by President Pro Tem Ford to approve Budget Amendments #BA-2026-101-964-02 and BA-2026-401-02 in the amount of $29,057.00 to provide a supplemental appropriation from General Fund to the Capital Projects Fund for the completion of the Atwater Park Basketball Court Replacement Project.

During further discussion, Council Member Lamb stated that Village priorities appear misaligned and suggested revisiting the project. Council Member Comparoni Jr. raised concerns regarding potential liability to the Village if the court remains in its current condition, which Council Member Dandalides also acknowledged, stating that some action must be taken to address the liability. Council Member Papacek suggested exploring alternative funding options for the project.

Rosemary Ford, Chairperson of the Parks and Recreation Board, stated that Council had previously directed the board to move forward with the project and acknowledged that cost concerns have existed throughout the process. She noted that delaying the project would likely result in higher costs in the future.

Dave Otto, 638 Buena Vista, stated that if liability is the primary concern, the basketball court could be removed, and emphasized that water and sewer infrastructure should remain a higher priority.

Council Member Comparoni Jr. expressed appreciation for the work of the Parks and Recreation Board but reiterated concern about the project's increasing cost. Pro Tem Ford stated that completing the project earlier would have been less expensive and noted that costs will likely continue to rise if further delayed. Council Member Lamb suggested seeking grant

funding and stated that infrastructure priorities should take precedence over recreational projects. Council Member Dandalides reiterated his appreciation for the Parks and Recreation Board but emphasized the need to prioritize water and sewer infrastructure.

President Rutt noted that Atwater Park is located within the Downtown Development Authority (DDA) district and may be eligible for funding through the 75/25 infrastructure program, which could provide an alternative funding option. The Village Manager stated that moving forward with this approach would require a resolution from both the DDA Board and the Village Council. Executive Director Gibb explained that the process would involve Village Council adopting a resolution recommending the project to the DDA Board for consideration at its April 21, 2026 meeting.

MOTION made by President Rutt, Seconded by President Pro Tem Ford ***RESCIND*** the current motion.

MOTION made by President Rutt, Seconded by Council Member Lamb to create a resolution to use the 75/25 infrastructure fund in the amount of $69,056.20 to fund the Atwater Basketball Court Replacement Project.

Rosemary Ford, Chairperson of the Parks and Recreation Board, stated that if the project were not supported it should be allowed to end rather than proceeding solely to appease the board. She expressed concern that some statements made during the discussion may create the perception among residents that the Village lacks funding, and stated that while water and sewer infrastructure will remain an ongoing issue, she is concerned the Village could lose recreational amenities over time.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

MOTION made by President Rutt, Seconded by President Pro Tem Ford to award the contract for the Atwater Park Basketball Court Replacement Project construction to lowest qualified bidder Titan Pavement of Waterford, Michigan, in the amount of $57,956.20 in accordance with the firm's bid proposal dated February 4, 2026, and to authorize the Village Manager to execute all necessary documents relating to this contract subject to the DDA approving the resolution.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

C. Lumber Yard at Paint Creek Planned Unit Development Eligibility

Council Member Lamb expressed his thoughts regarding the DDA Lumberyard project utilizing Planned Unit Development (PUD) eligibility as a mechanism to complete the project. President Rutt clarified that the action before Council was only to approve the PUD eligibility and expressed support. Council Member Dandalides stated his full support for the project. Council

Member Comparoni Jr. sought clarification that the vote was solely on the PUD eligibility and not on the project plan itself.

MOTION made by Council Member Lamb, Seconded by Council Member Papacek to accept the recommendation from the Village of Lake Orion Planning Commission issued at its March 2, 2026, regular meeting and approve PUD Eligibility for the property located at 215 S. Broadway, commonly known as the Lumber Yard at Paint Creek.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

D. Proposal to Update Dam Emergency Action Plan – NFE Engineers

MOTION made by Council Member Lamb, Seconded by President Rutt to approve the Budget Amendment BA-2026-101-880-01 to provide a supplemental appropriation in the amount of $2,500.00 for NFE Engineers to complete the Dam Emergency Action Plan (EAP) update as required by the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

MOTION made by Council Member Lamb, Seconded by Council Member Comparoni Jr to accept and approve the Proposal for Professional Services from NFE Engineers dated December 16, 2025, to complete the Village of Lake Orion Dam Emergency Action Plan (EAP) update in a lump sum amount not to exceed $2,500.00 and to authorize the Village Manager to execute the acceptance of the proposal on behalf of the Village.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

15. Closed Session Items

A. Consider Attorney-Client Privileged Communication – Greens Park Access Agreements – Tour on Orion LLC and Pedal Boat Pub LLC – Michigan Open Meetings Act, MCL 15.268(1)(h)

MOTION made by President Rutt, Seconded by Council Member Lamb to convene into closed session in accordance with Section 8(1)(h) of the Michigan Open Meetings Act, Public Act 267, as amended, being MCL 15.268(1)(h), for the purpose of reviewing an attorney-client privileged written legal opinion from the Village Attorney regarding the 2026 Greens Park Access Agreements for Tour on Orion LLC and Pedal Boat Pub LLC.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

The Village Council convened to a closed session at 9:20 PM.

MOTION made by Council Member Lamb, Seconded by Council Member Dandalides to extend the meeting no later than 10:00 PM.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

MOTION made by President Rutt, Seconded by Council Member Dandalides to reconvene into open session.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

The Village Council reconvened into open session at 9:44 PM.

16. Business From Closed Session

A. Green's Park Boat Dock Access Management Agreements - Tour on Orion, LLC, and Pedal Boat Pub, LLC

Council Member Lamb stated that the Village Council would be reviewing their current policy within a year as it pertains to the current contracts.

MOTION made by President Rutt, Seconded by Council Member Dandalides to approve the 2026 Green's Park Access Management Agreement between the Village of Lake Orion and Tour on Orion, LLC, for the term of May 1, 2026, through October 31, 2026, and authorize the Village Manager and Clerk/Treasurer to execute the agreement on behalf of the village.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

MOTION made by President Rutt, Seconded by Council Member Comparoni Jr to approve the 2026 Green's Park Access Management Agreement between the Village of Lake Orion and Pedal Boat Pub, LLC, for the term of May 1, 2026, through October 31, 2026, and authorize the Village Manager and Clerk/Treasurer to execute the agreement on behalf of the village.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

E. Schedule Public Hearing on Reprogramming of PY 2024 and PY 2025 Community Development Block Grant (CDBG) Funds

MOTION made by President Rutt, Seconded by President Pro Tem Ford to schedule a public hearing for Monday, April 13, 2026, at 6:30 PM, on the proposed reprogramming of the Village of Lake Orion's PY 2024 and PY 2025 Community Development Block Grant Funds from Remove Architectural Barriers (Sidewalk Ramps - PY 2024 - $9,348) and Parks and Recreation Facilities (Atwater Park Basketball Court Replacement - PY 2025 - $7,000) to Code Enforcement (PY 2024 - $9,348) and Code Enforcement (PY 2025 - $7,000) and to request that the Village Clerk publish the required public notices.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

F. Schedule Budget Work Sessions and Public Hearings

Council directed the Village Manager to distribute a Doodle poll to determine potential dates for upcoming meetings after 4:30 PM, with the final dates to be scheduled at the next public meeting. Council Member Dandalides requested that the meetings be held in Council Chambers and televised to allow ONTV to record the meetings.

MOTION made by President Rutt, Seconded by Pro Tem Ford to schedule the public hearing on the Village of Lake Orion Proposed FY 2026-27 Budget and the Truth-in-Taxation public hearing, if required, for Monday, May 11, 2026, at 6:30 PM.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

11. Call to the Public

None.

12. DDA Executive Director Comments

Matt Gibb, DDA Executive Director, announced that an open house event would be held on Thursday, March 26, 2026, and encouraged everyone to attend. He also stated that he is working with the DPW to restore electricity in the downtown area and expressed his gratitude to Council for approving the PUD eligibility.

MOTION made by Council Member Lamb, Seconded by Council Member Dandalides to extend the March 23, 2026 Regular Village Council meeting no later than 10:15 PM.

VOTING YEA: Ford, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: Rutt, Moshier
ABSENT: None
MOTION: Carried

13. Council Comments

Council Member Papacek commented that the meeting had a great turnout and productive discussion.

Council Member Moshier also noted the strong attendance.

Council Member Dandalides stated he was pleased that an agreement had been reached regarding the location for the 2026 Jubilee and shared that he attended the Downtown Lo Down event and observed strong cooperation and collaboration.

President Pro Tem Ford and Council Member Comparoni Jr. reported they had nothing further to share.

Council Member Lamb thanked those who attended the meeting and shared his thoughts regarding reorganizing the DDA.

President Rutt reported she had nothing further to share.

14. Village Manager Comments

The Village Manager provided an update on NPDES permit and provided update on the recodification project should be completed by the end of the Village's fiscal year in June he also shared an update on the lake level.

17. Adjournment

MOTION made by Council Member Comparoni Jr, Seconded by President Rutt to adjourn the March 23, 2026, Village Council Regular Meeting.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr., Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

The March 23, 2026, Village Council Regular Meeting adjourned at 10:10 PM.

_____ _____

Teresa Rutt
President

Sonja Stout
Clerk/Treasurer

Date Approved: as presented April 13, 2026

GREEN'S PARK ACCESS MANAGEMENT AGREEMENT
BETWEEN THE VILLAGE OF LAKE ORION AND TOUR ON ORION

THIS AGREEMENT is entered into this 9 day of MARCH, 2026, by and between the **VILLAGE OF LAKE ORION,** whose address is 21 East Church Street, Lake Orion, MI 48362 (hereinafter referred to as the "Village") and **TOUR ON ORION, L.L.C.** a Michigan Limited Liability Company, whose address is 81 Crescent Ave., Lake Orion, MI 48362 (hereafter referred to as (the "Tour") and the foregoing shall collectively be referred to as the parties.

WHEREAS, the parties to this Agreement mutually desire to cooperate in the utilization of the Village owned Green's Park and boat dock for the drop off and pick up of passengers, including use of the bathrooms; and,

WHEREAS, the Village of Lake Orion would not be liable for pedal boat passengers, staff, equipment or operations; and,

WHEREAS, the patrons of the Tour on Orion shall abide by the ordinances regarding no alcohol in the Village Park or in public; and,

WHEREAS, the Village has agreed to provide this service at Green's Park, in the Village of Lake Orion to the patrons of the "Tour."

NOW, THEREFORE, in consideration of the foregoing preambles, the adequacy of which is acknowledged by and between the parties to this Agreement, the parties agree as follows:

1. **DATES/HOURS OF OPERATION.** The Village parking lot at Green's Park is accessible to the Tour from May 1, 2026, to October 31, 2026, between the hours of 7:00 a.m. and 9:30 p.m., Sunday – Saturday. Any different times than the ones listed in this provision shall only be by an additional and separate written agreement with the Village and signed by both parties.

2. **TERM:** This Agreement shall have a term from May 1, 2026, through October 31, 2026. The Village shall have the right to unilaterally terminate this Agreement, with or without cause, on thirty (30) days written notice.

3. **COMPENSATION.** The Tour agrees it shall provide compensation for patron access to the Village owned lot at a cost of $2.00 per person on the Tour boat. Remittance shall be paid on the last day of each month with all payments completed in full by November 30, 2026.

4. **GOOD MORAL CHARACTER.** The Tour shall employ personnel of good moral character and fitness in performing all services under this Agreement.

5. **INSURANCE SUBMISSION REQUIREMENTS:** The Tour has submitted proof to the Village that it meets all Village insurance requirements. Insurance, with coverage amounts at no less than the Village's minimum requirements, must be held by the Tour throughout the term of this Agreement. Certificates of insurance as stated below will be required no later than five (5) business days from the date of acceptance of the terms of this Agreement.

6. **HOLD HARMLESS:** The Tour will obtain a written hold harmless agreement as provided by the Village from each passenger.

7. **CONFIDENTIAL AND OR PROPRIETARY INFORMATION:** The Tour acknowledges that in performing services pursuant to this Agreement, certain confidential and/or proprietary information (including, but not limited to, internal organization, methodology, personnel and financial information, etc.) may become involved. The Tour recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the Village. Therefore, the Tour agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The Tour shall inform its employees of the confidential or proprietary nature of such information and shall limit access thereto to employees rendering services pursuant to this Agreement. The Tour further agrees to use such confidential or proprietary information only for the purpose of performing services pursuant to this Agreement.

8. **INDEPENDENT CONTRACTOR:** The Tour and the Village agree that the Tour is acting as an independent contractor with respect to the Tour's role in providing services to the Village pursuant to this Agreement, and as such, shall be liable for its own actions and neither the Tour nor its employees shall be construed as employees of the Village. Nothing contained in this Agreement shall be construed to imply a joint venture or partnership and neither party, by virtue of this Agreement, shall have any right, power or authority to act or create any obligation, express or implied, on behalf of the other party, except as specifically outlined herein. Neither the Village nor the Tour shall be considered or construed to be the agent of the other, nor shall either have the right to bind the other in any manner whatsoever, except as specifically provided in this Agreement, and this Agreement shall not be construed as a contract of agency. The Tour shall not be considered entitled or eligible to participate in any benefits or privileges given or extended by the Village, or be deemed an employee of the Village for purposes of federal or state withholding taxes, FICA taxes, unemployment, workers' compensation or any other employer contributions on behalf of the Village.

9. **COMPLIANCE WITH LAWS:** The Tour agrees to fully and faithfully carry out the duties of set forth herein using its best efforts in accomplishing all assignments from the Village, and further, in addition to upholding all federal, and state laws and applicable codes of professional conduct to which the Tour is subject, the Tour hereby agrees to be bound by all Federal, State, or Village of Lake Orion ordinances, rules, regulations and policies as are amended from time to time, and including without limitation

the Fair Labor Standards Act, the Equal Employment Opportunity rules and regulations, the Transportation Safety Act and the Occupational Safety and Health Acts.

10. NON-COMPLIANCE WITH INSURANCE REQUIREMENTS: Failure to deliver and maintain insurance in accordance with the terms of this Agreement will be cause for the Village, by and through its Village Manager, to terminate this Agreement, or at the Village's option, the Village may purchase on the open market such required insurance and shall be entitled to charge any additional cost to the Tour.

11. INDEMNIFICATION: To the fullest extent permitted by law, the Tour and any entity or person for whom the Tour is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the Village of Lake Orion, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the Village, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of the acts, errors or omissions of the Tour including its employees and agents, in the performance of this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the Village.

12. STANDARD INSURANCE REQUIREMENTS:

The Tour shall maintain during the life of this Agreement the applicable types of insurance coverage and minimum limits as set forth below:

A. Workers' Compensation Insurance:

For Non-Sole Proprietorships: The Tour shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

For Sole Proprietorships: The Tour shall complete and furnish to the Village prior to the commencement of work under this Agreement a signed and notarized Sole Proprietor Form, for sole proprietors with no employees or with employees, as the case may be.

B. Commercial General Liability Insurance: The Tour shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than **$1,000,000** per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A)

Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractor Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

C. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following **Additional Insureds: The Village of Lake Orion, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof.** This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.

D. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, the Tour shall deliver renewal certificates and/or policies to the Village at least (10) days prior to the expiration date.

E. Proof of Insurance Coverage: The Tour shall provide the Village of Lake Orion at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the Village of Lake Orion, as listed below.

1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance, or a signed and notarized copy of the Sole Proprietor Form;
2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
3) If so requested, Certified Copies of all policies mentioned above will be furnished.

F. Maintaining Insurance: Upon failure of the Tour to obtain or maintain such insurance coverage for the term of the Agreement, the Village of Lake Orion may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the Village of Lake Orion shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.

13. WRITTEN NOTICES: Written notices regarding this Agreement shall be addressed to the following:

Village: Village of Lake Orion
ATTN: Sonja Stout, Clerk/Treasurer
21 East Church Street
Lake Orion, MI 48362

The Tour: Tour on Orion
81 Crescent Ave.
Lake Orion, MI 48362
Attn: Riva Beatty

14. AMENDMENTS: No amendment, modification or supplement to this Agreement shall be binding unless it is in writing and signed by authorized representatives of the parties.

15. WAIVER OF BREACH: No waiver by either party of any breach of any of the terms, covenants or conditions herein contained by the other party shall be construed as a waiver of any succeeding breach of this same or of any other term, covenant or condition.

16. COMPLETE AGREEMENT: The parties agree that the conditions set forth in this Agreement sets forth all terms and conditions of the Tour's agreement with the Village of Lake Orion. This Agreement supersedes all prior agreements or understandings between the parties. There are no promises, conditions or understandings other than those stated herein, and, that any prior negotiations, terms or conditions discussed between the Village and the Tour shall not constitute a part of this Agreement. The term "agreement" as used in this clause shall include any future written amendments, modifications, or supplements made in accordance herewith.

17. DIRECT OR INDIRECT INTEREST: If, after the effective date of this Agreement, any official of the Village, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Tour, the Village shall have the right to terminate this Agreement without further liability to the Tour if the disqualification has not been removed within thirty (30) days after the Village has given the Tour notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

18. FAILURE TO PERFORM. If the Tour fails to perform its obligations hereunder, the Village may take any and all remedial actions provided by the general specifications or otherwise permitted by law.

19. LEGAL PROCEEDINGS: Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 52-3 District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds $1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland

County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in a federal or state court with jurisdiction over Oakland County, Michigan.

IN WITNESS WHEREOF, the parties hereto agree to be bound by the above terms and conditions, and the Tour, by its authorized signature below, expressly accepts this Agreement upon the above provided terms and conditions contained in this Agreement as of the date first above written.

TOUR ON ORION, L.L.C.
A Michigan Limited Liability Company

By: _____
Riva Beatty

Its: _____

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this 9 day of March _____, 2026, before me personally appeared Riva Beatty who acknowledged that with authority on behalf of Tour on Orion, L.L.C. to do so she signed this Agreement.

_____
Notary Public
Oakland County, Michigan
Acting in Oakland County, Michigan
My commission expires: 08-15-2032

DYLAN PAULEY
Notary Public - State of Michigan
County of Oakland
My Commission Expires Aug 15, 2032
Acting in the County of Oakland

VILLAGE OF LAKE ORION

By: _____ 03-24-24
Darwin D. P. McClary,
Village Manager

By: _____ 3-25-24
Sonja Stout, Clerk/Treasurer

Approved by Lake Orion Village Council on 3-23-24

Approved:

_____
~~John Clark~~, Village Attorney
(Approved as to form)
BSD Howe Chubb

O:\LAKE ORION - VILLAGE\Contracts - agreements\GREEN'S PARK ACCESS MANAGEMENT AGREEMENT PEDAL BOAT PUB\TOUR ON ORION\2024 02 07 Pedal Boat Tour On Orion Agreement.docx

ACORD

TOURONO-01

CERTIFICATE OF LIABILITY INSURANCE

3/9/2026

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

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

PRODUCER ASSUREDPARTNERS NORTHEAST LLC 90A John Muir Dr, Suite 100 Amherst, NY 14228	CONTACT NAME: John Munschauer PHONE (A/C, No, Ext): (716) 688-8888 235 FAX (A/C, No): (716) 688-9001 E-MAIL ADDRESS: john_munschauer@ajg.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Starnet Insurance Company	40045
INSURED Tour On Orion, LLC 81 Crescent Avenue Lake Orion, MI 48362	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	☐ CLAIMS-MADE ☐ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	☐ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG	$
	☐ OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	☐ ANY AUTO						BODILY INJURY (Per person)	$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	☐ UMBRELLA LIAB ☐ OCCUR						EACH OCCURRENCE	$
	☐ EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE	$
	☐ DED ☐ RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						☐ PER STATUTE ☐ OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ (Mandatory in NH)	N/A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Commercial Watercraf	X		CHA 5529352-13	11/1/2025	11/1/2026	Protection & Indemni	1,000,000
A	Commercial Watercraf	X		CHA 5529352-13	11/1/2025	11/1/2026	Pollution	997,100

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
2019 Berkshire HIN: FRU44334D919

Protection and Indemnity Clauses SP-38 are extended to include coverage for the insured's liability for loss of life or bodily injury to passengers of the insured vessel arising out of the embarking or disembarking of such passengers via docks, gangways and piers at the insured's normal docking area.

CERTIFICATE HOLDER

The Village of Lake Orion, including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and and board members, including employees and volunteers thereof. 21 East Church Street
Lake Orion, MI 48362

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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GREEN'S PARK ACCESS MANAGEMENT AGREEMENT
BETWEEN THE VILLAGE OF LAKE ORION AND PEDAL BOAT PUB, LLC

THIS AGREEMENT is entered into this 4th day of March, 2026, by and between the **VILLAGE OF LAKE ORION,** whose address is 21 East Church Street, Lake Orion, MI 48362 (hereinafter referred to as the "Village") and **PEDAL BOAT PUB, L.L.C.**, a Michigan Limited Liability Company, whose address is 495 Shady Oaks St., Lake Orion, MI 48362 (hereafter referred to as (the "Pub") and the foregoing shall collectively be referred to as the parties.

WHEREAS, the parties to this Agreement mutually desire to cooperate in the utilization of the Village owned Green's Park and boat dock for the drop off and pick up of passengers, including use of the bathrooms; and,

WHEREAS, the Village of Lake Orion would not be liable for pedal boat passengers, staff, equipment or operations; and,

WHEREAS, the patrons of the Pedal Boat Pub shall abide by the ordinances regarding no alcohol in the Village Park or in public; and,

WHEREAS, the Village has agreed to provide this service at Green's Park, in the Village of Lake Orion to the patrons of the "Pub."

NOW, THEREFORE, in consideration of the foregoing preambles, the adequacy of which is acknowledged by and between the parties to this Agreement, the parties agree as follows:

1. **DATES/HOURS OF OPERATION.** The Village parking lot at Green's Park is accessible to the Pub from May 1, 2026, to October 31, 2026, between the hours of 7:00 a.m. and 9:30 p.m., Sunday – Saturday. Any different times than the ones listed in this provision shall only be by an additional and separate written agreement with the Village and signed by both parties.

2. **TERM:** This Agreement shall have a term from May 1, 2026, through October 31, 2026. The Village shall have the right to unilaterally terminate this Agreement, *with or without cause, on thirty (30) days written notice.*

3. **COMPENSATION.** The Pub agrees it shall provide compensation for patron access to the Village owned lot at a cost of $2.00 per person on the Pub boat. Remittance shall be paid on the last day of each month with all payments completed in full by November 30, 2026.

4. **GOOD MORAL CHARACTER.** The Pub shall employ personnel of good moral character and fitness in performing all services under this Agreement.

5. INSURANCE SUBMISSION REQUIREMENTS: The Pub has submitted proof to the Village that it meets all Village insurance requirements. Insurance, with coverage amounts at no less than the Village's minimum requirements, must be held by the Pub throughout the term of this Agreement. Certificates of insurance as stated below *will be required no later than five (5) business days from the date of acceptance of the terms* of this Agreement.

6. HOLD HARMLESS: The Pub will obtain a written hold harmless agreement as provided by the Village from each passenger.

7. CONFIDENTIAL AND OR PROPRIETARY INFORMATION: The Pub acknowledges that in performing services pursuant to this Agreement, certain confidential and/or proprietary information (including, but not limited to, internal organization, methodology, personnel and financial information, etc.) may become involved. The Pub recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the Village. Therefore, the Pub agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The Pub shall inform its employees of the confidential or *proprietary nature of such information and shall limit access thereto to employees* rendering services pursuant to this Agreement. The Pub further agrees to use such confidential or proprietary information only for the purpose of performing services pursuant to this Agreement.

8. INDEPENDENT CONTRACTOR: The Pub and the Village agree that the Pub is acting as an independent contractor with respect to the Pub's role in providing services to the Village pursuant to this Agreement, and as such, shall be liable for its own actions and neither the Pub nor its employees shall be construed as employees of the Village. Nothing contained in this Agreement shall be construed to imply a joint venture or partnership and neither party, by virtue of this Agreement, shall have any right, power or authority to act or create any obligation, express or implied, on behalf of the other party, except as specifically outlined herein. Neither the Village nor the Pub shall be considered or construed to be the agent of the other, nor shall either have the right to bind the other *in any manner whatsoever,* except as specifically provided in this Agreement, and this Agreement shall not be construed as a contract of agency. The Pub shall not be considered entitled or eligible to participate in any benefits or privileges given or extended by the Village, or be deemed an employee of the Village for purposes of federal or state withholding taxes, FICA taxes, unemployment, workers' compensation or any other employer contributions on behalf of the Village.

9. COMPLIANCE WITH LAWS: The Pub agrees to fully and faithfully carry out the duties of set forth herein using its best efforts in accomplishing all assignments from the Village, and further, in addition to upholding all federal, and state laws and applicable codes of professional conduct to which the Pub is subject, the Pub hereby agrees to be bound by all Federal, State, or Village of Lake Orion ordinances, rules, regulations and policies as are amended from time to time, and including without limitation

the Fair Labor Standards Act, the Equal Employment Opportunity rules and regulations, the Transportation Safety Act and the Occupational Safety and Health Acts.

10. NON-COMPLIANCE WITH INSURANCE REQUIREMENTS: Failure to deliver and maintain insurance in accordance with the terms of this Agreement will be cause for the Village, by and through its Village Manager, to terminate this Agreement, or at the Village's option, the Village may purchase on the open market such required insurance and shall be entitled to charge any additional cost to the Pub.

11. INDEMNIFICATION: To the fullest extent permitted by law, the Pub and any entity or person for whom the Pub is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the Village of Lake Orion, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the Village, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of the acts, errors or omissions of the Pub including its employees and agents, in the performance of this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the Village.

12. STANDARD INSURANCE REQUIREMENTS:

The Pub shall maintain during the life of this Agreement the applicable types of insurance coverage and minimum limits as set forth below:

A. Workers' Compensation Insurance:

For Non-Sole Proprietorships: The Pub shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

For Sole Proprietorships: The Pub shall complete and furnish to the Village prior to the commencement of work under this Agreement a signed and notarized Sole Proprietor Form, for sole proprietors with no employees or with employees, as the case may be.

B. Commercial General Liability Insurance: The Pub shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than **$1,000,000** per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A)

Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractor Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

C. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following **Additional Insureds: The Village of Lake Orion, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof.** This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.

D. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, the Pub shall deliver renewal certificates and/or policies to the Village at least (10) days prior to the expiration date.

E. Proof of Insurance Coverage: The Pub shall provide the Village of Lake Orion at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the Village of Lake Orion, as listed below.

1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance, or a signed and notarized copy of the Sole Proprietor Form;
2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
3) If so requested, Certified Copies of all policies mentioned above will be furnished.

F. Maintaining Insurance: Upon failure of the Pub to obtain or maintain such insurance coverage for the term of the Agreement, the Village of Lake Orion may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the *Village of Lake Orion shall have no obligation to procure the most cost-effective* coverage but may contract with any insurer for such coverage.

13. WRITTEN NOTICES: Written notices regarding this Agreement shall be addressed to the following:

Village: Village of Lake Orion
ATTN: Sonja Stout, Clerk/Treasurer
21 East Church Street
Lake Orion, MI 48362

The Pub: Pedal Boat Pub, LLC
495 Shady Oaks St.
Lake Orion, MI 48362
Attn: Marcella Robinette

14. AMENDMENTS: No amendment, modification or supplement to this Agreement shall be binding unless it is in writing and signed by authorized representatives of the parties.

15. WAIVER OF BREACH: No waiver by either party of any breach of any of the terms, covenants or conditions herein contained by the other party shall be construed as a waiver of any succeeding breach of this same or of any other term, covenant or condition.

16. COMPLETE AGREEMENT: The parties agree that the conditions set forth in this Agreement sets forth all terms and conditions of the Pub's agreement with the Village of Lake Orion. This Agreement supersedes all prior agreements or understandings between the parties. There are no promises, conditions or understandings other than those stated herein, and, that any prior negotiations, terms or conditions discussed between the Village and the Pub shall not constitute a part of this Agreement. The term "agreement" as used in this clause shall include any future written amendments, modifications, or supplements made in accordance herewith.

17. DIRECT OR INDIRECT INTEREST: If, after the effective date of this Agreement, any official of the Village, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Pub, the Village shall have the right to terminate this Agreement without further liability to the Pub if the disqualification has not been removed within thirty (30) days after the Village has given the Pub notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

18. FAILURE TO PERFORM. If the Pub fails to perform its obligations hereunder, the Village may take any and all remedial actions provided by the general specifications or otherwise permitted by law.

19. LEGAL PROCEEDINGS: Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 52-3 District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds $1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award

of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. *In the event that the parties elect not to have the matter in dispute arbitrated, any dispute* between the parties may be resolved by the filing of a suit in a federal or state court with jurisdiction over Oakland County, Michigan.

IN WITNESS WHEREOF, the parties hereto agree to be bound by the above terms and conditions, and the Pub, by its authorized signature below, expressly accepts this Agreement upon the above provided terms and conditions contained in this Agreement as of the date first above written.

PEDAL BOAT PUB, LLC,
A Michigan Limited Liability Company

By: Marcella Robinette
Marcella Robinette

Its: Owner

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this 4th day of March _____, 2026, before me personally appeared Marcella Robinette who acknowledged that with authority on behalf of Pedal Boat Pub, LLC to do so she signed this Agreement.

Kristie Portugal Notary Public
Oakland County, Michigan
Acting in Oakland County, Michigan
My commission expires: 02/25/2030

K. Portugal, Notary Public
County of Oakland, State of Michigan
My Commission Expires February 25, 2030

VILLAGE OF LAKE ORION

By: _____ 03-24-24
Darwin D. P. McClary,
Village Manager

By: _____ 3-25-24
Sonja Stout, Clerk/Treasurer

Approved by Lake Orion Village Council on 03-23-24

Approved:

_____
~~John Clark,~~ Village Attorney
(Approved as to form)
ANTHONY CHUBB

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26th, 2026

TOPIC: FOIA Appeal - Hopkins

BACKGROUND BRIEF:

On September 24, 2026, the Village received a Freedom of Information Act (FOIA) request via email from Mr. Al Hopkins. The request sought documentation concerning Officer Mires' time off on August 11, 2026, including the following:

“Please provide documentation on that the request for time off Officer Mires submitted for 8/11/26 was approved, and that it was known by the person who approved it, his known whereabouts, the reason the time off was requested and that he had an informal hearing at 9:15 am that day.”

On September 28, 2026, the Village issued a partial denial following a search for responsive records. One responsive document, a subpoena related to the August 11, 2026, court hearing, was located and provided to Mr. Hopkins.

Officer Mires was not scheduled to work on August 11, 2026, as it was his regularly scheduled day off. Therefore, he did not submit a request for vacation or other leave, and no leave approval was necessary. As a result, no leave request or approval documents exist. Additionally, no responsive records were identified documenting his whereabouts or a reason for requesting leave, as no leave was requested. The subpoena was the only responsive document located concerning the scheduled court hearing.

On October 9, 2026, the Village received a FOIA appeal from Mr. Hopkins via email. In his appeal, Mr. Hopkins stated:

“The FOIA request was for the dated documents Mires signed to request Aug 11 off … the reason for request and the dated documents signed to approve the request. .. there is no lawful reason for those records to be denied”

The Village's partial denial was based on the absence of responsive records, not the withholding of existing records under a FOIA exemption. The requested leave documentation does not exist because Officer Mires was not required to request or obtain approval for time off on his regularly scheduled day off.

The Village Council is requested to review the FOIA appeal and determine whether to uphold, reverse, or partially reverse the Village's original determination. Supporting documentation is attached for Council's review.

RECOMMENDED MOTION:

The Village Council may take one of the following actions:

- **Reverse the Partial Denial:** To reverse the Village's partial denial of Mr. Hopkins' FOIA request.
- **Uphold the Partial Denial:** To uphold the Village's partial denial of Mr. Hopkins' FOIA request on the basis that no additional responsive records exist.

Administrative Note: The Village has provided the only responsive document identified. The remaining requested records do not exist because Officer Mires was on his regularly scheduled day off and did not submit a leave request requiring approval. Accordingly, reversing the partial denial would not, by itself, result in the production of additional records.

Mark Amundson

From: Al Hopkins <[redacted]
Sent: Thursday, September 24, 2026 7:36 AM
To: Sarah Kimball; Karie Miller; Mark Amundson
Subject: Stand alone, FOIA request

CAUTION: This email originated from outside the Village of Lake Orion Police Department. Maintain caution when opening external links/attachments

Please provide documentation on that the request for time off Officer Mires submitted for 8/11/26 was approved , and that it was known by the person who approved it , his known whereabouts , the reason the time off was requested and that he had an informal hearing at 9:15 am that day .
Al Hopkins
[redacted]

-----Original Message-----

From: Sarah Kimball

Sent: Monday, September 28, 2026 4:12 PM

To: Al Hopkins <graveyardfan@icloud.com>

Subject: RE: Stand alone FOIA request

Dear Al Hopkins:

This letter is in response to your Freedom of Information Act (FOIA) request received on Thursday September 24, 2026, in which you requested records relating to Officer Mires, including the date and time the officer requested off, the reason for the request, documentation demonstrating that the employer was aware of the officer's whereabouts, and records relating to an informal hearing for which the officer was scheduled.

After review of your request, the Lake Orion Police Department is granting your request in part and denying it in part.

Your request is granted with respect to the existing record relating to the informal hearing for which the officer was scheduled. A copy of the responsive record is attached.

Your request is denied in part with respect to records documenting:

The date and time the officer requested time off;

The reason for the officer's request for time off; and

Documentation demonstrating that the employer knew or was notified of the officer's whereabouts.

The Lake Orion Police Department certifies that, after a search for responsive records, no public records responsive to these portions of your request exist under the descriptions provided in your request or under another name reasonably known to the Department. Accordingly, the Department is unable to provide records that it does not possess.

Pursuant to MCL 15.235(5), this constitutes the Department's final determination with respect to the portions of your request that have been denied.

You have the right to submit a written appeal of this partial denial to the head of the public body. The written appeal must specifically state the word "appeal" and identify the reason or reasons you believe the denial should be reversed. You may also seek judicial review of this denial pursuant to MCL 15.240. If, after judicial review, a court determines that the public body has not complied with FOIA and orders disclosure of all or a portion of a public record, you may be entitled to reasonable attorneys' fees, costs, disbursements, and/or damages as provided by law.

Respectfully,

Sarah Kimball

Clerk Administrator

Lake Orion Police Department

21 E. Church Street, Lake Orion, MI 48362

248.693.8321 | 248.693.8941

Monday – Friday| 09:00AM – 05:00PM

MMkimballs@lakeorionpolice.org

"Like" us on FB at: Facebook

****CONFIDENTIALITY NOTICE****

This email is intended only for the person(s) indicated. The email may contain information that is privileged, confidential, law enforcement related or otherwise exempt from disclosure under applicable law. This email may not be copied, reproduced, referenced, or utilized without the express permission of the sender. The author of this email reserves any copyright privileges as granted under state and federal law. This email may contain discussions and work product as part of the deliberative process. If you are not the addressee, or it appears from the context or otherwise that you have received this email in error, please advise me immediately by reply email, keep the contents confidential, and immediately delete the message and any attachments from your system

52-3 STATE OF MICHIGAN JUDICIAL DISTRICT	NOTICE TO APPEAR	Case No: 26LO00503 ON X-REF: OFFENSE: 1)MCSA-PHONE-O

Court Address 700 BARCLAY CIRCLE
ROCHESTER HILLS, MI 48307

Court Telephone no. 248-853-5553

VILLAGE OF LAKE ORION

Plaintiff ☐ Personal service

v

HOPKINS/ALAN/LEE
[redacted]

Defendant ☐ Personal service

248-457-7061 P-68040
KAROLYN MILLER
101 W BIG BEAVER RD STE 1000
TROY, MI 48084

Plaintiff's attorney ☐ Personal service

Defendant's attorney ☐ Personal service

MIRES, C -LOPD

Officer

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Date issued: JULY 22, 2026

YOU ARE DIRECTED TO APPEAR AT:

☐ The court address above, courtroom _____

☒ THIS IS A REMOTE PROCEEDING

ALL PARTIES TO APPEAR BY ZOOM
ZOOM INSTRUCTIONS ATTACHED.

Magis: 52ND DC MAGISTRATE

FOR THE FOLLOWING PURPOSE:

	DAY	DATE	TIME
☐ Probable Cause Conf.			
☐ Preliminary Exam			
☐ Pre-trial Conf.			
☐ Jury Selection			
☐ Jury Trial			
☐ Nonjury Trial			
☐ Sentencing			
☐ Motion			
☐ Arraignment			
☒ Informal Hearing	TUESDAY	08/11/26	9:15 AM
☐ Formal Hearing			
☐			

REQUESTS FOR ADJOURNMENT MUST BE MADE AT LEAST 7 DAYS BEFORE THE SCHEDULED COURT DATE

☐ The above matter is adjourned from _____ Date

Clerk of the Court

IMPORTANT: READ THIS CAREFULLY

1. Bring this notice with you.
2. No case may be adjourned except by authority of the judge for good cause shown.
3. FAILURE OF THE DEFENDANT TO APPEAR in a civil case may cause a default judgment to be entered. FAILURE OF THE PLAINTIFF TO APPEAR may result in a dismissal of the case.
4. FAILURE TO APPEAR in a criminal case may subject you to the penalty for contempt of court, and a bench warrant may be issued for your arrest.
5. If you intend to employ a lawyer, he or she should be notified of the date at once.
6. Fines, costs, and other financial obligations imposed by the court must be paid at the time of assessment, except when the court allows otherwise, for good cause shown.

Approved, SCAO
Form MC 06, Rev. 6/19

Distribute form to:
Court
Plaintiff/Attorney
Defendant
Extra

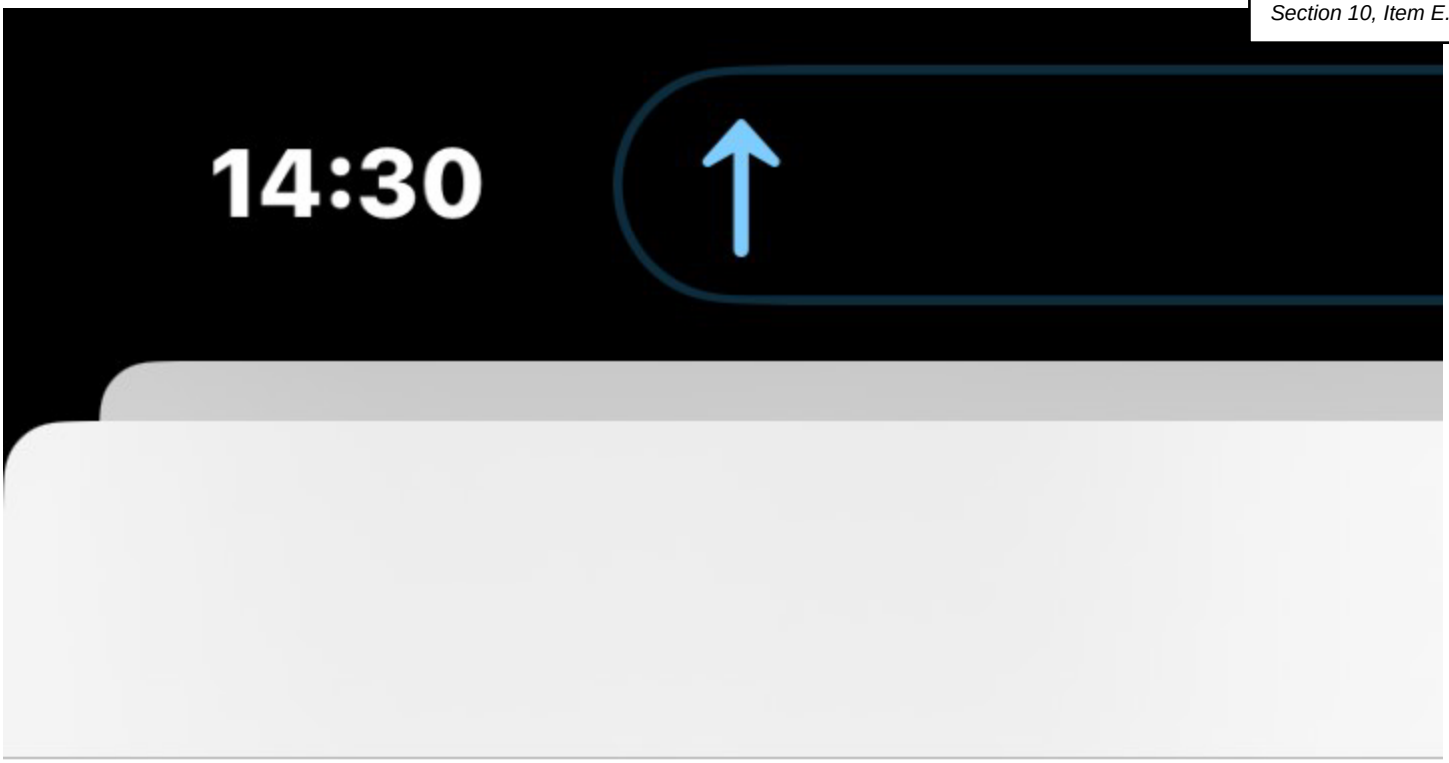
Received 7/27/2026

Mark Amundson

From: Al Hopkins [redacted]
Sent: Friday, October 9, 2026 2:40 PM
To: Mark Amundson; Sarah Kimball
Subject: FOIA request denial appeal … please forward to proper authority.. Legal notice of non responsive record

CAUTION: This email originated from outside the Village of Lake Orion Police Department. Maintain caution when opening external links/attachments

The FOIA request was for the dated documents Mires signed to request Aug 11 off … the reason for request and the dated documents signed to approve the request. .. there is no lawful reason for those records to be denied



52-3 STATE OF MICHIGAN JUDICIAL DISTRICT	NOTICE TO APPEAR

Court Address 700 BARCLAY CIRCLE
ROCHESTER HILLS, MI

VILLAGE OF LAKE ORION

Plaintiff ☐ Personal service

v

HOPKINS/ALAN/LEE
16385 HI LAND TRL
LINDEN, MI 48451-9025

YOU ARE DIRE

☐ The court ad

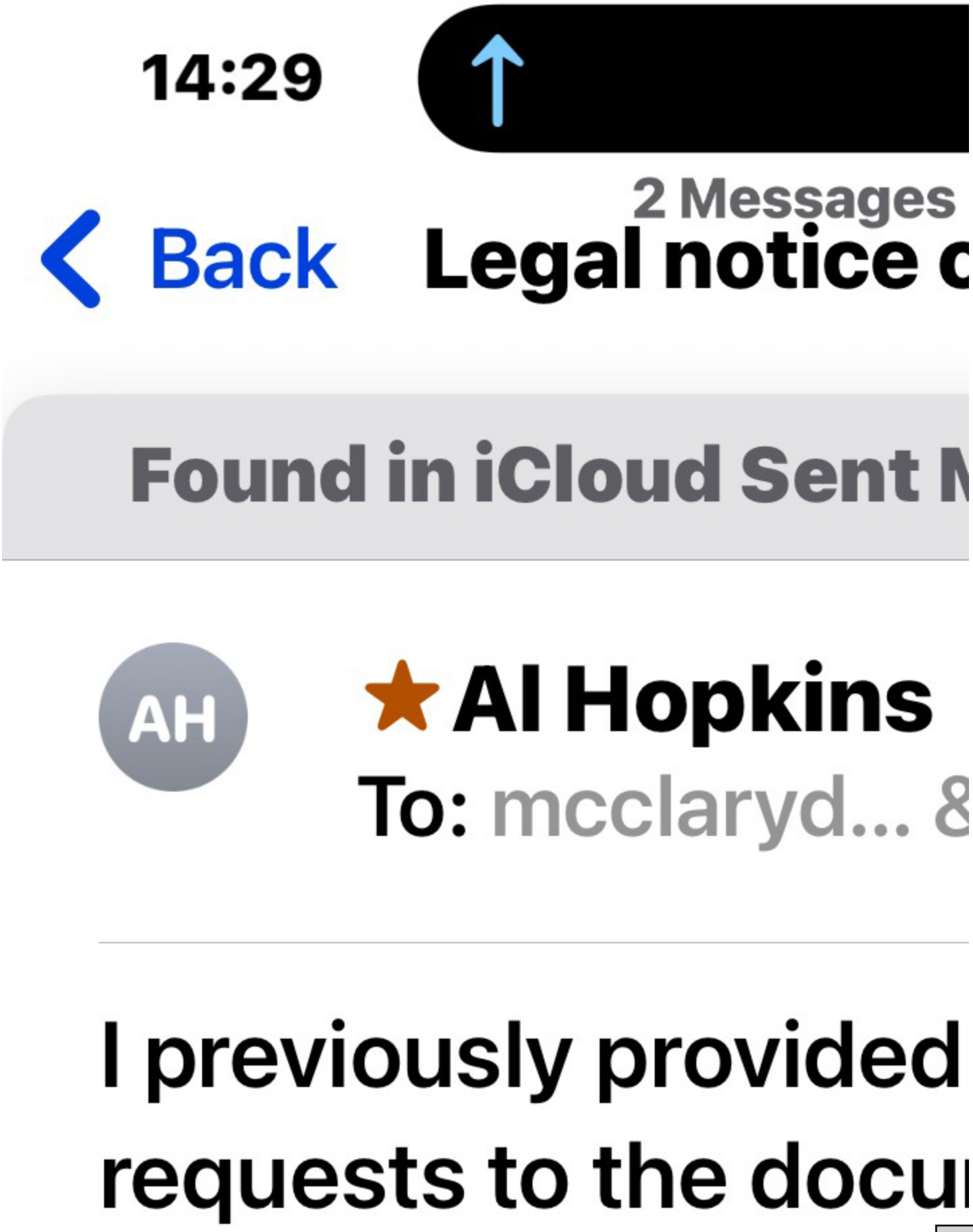
☒ THIS IS A RE

ALL PARTIES

ZOOM INSTRUC

Magis: 52N

FOR THE FOL


14:29
2 Messages
Back
Legal notice c
Found in iCloud Sent M
AH
Al Hopkins
To: mcclaryd... &
I previously provided
requests to the docu

Al Hopkins

21 E. Church Street
Lake Orion, MI 48362
248-693-8391
248-693-5874 (fax)
www.lakeorion.org

VILLAGE OF LAKE ORION
PUBLIC SUMMARY OF FOIA PROCEDURES AND GUIDELINES

It is the public policy of this state that all persons except those persons incarcerated in state or local correctional facilities are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees. The people shall be informed so that they may fully participate in the democratic process.

Consistent with Public Act 563 of 2014 amending the Michigan Freedom of Information Act (FOIA), Public Act 442 of 1976, the following is the Written Public Summary of the Village's FOIA Procedures and Guidelines relevant to the general public.

This is only a summary of the Village of Lake Orion's FOIA Procedures and Guidelines. For more details and information, copies of the Village of Lake Orion's FOIA Procedures and Guidelines are available at no charge at any Village office and on the Village's website: www.lakeorion.org/clerk/page/clerks-forms-applications.

1. How do I submit a FOIA request to the Village of Lake Orion?

- A request must sufficiently describe a public record so as to enable the Village to find it.
- Please include the words "FOIA" or "FOIA Request" in the request to assist the Village in providing a prompt response.
- Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Village of Lake Orion must be submitted in writing.
- No specific form of submitting a written request is required. However, a FOIA Request form for your use and convenience is available on the Village's website at www.lakeorion.org/clerk/page/clerks-forms-applications
- Written requests can be made in person or by delivery in person or by mail to the Village Administrative offices located at 21 E. Church Street, Lake Orion, MI.

- Requests can also be made by facsimile (248-693-5874). To ensure prompt response, faxed request should contain the term “FOIA” or “FOIA Request” on the first/cover page.

- A request may also be submitted by e-mail to ***villageadmin@lakeorion.org*** to ensure a prompt response, e-mail requests should contain the term "FOIA" or "FOIA Request" in the subject line.

2. What kind of response can I expect to my request?

- Within 5 business days of receipt of a FOIA request, the Village will issue a response. If a request is received by facsimile or e-mail the request is deemed to have been received on the following business day. The Village will respond to your request in one of the following ways:
    - Grant the request.
    - Issue a written notice denying the request.
    - Grant the request in part and issue a written notice denying in part the request.
    - Issue a notice indicating that due to the nature of the request the Village needs an additional 10 business days to respond.
    - Issue a written notice indicating that the public record requested is available at no charge on the Village’s website.

- If the request is granted, or granted in part, the Village will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available.

- If the cost of processing the request is expected to exceed $50, or if you have not paid for a previously granted request, the Village will require a deposit before processing the request.

3. What are the Village’s fee deposit requirements?

- If the Village has made a good faith calculation that the total fee for processing the request exceeds $50.00, the Village will require that you provide a deposit in the amount of 50% of the total estimated fee. When the Village requests the deposit, it will provide you a nonbinding best-efforts estimate of how long it will take to process the request following receipt by the Village of your deposit.

- If the Village receives a request from a person who has not paid the Village for copies of public records made in fulfillment of a previously granted written request, the Village will require a deposit of 100% of the estimated processing fee before it begins to search for, compile, or make available the public record for any subsequent written request when all of the following conditions exist:

    - The final fee for the prior written request is not more than 105% of the estimated fee;

- The public records made available contained the information sought in the prior written request and remain in the Village's possession;
- The public records were made available to the individual, subject to payment, within the time frame estimated by the Village to provide the records;
- 90 days have passed since the Village notified the individual in writing that the public records were available for pickup or mailing;
- The individual is unable to show proof of prior payment to the Village; and
- The Village has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit.

- The Village will not require the 100% estimated fee deposit if any of the following apply:

  - The person making the request is able to show proof of prior payment in full to the Village;
  - The Village is subsequently paid in full for all applicable prior written requests; or
  - 365 days have passed since the person made the request for which full payment was not remitted to the Village.

4. How does the Village calculate FOIA processing fees?

- The Michigan FOIA statute permits the Village to assess and collect a fee for six designated processing components. The Village may charge for the following costs associated with processing a request:

  - Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to nonpaper physical media or through the internet.

  - Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the Village. Anything over 15 minutes will be deemed to result in an unreasonably high cost to the Village.

  - Labor costs associated with a review of a record to separate and delete information exempt from disclosure of information which is disclosed, when failure to charge a fee will result in unreasonably high costs to the Village

  - The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include copies of records already on the Village's website if you ask for the Village to make copies.

  - The cost to mail or send a public record to a requestor.

- **Labor Costs**

  - All labor costs will be estimated and charged in 15-minute increments with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge, unless it's for a copy of a police report which incurs a $5.00 fee.

  - Labor costs will be charged at the hourly wage of the lowest-paid Village employee capable of doing the work in the specific fee category, regardless of who actually performs work.

  - Labor costs will also include a charge to cover or partially cover the cost of fringe benefits. The Village may add up to 50% of the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.

  - Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.

  - Contracted labor costs will be charged at a rate equal to six times the state minimum hourly wage.

- A labor cost will not be charged for the search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the Village. Costs are unreasonably high when they are excessive and beyond the normal or usual amount for those services compared to the Village's usual FOIA request, because of the nature of the request in the particular instance. Anything greater than 15 minutes is considered to result in an unreasonably high cost to the Village. The Village must specifically identify the nature of the unreasonably high costs in writing.

- **Copying and Duplication**

  - *Non-paper Physical Media*

    - The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.

    - This cost will only be assessed if the Village has the technological capability necessary to provide the public record in the requested non-paper physical media format.

➢ *Paper Copies*

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed $.25 per sheet of paper (single sided) or $.35 (double sided). Copies for non-standard sized sheets will paper will reflect the actual cost of reproduction.

- The Village may provide records using double-sided printing, if cost-saving and available.

- Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction

➢ *Mailing Costs*

- The cost to mail public records will use a reasonably economical and justified means.

- The Village may charge for the least expensive form of postal delivery confirmation.

- No cost will be made for expedited shipping or insurance unless requested.

5. How do I qualify for an indigent discount fee?

o The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The Village Council may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

o The Village will waive the first $20.00 of the processing fee for a request if you submit an affidavit stating that you are:

- Indigent and receiving specific public assistance; or

- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence

o You are **not** eligible to receive the $20.00 waiver if you:

- Have previously received discounted copies of public records from the Village twice during the calendar year; or

- Are requesting information on behalf of other persons who are offering or providing payment to you to make the request.

- An affidavit is a sworn statement. For your convenience the Village has provided an Affidavit of Indigence form for the waiver of FOIA fees on the back of the Village's FOIA Form, which is available on the Village's website: **www.lakeorion.org/clerk/page/clerks-forms-applications.**

- The Village will waive the fee for nonprofit organization which meets all of the following conditions:

    - The organization is designated by the State under federal law to carry out activities under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act;
    - The request is made directly on behalf of the organization or its clients;
    - The request is made for a reason wholly consistent with the provisions of federal law under Section 931 of the Mental Health Code; and
    - The request is accompanied by documentation of the organization's designation by the State

6. May a nonprofit organization receive a discount on the fee?

- A nonprofit organization advocating for developmentally disabled or mentally ill individuals that is formally designated by the state to carry out activities under Subtitle C of the Federal Development Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, and the Protection and Advocacy for Individuals with Mental Illness Act, Public Law 99319, may receive a $20.00 discount if the request meets all of the following requirements in the Act:

    - Is made directly on behalf of the organization or its clients.
    - Is made for a reason wholly consistent with the mission and provisions of those laws under Section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931.
    - Is accompanied by documentation of its designation by the state, if requested by the public body.

7. How may I challenge the denial of a public record or an excessive fee?

- <u>Appeal of a Denial of a Public Record</u>

    - If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may file an appeal of the denial with the Village Council.

- The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons you are seeking a reversal of the denial.

- Within 10 business days of receiving the appeal the Mayor will respond in writing by:

    - Reversing the disclosure denial;
    - Upholding the disclosure denial; or
    - Reversing the disclosure denial in part and uphold the disclosure denial in part.

- Whether or not you submitted an appeal of a denial to the Village Council, you may file a civil action in Oakland County Circuit Court within 180 days after the Village's final determination to deny your request. Should you prevail in the civil action the court will award you reasonable attorneys' fees, costs and disbursements. If the court determines that the Village acted arbitrarily and capriciously in refusing to disclose or provide a public record, the court shall award you damages in the amount of $1000.00

o <u>Appeal of an Excessive FOIA Processing Fee</u>

- If you believe that the fee charged by the Village to process your FOIA request exceeds the amount permitted by state law, you must first submit a written appeal for a fee reduction to the Village Council. The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted.

- Within 10 business days after receiving the appeal, the Village Council President will respond in writing by:

    - Waiving the fee;
    - Reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
    - Upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
    - Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Village Council President will respond to the written appeal.

- Within 45 days after receiving notice of the Village Council President determination of the processing fee appeal, you may commence a civil action in Oakland County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that the Village acted arbitrarily and capriciously by charging an excessive fee. The court may also award you punitive damages in the amount of $500.00.

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26, 2026

TOPIC Parks and Recreation 2027-28 Capital Improvement Project Requests

BACKGROUND BRIEF:

The Village of Lake Orion Parks and Recreation Advisory Committee is requesting that Council review consider its list of capital improvement project requests for FY 2027-28. Attached is the letter of request from Committee Chair Rosemary Ford dated October 9, 2026.

Administration recommends that Council review the CIP requests and provide direction to Administration on those projects which the Council would consider during the FY 2027-28 budget and FY 2027-2033 Capital Improvement Plan preparation process. The letter of request does not include detailed cost estimates, plans, priority ranking, and other information that would normally be required by the Village's CIP request forms. Once Council selects those projects for which it will give further consideration, CIP request forms for the selected projects should be completed and submitted to Administration by late February for inclusion in the budget and CIP.

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

FINANCIAL IMPACT:

Please refer to the Committee's letter of request.

RECOMMENDED MOTION:

To select the following proposed capital improvement projects as requested by the Lake Orion Parks and Recreation Advisory Committee for further consideration by Administration and Village Council during the FY 2027-28 budget and FY 2027-2033 Capital Improvement Plan preparation process:

1. _____
2. _____
3. _____
4. _____
5. _____

October 9th, 2026

Village of Lake Orion
c/o Mr. Darwin McClary
Village Manager

Subject: 2027-28 Village Budget and CIP Planning

Good Morning Darwin:

On behalf of the Parks and Recreation Advisory Committee, I wish to submit the following projects for inclusion in the upcoming 2027-28 Village Budget and CIP Planning.

GREENS PARK - (our main focus for upcoming year; listed in priority order)

SPRINKLER SYSTEM - This was on our 2026-27 list as our third priority. Three quotes were received in March of 2026 ranging from $6,950.00 to $10,950.00; however there was no follow-up beyond getting quotes. We are asking that this project be completed in early spring of 2027 as our first priority.

PAVILION - This was also on our 2026-27 list as our second priority; however there was no follow-up with that request. This project remains as our second priority for the coming year.

Greens Park is one of our highest traffic parks and lacks a gathering place for get togethers.

As far back as 2020 (maybe earlier) we measured it out, and came up with the dimensions of 20 X 40'; along with picnic tables, which would be a great addition to this facility. The cost at that time was between $40-60,000.00 (we would need some assistance in obtaining a better estimate).

The Pavilion selected at that time consisted of: a fabricated powder coating steel and 24-gauge metal roofing (these materials were chosen for their durability for the lakeside location, as opposed to a wooden structure. Flooring is to be concrete. We will include attachments of our notes.

As you may recall, back around this period the Council asked us to come up with a good source of income. The Pavilion would help to recognize that goal in that it would be a good source of revenue with rentals such as: Family Reunions, Birthday Parties, Graduation parties, Weddings, etc.

RETAINING WALL - This wall is inside the U-shaped dock (the little kids swim area). It consists of of cement and wood, and we feel it is a safety hazard, as well as an eyesore.

In addition, we want to make sure you are aware that we are planning the following three (3) projects in the coming year utilizing the funds that are currently in the Parks & Recreation Budget Capital Outlay line (currently $12,757.00), plus the additional $5,000.00 Budget increase; making for a Grand Total of $17,757.00.

They are as follows:
ATWATER PARK SWING SETS
Two (2) swing sets that would each include two (2) regular swings and two (2) infant swings. Note: when they pulled out the swing set that was there, the DPW discovered the legs of the set were all corroded
GREENS PARK PUBLIC DOCKS
Again, this is a carry over from our 2026-27 request to complete improvements to the Public Docks at Greens Park. This was to include: dock bumpers, dock structure to improve stability, adequate cleats with proper spacing, and extending the docks by one section each to enable safe dockage of a typical pontoon boat. Note: Wes had worked with Walk on Water which is a local company in Lake Orion; perhaps Sam might be able to find paperwork on this.
GENERAL PARK FOLIAGE (to be done in Spring of 2027).
Specifically we request the replacement of the arborvitaes at Children's Park which were destroyed by the grease trap at Valentino's Restaurant, and the Maple tree planted by the bridge, which was planted there two years ago, but never watered.
Too, the Maple tree which was planted two years ago at Greens Park by the northside of the docks, but alas it also died as it was never watered.
We feel that the replacement of these foliage items should be of no cost to us, as the trees were not properly cared for, and the grease spill into the arborvitae's was out of our control.

We will work with our Interim DPW Director Sam Hicks on specifications, pricing, purchase, and installation for each of these.

Thank you for your continued support,

Respectfully,

Rosemary C. Ford
Chairperson, Lake Orion Village Parks & Recreation Advisory Committee

CC:
Sam Hicks - Interim Director DPW
Lynsey Blough - Village Deputy Clerk/Treasurer
Teresa Rutt - Council President
Village Council Members
Parks and Recreation Committee Members