



COUNCIL ACTION SUMMARY SHEET

MEETING DATE: September 22, 2025

TOPIC: Approval of Performance Resolution required by the Michigan Department of Transportation (MDOT) for permits to work within State Highway Right of Way.

BACKGROUND BRIEF: The Michigan Department of Transportation (MDOT) requires municipalities to adopt a Performance Resolution as a condition for issuing permits to perform construction, utility, maintenance, or other operations within State Highway Right of Way.

The Performance Resolution:

- Establishes responsibilities and liability between the Village and MDOT.
- Requires the Village to ensure contractors hold MDOT harmless for claims and damages.
- Ensures the Village is responsible for restoration of State Right of Way following permitted work.
- Provides that insurance policies must name the State of Michigan and MDOT as insureds, when required.
- Authorizes specific Village officials to apply for permits on behalf of the Village.

This resolution is necessary for the Village to obtain either Individual Permits or an Annual Permit from MDOT for any work within the State Highway Right of Way.

RECOMMENDED MOTION: Move to adopt the attached Performance Resolution for Governmental Agencies as required by the Michigan Department of Transportation, and authorize the following positions to apply for permits on behalf of the Village of Lake Orion:

- Village Manager
- Department of Public Works Director
- Chief of Police