1. August 16, 2016 Agenda

   Documents:

   08-16-16 - COUNCIL AGENDA.PDF

2. August 16, 2016 Packet

   Documents:

   08-16-16 - COUNCIL PACKET.PDF

MAYOR
Michael C. Taylor

COUNCIL MEMBERS

Joseph V. Romano, Mayor Pro Tem
Deanna Koski
Maria G. Schmidt
Nate Shannon
Doug Skrzyniarz
Barbara A. Ziarko

CITY OF STERLING HEIGHTS

AGENDA FOR REGULAR CITY COUNCIL MEETING

TUESDAY, AUGUST 16, 2016

7:30 P.M.

LOCATION: CITY COUNCIL CHAMBERS, CITY HALL, 40555 UTICA ROAD, PHONE (586) 446-CITY (MINUTES OF COUNCIL MEETINGS ARE FILED IN THE CITY CLERK'S OFFICE)

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG AND INVOCATION

ROLL CALL

APPROVAL OF AGENDA

REPORT FROM CITY MANAGER

PRESENTATION

Nice Neighbor

ORDINANCE ADOPTION

1. **To consider adoption of an ordinance amending Sections 8-28 and 8-28A of Chapter 8 of the City Code, to update the City's requirements relating to dangerous and potentially dangerous dogs.**

2. **CONSENT AGENDA**

   A. **Approval of Minutes**
   Regular Meeting of August 3, 2016

B. Approval of Bills

C. To award a bid for Schoenherr Road Sidewalk - 17 Mile Road to Clinton River Road, City Project #16-288, in the amount of $299,999.00.

D. To award a bid for 15 Mile Road Resurfacing, Schoenherr Road to Morningdale Drive, City Project #14-259 (Total estimated cost of $997,861.37).

E. To approve final payment in the amount of $57,578.00, plus interest on retainage, for the Richard J. Notte City Center Improvements – Phase I, City Project #14-251.

F. To approve final payment in the amount of $55,298.45, plus interest on retainage, for the 19½ Mile Road Reconstruction, Merrill Drive to Utica Road, City Project #14 255.

G. To designate Mark D. Vanderpool as the City of Sterling Heights' voting delegate at the Michigan Municipal League Annual Convention.

H. To adopt a resolution designating September 17th – 23rd, 2016 as Constitution Week in the City of Sterling Heights.

<u>CONSIDERATION</u>

3. To consider a request by KUKACARES for recognition as a local nonprofit organization for the purpose of obtaining a State of Michigan charitable gaming license.

4. To consider a request to transfer ownership of escrowed 2016 Class C liquor license located at 7750 Metropolitan Parkway, Sterling Heights, MI 48312, from Z & A Holdings, LLC to Mona Lisa Restaurant & Banquets, Inc., with new dance-entertainment permit.

<u>COMMUNICATIONS FROM CITIZENS</u>

(a) This item shall be taken up at 10:00 p.m. if the business portion of the agenda has not been concluded.

In accordance with the Sterling Heights Governing Body Rules of Procedure, under this agenda item, citizens are permitted to address the City Council on issues not on the agenda. Citizens are afforded a reasonable opportunity to be heard. Generally, no response shall be made to any communication from a citizen until all citizens have been permitted to speak.

You may be called to order by the Chair or a Council member if you:

- **Attempt to engage the Council or any member in debate**
- **Fail to address the Council on matters germane to City business**
- **Use vulgarity**
- **Make personal attacks on persons or institutions**
- **Disrupt the public meeting**

If you are called to order, you will be required to take your seat until the Council determines whether you will be permitted to continue.

These rules are in place and will be followed to ensure order and civility.

REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

UNFINISHED BUSINESS

NEW BUSINESS

CLOSED SESSION PERMITTED UNDER ACT 267 OF 1976 - (roll call vote required)

ADJOURN

Clerk of the Council

The City of Sterling Heights will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon 7 days notice to the Community Relations Department at 446-CITY.

The backup information for this agenda is available on the City's website.
Go to www.sterling-heights.net and click on City Council e-Packets.

MAYOR
Michael C. Taylor

COUNCIL MEMBERS

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CITY MANAGER'S REPORT

August 16, 2016 --- CITY COUNCIL MEETING

A. LABOR DAY REMINDER

As you know, Labor Day will be celebrated on Monday, September 5, 2016; All City Offices will be closed for the entire Labor Day weekend including Friday, September 2, for a furlough day. As such, there will be no refuse collection on Monday, September 5th only. Refuse collection will resume on Tuesday and will be delayed one day through the end of the week. Normal business hours will resume on Tuesday, September 6. Anyone requesting additional information may contact the Public Works Department at 586.446.2440.

B. NATIONAL NIGHT OUT

Just as a reminder, tomorrow night is National Night Out at the Sterling Heights Police Department, from 6:30 to 9 pm. The event will include demonstrations of public safety equipment and displays from the police and fire departments. Emergency service personnel will speak to residents about established volunteer programs like the Citizens' Emergency Response Team (CERT), Neighborhood Watch and Citizens on Patrol (COPS) unit. Raffles, prizes and refreshments will also enhance the event. All Sterling Heights families are invited.

C. CLINTON RIVER TRAIL BIKE PATH CLOSURE

Due to the ongoing extensive restoration efforts along the Clinton River Corridor, the mountain bike path will be closed from Edison Court to the Dodge Park Bridge for the next three weeks. Due to the heavy machinery and equipment being used, city staff determined it would be in the best interest of of the safety of the trail and path users to temporarily close this portion of the Clinton River Trail while this work is being performed. Please visit the city website for updates on the progress of these restoration efforts.

D. 1,000 BOOKS BEFORE KINDERGARTEN

The library has begun a new early literacy campaign entitled **1000 Books Before Kindergarten**. Early literacy has strong links to future academic success, and this program is yet another way that the library encourages young readers. The program invites parents to keep track of their child's reading progress with a structured booklet. Moreover, small prizes are offered for every 100 books read, with a larger prize awarded once the child reaches the 1,000-book goal. Once children have met the goal, they'll have a solid foundation to build their education upon.

E. CLOSED SESSION

At the conclusion of tonight's agenda, the City Attorney and I are requesting that the City Council convene in closed session to consider privileged and confidential communications from legal counsel.

F. MISCELLANEOUS

Respectfully submitted,

Mark D. Vanderpool, City Manager

DELIVERED AUG 11 2016

CITY OF Sterling Heights

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: Presentation
Meeting: 8/16/2016

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: Nice Neighbor Award Presentation

Submitted By: Community Relations Department

Contact Person/Telephone: Sue Giallombardo, Community Relations Specialist / 446-2473 SG

Administration (initial as applicable)

		Attachments			
NL	City Clerk	___	Resolution	___	Minutes
BB JS	Finance & Budget Director	___	Ordinance	___	Plan/Map
NK	City Attorney (as to legal form)	___	Contract	___	Other
MW	City Manager				

☐ Check box if this agenda item requires billing\revenue collection (fees, etc.) by Treasury Office

Executive Summary

This is another presentation in the Nice Neighbor Program, which honors homeowners and businesses that improve the quality of life for their neighbors. The Community Relations Department is proud to present Brian Brooks, a/k/a *Spaghetti Man*, for recognition as a recipient of a Nice Neighbor award. Mr. Brooks was nominated by Jeff Norgrove for the Nice Neighbor award.

In support of this nomination, Mr. Norgrove states that Mr. Brooks has been attending concerts in Dodge Park and throughout Sterling Heights for years. Mr. Norgrove added that Brian puts a smile on the faces of everyone at the concert, especially those on the dance floor. Brian is always entertaining, smiling, and encouraging concert-goers to join him on the dance floor.

In further support of his nomination, Mr. Norgrove adds that "People seem to enjoy the concerts a little bit more when Brian is on the dance floor, and he should be recognized as a Nice Neighbor."

Suggested Action:

Present Brian Brooks with a Nice Neighbor Award in recognition of his efforts to assist the community and contributions in making Sterling Heights' overall quality of life second to none.

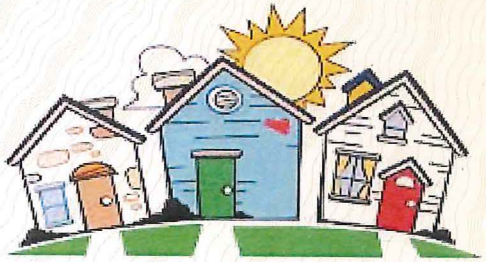
The Sterling Heights Mayor & City Council proudly issue this

NICE NEIGHBOR AWARD

to

Brian Brooks

In recognition of your efforts to assist your community and contributions in making Sterling Heights' overall quality of life second to none.



CITY OF Sterling Heights
InnovatingLiving

Mayor Michael C. Taylor
Mayor Pro Tem Joseph V. Romano
Councilwoman Deanna Koski
Councilwoman Maria G. Schmidt
Councilman Nate Shannon
Councilman Doug Skrzyniarz
Councilwoman Barbara A. Ziarko

Issued: August 16, 2016

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DELIVERED AUG 1 1 2016

City Clerk's Use

Item No: 1

Meeting: 08/16/16

Business of the City Council
Sterling Heights, Michigan

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider adoption of an ordinance amending Sections 8-28 and 8-28A of Chapter 8 of the City Code, to update the City's requirements relating to dangerous and potentially dangerous dogs.

Submitted By: Sterling Heights Police Department

Contact Person/Telephone: John Berg, Police Chief / 586.446.2811

Administration (initial as applicable)

		Attachments			
MC	City Clerk	___	Resolution	___	Minutes
AB	Finance & Budget Director	X	Ordinance	___	Plan/Map
MK	City Attorney (as to legal form)	___	Contract	___	Other
	City Manager				

☐ Check box if this agenda item requires billing\revenue collection (fees, etc.) by Treasury Office

Executive Summary

Introduction

At the August 3, 2016 regular meeting, the City Council resolved to introduce the ordinance amending Sections 8-28 and 8-28A of the Sterling Heights City Code to update the City's requirements relating to dangerous and potentially dangerous dogs.

Background

In 2011, the City adopted comprehensive regulations in Chapter 8 of the City Code to create a unique model for addressing community concerns about dangerous and potentially dangerous dogs. These regulations followed many months of deliberations over how to properly address dogs that prove to be a threat to the community on a non-breed specific basis. The Police Department, Animal Control, City Clerk, and City Development have all been part of the process, which has been received very favorably and has been working very effectively.

As with any program, experience has identified a number of practices that would benefit by revisions to the City's regulations. The revisions being proposed are designed to streamline parts of the appeal process for more efficiency, to further clarify a dog owner's responsibilities, and to more clearly identify the roles of Animal Control and the City Clerk in the dog registration process.

Proposed Ordinance

The City Code currently authorizes Animal Control to categorize a dog involved in an aggressive behavior incident as either ***dangerous*** or ***potentially dangerous***, depending on factors relating to the severity of the incident.

The proposed amendments to the process for determining a dog to be ***dangerous*** are limited to the following:

1. Clarification of the information to be included in the notice provided to the owner of a dog determined to be dangerous.

2. A new requirement for the City to provide notice of any appeal hearings to any victims involved in the incident.

3. A new requirement that the involved dog will be microchipped if another community authorizes the dog to be relocated to that community, so that the City can ensure that the dog not only leaves with the permission of that community, but also never returns.

The proposed amendments to the process for determining a dog to be ***potentially dangerous*** are limited to the following:

1. In addition to the aggressive behaviors already included in the ordinance for determining a dog to be potentially dangerous, the proposed ordinance would add that the City may classify a dog as potentially dangerous if any of those behaviors are discovered to have occurred in, and were documented by, any other community.

2. The process for appealing a classification of "potentially dangerous" to the Board of Ordinance Appeals will be streamlined to minimize holding times for the dogs involved. After the owner requests an appeal, the hearing will be scheduled for the next meeting of the Board that is set for more than 3 days after the appeal is received (or sooner if an earlier meeting is already scheduled and the owner waives the 3-day requirement).

3. The ordinance will clarify that ownership of the dog is forfeited to the City if the owner does not appeal, does not relocate the dog out of the City, and does not fulfill all of the conditions set forth in the ordinance for being able to possess a potentially dangerous dog. This would then allow the City to relocate the dog to a new owner or to authorize the County to do so.

4. The ordinance will clarify that Animal Control and the Board can extend any deadlines if the owner is making good faith progress toward relocation or fulfillment of the ordinance conditions.

5. The ordinance will establish that the owner has 14 days to comply with a decision of the Board to uphold the dog's classification as potentially dangerous, after which time ownership of the dog will be forfeited to the City.

6. The process for removing the potentially dangerous classification will be updated to clarify that the dog must reside and be licensed in the City for 3 full years, without any new incidents that would qualify the dog as potentially dangerous, following the date the dog is registered with the City as a potentially dangerous dog.

7. The revisions will clarify that any dog determined to be potentially dangerous must be impounded at that time. However, rather than require that the dog be housed at the County Shelter, Animal Control may authorize the dog (first it must be microchipped) to be kept at a residence outside of the City or with a rescue organization or dog lodging establishment until conclusion of the appeal process, compliance with the ordinance conditions for the dog to return home, or until permanent relocation out of the City. All costs are the owner's responsibility.

8. The requirements for keeping a potentially dangerous dog in the City will be revised as follows:

    a. The fencing requirement will be updated to clarify that chain link and/or privacy fencing is acceptable, and that all required permits and inspections must be issued and completed prior to the dog's return to the property.

    b. The temperament and training requirements can be approved by Animal Control, rather than requiring updates to an Administrative Policy & Procedure Order to list all approved programs.

    c. The dog must be spayed or neutered prior to returning to the City. This was previously only required if the owner of the dog was a felon, but all involved administrators agree that it is an appropriate requirement for every dog that is classified as potentially dangerous.

    d. Before returning to the City, the owner must register the dog as potentially dangerous with the City Clerk and provide proof of the fencing, gate, leash, microchipping, insurance, and training, and provide Animal Control and the City Clerk with 2 color photographs of the dog.

    e. Dogs that are only visiting the City when an incident occurs will not be subject to the same requirements if they were licensed in another community at the time of the incident, except that they must be microchipped before release from impoundment and may not return to the City unless the conditions for possessing a potentially dangerous dog are fully implemented.

Recommendation

The City's regulations have, by any measure, proven to be very successful and are functioning as intended. Over the course of the past five years, the regulations have allowed the City to effectively manage some very difficult cases, including those involving legal challenges. While the City could continue to rely on existing regulations, those involved in the process have identified specific measures that will enhance the efficiency of the overall program. For all these reasons, recommendation is being made to introduce and adopt the attached ordinance to update the City's requirements relating to dangerous and potentially dangerous dogs

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to adopt the ordinance amending Chapter 8, Sections 8-28 and 8-28A of the City Code, to update the City's requirements relating to dangerous and potentially dangerous dogs.

CITY OF STERLING HEIGHTS

MACOMB COUNTY, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE CHAPTER 8 OF THE CITY CODE GOVERNING DANGEROUS DOGS

THE CITY OF STERLING HEIGHTS ORDAINS:

SECTION 1. Section 8-28 of Chapter 8 of the City Code shall be amended to read as follows:

8-28. POTENTIALLY DANGEROUS DOGS.

The purpose of this section is to establish a procedure for identifying dogs that pose a potential or significant threat to the safety of people, animals, or property, to impose precautionary restrictions on such dogs in an effort to prevent a serious injury from occurring, and to promote responsible ownership of all dogs within the city.

(A) Determination of a potentially dangerous dog. The determination that a dog is potentially dangerous shall be based on the following specific behaviors exhibited by the dog:

(1) Menaces, chases, displays threatening or aggressive behavior toward, or otherwise threatens or endangers the safety of a person or domestic animal.

(2) Causes injury to a person or domestic animal that is less than a severe injury. For purposes of this section, the term "severe" injury means permanent, serious disfigurement, serious impairment of health, or serious impairment of a bodily function.

(3) Aggressively bites a person or domestic animal. For purposes of this section, the term "aggressively bites" means the dog physically bit the person or animal in a manner not normally associated with playfulness or accidental behavior while exhibiting objective signs of aggression, attack behavior, or intent to harm. The damage inflicted by a bite, or lack thereof, may also be used by animal control officials as a factor in determining whether a bite was aggressive.

(4) Any of the behaviors listed above exhibited in another community and documented in an official report of any law enforcement or animal control agency.

(B) Notice of determination and right of appeal. An animal control officer shall have the authority to make a determination that a dog is potentially dangerous if the animal control officer concludes the dog has exhibited the behaviors specified in this section. The owner or keeper of a dog determined to be potentially dangerous shall be provided with a notice containing the following information:

(1) A summary of the findings that form the basis for the determination that the dog is potentially dangerous.

(2) Notice of requirements necessary to possess a potentially dangerous dog in the city.

(3) Notice of the right to submit a written appeal of the determination that the dog is potentially dangerous to the Board of Ordinance Appeals within 10 calendar days from the date of the notice. The notice shall:

(a) Provide instructions for taking an appeal;

(b) Indicate that the appeal will be considered at the next regular meeting of the Board of Ordinance Appeals to be held at least 3 calendar days from the date of the notice, unless an earlier meeting is scheduled and the owner requests in writing for the appeal to be heard at that meeting;

(c) Indicate that the determination that the dog is potentially dangerous is final and conclusive if an appeal is not taken; and

(d) Indicate that ownership of the dog will be deemed forfeited to the city if any of the following occur:

a. An appeal is not taken and the owner has not secured permanent relocation of the dog or satisfied all of the requirements set forth below for possession of a potentially dangerous dog within 14 calendar days from the date of the notice.

b. The Board of Ordinance Appeals upholds the determination that the dog is potentially dangerous and the owner or keeper has not secured permanent relocation of the dog or satisfied all of the conditions set forth in this section, and any other conditions established by the Board, for possessing the potentially dangerous dog within 14 days of the appeal hearing.

c. Animal control and the Board of Ordinance Appeals shall have the authority, but no obligation, to extend any of the deadlines set forth in this subsection for demonstrable good faith progress toward relocation of the dog or toward satisfaction of the possession requirements.

(4) Notice of the right to request removal of the potentially dangerous classification after the dog has resided and been licensed within the city for a minimum of 3 full years following the date the dog is licensed with the City as a potentially dangerous dog without any violations of the conditions required for keeping the potentially dangerous dog and without any new incidents involving behavior by the dog that would qualify for a potentially dangerous determination pursuant to this section. The removal request shall be sent in writing to animal control. The decision to remove the potentially dangerous classification shall be made in the first instance by animal control upon a review of the history of the dog and its residence for the 3 years preceding the date of the removal request, including a premises inspection and an inspection of the dog to

ensure that the conditions set forth in this section have been followed. If the request is denied, the owner may appeal the denial to the Board of Ordinance Appeals within 10 calendar days. Owners shall only be permitted one request and one appeal during any 12-month period.

(C) Mitigating circumstances. An animal control officer shall have discretion to refrain from making a potentially dangerous determination if the animal control officer determines that the behavior was the result of the victim abusing or tormenting the dog, was directed toward a trespasser or person committing or attempting to commit a crime, involved accidental or instinctive behavior while playing, did not involve a significant injury, or other similar mitigating or extenuating circumstances.

(D) Impoundment. A dog that is determined to be potentially dangerous shall be removed from the City and placed with the Macomb County Animal Shelter or, in the discretion of Animal Control, the owner may authorize placement of the dog at a residential home outside of the City, or with a qualified rescue organization or qualified dog lodging business, during any quarantine period and until the owner has either confirmed a new place of residence for the dog outside of the City or has exhausted any appeals permitted by this section. If the dog is not being housed at the Shelter, it must first be microchipped with all information required by Animal Control. All impoundment, lodging, and microchipping costs are the sole responsibility of the dog's owner.

(E) Requirements for possession of a potentially dangerous dog. If the owner of the dog requests that the dog be permitted to return to the City, its return shall not be permitted until the following requirements have been satisfied:

(1) Animal control shall confirm the following:

a. The owner or keeper shall install secure fencing at the property where the dog will reside which is maintained in good repair with self-locking ingress or egress gates. The fencing may be any combination of chain link fencing and/or privacy fencing, shall only be installed upon obtaining all required fence permits from the City, and shall pass all required inspections prior to the dog's return to the property,

b. When removed from the property of the owner or keeper, a potentially dangerous dog shall always be restrained by a secure leash of no more than four feet in length and under the control of a capable person.

c. A potentially dangerous dog shall have a microchip implanted by a licensed veterinarian. The microchip shall contain the name and approximate age of the dog, its classification as potentially dangerous, and the name, address, and telephone number of the registered owner.

d. The owner shall obtain and maintain public liability insurance with policy coverage in the minimum amount of $250,000.

e. Two recent color photographs of the dog, which clearly show the color and approximate size of the animal, shall be provided to animal control.

f. The potentially dangerous dog shall meet the requirements of the AKC's Canine Good Citizen Program, or its equivalent, to the satisfaction of animal control. Dogs that are under one year of age are ineligible for the AKC Canine Good Citizen Program, so such dogs must be enrolled in or have completed the AKC START Program or an equivalent approved by animal control. The dog may not return to its City residence until these requirements have been met, but it may be kept at a qualified rescue or dog housing business until proof of successful completion of the program is submitted to, and acknowledged by, animal control and the city clerk. For every future violation of this chapter for which a dog may be determined to be potentially dangerous which occurs after the dog has completed the requirements of this subsection and been properly registered under this section, additional training or testing, including but not limited to renewing the dog's compliance with this subsection, may be imposed by animal control as a condition of continuing to keep the dog within the city unless the dog's status is changed to dangerous due to the nature or frequency of the new violation(s).

g. The potentially dangerous dog, if over 12 weeks old, has been spayed or neutered.

h. All impoundment and lodging costs have been paid by the owner.

(2) Before the dog returns to any property within the city other than a qualified rescue organization or a boarding business, the owner of a potentially dangerous dog shall ensure that the dog's license is current and shall register the dog with the city clerk as a potentially dangerous dog with all information required by the city clerk's potentially dangerous dog registration form, as well as the following:

a. Proof of animal control's certification that the required fence, self-locking gate, and leash have all been procured for the dog.

b. Proof of microchipping and the information contained on the microchip. The owner shall ensure that the microchip information provided to the city is kept up to date.

c. Proof of the required insurance policy.

d. Proof of the successful completion of the required training and temperament testing.

e. Two recent color photographs of the dog, which clearly show the color and approximate size of the animal.

(3) The owner or keeper of a potentially dangerous dog must, within 10 business days, report to the city clerk if the dog has been permanently removed from the city, has died, or has

relocated within the city. The new address of a relocated potentially dangerous dog shall be provided as part of the report to the city clerk.

(4) After its initial registration, a potentially dangerous dog shall be registered with the city clerk annually and its owner or keeper shall pay a registration fee established by the city's annual appropriations ordinance. This registration and fee shall be in addition to any other requirements for annual licensing of an animal.

(E) Visiting Dogs. Any dog that does not reside within the city and is licensed by another community but which is determined to be a potentially dangerous dog pursuant to this section shall not be subject to the conditions for possessing a potentially dangerous dog within the city, except that the dog shall be microchipped before its release, all impound and microchipping costs shall be paid by the owner, and its owner and keeper shall be advised by animal control that the dog is not to return unless all of the conditions for possessing a potentially dangerous dog are first satisfied. In the event the dog is subsequently in the city without full compliance with the requirements for possessing a potentially dangerous dog, the person harboring or possessing the dog shall be subject to the penalties set forth in subsection (F).

(F) Penalties.

(1) Except as provided in division (F)(2), any person who owns, harbors, keeps, or possesses a potentially dangerous dog in violation of any of the requirements of this section for possessing a potentially dangerous dog, or who in any way aids or abets such ownership, harboring, keeping, or possession, shall be responsible for a municipal civil infraction. The fine for a first violation shall be $500; for a second violation, $750; and for all subsequent violations, $1,000 per violation. The court may only waive or reduce these fines in cases of financial hardship, upon good cause shown, if the offender forfeits all ownership and possessory rights to the offending dog and forfeits future dog ownership and possessory rights until the offender has successfully completed animal ownership educational training satisfactory to the city's animal control officers and for a period of time determined appropriate by the court.

(2) In addition to the civil penalties set forth in division (F)(1), a potentially dangerous dog shall be subject to immediate impoundment by an animal control officer if it is determined that the dog is owned, possessed, harbored or maintained in violation of this section. The animal control officer shall issue a notice to the owner or keeper of the potentially dangerous dog which indicates the hearing date at which the city's Board of Ordinance Appeals will address the violations. The city shall provide notice of the hearing to any victim and/or any owner of an animal victimized by the potentially dangerous dog.

(3) Any hearing scheduled for consideration by the Board of Ordinance Appeals shall be administratively canceled if the owner or keeper withdraws the requested appeal, corrects all correctable violations to the satisfaction of animal control , satisfies the conditions for possessing a potentially dangerous dog, permanently relocates the dog to the satisfaction of animal control, or forfeits ownership rights to the potentially dangerous dog prior to the scheduled Board hearing,. The owner or keeper shall be responsible for all impound fees and costs, regardless of whether the hearing is held or canceled. If a hearing is held, the Board shall:

(a) Determine whether the status of the dog as potentially dangerous shall be upheld and, if so, the conditions applicable for return of the potentially dangerous dog to the owner or keeper, including but not limited to deadlines for correcting any uncorrected violations and random inspections of the premises and the potentially dangerous dog by an animal control officer, with the owner or keeper responsible for payment of inspection fees established by the city's annual appropriations ordinance. In the event of noncompliance, the Board may impose conditions on removal from the city that are rationally related to the public interest in protecting others from any potential future harm that could be caused by the potentially dangerous dog. Failure to comply or remove the dog in accordance with the decision of the Board within the timeframe established by the Board shall result in forfeiture of ownership rights to the dog in favor of the city, in which event animal control shall determine the final placement or disposition of the dog.

Statutory reference:
Dangerous animals, see M.C.L. § 287.321 et seq.

SECTION 2. Section 8-28A of Chapter 8 of the City Code shall be amended to read as follows:

8-28A. DANGEROUS DOG.

(A) Determination of a dangerous dog. The determination that a dog is dangerous shall be based on the following specific behaviors exhibited by the dog:

(1) Exhibits aggressive behaviors that result in further incidents or complaints after having been determined to be a potentially dangerous dog.

(2) Causes severe injury to a person or domestic animal. For purposes of this section, the term "severe" injury means permanent, serious disfigurement, serious impairment of health, or serious impairment of a bodily function.

(3) Kills a person or domestic animal.

(4) Its use in the commission of a crime, including but not limited to dog fighting and guarding of illegal operations.

(B) Notice of determination. The definition of "dangerous animal" in § 8-3 shall continue for purposes of issuing violations for harboring a dangerous or vicious animal pursuant to § 8-8. An animal control officer shall have the additional authority to make a determination that a dog is to be classified as dangerous under this article if the animal control officer concludes the dog has exhibited the behaviors specified in this section. The owner or keeper of a dog determined to be dangerous shall be provided with a notice containing the following information:

(1) A summary of the findings that form the basis for the determination that the dog is dangerous.

(2) Notice of the prohibition of dangerous dogs within the city.

(3) Notice of the right to appeal, as set forth below.

(C) Mitigating circumstances. An animal control officer shall have discretion to refrain from making a determination of a dangerous dog if the animal control officer determines that the behavior was the result of the victim abusing or tormenting the dog, was directed toward a trespasser or person committing or attempting to commit a crime, or other similar mitigating or extenuating circumstances. The animal control officer retains discretion, however, to classify the dog as potentially dangerous if the mitigating circumstances do not completely dispel concern about the dog's future behaviors.

(D) Impoundment and euthanization. A dangerous dog is not permitted within the city, shall be immediately impounded, and shall be euthanized not less than 10 calendar days after a determination is made by an animal control officer.

(E) Right of appeal. The animal control officer shall issue a notice to the owner or keeper of the right to appeal the determination that a dog is dangerous to the Board of Ordinance Appeals within 10 calendar days from the date of the notice. The notice shall provide instructions for taking an appeal and indicate that the determination is final and conclusive if an appeal is not taken. The city shall provide notice of the hearing to any victim and/or any owner of an animal victimized by the dangerous dog. If the owner forfeits ownership rights to the dangerous dog or obtains written permission to relocate the dog to another municipality from that municipality's chief administrative officer or chief animal control official prior to the scheduled Board hearing, the matter shall be administratively withdrawn from the agenda. If relocation permission is obtained, the dog shall first be microchipped at the owner's expense with all information required by animal control, including the dog's designation as dangerous in Sterling Heights and information referencing the city's incident report(s). The owner or keeper shall be responsible for all impound fees and costs, regardless of whether the dog is forfeited, removed from the city, or a hearing is held. If a hearing is held, the Board shall determine whether the dog is dangerous and subject to forfeiture and euthanization.

SECTION 3. All other provisions of the Code of Ordinances not specifically amended shall remain in full force and effect.

SECTION 4. This ordinance shall become effective immediately upon publication of a notice of adoption.

This ordinance was introduced at a _____ meeting of the City Council of the City of Sterling Heights on the _____ day of _____, 2016, and was duly adopted at a _____ meeting of the City Council of the City of Sterling Heights on the _____ day of _____, 2016.

_____
MICHAEL C. TAYLOR, Mayor

_____
MARK CARUFEL, City Clerk

INTRODUCED: _____
ADOPTED: _____
PUBLISHED: _____
EFFECTIVE: _____

CITY OF STERLING HEIGHTS

Ordinance No: **_____**

NOTICE OF ADOPTION OF ORDINANCE

The City of Sterling Heights has adopted an ordinance that updates Chapter 8 of the City Code governing dangerous dogs. The ordinance shall be effective upon publication of this Notice of Adoption. A copy of the ordinance can be inspected or obtained from the City Clerk's office in City Hall, 40555 Utica Road, Sterling Heights, Michigan 48311-8009, during normal business hours.

Delivered AUG 11, 2016

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 2 A-H
Meeting: 08/16/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: Consent Agenda

Submitted By: Office of the City Clerk

Contact Person/Telephone: Mark Carufel, 446-2421

Administration (initial as applicable)

__ City Clerk
__ Finance & Budget Director
__ City Attorney (as to legal form)
__ City Manager

Attachments

__ Resolution
__ Ordinance
__ Contract
__ Minutes
__ Plan/Map
__ Other

☐ **Check box if this agenda item requires billing/revenue collection (fees, etc.) by Treasury Office**

Suggested Action:

MOVED BY: **SECONDED BY:**

2. A. Approval of Minutes
Regular Meeting of August 3, 2016

B. Approval of Bills

C. To award a bid for Schoenherr Road Sidewalk - 17 Mile Road to Clinton River Road, City Project #16-288, in the amount of $299,999.00.

D. To award a bid for 15 Mile Road Resurfacing, Schoenherr Road to Morningdale Drive, City Project #14-259 (Total estimated cost of $997,861.37).

E. To approve final payment in the amount of $57,578.00, plus interest on retainage, for the Richard J. Notte City Center Improvements – Phase I, City Project #14-251.

F. To approve final payment in the amount of $55,298.45, plus interest on retainage, for the 19½ Mile Road Reconstruction, Merrill Drive to Utica Road, City Project #14-255.

G. To designate Mark D. Vanderpool as the City of Sterling Heights' voting delegate at the Michigan Municipal League Annual Convention.

H. To adopt a resolution designating September 17th – 23rd, 2016 as Constitution Week in the City of Sterling Heights.

Delivered August 11, 2016
Agenda Item 2-A
Meeting: 08/16/16

UNOFFICIAL MINUTES

CITY OF STERLING HEIGHTS

MINUTES OF REGULAR MEETING OF CITY COUNCIL

WEDNESDAY, AUGUST 3, 2016

IN CITY HALL

Mayor Michael C. Taylor called the meeting to order at 7:30 p.m.

Mayor Taylor led the Pledge of Allegiance to the Flag and Mark Carufel, City Clerk, gave the Invocation.

Council Members present at roll call: Deanna Koski, Joseph V. Romano, Maria G. Schmidt, Nate Shannon, Doug Skrzyniarz, Michael C. Taylor, Barbara A. Ziarko.

Also Present: Jeffrey Bahorski, Assistant City Manager; Marc D. Kaszubski, City Attorney; Mark Carufel, City Clerk; Carol Sobosky, Recording Secretary.

APPROVAL OF AGENDA

Moved by Koski, seconded by Romano, to approve the Agenda as presented.

Yes: All. The motion carried.

REPORT FROM CITY MANAGER

Mr. Bahorski reported on the recent successful conclusion of the 15th annual *Sterlingfest Art & Music Fair*. He stated that, as a community event, *Sterlingfest*

is unsurpassed in bringing the Sterling Heights community together to have fun in the heart of the City, and he thanked all who gave time and effort to this year's successful event.

Mr. Bahorski reported that the Sterling Heights Assembly Plant (SHAP) announced a $1.5 billion investment to move production of the next generation RAM 1500 pick-up truck to SHAP. In addition to the capital investment, there will be a workforce of over 4,000, and he stated the City worked closely with partners at the Michigan Economic Development Corporation and the County of Macomb for this project.

Mr. Bahorski reported on an act of heroism by a member of the Sterling Heights Police Department, where Officer Kevin McLellan assisted a resident whose husband was found unresponsive. He commenced CPR and continued until paramedics arrived, and the man is alive as a result of Officer McLellan's lifesaving actions. A recap of the WXYZ Channel 7 news story highlighting Officer McLellan's actions was shown.

Mr. Bahorski reported that *Re*Creating Recreation, which will be on November's ballot, has been garnering more interest, and he introduced Community Relations Director Bridget Doyle to highlight where more information on this initiative can be found.

Ms. Doyle informed that the City will be kicking off its public information campaign about *Re*Creating Recreation, which will be on the ballot this November. She informed that inserts in the water bill will be included in the

mailings through the next three cycles in August, September and October. There is a Q&A brochure that will be available at City Hall and all public buildings. There will be a video series that will be kicking off at this meeting, displays at all City events, and A-frame signage outside City buildings. Ms. Doyle informed there is a lot of information available through their website (www.sterling-heights.net), where there are multiple links to find more information on this initiative. She informed that the unique URL is www.sterling-heights.net/recreatingrecreation and that will link directly to the webpage, which include a slide show of images, a photo gallery, the plan, and a tax calculator where anyone can plug in their home's estimated market value to see what this will cost them on an annual basis. She stated the ballot language is also included on the webpage, and as the videos are created and populated, and this information will be shared on social media. She urged any residents with questions on this proposal to contact her, Mr. Kyle Langlois, the Parks and Recreation Director, or Ms. Denice Gerstenberg, the City Development Director. The first of three videos created by SHTV was shown, which she hoped will shed light on *Re*Creating Recreation and what it can do for the community. Following the video, Ms. Doyle stated if anyone has questions or finds there is not information on this part of the website, they can email her at bdoyle@sterling-heights.net and she will make sure the site is updated.

Mr. Bahorski commended Ms. Doyle and other staff for their outstanding production explaining what *Re*Creating Recreation is all about, and he stated that concludes his report.

PRESENTATION

Police Chief John Berg stated that as of today, including the three officers being sworn in, Sterling Heights has hired 35 new officers in the last 18 months, and he added they still have 18 more to hire. He explained that they will be starting a new process of recruiting and putting out information to all of the academies in the area. Chief Berg thanked Mr. Bahorski for highlighting Officer McLellan's lifesaving efforts, adding is proud of the position he holds and the people he oversees in his department. He introduced the three officers, recognizing that Julian Arche is the nephew of Sterling Heights Police Officer Al Arche, and Brian Browning was born and raised in Sterling Heights, graduating from Sterling Heights High School. He stated that Phillip Descamps is also from Sterling Heights, graduating from Cousino High School. He stated they all bring in a lot of knowledge and experience to the City.

Chief Berg swore in Officers Julian Arche, Brian Browning and Phillip Descamps.

Officer Phillip Decamps thanked the City Council, the Mayor, and his family and friends for their help and support, and looked forward to serving the City of Sterling Heights for many years.

Officer Brian Browning stated he grew up in Sterling Heights, and thanked the City Council, the Mayor and the Police Chief for affording him the opportunity to serve the city that he loves. He is looking forward to moving back into this community and thanked his family and fiancé for their support.

Officer Julian Arche stated it is great to be back in his home town and he looks forward to many years of successful police work in this city. He thanked the City Council and the Police Department for allowing him this opportunity, and he thanked his family and fiancé as well for their support.

Mayor Taylor welcomed the new police officers, and added that it is always encouraging to see people who have grown up in Sterling Heights finding a way to come back, which he felt is a reflection on the kind of community and Police Department here in Sterling Heights. He thanked the officers for their commitment and wished them well.

Ms. Denice Gerstenberg, City Development Director, informed that this evening the City is the honored recipient of an award from the Michigan Concrete Association (MCA). She stated that the City's Engineering Department is led by Mr. Brent Bashaw and a team committed to excellence, designing not only roads, water mains and sanitary sewers but also parks and parking lots, and the improvements at the Civic Center. Ms. Gerstenberg introduced Ms. Carrie Sutton, Director of Engineering for MCA.

Ms. Carrie Sutton stated that the MCA is comprised of contractors, consultants, material suppliers, testing firms and others involved in building infrastructure in Michigan. They hold an annual conference and look at projects they feel were outstanding the previous year, and she informed that the 19-1/2 Mile project (between Merrill and Utica Road) was submitted and won in the category of Industrial Roads. She stated over 70 projects were submitted, and only 25 were selected as winners. She explained the road was recognized for its use of concrete and design in the complete reconstruction of the road pavement, the base and the storm sewer, all done while keeping the businesses open. She recognized the contractor, Toby Construction; the sub-contractor, GM and Sons; the concrete supplier, Superior Materials; and City Engineer Brent Bashaw, Civil Engineer II Scott Charron, and Lead Engineering Inspector Adam LaClair of the City of Sterling Heights. She presented the 2016 Award of Excellence from the Michigan Concrete Association for the 19-1/2 Mile Road Reconstruction, City Project #14-255.

Mayor Taylor commended and thanked the Engineering Department for their great work, and commented on the large number of compliments he received from citizens with regard to the parking lot improvements following the Sterlingfest.

PUBLIC HEARING

1. Mr. Dwayne McLachlan, City Assessor, presented the request by Chardam Gear Company, Inc. to establish an Industrial Development District (IDD) at 40810 Brentwood Drive, 40765 Mound Road, 40805 Mound Road and 40821 Mound

Road. He stated the petitioners will have to come back before this Council to ask for a formal tax abatement. He stated the petitioners have indicated they would like to delay this request indefinitely; however, since this is a public hearing that was already advertised, he encouraged City Council to hold the public hearing and then postpone it indefinitely.

Mayor Taylor opened the discussion to the audience.

There was no audience participation.

Mayor Taylor closed the public hearing.

Moved by Romano, seconded by Ziarko, **RESOLVED**, to postpone indefinitely consideration of the application by Chardam Gear Company, Inc., to establish an Industrial Development District at 40810 Brentwood Drive, 40765 Mound Road, 40805 Mound Road and 40821 Mound Road.

Yes: All. The motion carried.

2. Mr. Dwayne McLachlan, City Assessor, presented the request by Ric-Man Construction, Inc. for an Industrial Facilities Tax Exemption Certificate at 42600 R Mancini Drive, located off of 19 Mile Road. The district was created at an earlier meeting this year. He stated the applicant is constructing a new facility and intends to build products for their continued business use in utility mining and maintenance of construction equipment. They will invest approximately $3.3 million in building this facility, and anticipate adding an additional $680,000 of new personal property, and those assets are taxed directly by the State. The real property investment will generate approximately $12,644 annually in new city tax

revenue over the eight-year abatement term, and the tax revenue is in addition to the current city taxes, which over the same eight-year term, would equate to approximately $168,263 annually for all Mancini-affiliated entities. This is expected to create ten new jobs within the City, and will have a positive economic effect.

Mayor Taylor opened the public hearing.

Mr. Eddie Mancini, applicant, explained they have been in this City for 51 years and would like to stay here. He stated they are creating a new 42,000-square-foot facility and growing their business. They manufacture construction equipment that facilitates their needs for doing jobs throughout the State of Michigan, and they also manage and develop properties in Sterling Heights, including one property along Van Dyke where they will be breaking ground for a 72,000-square-foot facility. He distributed and reviewed an informative packet showing the machinery they can build at their facility.

Mayor Taylor closed the public hearing.

Moved by Schmidt, seconded by Romano, **RESOLVED**, that the application for an Industrial Facilities Tax Exemption Certificate by Ric-Man Construction, Inc. at 42600 R Mancini Drive is hereby approved for a period of eight years in accordance with the guidelines established by City Council and the Mayor and City Clerk are hereby authorized to sign, as applicable, all documents required in conjunction with this approval.

Councilwoman Schmidt commented that 51 years in the community is a long time, and she thanked the petitioner for staying here and continuing to invest in this City. She also appreciated the new jobs being created, and she wished him well.

Mayor Taylor echoed Councilwoman Schmidt's remarks. He stated it is good to see companies like this that do a good job and want to stay in the city, and he thanked them for being invested and committed to the City of Sterling Heights and the local economy.

Yes: All. The motion carried.

3. Mr. Jason Castor, City Development Manager, stated that at the July 7, 2016 Regular Meeting, the City Council scheduled a public hearing to hear any objections to changing the street name of "Ford Country Lane" to "Suburban Drive". Since that time, the Notice of Public Hearing has been posted in three places on the street and has been published in the Sentry Newspaper for at least ten days as specified in the Ordinance. Mr. Castor showed the proposed road on a map, and stated it is a private access drive on the west side of Van Dyke Avenue, between 17 and 18 Mile Roads. It was constructed along with the development of the Jerome Duncan Ford Automobile Dealership, which has since been renamed to Suburban Ford of Sterling Heights. He advised that the name change request has been reviewed by the city's Police, Fire, Public Works and Engineering Departments, and all have indicated no objection to the request. He stated the petitioner, Mr. David Fisher, General Manager, was unable to attend this evening

but submitted a letter indicating their primary reason for the name change is to reflect their company name. Mr. Castor stated that Mr. Fisher's designated representative is present tonight to answer questions.

Mayor Taylor opened the public hearing.

There was no audience participation.

Mayor Taylor closed the public hearing.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to approve the request to change the name of "Ford Country Lane" to "Suburban Drive" and authorize the Mayor and City Clerk to sign all documentation required in conjunction with this approval.

Councilwoman Ziarko stated the request was explained to the City Council, as well as the reason for the petitioner asking for this change, and she indicated that she has no objection to the request.

Mayor Pro-Tem Romano pointed out that if this is approved, the City maps will still reflect "Ford Country Lane" unless the maps are changed. He inquired as to whether there are any buildings on that street that would be having mail addressed to "Ford Country Lane".

Mr. Castor replied to inquiry that there are three or four buildings with addresses on "Ford Country Lane". He clarified, however, that after contacting the post office, the City was advised to supply the post office with a copy of the official recommendation to change the street name, and they will update their address records to reflect "Suburban Drive".

Mayor Pro-Tem Romano stated that companies on that street will all have to change their letterhead, and he inquired as to whether they were notified of tonight's public hearing.

Mr. Castor clarified that all of the properties located on that drive are owned by the Suburban Collection so they are all aware of the proposed name change.

Yes: All. The motion carried.

ORDINANCE INTRODUCTION

4. Mayor Taylor stated that this is to consider introducing an ordinance amending Sections 8-28 and 8-28A of Chapter 8 of the City Code to update the City's requirements relating to dangerous and potentially dangerous dogs.

Mr. Donald P. DeNault, Assistant City Attorney, stated that in 2011, the City put together a unique model that has not been followed in other communities, but the City's Animal Control Department, City Development Director and City Clerk all agree that it is working very well. He stated it is time to look at it again to see if it can be streamlined. He explained the proposed amendments to the process for determining a dog to be dangerous, including new requirements which would provide notice of any appeal hearings to any victims involved in the incident, and microchipping the involved dog if another community authorizes the dog to be relocated to that community. Mr. DeNault also explained the proposed amendments involve the process for determining a dog to be potentially dangerous, and also for keeping a potentially dangerous dog in the City.

Mr. Jeffrey Norgrove - affect on the future dog park, including access and prohibiting vicious dogs, fences to separate the dogs, keeping dangerous or potentially dangerous dogs out of the dog park.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to introduce the ordinance amending Chapter 8, Sections 8-28 and 8-28A of the City Code, to update the City's requirements relating to dangerous and potentially dangerous dogs.

Councilwoman Schmidt stated Mr. Norgrove brought up a good point, and inquired as to whether these concerns would be more appropriately addressed in rules for using the dog park, or whether it would be pertinent to address them in this ordinance.

Mr. DeNault replied it was not included in the proposed amendments because they do not have a dog park at this time; however, he stated it would be a valid consideration at such time as a dog park is being developed and they will have to talk about it at that point. He clarified that if a dog has been deemed to be dangerous, it is not allowed in the City, and so it will not be an issue as to whether or not it can enter the dog park. They are only talking about the dogs on the watch list.

Mr. Bahorski replied that a dog park is preliminary at this time, but he stated that any dog that would be admitted to a dog park through a card swipe system would have to be vaccinated, licensed and meet every city requirement. He added it would involve cross-referencing a database, and he was confident the City can

handle that situation. With regard to large dogs versus small dogs, they would be looking at best practices and what dog parks work. He anticipated they would separate large dogs from small dogs based on size but not breed identification.

Mayor Pro-Tem Romano stated nothing is foolproof, estimating that probably 99% of the dogs in Sterling Heights are well-mannered dogs, but it is the 1% for which they have to be concerned. He stated most people are smart enough to realize if they have a potentially dangerous dog they need to take proper precautions by keeping the dog chained or leashed because they could be facing a large liability. He agreed with the idea of separating the large dogs from the small dogs when a dog park is created, but added that the City will come up with rules and regulations at that time. He complimented Mr. DeNault and Ms. Gerstenberg for doing a good job on this ordinance amendment.

Yes: All. The motion carried.

ORDINANCE ADOPTION

5. Mayor Taylor stated they are considering the adoption of an ordinance amending Chapter 37 of the Sterling Heights City Code to increase the setback distances from public sidewalks and public roadways by 7 feet for enclosed utility trailers in single-family residential areas and to require an approved surface for storage in side and rear yard areas.

Ms. Linda Godfrey - individuals and business owners affected by this ordinance, consider waiver of permit fees.

Moved by Romano, seconded by Ziarko, **RESOLVED**, to adopt the ordinance amending Chapter 37 of the Sterling Heights City Code to increase the setback distances from public sidewalks and public roadways by 7 feet for enclosed utility trailers in single-family residential areas and to require an approved surface for storage in side and rear yard areas.

Mayor Pro-Tem Romano inquired as to whether there have been any allowances made for people who have already pulled permits.

Ms. Gerstenberg replied that the change in the setback is going to be for people who keep large utility trailers in their driveways. They are hoping to encourage these people to move these large trailers off of their driveways. She estimated that there are four persons in the City that this ordinance would affect.

Mayor Taylor did not feel the grandfathering will be an issue because residents who had their side lots improved and obtained permits will not have to do it again. Those who are parking the utility vehicle in their driveway have to pay a permit fee regardless, and the purpose of this ordinance is to encourage those people not to park large utility trailers that extend from their garage almost up to the sidewalk. He could see no reason to exempt those for whom the City is trying to influence to stop parking their large utility trailers in their driveways.

Yes: All. The motion carried.

CITY OF STERLING HEIGHTS

MACOMB COUNTY, MICHIGAN

ORDINANCE NO. 448

AN ORDINANCE TO UPDATE CHAPTER 37 OF THE CITY CODE BY INCREASING THE SETBACK DISTANCE FROM SIDEWALKS AND PUBLIC ROADWAYS BY 7 FEET FOR ENCLOSED UTILITY TRAILERS IN SINGLE FAMILY RESIDENTIAL AREAS

THE CITY OF STERLING HEIGHTS ORDAINS:

SECTION 1. Section 37-23 of Chapter 37 of the City Code shall be amended to add the following definition in alphabetical order:

UTILITY TRAILER, ENCLOSED. Any utility trailer with an interior that is fully or partially enclosed.

SECTION 2. Section 37-24(A)(2)(b) of Chapter 37 of the City Code shall be amended to add a new subsection (i) to read as follows:

37-24. REGULATION OF PARKING AND STORAGE.

b. The unit shall be parked or stored no closer than 8 feet from any public sidewalk or no closer than 7 feet from the front lot line where no public sidewalk exists.

(i) Exception: Effective January 1, 2017, an enclosed utility trailer shall not be parked or stored any closer than 15 feet from any public sidewalk and no closer than 14 feet from the front lot line where no public sidewalk exists.

SECTION 3. Section 37-24(B)(1) of Chapter 37 of the City Code shall be amended to add a new subsection a. to read as follows:

(1) The unit shall be parked or stored no closer than 8 feet from any public sidewalk or no closer than 7 feet from the front lot line, where no public sidewalk exists;

a. Exception: Effective January 1, 2017, an enclosed utility trailer shall not be parked or stored any closer than 15 feet from any public sidewalk and no closer than 14 feet from the front lot line where no public sidewalk exists.

SECTION 4. Section 37-24 of Chapter 37 of the City Code shall be amended to add a new subsection (J) to read as follows:

(J) Effective January 1, 2017, units shall at all times be parked or stored on a surface consisting of asphalt, concrete, pavers, or an alternative material approved by the Building Official as suitable for ensuring proper maintenance of the area where the specific unit is being parked or stored. The surface must be maintained in accordance with all applicable provisions of the City Code, including any applicable provisions of the International Property Maintenance Code, as may be adopted and locally amended from time to time.

SECTION 5. Section 37-24 of Chapter 37 of the City Code shall be amended to add a new subsection (K) to read as follows:

(K) For purposes of this section, distance limitations shall be measured from any part of the unit closest from a direct line to the location from which it must be set back, including the body of the unit, the tongue of the unit, and any other protrusion of or from the unit, and length limitations shall include the body of the unit, the tongue of the unit, fender, wheel, and any other protrusion of or from the unit.

SECTION 6. All other provisions of the Code of Ordinances not specifically amended shall remain in full force and effect.

SECTION 7. This ordinance shall become effective immediately upon publication of a notice of adoption.

This ordinance was introduced at a regular meeting of the City Council of the City of Sterling Heights on the 19th day of July, 2016, and was duly adopted at a regular meeting of the City Council of the City of Sterling Heights on the 3rd day of August, 2016.

_____
MICHAEL C. TAYLOR, Mayor

_____
MARK CARUFEL, City Clerk

INTRODUCED: 07-19-16
ADOPTED: 08-03-16
PUBLISHED: 08-17-16
EFFECTIVE: 08-17-16

CONSENT AGENDA

6. Mr. Jeffrey Norgrove - Item 6-C, requested more reporting on local issues.

Moved by Koski, seconded by Romano, **RESOLVED**, to approve the Consent Agenda:

A. To approve the minutes of the Regular Meeting of July 19, 2016, as presented.

B. To approve payment of the bills as presented: General Fund - $701,197.28, Water & Sewer Fund - $52,312.95, Other Funds - $1,534,966.87, Total Checks - $2,288.477.10.

C. **RESOLVED**, to award the bid for the official city newspaper for the publishing of legal notices and advertisements to C&G Publishing, 13650 11 Mile Road, Warren, MI 48089 for a one-year period based on the following unit prices: One full page at $350.00; column inch at $7.00; and classified help wanted per line at $2.00.

D. **RESOLVED**, to purchase a Caterpillar model 299D2 skid steer loader with accessories from Michigan CAT, 12550 23 Mile Road, Shelby Township, MI 48315, at pricing available through the State of Michigan cooperative bid, MiDeal Contract #071B1300092, in the amount of $164,159.

E. **RESOLVED**, to purchase auto, truck and specialty equipment parts from Motown Automotive Distributing Co., 24701 Hallwood Court, Farmington Hills, MI 48335 and Genuine Parts Company of Michigan, d/b/a NAPA Auto Parts, 30550 Ecorse Road, Romulus, MI 48174 at unit pricing available through the Michigan Intergovernmental Trade Network cooperative proposal, Contract #FH-13-14-1748, from July 31, 206 through July 31, 2019.

F. **RESOLVED**, to purchase Dell OptiPlex 3040 Small Form Factor Workstations, Dell Latitude E5470 Laptops, and Microsoft Office/Windows licensing from Access Interactive, LLC, 46665 Magellan Drive, Novi, MI

48377 through the Midwestern Higher Education Commission master price agreement, #MHEC-07012015, at a cumulative cost of $65,856.00.

G. **RESOLVED**, to set a public hearing on Tuesday, September 6, 2016 at 7:30 p.m. regarding the application by FCA US, LLC to establish a Plant Rehabilitation District (PRD) at 38111 Van Dyke.

H. **RESOLVED**, to set a public hearing on Tuesday, September 6, 2016 at 7:30 p.m. regarding the application by Chalk Spade Investments (USA), Inc. to establish an Industrial Development District (IDD) at 7191 Seventeen Mile Road.

I. **RESOLVED**, to approve the Cost Sharing Agreement for Schoenherr Road Concrete Pavement Repairs, from 14 Mile Road to 15 Mile Road, subject to approval by the Macomb County Department of Roads, and authorize the Mayor and City Clerk to execute the Agreement on behalf of the City of Sterling Heights.

J. **RESOLVED**, to receive the lawsuit, *Ezra George v. Sterling Heights Police Department*, 41A District Court Case No. S-16-2452-GZ.

Yes: All. The motion carried.

CONSIDERATION

7. Mayor Taylor stated there are four vacancies on the Beautification Commission. It has been postponed a few times and he has contacted four applicants, Manny Gonzales, Jennifer Gubin, Nancy E. Kijek and Robert Ljucovic who have all expressed interest and all confirmed today that they are still interested in serving

on this Commission. He added that these four individuals do not currently serve on other boards or commissions, and they all ranked it high on their list. He stated they each expressed that they are interested in the Beautification Commission to help keep the City of Sterling Heights looking aesthetically pleasing. He respectfully requested the Council to appoint these four individuals to the Beautification Commission.

Moved by Romano, seconded by Schmidt, **RESOLVED**, to appoint Manny Gonzales, Jennifer Gubin, Nancy E. Kijek and Robert Ljucovic to the Beautification Commission to a term ending June 30, 2019, subject to the appointees meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

8. Mayor Taylor stated there are two vacancies, and although he has put in a couple of calls, he has not been able to secure anyone for either of these boards.

There were no nominations from any of the Council members.

Mayor Taylor recommended postponing this item until the first meeting in September.

Moved by Romano, seconded by Schmidt, **RESOLVED**, to postpone nominations to the boards and commissions to the September 6, 2016 regular City Council Meeting.

Yes: All. The motion carried.

COMMUNICATIONS FROM CITIZENS

Ms. Linda Godfrey – Thanked the DPW for taking care of a graffiti issue, errors in the July 5th City Council minutes with regard to her comments. *Re*Creating Recreation Initiative, comments regarding a former board/commission member.

Councilman Romano stated personal issues should not be brought up before the City Council.

Mr. Jeffrey Norgrove –Primary election results. Thanked and complimented Mr. Mike Lombardini for his contributions as a former board and commission member.

Ms. Jazmine Early –Primary election results, neighbors helping neighbors, *Re*Creating Recreation Initiative.

Mr. Joel Thomas – Primary election results, *Re*Creating Recreation Initiative.

Mr. Bob Moffa – Sterlingfest, Primary election results, *Re*Creating Recreation Initiative, handout and comment concerning Ballot Question Committee.

REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mr. Bahorski stated he had no items for which to respond.

Mr. Kaszubski stated there is no closed session.

Mayor Pro-Tem Romano thanked residents who cast their vote for him in the recent election. He stated Sterlingfest was fantastic and the weather held up all three days. He commented that it is a pleasure driving on Dodge Park Road, but

cautioned that the northbound lanes from 17 Mile to Utica Road will be closed starting this week.

Mayor Taylor stated that Sterlingfest was fantastic, complimenting all who were involved in making it a success, and added that the bands and the food were great. He addressed a resident's earlier comment about the *Re*Creating Recreation Initiative, clarifying that his wife has the right to be in support of the plan, and he added he is in favor of it as well and voted his support of it when it came in front of the City Council to be placed on November's ballot.

UNFINISHED BUSINESS

There was no Unfinished Business discussed.

NEW BUSINESS

There was no New Business.

ADJOURN

Moved by Ziarko, seconded by Schmidt, to adjourn the meeting.

Yes: All. The motion carried.

The meeting was adjourned at 9:20 p.m.

_____

MARK CARUFEL, City Clerk

EXPENDITURES FOR THE MEETING OF

August 16, 2016

	TOTAL PREPAYMENT LISTING	INTERFUND TRANSFERS	PROPERTY TAXES TO OTHER ENTITIES	EXPENSES & EXPENDITURES
GENERAL FUND	$1,683,387.26			$1,683,387.26
WATER & SEWER FUND	$1,792,890.32			$1,792,890.32
OTHER FUNDS	$3,769,487.88		$4,534.05	$3,764,953.83
TOTAL CHECKS	$7,245,765.46	$0.00	$4,534.05	$7,241,231.41

BILL LISTING DETAIL IS AVAILABLE AT THE STERLING HEIGHTS PUBLIC LIBRARY

DELIVERED AUG 11 2016

City Clerk's Use
Item No: 2-C
Meeting: 08/16/16

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To award a bid for Schoenherr Road Sidewalk - 17 Mile Road to Clinton River Road, City Project #16-288, in the amount of $299,999.00

Submitted By: Office of Engineering

Contact Person/Telephone: Brent Bashaw, City Engineer/(586) 446-2720

Administration (initial as applicable)

		Attachments			
MC	City Clerk	__	Resolution	__	Minutes
B	Finance & Budget Director	__	Ordinance	X	Plan/Map
	City Attorney (as to legal form)	__	Contract	X	Other Staff Report, Bid Tabulation, Map
	City Manager				

☐ Check box if this agenda item requires billing/revenue collection (fees, etc.) by Treasury Office

Executive Summary:

The City of Sterling Heights is committed to creating a comprehensive and complete sidewalk system for pedestrians and bicyclists along the City's major arterial corridors. Unfortunately, due to the size of the City, gaps in the sidewalk exist, typically adjacent to vacant parcels. These gaps are being filled as part of development of the adjacent property by the owner or under the City's sidewalk gap program.

A sidewalk gap exists along 17 Mile Road, between Utica Road and Schoenherr Road, and proceeding north on the west side of Schoenherr Road from Utica Road to Clinton River Road. Pedestrians and bicyclists use this route as evidenced by the well-established dirt path. Please see the adjacent site map.

City Project #16-288 is designed to fill the existing sidewalk gap through the construction of a five-foot wide sidewalk through this area. In addition, City Project #16-288 provides a vehicular safety barrier for pedestrians using the existing sidewalk on the Schoenherr Road bridge deck over the Clinton River.

Bids for City Project #16-288 were received on Tuesday, July 26, 2016 at 2:30 p.m. The Office of Engineering recommends that the bid for Schoenherr Road Sidewalk - 17 Mile Road to Clinton River Road, City Project #16-288, be awarded to Z Contractors, Inc., 50500 Design Lane, Shelby Township, MI 48315 at a total cost of $299,999.00. Funding for City Project #16-288 are budgeted in the Fiscal Year 2016/17 budget to complete this project.

Suggested Action:

MOVED BY: SECONDED BY:

RESOLVED, to award the bid for Schoenherr Road Sidewalk - 17 Mile Road to Clinton River Road, City Project #16-288, to Z Contractors, Inc., 50500 Design Lane, Shelby Township, MI 48315 in the amount of $299,999.00, and authorize the Mayor and City Clerk to sign all required documents on behalf of the City.

CITY OF STERLING HEIGHTS
STAFF REPORT
August 16, 2016

RE: Award of Bid - Schoenherr Road Sidewalk - 17 Mile Road to Clinton River Road, City Project #16-288

Prepared By: Brent Bashaw, City Engineer (586) 446-2720

GENERAL INFORMATION:

The Schoenherr Road Sidewalk - 17 Mile Road to Clinton River Road, City Project #16-288, provides for the installation of over half a mile of sidewalk along 17 Mile Road, between Utica Road and Schoenherr Road, and proceeding north on the west side of Schoenherr Road from Utica Road to Clinton River Road. The proposed route will connect existing sidewalks along Clinton River Road and Utica Road and provide pedestrians and bicyclists access to Dodge Park. Schoenherr Road crosses the Clinton River approximately half way between Clinton River Road and 17 Mile Road. The river crossing will be accomplished by utilizing the existing sidewalk on the bridge deck and a safety barrier will be constructed between the edge of the sidewalk and vehicular curb lane.

This route is used frequently as evidenced by the worn footpath that has developed adjacent to Schoenherr Road. The installation of approximately 2,750 lineal feet of sidewalk along Schoenherr Road and 17 Mile Road, from Utica Road to Clinton River Road, will provide a safe and means for the public to continue to use this route for walking and bicycle riding.

In addition to filling a gap in the City's network of 610 miles of sidewalk and pathways and providing linkage to the existing regional, recreational path system within the City, this project will provide a safety barrier for pedestrians using the Schoenherr Road bridge over the Clinton River. Guardrail will also be added north and south of the bridge at the back of curb providing additional protection from the vehicle traffic.

TECHNICAL INFORMATION:

Funding for this project is budgeted in the Fiscal Year 2016/2017 budget. The bid award amount is $299,999.00. The funding required to complete the project includes the construction cost of $299,999.00 plus $59,999.80 (20%) for engineering, inspection, material testing, and contract administration costs for a total of $359,998.80.

STAFF ANALYSIS AND FINDINGS:

On Tuesday, July 26, 2016 at 2:30 p.m., bids were received for City Project #16-288. The two bid amounts were $299,999.00 and $445,750.00. The lower bid, submitted by Z Contractors, Inc. in the amount of $299,999.00, is more than the Engineer's Estimate of $264,566.00 by $35,433.00, or 13.4%.

The low bid submitted by Z Contractors, Inc. conforms to the requirements of the bid specifications and reflects the value of the work. Z Contractors successfully completed the recent improvements to the Richard J. Notte City Center Repairs - Phase I. The Office of Engineering is satisfied with the performance of Z Contractors on this previous city project and is recommending an award to this contractor.

STAFF RECOMMENDATION:

Please see Suggested Action on the accompanying Agenda Statement.

Cc: Denice Gerstenberg, City Development Director
Jason Castor, City Development Manager
Adam LaClair, Lead Inspector
Mike MacDonald, Hubbell, Roth and Clark

NOTIFICATION LIST

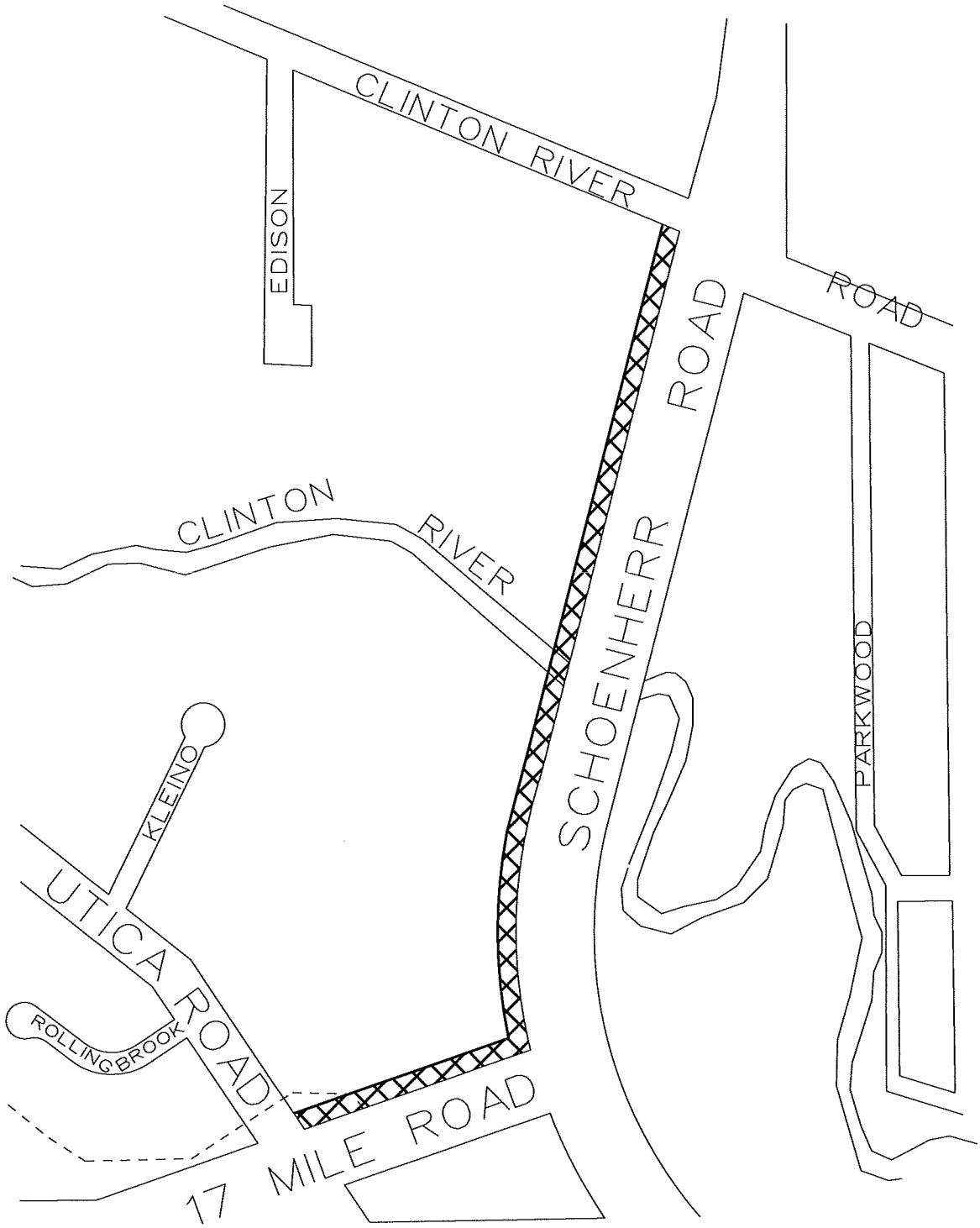
Z Contractors, Inc.
50500 Design Lane
Shelby Township, MI 48315

BID TABULATION
SCHOENHERR ROAD SIDEWALK, 17 MILE ROAD TO CLINTON RIVER ROAD
CITY OF STERLING HEIGHTS
MACOMB COUNTY, MICHIGAN

Bids Due:7/26/2016
HRC Job # 20120858
City Job No. 16-288

				Z Contractors, Inc. 50500 Design Lane Shelby Township, MI 48315 586-625-8899		**GM & Sons, Inc.** 678 Whitmore Lake Road Whitmore Lake, MI 48189 734-929-1259	
	Item	Quantity		Unit Price	Total Cost	Unit Price	Total Cost
	SECTION I						
1.	Silt Fence	2699.00	Ft	$1.00	$2,699.00	$3.00	$8,097.00
2.	Inlet Fabric Drop	8.00	Ea	$50.00	$400.00	$150.00	$1,200.00
3.	Sidewalk, Rem	610.00	Sft	$5.50	$3,355.00	$1.50	$915.00
4.	Station Grading, Special	27.00	Sta	$1,350.00	$36,450.00	$1,500.00	$40,500.00
5.	Sidewalk, Conc, 4 inch	13729.00	Sft	$3.40	$46,678.60	$5.00	$68,645.00
6.	Sidewalk Ramp, Conc, 6 inch	110.00	Sft	$5.00	$550.00	$6.00	$660.00
7.	Detectable Warning Surface	10.00	Ft	$48.00	$480.00	$60.00	$600.00
8.	Wood Rail Fence	947.00	Ft	$28.00	$26,516.00	$35.00	$33,145.00
9.	Guardrail, Type B, Install Salvage	1178.00	Ft	$14.80	$17,434.40	$15.50	$18,259.00
10.	Guardrail Anchor, Bridge, Det. T5	2.00	Ea	$1,600.00	$3,200.00	$2,250.00	$4,500.00
11.	Guardrail Approach Terminal, Type 1B	2.00	Ea	$2,200.00	$4,400.00	$2,650.00	$5,300.00
12.	Guardrail Departing Terminal, Type 1B	1.00	Ea	$700.00	$700.00	$1,350.00	$1,350.00
13.	Guardrail, Rem, Salvage	1282.00	Ft	$4.50	$5,769.00	$8.50	$10,897.00
14.	Sign, Rem, Salvage and Reinstall	10.00	Ea	$70.00	$700.00	$80.00	$800.00
15.	Minor Traffic Control Devices	1.00	LS	$35,328.50	$35,328.50	$24,000.00	$24,000.00
16.	MDOT Plastic Drum, High Int, Furn & Oper	150.00	Ea	$17.95	$2,692.50	$20.00	$3,000.00
17.	MDOT Type III Barricade w/Lights, 8' Min. Width, Furn & Oper	4.00	Ea	$100.00	$400.00	$150.00	$600.00
18.	MDOT SP-1 Special Sign, "Right Lane Closed on 17 Mile Road, Utica to Schoenherr Rd" w/Support, Furn & Oper	1.00	Ea	$150.00	$150.00	$200.00	$200.00
19.	MDOT G20-2 "End Road Work" Sign, w/Support, Furn & Oper	3.00	Ea	$65.00	$195.00	$75.00	$225.00
20.	MDOT R5-18cLA "…Fines Doubled in Work Zone" Sign, w/Support, Furn & Oper	3.00	Ea	$80.00	$240.00	$90.00	$270.00
21.	MDOT R5-18bLA "Injure/Kill a Worker…" Sign, w/Support, Furn & Oper	3.00	Ea	$80.00	$240.00	$90.00	$270.00
22.	MDOT W20-1 "Road Work Ahead" Sign, w/Support, Furn & Oper	4.00	Ea	$65.00	$260.00	$75.00	$300.00
23.	MDOT W20-5 "Right Lane Closed Ahead" Sign, w/Support, Furn & Oper	2.00	Ea	$65.00	$130.00	$75.00	$150.00

	Item	Quantity		Unit Price	Total Cost	Unit Price	Total Cost
				Z Contractors, Inc. 50500 Design Lane Shelby Township, MI 48315 586-625-8899		**GM & Sons, Inc.** 678 Whitmore Lake Road Whitmore Lake, MI 48189 734-929-1259	
24.	MDOT W3-5b "Reduced Speed Zone Ahead" Sign, w/Support, Furn & Oper	3.00	Ea	$65.00	$195.00	$75.00	$225.00
25.	MDOT W4-2, w/Support, Furn & Oper	3.00	Ea	$65.00	$195.00	$75.00	$225.00
26.	MDOT R2-1, w/Support, Furn & Oper	4.00	Ea	$65.00	$260.00	$75.00	$300.00
27.	Restoration – 3" Topsoil, Fertilizer and Hydroseed	3900.00	Syd	$0.75	$2,925.00	$8.00	$31,200.00
28.	Audio Visual Filming	1.00	LS	$1,500.00	$1,500.00	$4,751.00	$4,751.00
	SUBTOTAL SECTION I				**$194,043.00**		**$260,584.00**
	SECTION II - Pedestrian Signal						
29.	Pushbutton, Rem	2.00	Ea	$300.00	$600.00	$125.00	$250.00
30.	TS, Pedestrian, Pedestal Mtd, Rem	2.00	Ea	$300.00	$600.00	$125.00	$250.00
31.	Pedestal, Rem	2.00	Ea	$300.00	$600.00	$150.00	$300.00
32.	Pedestal Fdn, Rem	2.00	Ea	$300.00	$600.00	$300.00	$600.00
33.	Pushbutton and Sign	2.00	Ea	$1,000.00	$2,000.00	$1,750.00	$3,500.00
34.	TS, Pedestrian, One Way Pedestal Mtd (LED) Countdown	2.00	Ea	$1,500.00	$3,000.00	$2,000.00	$4,000.00
35.	Pedestal, Alum	2.00	Ea	$850.00	$1,700.00	$1,950.00	$3,900.00
36.	Pedestal, Fdn	2.00	Ea	$900.00	$1,800.00	$2,150.00	$4,300.00
37.	Conduit, DB, 1, 1 1/2 inch	45.00	Ft	$15.00	$675.00	$85.00	$3,825.00
	SUBTOTAL SECTION II				**$11,575.00**		**$20,925.00**
	SECTION III - Bridge Specific Work Items						
38.	Reinforcement, Steel, Epoxy coated	1188.00	Lb	$2.00	$2,376.00	$7.00	$8,316.00
39.	Superstructure, Conc, Modified	3.00	Cyd	$350.00	$1,050.00	$1,500.00	$4,500.00
40.	Superstructure, Conc, Form, Finish & Cure	1.00	LS	$36,000.00	$36,000.00	$62,500.00	$62,500.00
41.	Bridge Railing, 4 Tube, Modified	149.00	Ft	$280.00	$41,720.00	$475.00	$70,775.00
42.	Fence, Structure, Modified	65.00	Ft	$189.00	$12,285.00	$250.00	$16,250.00
43.	Water Repellant Treatment, Penetrating	19.00	Syd	$50.00	$950.00	$100.00	$1,900.00
	SUBTOTAL SECTION III				**$94,381.00**		**$164,241.00**
	TOTAL BID AMOUNT (Section I, Section II and Section III)				**$299,999.00**		**$445,750.00**



SCHOENHERR ROAD SIDEWALK
17 MILE ROAD TO
CLINTON RIVER ROAD
CP#15–288

N

– PROPOSED SIDEWALK

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

DELIVERED AUG 11 2016
City Clerk's Use
Item No: 2-D
Meeting: 08/16/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To award a bid for 15 Mile Road Resurfacing, Schoenherr Road to Morningdale Drive, City Project #14-259 (Total estimated cost of $997,861.37).

Submitted By: Office of Engineering

Contact Person/Telephone: Brent Bashaw, P.E., City Engineer/(586) 446-2720

Administration (initial as applicable)

		Attachments			
MC	City Clerk	__	Resolution	__	Minutes
B	Finance & Budget Director	__	Ordinance	x	Plan/Map
MLK	City Attorney (as to legal form)	__	Contract	x	Other
MW	City Manager				Staff Report, Bid Tabulation

☐ Check box if this agenda item requires billing/revenue collection (fees, etc.) by Treasury Office

Executive Summary:

15 Mile Road, from Schoenherr Road to Morningdale Drive, is in poor condition. City Project #14-259 has been designed to address this poor condition through the milling of the existing concrete surface and resurfacing of the roadway with three inches of asphalt overlay. Base repairs will be made as necessary prior to application of the new asphalt overlay for structural support. Please refer to the attached map for a depiction of the project limits.

Bids for City Project #14-259 were received on July 26, 2016 at 2:30 p.m. The Office of Engineering recommends an award of the bid to the low bidder, Pro-Line Asphalt Paving Corp., 11797 29 Mile Road, Washington, MI 48095, in the amount of $997,861.37.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to award a bid for 15 Mile Road Resurfacing, Schoenherr Road to Morningdale Drive, City Project #14-259, to Pro-Line Asphalt Paving Corp., 11797 29 Mile Road, Washington, MI 48095, in the amount of $997,861.37and authorize the Mayor and City Clerk to sign the contract on behalf of the City.

Cc: Denice Gerstenberg, City Development Director
Adam LaClair, Lead Inspector
Dean Martindale, Civil Engineer II

CITY OF STERLING HEIGHTS
STAFF REPORT
August 16, 2016

RE: Award of Bid - 15 Mile Road Resurfacing, Schoenherr Road to Morningdale Drive, City Project #14-259

Prepared By: Brent Bashaw, City Engineer (586) 446-2720

GENERAL INFORMATION:

Fifteen Mile Road, between Schoenherr Road and Morningdale Drive, is a five-lane road with two through lanes each for eastbound and westbound traffic and a center turn lane. The existing concrete pavement is in poor condition due primarily to joint failures that over time have created a rough and heavily-patched roadway. The condition worsened considerably from the effects of the severe winter in 2013/2014. The DPW has applied cold patch throughout the winter and in the spring of 2014 provided a more sustainable temporary repair through milling and hot mix placement.

City Project #14-259 provides a cost-effective repair that will that will improve the longevity of the road through the application of an asphalt overlay. The project will address structural deficiencies in the pavement and improve rideability.

TECHNICAL INFORMATION:

The existing concrete pavement will be milled and subsequently overlaid with three inches of asphalt. Base repairs and joint repairs will be made as necessary prior to the placement of the new asphalt for structural support. Please refer to the attached map for a depiction of the project limits.

The fiscal year 2016/2017 budget includes funding for City Project #14-259 in the amount of $1,400,000.00. The total project cost equals $1,157,518.00 ($997,861.37 bid award plus $159,657.00 (or 16%) for engineering, inspection, and contingency costs). Therefore, the existing budget is adequate to fund the project.

STAFF ANALYSIS AND FINDINGS:

On July 26, 2016 at 2:30 p.m., bids were received for 15 Mile Road Resurfacing, Schoenherr Road to Morningdale Drive, City Project #14-259. Five bids were received ranging from $997,861.37 to $1,230,410.00.

Pro-Line Asphalt Paving Corp., 11797 29 Mile Road, Washington, MI 48095, submitted the low bid in the amount of $997,861.37. The bid is less than the Engineer's estimate by 17%.

The Office of Engineering conducted a thorough review of Pro-Line Asphalt's complete bid. References on Pro-Line Asphalt's 2016 projects have been contacted and proved positive. In addition, Pro-Line Asphalt has successfully completed three municipal projects for the City in

the last five years. The latest project completed was City Project #14-255, 19½ Mile Road Reconstruction in 2015. The Office of Engineering is satisfied with the performance of Pro-Line Asphalt on its prior city projects and is recommending an award to this contractor based upon its bid.

STAFF RECOMMENDATION:

Please see Suggested Action on the accompanying Agenda Statement.

Cc: Denice Gerstenberg, City Development Director
Adam LaClair, Lead Inspector
Dean Martindale, Civil Engineer II

NOTIFICATION LIST

Pro-Line Asphalt Paving Corp.
11797 29 Mile Road
Washington, MI 48095

CITY OF STERLING HEIGHTS
BID TABULATION
Bid Opening Date: July 26, 2016 @ 2:30 p.m.

Fifteen Mile Road Resurfacing, Schoenherr Road to Morningdale Drive
City Project #14-259

ITEM/DESCRIPTION	CONTRACT QUANTITY	*Pro-Line Asphalt Paving Corp. 11797 29 Mile Rd. Washington, MI 48095* UNIT PRICE	AMOUNT	*Cadillac Asphalt, LLC 4751 White Lake Rd. Clarkston, MI 48346* UNIT PRICE	AMOUNT	*Ajax Paving 1957 Crooks Rd., Ste. A Troy, MI 48084* UNIT PRICE	AMOUNT
1. Sawcut Pavement, Full Depth	2,950 FT	2.10	6,195.00	2.25	6,637.50	2.25	6,637.50
2. Pavement, Remove	4,150 SYD	11.37	47,185.50	8.45	35,067.50	8.45	35,067.50
3. MDOT HMA 2C	1,050 TONS	92.67	97,303.50	107.60	112,980.00	125.00	131,250.00
4. MDOT HMA 36A (Hand Patching)	135 TONS	120.00	16,200.00	107.05	14,451.75	200.00	27,000.00
5. Cold Mill Concrete Pavement, Variable Depth (1.5 inches to 3 inches)	26,700 SYD	3.05	81,435.00	2.47	65,949.00	2.47	65,949.00
6. Undercut & Fill, 21AA Aggregate	500 CYD	20.00	10,000.00	35.90	17,950.00	35.90	17,950.00
7. Conc Pvnt Repair, Detail 7, Case I	14,000 FT	4.03	56,420.00	4.00	56,000.00	1.00	14,000.00
8. Conc Pvnt Repair, Detail 8, Case IV	2,500 FT	5.00	12,500.00	6.65	16,625.00	1.00	2,500.00
9. Bituminous Leveling Course Mix HMA 5E10, PG70-22, Max 20% RAP	2,400 TONS	82.77	198,648.00	85.75	205,800.00	81.50	195,600.00
10. Bituminous Wearing Course Mix HMA 5E10, PG70-22, Max 20% RAP	2,400 TONS	82.77	198,648.00	85.75	205,800.00	81.50	195,600.00
11. Reconstruct Drainage Structure	40 FT	225.00	9,000.00	462.00	18,480.00	462.00	18,480.00
12. Inlet Filter	1 EA	90.00	90.00	125.00	125.00	125.00	125.00
13. Sawcut & Seal Asphalt Joints, 5/8 inch deep x 1/2 inch wide	24,400 FT	1.05	25,620.00	0.98	23,912.00	0.98	23,912.00
14. Curb & Gutter, Remove	2,150 FT	10.81	23,241.50	8.10	17,415.00	8.10	17,415.00

CITY OF STERLING HEIGHTS
BID TABULATION
Bid Opening Date: July 26, 2016 @ 2:30 p.m.

Fifteen Mile Road Resurfacing, Schoenherr Road to Morningdale Drive
City Project #14-259

ITEM/DESCRIPTION	CONTRACT QUANTITY	*Pro-Line Asphalt Paving Corp. 11797 29 Mile Rd. Washington, MI 48095* UNIT PRICE	AMOUNT	*Cadillac Asphalt, LLC 4751 White Lake Rd. Clarkston, MI 48346* UNIT PRICE	AMOUNT	*Ajax Paving 1957 Crooks Rd., Ste. A Troy, MI 48084* UNIT PRICE	AMOUNT
15. Curb & Gutter, Conc, Det F1	1,100 FT	19.42	21,362.00	18.50	20,350.00	18.50	20,350.00
16. Curb & Gutter, Conc, Det F5	2,000 FT	23.10	46,200.00	22.00	44,000.00	22.00	44,000.00
17. Curb & Gutter, Conc, Det M	900 FT	24.25	21,825.00	25.00	22,500.00	25.00	22,500.00
18. Conc Pvnt, Nonreinf, 9 inch	30 SYD	57.75	1,732.50	55.00	1,650.00	55.00	1,650.00
19. Conc Pvnt, Nonreinf, 8 inch	125 SYD	52.50	6,562.50	50.00	6,250.00	50.00	6,250.00
20. Conc Pvnt, Nonreinf, 6 inch	36 SYD	47.25	1,701.00	45.00	1,620.00	45.00	1,620.00
21. Conc Pvnt, Nonreinf, 4 inch, Colored and Decorative Stamp	1,000 SFT	7.90	7,900.00	8.00	8,000.00	8.00	8,000.00
22. Remove Concrete Sidewalk	650 SFT	2.68	1,742.00	3.25	2,112.50	3.25	2,112.50
23. 4 inch Concrete Sidewalk	160 SFT	5.75	920.00	5.50	880.00	5.50	880.00
24. 6 inch Concrete Sidewalk Ramp	500 SFT	5.75	2,875.00	5.50	2,750.00	5.50	2,750.00
25. Detectable Warning Surface	100 FT	40.00	4,000.00	40.00	4,000.00	40.00	4,000.00
26. 6 inch SCH 40 PVC Sanitary Lead	30 FT	71.00	2,130.00	35.00	1,050.00	35.00	1,050.00
27. 6 inch Sanitary Sewer Tap	1 EA	500.00	500.00	18,000.00	18,000.00	18,000.00	18,000.00
28. Adjust Monument	2 EA	550.00	1,100.00	500.00	1,000.00	500.00	1,000.00
29. Pavt Mrk, Thermopl, 6 inch, Crosswalk	900 FT	2.78	2,502.00	2.65	2,385.00	2.65	2,385.00

		Pro-Line Asphalt Paving Corp. *11797 29 Mile Rd.* *Washington, MI 48095*		*Cadillac Asphalt, LLC* *4751 White Lake Rd.* *Clarkston, MI 48346*		*Ajax Paving* *1957 Crooks Rd., Ste. A* *Troy, MI 48084*	
ITEM/DESCRIPTION	**CONTRACT QUANTITY**	**UNIT PRICE**	**AMOUNT**	**UNIT PRICE**	**AMOUNT**	**UNIT PRICE**	**AMOUNT**
30. Pavt Mrk, Thermopl, 24 inch, Stop bar	235 FT	12.60	2,961.00	12.00	2,820.00	12.00	2,820.00
31. Pavt Mrkg, Polyurea, 4 inch, White	2,700 FT	0.58	1,566.00	0.55	1,485.00	0.55	1,485.00
32. Pavt Mrkg, Polyurea, 4 inch, Yellow	8,400 FT	0.58	4,872.00	0.55	4,620.00	0.55	4,620.00
33. Pavt Mrkg, Polyurea, Only	5 EA	173.24	866.20	165.00	825.00	165.00	825.00
34. Pavt Mrkg, Polyurea, Lt Turn Arrow Sym	5 EA	173.24	866.20	165.00	825.00	165.00	825.00
35. Recessing Pavement Markings, Longit	11,100 FT	0.58	6,438.00	0.55	6,105.00	0.55	6,105.00
36. Recessing Pavement Markings, Transv	1,200 SFT	2.99	3,588.00	2.85	3,420.00	2.85	3,420.00
37. Sign, Type III, Rem	21 EA	10.50	220.50	10.00	210.00	10.00	210.00
38. Sign, Type IIIA	134 SFT	15.75	2,110.50	15.00	2,010.00	15.00	2,010.00
39. Post, Steel, 2 Pound	24 FT	5.25	126.00	5.00	120.00	5.00	120.00
40. Sign, Type B, Temp	500 SFT	4.20	2,100.00	4.00	2,000.00	4.00	2,000.00
41. Plastic Drum, High Intensity	475 EA	18.85	8,953.75	17.95	8,526.25	17.95	8,526.25
42. Barricade, Type III, High Intensity, Lighted	20 EA	78.75	1,575.00	75.00	1,500.00	75.00	1,500.00
43. Lighted Arrow, Type B	4 EA	472.48	1,889.92	450.00	1,800.00	450.00	1,800.00
44. Sign Cover	5 EA	21.00	105.00	20.00	100.00	20.00	100.00
45. Sign, Portable, Changeable Message	2 EA	3,149.90	6,299.80	3,000.00	6,000.00	3,000.00	6,000.00

CITY OF STERLING HEIGHTS
BID TABULATION
Bid Opening Date: July 26, 2016 @ 2:30 p.m.

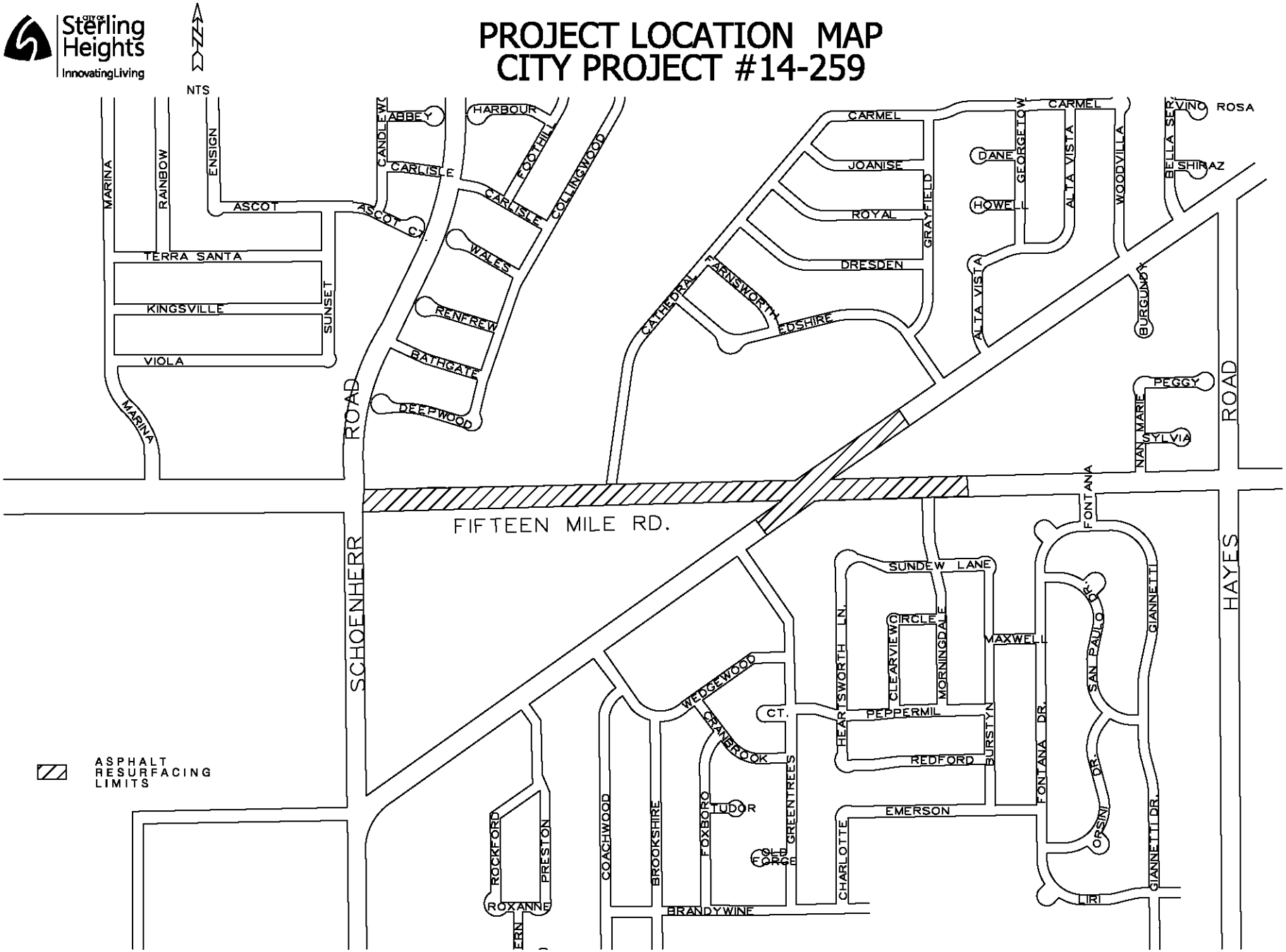
Fifteen Mile Road Resurfacing, Schoenherr Road to Morningdale Drive
City Project #14-259

ITEM/DESCRIPTION	CONTRACT QUANTITY	*Pro-Line Asphalt Paving Corp. 11797 29 Mile Rd. Washington, MI 48095* UNIT PRICE	AMOUNT	*Cadillac Asphalt, LLC 4751 White Lake Rd. Clarkston, MI 48346* UNIT PRICE	AMOUNT	*Ajax Paving 1957 Crooks Rd., Ste. A Troy, MI 48084* UNIT PRICE	AMOUNT
46. Color Audio-Video Recording of Project Area	1 LS	1,275.00	1,275.00	1,260.00	1,260.00	1,260.00	1,260.00
47. Traffic Maintenance and Control	1 LS	38,000.00	38,000.00	45,000.00	45,000.00	158,500.00	158,500.00
48. Agency Permit (MCDR)	1 LS	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
49. Agency Permit (MCPWO - OMID)	1 LS	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
50. Restoration - 3 inch Topsoil, Seed, Fertilizer & Hydroseeding	500 SYD	6.30	3,150.00	6.50	3,250.00	6.50	3,250.00
51. Restoration - 3 inch Topsoil & Sod	100 SYD	10.50	1,050.00	9.00	900.00	9.00	900.00
52. Sprinkler Repair, 3/4 inch Poly Pipe	100 FT	3.15	315.00	1.50	150.00	1.50	150.00
53. Sprinkler Repair, 1 inch Poly Pipe	100 FT	3.15	315.00	1.80	180.00	1.80	180.00
54. Sprinkler Rotary Head	10 EA	84.00	840.00	60.00	600.00	60.00	600.00
55. Sprinkler Spray Head	10 EA	84.00	840.00	50.00	500.00	50.00	500.00
TOTAL			997,861.37		1,029,946.50		1,097,739.75

ADDITIONAL BIDDERS

James P. Contracting, Inc.	1,118,238.90
Florence Cement Co.	1,230,410.00

PROJECT LOCATION MAP
CITY PROJECT #14-259



DELIVERED AUG 11 2016

City Clerk's Use
Item No: 2-E
Meeting: 08/16/16

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To approve final payment in the amount of $57,578.00, plus interest on retainage, for the Richard J. Notte City Center Improvements – Phase I, City Project #14-251.

Submitted By: Office of Engineering

Contact Person/Telephone: Brent Bashaw, P.E., City Engineer/(586) 446-2720

Administration (initial as applicable)

		Attachments			
	City Clerk	__	Resolution	__	Minutes
	Finance & Budget Director	__	Ordinance	__	Plan/Map
	City Attorney (as to legal form)	__	Contract	x	Other
	City Manager				Final Estimate, Notification List

☐ Check box if this agenda item requires billing/revenue collection (fees, etc.) by Treasury Office

Executive Summary:

At the August 4, 2015 regular meeting, City Council awarded the bid for the Richard J. Notte City Center Improvements – Phase I, City Project #14-251, to Z Contractors, Inc., in the total amount of $1,133,908.30.

All of the foregoing work has been satisfactorily completed and the contractor has submitted the necessary Contractor's Declaration, Contractor's Affidavit, and Consent of Surety. Attached is the Final Estimate for the subject project. Recommendation is being made to approve final payment to Z Contractors, Inc. in the amount of $57,578.00, plus interest on retainage, for the Richard J. Notte City Center Improvements – Phase I.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to approve final payment to Z Contractors, Inc., 50500 Design Lane, Shelby Township, MI 48315, in the amount of $57,578.00, plus interest on retainage, for the Richard J. Notte City Center Improvements – Phase I, City Project #14-251.

Cc: Denice Gerstenberg, City Development Director
Adam LaClair, Lead Inspector
Mike MacDonald, Hubbell, Roth and Clark
Scott Charron, Civil Engineer II

CITY OF STERLING HEIGHTS
STAFF REPORT
August 16, 2016

RE: Final Payment - Richard J. Notte City Center Improvements – Phase I, City Project #14-251

Prepared By: Brent Bashaw, City Engineer (586) 446-2720

GENERAL INFORMATION: At the August 4, 2015 regular meeting, City Council awarded the bid for the subject City project in the amount of $1,133,908.30. City Project #14-251 included the following work:

- Removal and replacement of the deteriorated concrete pavement at locations shown on the attached exhibit.
- To address recurring flooding and maintenance issues with the lower level of the Police Station, a minor reconfiguration of the rear parking lot and driveway into the lower level was constructed. In addition, a new pump station, storm sewer and trench drains were constructed to eliminate storm runoff from entering the Police Station.
- A new retaining wall at the northwest corner of the Police Station replaced the collapsed wall. A portion of the adjacent parking lot was reconfigured to allow a shorter retaining wall and space for a vegetated sloped earthen embankment. The stairs were removed and a walkway constructed along the paved entrance to the lower level of the Police Station.
- To address recurring flooding issues in City Hall, storm sewer improvements and a pump station were constructed on the west side of City Hall, north of the employee entrance. In addition, improvements were made to the east side lower level delivery area with new a new trench drain, pump station, storm sewer, and pavement grade correction.
- New landscaping was provided at various locations west and north of City Hall and the Police Station. The landscaping has an extended warranty.

TECHNICAL INFORMATION: The final contract price of $1,188,920.48 is greater than the bid award amount of $1,133,908.30 by 4.85%. The majority of the overage is due to additional pavement required and storm sewer system modifications required at the Police Station dock.

STAFF ANALYSIS AND FINDINGS: All work has been successfully completed on the subject project and the contractor has submitted the necessary Contractor's Declaration, Contractor's Affidavit, and Consent of Surety.

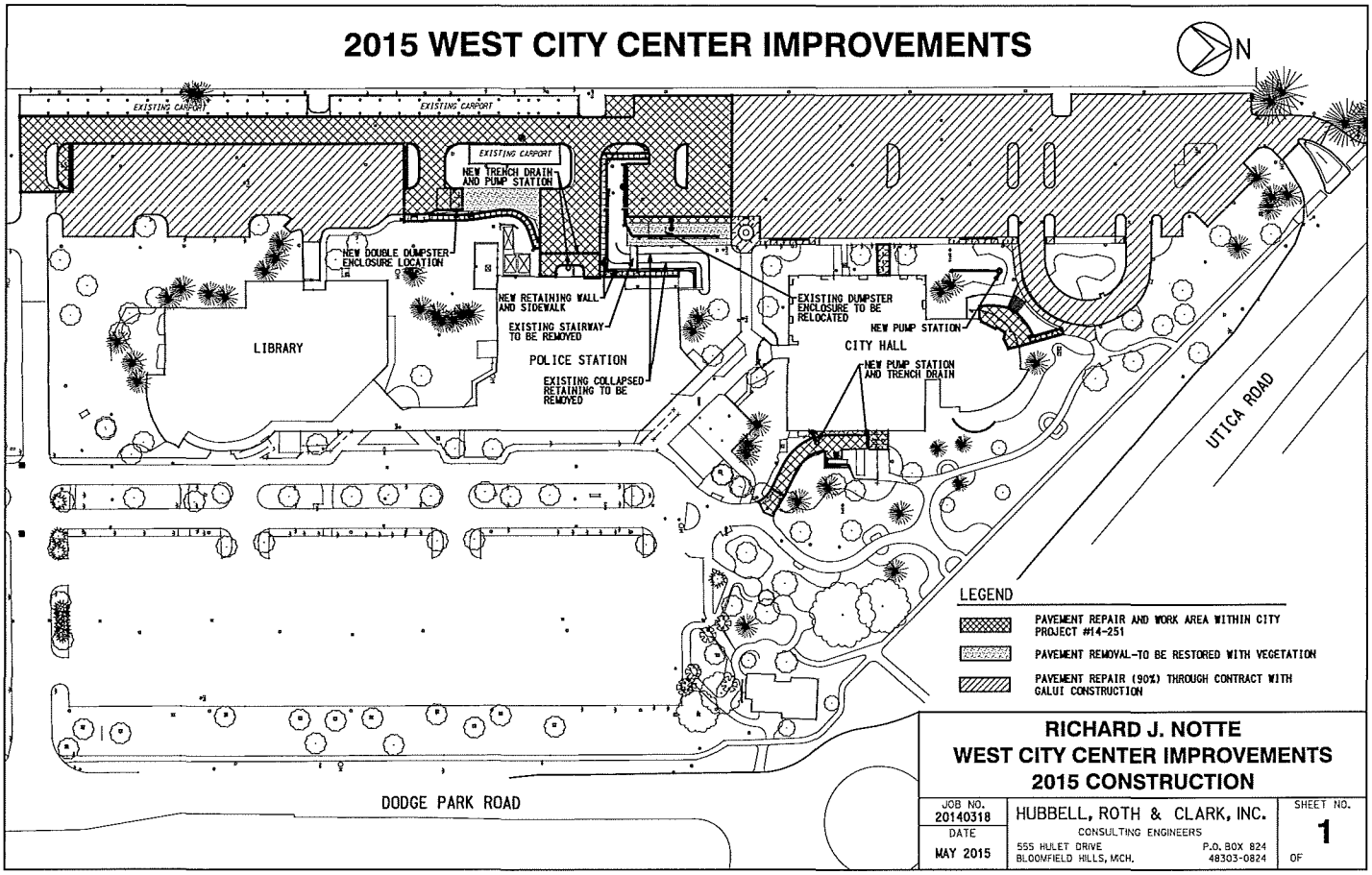
STAFF RECOMMENDATION: Please see the Suggested Action on the accompanying agenda statement.

Cc: Denice Gerstenberg, City Development Director
Adam LaClair, Lead Inspector
Mike MacDonald, Hubbell, Roth and Clark
Scott Charron, Civil Engineer II

NOTIFICATION LIST

Blake Zapczynski
Z Contractors, Inc.
50500 Design Lane
Shelby Township, MI 48315

2015 WEST CITY CENTER IMPROVEMENTS



RICHARD J. NOTTE
WEST CITY CENTER IMPROVEMENTS
2015 CONSTRUCTION

JOB NO.	HUBBELL, ROTH & CLARK, INC.	SHEET NO.
20140318	CONSULTING ENGINEERS	1
DATE	555 HULET DRIVE P.O. BOX 824	OF
MAY 2015	BLOOMFIELD HILLS, MICH. 48303-0824	

HRC 100 YEARS
CONSULTING ENGINEERS SINCE 1915

HUBBELL, ROTH & CLARK, INC.
OFFICE: 555 Hulet Drive
Bloomfield Hills, MI 48302-0360
MAILING: PO Box 824
Bloomfield Hills, MI 48303-0824
PHONE: 248.454.6300
FAX: 248.454.6312
WEBSITE: www.hrc-engr.com
EMAIL: info@hrc-engr.com

PRINCIPALS
George E. Hubbell
Thomas E. Biehl
Walter H. Alix
Keith D. McCormack
Nancy M.D. Faught
Daniel W. Mitchell
Jesse B. VanDeCreek
Roland N. Alix
Michael C. MacDonald
James F. Burton

SENIOR ASSOCIATES
Gary J. Tressel
Kenneth A. Melchior
Randal L. Ford
William R. Davis
Dennis J. Benoit
Robert F. DeFrain
Thomas D. LaCross
Albert P. Mickalich
Timothy H. Sullivan

ASSOCIATES
Jonathan E. Booth
Marvin A. Olane
Marshall J. Grazioli
Donna M. Martin
Charles E. Hart
Colleen L. Hill-Stramsak
Bradley W. Shepler
Karyn M. Stickel
Jane M. Graham

June 30, 2016

City of Sterling Heights
40555 Utica Road
Sterling Heights, MI 48313

Attention : Brent Bashaw, P.E., City Engineer

Re: Progress Estimate No. 6 - FINAL
Richard J. Notte City Center Improvements - Phase I

HRC Job No. 20140318
City Project No. 14-251

Dear Mr. Bashaw:

We hereby certify that your Contractor, Z Contractors, has completed work on the subject project, thru June 30, 2016, as follows :

Item	Quantity	Unit	Unit Price	Auth. Qty to Date	Total Cost
SECTION I					
1. Erosion Control, Inlet Protection, Fabric Drop	23	Ea	$95.00	6	$570.00
2. Silt Fence, if required	200	Ft	$1.75	0	$0.00
3. Pavt, Rem	4010	Syd	$11.00	3758.4	$41,342.40
4. Sign, Rem and Salvage	13	Ea	$195.00	0	$0.00
5. Tree, Rem	21	Ea	$125.00	21	$2,625.00
6. Trench Drain, Rem	14	Ft	$19.00	14	$266.00
7. Concrete Header, Rem	30	Ft	$40.00	30	$1,200.00
8. Site Grading	1	LS	$125,000.00	1	$125,000.00
9. Aggregate Base, CIP, 21AA, Crushed Limestone	220	Cyd	$52.00	418.6	$21,767.20
10. Geogrid, As Needed	200	Syd	$2.00	0	$0.00
11. Subgrade Undercutting, 3"x1", As Needed	100	Cyd	$65.00	27.9	$1,813.50
12. Maintenance Gravel	200	Ton	$2.00	0	$0.00
13. Dr Structure, Reconstruct (Up to 60" Dia)	6	Vft	$125.00	3	$375.00
14. Dr Structure Cover, Type EJIW 5105	1	Ea	$742.00	2	$1,484.00

15. Dr Structure Cover, Type EJIW 1040	2	Ea	$742.00	0	$0.00
16. Dr Structure, 60 inch Dia. Over Existing Sewer	1	Ea	$5,000.00	1	$5,000.00
17. Dr Structure, 48 inch Dia.	1	Ea	$2,500.00	3	$7,500.00
18. Trench Drain System, ACO S300K	54	Ft	$400.00	54.4	$21,760.00
19. Trench Drain System, ACO S200K	14	Ft	$450.00	30	$13,500.00
20. Underdrain, 6 inch	152	Ft	$9.00	58	$522.00
21. Sewer, 12 inch, Cl IV w/Sand Backfill	52	Ft	$75.00	84	$6,300.00
22. Sewer, 6 inch, PVC Schedule 40 w/Sand Backfill	65	Ft	$50.00	84	$4,200.00
23. Sewer, 8 inch, PVC C900 (SDR 25) w/Sand Backfill	126	Ft	$90.00	234	$21,060.00
24. Sewer, 8 inch, PVC Truss w/Sand Backfill	34	Ft	$90.00	46	$4,140.00
25. Dr Structure Tap, 6 inch	1	Ea	$175.00	2	$350.00
26. Dr Structure Tap, 8 inch	1	Ea	$255.00	6	$1,530.00
27. Pump Station No. 1	1	LS	$50,000.00	1	$50,000.00
28. Pump Station No. 1, Electrical Service/install	1	LS	$7,200.00	1	$7,200.00
29. Existing Sump Pump Retrofit	1	LS	$20,000.00	1	$20,000.00
30. Existing Sump Pump Retrofit, Electrical	1	LS	$2,500.00	1	$2,500.00
31. Conc Pavt with Integral Curb, Nonreinf, 7 inch	3565	Syd	$37.00	3792.9	$140,337.30
32. Conc Pavt, Nonreinf, 12 inch	27	Syd	$45.00	46.3	$2,083.50
33. Sidewalk, Conc, 4 inch	2,134	Sft	$3.55	3546.8	$12,591.14
34. Sidewalk Ramp, Conc, 6 inch	106	Sft	$3.70	1057.4	$3,912.38
35. Detectable Warning Surface	6	Ft	$24.00	0	$0.00
36. Excavation, Foundation	120	Syd	$20.00	340.1	$6,802.00
37. Garbage Dumpster Enclosure	1	LS	$45,000.00	1	$45,000.00
38. Aggregate Base, CIP, Structure	15	Cyd	$58.00	15.6	$904.80
39. Backfill, MDOT Cl II, CIP	60	Cyd	$12.00	0	$0.00
40. Conduit, DB, 1-1/2 inch	540	Ft	$6.00	1317	$7,902.00
41. Floodlight, remove and salvage	2	Ea	$150.00	2	$300.00
42. Floodlight, LED Type OA, installed with base	3	Ea	$1,875.00	3	$5,625.00
43. Conduit, DB, 3/4 inch for Floodlights	120	Ft	$7.00	165	$1,155.00
44. Wire, 2-#12 + 1-#12 grd., for Floodlights	300	Ft	$2.00	265	$530.00
45. Property Protection Fence	100	Ft	$8.00	275	$2,200.00
46. Deciduous/Evergreen Trees	40	Ea	$425.00	93	$39,525.00
47. Ornamental Trees	18	Ea	$250.00	27	$6,750.00
48. Shrubs	336	Ea	$45.00	125	$5,625.00
49. Grasses and Herbaceous Plants	1,481	Ea	$15.00	2105	$31,575.00
50. Planting Mixture	225	Cyd	$30.00	94	$2,820.00
51. Shredded Hardwood Bark Mulch	107	Cyd	$45.00	311.6	$14,022.00
52. Erosion Control Blanket	2,826	Sft	$0.10	9012.5	$901.25
53. Grading/Earthwork for Landscaping	1	LS	$10,000.00	1	$10,000.00
54. Cobblestone, 6 inch to 10 inch on Fabric	166	Cyd	$100.00	160.6	$16,060.00
55. Natural Rounded River Gravel, 2 inch to 3 inch on Fabric	2,240	Sft	$2.00	4859.3	$9,718.60
56. Natural Boulder Wall, 18" to 30"	130	Sft	$30.00	599.5	$17,985.00
57. Metal Landscape Edging	3,000	Ft	$6.00	2970	$17,820.00
58. Turf Restoration w/3 inch Topsoil & Sod, Class "A"	1,275	Syd	$6.00	2058	$12,348.00
59. Existing Sculpture Relocation w/New Foundation	1	LS	$15,000.00	1	$15,000.00

60. Irrigation System Adjustments	1	LS	$10,000.00	1	$10,000.00
61. Sign, Reinstall Salvaged w/New Post	8	Ea	$250.00	0	$0.00
62. Pavt Mrkg, Waterborne, 4 inch, Yellow	442	Ft	$1.25	402	$502.50
63. Barricade, Type III, High Intensity, Lighted, Furn	6	Ea	$84.95	4	$339.80
64. Barricade, Type III, High Intensity, Lighted, Oper	6	Ea	$1.00	4	$4.00
65. Plastic Drum, High Intensity, Furn	50	Ea	$19.95	50	$997.50
66. Plastic Drum, High Intensity, Oper	50	Ea	$1.00	50	$50.00
67. Minor Traffic Control	1	LS	$90,000.00	1	$90,000.00
68. Traffic Regulator Control	1	LS	$1,000.00	1	$1,000.00
69. Audio Visual Filming	1	LS	$975.00	1	$975.00
SUBTOTAL SECTION I					$895,366.87
SECTION II					
70. Pavt, Rem	305	Syd	$9.00	1026.5	$9,238.50
71. Sign, Rem and Salvage	5	Ea	$65.00	4	$260.00
72. Tree, Rem	9	Ea	$125.00	8	$1,000.00
73. Railing, Rem	128	Ft	$10.00	128	$1,280.00
74. Dumpster Enclosure, Rem	1	LS	$62,000.00	1	$62,000.00
75. Stairway, Rem	1	LS	$62,000.00	1	$62,000.00
76. Light Standard, Rem and Salvage	1	Ea	$500.00	1	$500.00
77. Modular Block Retaining Wall, Rem	1,800	Sft	$4.00	1800	$7,200.00
78. Underdrain, 6 inch	320	Ft	$5.26	501	$2,635.26
79. Sidewalk, Conc, 4 inch	1,090	Sft	$3.55	0	$0.00
80. Modular Block Retaining Wall	850	Sft	$35.00	908.5	$31,797.50
81. Reinstall Light Standard w/New Foundation	1	Ea	$1,200.00	1	$1,200.00
82. Conduit, DB, 1-1/4 inch	125	Ft	$8.00	260	$2,080.00
83. Wire, 4-#6 + 1-#6 Grd, RHW-USE	265	Ft	$5.00	286	$1,430.00
84. Inground composite handhole, 13 by 24 by 18	2	Ea	$600.00	3	$1,800.00
SUBTOTAL SECTION II					$184,421.26
SECTION III					
85. Pavt, Rem	268	Syd	$9.50	312.5	$2,968.75
86. Trench Drain, Rem	10	Ft	$14.00	24	$336.00
87. Sump Pump, Rem	2	Ea	$500.00	2	$1,000.00
88. Dr Structure, Reconstruct (Up to 60" Dia)	2	Vft	$175.00	0	$0.00
89. Dr Structure Cover, Type EJIW 5105	1	Ea	$742.00	0	$0.00
90. Dr Structure Cover, Type EJIW 1040	2	Ea	$742.00	0	$0.00
91. Underdrain, 6 inch	150	Ft	$5.00	92	$460.00
92. Trench Drain System, ACO S200K	22	Ft	$450.00	23.2	$10,440.00
93. Sewer, 6 inch, PVC C900 (SDR 25) w/Sand Backfill	75	Ft	$50.00	0	$0.00
94. Sewer, 6 inch, PVC Schedule 40 w/Sand Backfill	27	Ft	$50.00	159	$7,950.00
95. Sewer, 8 inch, PVC Truss w/Sand Backfill	66	Ft	$90.00	10	$900.00
96. Dr Structure Tap, 4 inch	1	Ea	$175.00	0	$0.00
97. Dr Structure Tap, 6 inch	1	Ea	$175.00	1	$175.00
98. Pump Station No. 2	1	LS	$50,000.00	1	$50,000.00

99. Pump Station No. 2, Electrical Service/install	1	LS	$7,200.00	1	$7,200.00
100. Aggregate Base, CIP, 21AA, Crushed Limestone	35	Cyd	$53.00	42.8	$2,268.40
101. Conc Pavt with Integral Curb, Nonreinf, 7 inch	1,918	Syd	$37.00	259.2	$9,590.40
102. Sidewalk, Conc, 4 inch	220	Sft	$3.55	636	$2,257.80
103. Sidewalk Ramp, Conc, 6 inch	42	Sft	$3.70	0	$0.00
104. Modular Block Retaining Wall, Rem	80	Sft	$9.00	9	$81.00
105. Cobblestone, 6 inch to 10 inch on Fabric	4	Cyd	$100.00	22.2	$2,220.00
106. Shrubs	47	Ea	$45.00	42	$1,890.00
107. Shredded Hardwood Bark Mulch	12	Cyd	$45.00	25	$1,125.00
108. Metal Landscape Edging	190	Ft	$6.00	0	$0.00
109. Turf Restoration w/3 inch Topsoil & Sod, Class "A"	11	Syd	$6.00	0	$0.00
SUBTOTAL SECTION III					$100,862.35
Change Order No. 1					
Sewer Bulkhead and Pipe Removal		LS	1	$ 750.00	$ 750.00
Concrete for Sculpture Foundation		LS	1	$ 630.00	$ 630.00
Light Pole Foundation Casing		LS	1	$ 1,150.00	$ 1,150.00
Install Pump Staion Resoviour		Ea	1	$ 3,990.00	$ 3,990.00
Dr Structure, 24 inch Dia.		Ea	1	$ 1,750.00	$ 1,750.00
SUBTOTAL Change Order No. 1					$ 8,270.00

Total Amount To Date	$1,188,920.48
Less Retainage	$0.00
Less Prior Estimates	$1,131,342.48
Total Amount Due - Progress Estimate No. 6 - FINAL	$57,578.00

We recommend payment on Progress Estimate No. 6 in the amount of $57,578.00 to your Contractor, Z Contractors, as payment for progress through June 30, 2016.

The Contractor's Declaration, Contractor's Affadavit, Consent of Surety and Request for Payment have been provided by the Contractor and are included with this Pay Estimate. If you have any questions please contact our office.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.

Sal Conigliaro

Sal Conigliaro, P.E.
Senior Project Engineer

SC/sc

Attachment

pc: Sterling Heights; A. LaClair
Z Contractors
HRC; M. MacDonald, File

APPROVED FOR PAYMENT
BY
DATE 8/1/16
43700700 975130

Z CONTRACTORS INC.

June 30, 2016

Hubbell, Roth & Clark, Inc.
555 Hulet Drive, PO Box 824
Bloomfield Hills, MI 48303

Attn: Sal Conigliaro, P.E- Project Engineer

RE: Contractors Request For Final Payment #6- Richard J. Notte City Center Improvements- Phase 1

Dear Mr. Conigliaro,

Z Contractors is requesting payment for all work performed through the cut off date for pay estimate number 6 for the above mentioned project. This estimate will be the final payment which includes retainage. Z Contractors, Inc. has reviewed the final paperwork and is in agreement with the final payment amount of $57,578.00.

Please contact me with any questions.

Sincerely,

Blake Zapczynski
President
Z Contractors, Inc.

50500 Design Lane • Shelby Township, MI 48315 • Office: 586.625.8899 • Fax: 586.726.8481

AA/Equal Opportunity Employer

CONTRACTOR'S AFFIDAVIT

STATE OF MICHIGAN)
)SS
County of)

The undersigned Blake Zapczynski (Z Contractors) hereby represents that on 8-6-15 he (it) was awarded a contract by City of Sterling Heights hereinafter called the Owner, to Richard J. Notte City Center Improvements, in accordance with the terms and conditions of Contract No. 14-251; and the undersigned further represent that the subject work has now been accomplished and the said contract has now been completed.

The undersigned hereby warrants and certifies that all of his (its) indebtedness arising by reason of the said contract has been fully paid or satisfactorily secured; and that all claims from subcontractors and others for labor and material used in accomplishing the said contract, have been fully paid or satisfactorily settled. The undersigned further agrees that if any such claim should hereafter arise, he (it) shall assume responsibility for the same immediately upon request to do so by the Owner.

The undersigned, for a valuable consideration, the receipt of which is hereby acknowledged, does further hereby waive, release and relinquish any and all claims or right of lien which the undersigned now has or may hereafter acquire upon the subject premises for labor and material sued in accomplishing said project owned by the Owner.

This affidavit is freely and voluntarily given with full knowledge of the facts, on this 30 day of June, 2016.

Company: Z Contractors, Inc.

By: [signature]

Title: President

Subscribed and sworn to before me, a Notary Public in and for Macomb County, Michigan, on this 30 day of June, 2016.

Dana L Youmans Notary Public

My Commission Expires DANA L. YOUMANS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires Feb. 01, 2020
Acting in the County of Macomb

y:\2014\03\20140318\04_design\project_docs\specs\June_2015_rebid\00700_general_conditions_r2009100 6.doc01/17/15 6:33

CONTRACTOR'S DECLARATION

I hereby declare that I have not, during the period December 31, 2015 to June 15 A.D., 2016, performed any work, furnished any material, sustained any loss, damage or delay for any reason, including soil conditions encountered or created, or otherwise done anything for which I shall ask, demand, due for, or claim compensation from City of Sterling Heights the Owner, or his agents, in addition to the regular items set forth in the contract numbered 14-251 and dated August 6 A.D., 2015, for Richard J. Notte City Center Improvements

executed between myself and the Owner, and in the Change Orders for work issued by the Owner in writing as provided thereunder, except as I hereby make claim for additional compensation and/or extension of time as set forth on the itemized statement attached hereto.

There (is) (is not) an itemized statement attached.

Date: 6-15-16

Company: 2 Contractors, Inc.

By: [signature]

Position: President

Y:\2014\03\20140318\04_Design\Project_Docs\Specs\June_2015_ReBid\00700E_General_Conditions_R20091006.doc06/08/15 1:2

AIA® Document G707™ – 1994

Consent Of Surety to Final Payment

Bond No.: CA 4045406

PROJECT: *(Name and address)*
Richard J. Notte City Center Improvements - Phase I

ARCHITECT'S PROJECT NUMBER:

CONTRACT FOR: **Construction**

OWNER: ☒
ARCHITECT: ☒
CONTRACTOR: ☒
SURETY: ☒
OTHER: ☒

TO OWNER: *(Name and address)*
City of Sterling Heights
40555 Utica Road
Sterling Heights, MI 48311-8009

CONTRACT DATED: **8/6/2015**

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Great American Insurance Company
11311 Cornell Park Drive, Suite 204
Cincinnati, OH 45242
, SURETY,

on bond of
(Insert name and address of Contractor)

Z Contractors, Inc.
50500 Design Lane
Shelby Township, MI 48315
, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to
(Insert name and address of Owner)

City of Sterling Heights
40555 Utica Road
Sterling Heights, MI 48311-8009
, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: **June 15, 2016**
(Insert in writing the month followed by the numeric date and year.)

Great American Insurance Company
(Surety)

(Signature of authorized representative)

Attest:
(Seal):

Holly Nichols, Attorney-in-Fact
(Printed name and title)

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GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by
this power of attorney is not more than SEVEN

No. 0 20468

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
T.R. GUY	ALL OF	ALL
PAUL M. HURLEY	TROY, MICHIGAN	$100,000,000
HOLLY NICHOLS		
ROBERT D. HEUER		
ANNE M. BARICK		
MICHAEL D. LECHNER		

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 10TH day of DECEMBER, 2015.

Attest

GREAT AMERICAN INSURANCE COMPANY

Assistant Secretary

Divisional Senior Vice President

DAVID C. KITCHIN (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 10TH day of DECEMBER, 2015, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

Susan A. Kohorst
Notary Public, State of Ohio
My Commission Expires 05-18-2020

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisonal Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 15th day of June, 2016.

Assistant Secretary

S1029AF (06/15)

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

DELIVERED AUG 11 2016
City Clerk's Use
Item No: 2-F
Meeting: 08/16/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To approve final payment in the amount of $55,298.45, plus interest on retainage, for the 19½ Mile Road Reconstruction, Merrill Drive to Utica Road, City Project #14-255.

Submitted By: Office of Engineering

Contact Person/Telephone: Brent Bashaw, P.E., City Engineer/(586) 446-2720

Administration (initial as applicable)

		Attachments			
MC	City Clerk	__	Resolution	__	Minutes
BS	Finance & Budget Director	__	Ordinance	__	Plan/Map
MK	City Attorney (as to legal form)	__	Contract	x	Other
	City Manager				Final Estimate, Notification List

☐ Check box if this agenda item requires billing/revenue collection (fees, etc.) by Treasury Office

Executive Summary:

At the May 6, 2015 regular meeting, City Council awarded the bid for the 19½ Mile Road Reconstruction, Merrill Drive to Utica Road, City Project #14-255, to Pro-Line Asphalt Paving Corp., in the total amount of $1,104,907.80.

All of the foregoing work has been satisfactorily completed and the contractor has submitted the necessary Contractor's Declaration, Contractor's Affidavit, and Consent of Surety. Attached is the Final Estimate for the subject project. Recommendation is being made to approve final payment to Pro-Line Asphalt Paving Corp. in the amount of $55,298.45, plus interest on retainage, for 19½ Mile Road Reconstruction, Merrill Drive to Utica Road.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to approve final payment to Pro-Line Asphalt Paving Corp., 11797 29 Mile Road, Washington, MI 48095, in the amount of $55,298.45, plus interest on retainage, for the 19½ Mile Road Reconstruction, Merrill Drive to Utica Road, City Project #14-255.

Cc: Denice Gerstenberg, City Development Director
Adam LaClair, Lead Inspector
Scott Charron, Civil Engineer II

CITY OF STERLING HEIGHTS
STAFF REPORT
August 16, 2016

RE: Final Payment - 19½ Mile Road Reconstruction, Merrill Drive to Utica Road, City Project #14-255

Prepared By: Brent Bashaw, City Engineer (586) 446-2720

GENERAL INFORMATION: At the May 6, 2015 regular meeting, City Council awarded the bid for the subject City project in the amount of $1,104,907.80. City Project #14-255 included the following work:

The existing concrete from Merrill Road to CONRAIL railway was removed and replaced at its current location with a 9" concrete pavement on a 6" limestone base. The pavement contains a 7" concrete curb and gutter. Edge drain was provided along the curb to provide for roadbed drainage. The pavement was striped with two through lanes and a center turn lane. The longitudinal/vertical grade and cross-slope were designed and constructed to meet current design standards. Access to all businesses was maintained throughout the duration of the project.

The existing asphalt pavement from CONRAIL railway to Utica Road was pulverized. An 8" asphalt pavement was constructed utilizing the pulverized material as the road base. The pavement was striped for two lanes and the bypass, acceleration, and deceleration lanes were reconstructed and remain at the existing locations.

TECHNICAL INFORMATION: The final contract price of $1,161,458.45 is greater than the bid award amount of $1,104,907.80 by 5.12%. The majority of the overage was derived from additional pay items that were required to vertically relocate the existing storm sewer due to inadequate clearances between the top of the pipe of the existing storm sewer and the bottom of the proposed concrete pavement.

STAFF ANALYSIS AND FINDINGS: All work has been successfully completed on the subject project and the contractor has submitted the necessary Contractor's Declaration, Contractor's Affidavit, and Consent of Surety.

STAFF RECOMMENDATION: Please see the Suggested Action on the accompanying agenda statement.

Cc: Denice Gerstenberg, City Development Director
Adam LaClair, Lead Inspector
Scott Charron, Civil Engineer II

NOTIFICATION LIST

Pro-Line Asphalt Paving Corp.
11797 29 Mile Road
Washington, MI 48095

CITY OF STERLING HEIGHTS
40555 Utica Road
Sterling Heights, Michigan
Phone (586) 446-2720

Progress Payment Certificate

PROJECT:
19 1/2 Mile Road Reconstruction
Merrill Drive to Utica Road

City Project No. 14-255

CONTRACTOR:
Pro-Line Asphalt Paving Corp.
11797 29 Mile Road
Washington, Michigan 48095

DATE: **07/18/2016**

FINAL ESTIMATE

Original Contract Price:	$ 1,104,907.80
Final Contract Price:	$ 1,161,458.45
Percent Paid Including This Estimate:	105%

Amount Earned to Date:	$ 1,161,458.45
Amount Withheld:	$ -
Subtotal:	$ 1,161,458.45
Retain:	$ -
Total:	$ 1,161,458.45
Less Previous Payment:	$ 1,106,160.00
Amount Due This Estimate:	$ 55,298.45

PAY AMOUNT
$55,298.45

Estimate #1	$ 79,470.00
Estimate #2	$ 339,300.00
Estimate #3	$ 213,090.00
Estimate #4	$ 382,500.00
Estimate #5	$ 42,900.00
Estimate #6	$ 33,500.00
Estimate #7	$ 15,400.00
Estimate #8	
Estimate #9	
Estimate #10	
Final Estimate	$ 55,298.45
Total	$1,161,458.45

Checked By: Scott Charron, Civil Engineer II Date: 7/22/16

Approved By: Brent Bashaw, City Engineer Date: 8/8/16

TOTAL AMOUNT TO BE HELD IN RETAINAGE ACCOUNT $0

ITEM/DESCRIPTION	CONTRACT QUANTITY	UNIT	ACTUAL QUANTITY	UNIT PRICE	AMOUNT
22700700-988255					
1. Remove Existing Pavement	4,725	SYD	4,784.7	$7.00	$33,492.90
2. Pulverize Ex Pavement	7,525	SYD	7,525.0	$3.22	$24,230.50
3. Reshape Pulverized Base to Plan Grade (C.I.P.)	4,600	SYD	5,214.1	$3.25	$16,945.83
4. 9" Nonreinforced MDOT P1 Concrete Pavement w/ Integral 7" Curb	7,650	SYD	6,860.3	$61.85	$424,309.56
5. HMA, 5E3, High Stress	580	TON	465.1	$97.34	$45,272.83
6. HMA, 5E3	580	TON	589.5	$87.11	$51,351.35
7. Bituminous Base Course Mix No. 2C	1,160	TON	1,175.7	$72.54	$85,285.28
8. 7" Concrete Curb & Gutter, Detail C4	780	FT	964.5	$27.15	$26,186.18
9. MDOT Detail "M" Curb & Gutter	351	FT	68.0	$36.75	$2,499.00
10. 6" Thick 21AA Crushed Limestone Base (C.I.P.)	7,400	SYD	7,423.0	$7.73	$57,379.79
11. 6" Thick 21AA Crushed Limestone Shoulder (C.I.P.)	880	SYD	852.0	$13.65	$11,629.80
12. Earth Excavation	2,300	CYD	2,463.8	$13.23	$32,596.07
13. Undercut Subgrade	200	CYD	144.1	$10.00	$1,441.00
14. Fill w/ Pulverized Material	100	CYD	144.1	$10.00	$1,441.00
15. Fill w/ 21AA Crushed Limestone	1,000	TON	0.0	$18.00	$0.00
16. Remove Existing Drive Approach	870	SYD	1,414.5	$13.78	$19,491.81
17. 8" Concrete Drive Approach w/ Integral 7" Curb	860	SYD	1,621.7	$56.17	$91,090.89
18. 8" Concrete Drive Approach	60	SYD	54.5	$56.17	$3,061.27
19. Remove Existing Sidewalk	650	SF	1,062.3	$2.90	$3,080.67
20. 6" Concrete Sidewalk Ramp	600	SF	837.1	$10.50	$8,789.55
21. 4" Concrete Sidewalk	50	SF	223.6	$10.50	$2,347.80
22. Detectable Warning Surface	30	FT	30.0	$42.00	$1,260.00
23. 4' I.D. Pvmt Catch Basin w/ 2' Sump	4	EA	9.0	$1,784.98	$16,064.82
24. 4' I.D. Pvmt Catch Basin w/ 2' Sump Construct Over Ex. Storm Sewer	2	EA	1.0	$2,309.97	$2,309.97

ITEM/DESCRIPTION	CONTRACT QUANTITY	UNIT	ACTUAL QUANTITY	UNIT PRICE	AMOUNT
25. 2' I.D. Pvmt Catch Basin	1	EA	4.0	$1,653.73	$6,614.92
26. 12" Reinforced Conc C76, Class-4 w/ Premium Joints	225	FT	934.0	$40.00	$37,360.00
27. 12" C.M.P. Culvert, Class A	10	FT	40.0	$33.60	$1,344.00
28. 12" Metal Endsection	1	EA	2.0	$63.00	$126.00
29. Tap Existing Structure (12")	3	EA	4.0	$493.49	$1,973.96
30. Reconstruct Drainage Structure	26	FT	21.3	$210.00	$4,473.00
31. 6" Edge Drain (w/ Pea Stone Backfill)	3,150	FT	2,877.0	$12.97	$37,314.69
32. EJIW 5105 Frame & Cover	3	EA	11.0	$645.74	$7,103.14
33. EJIW 1040 "C" Frame & Cover	1	EA	2.0	$556.49	$1,112.98
34. EJIW 1040 "N" Frame & Cover	2	EA	2.0	$551.24	$1,102.48
35. Grade Swale/Ditch	850	FT	1,078.0	$12.05	$12,989.90
36. Pvmt Marking, Polyurea, 4", White	2,150	FT	2,118.0	$0.72	$1,524.96
37. Pvmt Marking, Polyurea, 4", Yellow	4,400	FT	4,379.0	$0.72	$3,152.88
38. Pvmt Marking, Thermopl, 6", Crosswalk	120	FT	119.0	$6.50	$773.50
39. Pvmt Marking, Thermopl, 24", Stop Bar	75	FT	75.0	$12.70	$952.50
40. Pvmt Marking, Thermopl, Rt Turn Arrow Sym	2	EA	2.0	$173.41	$346.82
41. Pvmt Marking, Thermopl, Lt Turn Arrow Sym	2	EA	2.0	$173.41	$346.82
42. Pvmt Marking, Thermopl, Only	2	EA	4.0	$185.80	$743.20
43. Pvmt Marking, Thermopl, Railroad Sym	2	EA	2.0	$383.99	$767.98
44. Plastic Drum, High Intensity, Furnished	70	EA	100.0	$25.15	$2,515.00
45. Plastic Drum, High Intensity, Oper	70	EA	100.0	$0.01	$1.00
46. Barricade, Type III, High Intensity, Furn	11	EA	7.0	$94.45	$661.15
47. Barricade, Type III, High Intensity, Oper	18	EA	7.0	$0.01	$0.07
48. Sign, Type B, Temp, Prismatic, Furn	409	SFT	461.5	$4.72	$2,178.28
49. Sign, Type B, Temp, Prismatic, Oper	637	SFT	461.5	$0.01	$4.62

ITEM/DESCRIPTION	CONTRACT QUANTITY	UNIT	ACTUAL QUANTITY	UNIT PRICE	AMOUNT
50. Restoration - 3" Topsoil, Seed, Fertilizer & Hydroseeding	3,000	SYD	5,842.0	$3.84	$22,433.28
51. Restoration - 3" Topsoil, Fertilizer, Seed, & Mulch Blanket	250	SYD	40.9	$4.78	$195.50
52. Restoration - 3" Topsoil & Sod	150	SYD	190.7	$7.72	$1,472.20
53. Sprinkler Repair, ¾" Poly Pipe	100	FT	0.0	$5.24	$0.00
54. Sprinkler Repair, 1" Poly Pipe	100	FT	1,353.0	$5.24	$7,089.72
55. Sprinkler Rotary Head	20	EA	53.0	$39.90	$2,114.70
56. Sprinkler Spray Head	20	EA	3.0	$50.40	$151.20
57. Inlet Filter	21	EA	18.0	$100.00	$1,800.00
58. Temporary Mailbox	1	LS	1.0	$525.00	$525.00
59. Color Audio-Video Recording of Project Area	1	LS	1.0	$1,200.00	$1,200.00
60. Traffic Maintenance and Control	1	LS	1.0	$22,000.00	$22,000.00
Change Order #1					
61. Remove Ex. Storm Sewer			663.0	$15.00	$9,945.00
62. Remove Ex. Storm Structure			5.0	$450.00	$2,250.00
Change Order #2					
63. Sawcut, Full Depth			213.0	$3.00	$639.00
64. Remove Curb and Gutter			186.0	$10.00	$1,860.00
65. Aggregate Base, 6 inch			45.0	$16.47	$741.15
Total					**$1,161,458.45**

PRO-LINE ASPHALT

July 19, 2016

City of Sterling Heights
Office of Engineering
40555 Utica Rd
Sterling Heights, MI 48311

Attn: Scott Charron

Re: 19 ½ Mile Rd Reconstruction
City Project #14-255
Request for Payment

Dear Mr. Charron:

Please let this letter serve as the official request for final payment for work completed on the 19 ½ Mile Rd Reconstruction in the City of Sterling Heights. Furthermore, Pro-Line Asphalt agrees with the quantities on the final estimate dated July 18, 2016. This work was completed as per the contract agreement for City Project #14-255.

Please also find attached the Contractor's Declaration through June 28, 2016.

Please let me know if anything further is needed to process this payment.

Sincerely,

Matthew Jones
Vice-President

Pro-Line Asphalt
Paving Corporation
11797 29 Mile Road
Washington, MI 48095

Phone: 586-752-7730
Fax: 586-752-9745
www.prolineasphalt.com

CONTRACTOR'S DECLARATION

I hereby declare that I have not, during the period May 6, 2015 to July 18, 2016 A.D., ~~2015,~~ performed any work, furnished any material, sustained any loss, damage or delay for any reason, including soil conditions encountered or created, or otherwise done anything for which I shall ask, demand, sue for, or claim compensation from the Owner, or his agents, in addition to the regular items set forth in the contract numbered City Project #14-255, and dated May 6th A.D., 2015, for the 19½ Mile Road Reconstruction, Merrill Drive to Utica Road executed between myself and the Owner, and in the Change Orders for work issued by the Owner in writing as provided thereunder, except as I hereby make claim for additional compensation and/or extensions of time as set forth on the itemized statement attached hereto.

There ~~is~~ / is not an itemized statement attached.

Date: 8/9/16

By: _____

Title: Matthew Jones, Vice President

CONTRACTOR'S AFFIDAVIT

STATE OF MICHIGAN)
) SS
County Macomb)

The undersigned, Matthew Jones / Pro-Line Asphalt hereby represents that on May 6, 2015 he (it) was awarded a Contract by the City of Sterling Heights hereinafter called the Owner, the 19½ Mile Road Reconstruction, Merrill Drive to Utica Road in accordance with the terms and conditions of Contract Number 14-255; and the undersigned further represents that the subject work has now been accomplished and the said contract has now been completed.

The undersigned hereby warrants and certifies that all of his (its) indebtedness arising by reason of the said contract has been fully paid or satisfactorily secured; and that all claims from subcontractors and others for labor and material used in accomplishing the said project, as well as all other claims arising from the performance of the said contract, have been fully paid or satisfactorily settled. The undersigned further agrees that, if any such claim should hereafter arise, he (it) shall assume responsibility for the same immediately upon request to do so by the Owner.

The undersigned, for a valuable consideration, the receipt of which is hereby acknowledged, does further hereby waive, release and relinquish any and all claims or right of lien which the undersigned now has or may hereafter acquire upon the subject premises for labor and material used in accomplishing said project owned by the Owner.

This affidavit is freely and voluntarily given with full knowledge of the facts on this 19th day of July, 2015.

Contractor

By: _____

Title: Matthew Jones, Vice President

Subscribed and Sworn to before me, a Notary Public in and for _____ County, Michigan, on this 21ST day of JULY, ~~2015.~~ 2016

_____
Notary Public

My Commission Expires: 3/18/2019

RECEIVED

JUL 21 2016

PRO-LINE ASPHALT

AIA® Document G707™ – 1994

Consent Of Surety to Final Payment

Bond No.: CA 3483240

PROJECT: *(Name and address)*
19 1/2 Mile Road Reconstruction, City Project #14-255

ARCHITECT'S PROJECT NUMBER:

CONTRACT FOR: **Construction**

OWNER: ☒
ARCHITECT: ☒
CONTRACTOR: ☒
SURETY: ☒
OTHER: ☒

TO OWNER: *(Name and address)*
City of Sterling Heights
40555 Utica Road
Sterling Heights, MI 48311-8009

CONTRACT DATED:

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Great American Insurance Company
11311 Cornell Park Drive, Suite 204
Cincinnati, OH 45242
, SURETY,

on bond of
(Insert name and address of Contractor)

Pro-Line Asphalt Paving Corporation
11797 - 29 Mile Road
Washington, MI 48095
, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to
(Insert name and address of Owner)

City of Sterling Heights
40555 Utica Road
Sterling Heights, MI 48311-8009
, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: **July 19, 2016**
(Insert in writing the month followed by the numeric date and year.)

Great American Insurance Company
(Surety)

Holly Nichols
(Signature of authorized representative)

Attest: Michelle Hulcepl
(Seal):

Holly Nichols, Attorney-in-Fact
(Printed name and title)

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GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by
this power of attorney is not more than SEVEN

No. 0 20468

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
T.R. GUY	MICHELLE K. BUECHEL	ALL OF	ALL
PAUL M. HURLEY		TROY, MICHIGAN	$100,000,000
HOLLY NICHOLS			
ROBERT D. HEUER			
ANNE M. BARICK			
MICHAEL D. LECHNER			

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 10TH day of DECEMBER, 2015.

Attest

GREAT AMERICAN INSURANCE COMPANY

Assistant Secretary

Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (877-377-2405)

On this 10TH day of DECEMBER, 2015, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

Susan A. Kohorst
Notary Public, State of Ohio
My Commission Expires 05-18-2020

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisonal Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 19th day of July, 2016.

Assistant Secretary

S1029AF (06/15)

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

DELIVERED AUG 11 2016
City Clerk's Use
Item No: 2-G
Meeting: 08/16/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To designate Mark D. Vanderpool as the City of Sterling Heights' voting delegate at the Michigan Municipal League Annual Convention

Submitted By: Office of the City Clerk

Contact Person/Telephone: Mark Carufel, City Clerk / Risk Manager / 446- 2421

Administration (initial as applicable)

		Attachments			
MC	City Clerk	___	Resolution	___	Minutes
BB	Finance & Budget Director	___	Ordinance	___	Plan/Map
MK	City Attorney (as to legal form)	___	Contract	___	Other
MV	City Manager				

☐ **Check box if this agenda item requires billing\revenue collection (fees, etc.) by Treasury Office**

Executive Summary

The Annual Convention of the Michigan Municipal League (MML) will be held September 14 – 16, 2016 on Mackinac Island, Michigan. As a participating member, the City of Sterling Heights is authorized to designate a voting delegate to participate in the Annual Business Meeting to be convened at 1:30 p.m. on Wednesday, September 14, 2016. City Manager Mark D. Vanderpool will be attending the Annual Convention and is available to represent the City at the Business Meeting.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to designate Mark D. Vanderpool as the voting delegate for the City of Sterling Heights at the Annual Business Meeting of the Michigan Municipal League to be held on September 14, 2016.

michigan municipal league

1675 Green Road
Ann Arbor, MI 48105-2530

T 734.662.3246
800.653.2483
F 734.662.8083
mml.org

August 4, 2016

Michigan Municipal League Annual Meeting Notice

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

Dear Official:

The Michigan Municipal League Annual Convention will be held on Mackinac Island, September 14-16, 2016. The League's **"Annual Meeting"** is scheduled for 1:30 pm on Wednesday, September 14 in the Terrace Room at the Grand Hotel. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).

2. Policy. A) **To vote on the Core Legislative Principles document.**
   In regard to the proposed League Core Legislative Principles, the document is available on the League website at http://www.mml.org/delegate. If you would like to receive a copy of the proposed principles by fax, please call Monica Drukis at the League at 800-653-2483.

   B) **If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on.** (See #2 on page 2.)
   In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **August 15, 2016.**

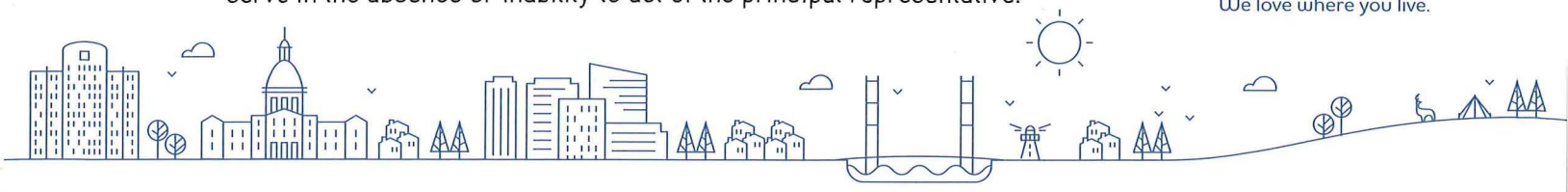
3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting http://www.mml.org/delegate **no later than August 15, 2016.**

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

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



1. Election of Trustees

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

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and "no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting." Thus the deadline this year for the League to receive resolutions is **August 15, 2016.** Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

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

3. Posting of Proposed Resolutions and Core Legislative Principles

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

The Board of Trustees will meet on Wednesday, September 14 in the Terrace Room in the Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,

John B. O'Reilly, Jr.
President
Mayor of Dearborn

Daniel P. Gilmartin
Executive Director & CEO

DELIVERED AUG 11 2016

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 2-H
Meeting: 08/16/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To adopt a resolution designating September 17th – 23rd, 2016 as *Constitution Week* in the City of Sterling Heights.

Submitted By: Office of the City Clerk

MC

Contact Person/Telephone: Mark Carufel, City Clerk, 586-446-2421

Administration (initial as applicable)

		Attachments			
MC	City Clerk	___	Resolution	___	Minutes
BB	Finance & Budget Director	___	Ordinance	___	Plan/Map
MK	City Attorney (as to legal form)	___	Contract	___	Other
	City Manager				

☐ **Check box if this agenda item requires billing\revenue collection (fees, etc.) by Treasury Office**

Executive Summary

The Daughters of the American Revolution (DAR) have requested that the City Council adopt a resolution designating September 17th – 23rd, 2016 as ***Constitution Week*** in the City of Sterling Heights. DAR is a non-profit organization comprised of women who can prove lineal descent from a patriot of the American Revolution. DAR defines a "patriot" as one who provided service or direct assistance in achieving America's independence.

The United States Congress, by a joint resolution adopted on August 2, 1956 (36 U.S.C. 108, as amended), requested that the President proclaim the week beginning September 17th and ending September 23rd of each year as ***Constitution Week***. The Presidential proclamation encourages the leaders of local government to recognize ***Constitution Week*** in their respective jurisdictions.

During ***Constitution Week***, residents of Sterling Heights are urged to proudly fly the flag, celebrate the freedoms guaranteed by the Constitution, and reaffirm their commitment as citizens of this great nation to uphold the duties and responsibilities that good citizenship requires.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to adopt the resolution designating September 17th – 23rd, 2016 as ***Constitution Week*** in the City of Sterling Heights.

~ Resolution ~
Sterling Heights City Council

A resolution of the Sterling Heights City Council designating September 17th through September 23rd, 2016 as *Constitution Week* in the City of Sterling Heights

Whereas, the Constitution of the United States of America sets forth this Nation's fundamental laws, providing the framework for its governance and the principles under which it must operate; and,

Whereas, signed on September 17, 1787 by 55 delegates to the Constitutional Convention in Philadelphia's Independence Hall, the Constitution and its amendments were written to define and protect the rights and liberties of all American citizens, and were intended to endure for ages to come; and,

Whereas, through the years, the Constitution has been amended to meet the changing needs of the American people, but continues to protect our rights as citizens by exercising the principle "to rule by law, not by men;" and,

Whereas, it is of great importance that all citizens fully understand the provisions and principles of the Constitution in order to support, preserve, and defend it against all encroachments; and,

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as ***Constitution Week***.

Whereas, to commemorate the 229th anniversary of the Constitution of the United States of America and to encourage patriotism and reaffirmation of the ideals set forth by our Founding Fathers, the General Josiah Harmar Chapter of the Daughters of the American Revolution, Sterling Heights, MI, encourages all citizens to observe ***Constitution Week***.

NOW, THEREFORE,

BE IT RESOLVED, that the City Council of the City of Sterling Heights, County of Macomb, and State of Michigan, hereby designates September 17th through September 23rd, 2016 as *Constitution Week* in the City of Sterling Heights and encourages residents to proudly fly the flag of the United States, celebrate the freedoms guaranteed by the Constitution, and reaffirm their commitment as citizens of this great nation to uphold the duties and responsibilities that good citizenship requires.

IN WITNESS WHEREOF, I have set my hand and caused the Official Seal of the City of Sterling Heights to be affixed hereto on August 16, 2016**.**

_____
Mark Carufel, City Clerk

General Josiah Harmar Chapter, NSDAR

Margaret Streetman, Recording Secretary

42480 Willsharon
Sterling Heights, MI 48314
June 1, 2016

Sterling Heights City Council
20555 Utica Rd.
Sterling Heights, MI 48314

Subject: Constitution Week

The General Josiah Harmar Chapter, Sterling Heights, Michigan, is part of the National Society of the Daughters of the American Revolution. The DAR was instrumental in the creation of Constitution Week which was enacted by President Dwight D. Eisenhower from a Congressional resolution petitioned by the DAR. President George W. Bush made it official by declaring that Constitution Week will be celebrated each September 17-23.

Each year our chapter works to promote public knowledge, awareness, and study of the importance of the United States' Constitution. The chapter asks for and receives a proclamation from the Sterling Heights City Council which proclaims that September 17-23 will be observed as Constitution Week in Sterling Heights.

We also erect and maintain a month-long display in the Sterling Heights Public Library which strives to educate the public about the U.S. Constitution. We also provide free literature which details the importance of the Constitution.

The Chapter hopes, with the cooperation of the Sterling Heights City Council, to continue our work in our city and ask that September 17-23 again be proclaimed Constitution Week in Sterling Heights.

Thank you,

Margaret Streetman

Secretary, General Josiah Harmar Chapter, NSDAR

DELIVERED AUG 1 1 2016

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 3
Meeting: 08/16/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider a request by KUKACARES for recognition as a local nonprofit organization for the purpose of obtaining a State of Michigan charitable gaming license.

Submitted By: Office of the City Clerk

MC

Contact Person/Telephone: Mark Carufel, City Clerk / Risk Manager, 586/446-2421

Administration (initial as applicable)

		Attachments			
MC	City Clerk				
BO	Finance & Budget Director	___	Resolution	___	Minutes
KK	City Attorney (as to legal form)	___	Ordinance	___	Plan/Map
KW	City Manager	___	Contract	___	Other

☐ **Check box if this agenda item requires billing\revenue collection (fees, etc.) by Treasury Office**

Executive Summary:

KUKACARES, a Michigan nonprofit corporation (Applicant), is an IRC 501(c)(3) non-profit corporation seeking to obtain a charitable gaming license through the State of Michigan. Applicant's primary stated purpose is to aid the relief of the distressed or underprivileged, and to directly support the well-being of the families in the community. Applicant contributes directly to individual families in need and to established charities, including the Ronald McDonald House Charities, Macomb County Veterans Center, and Winning Futures.

A charitable gaming license will enhance Applicant's fundraising to support its stated purpose. Specifically, Applicant is seeking a state charitable gaming license to conduct a raffle at a Wild Game Dinner fundraiser on Friday October 14, 2016 at the Palazzo Grande banquet facility in Shelby Township.

In order to obtain a charitable gaming license to perform fundraising activities, the Charitable Gaming Division of the State of Michigan requires a resolution adopted by a local governing body recognizing the Applicant as a "local nonprofit group operating in the community." The enclosed resolution, if adopted, will recognize Applicant as a local nonprofit group operating in the community.

Included in the backup are Applicant's Bylaws, Articles of Incorporation, IRS notification of IRC 501(c)(3) status, financial documents, and other information.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, that the request from KUKACARES of Sterling Heights, County of Macomb, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license be considered for approval; provided, however, that this action is not an endorsement of the organization and the City of Sterling Heights should not be listed on any promotional materials associated with their charitable gaming activities.

KUKACARES
FOUNDATION

Non Profit Organization 501(c)3

1 586 795 2000

www.kukacaresfoundation.com

KUKACARES Foundation
6600 Center Drive
Sterling Heights, MI 48312

July 29, 2016

City of Sterling Heights,

KUKACARES respectfully requests that the City of Sterling Heights consider approving a local governing body resolution to formally recognize KUKACARES as a nonprofit organization within the communities Sterling Heights and Macomb County.

KUKACARES is a nonprofit organization located in Sterling Heights and was formally incorporated on March 27, 2015. In January 2016 we were notified by the Internal Revenue Service that our application for recognition under Internal Revenue Code Section 501(c)(3) had been approved. KUKACARES also does business as "KUKACARES Foundation" or "KUKACARES Foundation Inc."

KUKACARES is a completely separate legal enterprise which was formed as a spinoff from an internal employee welfare committee of KUKA Systems North America LLC. Members of the internal employee welfare committee were inspired by the idea of having a greater impact on the local community as a whole and thus endeavored to organize a separate legal entity with the sole purpose of directly supporting the well-being of families within the community. KUKACARES was formed together with the help of other members of our local business community right here in Sterling Heights. In fact, our board of directors has a majority of members who are not affiliated to KUKA entities through employment and thus we are able to capitalize on the collective creativity, inspiration, and drive of a range of leaders within our local business community.

Our organization was formed for the primary purpose of making a meaningful difference within our local community. However, it should be noted that KUKA employees are not eligible to receive any benefits from the KUKACARES legal entity as they may qualify for similar benefits from our internal employee welfare committee of the same name.

Over the past year we have held a number of charity events and have been successful in providing assistance to numerous members of our community right here in Sterling Heights and Macomb County. Specifically, in 2015 KUKACARES provided $34,000 of direct assistance to 9 families and $10,000 of assistance to other 501(c)(3) organizations. Thus far in 2016 we have provided $22,800 of direct assistance to 9 families and $28,000 of assistance to other 501(c)(3) organizations. In 2015 our donors consisted of a 232 individuals and corporations donating a grand total of approximately $268,000. Our goal for 2016 is to grow both our donor base and total contributions by a minimum of at least 10%. In order to achieve this goal we have planned a charity dinner and raffle event with a wide range of corporate and individual sponsors. The event has been themed as a "Wild Game Dinner" and we have secured commitments from many local businesses to provided items which can be included in the raffle. We are hopeful that this event will be very successful and will be able to provide the means for KUKACARES to extend its impact on the local community. Some of our other charity events thus far have included a family bowling night, charity walk at the Detroit Zoo, and charity golf outing.

Sincerely,

Ahsan J. Hans
Treasurer

Premier Automation Contractors
Indicon
TEC Group
Gritton Technical
RSE Automated
PPI Partner Personnel, Inc.
Conti
Barnum
KUKA
Easom Automation
Ultimate

MICHIGAN LOTTERY
Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL.432.103(K)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL — TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION — CITY

county of _____, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____.
APPROVAL/DISAPPROVAL

APPROVAL		DISAPPROVAL	
Yeas:	_____	Yeas:	_____
Nays:	_____	Nays:	_____
Absent:	_____	Absent:	_____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD — REGULAR OR SPECIAL

meeting held on _____.
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

_____
PRINTED NAME AND TITLE

_____
ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.

MICHIGAN LOTTERY
Charitable Gaming Division
101 E. Hillsdale, Box 30023
Lansing, Michigan 48909
(517) 335-5780
www.michigan.gov/cg

LOCAL CIVIC ORGANIZATION QUALIFICATION REQUIREMENTS

Please allow at least 8 weeks for the qualification process.

If the organization has never submitted qualifying information as a local civic organization, the following information shall be submitted in the name of the organization prior to being approved to conduct a bingo, millionaire party, raffle, or charity game. A previously qualified organization may be required to submit updated qualification information to assure its continued eligibility under the act.

1. A signed and dated copy of the organization's current bylaws or constitution, including membership criteria.
2. A complete copy of the organization's Articles of Incorporation that have been filed with the Corporations and Securities Bureau, if the organization is incorporated.
3. A copy of the letter from the IRS stating the organization is exempt from federal tax under IRS code 501(c)

   OR

   copies of one bank statement per year for the previous five years, excluding the current year.
4. A provision in the bylaws, constitution, or Articles of Incorporation that states should the organization dissolve, all assets, and real and personal property will revert:

   A. If exempt under 501(c)3, to another 501(c)3 organization.

   B. If not exempt under 501(c)3, to the local government.
5. A revenue and expense statement for the previous 12 month period to prove all assets are used for charitable purposes, i.e. 990's, treasurer's report, audit. Do not send check registers or cancelled checks. Explain the purpose of each expenditure made to an individual. Once the organization has conducted licensed gaming events, the Bureau may require the organization to provide additional proof that all assets are being used for charitable purposes.
6. A copy of a resolution passed by the local body of government stating the organization is a recognized nonprofit organization in the community (form attached).
7. A provision in the bylaws, constitution, or Articles of Incorporation indicating the organization will remain nonprofit forever.

Additional information may be requested after the initial documents submitted have been reviewed. If you have any questions or need further assistance, please call our office at (517) 335-5780.

Act 382 of the Public Acts of 1972, as amended, defines a local civic organization as an organization "that is organized not for pecuniary profit; that is not affiliated with a state or national organization; that is recognized by resolution adopted by the local governmental subdivision in which the organization conducts its principal activities; whose constitution, charter, articles of incorporation, or bylaws contain a provision for the perpetuation of the organization as a nonprofit organization; whose entire assets are used for charitable purposes; and whose constitution, charter, articles of incorporation, or bylaws contain a provision that all assets, real property, and personal property shall revert to the benefit of the local governmental subdivision that granted the resolution upon dissolution of the organization."

MICHIGAN LOTTERY

MGCB

QUALIFICATION INFORMATION

The organization must complete this form and submit with the qualification documents. **If this form does not accompany the qualification documents, documents will be returned to contact person.** This will delay processing. Any misrepresentation is grounds for denial.

Please check the appropriate box(es) for the license you wish to obtain. ☐ Millionaire Party ☐ Bingo ☒ Raffle ☒ Charity Game Ticket	Application(s) and fee(s) enclosed? ☒ Yes ☐ No

1. Name of Organization KUKACARES			
2. Doing Business As (DBA) *(if applicable)* KUKACARES Foundation		3. US Federal Employer Identification Number 47-3818969	
4. Organization Physical Address 6600 Center Drive			
City Sterling Heights	State MI	Zip 48312	County Macomb
5. Organization Mailing Address ☒ *Same as Physical Address*			
City	State	Zip	County
6. Telephone Number (586) 795-2000	7. Fax Number (586) 258-4177	8. Date Organization Established 03/27/2015	

9. Briefly describe the purpose of the organization

The KUKACARES Foundation mission is to aid the the relief of the distressed or underprivilaged, and to directly support the well-being of the families within our community.

10. Name of Authorized Contact Person Ahsan J. Hans		11. Authorized contact person's position or role with organzation Treasurer	
12. Mailing Address 6600 Center Drive			
City Sterling Heights	State MI	Zip 48312	County Macomb
13. Email Address ahsan.hans@kukanao.com	14. Telephone Number (586) 795-2000	15. Fax Number (586) 258-4177	

The undersigned hereby certifies that the representations, information and data, presented are true, accurate and complete to the best of the undersigned's knowledge. *The undersigned understands that failure to answer truthfully, completely and accurately could preclude the organization from receiving an approval to obtain a gaming license.*

Authorized Contact Signature Ahsan J. Hans	Date 07/29/2016
Print Name and Title Ahsan J. Hans - Treasurer	

PLEASE READ CAREFULLY

If you are qualifying for a millionaire party license, mail this completed form and the required qualification documentation to Michigan Gaming Control Board, PO Box 30786, Lansing, MI 48909.

If you are qualifying for a raffle, bingo, or charity game ticket license, mail this completed form and the required qualification documentation to Charitable Gaming Division, PO Box 30023, Lansing, MI 48909.

If you are qualifying for a millionaire party AND raffle, bingo, or charity game license, you must submit copies of this form and all qualification documents to BOTH agencies.

Charitable Gaming Division
c/o Accounting
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing, MI 48933
(517) 335-5780
www.michigan.gov/cg

RAFFLE LICENSE APPLICATION

For Bureau Use Only

ALLOW 6 WEEKS FOR PROCESSING.
PLEASE PRINT OR TYPE IN BLUE OR BLACK INK.

QUALIFICATION INFORMATION

1. Organization Name: KUKA Cares

2. Organization ID Number or Last License Number Issued:

3. Organization Street Address: 6600 Center Drive | City: Sterling Hts. | State: MI | Zip Code: 48312

Organization Mailing Address: 6600 Center Drive | City: Sterling Hts. | State: MI | Zip Code: 48312 | County: 50 Macomb

4. Has your organization ever received a license such as bingo, millionaire party, raffle, charity game ticket, or numeral game?

☐ Yes - Complete application and submit with the appropriate fee.

☑ No - Please follow the instructions on the qualification guideline. If a guideline was not included or you do not understand it, contact our office at (517) 335-5780 to inquire as to what documentation must be submitted to qualify for licensing.

5. Is your organization a candidate committee, political committee, political party committee, ballot question committee, independent committee or any other committee as defined by, and organized pursuant to, the Michigan Campaign Finance Act 388 of the Public Acts of 1976, as amended, being sections 169.201 to 169.282 of the Michigan Compiled Laws?

☐ Yes ☑ No

6. Has your organization received contributions or made expenditures of $500 or more in the last calendar year for the purpose of influencing or attempting to influence the action of voters for or against the nomination or election of a candidate, or the qualification, passage, or defeat of a ballot question?

☐ Yes ☑ No

SIGNATURE(S)

7. Provide name, title, home address, and telephone numbers for the PRINCIPAL OFFICER, e.g., president, grand knight, worthy matron, etc., and the vice president or equivalent and one other officer of the organization. SIGNATURE OF PRINCIPAL OFFICER REQUIRED - OR - signatures of the vice president or equivalent and one other officer. **NOTE: Executive director signature not acceptable.**

Name and Title	Street, City, State, ZIP Code	Telephone Numbers
Principal Officer: Lawrence A. Drake III		Day: (586) 795-2000
Title: President	Clarkston, MI 48348	Evening: (586) 795-2000
Signature of Principal Officer:		Date: 07/29/16

- OR -

Name and Title	Street, City, State, ZIP Code	Telephone Numbers
Vice President or Equivalent: Katie Juneau	6600 Center Drive	Day: (586) 795-2000
Title: Vice President	Sterling Heights, MI 48312	Evening: (586) 795-2000
Signature of Vice President or Equivalent: Katie Juneau		Date: 07/29/16
Name and Title	**Street, City, State, ZIP Code**	**Telephone Numbers**
Other Officer: Ahsan J. Hans		Day: (586) 795-2000
Title: Treasurer	Sterling Heights, MI 48314	Evening: (586) 795-2000
Signature of Other Officer		Date: 07/29/16

By signing above, I CERTIFY that I am at least 18 years of age, the organization applying is a NONPROFIT organization, I have examined this application and there is no misrepresentation or falsification in the information stated or attached, and the facts underlying our original qualification status remain unchanged. I FURTHER CERTIFY that I am aware that false or misleading statements will be cause for rejection of this application or revocation of the right to obtain any future licenses and I AM AWARE OF AND AGREE TO the conditions of Act 382 of the Public Acts of 1972, as amended, and the rules and directives of the Michigan Bureau of State Lottery.

PLEASE COMPLETE THE BACK PAGE OF THIS APPLICATION
PLEASE MAKE A COPY OF THE COMPLETED APPLICATION FOR YOUR RECORDS

Authority: Act 382 of the Public Acts of 1972, as amended.

COMPLETION: Required for licensure.
PENALTY: No license will be issued.

RAFFLE INFORMATION

8. Contact Person			9. Raffle Location (building name, if any)	
Katie Juneau			The Palazzo Grande	
Mailing Address Where License Should Be Sent			Street Address	
6600 Center Drive			54660 Van Dyke Road	
City	State	ZIP Code	City	
Sterling Heights	MI	48312	Shelby Township	
Telephone Number (Day)	Telephone Number (Evening)		ZIP Code	County
(586) 795-2000	(586) 795-2000		48316	50 Macomb

10. List name, home address, and telephone numbers of the person(s) in charge of raffle. Must be member for 6 months. If more than one chairperson, attach additional list.

Raffle Chairperson	Street, City, State, ZIP Code	Telephone Numbers
Name	6600 Center Drive	Day (586) 795-2000
Katie Juneau	Sterling Heights, MI, 48312	Evening (586) 795-2000

11. If the total value of all prizes awarded in one day is $500 or **LESS**, complete this section.

SMALL

Drawing Date(s) and Time(s) (Must be between the hours of 8 a.m.-2 a.m.):

Date _____ Time a.m. _____ to _____ a.m.

Date _____ Time a.m. _____ to _____ a.m.

Date _____ Time a.m. _____ to _____ a.m.

☐ Check here if there are additional drawing dates and attach list.

License Fee:

All drawing dates included on this application must be at the same location.
$15 for 1, 2, or 3 drawing dates plus $5 for each additional drawing date.
(Example: 1 drawing date = $15 fee, 6 drawing dates = $30 fee.)

Enter the total number of small drawing dates. 0

$15

-OR- If the total value of all prizes awarded in one day is **MORE** than $500, complete this section.

LARGE

Drawing Date(s) and Time(s) (Must be between the hours of 8 a.m.-2 a.m.):

Date 10/14/16 Time p.m. 8:00 to 12:00 a.m.

Date _____ Time a.m. _____ to _____ a.m.

☐ Check here if there are additional drawing dates and attach list.

License Fee:

All drawing dates included on this application must be at the same location.

$50 x 1 (Number of Dates) = $50

TICKET INFORMATION

12. Will you be conducting an in-house raffle ONLY where there is no presale of the raffle tickets before the occasion? ☑ Yes ☐ No
If yes, there is no need to complete the raffle ticket below.

13. ▪ Complete the boxes below in ink; ensure the ticket is printed with all of the required items. See Raffle Rule 506.

▪ Indicate any additional information that will appear on the actual tickets.

RAFFLE — 001 Ticket #

Name of Licensee

Drawing Date(s)

Drawing Time(s) p.m.

Prizes

First Prize *

Second Prize (if applicable)

Third Prize (if applicable)

Minimum 50/50 Prize (if applicable)

Ticket Price

Raffle Location

(to be added when issued) License Number

001 Ticket #

Purchaser's Name

Purchaser's Address

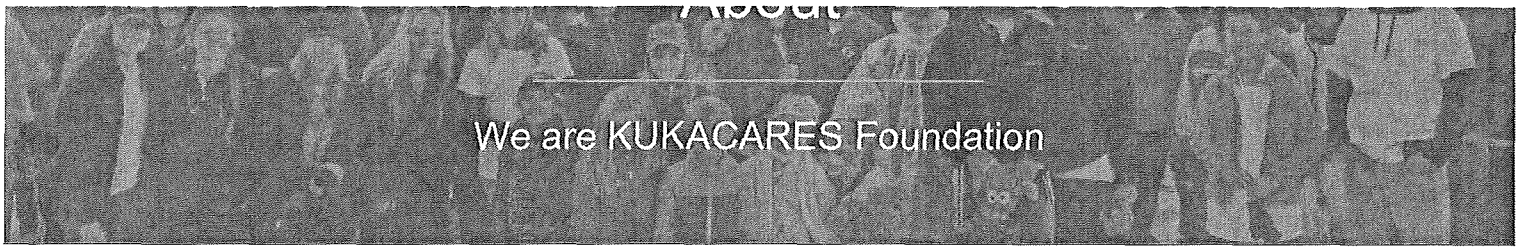
Purchaser's Phone #

* For large prizes, you may want to include a disclaimer that states "If xxx (indicate number) tickets are not sold, the drawing will revert to a 50/50 raffle with the minimum prize of $xxx (indicate dollar amount) awarded."

Make checks payable to: STATE OF MICHIGAN

Submit completed application, supporting documents, and license fee to:
Charitable Gaming Division, c/o Accounting, Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY: 101 E. Hillsdale, Lansing, MI 48933

KUKA | CARES Foundation



About KUKACARES Foundation

With 10 of our supplier partners, KUKA has established the **KUKACARES Foundation**. This is a spinoff of our internal **KUKACARES** program which will promote new opportunities to broaden our community scope and corporate citizenship. **The mission remains to directly support the well-being of the families in our community**. We have registered the foundation as a Non-Profit Organization – 501(c)(3). This includes the formation of Bylaws and a Distribution, Contribution and Governance Committee.

We have an amazing team of employees, contingent workers and suppliers who have always been so generous with supporting our community and each other. The scale of this generosity will now be elevated to a new level. The **KUKACARES Foundation** allows us to join forces with our partners to grow this community spirit.

CONNECT WITH US

CONTACT US

Katie Juneau
VICE PRESIDENT

PHONE
(586) 795-2000

EMAIL
connect@kukacaresfoundation.org

ADDRESS
6600 Center Drive
Sterling Heights,
MI, 48312

KUKACARES Foundation Mission

The KUKA**CARES Foundation** mission is to aid in the relief of the distressed or underprivileged, and to directly support the well-being of the families within our community. The KUKA**CARES Foundation** is a 501(c)3 charitable organization. All proceeds go to the foundation. Administrative costs are provided by KUKA Systems North America and our Foundation Partners.

We thank all the partners who have embraced this cause and have joined our team. Together, we have an exciting future.

Value Statements

1. **Care for people** in our community whether through health, financial aid or education. We provide support to improve the lives and futures of people and help them to find their path and the way to independence and self-sufficiency.

2. **We provide resources** in times of hardship to empower those in need with confidence and independence.

3. **Well-being of families** – providing support to encourage strong healthy families to enable a lasting impact on our communities.

KUKACARES Foundation Board Members

Larry Drake

President

CEO KUKA SYSTEMS GROUP
PRESIDENT KUKA SYSTEMS
NORTH AMERICA
KUKA SYSTEMS

Paul Ambros

Member

CFO KUKA SYSTEMS GROUP
EXECUTIVE VICE PRESIDENT
KUKA SYSTEMS

Mike LaRose

Member

EXECUTIVE VICE PRESIDENT
KUKA SYSTEMS

Brian Keith

Member

VICE PRESIDENT
KUKA SYSTEMS

Katie Juneau

Vice President

DIRECTOR OF PURCHASING &
SUPPLY CHAIN MANAGEMENT
KUKA SYSTEMS

Jennifer Husby

Secretary

GROUP DIRECTOR OF HUMAN
RESOURCES
KUKA SYSTEMS

Tamara Contesti

Member

HR MANAGER
KUKA SYSTEMS

Scott Woods

Member

CONTINGENT WORKFORCE
SUPERVISOR
KUKA SYSTEMS

Ahsan Hans

Treasurer

TAX MANAGER
KUKA SYSTEMS

Amy Milligan

Partner

SR. ACCOUNT MANAGER
BATTON TECHNICAL

Amy Conti

Partner

DIRECTOR OF HUMAN RESOURCES
CONTI CORPORATION

Ron Adamkiewicz

Partner

VICE PRESIDENT OF OPERATIONS
INDICON

Eva Komini

Partner

CHIEF FINANCIAL OFFICER
R&E AUTOMATED SYSTEMS

Connie Mack

Partner

PRESIDENT
PARTNER PERSONNEL, INC

Julie Rinaldi

Partner

SENIOR ACCOUNT DIRECTOR
PREMIER

Joe Pitlock

Partner

SENIOR MANAGER
EASOM AUTOMATION SYSTEMS

John T. Jones

Partner

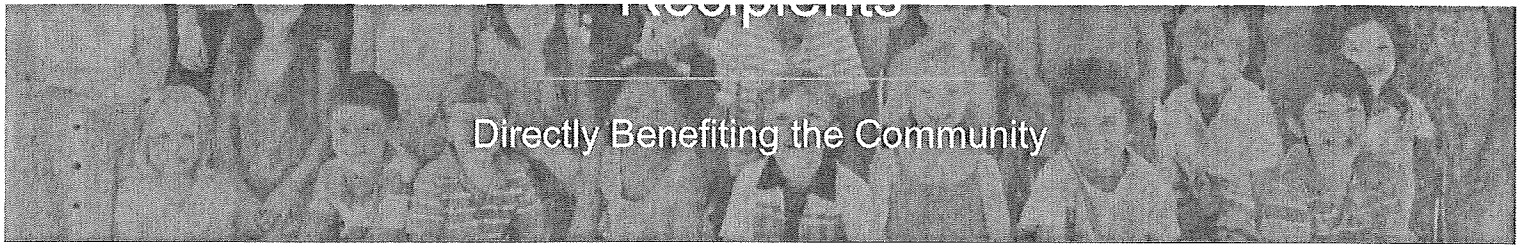
ACCOUNT MANAGER
H.H. BARNUM

Cooper Lane

Partner

VP SALES & ENGINEERING
ULTIMATE MANUFACTURED SYSTEMS

KUKA | CARES Foundation



Recipient Organizations

Below is list of our KUKACARES Foundation recipients. Click a recipient to read their story.

Ronald McDonald House Charities

Click below to learn more.

Learn More

Macomb County Veterans Center

Click below to learn more.

Learn More

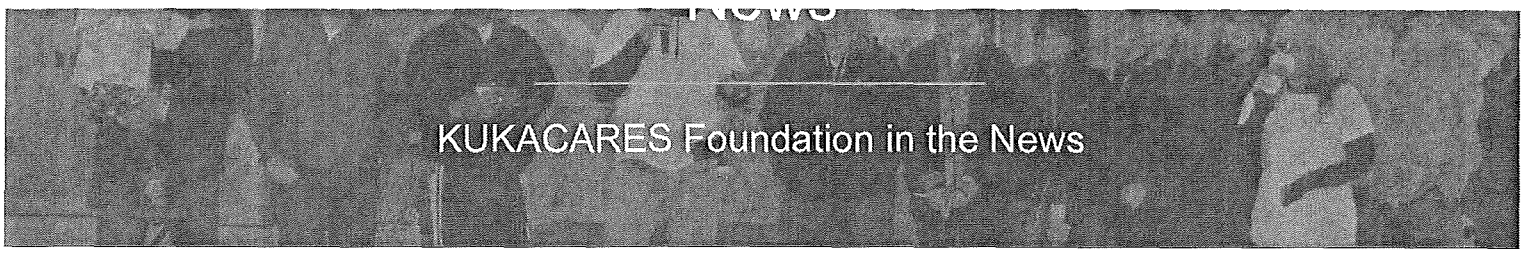
Winning Futures

Click below to learn more.

Learn More

Recipient Groups

Your Donation Affects These People in Your Community.



Go Wild for a Cause

KUKACARES Foundation held its second annual Zoo Walk at Detroit Zoo on Sunday 26th June 2016. Over 300 people joined in the morning pre-walk event and walking the zoo. The weather was perfect, and even when it got too hot, everyone enjoyed the new Polk Penguin Conservation Center. The 25-foot-deep center was inspired by Sir [...]

Read More

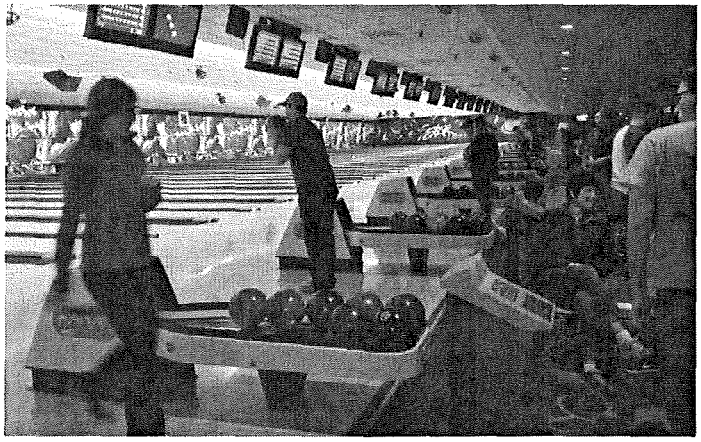
CONNECT WITH US

CATEGORIES

Bowling Event
Detoit Zoo Walk Event
Dinner Event
Events
Golf Event
Recipients

RECENT POSTS

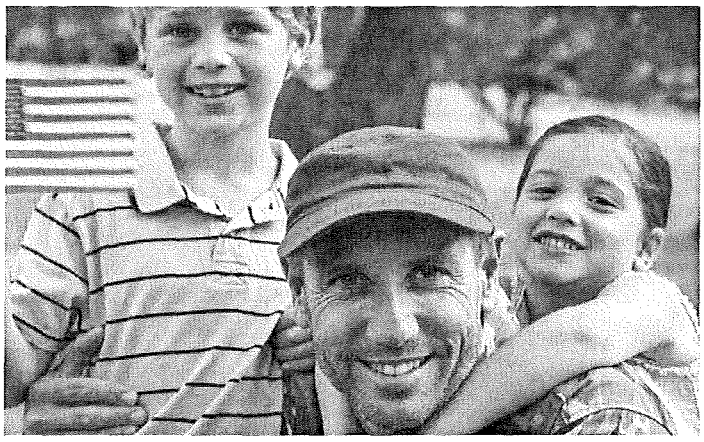
Go Wild for a Cause
Bowling Night
Macomb County Veterans Center
Inaugural Golf Outing – Golf for a Cause
Dine for a Cause, Wild Game Dinner



Bowling Night

KUKACARES Foundation held their first bowling at 5 Star Lanes in Sterling Heights on Sunday 6th March. Proceeds from the event, which was attended by 75 people, will go towards having a lasting impact on our community. If you would like nominate a charity recipient, go to the Nominate page of our website. [...]

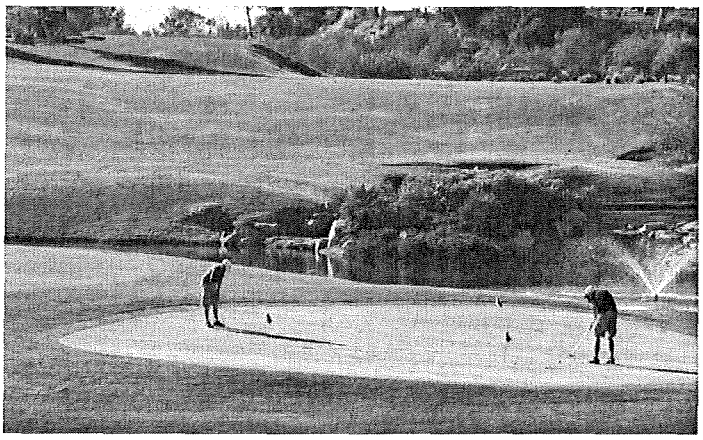
Read More



Macomb County Veterans Center

The KUKACARES Foundation has a firm belief in supporting our veterans. We have helped 2 families through the Macomb County Veterans Center by providing $2500 per family. Thank you for your service.

Read More



Inaugural Golf Outing – Golf for a Cause

The Inaugural KUKA Cares Foundation Golf Outing was held at Indianwood Golf & Country Club on Monday, August 31, 2015. The event was preceded by a VIP Lunch at Andiamo's in Warren, with members of the charity board and the Leadership

team from KUKA. The event hosted over 46 teams at Indianwood Golf & Country [...]

Read More

Dine for a Cause, Wild Game Dinner

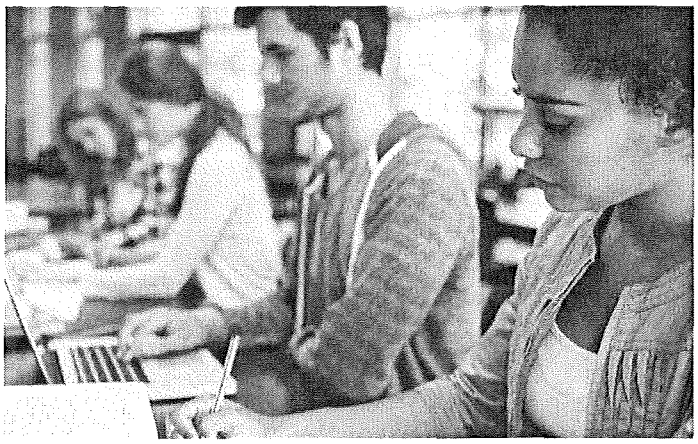
Foundation Wild Game Dinner on Friday, October 16th 2015 at the Palazzo Grande in Shelby Township, MI. A great meal was enjoyed with outdoorsmen and their partners, with an Elk carving station and more, while contributing to a great cause. The event featured many great auction items for the outdoor enthusiast, along with an open [...]

Read More

Detroit Ronald McDonald House

KUKACARES donated $25,000.00 toward the naming/funding of a room in the new Ronald McDonald House, Detroit at Detroit Children's Hospital. RMH was chosen by charity partner Cooper Lane. It is a charity that he was personally connected to; they familiar with The Ronald McDonald House in Southwestern Ontario and the services they provide for families [...]

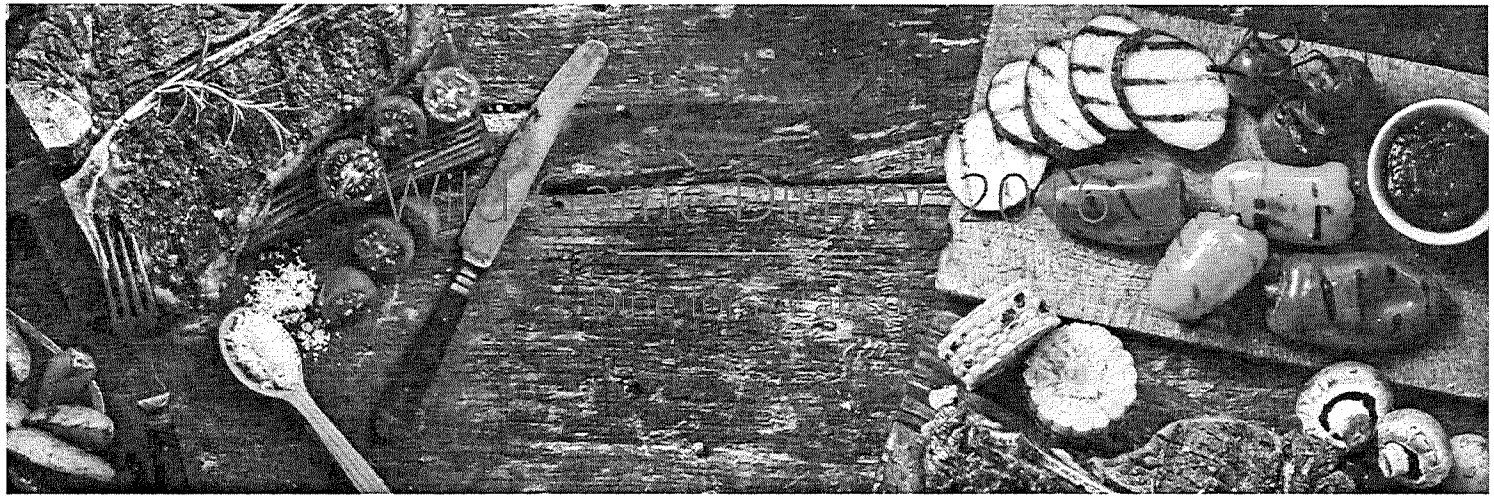
Read More



Winning Futures

The KUKACARES Foundation has made a $5,000 donation to Winning Futures, a school-based mentoring program that focuses on the life skills of character value, goal setting, career preparation and strategic planning for middle school and high school students in Southeast Michigan. Winning Futures is an award winning nonprofit organization that makes a difference in the [...]

Read More



EVENT DATES

Oct 14, 2016 at 06:30 pm

gCal iCal

VENUE DETAILS

The Palazzo Grande

54660 Van Dyke Rd.

Shelby Charter Township, MI, US 48316

(586) 731-2100

www.thepalazzogrande.com

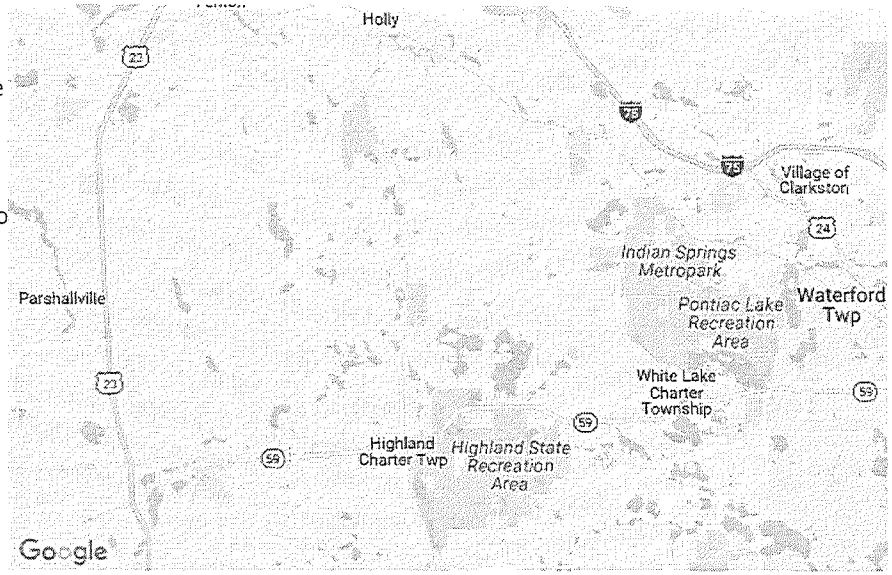
ORGANIZER DETAILS

Katie Juneau

connect@kukacaresfoundation.org

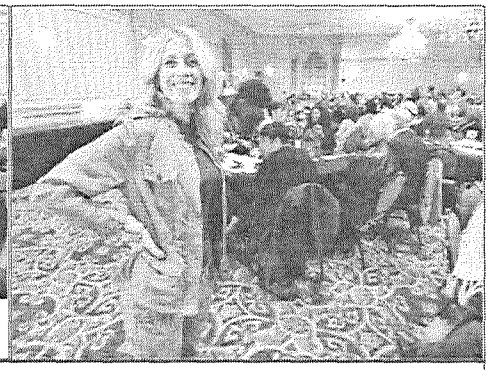
(586) 722-8359

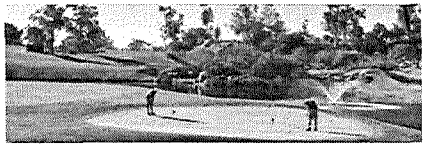
Enjoy a great meal with your fellow outdoorsmen (featuring an Elk carving station and more), while contributing to a great cause. The event will feature many great auction items for the outdoor enthusiast, along with an open bar included in the ticket price. All proceeds go directly to the KUKACARES Foundation, our charitable organization that's dedicated to supporting those in need within our community. Register today to make a difference.



GALLERY

View past event highlights





Annual Golf Outing 2016

Golf Fore a Cause

MONDAY, AUGUST 29

Learn More

Wild Game Dinner 2016

Dine for a Cause

FRIDAY, OCTOBER 14

Learn More

KUKA | CARES Foundation

Nominate a Recipient in Your Community

Recommend a recipient online or by mail. Recipients must meet eligibility guidelines.

NOMINATE ONLINE

Nomination Information

Intended Recipient

Reason for Nomination

Your Contact Information

First Name

Last Name

Phone

NOMINATE BY MAIL

STEP 1

Download the nomination form (PDF) by clicking the button below:

NOMINATION FORM

STEP 2

Complete the form and mail to the address below:

ATTN: Jennifer Husby
KUKACARES Foundation
6600 Center Drive,
Sterling Heights,
MI, 48312

Questions? Contact Jennifer Husby at:

Email

connect@kukacaresfoundation.org

ERROR for site owner:
Stoken expired

reCAPTCHA
Privacy - Terms

Submit

Eligibility Guidelines

The KUKACARES Foundation mission is to aid in the relief of the distressed or underprivileged, and to directly support the well-being of the families within our community. The KUKACARES Foundation is a 501(c)3 charitable organization. All proceeds go to the foundation. Administrative costs are provided by KUKA Systems North America and our Foundation Partners.

The KUKACARES Foundation will not make donations to the following:

- Organizations that discriminate on the basis of race, religion, creed, national origin, gender, disability, age, sexual orientation or any other basis prohibited by law
- Political organizations
- Religious organizations, unless they are engaged in a significant project which benefits a broad base of the community
- Individuals, including educational scholarships, medical or travel expenses.

PARTNERS

Thank you to all our generous partners

Conti

barnum

Indicon

Premier Automation Contractors

RE AUTOMATED

TEC GROUP | Batton TECHNICAL

KUKA

ULTIMATE MANUFACTURING SYSTEMS

Easom Automation

PPI Partner Personnel, Inc.

STAY INFORMED

Be the first to know about events, announcements and opportunities.

Email

Connect

PARTNERS

Thank you to all our generous partners

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Premier Automation Contractors

R&E AUTOMATED

TEC GROUP | Batton TECHNICAL

KUKA

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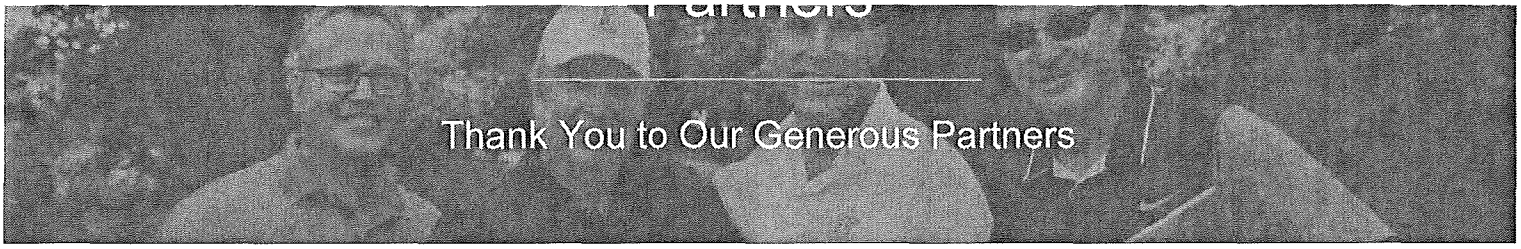
KUKACARES Foundation

KUKA | CARES Foundation



Partner Organizations

We have an amazing team of employees, contingent workers and suppliers who have always been so generous with supporting our community and each other. The scale of this generosity will now be elevated to a new level. The KUKACARES Foundation allows us to join forces with our partners to grow this community spirit.

We are proud to have a distinguished and dedicated group of professionals with a wide range of expertise and experience serving on our Board. Together, we will continue to focus on enhancing our programs and measuring our results to ensure we're serving the local community in the best way possible.

TEC GROUP | BATTON TECHNICAL TALENT FOR A COMPETITIVE EDGE

Conti

Indicon

Batton Technical

850 Stephenson Hwy # 115,
Troy, MI 48083

tec.biz

Conti Corporation

6417 Center Dr # 120,
Sterling Heights, MI 48312

conticorporation.com

Indicon

6125 Center Dr,
Sterling Heights, MI 48312

indicon.com

R&E Automated Systems

17500 23 Mile Road,
Macomb, MI 48044

reautomated.com

Partner Personnel, Inc

2222 Franklin Rd,
Bloomfield Hills, MI
48302

partnerpersonnel.com

Premier

4099 Dolan Drive,
Flint, MI, USA 48504

premierac.com

Easom Automation Systems

32471 Industrial Dr,
Madison Heights, MI
48071

easomeng.com

H.H. Barnum

7915 Lochlin Dr,
Brighton, MI 48116

hhbarnum.com

Ultimate Manufactured Systems

4165 Walker Rd,
Windsor, ON N8W 3T6,
Canada

ultimatemfd.com

KUKA Systems

6600 Center Drive,
Sterling Heights, MI,
48312

kuka.com

PARTNERS

Thank you to all our generous partners

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barnum

Indicon

Premier Automation Contractors

R&E AUTOMATED

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KUKA

ULTIMATE MANUFACTURING SYSTEMS

Easom Automation

PPI Partner Personnel, Inc.

2015 Financial Summary by Event

Zoo Walk		
Revenues	$	27,220.00
Expenses		(10,980.79)
Net Income	$	16,239.21

Charity Golf Outing		
Revenues	$	183,550.00
Expenses		(68,772.76)
Net Income	$	114,777.24

Charity Dinner		
Revenues	$	57,572.00
Expenses		(22,963.85)
Net Income	$	34,608.15

Administrative Expenses		
Bank Service Fees	$	(184.63)
Payment Processing Fees		(176.00)
Gerenal Insurance		(650.00)
IRS Application Fees		(850.00)
Website Development		(7,864.00)
Total Administrative Expenses	$	(9,724.63)

Donations		
Donations to Local Individuals/Families	$	(34,000.00)
Donations to Other Local Nonprofits		(10,000.00)
Total Donations	$	(44,000.00)

Summary		
Revenues	$	268,342.00
Event Expenses		(102,717.40)
Administrative Expenses		(9,724.63)
Donations		(44,000.00)
Total Net Assets	$	111,899.97

CSCL/CD-502 (Rev. 1/15)

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

Date Received	
	This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

Name		
Lisa Radabaugh		
Address		
51870 Shelby Parkway		
City	State	ZIP Code
Shelby Township	MI	48315

EFFECTIVE DATE:

Document will be returned to the name and address you enter above.
If left blank, document will be returned to the registered office.

ARTICLES OF INCORPORATION
For use by Domestic Nonprofit Corporations

(Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:

KUKACARES

ARTICLE II

The purpose or purposes for which the corporation is formed are:

Solely for charitable purposes, including, for such purposes as the making of distributions to organizations that qualify as tax exempt organizations under Section 501(c)(3) of the Internal Revenue Code, or the corresponding Section of any future Federal tax code. All net assets should be distributed to qualified parties and for the tax exempt purposes for which the enterprise was formed and in exchange for no benefit. Should the corporation dissolve or liquidate all net assets should be distributed as previously mentioned and for no benefit in return.

ARTICLE III

1. The corporation is formed upon a Nonstock basis.
   (Stock or Nonstock)

2. If formed on a stock basis, the total number of shares the corporation has authority to issue is _____. If the shares are or are to be divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class to the extent that the designations, numbers, relative rights, preferences, and limitations have been determined are as follows:

ARTICLE III (cont.)

3. a. If formed on a nonstock basis, the description and value of its real property assets are: (if none, insert "none")

   NONE.

   b. The description and value of its personal property assets are: (if none, insert "none")

   NONE.

   c. The corporation is to be financed under the following general plan:

   Contributions from donors in return for no value.

   d. The corporation is formed on a Directorship basis.
   (Membership or Directorship)

ARTICLE IV

1. The name of the resident agent at the registered office is:

   Jennifer Husby

2. The address of its registered office in Michigan is:

   6600 Center Drive (Street Address) Sterling Heights (City), Michigan 48312 (ZIP Code)

3. The mailing address of the registered office in Michigan if different than above:

   _____ (Street Address or PO Box) _____ (City), Michigan _____ (ZIP Code)

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name	Residence or Business Address
Jennifer Husby	6600 Center Drive, Sterling Heights, MI 48312
Ahsan Hans	6600 Center Drive, Sterling Heights, MI 48312

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

I, (We), the incorporator(s) sign my (our) name(s) this 17 day of April, 2015

Jennifer Husby

Ahsan J. Hans

Ahsan J. Hans

CSCL/CD-541 (Rev. 08/15)

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

Date Received	(FOR BUREAU USE ONLY)
	This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

Name		
Ahsan Hans		
Address		
6600 Center Drive		
City	State	ZIP Code
Sterling Heights	MI	48312

EXPIRATION DATE:
DECEMBER 31,

Document will be returned to the name and address you enter above.
If left blank, document will be returned to the registered office.

CERTIFICATE OF ASSUMED NAME

For use by Corporations, Limited Partnerships and Limited Liability Companies
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972 (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), Act 213, Public Acts of 1982 (limited partnerships), or Act 23, Public Acts of 1993 (limited liability companies), the undersigned execute the following Certificate:

1. The name of the corporation, limited partnership, or limited liability company is:
   KUKACARES

2. The identification number assigned by the Bureau is: 71727R

3. The assumed name under which business is to be transacted is:
   KUKACARES Foundation Inc.

4. This document is hereby signed as required by the Act.

COMPLETE ITEM 5 ON PAGE 3 IF THIS NAME IS ASSUMED BY MORE THAN ONE ENTITY.

Signed this 29 day of July, 2016

By Ahsan Hans
(Signature)

Ahsan Hans — Treasurer
(Type or Print Name) — (Type or Print Title or Capacity)

(Limited Partnerships Only - Indicate Name of General Partner, if the General Partner is a corporation or other entity)

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JAN 07 2016

KUKACARES
6600 CENTER DR
STERLING HEIGHTS, MI 48312

Employer Identification Number:
47-3818969
DLN:
17053324336005
Contact Person:
JULIE CHEN ID# 31261
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
May 6, 2015
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

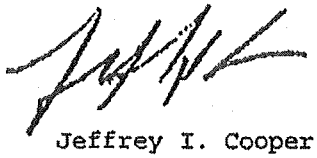
If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

KUKACARES

Sincerely,



Jeffrey I. Cooper
Director, Exempt Organizations
Rulings and Agreements

BYLAWS
OF
KUKACARES FOUNDATION

The name of the organization is KUKACARES Foundation. The organization is organized in accordance with the Nonprofit Corporation Act, Act 162 of 1982, as amended. The organization has not been formed for the making of any profit, or personal financial gain. The assets and income of the organization shall not be distributable to, or benefit the trustees, directors, or officers or other individuals. The assets and income shall only be used to promote corporate purposes as described below. Nothing contained herein, however, shall be deemed to prohibit the payment of reasonable compensation to employees and independent contractors for services provided for the benefit of the organization. This organization shall not carry on any other activities not permitted to be carried on by an organization exempt from federal income tax. The organization shall not endorse, contribute to, work for, or otherwise support (or oppose) a candidate for public office. The organization is organized exclusively for purposes subsequent to section 501(c)(3) of the Internal Revenue Code.

ARTICLE I
MEETINGS

Section 1. **Annual Meeting.** An annual meeting shall be held once each calendar year for the purpose of electing directors and for the transaction of such other business as may properly come before the meeting. The annual meeting shall be held at the time and place designated by the Board of Directors from time to time.

Section 2. **Special Meetings.** Special meetings maybe be requested by the President or the Board of Directors.

Section 3. **Notice.** Written notice of all meetings shall be provided under this section or as otherwise required by law. The Notice shall state the place, date, and hour of meeting, and if for a special meeting, the purpose of the meeting. Such notice shall be mailed to all directors of record at the address shown on the corporate books, at least 10 days prior to the meeting. Such notice shall be deemed effective when deposited in ordinary U.S. mail, properly addressed, with postage prepaid.

Section 4. **Place of Meeting.** Meetings shall be held at the organization's principal place of business unless otherwise stated in the notice.

Section 5. **Quorum.** A majority of the directors shall constitute at quorum at a meeting. In the absence of a quorum, a majority of the directors may adjourn the meeting to another time without further notice. If a quorum is represented at an adjourned meeting, any business may be transacted that might have been transacted at the meeting as originally scheduled. The directors

present at a meeting represented by a quorum may continue to transact business until adjournment, even if the withdrawal of some directors results in representation of less than a quorum.

Section 6. Informal Action. Any action required to be taken, or which may be taken, at a meeting, may be taken without a meeting and without prior notice if a consent in writing, setting forth the action so taken, is signed by the directors with respect to the subject matter of the vote.

ARTICLE II
DIRECTORS

Section 1. Number of Directors. The organization shall be managed by a Board of Directors consisting of a minimum of 16 director(s).

Section 2. Election and Term of Office. The directors shall be elected at the annual meeting. Each director shall serve a term of 2 year(s), or until a successor has been elected and qualified.

Section 3. Quorum. A majority of directors shall constitute a quorum.

Section 4. Adverse Interest. In the determination of a quorum of the directors, or in voting, the disclosed adverse interest of a director shall not disqualify the director or invalidate his or her vote.

Section 5. Regular Meeting. The Board of Directors shall meet immediately after the election for the purpose of electing its new officers, appointing new committee chairpersons and for transacting such other business as may be deemed appropriate. The Board of Directors may provide, by resolution, for additional regular meetings without notice other than the notice provided by the resolution.

Section 6. Special Meeting. Special meetings may be requested by the President, Vice-President, Secretary, or any two directors by providing five days' written notice by ordinary United States mail, effective when mailed. Minutes of the meeting shall be sent to the Board of Directors within two weeks after the meeting.

Section 7. Procedures. The vote of a majority of the directors present at a properly called meeting at which a quorum is present shall be the act of the Board of Directors, unless the vote of a greater number is required by law or by these by-laws for a particular resolution. A director of the organization who is present at a meeting of the Board of Directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless their dissent shall be entered in the minutes of the meeting. The Board shall keep written minutes of its proceedings in its permanent records.

Section 8. Informal Action. Any action required to be taken at a meeting of directors, or any action which may be taken at a meeting of directors or of a committee of directors, may be taken

without a meeting if a consent in writing setting forth the action so taken, is signed by all of the directors or all of the members of the committee of directors, as the case may be.

Section 9. Removal / Vacancies. A director shall be subject to removal, with or without cause, at a meeting called for that purpose. Any vacancy that occurs on the Board of Directors, whether by death, resignation, removal or any other cause, may be filled by the remaining directors. A director elected to fill a vacancy shall serve the remaining term of his or her predecessor, or until a successor has been elected and qualified.

Section 10. Committees. To the extent permitted by law, the Board of Directors may appoint from its members a committee or committees, temporary or permanent, and designate the duties, powers and authorities of such committees.

a. Core Committees. The organization shall consist of 3 core committees with each maintaining their own guidelines and regulations:
    a. **Governance Committee**
    b. **Revenue Committee**
    c. **Distribution Committee**

ARTICLE III
OFFICERS

Section 1. Number of Officers. The officers of the organization shall be a President, one or more Vice-Presidents (as determined by the Board of Directors), a Treasurer, and a Secretary. Two or more offices may be held by one person. The President may not serve concurrently as a Vice President.

a. **President/Chairman.** The President shall be the chief executive officer and shall preside at all meetings of the Board of Directors and its Executive Committee, if such a committee is created by the Board.
b. **Vice President.** The Vice President shall perform the duties of the President in the absence of the President and shall assist that office in the discharge of its leadership duties.
c. **Secretary.** The Secretary shall give notice of all meetings of the Board of Directors and Executive Committee, shall keep an accurate list of the directors, and shall have the authority to certify any records, or copies of records, as the official records of the organization. The Secretary shall maintain the minutes of the Board of Directors' meetings and all committee meetings.
d. **Treasurer/CFO.** The Treasurer shall be responsible for conducting the financial affairs of the organization as directed and authorized by the Board of Directors and Executive Committee, if any, and shall make reports of corporate finances as required, but no less often than at each meeting of the Board of Directors and Executive Committee.

Section 2. **Election and Term of Office.** The officers shall be elected annually by the Board of Directors at the first meeting of the Board of Directors, immediately following the annual meeting. Each officer shall serve a one year term or until a successor has been elected and qualified.

Section 3. **Removal or Vacancy.** The Board of Directors shall have the power to remove an officer or agent of the organization. Any vacancy that occurs for any reason may be filled by the Board of Directors.

ARTICLE IV
CORPORATE SEAL, EXECUTION OF INSTRUMENTS

The organization shall not have a corporate seal. All instruments that are executed on behalf of the organization which are acknowledged and which affect an interest in real estate shall be executed by the President or any Vice-President and the Secretary or Treasurer. All other instruments executed by the organization, including a release of mortgage or lien, may be executed by the President or any Vice-President. Notwithstanding the preceding provisions of this section, any written instrument may be executed by any officer(s) or agent(s) that are specifically designated by resolution of the Board of Directors.

ARTICLE V
AMENDMENT TO BYLAWS

The bylaws may be amended, altered, or repealed by the Board of Directors by a majority of a quorum vote at any regular or special meeting. The text of the proposed change shall be distributed to all board members at least ten (10) days before the meeting.

ARTICLE VI
INDEMNIFICATION

Any director or officer who is involved in litigation by reason of his or her position as a director or officer of this organization shall be indemnified and held harmless by the organization to the fullest extent authorized by law as it now exists or may subsequently be amended (but, in the case of any such amendment, only to the extent that such amendment permits the organization to provide broader indemnification rights).

ARTICLE VII
DISSOLUTION

The organization may be dissolved only with authorization of its Board of Directors given at a special meeting called for that purpose, and with the subsequent approval by no less than two-

thirds (2/3) vote of the members. In the event of the dissolution of the organization, the assets shall be applied and distributed as follows:

All liabilities and obligations shall be paid, satisfied and discharged, or adequate provision shall be made therefore. Assets not held upon a condition requiring return, transfer, or conveyance to any other organization or individual shall be distributed, transferred, or conveyed, in trust or otherwise, to charitable and educational organization, organized under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, of a similar or like nature to this organization, as determined by the Board of Directors.

Certification

Lawrence Drake III, President of KUKACARES Foundation, and Jennifer J Husby, Secretary of KUKACARES Foundation, certify that the foregoing is a true and correct copy of the bylaws of the above-named organization, duly adopted by the initial Board of Directors on August 11th, 2015.

I certify that the foregoing is a true and correct copy of the bylaws of the above-named organization, duly adopted by the initial Board of Directors on 8-11-,2015.

Lawrence Drake III, President

Jennifer J Husby, Secretary

Conflict of Interest Policy

ARTICLE I

PROCEDURES

3.1 Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

3.2 Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

3.3 Procedures for Addressing the Conflict of Interest

(a) An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

(b) The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

(c) After exercising due diligence, the governing board or committee shall determine whether the corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

(d) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the corporation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

3.4 Violations of the Conflicts of Interest Policy

(a) If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

(b) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

ARTICLE II

RECORDS OF PROCEEDINGS

4.1 Minutes

The minutes of the governing board and all committees with board delegated powers shall contain:

(a) The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.

(b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

ARTICLE III

COMPENSATION

5.1 A voting member of the governing board who receives compensation, directly or indirectly, from the corporation for services is precluded from voting on matters pertaining to that member's compensation.

5.2 A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the corporation for services is precluded from voting on matters pertaining to that member's compensation.

5.3 No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the corporation, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

ARTICLE IV

ANNUAL STATEMENTS

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

(a) Has received a copy of the conflicts of interest policy,

(b) Has read and understands the policy,

(c) Has agreed to comply with the policy, and

(e) Understands that the corporation is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

ARTICLE V

PERIODIC REVIEWS

To ensure the corporation operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

(a) Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.

(b) Whether partnerships, joint ventures, and arrangements with management corporations conform to the corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurnment, impermissible private benefit or in an excess benefit transaction.

ARTICLE VI

USE OF OUTSIDE EXPERTS

When conducting the periodic reviews as provided for in Article VII, the corporation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

CERTIFICATE OF ADOPTION OF CONFLICT OF INTEREST

POLICY AND AGREEMENT

I do hereby certify that the above stated Conflict of Interest Policy and Agreement for KUKACares Foundation Inc. were approved and adopted by the board of directors on August 8th, 2015 and constitute a complete copy of the Conflict of Interest Policy of the corporation.

Officer: _____

Date: 8-11-2015

DELIVERED AUG 11 2016

CITY OF Sterling Heights

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 4
Meeting: 08/16/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider a request to transfer ownership of escrowed 2016 Class C liquor license located at 7750 Metropolitan Parkway, Sterling Heights, MI 48312, from Z & A Holdings, LLC to Mona Lisa Restaurant & Banquets, Inc., with new dance-entertainment permit.

Submitted By: Office of the City Clerk

Contact Person/Telephone: Mark Carufel, City Clerk 586/446-2421 MC

Administration (initial as applicable)

		Attachments			
MC	City Clerk	___	Resolution	___	Minutes
AB	Finance & Budget Director	___	Ordinance	___	Plan/Map
MK	City Attorney (as to legal form)	___	Contract	___	Other
	City Manager				

☐ **Check box if this agenda item requires billing\revenue collection (fees, etc.) by Treasury Office**

Executive Summary

Background – Mona Lisa Restaurant & Banquets, Inc., a Michigan corporation, doing business as Amaseena Restaurant and Bar (Applicant), has made application to the Michigan Liquor Control Commission (MLCC) for the transfer of ownership of an escrowed 2016 Class C liquor license from Z &A Holdings, Inc. The escrowed license is from and will remain at 7750 Metropolitan Parkway, Sterling Heights, MI 48312. Applicant is also seeking a new catering permit, Sunday Sale permit (a.m. and p.m.), outdoor service area, and new dance-entertainment permit.

Applicant is acquiring the Class C liquor license from Z & A Holdings, Inc., which is also the landlord under a lease agreement with Applicant for the licensed premises. Z & A Holdings, Inc. acquired the escrowed liquor license in January 2015; however, it never operated a restaurant business at 7750 Metropolitan Parkway. The Class C liquor license has remained in escrow until the sale to the Applicant. The MLCC has approved Applicant for a Conditional License pending issuance of a regular Class C liquor license.

Applicant is owned 100% by Anthony Hanna. Mr. Hanna will be responsible for the daily management and operation of the business, but plans on hiring an experienced manager once the business is open and has developed a customer base to support a full-time manager. While Applicant's owner does not have previous liquor license or restaurant experience, he is a businessman with management experience.

Applicant will operate the restaurant under the business name of Amaseena Restaurant and Bar and will offer patrons a full menu with multiple entrées, specializing primarily in Middle Eastern cuisine. The restaurant / banquet facility floor plan offers sit-down seating for about 55 patrons in the restaurant area and 212 patrons in the banquet area. Additional, future plans include outdoor seating in the front of the building for up to 28 patrons. The proposed hours of operation are daily from 10:00 a.m. to 2:00 a.m.; however shorter hours of

operation are anticipated until a customer base is developed. When the outdoor seating is operational, Applicant plans for the outdoor seating to close at approximately 9:00 p.m. Applicant plans to be open to the public for breakfast, lunch and dinner in the restaurant, and will possibly close the restaurant when holding banquets. Applicant is seeking a new dance-entertainment permit for music (live band or DJ) and dancing to coincide with the banquet operations. Permits coinciding with this approval include Sunday Sales (a.m. and p.m.), catering (for off premises serving), Outdoor Service and Dance-Entertainment (primarily for the banquet room operation).

The Police Department, Fire Department, Office of Planning, Office of Building Services and Office of Treasury have completed their respective reviews and report no objections to the application.

Since this is an application to *transfer* the liquor license at the same location in Sterling Heights, it will have **no effect** on the number of City quota licenses available.

The MLCC has approved a conditional license for the Applicant at the premises, and the decision on a regular license is pending with a decision expected soon.

Recommendation – City Administration is recommending **disapproval** of the Applicant's request. The following criteria from §5-34(G) of the City Code support this recommendation:

(1) The Applicant's management experience in the alcohol/liquor business
Applicant's owner has no management experience whatsoever in the operation of a liquor licensed business (City Code §5-34(G)(1)). There is no evidence that a manager with requisite experience will be available to mitigate the owner's inexperience.

(9) The effects that the issuance of a license would have on the health, safety and welfare of the general public.
City Administration is concerned that owner's limited managerial experience, no restaurant management experience, no liquor license experience, combined with no immediate plans to hire an experienced manager, will put the health, safety, and welfare of the general public at risk.

(18) The permanence of the establishment in the community as evidenced by the proposed or actual commitments made by the Applicant
The Applicant's proposal lacks a coherent, well-conceived business plan that increases the likelihood that the proposed liquor licensed establishment will succeed.

(19) Other Relevant Considerations
Owner's proposal appears to demonstrate that the proposed restaurant use is ancillary to the banquet use. Applicant did not provide a menu with its application. Consequently, there is potential for the sale of liquor becoming the predominant source of revenue. City Council has typically not been receptive to requests where there is a dependence upon a liquor license to stay in business. The on-premises sale of alcohol is supposed to be amenity that enhances the restaurant, not the reason it can stay in business.

Should City Council consider recommending approval of the transfer request to the MLCC, the following criteria from §5-34(G) of the City Code support this recommendation:

(2) The Applicant's general business management experience;
Applicant has general business experience as a real estate agent, business team leader, supplemented by work for a medical distribution company and insurance office management.

(10) The recommendations of the local law enforcement agency, Building Department, Zoning Department and Fire Department with regard to the proposed facility;
Please see the attached reports from City Departments and Offices indicating no negative information regarding Applicant's application.

Suggested Action To Recommend Approval:

MOVED BY: **SECONDED BY:**

Resolved, that the request to transfer ownership of an escrowed 2016 Class C liquor license located at 7750 Metropolitan Parkway, Sterling Heights, MI 48312 from Z & A Holdings, Inc. to Mona Lisa Restaurant and Banquets, Inc., with Sunday sales (a.m. and p.m.), new dance-entertainment permit, catering permit and outdoor service, be considered for approval.

Suggested Action To Recommend Disapproval:

MOVED BY: **SECONDED BY:**

Resolved, to deny the request to transfer ownership of an escrowed 2016 Class C liquor license located at 7750 Metropolitan Parkway, Sterling Heights, MI 48312 from Z & A Holdings, Inc. to Mona Lisa Restaurant and Banquets, Inc., with Sunday sales (a.m. and p.m.), new dance-entertainment permit, catering permit and outdoor service, be considered for disapproval based on the following reasons

A. Applicant's owner has no management experience whatsoever in the operation of a liquor licensed business. There is no evidence that a manager with requisite experience will be available to mitigate the owner's inexperience.
B. The owner's limited managerial experience, no restaurant management experience, no liquor license experience, combined with no immediate plans to hire an experienced manager, will put the health, safety, and welfare of the general public at risk
C. The Applicant's proposal lacks a coherent, well-conceived business plan that increases the likelihood that the proposed liquor licensed establishment will succeed. There is potential for the sale of liquor becoming the primary source of revenue for Applicant.

CITY OF STERLING HEIGHTS

LIQUOR LICENSE APPLICATION

SUBMIT TO: CITY CLERK
CITY OF STERLING HEIGHTS
40555 UTICA ROAD
P.O. BOX 8009
STERLING HEIGHTS, MI 48311-8009

(Please print or type - a separate application is required for each applicant)

1. Applicant Anthony HANNA

   Address

   Type of License Liquor

   Type of Permit Liquor

   Include all permits to be issued with this license.

   Business Name Mona lisa Restaurant & Banquets, INC.

   Business Address 7750 Metropolitan Parkway Sterling Hts 48312

   Telephone (586) 610-2486

   Legal Description

   If this is a transfer, date application was filed with the Michigan Liquor Control Commission 10/2/2015

2. Give the following information for the business proprietor, partners and persons with an interest in the business to be licensed. If incorporated, give same information for officers, directors and managerial employees:

Name	Address	Nature of interest in business or official position	Citizen of U.S. Answer Yes or No
Anthony Hanna		President	Yes

3. Have any of the persons named above had a license issued under any alcoholic control law suspended or revoked at any time? No

   If so, attach a statement giving a full explanation of each such suspension or revocation, including the date thereof.

4. Has there been a suspension or denial to the applicant or applicants of a liquor license within the past two years? No

5. Is the applicant the owner of the premises to be licensed? NO
   If not, do you have a lease covering the full license period for the premises to be licensed? yes Give date lease expires oct, 1st, 2018
   (Include a copy of the lease with the application.)

   If the applicant is not the owner of the premises to be licensed, give name of owner and address:

   Name: Z&A Holding's LLC
   Complete Address: 7750 metropolitan Parkway sterling Hts Mi 48312

6. Do you or any member of your family hold a license for sale of alcoholic beverages at the present time, either as an individual, a member of a partnership or stockholder in a licensed corporation? No If so, give type of license:

   Name in which license is issued and relationship: N/A

   Address:

7. Have you or any member of your family previously held a license or any interest in a license for sale of alcoholic beverages in the State of Michigan? N/A

   If so, give type of license or licenses, names in which licenses were issued, stating relationship and location:

   N/A

8. Have you or any member of your family ever held a license for sale of alcoholic beverages anywhere in the United States? No If so, give address, city, state and name in which license was issued: N/A

State whether or not you will be active in the management of this business if the license is granted: Yes If so, in what capacity? Managing Owner
If a partnership, number of shares owned: 60,000 Shares - all shares

9. Does applicant propose to operate a restaurant, an SDM or SDD business, or conduct any form of entertainment in connection with his business or operate a jukebox or offer music of any type? Yes

If yes, furnish all details: Singer

10. PERSONAL INFORMATION:

Applicant

Full Name Anthony Hanna Age___ Date of Birth_____

Address_

Telephone number (586) 610-2486

Sex M Height_____ Weight _Color of Hair Black Color of Eyes Brown

Driver's License No._

U.S. Citizen? Yes Naturalized? (number and place)_____

Marital Status Single Michigan Resident? Yes How Long? 22 years

Spouse

Full name (including maiden name) N/A

Address _____

Telephone number _____ Date of Birth_____

10. Personal Information (Cont'd)

Dependents and/or children

Name	Address	Telephone No.	Date of Birth
N/A			

Employment (past 10 years)

Occupation	Name & Address of Employer	Supervisor	From	To
Real Estate	Realty masters	Monika Hana	5/9/14	- Present
~~Real~~ INSurance Agent	LA INSurance	Scott Denha	1/1/13	- 5/1/14
Stock Person/Assistant	J & B Medical	Eric Karrumi	1/1/12	- 12/23/13

Residence (past 10 years)

Address	City and State	From	To

Have you ever had your name legally changed? NO Have you ever used a name other than the one you now use? NO If so, give former name(s) N/A

10. Personal Information (Cont'd)

Have you ever been arrested? (This means any arrest regardless of whether or not you were convicted) NO Have you ever been convicted? NO

Give a complete record of all arrests and convictions, including dates and places:

N/A

11. Do you agree to obtain local approval for all permits to be issued with the requested license, at this time or in the future. (I.e. dance, entertainment, dance-entertainment)

Yes ✓ No _____

I, Anthony Hanna, do hereby solemnly swear or affirm that all statements contained in this application are true and correct to the best of my knowledge, information and belief.

Signature of Applicant _____

Sworn to and subscribed before me this 15 day of April, 2016

_____
Notary Public

Macomb County, Michigan

My commission expires: 07-01-2018

BADRI HANNOSH
NOTARY PUBLIC OF MICHIGAN
OAKLAND COUNTY
EXP:07-01-2018
ACTING IN THE COUNTY OF: Macomb

CITY OF STERLING HEIGHTS
MACOMB COUNTY, MICHIGAN

TO ANY PERSON PRESENTED WITH THIS AUTHORIZATION BY AN AGENT OF THE CITY OF STERLING HEIGHTS.

YOU, AND ANY PERSON ASSOCIATED WITH YOU, ARE HEREBY AUTHORIZED TO GIVE TO THE CITY OF STERLING HEIGHTS, OR ANY REPRESENTATIVE THEREOF, ANY AND ALL INFORMATION WHICH MAY BE REQUESTED REGARDING MY EMPLOYMENT, BANK ACCOUNTS, STOCK AND BOND ACCOUNTS, OTHER FINANCIAL MATTERS, MY PHYSICAL CONDITION AND TREATMENT RENDERED BY YOU THEREFOR, AND, IF NECESSARY TO ALLOW THEM TO EXAMINE ANY RECORDS WHICH YOU MAY HAVE CONCERNING MYSELF OR MY HEALTH.

SIGNATURE

Anthony Hanna
TYPE OR PRINT NAME

WITNESS:

4/15/16
Date

Sworn to and subscribed before me this 15 day of April ,20 16

Notary Public

Macomb County, Michigan

My commission expires: 07-01-2018

BADRI HANNOSH
NOTARY PUBLIC OF MICHIGAN
OAKLAND COUNTY
EXP:07-01-2018
ACTING IN THE COUNTY OF: Macomb

AUTHORIZATION TO INSPECT PREMISES

I AUTHORIZE THE CITY OF STERLING HEIGHTS TO CONDUCT ANY INSPECTIONS IT CONSIDERS NECESSARY TO DETERMINE COMPLIANCE WITH CODES, ORDINANCES AND LAWS APPLICABLE TO:

7750 Metropolitan Pkwy Sterling Heights MI 4831

(ADDRESS OF BUSINESS)

SIGNATURE

Anthony Hanna

TYPE OR PRINT NAME

WITNESS:

4/15/16

Date

Sworn to and subscribed before me this 15 day of April, 2016

Notary Public

Macomb County, Michigan

My commission expires: 07-01-2018

BADRI HANNOSH
NOTARY PUBLIC OF MICHIGAN
OAKLAND COUNTY
EXP:07-01-2018
ACTING IN THE COUNTY OF: Macomb

WRITTEN STATEMENT

My Name, is Anthony Hanna. I am a twenty-two year old self employed business man/ Real Estate agent, and now Restaurant Banquet Owner.

I feel at this time, I have the ability to own and manage a liquor license.

Prior to opening a restaurant, I have a history of assistant managing a team for a medical distribution company, managing an insurance office, and being a team leader at my current position as a Realtor at Realty Masters. Financially, I also feel ready, because my Banquet will be more event driven. Our goal is to have bookings for small engagement parties, communions, and other parties of that sort. We will also be open for breakfast lunch and dinner to the public. Of course with being open, we will also produce profits in which we would use for purchasing.

With my management history, and skill as a director at multiple companies, I feel I am ready to take this next step in my career path.

Anthony Hanna.

Badri Hannosh
Notary Public of Michigan
Oakland County
Expires 07/01/2018
Acting in the County of Macomb

ACKNOWLEDGMENT

State of Michigan)

County of)

On this, the 26 *day of* April, *20* 16, *before me a notary public, the undersigned officer, personally appeared* Anthony Hanna, *known to me (or satisfactorily proven) to be the person whose name is subscribed to the withininstrument, and acknowledged that he executed the same for the purposes therein contained.*

In witness hereof, I hereunto set my hand and official seal.

Notary Public

NARRATIVE STATEMENT

The use of this property will be a restaurant/banquet center. It will be open to the public everyday from 10AM-2AM. The only change that will be made on the building is the paint on the outside walls because it was required by the city of Sterling Heights, due to chipping paint (changes have already been done).

The activities that will be done in the restaurant banquet are small family parties (communions, baptisms, engagements...) but more commonly, it will be open for public dining for breakfast lunch and dinner between the hours of 10AM-2AM.

Anthony Hanna

ACKNOWLEDGMENT

State of Michigan)

County of)

On this, the 26 *day of* April, *20* 16, *before me a notary public, the undersigned officer, personally appeared* Anthony Hanna, *known to me (or satisfactorily proven) to be the person whose name is subscribed to the withininstrument, and acknowledged that he executed the same for the purposes therein contained.*

In witness hereof, I hereunto set my hand and official seal.

Notary Public

Badri Hannosh
Notary Public of Michigan
Oakland County
. Expires 07/01/2018
Acting in the County of Macomb

DESCRIPTION OF SERVICE

Our service will consist of Arabic Mediterranean food. We will have a few appetizers, a list of main entrees, a list of sandwiches and also some deserts. We will be serving beer, wine and, liquor for any guests of age, during business hours.

Anthony Hanna

ACKNOWLEDGMENT

State of Michigan)

County of)

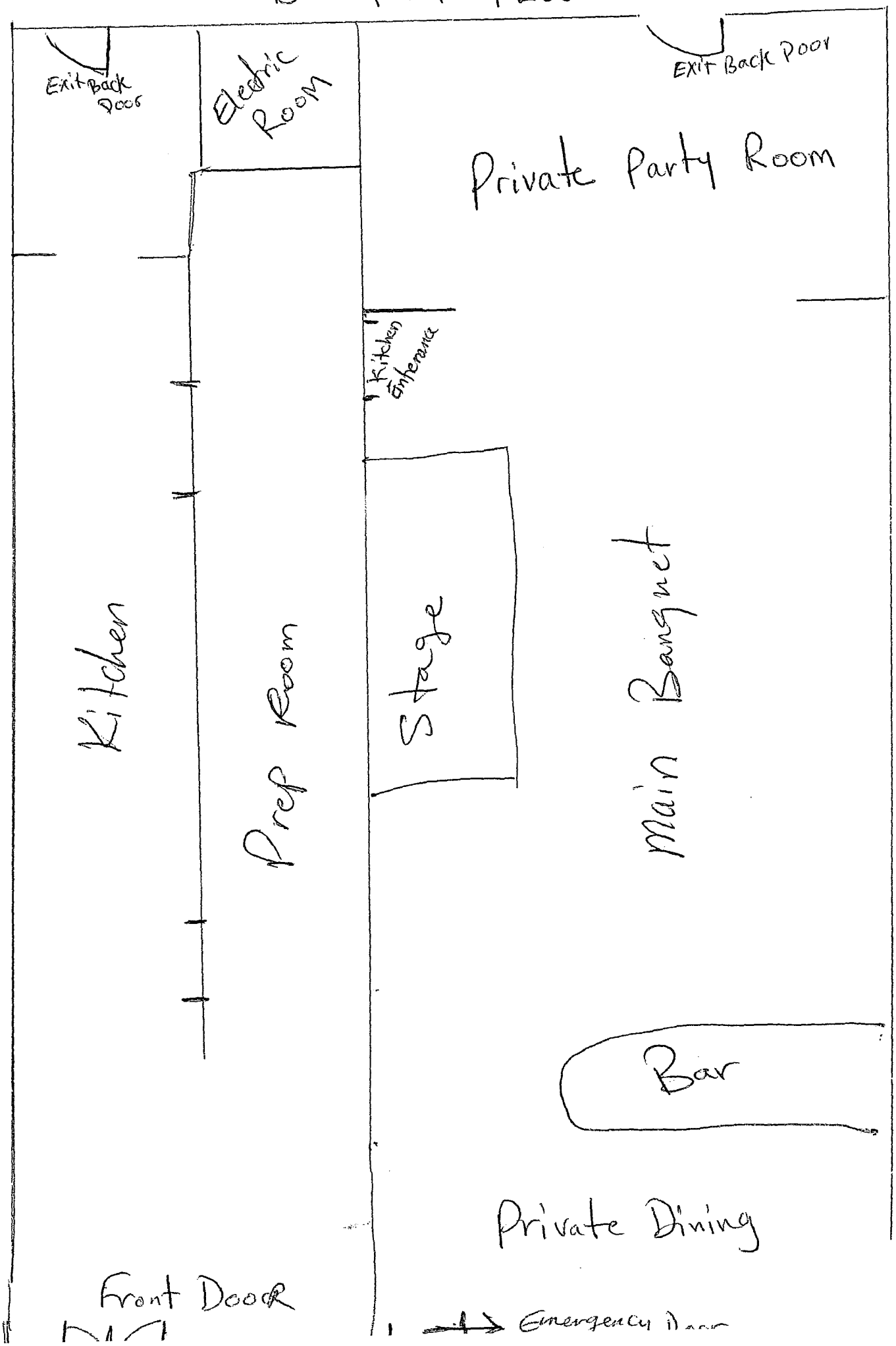
On this, the 26 *day of* April, *20* 16, *before me a notary public, the undersigned officer, personally appeared* Anthony Hanna, *known to me (or satisfactorily proven) to be the person whose name is subscribed to the withininstrument, and acknowledged that he executed the same for the purposes therein contained.*

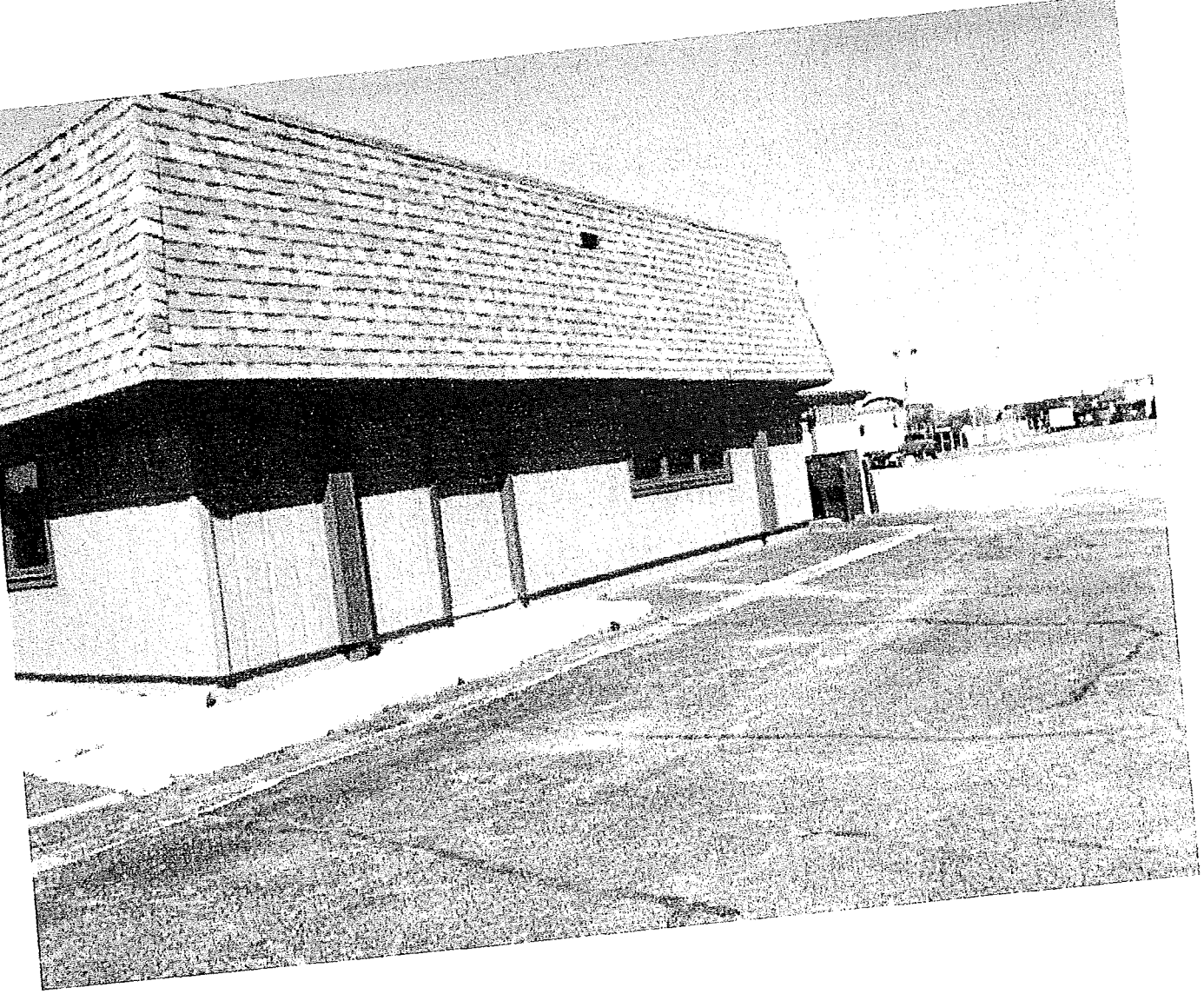
In witness hereof, I hereunto set my hand and official seal.

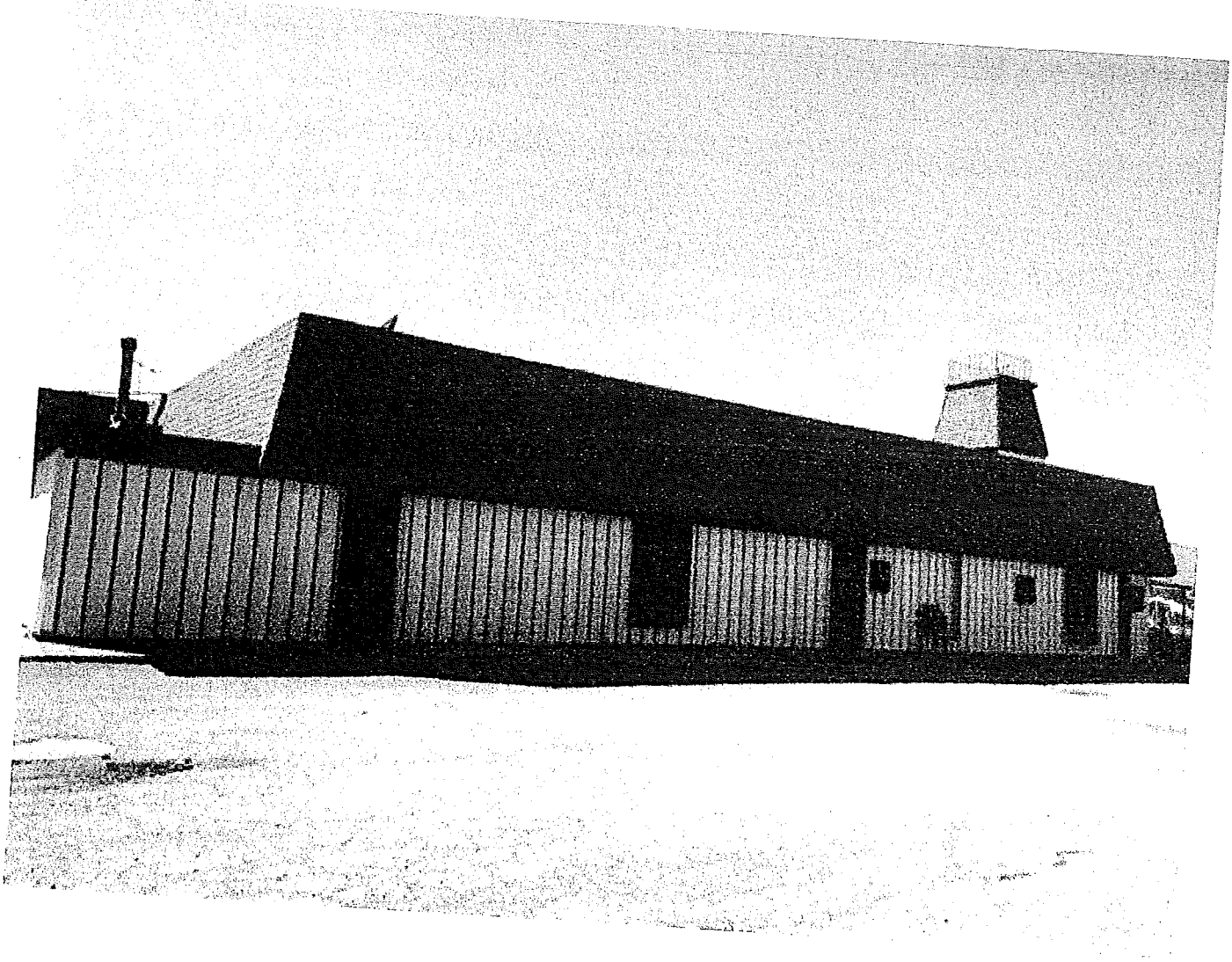
Notary Public

Badri Hannosh
Notary Public of Michigan
Oakland County
Expires 07/01/2018
Acting in the County of Macomb

Blue Print FLOOR PLAN







AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this 15 day of April, 2016 AH, by and between the CITY OF STERLING HEIGHTS, MICHIGAN, a municipal corporation, with offices located at 40555 Utica Road, Sterling Heights, Michigan, 48313, hereinafter known as "THE CITY", and

Name of Business: Mona Lisa Restaurant and Banquets, INC

a (State) MI Corporation, whose address is:

(Street Address): 7750 Metropolitan Parkway

(City, State, Zip): Sterling Heights, MI 48312

Short Name of Business: Mona Lisa Restaurant (DBA Amaseena Restaurant and Bar)

the Applicant, hereinafter known as "APPLICANT".

1. The City Council of THE CITY, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the Request for Class C liquor control license by the APPLICANT.

2. In consideration of THE CITY'S recommendation for approval of the request for a Class C liquor license, APPLICANT hereby agrees that:
   a. It has read and is aware of the provisions of the Sterling Heights Code of Ordinances, including but not limited to Chapter 5, Chapter 7, Chapter 12, and Chapter 29, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Code and said Chapters which may become effective during the term of this agreement.
   b. It has read and is in receipt of copies of the provisions of the City of Sterling Heights City Council Resolution Adopting Guidelines for Revocation of Licenses and Permits, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this Agreement.
   c. It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States, State of Michigan, and the City of Sterling Heights, or

any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a Class C or Class B liquor licensed business in the City of Sterling Heights.

d. It agrees to implement procedures to prevent alcohol abuse on its premises or related to its premises by instituting a program such as Training for Intervention Procedures by Servers of Alcohol (T.I.P.S.), Techniques of Alcohol Management (T.A.M.), or the Management/Server Alcohol Awareness Program.

3. APPLICANT agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation of this Agreement, or of the provisions referenced in paragraph 2 of this Agreement, shall occur.

4. APPLICANT agrees that the recommendation of Approval agreed upon by the City Council is contingent upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes), and also the nature and type of business and entertainment intended to be conducted, remain virtually the same.

5. APPLICANT agrees that upon a violation, a full investigation shall be conducted by the City Manager, affording an opportunity for APPLICANT to be heard and/or to take corrective action, which might render a recommendation of revocation or non-renewal unnecessary.

6. APLLICANT agrees that the City Manager shall have the discretion to forward the results of the investigation to the City Council with a recommendation for revocation or non-renewal proceedings.

7. APPLICANT agrees that, upon review of the City Manager's recommendations by the City Council and upon a finding that a violation of this Agreement, or of any of the provisions referenced in paragraph 2 of this Agreement, has occurred, the City Council shall have just cause for revocation of said recommendation of Approval.

8. The City and APPLICANT agree that this Agreement shall remain in effect for the duration of the liquor license in question, including all consecutive renewals.

9. The City and APPLICANT agree that this Agreement becomes null and void in the event that state law or administrative rules are revised to prohibit or effectively prevent its use or purpose.

Mona Lisa Restaurant & Banquet INC
(NAME OF APPLICANT BUSINESS)

By: _____ 4/15/16
(Dated)

By: _____
(Dated)

CITY OF STERLING HEIGHTS

By: _____
Michael C. Taylor, Mayor (Dated)

By: _____
Mark Carufel, City Clerk (Dated)

Subscribed and sworn to before me
this 15 day of April, 2016

_____
Notary Public, Macomb County, MI

My commission expires:
07-01-2018

BADRI HANNOSH
NOTARY PUBLIC OF MICHIGAN
OAKLAND COUNTY
EXP:07-01-2018
ACTING IN THE COUNTY OF: Macomb

Subscribed and sworn to before me
this _____ day of _____, _____

_____
Notary Public, Macomb County, MI

My commission expires:

AGREEMENT REGARDING ENTERTAINMENT PERMIT REQUEST

This Agreement, made this 15 day of April, 2016, by and between the CITY OF STERLING HEIGHTS, MICHIGAN, a municipal corporation, with offices located at 40555 Utica Road, Sterling Heights, Michigan, 48313, hereinafter known as "THE CITY", and

Name of Business: Mona lisa Restaurant & BAR DbA Amaseena Restaurant

a (State) Michigan Corporation, whose address is:

(Street Address): 7750 Metropolitan Parkway

(City, State, Zip): Sterling Hts Mi 48312

Short Name of Business: Amaseena Restaurant,

the Applicant, hereinafter known as "APPLICANT".

1. The City Council of THE CITY, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the Request for an entertainment permit by APPLICANT.

2. In consideration of THE CITY's recommendation for approval of the request for an entertainment permit, APPLICANT hereby agrees that:
   a. It has read and is aware of the provisions of the Sterling Heights Code of Ordinances, including but not limited to Chapter 5, Chapter 7, Chapter 12, and Chapter 29, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Code and said Chapters which may become effective during the term of this agreement.
   b. It has read and is in receipt of copies of the provisions of the City of Sterling Heights City Council Resolution Adopting Guidelines for revocation of Licenses and Permits, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this Agreement.

c. It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States, State of Michigan, and the City of Sterling Heights, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a Class C liquor licensed business in the City of Sterling Heights.

d. It agrees that the only form of entertainment to be conducted pursuant to the entertainment permit shall be as follows:

✓ Dancing	_____ Still Slides
_____ Monologues	_____ Closed Circuit Television
_____ Dialogues	_____ Contests
_____ Motion Pictures	✓ Other Performances (Specify): Singer

3. APPLICANT agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation of this Agreement, or of the provisions referenced in paragraph 2 of this Agreement, shall occur.

4. APPLICANT agrees that the recommendation of Approval agreed upon by the City Council is contingent upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes), and also the nature and type of business and entertainment intended to be conducted, remain virtually the same.

5. APPLICANT agrees that upon a violation, a full investigation shall be conducted by the City Manager, affording an opportunity for APPLICANT to be heard and/or to take corrective action, which might render a recommendation of revocation or non-renewal unnecessary.

6. APPLICANT agrees that the City Manager shall have the discretion to forward the results of the investigation to the City Council with a recommendation for revocation or non-renewal proceedings.

7. APPLICANT agrees that, upon review of the City Manager's recommendations by the City Council and upon a finding that a violation of this Agreement, or of any of the provisions referenced in paragraph 2 of this Agreement, has occurred, the City Council shall have just cause for revocation of said recommendation of Approval.

8. THE CITY and APPLICANT agree that this Agreement shall remain in effect for the duration of the entertainment permit in question, including all consecutive renewals.

9. The City and APPLICANT agree that this Agreement becomes null and void in the event that state law or administrative rules are revised to prohibit or effectively prevent its use or purpose.

Mona lisa Restaurant & BAR
DbA Amaseena Restaurant
(NAME OF APPLICANT BUSINESS)

By: 4-15-15
Anthony HANNA (President) (Dated)

By:
(Dated)

CITY OF STERLING HEIGHTS

By:
Michael C. Taylor, Mayor (Dated)

By:
Mark Carufel, City Clerk (Dated)

Subscribed and sworn to before me
this 15 day of April, 2016

Notary Public, Macomb County, MI

My commission expires:
07-01-2018

BADRI HANNOSH
NOTARY PUBLIC OF MICHIGAN
OAKLAND COUNTY
EXP:07-01-2018
ACTING IN THE COUNTY OF: Macomb

Subscribed and sworn to before me
this _____ day of _____, _____

Notary Public, Macomb County, MI

My commission expires:

Class C Permit | PCLC16-0003

Property Information

10-28-226-013-000	7750 Metropolitan Parkway	Subdivision:	
	Sterling Heights MI, 48312	Lot:	Block:

Name Information

Owner:	Z & A HOLDINGS, LLC	Phone:	
Occupant:		Phone:	
Applicant:	HANNA, ANTHONY	Phone:	(586) 610 2486
Contractor:		Phone:	
Licensee:		Phone:	
License Issued:			
License Expires:			

Permit Information

Date Issued: Date Expires: Status: READY TO ISSUE

Work Description:

TRANSFER OF CLASS C LIQUOR LICENSE; SUNDAY SALES; OUTDOOR SERVICE; DANCE PERMIT

Stipulations:

Comment:

Approval - Planning Inspection | Chris McLeod

Status:	Completed	Result:	Approved
Scheduled:	05/02/2016 12:00 AM	Completed:	07/27/2016 08:47 AM

Comments:

Comments: Use of site for a banquet facility is a permissible use in the C-3 General Business Zoning District
Site requires upgrade of landscaping to confrom to requirements.
Seven (7) additional street trees are required
Landscape hedge between parking lot and sidewalk should be provided along entire parking area
Landscape beds around building and sign in need of maintenance and additional plantings.
Description of outdoor service, amplified music, hours of operation

Comments Update 08032: Landscaping is in including street trees and hedge. Mulch is in as well. Still need description of outdoor use and times.

Class C Permit | PCLC16-0003

Property Information

10-28-226-013-000	7750 Metropolitan Parkway	Subdivision:	
	Sterling Heights MI, 48312	Lot:	Block:

Name Information

Owner:	Z & A HOLDINGS, LLC	Phone:	
Occupant:		Phone:	
Applicant:	HANNA, ANTHONY	Phone:	(586) 610 2486
Contractor:		Phone:	
Licensee:		Phone:	
License Issued:			
License Expires:			

Permit Information

Date Issued: Date Expires: Status: READY TO ISSUE

Work Description:

TRANSFER OF CLASS C LIQUOR LICENSE; SUNDAY SALES; OUTDOOR SERVICE; DANCE PERMIT

Stipulations:

Comment:

Approval - Building Inspection | Frank Bayer

Status:	Completed	Result:	Approved
Scheduled:	08/10/2016 12:00 AM	Completed:	08/10/2016 08:07 AM

CERTIFICATE OF OCCUPANCY

CITY OF STERLING HEIGHTS

STATE OF MICHIGAN

PU16-0023 **Issued:** 08/08/2016

A Certificate of Occupancy is hereby granted for the building or structure located at:

CO Owner: Z & A HOLDINGS, LLC
42328 SHERIDAN COURT
CLINTON TOWNSHIP MI 48038

Permit No: PU16-0023

Contractor:

Location: 7750 Metropolitan Parkway
Parcel #: 10-28-226-013-000
Subdivision
Lot #:
Occupant:

Applicant: HANNA, ANTHONY
18187 CANVASBACK DR
CLINTON TOWNSHIP MI 48038

The approved purpose for which the building or structure may be used in its several parts shall be in compliance with Ordinance of the City of Sterling Heights.

Building Information

Use Group:
Occupant Load:
Automatic Sprinkler System:

Construction Type:
Zoning District:
Provided: 00
Required: 00

The permits for this building/structure have been issued under the following codes:

State of Michigan Construction Code:

Michael Viazanko
Building Official

08/09/2016

Building Inspector

Proactive - Liquor LicenseEnforcement | E16-03287

Property Information

10-28-226-013-000	7750 Metropolitan Parkway	Subdivision:	
	Sterling Heights MI, 48312	Lot:	Block:

Name Information

Owner:	Z & A HOLDINGS, LLC	Phone:	
Occupant:		Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	05/02/2016	Date Closed:	07/07/2016	Status:	Pending

Complaint:

Last Action Date:		Last Inspection:	07/07/2016

Last Action:

06/01/2016	to send to OBA	
06/20/2016	Posted for OBA	
06/20/2016	Owner called	Will be at OBA meeting
06/28/2016	Abated 6/27/16	
06/29/2016	work order subm	

Other/post OBA Inspection | Mark Glazewski

Status:	Completed	Result:	Complied
Scheduled:	07/07/2016	Completed:	07/07/2016

Other/OBA day Inspection | Mark Glazewski

Status:	Completed	Result:	Partially Complied
Scheduled:	06/27/2016	Completed:	06/27/2016

2nd Reinspection-for oba Inspection | Mark Glazewski

Status:	Completed	Result:	Not Complied
Scheduled:	06/13/2016	Completed:	06/01/2016

1st Reinspection Inspection | Mark Glazewski

Status:	Completed	Result:	Not Complied
Scheduled:	05/16/2016	Completed:	05/16/2016

Ordinance Inspection | Mark Glazewski

Status:	Completed	Result:	Violation(s)
Scheduled:	05/03/2016	Completed:	05/03/2016

Violations:

Uncorrected

CITY CODE - 11- 86, 302.4 - All Landscape Areas Shall be Neatly Maintained. Please remove landscape weeds, remove weeds from sidewalk/driveway cracks, mow lawn and trim shrubs/trees within 7 days.

INSPECTOR COMMENTS: Grass needs to be cut and trimmed and weeds need to be eliminated from landscape areas.

Fire Inspection Report

Detail

Printed At: 07/22/2016 12:59
Login ID: mbauss
From Date:
To Date:

Inspection Type: All
Inspected By: All
Inspection Status: All
Business/Building: All

Sterling Heights Fire Department
FDID Number: 05019
Inspection Number: 41724

Inspection #	Inspection Type	Name	Address	Owner	Primary Contact
41724	Permit/Use	Mona Lisa Restaurant & Banquet Inc	7750 METROPOLITAN PKWY STERLING HEIGHTS, MI 48312	(586) 610-2486	Anthony Hanna (586)610-2486
41724	Permit/Use	Mona Lisa Restaurant & Banquet Inc	7750 METROPOLITAN PKWY STERLING HEIGHTS, MI 48312	(586) 610-2486	Anthony Hanna anthanna93@gmail.com

# of 2	Inspection #	Scheduled Date	Inspection Date	Inspector	Disposition	Date	Status	Date	Remarks
1	41724	07/06/2016	07/06/2016	0829 - Ranes	Use Permit	07/06/2016	Approved	07/06/2016	
2	41724	02/29/2016	02/29/2016	0115 - Adsit	Use Permit	02/29/2016	Reinspection	02/29/2016	PU16-0023 Not approved by DA on 2/29/16 See attached inspection.

# of 13	Inspection #	Violation Date	Counts	Violation	Codebook	Description	Status	Date	Remarks
1	41724	03/01/2016	1	29. Wiring/Switches/ Plugs	04: Electrical Systems		Compliant	07/06/2016	Properly complete all unfinished electrical. All finished per owner
2	41724	03/01/2016	1	16. Door Hardware	02: Interior/Exits/Passages		Compliant	07/06/2016	Install panic hardware on back exit.
3	41724	03/01/2016	2	18. Prohibited Hardware	02: Interior/Exits/Passages		Compliant	07/06/2016	Removing any any prohibited latching hardware on the exit doors. This includes all deadbolts and slide bolts.
4	41724	03/01/2016	1	17. Exit Signage	02: Interior/Exits/Passages		Compliant	07/06/2016	Demonstrate AC/DC operation of all exit signs.
5	41724	03/01/2016	1	19. Emergency Lighting	02: Interior/Exits/Passages		Compliant	07/06/2016	Demonstrate function of all EM lights.
6	41724	03/01/2016	1	32. Breaker Locks/Identification	04: Electrical Systems		Compliant	07/06/2016	ID circuit breakers for EM/EXIT lighting.

Fire Inspection Report

Detail

Printed At: 07/22/2016 12:59
Login ID: mbauss
From Date:
To Date:

Inspection Type: All
Inspected By: All
Inspection Status: All
Business/Building: All

Sterling Heights Fire Department
FDID Number: 05019
Inspection Number: 41724

# of 13	Inspection #	Violation Date	Counts	Violation	Codebook	Description	Status	Date	Remarks
7	41724	03/01/2016	2	71. General Cooking Area Violation	08: Commercial Cooking Systems		Compliant	07/06/2016	1-Fryer shall be seperated by 9" steel shield or 16" space from open flame appliance. Owner switched fryer and broiler to avoid shield, said it was ok'd by DADSIT 2-Install filter spacers to close all gaps in hood.
8	41724	03/01/2016	4	44. Location/Mounting	06: Fire Extinguishers		Compliant	07/06/2016	Mount fire extinguishers per NFPA 10. Maximum travel distance shall be 75 ft. They should be close to all exits as discussed.
9	41724	03/01/2016	3	35. Ceiling Tiles	05: Fire Rated Construction		Compliant	07/06/2016	Install ceiling tiles where missing or damaged. 1-dining room 2-kitchen area 3-back service entrance
10	41724	03/01/2016	1	64. Service Date	08: Commercial Cooking Systems		Compliant	07/06/2016	UL300 system shall be inspected and maintained every 6 months. Last inspection 7/2012 Elite July 2016
11	41724	03/01/2016	1	48. Service Date	06: Fire Extinguishers		Compliant	07/06/2016	All fire extinguishers shall have a current service tag. Gallagher April 2016
12	41724	03/01/2016	1	12. Doors-Locked, Blocked, Inoperative	02: Interior/Exits/Passages		Compliant	07/06/2016	Remove wooden boards on exterior that block the back dining room exit.
13	41724	03/01/2016	1	67. K-Class Extinguisher within 30 FT	08: Commercial Cooking Systems		Compliant	07/06/2016	Kitchen class extinguisher requires a current tag. Gallagher April 2016

CITY OF Sterling Heights

Interoffice Memorandum

Date: July 22, 2016 **Update -Original dated 5/17/16**

To: Mark Carufel

From: _____ _____

Jennifer Varney, Treasurer Maureen Proudfoot, Account Clerk

Subject: **Tax Search – Application for Transfer of Ownership of Existing Class C Liquor Licensed Business**

Treasury review of the attached application has been completed. This review included status checks on outstanding property taxes as well as special assessments and invoices. The results of our review reflect the following -

Real Taxes	10-28-226-013-000	Property Address	7750 Metropolitan Parkway
Taxable Value	317,370	Requested By	Mark Carufel
School District	Warren Consolidated Schools	Date Requested	4/28/16 -**Update requested 7/21/16**
	Z & A HOLDINGS, LLC		

2016 Summer Taxes

- ☐ Paid in full
- ☒ Due in the amount of $16920.59
- ☐ Delinquent in the amount of $
- ☐ No taxes due

2015 Summer & Winter Taxes

- ☐ Paid in full
- ☐ Due in the amount of $
- ☒ Delinquent in the amount of $20,125.12
- ☐ No taxes due

Amt Good thru 7/31/16 per Amy

2014 Taxes and Prior

- ☐ Paid in full
- ☒ Delinquent in the amount of $24 829.48
- ☐ No taxes due

Amt Good thru 7/31/16 per Amy

Special Assessments

- ☐ Paid in full
- ☐ Due in the amount of $
- ☐ Delinquent in the amount of $
- ☒ None

Invoices (Munis)

- ☐ Paid in full
- ☒ Due in the amount of $ 957.68
- ☐ None

4 INVS.
- # 804797 248.49 5/31/16
- # 804874 208.75 5/31/16
- # 805008 159.44 6/30/16
- # 303481 341.00 7/15/16

Invoices - DPW (not yet to Treasury)
(real parcel ID #'s only)

- ☐ Due in the amount of $
- ☒ None

Invoices -ENG(sidewalk-not yet to Treasury)
(real parcel ID #'s only)

- ☐ Due in the amount of $
- ☒ None

A/R Liens (nuisance abatements due)

- ☒ Paid in full
- ☐ Due in the amount of $
- ☐ None

***No prior taxes levied on the Business Name of "Mona Lisa Restaurant & Banquets, Inc."**