1. January 5, 2016 Agenda

   Documents: COUNCIL AGENDA - 01-05-16.PDF

2. January 5, 2016 Packet

   Documents: COUNCIL PACKET - 01-05-16.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, JANUARY 5, 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

ORDINANCE ADOPTION

1. **To consider adoption of an ordinance to amend chapter 20 of the City of Sterling Heights Code of Ordinances by enacting local amendments to the International Fire Code to implement new requirements for rapid entry systems in commercial buildings.**

2. **CONSENT AGENDA**

   A. **Approval of Minutes**
   Regular Meeting of December 15, 2015

   B. **Approval of Bills**

   C. **To award a bid for motor oils, solvents, and anti-freeze for a one-year period based on unit prices bid (Estimated annual expenditure of $29,000).**

   D. **To award a bid for pruning of street trees (Estimated expenditure of $104,198).**

E. To approve the purchase of heavy-duty truck parts at unit pricing available through a Michigan Intergovernmental Trade Network cooperative Request for Proposals (Estimated annual expenditure of $40,000).

F. To authorize the Community Relations Department to proceed with a contract for a Sterlingfest 2016 headliner performance on Saturday, July 30, 2016 at a cost of $20,000.

G. To approve final payment in the amount of $19,153.68, plus interest on retainage, for the Canal Road Storm Drain, Sterritt Street to Morang Drive, City Project #14-258.

H. To approve final payment in the amount of $1,715.10, plus interest on retainage, for the Maple Lane Golf Course Parking Lot Repairs, City Project #14-264.

I. To approve a Municipal Primary Street Maintenance Agreement for mowing and sweeping of County Roads.

J. To receive the lawsuit, *Lubinski vs. City of Sterling Heights*; Macomb County Circuit Court Case No. 15-4191-NO.

CONSIDERATION

3. To consider approval of the minutes of the regular meeting of December 1, 2015, as corrected.

4. To consider a request to transfer ownership of a 2015 Class C liquor licensed business, with new dance-entertainment permit, Sunday Sales (AM and PM), four bars, outdoor service, and specific purpose permit located at 33203 Maple Lane, Sterling Heights, MI 48312 from Maple Lane Golf Club to Maple Lane Golf Course, LLC.

5. To consider a nomination for appointment to the Sterling Heights Zoning Board of Appeals.

6. To consider appointments to City of Sterling Heights Boards and Commissions.

7. To consider an amendment to the city of Sterling Heights Governing Body Rules of Procedure (Presentation – City Manager).

COMMUNICATIONS FROM CITIZENS

(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

1.
2.
3.
4.

NEW BUSINESS

1.
2.
3.
4.

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
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CITY MANAGER'S REPORT

January 5, 2016 --- CITY COUNCIL MEETING

A. UPCOMING HOLIDAY

In recognition of Martin Luther King Jr. Day, City offices will be closed for business on Monday, January 18. The municipal offices include City Hall, Public Library, Parks & Recreation Center, Senior Active Life Center, 41-A District Court, and the Nature Center. Normal business will resume on Tuesday, January 19. The closure will NOT affect the City's refuse schedule; trash will be collected on the normal collection day next week.

B. STERLING HEIGHTS COMMUNITY FOUNDATION 2016 SCHOLARSHIPS

A new scholarship season has commenced as the Sterling Heights Community Foundation will award nearly $40,000 in scholarships from 10 scholarship partners. This year marks its 24th year in awarding scholarships, with a total of over $400,000 awarded to 318 college bound students since the program's inception. For more information about the program, or to access the scholarship application, please visit the foundation's website at www.sterlingheightscommunityfoundation.org. Applications must be submitted by mid-March to be considered. Awards will be granted in May at a televised City Council meeting.

C. CHRISTMAS TREE RECYCLING PROGRAM

Just a reminder that the City will recycle real Christmas trees left at the curb, beginning yesterday, January 4th and continuing through January 29th. Trees will be picked up on your normal trash collection day. Please have all ornaments and other decorations removed. Trees will be turned into woodchips and returned to the earth in an environmentally friendly manner.

D. PARKS & RECREATION SUMMER 2016 EMPLOYMENT OPPORTUNITIES

Applications for Summer Day Camp and Playground employees will be accepted from now through February 12. Applications are available at the Parks and Recreation office and at www.myshpr.net

E. MISCELLANEOUS

Respectfully submitted,

Mark D. Vanderpool, City Manager

DELIVERED DEC 30 2015

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 1
Meeting: 1/5/16

AGENDA STATEMENT
OMB AS03 Rev. 11/04

Item Title: To consider adoption of an ordinance to amend chapter 20 of the City of Sterling Heights Code of Ordinances by enacting local amendments to the International Fire Code to implement new requirements for rapid entry systems in commercial buildings.

Submitted By: Sterling Heights Fire Department

Contact Person/Telephone: Chris Martin, Fire Chief (586) 446-2951

Administration (initial as applicable)		Attachments			
MC	City Clerk	___	Resolution	___	Minutes
LB	Finance & Budget Director	X	Ordinance	___	Plan/Map
SB	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

Introduction – At the December 15, 2015 regular meeting, the City Council voted unanimously to introduce the ordinance amending chapter 20 of the City of Sterling Heights Code of Ordinances by enacting local amendments to the International Fire Code to implement new requirements for rapid entry systems in commercial buildings. The ordinance is back before the City Council for adoption.

Background – A rapid entry system is a secure emergency access program developed for property owners and fire departments. When a fire breaks out, or any other emergency arises, a rapid entry system allows firefighters and paramedics immediate entry into buildings and property without forced entry damage or delay. Property owners store keys, access cards, gate keys, etc. in high security boxes mounted near building entrances. Each box purchased by a property owner is keyed to a master key controlled by the Fire Department.

When an emergency occurs, a rapid entry system allows the Fire Department to spend less time and fewer resources gaining access to the building. This faster access will result in a more rapid control of the emergency situation. This could mean faster fire control or more rapid shut off of a sprinkler system, resulting in less water damage. In addition, a rapid entry system allows Fire Department access without damage to the building. Without this system, the Fire Department would need to gain access by forcible entry, which generally results in damage to doors or windows and their associated facings. After forcible entry, it is generally difficult to secure a building again after the emergency has been controlled. The cost of repairs made after a single forcible entry will likely be higher than the cost to purchase and install the box.

Many of the rapid entry key boxes being used throughout the City are old, deteriorating, and/or not maintained. To ensure uniformity and consistency in replacing existing boxes, the Sterling Heights Fire Department has chosen Knox to be the sole source for rapid entry key boxes throughout the City. The "Knox

Box®" is the preferred rapid entry key box throughout the country, and it is currently the type of box required and used in Clinton Township, a close mutual aid partner of the City of Sterling Heights.

Requiring one type of key box will eliminate the need for the Fire Department to maintain more than one master access key. Instead, each emergency apparatus of the Fire Department will simply have a Knox Master Key Retention Device, and the key to a Knox Box can only be released when a firefighter activates an individual Personal Identification Number to release the Master Key. The apparatus will retain a recorded encrypted log of who removed the key and what time it was removed and replaced. The Knox Master Key Retention device will activate a blue strobe light, which will flash until the master key has been placed back in the retention device. This will make sure that the key is replaced prior to the movement of the vehicle. This system allows the maximum security available for these master keys.

Other companies make similar products, but any system adopted by a fire department must be compatible from one installation to another. Only one master key will be carried on the fire apparatus. This key must operate all lock boxes in the City. To maintain master key security, all companies in this business carefully guard the master key codes. They will not release this information to any other manufacturer or supplier. These security concerns require that one supplier be selected for all installations in the City. The Knox Company was selected for several reasons. Its system has proven reliable in thousands of cities across the nation. It has a variety of products that meet rapid entry and access needs. However, the primary reason the Knox Company was selected for the Sterling Heights Fire Department was key security. No other company makes a product similar to the Knox Master Key Retention system.

The Fire Department and the City will have absolutely no financial interest in the sales of the Knox Company. The only purpose in requiring the Knox system is to improve Fire Department Access in emergency situations and to reduce property damage caused by forcible entry. Currently, the cost of a Knox Box is about $300. This product is adequate for most key only installations, but the Knox Company has many other products to choose from.

Ordinance – The proposed ordinance would amend the key box provisions of the International Fire Code to require that every commercial building and every locked gate or driveway allowing access to a commercial building or business, if it already has a key box, must now have a Knox Box® type rapid entry key box. The Fire Marshal may also designate additional buildings that must install the box, and if a building is ever subject to forcible entry by emergency responders, it must thereafter also install and maintain the box. Other properties may also participate in the Knox Box® program, and in fact will be encouraged to do so.

The Fire Marshal must be notified when locks or keys will be changed so that proper keys for the box are provided to the Fire Department for inclusion in the box. The ordinance will require the key box to contain: a key that allows access; labeled keys to locked points of egress, to locked mechanical and electrical rooms, to locked elevator rooms and controls, to any fence or secured areas, to areas where fire alarm panels and fire protection systems are located, and to any other areas required by the Fire Marshal; a card containing emergency contact information; floor plans of the rooms in the building showing shut off locations; hazardous materials information; an inventory of the keys inside the key box(es); digital codes for access to any gates or electronic doors; and any other keys, instructions, or information required by SHFD regulations and guidelines.

Key boxes will be registered using applications provided by the Fire Marshal. Registration will be required prior to installation to ensure proper mounting and installation. The box must be installed on the exterior of the building at a location approved by the Fire Marshal. All costs will be the responsibility of the party responsible for the building.

Under the new ordinance, the Fire Marshal may waive the key box requirement if the size of the building or other unusual circumstances render it ineffective, or if the building houses a business that stores or handles potentially hazardous or expensive, rare, or unique materials. Businesses that are legally required to maintain customer confidentiality may opt out. In addition, any property owner may opt out of the key box requirement if the owner's insurance agent provides a letter of understanding acknowledging that the City is not authorized to obtain access through a lock box key, and that damage resulting from force entry and/or delay may occur. The owner must also execute a hold harmless agreement in favor of the City and all neighboring fire departments.

The ordinance would give existing buildings more than one year, until February 1, 2017, to install the new Knox Box. Buildings currently under construction must install the Knox Box within 90 days of adoption of the ordinance or prior to issuance of a certificate of occupancy, whichever time period is longer. The Fire Marshal will be required to provide notice to all affected properties at least 90 days before compliance is required.

The ordinance will require the Fire Department to create guidelines and regulations governing placement, approval, keeping, and use of key boxes and keys, as well as Knox Box access.

Property owners do not receive keys that will open their own Knox Box. Any key that will open one Knox Box will also open other Knox Boxes in the City. For that reason, only the Fire Department has the master key. When a box is mounted and the owner is ready to install keys, the owner will call the Fire Department, and an officer from the Fire department will come and place the keys securely in the box.

The ordinance will not apply to owner-occupied one and two family dwellings, although such dwellings may voluntarily participate.

Violations of the ordinance requirements will be classified as municipal civil infractions. The "responsible party" under the ordinance will be the property owner of a building that is subject to the requirements of the ordinance. If the owner is a corporate entity, the code official may determine that the property manager, business manager, or other individual responsible for the daily and legal operations of the business or enterprise on the property is the "responsible party" under the ordinance.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to adopt the ordinance to amend chapter 20 of the City of Sterling Heights Code of Ordinances by enacting local amendments to the International Fire Code to implement new requirements for rapid entry systems in commercial buildings.

CITY OF STERLING HEIGHTS

MACOMB COUNTY, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 20 OF THE CITY CODE BY ENACTING LOCAL AMENDMENTS TO THE INTERNATIONAL FIRE CODE TO IMPLEMENT NEW REQUIREMENTS FOR RAPID ENTRY SYSTEMS IN COMMERCIAL BUILDINGS

WHEREAS, many buildings within the City are equipped with automatic systems that may cause the Sterling Heights Fire Department to be summoned at a time of emergency when the building or business is not occupied or when the occupant is not available to provide the Sterling Heights Fire Department entry into the building; and

WHEREAS, the health, safety, and welfare of the citizens of Sterling Heights are promoted by requiring a building equipped with automatic systems to have a key box emergency access system installed on the exterior of the structure to provide the Sterling Heights Fire Department rapid entry into the building during a time of emergency; and

WHEREAS, the key box emergency access system will eliminate costly damage from forcible entry into buildings equipped with automatic systems by the Sterling Heights Fire Department checking for fire or other dangerous conditions; and

WHEREAS, the Sterling Heights Fire Department can reduce the potential for rapid extension of fire and other hazardous conditions by quick access and decreasing dangers for firefighters; and

WHEREAS, a mandatory key box rapid entry system is authorized by Section 506 of the International Fire Code, which has been adopted by the City, and the key box rapid entry system will operate on a controlled master key basis by the Sterling Heights Fire Department; and

WHEREAS, the Sterling Heights Fire Department has studied various key box options and recommends the only one brand of key box rapid entry system, known as "Knox Box®," which has been determined to be the most widely used, the most durable, and the most consistent with systems accessed by the City's neighboring mutual aid partners; and

WHEREAS, the City desires to ensure that existing and aging key box systems throughout the City are replaced with uniform key boxes of the same type and for which only one master key is required to be maintained on emergency apparatus, and to specify the uniform key box required for that purpose so that existing properties without key boxes may also be encouraged to voluntarily participate.

NOW, THEREFORE, THE CITY OF STERLING HEIGHTS ORDAINS:

SECTION 1. Section 20-23 of the City Code shall be amended to add new local amendments to the existing provisions of the International Fire Code, to be inserted in numerical order and to read as follows:

Section 506 shall be replaced and shall read as follows:

SECTION 506
RAPID ENTRY SYSTEMS

506.1 Required. All buildings and locations within the City that are currently equipped with a rapid entry key box shall be required to replace the key box if it is not the Knox Box® type and size approved by the code official in accordance with UL 1037 as the exclusive key box system to be utilized throughout the City. Commercial buildings not currently equipped with a rapid entry key box, including properties with a locked gate or driveway which allows access to a commercial building or business, shall install an approved key box within 90 days of any forced entry emergency response by the Fire Department into such building or through such gate or driveway, or within 90 days of finished reconstruction in the event that the building was so severely damaged as to not be able to install a key box sooner. In addition, and in the sole discretion of the Fire Marshal, a rapid entry key box shall be required in any building where lack of access may result in loss of life and/or large property or environmental damage, based on factors including, but not limited to, fire load, occupant load, exposures, building construction, age of building, and storage or use of hazardous materials.

506.2 Maintenance. The responsible party shall immediately notify the code official when any or all of the locks or keys have been changed and shall keep the immediate area of the key box free and clear of any and all obstructions. The responsible party shall provide the proper keys for the key box to the Fire Department and shall not have access to a key that can open the key box.

506.3 Requirements. The responsible party is required at all times to keep a key(s) in the key box that will allow access to, and/or into, the structure. The key box shall contain, but not be limited to, the following items as designated by the code official:

a. Labeled keys to locked points of egress, whether in interior or exterior of the building;
b. Labeled keys to the locked mechanical and electrical rooms;
c. Labeled keys to locked elevator rooms and controls;
d. Labeled keys to any fence or secured areas;
e. Labeled keys to areas of the building where fire alarm panels and fire protection systems are located;
f. Labeled keys to any other areas as required by the code official;
g. A card containing the emergency contact people and phone numbers for the building;
h. Floor plans of the rooms within the building showing locations of shut offs;
i. Hazardous materials information;

j. An inventory of the keys inside all key boxes;
k. Digital codes for access to any gates or any electronic door locks within the building;
l. Any other keys, instructions, and/or information required by the Fire Department's administrative regulations and guidelines.

506.4 Registration and installation. The responsible party shall apply for a registration for a key box on forms provided by and obtained from the code official. A registration is required prior to the installation of a key box in order to verify the proper mounting location and installation of the key box. The key box shall be installed on the exterior of the building at a location and in a manner approved by the code official. No key box shall be installed, voluntarily or otherwise, without first obtaining the approval of the code official. The responsible party shall be responsible for the cost to purchase, install, and maintain the key box.

506.4.1 Waiver. The requirement for a key box may be waived by the code official if, in the opinion of the code official, the size of the building or other unusual circumstances render the key box ineffective for its intended purpose, or if the building houses a business, firm, or other entity that provides sensitive personal services or routinely stores or handles potentially hazardous or expensive, rare, or unique materials. Businesses, firms, or other entities that are legally required to maintain customer, client, trade, or patient confidentiality may opt out of the key box requirement.

506.4.2 Opt out. Any property owner not otherwise exempt may opt out of the key box program if such owner or owner's authorized insurance agent furnishes the code official with a letter of understanding from the insurer of the subject premises directed to the City of Sterling Heights and neighboring fire departments acknowledging its understanding that the City and the fire departments are not authorized to obtain access to the premises during an emergency by way of a lock-box key, and that damage resulting from forced emergency entry and/or delayed entry may occur. Additionally all owners of such premises shall execute and deliver to the code official an agreement, in the form and substance required by the City Attorney, holding the City of Sterling Heights and all neighboring fire departments free, harmless, and indemnified from any claim relating in any way to forced emergency entry damage or delayed access.

506.5 Compliance dates. All properties with existing key boxes that are not the type and size approved by the code official shall comply with this section by February 1, 2017. All newly constructed buildings not yet occupied or buildings currently under construction and all buildings or businesses applying for a certificate of occupancy shall comply, if required by the code official to install a key box, within 90 days of the adoption of this Section 506 or prior to issuance of the certificate of occupancy, whichever time period is longer. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be borne by the responsible party. The code official shall ensure that written notification is sent to all responsible parties regarding the key box program requirements and the exemptions and opt out conditions at least 90 days before a building is required to be in compliance. Such notice shall be sent by regular mail to the name and address of record in the assessor's office and/or on file as a business registration with the City Clerk.

506.6 Regulations. The Fire Department shall create administrative guidelines and regulations governing placement and approval of key boxes, the keeping and use of Knox Box® keys, and Knox Box® access. Any administrative guidelines and regulations imposing an obligation or duty upon a building, property, and/or responsible party shall have the force and effect of law as if fully set forth in this section 506.

506.7 Definitions. As used in this chapter:

Commercial building. A building protected by an automatic fire suppression and/or standpipe system or protected by an automatic fire alarm system (automatic dialer, central station, external audible/visual alarm), but does not include owner-occupied freestanding residential homes, government buildings, or multi-family apartment buildings with units that have direct outdoor access doors and individual addresses.

Key. Any device that functions as a means to afford access and/or to unlock that which secures or controls entrance to a building, property, or other location, including but not limited to a standard key, an electronic card, or a code.

Knox Box®. A key box known by its brand name, and the type of key box required by the City for uniformity, security, access, and long-term durability.

Responsible party. The property owner of a building or property that is subject to this Section 506. In the event that the owner is a corporate entity, a property manager, business manager, or other individual responsible for the daily and legal operations of the business or enterprise on the property may be cited by the code official as the "responsible party" under this section.

506.8 Applicability. This section shall not apply to owner-occupied one and two family dwellings. However, any dwelling and any building or property may participate on a voluntary basis by purchasing a Knox Box® key box independently or through a discount program arranged with Knox Box® by the Sterling Heights Fire Department.

SECTION 2. All other provisions of the Code of Ordinances not specifically amended shall remain in full force and effect.

SECTION 3. 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 _____, 2015, 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 amends Chapter 20 of the City Code by enacting local amendments to the International Fire Code to implement new requirements for rapid entry systems in commercial buildings. 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 DEC 30, 2015

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 2 A-J
Meeting: 01/05/16

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:**

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Regular Meeting of December 15, 2015

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Delivered December 30, 2015
Agenda Item 2-A
Meeting: 01/05/16

UNOFFICIAL MINUTES

CITY OF STERLING HEIGHTS

MINUTES OF REGULAR MEETING OF CITY COUNCIL

TUESDAY, DECEMBER 15, 2015

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: Mark Vanderpool, City Manager; Jeffrey Bahorski, City Attorney; Mark Carufel, City Clerk; Madeline L. Ranella, Recording Secretary.

APPROVAL OF AGENDA

Councilwoman Koski requested that Consent Agenda Item A be made Consideration Item 7.

Councilwoman Ziarko requested that Consent Agenda Item G be made Consideration Item 8.

Moved by Koski, seconded by Romano, to approve the Agenda with the changes to Consent Agenda Items A and G.

Yes: All. The motion carried.

REPORT FROM CITY MANAGER

Mr. Vanderpool reported on the Christmas and New Year holiday schedule. He reminded residents there would be no refuse collection on Christmas Day, December 25 and New Year's Day, January 1 and that refuse collections would be delayed one day throughout the week following each holiday.

Mr. Vanderpool stated for the 23rd year, the City is recycling Christmas trees left at the curb by 7 a.m. on resident's normal trash day.

Mr. Vanderpool introduced Ms. Denice Gerstenberg, City Development Director, to give an overview of the new technology and use of QR Codes.

Ms. Gerstenberg used a power point presentation to introduce the latest innovation to streamline the building permit process. She pointed out the focus on customer service and the use of quick response or QR codes.

Mr. Vanderpool thanked Ms. Gerstenberg and her team for making great use of this new technology.

PRESENTATION

Ms. Denice Gerstenberg introduced Mr. Donald Carpenter, Professor at Lawrence Technological University and Ms. Ann Barr, Executive Director from the Clinton River Watershed Council to discuss the WaterTowns report on potential "green" infrastructure projects for the City to consider.

Councilman Romano questioned whether the $74,000 was part of the grant or the City's share.

Mr. Carpenter responded that is the sum of all the recommended improvements.

Ms. Barr added that it gives the City the opportunity to put money in their capital improvement budget and engineering budget. The City can decide if they want to do all or part of the improvements. Ms. Barr announced they are awarding the City of Sterling Heights a $5,000 mini-grant.

Councilman Romano questioned whether the other communities received any grant money in addition to the $5,000 and expressed concern with the $70,000.

Ms. Barr responded not yet, but there is grant money available for these projects.

Councilman Skrzyniarz thanked both speakers for their work on this report. He inquired the number of gallons of water reduced from going into the Clinton River and questioned the impact on the Clinton River and communities.

Mr. Carpenter responded that if every community is doing their part, it will make a big difference.

Mayor Taylor thanked Ms. Barr for the grant and stated he is looking forward to working with them in the future.

Mr. Mark DiSanto, Recreation Supervisor, presented the Nice Neighbor award to Mrs. Kincaid and her MMSTC students for the unique QR Code technology project they developed for the Nature Center.

ORDINANCE INTRODUCTION

1. Fire Chief Chris Martin made a presentation on a rapid entry system and demonstrated the Knox Box chosen by the Sterling Heights Fire Department for use throughout the City. He pointed out it is the current type of box required and used in Clinton Township,

a close mutual aid partner of the City of Sterling Heights. Chief Martin recommended the introduction of the ordinance amending the key box provisions of the International Fire Code to require every commercial building and every locked gate or driveway to install the new Knox Box type rapid entry key box or at least the basic model.

Mr. Jeffrey Norgrove asked Chief Martin to explain the key control with fire fighters and how it would be used. He also asked the Chief to explain the cost of replacing a business' door after it is broken down vs. the cost of the key box.

Mr. Michael Lombardini spoke in support of the new Knox Boxes and stated it is a safe secure system and a good idea.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to introduce an ordinance to amend Chapter 20 of the City of Sterling Heights Code of Ordinances by enacting local amendments to the International Fire Code to implement new requirements for rapid entry systems in commercial buildings.

Councilwoman Ziarko stated by approving this ordinance tonight the system that is being used right now will be obsolete.

Chief Martin responded that is correct. The City is going to, by ordinance, tell everyone we are going to have a dual-key system. We will have an updated system and a key retention system. By February of 2107, everyone, by ordinance, will have the new system.

Councilwoman Ziarko hopes there would be no opposition and appreciates the fact that the Fire Department would be asking for a letter from the business' insurance carrier if the business opts out.

Councilwoman Ziarko believes this is a good idea and appreciates the presentation.

Councilwoman Schmidt inquired whether there was one master key that fits in all the boxes.

Chief Martin responded each fire apparatus would have one master key that would operate all lock boxes in the City.

Councilwoman Schmidt stated if the system we currently use is obsolete and not working, she totally agrees with this ordinance amendment.

Councilman Shannon inquired whether there would be discounts available to the businesses from their insurance carriers.

Councilman Shannon wanted to see the lock boxes advertised for the senior citizens to make sure they were aware of them.

Councilman Skrzyniarz questioned the possibility of discounted prices from Knox Box because of the volume of units that would be purchased from them.

Chief Martin responded the company does not offer discounts.

Councilwoman Koski questioned the actual number of lock boxes the Fire Department would have and the Chief responded there would be 18.

Councilwoman Koski stated in regard to the senior citizens it would be an excellent program for the seniors that live alone. She suggested a flyer explaining the lock boxes be placed with the water bills for each residence.

Councilman Romano suggested the City's legal department draft a letter for the businesses to take to their insurance companies.

Councilman Romano questioned the placement of the boxes on the homes and the security issue.

Mayor Taylor spoke in favor of the rapid entry system and thanked Chief Martin for his presentation.

Vote on motion to introduce the ordinance amendment:

Yes: All. The motion carried.

ORDINANCE ADOPTION

2. Mr. Mike Lombardini asked the City Council to consider raising the budget for the Historical Commission.

Moved by Romano, seconded by Schmidt, **BE IT ORDAINED**, to adopt the first amendment to the Appropriations Ordinance for the 2015/16 fiscal year.

Mayor Taylor suggested Mr. Lombardini present his request to the City Council in writing and include a suggested amount.

CITY OF STERLING HEIGHTS
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 441A

AN ORDINANCE TO AMEND THE "ANNUAL APPROPRIATIONS ORDINANCE" BY AMENDING THE VARIOUS CITY BUDGETS.

THE CITY OF STERLING HEIGHTS ORDAINS:

ARTICLE I

TITLE

This ordinance shall constitute the "ANNUAL APPROPRIATIONS ORDINANCE" in accordance with Section 9.14 of the City Charter, the "GENERAL APPROPRIATIONS ACT" in

accordance with the Michigan Uniform Budgeting and Accounting Act, MCL 141.436 and the "SPECIAL APPROPRIATIONS ACT" pursuant to Public Act 493 of 2000.

ARTICLE II

The following is an estimate of revenues, by source, in each fund and an appropriation of monies as authorized by law, as may be needed or deemed necessary to defray all expenses and liabilities of the City as specified for the corporate purposes and objects of the City for the fiscal year July 1, 2015 through June 30, 2016. The City Council does hereby adopt, by budgetary center, the following General Fund and Special Revenue Funds budgets for 2015/16.

Sec. 2.01

GENERAL FUND BUDGET:

REVENUES & OTHER FINANCING SOURCES

REVENUES			
Net General Tax Revenue	$39,678,770		
Licenses and Permits	1,805,000		
State and Local Returns	~~11,710,310~~	11,995,200	
Fines and Forfeitures	2,355,000		
Charges for Services	9,821,770		
Other Revenue	2,845,180		
Cable Revenue	2,450,000		
Use of Fund Balance	0		
Total General Revenue		~~70,666,030~~	70,950,920
Refuse Tax Revenue	4,795,150		
Police & Fire Pension Tax Revenue	7,986,310		
Safe Streets Tax Revenue	7,135,880		
Total Other Tax Revenue		19,917,340	
Total Revenues		~~90,583,370~~	90,868,260
OTHER FINANCING SOURCES			
Transfers In	~~0~~	1,564,180	
Total Other Financing Sources		~~0~~	1,564,180
Total Revenues & Other Financing Sources		**~~$90,583,370~~**	**~~$92,432,440~~**

and does hereby designate $39,838,770 to be raised by 9.4909 mills tax levied for General Purposes on the assessed valuation of all real and personal property subject to taxation in the City,

and does hereby designate $7,986,310 to be raised by 1.9026 mills tax levied on the assessed valuation of all real and personal property subject to taxation in the City, for the purpose of meeting appropriations for fire and police pension purposes, as authorized by MCL 38.551, et. seq.,

and does hereby designate $4,795,150 to be raised by 1.1424 mills tax levied on the assessed valuation of all real and personal property subject to taxation in the City, for the purpose of the collection and removal of garbage and trash of the City as authorized by MCL 123.261, et. seq.,

and does hereby designate $7,135,880 to be raised by 1.7000 mills tax levied on the assessed valuation of all real and personal property subject to taxation in the City, for the purpose of providing revenue for police and fire protection as authorized by the electors of the City in approving the Safe Streets Proposal in 2013, et. seq.,

and directs the Treasurer to add a collection fee of one-half (1/2) percent per month to all taxes, charges and assessments paid after September 1, and further, upon all taxes, charges and assessments returned to the County Treasurer upon any delinquent tax roll, a charge of three percent (3%) shall be added and the same shall be collected by the County Treasurer in like manner as and together with the taxes, charges and assessments so returned.

EXPENDITURES & OTHER FINANCING USES

EXPENDITURES			
City Administration Department	~~$7,227,810~~	7,229,110	
Community Services Department	~~4,477,990~~	4,479,140	
Police Department	~~33,935,610~~	33,948,680	
Fire Department	~~17,183,210~~	17,395,890	
Public Works Department	~~8,141,680~~	8,142,820	
Refuse Collection	4,817,150		
City Development Department	~~3,961,630~~	4,074,600	
Community Relations Department	1,036,470		
41-A District Court	3,202,320		
General Expenditures	~~1,213,620~~	1,216,150	
Contribution to Fund Balance	~~928,740~~	868,790	
Total Expenditures		~~86,126,230~~	86,411,120
OTHER FINANCING USES			
Transfers Out	~~4,457,140~~	6,021,320	
Total Other Financing Uses		~~4,457,140~~	6,021,320
Total General Fund		**~~$90,583,370~~**	**$92,432,440**

Sec. 2.02

WATER & SEWER OPERATING FUND:

OPERATING REVENUES			
Operating Revenues	$43,329,160		
Use of Net Assets	~~724,970~~	1,355,990	
Total Operating Revenues		**~~44,054,130~~**	**$44,685,150**

OPERATING EXPENSES			
Administration	$3,374,840		
Water Distribution	17,191,970		
Sewage Collection	~~23,487,320~~	24,118,340	
Total Water & Sewer Operating Fund		**~~$44,054,130~~**	**$44,685,150**

and does hereby designate the rates to be charged for water and sewage disposal services to be as follows for all bills rendered on or after July 1, 2015.

WATER RATES

Consumption Charges Per Billing Period:	Rate Per Thousand Cubic Ft.
First 3,000 cubic feet or less	$20.63
All over 3,000 cubic feet	25.79

Fixed DWSD fee (single-family residential customers)	$4.25
Fixed DWSD fee (all other customers)	6.00

Meter Charges Per Billing Period

1 ½”	4.45
2”	11.54
3”	21.16
4”	27.76
6”	43.93
8”	69.95
10”	91.88
16”	105.00

SEWER RATES

This charge shall be based on the amount of water used per billing period:	Rate Per Thousand Cubic Ft.
Per 1,000 cubic feet	$34.74

Fixed Macomb County fee (single-family residential customers)	$4.25
Fixed Macomb County fee (all other customers)	6.00

BILLING

Bills for water and sewer service shall be rendered periodically as set forth in this article. The billing period for single-family residential customers is quarterly, all other customers are billed monthly. All bills shall be due and payable twenty (20) days from the date thereon. A penalty of six

percent (6%) of the amount of the unpaid portion of each current bill shall be added to each bill not paid on or before the due date. An additional penalty of seventeen percent (17%) of the total of the unpaid balance and the six percent (6%) penalty shall be added at the time the delinquent bill is entered upon the tax roll, pursuant to section 35-6 (a) of the Sterling Heights City Code. The City shall establish a minimum water and sewer bill, which shall be based on 800 cubic feet of water usage per billing cycle. There will be a $70.00 charge per bill for sewer only customers.

For all single-family residential customers of both water and sewer services from the City, the charges billed during the months of September, October, and November shall be reduced by twenty-five percent (25%) of the combined use charge for both water and sewer usage, as specified in this ordinance; provided, however, no customer shall have the charges reduced by an amount more than $26.00 during the quarterly period billed during the months of September, October, and November.

For all customers who are not single-family residential customers and have both water and sewer services from the City, the charges billed during the months of July, August, and September shall be reduced by twenty-five percent (25%) of the combined use charge for both water and sewer usage, as specified in this ordinance; provided, however, no customer shall have the charges reduced by an amount more than $8.67 during the monthly period billed during the month of July, $8.67 during the month of August, and $8.66 during the month of September.

Sec. 2.03

MAJOR ROAD FUND BUDGET:

REVENUES & OTHER FINANCING SOURCES

REVENUES			
Fund Balance	~~$0~~	2,589,390	
Federal Grants	~~0~~	164,600	
State Sources	~~6,714,000~~	7,057,190	
Other Revenue	~~342,000~~	142,000	
Total Revenues		~~7,056,000~~	9,953,180
OTHER FINANCING SOURCES			
Transfer from General Fund	0		
Total Other Financing Sources		0	
Total Revenues & Other Financing Sources		**~~$7,056,000~~**	**~~$9,953,180~~**

EXPENDITURES & OTHER FINANCING USES

EXPENDITURES			
Administration Expenses	$130,610		
Major Street Maintenance	2,252,500		
Major Street Improvements	~~1,427,000~~	5,820,070	
Contribution to Fund Balance	~~1,495,890~~	0	
Total Expenditures		~~5,306,000~~	8,203,180

OTHER FINANCING USES			
Transfer to Road Bond Debt Retirement Fund	1,000,000		
Transfer to Local Road Fund	750,000		
Total Other Financing Uses		1,750,000	
Total Major Road Fund		**~~$7,056,000~~**	**$9,953,180**

Sec. 2.04

LOCAL ROAD FUND BUDGET:

REVENUES & OTHER FINANCING SOURCES

REVENUES		
Net Property Taxes	$3,376,400	
State Sources	2,190,000	
Charges for Services	40,000	
Other Revenue	42,010	
Total Revenues		5,648,410
OTHER FINANCING SOURCES		
Transfer from Major Road Fund	750,000	
Total Other Financing Sources		750,000
Total Revenues & Other Financing Sources		**$6,398,410**

and does hereby designate $3,360,000 to be raised by 0.8000 mills tax levied on the assessed valuation of all real and personal property subject to taxation in the City for the purpose of providing revenue for local street improvements as authorized by the electors of the City in approving the Safe Streets Proposal in 2013.

EXPENDITURES & OTHER FINANCING USES

EXPENDITURES		
Administration Expenses	$160,310	
Local Street Maintenance	1,536,000	
Local Street Improvements	~~4,507,000~~	4,657,000
Contribution to Fund Balance	~~195,100~~	45,100
Total Expenditures		6,398,410
OTHER FINANCING USES		
Transfer to Road Bond Debt Retirement Fund	0	
Total Other Financing Uses		0

Total Local Road Fund		**$6,398,410**	

Sec. 2.05

LAND & WATER CONSERVATION FUND BUDGET:

REVENUES & OTHER FINANCING SOURCES

REVENUES			
Fund Balance	~~$65,800~~	80,800	
Federal & State Sources	~~0~~	4,500,000	
Other Revenue	200		
Total Revenues		~~66,000~~	4,581,000
OTHER FINANCING SOURCES			
Transfer from General Fund	~~325,000~~	738,700	
Total Other Financing Sources		~~325,000~~	738,700
Total Revenues & Other Financing Sources		**~~$391,000~~**	**$5,319,700**
EXPENDITURES			
Land Improvements	~~$391,000~~	5,319,700	
Total Land & Water Conservation Fund		**~~$391,000~~**	**$5,319,700**

Sec. 2.06

PUBLIC SAFETY FORFEITURE FUND BUDGET:

REVENUES			
Fund Balance	~~$512,020~~	486,360	
Federal Forfeitures	~~0~~	16,170	
Treasury Forfeitures	0		
State Forfeitures	~~5,000~~	33,460	
Gambling Forfeitures	0		
Operating While Intoxicated Forfeitures	~~0~~	4,500	
Act 302 Training Funds	30,800		
Interest Income	440		
Total Revenues		**~~$548,260~~**	**$571,730**
EXPENDITURES			
Federal Forfeitures	~~$164,730~~	409,480	
Treasury Forfeitures	0		
State Forfeitures	~~330,730~~	80,160	
Gambling Forfeitures	~~0~~	8,830	
Operating While Intoxicated Forfeitures	~~22,000~~	42,460	

Act 302 Training Funds	30,800		
Total Public Safety Forfeiture Fund		~~$548,260~~	**$571,730**

Sec. 2.07

COMMUNITY DEVELOPMENT BLOCK GRANT FUND BUDGET:

REVENUES			
Community Development Block Grant	~~$879,780~~	1,234,160	
Total Revenues		~~$879,780~~	**$1,234,160**
EXPENDITURES			
Administrative Expenses	~~$160,000~~	182,230	
Books	6,000		
Senior Citizens Home Chore Program	20,000		
Single Parent Education Program	13,000		
Minor Home Repair	~~30,000~~	34,000	
Handicapped Recreation Program	19,000		
Housing Rehabilitation Program	~~125,000~~	299,960	
Macomb Homeless Coalition	3,000		
Contributions to Non-Profit Organizations	49,970		
Capital & Other Improvements	~~453,810~~	607,000	
Total Community Development Block Grant Fund	~~$879,780~~	**$1,234,160**	

Sec. 2.08

CORRIDOR IMPROVEMENT AUTHORITY FUND:

REVENUES & OTHER FINANCING SOURCES

REVENUES			
Property Taxes	$18,940		
Federal Grants	0		
Other Revenue	10		
Total Revenues		18,950	
OTHER FINANCING SOURCES			
Transfer from General Fund	0		
Total Other Financing Sources		0	
Total Revenues & Other Financing Sources		**$18,950**	
EXPENDITURES			
Miscellaneous	$0		
Contribution to Fund Balance	18,950		

Total Corridor Improvement Authority Fund		**$18,950**

Sec. 2.09

ECONOMIC DEVELOPMENT CORPORATION FUND BUDGET:

REVENUES & OTHER FINANCING SOURCES

REVENUES		
Funding from General Government	$300,000	
Other Revenue	500	
Total Revenues		300,500
OTHER FINANCING SOURCES		
Transfer from General Fund	0	
Total Other Financing Sources		0
Total Revenues & Other Financing Sources		**$300,500**
EXPENDITURES		
Miscellaneous	$0	
Contribution to Fund Balance	300,500	
Total Economic Development Corporation Fund		**$300,500**

Sec. 2.10

BROWNFIELD REDEVELOPMENT AUTHORITY FUND BUDGET:

REVENUES & OTHER FINANCING SOURCES

REVENUES		
Property Taxes	$0	
Charges for Services	0	
Other Revenue	0	
Total Revenues		0
OTHER FINANCING SOURCES		
Transfer from General Fund	0	
Total Other Financing Sources		0
Total Revenues & Other Financing Sources		**$0**

EXPENDITURES & OTHER FINANCING USES

EXPENDITURES		
Miscellaneous	$0	
Contribution to Fund Balance	0	

Total Expenditures		0
OTHER FINANCING USES		
Transfer to General Fund	0	
Total Other Financing Uses		0
Total Brownfield Redevelopment Authority Fund		**$0**

Sec. 2.11

LOCAL DEVELOPMENT FINANCE AUTHORITY FUND BUDGET:

REVENUES & OTHER FINANCING SOURCES

REVENUES		
Federal Grants	$0	
Property Taxes	616,980	
Other Revenue	427,950	
Total Revenues		1,044,930
OTHER FINANCING SOURCES		
Transfer from General Fund	0	
Total Other Financing Sources		0
Total Revenues & Other Financing Sources		**$1,044,930**

EXPENDITURES		
Incubator Renovations	$0	
Incubator Operations	~~760,750~~	851,920
BAE Reimbursement	0	
Contribution to Fund Balance	~~284,180~~	193,010
Total Local Development Finance Authority Fund	**$1,044,930**	

Sec. 2.12

GENERAL DRAIN FUND:

REVENUES & OTHER FINANCING SOURCES

REVENUES	
Net Drain Tax Revenue	$155,350
Delinquents & Penalties	1,500
Other Revenue	200

Total Revenues		157,050
OTHER FINANCING SOURCES		
Bond Proceeds – Refunding	0	
Total Other Financing Sources		0
Total Revenues & Other Financing Sources		**$157,050**

and does hereby designate $158,350 to be raised by 0.0377 mills tax levied on the assessed valuation of all real and personal property subject to taxation in the City for the purpose of defraying the several costs of the drains in the General Drain Budget.

EXPENDITURES

Other Charges	$300	
Principal	150,000	
Interest	6,750	
Total Drain Fund		**$157,050**

Sec. 2.13

VOTED TAX GENERAL OBLIGATION DEBT FUND:

REVENUES & OTHER FINANCING SOURCES

REVENUES		
Delinquents & Penalties	$1,350	
Other Revenue	200	
Net Proposal F Tax Revenue	469,300	
Total Revenues		470,850
OTHER FINANCING SOURCES		
Transfer from General Fund	0	
Total Other Financing Sources		0
Total Revenues & Other Financing Sources		**$470,850**

and does hereby designate $471,000 to be raised by 0.1122 mills tax levied on the assessed valuation of all real and personal property subject to taxation in the City, for the purpose of meeting appropriations for public improvement debt service as authorized by the electors of the City in approving Proposal F in 2006.

EXPENDITURES

Proposal F Expenditures	$470,850

Total Voted Tax General Obligation Debt Fund		**$470,850**

Sec. 2.14

ROAD BOND DEBT RETIREMENT FUND:

REVENUES & OTHER FINANCING SOURCES

REVENUES		
Special Assessment Revenue	$145,750	
Interest Income	97,970	
Federal Interest Rebates	31,990	
Total Revenues		275,710
OTHER FINANCING SOURCES		
Transfer from Major Road Fund	1,000,000	
Transfer from Road Bond Construction Fund	130,000	
Total Other Financing Sources		1,130,000
Total Revenues & Other Financing Sources		**$1,405,710**
EXPENDITURES		
Principal	$990,000	
Interest	330,940	
Other Fees	1,100	
Contribution to Fund Balance	83,670	
Total Road Bond Debt Retirement Fund		**$1,405,710**

Sec. 2.15

LIMITED TAX GENERAL OBLIGATION DEBT FUND:

REVENUES & OTHER FINANCING SOURCES

REVENUES		
Other Revenue	$0	
Total Revenues		0
OTHER FINANCING SOURCES		
Transfer from General Fund	322,380	
Total Other Financing Sources		322,380
Total Revenues & Other Financing Sources		**$322,380**

EXPENDITURES

Principal	$260,000
Interest	62,150
Other Fees	230
Total Limited Tax General Obligation Debt Fund	**$322,380**

Sec. 2.16

CAPITAL PROJECTS FUND:

REVENUES & OTHER FINANCING SOURCES

REVENUES			
Fund Balance	~~$353,640~~	1,465,220	
State & Local Returns	~~0~~	27,350	
Other Revenue	~~256,360~~	325,180	
Total Revenues		~~610,000~~	1,817,750
OTHER FINANCING SOURCES			
Transfer from General Fund	~~3,809,760~~	4,960,240	
Total Other Financing Sources		~~3,809,760~~	4,960,240
Total Revenues & Other Financing Sources		**~~$4,419,760~~**	**$6,777,990**
EXPENDITURES			
Capital Equipment	~~$285,260~~	386,220	
Capital Vehicles	~~902,500~~	1,727,350	
Capital Projects	~~3,232,000~~	4,664,420	
Total Capital Projects Fund		**~~$4,419,760~~**	**$6,777,990**

Sec. 2.17

ROAD BOND CONSTRUCTION FUND:

REVENUES & OTHER FINANCING SOURCES

REVENUES		
Fund Balance	~~$130,000~~	0
Other Revenue	~~0~~	130,000
Federal Grants	0	
Total Revenues		130,000

OTHER FINANCING SOURCES		
Proceeds from Long-Term Debt	8,150,000	
Transfer from Major Road Fund	0	
Total Other Financing Sources		8,150,000
Total Revenues & Other Financing Sources		**$8,280,000**
EXPENDITURES & OTHER FINANCING USES		
EXPENDITURES		
Construction	$8,280,000	
Total Expenditures		8,280,000
OTHER FINANCING USES		
Transfer to Major Road Fund	0	
Total Other Financing Uses		0
Total Road Bond Construction Fund		**$8,280,000**

ARTICLE III

The City Council adopts the following fee schedule for public records and services provided by the City of Sterling Heights for the fiscal year July 1, 2015 through June 30, 2016. Any parts of resolutions and ordinances in conflict with this article are repealed. This article is intended to preserve all existing charges and fees set forth in any resolution, ordinance, or law which are not in conflict with this article and to fulfill the requirements of any ordinance authorizing the City Council to establish fees by resolution.

Fees for public records not set forth in this article, or in any other resolution, ordinance, or law, shall be set by the City Manager in accordance with Act 442 of the Public Acts of 1976, as amended. Fees for public services not specifically set forth in this article or in any other resolution, ordinance, or law may be established by the City Manager, who shall promptly notify the City Council in writing of each of them. The City Manager shall establish fees for public services based upon the cost of providing the public service.

Sec. 3.01

ASSESSING OFFICE:

Lot Splits.....550.00
Lot Combinations.....450.00
Processing Labels (per page).....1.30

Resident Field Sheet Fee 2.00
Apartment Listing (Names/Sidwells/Assessments) 60.00
Shopping Center List 60.00
Section or Subdivision Listing (per page) 1.00
Assessing, Board of Review, & Sales Information (first page).....2.00
Additional Pages.....0.30
Plat Map 133.00
Custom Assessment Information Report.....50.00
IFEC Extension Application Fee 575.00
IFEC Request for Extension to Complete Project Application Fee 575.00
IFEC Request for Revision of Final Project Cost Application Fee 575.00
Application to Establish a Speculative Building Designation Fee 575.00
Tax Hardship Income Limits:
1 Person 13,600.00
2 Person 15,730.00
3 Person 19,790.00
4 Person 23,850.00
5 Person 27,910.00
6 Person 31,970.00
7 Person 36,030.00
8 Person 40,090.00
Each Additional Person 3,800.00

Sec. 3.02

BUILDING OFFICE:

Fence Permit.....38.00
Fence Permit – Masonry, Separation 56.00
Board of Code Appeals.....226.00
Reestablish Expired Permit Fee 67.00
Overtime Inspections, Each Hour (4 hour minimum) 89.00
Special Inspections, Each Trade (Residential).....51.00
Special Inspections, Each Trade (Commercial) 73.00
Building Code Publication .....Cost + 13.00 Administration fee
Building Moving Permit 297.00
Municipal Civil Infraction:
Each Violation.....150.00
First Repeat Offense 375.00
Second Repeat Offense 750.00
Third or Subsequent Repeat Offenses.....1,500.00

Electrical Work

Application Fee (Non-refundable).....36.00
Permit fee (minimum).....48.00
Electrical Contractor's Registration.....26.00
Fire Alarm Contractor's Registration.....26.00
Sign Contractor's Registration 26.00

Furnace Wiring.....27.00
Air Conditioner Reconnect.....27.00
Circuits: Each (new or extended).....21.00
Fixtures: Each 25.....21.00
Motors, Power, Heating Units, Furnaces, Transformers:
Each ¼ to 10 HP.....27.00
Each 11 to 30 HP.....32.00
Each 31 to 50 HP.....37.00
Each 51 to 60 HP.....43.00
Each 61 and over.....57.00
Feeders (Conduit, Wireways, Bus Ducts, Cables):
Each 100 ft. (or less).....50.00
Refrigeration Units:
Air Conditioning (residential).....27.00
Interruptible Service.....27.00
Air Conditioning (commercial):
Up to 5 Tons.....32.00
5 to 40 Tons.....50.00
Over 40 Tons.....75.00
Electric Ranges, Ovens, Dryers, Water Heaters, X-Ray Equipment:
Each unit of type.....27.00
Swimming Pools/Hot Tubs (all).....56.00
Service (Lights, Heat, and Power):
100 Ampere or less.....27.00
101 to 500 Ampere.....37.00
501 to 900 Ampere.....50.00
900 Ampere or more.....62.00
Signs: Sign Circuit.....43.00
Sign Tag Inspection.....65.00
Sign Connection.....70.00
General Repair & Alterations (per hour or fraction thereof).....58.00
Generator Connection.....50.00
Motion Picture Apparatus.....50.00
Special Inspections not specifically covered:
Festivals.....131.00
Carnivals.....131.00
Circuses.....131.00
Shop Inspection.....74.00
Theatrical Road Show.....74.00
Christmas Tree Lot.....74.00
Temporary Wiring:
Display Area (Sq. Ft.):
Up to 100,000 sq. ft.....67.00
Over 100,000 to 200,000 sq. ft.....124.00
Over 200,000 to 300,000 sq. ft.....148.00
Over 300,000 to 400,000 sq. ft.....219.00
Over 400,000 sq. ft.....292.00
Outline Tubing – Connection or Tag Inspection:
Each 100 feet.....74.00

Mobile Home and Trailer Park Inspections (minimum) 51.00
Fire Alarm Inspection (minimum).....71.00
Plan Review Fee 97.00
Manual Pull Station.....12.00
A/V, Strobe, Voice Speaker.....12.00
Water Flow/Tamper Switch 12.00
Heat or Smoke Detector.....12.00
Flame, Duct Detector.....12.00
Auxiliary Panel.....12.00
Electric Door Release.....12.00
Elevator Recall Status 12.00
Fire Alarm Circuit.....20.00
Alterations to existing system 58.00
Reinspection Fee 58.00
Miscellaneous Fire Alarm Fee 58.00

Plumbing Work

Application Fee (Non-refundable).....40.00
Permit Fee (minimum) 48.00
Plumber's Registration.....1.00
Journeyman Plumber's Registration.....0.50
Fixture Inspection: (New and Replacement)
New Installation (minimum) 48.00
New Stack or Stack Alteration.....18.00
Air Admittance Valve 18.00
Roof conductor 18.00
Sump or interceptor.....18.00
Backflow preventor.....18.00
Pump or Water Lift.....18.00
Hose connection (sillcocks).....18.00
Water treatment device 18.00
Water closets.....18.00
Shower traps.....18.00
Baths.....18.00
Water heater.....32.00
Tankless water heater 32.00
Basement Waterproofing.....48.00
Sinks (any description) 18.00
Lavatories 18.00
Laundry trays.....18.00
Floor drains.....18.00
Ice Maker 18.00
Back Water Valve 18.00
Thermal Expansion Tank 18.00
Bidet.....18.00
Dental Chair.....18.00
Grease or Oil Interceptor.....18.00
Drinking fountains.....18.00
Soda fountains/bars.....18.00

Waste opening.....18.00
Humidifiers.....18.00
Food waste grinders.....18.00
Dishwashers.....18.00
Urinals.....18.00
Whirlpools.....37.00
Lawn Sprinkler Systems.....43.00
All other fixtures not mentioned.....18.00
Reinspection Fee.....58.00
Special Equipment (automatic laundry, humidifier, beverage vending machine, vacuum systems, nitrous oxide, oxygen, nitrogen, medical air):
Automatic Machines (minimum).....32.00
Each additional.....18.00
Building Sewer Connection – sump connection.....50.00
Drains:
Storm drains to catch basin for main storm sewer.....292.00
Lines less than 4” in diameter.....28.00
Lines less than 6” in diameter.....33.00
Lines less than 8” in diameter.....44.00
Lines less than 10” in diameter.....58.00
Lines less than 12” in diameter.....74.00
Lines less than 14” in diameter.....88.00
Lines less than 16” in diameter.....103.00
Lines less than 18” in diameter.....118.00
Lines exceeding 18” in diameter (per inch).....16.00
Water Distribution System:
¾”.....22.00
1”.....33.00
1 ¼”.....38.00
1 ½”.....51.00
2”.....67.00
2 ½”.....96.00
3”.....110.00
4”.....124.00
Exceeding 4”.....147.00
Replace piping, no increase in size.....38.00

Mechanical Work
Application Fee (Non-refundable).....36.00
Permit Fee (minimum).....48.00
License/Registration.....15.00
Gas-Fired Equipment; Oil Burners; New or Replacement –
Burners with input:
up to 75,000.....50.00
75,001 to 500,000.....57.00
500,001 – 1,000,000.....100.00
1,000,001 – 2,000,000.....114.00
2,000,001 – 3,000,000.....142.00
over 3,000,000.....171.00

Air Handlers:
- Up to 2,000 CFM 50.00
- Over 2,000 CFM 100.00

Duct Work 50.00
Hydronic Piping 58.00
Gas Piping:
- Mains up to 2" 43.00
- Mains 2 ½" to 4" 57.00
- Mains over 4" 71.00
- Each Opening off of Main 15.00

Factory Built Chimneys:
- Up to 8" 21.00
- 9" to 12" 32.00
- Over 12" 43.00

Pre-Fab Fireplace 57.00
Flue Liner 37.00
Exhaust Fans:
- Up to 400 cfm 16.00
- 401 cfm to 1,000 cfm 21.00
- 1,001 cfm to 4,000 cfm 32.00
- Over 4,000 cfm 43.00

Dryer Vents 21.00
Kitchen Hood and Duct (UL300/FM200) 51.00
Spray Booth Hood and Duct 51.00
Alterations to existing installations 58.00
Alterations to existing boilers 58.00
Reinspection Fee 58.00
Refrigeration Systems –
- Self Contained:
  - 2 Tons or Less, each 43.00
  - Over 2 to 5 Tons, each 50.00
- Alterations to each system 58.00
- Remote Systems:
  - 5 Tons or Less, each 50.00
  - Over 5 to 50 Tons, each 71.00
  - Over 50 Tons, each 114.00
- Alterations to each system 58.00

Cooling Towers 71.00
Stand Pipes and Fire Suppression:
- Riser pipe up to 4" diameter 44.00
- Riser pipe up to 6" diameter 74.00
- Riser pipe up to 8" diameter 103.00
- Riser pipe 8" or more diameter 219.00
- Each suppression opening (each head of the system) 5.00
- Alteration to existing system 58.00

Flammable and Bulk Storage Tanks:
- Tanks under 500 Gallons 50.00
- Tanks under 5,000 Gallons 65.00
- Tanks under 20,000 Gallons 85.00

Tanks under 50,000 Gallons 100.00
Tanks under 200,000 Gallons 114.00
Tanks over 200,000 Gallons 213.00

Buildings
Application Fee (Non-refundable).....36.00
Plan Review Deposits (Non-refundable):
Single Family Residential 550.00
Commercial Alteration 219.00
New Commercial/Industrial Building 1,095.00
Commercial/Industrial Addition.....550.00
Building Permit Fees (all use groups):
Valuation to $1,000.....56.00
Valuation $1,001 to $10,000 .....56.00 + 15.00 per 1,000.00 over 1,000.00
Valuation $10,001 to $100,000 .....222.00 + 6.00 per 1,000.00 over 10,000.00
Valuation $100,001 to $500,000 .....933.00 + 6.00 per 1,000.00 over 100,000.00
Valuation $500,001 and over ..... 4,050.00 + 6.00 per 1,000.00 over 500,000.00
Residential Bond (5% Retained).....510.00
Temporary C/O Refundable Bond 530.00
Multi-Family Bond (5% Retained) 765.00
Commercial Bond (5% Retained) 1,550.00
Industrial Bond (5% Retained).....3,080.00
Mobile Homes 149.00
Plan Review Fee:
Valuation $0 - $500,000 .....0.0040 of valuation but not less than 100.00
Valuation over $500,000 ..... 2,370.00 + 0.0015 of valuation over 500,000.00
Residential Plan Review: If Plan Number is on File 110.00
Additional Expedited Commercial Interior Alteration Plan Review Fee 200.00
Miscellaneous Plan Review 67.00
Misc. Items (concrete, antennas, awnings, sheds, canopies, tents, gazebos, decks, porches, reroofs) 67.00
Pigeon Loft Inspection 67.00
Replacement of Public Sidewalk Section(s) by Abutting Property Owner 36.00
Use Permit (tenant space) 96.00
Fire Repair/Water Repair 218.00
Fire Inspection Fee (New City Businesses).....90.00
Reinspection Fee 58.00
Demolition:
..... Plan review and administration base fee .....67.00 + 0.10 per square ft.

Swimming Pools:

Above Ground.....71.00
Below Ground.....142.00
Signs:
Application Fee (non-refundable).....36.00
Plan Review Fee 67.00
Permanent 147.00
Temporary 67.00
Contractor Registration Fee.....26.00

Residential Basement Finish 212.00
Residential Interior Finish 212.00
Minor Commercial Alterations under 400 sq. ft. 219.00

Sec. 3.03

CITY ADMINISTRATION:

Amusement Device License:
- Types A & B .....950.00 + 62.00 per device
- Renewal Fee.....193.00 + 36.00 per device
- Type C 950.00
- Renewal Fee.....194.00

Attorney Services ..... Attorney fees & costs
Auction Sales License (per day) 25.00
Auctioneer License.....57.00
Business Registry License.....47.00
Carnival/Festival License ..... 75.00 + 6.00 each booth, ride, etc.
Cigarette Vending Machine License ..... 66.00 + 6.00 each additional machine
Death and Birth Certificate (Non-FOIA) 24.00
- Additional Copies (Non-FOIA).....9.00

Dog License:
- Newly Acquired Dog - Jan. 1 to Oct. 31 OR License Renewal - Jan. 1 to Mar. 31:
  - ..... Spayed/Neutered Dog:
    - 1-Year License 8.00
    - 2-Year License 14.00
    - 3-Year License 20.00
  - Unaltered Dog:
    - 1-Year License 21.00
    - 2-Year License 40.00
    - 3-Year License 59.00
- Newly Acquired Dog - Nov. 1 to Dec. 31
  - Spayed/Neutered Dog:
    - 1-Year License 4.00
  - Unaltered Dog:
    - 1-Year License 10.50
- Newly Acquired Dog - Registering later than 30 days after acquisition:
  - Additional Late Fee 10.00
- License Renewal - After Mar. 31:
  - Additional Late Fee 10.00
- Senior (60+) Owner .....No charge
- Service Dog .....No charge

Potentially Dangerous Dog Annual License Fee 56.00
Replacement Dog Tag 4.50
Fire Inspection Fee (new City businesses – charged by Building).....90.00
Going Out of Business Sales License 50.00
- Renewal Fee.....50.00

House Moving License.....75.00
Industrial Development District Filing Fee 1,000.00

Industrial Facilities Exemption Certificate Filing Fee 2,000.00
Industrial Facilities Exemption Certificate Application Amendment Fee 1,000.00
Industrial Facilities Exemption Certificate Transfer Fee 1,000.00
New Personal Property Exemption Fee 2,000.00
Junk Yard License 275.00
Landscaper License (Non-resident) 68.00
Medical Marijuana Location Registration Fee 350.00
Mobile Vending License 189.00
Pawnbroker License 500.00
Refuse Collection License ..... 99.00 + 7.00 each truck
Secondhand Goods Merchant Registration Fee 104.00
Snow Removal License 193.00
Solicitor/Peddler License 124.00
Tattoo Permit 570.00
Taxi License (annual fee) ..... 97.00 + 12.00 per vehicle
Temporary Use Vendor License 49.00
Wrecker Driver License (Towing Contractor) 121.00
Renewal Fee Wrecker Driver License (Towing Contractor) 61.00
Massage Establishment License 655.00
Renewal Fee Massage Establishment License 329.00
Precinct Map 7.85
City Street Map 4.90
Zoning Map 6.20
City Budget 52.00
Municipal Improvement Program 32.00
City Financial Audit 32.00
Collective Bargaining Agreement 6.20
Election Results 9.60
Voter and Business Registry Labels (per page) 1.30
Voter and Business Registry Lists (per computer hour) ..... Payroll + 0.05/page
Voter Data CD 29.00
Liquor License: Class C 2,080.00
Tavern 2,080.00
SDD & SDM 2,080.00
Entertainment and/or Dance Permit 2,080.00
Extended Hours Permit 2,080.00
Shareholder Partial Transfer 1,030.00
Temporary Liquor License Application Fee 34.00
Outdoor Service Permit 258.00
Hotel/Motel License 2,080.00
Renewal Fee Hotel/Motel License 1,030.00
Certifications 5.00
Photo Copies – Black & White (Non-FOIA) 2.00
Additional Pages – Black & White (Non-FOIA) 0.30
Photo Copies – Color (Non-FOIA) 2.00
Additional Pages – Color (Non-FOIA) 0.85
Microfilm Copies (per page) (Non-FOIA) 5.50
Recording Fee (formerly Encroachment Fee) 40.00

Notary Fee 10.00
Audio Tape Recordings - prepay minimum (Non-FOIA) 19.00
Fireworks Display Permit 720.00
Close Proximity Pyrotechnic Display Permit.....720.00
Sterlingfest Art Fair Applications.....230.00
Double Booth Fee.....410.00
Corner Booth Additional Charge 30.00
Sterlingfest Art Fair Vendor Jury Fee (Non-Refundable) 17.00
"Taste of the Town" Sterlingfest Booth – Food Cart Vendors 660.00
"Taste of the Town" Sterlingfest Booth - Restaurateurs 1,500.00
VHS Tape Dubs (Non-FOIA) 36.00
DVD Dubs
Resident (Non-FOIA).....26.00
Non-Resident (Non-FOIA).....36.00
Gazebo Rental (per event):
Resident.....59.00
Non-Resident.....90.00
Gazebo Rental for Photographs Only (per 1 hour rental):
Resident.....32.00
Non-Resident.....45.00
Upton House Rental – (per 4 hour rental):
Resident.....59.00
Non-Resident.....90.00

Sterling Heights Magazine Advertisement Fees:
Full Page Ad (Full Color) 1,538.00
Full Page Ad (Two Color) 1,318.00
One-Half Page Ad (Full Color) 879.00
One-Half Page Ad (Two Color) 769.00
One-Fourth Page Ad (Full Color) 496.00
One-Fourth Page Ad (Two Color) 439.00
Business Card Ad (Full Color).....329.00
Business Card Ad (Two Color).....274.00
Name & Phone Number Ad.....110.00
Three-Edition Ad Commitment (Minimum)..... 20% Discount
Environmental Recovery Fee .....Cost + 25% Administrative Fee
Municipal Civil Infraction:
Each Violation.....150.00
First Repeat Offense 375.00
Second Repeat Offense 750.00
Third and Subsequent Repeat Offenses.....1,500.00
Municipal Civil Infraction (Failure to Comply with Owner/Keeper of a Potentially Dangerous Dog Requirements):
First Violation.....500.00
First Repeat Offense 750.00
Second and Subsequent Repeat Offenses.....1,000.00
Municipal Civil Infraction (Failure to License a Dog with the City Clerk):
First Violation.....500.00
First Repeat Offense 750.00
Second and Subsequent Repeat Offenses.....1,000.00

Reduced Fee if Licensed Prior to Court Appearance 150.00

Sec. 3.04

ECONOMIC DEVELOPMENT OFFICE:

Brownfield Redevelopment Auth./Local Dev. Finance Auth./Corridor Improvement Auth. Fees:

Application Fee (one-time up front).....510.00
Tax Increment Plan Annual Administrative Fee.....2,550.00

Sec. 3.05

ENGINEERING OFFICE:

Review Fees:

Site Plan ..... 426.00 + 71.00 per acre + 1.3% of site improvement costs
Multiple Developments ..... 426.00 + 71.00 per acre + 1.3% of site improvement costs
Cluster Developments ..... 426.00 + 71.00 per acre + 1.3% of site improvement costs
Site Condominiums ..... 426.00 + 71.00 per acre + 1.3% of site improvement costs
Subdivisions..... 1.3% of estimated site improvement costs

Plan Revision Review Fee 90.00

Design Fees:

Construction plans and specifications - *Class 1 ..... 7.0% of construction costs
**Class 2..... 8.7% of construction costs
Field engineering and contract administration - *Class 1 ..... 2.4% of construction costs
…. **Class 2..... 2.7% of construction costs

Engineering Bid Packet Fee 47.00

R.O.W. Permits:

Review Fees – Public Improvements.....1.3% of construction cost ($50 minimum)
Review Fees – Privately Owned Facility..... $0.05/linear foot ($50 minimum)
Inspection ..... Payroll +180%

Telecommunications ROW Application Fee 645.00

Staking Fees ..... Payroll + 180%

Inspection Fees:

Site Plan ..... Payroll +180%
Multiple Development..... Payroll +180%
Cluster Development..... Payroll +180%
Site Condominiums ..... Payroll +180%
City Construction Projects ..... Payroll +180%
Subdivisions..... Payroll +180%
Inspections by Consultants .....Consultant Fee +10%

Private Development Engineering Consultant Fee .....Consultant Fee +10%

Sidewalk Repair and Gap Programs .....Cost +20%

Easement Vacations .....Attorney fee+ 240.00

Easement Encroachments.....260.00

Building Number Assignments (per address) 22.00

S.E.S.C. Review Fee for:

Commercial, Industrial, Multi-Family, Subdivision ..... ¼ of 1% of first $500,000.00
.....+⅛ of 1% over $500,000.00 (50.00 minimum)

Single-Family Residential House 70.00
Underground Private Utility ..... 0.05 linear foot (50.00 minimum)
S.E.S.C. Inspection Fees..... Payroll + 180%
S.E.S.C. Inspection by Consultant.....Consultant fee +10%
S.E.S.C. Permit Renewal Fee ($50 min.) .....10% of Permit Fee
Water & Sewer Permit Revision Review Fee 103.00
Public Services Agreement Execution Fee 33.00
Recording Fee.....40.00
Water & Sewer Debt Service Agreement Finance Charge 20%
Document Copying for:
24" x 36" Prints (Xerox 2510 or blueline) .....8.00 each
34" x 34" Prints (Xerox 2510 or blueline) .....8.00 each
Larger than 34" x 34" (Xerox 2510 or blueline).....8.00 each
Detail Sheets (Mylar).....9.50 each
Topographic Map 36" x 36" (blueline) .....42.00 each
Planimetric Map 36" x 36" (blueline) .....25.00 each
Overall Watermain Map (blueline).....8.50 each
Overall Sanitary Sewer Map (blueline).....8.50 each
Overall Storm Sewer Map (blueline) .....8.50 each
Master Storm Sewer Plan (book form).....49.00 each
Master Watermain Plan (book form) .....37.00 each
Master Sanitary Sewer Plan (book form) .....37.00 each
Master Road Plan (book form) 1998 HRC .....49.00 each
Municipal Civil Infraction for Various Soil Erosion and Sedimentation Control Regulations:
First and Subsequent Repeat Offenses.....750.00
Municipal Civil Infraction for Unabated Knowing Violations of City Code Chapter 17:
Each Violation.....5,000.00
First Repeat Offense 7,500.00
Second and Subsequent Repeat Offenses.....10,000.00
Municipal Civil Infraction for Unabated Knowing Violations After a Notice of Determination:
Each Violation.....10,000.00
First Repeat Offense 15,000.00
Second and Subsequent Repeat Offenses.....20,000.00

* Class 1 projects include drain enclosures, channel improvements, sanitary sewer, water main, and pavement overlay.

** Class 2 projects include new road construction or reconstruction, bridges, pumping stations, etc.

Sec. 3.06

FIRE DEPARTMENT:

Fire Reports: First Page (Non-FOIA).....11.00
Additional Pages (Non-FOIA).....1.00
Digital Photographs:
5" x 7" Color Print (Non-FOIA).....32.00

8” x 10” Color Print (Non-FOIA).....32.00
8” x 10” Contact Sheet (Non-FOIA).....32.00
Compact Disc (Non-FOIA) 25.00
Burning Permit 200.00
Fireworks Sales Permit.....720.00
Fireworks Display Permit 720.00
Close Proximity Pyrotechnic Display Permit.....720.00
Board of Code Appeals.....240.00
Witnessed Acceptance Test Fee 170.00
Off-Hour Witnessed Acceptance Test Fee (3 hour minimum) 781.00
Each additional hour 261.00
Reinspection Fee for Witnessed Acceptance Test.....170.00
Phase I Site Inspection (1 hour minimum).....60.00 + 35.00 per hour
Special Fire Prevention Inspection (festivals, craft shows, carnivals, haunted houses, flea markets)
Each Inspection 184.00
Each Re-Inspection 184.00
Off-Hour Inspection (3 hour minimum).....261.00
Each Additional Hour.....76.00
Off-Hour Re-Inspection (3 hour minimum).....261.00
Each Additional Hour.....76.00
Plan Review Fee 160.00
Resubmitted Plan Review Fee 53.00
Explosive Materials Permit Fee 195.00
Requested Fire Services (Schools, Businesses, Hazmat Incidents, etc.) .....Cost + 30%
Reinspection Fees:
First Reinspection.....No Fee
Second and Subsequent Reinspections 114.00
False Alarm Fees: (within a 12 month period)
First Response.....No Fee
Second Response 150.00
Third Response 320.00
Fourth and Subsequent Responses.....645.00
Municipal Civil Infraction:
First Offense Each Violation.....150.00
First Repeat Offense 375.00
Second Repeat Offense 750.00
Third and Subsequent Repeat Offenses.....1,500.00
Municipal Civil Infraction for Violation of a Stop Work Order:
First Offense Each Violation.....150.00
First Repeat Offense 375.00
Second Repeat Offense 750.00
Third and Subsequent Repeat Offenses.....1,500.00

Sec. 3.07

NEIGHBORHOOD SERVICES:

Administrative Warrant.....125.00
Board of Ordinance Nuisance Abatement Appeals.....225.00
Board of Ordinance Noxious Weed Appeals.....50.00
Single Family Res. Non-Homestead Inspection Fee (biennial).....128.00
Nuisance Abatement Administrative Fee 25%
Nuisance Abatement Agreement Execution Fee..... Attorney Fee + 25%
Sidewalk Snow Removal Fee .....Cost + 25% + 58.00
Claimed Signs:
16 sq. ft. or less .....5.00 each
17 – 31 sq. ft. .....25.00 each
32 sq. ft. and over.....119.00 each
Code Enforcement Inspection 57.00
Real Estate Sign Removal Fee.....Contract Costs + 25% Administration Fee
Municipal Civil Infraction (Residential Parking and Signs):
Each Violation.....100.00
First Repeat Offense 250.00
Second and Subsequent Repeat Offenses.....500.00
Municipal Civil Infraction for Prohibited Parking during a Snow Emergency:
Each Violation.....25.00
First Repeat Offense 100.00
Second and Subsequent Repeat Offenses.....125.00

Sec. 3.08

PARKS & RECREATION:

Pavilion Rental:

Weekday (Resident).....66.00
(Non-Resident).....99.00
Weekend (Resident).....89.00
(Non-Resident).....133.00
Picnic Kits:

Weekday (Resident).....10.00
(Non-Resident).....15.00
Weekend (Resident).....30.00
(Non-Resident)..... 45.00
Nature Center Classes:
School Field Trips (WCS/UCS Schools) 30.00
(All Other Districts per class).....45.00
Children's Nature Classes (Resident).....8.00
(Non-Resident) 12.00
Scout Badge Classes (Resident) 9.00
(Non-Resident) 13.00
Birthday Parties (Resident) 118.00
(Non-Resident).....153.00
Parent & Tot Classes:
1 Child Per Family (Resident) 50.00
(Non-Resident) 75.00

2 Children Per Family (Resident) 56.00
(Non-Resident) 84.00

Summer Playground:
Resident.....104.00
Non-Resident.....156.00
Field Trip Bus Fee (Per Person).....8.00

Special Recreation Dances:
Pre-Registered (Resident).....7.50
(Non-Resident) 10.50
Registration at the Door (Resident).....9.50
(Non-Resident) 13.50
Staff Registration 1.00
Prom Dance – Individual (Resident) 17.50
(Non-Resident).....26.25

Special Recreation Playgrounds:
Physically or Otherwise Health Impaired (P.O.H.I.) – Individual (Resident).....156.00
(Non-Resident).....234.00
Physically or Otherwise Health Impaired (P.O.H.I.) – Family (Resident) 263.00
(Non-Resident).....394.00
Mentally Impaired (M.I.) – Individual (Resident) 156.00
(Non-Resident).....234.00
Mentally Impaired (M.I.) – Family (Resident) 263.00
(Non-Resident).....394.00

Special Recreation:
Early On Parent & Tot (Resident).....32.00
(Non-Resident) 48.00
Crafts (Resident) 8.00
(Non-Resident).....12.00
Creative Cooking (Resident) 8.00
(Non-Resident).....12.00
Line Dance Exercise (Resident) 44.00
(Non-Resident) 66.00
Softball – Individual (Resident).....58.00
(Non-Resident).....75.00
Softball – Family (Resident) 101.00
(Non-Resident) 131.00

Farmers Market:
Advanced Pay-Full Season 375.00
Per-Day Rate.....20.00
Electricity (Additional Fee Per Day) 5.00

Coffeehouse Tickets:
Advance Tickets (Resident) 14.00
(Non-Resident) 18.00
At the Door Sales (Resident).....15.00
(Non-Resident) 20.00

Karate:
Resident.....50.00
Non-Resident.....65.00

Yoga/Fitness Classes:

Resident.....42.00
Non-Resident.....55.00
Zumba:
Resident.....60.00
Non-Resident.....78.00
Men's Gym:
Resident.....45.00
Non-Resident.....58.00
Senior Boys Basketball.....530.00
Men's Softball.....898.00
Co-ed Softball.....587.00
Women's Softball.....587.00
Ball Field Rental Fees – Seasonal:
Delia or LWB Park (per field per day):
MABF Teams/Church Teams.....390.00
All Other Users.....415.00
All Users – Lighted Fields Additional Fee (per day).....63.00
Jaycee Park (per field per day):
MABF Teams/Church Teams.....270.00
All Other Users.....295.00
Ball Field Rental Fees – Daily:
Delia or LWB Park (per field per day):
MABF Teams/Church Teams.....68.00
All Other Users.....78.00
All Users – Lighted Fields Additional Fee (per day).....63.00
Jaycee Park (per field per day):
MABF Teams/Church Teams.....46.00
All Other Users.....56.00
Ball Field Request to Groom/Stripe Additional Fee.....Cost + 25%
Soccer Field Rental Fees (per field per season):
Travel Clubs:
Seasonal 1-3 days/week.....560.00
Seasonal 4-7 days/week.....850.00
Camp/Other
Weekly (one week only).....200.00
Daily.....85.00
Sand Volleyball League.....228.00
Teenfest:
Resident.....2.50
Non-Resident.....3.50
Snowmobile Safety (Resident).....15.00
(Non-Resident).....22.00
Gymnastics:
One-half Hour Class (Resident).....45.00
(Non-Resident).....67.00
One Hour Class (Resident).....56.00
(Non-Resident).....84.00
Dance:
Fall Session (Resident).....52.00

(Non-Resident) 67.00
Winter/Spring Session (Resident) 83.00
(Non-Resident).....108.00
30 Minute Dance Classes: .....
Fall Session (Resident) 41.00
(Non-Resident).....53.00
Winter/Spring Session (Resident) 53.00
(Non-Resident) 69.00

Ballroom:

Resident.....40.00
Non-Resident.....60.00

Senior Center Activities:

Aquatic Exercise (Resident) 36.00
(Non-Resident).....47.00
Arthritis Exercise (Resident).....5.00
(Non-Resident).....7.00
Exercise (Resident) 6.00
(Non-Resident).....9.00
Golf League (Resident) 16.00
(Non-Resident) 24.00
Line Dance (Resident).....5.00
(Non-Resident) 7.00
Senior News Subscription per year (Resident) 14.50
(Non-Resident) 21.75
Stained Glass Class (Resident) 7.00
(Non-Resident).....10.50
Tai Chi (Resident).....6.00
(Non-Resident).....9.00
Volleyball Player Fee (Resident).....34.00
(Non-Resident).....51.00
Zumba Gold (Resident) 5.00
(Non-Resident).....7.00
Senior Bus Trip:
1 day……(Resident) 8.00
(Non-Resident) 12.00
2-4 days....(Resident) 15.00
(Non-Resident) 22.50
Extended..(Resident).....33.00
(Non-Resident) 50.00
SMART Bus Day Trips (Resident) 4.00
(Non-Resident) 6.00
Senior Activity Fee - per day (Resident).....0.25
(Non-Resident) 0.50
Senior Center Gymnasium Activities:
Co-ed Pickleball (Resident).....24.00
(Non-Resident) 36.00

Track Usage Fee – After Hours (Resident).....1.00
(Non-Resident).....1.50
Gymnasium Usage Fee – After Hours (Resident).....Trial Reduced Fee: 2.00
(Non-Resident).....Trial Reduced Fee: 3.00
Parks and Recreation Plan.....8.75

Sec. 3.09

PLANNING:

Special Approval Land Use.....569.00
Temporary Use.....416.00
Administrative Review.....255.00
Variances to Subdivision Regulations.....416.00
Right-of-Way Vacations.....630.00
Rezoning Petition:
First Acre.....1,770.00
Additional Acre.....69.00
Public Hearing Postponements (Petitioner Requested).....46.00
Ordinance Text Amendment.....1,770.00
Subdivision Plat.....1,390.00
Each lot over 100 lots.....9.30
Subdivision Open Space and One-Family Cluster Development.....775.00
Tree Preservation – Site Plans and Plats.....880.00
Tree Preservation – Single Family Lot (less than one acre).....190.00
Tree Preservation Administrative Fee.....25% of landscape plan inspection fees
Tree Preservation Inspection Fee (per inspection/re-inspection).....Payroll + 175%
No Tree Affidavit.....124.00
Site Plan Review:
First Acre.....425.00
Additional Acre.....71.00
Site Plan Review by Planning Commission:
First Acre.....570.00
Additional Acre.....71.00
As Built Revisions.....251.00
Master Land Use Report.....39.00
Master Land Use Map.....12.50
Subdivision Plat Print (per sheet).....12.50
Subordination of Lien.....150.00
Zoning Board of Appeals:
Regular Meeting.....420.00
Special Meeting.....840.00
Zoning Compliance Letter.....62.00
Landscape Plan Inspection.....25% of site plan fees
Municipal Civil Infraction:
Each Violation.....150.00
First Repeat Offense.....375.00
Second Repeat Offense.....750.00
Third or Subsequent Repeat Offenses.....1,500.00

Sec. 3.10

POLICE DEPARTMENT:

Police Reports:
First Page (Non-FOIA).....11.00
Additional Pages (Non-FOIA).....2.00
Clearance Letter.....16.00
Noncriminal Fingerprint Card.....25.00
Photos:8" x 10" Color (Non-FOIA).....33.00
5" x 7" Color (Non-FOIA).....31.00
8" x 10" Contact Sheet (Non-FOIA).....31.00
Compact Disc (Non-FOIA).....46.00
Administrative Towing Fees: (Charged to Towing Company)
Inspection of VIN.....23.00
Reports on TR-52 Tracking.....28.00
Administration and Presence at Auction.....590.00
Audio Tape Duplication Fee (Non-FOIA).....42.00
Video Tape, DVD, CD Duplication Fee (Non-FOIA).....46.00
Animal Give-up Fee.....30.00
Animal Impoundment Fee (Released from Station).....31.00
Animal Impoundment Fee (Taken to Care Hospital):
Up to 65 pounds.....50.00
Over 65 pounds.....60.00
Animal Trap Rental Fee (per 5 days).....32.00
Animal 10-Day Quarantine Fee:
Up to 65 pounds.....150.00
Over 65 pounds.....170.00
Rabies Testing:
If Owner of Animal Known.....75.00
If Owner of Animal Known (Decapitation Required).....150.00
Microchipping of Animal (if required per ordinance/law).....35.00
Flea Prevention (impounded animals if owner is known).....20.00
Cremation of Pre-Deceased Animals (if owner is known).....25.00
Personal Breathalizer Test (PBT).....24.00
Booking Photo (Non-FOIA).....11.00
Notary Fee for Gun Permits.....10.00
Park Alcohol Permit Fee.....34.00
Requested Police Services (Schools, Businesses, Hazmat Incidents, etc.).....Cost + 30%
Towed Vehicle Impound Fee.....30.00
Correctable Traffic Violation.....10.00
Warrant Fee (All Warrants).....10.00
False Alarm Fees: (within a 12 month period)
First Response.....No fee
Second Response.....No fee
Third Response (Residential).....35.00
Third Response (Non-Residential).....99.00
Fourth Response (Residential).....67.00
Fourth Response (Non-Residential).....201.00
Fifth and Subsequent Responses (Residential).....132.00
Fifth and Subsequent Responses (Non-Residential).....397.00

Municipal Civil Infraction (including Animal Control Regulations):
- Each Violation.....150.00
- First Repeat Offense 375.00
- Second Repeat Offense 750.00
- Third and Subsequent Repeat Offenses.....1,500.00

Municipal Civil Infraction for Prohibited Parking during a Snow Emergency:
- Each Violation.....25.00
- First Repeat Offense 100.00
- Second and Subsequent Repeat Offenses.....125.00

Municipal Civil Infraction for Youth Curfew Violations:
- Each Violation.....25.00
- First Repeat Offense 50.00
- Second and Subsequent Repeat Offenses.....100.00

Municipal Civil Infraction for Violation of Bicycle Regulations (City Parks):
- Each Violation.....10.00
- First Repeat Offense 25.00
- Second and Subsequent Repeat Offenses.....50.00

Sec. 3.11

PUBLIC LIBRARY:

Overdue fines (per day):
- Hardcover Books (maximum $15.00).....0.25
- Paperback Books (maximum $5.00) 0.25
- Magazines (maximum $5.00) 0.25
- Audios (maximum $15.00) 0.25
- Compact Discs (maximum $15.00) 0.25
- Videocassettes (maximum $15.00).....0.25
- DVD's (maximum $15.00) 0.25

Replacement Library Card.....3.00
Suburban Library Cooperative Non-Resident Library Card 200.00
Black & White Copy/Computer Print.....0.10
Color Copy/Computer Print.....1.00
Microfilm/Microfiche Print (per copy) 0.20
Internet Use Without Library Card (per day).....4.00

Municipal Civil Infraction:
- Each Violation.....75.00
- First Repeat Offense 150.00
- Second or Subsequent Repeat Offenses.....300.00

Sec. 3.12

PUBLIC WORKS DEPARTMENT:

Sewer Inspection.....103.00
Sewer Tap.....1,130.00
Sewer Capital/Unit
- Residential.....840.00
- Commercial/Industrial (per 1,000 sq. ft.) 430.00

Sewer Frontage (per front ft.).....70.00
Sewage Disposal Service Only (per billing).....70.00
Residential and Commercial Water Meters:

- ¾" Remote.....390.00
- 1" Remote.....440.00
- 1 ½" Remote.....755.00
- 2" Compound Remote.....1,960.00
- 3" Compound Remote.....3,460.00
- 4" Compound Remote.....4,855.00
- 6" Compound Remote.....7,200.00

Double Check Detector Assembly with Meter:

- 3".....1,930.00
- 4".....2,030.00
- 6".....2,910.00
- 8".....5,270.00
- 10".....7,680.00

Water Inspection.....103.00
Water Tap

- 1".....1,070.00
- 1 ½".....1,460.00
- 2".....1,710.00
- 3".....3,420.00
- 4".....3,700.00
- 6".....4,230.00
- Additional Charge for 86 ft. wide street:
  - 1".....340.00
  - 1 ½".....390.00
  - 2".....530.00
- Additional Charge for 120 ft. wide street:
  - 1".....680.00
  - 1 ½".....870.00
  - 2".....1,130.00
- Additional Charge for 204 ft. wide street:1,440.00
  - 1".....1,610.00
  - 1 ½".....2,050.00
  - 2".....2,920.00

Water Capital/Unit:

- Residential.....660.00
- Commercial/Industrial (per 1,000 sq. ft.).....350.00

Water Frontage (per front ft.).....39.00
Monitor Surcharge.....per City of Detroit Industrial Waste Control Rate Structure
Water Turn On Fee.....89.00
Water Service Fee (avoidable & repeat visits).....89.00
Water Service Abandonment Fee:

- Residential.....460.00
- Commercial..... Contract Costs + 920.00

Sewer Service Abandonment Fee.....103.00
Water Service Re-Use Fee

- Residential.....460.00

Commercial..... Contract Costs + 920.00
Sewer Service Re-Use Fee 103.00
Water Meter Testing Fee 102.00
Water Meter Rescheduling Fee 89.00
Non-Compliance with Back Flow Fee.....210.00
Automatic Fixed Network Meter Read Permit 171.00
Final Water Meter Read.....34.00
Final Water & Sewer Bill Preparation Fee 14.00
Citizen Water Service Request – after hours 89.00
Public Works Services Provided.....Cost + 25%
Water Meter Removal/Reinstallation for common area irrigation system 195.00
Landlord/Tenant Affidavit Filing Fee 150.00
Fire Hydrant Rental – Payable by City.....26.00
Private Use of Fire Hydrant:
Per Hydrant..... 110.00 per month + 320.00 water usage deposit
Bypass Inspection Fee.....Back bill + 135.00
Common Area Irrigation System Permit 380.00
Planting of tree in right-of-way 200.00
Culvert installation permit.....92.00
Ditch enclosure permit 92.00
Monitoring well installation permit.....440.00
Sewer connection to discharge treated ground water 440.00
Cutting of noxious weeds..... Contract costs + 60% administrative fee + 33.00 fine
Special Pickup/Additional Refuse Collection..... Contract costs + 25% administrative fee
Refuse Collection Fees (Schools) ..... Contract costs
Refuse Collection Fees (Mobile Home Parks and Apartment Complexes) ..... Contract costs
..... + 5% administrative fee – refuse taxes paid
Curbside Recycling License (min. $1,500/year) 1% of program revenue based upon previous year
Debris Removal Fee .....Contract Costs + 25% administrative fee
Tree Branch Chipping Fee.....60.00
Fleet Services Requested by Other Cities.....Cost + 30%
Municipal Civil Infraction:
Each Violation.....150.00
First Repeat Offense 375.00
Second Repeat Offense 750.00
Third and Subsequent Repeat Offenses.....1,500.00
Municipal Civil Infraction for Trash Placed at Curb Outside of Permitted Hours:
Each Violation.....25.00
First Repeat Offense 50.00
Second and Subsequent Repeat Offenses.....100.00
Municipal Civil Infraction for Violation of a Mandatory Water Restriction:
Each Violation.....25.00
First Repeat Offense 50.00
Second and Subsequent Repeat Offenses.....100.00
Municipal Civil Infraction for Raking Leaves Into Street:
Each Violation.....25.00
First Repeat Offense 50.00
Second and Subsequent Repeat Offenses.....100.00

Sec. 3.13

TREASURY OFFICE:

Bounced Check Fee 30.00
Delinquent Bill to Tax Roll Penalty (excluding Water & Sewer) 17%
Late Payment Penalty.....6%
Penalty Assessment on Delinquent Taxes.....3%
Tax Statement Copy (Internet – Free).....2.00
Attorney Review Fee for Liens or Discharges 78.00
Subordination of Lien 500.00
Annual Lien Penalty .....6% + lien filing costs
O.U.I.L./O.U.I.D. .....320.00 + additional reimbursements
Property Tax Administration Fee (P.T.A.F.) 1%
Municipal Civil Infraction for Failure to Pay Police or Fire False Alarm Invoices:
Each Violation.....150.00
First Repeat Offense 375.00
Second Repeat Offense 750.00
Third and Subsequent Repeat Offenses.....1,500.00

ARTICLE IV

The City Manager is hereby authorized to make transfers within the budgetary centers established in this ordinance but all transfers between budgetary centers, contingencies, reserves, and fund balances shall be made only by further action of the City Council pursuant to law; the City Manager is hereby authorized to sign letters of severance after notifying the City Council and establish City programs which are a de minimis, but necessary expenditure for the benefit of the recipient employee and funded through appropriations in this ordinance; the City Manager is hereby authorized to release bidding documents for those capital items and recurring commodities expressly authorized within appropriations in this ordinance for public review by the City Council following receipt of bids.

ARTICLE V

SEVERABILITY

If any clause, sentence, paragraph, or part of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by any Court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair, or invalidate the remainder of this ordinance and the application of such provision to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved. It is hereby declared to be the legislative intent of this body that the ordinance would have been adopted had such invalid provision not been included.

ARTICLE VI

EFFECTIVE DATE

This ordinance shall become effective upon publication.

AYES: Romano, Schmidt, Koski, Shannon, Skrzyiarz, Taylor, Ziarko

NAYES:

ABSENT:

City of Sterling Heights
City Clerk

Yes: All. The motion carried.

CONSENT AGENDA

3. Ms. Linda Godfrey and Mr. Jeffrey Norgrove discussed Item L.

Mr. Frank Mediati, 15 Mile and Ryan Plaza Manager, stated if they are not allowed to make left hand turns out of the business center that would create a big problem for them.

Moved by Koski, seconded by Taylor, **RESOLVED**, to approve the Consent Agenda, as amended:

A. Moved to Consideration Item 7.

B. To approve payment of the bills as presented: General Fund - $557,717.12, Water & Sewer Fund - $2,689,103.43, Other Funds - $1,581,833.59, Total Checks - $4,828,654.14.

C. **RESOLVED**, to purchase:

a. Eighteen (18) vehicles from Gorno Ford, 22025 Allen Road, Woodhaven, MI 48183, through the State of Michigan cooperative bid, MiDeal contract #071B1300005, in the cumulative amount of $441,040.00;

b. Three (3) vehicles from Berger Chevrolet, Inc. 2525 28th Street S.E., Grand Rapids, MI 49512, through the State of Michigan cooperative bid, MiDeal contract #071B1300016, in the cumulative amount of $56,821.00;

c. Three (3) vehicles from Varsity Ford, 3480 Jackson Road, Ann Arbor, MI 48106-2507, through the State of Michigan cooperative bid, MiDeal contract #071B1300014, in the cumulative amount of $66,792.00;

d. One (1) vehicle from Owosso Motors, Inc., d/b/a Signature Ford, 1960 E. Main Street, Owosso, MI 48867, through the State of Michigan cooperative bid, MiDeal contract #071B1300009, in the cumulative amount of $19,585.00.

D. **RESOLVED**, to accept the proposal by Integrated Design Solutions, LLC, 1441 West Long Lake, Suite 200, Troy, MI 48098, for professional consultant services to update the City's Five-Year Technology Plan at a cost of $28,000.

E. **RESOLVED**, to waive the competitive bidding requirements in accordance with City Code §2-217(A)(9)(a) and purchase the *RecPro* parks and recreation management software system from R.C. Systems, Inc., 35807 Moravian Drive, Clinton Township, MI 48035 at a cost of $30,968.

F. **RESOLVED**, to award the bid for the purchase of four portable six-gas air quality monitors to Argus-Hazco, Inc., 46400 Continental Drive, Chesterfield, MI 48047 at unit prices bid.

G. Moved to Consideration Item 8.

H. **RESOLVED**, to direct the City Attorney to prepare the necessary agreement to vacate a portion of the existing water main easement for the proposed New Apostolic Church Building Addition, Section 24, PSP15-0030, and the Mayor and City Clerk are hereby authorized to sign the agreement on behalf of the City; and, **RESOLVED**, that City Council indicates no objection to the issuance of a building permit for the New Apostolic Church Building Addition, Section 24, PSP15-0030, subject to the following:

1. That site plans and building plans be approved by the Administration prior to issuance of a building permit;
2. That the Applicant pay all costs incurred by the City in the preparation of the easement vacation document(s), including attorney fees; and
3. That Applicant agrees in writing to indemnify and hold the City, its officers and employees, harmless from all damages to persons or property arising from construction activities in the existing easement prior to completion of the vacation process.

I. **RESOLVED**, to approve the Consulting Agreement for Engineering Services between the City of Sterling Heights and Hubbell, Roth & Clark, Inc. for the period January 1, 2016 to December 31, 2018, with a one-year option to extend

the term, and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City.

J. **RESOLVED**, to adopt the resolutions accepting Marco Court, Kelly Drive (extended), Corkwood Drive (extended), Linda Lane, Jode Pointe Drive and Jewell Drive (extended) in the City Local Street System as public streets located within City right-of-way and operated for public street purposes.

(Please insert adopted resolutions here)

K. **RESOLVED**, to approve the application by L.L. of Lakeside Mall, Inc., d/b/a/ Jeepers! of Lakeside Mall, for a Type A Amusement Device License located at 14600 Lakeside Circle, Sterling Heights, MI 48313.

L. **RESOLVED**, to approve Traffic Control #7-79 to prohibit left hand turns from five commercial driveways situated east of Ryan Road onto westbound and eastbound 15 Mile Road.

Yes: All. The motion carried.

CONSIDERATION

4. Mr. Chris McLeod, City Planner, made a presentation for approval of a First Amended and Restated Conditional Rezoning Agreement for property situated on the southeast corner of Schoenherr and Utica Roads in Section 24; Case No. Z-1087. He pointed out the request before Council is for three (3) additional beds. There are no other changes and all existing parking on the site is more than adequate. The conditional rezoning agreement has been drafted and reviewed by the City Attorney and he is recommending the language that has been provided to the City Council.

Moved by Skrzyniarz, seconded by Romano **RESOLVED**, to approve the First Amendment to Amended and Restated Conditional Rezoning Agreement between the City of Sterling Heights and ManorCare Health Services, LLC and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City, Case No. Z-1087.

Yes: All. The motion carried.

5. Mr. Christopher Tomaszycki, representing Grand Azteca VIII, made a presentation on behalf of the applicant. He stated the owners would oversee the operation of the restaurant and that this would be their second restaurant in the City.

Moved by Skrzyniarz, seconded by Schmidt, **RESOLVED**, that the request to transfer ownership of escrowed 2014 Class C liquor license, with SDM license, new dance-entertainment permit, outdoor service permit, Sunday sales (AM and PM) permit, and two bar permits, located at 13100 Hall Road, Sterling Heights, MI 48313 from JNV Properties, LLC to Grand Azteca VIII, LLC, be considered for approval.

Councilman Skrzyniarz pointed out all backup has the recommended approvals from the appropriate departments, so he is in support of the request.

Both Councilwoman Schmidt and Councilman Shannon wanted assurance that the Van Dyke location would remain open.

Councilman Romano questioned the length of time the owners have been together as partners and they responded 14 years. He wished them well and thanked them for coming to Sterling Heights.

Yes: All. The motion carried.

6. Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to appoint Marvin J. Miller, Jr. to the Housing Commission to a term ending December 31, 2020, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

   Yes: All. The motion carried.

7. Item A from the Consent Agenda:

   Moved by Koski, seconded by Romano, **RESOLVED**, to postpone approval of the minutes from the Regular Meeting of December 1, 2015 to the January 5, 2016 regular City Council meeting in order to consider the amendment as suggested to the City Clerk. Councilwoman Koski pointed out the recommended change that needs to be made is on Page 14 of the minutes: giving City Council, not the City Manager, the option to extend the contract with G4S.

   Yes: All. The motion carried.

8. Item G from the Consent Agenda:

   The following residents addressed the purchase of street lighting and mile marker icons with the reconstruction of Van Dyke, from 15 Mile Road to 18 Mile Road.

   Mr. Jeffrey Norgrove doesn't see the need for the mile markers and believes it would be very tacky and a waste of money. He hopes the City Administration could take a second look at this expenditure.

   Mrs. Sanaa Elias spoke against the mile marker icons, stating they will not fit with the aesthetics in the area, they're too high and too costly. She believes the money could be better spent somewhere else.

Ms. Linda Godfrey expressed her displeasure with the mile marker icons. She questioned various sections of the contract as well.

Mrs. Jazmine Early also believes the money for the mile marker icons could be used elsewhere.

Mr. Charles Jefferson doesn't believe people will even be aware of the mile markers and feels it is a waste of money.

Mr. Jody Horan believes the money could be spent somewhere else as well.

Moved by Ziarko, seconded by Taylor, **RESOLVED**, to:

A. Purchase benches and trash receptacles from Victor Stanley, Inc, P.O. Drawer 330, Dunkirk MD 20754 and bike racks from CycleSafe Inc., 5211 Cascade Rd. SE, Suite 210, Grand Rapids MI 49546 for installation at twelve SMART Bus Stop locations along Van Dyke at a cumulative cost of $30,441.39;

B. Approve an agreement between the City of Sterling Heights and Detroit Edison Company for the purchase and installation of street lighting in the Van Dyke median at a cumulative cost of $54,740.61 and authorize the Mayor and City Clerk to sign it on behalf of the City; and,

C. To award the bid for Mile Marker Icons to Signs by Crannie, 4145 Market Place, Flint, MI 48507, at a cumulative cost of $152,592.80.

Councilwoman Ziarko explained she pulled this item off the Consent Agenda to allow the residents to speak on this issue. The Council has originally approved the cost of this in the 2015/16 budget.

Mr. Vanderpool discussed the visioning statement and guiding principles that were approved along with the statement. He pointed out a landscape architect was utilized to make the Van Dyke corridor a focal point and the idea was not only to improve the roadway, but to make it a focal point. The overall project is $40 million and the lighting is only 1% of the proposed costs.

Councilwoman Ziarko pointed out a lot of the decisions made at the Council table not only benefit our residents, but the people that drive through Sterling Heights, shop and eat here. These are things that people want when they are bring their businesses into Sterling Heights.

Councilman Romano stated as a point of reference, this is what the mile markers are and they will stand out. The money that has been put into this corridor will make it better.

Councilman Shannon pointed out the research he did on this item to make sure the Council is doing things that can be backed up with information that applies to what they are trying to do. He discussed the study that showed we want the City to be aesthetically pleasing and this City has addressed that issue. He pointed out the emotional issue between residents and the community and the fact that people have a positive attitude about things in the City. Businesses and residents are looking for visual aesthetics to retain residents. Based on his research, Councilman Shannon is in support of this request.

Councilwoman Koski questioned the people responsible for the design of Van Dyke.

Mr. Vanderpool responded that was a large team of professionals involved in this project. There were a number of workshops as well with the businesses.

Councilwoman Koski questioned whether there was a professional consulting or architectural firm that the City worked with.

Mr. Vanderpool responded yes, and they looked at models from across the country.

Councilwoman Koski pointed out the City had expert advice and a lot of input before they came up with this idea of how to make Van Dyke a prime destination point.

Councilman Skrzyniarz pointed out the Van Dyke corridor is made up of businesses and the businesses are taxpayers as well.

Mayor Taylor stated he will support this request as well because it is another idea in a long range overall plan between the City Council and City Administration to make Sterling Heights a unique destination place for residents and people travelling through our community.

Yes: All. The motion carried.

COMMUNICATIONS FROM CITIZENS

Mrs. Jazmine Early - Vision Fair; Creation of a Citizens Commission.

Mr. Jeffrey Norgrove - Master Plan/Parks and Recreation Plan/Non-Motorized Plan; Sterling Christmas; Frisbee course; Lack of bike lanes on Van Dyke.

Mr. Michael Rath - Layoff of police officers and use of G4S.

Mrs. Sanaa Elias - 2030 Vision Fair; Offensive campaign literature.

Ms. Linda Godfrey - Additional dates for Master Plan workshops; Rizzo Environmental Services/transfer station; Storage of vehicles in an M-1 zoning district.

Mr. Charles Jefferson - Warming center.

Mr. Harry Marchlones - Trash hauling contractors.

REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mark Vanderpool reported on the Master Plan. He stated that the City will continue to have public engagement throughout the Master Plan process. He reported that two public hearings have been held before the Planning Commission, one visioning fair, and other public engagements. Also, on the main page of the City's website is a Master Plan update with much more information. Mr. Vanderpool reported getting great feedback on the Master Plan through the website and at other public engagements. He thanked everyone and stated he is looking forward to much more to come on the Master Plan.

Mr. Bahorski stated there are no items for closed session tonight.

Councilman Skrzyniarz stated that there has been some discussion over the past year and a half that there has been a consistent pattern of borderline disrespectful, abusing the privileges of public comment in these chambers that needs to be addressed to try and restore the business nature of these meetings and restore respect. In reviewing surrounding communities, the time limit for public comment is consistently less. He requested that he would like to add an item to the next agenda decreasing the amount of time allowed for public comment from 7 minutes to 4 minutes.

Councilman Romano reported that some DPW vehicles are being replaced. In 85% of the vehicles, the costs of the repairs are superseding the cost of the vehicles purchased. He added that some of the vehicles are still usable and is recommending consideration be given to maintaining one vehicle on the premises to be used by "COPS" Citizens on Patrol. The volunteer COPS use their own vehicles when volunteering their time. Presently $250 a year is donated to the COPS program. In addition, Councilman Romano

addressed the handicap facility by the police station. He is requesting the curb be corrected.

In addition, he wished a Happy Birthday to Tony Nader and a Merry Christmas and a Healthy and Happy New Year to all residents.

Councilwoman Ziarko commented that one reason why people don't come to the meetings is because they are happy with what's going on. She added that she attended the Fair on Saturday and that there was a nice presentation, and a lot of good ideas. It is important to continue growth, and it helps your investment. Councilwoman Ziarko addressed the political flyer. The St. Blaise Warming Center will be sometime in January, 2016. She stated that City Council makes the best decisions they can with the information provided, being as transparent as possible.

Councilman Shannon wished everyone Happy Holidays.

Councilwoman Koski wished everyone a Merry Christmas and a Happy New Year. She added the Vision Plans are on the website and asked Mr. Vanderpool to talk about the Vision Fair.

Mr. Vanderpool stated that information is available on the website, the main page, and click on the icon on the left side of the page. There is a common page with a map of the city, in addition to draft chapters of the plan that is currently in a draft stage. The next draft will be posted in about 30 days on the website.

Councilwoman Koski stated she received information on House Bill 5016 regarding Telecommunication. She requested Mr. Vanderpool to research that and give council an opinion.

Councilwoman Schmidt offered further clarification regarding the Detention Facility and the Smart Streets initiatives. She wished everyone a Merry Christmas and a Happy New Year.

Mayor Taylor stated that with no objection, Councilman Skrzyniarz' recommendation should be on the next agenda. People come to the podium to speak and provide information to help the City Council make their decision. If the time is reduced, it will allow more people an opportunity to speak. He reviewed the various ways to contact City Council members with a question or reach out to any of the council members. He would like to see the business meetings of the City Council focused and streamlined. He wished everyone a Merry Christmas and a Happy New Year.

ADJOURN

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

Yes: All. The motion carried.

The meeting was adjourned at 10:29 p.m.

_____

MARK CARUFEL, City Clerk

EXPENDITURES FOR THE MEETING OF

January 5, 2016

	TOTAL PREPAYMENT LISTING	INTERFUND TRANSFERS	PROPERTY TAXES TO OTHER ENTITIES	EXPENSES & EXPENDITURES
GENERAL FUND	$837,101.66			$837,101.66
WATER & SEWER FUND	$79,862.15			$79,862.15
OTHER FUNDS	$1,074,090.29		$2,352.48	$1,071,737.81
TOTAL CHECKS	$1,991,054.10	$0.00	$2,352.48	$1,988,701.62

BILL LISTING DETAIL IS AVAILABLE AT THE STERLING HEIGHTS PUBLIC LIBRARY

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

DELIVERED DEC 30 2015

City Clerk's Use
Item No: 2-C
Meeting: 01/05/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To award a bid for motor oils, solvents, and anti-freeze for a one-year period based on unit prices bid (Estimated annual expenditure of $29,000).

Submitted By: Office of Purchasing

Contact Person/Telephone: James Buhlinger, Purchasing Manager, (586) 446-2741

Administration (initial as applicable)

		Attachments			
MC	City Clerk	__	Resolution	__	Minutes
	Finance & Budget Director	__	Ordinance	__	Plan/Map
JB	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 Fleet Maintenance Division of the Department of Public Works (DPW) uses motor oils, solvents, and anti-freeze in conjunction with the regularly scheduled maintenance of City vehicles and equipment.
- Recommendation is being made to award the bid for motor oils, solvents, and anti-freeze to the overall lowest bidder meeting specifications, Corrigan Oil Company.
- Corrigan Oil Company offers 1-2 business day delivery for these products from a warehousing facility in Brighton, Michigan. References were checked and proved favorable.

Suggested Action:

MOVED BY: SECONDED BY:

RESOLVED, to award the bid for motor oils, solvents, and anti-freeze to Corrigan Oil Company, 775 North 2nd Street, Brighton, MI 48116, based on unit prices bid for a one-year period.

CITY OF STERLING HEIGHTS
STAFF REPORT
January 5, 2016

Prepared By: James Buhlinger, Purchasing Manager Ext. No. 2741

GENERAL INFORMATION:

On December 1, 2015, bids were received for motor oil, solvents, and anti-freeze to be used by Fleet Maintenance Division of the Department of Public Works (DPW) in conjunction with the regularly scheduled maintenance of City-owned vehicles and equipment. Invitations to Bid were advertised on SHTV, posted to the MITN website, Facebook and Twitter and published in the Sterling Heights Sentry.

Six (6) vendors responded with bids as outlined on the attached bid tabulation. The total anticipated expenditure for motor oils, solvents, and anti-freeze is approximately $29,000 per year. Funds are budgeted in 11744553 (Fleet Maintenance) 750001 (Fuel and Lubricants Inventory).

STAFF ANALYSIS AND FINDINGS:

Staff from the DPW and Office of Purchasing reviewed the bids. Recommendation is being made to award the bid to Corrigan Oil Company for a one-year as the lowest overall bidder meeting specifications. The DPW has thoroughly reviewed the products included in the bid from Corrigan Oil and is satisfied they meet or exceed the required specifications. Reference calls were made on this new vendor and proved satisfactory.

Please see the attached memorandum from the DPW.

STAFF RECOMMENDATION:

Please see Suggested Action on the accompanying Agenda Statement.

Notification List:
Corrigan Oil Company
775 North 2nd Street
Brighton, MI 48116
Laura Wallace, Inside Sales Coordinator
lauraw@corriganoil.com

CITY OF Sterling Heights DPW

Interoffice Memorandum

Date: December 15, 2015

To: Jim Buhlinger, Purchasing Manager

From: Don Barron

Don Barron, Fleet Maintenance Supervisor

Subject: Recommendation – Motor Oils, Solvents & Anti-Freeze

The Department of Public Works Has reviewed the bids received on December 1st 2015 for the purchase of motor oils, solvents and anti-freeze. These products will be used in running the City's fleet of vehicles. After comparing the unit prices bid for motor oils, solvents and anti-freeze for this contract we recommend that the bid be awarded to the lowest bidder meeting all the specifications and requirements:

Corrigan Oil Company
775 North 2nd Street
Brighton, MI 48116

Corrigan Oil submitted very competitive pricing on quality products that meet the requirements of the Department of Public Works. Corrigan Oil is located in Brighton and offers 1-2 business day delivery of ordered products. All references were contacted and provided positive feedback.

We anticipate spending approximately $ 29,000.00 a year for these motor oils, solvents and anti-freeze with funds budgeted for these purchases in the Fleet Maintenance, Fuel and Lube Inventory account # 11744553-750001.

C: Michael Moore, Public Works Director

CITY OF STERLING HEIGHTS
BID TABULATION - DECEMBER 1, 2015
ITB-SH15-033 MOTOR OILS, SOLVENTS AND ANTIFREEZE

			Central Oil		Corrigan Oil Company		Eastern Oil Company	
Item	**UOM**	**Qty**	**Unit**	**Price**	**Unit**	**Price**	**Unit**	**Price**
Motor Oil - 5 W 20	gallon/bulk	750 gal	$4.67/gal	$3,502.50	$4.84 /gal	$3,630.00	$4.49/gal	$3,367.50
Motor Oil - 5 W 30	55 gal drum	1 drum	7.71/gal	424.05*	6.88 /gal	378.40	7.19/gal	395.45
Motor Oil - SAE 40	55 gal drum	2 drums	7.90/gal	869.00*	12.52/gal	1,377.20	11.84/gal	1,302.40
Motor Oil - 15 W 40	55 gal drum	14 drums	6.38/gal	4,912.60*	6.61/gal	5,089.70	6.05/gal	4,658.50
Gear Lube - 80 W 90	55 gal drum	6 drums	7.27/gal	2,399.10*	6.95/gal	2,293.50	7.33/gal	2,418.90*
Tractor Oil	55 gal drum	3 drums	6.55/gal	1,080.75*	6.02/gal	993.30*	5.05/gal	833.25
Hydraulic Oil - Medium Weight	gallon/bulk	1,500 gal	3.99/gal	5,985.00	3.46/gal	5,190.00	4.09/gal	6,135.00
Transmission Fluid	55 gal drum	11 drums	12.55/gal	7,592.75*	6.49/gal	3,926.45	15.04/gal	9,099.20
Grease Gun Cartridges	cartridge	240 crt.	1.77/ea	424.80	2.82/ea	676.80	1.77/ea	424.80
Synthetic Grease	35 lb pail	2 pails	5.75/lb	402.50	5.06/lb	354.20	7.02/lb	491.40
EP1 Grease	120 lb keg	1 keg	1.94/lb	232.80	2.93/lb	351.60	1.80/lb	216.00
EP2 Grease	400 lb drum	1 drum	1.55/lb	620.00*	2.32/lb	928.00	1.59/lb	636.00
Anti-Freeze	55 gal drum	4 drums	6.93/gal	1,524.60	5.44 /gal	1,196.80	10.17/gal	2,237.40
Heavy Duty Anti-Freeze	55 gal drum	3 drums	10.37/gal	1,711.05*	5.44 /gal	897.60	10.68/gal	1,762.20
Washer Solvent	gallon/bulk	800 gal	1.40/gal	1,120.00	2.00/gal	1,600.00	1.89/gal	1,512.00
Degreaser	55 gal drum	8 drums	3.50/gal	1,540.00	N/B	0.00	3.18/gal	1,399.20
Exterior Vehicle Wash	55 gal drum	2 drums	4.25/gal	467.50	N/B	0.00	7.25/gal	797.50
	Annual Total			$34,809.00*		$28,883.55*		$37,686.70*
Drum Deposit			$20.00/drum		$20.00/drum		$25.00/drum	
Delivery after receipt of order			1-2 days		1-2 days		24 hours	
			2% disc/10 days, Net 30		Payment Terms NET 15		Payment Terms NET 30	

* Price adjusted by Purchasing
N/B - No Bid Submitted

CITY OF STERLING HEIGHTS
BID TABULATION - DECEMBER 1, 2015
ITB-SH15-033 MOTOR OILS, SOLVENTS AND ANTIFREEZE

			Foster Blue Water/Oil		***H.D. Edwards & Co***		***Rowleys Wholesale***	
Item	***UOM***	***Qty***	***Unit***	***Price***	***Unit***	***Price***	***Unit***	***Price***
Motor Oil - 5 W 20	gallon/bulk	750 gal	$6.52/gal	$4,890.00	$5.90/gal	$4,425.00	$4.27/gal	$3,202.50
Motor Oil - 5 W 30	55 gal drum	1 drum	8.76/gal	481.80*	6.75/gal	371.25	7.75/gal	426.25
Motor Oil - SAE 40	55 gal drum	2 drums	14.41/gal	1,585.10	6.75/gal	742.50	12.67/gal	1,393.70
Motor Oil - 15 W 40	55 gal drum	14 drums	8.37/gal	6,444.90	7.75/gal	5,967.50	5.95/gal	4,581.50
Gear Lube - 80 W 90	55 gal drum	6 drums	10.69/gal	3,527.70	9.75/gal	3,217.50*	7.72/gal	2,547.60
Tractor Oil	55 gal drum	3 drums	7.89/gal	1,301.85	N/B	0.00	5.58/gal	920.70
Hydraulic Oil - Medium Weight	gallon/bulk	1,500 gal	4.08/gal	6,120.00	4.80/gal	7,200.00	3.86/gal	5,790.00
Transmission Fluid	55 gal drum	11 drums	13.97/gal	8,451.85*	15.60/gal	9,438.00*	12.19/gal	7,374.95
Grease Gun Cartridges	cartridge	240 crt.	3.17/ea	760.80*	N/B	0.00	2.13/ea	511.20
Synthetic Grease	35 lb pail	2 pails	6.08/lb	425.60*	N/B	0.00	7.01/lb	490.70
EP1 Grease	120 lb keg	1 keg	2.98/lb	357.60	N/B	0.00	1.84/lb	220.80
EP2 Grease	400 lb drum	1 drum	2.85/lb	1,140.00*	N/B	0.00	1.48/lb	592.00
Anti-Freeze	55 gal drum	4 drums	5.92/gal	1,302.40	N/B	0.00	6.68/gal	1,469.60
Heavy Duty Anti-Freeze	55 gal drum	3 drums	N/B	0.00	8.15/gal	1,344.75	6.53/gal	1,077.45
Washer Solvent	gallon/bulk	800 gal	2.71/gal	2,168.00	1.00/gal	800.00	1.55/gal	1,240.00
Degreaser	55 gal drum	8 drums	5.78/gal	2,543.20	N/B	0.00	4.45/gal	1,958.00
Exterior Vehicle Wash	55 gal drum	2 drums	7.69/gal	845.90	N/B	0.00	6.63/gal	729.30
	Annual Total			$42,346.70*		$33,506.50*		$34,526.25
Drum Deposit			N/A		$0.00/drum		$25.00/drum	
Delivery after receipt of order			24 hours		3-5 days ARO		2 days	
			Payment Terms NET 30		Payment Terms NET 30		Payment Terms NET 30	

* Price adjusted by Purchasing
N/B - No Bid Submitted

CITY OF Sterling Heights
InnovatingLiving

Richard J. Notte Sterling Heights City Center
City Hall
40555 Utica Rd. | P.O. Box 8009
Sterling Heights, MI | 48311-8009

TEL 586.446.CITY (2489) *FAX* 586.276.4077
cityhall@sterling-heights.net | www.sterling-heights.net
facebook.com/cityofsterlingheights | twitter.com/sterling_hts

City Council

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

City Manager Mark D. Vanderpool

****

INVITATION TO BID

ITB-SH15-033

The City of Sterling Heights, Michigan is accepting sealed bids for MOTOR OILS, SOLVENTS AND ANTI-FREEZE until TUESDAY, DECEMBER 1, 2015 AT 2:30 P.M. in the Office of the City Clerk, 40555 Utica Road, Sterling Heights, Michigan 48313. Specifications are attached.

James Buhlinger
James Buhlinger
Purchasing Manager

Office of Purchasing
586-446-2740

****

Official bid specifications are available at www.mitn.info.

V. SPECIFICATIONS

The following items are being requested:

Item	Description	Specification	UOM
1.	Motor Oil 5 W 20	API/SN Energy Conserving 2 "EC II"	gallon/bulk
2.	Motor Oil 5 W 30	Dexos 1 **No alternates or substitutes**	55 gal drum
3.	Motor Oil SAE 40	SF/CD API – must be compatible with Detroit Diesel Engines	55 gal drum
4.	Motor Oil 15 W 40	CE/SG CJ-4 APJ to meet Caterpillar Spec.	55 gal drum
5.	Gear Lube 80 W 90	API GL-5 CD GL4 1CC	55 gal drum
6.	Tractor Oil	Tractor Fluid HT	55 gal drum
7.	Hydraulic Oil Medium Weight	ISO46 AW	gallon/bulk
8.	Transmission Fluid	Wolf's Head Super Universal Synthetic. Product # WH-92863 **No alternates or substitutes**	55 gal drum
9.	Grease Gun Cartridges	Lithium Complex EP2	cartridge
10.	Synthetic Grease	NLGI #00	35 lb. pail
11.	EP1 Grease	Lithium Complex EP1	120 lb. keg
12.	EP2 Grease	Lithium Complex EP2	400 lb. drum
13.	Anti-Freeze	All Makes/All Models Universal Formula Antifreeze Concentrate	55 gal drum
14.	Heavy Duty Anti-Freeze	Starfire Purefleet Heavy Duty ELC **No alternates or substitutes**	55 gal drum
15.	Washer Solvent	Coverage to - 40° F	gallon/bulk
16.	Degreaser	Heavy Duty Degreaser	55 gal drum
17.	Exterior Vehicle Wash	For use on automotive and heavy equipment	55 gal drum

VI. BID FORM

The undersigned hereby declares that the instructions and specifications have been carefully examined and that **MOTOR OILS, SOLVENTS AND ANTI-FREEZE** will be furnished for the prices set forth in this bid. It is understood and agreed that all bids are **F.O.B. DESTINATION**, that all bid prices shall remain in effect for at least ninety (90) days from the date of the bid opening to allow for award of the bid, and that, if chosen the successful vendor, the prices bid will remain firm for a one year period. It is the intent of the City to purchase the services and/or products in the quantity and frequency as listed in this bid, however, the City reserves the right to reduce or eliminate this purchase without prior notice, to split the award of the bid to realize the greatest cost savings, and to reject all bids for this purchase.

The undersigned bidder further agrees and understands that the City Sterling Heights is reserving the right to reject any and all bids and the right to waive irregularities in bidding if it determines such action to be in the best interest of the City to do so. Bids not conforming to these specifications will be rejected and it will be the responsibility of the bidder to conform to these requirements unless deviations have been cited in the bid and our acceptance made on this basis. The City is requesting pricing for specific brand/product motor oil, transmission fluid, and anti-freeze. Please provide pricing and technical data sheets (TDS).

Bid Grand Total: $_____

Drum Deposit: $_____

Realistic delivery time after receipt of order: _____

How did you receive notification of this bid? _____

How did you obtain the bid specifications? If bid documents were downloaded from a website, please list: _____

The undersigned certifies that all documents/addendums associated with this bid have been downloaded from the MITN website.

Company_____

Address_____

City/State/Zip_____

Representative/Title_____

Telephone/Fax_____

E-Mail Address/Website_____

Terms_____

Signature/Date_____

VI. BID FORM – (CONTINUED)

Item	Description	Est. Usage	Unit Price	Total
1.	Motor Oil 5 W 20	750 gallons	_____/gal	_____
2.	Motor Oil 5 W 30	(1) 55 gal drum	_____/gal	_____
3.	Motor Oil SAE 40	(2) 55 gal drums	_____/gal	_____
4.	Motor Oil 15 W 40	(14) 55 gal drums	_____/gal	_____
5.	Gear Lube 80 W 90	(6) 55 gal drums	_____/gal	_____
6.	Tractor Oil	(3) 55 gal drums	_____/gal	_____
7.	Hydraulic Oil Medium Weight	1,500 gallons	_____/gal	_____
8.	Transmission Fluid	(11) 55 gal drums	_____/gal	_____
9.	Grease Gun Cartridges	240 crt.	_____/ea	_____
10.	Synthetic Grease	(2) 35 lb. pails	_____/lb	_____
11.	EP1 Grease	(1) 120 lb. keg	_____/lb	_____
12.	EP2 Grease	(1) 400 lb. drum	_____/lb	_____
13.	Anti-Freeze	(4) 55 gal drums	_____/gal	_____
14.	Heavy Duty Anti-Freeze	(3) 55 gal drums	_____/gal	_____
15.	Washer Solvent	800 gallons	_____/gal	_____
16.	Degreaser	(8) 55 gal drums	_____/gal	_____
17.	Exterior Vehicle Wash	(2) 55 gal drum	_____/gal	_____

Note: Quantities are estimates only. **TOTAL:** _____

This form **must** be completed and returned with your bid.

DELIVERED DEC 30 2015

City Clerk's Use
Item No: 2-D
Meeting: 01/05/16

Business of the City Council
Sterling Heights, Michigan

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To award a bid for pruning of street trees (Estimated expenditure of $104,198).

Submitted By: Office of Purchasing

Contact Person/Telephone: James Buhlinger, Purchasing Manager, (586) 446-2741

Administration (initial as applicable)

			Attachments		
MC	City Clerk	__	Resolution	__	Minutes
	Finance & Budget Director	__	Ordinance	__	Plan/Map
JB	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:

- One vendor responded to the City's solicitation for services in connection with the pruning of designated street trees located in the public right-of-way in front of residential homes in Sections 3, 11, 12, and 15. The designated trees will be pruned in accordance with the 2008 International Society of Arboriculture Best Management Practices.

- Recommendation is being made to award the bid to Wonsey Tree Service, Inc., the sole bidder. Wonsey Tree Service is the incumbent vendor for pruning of city street trees and has demonstrated the ability and resources to successfully perform this service. Based upon the unit price bid, being $26.50 per tree, it is estimated that the cumulative cost will be $104,198. This unit price is the same as paid by the City under the expiring bid for this service.

- Wonsey Tree Service is required to commence pruning operations (weather permitting) within fifteen days after City Council award of the bid and complete all work by March 15, 2016.

- The Department of Public Works has reviewed the qualifications of Wonsey Tree Service and contacted references. No negative information was discovered from this due diligence process.

Suggested Action:

MOVED BY: SECONDED BY:

RESOLVED, to award the bid for pruning of street trees to Wonsey Tree Service, Inc., Post Office Box 1142, Alma, MI 48801, for the period of January 6, 2016 to March 15, 2016, at unit prices bid.

CITY OF STERLING HEIGHTS
STAFF REPORT
January 5, 2016

Prepared By: James Buhlinger, Purchasing Manager Ext. No. 2741

GENERAL INFORMATION:

On December 15, 2015, bids were received for pruning of street trees. Invitations to Bid were advertised on SHTV, posted to the MITN website, Facebook and Twitter and published in the Sterling Heights Sentry. One (1) vendor responded as outlined on the attached tabulation.

Pruning of street trees will be performed in sections 3, 11, 12, and 15 and will include 3,932 street trees planted within the public right-of-way. Funds are available in 23700700 (Local Road Fund) 895000 (Tree and Shrub Maintenance).

STAFF ANALYSIS AND FINDINGS:

Personnel from the Department of Public Works and Office of Purchasing reviewed the sole bid and are recommending an award to Wonsey Tree Service, Inc. at unit prices bid. Specifications require the work to be completed by March 15, 2016. At Wonsey Tree Service's unit price bid of $26.50 per tree, the cumulative cost of trimming the estimated 3,932 trees is $104,198.

The Invitation to Bid included specifications for pruning a total of 4,792 trees: 3,932 trees located within in four primary city sections and 860 within an optional fifth section. The option for a fifth section was included as an alternate bid as a means to increase the scope of the project and potentially provide for more tree pruning within budgeted amounts. The bid pricing received does not allow for the award of the alternate bid.

Wonsey Tree Service is the incumbent vendor for this service. Additionally, Wonsey Tree Service provides emergency tree removal services to the DPW. Notwithstanding the current relationships, references for pruning services were re-checked and proved positive.

Please see the attached departmental recommendation for additional information.

STAFF RECOMMENDATION:

Please see the suggested action on the accompanying agenda statement.

Notification list:

Wonsey Tree Service, Inc.
PO Box 1142
Alma, MI 48801
Ronnie Wonsey, President
wonseytreeservice@hotmail.com

CITY OF Sterling Heights DPW

Interoffice Memorandum

Date: December 17, 2015

To: Jim Buhlinger, Purchasing Manager

From: Michael Moore, Public Works Director

Subject: Recommendation – Tree Pruning

The Department of Public Works has reviewed the bids received on December 15, 2015 for the pruning of street trees along the City right-of-ways. These street trees are in front of residential homes and exceed 4" in diameter measured 1' above the ground. They are to be pruned as specified under the International Society of Arboriculture's Best Management Practice for pruning to clean and raise.

After contacting their references, we recommend that the bid be awarded to the lowest bidder meeting all specifications and requirements:

Wonsey Tree Service Inc.
PO Box 1142
Alma, MI 48801

Based on their unit prices bid for tree pruning including branch chipping and site cleanup for the following city sections:

City Section	Tree Pruning Cost Per Section
Section #3	$ 22,313
Section #11	$ 24,249
Section #12	$ 24,698
Section #15	$ 28,938
Total Price to Prune All Sections:	$ 104,198

Wonsey Tree Service is the incumbent for this contract over the last few years and has performed exceptionally well. They have the proper equipment and personnel to complete this contract within the time frame that the City desires.

Funding for this expenditure will be located in the Local Road Fund, Tree and Shrub Maintenance account #23700700-895000.

C: Martin Sowa, Street Services Supervisor

CITY OF STERLING HEIGHTS

BID TABULATION - DECEMBER 15, 2015

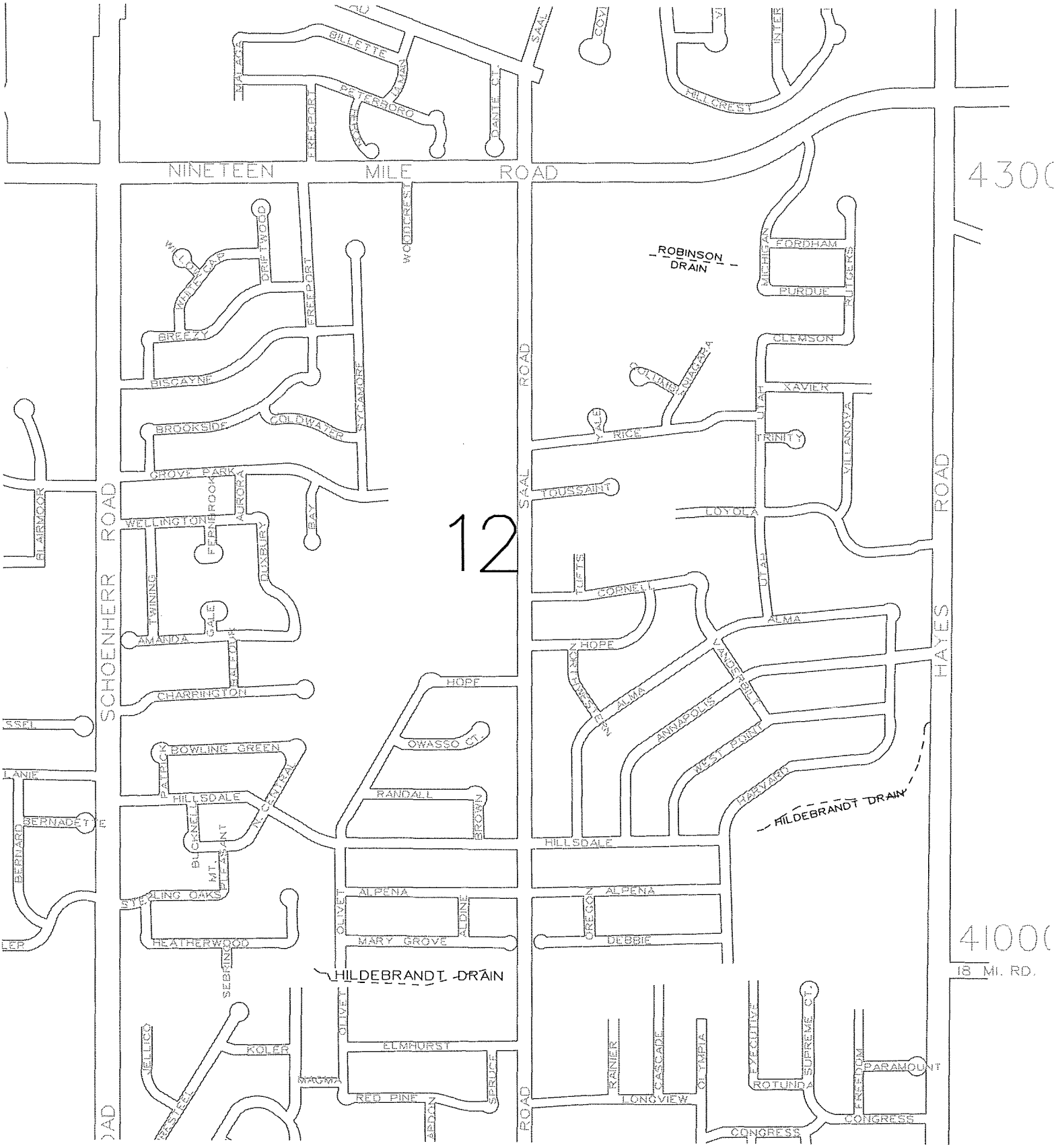
ITB-SH15-039: PRUNING OF STREET TREES

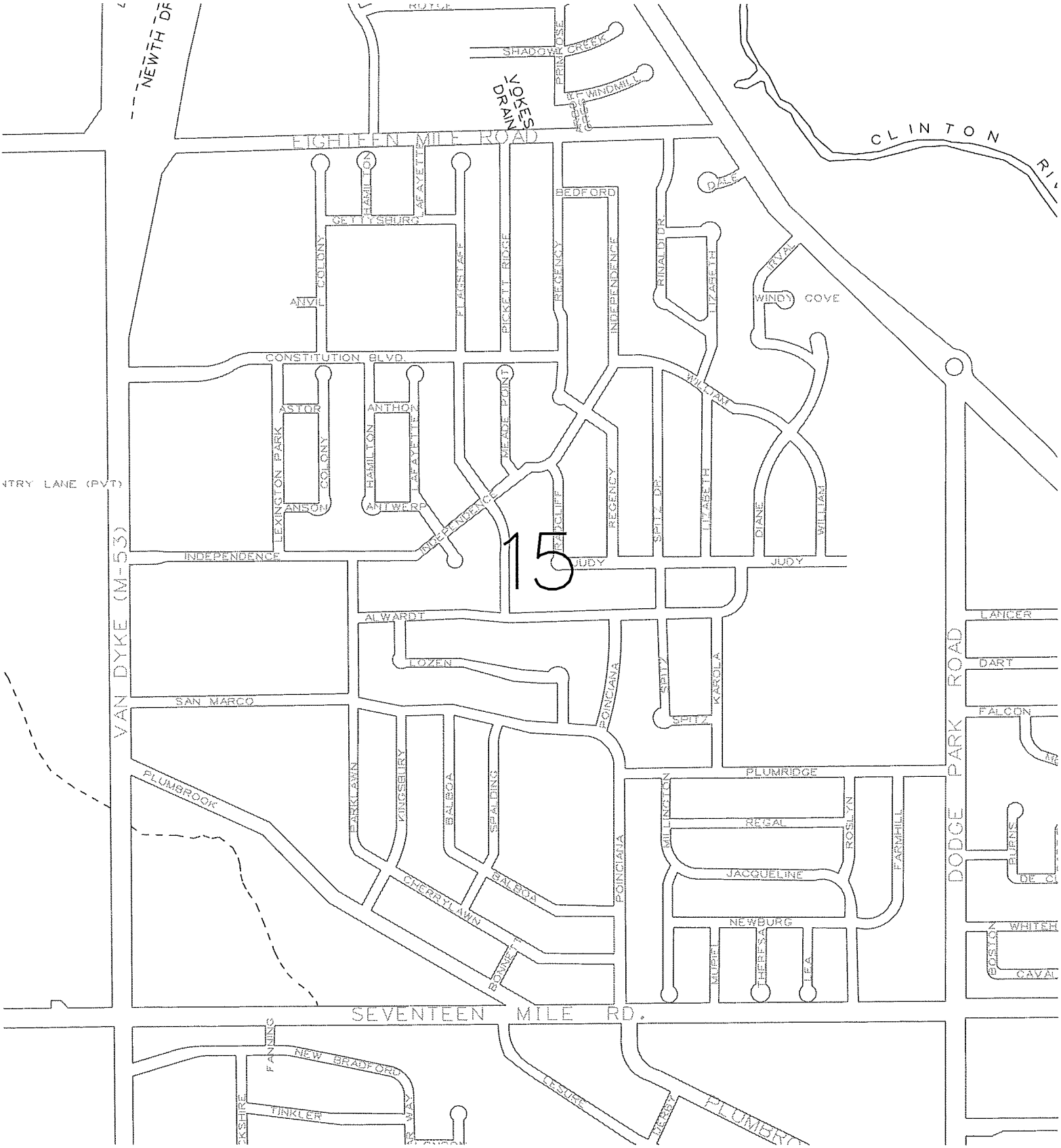
City Section	Trees per Section	Pruning bid per tree	Wonsey Tree Service, Inc.
3	842	$26.50	$22,313.00 *
11	1,066	26.50	28,249.00
12	932	26.50	24,698.00
15	1,092	26.50	28,938.00
Subtotal	**3,932**		**$104,198.00**
23 (Optional)	860	26.50	22,790.00
Total	**4,792**		**$126,988.00**

* Adjusted by Purchasing

HALL RD. (M-59)
CANAL ROAD
NINETEEN MILE RD
VAN DYKE
M-53 FREEWAY
RIVER ROAD
RIVERLAND
DUBLIN WAY
BRUCE COLLINS
CHAPA CIRCLE
HOUGHTON
SUNCREST
SAAR
SHILLING
CROWN
PENNY
DELAWN
DIAMOND
EARTHING
SILVER
PESO
ARDEL
FRIDMANN
HEMSLEY
HEADLEY
SHANNON
DONLEY
BIRKHILL
BANNER
RIDLEY
STROM
COLOGNE
RANKIN
ESSEX
LESLIE
CLINTON
MACKAY
MALOW
DUFFIELD
BROOKTON
MORANG
WILSECK
ALICE
DENO
SLEEPY
FORTUFR
YOVAN
LEONARDO
DAWN
HARVEY CT.
WAITELEY
CHATTA
EANS-EAST
ROAD

DELVIN
LIRA
CHATTMAN
CHAMPLAIN
CONCORD
AVON
NINETEEN MILE ROAD
WAITELEY
PORTNER
PRINCE
LEWLUND
GAINSLEY
LORI
DIEHL
WILMINGTON CT
PHEASANT RUN
BREEZY
BISCAYNE
MAIR
MAC-RAE
MOERS
MENDEL
MONTROY
BETLEY
STRAWBERRY
DE COOK
DOTSON
CAHILLON
ARCADIA
BLAIRMOOR
WELLINGTON
TWINING
AMANDA
SCHOENHERR ROAD
CHARRING
WESSEL
MELANIE
BERNADETTE
BERNARD
BUTLER
BOWLING
HILLSDA
STERLING OAKS
HEATHERW
CORBIN
TAKOMA
RALEIGH
MARS
DOCKSIN
BENDER
DENOTER
PETROS
CLINTON RIVER ROAD
WINDSOR
HERROD
WALDEN
HEMESFORD
MANHATTAN
AUBURNDALE
CLINTON RIVER
11


NINETEEN MILE ROAD
SCHOENHERR ROAD
SAAL ROAD
HAYES ROAD
ROBINSON DRAIN
HILDEBRANDT DRAIN
HILDEBRANDT DRAIN
12
4300
4100
18 MI. RD.
BILLETTE
PETERBORO
HILLCREST
FREEPORT
WOODCREST
WINTERCREEK
DRIFTWOOD
BREEZY
BISCAYNE
BROOKSIDE
COLDWATER
SYCAMORE
GROVE PARK
WELLINGTON
AURORA
DIXBURY
BAY
TWINING
GALE
AMANDA
CHARRINGTON
HALEDON
CLAIRMOOR
BOWLING GREEN
HILLSDALE
BERNADETTE
BERNARD
STERLING OAKS
HEATHERWOOD
SEBKING
MT. PLEASANT
CENTRAL
HOPE
OWASSO CT.
RANDALL
BROWN
ALPENA
OLIVET
ALPINE
MARY GROVE
KOLER
ELMHURST
RED PINE
SPRUCE
ALDAN
FORDHAM
MICHIGAN
PURDUE
RUTGERS
CLEMSON
XAVIER
JESUIT
RICE
TRINITY
VILLANOVA
TOUSSAINT
LOYOLA
TUFTS
CORNELL
ALMA
YALE
VANDERBILT
ANNAPOLIS
WEST POINT
HARVARD
OREGON
DEBBIE
EXECUTIVE
SUPREME CT.
ROTUNDA
PARAMOUNT
FREEDOM
CONGRESS
RAINIER
CASCADE
OLYMPIA
LONGVIEW


NEWTH DR
SHADOWL CREEK
PRIMROSE
WINDMILL
VOKES DRAIN
EIGHTEEN MILE ROAD
CLINTON RIV
DALE
BEDFORD
GETTYSBURG
COLONY
ANVIL
PLAINSTAFF
PICKETT RIDGE
REGENCY
INDEPENDENCE
RINALDI DR.
ELIZABETH
IRVAL
WINDY COVE
CONSTITUTION BLVD.
ASTOR
ANTHON
MERCE POINT
WILLIAM
LEXINGTON PARK
HAMILTON
LAFAYETTE
ANSON
ANTWERP
INDEPENDENCE
CLIFF
SPLIT DR.
CLANE
JUDY
ALWARDT
LOZEN
LANCER
DART
FALCON
SAN MARCO
POINCIANA
SPITZ
KAROLA
VAN DYKE (M-53)
DODGE PARK ROAD
PLUMRIDGE
PLUMBROOK
PARKLAWN
KINGSBURY
BALBOA
SPALDING
MILLINGTON
ROSLYN
REGAL
FARMHILL
JACQUELINE
CHERRYLAWN
NEWBURG
MURIEL
THERESA
LEA
BONNIE
SEVENTEEN MILE RD.
NEW BRADFORD
TINKLER
LEISURE
PLUMBRO

15

CITY OF Sterling Heights
InnovatingLiving

Richard J. Notte Sterling Heights City Center
City Hall
40555 Utica Rd. | P.O. Box 8009
Sterling Heights, MI | 48311-8009

TEL 586.446.CITY (2489) *FAX* 586.276.4077
cityhall@sterling-heights.net | www.sterling-heights.net
facebook.com/cityofsterlingheights | twitter.com/sterling_hts

City Council

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

City Manager Mark D. Vanderpool

****

INVITATION TO BID

ITB-SH15-039

The City of Sterling Heights, Michigan is accepting sealed bids for PRUNING OF STREET TREES until TUESDAY, DECEMBER 15, 2015 AT 2:30 P.M. in the Office of the City Clerk, 40555 Utica Road, Sterling Heights, Michigan 48313. Specifications are attached.

James Buhlinger
James Buhlinger
Purchasing Manager

Office of Purchasing
586-446-2740

****

Official bid specifications are available only at www.mitn.info.

VI. SPECIFICATIONS

The following defines the street tree specifications of the various street trees to be pruned within the City of Sterling Heights.

The successful bidder must be readily available to carry out terms of the contract and the failure to comply with standards specified by the City constitutes a breach of contract.

Award will be subject to budget availability and based on unit prices bid. For example, some or all of the sections for tree pruning may be awarded.

DESCRIPTION OF WORK

Contractor shall have an ISA Certified Arborist or state licensed arborist on site or request the services of such an individual for inspections.

The work to be performed is the pruning of designated trees along the City right-of-way. Trees to be pruned on designated streets are only those that exceed 4" in caliber as measured 1' above the ground. The City will provide a list of trees and streets where pruning will occur. The pruning to be done shall be as specified under pruning standards for shade trees, which is made part of these specifications.

CONDITIONS

Pruning operations are to begin 15 days after City Council's approval and shall be done on a continuous basis allowing only for weather or unforeseen circumstances and must be completed by **March 15, 2016**.

Work shall not commence prior to 7:00 A.M. or continue past sunset on any day.

No work is to be conducted on Saturday or Sunday.

Adequate warning devices, barricades, guards, flagmen and/or other necessary precautions shall be taken by the Contractor to give advised and reasonable protection, safety and warning to persons and vehicle traffic within the area.

Traffic shall not be totally detoured without written approval of the Director of Public Works or his representative.

Tools should be sharp so as to make clean cuts without jagged edges or stubs. Pruning tools adequate for the size of cuts being made shall be selected.

All pruned branches, logs or any other debris must be hauled away by the Contractor before the end of each day. Areas worked will be clean from any branches and debris leaving area "blower clean" by end of work day.

Work tools, equipment, and procedures shall meet the American National Standard (A.N.S.I. A300 Part 1-2008) for pruning, trimming, repairing, maintaining, and removing trees and for cutting brush.

Equipment and work practices that damage living tissue and bark beyond the scope of work shall be avoided.

Trees that have been marked with an "X" will be omitted from pruning.

When pruning tress during temperatures above 50 degrees, tools shall be sterilized before proceeding to the next tree with a 10% solution of bleach or Lysol disinfectant.

The contractor shall provide a list of all equipment to be used. Failure to do so will result in your bid being rejected as non-responsive. The City reserves the right to inspect all equipment to be used prior to awarding a contract. Failure to pass City inspection of equipment may be cause for disqualification from further consideration.

All work shall be performed in a professional manner using quality equipment and materials, all of which must be maintained and operated with the highest standards as well as meeting all MIOSHA and A.N.S.I. Z133-2012 standards and regulations.

The Contractor shall prepare a daily report, covering each day's operation. The report is to be submitted to the Public Works Office on the following day and shall include the following information:

A. Street name and address of trees pruned or limbed.

B. Any unusual conditions or problems encountered.

The City of Sterling Heights will process payment for work under this Contract at the price provided, only after receipt of a bill for work assigned and satisfactorily completed. The City reserves the right to complete the pruning of any tree or trees included under this agreement if not satisfactorily trimmed by the Contractor in accordance with the specifications set forth. All costs for this work shall be deducted from the invoiced amount.

The Contractor shall not subcontract any or all portions of the work unless prior written approval is granted by the City. Any subcontractor, so approved, shall be bound by the terms and conditions of this Contract.

Each street in a section must be completed prior to the tree pruning operations moving to subsequent streets. Each section of the contract must be completed prior to the Contractor moving to another section of the contract.

PRUNING STANDARDS FOR SHADE TREES AND SPECIFICATIONS

The work to be performed shall be as specified under the following pruning standards for shade trees, as detailed in the ISA's Best Management Practices, Tree Pruning 2008:

PRUNING TO CLEAN

Crown Cleaning is the selective removal of dead, diseased, detached, cracked, and broken branches. This type of pruning is done to reduce the risk of branches falling from the tree, and to reduce the movement of decay, insects, and disease from dead or dying branches into the rest of the tree.

Crown cleaning shall include branches of 1" dia. and larger throughout the entire crown.

PRUNING TO RAISE

Crown Raising is the select removal of branches to provide vertical clearance. Raising shortens or removes lower branches of a tree to provide clearance for buildings, signs, vehicles, and streetlights.

Caution shall be taken to avoid excessive removal of lower limbs to prevent slow development of trunk taper, cracks or decay in the trunk, and prevent the concentration of foliage at the top of the tree.

Clearance height shall be determined at a point over the street of 15 feet by removing downward-growing branches, and balanced around the entire tree.

On the smaller, less mature trees where this height is not practical, the under-clearance pruning will be in relation to the overall character of the tree. Subornation of lower branches is to be employed whereas not to exceed 25% reduction of the live crown. Mature or over-mature tree caution shall be taken when removing large branches low on the trunk.

The presence of any disease condition, fungus fruit bodies, decayed trunk or branches, split crotches or branches, cracks or other structural weakness should be reported in writing to a supervisor, and corrective measures recommended.

WORKMANSHIP

The specifications herein set forth are intended to cover the prominent phases of Tree Pruning to insure first-class workmanship. To safeguard the interests of the City, the Contractor will take all measures not specifically enumerated herein, but which conform to good practice to secure an acceptable result. To further protect the City, all essentials of good practice in hiring, working and protecting the work, and the protection of individuals and property, enumerated herein or not, shall be followed.

All work shall be performed in accordance with the best modern practice and workmanship of highest quality. Failure to conform to standards specified by the City shall be considered a breach of Contract.

The Contractor shall designate a supervisor who shall be available at all times to accommodate the City. The supervisor shall have the power to initiate immediate action to resolve disputes and/or complaints. The supervisor must be able to fluently communicate in English in order to address questions and concerns from city residents

as well as city inspectors and supervisors.

PENALTY CLAUSE

Should the City determine that the Contractor has not performed required services in a manner or time frame acceptable to the City, a City representative will notify the Contractor giving them from the date/time delivered:

A. 24 hours to contact the City and discuss problem(s)

B. 48 hours to correct the situation, unless otherwise agreed to by the City

Should the contractor fail to make corrections to City's satisfaction and/or in the required time frame, City crews or another contractor will correct the situation, and continue corrections until Contractor resumes his responsibilities or the contract is terminated. Invoiced amounts due Contractor will be reduced at a rate of:

A. If completed by City Crews
   Cost for labor, equipment (based on MDOT schedule C), and a 50% administration charge

B. If completed by another contractor:
   Invoiced amount plus 50%

Should there be insufficient invoiced amounts to cover penalties, Contractor will be billed. Should the contractor fail to pay the penalties the City will seek appropriate action for reimbursement, including forfeiture of contractor's surety.

Each deficiency will be reviewed for possible termination of contract. Should the Contractor fail, neglect or refuse to perform his duties under the Contract, the City of Sterling Heights reserves the right to terminate the contract upon 30 days written notice due to poor performance or for any reason deemed in its best interest.

Failure to respond to three or more phone calls for the services contemplated in the bid shall be considered a refusal to perform the duties under the contract.

STREET TREE PRUNING BIDDER'S PROPOSAL

All bids are to be submitted on the attached forms. Bidder shall complete and submit all forms and supply all attachments and documents as required and listed within this invitation to bid, and accompanying forms.

Contractor shall not be permitted to assign or transfer this Contract to another party, company, partnership, or corporation or sublet any part of the work embraced by it without specific consent and approval in writing from the Council of the City of Sterling Heights.

DAMAGES

Contractor will be performing work under this contract in open and active municipal street sites frequented by citizens and vehicle traffic and in most circumstances will border residential, school and commercial property. Contractor shall at all times use due care and caution in conducting their operations. Contractor shall be responsible for all damage, injury and claims from contractors operation.

Contractor shall guarantee the reimbursement, repair or replacement and restoration of any area or property damaged by felled limbs and the use of equipment or machinery. Contractor shall repair or replace any turf area, fences, signs, poles, mailboxes, vehicles and/or appurtenances damaged or destroyed in the performance of the Contract.

Contractor shall also instruct and train its employees on identifying and reporting damage and defects to the City's designated representative. Items needing immediate attention should be reported as soon as possible.

VII. BID FORM

The undersigned hereby declares that they have carefully examined the instructions and specifications and will furnish all labor, materials, and equipment to perform all work for **PRUNING OF STREET TREES** for the prices set forth in this bid. Bidder has carefully examined the specifications, has visited the sites of work, and has fully informed themselves as to all conditions and matters that would in any way affect the work or the cost thereof. Bids not conforming to these specifications will be rejected and it will be the responsibility of the bidder to conform to these requirements unless deviations have been cited in the bid and our acceptance made on that basis. The undersigned bidder further agrees and understands that the City of Sterling Heights is reserving the right to reject any and all bids and the right to waive irregularities in the bidding if it determines such action to be in the best interest of the City to do so. It is understood and agreed that all bids shall remain in effect for at least ninety (90) days from the date of the bid opening to allow for award of the bid and that, if chosen the successful vendor, the prices bid will remain firm through completion of the bid.

City Sections to be pruned - 3, 11, 12 & 15 (possibly 23). Work to be completed by March 15, 2016.

Bid Grand Total: $_____

If needed, hourly rate to be charged for a subcontracted certified/licensed arborist:
$_____

How did you receive notification of this bid? _____

How did you obtain the bid specifications? If bid documents were downloaded from a website, please list: _____

The undersigned certifies that all documents/addendums associated with this bid have been downloaded from the MITN website.

Company_____

Address_____

City/State/Zip_____

Representative/Title_____

Telephone/Fax_____

E-Mail Address/Website_____

Terms_____

Signature/Date_____

VII. BID FORM (CONT'D)

CITY MAP - SECTION 3

Street Name	# Of Trees	Cost Per Tree	Total Cost
ALICE CT.	0	$_____	$_____
ARDEL	14	$_____	$_____
BIRKHILL	54	$_____	$_____
BROCKTON	0	$_____	$_____
BRUCE COLLINS CT	0	$_____	$_____
CANAL	15	$_____	$_____
CLINTON RIVER RD	15	$_____	$_____
COLOGNE	43	$_____	$_____
CROWN	16	$_____	$_____
DENO	0	$_____	$_____
DIAMOND	45	$_____	$_____
DONLEY	74	$_____	$_____
DUBLIN WAY	1	$_____	$_____
DUFFIELD	1	$_____	$_____
ERDMANN	52	$_____	$_____
ESSEN	28	$_____	$_____
FARTHING	26	$_____	$_____
FRANKFURT	6	$_____	$_____
HANOVER CIRCLE	0	$_____	$_____
HEADLEY DR	55	$_____	$_____
HENSLEY	29	$_____	$_____
HOUGHTON	1	$_____	$_____
KEMP	0	$_____	$_____
KIDLEY	54	$_____	$_____

VII. BID FORM (CONT'D)

LESLIE	28	$_____	$_____
MALOW	0	$_____	$_____
O'HARA CIRCLE	2	$_____	$_____
PENNY	6	$_____	$_____
PESO CT	9	$_____	$_____
RADNER	37	$_____	$_____
RIVERLAND DR	12	$_____	$_____
SAAR	38	$_____	$_____
SHANNON	53	$_____	$_____
SHILLING	19	$_____	$_____
SILVER	23	$_____	$_____
STERRIT	1	$_____	$_____
SUNCREST	0	$_____	$_____
WILSECK CT	2	$_____	$_____
WILSHIRE CT	3	$_____	$_____
STROM	20	$_____	$_____
DELVIN	51	$_____	$_____
19 MILE	9	$_____	$_____
TOTAL FOR SECTION 3	**842**		**$_____**

CITY MAP - SECTION 11

Street Name	# Of Trees	Cost Per Tree	Total Cost
ARCADIA	54	$_____	$_____
BENDER	27	$_____	$_____
BERNADETTE CT	7	$_____	$_____
BERNARD	30	$_____	$_____

VII. BID FORM (CONT'D)

BETLEY	39	$_____	$_____
BLAIRMOOR CT	16	$_____	$_____
BLAIRMOOR DR	7	$_____	$_____
BUCKINGHAM	44	$_____	$_____
BUTLER	18	$_____	$_____
CANNON	20	$_____	$_____
CORBIN	21	$_____	$_____
DAILY	23	$_____	$_____
DE COOK	69	$_____	$_____
DENOTER	45	$_____	$_____
DIEHL	18	$_____	$_____
DOCKSIN	20	$_____	$_____
DOTSON CT	9	$_____	$_____
FORTNER (S OF 19)	19	$_____	$_____
FULTON	11	$_____	$_____
GAINSLEY (S OF 19)	66	$_____	$_____
LEWLUND	26	$_____	$_____
LONI	20	$_____	$_____
LORI	9	$_____	$_____
MAC-RAE	39	$_____	$_____
MAE-WOOD	9	$_____	$_____
MAIR (2 SIDES)	25-33	$_____	$_____
MARS CT	10	$_____	$_____
MELANIE	15	$_____	$_____
MEMPHIS	12	$_____	$_____
MENDEL	28	$_____	$_____
MOERS	12	$_____	$_____

VII. BID FORM (CONT'D)

MONTROY	50	$_____	$_____
MYLES	5	$_____	$_____
PAIGN	19	$_____	$_____
PETROS CT	0	$_____	$_____
PHEASANT RUN	21	$_____	$_____
PRINCE	20	$_____	$_____
RALEIGH	19	$_____	$_____
STANBERRY	26	$_____	$_____
TAKOMA	17	$_____	$_____
TETLEY	28	$_____	$_____
WAITLEY	15	$_____	$_____
WESSEL CT	22	$_____	$_____
WESSEL DR	27	$_____	$_____
WILMINGTON CT	8	$_____	$_____
WILMINGTON DR	21	$_____	$_____
TOTAL FOR SECTION 11	**1066-1074**		**$_____**

CITY MAP - SECTION 12

Street Name	# Of Trees	Cost Per Tree	Total Cost
ALMA	45	$_____	$_____
ALPENA (E OF SAAL)	32	$_____	$_____
ALPENA (W OF SAAL)	12	$_____	$_____
AMANDA	0	$_____	$_____
ANNAPOLIS	63	$_____	$_____
AURORA	0	$_____	$_____
BALFOUR	0	$_____	$_____

VII. BID FORM (CONT'D)

BAY CT	0	$_____	$_____
BISCAYNE	0	$_____	$_____
BOWLING GREEN	18	$_____	$_____
BREEZY	0	$_____	$_____
BROOKSIDE	0	$_____	$_____
BROWN	6	$_____	$_____
BUCKNEOLL	2	$_____	$_____
CHARRINGTON	0	$_____	$_____
CLEMSON	10	$_____	$_____
COLDWATER	0	$_____	$_____
COLOMBIA CT	12	$_____	$_____
CORNELL	21	$_____	$_____
DEBBIE	31	$_____	$_____
DRIFTWOOD	0	$_____	$_____
DUXBURY	0	$_____	$_____
FERNBROOK	0	$_____	$_____
FORDHAM	11	$_____	$_____
FREEPORT (S OF 19 MI)	0	$_____	$_____
GALE	0	$_____	$_____
GROVEPARK	0	$_____	$_____
HARVARD	65	$_____	$_____
HEATHERWOOD	31	$_____	$_____
HILLSDALE (E OF SAAL)	28	$_____	$_____
HILLSDALE (W OF SAAL)	43	$_____	$_____
HOPE (E OF SAAL)	23	$_____	$_____
HOPE (W OF SAAL)	14	$_____	$_____
LOYOLA	31	$_____	$_____

VII. BID FORM (CONT'D)

MARY GROVE	31	$_____	$_____
MICHIGAN	18	$_____	$_____
MT. PLEASANT	18	$_____	$_____
NIAGARA	10	$_____	$_____
NORTH CENTRAL	20	$_____	$_____
NORTH WESTERN	10	$_____	$_____
OLIVET	31	$_____	$_____
OREGON	5	$_____	$_____
OWASSO CT	15	$_____	$_____
PATRICK	7	$_____	$_____
PURDUE	8	$_____	$_____
RANDALL	18	$_____	$_____
RICE	30	$_____	$_____
RUTGERS	22	$_____	$_____
SEBRING	0	$_____	$_____
STERLING OAKS	11	$_____	$_____
SYCAMORE	0	$_____	$_____
TRINITY	6	$_____	$_____
TUFTS	6	$_____	$_____
TWINING	0	$_____	$_____
UTAH	27	$_____	$_____
VANDERBILT	16	$_____	$_____
VILLANOVA	18	$_____	$_____
WELLINGTON	0	$_____	$_____
WEST POINT	40	$_____	$_____
WHITECAP	0	$_____	$_____
WILLOW CT	0	$_____	$_____

VII. BID FORM (CONT'D)

XAVIER	18	$_____	$_____
YALE CT	5	$_____	$_____
SAAL	44	$_____	$_____
TOTAL FOR SECTION 12	**932**		**$_____**

CITY MAP - SECTION 15

Street Name	# Of Trees	Cost Per Tree	Total Cost
ALWARDT	46	$_____	$_____
ANSON	3	$_____	$_____
ANTHON	2	$_____	$_____
ANTWERP	3	$_____	$_____
ANVIL	0	$_____	$_____
ASTOR	5	$_____	$_____
BALBOA	31	$_____	$_____
BEDFORD	4	$_____	$_____
BONNETT	2	$_____	$_____
CHERRYLAWN	20	$_____	$_____
COLONY	28	$_____	$_____
CONSTITUTION BLVD	4	$_____	$_____
DALE CT	10	$_____	$_____
DIANE	20	$_____	$_____
DODGE PARK (N OF 17-ROUNDABOUT)	10	$_____	$_____
FARMHILL	30	$_____	$_____
FLAGSTAFF	60	$_____	$_____
HAMILTON (S OF 18 MI)	14	$_____	$_____
INDEPENDENCE	70	$_____	$_____

VII. BID FORM (CONT'D)

IRVAL	26	$_____	$_____
JAQUELINE	13	$_____	$_____
JUDY	34	$_____	$_____
KAROLA	19	$_____	$_____
KINGSBURY	19	$_____	$_____
LAFAYETTE	17	$_____	$_____
LEA CT	10	$_____	$_____
LEXINGTON PARK DR	16	$_____	$_____
LIZABETH	34	$_____	$_____
LOZEN	35	$_____	$_____
MEADE PT DR	20	$_____	$_____
MILLINGTON	19	$_____	$_____
MURIEL	8	$_____	$_____
NEWBURG	24	$_____	$_____
PARKLAWN	38	$_____	$_____
PICKETT RIDGE	21	$_____	$_____
PLUMBRIDGE	31	$_____	$_____
PLUMBROOK (N OF 17, E OF VAN DYKE)	14	$_____	$_____
POINCIANA	43	$_____	$_____
RADCLIFF	17	$_____	$_____
REGAL	21	$_____	$_____
REGENCY	54	$_____	$_____
RINALDI	31	$_____	$_____
ROSLYN	27	$_____	$_____
SAN MARCO	37	$_____	$_____
SPALDING	8	$_____	$_____

VII. BID FORM (CONT'D)

SPITZ	40	$_____	$_____
THERESA CT	8	$_____	$_____
WILLIAM	29	$_____	$_____
WINDY COVE	3	$_____	$_____
GETTYSBURG	6	$_____	$_____
HAMILTON	5	$_____	$_____
INDEPENDENCE CT	3	$_____	$_____
TOTAL FOR SECTION 15	**1089**		**$_____**

CITY MAP - SECTION 23

Street Name	# Of Trees	Cost Per Tree	Total Cost
ALCOY	9	$_____	$_____
ALPER	29	$_____	$_____
AMBER	8	$_____	$_____
ANGUS CIRCLE	18	$_____	$_____
ASHBY	3	$_____	$_____
BADGER	4	$_____	$_____
BARRINGTON	16	$_____	$_____
BEECHER	33	$_____	$_____
BELCREST	14	$_____	$_____
BRIERSTONE	16	$_____	$_____
CABOT	1	$_____	$_____
CARDONI	7	$_____	$_____
CASTLETON	20	$_____	$_____
CLOVERLAWN	38	$_____	$_____
COVINGTON	35	$_____	$_____

VII. BID FORM (CONT'D)

DANFORTH	37	$_____	$_____
DAYTONA	16	$_____	$_____
DODGE PARK (16-17 MI)	42	$_____	$_____
FAIRVIEW	45	$_____	$_____
GLADSTONE	6	$_____	$_____
GREENWAY	32	$_____	$_____
HARTWELL	23	$_____	$_____
IACOPELLI CT	23	$_____	$_____
KENT	4	$_____	$_____
KINLOCK	18	$_____	$_____
LITTLEFIELD	35	$_____	$_____
LONGACRE	14	$_____	$_____
LYFORD	6	$_____	$_____
MONSBROOK CT	13	$_____	$_____
MONSBROOK DR	10	$_____	$_____
MONTEREY	18	$_____	$_____
PICADILLY	36	$_____	$_____
PLAINVIEW	44	$_____	$_____
PLUMBROOK (DODGE PK-SCHOENHERR)	12	$_____	$_____
PONOMA	28	$_____	$_____
ROXBURY	11	$_____	$_____
RUTLAND	4	$_____	$_____
SANTA ROSA	3	$_____	$_____
17 MILE (DODGE PK-UTICA RD)	32	$_____	$_____
SORRENTO	44	$_____	$_____

VII. BID FORM (CONT'D)

WHITEFIELD DR	21	$_____	$_____
WINONA	32	$_____	$_____
TOTAL FOR SECTION 23	**860**		**$_____**

SEE CITY STREET MAP ATTACHMENT TO VIEW STREET LOCATION

This form **must** be completed and returned with your bid.

DELIVERED DEC 30 2015

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 2-E
Meeting: 01/05/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To approve the purchase of heavy-duty truck parts at unit pricing available through a Michigan Intergovernmental Trade Network cooperative Request for Proposals (Estimated annual expenditure of $40,000).

Submitted By: Office of Purchasing

Contact Person/Telephone: James Buhlinger, Purchasing Manager, (586) 446-2741

Administration (initial as applicable)

			Attachments		
MC	City Clerk	__	Resolution	__	Minutes
BB	Finance & Budget Director	__	Ordinance	__	Plan/Map
JB	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 City of Rochester Hills coordinated a cooperative Request for Proposals (RFP) issued via the Michigan Intergovernmental Trade Network (MITN) for heavy-duty truck parts. These parts are used in preventative maintenance and repairs to the fleets of heavy-duty trucks owned by MITN participants. Lead agencies for this cooperative effort include Rochester Hills, Sterling Heights, and Farmington Hills. Favorable truck part pricing resulting from this cooperative RFP is extendable to other participating MITN agencies.

- Proposals were received on November 5, 2015. A committee made up of staff representing the cities of Rochester Hills, Farmington Hills and Sterling Heights thoroughly evaluated the five proposals and checked references received from responding vendors. The committee recommended that the proposal by Kirk's Automotive, Inc. be accepted for purposes of the MITN cooperative RFP. Rochester Hills accepted the proposal by Kirk's Automotive in December, 2015 as the host community for the cooperative RFP.

- Recommendation is being made to purchase heavy-duty truck parts from Kirk's Automotive at the unit pricing available through the MITN cooperative RFP. This cooperative RFP affords the best pricing for the largest number of parts required by the Fleet Maintenance Division. In addition, Kirk's Automotive is a distributor of NAPA parts, has an extensive background in the repair parts industry and its 55,000 square foot facility in Detroit is replenished daily from their 300,000 square foot warehouse in Romulus.

- Kirk's Automotive, Inc. is a new vendor for the City. This vendor has excellent references from its existing municipal customers.

Suggested Action:

MOVED BY: SECONDED BY:

RESOLVED, to approve the purchase of heavy-duty truck parts from Kirk's Automotive, Inc. , 9330 Roselawn, Detroit, MI 48024 at unit pricing available through the Michigan Intergovernmental Trade Network cooperative request for proposals for a three-year period and an additional two-year period should the option be extended under the same terms and conditions.

CITY OF STERLING HEIGHTS
STAFF REPORT
January 5, 2016

Prepared By: James Buhlinger, Purchasing Manager Ext. No. 2741

GENERAL INFORMATION:

On November 5, 2015, proposals were received by the City of Rochester Hills as host community for a Michigan Intergovernmental Trade Network (MITN) Request for Proposals (RFP) for the purchase of parts for maintenance and repair of heavy-duty trucks. The RFP was advertised and posted on the MITN website. Six (6) vendors responded with proposals, one of which was deemed non-responsive, as outlined in the attached supporting documents. It is anticipated that the City will spend approximately $40,000 annually for these parts. Funds are budgeted in 1174453 (DPW Fleet Maintenance) 759000 (Parts and Sublet Services).

STAFF ANALYSIS AND FINDINGS:

The Fleet Maintenance Division of the Department of Public Works is responsible for the maintenance and repair of heavy-duty trucks, including 23 snowplow/dump trucks (tandem and single axle), five Vactor type combination jet trucks, four flat beds, two loaders, two stake trucks, and six heavy-duty, multi-functional trucks.

The RFP incorporated the heavy duty truck part needs of three full-service municipalities. The terms of the RFP requested contracted discounts off published catalog pricing for 22 unique auto parts manufacturers as well as a discount off additional product lines not specified. The lists include preventive maintenance and repair parts for all trucks/equipment required for maintenance of the heavy-duty fleet.

An evaluation committee represented by the three lead agencies (Rochester Hills, Sterling Heights and Farmington Hills) reviewed the proposals received in response to the RFP and checked references for all vendors. These vendors were evaluated in terms of pricing, product offering, references, and experience. The evaluation committee recommended Kirk's Automotive Inc. based upon its proposal.

Kirk's Automotive was established in 1946 as a warehouse distributor and remanufacturer of automotive and heavy duty parts. Kirk's Automotive has thirty-nine (39) full-time employees and services southeastern Michigan with a fleet of delivery vehicles. Kirk's Automotive is centrally located in Detroit with a 55,000 square foot warehouse which is replenished daily from their 300,000 square foot warehouse in Romulus, MI.

Additionally, in the event a part is not available at the Detroit or Romulus locations, Kirk's Automotive has additional warehouse locations in Grand Rapids and Columbus from which to pull inventory for overnight delivery with no additional charge.

References provided were checked by the evaluation committee and proved favorable.

STAFF RECOMMENDATION:

Please see Suggested Action on the accompanying Agenda Statement.

Notification List:
Kirk's Automotive, Inc.
9330 Roselawn
Detroit, MI 48204
Bruno Anereoli, Account Manager
Bruno@kirksauto.com

CITY OF Sterling Heights

Interoffice Memorandum

Date: December 15, 2015

To: Jim Buhlinger, Purchasing Manager

From: Don Barron

Don Barron, Fleet Maintenance Supervisor

Subject: Recommendation – Rochester Hills Heavy Duty Truck Parts Proposal

On Thursday November 5, 2015 proposals were received by the City of Rochester Hills for the purchase of Heavy Duty Truck Parts for maintenance and repair of large trucks in their Fleet. After reviewing all of the proposals submitted, the Purchasing and Fleet Managers unanimously recommended the contract to be awarded to the following vendor:

Kirk's Automotive Inc.
9330 Roselawn
Detroit, MI 48024

Kirk's Automotive has been in business for 69 years and has a good reputation for providing quality parts and competitive pricing on municipal contracts. Kirk's has 39 full time employees and offers free same day delivery of parts.

The Department of Public Works recommends accepting the proposal from the City of Rochester Hills RFP for the purchase of Heavy Duty Truck Parts. These parts will be purchased and utilized when necessary to make repairs to city owned vehicles or equipment. We anticipate spending $40,000 annually through Kirk's Automotive.

Funds for the purchase of these replacement parts are budgeted in the Fleet Maintenance, Parts & Sublet Services account # 11744553-759000.

C: Michael Moore, Public Works Director

Heavy Duty Truck Parts
City of Rochester Hills Acting as Lead Agency
Award of Proposal RFP-RH-15-062

Administrative Summary

- Request for Proposals were posted October 22, 2015 on the MITN e-procurement system and opened on Thursday, November 5, 2015 on behalf of the Cities Rochester Hills, Farmington Hills and Sterling Heights with additional extension offered to the MITN Purchasing Cooperative. Notification was sent to over three-hundred and eighty (380) vendors with six (6) responding. One vendor did not provide pricing for the core list of items requested in the proposal and was deemed non-responsive.

- The request for proposal calls for a set percentage discount price structure for parts manufacturers. All parts must meet or exceed original equipment manufacturer's specifications. This includes preventive maintenance parts (clamps, belts, seals, etc.) and heavy duty truck repair parts for the maintenance of the City fleet. Additionally, the request required vendors to explain how they would meet delivery requirements for stock parts, on-demand orders and emergency needs as well as parts exchange/credit returns.

- A committee made up of City staff and representatives from Farmington Hills and Sterling Heights evaluated the five (5) responsive proposals. The committee unanimously recommended award to Kirk's Automotive, Inc. Their proposal offering covered the product lines requested with nationally known brands, their pricing was competitive, their knowledge of equipment repair was extensive, and multiple daily deliveries are available. Kirk's Automotive offers OEM training free of charge. The committee is confident that Kirk's Automotive, Inc.understands the full scope of the contract and will provide satisfactory service.

- Evaluation tabulation attached.

Award

The City of Rochester Hills on December 9, 2015 awarded the contract for Heavy Duty Truck Parts to Kirk's Automotive, Inc. for a period of three (3) years commencing January 1, 2016 with an option for a two (2) year renewal under the same terms and conditions upon mutual consent by the City and said vendor.

ROCHESTER HILLS
MICHIGAN

Purchasing Division

RECEIVED
NOV 16 2015
OFFICE OF PURCHASING
STERLING HEIGHTS

RECEIVED
NOV 16 2015
OFFICE OF PURCHASING
STERLING HEIGHTS

From: Debbie Scully

To: Distribution Below

Date: November 12, 2015

Re: **Evaluation of RFP – Heavy Duty Truck Parts**

Definition of the evaluation process: The City's sole purpose in the evaluation process is to determine, from among the responses received, which one is best suited to meet the City's (entities) needs. Any final analysis or weighted point score does not imply that one RFP is superior to another, but simply that in our judgment the vendor the City selects appears to offer the best overall solution from current and anticipated needs.

Attached please find evaluation forms and copies of the submitted RFPs. Please complete the forms for a meeting in the near future; all completed forms must be returned to me. Each evaluator must return a set of forms with their scores.

If you have additional questions of the vendors, please document them. We will gather all the questions together and I will contact the vendor or we can arrange a meeting, if necessary, for any number of "short listed" vendors and pose our questions. Also, please do not contact any of the vendors directly—all questions must go through me.

Thank you for you interest in participating and assisting in the evaluation of these proposals, I truly appreciate the cooperation.

I will follow-up with you in the near future about setting up an evaluation meeting to discuss the proposals and go through the scoring. At that meeting the goal will be to determine who to shortlist and bring in for interviews and demonstrations.

Distribution:

Bruce Halliday, Fleet Manager
Jackie Hanser, Clerk
Kelly Monico, Senior Buyer
Jerry Brock, Fleet Supervisor
Jim Buhlinger, Purchasing Manager ✓
Michael Moore, Interim Public Works Director ✓
Cc: File

RFP-15-062 Heavy Duty Truck Parts
Evalution Committee Score Sheets

	BH	JH	BA		AVG - RH	City - FH	City - SH	Total
A & L Systems	20	20	24		21	13	29	63
Wolverine Truck Sales, Inc.	15	13	26		18	26	35	79
O'Reilly Auto Parts	12	10	14		12	17	17	46
W.W. Williams	13	12	26		17	18	36	71
Kirk's Automotive	31	29	32		31	37	40	108

RFP-RH-15-062

Heavy Duty Truck Parts - Pricing Tab

		A & L Systems			Wolverine Truck Sales, Inc.			O'Reilly Auto Parts		
Description	**Qty**	**Unit Cost**	**Extended Cost**	**Brand/ Part Number**	**Unit Cost**	**Extended Cost**	**Brand/ Part Number**	**Unit Cost**	**Extended Cost**	**Brand/ Part Number**
Bendix AD-9 Air Dryer Cartridge (New) K107794S	2	$ 21.25	$ 42.50	Newstar/S-A474	$ 169.00	$ 338.00	Bendix/107796		$ -	
Meritor Air Dryer Filter KR950011 (spin on)	10	$ 18.50	$ 185.00	Newstar/A323	$ 66.72	$ 667.20	Meritor/R950011	$ 25.20	$ 252.00	BBH R950011
SafeWay Hydraulic Coupler S40-4 or FF49-4	20	$ 25.91	$ 518.20	Safeway/S40-4		$ -			$ -	
Midland Air Brake Governor D2A	25	$ 11.99	$ 299.75	Torque/TR275491	$ 14.96	$ 374.00	Bendix/OR275491	$ 14.09	$ 352.25	BBH RB18530
Dypro Brake Chamber 3030	15	$ 35.97	$ 539.55	Torque/TR3030C	$ 44.37	$ 665.55	Alliance/N42A-23030CD	$ 46.76	$ 701.40	BBH BTS3030
5" U-Bolt Exhaust Clamp	10	$ 3.99	$ 39.90	Donaldson/P206411	$ 5.33	$ 53.30	Alliance/C1/U500F1	$ 4.82	$ 48.20	ROL 517500
4" U-Bolt Exhaust Clamp	5	$ 3.49	$ 17.45	Donaldson/P206410	$ 2.26	$ 11.30	Donaldson/J000222	$ 4.82	$ 24.10	ROL 517400
4" OD S/S Exhaust Flex Tube	50	$ 12.62	$ 631.00	Donaldson/P226156	$ 26.26	$ 1,313.00	Alliancce/N49-UFT18	$ 13.67	$ 683.50	WAL 40022
24x36 Mud Flap	32	$ 12.99	$ 415.68	24x36 VLV	$ 17.60	$ 563.20	WOL2436	$ 12.99	$ 415.68	MUD 24-36
Gates Micro Belt K080780	10	$ 23.79	$ 237.90	Newstar/S-17470	$ 35.12	$ 351.20	Alliance/4080779DF	$ 42.12	$ 421.20	GAT K080780
Allison Transmission Filter Kit #29548988	10	$ 49.95	$ 499.50	Donaldson/P560971	$ 60.54	$ 605.40	29548988	$ 54.64	$ 546.40	WIX 57740XE
Gates V-belt 9341	25	$ 6.56	$ 164.00	Newstar/S-15448	$ 8.78	$ 219.50	Alliance/GT/17342E	$ 10.48	$ 262.00	GAT 9341
National Wheel Seal 2081	10	$ 9.43	$ 94.30	National/2081	$ 7.98	$ 79.80	NA/2081	$ 6.62	$ 66.20	NAT 2081
National Wheel Seal 370048A	15	$ 24.28	$ 364.20	Torque/TR0164	$ 33.34	$ 500.10	NA/370048A	$ 37.01	$ 555.15	NAT 370048A
Gunite AS1140 Automatic Slack Adjuster	5	$ 49.95	$ 249.75	Newstar/S-A670	$ 77.20	$ 386.00	GUN/AS1140	$ 59.35	$ 296.75	BBH RB1140
Stemco Hub Cap 340-4046	10	$ 39.95	$ 399.50	Stemco/340-4046	$ 40.50	$ 405.00	STM/340-4046		$ -	
Stemco Window Kit 359-5995	5	$ 3.99	$ 19.95	Newstar/S-E781	$ 8.51	$ 42.55	STM/359-5995		$ -	
Tectran Gladhand Coupling w/Chain 9411	5	$ 5.95	$ 29.75	Sloan/441167		$ -			$ -	
TOTAL			**$ 4,747.88**			**$ 6,575.10**			**$ 4,624.83**	

Discount used for pricing above:		Cost + 20%	25% over cost	41% or better from list
Product Line Discounts:				
Bendix		Cost + 20%	25% over cost	
Safeway		Cost + 20%	25% over cost	
Midland		Cost + 20%	25% over cost	
Dypro		Cost + 20%	25% over cost	
Buyers		Cost + 20%	25% over cost	
Deutsch		Cost + 20%	25% over cost	
Weather Pack		Cost + 20%	25% over cost	
Weldon		Cost + 20%	25% over cost	
Whelen		Cost + 20%	25% over cost	
Class One		Cost + 20%	25% over cost	

		A & L Systems	Wolverine Truck Sales, Inc.	O'Reilly Auto Parts
Wagner		Cost + 20%	25% over cost	List less 41% or better
Euclid		Cost + 20%	25% over cost	
Stemco		Cost + 20%	25% over cost	
National		Cost + 20%	25% over cost	List less 41% or better
Bosch		Cost + 20%	25% over cost	List less 41% or better
Rockwell		Cost + 20%	25% over cost	
Meritor		Cost + 20%	25% over cost	
Timken		Cost + 20%	25% over cost	
Spicer		Cost + 20%	25% over cost	
Trucklite		Cost + 20%	25% over cost	
Maxxima		Cost + 20%	25% over cost	
FelPro		Cost + 20%	25% over cost	List less 41% or better
Discount offered on additional product lines		Cost + 20%	We will honor 25% over cost across the board.	List less 41% or better
Comments:				Page 4 - Warranty - Deleted. Standard manufactuer warranty will apply. Our manufacturers' warranty policy is the best in the industry. Page 5 - Contract Specifications - Delete the last part of the 2nd sentence in the 2nd paragraph. Contractor cannot agree to pay damages based on situations that are out of the Contractor's control, (examples: manufacturer shortages, industry changes, etc.) Page 8 - Hold Harmless - Deleted. Vendor can agree to an indeminification that is reciprocal. Page 12 - Insurance Requirements - Last paragraph - Deleted.

RFP-RH-15-062

Heavy Duty Truck Parts - Pricing Tab

		W.W. Williams			Kirk's Automotive			State Wire & Terminal		
Description	**Qty**	**Unit Cost**	**Extended Cost**	**Brand/ Part Number**	**Unit Cost**	**Extended Cost**	**Brand/ Part Number**	**Unit Cost**	**Extended Cost**	**Brand/Part Number**
Bendix AD-9 Air Dryer Cartridge (New) K107794S	2	$ 22.56	$ 45.12	Bendix R107794 + Core	$ 50.92	$ 101.84	Bendix H107794			
Meritor Air Dryer Filter KR950011 (spin on)	10	$ 23.30	$ 233.00	Meritor R109994	$ 20.99	$ 209.90	NAPA 4374			
SafeWay Hydraulic Coupler S40-4 or FF49-4	20		$ -		$ 38.33	$ 766.60	Safeway FF49-4			
Midland Air Brake Governor D2A	25	$ 14.03	$ 350.75	Bendix OR275491	$ 14.58	$ 364.50	Bendix H284358			
Dypro Brake Chamber 3030	15	$ 86.64	$ 1,299.60	MGM 3230051X	$ 44.49	$ 667.35	Haldex SB3030			
5" U-Bolt Exhaust Clamp	10	$ 4.16	$ 41.60	Donaldson P206411	$ 6.74	$ 67.40	NAPA 7335799			
4" U-Bolt Exhaust Clamp	5	$ 3.81	$ 19.05	Donaldson P226410	$ 2.54	$ 12.70	NAPA 7333304			
4" OD S/S Exhaust Flex Tube	50	$ 14.15	$ 707.50	Donaldson P226156	$ 4.37	$ 218.50	NAPA 40025			
24x36 Mud Flap	32		$ -		$ 13.82	$ 442.24	NAPA 8235090			
Gates Micro Belt K080780	10	$ 37.92	$ 379.20	Gates K080780	$ 50.60	$ 506.00	NAPA 25080780			
Allison Transmission Filter Kit #29548988	10	$ 51.38	$ 513.80	Allison 29548988	$ 41.64	$ 416.40	NAPA 7740XE			
Gates V-belt 9341	25	$ 9.83	$ 245.75	Gates 9341	$ 15.03	$ 375.75	NAPA 259341			
National Wheel Seal 2081	10		$ -		$ 9.06	$ 90.60	CR 259341			
National Wheel Seal 370048A	15	$ 30.58	$ 458.70	National 370048A	$ 34.78	$ 521.70	National 370048A			
Gunite AS1140 Automatic Slack Adjuster	5	$ 72.40	$ 362.00	Gunite AS1140 + core	$ 92.29	$ 461.45	Gunite AS1140			
Stemco Hub Cap 340-4046	10	$ 35.28	$ 352.80	Stemco 340-4046	$ 42.45	$ 424.50	Stemco 3404046			
Stemco Window Kit 359-5995	5	$ 7.41	$ 37.05	Stemco 359-5995	$ 7.94	$ 39.70	Stemco 3595995			
Tectran Gladhand Coupling w/Chain 9411	5	$ 5.57	$ 27.85	Tectran 9411	$ 7.48	$ 37.40	Tectran 9411			
TOTAL			**$ 5,073.77**			**$ 5,724.53**			**$ -**	

Discount used for pricing above:		20 Gross Profit	Cost Plus 25%	
Product Line Discounts:				
Bendix		20 Gross Profit	Cost Plus 18%	
Safeway			Cost Plus 25%	
Midland		20 Gross Profit	Cost Plus 18%	
Dypro			Cost Plus 25%	
Buyers			Cost Plus 25%	
Deutsch			Cost Plus 25%	60% of our List Price
Weather Pack			Cost Plus 25%	
Weldon		20 Gross Profit	Cost Plus 25%	
Whelen			Cost Plus 25%	60% of our List Price
Class One			Cost Plus 25%	

		W.W. Williams	Kirk's Automotive	State Wire & Terminal
Wagner			Cost Plus 15%	60% of our List Price
Euclid			Cost Plus 18%	
Stemco		20 Gross Profit	Cost Plus 18%	
National		20 Gross Profit	Cost Plus 18%	
Bosch		20 Gross Profit	Cost Plus 25%	
Rockwell		20 Gross Profit	Cost Plus 18%	
Meritor		20 Gross Profit	Cost Plus 18%	
Timken		20 Gross Profit	Cost Plus 15%	
Spicer		20 Gross Profit	Cost Plus 18%	
Trucklite		20 Gross Profit	Cost Plus 18%	
Maxxima			Cost Plus 25%	
FelPro			Cost Plus 15%	
Discount offered on additional product lines		20 Gross Profit	NAPA Cost Plus 20%	
Comments:		Page 3 - Regular On-Demand Orders - Deleted "...which require next business day delivery." Page 3 - Emergency On-Demand Orders - Deleted "...which require delivery within three (3) hours maximum..." Page 4 - Parts Exchange/Credit Returns - Deleted section in its entirety. Page 4 - Back Orders - Deleted "Multiple deliveries daily may be required. All orders placed for in stock vendor parts must be delivered within two (2) hours."		We are proposing on the possible purchases of any Whelen, Deutsch and Wagner (lighting only) parts with a discount off of list price.

RFP-RH-15-062			
Heavy Duty Truck Parts			
Firm Name	**A&L Systems, Inc.**	**Wolverine Truck Sales, Inc.**	**O'Reilly Auto Parts**
Firm Address	25415 Glendale Ave	3550 Wyoming Ave	233 S. Patterson
	Redford, MI 48239	Dearborn, MI 48120	Springfield, MO 65802
Firm established	1980	1967	1957
Years in business	35	48	58
List of three client references	Provided	Provided	Omitted
Explain ordering/delivery service provided including contact personnel	Ordering can be done by phone, fax or email. We have a delivery truck that is out making deliveries daily. Same day delivery as needed. You may contact John Bosonetto or Rob Amoe to place orders.	Orders are placed by phone or email, filled and placed for delivery. We have two delivery drivers. One heads east one heads south and west from Dearborn.	There's two ways to place orders: calling the local store or using www.firstcallonline.com Delivery is made with company trucks within an hour for most in-stock items and next day on most non-stock items. Store listing and FirstCall Online information attached.
Describe customer service strategy	Our strategy is customer needs come first. Service is our business.	We strive to fill customer order timely and politely each day. We also aim to answer any questions customers may have.	We seek to attract new DIY and professional service provider customers and to retain existing customers by offering superior customer service, the key elements of which are identified below: Superior in-store service through highly-motivated, technically - proficient store personnel. An extensive selection and availability of products. Attractive stores in convenient locations. Competitive pricing, supported by a good, better, best product assortment designed to meet all of our customers' quality and value preferences. A robust point-of-sale system integrated with our proprietary electronic catalog, which contain a wide variety of product images, schematics and technical specifications, and equips our Team Members with highly effective tools to source products in our extensive supply network.
Detailed overview of ordering process.	Customers can order via phone, fax, email or outside salesperson. We place weekly sometimes daily orders with our vendors to ensure proper stock levels. Emergency orders can be picked up in our warehouse, delivered by outside sales or shipped UPS.	Once a part is called in it is determined if we have it in stock here or at our other two locations. If the part is not in stock the customer is asked if they would like to stock or emergency order the part. A stock order generally take three to five days. An emergency order will come overnight but be subject to freight charges. Stock orders are placed daily at 3 pm. Emergency orders are placed up until 5pm. All emergency ordered parts will be delivered the following day.	Orders can be placed by phone, fax, walk-in or online. All deliveries will be made using company trucks. Normal delivery is 1 hour on most in-stock items and next day on most non-stock items. All orders, including stock orders and Emergency on-demand orders, will be handled this way. Please see the attached store listing for the closest store and their contact information. There is also an attachment explaining the on-line ordering process.

Firm Name	A&L Systems, Inc.	Wolverine Truck Sales, Inc.	O'Reilly Auto Parts
Information on stocking capabilities for parts required by cities	We sill stock, in sufficient quantities, any parts the Cities agree to purchase from A & L Systems.	We have three locations all three stock Freightliner and Sterling parts. The Mt. Clemens location is also a Western Star dealership. Dearborn is also a Ford dealership. We have a transfer driver making two trips daily between stores. Each store uses an automated ordering system to stock parts. This is based on quantity sold. If at first a certain part is not stocked it will be after the second purchase in six months.	The local store's inventory can/will be tailored to meet the needs of the City. O'Reilly prototype stores avg 6,800 s.f., with an avg inventory of 23, 603 SKUs. We believe our commitment to a robust, regional, tiered distribution network provides superior replenishment and access to hard-to-find parts and enables us to optimize product availability and inventory levels throughout our store network. Our strategic regional tiered distribution network includes DCs and Hub stores. Our inventory management and distribution systems electronically link each of our stores to one or more DCs, which provides fore efficient inventory control and management. We currently operate 26 regional DCs, which provide our stores with same-day or overnight access to an average of 146,000 stock keeping units (SKUs), many of which are hard to find items not typically stocked by other auto parts retailers. To augment our robust DC network, we operate 238 Hub stores that also provide delivery service and same-day access to an average of 41,000 SKUs to other stores within the surrounding area. We believe this is timely access to a broad range of products is a key competitive advantage in satisfying customer demand and generating repeat business.
Transition plan	Return any current or obsolete stock from previous vendors as soon as possible. A & L Systems will provide cross reference information as well as re-labeling on stock shelves and products when necessary.	We are currently a vendor. We typically do not participate in any buy back programs. However exceptions can be made for certain circumstances.	Manufacturer supported product lift/changeovers - O'Reilly will engage manufacturers where the City's inventory lines qualify, and assist with supporting product lift/changeovers. Product Relabeling/Sell Down - O'Reilly will participate with the City's where merchandise in inventory does not qualify for product lift/changeover by the manufacturer and assist with re-labeling to an O'Reilly part number where possible. This will allow the City to look up the product as if it was an O'Reilly line and attempt to sell down the inventory. Inventory Liquidation - Inventory items at the City's locations that do not qualify for manufacturer product lift/changeover and/or in instances where the City does not want to re-label or sell down the inventory items, will be considered for liquidation upon approval from both the City and O'Reilly. Due to specificity of automotive products, liquidation typically products a 10-cents-on-the -dollar financial result. O'Reilly will commit to working with the City to establish which merchandise falls into the liquidation category and assist with preparation and coordination with a liquidator.

Firm Name	A&L Systems, Inc.	Wolverine Truck Sales, Inc.	O'Reilly Auto Parts
Names and Quals of representatives assigned to City	Art Lake - Owner/Sales Manager 40+ years experience in industry. John Bosonetto - Purchasing Manager/Inside Sales 22 years with company. Rob Amoe - Product Support Representative 1 year with company 30+ years in industry.	Mike Mincklewice - Parts Manager ten years with Wolverine, fully Freightliner parts and manager certified. Steve Henson - Assistant Parts Manager fifteen years with Wolverine 23 years experience. We have a total of fifteen employees in Dearborn to handle any questions a customer may have.	Chris George, Sr. Bid Analyst - 15 years experience in the automotive industry. Vanessa Creech, Bid Analyst II - 8 years experience in the automotive industry. Justin Boron, Regional Field Sales Manager - 22 years experience in the automotive industry. Stephen Fludd, Territory Sales Manager - 10 years in the automotive industry. Sam Nicosia, Territory Sales Manager - 3 years in the automotive industry. All store personnel.
Minimum order for delivery	No	No	No
Miles from RH DPS	28 miles	27.4 miles	.5 miles
Miles from SH DPS	30 miles	27.3 miles	1.7 miles
Miles from FH DPS	12 miles	32.2 miles	3.1 miles

RFP-RH-15-062			
Heavy Duty Truck Parts			
Firm Name	**W.W. Williams**	**Kirk's Automotive**	**State Wire & Terminal**
Firm Address	4000 Stecker Avenue	9330 Roselawn	16140 Dixie Highway
	Dearborn, MI 48126	Detroit, MI 48204	Davisburg, Mi 48430
Firm established	1912	1946	1973
Years in business	103	69	42
List of three client references	Provided	Provided	Provided
Explain ordering/delivery service provided including contact personnel	Common use number filled from inventory and delivered by special delivery driver as a courtesy within 24 hours, most uncommon special order items received within 48 hours. Contact: Jonathan Gibson, jpgibson@wwwilliams.com	Kirk's has on-line, fax and phone ordering systems, with customer service folks available to help in finding correct parts. On-line ordering has a complete E catalog system available at no charge. Daily delivery free of charge. All OEM training also free of charge.	Orders can be submitted by phone, fax, or email to Shari Nealis, who is the sale representative. Once processed, a confirmation will be sent. Deliveries are shipped via UPS Ground.
Describe customer service strategy	Delivery with 24 hours when possible.	Kirk's Automotive Inc. was established in 1946 as a warehouse distributor and remanufacturer of automotive and heavy duty parts. Kirk's has thirty-nine full-time employees and services southeastern Michigan with a fleet of vehicles. Kirk's is centrally located in Detroit, MI with 55,000 sq. ft. warehouse which is replenished daily from our 300,00 sq. ft. warehouse in Romulus, MI.	The strategy of our company is focused in getting to know our customer. We aim to provide a service that is personal and structured around the needs of our customer. This is highlighted in our mission statement, "Striving to Achieve Total Excellence With Innovation, Reliability & Enthusiasm." Our customers are important to us.
Detailed overview of ordering process.	Items for stock and regular on-demand parts can be filled from our warehouse. Orders can be placed by fax, phone or email. An online ordering system is available by signing up at www.wwwilliams.com. All orders can be delivered by W.W. Williams parts driver as a courtesy to the customer. Emergency orders can be placed for next day air delivery and may incur a moderate air freight charge.	Kirk's Automotive Inc. provides the following general customer service strategy which includes on-line, fax and hone ordering: Stock Orders - Kirk's will deliver all stock orders on an agreed upon day of the week. Regular On-Demand Orders - Monday through Friday Order parts by 8:00am - Deliver by 1:00pm Order parts by 12:00pm - Deliver by 5:00pm Emergency On-Demand Orders - Orders to be handled as required by Kirk's warehouse staff. Customer service contacts: Andy Pucci - 313-933-7030 ex. 1120 - andy@kirksauto.com - fax: 313-933-7073 Mike Martin - 313-933-7030 ex. 1102 - mmartin@kirksauto.com - fax: 313-933-7073 Bruno Anereoli - Account Manager - 313-933-7030 ext. 1600 - cell: 313-598-8648	Orders are received through phone, fax or email. They are processed by the sales representative. The order is reviewed and released by customer service to the warehouse. The warehouse pulls and packages order for delivery by UPS. On demand orders are subject to the same process, only delivery is made by management. Emergency on demand orders are handled on a case by case basis and the decision is subject to the criteria presented. At this time, management will make an executive decision.

Firm Name	W.W. Williams	Kirk's Automotive	State Wire & Terminal
Information on stocking capabilities for parts required by cities	We have two large warehouses on site that can accommodate over 100 pallets of materials in addition to current stock.	Kirk's backs up all customers inventory at our Detroit location. Kirk's also has our Grand Rapids and Columbus warehouses to pull from over night at no extra charge. If we do not have it in stock you will see on line directly to the OEM plant were the item can be found.	We have a well stocked warehouse. If awarded the opportunity, a list of the items required will be essential in ensuring delivery in a timely fashion. Quantity forecasting helps in bringing in enough stock to meet the demands of all the Cities.
Transition plan	W.W. Williams does not purchase any vendor or customer stocked items. "Parts Exchange/Credit Returns" on Page 4 of solicitation is crossed out.	Kirk's will set up a change over plan for each location and will supply OEM manufactures to help set up and clean up old inventories. This can be done over a month so not to interrupt work at each location. OEM will help idea part that will be need to have on or at Kirk's warehouse.	We do not have a specific buy back plan. We would have to look at each location independently, see what is involved as far as inventory they wish to return, determine the condition and packaging and then make a determination as to whether or not we could take any of it back. Company policy states that nothing can be returned without management approval.

Firm Name	W.W. Williams	Kirk's Automotive	State Wire & Terminal
Names and Quals of representatives assigned to City	Jonathan Gibson - 4 years of parts experience with W.W. Williams; 15 years of parts experience, certified with Detroit Diesel/Freightliner and is a member of the Allison Parts Guild.	Bruno Anereoli - Account Manager - 313-933-7073 fax - cell: 313-598-8648 bruno@kirksauto.com Working since 1984 as an account manager helping customers find the right parts for the job. Andy Pucci - Customer Service 313-933-7030 ex. 1120 - andy@kirksauto.com - fax: 313-933-7073 Working Kirk's customer service since 1988 and has been trained to hunt down correct parts for the job at hand. Mike Martin - 313-933-7030 ex. 1102 - mmartin@kirksauto.com - fax: 313-933-7073 Working customer service since 1974. He has been trained by all Kirk's manufactures on product and systems for part and repair.	John DeBrincat, Owner, 39 years experience. Joe DeBrincat, Owner, 24 years experience. Jeff Vallette, Customer Service, 40+ years experience. Jeff has worked with the company since its inception. He has played a large role in the development of systems and procedures. Wealth of industry experience. Shari Nealis, Sales Representative, 15 years. Shari has worked in advertising, DPT, customer service, HR and sales and has a Bachelor of Business Management degree.
Minimum order for delivery	Yes - $100.00	No	Yes - $25.00
Miles from RH DPS	27 miles	22 miles	28 miles
Miles from SH DPS	26 miles	22 miles	35 miles
Miles from FH DPS	29 miles	25 miles	29 miles

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

DELIVERED DEC 30 2015
City Clerk's Use
Item No: 2-F
Meeting: 01/05/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To authorize the Community Relations Department to proceed with a contract for a Sterlingfest 2016 headliner performance on Saturday, July 30, 2016 at a cost of $20,000.

Submitted By: Community Relations Department

Contact Person/Telephone: Bridget Doyle, Community Relations Director, (586) 446-2471

Administration (initial as applicable)

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

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

Executive Summary:

In preparation for the 2016 *Sterlingfest Art & Jazz Festival*, the Community Relations Department is negotiating for a headliner act to perform on Saturday, July 30, 2016. The performance contract is being negotiated with Northstar Artists, LLC at a performance fee of $20,000.

The Community Relations Department has annually secured corporate sponsorships to offset most of the costs incurred in producing the *Sterlingfest Art & Jazz Festival*, including the performance fees paid to musical performers.

The Community Relations Department is requesting authorization to proceed with a contract for a headliner act to perform at the 2016 *Sterlingfest Art & Jazz Festival* on Saturday, July 30, 2016.

Suggested Action:

MOVED BY: SECONDED BY:

RESOLVED, to authorize the Community Relations Department to proceed with the contract for a headliner act to perform at the *Sterlingfest Art & Jazz Festival* on Saturday, July 30, 2016 and authorize the City Manager to sign all documents required in conjunction with this approval, subject to review and approval by the City Attorney.

DELIVERED DEC 30 2015

City Clerk's Use
Item No: 2-G
Meeting: 01/05/16

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 $19,153.68, plus interest on retainage, for the Canal Road Storm Drain, Sterritt Street to Morang Drive, City Project #14-258.

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
BB	Finance & Budget Director	__	Ordinance	__	Plan/Map
JB	City Attorney (as to legal form)	__	Contract	X	Other Final Estimate, Notification List
	City Manager				

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

Executive Summary:

At the September 15, 2014 regular meeting, City Council awarded the bid for the Canal Road Storm Drain, Sterritt Street to Morang Drive, City Project #14-258, to Pamar Enterprises, Inc. in the cumulative amount of $389,073.60.

All of the project work has been satisfactorily completed and the contractor has submitted the necessary Contractor's Declaration, Contractor's Affidavit, and Consent of Surety.

Recommendation is being made to approve final payment to Pamar Enterprises, Inc. in the amount of $19,153.68, plus interest on retainage, for the Canal Road Storm Drain, Sterritt Street to Morang Drive, City Project #14-258.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to approve final payment to Pamar Enterprises, Inc., 58021 Gratiot Avenue, New Haven, MI 48048 in the amount of $19,153.68, plus interest on retainage, for the Canal Road Storm Drain, Sterritt Street to Morang Drive, City Project #14-258.

Cc: Mike Moore, Public Works Director
Adam LaClair, Lead Inspector
Jason Castor, City Development Manager

F:\CP\2014\258_Canal_Road_Storm_Sewer\Agenda_Final_Payment.docxx

CITY OF STERLING HEIGHTS
STAFF REPORT
January 5, 2016

RE: Final Payment – Canal Road Storm Drain, Sterritt Street to Morang Drive, City Project #14-258

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

GENERAL INFORMATION: At the September 2, 2014 regular meeting, City Council awarded the bid for the subject project in the amount of $389,073.60.

TECHNICAL INFORMATION: The final contract price of $365,202.00 is less than the original contract price of $389,073.60 by $23,871.60, or 6.1%.

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: The Office of Engineering recommends that final payment be authorized to Pamar Enterprises, Inc., 58021 Gratiot Avenue, New Haven, MI 48048 in the amount of $19,153.68, plus interest on retainage, for the Canal Road Storm Drain, Sterritt Street to Morang Drive, City Project #14-258.

Cc: Mike Moore, Public Works Director
Adam LaClair, Lead Inspector
Jason Castor, City Development Manager

NOTIFICATION LIST

Asphalt Specialists, Inc.
1780 E. Highwood
Pontiac, MI 48340

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

Progress Payment Certificate

PROJECT:
Velocity Parking Lot Repairs — **City Project No. 14-256**
Maple Lane Golf Course Parking Lot Repairs — **City Project No. 14-264**

CONTRACTOR:
Asphalt Specialists, Inc.
1780 E. Highwood
Pontiac, MI 48340

DATE: **12/15/2015**

FINAL ESTIMATE

Original Contract Price:	$	339,129.00
Final Contract Price:	$	-
Percent Paid Including This Estimate:		97%

Amount Earned to Date:	$	329,779.25
Amount Withheld:		
Subtotal:	$	329,779.25
Retain:		
Total:	$	329,779.25
Less Previous Payment:	$	312,750.00
Amount Due This Estimate:	$	17,029.25

PAY AMOUNT
$17,029.25

Estimate #1	$	56,970.00
Estimate #2	$	156,580.00
Estimate #3	$	99,200.00
Estimate #4		
Estimate #5		
Estimate #6		
Estimate #7		
Estimate #8		
Estimate #9		
Estimate #10		
Final Estimate	$	17,029.25

Checked By: _____ Date: 12/15/15
Jason Castor, City Development Manager

Approved By: _____ Date: 12/21/15
Brent Bashaw, City Engineer

Total $329,779.25

TOTAL AMOUNT TO BE HELD IN RETAINAGE ACCOUNT $ -

ITEM/DESCRIPTION	CONTRACT QUANTITY	ACTUAL QUANTITY	UNIT PRICE	AMOUNT
Section I - Velocity Parking Lot Repairs (87700716-988256)				
1. Bituminous Wearing Course Mix 1100T, PG70-22 Binder, 20% Max RAP	550 TONS	602.9	78.00	$47,026.20
2. Bituminous Leveling Course Mix 1100L, PG70-22 Binder, 20% Max RAP	925 TONS	825.7	75.00	$61,927.50
3. Pulverize Existing Pavement	5,990 SYD	5,990.0	1.20	$7,188.00
4. Reshape Pulverized Base to Plan Grade (C.I.P.)	5,990 SYD	5,990.0	1.90	$11,381.00
5. Undercut	700 CYD	1,140.8	12.00	$13,689.60
6. Fill, Pulverized Material	500 CYD	233.1	12.50	$2,913.75
7. Fill, 1"x3" Crushed Concrete	100 CYD	881.4	15.00	$13,221.00
8. Fill, 21AA Crushed Concrete	100 CYD		34.00	$0.00
9. Remove Existing Pavement	410 SYD	319.7	9.00	$2,877.30
10. 6" Concrete	280 SYD	319.7	42.00	$13,427.40
11. 6" Curb & Gutter, Concrete, Detail F4	140 FT	246.8	24.00	$5,923.20
12. Curb and Gutter, Remove	140 FT	246.8	15.00	$3,702.00
13. Rebuild Drainage Structure	12 FT	10.0	325.00	$3,250.00
14. 6" Edge Drain (Pea Stone Backfill)	600 FT	570.0	15.00	$8,550.00
15. Adjust Structure	3 EA		425.00	$0.00
16. Replace Existing Catch Basin Frame & Cover w/ EJIW 5105 Frame & Cover	6 EA	5.0	575.00	$2,875.00
17. Restoration - 3" Topsoil, Seed, Fertilizer, & Hydroseed	100 SYD	198.6	12.00	$2,383.20
18. Sprinkler Repair, ¾" Poly Pipe	50 FT		3.65	$0.00
19. Sprinkler Repair, 1" Poly Pipe	50 FT		4.50	$0.00
20. Sprinkler Rotary Head	5 EA		75.00	$0.00
21. Sprinkler Spray Head	5 EA		80.00	$0.00
22. Inlet Filter	7 EA	5.0	110.00	$550.00

ITEM/DESCRIPTION	CONTRACT QUANTITY	ACTUAL QUANTITY	UNIT PRICE	AMOUNT
23. Parking Lot Restriping	1 LS	1.0	1,350.00	$1,350.00
24. Color Audio-Video Recording of Project Area	1 LS	1.0	2,000.00	$2,000.00
Subtotal - Section I				**$204,235.15**
Section II - Maple Lane Golf Course Parking Lot Repairs (59958558-962264)				
1. Bituminous Wearing Course Mix 1100T, PG70-22 Binder, 20% Max RAP	440 TONS	401.9	78.00	$31,348.20
2. Bituminous Leveling Course Mix 1100L, PG70-22 Binder, 20% Max RAP	740 TONS	586.7	77.00	$45,175.90
3. Pulverize Ex Pavement	4,000 SYD	4,000.0	1.35	$5,400.00
4. Reshape Pulverized Base to Plan Grade (C.I.P.)	4,000 SYD	4,000.0	2.25	$9,000.00
5. Undercut	75 CYD		15.00	$0.00
6. Fill, Pulverized Material	75 CYD		12.00	$0.00
7. Remove Existing Pavement	230 SYD	230.0	8.00	$1,840.00
8. Install 9" Concrete	230 SYD	230.0	72.00	$16,560.00
9. Rebuild Drainage Structure	6 FT	6.0	450.00	$2,700.00
10. Replace Existing Catch Basin Frame & Cover w/ EJIW 5105 Frame & Cover	3 EA	3.0	575.00	$1,725.00
11. 6" Edge Drain (Pea Stone Backfill)	60 FT		15.00	$0.00
12. Restoration - 3" Topsoil, Seed, Fertilizer, & Hydroseed	300 SYD	497.5	12.00	$5,970.00
13. Sprinkler Repair, ¾" Poly Pipe	50 FT		3.65	$0.00
14. Sprinkler Repair, 1" Poly Pipe	50 FT		4.50	$0.00
15. Sprinkler Rotary Head	5 EA		75.00	$0.00
16. Sprinkler Spray Head	5 EA		80.00	$0.00
17. Inlet Filter	3 EA		115.00	$0.00
18. Silt Fence	700 FT		1.85	$0.00

ITEM/DESCRIPTION	CONTRACT QUANTITY	ACTUAL QUANTITY	UNIT PRICE	AMOUNT
19. Parking Lot Restriping	1 LS	1.0	900.00	$900.00
20. Remove and Reset Parking Blocks	35 EA	35.0	35.00	$1,225.00
21. Color Audio-Video Recording of Project Area	1 LS	1.0	1,200.00	$1,200.00
22. Traffic Maintenance and Control	1 LS	1.0	2,500.00	$2,500.00
Subtotal - Section II				**$125,544.10**
Total - Sections I & II				**$329,779.25**

Asphalt Specialists, Inc.

Asphalt Paving *Excavating*

December 7, 2015

City of Sterling Heights
40555 Utica Road, P. O. Box 8009
Sterling Heights, MI 48311

Attn: Jason Castor
Civil Engineer II, Office of Engineering

RE: Maple Lane Golf Course Project 14-264

Dear Mr. Castor:

Please accept this letter as a request for final payment on the above mentioned project for work performed June 16, 2015 through November 30, 2015. We have reviewed and agree to the final quantities.

We have attached a Contractor's Declaration for this payment. Thank you and please feel free to call me with any questions.

Sincerely,

Christopher Swift
cswift@asipaving.com
248-648-7521 office direct
248-804-7974 cell
248-334-0134 fax

CONTRACTOR'S AFFIDAVIT

STATE OF MICHIGAN)
) SS
County _____)

The undersigned, Asphalt Specialists Inc. hereby represents that on June 16, 2015 he (it) was awarded a Contract by the City of Sterling Heights hereinafter called the Owner, the Maple Lane Golf Course Parking Lot Repairs in accordance with the terms and conditions of Contract Number 14-264; 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 8th day of December, 2015.

Contractor

By: _____

Title: Sales Associate

Subscribed and Sworn to before me, a Notary Public in and for Macomb County, Michigan, on this 8th day of December, 2015.

Diane F. Palazzola
Notary Public

My Commission Expires: 9-15-18

Diane F. Palazzola
Notary Public, State of Michigan
County of Macomb
My Commission Expires 9-15-2018
Acting in the County of: Oakland

CONTRACTOR'S DECLARATION

I hereby declare that I have not, during the period June 16th to Nov 30th 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 #14-264, and dated June 16th A.D., 2015, for the Maple Lane Golf Course Parking Lot Repairs 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~~ is not an itemized statement attached.

Date: 12-7-15

By: [signature]

Title: Sales Associate

CONSENT OF SURETY COMPANY TO FINAL PAYMENT
AIA DOCUMUNT G707

Owner	
Architect	
Contractor	
Surety	X
Other	

Bond No. HGMW-10-177-0600

PROJECT: Maple Lane Golf Course Parking lot Repairs, City Project #14-264 ASI #15291N
(name, address)

TO: (Owner)

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

ARCHITECT'S PROJECT NO:

CONTRACT FOR: Contract Bond

CONTRACT DATE:

CONTRACTOR:

Asphalt Specialists Inc.
1780 E. Highwood
Pontiac, MI 48340

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the

Hudson Insurance Company
100 William Street, 5th Floor
New York, NY 10038

, SURETY COMPANY

on bond of (here insert name and address of Contractor)

Asphalt Specialists Inc.
1780 E. Highwood
Pontiac, MI 48340

, CONTRACTOR,

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

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

, OWNER,

as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,
the Surety Company has hereunto set its hand this 9th day of December, 2015

Surety Company
Hudson Insurance Company

Signature of Authorized Representative

Attest:
(Seal):

Jennifer A. Gareffa, Attorney-In-Fact
Title

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS, Current Edition

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HUDSON
INSURANCE GROUP

BID BOND POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York, 100038, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Alan P. Chandler, Robert Trobec, Jeffrey A. Chandler, Kathleen M. Irelan, Ian J. Donald, Jennifer A. Gareffa
of the State of Michigan

its true and lawful Attorney(s)-in-Fact, at New York City in the State of New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bid bonds for any and all purposes.

Such bid bonds, when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized, on this 4th day of February, 20 14 at New York, New York.

(Corporate Seal)

Hudson Insurance Company SEAL 1918 DELAWARE

Attest: Dina Daskalakis
Dina Daskalakis, Corporate Secretary

HUDSON INSURANCE COMPANY

By: M. P. Gleeson
Michael P. Gleeson, Senior Vice President

STATE OF NEW YORK
COUNTY OF NEW YORK SS.

On the 4th day of February, 20 14 before me personally came Michael P. Gleeson to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of HUDSON INSURANCE COMPANY, the Company described herein and which executed the above instrument, that he knows the seal of said Company, that the seal affixed to said instrument is the corporate seal of said Company, that it was so affixed by order of the Board of Directors of said Company, and that he signed his name thereto by like order.

(Notarial Seal)

NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN NEW YORK COUNTY
#01MC6212495
MY COMMISSION EXPIRES October 13, 2017

ALICIA T. McKINNEY
Notary Public, State of New York
No. 01MC6212495
Qualified in New York County
Commission Expires October 13, 2017

CERTIFICATION

STATE OF NEW YORK
COUNTY OF NEW YORK SS.

The undersigned Dina Daskalakis hereby certifies:

THAT the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27th, 2007, and has not since been revoked, amended or modified:

"RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertaking made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and

FURTHER RESOVLED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, 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."

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.

Witness the hand of the undersigned and the seal of said Company this 9th day of December, 20 15.

(Corporate Seal)

Hudson Insurance Company SEAL 1918 DELAWARE

By: Dina Daskalakis
Dina Daskalakis, Corporate Secretary

Form Bid 8 2010 (v3)

DELIVERED DEC 30 2015

City Clerk's Use
Item No: 2-H
Meeting: 01/05/16

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 $1,715.10, plus interest on retainage, for the Maple Lane Golf Course Parking Lot Repairs, City Project #14-264.

Submitted By: Office of Engineering

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

Administration (initial as applicable)

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

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

Executive Summary:

At the June 16, 2015 regular meeting, City Council awarded the bid for the Maple Lane Golf Course Parking Lot Repairs, City Project #14-264, to Asphalt Specialists, Inc. in the amount of $143,697.50.

Attached is the Final Estimate for the subject project. All work has been satisfactorily completed on the subject project and the contractor has submitted the necessary Contractor's Declaration, Contractor's Affidavit, and Consent of Surety.

Recommendation is being made to approve final payment to Asphalt Specialists, Inc. in the amount of $1,715.10, plus interest on retainage, for the Maple Lane Golf Course Parking Lot Repairs, City Project #14-264.

Suggested Action:

MOVED BY: SECONDED BY:

RESOLVED, to approve final payment to Asphalt Specialists, Inc., 1780 E. Highwood, Pontiac, MI 48340 in the amount of $1,715.10, plus interest on retainage, for the Maple Lane Golf Course Parking Lot Repairs, City Project #14-264.

Cc: Mike Moore, Public Works Director
Adam LaClair, Lead Inspector
Jason Castor, City Development Manager

CITY OF STERLING HEIGHTS
STAFF REPORT
January 5, 2016

RE: Final Payment – Maple Lane Golf Course Parking Lot Repairs, City Project #14-264

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

GENERAL INFORMATION: At the June 16, 2015 regular meeting, City Council awarded the bid for the subject project in the amount of $143,697.50. The City was obligated to provide the repair to the parking lot as it was damaged due to City activities to repair a failed 48" sanitary sewer in the fall of 2014.

TECHNICAL INFORMATION: The final contract price of $125,544.10 is less than the original contract price of $143,697.50 by $18,153.40, or 12.6%.

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: The Office of Engineering recommends that final payment be authorized to Asphalt Specialists, Inc., 1780 E. Highwood, Pontiac, MI 48340 in the amount of $1,715.10, plus interest on retainage, for the Maple Lane Golf Course Parking Lot Repairs, City Project #14-264.

Cc: Mike Moore, Public Works Director
Adam LaClair, Lead Inspector
Jason Castor, City Development Manager

NOTIFICATION LIST

Asphalt Specialists, Inc.
1780 E. Highwood
Pontiac, MI 48340

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

Progress Payment Certificate

PROJECT:
Maple Lane Golf Course Parking Lot Repairs

City Project No. 14-264

CONTRACTOR:
Asphalt Specialists, Inc.
1780 E. Highwood
Pontiac, MI 48340

DATE: **12/15/2015**

FINAL ESTIMATE

Original Contract Price:	$	143,697.50
Final Contract Price:	$	-
Percent Paid Including This Estimate:		87%

Amount Earned to Date:	$	125,544.10
Amount Withheld:		
Subtotal:	$	125,544.10
Retain:		
Total:	$	125,544.10
Less Previous Payment:	$	123,829.00
Amount Due This Estimate:	$	1,715.10

PAY AMOUNT
$1,715.10

Estimate #1	
Estimate #2	$ 24,629.00
Estimate #3	$ 99,200.00
Estimate #4	
Estimate #5	
Estimate #6	
Estimate #7	
Estimate #8	
Estimate #9	
Estimate #10	
Final Estimate	$ 1,715.10

Checked By: _____ Date: 12/29/15
Jason Castor, City Development Manager

Approved By: _____ Date: 12/29/15
Brent Bashaw, City Engineer

Total $125,544.10

TOTAL AMOUNT TO BE HELD IN RETAINAGE ACCOUNT $ -

ITEM/DESCRIPTION	CONTRACT QUANTITY	ACTUAL QUANTITY	UNIT PRICE	AMOUNT
1. Bituminous Wearing Course Mix 1100T, PG70-22 Binder, 20% Max RAP	440 TONS	401.9	78.00	$31,348.20
2. Bituminous Leveling Course Mix 1100L, PG70-22 Binder, 20% Max RAP	740 TONS	586.7	77.00	$45,175.90
3. Pulverize Ex Pavement	4,000 SYD	4,000.0	1.35	$5,400.00
4. Reshape Pulverized Base to Plan Grade (C.I.P.)	4,000 SYD	4,000.0	2.25	$9,000.00
5. Undercut	75 CYD		15.00	$0.00
6. Fill, Pulverized Material	75 CYD		12.00	$0.00
7. Remove Existing Pavement	230 SYD	230.0	8.00	$1,840.00
8. Install 9" Concrete	230 SYD	230.0	72.00	$16,560.00
9. Rebuild Drainage Structure	6 FT	6.0	450.00	$2,700.00
10. Replace Existing Catch Basin Frame & Cover w/ EJIW 5105 Frame & Cover	3 EA	3.0	575.00	$1,725.00
11. 6" Edge Drain (Pea Stone Backfill)	60 FT		15.00	$0.00
12. Restoration - 3" Topsoil, Seed, Fertilizer, & Hydroseed	300 SYD	497.5	12.00	$5,970.00
13. Sprinkler Repair, ¾" Poly Pipe	50 FT		3.65	$0.00
14. Sprinkler Repair, 1" Poly Pipe	50 FT		4.50	$0.00
15. Sprinkler Rotary Head	5 EA		75.00	$0.00
16. Sprinkler Spray Head	5 EA		80.00	$0.00
17. Inlet Filter	3 EA		115.00	$0.00
18. Silt Fence	700 FT		1.85	$0.00
19. Parking Lot Restriping	1 LS	1.0	900.00	$900.00
20. Remove and Reset Parking Blocks	35 EA	35.0	35.00	$1,225.00
21. Color Audio-Video Recording of Project Area	1 LS	1.0	1,200.00	$1,200.00
22. Traffic Maintenance and Control	1 LS	1.0	2,500.00	$2,500.00
Subtotal - Section II				**$125,544.10**

Asphalt Specialists, Inc.

Asphalt Paving *Excavating*

December 7, 2015

City of Sterling Heights
40555 Utica Road, P. O. Box 8009
Sterling Heights, MI 48311

Attn: Jason Castor
Civil Engineer II, Office of Engineering

RE: Maple Lane Golf Course Project 14-264

Dear Mr. Castor:

Please accept this letter as a request for final payment on the above mentioned project for work performed June 16, 2015 through November 30, 2015. We have reviewed and agree to the final quantities.

We have attached a Contractor's Declaration for this payment. Thank you and please feel free to call me with any questions.

Sincerely,

Christopher Swift
cswift@asipaving.com
248-648-7521 office direct
248-804-7974 cell
248-334-0134 fax

CONTRACTOR'S AFFIDAVIT

STATE OF MICHIGAN)
) SS
County _____)

The undersigned, Asphalt Specialists Inc hereby represents that on June 16, 2015 he (it) was awarded a Contract by the City of Sterling Heights hereinafter called the Owner, the Maple Lane Golf Course Parking Lot Repairs in accordance with the terms and conditions of Contract Number 14-264; 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 8th day of December, 2015.

Contractor

By: _____

Title: Sales Associate

Subscribed and Sworn to before me, a Notary Public in and for Macomb County, Michigan, on this 8th day of December, 2015.

Diane F. Palazzola
Notary Public

My Commission Expires: 9-15-18

Diane F. Palazzola
Notary Public, State of Michigan
County of Macomb
My Commission Expires 9-15-2018
Acting in the County of: Oakland

CONTRACTOR'S DECLARATION

I hereby declare that I have not, during the period June 16th to Nov 30th 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 #14-264, and dated June 16th A.D., 2015, for the Maple Lane Golf Course Parking Lot Repairs 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: 12-7-15

By: [signature]

Title: Sales Associate

CONSENT OF SURETY COMPANY TO FINAL PAYMENT
AIA DOCUMUNT G707

Owner	☐
Architect	☐
Contractor	☐
Surety	X
Other	☐

Bond No. HGMW-10-177-0600

PROJECT: **Maple Lane Golf Course Parking lot Repairs, City Project #14-264 ASI #15291N**
(name, address)

TO: (Owner)

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

ARCHITECT'S PROJECT NO:

CONTRACT FOR: Contract Bond

CONTRACT DATE:

CONTRACTOR:

Asphalt Specialists Inc.
1780 E. Highwood
Pontiac, MI 48340

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the

Hudson Insurance Company
100 William Street, 5th Floor
New York, NY 10038
, SURETY COMPANY

on bond of (here insert name and address of Contractor)

Asphalt Specialists Inc.
1780 E. Highwood
Pontiac, MI 48340
, CONTRACTOR,

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

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

as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,
the Surety Company has hereunto set its hand this **9th** day of **December, 2015**

Surety Company
Hudson Insurance Company

Signature of Authorized Representative

Attest:
(Seal):

Jennifer A. Gareffa, Attorney-In-Fact
Title

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS, Current Edition

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HUDSON
INSURANCE GROUP

BID BOND POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York, 100038, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Alan P. Chandler, Robert Trobec, Jeffrey A. Chandler, Kathleen M. Irelan, Ian J. Donald, Jennifer A. Gareffa
of the State of Michigan

its true and lawful Attorney(s)-in-Fact, at New York City in the State of New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bid bonds for any and all purposes.

Such bid bonds, when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized, on this 4th day of February, 20 14 at New York, New York.

(Corporate Seal)

Hudson Insurance Company CORPORATE SEAL 1918 DELAWARE

Attest: Dina Daskalakis
Dina Daskalakis, Corporate Secretary

HUDSON INSURANCE COMPANY

By: Michael P. Gleeson
Michael P. Gleeson, Senior Vice President

STATE OF NEW YORK
COUNTY OF NEW YORK SS.

On the 4th day of February, 20 14 before me personally came Michael P. Gleeson to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of **HUDSON INSURANCE COMPANY**, the Company described herein and which executed the above instrument, that he knows the seal of said Company, that the seal affixed to said instrument is the corporate seal of said Company, that it was so affixed by order of the Board of Directors of said Company, and that he signed his name thereto by like order.

(Notarial Seal)

NOTARY PUBLIC, STATE OF NEW YORK
NEW YORK COUNTY
QUALIFIED IN
#01MC6212495
MY COMMISSION EXPIRES
October 13, 2017

ALICIA T. McKINNEY
Notary Public, State of New York
No. 01MC6212495
Qualified in New York County
Commission Expires October 13, 2017

CERTIFICATION

STATE OF NEW YORK
COUNTY OF NEW YORK SS.

The undersigned Dina Daskalakis hereby certifies:

THAT the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27th, 2007, and has not since been revoked, amended or modified:

"RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertaking made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and

FURTHER RESOVLED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, 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."

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.

Witness the hand of the undersigned and the seal of said Company this 9th day of December, 20 15.

(Corporate Seal)

Hudson Insurance Company CORPORATE SEAL 1918 DELAWARE

By: Dina Daskalakis
Dina Daskalakis, Corporate Secretary

Form Bid 8 2010 (v3)

DELIVERED DEC 30 2015

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 2-I
Meeting: 1/05/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To approve a Municipal Primary Street Maintenance Agreement for mowing and sweeping of County Roads

MM

Submitted By: Department of Public Works Michael Moore, Public Works Director

Contact Person/Telephone: Michael Moore, Public Works Director, Ext. 2450

Administration (initial as applicable)

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

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

Executive Summary

The Macomb County Department of Roads has presented a Municipal Primary Street Maintenance Agreement for the County Fiscal Year beginning October 1, 2015 and ending September 30, 2016, for consideration and approval by the City.

The Agreement obligates the City to perform the mowing and sweeping of County road medians and right-of-ways located within the City for the fiscal year indicated. The City will receive $32,190.59 for performing the work. This amount represents the same amount from the previous year.

The City of Sterling Heights has performed the work for the past 36 years and is doing the work currently. The City performs the work to assure that County roads are maintained at the same level as City roads.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to approve the Municipal Primary Street Maintenance Agreement between the City of Sterling Heights and the Macomb County Department of Roads for the period October 1, 2015 to September 30, 2016, and authorize the City Manager and City Clerk to sign the Agreement on behalf of the City.

CITY OF STERLING HEIGHTS
STAFF REPORT
January 5, 2016

RE: To approve a Municipal Primary Street Maintenance Agreement for mowing and sweeping of County Roads

Prepared By: Michael Moore, Public Works Director / (586) 446-2450

GENERAL INFORMATION: The City of Sterling Heights has performed the mowing and sweeping of County roads for over 36 years. The City requested and received an Agreement to complete the work because the performance of the Macomb County Department of Roads (MCDR) did not meet City standards. All costs in excess of the payment received from the County for this work have been absorbed by the City in past years.

TECHNICAL INFORMATION: The MCDR has indicated that if its personnel or contractors perform the work, the number of mowing and sweeping revolutions will be capped at the amount budgeted. Likewise, the MCDR will only pay the City for the level of service that it would typically provide. The City, utilizing Act 51 monies, will pay for any additional mowings and sweepings above the $32,190.59 to be paid by the County.

Over the last four years under this Agreement, the DPW expended the following on the maintenance of County roads, medians, and right-of-ways (r.o.w.) located within the City:

	2011/2012	2012/2013	2013/2014	2014/2015
Street Sweeping	$32,340	$31,468	$32,655	$52,040
Grass and Weed Control	$143,067	$146,980	$187,304	$177,727
Roadside Cleanup	$4,145	$8,172	$3,519	$2,752
Total Costs	$179,552	$186,620	$223,478	$232,519

STAFF ANALYSIS AND FINDINGS: The City received numerous complaints regarding the unsightly condition of County roads while maintained by the MCDR. The MCDR refused to provide additional revolutions of mowing and sweeping, indicating that their funding under Act 51, which also must provide for other maintenance items and new construction within the County, was not sufficient to provide a higher level of service. This level of maintenance was unacceptable to area residents, particularly since City roads, in terms of mowing and sweeping, were maintained to a much higher level of service. The County agreed that the City could sweep and mow County roads, and they would pay the City the amount equivalent to the level of service once provided by the County.

STAFF RECOMMENDATION: It is recommended that the City Council approve the 2015/2016 Municipal Primary Street Maintenance Agreement for the contract amount of $32,190.59 and authorize the City Manager and City Clerk to sign the Agreement on behalf of the City.

MUNICIPAL PRIMARY STREET MAINTENANCE AGREEMENT
BETWEEN THE
MACOMB COUNTY DEPARTMENT OF ROADS
AND THE CITY OF STERLING HEIGHTS

THIS CONTRACT made this _____ day of _____ 2015, between the MACOMB COUNTY DEPARTMENT OF ROADS (hereinafter referred to as "COUNTY") and the CITY OF STERLING HEIGHTS (hereinafter referred to as "CITY"), and serves as an Agreement for the fiscal year beginning October 1, 2015 and ending September 30, 2016.

WHEREAS, the COUNTY has jurisdiction over certain primary roads within the corporate limits of CITY for which it is necessary to provide grass and weed control and periodic sweeping of the curbs and gutter sections of such streets; and,

WHEREAS, it is deemed both necessary and practical by both parties that primary roads under the jurisdiction of the COUNTY existing within the corporate limits of CITY be provided grass and weed control maintenance and sweeping of curb and gutter sections of pavement by maintenance personnel of CITY; and,

WHEREAS, it is declared that the work to be performed under this Agreement is a governmental function which is the proper subject of an Intergovernmental Agreement; and,

WHEREAS, the parties further declare that the contractual undertaking of CITY pursuant to this Agreement, is intended to confer contractual rights only upon the COUNTY and CITY, and does not confer third party beneficiary or other contractual rights to any other person to recover damages to person or property from COUNTY or CITY; and

WHEREAS, COUNTY and CITY wish to set forth the Agreement between the parties with respect to the providing of such services; and

NOW, THEREFORE, the parties agree as follows:

1. For and in consideration of the promises and covenants of the parties hereto, CITY agrees to provide such weed control and grass control services, and that sweeping services upon primary streets under the jurisdiction of the COUNTY located within CITY'S corporate limits as CITY determines are necessary for proper weed and grass control and the sweeping of such streets.

2. For the services to be performed by CITY in accordance with Paragraph 1 of this Agreement, the COUNTY agrees to pay CITY the sum of $18,982.90 for grass and weed control, and the sum of $13,207.69 for sweeping; for a total cost to the COUNTY of $32,190.59.

3. CITY agrees to maintain automobile liability insurance in compliance with the No-Fault automobile insurance laws of the State of Michigan for motor-vehicles used by CITY for work performed under this Agreement, or to participate in a self insurance program satisfying the requirements of such law.

4. The parties acknowledge the COUNTY does not assume any liability resulting from the negligent actions or negligent operation of any motor vehicles, equipment and tools, or any officer, agent or employee of CITY in connection with the performance of services under their Agreement.

5. In the event CITY elects to subcontract the maintenance tasks outlined in this Agreement, Exhibit A regarding insurance shall apply.

6. This Agreement relates to the services which have been provided by CITY to COUNTY for the time period set forth in this Agreement.

IN WITNESS WHEREOF, the parties hereto executed this Agreement on the date set forth above.

WITNESS	**MACOMB COUNTY**
_____	_____ Mark F. Deldin, Deputy County Executive
WITNESS	**CITY OF STERLING HEIGHTS**
_____	_____ Mark D. Vanderpool, City Manager
_____	_____ Mark Carufel, City Clerk

EXHIBIT A
INSURANCE

The contractor shall not commence work under this contract until he has obtained the insurance required under this section. All coverage shall be with insurance companies acceptable to the Macomb County Department of Roads and the City of Sterling Heights. If any coverage is written with a deductible, the contractor shall be solely responsible for said deductible. The purchase of insurance and the furnishing of a certificate of insurance shall not be a satisfaction of the contractor's indemnification of the Macomb County Department of Roads and the City of Sterling Heights. The contractor shall procure and maintain during the life of this contract the following coverage:

1. Worker's Compensation Insurance Employer's Liability Insurance.

2. Commercial General Liability Insurance on an "occurrence" basis with limits of liability not less than $500,000 Combined Single Limit Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions:

   a. Contractual Liability Coverage
   b. Products and Completed Coverage
   c. Independent Contractors Coverage
   d. Broad Form General Liability Extensions

3. Motor Vehicle Liability Coverage for all motor vehicles used by the contractor in the performance of the contract with limits of liability of not less than $500,000 per occurrence. Coverage must include Michigan No-Fault Coverage.

4. Additional Insured. The Macomb County Department of Roads and the City of Sterling Heights shall be named as additional insured on the Commercial General Liability and the Motor Vehicle Liability Insurance. The following wording shall be used within the insurance contract:

   "Additional Insured: The Macomb County Department of Roads and the City of Sterling Heights, including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, employees and volunteers."

5. Cancellation Notice, Worker's Compensation, Commercial General Liability and Motor Vehicle Liability as described above shall include an endorsement stating that thirty (30) days advance written notice of cancellation, non-renewal, reduction and/or material change shall be sent to:

   City of Sterling Heights
   Mark Carufel, Risk Management Analyst
   40555 Utica Road, P.O. Box 8009
   Sterling Heights, MI 48311-8009

DELIVERED DEC 30 2015

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 2-J
Meeting: 01/05/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To receive the lawsuit, *Lubinski vs. City of Sterling Heights*; Macomb County Circuit Court Case No. 15-4191-NO.

Submitted By: Office of the City Clerk

MC

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

Administration (initial as applicable)

		Attachments			
MC	City Clerk	___	Resolution	___	Minutes
AB	Finance & Budget Director	___	Ordinance	___	Plan/Map
JB	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 Office of the City Clerk has been served with a summons and complaint in connection with the above-referenced lawsuit. A privileged and confidential attorney-client communication regarding this lawsuit has been provided to the City Council.

Because this is pending litigation against the City and based upon the advice of legal counsel, there will be no response to any question or comment regarding this case.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to receive the lawsuit, *Lubinski vs. City of Sterling Heights*; Macomb County Circuit Court Case No. 15-4191-NO.

DELIVERED DEC 3 0 2015

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 3
Meeting: 01/05/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider approval of the minutes of the regular meeting of December 1, 2015, as corrected.

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	__	Resolution	__	Minutes
[illegible]	Finance & Budget Director	__	Ordinance	__	Plan/Map
JB	City Attorney (as to legal form)	__	Contract	x	Other
[illegible]	City Manager				

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

Executive Summary:

At the regular meeting of December 15, 2015, City Council postponed approval of the minutes from the December 1, 2015 regular meeting to afford the City Clerk time to research a correction suggested by Council member Deanna Koski. Specifically, Council member Koski noted the need to correct the following error:

> Moved by Koski, seconded by Skrzyniarz, **RESOLVED**, to accept the proposal by G4S Secure Solutions, (USA) Inc., 29200 Vassar Street, Suite 240, Livonia, MI 48152, for operation of the police detention facility based on the fees as proposed for a three-year period, with an option for the ~~City Manager~~ City Council to extend the terms and conditions an additional three years, and authorize the Mayor and City Clerk to sign the contract on behalf of the City, subject to review and approval by the City Attorney.

The City Clerk concurs that there is a need to make a correction to the minutes in the manner suggested by Council member Koski. The attached corrected minutes highlight the text amendment.

Suggested Action:

MOVED BY: SECONDED BY:

RESOLVED, to approve the minutes of the regular meeting of the City Council for December 1, 2015, as corrected.

Delivered December 30, 2015
Agenda Item 3
Meeting: 01/05/16

UNOFFICIAL MINUTES

CITY OF STERLING HEIGHTS

MINUTES OF REGULAR MEETING OF CITY COUNCIL

TUESDAY, DECEMBER 1, 2015

IN CITY HALL

Mayor Pro-Tem Joseph V. Romano called the meeting to order at 7:30 p.m.

Mayor Pro-Tem Romano 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, Barbara A. Ziarko.

Council Member absent: Michael C. Taylor.

Also Present: Mark Vanderpool, City Manager; Jeffrey Bahorski, City Attorney; Mark Carufel, City Clerk; Madeline L. Ranella, Recording Secretary.

APPROVAL OF AGENDA

Moved by Koski, seconded by Ziarko, to approve the Agenda with Agenda Item 2D being removed from the Consent Agenda and considered under Consideration Item 6.

Yes: Koski, Ziarko, Romano, Schmidt, Shannon, Skrzyniarz.

Absent: Taylor. The motion carried.

REPORT FROM CITY MANAGER

Mr. Vanderpool reported on snow emergencies and reminded residents during the winter months, the City has to declare Snow Emergencies in order to effectively remove snow from city streets and sidewalks. Emergency alerts are broadcast on Sterling Heights Television (Channel 5 and 10), Sterling Heights Radio (AM 1700), the City's website (www.sterling-heights.net), press releases and list serve notices.

He pointed out when an emergency is declared, vehicle owners must remove vehicles from the street. Cleared roadways are necessary to ensure safe vehicle travel, but most importantly, parked cars represent a hazard to snowplow drivers which thus prevents the plowing of streets curb-to-curb. Cleared streets also allow safe travel for public safety transport, such as police & fire vehicles and ambulances. Vehicles must be removed two hours after a Snow Emergency is declared, giving owners ample time to remove their vehicles. If not removed, the violation will result in the issuing of a $25 citation and the possibility that the vehicle may be towed at an additional cost ranging from $80 to $200. In addition, adjoining sidewalks of all residential, commercial and industrial properties must be cleared within 24 hours following a snow event. If not cleared, City inspectors will leave a door tag notice indicating the violation must be corrected within 24 hours of receipt of the notice. If the sidewalk is still not cleared within the next 24 hours after the notice has been issued, the City will remove the snow at the property owner's expense.

Mr. Vanderpool reminded everyone the new on-demand snow removal service from Plowz and Mowz is now available to assist residents with driveway and sidewalk clearing. He reminded residents they can download the app from the City's website. If a

resident does not have access to the internet, they can contact the City. This is the first year the City is trying this service.

Mr. Vanderpool reminded residents the 39th annual A Sterling Christmas will be held on Saturday, December 5, 2015 at 5:45 p.m. - 8:30 p.m. in Dodge Park. The Official Ceremony will begin at 6:00 p.m. with entertainment, the lighting of holiday decorations, and the arrival of Santa Claus. The event activities will include pony rides, a petting farm, wagon rides, carousel and caroling around a campfire.

Mr. Vanderpool reported on the Van Dyke improvements and stated all concrete roadway pavement, including cross-overs have been poured. Currently all 3 through lanes in each direction are open to traffic. New permanent traffic signals south of 17 Mile Road are operating and the signals north of 17 Mile Road will be operating in the weeks after Thanksgiving. Various work will continue through the winter as weather permits, such as work on medians and street lighting. Work on the intersections of Metro Parkway and 18 Mile Road will continue as the weather breaks in the Spring, along with landscaping and other aesthetic improvements.

Mr. Vanderpool reported Sterling Heights is on the cutting edge of economic development in Michigan, including the operation of our Velocity Center. He stated a new Cyber Security Range is currently under construction, with the opening scheduled for 2016. A short video was shown of the visit by the Governor of Ohio, John Kasich. The Governor was here to view the Velocity Collaboration Center to see how the State of Ohio could benefit from this type of operation.

PRESENTATION

Fire Chief Christopher Martin introduced and performed the swearing-in of the following individuals who have recently been hired as firefighters in the Sterling Heights Fire Department: Lance Stevens and Clint Bess.

Mayor Pro-Tem Romano thanked the good people of Sterling Heights for the passing of the Safe Streets millage allowing the City to hire police and firefighters. He questioned the number of new firefighters hired and the total firefighters. Chief Martin responded this makes 21 new and 88 total.

Community Relations Director Bridget Doyle opened the Diversity Distinction Awards presentation and acknowledged Comcast and their representative Fred Eaton for their sponsorship of the awards. She introduced Mr. Andrew Pulford, Chairperson of the Ethic Community Committee, to present the 2015 Diversity Distinction Awards.

Mr. Pulford explained the mission of the Sterling Heights Ethnic Community Committee and the process they completed to select the Diversity Distinction Award winners. He thanked all the Committee members present this evening: Sharron Allen, Mohammed Alomari, Omie Brooks, Stephanie Guran, Robert Lulgjuraj, Susan Kattula and Iqbal Singh.

Mr. Mohammed Alomari presented the 2015 Diversity Distinction Award to Carmen Bordea, Refugee Services Program Coordinator, Lutheran Social Services.

Mr. Iqbal Singh presented the 2015 Diversity Distinction Award to William Dechavez, Educator who served on the Ethnic Community Committee for 12 years.

Mrs. Stephanie Guran presented the 2015 Diversity Distinction Award to Oras Yono, Owner of Dream Dollar and Dream Market.

Mrs. Susan Kattula presented the 2015 Diversity Distinction Award to Fadl Maatouk, Owner of Maatouk Bakery.

Mr. Robert Lulgjuraj presented the 2015 Diversity Distinction Award to Max's Deli, Sterling Heights business for over 25 years.

Mr. Pulford thanked Mr. Eaton from Comcast for the awards that were presented this evening.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to individually and collectively recognize the 2015 Sterling Heights Diversity Distinction award winners and thank them for their personal dedication and efforts in championing diversity and creating a welcoming environment and inclusive community for all Sterling Heights residents.

Yes: Schmidt, Ziarko, Koski, Romano, Shannon, Skrzyniarz.

Absent: Taylor. The motion carried.

Mayor Pro-Tem Romano called a five (5) minute recess at 8:02 p.m.

Mayor Pro-Tem Romano reconvened the meeting at 8:06 p.m.

Mr. Brian Baker, Finance & Budget Director, explained the City's independent auditor, Plante & Moran, PLLC, City Administrators Leslie Reinhart and Nick Makie and personnel from the Office of Financial Services recently completed work on the audit of the City's financial statements for the fiscal year ending June 30, 2015. He provided an overview of the audit showing the financial statements of the City with the use of a power point presentation. He pointed out the additional funds to Fund Balance Reserves, the additional amount for capital spending, the increase in funds for local road repairs in the neighborhoods and major roads and showed a video of all the road work that has been

done over the past year. Mr. Baker discussed retiree medical assets and pointed out we now have over four times the assets we had six years ago and eleven times the assets we had ten years ago. The City continues to benchmark itself with other communities and in terms of our tax rate, the City compares very well with all cities in Macomb County and we are almost six mills below the average and thirteen mills below the City to the south. The taxes paid per resident are the lowest of any of the ten largest Michigan cities by population. Mr. Baker pointed out in terms of debt, the City of Sterling Heights ranks the lowest and we have not borrowed money and had a problem paying it back. He stated they continue to provide an accurate look to the future actual spending and continue to follow the long range financial plan. The City is starting to see some savings from the retirement plan change, adding additional police and fire officers and reinvesting in capital assets.

Mr. Baker introduced Mr. David Helisek, Partner at Plante & Moran, to present the Comprehensive Annual Financial Report for fiscal year 2014/2015.

Mr. Helisek introduced Mr. Rumzei Adallah to provide a background on the process used by Plante & Moran.

Mr. Adallah explained the process and reported all the City's financial records are accurate.

Mr. Helisek stated Plante & Moran is about to give the City's audit the highest level of assurance they can give a set of financial statements. He commended the City for their proactive approach in addressing post retirement benefit funding liability and stated the City is contributing nearly 50% funding in a short period of time. Mr. Helisek

commended the City on the budgeting process for the roughly $93 million budget and stated it is within 1% of the revenue side. He pointed out with the CAFR's unqualified opinion it allows the City to maintain its outstanding bond rating, saving the taxpayers hundreds of thousands of dollars. He thanked the City's finance staff for the outstanding job recording all the information.

Ms. Leslie Reinhart presented the CAFR and Distinguished Budget Presentation awards to Mayor Pro-Tem Romano.

Mayor Pro-Tem Romano expressed kudos to the entire finance staff for all they do.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to receive and accept the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2015.

Councilwoman Ziarko thanked the City staff and Plante & Moran for helping the City with this report. The City Council is happy the City receives all these awards for all the hard work they do.

Yes: Ziarko, Schmidt, Shannon, Skrzyniarz, Koski, Romano.

Absent: Taylor. The motion carried.

ORDINANCE INTRODUCTION

1. Mr. Brian Baker, Finance & Budget Director, made a presentation on the mid-year budget amendments. He explained the Appropriations Ordinance allows for the expenditure of City funds. The ordinance is amended twice a year - mid year in December and then in June at the end of the fiscal year. The amendment includes items the City Council has authorized a budget amendment for throughout the year and

items approved in last year's budget that need to be carried forward into the current year's budget.

Mr. Baker pointed out the General Fund budget contributes $869,000 to fund balance reserves. The contribution decreased only $59,950 due to the carry forward of unspent prior year encumbrances and public safety grant match funding, partially offset by additional revenues. The budget for the other City Funds was adjusted by $12.9 million. $4.5 million is to record the new Clinton River Bank Restoration grant. $4.4 million is to carry over unspent Major Road projects from last year including the reconstruction of Van Dyke. $1.4 million is to re-appropriate unspent Capital Projects including the repairs to the City Hall parking lot. The amendment also includes capital items approved since the budget was adopted.

Mr. Baker pointed out this is the first reading of the ordinance and it is scheduled for adoption at the next regular City Council meeting.

Ms. Linda Godfrey questioned the new items purchased under capital expenditures.

Mr. Baker responded to the resident's question and stated there was an air conditioner replacement system approved by City Council, Dodge Park Road property acquisition, City Hall floor covering and sewer repairs, Information Technology purchases, Motor Vehicles, Police weight room equipment, Exercise equipment and some replacement vehicles.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to introduce the first amendment to the Appropriations Ordinance for the 2015/16 fiscal year.

Yes: Ziarko, Schmidt, Shannon, Skrzyniarz, Koski, Romano.

Absent: Taylor. The motion carried.

CONSENT AGENDA

2. Moved by Koski, seconded by Ziarko, **RESOLVED**, to approve the Consent Agenda, as amended:

A. To approve the minutes of the Special Meeting of November 10, 2015 and Regular Meeting of November 17, 2015, as presented.

B. To approve payment of the bills as presented: General Fund - $1,220,914.85, Water & Sewer Fund - $88,005.60, Other Funds - $313,125.00, Total Checks - $1,622,045.45.

C. **RESOLVED**, to reject the bid received and authorize the Purchasing Manager to proceed with a re-bid for snow removal services.

D. Moved to Consideration Item 6.

Yes: Koski, Ziarko, Romano, Schmidt, Shannon, Skrzyniarz.

Absent: Taylor. The motion carried.

CONSIDERATION

3. Mr. Victor Maza, appearing on behalf of Taza, Inc., was present with Joe Shaba and Louie Odishana in their request to transfer ownership of a 2015 Class C liquor license. Moved by Skrzyniarz, seconded by Shannon, **RESOLVED**, that the request to transfer ownership of 2015 Class C liquor licensed business with Sunday (PM) sales permit and new dance permit located at 2383 Fourteen Mile Road, Sterling Heights, MI 48310 from Taza, Inc. to Taza Banquet Hall, Inc. be considered for approval.

Councilman Skrzyniarz indicated he reviewed the backup information with the favorable recommendations from the City departments and he sees no reason not to move forward with this transfer request.

Councilman Shannon also reviewed the recommendations and indicated there was no objections from any of the City departments and that is all he needs to support the motion.

Yes: Skrzyniarz, Shannon, Ziarko, Koski, Romano, Schmidt.

Absent: Taylor. The motion carried.

4. Mr. Constantini Antonis from Fuddruckers was present

Moved by Shannon, seconded by Skrzyniarz, **RESOLVED**, that the request to transfer ownership of an escrowed 2015 Class C liquor license, with SDM license and Sunday Sales Permit (new A.M. and P.M.) at 13883 Lakeside Circle, Sterling Heights MI 43813 from Cheeseburger of Sterling Heights, LLC to AG Foods, LLC, be considered for approval.

Councilman Shannon stated the same recommendation is being made by the City administration and he is comfortable with the motion.

Councilwoman Schmidt questioned whether the 18 Mile Fuddruckers was closing and Mr. Antonis indicated no.

Yes: Shannon, Skrzyniarz, Koski, Romano, Schmidt, Ziarko.

Absent: Taylor. The motion carried.

5. Mayor Pro-Tem Romano recommended the appointment of Donald McCoy to the Solid Waste Management Commission.

Moved by Ziarko, seconded by Romano, **RESOLVED**, to appoint Donald McCoy to the Solid Waste Management Commission to a term ending June 30, 2016, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: Ziarko, Romano, Schmidt, Shannon, Skrzyniarz, Koski.

Absent: Taylor. The motion carried.

6. Item D from the Consent Agenda:

Mr. Vanderpool gave a brief overview of the proposal for the continued operation of the police detention facility. He stated the Sterling Heights Police Department operates an on-site, 26-cell detention/lock-up facility for the booking and lodging of all Sterling Heights arrests. In addition to the initial booking and lodging of arrestees, the detention staff also prepares those arrested for arraignment, transfer to the Macomb County Jail following arraignment, transfer to other law enforcement agencies, and release. The facility operates 24/7/365 and handles 4,000 arrests per year, or about 11 per day.

He pointed out in October 2010, City Council accepted a proposal by G4S Secure Solutions, (USA) Inc. for the operation of the police detention facility for a two-year period. In December 2012, the City exercised an option to extend the terms and conditions of G4S' proposal for another two years based on the effective and efficient services being delivered.

Mr. Vanderpool stated the current proposal accepted by City Council in October 2010 expires January 10, 2016. Anticipating this expiration, the Police Department and Office of Purchasing issued a Request for Proposals for operation of the police detention facility.

The Police Department and Office of Purchasing are recommending that the proposal by G4S be accepted for the following reasons:

A. The current model of having a third-party contractor operating the detention/lock-up facility allows the City to realize substantial savings over the old model of staffing the facility with police personnel. The City will realize an estimated annual savings of $552,473 and an estimated cumulative savings of $1,657,421 over the course of the three-year proposal. In addition to direct financial benefits, the reliance on a third-party contractor allows the Police Department to deploy and devote sworn police officers to street and other essential duties that directly assist in keeping the City safe.

B. G4S is the world's largest private sector employer in the world, with over 620,000 employees. G4S operates the City of Southfield's detention facility and has been providing daytime detention facility services and court security to the 36th District Court for over 24 years.

C. G4S' proposal contemplates operation of the detention/lock-up facility 24/7/365, with a lead officer (supervisor) and a security corrections officer at all times. A dedicated facility manager will oversee operations 40 hours per week (Monday through Friday) to allow coordination of services with the Police Chiefs' office and address issues if they arise.

D. G4S indemnifies and holds the City harmless from liability claims arising from the operation of the detention/lock-up facility.

E. Employees of G4S undergo a thorough background investigation by both G4S and the Sterling Heights Police Department before assignment.

Mr. Vanderpool stated G4S Secure Solutions is committed to providing the same level of service to the Sterling Heights Police Department as they have over the past five years. The proposed three-year pricing from G4S represents a 3% increase over the rates being currently charged.

A recommendation is being made by the Police Department and Office of Purchasing to accept G4S' proposal.

Mr. Vanderpool stated Bryant Carter from G4S is available as well as Captain Berg from the Police Department.

The following residents spoke:

Mr. Michael Lombardini expressed concern with a private company performing this role and believes this would be a violation of the social contract between the government and the citizens. He is opposed to outsourcing police duties.

Mr. Jeffrey Norgrove spoke against the privatizing of this service and expressed concern with possible future protests.

Mr. Michael Radke is not against saving money, but government has a duty to take care of its own citizens.

Mr. Joel Thomas echoes what the other residents have said. Government has a role to play and to provide security and justice for the people they serve.

Mr. Charles Jefferson agrees with the previous speakers and stated we have a viable police force and that is all the citizens ask for. The majority of the citizens

want to have the police out in the neighborhoods and keeping violators off the street.

Mr. Michael Rath of Sterling Heights agrees with Mr. Lombardini and stated if it was a good idea to prioritize this service, Macomb County would be doing it. He stated we need sworn officers doing this job.

Ms. Linda Godfrey is in total agreement with all the speakers. She pointed out the reason the City privatized the jail was because of financial constraints. At this time, she would prefer to see the jail staffed with sworn personnel. Ms. Godfrey would like to see Dispatch returned to the Police Department.

Captain Berg responded to the comments made by the residents. He stated the Police Department has had a great relationship with the people running the jail. It would require eight officers less on the road to main the jail. He pointed out the problems they have experienced with technology in the jail. Captain Burke pointed out the people at G4S are trained on this technology and they do it every day. He stated this is working very well for the Police Department.

Mayor Pro-Tem Romano stated when the City privatized the jail, it was done for financial reasons and we were able to put more officers on the street. His biggest concern is with liability and we have had no problems with this company. They are doing the job at a lot less cost and the City has no liability.

Moved by Koski, seconded by Skrzyniarz**, RESOLVED**, to accept the proposal by G4S Secure Solutions, (USA) Inc., 29200 Vassar Street, Suite 240, Livonia, MI 48152, for operation of the police detention facility based on the fees as proposed for a three-year

period, with an option for the ~~City Manager~~ City Council to extend the terms and conditions an additional three years, and authorize the Mayor and City Clerk to sign the contract on behalf of the City, subject to review and approval by the City Attorney.

Councilwoman Koski pointed out this is a three-year contract. The City can hire its new police chief and have him review this for the next couple of years and if he finds an issue with it, it is something the City can review. She inquired how the company is supervised and who is responsible for making sure that everything is done properly in the detention facility.

Captain Berg responded they have a supervisor there Monday through Friday. Lt. Dave Smith is responsible for overseeing the day to day operations of the jail.

Councilwoman Koski questioned how many police officers it would take to man the jail on any given day.

Captain Berg responded two per day, but eight officers would have to be assigned to that jail facility.

Councilwoman Koski questioned the number of officers that would want to be assigned to the jail and Captain Berg responded a few.

Councilman Skrzyniarz agrees with Councilwoman Koski's remarks. The Council has to make tough decisions on the budget and we want to keep police officers on the streets. For these reasons, he will support the motion on the floor.

Councilwoman Ziarko questioned the cost if our police officers were to man the jail.

Mr. Vanderpool responded the cumulative cost would be just over $1.6 million.

Councilwoman Schmidt questioned supervision on the weekends.

Captain Berg responded in the evenings and on weekends, each shift has a lower level supervisor and there is always a senior detention worker there at all times.

Councilwoman Schmidt stated to the resident that wanted the item postponed to go out for re-bids, no one else bid. She believes the residents of Sterling Heights would prefer to have eight police officers on the streets rather than our officers manning the jail. She is comfortable with extending this contract.

Councilman Shannon stated he had an opportunity to tour the facility and speak to G4S employees. Everything is going smoothly. He questioned the main duties of the G4S employees.

Captain Berg responded it is to take care of the people that are locked up. They are searched by our police officers and then G4S does the booking of the prisoners.

Councilman Shannon questioned how people at the desk have a visual of that part of the jail.

Captain Berg responded there is a camera at the front desk to monitor most of the jail where the prisoners are housed.

Councilman Shannon agrees with the contract and stated it is a huge savings for the City.

Yes: Koski, Skrzyniarz, Ziarko, Romano, Schmidt, Shannon.

Absent: Taylor. The motion carried.

COMMUNICATIONS FROM CITIZENS

Mr. Jeffrey Norgrove - Community Tree at the Upton House/ornament donations; December 12th meeting at the Senior Center.

Mr. Michael Rath - Refuse contract.

Mr. Charles Jefferson of Sterling Heights - Refuse collection, Drone ordinance, Inspection of buses/Ride-Share.

Mrs. Jazmine Early - Interfaith event November 22/invitation to residents, Refuse contract.

Ms. Linda Godfrey - Phone scams/need to alert residents, ornament contest ; Waste hauling contract/transfer station, M-1 zoning requirements.

Mr. Dennis White of Sterling Heights - Citizen's right to speak at City Council meetings.

Mr. Harry Marchlones of Sterling Heights - Trash hauling contract.

Mr. Michael Lombardini - Chief Reese's retirement; Capt. Berg as Interim Police Chief.

REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

There was no report from Mr. Bahorski at this time.

Mr. Vanderpool responded to questions from residents and indicated the City is having a Visioning Fair on December 12th from 9 a.m. to 12 p.m. It is in response to the City's Master Plan process that is underway and the Parks and Recreation Plan that is being updated. He encouraged residents to provide feedback on what they want to see included in the Master Plan and Parks and Recreation Plan.

In regard to the questions about the refuse contract, Mr. Vanderpool pointed out the last time we went out to bid on refuse, we included an option for Citywide curbside recycling and that option was not chosen because it turned out to be too costly. We need to look at all the options and obtain prices on them. Mr. Vanderpool pointed out we cannot comingle providers in the City and we will only have one provider in the City. With respect to the containers, it's time to look at them for a number of reasons. He pointed

out there are rodent problems in certain areas of the City and there is the aesthetic element as well. Robotic arm trucks would be used to dump the containers at the curb, eliminating the need for another person on the truck for a significant savings.

Mr. Vanderpool stated in regard to the phone scams, the City did post something on social media today and had over 20,000 hits.

Mr. Vanderpool stated an ornament contest for next year is a great idea and they will look into it.

Mr. Vanderpool stated it is time for the City to review its taxicab ordinance and see if it needs to be updated with respect to the ride-share option.

In regard to a Drone Ordinance, Mr. Vanderpool believes it is too early to consider that.

Councilwoman Schmidt reported that she received one of the scam phone calls today. She suggested that something be put on SHTV or the City's website or both.

Councilwoman Schmidt stated in regard to the trash situation, she has received an overwhelming amount of messages and phone calls. She has not had one person speak in support of doing anything other than what we are doing right now.

Councilwoman Schmidt questioned a statement made by Mr. Vanderpool that there would not be multiple haulers in the City. She pointed out there is the potential for multiple haulers for two years if Waste Management doesn't get the Waste Hauling Contract since they still have the recycling contract until 2018.

Councilwoman Ziarko inquired whether December 12th is the only Visioning Fair the City will be hosting for the residents. She stated she just found out about it on Monday

and stated some council members already have plans for December 12th. She stated the Saturday before Christmas is not the most ideal time to have this meeting.

Councilwoman Ziarko agrees with Councilwoman Schmidt and stated no one has called her and said they are in favor of changing anything we have right now with our refuse contract. She has heard negative comments about the bins and inquired what the residents would do with their existing bins.

Councilwoman Koski stated she received the same phone scam and the City needs to put something out there for the senior citizens.

Councilwoman Koski questioned whether there would be a presentation at the December 12th meeting or whether it is only to obtain information from the residents. Also, if there would be open communication between 9 a.m. and 12 p.m.

Mr. Vanderpool responded it would be set up in such a way that people can come and go in that time frame. There would be boards set up for residents to write down their thoughts. The City would be providing updates on what is in the current Parks and Recreation Plan. It would be a very informal process.

Councilwoman Koski stated the Historical Commission is asking residents to bring an ornament representing their family this Saturday, December 5th for Sterling Christmas. The ornaments would be used to decorate the community tree in the Upton House. She asked Mr. Vanderpool to explain how the residents would bring in their ornaments.

Mr. Vanderpool responded he is sure the Upton House would appreciate any ornaments for the tree and if there is excess, they could be donated to a family in need.

Councilman Shannon stated in regard to the waste hauling contract, not once did he say he was in favor of the 96-gallon trash cans. The City needs an opportunity to review the bids with the different alternatives. Councilman Shannon pointed out this bid process was going to happen in one or two years anyway. The City Council will continue to solicit comments from the residents on what they want. If the residents don't want a change, that is ok too. He is only asking for bids to save the City money.

Councilman Skrzyniarz announced that he is setting up a scholarship with the Sterling Heights Community Foundation. The name of the scholarship will be the Martin Luther King, Jr. Scholarship on Diversity and Inclusion. He stated if anyone is interested in supporting this award, they could contact Community Relations Director Bridget Doyle.

ADJOURN

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

Yes: Ziarko, Schmidt, Shannon, Skrzyniarz, Koski, Romano.

Absent: Taylor. The motion carried.

The meeting was adjourned at 10:07 p.m.

_____

MARK CARUFEL, City Clerk

DELIVERED DEC 30 2015

City Clerk's Use

Item No: 4

Meeting: 01/05/16

Business of the City Council
Sterling Heights, Michigan

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider a request to transfer ownership of a 2015 Class C liquor licensed business, with new dance-entertainment permit, Sunday Sales (AM and PM), four bars, outdoor service, and specific purpose permit located at 33203 Maple Lane, Sterling Heights MI 48312 from Maple Lane Golf Club to Maple Lane Golf Course, LLC.

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
	Finance & Budget Director	___	Ordinance	___	Plan/Map
JB	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 – Maple Lane Golf Course, LLC, a Michigan limited liability company (Applicant), has made application to the Michigan Liquor Control Commission (MLCC) for the transfer of ownership of a 2015 Class C liquor licensed business, with new dance-entertainment permit, Sunday Sales (AM and PM), and specific purpose permit, from Maple Lane Golf Course, a Michigan corporation. The location of the licensed premises will remain at 33203 Maple Lane, which serves as the clubhouse for the Maple Lane Golf Course. The cost allocated to the purchase of the Class C liquor license is $50,000.

Applicant's sole member is the Moceri Family Living Trust, whose co-trustees are Dominic and Frances Moceri. Dominic Moceri has previous experience owning a liquor licensed business. From 1979 to 1993, Mr. Moceri owned a Grand Blanc, Michigan bowling alley, which was licensed by MLCC for the on-premises consumption of alcoholic beverages. Members of the Moceri family will oversee the management of the restaurant/banquet facility business along with their other business interests; however, day-to-day oversight of the restaurant business will be performed by experienced managers hired by the Moceri Family. There are no physical changes planned to the clubhouse building or golf course operations at this time.

Applicant will continue to offer patrons golf, restaurant and banquet services. Inside the clubhouse, there are two areas that offer sit-down food and beverage service, with seating capacity of 160 and 200 patrons, respectively. The golf course hours of operation are from early morning (for early golfers) until the last golfer is off the course at night. The clubhouse may remain open later for scheduled events. Entertainment will consist of patron dancing. Applicant is also transferring Sunday Sales Permits (AM and PM), an Outdoor Service Permit, Specific Purpose Permit (food and golf) and four (4) bar permits. Outdoor service will be provided to golfers on the course.

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 a request for a *transfer* of the license from within Sterling Heights, it will have **no effect** on the City's quota licenses.

City Administration is recommending that City Council recommend approval of the transfer utilizing the one-step process. The following criteria from §5-34(G) of the City Code support this recommendation:

(1) The Applicant's management experience in operating a liquor licensed business;
As previously noted, Applicant's ownership previously owned and operated a liquor licensed business. Applicant will be contracting with a company to provide professional on-site management with liquor license experience to manage the daily operations of the golf course and liquor licensed business.

(2) The Applicant's general business management experience;
Applicant has extensive business management experience, primarily in the land development area.

(5) The Applicant's financial status and its ability to build and/or operate the proposed facility on which the proposed liquor license is to be located;
Applicant has provided evidence of the financial ability to acquire and successfully operate a liquor licensed golf course business.

(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:

MOVED BY: **SECONDED BY:**

Resolved, that the request to transfer ownership of a 2015 Class C liquor licensed business, with new dance-entertainment permit, Sunday Sales (AM and PM), four bars, outdoor service, and specific purpose permit, located at 33203 Maple Lane, Sterling Heights MI 48312 from Maple Lane Golf Club to Maple Lane Golf Course, LLC, be considered for approval.

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 Maple Lane Golf Course LLC

   Address 3005 University Drive, Suite 100, Auburn Hills, MI 48326

   Type of License Class C

   Type of Permit ~~Living Quarters~~, Sunday Sales (AM and PM), Outdoor Service, Entertainment Permit, Additional Bar Permit, Specific Purpose Permit (Food and Golf)

   Include all permits to be issued with this license.

   Business Name Maple Lane Golf Club

   Business Address 33203 Maple Lane Drive, Sterling Heights, MI 48312

   Telephone 586-795-4000

   Legal Description SEE ATTACHED

   If this is a transfer, date application was filed with the Michigan Liquor Control Commission August 31, 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
Dominic Moceri	3005 University Dr, Ste 100 Auburn Hills, MI 48326	Co-Trustee	Yes
Fances Moceri	3005 University Dr, Ste 100 Auburn Hills, MI 48326	Co-Trustee	Yes
Dominic J. Moceri	3005 University Dr, Ste 100 Auburn Hills, MI 48326	Manager	Yes
Francis Moceri	3005 University Dr, Ste 100 Auburn Hills, MI 48326	Manager	Yes
Mariano Moceri	3005 University Dr, Ste 100 Auburn Hills, MI 48326	Manager	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? _____ Give date lease expires _____
   (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: Maple Lane Holdings LLC
   Complete Address: 3005 University Drive, Suite 100, Auburn Hills, MI 48326

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: _____

   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? Yes

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

   Galaxy Bowling, 2226 Hill Road, Grand Blanc, MI 48439

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: _____

_____

State whether or not you will be active in the management of this business if the license is granted: _____ If so, in what capacity? _____
If a partnership, number of shares owned: _____

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: Entertainment, Golf Outings, DJ, Live Music

_____

_____

10. PERSONAL INFORMATION:

Applicant

Full Name Dominic Moceri Age _____ Date of Birth _____

Address _____

Telephone number _____

Sex M Height _____ Weight _____ Color of Hair _____ Color of Eyes _____

Driver's License No. _____

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

Marital Status M Michigan Resident? Yes How Long? _____

Spouse

Full name (including maiden name) Frances Mary (Grillo) Moceri

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 Developer	Moceri Management 3005 University Drive Auburn Hills, MI 48326	Self	1957 -	present

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?_____ If so, give former name(s)_____

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:

_____

_____

_____

_____

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 x No _____

I, Dominic Moceri, 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 _____
Dominic Moceri, Authorized Agent of Maple Lane Golf Course LLC

Sworn to and subscribed before me this 21st day of October, 2015

Brandon C.S. Guest
Notary Public Brandon C.S. Guest

Oakland County, Michigan

My commission expires: 01/20/2020

8. Have you or any member of your family ever held a license for sale of alcoholic beverages anywhere in the United States?_____ If so, give address, city, state and name in which license was issued:_____

_____

State whether or not you will be active in the management of this business if the license is granted:_____ If so, in what capacity?_____
If a partnership, number of shares owned:_____

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?_____

If yes, furnish all details: _____

_____

_____

10. PERSONAL INFORMATION:

Applicant

Full Name Frances Mary Moceri Age___ Date of Birth _____

Address__ ___ _____

Telephone number_ _____

Sex F Height_ _ Weight _ _Color of Hair_____ Color of Eyes_

Driver's License No._ _____

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

Marital Status M Michigan Resident? Yes How Long?_ __

Spouse

Full name (including maiden name) Dominic Moceri

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
Business Administration	Moceri Management 3005 University Drive Auburn Hills, MI 48326	Dominic Moceri	1974	present

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? _____ If so, give former name(s) _____

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:

_____

_____

_____

_____

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 Yes No _____

I, Frances Moceri, 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 Frances Moceri
Frances Moceri, Authorized Agent of Maple Lane Golf Course LLC

Sworn to and subscribed before me this 26 day of October, 2015

Brandon L.S. Guest Brandon L.S. Guest
Notary Public

Oakland County, Michigan

My commission expires: 01/20/2020

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:

33203 Maple Lane Drive, Sterling Heights, MI 48312
(ADDRESS OF BUSINESS)

SIGNATURE

Dominic Moceri, Authorized Agent of Maple Lane Golf Course LLC
TYPE OR PRINT NAME

WITNESS:

10/21/15
Date

Sworn to and subscribed before me this 21st day of October, 2015

Brandon L.S. Guest
Notary Public Brandon C.S. Guest

Oakland County, Michigan

My commission expires: 01/20/2020

Applicant's Statement

1) Applicants Character and Experience:

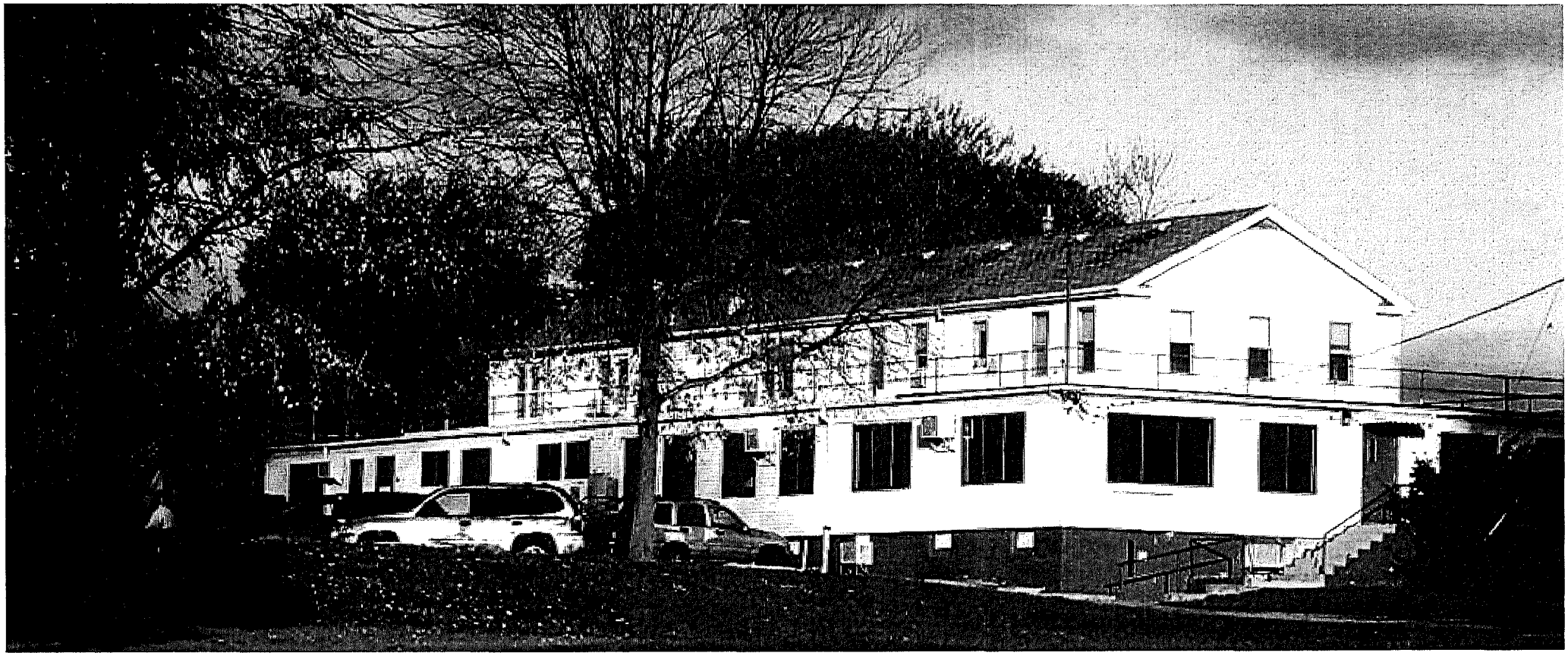
The applicant applying for the liquor license transfer is Maple Lane Golf Course LLC ("MLGC"). Its sole member is the Moceri Family Living Trust u/a/d January 15, 1997, as amended, whose co-trustees are Dominic and Frances Moceri.

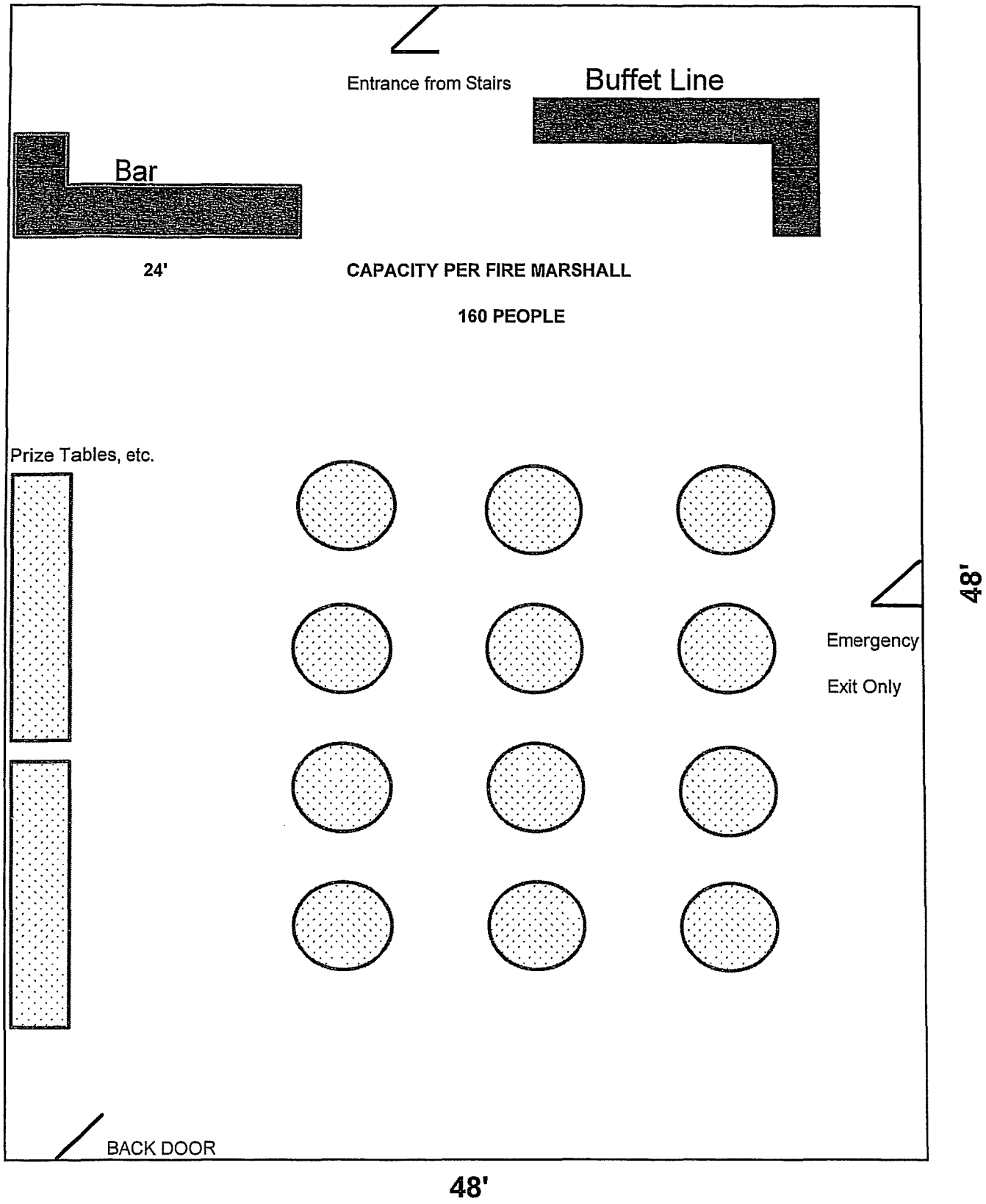
Dominic Moceri has previously held a liquor license at Galaxy Lane in Grand Blanc, Michigan, from 1979 to 1993 (without being assessed any violations). Mr. Moceri's primary business is in real estate development, where he has run a successful family business for over 50 years. He is an exemplary businessman and adds value to every community in which he has operated a business. Mr. Moceri intends to provide Maple Lane Golf Course with the necessary funding to make the golf course an ongoing success. His business experience and knowledge will allow him to effectively contribute to the operation of the golf course.

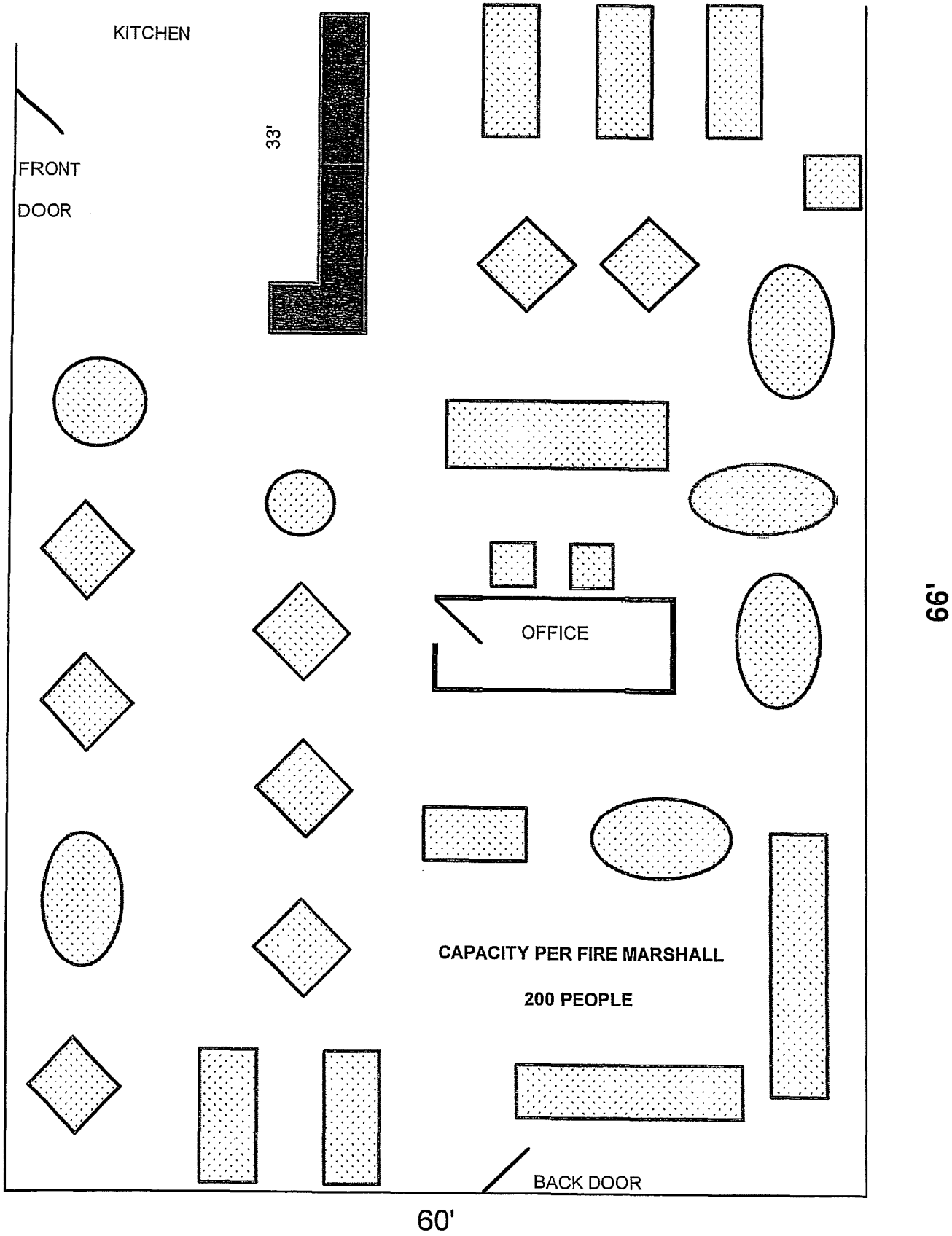
Frances Moceri, co-trustee, has been involved with the family business for the last 30 years. As the matriarch of the family, she raised the children and then returned to her role of overseeing the challenges of maintaining a successful family business. Mrs. Moceri's oversight routinely keeps projects on schedule and within budget parameters. She intends to apply her business experience and knowledge to the challenge of increasing profitability at Maple Lane Golf Course. She is intent on providing Maple Lane Golf Course LLC with the necessary funds needed to keep the golf course functioning on a daily basis. In light of her experience in the family business, she welcomes challenges which may arise from time to time at Maple Lane.

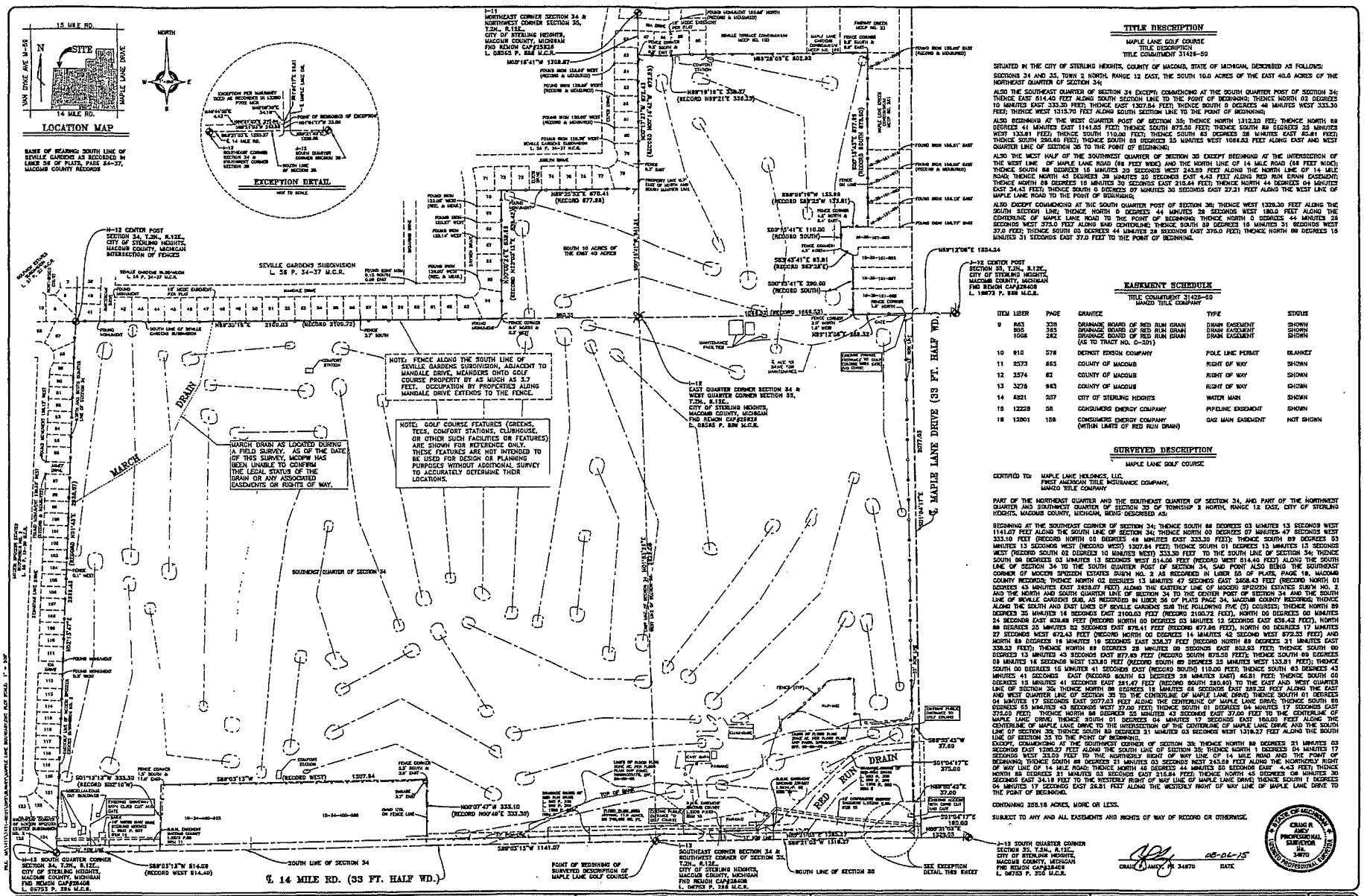
2) Proposed Use, Improvements, Hours of Operation and Activities at Maple Lane Golf Course:

MLGC intends to operate the property as it is currently used. It will not be constructing any structural additions to the existing structure before it opens for business (or any time in the near future). Although there is no plan in place to cause the property's clubhouse to be remodeled, MLGC will likely implement some updating on the interior. MLGC is focused on maintaining the condition of the golf course in a manner consistent with other courses in southeastern Michigan and keeping the various golf leagues at this facility. MLGC will market the clubhouse facilities for banquets, receptions and graduations. It has requested an entertainment permit and submitted its Agreement Regarding Entertainment Permit Request with its application to the city. The permit is needed to allow patrons the opportunity to dance when there is a DJ or live music performing in the clubhouse/banquet areas. The only dancing at Maple Lane Golf Course will be by its patrons who are attending an event at the property on an area of the floor specifically designated for dancing. MLGC intends that the hours of operation shall be limited to the parameters of the law and not seek a permit for extended hours.




Entrance from Stairs
Buffet Line
Bar
24'
CAPACITY PER FIRE MARSHALL
160 PEOPLE
Prize Tables, etc.
Emergency
Exit Only
48'
BACK DOOR
48'


KITCHEN
33'
FRONT
DOOR
OFFICE
66'
CAPACITY PER FIRE MARSHALL
200 PEOPLE
BACK DOOR
60'


15 MILE RD.
SITE
VAN DYKE AVE U-59
MAPLE DRIVE
14 MILE RD.
LOCATION MAP
BASIS OF BEARING: SOUTH LINE OF SEVILLE GARDENS AS RECORDED IN LIBER 58 OF PLATS, PAGE 34-37, MACOMB COUNTY RECORDS
NORTH
EXCEPTION DETAIL
NOT TO SCALE
SEVILLE GARDENS SUBDIVISION L. 58 P. 34-37 M.C.R.
MANDALE DRIVE
MARCH DRAIN
RED RUN DRAIN
SOUTH 10 ACRES OF THE EAST 40 ACRES
SOUTHEAST QUARTER OF SECTION 34
SOUTH LINE OF SECTION 34
℄ 14 MILE RD. (33 FT. HALF WD.)
℄ MAPLE LANE DRIVE (33 FT. HALF WD.)
POINT OF BEGINNING OF SURVEYED DESCRIPTION OF MAPLE LANE GOLF COURSE
SOUTH LINE OF SECTION 35
SEE EXCEPTION DETAIL THIS SHEET
NOTE: FENCE ALONG THE SOUTH LINE OF SEVILLE GARDENS SUBDIVISION, ADJACENT TO MANDALE DRIVE, MEANDERS ONTO GOLF COURSE PROPERTY BY AS MUCH AS 3.7 FEET. OCCUPATION BY PROPERTIES ALONG MANDALE DRIVE EXTENDS TO THE FENCE.
NOTE: GOLF COURSE FEATURES (GREENS, TEES, COMFORT STATIONS, CLUBHOUSE, OR OTHER SUCH FACILITIES OR FEATURES) ARE SHOWN FOR REFERENCE ONLY. THESE FEATURES ARE NOT INTENDED TO BE USED FOR DESIGN OR PLANNING PURPOSES WITHOUT ADDITIONAL SURVEY TO ACCURATELY DETERMINE THEIR LOCATIONS.
MARCH DRAIN AS LOCATED DURING A FIELD SURVEY. AS OF THE DATE OF THIS SURVEY, MCDPW HAS BEEN UNABLE TO CONFIRM THE LEGAL STATUS OF THE DRAIN OR ANY ASSOCIATED EASEMENTS OR RIGHTS OF WAY.
H-12 CENTER POST SECTION 34, T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN INTERSECTION OF FENCES
J-12 CENTER POST SECTION 35, T.2N., R.12E., CITY OF STERLING HEIGHTS MACOMB COUNTY, MICHIGAN FND REMON CAP#28408 L. 18673 P. 898 M.C.R.
J-12 SOUTH QUARTER CORNER SECTION 34, T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN FND REMON CAP#28408 L. 08753 P. 386 M.C.R.
J-13 SOUTHEAST CORNER SECTION 34 & SOUTHWEST CORNER OF SECTION 35, T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN FND REMON CAP#28408 L. 08753 P. 386 M.C.R.
J-13 SOUTH QUARTER CORNER SECTION 35, T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN FND REMON CAP#28408 L. 08753 P. 386 M.C.R.
H-11 NORTHEAST CORNER SECTION 34 & NORTHWEST CORNER SECTION 35, T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN FND REMON CAP#28408 L. 08753 P. 386 M.C.R.
H-13 EAST QUARTER CORNER SECTION 34 & WEST QUARTER CORNER SECTION 35, T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN FND REMON CAP#28408 L. 08753 P. 386 M.C.R.
COMFORT STATION
CLUBHOUSE
MAINTENANCE FACILITY
PARKING
TOP OF BANK
DETROIT EDISON EASEMENT OVER GOLF COURSE
EXISTING ACCESS WITH CURB CUT THIS GATE
PROPOSED ACCESS WITH CURB CUT THIS GATE
S89°03'13"W 1141.07
S89°03'13"W 514.00 (RECORD WEST 514.40)
N00°07'47"W 333.10 (RECORD N00°49'E 333.30)
S89°03'13"W 333.30 (RECORD S02°10'W)
S89°03'13"W 1307.84 (RECORD WEST) 1307.54
N00°07'47"W 2616.07 (RECORD N01°14'E 2616.07)
N00°07'47"W 2616.07 (RECORD N01°14'E 2616.07)
N89°53'13"E 2100.03 (RECORD 2100.72)
N89°53'13"E 2100.03 (RECORD 2100.72)
N89°53'13"E 1314.01 (RECORD 1314.54)
N89°53'13"E 1314.27
N89°53'13"E 1314.27
N89°53'13"E 1314.27

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this _____ day of _____, 2015, 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: Maple Lane Golf Course LLC

a (State) Michigan ~~Corporation~~ limited liability company, whose address is:

(Street Address): 33203 Maple Lane Drive

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

Short Name of Business: Maple Lane,

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.

MAPLE LANE GOLF COURSE LLC (NAME OF APPLICANT BUSINESS)	CITY OF STERLING HEIGHTS
By: _____ 10/21/15 Dominic Moceri (Dated) Its: Authorized Agent	By: _____ Michael C. Taylor, Mayor (Dated)
By: _____ 10/21/15 Frances Moceri (Dated) Its: Authorized Agent	By: _____ Mark Carufel, City Clerk (Dated)
Subscribed and sworn to before me this 21st day of October, 2015	Subscribed and sworn to before me this _____ day of _____, _____
Brandon C.S. Guest Brandon C.S. Guest Notary Public, Oakland County, MI	_____ Notary Public, Macomb County, MI
My commission expires: 01/20/2020	My commission expires:

AGREEMENT REGARDING ENTERTAINMENT PERMIT REQUEST

This Agreement, made this _____ day of _____, 2015, 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: Maple Lane Golf Course LLC

a (State) Michigan ~~Corporation~~ limited liability company, whose address is:

(Street Address): 33203 Maple Lane Drive

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

Short Name of Business: Maple Lane,

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:

__x__ Dancing	_____ Still Slides
_____ Monologues	_____ Closed Circuit Television
_____ Dialogues	_____ Contests
_____ Motion Pictures	_____ Other Performances (Specify):

_____

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.

MAPLE LANE GOLF COURSE, LLC
(NAME OF APPLICANT BUSINESS)

By: 10/21/15
Dominic Moceri (Dated)
Its: Authorized Agent

By: 10/21/15
Frances Moceri (Dated)
Its: Authorized Agent

CITY OF STERLING HEIGHTS

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

By: _____
Mark Carufel, City Clerk (Dated)

Subscribed and sworn to before me
this 21st day of October, 2015

Brandon C.S. Guest Brandon C.S. Guest
Notary Public, Oakland County, MI

My commission expires: 01/20/2020

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

_____
Notary Public, Macomb County, MI

My commission expires:

Maple Lane Golf Club

BREAKFAST SERVED UNTIL 1:00PM

BREAKFAST FAVORITES

***MAPLE LANE SPECIAL** ... *Two Eggs, Ham, Sausage Patty, Two Bacon Strips, Hash Browns and Toast ... 5.99*
***PAR 4** ... *Two Eggs, Choice of Three Bacon Strips, Ham, or Two Sausage Patties, Hash Browns and Toast ... 4.99*
***BIRDIE** ... *Two Eggs, Choice of Three Bacon Strips, Ham, or Two Sausage Patties, and Toast ... 4.29*
***EAGLE** ... *Two Eggs, Hash Browns and Toast ... 3.49*
***HOLE IN ONE** ... *Two Eggs and Toast ... 2.49*
FRENCH TOAST ... *3.49* **RAISIN FRENCH TOAST** ... *3.99*
PANCAKES ... *Three Pancakes and Three Bacon or Three Sausage...4.29*
***CORNED BEEF HASH** ... *Two Eggs, Corned Beef Hash, and Toast ... 5.99*
B.L.T. SANDWICH ... *Bacon, Lettuce, Tomato, and Mayo... 4.49*
BREAKFAST SANDWICH ... *Bacon, Ham, or Sausage Patties, Egg, and Cheese ...3.99*
BREAKFAST BURRITO ... *Bacon, Ham, or Sausage Patties, Egg, Green Pepper and Cheese. Served with Salsa ... 4.29*

THREE EGG OMELETTES

FARMERS ... *Ham, Bacon, Sausage, Onion, G. Pepper, Mushroom, Potato and Cheese ... 6.49*
WESTERN ... *Ham, Onion, G. Pepper and Cheese with Hash Browns ... 5.49*
HAM AND CHEESE ... *Ham and Cheese with Hash Browns ... 4.99*
VEGGIE ... *G. Pepper, Mushroom, Onion and Cheese with Hash Browns ... 5.29*

SIDE ITEMS

OATMEAL *1.99*
RAISIN TOAST *1.49*
PANCAKE *1.49*
SUBSTITUTE EGGBEATERS® ..... *.50*

BEVERAGES

COFFEE OR TEA (Bottomless) *1.75*
FOUNTAIN SODA (Free Refills)..... *1.50*
WHOLE MILK *1.25*
CAMPBELLS® TOMATO JUICE *1.75*
TROPICANA® ORANGE JUICE. *1.75*

*Can be cooked to order. Consuming raw or undercooked meat and egg may increase your risk of food borne illness

Maple Lane Golf Club

SALADS

CHEF SALAD ... *Ham, Turkey, Tomato, Red Onion, Cucumber, Egg, and Cheese ... 7.49*
GRILLED CHICKEN SALAD ... *Tomato, Cucumber, Red Onion, and Cheese ... 6.99*
CHICKEN CAESAR SALAD ... *Croutons and Parmesan Cheese with House Dressing ... 6.49*

APPETIZERS

CHICKEN TENDERS ... *Barbeque, Ranch, Honey Mustard, or Buffalo Sauce ... 6.75*
BUFFALO WINGS ... *Plain or Tossed in Spicy Buffalo Sauce ... 7.75*
CHEESE STICKS ... *Ranch or Marinara ... 3.99*
CHICKEN QUESADILLA ... *Cheddar, Sauce, Sautéed Onion and Peppers, Salsa, and Sour Cream ... 6.99*
NACHOS ... *Seasoned Ground Beef, Nacho Cheese Sauce, Tomato, Onion, Green Pepper, Salsa, Sour Cream and Jalapeños ... 7.99*
ONION RINGS ... *3.49* **BASKET OF FRIES** ... *2.99* **CHILI CHEESE FRIES**... *4.49*
CHILI *Bowl ... 2.99 Cup ... 2.49* **SOUP OF THE DAY** *Bowl ... 2.79 Cup ... 2.29*

PIZZA

CHEESE PIZZA ... *12" (8 Slices) ... 8.00*

CHEESE PIZZA & PITCHER OF BEER *(Bud Light, Miller Lite, or Labatt)... 11.00*

TOPPINGS ... *.50 Each*

Pepperoni
Italian Sausage
Ham
Bacon
Green Pepper
Tomato
Onion
Mushroom
Pepperoncini's
Pineapple
Jalapeños
Extra Cheese
Canadian Bacon

*Can be cooked to order. Consuming raw or undercooked meat and egg may increase your risk of food borne illness

Maple Lane Golf Club

BURGERS

(With Fries ... 1.00 Onion Rings ... 1.49)

***MAPLE LANE BURGER** ... *Half Pound Angus Beef with Canadian Bacon and Cheese ... 8.49*
***HAMBURGER** ... *Half Pound Angus Beef ... 6.75*
***CHEESE BURGER** ... *Half Pound Angus Beef ... 7.25*
***DOUBLE BURGER** ... *Full Pound Angus Beef ... 10.99*
***DOUBLE CHEESE BURGER** ... *Full Pound Angus Beef ... 11.99*
ADD BACON ... *.75* **ADD MUSHROOMS** ... *.50* **ADD CHEESE** *(Chipotle Jack, Provolone, or Swiss)... .75*

SANDWICHES

(With Fries ... 1.00 Onion Rings ... 1.49)

***PATTIE MELT** ... *Half Pound Angus Beef on Rye with Sautéed Onion and Swiss ... 7.25*
PHILLY CHEESESTEAK ... *Sirloin, Provolone, Onion, Green Pepper and Mushroom on a Toasted Bun ... 7.49*
CHICKEN PHILLY ... *Grilled Chicken, Provolone, Onion, Green Pepper and Mushroom on a Toasted Bun ... 6.49*
CLUB ... *Ham, Turkey, Lettuce, Tomato, Bacon, American Cheese and Mayo ... 7.29*
B.L.T. ... *Bacon, Lettuce, Tomato, and Mayo ... 4.49*

PITAS AND WRAPS

(With Fries ... 1.00 Onion Rings ... 1.49)

CHICKEN LOVER PITA ... *Fried or Grilled Chicken, Bacon, Sautéed Onion, Tzatziki Sauce and Melted Cheese ... 5.99*
CHICKEN PITA ... *Fried or Grilled Chicken, Lettuce, Tomato, Ranch Dressing and Melted Cheese ... 5.79*
CHICKEN CAESAR WRAP ... *Lettuce, Tomato, Parmesan and House Caesar ... 5.79*
BUFFALO CHICKEN WRAP ... *Lettuce, Tomato, Cheddar and Ranch Dressing ... 5.99*

SPECIALS

(Monday - Friday)

DAILY SPECIAL (SEE SERVER FOR TODAY'S SELECTION) ... *Served with Fountain Pop, Pint of Draft Beer, or Coffee*

SOUP AND SANDWICH ... *Full Sandwich with Cup of Soup (Bowl additional .50)*

*Can be cooked to order. Consuming raw or undercooked meat and egg may increase your risk of food borne illness

Class C Permit | PCLC150008

Property Information

10-34-400-009-000	33203 Maple Lane Dr	Subdivision:	
	Sterling Heights MI, 48312	Lot:	Block:

Name Information

Owner:	MAPLE LANE HOLDINGS LLC	Phone:	
Occupant:		Phone:	
Applicant:	MAPLE LANE HOLDINGS LLC	Phone:	
Contractor:		Phone:	
Licensee:		Phone:	
License Issued:			
License Expires:			

Permit Information

Date Issued: Date Expires: Status: READY TO ISSUE

Work Description:

The following permits are included in the request:

Class C Liquor License
Sunday Sales (AM & PM)
New Entertainment Permit
New Extended Hours Permit
Specfic Purpose Permit - Food and Golf
4 Bars
Outdoor Service
Living Quarters Permit

Stipulations:

Planning Approval sent to CC

Comment:

Approval - Building Inspection | Robert Earley

Status:	Scheduled	Result:	
Scheduled:	12/01/2015 12:00 AM	Completed:	

Approval - Planning Inspection | Chris McLeod

Status:	Completed	Result:	Approved
Scheduled:	11/26/2015 12:00 AM	Completed:	11/30/2015 03:44 PM

Comments:

Remarks Only addition to current permit/operation is dancing.

Mark Carufel

From: Donald Adsit
Sent: December 16, 2015 10:25 AM
To: Mark Carufel
Cc: Michael Bauss; Renee Kungel
Subject: Maple Lane Liquor License transfer

Good Morning Mr. Carufel,

The Fire Department has no issue with Maple Lane Golf Course being issued a provisional approval for their Liquor License transfer. A fire inspection was performed on 12/15/2015. A small list of things to correct was given to Mr. Carl Roehl. Re-inspection is scheduled for 1/5/2015.

Don Adsit
Fire Inspector/Investigator

City of Sterling Heights FIRE

41625 Ryan Road
Sterling Heights, MI 48314
Tel: 586-446-2972
Fax: 586-726-7007
dadsit@sterling-heights.net

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Proactive - Liquor LicenseEnforcement | E15-9559

Property Information

10-34-400-009-000	33203 Maple Lane Dr	Subdivision:	
	Sterling Heights MI, 48312	Lot:	Block:

Name Information

Owner:	MAPLE LANE HOLDINGS LLC	Phone:	
Occupant:		Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	11/30/2015	Date Closed:	12/01/2015	Status:	CLOSED
Complaint:					
Last Action Date:		Last Inspection:	12/01/2015		
Last Action:					

Ordinance Inspection | Horst Hrinciuc

Status:	Completed	Result:	No Violation
Scheduled:	12/01/2015	Completed:	12/01/2015

Comments:

There is currently a tree trimming operation on-going on the golf course property. Property is being maintained at this time.

Class C Permit | PCLC150008

Property Information

10-34-400-009-000	33203 Maple Lane Dr	Subdivision:	
	Sterling Heights MI, 48312	Lot:	Block:

Name Information

Owner:	MAPLE LANE HOLDINGS LLC	Phone:	
Occupant:		Phone:	
Applicant:	MAPLE LANE HOLDINGS LLC	Phone:	
Contractor:		Phone:	
Licensee:		Phone:	
License Issued:			
License Expires:			

Permit Information

Date Issued: Date Expires: Status: FINALED

Work Description:

The following permits are included in the request:

Class C Liquor License
Sunday Sales (AM & PM)
New Entertainment Permit
New Extended Hours Permit
Specfic Purpose Permit - Food and Golf
4 Bars
Outdoor Service
Living Quarters Permit

Stipulations:

Planning Approval sent to CC . . . 12/01/15

Comment:

Approval - Building Inspection | Robert Earley

Status:	Completed	Result:	Approved
Scheduled:	12/10/2015 12:00 AM	Completed:	12/10/2015 03:20 PM

Approval - Building Inspection | Robert Earley

Status:	Completed	Result:	Disapproved
Scheduled:	12/02/2015 12:00 AM	Completed:	12/02/2015 03:25 PM

Violations:

Corrected Emergency lights some need new battery's

Approval - Planning Inspection | Chris McLeod

Status:	Completed	Result:	Approved
Scheduled:	11/26/2015 12:00 AM	Completed:	11/30/2015 03:44 PM

Comments:

Remarks Only addition to current permit/operation is dancing.

CITY OF Sterling Heights

Interoffice Memorandum

Date: December 3, 2015

To: Mark Carufel

From: Jennifer Varney, Treasurer — Maureen Proudfoot, Account Clerk

Subject: **Tax Search – Application for a transfer of a 2015 Class C Liquor License**

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 -

Personal Taxes	10-34-400-009-001	Property Address	33203 Maple Lane Dr.
Taxable Value	42,900	Requested By	Mark Carufel
School District	Warren Consolidated Schools	Date Requested	11/25/15
	Maple Lane Golf Club		

2015 Winter Taxes

- ☐ Paid in full
- ☒ Due in the amount of $ 67.55 by 2/29/16
- ☐ Delinquent in the amount of $
- ☐ No taxes due

Invoices (Munis)

- ☐ Paid in full
- ☐ Due in the amount of $
- ☒ None

2015 Summer Taxes

- ☒ Paid in full
- ☐ Due in the amount of $
- ☐ No taxes due

Special Assessments

- ☐ Paid in full
- ☐ Due in the amount of $
- ☐ Delinquent in the amount of $
- ☒ None

2014 Winter and Prior Taxes

- ☒ Paid in full per Carolyn @ County
- ☐ Delinquent in the amount of $
- ☐ No taxes due

CITY OF Sterling Heights
InnovatingLiving

Interoffice Memorandum

Date: December 4, 2015

Re: Requested Information Search – 33203 Maple Ln

From: Pam Ambriez & Jennifer Varney

Finance review of the attached application has been completed. This review included a status check on outstanding utility bills. The results of our review reflect the following.

Utility bills are:

- ☑ Current balances of $ 624.37
- ☐ Paid in full – balance is $0
- ☐ Delinquent/outstanding in the amount of $_____
- ☐ Utility Billing is not aware of any service at that exact address

☑ This total does not include any interim billings

Pam Ambriez, Senior Account Clerk

Jennifer L. Varney, Treasurer

If you require any additional information, please contact this office on extension 2781.

Attachment

DELIVERED DEC 30 2015

City Clerk's Use
Item No: 5
Meeting: 01/05/16

Business of the City Council
Sterling Heights, Michigan

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider a nomination for appointment to the Sterling Heights Zoning Board of Appeals

Submitted By: Office of the City Clerk

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

Administration (initial as applicable)		Attachments			
MC	City Clerk	__	Resolution	__	Minutes
LB	Finance & Budget Director	__	Ordinance	__	Plan/Map
SB	City Attorney (as to legal form)	__	Contract	__	Other
MT	City Manager				

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

Executive Summary:

City Council Governing Body Rule of Procedure 23, as amended on August 21, 2012, provides in relevant part as follows:

> Prior to an appointment to the Planning Commission, **Zoning Board of Appeals**, Board of Ordinance Appeals, Board of Review, Police and Fire Pension Board, and General Employees Retirement System Board, an appointee shall be nominated, as applicable, by the Mayor or City Council at a prior regular meeting.

There currently is a vacancy on the Zoning Board of Appeals that necessitates the two-step (nomination / appointment) process. The City Council has the power of nomination and appointment.

Applications of the residents interested in serving on the Zoning Board of Appeals are attached. Spreadsheets indicating the applicants' preferences for appointment as reflected by their ranking of the respective boards and commissions and meeting attendance records are also attached.

Suggested Action:

MOVED BY: SECONDED BY:

RESOLVED, to nominate _____ for consideration as an appointee to the Zoning Board of Appeals at the January 19, 2016 regular City Council meeting.

Zoning Board of Appeals

(7 Members)

(One Vacancy)

Name	Request Re-Appt. (Yes/No)	Expiration Date of New Term	Action
1. Unexpired Term		06/30/17	

Applications on File:

Mohammed Alomari	(Ethnic Community Committee-exp. 06/30/17)
Brian Cole	
Dale R. Deming	(Elected Officials Compensation Commission-exp. 06/30/18)
Jazmine M. Early	
Kozeta Elzhenni	(Citizens Advisory Committee-Community Development Bl Grant-exp. 06/30/16)
Robert Ervin	(Board of Ordinance Appeals-exp. 06/30/18)
Lisa J. Hamameh	
Laurel Johnson	(Board of Code Appeals-exp. 06/30/17)
	(Local Development Finance Authority-exp. 06/30/19)
Robert Lulgjuraj	(Ethnic Community Committee-exp. 06/30/16)
Benjamin D. McMartin	
Jeffrey I. Norgrove	(Planning Commission-exp. 06/30/17)
Louis Ottolini	
Joanne L. Paraventi	(Citizens Advisory Committee-Community Development Bl Grant-exp. 06/30/16)
Leonard Reinowski	(Planning Commission-exp. 06/30/17)
Juli Sala	(Board of Ordinance Appeals-exp. 06/30/18)
Michael Sauger	(Board of Ordinance Appeals II-exp. 06/30/16)
	(Board of Ordinance Appeals-exp. 06/30/16)
Howard Sizemore II	
Thomas Szatkowski	(Board of Code Appeals-exp. 06/30/20)
	(Housing Commission-exp. 12/31/19)
Shawn Taylor	(Arts Commission-exp. 06/30/16)
	(Ethnic Community Committee-exp. 06/30/16)
Joyce Tye	(Beautification Commission-exp. 06/30/17)
Matthew Zarna	

The Zoning Board of Appeals shall consist of seven regular members, each to be appointed for a term of three years, expiring on June 30 in the year of expiration. All vacancies for unexpired terms shall be filled for the remainder of the term. The Zoning Board of Appeals shall consist of seven regular members, each to be appointed by a majority of the City Council members serving. All members of the Zoning Board of Appeals shall be selected from the electors of the City and shall be representative of the population distribution and of the various interests in the City. One member of the Board may be a member of the Planning Commission, with the remaining members selected from the electors of the City. Appointments shall be for a three year term expiring on June 30 in the year of expiration, except for appointments to fill vacancies or appointments of the member of the Board who is also a member of the Planning Commission. The term of the member of the Board who is also a member of the Planning Commission shall be limited to the time he or she is a member of the Planning Commission.

"A" means the individual is **already appointed** to Board or Commission denoted

"E" means the individual **has been elected** to Board or Commission denoted

shaded area means Board or Commission that is appointed by the Mayor with confirmation of City Council

the number is the ranking given by the applicant to that Board or Commission they are interested in

		Total Board and Comm. Assign	Arts Commission	Beautification Commission	Board of Code Appeals	Board of Ordinance Appeals	Board of Ordinance Appeals II	Board of Review	Building Authority	Citizens Advisory Committee	Civil Service Commission Act 78	Corridor Improvement Authority	Civil Service Comm - Charter	Econ Dev Corp\Brownfield Authority	Elected Officials Comp Comm	Election Commission	Ethnic Community Committee	Historical Commission	Housing Commission	Library Board of Trustees	Local Development Finance Authority	Pension Board Gen Emp	Pension Board Police & Fire	Planning Commission	Solid Waste Mgt Comm	Telecommunication Comm	Transportation Advisory Comm	Zoning Board of Appeals	
ALOMARI	MOHAMMED	1	17			4		6	7		8		9		2	1	A		10	13	11			12		14	15	3	16
COLE	BRIAN	0					1							2														3	1
DEMING	DALE	1													A													1	2
EARLY	JAZMINE	0	8	20	25	2	2	12	21	5	19	18	24	23	17	16	3	15	4	14	13	22	11	6	1	10	9	7	25
ELZHENNI	KOZETA	1	17	2	21	22		20	19	A	23	25	18	24	16	4	1	6	5	7	8	9	10	11	12	14	13	15	25
ERVIN	ROBERT	1				A																		2				1	3
HAMAMEH	LISA	0				3																		1				2	3
JOHNSON	LAUREL	2			A				2					1					3		A			5			6	7	8
LULGJURAJ	ROBERT	1	22	24	15	9		11	14	1	13	4	20	2	5	12	A	19	8	23	3	17	18	21	16	10	6	20	24
MCMARTIN	BENJAMIN	0				1				3				4					2	6								5	6
NORGROVE	JEFFREY	1																						A			2	1	3
OTTOLINI	LOUIS	0					1																	2				3	3
PARAVENTI	JOANNE	1				8			6	A		10		5		1			2	3				7			4	9	11
REINOWSKI	LEONARD	1				1																		A				2	3
ROMANO	DOMINIC	0																						1				2	2
SALA	JULI	1				A																		2				1	3
SAUGER	MICHAEL	1				Alt	A								5	4						3	2					1	7
SIZEMORE II	HOWARD	0	14	5	10	9		6	18	7	13	21	19	2	11	4	22	25	20	24	3	17	16	1	8	23	12	15	25
SZATKOWSKI	THOMAS	2			A														A					1				3	4
TAYLOR	SHAWN	2	A			5			8	6	4		7				A		1					2				3	10
TYE	JOYCE	1	4	A				2								5			1					6				7	7
ZARNA	MATTHEW	0	9	25		1		2		5	6	7	8	3	10	11	12	13	14	15	16	17	18	19	20	22	21	23	24

DELIVERED DEC 3 0 2015

City Clerk's Use
Item No: 6
Meeting: 01/05/16

Business of the City Council
Sterling Heights, Michigan

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider appointments to City of Sterling Heights Boards and Commissions

Submitted By: Office of the City Clerk

MC

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

Administration (initial as applicable)

MC **City Clerk**

BS **Finance & Budget Director**

JB **City Attorney (as to legal form)**

MV **City Manager**

Attachments

___	**Resolution**	___	**Minutes**
___	**Ordinance**	___	**Plan/Map**
___	**Contract**	___	**Other**

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

Executive Summary:

Due to recent resignations, the following boards and commissions currently have vacancies:

Board / Commission	# of Vacancies	Power of Appointment	To a Term Ending
Arts Commission	1	City Council	June 30, 2017
Library Board of Trustees	1	City Council	June 30, 2016

Applications of the residents interested in serving on the above-noted boards and commissions have been provided to City Council. Spreadsheets indicating the applicants' preferences for appointment as reflected by their ranking of the respective boards and commissions are also included in the attached materials.

Suggested Action:

MOVED BY: **SECONDED BY:**

RESOLVED, to appoint _____ to the _____ to a term ending June 30, 20___, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Arts Commission

(12 Members)

(One Vacancy)

Name	Request Re-Appt. (Yes/No)	Expiration Date of New Term	Action
1. Unexpired Term		06/30/17	

Applications on File:

Janis Adams	(Beautification Commission-exp. 06/30/16)
Mohammed Alomari	(Ethnic Community Committee-exp. 06/30/17)
Judi Dent	
Jasmine Dolfus	(Ethnic Community Committee-exp. 06/30/17)
Jazmine M. Early	
Kozeta Elzhenni	(Citizens Advisory Committee-Community Development Bl Grant-exp. 06/30/16)
Charles W. Jefferson	
Robert Lulgjuraj	(Ethnic Community Committee-exp. 06/30/16)
Howard Sizemore II	
Alvin Thomas	
Joyce Tye	(Beautification Commission-exp. 06/30/17)
Matthew Zarna	
Stacy Ziarko	

The Commission shall consist of 12 members who shall be appointed by the City Council. All appointments to the Commission shall be for a four year term, with the term of office for three members of the Commission expiring on June 30 of each year. Members of the Commission shall be registered electors of the city upon appointment and shall remain so during their term of office.

"A" means the individual is **already appointed** to Board or Commission denoted

"E" means the individual **has been elected** to Board or Commission denoted

shaded area means Board or Commission that is appointed by the Mayor with confirmation of City Council

the number is the ranking given by the applicant to that Board or Commission they are interested in

		Total Board and Comm. Assign	Arts Commission	Beautification Commission	Board of Code Appeals	Board of Ordinance Appeals	Board of Ordinance Appeals II	Board of Review	Building Authority	Citizens Advisory Committee	Civil Service Commission Act 78	Corridor Improvement Authority	Civil Service Comm - Charter	Econ Dev Corp\Brownfield Authority	Elected Officials Comp Comm	Election Commission	Ethnic Community Committee	Historical Commission	Housing Commission	Library Board of Trustees	Local Development Finance Authority	Pension Board Gen Emp	Pension Board Police & Fire	Planning Commission	Solid Waste Mgt Comm	Telecommunication Comm	Transportation Advisory Comm	Zoning Board of Appeals	
ADAMS	JANIS	1	2	A														3	4	5						6			6
ALOMARI	MOHAMMED	1	17			4		6	7		8		9		2	1	A		10	13	11			12		14	15	3	16
DENT	JUDI	0	4							5								2	3	1									5
DOLFUS	JASMINE	1	1														A												2
EARLY	JAZMINE	0	8	20	25	2	2	12	21	5	19	18	24	23	17	16	3	15	4	14	13	22	11	6	1	10	9	7	25
ELZHENNI	KOZETA	1	17	2	21	22		20	19	A	23	25	18	24	16	4	1	6	5	7	8	9	10	11	12	14	13	15	25
JEFFERSON	CHARLES	0	2							1		5						3								4	5		6
LULGJURAJ	ROBERT	1	22	24	15	9		11	14	1	13	4	20	2	5	12	A	19	8	23	3	17	18	21	16	10	6	20	24
SIZEMORE II	HOWARD	0	14	5	10	9		6	18	7	13	21	19	2	11	4	22	25	20	24	3	17	16	1	8	23	12	15	25
THOMAS	ALVIN	0	2														1	4	5	3									5
TYE	JOYCE	1	4	A				2								5			1					6				7	7
ZARNA	MATTHEW	0	9	25		1		2		5	6	7	8	3	10	11	12	13	14	15	16	17	18	19	20	22	21	23	24
ZIARKO	LYNNE	0	2																	1									2

Library Board of Trustees

(5 Members)

(One Vacancy)

Name	Request Re-Appt. (Yes/No)	Expiration Date of New Term	Action
1. Unexpired Term		06/30/16	

Applications on File:

Janis Adams	(Beautification Commission-exp. 06/30/16)
Mohammed Alomari	(Ethnic Community Committee-exp. 06/30/17)
Judi Dent	
Frank DiMaria	(Arts Commission-exp. 06/30/17)
	(Historical Commission-exp. 06/30/18)
Jazmine M. Early	
Kozeta Elzhenni	(Citizens Advisory Committee-Community Development BI Grant-exp. 06/30/16)
Margaret Forbes	
Jennifer Gubin	
Robert Lulgjuraj	(Ethnic Community Committee-exp. 06/30/16)
Ryan Makowski	
Sharon Mason	(Beautification Commission-exp. 06/30/17)
Stephanie A. McCarthy	
Benjamin D. McMartin	
Kerre E. O'Neil	
Joanne L. Paraventi	(Citizens Advisory Committee-Community Development BI Grant-exp. 06/30/16)
Howard Sizemore II	
John L. Stampor	(Arts Commission-exp. 06/30/18)
Alvin Thomas	
Wanda Walker (Hansbrough)	(Housing Commission-exp. 12/31/16)
Matthew Zarna	
Stacy Ziarko	

The Board of Library Trustees shall consist of five members appointed by the City Council. Members shall be appointed for a term of three years. Each member of the Library Board of Trustees shall serve until the successor is appointed and qualifies.

"A" means the individual is **already appointed** to Board or Commission denoted

"E" means the individual **has been elected** to Board or Commission denoted

shaded area means Board or Commission that is appointed by the Mayor with confirmation of City Council

the number is the ranking given by the applicant to that Board or Commission they are interested in

		Total Board and Comm. Assign	Arts Commission	Beautification Commission	Board of Code Appeals	Board of Ordinance Appeals	Board of Ordinance Appeals II	Board of Review	Building Authority	Citizens Advisory Committee	Civil Service Commission Act 78	Corridor Improvement Authority	Civil Service Comm - Charter	Econ Dev Corp\Brownfield Authority	Elected Officials Comp Comm	Election Commission	Ethnic Community Committee	Historical Commission	Housing Commission	Library Board of Trustees	Local Development Finance Authority	Pension Board Gen Emp	Pension Board Police & Fire	Planning Commission	Solid Waste Mgt Comm	Telecommunication Comm	Transportation Advisory Comm	Zoning Board of Appeals	
ADAMS	JANIS	1	2	A														3	4	5						6			6
ALOMARI	MOHAMMED	1	17			4		6	7		8		9		2	1	A		10	13	11			12		14	15	3	16
DENT	JUDI	0	4							5								2	3	1									5
DIMARIA	FRANK	2	A															A		2						3			4
EARLY	JAZMINE	0	8	20	25	2	2	12	21	5	19	18	24	23	17	16	3	15	4	14	13	22	11	6	1	10	9	7	25
ELZHENNI	KOZETA	1	17	2	21	22		20	19	A	23	25	18	24	16	4	1	6	5	7	8	9	10	11	12	14	13	15	25
FORBES	MARGARET	0																	1	4					3	2			4
GUBIN	JENNIFER	0		4		3		5			2								1	6									6
LULGJURAJ	ROBERT	1	22	24	15	9		11	14	1	13	4	20	2	5	12	A	19	8	23	3	17	18	21	16	10	6	20	24
MAKOWSKI	RYAN	0				5													1	3	2	4							5
MASON	SHARON	1		A																1									2
MCCARTHY	STEPHANIE	0																		1				2					2
MCMARTIN	BENJAMIN	0				1				3				4					2	6								5	6
O'NEIL	KERRE	0														1				2									2
PARAVENTI	JOANNE	1				8			6	A		10		5		1			2	3				7			4	9	11
SIZEMORE II	HOWARD	0	14	5	10	9		6	18	7	13	21	19	2	11	4	22	25	20	24	3	17	16	1	8	23	12	15	25
STAMPOR	JOHN	1	A																	1									2
THOMAS	ALVIN	0	2														1	4	5	3									5
WALKER	WANDA	1																	A	1									2
ZARNA	MATTHEW	0	9	25		1		2		5	6	7	8	3	10	11	12	13	14	15	16	17	18	19	20	22	21	23	24
ZIARKO	LYNNE	0	2																	1									2

DELIVERED DEC 3 0 2015

CITY OF Sterling Heights
InnovatingLiving

Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 7
Meeting: 01/05/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider an amendment to the city of Sterling Heights Governing Body Rules of Procedure (Presentation – City Manager).

Submitted By: Office of City Management

Contact Person/Telephone: Mark Vanderpool, City Manager (586) 446-2301

Administration (initial as applicable)		Attachments			
MC	City Clerk	__	Resolution	__	Minutes
FS	Finance & Budget Director	__	Ordinance	__	Plan/Map
JB	City Attorney (as to legal form)	__	Contract	x	Other
MV	City Manager				

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

Executive Summary:

Background – Since adoption on April 5, 1994, the Governing Body Rules of Procedure (the Rules) have been periodically reviewed and amended eleven times to address desired changes to the rules and procedures that govern the conduct of City Council meetings.

At the regular meeting of December 15, 2015, City Council member Doug Skrzyniarz, with the consent of the City Council, proposed that an amendment to the Rules be drafted and brought forward that would reduce the time allotted to citizens to comment on agenda items and under Communications from Citizens from seven minutes to four minutes. The seven minute limit was introduced into the Rules in 2012.

Proposed Amendment – City Administration has prepared the following text amendment to Rule 5 for City Council consideration:

RULE 5. CITIZEN COMMUNICATION

A person may address the Council once on each agenda item at the time the item is considered, but prior to Council consideration, and once under "Communications from Citizens" as provided for on each agenda for regular and special meetings. The following rules shall apply when a person is addressing the Council:

A. All comments shall be directed to the Chair. A person does not have the right to engage in discussion or debate with the Council or any member.

B. A person may be called to order by the Chair or any Council member for failing to be germane to the business of the City, for use of vulgarity, for a personal attack on persons or institutions, or for announcing or advancing the speaker's candidacy for public office.

C. A person is allowed ~~six~~ three minutes to address the Council, with not more than one additional minute to summarize and conclude. The Chair may reduce the allowable time to three minutes to ensure that all persons interested in addressing the Council on an agenda item or under Communication from Citizens have an opportunity to speak. The Chair's ruling is subject to an appeal by any Council member to the Council.

D. Under "Communications from Citizens," a person may address the Council on issues not on the agenda. At this time, any person not a member of the Council may address the Council.

E. Generally, no response shall be made by a Council member or Administration until all persons have finished addressing the Council. The Chair shall first request a response from the Administration and then Council members may comment.

F. A person who is called to order for a violation of these rules shall thereupon take his/her seat until the Chair shall have determined whether he/she is in order. Every question of order shall be decided by the Chair subject to an appeal by any Council member to the Council. If a person so engaged in presentation shall be determined by the Council to be out of order that person shall not be permitted to continue to speak at the same meeting.

At a special meeting of the Council, any matter brought up from citizens may be deferred to another time or referred for study and recommendation upon the request of the Chair or the majority vote of the Council present; however, if all members of the Council are present at any special meeting, then any business which might come lawfully before a regular meeting of the Council, may be transacted at such special meeting.

A survey of time limits adopted by comparable municipalities indicates that on average, 3.6 minutes is granted to a citizen when addressing the governing body. The results of the survey are presented immediately below:

Municipalities	# of Minutes Allowed
Livonia	2
Ann Arbor	3
Dearborn	3
Farmington Hills	3
Lansing	3
Macomb Township	3
Rochester Hills	3
Warren	3
Clinton Township	5
Shelby Township	5
Southfield	5
Troy	5
Grand Rapids	5

Other Governing Bodies	
Utica Community Schools	3
Warren Consolidated Schools	3
Macomb County Board of Commissioners	3

Suggested Action:

MOVED BY: SECONDED BY:

RESOLVED, to approve the amendment to Rule No. 5 of the City of Sterling Heights Governing Body Rules of Procedure to reduce the time limit for persons addressing the City Council to four minutes.

CITY OF STERLING HEIGHTS
GOVERNING BODY RULES OF PROCEDURE

Sterling Heights City Council

Adopted:	April 5, 1994
First Amendment:	September 20, 1994
Second Amendment:	June 20, 1995
Third Amendment:	December 19, 1995
Fourth Amendment:	March 5, 1996
Fifth Amendment:	April 4, 2000
Sixth Amendment:	December 6, 2005
Seventh Amendment:	February 15, 2011
Eighth Amendment:	June 5, 2012
Ninth Amendment:	August 21, 2012
Tenth Amendment:	September 18, 2012
Eleventh Amendment	August 6, 2014
Twelfth Amendment	January ___, 2016

CITY OF STERLING HEIGHTS
GOVERNING BODY RULES OF PROCEDURE
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RULE 1. ORGANIZATION

The City Council is the governing body of the City and consists of the Mayor and six Council members who are elected at large. The Council candidate receiving the highest number of votes at each regular City election shall serve as Mayor Pro Tem for a term expiring at the second regular meeting in November following the next regular City election.

As used herein, the term Mayor shall refer to the presiding officer of the Council. The Mayor Pro Tem shall act on behalf of the City in the absence or disability of the Mayor. In the event of absence or disability of both the Mayor and Mayor Pro Tem, the Council may designate another of its members to serve as acting Mayor during such absence or disability.

RULE 2. REGULAR MEETINGS

Regular meetings of the Council shall be held in public on the first and third Tuesdays of each month at 7:30 P.M. in the Council Chambers of the Sterling Heights Civic Center; provided, however, when the first or third Tuesday of a month shall be a legal holiday or election day, then, and in that event, the regular meeting of the Council shall be held on the following day.

RULE 3. SPECIAL MEETINGS

Special meetings of the Council may be called by the Clerk of the Council on written request of the Mayor or any three members of the Council on twenty-four (24) hours' written notice to each member of the Council, designating the purpose of such meeting and served personally or left at his/her usual place of residence. Any special meetings of the Council shall be held in public at the Sterling Heights Civic Center or at such other place as may be designated in the notice of the special meeting.

No business shall be transacted at any special meeting of the Council unless the same has been stated in the notice of such meeting. However, if all the members of the Council are present at any special meeting of the Council, then any business which might lawfully come before a regular meeting of the Council, may be transacted at such special meeting.

RULE 4. MEETINGS OF THE COUNCIL TO BE PUBLIC

All regular and special meetings of the Council shall be open to the public.

RULE 5. CITIZEN COMMUNICATION

A person may address the Council once on each agenda item at the time the item is considered, but prior to Council consideration, and once under "Communications from Citizens" as provided for on each agenda for regular and special meetings. The following rules shall apply when a person is addressing the Council:

A. All comments shall be directed to the Chair. A person does not have the right to engage in discussion or debate with the Council or any member.

B. A person may be called to order by the Chair or any Council member for failing to be germane to the business of the City, for use of vulgarity, for a personal attack on persons or institutions, or for announcing or advancing the speaker's candidacy for public office.

C. A person is allowed ~~six~~ three minutes to address the Council, with not more than one additional minute to summarize and conclude. The Chair may reduce the allowable time to three minutes to ensure that all persons interested in addressing the Council on an agenda item or under Communication from Citizens have an opportunity to speak. The Chair's ruling is subject to an appeal by any Council member to the Council.

D. Under "Communications from Citizens," a person may address the Council on issues not on the agenda. At this time, any person not a member of the Council may address the Council.

E. Generally, no response shall be made by a Council member or Administration until all persons have finished addressing the Council. The Chair shall first request a response from the Administration and then Council members may comment.

F. A person who is called to order for a violation of these rules shall thereupon take his/her seat until the Chair shall have determined whether he/she is in order. Every question of order shall be decided by the Chair subject to an appeal by any Council member to the Council. If a person so engaged in presentation shall be determined by the Council to be out of order that person shall not be permitted to continue to speak at the same meeting.

At a special meeting of the Council, any matter brought up from citizens may be deferred to another time or referred for study and recommendation upon the request of the Chair or the majority vote of the Council present; however, if all members of the Council are present at any special meeting, then any business which might come lawfully before a regular meeting of the Council, may be transacted at such special meeting.

RULE 6. ADJOURNMENTS AND RECESS

The Council shall have the power to recess any regular or special meeting to a day and time certain, which recess shall not be beyond the time of the next regular meeting, and the adjourned meeting, shall be considered as a continuation of the same regular or special meeting. Any business which would have been proper for the Council to consider at such meeting may be considered and acted upon at the recessed meeting. A two-thirds roll call vote of members elected or appointed and serving shall be required to call a closed session, except for closed sessions permitted under Section 8(a), (b), (c), (g), (i), and (j) of Act 267 of

1976. A recess of any other legal purpose may be called by the Mayor, unless a majority of the Council present objects, or a recess may be called by vote of the majority of the Council present.

The discussions held in closed session and confidential material distributed in a closed session shall be held confidential by Members of the Council. The intentional dissemination of confidential information received in closed session, whether oral or written, shall constitute misconduct of office.

No meeting shall be permitted to continue beyond 12:00 midnight without approval of a majority of the Council present. A new time limit must be included in the motion before taking a Council vote to extend the meeting. Items not acted on upon adjournment shall be deferred to the next regular Council meeting, unless the Council, by a majority vote of members present, determines otherwise.

RULE 7. AGENDA - REGULAR MEETINGS

The City Manager, or his/her designate, shall prepare an agenda of business to be considered at each regular Council meeting. Items of business generally must be submitted by close of business at the third Friday preceding the next regular meeting in order to be placed upon the agenda of the next regular meeting, subject to the discretion of the City Manager.

The Clerk of the Council, under the direction of the City Manager, shall arrange a list of such matters according to the order of business and prepare an agenda for the Council. A copy of the agenda and supporting materials shall be prepared for Council Members, the City Manager, the City Attorney, and the press on or before 5:00 PM three working days before a regular Council meeting. Council Members shall not request the City Manager to add an item to the agenda, except for ceremonial items, after the preparation of the agenda. The Council shall have the option of deleting any item from the agenda or deferring an item on the agenda to a subsequent Council meeting.

The agenda of regular meetings of the City Council shall be prepared in accordance with the following format:

1. Approval of Agenda
2. Report from City Manager
3. Public Hearings
    (a) At any public hearing all persons who wish to be heard shall be heard. The Chair may change the order of speakers so that testimony is heard in the most logical groupings (i.e., proponents, opponents, adjacent owners, vested interests, etc.). If a member of the public is addressing the Council at a scheduled public hearing, he or she shall stand to obtain recognition by the Chair at the opening, of the hearing, or at the conclusion of the remarks of the previous speaker.

(b) The Chair introduces the agenda item, opens the public hearing, and announces the following Rules of Order:

(1) "All comments by proponents, opponents, or the public shall be made from the speaker's podium and any individual making comments shall first give their name and address. This is required because an official record of the public hearing is being, made."

(2) "It is not necessary to be a proponent or opponent in order to speak."

(3) "No comments shall be made from any other location, and anyone making 'out of order' comments may be subject to removal from the meeting."

(4) "There will be no demonstrations during or at the conclusion of anyone's remarks or presentation."

(5) "These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his or her right of free speech."

(c) The Chair closes the public hearing.

4. Ordinances - Introduction

5. Ordinances - Adoption

6. Consent Agenda

(a) The consent agenda is defined as those items on the Council agenda which are considered routine by the City Manager. Special consideration items such as labor agreements and waivers of bid requirements require action as a consideration and are not to be a part of the consent agenda. The suggested action should be printed as part of the agenda, and, unless a member of the Council specifically requests that such item on the agenda be removed therefrom and Council action taken separately on said item. The consent agenda shall be considered without debate by motion and vote of the Council. Those items so approved under the heading "Consent Agenda" shall appear in the Council minutes in the adopted form. The consent agenda shall include the following items:

1. Approval of Minutes
2. Approval of Bills
3. Award of Bids
4. Setting Dates for Public Hearings
5. Setting Dates for Hearings
6. Setting Dates for Receipt of Bids
7. Proclamations
8. Receive New Litigation
9. Final Plat Approvals
10. Final Payment on Contracts

11. Approval of annual recurring expenditures and/or contracts to the lowest bidder meeting specifications previously approved by Council in the annual budget
12. Additional Routine Items

7. Considerations
8. Communications from Citizens
   (a) This item shall be taken up at 10:00 p.m. if the business portion of the agenda has not been concluded.
9. Reports from the City Administration and City Council and City Attorney
10. Unfinished Business
11. New Business
12. Closed Sessions Permitted under Act 267 of 1976
13. Adjourn

If the approval of minutes are removed from the consent agenda, any proposed corrections will be suggested to the City Clerk. The approval of the minutes will be postponed to the following meeting to allow the clerk to make the proposed corrections and to resubmit the minutes to City Council for approval.

RULE 8. AGENDA - SPECIAL MEETINGS

The City Manager, or his/her designate, shall prepare an agenda of business to be considered at each special Council meeting. The notice of such meeting, setting forth the time, place and purpose, together with the agenda, shall be served in accordance with the City Charter upon each member of the Council.

The agenda of a special Council meeting shall generally follow the same format as that provided for regular Council meetings.

RULE 9. PRECEDENCE OF MOTIONS

When any main motion is upon the floor and the question is under debate, no motions shall be received but the following and they shall have precedence in the following order, to wit:

Not Debatable

- To adjourn.
- To lay on the table.
- To call for the previous question.
- To postpone to a date certain.

Debatable

- To postpone indefinitely.
- To recess for a definite time.

- To refer.
- To amend.
- To amend the resolution to amend

RULE 10. DIVISION OF THE QUESTION

A motion for a division of any question may be made when the question will admit of a division so distinct that if one part be taken away, the other will stand as an entire question for decision.

RULE 11. WITHDRAWAL OF A MOTION

A member may withdraw his/her motion at any time before it is put to a vote.

RULE 12. VARYING ORDER OF PROCEDURE

The Mayor may, at any time, by a majority vote of the members of the Council present permit a member to introduce an item of business out of the regular order of business.

RULE 13. POINTS OF ORDER

A. The Chair shall be addressed as "Mr. Mayor/Madam Mayor" or "Mr. Chairman/Madam Chairwoman". The Mayor Pro Tempore, when acting for the Mayor, shall be addressed as "Mayor Pro Tem (surname)". Members of the Council shall be addressed as "Councilmember (surname)".
B. A motion may be made by saying, "Mr. Mayor/Madam Mayor, I move that, etc." or "Mr. Chairman/Madam Chairwoman, I move that, etc."
C. A speaker is out of order when speaking of matters foreign to the issue.
D. Rule violations must receive immediate attention from the Chair.
E. It is the privilege of any member to request a roll call vote.
F. On questions that are debatable, the minority has the undeniable right to deliberate.

RULE 14. QUORUM

The majority of the Council shall constitute a quorum for the transaction of business at all meetings of the Council, but, in the absence of a quorum, two or more members may adjourn any regular or special meeting to a later date.

RULE 15. AUTOMATIC POSTPONEMENT

On any matter which requires a vote of more than the majority of the Council members present at such meeting, and upon taking the vote, the matter receives a majority of those

present but less than the required number of votes, then, and in that event, the item shall be automatically postponed to the next regular meeting, of the Council.

RULE 16. POSTPONEMENTS

In the event a postponement is requested by the petitioner, the City Council will normally schedule all postponed items to the second regular meeting following the meeting in which a postponement was requested. Except in the most extreme circumstances, Council will take action following the first postponement and will not recognize a second postponement request.

RULE 17. TIE VOTE

On any matter upon which a tie vote is recorded due to the absence of a Council member, the matter shall be considered automatically postponed. On any matter upon which a tie vote is recorded because of the abstention by a Council member, the matter shall be defeated and the tie vote is dispositive of the matter.

RULE 18. RECONSIDERATION

A request by a member of the Council to reconsider a vote on any question which may be reconsidered shall be in order as hereinafter set forth:

A. It must be moved by one who voted with the prevailing side or by one who was absent when the vote was taken. For the purpose of this section of the Rules of Procedure, a person who is absent shall be defined as any member of the Council who was not present at the meeting at which the vote was taken, or who abstained from participating in the vote at the meeting at which time the vote was taken.

B. The making of this motion is subject to time limits as follows: The motion to reconsider can be made only on the same day the vote to be reconsidered was taken or either of the next succeeding two regular meetings after the original vote was taken.

RULE 19. RESCISSION OR REPEAL

A motion to rescind or repeal some previous action may be made at any time at any regular or special meeting of the Council, provided, such matter has been formally placed on the agenda for consideration by action of the City Council.

RULE 20. VOTING

A member who is present shall vote on all questions decided by the Council except as follows: no member of the Council shall vote on any question upon which he/she has a private interest by association because of reason of employment, kinship or a financial interest other than as a citizen of the City and any member may be excused for voting on a question by the majority of the remaining members of the Council present.

RULE 21. APPEAL FROM RULING OF THE CHAIR

An appeal from the ruling of the Chair, if supported, must be put to a vote of the Council. A majority vote of the members of the Council present in favor of the appeal shall overrule the Chair.

RULE 22. COMPLAINTS AND SUGGESTIONS TO COUNCIL

When citizen complaints or suggestions are presented to Council, other than items already on the agenda, the Chair shall first determine whether the issue is legislative or administrative in nature and then:

A. If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Council finds such complaint suggests a change to an ordinance or resolution of the City, the Council may refer the matter to the Administration for study and recommendation or place the item upon the agenda of a future Council meeting.

B. If administrative and a complaint regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the City Manager, the Chair should then refer the complaint directly to the City Manager for his or her review if said complaint has not been so reviewed. The City Council may direct that the City Manager brief or report to the Council when his or her response is made.

RULE 23. COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS. OR COMMITTEES

Appointments and reappointments are to be made only under prescheduled agenda items and reappointments are to be made at the Council meeting preceding the expiration date of the terms. Appointments to vacancies which occur in mid-term are to be made within one month of vacancy. Each Board and Commission appointment will be made by a separate motion; if an objection is made to any appointment or reappointment, a roll call vote is necessary. Each motion will state whether it is a reappointment, filling of a vacancy or filling of a new position and the term of office. New applications are to be included in the weekly Council information briefs. New applications are to be delivered to all Council members twelve days before the appointment is considered.

Prior to an appointment to the Planning Commission, Zoning Board of Appeals, Board of Ordinance Appeals, Board of Review, Police and Fire Pension Board, and General Employees Retirement System Board, an appointee shall be nominated, as applicable, by the Mayor or City Council at a prior regular meeting.

RULE 24. PHOTOGRAPHS, MOTION PICTURES, VIDEO TAPE - PERMISSION REQUIRED FOR ARTIFICIAL ILLUMINATION

No photographs, motion pictures, or video tapes that require the use of flash bulbs, electronic flashes, flood lights, or similar artificial illumination shall be made at City Council meetings without the consent of the Chair. The approved rules of cable casting as promulgated by the City Cable Communications Commission shall apply to all meetings of the City Council.

RULE 25. COUNCIL TRAVEL

The Council shall appropriate funds for Council travel in the legislative portion of the annual City budget. Any Council member who desires to expend Council travel funds, shall complete the regular City authorization and reporting forms and comply with the established travel policy. The City Manager shall provide a summary of all City travel reports to the Council at least quarterly.

RULE 26. PARLIAMENTARY AUTHORITY

The current edition of *Robert's Rules of Order Newly Revised* shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with these rules, the Charter, ordinances or law.

RULE 27. ELECTRONIC COMMUNICATION

A Council member shall not engage in electronic communication with another Council member or a member of the public during a regular or special meeting. Electronic communication is defined as an e-mail, text message, instant message, website or blog posting, or other form of communication transmitted or retrieved through the use of an electronic device.

RULE 28. INDEMNIFICATION AND DEFENSE OF COUNCIL MEMBERS

The City shall indemnify a Council member from any liability, loss, or damages to which a Council member may be subjected as a result of any claims, demands, costs, or judgments against a Council member arising, from any acts or omissions of a Council member in the course of that Council member's official duties.

The City shall authorize the City Attorney or such other legal counsel as directed by the City Council, to defend against any and all claims brought, or actions filed against a Council

member arising from any acts or omissions of a Council member in the course of that Council member's official duties, whether such claims or actions are rightfully or wrongfully brought or filed.

RULE 29. ETHICAL PRINCIPLES

The City Council shall be subject to and governed by the Ethics Principles and Guidelines Resolution adopted December 19, 1990.

RULE 30. SUSPENSION AND AMENDMENT OF RULES

These rules may be suspended or amended at any time, in accordance with the Charter of the City of Sterling Heights by a vote of the majority of the quorum; provided, however,

A. The Rules regarding information items of a special Council meeting may not be suspended or amended except by a vote of all of the Council members elected or appointed and serving.

B. The Rule regarding indemnification and defense of Council members may be suspended or amended on a prospective basis only, and may not be suspended or amended with respect to any particular claim or action brought or filed against a Council member.