

1. November 1, 2016 Agenda

Documents:

[11-01-16 - COUNCIL AGENDA.PDF](#)

2. November 1, 2016 Packet

Documents:

[11-01-16 - COUNCIL PACKET.PDF](#)

**MAYOR
Michael C. Taylor**

COUNCIL MEMBERS

**Joseph V. Romano, Mayor Pro Tem
Deanna Koski
Maria G. Schmidt**

**Nate Shannon
Doug Skrzyniarz
Barbara A. Ziarko**

CITY OF STERLING HEIGHTS

AGENDA FOR REGULAR CITY COUNCIL MEETING

TUESDAY, NOVEMBER 1, 2016

7:30 P.M.

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

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG AND INVOCATION

ROLL CALL

APPROVAL OF AGENDA

REPORT FROM CITY MANAGER

PRESENTATION

To recognize and honor Tammy Turgeon for being named *2016 Librarian of the Year* by the Michigan Library Association (Presentation – Mark Vanderpool, City Manager).

ORDINANCE INTRODUCTION

- 1. To consider introduction of a map amendment to Zoning Ordinance No. 278 to conditionally rezone property on the west side of Schoenherr Road, south of Moravian Road, in Section 35 from O-1 (Business & Professional Office District) and P-1 (Vehicular Parking District) to C-3 (General Business District); Case No. PZ16-1143 (Presentation – Chris McLeod, City Planner).**
- 2. CONSENT AGENDA**

- A. **Approval of Minutes**
Regular Meeting of October 18, 2016
- B. **Approval of Bills**
- C. **To award a bid for the removal and replacement of the roof at Fire Station #5 (Total expenditure of \$139,200).**
- D. **To purchase software and professional services to implement the *Cityworks* Computer Maintenance Management System for the Department of Public Works (Total Year 1 expense of \$125,600 – 90% funded through a Stormwater, Asset Management, and Wastewater (SAW) Grant).**
- E. **To approve a Municipal Primary Street Maintenance Agreement for mowing and sweeping of County Roads.**
- F. **To adopt a resolution establishing a Sister City Partnership with Jaffna, Sri Lanka.**
- G. **To approve the application by SW Navarre, LLC, d/b/a Game Land, for a Type A Amusement Device License and a variance at 43648 Schoenherr Road, Sterling Heights, MI 48313.**

CONSIDERATION

- 3. **To consider a moratorium in the City of Sterling Heights on the opening and operation of new banquet facilities, and on the expansion of existing banquet facilities, for a period of 6 months (Presentation Chris McLeod, City Planner).**

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

NEW BUSINESS

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

ADJOURN

Clerk of the Council

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

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

**MAYOR
Michael C. Taylor**

COUNCIL MEMBERS

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CITY MANAGER'S REPORT

November 1, 2016 --- CITY COUNCIL MEETING

A. VETERAN'S DAY

- **In observance of Veterans' Day, City offices will be closed for business on Friday, November 11.** The municipal offices include City Hall, Public Library, Parks & Recreation Center, Senior Active Life Center, 41-A District Court, and the Nature Center. The closure will NOT affect the City's refuse schedule; trash will be collected on the normal collection day next week.
- **Annual Sterling Heights Veterans Day Ceremony**
The **Annual Veterans Day Ceremony** will be held at **11 am on Friday, November 11** at the **Sterling Heights Recreation Center**. The ceremony is co-sponsored by local veterans' groups with the assistance of the Sterling Heights Community Foundation and made possible this year with the generosity of Sam's Club and Utica Van Dyke Towing. The foundation is presently seeking additional sponsors to support the ceremony. Additional information can be obtained by contacting the Community relations Department at 586.446.2470.

B. PRIDE & SHINE

This year's Pride & SHINE Day is this Saturday, November 5th. Residents are encouraged to make their properties "SHINE" in preparation for the upcoming winter months. Volunteers are needed to assist residents who need help in cleaning up their property. For more info contact Community Relations at 586-446-2470.

C. RELEAF MICHIGAN

As part of Pride & SHINE Day, the City of Sterling Heights has partnered with ReLeaf Michigan to plant 15 trees on Saturday, November 5th along 17 Mile Road and Utica in Sterling Heights. Organizers are looking for volunteers to help out on Saturday morning. This is a family friendly event, and is free to any members of the public wishing to volunteer. ReLeaf Michigan will demonstrate how to properly plant a tree at 9:00 a.m. ReLeaf Michigan, a non-profit organization, partners with communities statewide to increase tree canopy cover through tree planting events. Trees provide many benefits to communities such as shade, improving economic vitality of commercial districts, absorbing storm water, and reducing carbon in our atmosphere. By partnering with ReLeaf Michigan, the City of Sterling Heights continues to build on an already successful forestry program that invests in the city's future. This planting is being sponsored by ReLeaf Michigan (www.ReLeafMichigan.org), DTE Energy Foundation and the City of Sterling Heights. For more information or to RSVP, please e-mail sgiallombardo@sterling-heights.net or call 586-446-2470.

D. CITYWORKS

The DPW has identified the need for the Cityworks software suite. This software will create a "virtual blueprint" of the City's utility assets and will allow DPW staff to track location, age, maintenance performed, and useful life expectancy of all its utilities. By utilizing this software, DPW staff will make informed decisions on when it is most cost effective to repair, replace, or rehabilitate utility assets, and to develop a long-term strategy to ensure its ability to deliver reliable utility service. The Cityworks Software Suite will integrate with SeeClickFix and allow residents to report issues that will

generate work orders through Cityworks, preventing double entries and keeping all departments up to date and in-sync.

E. LAWNGURU (Presentation)

The City of Sterling Heights announced today it is expanding its on-demand snow removal and lawn mowing offerings by working with Michigan-owned and operated "LawnGuru," which is now available for residents to download and use. Lawn Guru allows users to summon a certified contractor, pay for requested services via credit card and receive a receipt of follow-up, all from the convenience of a smartphone, tablet or desktop computer. Throughout the past year, the City of Sterling Heights has worked diligently to research, seek and promote innovative technology its residents can utilize to help them take care of household tasks such as snow removal from the driveway and sidewalk as well as lawn care and trimming. Earlier this year, the City began conversations with Ann Arbor-based LawnGuru to bring more on-demand options to Sterling Heights residents. Co-founders Brandon and Skye are here to discuss our new partnership.

F. CLINTON RIVER UPDATE

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark D. Vanderpool", written over a horizontal line.

Mark D. Vanderpool, City Manager

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To recognize and honor Tammy Turgeon for being named *2016 Librarian of the Year* by the Michigan Library Association (Presentation – Mark Vanderpool, City Manager).

Submitted By: Community Relations Department

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

Administration (initial as applicable)

Attachments

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

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

Executive Summary

Introduction – For over 30 years, the Michigan Library Association (MLA) has recognized a *Librarian of the Year*. The selection criteria for *Librarian of the Year* include outstanding contributions and accomplishments to the library community over an extended period of time. Recipients of this honor provide innovative library service to their communities and promote collaboration among libraries. They have demonstrated personal and professional achievement as well as initiative and creativity. *Librarians of the Year* are first and foremost leaders that are cutting edge thinkers and inspiring professionals.

2016 Librarian of the Year (Gail Madziar, MLA Executive Director, Presenter) – At the MLA Annual Conference held in Lansing, Michigan over October 26th – 28th, Tammy Turgeon, Library Director of the Sterling Heights Public Library and Director of the Suburban Library Cooperative, received the 2016 *Librarian of the Year* award. In recognizing Tammy with this distinguished award, the MLA cited her achievements:

As part of an ongoing effort to connect schools with their local public libraries, Turgeon is coordinating the Suburban Library Cooperative members' expansion of the ConnectEd program started by the Clinton Macomb Public Library. This project would allow schoolchildren from 20 school districts in Macomb County, Troy, and Harper Woods to access the area's 21 public libraries' electronic resources in the classroom, at home or on the go simply by using their school ID card.

"Tammy is a perfect example of today's librarian with the vision to reimagine library services and to help the libraries take on the many roles needed in the community," said Gail Madziar, MLA Executive Director. "Her use of technology to provide access to library resources and equal learning opportunities will help all students succeed and acquire important 21st century information literacy skills. This is just one reason Tammy is so deserving of this award."

This award comes as no surprise to Tammy's Sterling Heights' colleagues and her library patrons. Tammy is the embodiment of innovative, passionate, and positive leadership in her Public Library Directorship. Under Tammy's direction, the Sterling Heights Public Library continues to flourish despite some significant challenges during her tenure. Tammy has expanded her positive impact as a key administrator in the City that can always be counted on to contribute to the betterment of the community.

Recognition by State of Michigan (Rep. Jeff Farrington, Presenter) - A special tribute that was endorsed by the Rep. Farrington, Rep. Henry Yanez, and State Senator Tory Rocca will also be presented to Tammy Turgeon.

Suggested Action:

MOVED BY:

SECONDED BY:

Resolved, to recognize and honor Sterling Heights Public Library Director Tammy Turgeon for being named *2016 Librarian of the Year* by the Michigan Library Association



AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider introduction of a map amendment to Zoning Ordinance No. 278 to conditionally rezone property on the west side of Schoenherr Road, south of Moravian Road, in Section 35 from O-1 (Business & Professional Office District) and P-1 (Vehicular Parking District) to C-3 (General Business District); Case No. PZ16-1143 (Presentation – Chris McLeod, City Planner).

Submitted By: Office of Planning

Contact Person/Telephone: Chris McLeod, City Planner, (586) 446.2384 *CM*

Administration (initial as applicable)

Attachments

<i>MC</i> City Clerk	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Minutes
<i>CB</i> Finance & Budget Director	<input type="checkbox"/>	Ordinance	<input checked="" type="checkbox"/>	Plan/Map
<i>AK</i> City Attorney (as to legal form)	<input type="checkbox"/>	Contract	<input checked="" type="checkbox"/>	Other
<i>ML</i> City Manager				

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

Executive Summary

Introduction

Leonardo Plaza, LLC (Petitioner) is requesting a conditional rezoning for property located on the west side of Schoenherr Road, south of Moravian Road, from O-1 (Business and Professional Office District) and P-1 (Vehicular Parking District) to C-3 (General Business District) in order to develop the subject property with a 5,000 square foot commercial shopping center anchored by a Tim Horton's fast food restaurant. The subject property is currently vacant.

Background

Petitioner is the owner of the subject property, which has approximately 354' of frontage on Moravian Road and approximately 180' of frontage on Schoenherr Road. This 1.92 acre vacant parcel is surrounded by a larger vacant property that is owned by Consumers Energy. The surrounding property consists of a series of gas pipelines and is unlikely to ever be developed. The Consumers Energy property abuts the subject property on the south and west and is zoned R-60 (One Family Residential District). To the north, across Moravian Road, the property is also zoned R-60 (One Family Residential District), but is developed with the Red Run Condominiums residential development pursuant to the terms of a consent judgement that allows development with multi-family residential housing. To the east, across Schoenherr Road, the property is zoned O-1 (Business and Professional Office District) on the south side of Moravian and developed with a real estate office. On the north

side of Moravian Road, the property is zoned C-1 (Local Convenience Business District) and developed residence and greenhouse.

The City's Master Land Use Plan designates this area for Moderate Density Residential. The Moderate Density Residential designation envisions a diversity of housing types at a density of approximately 7-8 units an acre, including single family residential, attached residential units, and apartment style housing. Housing should be orientated to the street, developed in a pedestrian friendly environment, and sufficiently landscaped.

A use variance for this property was applied for and approved in 2009. Zoning Board of Appeals case PBZ09-011 was approved to allow a C-1 Local Convenience Commercial use in the O-1 and P-1 zoning districts. This use variance did not result in a commercial development of the subject property and has now expired.

Proposal

Petitioner proposes development of the subject property with a 5,000 square foot commercial building with a drive through for the anchor tenant, Tim Horton's. Ingress and egress to the commercial development will be available from one driveway providing access to Moravian Road and one driveway providing access to Schoenherr Road. There is the potential for 3 tenant spaces -- possibly fewer if any of the prospective tenants has the need for a larger tenant space. One of the three spaces will be occupied by Tim Horton's including the drive through, and the remaining two spaces will be available for lease. Tenant spaces are approximately 1,400 square feet each.

Petitioner has proposed a conditional rezoning request whereby certain conditions are being voluntarily offered to the City which would control development and uses of the subject property should the request be granted. The conditions are reflected within the plans presented to the City Council and/or will be specified in a conditional rezoning agreement entered into between the City and Petitioner.

Specific conditions which have been voluntarily offered by Petitioner include:

1. Construct the site and landscaping in accordance with Site Plan, as filed herein.
2. Construct the Floor Plan in accordance with Floor Plan, as filed herein.
3. Construct the building in accordance with Elevations, as filed herein.
4. Provide an increase in the intensity of the landscaping, as required to mitigate the loss of green space due to the variance request for the proposed encroachment into the front yard setback along Moravian Road.
5. Provide additional plantings as required to mitigate variance from removal of concrete wall to the West and to the South of the abutting R-60 One-Family Residential District

Petitioner is subject to the following time limitations that are standard in all conditional rezoning agreements and required by Zoning Ordinance No. 278:

- Apply for and obtain site plan approval for the Proposed Development of the Property within twelve (12) months of the effective date of the ordinance amendment approving the rezoning or map amendment.
- Apply for and obtain a building permit for the Proposed Development within eighteen (18) months of such effective date; and
- Complete construction of the Proposed Development within thirty (30) months of such effective date.

Variances Requested

A series of variances are requested as a part of the overall rezoning request. These include:

- A variance to permit an encroachment into the required front yard setback along Moravian Road for parking purposes. Parking is not permitted within the required front yard setback. As designed, a ten (10) foot greenbelt will be provided along Moravian Road and will be planted with a series of street trees along with a continuous landscape hedge.
- A variance to permit a reduction in the total number of parking spaces being provided from a total required of thirty nine (39) to thirty four (34). The parking calculations are based upon one (1) fast food use as well as two (2) remaining tenants being general commercial use.
- A variance is also being requested to eliminate the requirement of a masonry separation wall between the C-3 (General Business District) and the abutting R-60 (One Family Residential District) to the west and to the south. Petitioner's site plan shows a series of trees, planted every thirty (30) feet along both the west and south property lines in addition to a continuous hedge along both property lines.
- A variance is also being requested for the setback of the building to a residential district. The C-3 (General Business District) zoning requires a rear yard setback of seventy five (75) feet from residential property. The setback along the southern property line is only thirty two (32) feet. This area abuts the Consumers Energy property and will likely not be developed for single family purposes.
- A variance to construct a building with a drive through facility within the required one hundred and three (103') foot setback (as measured from the centerline of Moravian). The proposed setback meets the standard front yard setback for a C-3 commercial building; however, the specific standards for drive through facilities require an additional twenty five (25) feet. The setback provided for the building is approximately eighty three (83) feet rather than the required one hundred and three (103) feet. It is noted that the drive through portion of the building does meet the required setback, just not the entire building.
- A variance to allow the drive through use when not adjacent to other properties zoned for business use. As noted previously, this site abuts Consumers Energy property and that property will likely not be developed for single family purposes and will likely remain vacant (with the exception of the gas processing equipment), thereby limiting the potential impact of a drive through in this location.

Planning Considerations

Based upon the location and development patterns within this area, the rezoning request from O-1 (Business and Professional Office District) to C-3 (General Business District), with the conditions being offered by Petitioner, can be seen as logical and appropriate. The subject property is somewhat isolated and will likely not create an adverse land use relationship to the remaining area properties to the west and the south due to Consumer's Energy primary and long-term use for natural gas transmission.

Further, at the Planning Commission public hearing, Petitioner's representative indicated that additional plantings would be provided on the north side of Moravian Road to help address

screening, noise and light pollution that may be generated by the site. These improvements would not be installed on Petitioner's property, but were offered by Petitioner for the record. The plantings would need to be coordinated with the condominium association to the north and included within the conditional rezoning agreement.

The proposed shopping center is limited in size due to the configuration of the property. The proposed shopping center will have a maximum of three (3) tenants. The size and nature of the proposed center should limit the overall intensity of the use. Further, the proposed site plan shows an extensive landscape plan which provides significant street trees and hedge rows between the center itself and all four (4) property lines.

Finally, Petitioner's site plan has been amended to indicate that Moravian Road will be widened to a width of three (3) lanes as a part of the overall development. This was done as a result of the concerns raised at the public hearing by the adjacent condominium residents. The City in conjunction with the Macomb County department of Roads has reviewed the need for upgrading the traffic signalization installed at the Moravian Road and Schoenherr Road intersection. The conclusion of this study was that with left turn lanes being available for east and westbound Moravian Road traffic, the signalization for the intersection should be upgraded to provide dedicated left turn signals (arrows) for northbound and southbound traffic. The City is supportive of this long overdue improvement of traffic signalization at this intersection which will be constructed along with related intersection improvements with the project next Spring/Summer.

The new signalization will be installed pursuant to a cost sharing agreement between Macomb County (75% share) and the City (25% share). Petitioner is absorbing the cost for installing the additional lane along Moravian Road.

Recommendation

The Office of Planning reviewed Petitioner's conditional rezoning request and offered the Planning Commission the following points to consider:

1. Conditional rezoning of this property based upon the proposed voluntary conditions and development plans ensures that the development will be constructed in accordance with a specific zoning agreement between Petitioner and the City, to the benefit surrounding property owners and the City;
2. Conditional rezoning of this property based upon the proposed voluntary conditions and development plans will result in a development compatible with the surrounding zoning and land uses;
3. Conditional rezoning of this property would provide a suitable land use in keeping with the stated planning principles as defined in the City's Master Land Use Plan.

At the regular meeting of August 11th, 2016, the Planning Commission approved by a 9-0 vote the following motion to recommend approval of Petitioner's request to conditionally rezone the subject property, Case No. PZ15-1143:

Motion by Mr. Militello, supported by Mr. Jaboro that the Planning Commission forward a recommendation to City Council to APPROVE case number PZ16-1143, Leonardo Plaza LLC, request to conditionally rezone property from O-1 (Business and Professional Office District and P-1 Vehicular Parking to C-3 General Business for the following reasons:

1. Conditional rezoning of this parcel based upon the proposed conditions contained within the development plans will ensure that the development will be constructed in accordance with a specific mutually agreeable conditional rezoning agreement between the petitioner and city prepared by the City Attorney, which incorporates the conditions offered by petitioner, to the benefit of surrounding property owners and the city;
2. Conditional rezoning of this parcel based upon the proposed development plans will result in a development compatible with the surrounding zoning and land uses.

Suggested Action:

MOVED BY:

SECONDED BY:

RESOLVED, to introduce a map amendment to conditionally rezone property on the west side of Schoenherr Road, south of Moravian Road in Section 35, from O-1 (Business and Professional Office District) and P-1 (Vehicular Parking District) to C-3 (General Business District), Case No. PZ15-1143, and direct the Applicant to proceed to finalize a proposed agreement so that the City Council can further evaluate the offer of conditional rezoning of the property at the December 6th, 2016 regular meeting.

NOTIFICATION LIST

Nick Lavdas

Leonardo Plaza, LLC

3671 12 Mile Road

Warren MI 48092



**PLANNING COMMISSION
Staff Report**

APPLICANT: PZ16-1143 – LEONARDO PLAZA, LLC

34255 Schoenherr Road

AUGUST 11, 2016

SUMMARY:

Requested Action: Conditional Rezoning from O-1 (Business & Professional Office) District to C-3 (General Business) District.

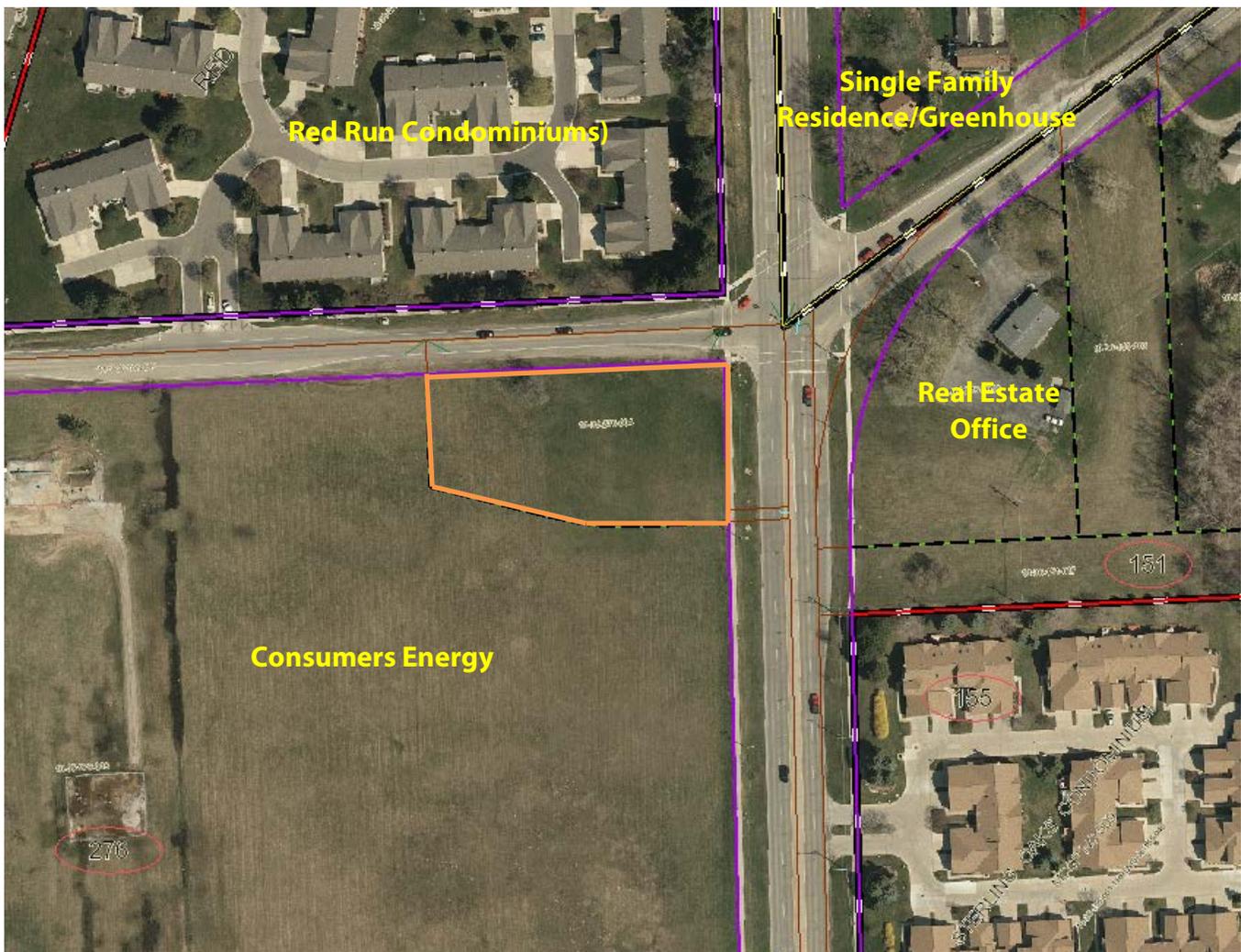
Proposal: Three (3) tenant shopping center with drive through facility

Location: West side of Schoenherr, south side of Moravian in Section 35.

Existing Zoning: O-1 (Business & Professional Office)

Existing Land Use: Vacant

Master Land Use Plan Designation: Moderate Density Residential



FINDINGS & CONCLUSIONS:

Introduction

See petitioner's drawing for parcel shape, dimensions, and building location.

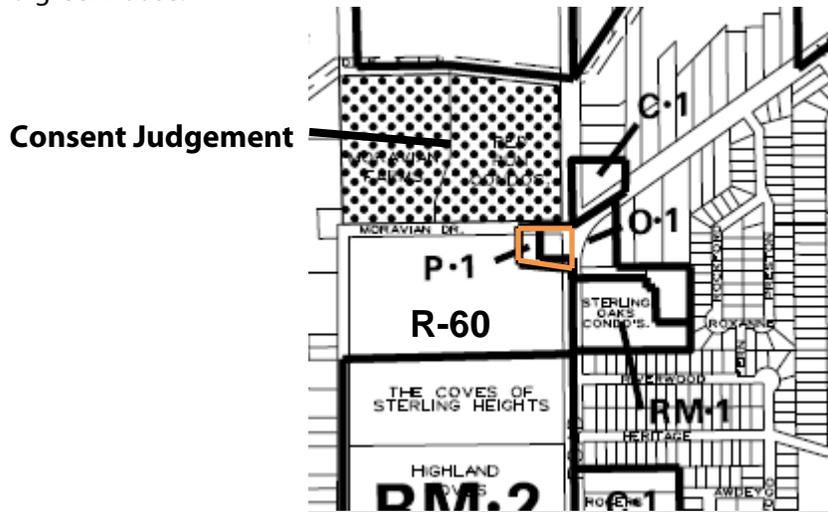
The subject property is a single vacant parcel situated at the southwest corner of Schoenherr and Moravian in Section 35 of the City. The property frontage for the property on Schoenherr Road is approximately one hundred and eighty (180) feet. The property frontage on Moravian Road is approximately three hundred and fifty four (354) feet. The total property acreage is .772 acres. The property is currently split zoned with the majority of the property being zoned O-1 Business and Professional Office and a small portion of the west and south side of the property being zoned P-1 Parking District.

The City's Master Land Use Plan designates this area for Moderate Density Residential. The Moderate Density Residential designation envisions a diversity of housing types at a density of approximately 7-8 units an acre, including single family residential, attached residential units, and apartment style housing. Housing should be orientated to the street, developed in a pedestrian friendly environment, and sufficiently landscaped.

The property to the west and south is the Consumers Energy site and while zoned R-60 Single Family Residential the nature of the use and the easements associated with that site severely limit the potential of single family residential development occurring on the site and therefore limit the potential conflict between a commercial use and an abutting single family residential district.

To the north of the site, across Moravian Road are the Red Run Condominiums. This site is zoned R-60 One Family Residential District, but is also regulated by a consent judgment (court order) which allowed the development of attached multiple family housing at that density.

To the east, across Schoenherr Road is zoned O-1 Business and Professional Office on the south side of Moravian and C-1 Local Convenience Business District on the north side of Moravian. The property zoned for Office on the south side of Moravian is developed as a real estate office, while the property on the north side of Moravian is used as a residence and greenhouse.



History

A use variance for this property was applied for and approved in 1999. Zoning Board of Appeals case PBZ09-011 was approved to allow a C-1 Local Convenience Commercial use in the O-1 and P-1 Zoning Districts. This use variance was never used since the owner never developed a plan and no development utilizing the use variance for the site ever took place.

Proposal

Petitioner is proceeding with a conditional rezoning request whereby a site plan is being provided as a condition of the overall rezoning application. The conditions reflected within the plans presented to the Planning Commission and City Council will also be specified in the conditional rezoning agreement entered into between the City and Petitioner should the conditional rezoning application be approved. The Planning Commission should elicit from the petitioner the conditions that it is offering as part of this conditional rezoning request. These conditions should be made a part of the record and included or referenced in any motion of approval.

The site plan provided indicates the proposed construction of a 5,000 square foot shopping center with up to three (3) tenants within the building. The main or anchor tenant will be Tim Horton's and will be located on the south side of the center along the gas easement and the Consumer Energy property. The applicant has also provided street trees and hedge rows along both frontages of the property, in addition to landscape areas along the front of the building (Schoenherr Road frontage). The site plan also provides a continuous hedge row and tree plantings at a rate of one (1) tree for each thirty feet. The architecture of the building will include a mixture of split face rock and brick work, along with decorative accents.

The following time limitations are standard in all conditional rezoning agreements and required by Zoning Ordinance No. 278:

- Apply for and obtain site plan approval for the Proposed Development of the Property within twelve (12) months of the effective date of the ordinance amendment approving the rezoning or map amendment.
- Apply for and obtain a building permit for the Proposed Development within eighteen (18) months of such effective date; and
- Complete construction of the Proposed Development within thirty (30) months of such effective date.

Variations Requested

A series of variations are requested as a part of the overall rezoning request. These include:

- A variation to permit an encroachment into the required front yard setback along Moravian for parking purposes. Parking is not permitted within the required front yard setback. As designed, a ten (10) foot greenbelt will be provided along Moravian Road and will be planted with a series of street trees along with a continuous landscape hedge. The Commission may wish to increase the intensity of landscaping in this area to mitigate the loss of greenspace due to the proposed encroachment.
- A variation is also being request to not construct a masonry wall between the proposed use of the shopping center and the abutting R60 One Family Residential District to the west and to the south. The applicant has shown a series of trees, planted every thirty (30) feet along both the west and south property lines in addition to a continuous hedge along both property lines. In lieu of the wall not being constructed, the planning commission may require that additional plant material be installed in this area. The exact amount and type of plant material will likely depend on the final plant types chosen for those plants already shown.
- A variation is also being requested for the setback of the building to a residential district. The C-3 Zoning District requires a rear yard setback of seventy five (75) feet from residential property. The setback along the southern property line is only thirty two (32) feet. This area abuts the Consumers Energy property and will likely not be developed for single family purposes.
- A variation to construct a building with a drive through facility within the required one hundred and three (103) foot setback (as measured from the centerline of Moravian). The proposed setback meets the standard front yard setback for a C-3 commercial building; however, the specific standards for drive through facilities require an additional twenty five (25) feet. The setback provided for the building is approximately eighty three (83) feet rather than the required one hundred and three (103) feet. It is noted that the drive through portion of the building does meet the required setback, just not the entire building.
- A variation to allow the drive through use when not adjacent to other properties zoned for business use. As noted previously, this site abuts Consumers Energy property and that property will likely not be developed for single family purposes and will likely remain vacant (with the exception of the gas processing equipment), thereby limiting the potential impact of a drive through in this location.

Conclusions

The Office of Planning has reviewed the request to conditionally rezone the subject property from O-1 Business and Professional Office and P-1 Vehicular Parking to C-3 (General Business District) and is recommending approval.

Based upon the location and development patterns comprising this area, this rezoning request is logical and appropriate. The rezoning of this property for a small shopping center (5,000) square feet is not generally out of character based on the nonresidential uses on the east side of Schoenherr Road and the higher density, multiple family residential use to the north of the property and further to the south beyond the Consumers Energy property. Additionally, rezoning the subject properties to C-3 General Business District will not create an adverse land use relationship to the remaining area properties in that the property to the west and south are owned and operated by Consumers Energy, including a significant gas line easement and will likely not be developed for single family purposes. It is noted that additional landscaping may be necessary to help ease transitions between properties to the west and south as well as along the road frontages. The petitioner has offered conditions which make this development more compatible with the area.

SUGGESTED ACTION:

That the Planning Commission forward a recommendation to City Council to **APPROVE** case number PZ16-1143, Leonardo Plaza LLC, request to conditionally rezone property from O-1 (Business and Professional Office District and P-1 Vehicular Parking to C-3 General Business for the following reasons:

1. Conditional rezoning of this parcel based upon the proposed conditions contained within the development plans will ensure that the development will be constructed in accordance with a specific mutually agreeable conditional rezoning agreement between the petitioner and city prepared by the City Attorney, which incorporates the conditions offered by petitioner, to the benefit of surrounding property owners and the city;
2. Conditional rezoning of this parcel based upon the proposed development plans will result in a development compatible with the surrounding zoning and land uses.

STERLING HEIGHTS PLANNING COMMISSION
REGULAR MEETING
CITY HALL
AUGUST 11, 2016

LOCATION: City Council Chambers, 40555 Utica Road, Sterling Heights, MI
SUBJECT: Minutes of the Regular Meeting of the Planning Commission held August
11, 2016.

Mr. Reinowski called the meeting to order at 7:00 p.m.

Members present at roll call: Benjamin Ancona, Geoff Gariepy, Paul Jaboro,
Edward Kopp, Stefano Militello, Donald Miller, Jeffrey
Norgrove, Leonard Reinowski, and Gerald Rowe

Members absent at roll call: None

Also in attendance: Chris McLeod, City Planner
Clark Andrews, City Attorney

APPROVAL OF AGENDA

Motion by Mr. Miller, supported by Mr. Gariepy to APPROVE the Agenda.

Mr. Reinowski asked if there was any discussion on the motion. There was none.

Ayes: Miller, Gariepy, Norgrove, Reinowski, Rowe, Ancona, Jaboro, Kopp, Militello

Nays: None

Absent: None

Motion carried.

PZ16-1143 - Leonardo Plaza, LLC

Request for a Conditional Rezoning from R-60 (One Family Residential) district to C-3
(General Business) district for the purpose of constructing a shopping center with a
drive-through - West side of Schoenherr Road, south of Moravian in Section 35.
Property address: 34255 Schoenherr Road

Mr. Reinowski asked Mr. McLeod to give an overview.

Mr. McLeod gave an overview of the proposal. The request for conditional rezoning is to
permit the construction of a 5,000 square foot shopping center with up to three (3)
tenants within the building including a drive through facility. He stated the property to
the west and south is most likely undevelopable in the future for single family purposes
because of the gas line easement. He displayed and explained the site plan. He stated
Tim Horton's will be the anchor use on the south side of the property and potentially two
tenant spaces on the north side of the Tim Hortons. He stated there are a series of
variances requested as a part of the overall rezoning request.

Mr. Reinowski asked for the petitioner/representative to come forward to the podium.

Phil Ruggeri, 43231 Schoenherr, Sterling Heights, representing Leonardo Plaza. Also
present Michael Gordon, architect.

Mr. Ruggeri stated they previously went before the Zoning Board of Appeals and
obtained a use variance that allowed substantially the same product. There was a time
limitation on the use variance and because of the economic climate; the applicant lost
the opportunity to develop. He displayed the current site plan and gave any overview.

Mr. Reinowski asked for any questions from the Commissioners.

Mr. Gariepy asked the applicant to clarify the sidewalk as shown on the site plan.

Mr. Gordon came forward and stated they are extending the existing sidewalk.

Mr. Miller asked Mr. Ruggeri to describe where the added trees would be if needed.

Mr. Ruggeri displayed the site plan and explained they could add trees to increase the buffer for residents.

Mr. Rowe asked about the landscaping to the north. He asked if they are providing enough of a visual buffer for the residents across at Red Run Condominiums.

Mr. Gordon stated what is being proposed is a continuous hedge along the forward edge of the parking lot. It would be 3½ - 4 feet high to hide the headlights. Then the upper tree canopy that would be created by planting trees every 30 feet. He described there is a balancing act between security and the landscaping esthetic of screening the property.

Mr. Rowe stated concern for traffic traveling east on Moravian and suggested a deceleration lane.

Mr. McLeod displayed the site area and stated if the city felt it was a necessity, they would work with the engineering department to reevaluate the entrance design.

Mr. Garipey asked if this Tim Horton's will be open 24 hours.

Mr. Ruggeri stated most likely.

Mr. Reinowski asked for public participation.

Jim Ivers, 34511 Manner Run Circle, Sterling Heights, stated years ago there was a hand shake agreement that a 24 hour establishment would not be there. He is disturbed to find out it could be a possibility. He objects.

Joan Puglia, 13523 Forest Lake, Coves of Sterling Heights, is concerned about traffic because there are so many accidents at the intersection of Moravian and Schoenherr.

Bob Vandevelde, 34121 Birchway Circle, Sterling Heights, 48312. He is concerned about parking with the site being only an acre of property. He stated there is 15 empty stores between Dodge Park and 15 Mile and is concerned about the two stores going into next to Tim Horton's. He is also concerned about traffic. He stated when the previous variance went thru it was guaranteed there would not be a drive thru business at that location.

Mr. Biondo, 34474 Manor Run Circle, Sterling Heights, is concerned with the traffic, noise, and it being open 24 hours.

Kathy Bonacorsi, 34528 Manor Run Circle, Sterling Heights, is concerned about her safety because of the traffic of cars and people at all hours.

Mr. Reinowski asked for any other public participation. Being none, he asked for any further questions or comments from the Commissioners.

Mr. Rowe stated with the conditional rezoning only the petitioner can offer conditions, they cannot originate from the Planning Commission. He asked Mr. McLeod or Mr. Andrews where the line is drawn.

Mr. Andrews stated the condition has to be offered by the petitioner; that does not mean the Planning Commission cannot make suggestions as to things they would like them to take into account. It is their decision whether they want to accept those conditions or not. If the Commission feels the rezoning is not protective enough of the residents, then the Planning Commission has the ability to deny or postpone to have those issues addressed.

Mr. Rowe shared concern regarding lights and safety issues. He agrees the screening should be plantings and not a wall. He recommended the City look into having a deceleration lane and also a green arrow at the intersection to ease traffic problems.

Mr. Ancona asked Mr. McLeod if 24 parking spaces are sufficient.

Mr. McLeod stated the parking requirements with the application have been met.

Mr. Gariepy asked Mr. McLeod what history does the City/Commission have with approving these types of developments and have the developer limit hours.

Mr. McLeod stated if the uses are not what the Commission was anticipating, the motion (or conditional agreement) has to be drafted tightly enough so any of those types of uses would have to come back and go through the amendment process.

Mr. Militello stated Tim Horton's typically does not have much traffic at all during middle of the night. He stated if you try to limit franchises hours, you may lose the ability to open that franchise.

Mr. Rowe agreed with Mr. Militello regarding the little amount of traffic going through a Tim Horton's late at night.

Mr. Ancona asked how much seating is in the building.

The petitioner stated 20.

Mr. McLeod stated the petitioner offered a sheet which listed five (5) conditions.

Mr. Ancona stated a letter was submitted from Sandra Getts of Manor Circle, that she is opposed to the plaza because of noise.

Mr. Norgrove asked Mr. McLeod if the case was postponed for a month, and other conditions were spelled out, would that be a consideration.

Mr. McLeod clarified the conditions.

Mr. Andrews stated with other conditional re-zonings in the past, there have been instances where the unknown tenants would have to be approved for compatibility to the shopping center.

Mr. Militello stated Mr. Ruggeri and Mr. Lavdas have been true to their word regarding a previously built plaza on Van Dyke.

Mr. Reinowski asked a resident who wished to speak, to come forward to the podium.

Mildred Sims, 34470 Manor Run Circle, Sterling Heights, stated she did not receive notification of the meeting. She is on the board for their association and she feels all the residents deserve to understand what is going on there. She doesn't feel a strip mall is conducive to the area.

Mr. Reinowski asked for any other questions or comments.

Ms. Bonacorsi asked if the entrance/exit to Moravian was set.

Mr. Rowe stated it is on the plan and there was no discussion of removing it.

Mr. Reinowski asked for a motion.

Motion by Mr. Militello, supported by Mr. Jaboro that the Planning Commission forward a recommendation to City Council to APPROVE case number PZ16-1143, Leonardo Plaza LLC, request to conditionally rezone property from O-1 (Business and Professional Office District and P-1 Vehicular Parking to C-3 General Business for the following reasons:

1. Conditional rezoning of this parcel based upon the proposed conditions contained within the development plans will ensure that the development will be constructed in accordance with a specific mutually agreeable conditional rezoning agreement between the petitioner and city prepared by the City Attorney, which incorporates the conditions offered by petitioner, to the benefit of surrounding property owners and the city;
2. Conditional rezoning of this parcel based upon the proposed development plans will result in a development compatible with the surrounding zoning and land uses.

Mr. Reinowski asked for any discussion on the motion.

Mr. Rowe stated the agreement to put plantings on the north side is not part of the considerations through the Planning Commission.

Mr. Ruggeri stated they will work with the condominium association to install plantings to maximize the buffer.

Mr. Reinowski asked for any other comments. Being none, he asked for a roll call vote.

Ayes: Militello, Jaboro, Miller, Norgrove, Reinowski, Rowe, Ancona, Gariepy, Kopp

Nays: None

Absent: None

Motion carried.

Mr. McLeod stated this will be before the City Council for final determination and will most likely appear the first or third Tuesday in September.

PPCM-1159 - Bishara Kaoud

Request for a Special Approval Land Use to permit a carry-out restaurant in a C-1 (Local Convenience Business) district - East side of Van Dyke between 18 ½ Mile Road and Riverland Drive in Section 10.

Property address: 42440 Van Dyke

Mr. Reinowski asked Mr. McLeod for an overview.

Mr. McLeod stated the proposed application is for a Special approval land use for a carry-out restaurant within the C-1 Local Convenience Business District. The proposal is for an approximate 900 square foot carry-out restaurant to operate Monday through Saturday 6:00 a.m. to 3:00 p.m.

Mr. Reinowski asked for any questions from the Commissioners for Mr. McLeod. Being none, he called for the petitioner to come forward to the podium.

Petitioner was not present. Mr. Andrews suggested a postponement.

Motion by Mr. Rowe, supported by Mr. Militello to POSTPONE case PPCM-1159 to the September 8th Planning Commission meeting.

Mr. Reinowski asked if the Commissioners had any comments. Being none, he asked for a roll call vote.

Ayes: Rowe, Militello, Ancona, Gariepy, Kopp, Jaboro, Miller, Norgrove, Reinowski

Nays: None

Absent: None

Motion carried.

PPCM-1160 - Harvinder Paul Singh

Request for a Special Approval Land Use to permit an amusement device center in a C-2 (Planned Comparison Shopping) district - East side of Schoenherr Road between Canal Road and Hall Road in Section 01.

Property address: 43648 Schoenherr Road

Mr. Reinowski asked Mr. McLeod for an overview.

Mr. McLeod gave an overview and stated this is for a Special Approval Land Use for development of a 1,200 square foot amusement device center within the existing Lakeview Square Shopping Center. Mr. McLeod displayed and summarized a drawing of the site.

Mr. Reinowski asked for any questions from the Commissioners for Mr. McLeod.

Mr. Gariepy asked what the types of amusement games are.

Mr. McLeod stated they will be video type gaming with consoles. He stated the applicant can provide further clarification to this question.

Mr. Reinowski asked for any questions from the Commissioners for Mr. McLeod. Being none, he asked petitioner to come to the podium.

Harvinder Paul Singh, 35760 Bradford Dr. came forward. He stated they are redemption games. Not child arcade type games but server based games for an older clientele.

Mr. Reinowski asked for any questions from the Commissioners. Being none, he asked for public participation. Being none, he called for a motion.

Motion by Mr. Rowe, supported by Mr. Jaboro in the case of PPCM-1160, 43648 Schoenherr Road, I move to APPROVE the Special Approval Land Use based upon the facts and plans presented, subject to the following conditions:

1. That the development and operation of the facility shall remain consistent with the scale and nature of the use as described in the proposal, at Public Hearing and reflected on the site plan;
2. That the petitioner shall develop, maintain and operate the facility in compliance with all pertinent codes, ordinances and standards of the City of Sterling Heights, County of Macomb and the State of Michigan, the variance approvals granted by the Zoning Board of Appeals, and the Sterling Heights Amusement Device Center regulatory ordinance. Failure to comply with this condition will serve as grounds to revoke the Special Approval Land Use as provided under the Zoning Ordinance;
3. That the petitioner file a Notice of Approval with the Macomb County Register of Deeds within sixty (60) days following this action. Failure to file this notice will serve as grounds to revoke the Special Approval Land Use as provided under the Zoning Ordinance;
4. All noise generated from the use shall be confined within the walls of the use—petitioner shall be required to install additional sound-deadening materials if the City finds that noise may be heard by adjoining tenants or by the public outside at the property line.
5. The decision of the Planning Commission shall remain valid and in force only as long as the facts and information presented to the Commission in the public hearing are found to be correct and the conditions upon which this motion is based are forever maintained as presented to the Commission.
6. That the size of the tenant space dedicated to the amusement device center is limited to no more than 1,200 square feet and that the number of devices be limited to 18 without review and approval by the Planning Commission.
7. That the hours of operation for the use not extend beyond 10 a.m. to 10 p.m., Monday through Sunday, unless reviewed or required by the City.

This action is based on the following findings:

1. The use being limited to 1,200 square feet, contained within an overall shopping center, and that the use is to be operated during the stipulated hours of operation

is designed so that it is in harmony with the existing area and shopping plaza and does not pose any nuisance to nearby occupants or uses.

2. The limited size and scale of the use is in general harmony with the general purpose and intent of the zoning ordinance providing a convenience to local residents and shoppers.
3. The use relates to the existing physical and economic aspects of the adjacent land uses in regards to shopping habits, convenience and continuity of development in the plaza.

Mr. Reinowski asked for any discussion on the motion.

Mr. Singh asked about the statement in finding #1, "that there will not be any dedicated seating area".

Mr. McLeod stated it should be taken out.

Motion by Mr. Rowe, supported by Mr. Jaboro to AMEND motion to strike "no seating statement" from #1.

Mr. Reinowski asked for any further discussion on the motion. Being none, he called for a roll call vote.

Ayes: Rowe, Jaboro, Ancona, Gariepy, Kopp, Militello, Miller, Norgrove, Reinowski
Nays: None
Absent: None
Motion Carried.

PPCM-1158 - Giovanni Mauro

Request for a Special Approval Land Use to permit an expansion of a parking lot for an existing automobile service/repair center within an M-1 (Light Industrial) zoning district - East side of Mound Road between 18 Mile Road and Sims Drive in Section 16.
Property address: 40588 Mound Road

Mr. Reinowski asked Mr. McLeod for an overview.

Mr. McLeod gave an overview and stated this is for a Special Approval Land Use for an expansion of a parking lot to serve the existing auto repair facility. This is to construct a 27 space parking area. Mr. McLeod displayed and summarized a drawing of the site.

Mr. Reinowski asked for any questions from the Commissioners for Mr. McLeod.

Mr. Norgrove asked if the recommendation for continuing the sidewalk is left up to the City or should it be included in the motion.

Mr. McLeod stated the best scenario would be for the Planning Commission to include it in the motion as part of the site improvement.

Mr. Reinowski asked the petitioner to come forward to the podium.

Giovanni Mauro, Mauro Engineering, 48657 Hayes, Shelby Twp. came forward. Mr. Mauro gave an overview and stated the property owner wants the site to conform to the city's standards.

Mr. Reinowski asked for any questions from the Commissioners.

Mr. Miller asked what type of landscaping will be put in.

Mr. Mauro stated he was not familiar with types of plantings, but they will comply with what the city recommends.

Mr. McLeod stated they would work with the applicant to guide on the landscaping.

Mr. Reinowski asked for any questions from the Commissioners. Being none, he asked for public participation.

Ron Powers, owner of residential property adjoined to petitioner's property. He stated his concern is water running into their backyard from the cement. He asked if there will be a drain system put in.

Mr. Mauro stated there will be drainage put in.

Mr. Reinowski asked for any further discussion. Being none, he called for a motion.

Motion by Mr. Gariepy, supported by Mr. Kopp in the case of PPCM-1158, 40588 Mound Road, I move to APPROVE the Special Approval Land Use based upon the facts and plans presented, subject to the following conditions:

1. That the use and operation of the facility shall remain consistent with the scale and nature of the use as described in the proposal, at Public Hearing and reflected on the plans;
2. That the petitioner shall develop, maintain and operate the facility in compliance with all pertinent codes, ordinances and standards of the City of Sterling Heights, County of Macomb and the State of Michigan;
3. That the petitioner file a Notice of Approval with the Macomb County Register of Deeds within sixty (60) days following this action. Failure to file this notice will serve as grounds to revoke the Special Approval Land Use;
4. That the petitioner file and deliver a Hold Harmless Agreement in favor of the City in form and substance satisfactory to the City Attorney.
5. That all repairs are to be conducted within the building.
6. That all requirements of Section 19.06 of the City of Sterling Heights Zoning Ordinance be met.
7. That there shall be no outdoor storage of tires or parts permitted.
8. That all vehicles being worked on are currently licensed, are operational, or pending repairs to become operational.
9. That in lieu of a wall being provided along the parking lot expansion, that additional evergreen plantings shown plus one additional be provided and maintained which have the effect of providing a screen wall.
10. That the landscaping along the front of the site be cleaned up and maintained in an acceptable manner. Further, all landscape areas shall be irrigated.
11. That all noncompliant signs be removed from the site.
12. That a sidewalk be provided along the frontage of the site meeting City requirements.
13. All parking and storage of vehicles shall adhere to the parking spaces shown on the plan.
14. That the petitioner maintain the site in compliance with the zoning ordinance requirements on a daily basis.
15. Any proposed lighting must be shown on a photometric plan and submitted to the Planning Department for review.

This action is based on the following findings:

1. That the proposed parking lot expansion is in conformance with the specific planning standards of Section 19.02 of the Zoning Ordinance as outlined in comments #1-#6 above.
2. That the proposed parking lot expansion is in conformance with the general planning standards of Section 25.02 of the Zoning Ordinance as outlined in comments A-G above.
3. That the proposed parking lot expansion meets or exceeds all other applicable Zoning Ordinance requirements upon compliance with conditions #1-#15 above.

Mr. Reinowski asked for any discussion on the motion.

Motion by Mr. Gariepy, supported by Kopp to AMEND condition #8.

Mr. Reinowski asked for any further discussion on the motion. Being none, he called for a roll call vote.

Ayes: Gariepy, Kopp, Jaboro, Militello, Miller, Norgrove, Reinowski, Rowe, Ancona,
Nays: None
Absent: None
Motion Carried.

PZ16-1144 Nonresidential Landscaping Standards Ordinance - Planning Commission/ City Council

Proposed text amendments to Zoning Ordinance No. 278 amending Article 23 Off Street Parking and Loading Requirements, by amending Section 23.01 General Parking Requirements and Article 24 Environmental Provisions, by amending Section 24.03 Parking Lot Landscaping Requirements and Section 24.05 Location and Screening of Trash Receptacles and adding Sections 24.07 Decorative Fencing for Nonresidential Properties and Uses, Section 24.08 Foundation Plantings, Section 24.09 Transformer and Other Ground Mounted Appliance Screening, Section 24.10 Pedestrian Connections, Section 24.11 Enhanced Landscaping Treatments, Section 24.12 Bicycle Racks, and Section 24.13 Irrigation Required, and any other technical corrections related to Zoning Ordinance No. 278(adopted September 13, 1989, as amended).

Mr. Reinowski asked for an overview of the case.

Mr. McLeod stated this is an upgrade to the existing non-residential/commercial landscaping standards. These standards will put into writing what city staff/administration have been doing with sites for the last year or so. The Planning department has been working with applicants during the site plan review process to accomplish these requirements. The city has been spending a lot of time, effort, and money to upgrade the public spaces within the city. Now the city would like to have their private developments become more aesthetic, more green, and better quality spaces.

Mr. McLeod gave a detailed presentation of the ordinance amendments which included:

1. Frontage Landscaping (Section 24.03, paragraph B)
2. Foundation Plantings (Section 24.08)
3. Off-Street Parking Lot Landscaping (Section 24.03, paragraph A)
4. Reserved Future Parking Areas (Section 23.0, Paragraph N)
5. Trash Receptacles (Section 24.05)
6. Decorative Fences (Section 24.07)
7. Screening of Transformers and Other Ground-mounted Appliances (Section 24.09)
8. Pedestrian Connections (Section 24.10)
9. Bicycle Racks (Section 24.11)
10. Enhanced Landscaping Treatments (Section 24.12)
11. Tents Approved as Part of a Temporary Use (Section 28.4, Paragraph I)
12. Irrigation Systems (Section 24.02, Paragraph A3)
13. Application of New Ordinance Regarding Upgrading of Landscaping and Site Improvements on Existing Developed Sites (Section 29.05)

Mr. Andrews gave an overview regarding application of the new ordinance.

Mr. Reinowski asked for any questions from the Commissioners.

Mr. Gariepy asked if it's possible to revert back a surplus of existing parking that never gets used, back to green space.

Mr. Andrews stated that is not something that is in the draft but can be considered.

Mr. Gariepy asked Mr. Andrews about the irrigation requirements in relation to landscaping that may not be visible.

Mr. Andrews explained the requirements and stated most landscaping is designed to be aimed at things that are visible from the public thoroughfare and buildings which are on out lots.

Mr. Rowe stated the city administration may want to look into the private fences that are not kept up.

Mr. Andrews stated there are provisions in the Property Maintenance Code that require people maintain their fences.

Mr. Jaboro stated there may be property owners that may get upset and not want to spend the money on these improvements. He asked what will be the action of the city if the owner does not comply.

Mr. Andrews stated they will be given a grace period to get properties up to code. If they do not comply they could face a variety of different actions. The goal of this is go after people who have neglected their landscaping for years. He stated the existing ordinance has a provision that allows the Zoning Board of Appeals to grant modifications as it relates to landscaping requirements.

Mr. Ancona asked Mr. Andrews if there is a nuisance reported, is this giving them a waiver to comply until next July, 2017.

Mr. Andrews stated nuisance matters will still be dealt with and not be given a never-ending grace period.

Mr. McLeod stated OBA will still deal with unsightly matters on the site, and things of that nature. This ordinance will deal more with the quantity of trees on site, while the upkeep of landscape will be dealt with as it currently is.

Mr. Reinowski asked for any other questions from Commissioners.

Mr. McLeod asked the Commissioners if they were comfortable to move forward with the draft.

Mr. Rowe asked if they will be able to have input at a later date. He verified the public hearing will be on September 8th.

Mr. Andrews stated yes. They would like suggestions and input if the Commissioners feel something needs to be addressed.

Mr. Militello stated is it being overly burdensome to older buildings and businesses that have been in Sterling Heights for a long period of time. He asked if they do not comply what the legal ramifications are.

Mr. Andrews stated first they would have to comply with the standards at the time their building was built. If there are no landscape plans on record, it will be up to the City Planner to figure out what the requirements are.

Mr. Miller asked if the city will have a list of standards for the different dates buildings were built.

Mr. Andrews stated there is not a list currently available.

Mr. Ancona asked how the city will notify the public of the new standards.

Mr. Andrews stated they will utilize newspapers, Chamber of Commerce, the city's website, etc.

Mr. Garipey suggested the announcement for the public hearing be put in the Sterling Heights Magazine. He stated concerns about being too soon to have a vote at next meeting because the mass of businesses it will affect.

Mr. McLeod stated it will be discussed with administration on how to get the word out in the community. He stated it is a sensitive issue and they will handle each case individually in regards to what is logical and reasonable.

Mr. Militello asked how the businesses which have out of town owners will be notified.

Mr. McLeod stated the word will get out to them. He stated if it takes additional time to get reviewed, they will do that.

Mr. Reinowski asked if there were any other questions from Commissioners. Being none, he called for a brief recess.

PPCM-1145 - Master Land Use Plan Update

Mr. McLeod stated the Commissioners were given the complete draft. There were three different public input sessions over the last six to eight months. This will be the introduction of the complete draft and can be reviewed over the course of the next month. He gave an overview of the timeline for the approval and distribution process of the draft.

Adam Young, Wade Trim, gave a presentation of the draft for the Master Land Use Plan and the Parks, Recreation and Non-motorized Plan. Listed below are the topics he summarized:

- Master Land Use Plan Technical Report
- Mixed-Use Development Node Concepts
- Master Land Use Plan: Next Steps
- Parks, Recreation and Non-Motorized Master Plan: Status
- New Action Program Chapter
- Action Program Map
- Parks, Recreation and Non-Motorized Master Plan: Next Steps

Mr. Rowe asked if this will be open for public participation.

Mr. McLeod stated technically at this time it is not a public hearing item. If someone wished to speak they could be granted the opportunity.

Mr. Young stated for the Parks and Rec plan the City Council holds the public hearing, but for the Master Land Use Plan the Planning Commission holds the public hearing.

Mr. Gariepy asked if there was an electronic form they could review.

Mr. Young stated there is an electronic copy.

Mr. Reinowski asked if there were any other questions/comments.

CITIZEN PARTICIPATION

None.

APPROVAL OF MINUTES

Motion by Mr. Militello, supported by Mr. Gariepy, to approve the minutes of July 14, 2106.

Ayes: Militello, Gariepy, Miller, Norgrove, Ancona, Jaboro, Kopp

Nays: None

Absent: None

Abstained: Reinowski and Rowe

Motion Carried.

CORRESPONDENCE

Sign Ordinance (adopted copy).

OLD BUSINESS

None.

NEW BUSINESS

Mr. Rowe asked for an updated copy of the Zoning Ordinance.

Mr. McLeod stated he would address getting copies.

MOTION TO ADJOURN

Motion by Mr. Militello, supported by Mr. Jaboro to adjourn.

Ayes: Militello, Jaboro, Miller, Norgrove, Reinowski, Rowe, Ancona, Gariepy, Kopp

Nays: None

Absent: None

Motion Carried

The meeting adjourned at 10:05 p.m.

Respectfully submitted,

Stefano Militello, Secretary
Planning Commission

Leonardo Plaza

Sterling Heights, MI



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Use square dimensions only. Do not scale the drawings.

Client:
Nick Lavdas
Lavdas Properties
3671 East 12 Mile Road
Warren, MI 48093

Project Title:
Leonardo Plaza LLC
Moravian Road and Schoenherr Road
Sterling Heights, MI.

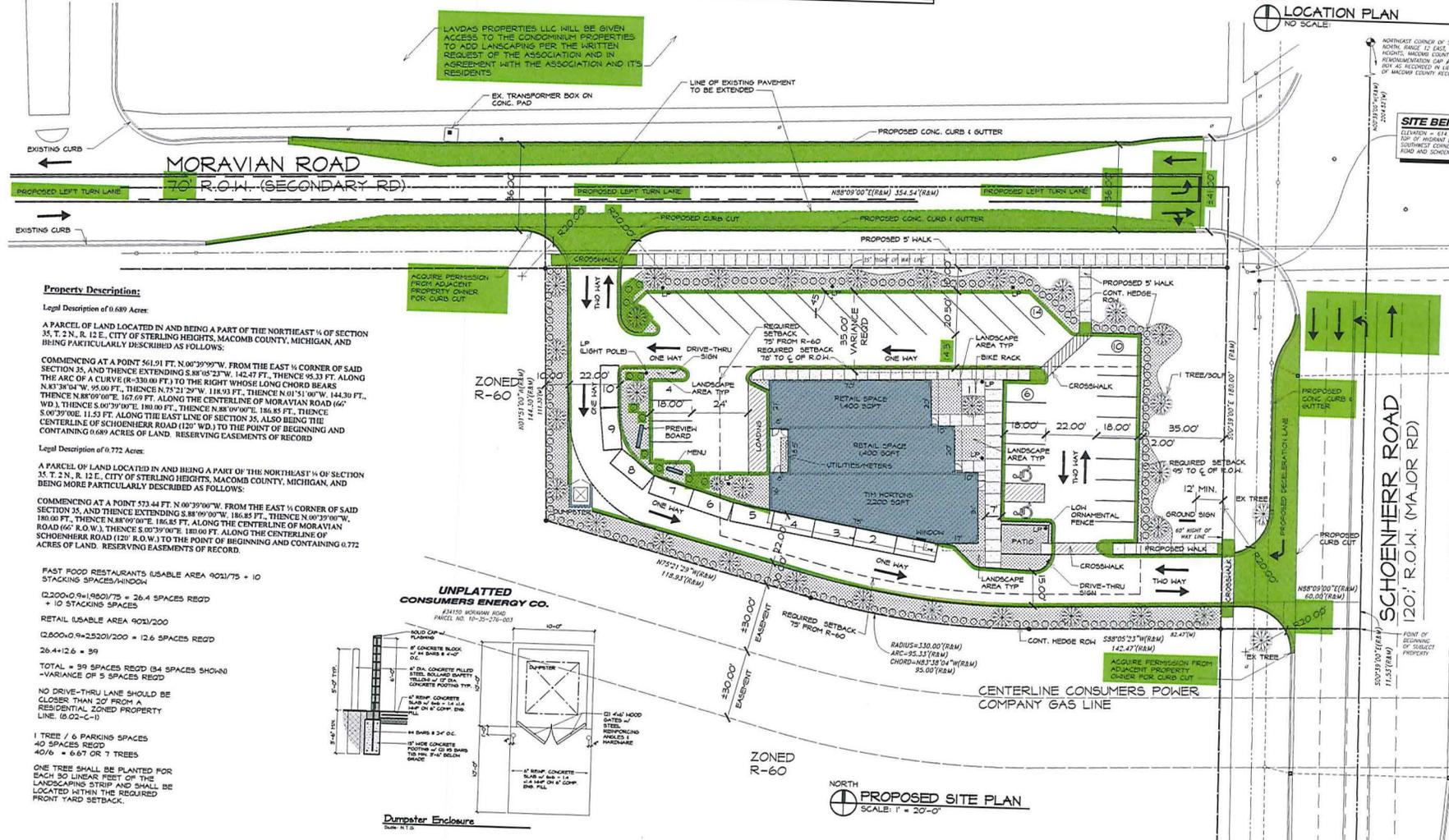
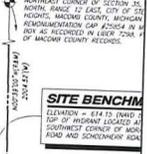
Sheet Title:
Site Plan

Project Number: 15518
Drawn By: KWK
Checked By: MJG
Approved By: MJG
Date: 7-18-08

ISSUED:

Owner Review	03-24-15	Owner Review	05-28-16
Owner Review	04-10-15	Owner Review	05-28-16
Owner Review	11-18-15	City Review	06-10-16
Owner Review	11-18-15	Owner Review	06-10-16
Owner Review	02-27-16	Planning Review	06-28-16
Owner Review	02-08-16	Planning Review	10-03-16
Owner Review	02-11-16		

Sheet Number:
SP
PRELIMINARY NOT FOR CONSTRUCTION

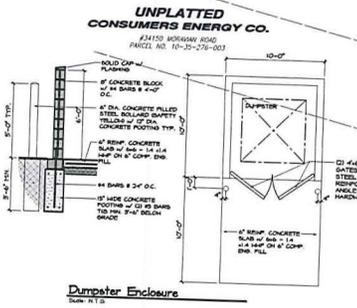


Property Description:
Legal Description of 0.689 Acres:
A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE NORTHEAST 1/4 OF SECTION 35, T. 2 N., R. 12 E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN, AND BEING PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT 561.91 FT. N. 00°39'09"W. FROM THE EAST 1/4 CORNER OF SAID SECTION 35, AND THENCE EXTENDING S. 88°05'23"W. 142.47 FT., THENCE 95.33 FT. ALONG THE ARC OF A CURVE (R=330.00 FT.) TO THE RIGHT WHOSE LONG CHORD BEARS THENCE N. 88°09'00"E. 167.69 FT. ALONG THE CENTERLINE OF MORAVIAN ROAD 66' W.D.), THENCE S. 80°39'00"E. 180.00 FT., THENCE N. 01°51'00"W. 144.39 FT., THENCE S. 00°39'00"E. 11.53 FT. ALONG THE EAST LINE OF SECTION 35, ALSO BEING THE CENTERLINE OF SCHOENHERR ROAD (120' W.D.) TO THE POINT OF BEGINNING AND CONTAINING 0.689 ACRES OF LAND. RESERVING EASEMENTS OF RECORD

Legal Description of 0.772 Acres:
A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE NORTHEAST 1/4 OF SECTION 35, T. 2 N., R. 12 E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT 573.44 FT. N. 00°39'00"W. FROM THE EAST 1/4 CORNER OF SAID SECTION 35, AND THENCE EXTENDING S. 88°09'00"W. 186.85 FT., THENCE N. 00°39'00"W. 180.00 FT., THENCE N. 80°09'00"E. 186.85 FT. ALONG THE CENTERLINE OF MORAVIAN ROAD 66' R.O.W.), THENCE S. 00°39'00"E. 180.00 FT. ALONG THE CENTERLINE OF SCHOENHERR ROAD (120' R.O.W.) TO THE POINT OF BEGINNING AND CONTAINING 0.772 ACRES OF LAND. RESERVING EASEMENTS OF RECORD.

FAST FOOD RESTAURANTS USABLE AREA 903/75 + 10 STACKING SPACES/WINDOW
2,200.09+1,950/75 = 26.4 SPACES REQ'D + 10 STACKING SPACES
RETAIL USABLE AREA 903/200
2,600.09+2,520/200 = 12.6 SPACES REQ'D
26.4+12.6 = 39
TOTAL = 39 SPACES REQ'D (34 SPACES SHOWN) - VARIANCE OF 5 SPACES REQ'D

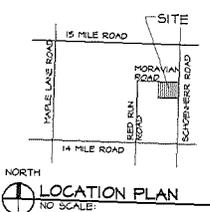
NO DRIVE-THRU LANE SHOULD BE CLOSER THAN 20' FROM A RESIDENTIAL ZONED PROPERTY LINE. (0.02=C-1)
1 TREE / 6 PARKING SPACES
40 SPACES REQ'D
40/6 = 6.67 OR 7 TREES
ONE TREE SHALL BE PLANTED FOR EACH 50 LINEAR FEET OF THE LANDSCAPING STRIP AND SHALL BE LOCATED WITHIN THE REQUIRED FRONT YARD SETBACK.



Dumpster Enclosure
Date: N.T.S.

Leonardo Plaza

Sterling Heights, MI



Moloney/Gordon Associates, Inc.
4351 Delamare Court
Royal Oak, MI 48067
248.549.4500 voice
248.549.7300 fax
www.mga-architects.net

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Client:
Nick Lavdas
Lavdas Properties
3671 East 12 Mile Road
Warren, MI 48092

Project Title:
Leonardo Plaza LLC.
Moravian Road and Schoenherr Road
Sterling Heights, MI.

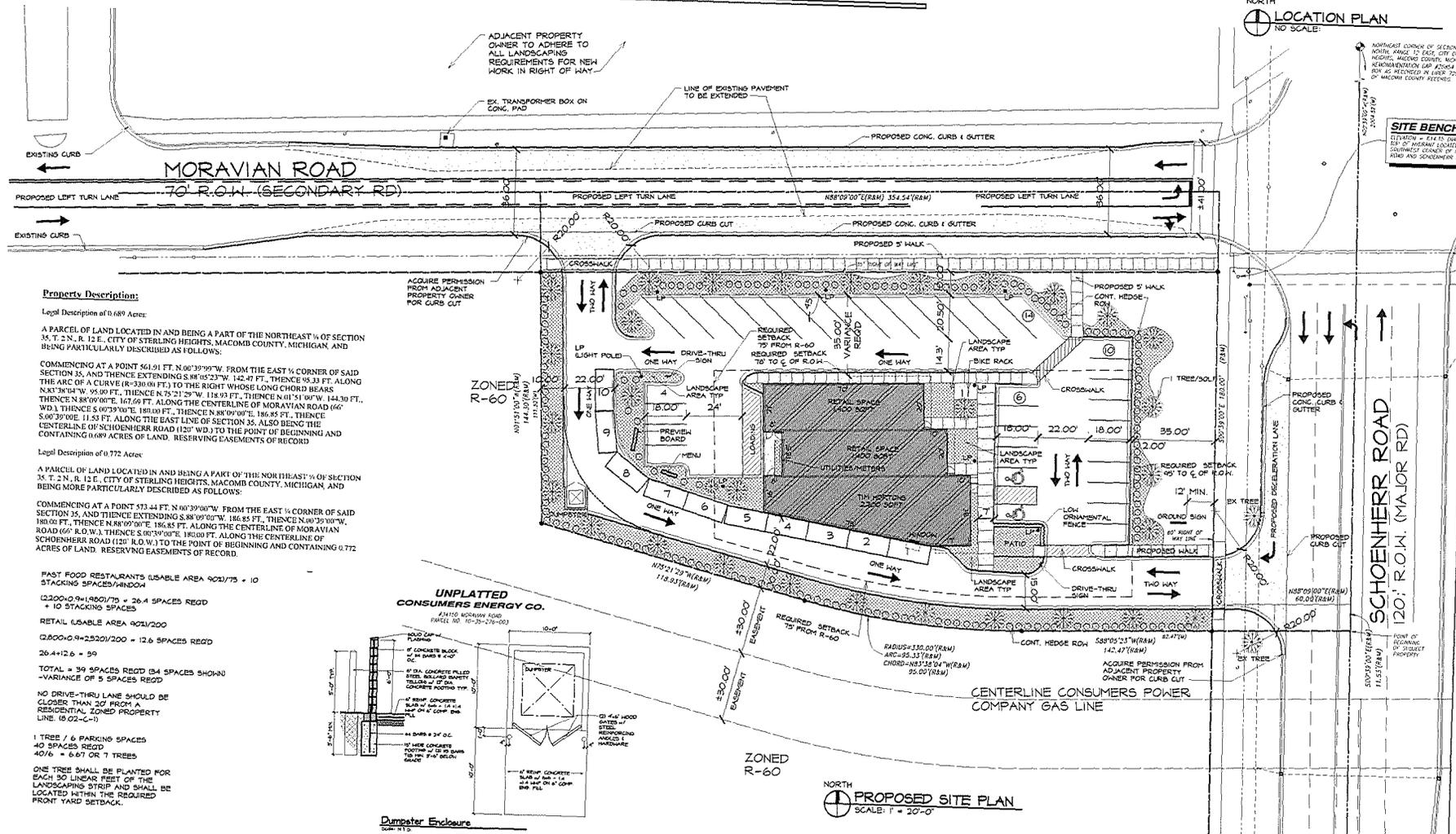
Sheet Title:
Site Plan

Project Number: 15516
Drawn By: KWK
Checked By: MJG
Approved By: M/G
Date: 7-18-08

ISSUE:

Owner Review 03-24-05	Owner Review 05-18-10
Owner Review 04-01-05	Owner Review 05-26-10
Owner Review 11-16-05	City Review 06-10-10
Owner Review 12-09-05	Owner Review 08-10-10
Owner Review 01-27-06	Planning Review 08-22-10
Owner Review 02-08-06	Planning Review 10-05-10
Owner Review 02-11-06	

Sheet Number:
SP-1
PROHIBITORY RIGHT FOR CONSTRUCTION

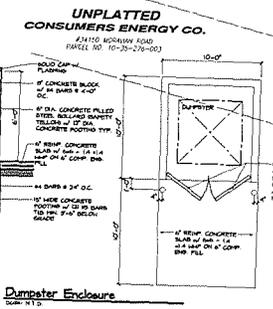


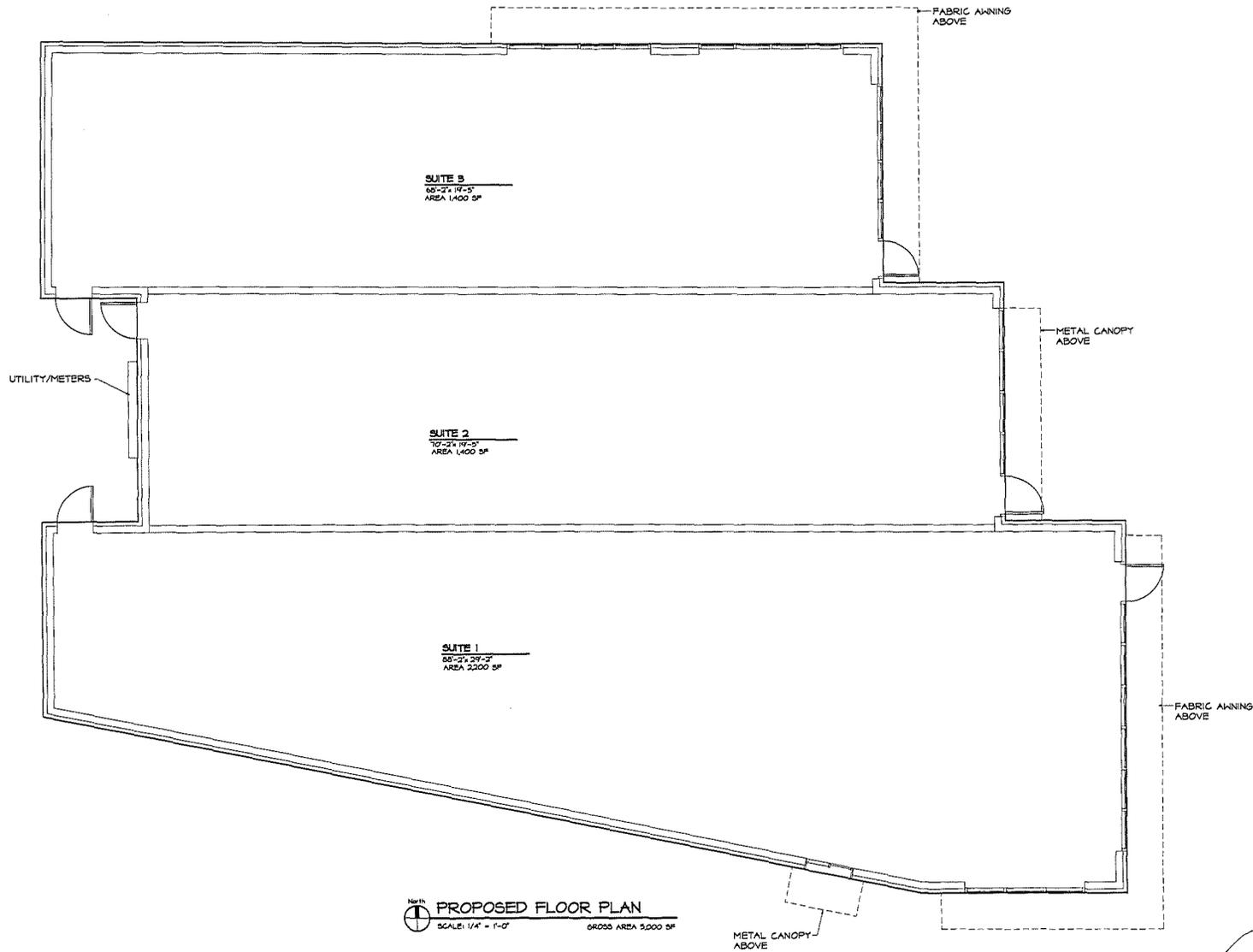
Property Description:

Legal Description of 0.689 Acres:
A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE NORTHEAST ¼ OF SECTION 35, T. 2 N., R. 12 E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN, AND BEING PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT 561.91 FT. N. 00°39'59" W. FROM THE EAST ¼ CORNER OF SAID SECTION 35, AND THENCE EXTENDING S 81°52'37" 142.47 FT., THENCE W 93.33 FT. ALONG N 83°34' W 95.80 FT., THENCE N 75°21' 29" W 118.93 FT., THENCE N 01°51' 00" W 144.30 FT., W 1/4, THENCE S 0°39'30" E 180.00 FT., THENCE N 88°09' 00" E 186.85 FT., THENCE (CENTERLINE OF SCHOENHERR ROAD 120' R.O.W.) TO THE POINT OF BEGINNING AND CONTAINING 0.689 ACRES OF LAND. RESERVING EASEMENTS OF RECORD.

Legal Description of 0.772 Acres:
A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE NORTHEAST ¼ OF SECTION 35, T. 2 N., R. 12 E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT 512.44 FT. N. 00°39'59" W. FROM THE EAST ¼ CORNER OF SAID SECTION 35, AND THENCE EXTENDING S 88°09'00" E 186.85 FT., THENCE N 80°39'30" W 180.00 FT., R.O.W. THENCE S 0°39'30" E 180.00 FT. ALONG THE CENTERLINE OF SCHOENHERR ROAD (120' R.O.W.) TO THE POINT OF BEGINNING AND CONTAINING 0.772 ACRES OF LAND. RESERVING EASEMENTS OF RECORD.

- FAST FOOD RESTAURANTS USABLE AREA 903/75 = 10 STAGING SPACES/40004
- 0.200-0.9/180/200 = 26.4 SPACES REOD + 10 STAGING SPACES
- RETAIL USABLE AREA 903/200
- 0.800-0.9-250/200 = 12.6 SPACES REOD
- 26.4+12.6 = 39
- TOTAL = 39 SPACES REOD (34 SPACES SHOWN) - VARIANCE OF 5 SPACES REOD
- NO DRIVE-THRU LANE SHOULD BE CLOSER THAN 20' FROM A RESIDENTIAL ZONED PROPERTY LINE. (8.02-C-1)
- 1 TREE / 6 PARKING SPACES
40/16 = 6.67 OR 7 TREES
- ONE TREE SHALL BE PLANTED FOR EACH 50 LINEAR FEET OF THE LANDSCAPING STRIP AND SHALL BE LOCATED WITHIN THE REQUIRED FRONT YARD SETBACK.





Moscow/Gordon Associates, Inc.
 431 Dalemere Court
 Royal Oak, MI 48073
 248.848.4500 voice
 248.548.7300 fax
 www.mga-architects.net

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Client:
Nick Lavdas
Lavdas Properties
 3671 East 12 Mile Road
 Warren, MI 48092

Project Title:
Leonardo Plaza
L.L.C.
 Moravian Road and
 Schoenherr Road
 Sterling Heights, MI.

Sheet Title:
Floor Plan

Project Number: 15516
 Drawn By: KWK
 Checked By: MJG
 Approved By: MJG
 Date: 7-18-08

ISSUED:	
Owner Review	05-24-15
Owner Review	09-18-16
Owner Review	04-10-15
Owner Review	05-26-16
Owner Review	08-10-16
Owner Review	11-16-15
Owner Review	04-10-16
Owner Review	12-09-15
Owner Review	06-10-16
Owner Review	01-27-16
Owner Review	02-08-16
Owner Review	02-11-16
City Review	06-10-16
City Review	06-28-16
Planning Review	06-28-16

Sheet Number:

PRELIMINARY NOT FOR CONSTRUCTION



Moliseev/Gordon Associates, Inc.
 4351 Delaware Court
 Royal Oak, MI 48073
 248.549.4500 voice
 248.549.7300 fax
 www.mgasrhlts.net

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 Client:
 Nick Lavdas
 Lavdas Properties
 3071 East 12 Mile Road
 Warren, MI 48092

Project Title:
 Leonardo Plaza
 L.L.C.
 Moravian Road and
 Schoenherr Road
 Sterling Heights, MI.

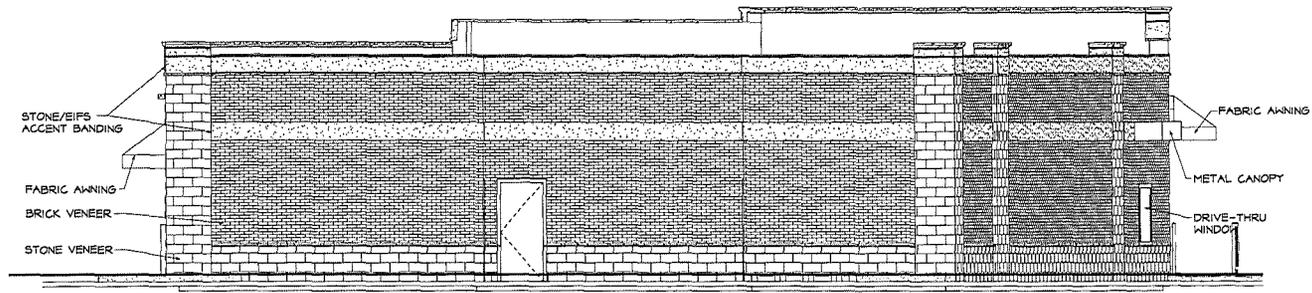
Sheet Title:
 Elevations

Project Number: 15516
 Drawn By: KWK
 Checked By: MJG
 Approved By: MJG
 Date: 7-18-06

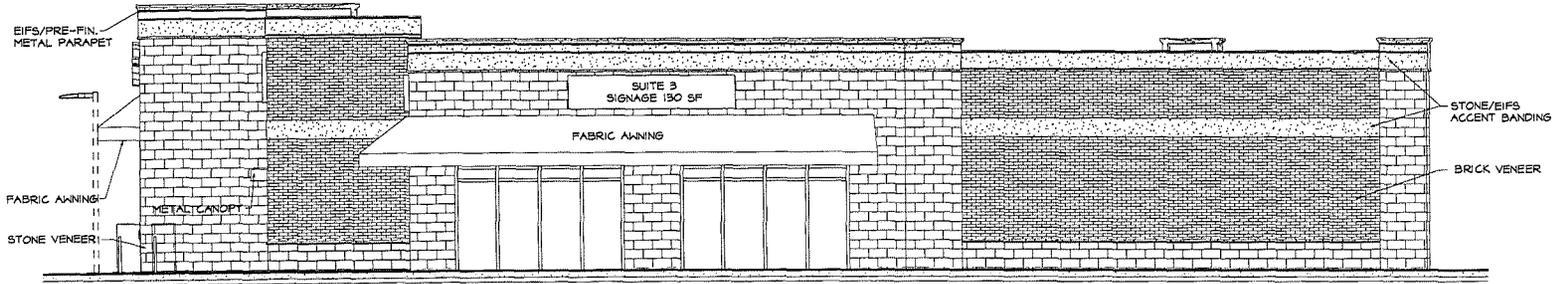
ISSUED:

Owner Review 05-24-15	Owner Review 05-18-16
Owner Review 04-10-15	Owner Review 05-28-16
Owner Review 11-18-15	City Review 08-17-16
Owner Review 7-09-15	Owner Review 08-10-16
Owner Review 01-27-16	Planning Review 06-28-16
Owner Review 02-06-16	
Owner Review 02-11-16	

Sheet Number:
 PRELIMINARY DRAWING FOR CONSTRUCTION



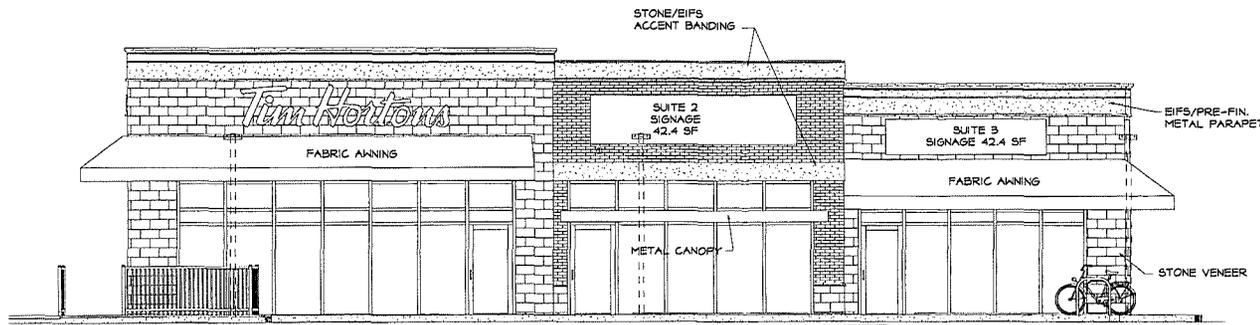
WEST ELEVATION ALT 3
 SCALE: 1/4" = 1'-0"



WEST ELEVATION WALL SIGN:
 (10% OF FACADE) OR 200 SF MAX, WHICHEVER IS LESS
 TOTAL FRONT FACADE 1300 SF
 10% OF 1300 130 SF ALLOWABLE

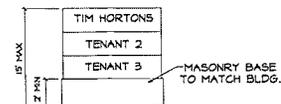
NORTH ELEVATION ALT 3
 SCALE: 1/4" = 1'-0" MORAVIAN ROAD

[Handwritten signature]



EAST ELEVATION WALL SIGNS:
(10% OF FACADE) OR 200 SF MAX, WHICHEVER IS LESS
TOTAL FRONT FACADE 1,273 SF
3 TENANTS 1,273/3 424 SF
10% OF 424 42.4 SF ALLOWABLE EACH TENANT

PREESTANDING SIGNS:
ONE SF / TWO LINEAR FEET OF FRONTAGE OR 150 SF MAX
FACING SCHOENHERR RD. TO LINEAR FEET OF FRONTAGE
70/2 x 35 35 SF ALLOWABLE EACH SIDE

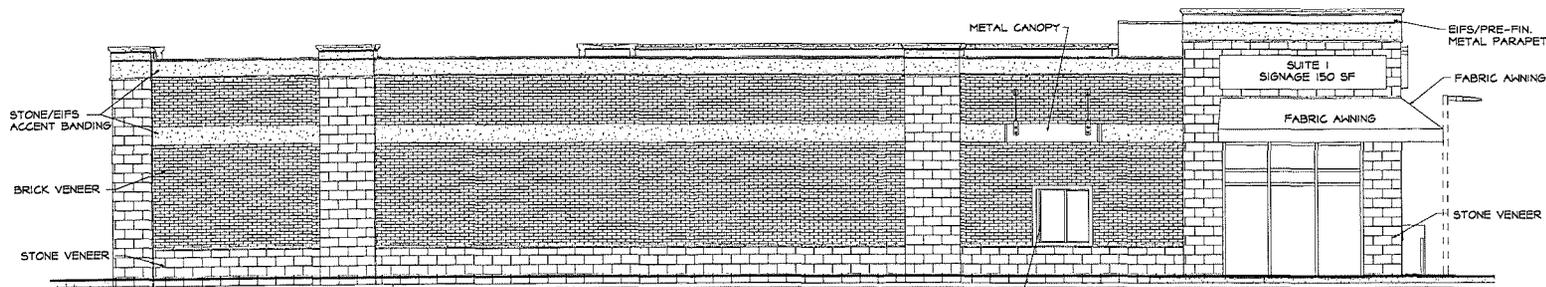


GROUND SIGN ELEVATION

SCALE: 1/4" = 1'-0"

EAST ELEVATION ALT 4

SCALE: 1/4" = 1'-0" SCHOENHERR ROAD



SOUTH ELEVATION WALL SIGN:
(10% OF FACADE) OR 200 SF MAX, WHICHEVER IS LESS
TOTAL FRONT FACADE 1,500 SF
10% OF 1,500 150 SF ALLOWABLE

SOUTH ELEVATION ALT 4

SCALE: 1/4" = 1'-0"

[Handwritten signature]

PZ16-1143

RECEIVED

JUL 01 2016

STERLING HEIGHTS
BUILDING SERVICES



MGA
Architects/Designers

Moiseev/Gordon Associates, Inc.
4351 Delemere Court
www.mga-architects.net

Royal Oak, MI 48073

Leonardo Plaza

Moravian & Schoenherr Rd.
Sterling Heights, MI
Project Number 15516
06-28-2016

August 18, 2016

RECEIVED

AUG 24 2016

STERLING HEIGHTS
BUILDING SERVICES

Mr. Chris McLeon
Sterling Heights City Planner
40555 Utica Road
Sterling Heights MI 48313

Re: Vacant Lot – Schoenherr and Moravian
Proposed Construction of Tim Horton's Café and Bakeshop

Chris:

On August 12th I called your office to discuss a possible Tim Horton's site on the vacant lot at Schoenherr and Moravian.

I would appreciate you forwarding this letter to the appropriate City Officials that will be considering this proposal.

I reside in the Sterling Oaks Condo Assn directly across from this planned construction and strongly oppose this business or any other 24 hour operation. Reasons including noise, traffic and any other issues with a fast food drive thru.

Major portion of Schoenherr Road are residences – ie condo complexes and any type of food/restaurant will detract from property values.

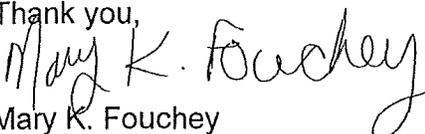
Already at 14 Mile Road and Schoenherr is a newly opened Dunkin Donuts drive-thru.

Along with two (2) Tim Horton's – both on 15 Mile Road – one at Van Dyke and Utica Road.

We don't need this much "java" in the area.

PS – this letter was mailed – couldn't find your email address on city's website.

Thank you,



Mary K. Fouchey
34089 Frank Drive
Sterling Heights, MI 48312
Marykathryn0123@aol.com

August 4, 2016

Sandra Goetz
34516 Manor Run Circle
Sterling Heights, MI 48312

RE: Case No: PZ16-1143 – Leonardo Plaza, LLC

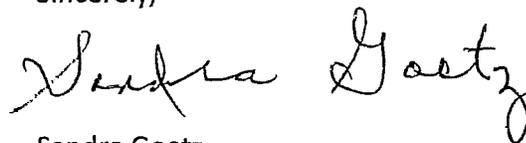
City of Sterling Heights
40555 Utica Road
P.O. Box 8009
Sterling Heights, MI 48311-8009
(586) 446-2489
NOTICE OF PUBLIC HEARING
Planning Commission (586) 446-2360

To Whom It May Concern:

I am strongly opposed to the building of a strip mall adjacent to my condo at the above address. It is very noisy as it is now while sitting on my deck or in my living area. A shopping center in this space would only increase an already noisy area. I also feel I would not be as safe as I am now with only an open field in that spot.

Please take this opposition into account when making a decision regarding the matter of approving or denying the request for rezoning by Leonardo Plaza, LLC.

Sincerely,

A handwritten signature in cursive script that reads "Sandra Goetz". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Sandra Goetz

CONDITIONS OFFERED

Petitioner, Leonardo Plaza, LLC, makes the following Offer of Conditions in conjunction with its request for Conditional Re-zoning from O-1 (Business & Professional Office) District to C-3 (General Business) District under Case No. PZ16-1143 – Leonardo Plaza, LLC:

1. Construct the site and landscaping in accordance with Site Plan, as filed herein.
2. Construct the Floor Plan in accordance with Floor Plan, as filed herein.
3. Construct the Elevations in accordance with Elevations, as filed herein.
4. Provide an increase in the intensity of the landscaping, as required to mitigate the loss of green space due to the variance request for the proposed encroachment into the front yard setback along Moravian.
5. Provide additional plantings as required to mitigate variance from removal of concrete wall to the West and to the South of the abutting R-60 One-Family Residential District



**Business of the City Council
Sterling Heights, Michigan**

Delivered OCT 27, 2016

City Clerk's Use
Item No: 2 A-G
Meeting: 11/01/16

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)

Attachments

- | | | |
|---|-------------------------------------|-----------------------------------|
| <input type="checkbox"/> City Clerk | <input type="checkbox"/> Resolution | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Finance & Budget Director | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Plan/Map |
| <input type="checkbox"/> City Attorney (as to legal form) | <input type="checkbox"/> Contract | <input type="checkbox"/> Other |
| <input type="checkbox"/> City Manager | | |

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

Suggested Action:

MOVED BY:

SECONDED BY:

2. **A. Approval of Minutes
Regular Meeting of October 18, 2016**
- B. Approval of Bills**
- C. To award a bid for the removal and replacement of the roof at Fire Station #5 (Total expenditure of \$139,200).**
- D. To purchase software and professional services to implement the *Cityworks* Computer Maintenance Management System for the Department of Public Works (Total Year 1 expense of \$125,600 – 90% funded through a Stormwater, Asset Management, and Wastewater (SAW) Grant).**
- E. To approve a Municipal Primary Street Maintenance Agreement for mowing and sweeping of County Roads.**
- F. To adopt a resolution establishing a Sister City Partnership with Jaffna, Sri Lanka.**
- G. To approve the application by SW Navarre, LLC, d/b/a Game Land, for a Type A Amusement Device License and a variance at 43648 Schoenherr Road, Sterling Heights, MI 48313.**

*Delivered October 27, 2016
Agenda Item 2-A
Meeting: 11/01/16*

UNOFFICIAL MINUTES

CITY OF STERLING HEIGHTS

MINUTES OF REGULAR MEETING OF CITY COUNCIL

TUESDAY, OCTOBER 18, 2016

IN CITY HALL

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

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

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

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

APPROVAL OF AGENDA

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

Yes: All. The motion carried.

REPORT FROM CITY MANAGER

Mr. Vanderpool reported on the upcoming Sterling Frights Halloween event to be held at Dodge Park on Saturday, October 22, 2016 from 10 a.m. to noon for kids under 12 years of age. He stated there will be live music, a straw maze, hay rides,

cider & donuts & goodie bags for all participants. He added there will be inflatable activities for all young participants, and their classic Scarecrow and Ms. Pumpkin will be there.

Mr. Vanderpool reported that the City has hosted three community forums on the *ReCreating Recreation Initiative* to present as much information as possible on the upcoming ballot proposal. He stated that not everyone could attend these forums, so took some time to review what was presented. He explained why it is important to plan for the future and not accept the city's natural course of evolution, and he outlined the steps of a city's evolution. He stated a city starts out growing with a lot of room for development, residents and businesses move in, population increases and then a plateau occurs. It becomes fully developed, population drops off, homes and businesses start aging, people move out, school enrollment starts to drop, and the community ends up in a perpetual decline. He stated that both Utica Community Schools and Warren Consolidated Schools have had declining enrollment. He stated Sterling Heights is not willing to accept that fate, and was able to survive the city's worst financial crisis due to a solid self-imposed emergency financial plan. The city is fully-developed, although there are pockets of new development, so if they do not look to the future and plan for quality of life, they are taking a risk of going the way of this natural path of evolution. A few years ago, they completed the city's Visioning 2030 Plan, which involved feedback from businesses, residents and other stakeholders, and he reviewed their vision, which was summed up as "Sterling Heights – A Bold

Vision for an Exceptional Quality of Life”. This included vibrant and attractive commercial centers with unique offerings, and many of the older centers are now being redeveloped. The vision also included a desire for safe, well-maintained neighborhoods, enhanced by great schools, and a destination for emerging high-tech industries. The vision addressed well-maintained and aesthetically-pleasing roads and greenspace, focal points to serve as destinations to residents and businesses, and plentiful leisure and recreation opportunities, including fully-utilized parks and paths for biking and hiking. Mr. Vanderpool explained that after years of cutting costs to survive the recession by eliminating 200 full-time positions, fixed pensions, retiree health care, and contracting out services, the City was able to save about \$30 million from their operational budget. He added that doing this and focusing on the quality-of-life services in the Visioning 2030 will result in prosperity rather than a path of decline. He stated that the *ReCreating Recreation Initiative* is a direct result of the Visioning 2030 Plan, and if it is passed by the voters on November 8th, it will save the future of the City for current and future generations.

A short video was shown to explain all that encompasses the *ReCreating Recreation Initiative*. Upon conclusion of the video, Mr. Vanderpool stated that if this initiative is passed by the voters, it will cost the average homeowner \$5.25 per month. He addressed one of the most common questions asked at the symposiums, which was why this could not be done on a “pay-as-you-go” basis out of the general fund, and he explained it would not be possible to complete this

work in phases because they do not have the necessary funding available to implement these improvements without new revenue sources. He stated the second common question was how fast this would be implemented if the initiative is passed, and he replied that the city is committed to have it all completed within three years, although some of the non-structure components, such as the splash pad, the Farmer's Market pavilion and the ice rink, could be completed quicker, but the community center would take longer. He concluded that the comments from the symposiums were very positive. He welcomed anyone to contact the city with questions and added that these videos are available on the website.

Mayor Pro-Tem Romano stated that this initiative involves a 20-year commitment that residents "will be passing on to their sons and daughters" and that both sides of the *Re*Creating Recreation Initiative should be presented. He requested five minutes to respond.

Mayor Taylor stated he will give Mayor Pro-Tem Romano time to speak later in the meeting but indicated they are now moving on to the first presentation on the agenda.

Moved by Romano, to overrule Mayor Taylor's ruling so that he can make a 5-minute presentation regarding the *Re*Creating Recreation Initiative.

The motion failed for lack of support.

PRESENTATION

Councilwoman Schmidt explained that for the past two years, Key Safety Systems' employees have volunteered to participate in the Sterling Heights

Initiative for Neighborhood Excellence (SHINE) program, which matches volunteers with Sterling Heights' property owners who, because of age and/or physical disabilities, need assistance in maintaining their residences. She added that their employees have also been regularly volunteering for charitable events, including Habitat for Humanity, the Clinton River clean-up, American Red Cross drives, St. Leo's Soup Kitchen and the Christmas Giving Tree sponsored by the Macomb Charitable Foundation.

Councilwoman Schmidt presented the Nice Neighbor award to Mr. Anthony Penner, on behalf of Key Safety Systems, Inc., nominated by Mr. Luke Bonner, Senior Economic Development Advisor, in recognition of their efforts to assist the community and contributions in making Sterling Heights' overall quality of life second to none.

Mr. Anthony Penner stated their company has been in this community for forty years, and he thanked the City for making it easy for them to be involved in the community. He explained it is time-consuming for the managers of companies like theirs to organize community events, but opportunities like the SHINE Initiative make it very easy for them to be involved. They hope to stay involved and be around for many more years, and he thanked the City for this award.

PUBLIC HEARING

1. Mr. Luke Bonner, Senior Economic Development Advisor, explained that DM Tool & Fabrication started its business in Sterling Heights in 1989. They currently employ 85 people at their location on 18-1/2 Mile Road, and

manufacture items such as aluminum, nickel alloy and steel fabrications as well as manufacturing metal prototype tooling, molds and offer custom painting, packaging, plate-burning and water-jet cutting, all for aerospace, automotive and military industries. They are investing \$1.8 million for a 22,000-square-foot facility, which will allow them to bid on much larger projects. He explained there are over 100 companies in Macomb County that are involved in the defense and commercial aerospace industries, and he named many of those companies in Sterling Heights. He stated the staff recommendation is for a 10-year abatement, adding that the company is proposing 30 new jobs on location. They anticipate, over that period, the city will gain new tax revenue in the amount of \$68,340 and the schools will gain an additional \$123,950. He stated that Mr. Rico Valente, owner of DM Tool and Fab, was called to an out-of-state customer and is unable to attend the meeting this evening but relayed his apologies and his appreciation for the Council's support, and he asked that they look favorably upon this request. Mayor Taylor opened the public hearing.

Mr. Joe Judnick - opposed to tax abatements and concerned about lost revenue to the city and schools; pleased they are expanding but felt they should pay full taxes rather than half.

Mayor Taylor closed the public hearing.

Moved by Romano, seconded by Skrzyniarz, **RESOLVED**, to adopt the Resolution approving the application by D M Tool & Fab Inc. for an Industrial Facilities Tax Exemption Certificate at 6101 18-1/2 Mile Road for a period of 10

years in accordance with the guidelines established by City Council and the Mayor and City Clerk are hereby authorized to sign, as applicable, all documents required in conjunction with this approval.

Mayor Pro-Tem Romano stated if they want businesses to continue to come into Sterling Heights and expand, these tax breaks are necessary.

Councilwoman Koski inquired as to whether it is true that the schools will lose \$123,950 over the ten-year period.

Mr. Bonner replied they look at the investment, which is generating new tax revenue, and there is a net gain to the schools and city because of the new investment. He stated there is a concept with tax abatements that taxes will be “lost”, but he reminded that without the new and/or expanded business, the taxes were not there to begin with. He stated it is a 50% tax abatement, and the businesses can get this relief under PA 198.

Yes: All. The motion carried

RESOLUTION

A resolution of the Sterling Heights City Council approving the application by D M Tool and Fab Inc., for an Industrial Facilities Exemption Certificate for a New Facility.

Minutes of the regular meeting of the City Council of Sterling Heights, Michigan, held on the 18th day of October, 2016, at the City Hall, 40555 Utica Road, in Sterling Heights, Michigan, at 7:30 p.m.:

PRESENT: Koski, Romano, Schmidt, Shannon, Skrzyniarz, Taylor, Ziarko

ABSENT: None

The following preamble and resolution were offered by: Romano and supported by: Skrzyniarz.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on October 21, 2008, the City Council established by resolution an Industrial Development District (IDD); and,

WHEREAS, D M Tool and Fab Inc., (Applicant) has filed an application for an Industrial Facilities Exemption Certificate with respect to a new facility to be installed within the IDD; and,

WHEREAS, before acting on said application, the City Council of Sterling Heights held a public hearing on October 18th, 2016, at 40555 Utica Road, in Sterling Heights, MI at 7:30 pm, at which hearing Applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and,

WHEREAS, construction of the new facility had not begun earlier than six (6) months before September 13, 2016, being the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and,

WHEREAS, completion of the new facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Sterling Heights and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes with the City of Sterling Heights, after granting this certificate, exceeds 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE,

BE IT RESOLVED that:

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the city of Sterling Heights, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the city of Sterling Heights.
2. The application by D M Tool and Fab Inc., for an Industrial Facilities Exemption Certificate is hereby approved with respect to a New Facility on the following described parcel of real property situated within the Industrial Development District, to wit:

LEGAL DESCRIPTION

T2N, R12E, SEC 9; COMM AT W 1/4; SEC 9; TH S86*28'E 102.0 FT,

TH N03*26'E 349.69 FT,TH S86*28'E 328.39 FT TO POB;
TH S86*28'E 1.61 FT,TH N03*26'E 264.0 FT,
TH S86*28'E 330.0 FT,TH S03*26'W 290.69 FT,
TH N86*26'W 230.0 FT,TH S03*26'W 217.67 FT,
TH S79*37'51"W 103.33 FT,TH N03*09'52"E 269.06 FT TO POB; 2.74 AC

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of 10 years after completion.

AYES: Romano, Skrzyniarz, Koski, Schmidt, Shannon, Taylor, Ziarko.

NAYS: None

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of Sterling Heights, County of Macomb, Michigan, at a regular meeting held the 18th day of October, 2016.

Mark Carufel, City Clerk

ORDINANCE INTRODUCTION

2. Mr. Chris McLeod, City Planner, explained this is the consideration of an introduction for a conditional rezoning for the southeast corner of Nathan West and Ryan Road, just north of 17 Mile Road, from R-60 (One-Family Residential) to C-1 (Local Convenience Business). The proposal is to develop a low-intensity commercial development of approximately 13,500 square feet with nine tenant spaces. The subject 1.9-acre parcel has 368 feet of frontage on Ryan Road, with property to the south, east and north currently zoned R-60. He added the property to the south would be isolated as residential if the subject property is rezoned. Property further to the south, at the 17 Mile/Ryan intersection, is zoned

commercial. Mr. McLeod stated the Master Plan for Future Land Use indicates residential for this area and calls for commercial use only for the property at the intersection of 17 Mile and Ryan. He explained the conditions that are being proposed along with this request, including the following: a 23-foot greenbelt around the back portion of the property abutting the residential districts, which is about 2.3 or 2.4 times what the current zoning ordinance requires; increased frontage landscaping; all-brick building; no ingress/egress directly to Nathan West; and a series of conditions that would limit the use of the property, which would prohibit the use for meat and fish markets, fruit and vegetable markets, restaurants, carry-out restaurants, taverns and bars. He advised that the Planning Commission's recommendation was for denial based on the following: the rezoning would be considered a spot-zoning; it is contradictory to the Master Plan, and the property can be developed as zoned.

Mr. Anthony Penna, of Moore Penna & Associates, 38600 Van Dyke, Sterling Heights, Michigan 48312, representing May and Sam Alisa, the petitioners, stated they have spent a lot of time working on this conditional rezoning proposal, and he does not feel what they are proposing fits into the traditional "C-1" designation. He explained their uses of their prospective tenants will be much "softer" than what is typically found in the C-1 district. They have provided additional greenbelts, and the elevations resemble an office complex. They have restricted uses, and two of the anchor tenants will be owner-occupied. He explained Sam Alisa has been a barber in the 16 Mile/Ryan area for 20 years and

he has outgrown his current facility, so his plan is to move forward with this center and he will occupy one of the units. His wife, May, has operated a floral shop for 15 years, so she will relocate that shop to this new center. Mr. Penna informed that 5,500 square feet will be occupied by May and Sam Alisa, adding that they have been saving money for this, and this has been their dream. He stated they purchased the property 12 years ago and it is debt-free. They have been working on this plan since the end of 2012, and they feel this is the best use of the property. Their proposed plan complies with all ordinances and they will need no variances. He stated they have gone above and beyond to restrict the uses, and added that this would be a contract with the City, so the City can shut them down for any breach of that contract. Mr. Penna explained they shifted the building further south on the property, away from the residential district, leaving 23 feet of greenspace to the east abutting the residential district, and another 40 feet adjacent to Nathan West. They will have a 6-foot-high decorative stamped concrete brick wall adjacent to the residential homes to the east. They are also proposing abundant landscaping, including over 20 Norwegian Maples every 30 feet, with more clumped in the northeast corner. The dumpster will be against the building on the south side. There will be no parking spaces on the east side of the building. He showed the elevations, stating it will be of brick construction on front and back to give it a residential look so it blends into the neighborhood. The roofline will have residential shingles and dormer windows that will resemble an office complex. Mr. Penna added they want to be good neighbors and feel this

will generate tax revenue for the City, rather than continuing to leave the property vacant.

Mr. Penna explained the adjacent property to the south is developed with a very old single-family residence that has been vacant since 2013, when the owner passed away and it was inherited by his daughter, although there is an ongoing estate issue. Mr. Penna explained they have created an access to the property to the south because his clients have tried to purchase it.

Mr. Giulio Russo is opposed. He stated regulations too restrictive will hurt the plaza, and he questioned why they cannot consider O-1 zoning that would still allow their businesses but not burden the neighborhood.

Mr. Joe Judnick has no objection to a barber shop and a florist, but questioned other commercial uses that would be permitted.

Mr. Henry Paulus, 4206 Nathan West, is opposed. He stated the petitioner purchased residentially-zoned land when he could have purchased commercial land for this use. The residents invested a lot of money into their homes with the promise it would remain residential.

Another resident spoke, and he is in support of the request. He stated it is on a main road and residential property values increase when there is some commercial development in the area.

Mr. Arthur Gorney, 4223 Nathan West, stated the Planning Commission voted 6-2 to deny this for many reasons, including danger to pedestrians, increased traffic and accidents in the area, a school bus stop at the corner,

a house on the property to the south that is zoned residential, and it would be considered spot zoning. He is opposed to the rezoning.

Ms. Abby Hakim is in favor of the conditional rezoning. She owns a boutique and would love to locate in this shopping center. It will create jobs, it is on a major road, and the owners want to “build their dream.”

Mr. James Van Dyke, 4171 Nathan West, purchased his home this year and is opposed to the proposed conditional rezoning. He questioned C-1 being defined as “Local Convenience Business District”, yet the petitioner assures there will be no “convenience stores”. He questioned if the property to the south will be rezoned commercial also, because Mr. Penna had indicated the petitioners want to buy it. He stated left turns from Nathan West are difficult and will get worse. He said this plan may be the petitioner’s dream, but the neighbors also have a dream of enjoying their homes in a residential setting.

Mr. Michael Slocum, 4685 Nathan West, is opposed. He could see no hardship, and the Master Plan indicates “residential” for the subject property. He suggested the petitioner develop the subject property as residential, take the profits from the sale and invest it into commercial land where they can build their “dream”.

Ms. Giralda Miuri, 4616 Nathan West, one of the three original owners of the subject property and the surrounding residential land, explained they subdivided it and sold the lots. She stated they sold the subject property as

residential, and the buyers promised that was how they were going to use it. She is opposed to the rezoning.

Mr. Jeffrey Berg, 4314 Nathan West, is opposed, stating the petitioners should not have purchased residential property with the intent to change it. He stated traffic on Ryan is bad and suspected it will worsen if the property is rezoned. He is concerned that a commercial zoning will result in more traffic driving through their subdivision, deteriorating their roads which are already getting bad.

Ms. Dolores Hatton stated there are a lot of strip malls and many of the units are empty.

Dr. Abrhiem, 43321 Aspen, is in favor of the request. He understood the concerns with traffic but feels shopping centers are a benefit to a community. He urged the residents in the area to look at the positive side of having this property developed rather than remain vacant. He added the owners have a good history with the city, and he stated the area will become safer because it will be lit up.

Ms. Majid Kattula, 5310 Dickson, 28-year resident and part of the focus group for the 2030 Visioning plan, is in favor of the request. She commended the owners for working with the city, and she feels commercial developments are necessary to keep residents in the area. She urged people to set aside their emotions and make their decisions based on the good of the city.

Mr. Hithem Choulagh, 43798 Holmes, is in favor of the rezoning, stating it is better to have a property developed rather than to remain vacant because it generates tax revenue. He does not feel it will be dangerous to the residents.

Moved by Shannon, seconded by Koski, RESOLVED, to deny introduction of the map amendment to conditionally rezone property on the east side of Ryan Road, south of Nathan West, in Section 17 from R-60 (One Family Residential District) to C-1 (Local Convenience Business District); Case No. PZ15-1136.

Councilman Shannon visited the abutting neighborhood and talked with some of the residents. He agrees with the Planning Commission's recommendation. He is concerned that this plaza would infringe on the quality of life for the families on Nathan West. He pointed out that the properties along Ryan are not commercial except for the corners. He indicated that the subject property can be developed as residential, and the land was purchased as residential, so there should be no assumption that it can be changed. He stated that a barber shop and a florist are great uses, but questioned what other businesses could go in, and if nothing can be found, he is concerned the property would eventually have to be rezoned to allow broader uses.

Councilwoman Koski stated she lived at 14-1/2 Mile and Ryan for nearly 33 years, and Ryan was a two-lane dirt road. She stated that with the shopping center being pushed to the south, she is concerned about people making left-hand turns out of the subject development with the speed limit of 50 miles per hour on

Ryan. She looked at the homes in the area last week, stating the first home is gorgeous and she would be concerned if she was living there and looking at a shopping center every day. She inquired as to what would happen with the property to the south because it is zoned residential but would be sandwiched between two commercial properties.

Mr. McLeod replied that having a residence between two shopping centers is feasible, but he anticipated the City would eventually be presented with a rezoning application for that parcel as well, from residential to commercial or office. He replied to inquiry if the abutting property is rezoned in the future to office or commercial, it could be developed with a small office building or commercial use with several more tenant spaces, but he did not believe they would design it to be perpendicular to Ryan because they would want the frontage on Ryan. He stated that, based on this site plan provided with the conditional rezoning, there is a connection to the property to the south, so that would connect parking lots, and at that time, the City would work with them to provide cross access to the corner parcel.

Councilwoman Koski questioned whether the parcel to the south, if rezoned to commercial, could still maintain its own ingress/egress.

Mr. McLeod replied that typically a commercial parcel would have its own ingress/egress, but if it is connected to the two adjacent parcels, there could be discussion at that time to try to discourage another ingress/egress.

Councilwoman Koski stated she is opposed to the conditional zoning, adding that the properties on Ryan Road have typically been residential, with commercial developed on the corners of the intersections.

Councilwoman Schmidt questioned what uses are allowed in the C-1 district.

Mr. McLeod read the lengthy list of uses outlined in the ordinance that are permitted in the C-1 district. He stated that restaurants are allowed in C-1 with special land use approval, enabling a future owner to come in and apply for special land use to allow a restaurant in the shopping center.

Councilwoman Schmidt inquired as to the definition of “convenience store” because that was not on the list of allowed uses.

Mr. McLeod stated the ordinance does not define “convenience store” but it would fall under the “general retail” provision. It would be allowed as long as they were not selling anything that would be prohibited in that district. He stated a 7-Eleven would be considered a convenience store.

Councilwoman Schmidt felt the term “convenience store” is vague. She agrees with the Planning Commission that this would be spot zoning, and she agrees with the safety concerns of the residents. She stated there are new homes on Ryan so she feels the property can be developed as zoned.

Councilwoman Ziarko commented on the beautiful unique homes on Nathan West, and understand their desire to keep their area residential. She understands that the petitioners have a dream, but feels it is in the wrong spot. She stated when they purchased the residentially-zoned property for this purpose, they were

assuming the city would approve a rezoning. She agrees that this would be spot zoning. She felt the dedication of the petitioners to seek out their dream is a true testament to them, and she assured if this property were already zoned C-1, this development would not be an issue. She stated that this property is not going to remain vacant, however, because it is a valuable parcel, and the owners have a right to develop it. She agrees with the Planning Commission that approving the conditional rezoning is not the right thing to do, and is not in the best interest of the people who are living there and driving through there every day. She is concerned that if the rezoning is approved, the property could be sold and the next owner may not have the same dedication or dream. She inquired as to who has the responsibility of paying to fix the residential street.

Mr. Vanderpool replied that, through the Special Assessment process, the residential street becomes the City's responsibility to maintain. They would have to look at it and address any area in disrepair.

Councilwoman Ziarko commented that there would be two sides of the residential neighborhood with brick walls.

Mayor Pro-Tem Romano inquired as to the impact on the residents. He could understand where the residents on Nathan West would be impacted. He questioned the distance from the back of the commercial building to the homes abutting that property.

Mr. Penna estimated the distance would be approximately 110 feet. He replied to further inquiry that there is 23-foot greenbelt proposed along the rear property

line. He estimated the residential lots are each 80 feet in width, but they are deep lots. He stated the concrete wall will be 6 feet in height and the commercial building will be 25 feet in height at the highest peak.

Mayor Pro-Tem Romano inquired as to what businesses, in addition to the barber and the florist, may go in this commercial center if it is approved.

Mr. Penna stated there is a demand for this type of use. He questioned why the former owner did not include the subject parcel in with the homeowner's association when the homes were developed. He stated this property is not marketable for residential because Ryan is a major thoroughfare. He respects where the former owner is coming from, but he stressed they would not be here if her dream was to keep this all residential. He stated the center will be full if it is approved, and they have already lined up a cell phone store, a computer repair store, a home décor and gift shop, an appraisal company and a travel company. He added that there are no vacancies in shopping centers along Ryan. He understood the neighbors' concerns about traffic, but pointed out if the property is developed as residential, there could be four lots with four ingress/egress points.

Mayor Pro-Tem Romano referred to an earlier question from a resident as to how he would vote if this were abutting his home, and he replied that he would love a brick wall behind his house because it would give him privacy. He stated there should not be a lot of truck traffic for the types of businesses proposed. He agreed there should be no grocery stores or restaurants, but he did not anticipate that the conditional rezoning as proposed will impact the value of the surrounding

area. He could not see people wanting to build single-family homes on Ryan because it is a main road with a high speed limit. He stated he is not opposed to the conditional rezoning request.

Councilman Skrzyniarz stated he can see both sides of this issue and both sides presented very good points. He does not feel there will be much impact on traffic, and he cannot see where there is significant proof that safety will be affected if this is approved. He stated data shows that developments such as this tend to increase the value of homes in the surrounding area. He added there are some challenges with the Master Plan, but he pointed out there are conditions in the proposed conditional rezoning contract to fit in with the Master Plan. He stated it is impressive to see the great lengths the owners and developer are going to make this fit into the area. He stated if this was a great residential property, it would have already been developed. He pointed out that someone is willing to invest money in the property and is trying to do it in partnership with the City to address their concerns. If the City Council turns it down, he questioned whether other developers will be willing to go to these extremes to try to make it work for the neighborhood. He stated if it remains zoned residential, the property could stay vacant for a long time. He stated the inventory of vacant commercial units in Sterling Heights is very low, and the local shopping centers are full. He stated he is opposed to the motion on the floor and feels City Council should approve the request.

Mr. Penna explained they created an access point to the adjacent southerly property, and understands his clients will have an opportunity to purchase that adjacent property. If that occurs, they would not need to create another ingress/egress because they would just expand the center. He stated this is a great transitional use as presented, and he added that the Master Plan is a document that can be changed because the zoning pattern in the area has started to change. He urged the City Council to approve the request.

Mayor Taylor stated some of the residents in the area indicated they would be in favor of a multiple-family residential development for that property. He inquired as to whether the developer could construct multiple-family residential apartments on the property.

Mr. McLeod replied they may be able to construct connected units at the same density rate, so it would be a four-plex. He replied that typical single-family homes are 1500 to 2000 square feet and they could be connected.

Mayor Taylor inquired as to whether the owner could build more units if he obtained a rezoning to multiple-family residential.

Mr. McLeod replied a rezoning to multiple-family residential would enable them to build more than four units, and the property would accommodate close to 10 units.

Mayor Taylor inquired as to the height of the building that would be permitted.

Mr. McLeod replied they would be allowed up to a 30-foot height, which could be a substantial building.

Mayor Taylor inquired as to whether the developer would be required to put in a greenbelt and trees on the east and north sides if the property were to be developed as multi-family.

Mr. McLeod replied they would not be required to put in the extensive landscaping and setbacks that are being offered in this conditional rezoning. He replied to further inquiry that a development with 10 multiple-family residential units would require 20 parking spaces, but the garage space can count toward that. He replied to still further inquiry that the ingress/egress could be out to either Ryan or Nathan West, whereas a commercial development would not have a driveway out to Nathan West.

Mayor Taylor felt the multiple-family residential would be more intense of a use than what is being proposed with the contract rezoning. He stated they can decide that this site is going to remain vacant for a long time, or they can consider a proposal for a commercial development where they can get a lot of restrictions to make sure it is a good transitional use that fits in well with the surrounding neighborhood. Another option would be for the property to be rezoned to multiple-family residential and become developed with a lot of units that could have direct access to Nathan West. Mayor Taylor stated the residents would most likely not be happy with that option. He explained there was a commercial development that went up at the end of the street where he used to live, and it had no negative impact on his quality of life, and possibly improved it slightly because he could walk to the center. He stated the proposed conditional zoning

makes the most sense to him, but he pointed out this is only an introduction. He explained that if there are questions to be answered or other details to be worked out, this can be introduced tonight and there would be two weeks to obtain answers or resolve issues. At that time, the City Council can approve it or deny it. He stated if it is denied this evening, he does not know where they can go from here. He stated there is a motion on the floor to deny the request, but if that motion is withdrawn, he would be in favor of introducing the ordinance for consideration at the next meeting. He added it can still be denied at the next meeting.

Councilman Shannon stated he could not see the residents coming forward within the next two weeks with any feelings other than opposition to the request. He felt their concerns are valid. He also does not see what the petitioner would say in the next two weeks to change the residents' opinions or the Council members who are opposed. He questioned what changes they would request of the petitioner that would change the minds of those who are voting against it.

Mayor Taylor stated he is hearing concern from residents that is vague. He suggested a clear explanation from a planning and zoning perspective may help as to the alternatives that would be available if this is turned down.

Councilwoman Koski stated the City cannot request anything from the petitioner. When a contract zoning is offered, it must be offered by the petitioner. She stated they can ask the petitioner if there is anything else they are offering.

Roll call vote: Yes: Shannon, Koski, Ziarko, Schmidt. No: Romano, Skrzyniarz, Taylor. Motion carried.

COMMUNICATIONS FROM CITIZENS

Mayor Taylor noted that since it is 10:00, they will entertain communications from citizens at this point.

Larry – water bills, and questioned possibility of legally challenging Great Lakes Water Authority; opposed to Regional Transportation Authority (RTA) ballot proposal; *Re*Creating Recreation and its individual components; more than one dog park.

Mr. Jeffrey Norgrove – questioned if Maple Lane will be widened to 3 lanes; RTA ballot proposal; Rizzo contract.

Ms. Jazmine Early - *Re*Creating Recreation symposiums; water bills, surveys in mail; agreement with City of Warren regarding community pool; Rizzo contract.

Ms. Dolores Hatton – sidewalk along Schoenherr between Clinton River Road and 17 Mile lacks a guardrail; water bills; Great Lakes Water Authority; Splash Pad; agreement with City of Warren regarding community pool.

Ms. Linda Godfrey – Rizzo contract; *Re*Creating Recreation and its proposed cost to each homeowner; pool contract with City of Warren.

Mr. Joe Judnick – video outlining *Re*Creating Recreation; vacant property at Mound and Poplar; campaign donations from Rizzo PAC and Mitten Leadership Fund.

Mr. Giulio Russo – looking at options for zoning and development of vacant property fronting main roads and abutting residential properties; condition of roads; tax abatements; complimented Police and Fire Departments on excellent service.

3. CONSENT AGENDA

Mr. Joe Judnick – Item “E” – purchase of long guns; inquired as to whether these are assault rifles and whether “no cost” means the police officers will be paying for them.

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

- A. To approve the minutes of the Regular Meeting of October 4, 2016, as presented.
- B. To approve payment of the bills as presented: General Fund - \$612,230.48, Water & Sewer Fund - \$3,171,967.09, Other Funds - \$4,485,310.42, Total Checks - \$8,269,507.99.
- C. **RESOLVED**, to award the bid for installation of new scoreboards at L.W. Baumgartner Park to J. Ranck Electric, Inc., 1993 Gover Parkway, Mt. Pleasant, MI 48858, in the amount of \$34,644 and authorize a budget amendment to 24700700 (Land & Water Conservation Fund) 972000

(Land Improvements) from Land & Water Conservation Fund reserves for the amount of the bid award.

- D. **RESOLVED**, to award the bid for printing of the City of Sterling Heights magazine to Grand Blanc Printing Company, Inc., 9449 Holly Road, Grand Blanc, MI 48439, for a two-year period at the following unit prices:

Price per printing (53,500 pieces) \$11,700.00

Bundling and Delivery to the Post Office Included

- E. **RESOLVED**, to award the bid for the purchase of long guns for the Sterling Heights *Police Patrol Rifle Program* to Michigan Police Equipment Company, 6521 Lansing Road, Charlotte, MI 48813, at unit prices bid.

- F. **RESOLVED**, to set a public hearing on Tuesday, November 15, 2016 at 7:30 p.m. regarding the application and concept plan submitted by Maple Lane Holdings LLC for a Planned Unit Development on 288 acres situated north of 14 Mile Road, west of Maple Lane Road, PPCM-1161.

- G. **RESOLVED**, to approve the Cost Sharing Agreement between the Macomb County Department of Roads, City of Sterling Heights, and City of Warren for purposes of securing federal grants for the reconstruction of Mound Road from I-696 to M-59 and authorize the Mayor and City Clerk to execute the Agreement on behalf of the City.

- H. **RESOLVED**, to adopt the resolution authorizing Official Statement and Continuing Disclosure Undertakings by City officials for refunding of

Macomb Interceptor Drainage District Drain Bonds, Series 2010A,
Limited Tax General Obligation.

Yes: All. The motion carried.

CONSIDERATION

4. Mr. Vanderpool explained there are three bargaining units which have collective bargaining agreements with the city that provide for a job reclassification process. He stated that, due to a decision by the Michigan Municipal League to eliminate professional consulting services utilized by the City for analyzing employee job reclassification requests, the City was forced to renegotiate this process with the three unions. He explained that, through this process, new language was incorporated into the collective bargaining agreements. He added that the MAPE Technical Office Employees has a current contract from July 1, 2015 through June 30, 2018, so they negotiated a Memorandum of Understanding (MOU). Mr. Vanderpool thanked and acknowledged the MAPE Technical Office employees for working collaboratively with City administration to reach this agreement, and he requested it be approved by City Council.

Moved by Romano, seconded by Skrzyniarz, **RESOLVED**, to approve the Memorandum of Understanding between the City of Sterling Heights and Michigan Association of Public Employees Technical/Office Employees Union and authorize the Mayor and City Clerk to sign it on behalf of the City.

Yes: All. The motion carried.

5. Moved by Skrzyniarz, seconded by Romano, **RESOLVED**, to appoint Ryan Makowski to the Ordinance Board of Appeals II as a regular member for a term ending June 30, 2019, 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.

Moved by Romano, seconded by Schmidt, **RESOLVED**, to appoint Nancy E. Kijek to the Ordinance Board of Appeals II as an alternate member for a term ending June 30, 2019, 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.

REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mayor Taylor read the following statement prepared by City Administration: Rizzo Environmental Services was awarded the waste disposal and recycling contract in Sterling Heights based upon an open public and competitive bid process, whereby it was determined to be the lowest most qualified bidder. On October 3, 2016, Sterling Heights was notified that GFL USA, Inc. acquired Rizzo Environmental Services, Inc., and City Administration is in the process of reviewing the matter to determine whether the City will continue utilizing those services.

Mr. Vanderpool reported on an earlier question that Maple Lane will be widened in the future, as indicated on the Master Plan for Future Land Use, but it will not be occurring within the next couple of years.

Mr. Vanderpool responded to the citizen's comment about the safety of the sidewalk on Schoenherr, and explained there was a dirt walkway established but with the installation of the sidewalk, it is much safer for pedestrians. It is now concrete and a steel guardrail is being installed over the bridge to make it safer for pedestrians and bikers, and he anticipated it will be completed soon.

Mr. Vanderpool addressed the comments on the *Re*Creating Recreation, clarifying that the cost to build out the projects highlighted in the video will be \$45 million. That cost will be funded through a bond, and the .97 mil, which is in the ballot question on November 8th, covers the \$45 million bond cost and any operational costs associated with the project. He stated this would cost the average homeowner w \$63 annually, or \$5.25 a month.

Mr. Vanderpool clarified, regarding the comments made about Rizzo's services, that Rizzo Environmental Services was the low bidder and are saving the City approximately \$250,000 a year in its base refuse cost. The recycling subscriber cost, when it becomes effective, will be reduced from \$67 to \$57.

Mr. Vanderpool addressed the question regarding the rifle program. The rifles being purchased are FN 15 Tactical Carbine Rifles, and are in addition to the guns the police officers are assigned by the City. Each officer pays for these guns through payroll deduction, which amounts to approximately \$20 per pay for two years.

Mr. Kaszubski had nothing further to report.

UNFINISHED BUSINESS

There was no Unfinished Business discussed.

NEW BUSINESS

Mayor Pro-Tem Romano read a prepared statement regarding in-house emergency transport by the Fire Department.

Moved by Romano, seconded by Skrzyniarz, **RESOLVED**, to direct City Administration to begin negotiations with Sterling Heights Firefighters Association, Local 1557, to make the necessary changes in the collective bargaining agreement required to implement the self-sustaining model for in-house emergency transport services.

Mayor Taylor stated the City has been provided a proposal by the firefighters to perform the transport service. It has been vetted by city administration, and they have put together a team of city employees in the Fire Department to put together a model that will not cost any more money to the city. It will require changes to the collective bargaining agreement, and he is in support of negotiating with the union to determine whether there is an opportunity to enhance the service without any additional cost to the residents.

Councilwoman Schmidt inquired as to how many new firefighters would be necessary under the self-sustaining cost-neutral model.

Mr. Vanderpool replied they received a proposal from the union that would have resulted in hiring 28 new firefighters. That proposal was not economically feasible and would have cost an additional \$1.5 million per year. The Fire Chief assembled a team including Chief Financial Officer Brian Baker and Assistant

City Manager Jeff Bahorski, along with himself and other employees from his department. They were able to develop a self-sustaining model that would require 15 additional firefighters, but at no additional cost to the city. He stated there are some significant and difficult changes that would need to be made to the collective bargaining unit.

Councilwoman Schmidt inquired as to whether it is an assumption under that model that the city will be paid for these services.

Mr. Vanderpool replied there are several assumptions in that model but they are based on industry trends in terms of percentages that would be covered by insurance companies, number of runs and trending transports that would occur in the future. He stated they used conservative estimates, and while they cannot expect to receive 100% of what they bill, they may be likely to receive 70%, so all of that has been taken into consideration with the self-sustaining model.

Roll call vote: Yes: Romano, Skrzyniarz, Shannon, Taylor, Koski. No: Schmidt, Ziarko.

The motion carried.

Mayor Pro-Tem Romano stated he recently had dinner at Ike's Restaurant and the owner approached him to talk about his water bill, which was \$1,200. Mayor Pro-Tem Romano pointed out that is a monthly bill, not a quarterly bill, and the owner was present earlier this evening but left before he got an opportunity to talk because of the length of the meeting. He stated he will invite him back but

suggested Mr. Baker contact him before that to discuss it, adding the owner is a great businessman and supporter of the city.

Councilwoman Schmidt highly commended the Police Department for their handling of some recent activities that occurred at Sterling Heights High School and in the Warren Consolidated District. She thanked them for stepping up and handling these so well.

Mayor Taylor addressed an earlier question on *Re*Creating Recreation and why the city cannot pay for the upgrades out of their budget rather than opting for this ballot proposal. He stated the City does not have the money to make the improvements to the parks without the passing of the ballot proposal in November. There are small amounts each year in the budget to do some minor repairs, but what they can do is a minimal amount with the couple thousand dollars budgeted each year. He stated the passing of this ballot proposal will enable the generational changes needed.

ADJOURN

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

Yes: All. The motion carried.

The meeting was adjourned at 11:05 p.m.

MARK CARUFEL, City Clerk

EXPENDITURES FOR THE MEETING OF
November 1, 2016

	TOTAL PREPAYMENT LISTING	INTERFUND TRANSFERS	PROPERTY TAXES TO OTHER ENTITIES	EXPENSES & EXPENDITURES
GENERAL FUND	\$649,265.94			\$649,265.94
WATER & SEWER FUND	\$28,348.93			\$28,348.93
OTHER FUNDS	\$1,239,443.05		\$16,626.53	\$1,222,816.52
TOTAL CHECKS	\$1,917,057.92	\$0.00	\$16,626.53	\$1,900,431.39

BILL LISTING DETAIL IS AVAILABLE AT THE STERLING HEIGHTS PUBLIC LIBRARY



**Business of the City Council
Sterling Heights, Michigan**

City Clerk's Use
Item No: **2-C**
Meeting: 11/01/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To award a bid for the removal and replacement of the roof at Fire Station #5 (Total expenditure of \$139,200).

Submitted By: Office of Purchasing

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

Administration (initial as applicable)

Attachments

City Clerk	—	Resolution	—	Minutes
Finance & Budget Director	—	Ordinance	—	Plan/Map
City Attorney (as to legal form)	—	Contract	—	Other
City Manager				
<input type="checkbox"/> Check box if this agenda item requires billing/revenue collection (fees, etc.) by Treasury Office				

Executive Summary:

- Fire Station #5, located on 41625 Ryan Road serves as the headquarters for the Sterling Heights Fire Department. In addition to housing the Fire Prevention, Training, and Administrative divisions of the Fire Department, this facility functions as one of five fire stations and services the northwest quadrant of the City.
- The roofing structure at Fire Station #5 is original and now over 25 years old. Due to age and exposure to the elements, the roofing structure is failing. A number of leaks have developed and it is becoming increasing more difficult to locate and address them.
- An Invitation to Bid for the removal and replacement of the roof at Station #5 was developed. On September 13, 2016, five (5) contractors attended a pre-bid meeting. On September 20, 2016, four (4) bids were received from qualified contractors. Upon review and analysis of all bids received, recommendation is being made to award the bid to Esko Maintenance Company, d/b/a Esko Roofing & Sheet Metal, the lowest bidder meeting specifications, at a bid price of \$139,200.
- Esko Roofing has successfully completed maintenance on City buildings with the Duro-Last rubber membrane roofs. Nonetheless, Esko Roofing's references were checked by the Building Official / Facilities Maintenance Manager and proved positive. Additionally, the City confirmed that Esko Roofing is a certified Duro-Last installer.
- Funding for the removal and replacement of the roof at Fire Station #5 is budgeted in the Fiscal Year

Suggested Action:

MOVED BY:

SECONDED BY:

RESOLVED, to award the bid for the removal and replacement of the roof at Fire Station #5 to Esko Maintenance Company, d/b/a Esko Roofing & Sheet Metal, 14000 Simone, Shelby Township, MI 48315, in the amount of \$139,200.

CITY OF STERLING HEIGHTS

STAFF REPORT

November 1, 2016

Prepared By: James Buhlinger, Purchasing Manager

Ext. No. 2741

GENERAL INFORMATION:

On September 20, 2016, bids were received for the removal and replacement of the roof at Fire Station #5 located at 41625 Ryan Road. The bid specifications required the removal of the original ballast roofing structure and installation of a new Duro-Last, or equivalent roofing system. An Invitation to Bid was advertised on SHTV, posted to the MITN website, Facebook, and Twitter and published in the Sentry Newspaper. Funding in the amount of \$350,000 is budgeted in 43700700 (Capital Projects Fund) 975210 (Fire Station Renovations).

STAFF ANALYSIS AND FINDINGS:

Fire Station #5's 25-year old roof has exceeded its useful life and is leaking in several areas causing interior damage that includes stained and failing ceiling tiles and rusting of the metal roof decking. The existing roof has an old tarred membrane roofing material covered by layered stones to serve as ballast in high wind conditions. This tarred membrane roof was installed over a low R-Value insulation board and provides only minimal insulation value. Due to age, the integrity of the existing roofing system is beginning to fail and needs to be replaced.

Bid specifications were developed and require a complete removal of the existing roofing structure and installation of new, 40-mil Duro-Last (or equivalent) roofing over insulation board to achieve R-20 rating. Additionally, the specifications required installation of flashing and the replacement of roof drains and skylights.

Five contractors attended the September 13th pre-bid meeting and facility inspection. All five were provided roof-top access to Fire Station #5 and given the opportunity to ask questions about the project. The City received four (4) qualifying bids, ranging in cost from \$139,200 to \$360,000. Staffs from the Office of Purchasing and Facilities Maintenance have carefully reviewed all bids and are recommending an award to Esko Maintenance Company, d/b/a Esko Roofing & Sheet Metal as the low bidder meeting specifications.

Esko Roofing has been in business for 40 years and successfully completed roofing maintenance projects for the City of Sterling Heights. A check of current references provided proved positive. The City also confirmed that Esko Roofing is a certified Duro-Last installer. Esko Roofing will provide a warranty, the required insurance, and a bond for this project. The roof replacement is tentatively scheduled for mid-December, 2016, weather permitting. It will take approximately eight to ten days to complete.

STAFF RECOMMENDATION:

Please see Suggested Action on the accompanying Agenda Statement.

Notification list:

Esko Maintenance Company, d/b/a/ Esko Roofing & Sheet Metal

14000 Simone

Shelby Township, MI 48315

Steve Eskelinen, Project Manager

steve@eskoroofting.com



Date: October 14, 2016

To: Jim Buhlinger, Purchasing Manager

From: Michael Viazanko
Michael Viazanko, Building Official

Subject: Fire Station #5 Roof Replacement

I had the opportunity to extensively review the four bids submitted for replacement of the roof at Fire Station #5 in response to the City's invitation to bid (ITB-SH16-039). The bid specs requested pricing to replace existing roof that was originally installed when the building was constructed. All four qualified bids submitted met the necessary specification as indicated in the ITB solicitation.

The current roof has exceeded its life expectancy and had developed multiple leaks. It was becoming more difficult to locate leaks since type of roof installed required stones to be layered onto it to act as ballast in high winds. The existing roof is approximately 25 years old and was installed over a low R-value insulation board. The proposed roof replacement will be a rubber roof that doesn't require any type of ballast. Also include in the spec in the ITB was the requirement to install an R-20 insulation board under the rubber roof material which will provide higher energy efficiency for the building.

The four bids received ranged from \$139,200 up to \$360,000. After seeing such a gap in pricing we decided to contact the lowest two companies by email to confirm that they had taken all requirements of the ITB into consideration when they came up with their quote. They both confirmed that the bids submitted were complete and thorough to the bid specs.

I am recommending this project be awarded to the lowest bid received; Esko Roofing & Sheet Metal, 14000 Simone Dr located in Shelby Township 48315 Their bid submitted was \$35,230 lower than the second lowest submitted by Tri-Star Roofing & Sheet Metal Inc. . I have check references for Esko Roofing and also the City of Sterling Heights is currently using them for maintenance of our buildings with a rubber roof. They are a preferred contractor to do service, installation and maintenance of Duralast rubber roofing materials.

Funding for this project was approved as part of the capital budget process for the 2016-2017 budget year. The funding is secured in account 43700700-975210.

**CITY OF STERLING HEIGHTS
 BID TABULATION - SEPTEMBER 20, 2016
 ITB-SH16-039: INSTALLATION OF A ROOF AT FIRE STATION 5**

	Esko Roofing & Sheet Metal	Laduke Roofing & Sheet Metal	Newton Crane Roofing	Tri-Star Roofing & Sheet Metal
	Total Cost	Total Cost	Total Cost	Total Cost
Complete removal/replacement of roof and R20 Insulation:	\$139,200.00	\$360,000.00	\$177,000.00	\$174,430.00
Date of installation after receipt of PO:	4-6 weeks	30 days	Spring 2017	2 weeks
Hourly rate for add'l repairs not listed:	\$79.15	\$90.00	\$85.00	\$55.00
Warranty	15 years	15 Years	20 years	15 years
Estimated duration of work:	8-10 days	55 work days	10 days	2 weeks
Attended pre-bid meeting?	Yes	Yes	Yes	Yes



CITY OF
**Sterling
Heights**

InnovatingLiving

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

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

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 Manager Mark D. Vanderpool

ADDENDUM #1

POSTED: SEPTEMBER 14, 2016

BID: ITB-SH16-039: INSTALLATION OF A ROOF FOR FIRE STATION 5

DUE DATE: TUESDAY, SEPTEMBER 20, 2016 AT 2:30 P.M.

ADDENDUM #1

One modification has been made to section **VII. SPECIFICATIONS** of ITB-SH16-039. The following change has been added on page 12 of 21:

“Remove and dispose of the four (4) existing 4’x8’ bubble skylights located on the high roof over the vehicle bay and replace with new skylights matching the style currently installed. New skylights are to be installed over existing curb”.

Include the cost of this modification in your total bid. No other changes or modifications have been made.

For further assistance, please contact me at (586) 446-2741.



James Buhlinger
Purchasing Manager

I have reviewed and understand the bidding implications of Addendum #1; attest to this understanding by signing below and will submit this page along with my bid documents.

Name

Company



CITY OF Sterling Heights

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

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Mayor Pro Tem	Joseph V. Romano
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Councilwoman	Maria G. Schmidt
Councilman	Nate Shannon
Councilman	Doug Skrzyniarz
Councilwoman	Barbara A. Ziarko
City Manager	Mark D. Vanderpool

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

**INVITATION TO BID
ITB-SH16-039**

The City of Sterling Heights, Michigan is accepting sealed bids for the INSTALLATION OF A ROOF FOR FIRE STATION 5 until TUESDAY, SEPTEMBER 20, 2016 AT 2:30 P.M. in the Office of the City Clerk, 40555 Utica Road, Sterling Heights, Michigan 48313. Specifications are attached.

There will be a mandatory pre-bid meeting on TUESDAY, SEPTEMBER 13, 2016 at 10:00 A.M. at Fire Station 5, 41625 Ryan Road, Sterling Heights, Michigan 48314.


James Buhlinger
Purchasing Manager

Office of Purchasing
586-446-2740

VII. SPECIFICATIONS

The City of Sterling Heights is seeking sealed bids for the installation of a roof for Fire Station 5, located at 41625 Ryan Road, Sterling Heights, Michigan 48314.

Scope of Work

1. Contractor shall remove existing roofing system and remove unused, abandoned equipment and debris. Equipment that will be removed will be marked.
2. Contractor shall install Duro-Last or equivalent roofing with insulation board over existing decking to achieve R20 rating.
3. Contractor shall mechanically fasten a 40-mil white energy star rated Duro-Last roofing system or equivalent. Manufacturer specifications shall be submitted with bid.
4. Contractor shall install all necessary flashings for a complete watertight roofing system. Install flashing over the patio pergola roof framing along the top to assure weather tight beams from the top.
5. Contractor shall include a manufacturer's 15 Year no dollar limit warranty.
6. Contractor shall install 24 gauge pre-finished metal edge copings system around perimeter.
7. Contractor shall install new roof drains.
8. Contractor shall clean job site of all work related debris.

General

Inspection & Warranty – After the installation is complete, a Duro-Last Quality Assurance Specialist shall inspect the visible details of the roofing system for acceptability for warranty issuance. Any deficiencies shall be corrected by the Contractor and made ready for re-inspection within five (5) working days. Upon acceptance, the warranty shall be promptly issued.

Worker Bathroom Requirements - Contractor shall supply sufficient porta-john facilities for workers at a location approved by the City.

Clean-up - All existing materials removed from roof and all other debris generated by this project must be disposed of off-site and in a legal manner.

Where not more specifically described in these specifications, workmanship shall conform to all of the methods and operations of best standards and accepted practices of the trade or trades involved, and shall include all items of fabrication, construction or installation regularly furnished or required for completion of the services. All work shall

be executed by personnel skilled in their respective lines of work.

Contractor shall at all times protect the work, buildings, and contents, from exposure to rain, wind, snow, sleet, hail, and any other form of natural hazard, and shall take additional precautions for such risk when absent from the work site.

Contractor shall be responsible for insuring products, materials, equipment, used or brought to the project against all risks of loss, including completed operations, loss of use or business interruption. The City will not be responsible for any loss suffered by contractor.

Area around work site shall be cleaned each day before leaving the site. Storage, vehicle and equipment staging, and other ground operations shall be reviewed and approved by the City in advance at all times.

The Contractor shall be responsible for damage to the City's premises that may be caused by his work. The Contractor shall take all necessary measures to prevent damage to other areas of the building, grounds, and utilities adjacent to his work. Should damage occur as a result of the Contractor's work, the Contractor is responsible for the repair and/or replacement of the damaged area. Otherwise, the City shall repair and/or replace the damaged area and charge the Contractor or deduct the amount from the Contractor's payment.

The Contractor shall obtain all necessary permits required by laws and regulations give all required notices and pay all lawful fees in accordance with requirements for his particular work. The Contractor shall deliver to the City certificates of inspection where such are required. All Federal, State and Local taxes, when applicable, are the responsibility of the Contractor and should be included in the bid price. However, the City is tax exempt, and state sales taxes should not be included as part of the bid.

Partial payments shall be made at the discretion of the designated City Representative. The City reserves the right to withhold payments until acceptance of the portion of work completed which is being invoiced. Prior to release of final payment, consent of surety document will be required and signed by the surety company.

SAFETY

The Contractor shall perform all work in accordance with "The General Safety Rules and Regulations for the Construction Industry" as promulgated by MIOSHA.

The Contractor shall perform all work in accordance with applicable local, State, and Federal laws, rules, regulations and zoning and building codes, as well as M.I.O.S.H.A guidelines in effect at the time of the project. The Contractor shall be responsible for providing and for the placement of barricades, tarps, plastic, flag tape, and all other safety/traffic control equipment required to protect the public, surrounding areas, equipment and vehicles.

The Contractor shall provide for the protection of the public, City employees, and the

The Contractor shall provide for the protection of the public, City employees, and the Contractor's own workers from work-related hazards. Contractor shall provide, install, and maintain warning signs and barricades necessary for the protection of persons and property affected by construction. Contractor shall also provide notification to the City representative and personnel directly affected by construction of any potentially dangerous situations.

Material Safety Data Sheets shall accompany or precede shipments of materials subject to the Michigan Hazard Communications Standard also known as the "Michigan Right to Know Law." All containers shall have approved warning labels in accordance with this law. The Contractor shall send copies of all MSDS's to the City Representative for this project prior to the start of the Work. In addition, all Contractors and their employees have the right to know what hazardous chemicals they may be exposed to while working on this project. In accordance with the law, Contractors and their employees may request hazardous chemical information from the City through the City Representative. This can include a list of hazardous chemicals in the work place as well as specific Material Safety Data Sheets.

Upon request, Contractor shall provide a copy of his Written Safety Program for review by the City.

In the event of an emergency affecting the safety of persons or property, the Contractor shall act immediately to prevent threatened loss or damage. The Contractor shall immediately stop any activity or operation-affecting safety until the situations is corrected.

VIII. BID FORM

The undersigned hereby declares that the instructions and specifications, including all appendixes, have been carefully examined, and that the **INSTALLATION OF A ROOF AT FIRE STATION 5** will be done 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 one hundred twenty (120) days from the date of the bid opening to allow for the award of the bid and that if chosen the successful vendor, the prices bid will remain firm. The undersigned bidder further agrees and understands that the City of Sterling Heights reserves 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. The City reserves the right to split and/or reject all bids to realize the greatest cost savings.

Complete removal & replacement of roof & R20 insulation \$ _____

Indicate your earliest date of installation after receipt of PO _____

Hourly rate for additional repairs not listed (if applicable): \$ _____

Warranty: _____

Estimated duration of work: _____

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 _____

Terms _____

E-Mail Address/Website _____

Signature/Date _____

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

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To purchase software and professional services to implement the *Cityworks* Computer Maintenance Management System for the Department of Public Works (Total Year 1 expense of \$125,600 – 90% funded through a Stormwater, Asset Management, and Wastewater (SAW) Grant).

Submitted By: Office of Purchasing

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

Administration (initial as applicable)



Attachments

 City Clerk	—	Resolution	—	Minutes
 Finance & Budget Director	—	Ordinance	—	Plan/Map
 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 Sterling Heights Department of Public Works (DPW) is responsible for the development, construction, operation, periodic maintenance and repair, and overall asset management of over 1,920 miles of utility infrastructure, including water mains, sanitary sewers, storm drains, and fire hydrants. In 2008, the City committed to the implementation of a geographic information system (GIS), which serves as the technological backbone for the computer-based mapping of this critical asset information. GIS provides innovative, computer-based, real-time access to City assets in lieu of unreliable and inefficient maps and blueprints.
- In order to effectively manage the data associated with these assets captured within the GIS, the DPW has identified the need for a computer maintenance management system (CMMS). A CMMS database has the capability to collect asset specific information, track past and schedule future maintenance and repairs, monitor inventories, schedule & track work orders, allocate costs for reporting purposes, and other critical functions, all of which provide information to help the DPW to manage and make informed decisions based on factual data.
- In order identify the industry–best CMMS available to the City, DPW personnel conducted thorough research that included market research and municipal customer reviews. This due diligence identified *Cityworks*, a CMMS software deemed best suited for the needs of the DPW. *CityWorks* is available from its sole source provider, Azteca System, LLC.
- To successfully install and integrate *CityWorks* into the City's existing GIS, recommendation is being made to accept a proposal by Geographic Information Services, Inc., a *Cityworks* gold partner and

proven vendor with eight years of experience providing professional services to the City.

- In order to integrate *Cityworks*, the City will need to upgrade *SeeClickFix*, the new citizen reporting system. By doing so, citizen reports of potholes, sidewalk defects, noxious weeds and the like, can be entered into the DPW's work order system and addressed efficiently.
- Funding from the Stormwater, Asset Management, and Wastewater (SAW) Grant program is budgeted to pay for 90% this project. The 10% City-share is included in the fiscal year 2016/17 budget.

Suggested Action:

MOVED BY:

SECONDED BY:

RESOLVED, to:

- A) Purchase the *Cityworks* computer maintenance management system from Azteca Systems, LLC, 11075 South State St., Suite 24, Sandy, UT, 84070 at a cost of \$31,500; and,
- B) Accept a proposal by Geographic Information Services, Inc., 2100 Riverchase Center, Suite 105, Birmingham, AL 35244 for the implementation of the *Cityworks Software* system at a cost of \$73,100;
- C) Accept a proposal by *SeeClickFix* Inc., 746 Chapel St., New Haven, CT 06510 for the integration of existing data with *Cityworks* at a cost of \$21,000; requiring a \$600 budget amendment from Water & Sewer Fund reserves; and,
- D) Authorize the City Manager to extend the term of the maintenance agreements annually on the same terms and conditions and sign all documentation required on behalf of the City.

CITY OF STERLING HEIGHTS
STAFF REPORT
November 1, 2016

Prepared By: James Buhlinger, Purchasing Manager

Ext. No. 2741

GENERAL INFORMATION:

The Department of Public Works (DPW) has identified the need for a comprehensive computer maintenance management system (CMMS) in order to effectively manage the long-term sustainability of all infrastructure assets. When installed, a CMMS system fully utilizes the capabilities of the City's Geographical Information System (GIS) data in order to ensure that all decisions involving the maintenance, repair, replacement and/or rehabilitation of the City's infrastructure are supported by accurate data.

This proposed software licensing and the associated implementation of the software system are eligible and will be paid for through the Stormwater, Asset Management and Wastewater (SAW) grant, administered by the Michigan Department of Environmental Quality. Budgeted funds for this project in the amount of \$125,000 are appropriated in the 2016/17 budget in 59955552 (W&S Fund – Water & Sewer Administration) 981000 (Electronic Equipment).

STAFF ANALYSIS AND FINDINGS:

City Code §2-217(A)(3) provides in relevant part:

(A) Competitive bids shall **not** be required with respect to the following purchases unless otherwise required by law:

(3) **Professional and consultant services** (including legal, accounting, architectural, engineering, surveying, construction management, insurance, investment, advertising, marketing, fundraising, lobbying, insurance and health care administration, and **information technology** and energy efficiency consulting).

(5) **Sole source supplies and services.**

This project involves a two-pronged approach to include: the purchase of software licensing for a CMMS system and the related and necessary implementation of that software within the City's GIS framework.

DPW staff has thoroughly researched the multiple CMMS products available throughout the industry. The extensive research included contacts with communities within the State of Michigan to gauge their experiences with various CMMS. Azteca Systems' *Cityworks* software

system is the most comprehensive and cost-effective solution available. *Cityworks* has been installed and used by 34 governmental organizations within Michigan, including the counties of Oakland and Wayne, cities of Ann Arbor, Dearborn, Grand Rapids, Lansing, Livonia, Farmington Hills and Troy, as well as Shelby Township. *Cityworks* software is available only through Azteca Systems, LLC as a sole source provider. Azteca Systems' *Cityworks* offers seamless integration with other systems currently in use by the City, including MUNIS and *SeeClickFix*. Additionally, *Cityworks* was developed using ESRI GIS and ArcGIS, both applications currently used by the City in the development of the GIS program.

The Azteca Systems quotes for software licensing span a three-year period and are summarized below:

YEAR 1	<i>Cityworks</i> Asset Management System (15 users)	\$21,000
	Storeroom	7,500
	<i>SeeClickFix</i> Integration	<u>3,000</u>
	Year 1 Total	\$31,500
YEAR 2	<i>Cityworks</i> Asset Management System (15 users)	\$21,000
	<i>Cityworks</i> ASM (+10 users)	12,000
	Storeroom	7,500
	CCTV Interface – Pipeline assessment	2,000
	<i>SeeClickFix</i> Integration	<u>3,000</u>
	Year 2 Total	\$45,500
YEAR 3	<i>Cityworks</i> Asset Management System (25 users)	\$33,000
	<i>Cityworks</i> ASM (+5 users)	6,000
	Storeroom	7,500
	CCTV Interface – Pipeline assessment	2,000
	<i>SeeClickFix</i> Integration	<u>3,000</u>
	Year 3 Total	\$51,500

Cityworks will replace three existing stand-alone software systems currently in use by the DPW, thereby eliminating three individual annual maintenance/upgrade agreements while consolidating these functions within one tracking and reporting system.

With regard to the system implementation, Azteca Systems, LLC has identified gold partner firms nationwide capable of implementing the *Cityworks* software system to their expectations. One of those gold partner firms is Geographic Information Services, Inc., the firm the City has relied on for professional services annually for the past eight years to implement, test and periodically maintain and support the City's GIS. Geographic Information Services, Inc. possesses the requisite knowledge of and experience with the City's existing GIS to successfully implement *Cityworks*.

As an Azteca Systems gold partner, Geographic Information Services, Inc. has submitted a

proposal that includes a three-year implementation, configuration and support plan. Although the proposal reflects the cost of the software (detailed above), the system licensing will be procured directly through Azteca Systems.

Presented below is a cost summary for the Geographic Information Services, Inc. proposal:

YEAR 1	Asset Management System implementation (15 users)	\$47,300
	Storeroom Configuration	10,800
	Additional Training (optional)	8,600
	Crystal Report Development (optional)	<u>6,400</u>
	Year 1 Total	\$73,100
YEAR 2	CCTV Configuration	\$7,200
	Support Block (95 hours)	<u>15,000</u>
	Year 2 Total	\$22,200
YEAR 3	Support Block (95 hours)	<u>15,000</u>
	Year 3 Total	\$15,000

The City has expanded its overall GIS capabilities to take advantage of technological advances in support of a broader city-wide implementation. Approval and implementation of this software system is the next step toward maximizing the use of the electronically captured GIS data.

The City utilizes *SeeClickFix* (a free 'app') to allow residents to identify and report issues throughout the City on their smart phone, tablet, or computer. Requests for service initiated through *SeeClickFix* are inputted, routed, tracked, updated, and closed with transparency for the resident who initiated the request. To maximize the City's investment in *SeeClickFix*, it will be necessary to integrate *Cityworks* with *SeeClickFix*. This integration will require an annual cost of \$13,000 along with a one-time start-up fee of \$8,000. Integration will allow bi-directional synchronization of requests and workflows, preventing duplicate entries while maintaining open communication will all departments.

STAFF RECOMMENDATION:

Please see Suggested Action on the accompanying Agenda Statement.

Notification List:

Azteca Systems, LLC
11075 South State St.
Suite 24

Sandy, UT 84070
Brian L. Haslam, President/CEO
bhaslam@cityworks.com

Geographic Information Services, Inc.
2100 Riverchase Center
Suite 105
Birmingham, AL 35244
Tyler Prah, State & Local Account Manager
tyler.prah@gisinc.com

SeeClickFix Inc.
746 Chapel St.
New Haven, CT 06510
Tim Murray, Program Lead
tim@seeclickfix.com



Interoffice Memorandum

Date: October 14, 2016

To: Jim Buhlinger, Purchasing Manager

From: 
Jared Beaudoin, Operations Manager

Subject: Recommendation - Purchase and Implementation of Cityworks Software Suite

The Department of Public Works staff has identified the need for a Computer Maintenance Management System (CMMS) to ensure long-term sustainability of its utilities to include water mains, fire hydrants, sanitary sewers, storm drains, utility structures, etc. A CMMS utilizes the existing Geographical Information System (GIS) and allows management to develop a comprehensive asset management program for its utilities to track location, age, maintenance performed, and useful life expectancy. This program will allow DPW staff to make informed decisions on when it is most cost effective to repair, replace, or rehabilitate utility assets, and to develop a long-term strategy to ensure its ability to deliver reliable utility service.

In order to accomplish this task, the City of Sterling Heights applied for a Stormwater, Asset Management, and Wastewater (SAW) Grant that is administered by the Michigan Department of Environmental Quality (MDEQ). On September 23, 2016, the City received the SAW Grant approval from MDEQ in the amount of \$2,000,000 towards the preparation of stormwater and wastewater asset management programs. In the terms of this Grant, up to \$160,000 can be utilized for the purchase of CMMS and GIS software, hardware, and training for asset management program development.

DPW staff researched and reviewed multiple CMMS products throughout the industry and contacted many neighboring communities regarding their CMMS software. DPW Staff identified the Cityworks Software Suite from Azteca Systems, LLC as the most cost-effective, efficient, and comprehensive solution for developing and maintaining an asset management program. A study performed by the Water Finance Research Foundation in 2012 compared the top 14 CMMS software systems in the industry. Their research ranked Azteca System's Cityworks Software Suite with the top functionality and price scores. The study described Cityworks as:

"...the top selection for municipal and utility use. Cityworks has demonstrated strength and longevity in the municipal and utility market place for the last 15 years with a highly developed work order management system, and can fully leverage an organization's return on investment in the ESRI GIS and the ArcGIS geodatabase as the asset repository reducing implementation and long-term maintenance cost of ownership issues. Cityworks maintains some of the most advanced Local Government Templates with over 630 work order templates, 150 service requests with detailed condition assessment inspections."

The Cityworks Software Suite will integrate seamlessly with the City's recently upgraded ESRI software environment and will allow for the design and creation of an integrated GIS-centric asset management program to manage, coordinate, and analyze all public assets and work activities. DPW staff will be able to:

- improve scheduled maintenance and daily operations,
- organize, manage, and maintain specific asset information,
- receive, dispatch crews, track tasks to completion, and respond back to complaints/concerns,
- create work orders, and track associated labor, material, and equipment costs.

This software suite will replace existing stand-alone software packages which include: Faster (fleet inventory tracking and workflows), Tokay (cross connection monitoring), and CRA (DPW workflows). Local municipalities that currently utilize Cityworks includes: Ann Arbor, Auburn Hills, Farmington Hills, Grand Rapids, Lansing, Livonia, Novi, Oakland County, Shelby Township, Troy, Waterford & Wayne County.

The DPW staff recommends the licensing purchase for the Cityworks Software Suite from Azteca Systems, a sole-source provider, to support the City's asset management program for a total price of \$31,500 for year one. This purchase will be reimbursable through the SAW Grant and include:

Year One	
-Cityworks Server AMS with Mobile for 5 Users	\$9,000
-Additional Users (10)	\$12,000
-Storeroom Add-on (1 User)	\$7,500
-Integration with See-Click-Fix	<u>\$3,000</u>
Total Year One	\$31,500

The proposal from Azteca Systems includes annual software maintenance costs for the first three years of utilization.

Year Two	
-Cityworks Server AMS with Mobile for 15 Users	\$21,000
-Additional Users (10)	\$12,000
-Storeroom Add-on (1 User)	\$7,500
-Integration with See-Click-Fix	\$3,000
-CCTV Interface for PCAP	<u>\$2,000</u>
Total Year Two	\$45,500

Year Three	
-Cityworks Server AMS with Mobile for 25 Users	\$33,000
-Additional Users (5)	\$6,000
-Storeroom Add-on (1 User)	\$7,500
-Integration with See-Click-Fix	\$3,000
-CCTV Interface for PCAP	<u>\$2,000</u>
Total Year Three	\$51,500

Funding for the Year One purchase in the amount of \$31,500 is budgeted in the Water & Sewer Administration – Electronic Equipment account, #59955552-981000.

With the purchase of the Cityworks Software Suite license, an implementation team will be required to install and integrate Cityworks with the City's GIS to meet the City's needs.

The City has relied on the professional services of GIS Inc. annually for the past seven years to build, provide consulting services, and system support for the existing ESRI software environment. GIS Inc. is an ESRI Platinum Partner and a Cityworks Gold Implementation Partner and possesses the requisite knowledge and experience of the City's existing GIS and infrastructure to successfully implement Cityworks and train City personnel with its use going forward.

DPW staff recommends utilizing GIS Inc. for the implementation of the Cityworks Software Suite in supporting the City's asset management program for a total price of \$73,100 for year one. This implementation expenditure will be reimbursable through the SAW Grant and include:

Year One

-Cityworks AMS Server Implementation	\$47,300
- Storeroom Add-on Configuration	\$10,800
-Additional Staff Training	\$8,600
-Crystal Reports Development	<u>\$6,400</u>
Total Year One	\$73,100

The proposal from GSI Inc. includes annual support costs for the first three years of implementation and support.

Year Two

-Cityworks AMS Server Support	\$15,000
- CCTV Interface for PCAP Configuration	<u>\$7,200</u>
Total Year Two	\$22,200

Year Three

-Cityworks AMS Server Support	<u>\$15,000</u>
Total Year Three	\$15,000

Funding for the Year One purchase in the amount of \$73,100 is budgeted in the Water & Sewer Administration – Electronic Equipment account, #59955552-981000. Total expenditures for the first three years include:

Expenditures – Year One

-Cityworks Server AMS	\$31,500
-GSI Inc. Support	<u>\$73,100</u>
Total Expenditures Year One	\$104,600

Expenditures – Year Two

-Cityworks Server AMS	\$45,500
-GSI Inc. Support	<u>\$22,200</u>
Total Expenditures Year Two	\$67,700

Expenditures – Year Three	
-Cityworks Server AMS	\$51,500
-GSI Inc. Support	<u>\$15,000</u>
Total Expenditures Year Three	\$66,500

The DPW recommends that the annual maintenance be funded thereby supporting the licensure of the Cityworks software as well as the continuing support of the system provided by GSI Inc. Annual funding for maintenance beyond the first year is not reimbursable through the SAW Grant and will be included in the Water & Sewer Administration proposed budgets starting in 2017/18.

The City currently utilizes SeeClickFix to allow residents to identify and report issues throughout the city. Requests for services are generated, progress is tracked, and residents are updated regarding the resolution. To maximize the City's investment in SeeClickFix, this system will be required to integrate with Cityworks. Integration will allow bi-directional synchronization of requests and workflows, preventing double entries and keeping all departments up to date and in-sync.

The integration of SeeClickFix to Cityworks will require an annual fee of \$13,000 with a one-time setup cost of \$8,000. Funding for this first year purchase in the amount of \$20,400 is budgeted in the Water & Sewer Administration – Electronic Equipment account, #59955552-981000 and \$600 will be funded through a budget amendment. Annual funding for maintenance beyond the first year is not reimbursable through the SAW Grant.

SeeClickFix is not able to access the data and workflow history from CRA (Citizen's Request for Action), DPW's current workflow software. To preserve the data and workflow history from CRA before the software is eliminated, SeeClickFix will perform a one-time bulk data import from CRA to the SeeClickFix platform. This import will cost \$2,500 and will include up to 25,000 outstanding issues. Funding for this one-time purchase in the amount of \$2,500 is budgeted in the Water & Sewer Administration – Equipment Maintenance account, #59955552-833000.

C: Michael Moore, Public Works Director



Interoffice Memorandum

Date: October 14, 2016

To: Jim Buhlinger, Purchasing Manager

From:



Steven Deon, Information Technology Director

Subject: Cityworks Software

Cityworks is a highly flexible application structured to match the organizational workflows and processes of municipal organizations. Cityworks is specifically designed to manage assets and the associated work to maintain those assets using GIS data. The Public Works Department will utilize Cityworks to digitalize and manage assets including the fleet, water, storm, and sanitary systems. Cityworks will integrate with SeeClickFix to provide work order processing and work flow management.

Once the Public Works Department fully integrates Cityworks, and the GIS assets are collected, Information Technology will connect additional data and departments to the Cityworks system. Information Technology fully supports the purchase of Cityworks and will play a vital role in the installation, configuration, and integration with other City data.

Please feel free to contact me should you have any addition questions.

Azteca Systems, LLC.
11075 South State St.
Suite 24
Sandy, Utah 84070



FAX (801) 523-3734
Email: info@cityworks.com
<http://www.cityworks.com>

October 3, 2016

City of Sterling Heights
Attn: James Buhlinger
40555 Utica Road
Sterling Heights, MI 48313

Re: *Cityworks Sole Source Letter – City of Sterling Heights, MI*

Dear Mr. Buhlinger:

This letter is to confirm that the Cityworks Software is a sole source product, designed, created, and owned exclusively by Azteca Systems, LLC. Azteca Systems is the sole creator and owner of the Cityworks software including the Copyrights and Trademarks for Cityworks® and Empowering GIS® in the United States and elsewhere. Within the United States of America, Azteca Systems, LLC is the sole source provider for licensing, maintenance and support services and must be purchased directly from Azteca Systems at the address above. There are no agents, dealers, or distributors authorized to represent, sell, resell, or distribute this product in the United States.

Cityworks is the original and leading GIS-centric public asset management software. Over 20 years ago, Azteca Systems, pioneered the GIS-centric approach for managing local government assets with a proven GIS centered and based asset management solution. The Cityworks GIS-centric approach is now recognized as a best practice. The breadth and depth of our experience with GIS-centric public asset management is unsurpassed.

In addition, Azteca Systems is a Platinum Partner with renowned GIS developer Esri®. Azteca Systems recently received an award from the CEO of Esri celebrating and recognizing the two companies' 20-year partnership, and specifically acknowledging Cityworks' seamless alignment, corporate dedication, and dependability.

Should you have any further questions please contact me at (801)523-2751 or if you prefer e-mail at bhaslam@cityworks.com.

Sincerely,

A handwritten signature in blue ink that reads "Brian L. Haslam". The signature is written in a cursive, flowing style.

Brian L. Haslam
President - CEO, Azteca Systems, LLC.



Azteca Systems, Inc.
11075 South State Street, Suite 24
Sandy, UT 84070
Corporate Main 801-523-2751
Corporate Fax 801-523-3734

Pricing Quotation

Quote Number 00001839 Created Date 10/17/2016
Expiration Date 12/31/2016

Contact Info

Company Name Sterling Heights, MI Prepared By Josh Stroessner
Phone (920) 254-1112
Email jstroessner@cityworks.com

Product Code	Product	Quantity	Sales Price	Total Price
CW.AMSWGS.5PK	Server AMS Standard Workgroup Starter 5-Pack	1.00	\$9,000.00	\$9,000.00
CW.AMSWGS.6Plus	Server AMS Standard Workgroup Logins 6+	10.00	\$1,200.00	\$12,000.00
CW.SUBCEAPI.0001	Citizen Engagement API	1.00	\$3,000.00	\$3,000.00
CW.SUBSTRM.0001	Storeroom - Login 1	1.00	\$7,500.00	\$7,500.00

Total Price \$31,500.00
Grand Total \$31,500.00

Notes

Quote Notes Workgroup Server AMS Standard 15 Named Logins for:
Office
Field
Respond
AMS Mobile Native Apps (iOS/Android)

--Includes the following Add-ons:
Citizen Engagement API
1 Storeroom Login
Local Government Templates (LGT)
Use of all Cityworks AMS APIs with commercially available Cityworks-centric applications that are licensed and maintained by authorized Cityworks partners

Renewal fee in the amount of \$31,500 due annually beginning one year after initial purchase.

AZTECA SYSTEMS QUOTATION TERMS AND CONDITIONS COPYRIGHT 1995 - 2016

All quotations are valid for ninety-days (90) from the date above, unless otherwise stated in this quotation form. All prices quoted are in USD, unless specifically provided otherwise, above. These prices and terms are valid only for items purchased for use and delivery within the United States.

Unless otherwise referenced, this quotation is for the Cityworks software referenced above only. Pricing for implementation services (installation, configuration, training, etc.), or other software applications is provided separately and upon request.

The procurement, installation and administration of the Esri software utilized in conjunction with Cityworks will be the responsibility of the customer.

The procurement, installation and administration of the RDBMS utilized in conjunction with Cityworks will be the responsibility of the customer. Currently, Cityworks supports Oracle and SQL Server.

The procurement, installation and administration of the infrastructure (hardware and networking) utilized in conjunction with Cityworks will be the responsibility of the customer.

This quotation information is confidential and proprietary and may not be copied or released other than for the express purpose of the current system selection and purchase. This information may not be given to outside parties or used for any other purpose without written consent from Azteca Systems, Inc.

Order Process

The order process is initiated when Azteca Systems receives either a Purchase Order with invoicing instructions or some form of advance payment. Additional documents will be required including, the Cityworks Software License Agreement, Addendums to the software license agreement, and Cityworks Site Profile to complete your order. The need for these documents may vary by the type of software ordered or generally accepted industry practices. Please consult your Account Representative for assistance. If delivery must be expedited, please notify your Account Representative.

To expedite your order, please reference this quotation number.

Software Licensing

All Azteca Systems software offered in this quotation are commercial off-the-shelf (COTS) software developed at private expense, and is subject to the terms and conditions of the "Cityworks Software License Agreement" and any and all addendums or amendments thereto. A fully executed copy of the Software License Agreement and any addendum(s) is required before delivery and installation.

Delivery

FOB Sandy, UT 84070, USA.

Allow thirty-days (30) from Azteca System's receipt of the Purchase Order, signed Software License Agreement, Maintenance Addendum, and other documents, as required.

Delivery method is by way of download through Azteca Systems, Inc. customer support web portal.

Payment Terms

Net thirty (30) days.

Taxes

Prices quoted do not include any applicable state, sales, local, or use taxes unless so stated. In preparing your budget and/or Purchase Order, please allow for any applicable taxes, including, sales, state, local or use taxes as necessary. Azteca Systems reserves the right to collect any applicable sales, use or other taxes tax assessed by or as required by law. Azteca Systems reserves the right to add any applicable tax to the invoice, unless proof with the order is shown that your organization or entity is tax exempt or if it pays any applicable tax directly.

Accepted by:

Title

____/____/____
Date



Azteca Systems, Inc.
11075 South State Street, Suite 24
Sandy, UT 84070
Corporate Main 801-523-2751
Corporate Fax 801-523-3734

Pricing Quotation

Quote Number 00001847 Created Date 10/17/2016
Expiration Date 12/31/2017

Contact Info

Company Name Sterling Heights (MI), City of Prepared By Josh Stroessner
Phone (920) 254-1112
Email jstroessner@cityworks.com

Product Code	Product	Quantity	Sales Price	Total Price
CW.AMSWGS.6Plus	Server AMS Standard Workgroup Logins 6+	10.00	\$1,200.00	\$12,000.00
CW.SUBCCTV.0001	CCTV Interface for PACP	1.00	\$2,000.00	\$2,000.00
		Total Price	\$14,000.00	
		Grand Total	\$14,000.00	

Notes

Quote Notes Quote adds 10 Workgroup Server AMS Standard Logins and CCTV Interface for PACP to current licensing.

Updated Licensing:

Workgroup Server AMS Standard 25 Named Logins for:
Office
Field
Respond
AMS Mobile Native Apps (iOS/Android)

--Includes the following Add-ons:
Citizen Engagement API
1 Storeroom Login
CCTV Interface for PACP
Local Government Templates (LGT)
Use of all Cityworks AMS APIs with commercially available Cityworks-centric applications that are licensed and maintained by authorized Cityworks partners

Updated renewal fee in the amount of \$45,500 due annually beginning Next Renewal Date.

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customer.

The procurement, installation and administration of the RDBMS utilized in conjunction with Cityworks will be the responsibility of the customer. Currently, Cityworks supports Oracle and SQL Server.

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Order Process

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To expedite your order, please reference this quotation number.

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Delivery method is by way of download through Azteca Systems, Inc. customer support web portal.

Payment Terms

Net thirty (30) days.

Taxes

Prices quoted do not include any applicable state, sales, local, or use taxes unless so stated. In preparing your budget and/or Purchase Order, please allow for any applicable taxes, including, sales, state, local or use taxes as necessary. Azteca Systems reserves the right to collect any applicable sales, use or other taxes tax assessed by or as required by law. Azteca Systems reserves the right to add any applicable tax to the invoice, unless proof with the order is shown that your organization or entity is tax exempt or if it pays any applicable tax directly.

Accepted by:

Title

____/____/____
Date



Azteca Systems, Inc.
11075 South State Street, Suite 24
Sandy, UT 84070
Corporate Main 801-523-2751
Corporate Fax 801-523-3734

Pricing Quotation

Quote Number 00001848 Created Date 10/17/2016
Expiration Date 12/31/2018

Contact Info

Company Name Sterling Heights (MI), City of Prepared By Josh Stroessner
Phone (920) 254-1112
Email jstroessner@cityworks.com

Product Code	Product	Quantity	Sales Price	Total Price
CW.AMSWGS.6Plus	Server AMS Standard Workgroup Logins 6+	5.00	\$1,200.00	\$6,000.00
		Total Price	\$6,000.00	
		Grand Total	\$6,000.00	

Notes

Quote Notes Quote adds 5 Workgroup Server AMS Standard Logins to current licensing.

Updated Licensing:

Workgroup Server AMS Standard 30 Named Logins for:
Office
Field
Respond
AMS Mobile Native Apps (iOS/Android)

--Includes the following Add-ons:
Citizen Engagement API
1 Storeroom Login
CCTV Interface for PACP
Local Government Templates (LGT)
Use of all Cityworks AMS APIs with commercially available Cityworks-centric applications that are licensed and maintained by authorized Cityworks partners

Updated renewal fee in the amount of \$51,500 due annually beginning Next Renewal Date.

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Unless otherwise referenced, this quotation is for the Cityworks software referenced above only. Pricing for implementation services (installation, configuration, training, etc.), or other software applications is provided separately and upon request.

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The procurement, installation and administration of the RDBMS utilized in conjunction with Cityworks will be the responsibility of the customer. Currently, Cityworks supports Oracle and SQL Server. The procurement, installation and administration of the infrastructure (hardware and networking) utilized in conjunction with Cityworks will be the responsibility of the customer.

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To expedite your order, please reference this quotation number.

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Delivery

FOB Sandy, UT 84070, USA.

Allow thirty-days (30) from Azteca System's receipt of the Purchase Order, signed Software License Agreement, Maintenance Addendum, and other documents, as required.

Delivery method is by way of download through Azteca Systems, Inc. customer support web portal.

Payment Terms

Net thirty (30) days.

Taxes

Prices quoted do not include any applicable state, sales, local, or use taxes unless so stated. In preparing your budget and/or Purchase Order, please allow for any applicable taxes, including, sales, state, local or use taxes as necessary. Azteca Systems reserves the right to collect any applicable sales, use or other taxes tax assessed by or as required by law. Azteca Systems reserves the right to add any applicable tax to the invoice, unless proof with the order is shown that your organization or entity is tax exempt or if it pays any applicable tax directly.

Accepted by:

Title

____/____/____
Date



October 13, 2016

Jared Beaudoin
City of Sterling Heights, MI DPW
jbeaudoin@sterling-heights.net

RE: Cityworks Implementation Services

Dear Jared,

Thank you for contacting Geographic Information Services, Inc. (GISinc) regarding implementation services to establish Cityworks as an enterprise asset management system for the City.

The following pages include a detailed technical approach, to illustrate how GISinc will facilitate and execute the process and continue to grow our partnership.

We look forward to the opportunity to work with you again on this project. Thank you for your consideration!

Sincerely,

A handwritten signature in black ink, appearing to read "TPrah".

Tyler Prah
State & Local Account Manager
Geographic Information Services, Inc.
2100 Riverchase Center, Suite 105 | Birmingham, AL 35244
p: 205.941.0442 ext.487 | m: 612.275.6752 | e: tyler.prah@gisinc.com

Inspired by
Location

1. Proposed Solution

Within the context of the Michigan Stormwater, Asset Management, and Wastewater (SAW) grant program, the City of Sterling Heights (the City) has been considering an implementation of an enterprise asset management system (AMS) to help facilitate corresponding work and infrastructure management. Accordingly, and based on conversations with the City, GISinc is proposing an implementation of Azteca’s Cityworks software to accommodate the desired functionality.

The proposed solution is intended to leverage the City’s GIS hardware and software and will consume asset inventory data that will continue to be compiled and maintained as part of the enterprise GIS program. The implementation of Cityworks will be phased to allow incremental adoption, which helps to both ensure success as well as to distribute costs. The scalable and flexible nature of Cityworks will provide the City with a web and mobile solution to manage work and access information that will, in turn, help contribute to increased efficiencies toward asset management.

Cityworks Server

Cityworks Server is a comprehensive, web-based application to facilitate enterprise work and asset management. The software is highly extensible, to accommodate operational adaptation and scalability, but even the core functionality (generally referred to as AMS) is comprehensive and capable of supporting the broad needs of many organizations. AMS alone includes service request, work order, inspection, and project management functionality.

Service Requests Enter requests/concerns/complaints, track status, spawn work orders. Facilitates call center style functionality with defined request types and optional, scripted questions that can handle input from staff or citizens alike.

Work Orders Create, update, and complete work orders with task level assignments and the ability to track equipment, labor, and materials to obtain more accurate and complete costs.

Inspections Assess the condition of your assets and maintain a history that can be used to monitor trends over time. The input forms can be customized to represent existing processes, whether digital or paper. Condition scores can be calculated and written back to the GIS feature(s).

Project Management Any activity mentioned above can be associated with a designated Cityworks project, which effectively allows costs to

be rolled up and decremented from defined budgets. Likewise, costs associated with a sub-project are rolled up into the parent project, which offers a level of monitoring that can be tailored to the required reporting granularity.

Local Government Templates

The Cityworks LGTs are essentially a set of predefined activities (service requests, work orders, inspections, etc.) that have been compiled from observations of the most common and best practices from across the country. The templates are comprehensive and span disciplines, including public works, public utilities, recreational infrastructure, and much more.

By adopting the LGTs, an organization can effectively cut out one of the costliest elements of an implementation, which is documenting, modeling, and configuring workflows. At the same time, the LGTs also facilitate a dramatic reduction in the implementation duration, allowing organizations to begin leveraging the software -- and recognizing a return on their investment -- more quickly.

The City has not yet reviewed the comprehensive list of LGT, but based on conversations and descriptions indicated that the templates will be an appropriate approach. Additionally, the LGTs are not static and can be adjusted or extended by the City's administrator over time and as needed. Using this approach, the background work of modeling and configuration is minimized and the result is a very cost effective way to implement a robust asset management system.

Cityworks has also introduced a a variety of mobility solutions, including native apps (available for both Android and iOS devices), which is included in the proposed licensing structure. The mobile solution offers yet another option to seamlessly distribute access to mobile workforces in a user format that is familiar to so many potential users.

Additional Modules

One of the values of Cityworks is the modular design, which allows an organization to optionally leverage added functionality with supplementary licensing. Listed below are additional modules available, some of which are included within this proposal and some are for reference to future capabilities:

Storeroom This add-on allows organizations to track and manage inventory based on work activity transactions. Resources managed through Storeroom are typically consumable materials that can be allocated against specific work orders to allow more comprehensive and accurate accounting. Storeroom licensing (for

one administrator) has been included in year one along with corresponding configuration services.

APIs

The Cityworks APIs accommodate programmatic access to system data from external applications, including the ability to view, modify, and create service requests, work orders, inspections, and more. APIs are the cornerstone for developing custom applications or integrations. For the City, a special variant of the API exclusive to supporting integrations with 311 solutions (e.g., See-Click-Fix) has been quoted for both licensing and services in year one of the implementation.

CCTV Interface

Cityworks offers an interface to PACP (Pipeline Assessment and Certification Program) compliant CCTV inspection solutions. This represents a bidirectional interface that allows information to move between Cityworks and the PACP database (assumes the standard NASSCO PACP data format). At the request of the City, pricing and implementation services have been provided for year two.

PLL

Permitting, Licensing, and Land is a single module that encompasses workflows that review and regulate. Essentially, processes that involve elements such as application, review, inspection, approval, and expiration can be accommodated through PLL. PLL has not been quoted and is not in scope for the proposed effort, but represents future scalability as an enterprise solution.

Cityworks Analytics

Provides organizations with a streamlined glimpse into designated key performance indicators (KPIs) to drive more effective management practices. Cityworks Analytics has not been quoted and is not in scope for the proposed effort, but represents future scalability as an enterprise solution.

System Integration

The capacity to tie disparate software solutions together to create a cohesive vision can be exceedingly valuable and is a common consideration within the contemporary enterprise strategies. As Cityworks becomes fully incorporated into the daily business process, the City may wish to consider expanding the initial implementation to incorporate or integrate with other enterprise systems. The City has already adopted

such a perspective and is seeking solutions that are capable of supporting integration. Fortunately, Cityworks has an open structure along with APIs that offer great technical flexibility and can accommodate a wide range of options for connecting with external systems, thus allowing more dynamic flow of information.

Although custom integrations are not included hereing, future phases may involve designing integrations based on local business requirements at the discretion and direction of appropriate City staff. At that time, the specific approach, technology, frequency and directionality will be determined and the corresponding solutions molded to accommodate.

2. Scope of Work

Establish Environment

GISinc will work remotely on the deployment of Cityworks Server into a lower tier environment as designated by the City. The environment should meet the minimum specifications for Cityworks Server (Appendix A).

The City will need to facilitate remote access for GISinc to accommodate installation and configuration, preferably via VPN or something with comparable performance and security. GISinc will deploy Cityworks Server 15.1 (Platform 4.1) into the lower tier, where City staff will be able to test and accept the solution prior to implementation at the production tier. Deploying the solution involves setting up the web-based Cityworks Server software, but also requires establishing a Cityworks database. GISinc can work with City staff to create the database or, if preferable, we can complete the task independently as long as appropriate permissions to the target location are granted.

Additionally, Cityworks Server relies on GIS services (map, geocode, etc.) delivered through ArcGIS Server. GISinc will help the City identify the required services and help guide the structure/content of those services, but the City will be responsible for designing the specific cartographic presentation and behavior of the map services. We also understand that the asset data will be dynamic as information is compiled from documents and field observations and that the corresponding population of the GIS layers will grow and evolve over time, which can be accommodated by Cityworks and still allow the City to manage work and track information in the interim.

Cityworks Configuration

The configuration of Cityworks involves not only capturing and encoding workflows (service requests, work orders, inspections, etc.), but will also encompass incorporating base information about the City such as employees, equipment, contractors, etc. GISinc will provide the City with a formatted spreadsheet into which this base organizational information can be placed to facilitate entry into the system.

With respect to the core workflow configuration, as described above, we are planning to use the Cityworks Local Government Templates (LGT) as the foundation for the implementation. The LGT will be modified to the extent necessary to align with the underlying GIS data. Where necessary, the templates can also be adjusted to fit minor deviations from the generic structure to better fit specific workflows within the City. The most important element for the City will be identifying the templates to keep active, as distinct from those that aren't necessary to business process, and we will work with the City to manage the configuration process.

Acceptance Testing & Approval

During the acceptance phase, an identified subset of users will have access to Cityworks Server to review the system, test functionality, and verify that the configuration represents the inputs as identified during the configuration task.

Any feedback provided by either the GISinc team or by the City will be recorded and evaluated to determine the appropriate approach for remediation. The configuration may be revised and refined to meet the business requirements through an iterative approach until the City accepts the system as ready for release.

Establish Production Environment

Following acceptance of the Cityworks Server implementation as it is deployed for the configuration and testing process, GISinc will work with the City to plan for the release of the system to the production environment. As with the lower tier, this process will be performed remotely and will effectively reproduce the steps identified and documented during the lower tier implementation.

The timing and release plan will be identified cooperatively between the City and GISinc and, to the extent necessary or required.

Onsite Administrative & User Training

The final training event is intended to occur just before the system is ready for release to ensure that the information is fresh as end users incorporate the new software into daily process. Training will generally follow a train-the-trainer approach with classes ranging in size from 6 to 8 people and will be delivered over the course of 3 consecutive

days onsite (with an optional and recommended additional 2-days onsite and 3-days remote included in the quote). A strictly predefined curriculum may not appropriately accommodate the variable experience of training participants and as such the specific distribution of time and content that comprises the curriculum will be collaboratively defined.

With that said, a general guide for training will be:

- *Administrative Training (1.5 days)* – Review of the deployment process and the structural components and requirements of the application, administration of the application and associated ArcGIS Server services, database schema review, Crystal Reporting, maintenance processes, and more.
- *End User Training (1 days)* – Configuration of requests, work orders, inspections, etc.; creation of requests, work orders, inspections, etc. through the web application; map interaction; Inbox and search management; and more.
- *Ad Hoc (0.5 days)* – Open training slots will be filled with additional or follow-up material to extend base training or to provide clarification. These slots could also be used as open training sessions where users can come and ask questions specific to individual or departmental workflows.

The training sessions will be delivered through hands-on experience and will generally leverage the existing Cityworks Help documentation as the material, which creates additional value as users refer back to the readily available material. Although this implementation does not include the creation of custom print templates or Crystal Reports for Server by GISinc, these topics can be incorporated into the curriculum as desired.

Post Implementation Support

Although the project includes both acceptance and training phases, inevitably there will be questions that arise only once the system is incorporated into day-to-day workflows. To support these questions, GISinc has included up to 12-hours of post-implementation support to be used within 30-calendar days of the production implementation to support the Cityworks upgrade effort. Requests to GISinc must be funneled through a single point of contact who has the authority to approve and manage the hours consumed to help ensure that any effort expended aligns with City priorities.

3. Project Approach

Our project approach is organized into five proven phases: Planning & Analysis, Design, Development, Testing & QA, and Implementation.

Planning & Analysis

GISinc is committed to project success and places an emphasis on open communication during all phases of project execution. GISinc has several project coordination and quality controls aimed to facilitate communication with the client starting with the initial project kickoff meeting all the way through project closeout with the client satisfaction survey. Our key activities for Planning & Analysis have been provided below:

- **Kick-off Meeting**

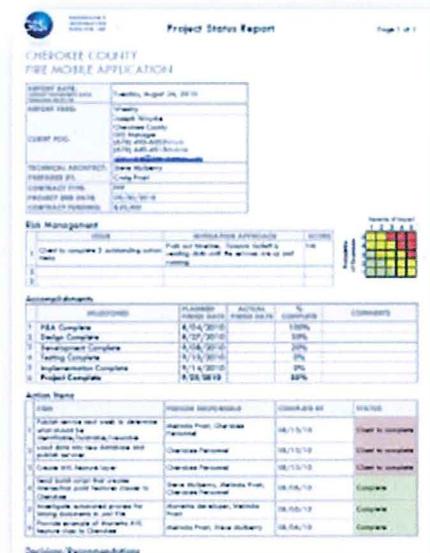
The GISinc Team (resumes of key personnel have been included in Appendix A) will schedule a kickoff meeting with City staff to identify project tasks, billing procedures, and establish a communication plan for coordinating the activities of the project as well as status reporting. GISinc will also identify a Technical Architect as the single point of contact for the project. At the kick-off meeting we would like to schedule a reoccurring project status meeting to identify project tasks to be completed, and for the overall project. GISinc also has internal project controls to manage the project budget and schedule.

- **Project Status Meetings**

At the kick-off meeting, we will establish recurring project status meetings, based on the collective availability of the GISinc/City team. Following each project status meeting, GISinc will send the City the current status report document that includes detailed information on schedule and budget progress, tasks completed, upcoming milestones and more. We will use the project status meeting to discuss the status report and upcoming project issues.

- **Budget & Schedule**

GISinc builds-out a detailed schedule upon start of work in collaboration with the City. Each task is assigned a number of hours, budget, and date to complete. Project information is then synchronized with GISinc’s financial package, Unanet. Unanet is used throughout the project to document individual staff member hours used by task, and adjust as appropriate.



GISinc invoices monthly. For fixed price projects, we will bill as a percentage complete, based on the tasks completed and tracked within Unanet.

- **Closure Letter & Satisfaction Survey**

Upon completion of work, GISinc will send an email to the City Project Manager asking for documentation that the City considers the project complete and is satisfied with the deliverables. GISinc does not consider a project closed until this confirmation is received.

Shortly following project completion, GISinc will ask City staff to complete a short satisfaction survey. During the last two years, results from our post-project surveys show that 97% of our clients were satisfied with the value they received from us and would consider using GISinc again for their next project. In the information technology field, that level of success is rare.

Design

This is where the application background work for the project will occur, including deployment pattern and parameters as well as any input documentation and configuration requirements. This is a critical step before moving on to the development process. While much of the application design, in terms of configuration, is guided by the data models (GIS and Cityworks LGT), GISinc will work with the City to identify any supplemental changes that may be required for the City's specific implementation. We will conduct a workshop to orient the City to the nature of the Cityworks LGT and walk through the corresponding spreadsheets that will subsequently be translated into software configuration.

Development

Although a Cityworks implementation is not a development project per se, the execution pattern has been demonstrated as a successful approach and as such, GISinc will leverage the development phase to deploy Cityworks Server on behalf of the City into the hosting environment and perform requisite system configuration. Likewise, all core information specific to the City (employees, equipment, materials, LGTs, etc.) will be configured into the system. This phase will be carried out in the City's development instance or staging environment, to accommodate testing without disrupting production users or environments.

Additionally, any report development (24 hours are included as an option for the City) will occur during this development phase. The reports will be identified and prioritized by City staff and prepared/addressed in sequence by GISinc as the explicit block of hours supports

Based on conversations with the City, we have proposed the implementation of Cityworks in phases, where in the primary AMS software for 15 users would be implemented in year one along with Storeroom for inventory management for 1 user/administrator. Likewise, the integration for See-Click-Fix will be configured and licensed. The CCTV Interface for PACP would then be implemented in year two. This structure is represented in the pricing section.

At the end of the development phase, the system will be fully functional and complete initial implementation that is ready to be accessed and tested by the City.

Testing & Quality Assurance

As part of the Testing & QA phase, GISinc will conduct the first onsite (2-days) activity to orient a subset of users on Cityworks Server to help accommodate the acceptance process. This preliminary training will be conducted over two consecutive days and will be focused on software utilization and not on administration, which will occur during the final training event.

GISinc will provide the City with test plans that can be used to validate the environment and the configuration of Cityworks. As an extensive application with multiple functional pathways to achieve the same intended behavior, there are countless permutations and sequences of events. As such, test plans will focus on the primary user behaviors for each tool. The project team will track any issues reported, whether due to configuration or software design. Those that are within the control of GISinc (largely configuration and deployment related) will be addressed in this phase and any defects associated with the software will be reported to Cityworks for review and resolution. This cycle will continue until all application functionality and design is working properly and the City has officially approved the application for delivery into production.

Implementation

Upon successful completion of testing and QA processes, GISinc will begin the implementation process at the production tier and support the process of taking the system “live.” As part of the Implementation phase, GISinc will deploy both the application and database(s) to the production environment, effectively reproducing the same steps leveraged for the development/staging environment during the Development phase. A clean version of the Cityworks database created and configured during development, and used to support user acceptance testing, will be restored to production, establishing the environment that will support the system following “go live.”

Support Block

The proposed GIS support blocks are intended to provide the City with access to GISinc technical resources for administration, maintenance, or ad hoc tasking in years two and three (following the initial implementation services). GIS Support Blocks provide a vehicle for accessing GIS support on-demand. Once a GIS Support Block is put in place, GISinc will provide professional services to assist the City with GIS support. All services provided as part of the GIS Support Blocks will be conducted by the most effective and cost-efficient method, including: virtually through remote network access, telephone conference calls, Internet (WebEx) demonstrations, or on-site consultants.

How do GIS Support Blocks work?

Once the GIS Support Block vehicle is in place, GISinc will provide the City with a single point of contact. GISinc will identify the support tasks and establish a communication plan for coordinating the activities of the task as well as status reporting. We will match the support task with the correct GISinc resource.

If a support task becomes large, GISinc may require using a management team. This function includes people, processes, and technology that are designed to make sure that the City receives outstanding value. Milestones and completion dates will be established for the Planning and Analysis, Client review, Design, Client review, Development, Testing, and Installation/Implementation phases of a large task or project. There are many tasks and risks that have the potential to derail a project. To manage this effort, larger tasks or projects that we execute are assigned a Project Coordinator or Technical Architect from GISinc.

The matrix to the right illustrates current pricing for designated block sizes. Pricing is typically static, though the actual number of hours may vary by the time the City is ready to procure a support block.

Table 1	
Price	Block of Hours
\$5,000	30
\$10,000	60
\$15,000	95
\$20,000	135
\$25,000	175
\$30,000	215
\$50,000	370
\$60,000	455
\$75,000	585
\$100,000	800

4. Investment

GISinc is proposing a firm-fixed price of **\$73,100** for the year one Cityworks implementation services, as described above. Cityworks software prices have been included below as a reference for the total cost of implementation for each of the first three years (software will be procured directly through Cityworks). Additionally, GISinc has included a support block quote for years two and three to facilitate administration and maintenance of the program:

YEAR 1		
GISinc Implementation Services		
Task	Vendor	Price
<i>AMS Implementation (15 users)</i>		\$ 47,300
<i>Storeroom Configuration (1 user)</i>		\$ 10,800
<i>Optional Additional Training (2 days onsite, 3 days remote)</i>		\$ 8,600
<i>Optional Crystals Report Development (24-hours)</i>		\$ 6,400
Cityworks Software		
<i>Cityworks AMS (with Mobile) 15 Users</i>		\$ 21,000
<i>Storeroom</i>		\$ 7,500
<i>311 API (See-Click-Fix Integration)</i>		\$ 3,000
Total Year 1 Cost		\$104,600

YEAR 2		
GISinc Implementation Services		
Task		Price
<i>CCTV Configuration Services</i>		\$ 7,200
<i>Support Block</i>		\$ 15,000
Cityworks Software		
<small>Note: software prices for subsequent years cannot be guaranteed</small>		
<i>Cityworks AMS (with Mobile) 15 Users</i>		\$ 21,000
<i>Cityworks AMS (with Mobile) +10 Users</i>		\$ 12,000
<i>Storeroom</i>		\$ 7,500
<i>CCTV Interface for PACP</i>		\$ 2,000
<i>311 API (See-Click-Fix Integration)</i>		\$ 3,000
Total Year 2 Costs		\$ 67,700

YEAR 3		
GISinc Implementation Services		
Task		Price
<i>Support Block</i>		\$ 15,000

Cityworks Software	
<small>Note: software prices for subsequent years cannot be guaranteed</small>	
<i>Cityworks AMS (with Mobile) 25 Users</i>	\$ 33,000
<i>Cityworks AMS (with Mobile) +5 Users</i>	\$ 6,000
<i>Storeroom</i>	\$ 7,500
<i>CCTV Interface for PACP</i>	\$ 2,000
<i>311 API (See-Click-Fix Integration)</i>	\$ 3,000
Total	\$ 66,500

Assumptions

- Esri Server side software will already be installed and configured as a separate effort.
- GISinc will only be responsible for publishing the Esri services required to support Cityworks and will direct limited attention toward cartographic design (leveraging templates, where possible). Advanced cartographic design and map refinement will be the responsibility of the City.
- Asset inventory/data is the responsibility of the City.
- GISinc will not be responsible for creating custom print templates and Crystal Reports for Cityworks (unless the reporting option is elected) within the context of this project.
- This engagement will not involve any customizations integrations (See-Click-Fix configuration is not custom), but will establish the technology foundation that can support such requirements in subsequent phases.

You may indicate your acceptance of the above proposal with a signature from authorized personnel at the City of Sterling Heights, MI.

Sterling Heights, MI

Signature:

Name:

Title:

Date:

Quotation Terms and Conditions

This confidential quotation is valid for thirty (30) days unless otherwise stated and does not include shipping or tax unless otherwise stated. This quotation information is proprietary and may not be copied or released other than for the express purpose of system and service selection and purchase. This information may not be given to outside parties or used for any other purpose without written consent from Geographic Information Services, Inc. (GISinc).

APPENDIX A

System Specifications



Cityworks 15.1—Platform 4.1 Specifications

(Last updated: September 2016)

- | | |
|--|--|
| Cityworks Database Server* | Specifications for a Database (Intel®) Server: <ul style="list-style-type: none"> • Windows Server 2008 SP2 (64-bit) • Windows Server 2008 R2 SP1 (64-bit) • Windows Server 2012 (64-bit) • Windows Server 2012 R2 (64-bit) • 32 GB RAM (or better) • Current Intel Xeon®/server class processor 3.46 GHz (or better) |
| Cityworks Server AMS or PLL Client | Specifications for a PC (Intel®) Client: <ul style="list-style-type: none"> • 2.0 GHz Intel Core® processor (or better) • 2 GB RAM (or better) • Windows 10 (32/64-bit) or Windows 8/8.1 (32/64-bit) or Windows 7 Professional® (32/64-bit) • Silverlight 5.x • Firefox 47 • Internet Explorer 11 • Chrome 51.0.2704.84 |
| Cityworks Server AMS or PLL (~40 users) | Specifications for an Application (Intel®) Server: <ul style="list-style-type: none"> • Windows Server 2012 or 2012 R2, IIS 8.0/8.5 • Windows Server 2008 R2 SP1 (64-bit), IIS 7.5 • 12 GB RAM (or better) • Current Intel Xeon®/server class processor 3.46 GHz (or better) |

- Application consumes 1GB of disk space (500 MB on system drive)
- .NET 3.5/4.5 Framework Windows Server features (.NET Extensibility 3.5 and .NET Extensibility 4.5)
- .NET 4.5.2 Framework (installed on both application and GIS servers)
- .NET 4.6 Framework (optional – installed on both application and GIS servers. Requires Crystal Reports Runtime 13.0.16 or greater)
- .NET 4.6.1 Framework (optional – installed on both application and GIS servers. Requires Crystal Reports Runtime 13.0.16 or greater)

Please note that the disk space requirement mentioned above is dependent on how factors like attachments and map images are configured. These corresponding factors can affect the disk space that a site consumes considerably.

**Cityworks Server
AMS or PLL
(~80 users)**

Specifications for an Application (Intel®) Server:

- Windows Server 2012 or 2012 R2, IIS 8.0/8.5
- Windows Server 2008 R2 SP1 (64-bit), IIS 7.5
- 24 GB RAM (or better)
- Current Intel Xeon®/server class processor 3.46 GHz (or better)
- Application consumes 1GB of disk space (500MB on system drive)
- .NET 3.5/4.5 Framework Windows Server features (.NET Extensibility 3.5 and .NET Extensibility 4.5)
- .NET 4.5.2 Framework (installed on both application and GIS servers)
- .NET 4.6 Framework (optional – installed on both application and GIS servers. Requires Crystal Reports Runtime 13.0.16 or greater)
- .NET 4.6.1 Framework (optional – installed on both application and GIS servers. Requires Crystal Reports Runtime 13.0.16 or greater)

Please note that the disk space requirement mentioned above is dependent on how factors like attachments and map images are configured. These corresponding factors can affect the disk space that a site consumes considerably.

Cityworks add-ons Pavement Management Interface

- MicroPAVER versions 5.3.7–6.5.7

**Supported RDBMS
and Esri Platforms**

CCTV Interface

- PACP versions 4.4 and 6.0

Cityworks 15.1—Platform 4.1

ArcGIS Server (Standard or Advanced Enterprise) 10.1 SP1, 10.2, 10.2.1, 10.2.2, 10.3, 10.3.1, 10.4, and 10.4.1**

- Oracle 11g R1
- Oracle 11g R2
- Oracle 12c***
- Oracle 12c R1***
- SQL Server 2008
- SQL Server 2008 R2
- SQL Server 2012
- SQL Server 2014

Cityworks Server 2015.1—Platform 4.1

ArcGIS Server (Standard or Advanced Workgroup) 10.1 SP1, 10.2, 10.2.1, 10.2.2, 10.3, 10.3.1, 10.4, and 10.4.1**

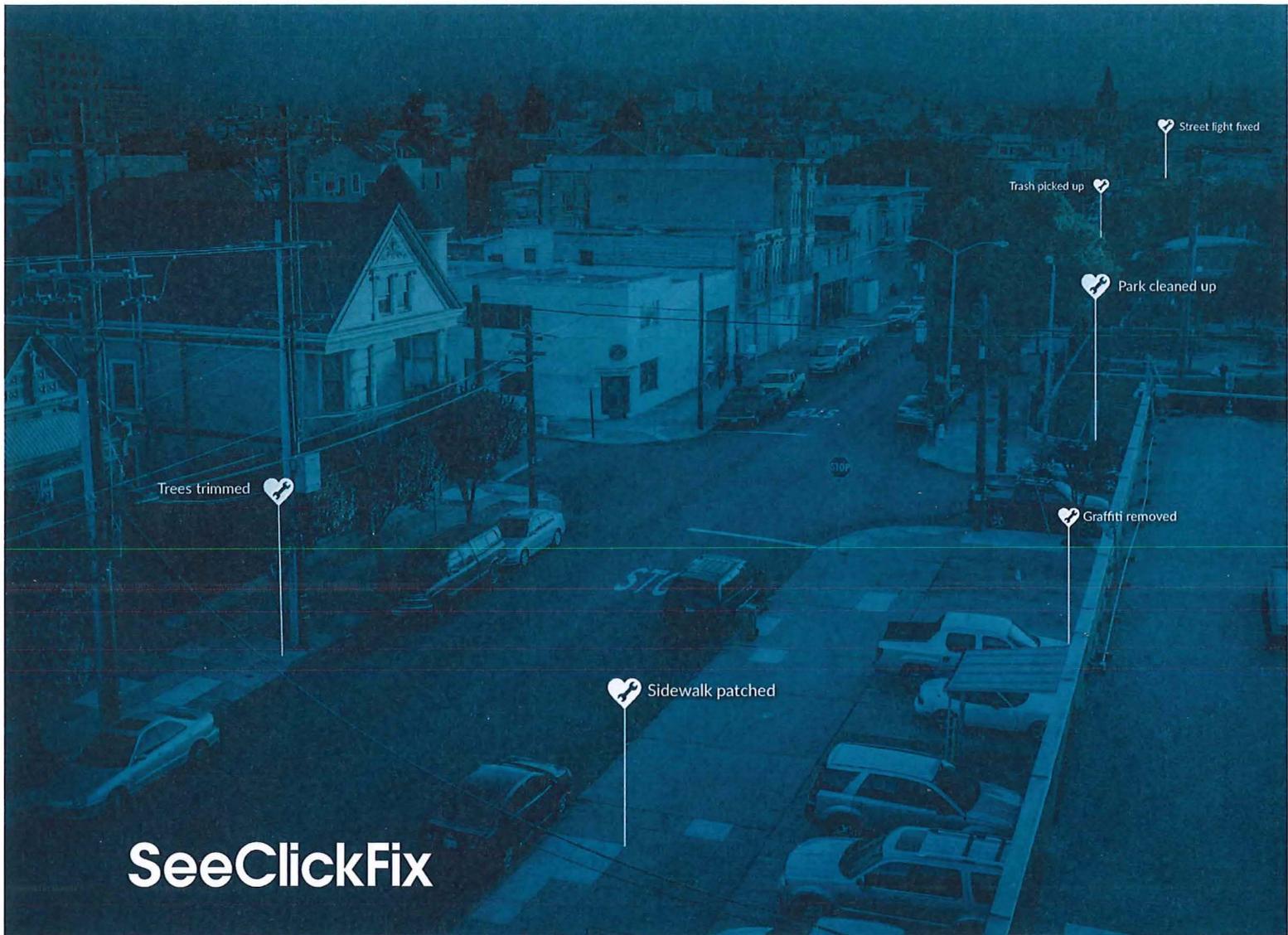
- SQL Server Express 2008 (4 GB limit)
- SQL Server Express 2008 R2 (10 GB limit)
- SQL Server Express 2012
- SQL Server Express 2014

** Database server assumes a machine hosting the organization's SDE geodatabase (supporting both editors and viewers) and Cityworks database (supporting users of Cityworks AMS/PLL). Please contact Azteca Systems with any questions.*

** Feature Access via a map service requires the GIS data to be stored in an ArcSDE geodatabase; a file geodatabase is not sufficient here. To learn more about how Cityworks AMS/PLL provides comprehensive access to the geodatabase, contact Azteca Systems.*

*** With Esri's recent release of ArcGIS Server 10.4.1, the issue in 10.4 that prevented the Silverlight map in Cityworks Office from loading dynamic map services has been resolved. Please see [ArcGIS Server 10.4 and 10.4.1 Support](#) for more information*

**** An issue with Oracle 12c was identified at 15.1. A fix will be provided in the 15.1.1 release, but until then we recommend using Oracle 11g client application with Oracle 12c Server.*



SeeClickFix

Partnership Proposal

SeeClickFix Inc
746 Chapel St, New Haven, CT 06510
203.752.0777

Prepared by:

Tim Murray
Program Lead, SeeClickFix
timm@seeclickfix.com
203-349-6650

Prepared for:

Steve Deon
IT Director, City of Sterling Heights, MI
sdeon@sterling-heights.net
586-446-2628



ORIGIN

SeeClickFix was founded in 2009 to empower citizens with tools to publicly document quality of life concerns in their neighborhoods. By radically improving the quantity and quality of data related to these concerns, SeeClickFix was quickly adopted by local governments as well — who needed a better way to receive information from citizens.

These partnerships began with some of the largest and most innovative cities in the country, including Houston, Albuquerque, Minneapolis, Oakland, and Boston. During the early years, SeeClickFix also helped to establish the Open311 standard used by many of the most progressive 311 centers.

To date, more than 2 million issues have been resolved via SeeClickFix. 500,000 users use SeeClickFix every month and we are working with more than 300 municipalities, counties and state agencies.

As we grew, we leveraged the knowledge and need of these partners. This customer development has pushed us further and further down the stack, from citizen input tools toward municipal work management. While we started as a citizen endpoint into a separate municipal platform, we are increasingly serving the role of a stand alone system, where municipalities can manage services from beginning to end.

PLATFORM

SeeClickFix connects local neighborhoods with government services. This engagement has both a tangible and emotional effect — improving infrastructure, increasing understanding and building trust.

At its core, SeeClickFix is a robust routing system built on top of a public platform — allowing for complex routing based on location and issue type. In addition to this, SeeClickFix Admin tools give service organizations an integrated platform for service request collection and work management.

Citizens submit requests via SeeClickFix mobile apps and website tools — city call takers enter phone calls, drop ins, emails and tweets into the SeeClickFix as well. From there, these requests are routed either manually or automatically based on location and request type, to the right person with the right information.

Then, city staff will be notified within SeeClickFix (or an external work order system via integration) that work has been assigned. As the work is updated and subsequently closed, the citizen will receive automatic updates. Through this process, SeeClickFix increases the total level of citizen participation as well as the perceived quality of these services. SeeClickFix also reduces the costs associated with these services by reducing phone calls, introducing automated responses and reducing the frictional costs of communication.

SeeClickFix is building the future of service management, with internal communication systems that are foundationally connected to public needs and interests.



Product Overview



Community

The foundation of SeeClickFix is a free, public network for neighbors, community groups, and local governments around the world. We call this global network the SeeClickFix Community. Anyone can join the SeeClickFix Community and use these web and mobile tools to collaborate around solving neighborhood issues and improving communities.



Request

SeeClickFix Request is a integrated solution to collect and manage public needs and requests. This begins with comprehensive input tools like mobile apps, web forms and a call-taker interface. From there, Request gives you internal communication tools to assign and track these issues to completion. Meanwhile, SeeClickFix Request keeps citizens in the loop on public and private issue pages where they are able to track the progress of issues and well ask questions, share with neighbors and thank the city.



Work

SeeClickFix Work addresses the two primary needs of work management — Groups and Roles and Workflow Management — with a suite of internal communication tools. Now, crews can use SeeClickFix to manage field work. Customer service staff can use SeeClickFix as a direct connection and view into the progress of requests. Management can use SeeClickFix for a single view into the entire service operation.



Engage

SeeClickFix Engage gives you tools to customize the brand and content of your mobile app and develop messaging and notification systems that further connect your community. SeeClickFix brings together some of the most passionate neighbors in your community. Engage allows you leverage this audience to promote new services, events and information.



Analyze

Organizations use SeeClickFix to measure the success of services and the health of neighborhoods. SeeClickFix Analyze offers dashboards, reports and interactive analytics to help organizations better access, understand and present data internally and to the public.



Connect

Integrate SeeClickFix with your current asset, work or task management, CRM, or ERP system. Bi-directional synchronization means no more double entry and all departments are up to date and in-sync.



SeeClickFix Admin Tools

The SeeClickFix Admin tools are built around the four pillars of successful service delivery: Requests, Work, Engagement, and Analysis. Each module has been designed based on the needs of our government partners – who represent some of the most experienced and innovative government officials in the world.



Request

Your service organization needs a central system to collect data, route and assign requests and communicate with citizens so nothing gets lost.

SeeClickFix iOS and Android Apps	Request Management System	Digital and Printable Work Orders
Interactive Website Forms	Structured Request Categorization	Internal Comments
Facebook Application	Public Comments & Status Updates	Priority and Recategorization
Call Taker Interface	Customizable Email Status Updates	Assignment and Email Routing
Public Issue Page and Watch Areas	Multi-Agency Routing	@Mention References



Work

Your workforce needs group controls and user permissions to manage communication, measure cost and increase efficiency.

Detailed Roles and Permissions
Work Groups
Automatic Escalation
Internal Workflow



Engage

Your communications team needs a way to engage citizens and distribute information in a way that is simple and accessible.

Custom iOS and Android Apps
Geo-driven Email Notifications
Mobile Content Management
Native Push Notifications



Analyze

Your management team needs to measure success, identify risks and report to stakeholders in a way that is complete and concise.

Insight Analytics Tool
Customized and Recurring Exports
Image, PDF, and Excel Exports
Enhanced Dashboards



Connect

Integrate SeeClickFix with your asset, work or task management, CRM, or ERP system. Bi-directional synchronization means no more double entry!



Community

SeeClickFix will always offer a completely free platform for communities around the world to connect around problems in the public space.

Issues w/ Commenting and Voting	Watch Areas and Points of Interest	iOS, Android and Web Apps
---------------------------------	------------------------------------	---------------------------

Coming Soon



Prepared for: City of Sterling Heights, MI
Attn: Steve Deon
40555 Utica Rd., Sterling Heights, MI 48313

Issue Date: 10/18/16
Valid 30 days

Annual Cost

User Licenses

Distinct internal users who will have access to the SeeClickFix tools below.

<input type="checkbox"/>	Request <i>Central request management system to collect data, route requests and communicate with citizens.</i>	0
<input type="checkbox"/>	Work <i>Group controls, user permissions, workflows and escalations to manage communication and staff</i>	0
<input type="checkbox"/>	Engage <i>Mobile apps and notification tools to engage citizens and distribute information.</i>	0
<input type="checkbox"/>	Analyze <i>Analytics tools to measure success, identify risks and report to stakeholders.</i>	0
<input type="checkbox"/>	Connect <i>Azteca Systems Cityworks Online</i>	13,000

Total Annual Cost 13,000

Setup Cost 8,000

Total Due at Signing 21,000

The undersigned agree to the following Terms and Conditions and have caused this Contract to be executed as of the date signed by the Customer which will be the Effective Date: <http://legal.seclickfix.com/terms-and-conditions/>

SeeClickFix

Partner Name

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Signature: _____

Signature: _____



Business of the City Council
Sterling Heights, Michigan

DELIVERED OCT 27 2016

City Clerk's Use

Item No: 2-E

Meeting: 11/01/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

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

Submitted By: Department of Public Works

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

Administration (initial as applicable)

Attachments

<i>MC</i> City Clerk	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Minutes
<i>CB</i> Finance & Budget Director	<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Plan/Map
<i>MK</i> City Attorney (as to legal form)	<input checked="" type="checkbox"/>	Contract	<input type="checkbox"/>	Other
<i>[Signature]</i> 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, 2016 and ending September 30, 2017, 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 37 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, 2016 to September 30, 2017, and authorize the City Manager and City Clerk to sign the Agreement on behalf of the City.

CITY OF STERLING HEIGHTS
STAFF REPORT
November 1, 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 37 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:

	<u>2012/2013</u>	<u>2013/2014</u>	<u>2014/2015</u>	<u>2015/2016</u>
Street Sweeping	\$31,468	\$32,655	\$52,040	\$41,772
Grass and Weed Control	\$146,980	\$187,304	\$177,727	\$173,078
Roadside Cleanup	<u>\$8,172</u>	<u>\$3,519</u>	<u>\$2,752</u>	<u>\$2,672</u>
Total Costs	\$186,620	\$223,478	\$232,519	\$217,522

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 2016/2017 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 _____ 2016, 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, 2016 and ending September 30, 2017.

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



Business of the City Council
Sterling Heights, Michigan

DELIVERED OCT 27 2016

City Clerk's Use

Item No: 2 - F

Meeting: 11/1/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To adopt a resolution establishing a Sister City Partnership with Jaffna, Sri Lanka.

Submitted By: Bridget Doyle, Community Relations Director *BD*

Contact Person/Telephone: Bridget Doyle, ext. 2471

Administration (initial as applicable)

Attachments

<i>MC</i> City Clerk	___	Resolution	___	Minutes
<i>BD</i> Finance & Budget Director	___	Ordinance	___	Plan/Map
<i>MK</i> City Attorney (as to legal form)	___	Contract	___	Other
<i>[Signature]</i> City Manager				

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

Executive Summary

Introduction - Sister City partnerships create opportunities for the partners and their respective municipal officials and residents to explore and learn about other cultures on an international scale. These long-term partnerships can also foster an environment in which economic and community development can be implemented and strengthened. The partners learn about and creatively solve common problems through reciprocal cultural, educational, municipal, business, professional and technical exchanges and projects.

As indicated below the City of Sterling Heights has forged Sister City partnerships in the past:

- 1982 - Tetovo, Macedonia
- 1999 - Legazpi City, Philippines
- 2006 - Cassino, Italy
- 2007 - Sorsogon City, Philippines
- 2010 - Sant' Elia Fiumerapido, Italy
- 2013 - Shengjin, Albania

The City of Sterling Heights is a richly diverse community and establishing Sister City partnerships with international communities strengthens the understanding and appreciation of diverse cultures.

Background – Jaffna is the capital city of the Northern Province of Sri Lanka. It is the administrative headquarters of the Jaffna district located on a peninsula of the same name. With a population of 88,138,

Jaffna is Sri Lanka's 12th largest city. Sterling Heights resident S. Manivannan contacted Community Relations expressing his interest in formalizing a sister city relationship with Jaffna. Mr. Manivannan's request was considered by the Ethnic Community Committee at its October 6, 2016 meeting. The Committee unanimously resolved to recommend the establishment of a sister city relationship between Jaffna and Sterling Heights.

Suggested Action:

MOVED BY:

SECONDED BY:

Resolved, to adopt the resolution establishing a Sister City Partnership between the cities of Sterling Heights, Michigan, U.S.A. and Jaffna, Sri Lanka.

RESOLUTION

STERLING HEIGHTS CITY COUNCIL

A resolution establishing a Sister City partnership with Jaffna, Sri Lanka.

Sister City partnerships create opportunities for the partners and their respective municipal officials and residents to explore and learn about other cultures. These long-term partnerships can also foster an environment in which economic and community development can be implemented and strengthened. The partners learn about and creatively solve common problems through reciprocal cultural, educational, municipal, business, professional and technical exchanges and projects.

The city of Sterling Heights forged Sister City Partnerships with Tetovo, Macedonia in 1982, Legazpi City, Philippines in 1999, Cassino, Italy in 2006, Sorsogon City, Philippines in 2008, Sant' Elia Fiumerapido, Italy in 2010, and Shengjin, Albania in 2013.

The city of Sterling Heights has received a request by a resident to establish a Sister City Partnership with Jaffna, the capital city for the northern province of Sri Lanka. A city of 88,000 residents, Jaffna has a rich cultural history dating back many centuries.

The city of Sterling Heights has a rich tradition of forming partnerships with cities in other countries, in an effort to learn from other cultures and traditions. In an increasingly global economy, the city of Sterling Heights can benefit by increasing awareness of other communities across the globe.

The Sterling Heights Ethnic Community Committee will share information about each others' communities and residents through e-mail and other means of communication.

NOW, THEREFORE,

BE IT RESOLVED, to approve a Sister City Partnership between the City of Sterling Heights, State of Michigan, United States of America and Jaffna, Sri Lanka.

BE IT FURTHER RESOLVED, the City of Sterling Heights looks forward to a long and mutually beneficial relationship with the citizens of Jaffna, Sri Lanka.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Sterling Heights to be affixed this _____ day of _____, 2016.

Mark Carufel, City Clerk

Jaffna is the capital city of the Northern Province of Sri Lanka. It is the administrative headquarters of the Jaffna district located on a peninsula of the same name. With a population of 88,138, Jaffna is Sri Lanka's 12th largest city. Being strategically located and known for rich cultural heritage and natural beauty, Jaffna is approximately six miles away from Kandarodai which served as a famous emporium in the Jaffna peninsula from classical antiquity. Jaffna's suburb, Nallur served as the capital of the four centuries-long medieval Jaffna kingdom. Prior to the Sri Lankan civil war, it was Sri Lanka's second most populated city after the commercial capital Colombo.

Historically, Jaffna has been a contested city. It was made into a colonial port town during the Portuguese occupation of the Jaffna peninsula in 1619 who lost it to the Dutch, only to lose it to the British in 1796. And during the post-Independence civil war the rebel Liberation Tigers of Tamil Eelam (LTTE) occupied Jaffna in 1986. The Indian Peace Keeping Force (IPKF) briefly occupied the city in 1987. The LTTE again occupied the city from 1989 until 1995, when the Sri Lankan military regained control.

The majority of the city's population are Sri Lankan Tamils with a significant number of Sri Lankan Moors, Indian Tamils and other ethnic groups present in the city prior to the civil war. Most Sri Lankan Tamils are Hindus followed by Christians, Muslims and a small Buddhist minority. The city is home to number of educational institutions established during the colonial and post-colonial period. It also has number of commercial institutions, minor industrial units, banks, hotels and other government institutions. It is home to many historical sites such as the popular Jaffna library that was burnt down and rebuilt and the Jaffna fort rebuilt during the Dutch colonial period.



AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To approve the application by SW Navarre, LLC, d/b/a Game Land, for a Type A Amusement Device License and a variance at 43648 Schoenherr Road, Sterling Heights, MI 48313.

Submitted By: Office of the City Clerk

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

Administration (initial as applicable)

Attachments

	City Clerk	___	Resolution	___	Minutes
	Finance & Budget Director	___	Ordinance	___	Plan/Map
	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 - A Type A Amusement Device License is defined at §7-3 of the City Code as "A license to operate an amusement device center at one location." An amusement device center is, in turn, defined as "A structure, tenant space or building containing more than ten amusement devices."

Application for Type A Amusement Device License – SW Navarre LLC, a Michigan limited liability corporation d/b/a Game Land (Applicant), has leased approximately 1,200 square feet of commercial space at the Lakeview Square Shopping Center situated on the northeast corner of the Schoenherr and Canal Roads, commonly known as 43648 Schoenherr Road. In July 2016, Applicant secured approval by the Zoning Board of Appeals for a use variance to permit the operation of an amusement device center with no food services being provided. Applicant is proposing to install and operate eighteen amusement devices that qualify as games of skill under MCL 750.310b.

Under this state law, these games of skill are exempt from gambling regulation provided the following conditions are satisfied:

- (a) The outcome of the game is determined through the application of an element of skill by the player.
- (b) The award of the prize is based upon the player's achieving the object of the game or otherwise upon the player's score.
- (c) Only noncash prizes, toys, novelties, or coupons or other representations of value redeemable for noncash prizes, toys, or novelties are awarded. A gift card may be awarded under this subdivision if all of the following apply:
 - (i) The gift card is usable only at a retailer or an affiliated group of retailers.

(ii) The gift card is issued in a specified amount.

(iii) The gift card is redeemable only for goods and services available from the retailer or retailers and not for cash.

(iv) Information on the gift card may not be altered with the use of a personal identification number.

(d) The wholesale value of a prize, toy, or novelty awarded for the successful single play of a game is not more than \$3.75.

(e) The redemption value of coupons or other representations of value awarded for the successful single play of a game does not exceed 15 times the amount charged for a single play of the game or a \$3.75-per-play average, whichever is less. However, players may accumulate coupons or other representations of value for redemption for noncash prizes, toys, or novelties of a greater value up to, but not exceeding, \$500.00 wholesale value.

(2) As used in this section, "redemption game" means a single player or multiplayer mechanical, electronic, or manual amusement device involving a game, the object of which is throwing, rolling, bowling, shooting, placing, propelling, or stopping a ball or other object into, upon, or against a hole or other target. Redemption game does not include either of the following:

(a) A game such as roulette, beano, cards, dice, wheel of fortune, video poker, a slot machine, or another game in which winning depends primarily upon fortuitous or accidental circumstances beyond the control of the player.

(b) A game that includes a mechanical or physical device that directly or indirectly impairs or thwarts the skill of the player.

Applicant's hours of operation will be daily, from 10 a.m. to 10:00 p.m. The business will offer amusement device gaming primarily for adults. Admission of minors will be limited to those accompanied by an adult. There are 17 single gaming units and a 10 person multi-player unit proposed. Maximum customers gaming at one time would be 27.

In accordance with the provisions of Chapter 7 of the City Code, the Applicant's owners have undergone a background check which produced no negative information. All other City departments have completed reviews of Applicant's location with no material issues noted.

Recommendation is being made to approve the Applicant's application for a Type A Amusement Device license at 43648 Schoenherr for the purpose of locating eighteen amusement devices at this location. The City has previously approved amusement device licenses for similar uses (games of skill centers), most recently Lucky's at Dequindre Road and Metropolitan Parkway.

Variance Request - City Code §7-12(B) requires that a Class A licensee shall have two adult attendants on the licensed premises at all times for the first 75 amusement devices on site. Applicant is seeking a variance from this requirement under City Code §7-12(G) to allow for one adult attendant on-site during hours of operation. In support of this variance request, Applicant cites the following factors:

(a) Applicant will have substantially less than 75 amusement devices on site. It is reasonable that one adult attendant can monitor the proposed eighteen amusement devices.

(b) Applicant's leased space is only 1,200 square feet. It is reasonable that one adult attendant can monitor this limited space.

(c) By City Code, minors' access to the amusement device facility is limited.

(d) Occupancy load is 30 persons. It is reasonable that one adult attendant can monitor 30 persons on the premises with up to 27 operating the amusement devices.

The Office of Planning has reviewed the variance request and has no objections to City Council approval.

Suggested Action No. 1 (Approval of Type A Amusement Device License):

MOVED BY:

SECONDED BY:

Resolved, to approve the application by SW Navarre LLC, d/b/a Game Land, for a Type A Amusement Device License located at 43648 Schoenherr, Sterling Heights, MI 48313.

Suggested Action No. 2 (Approval of Variance):

MOVED BY:

SECONDED BY:

Resolved, to approve the request SW Navarre LLC, d/b/a Game Land, for a variance from the requirements of City Code §7-12(B) and allow for at least one adult attendant during hours of operation at 43648 Schoenherr, Sterling Heights, MI 48313 based on the following findings:

- (a) That the number of amusement devices, size of the amusement device center, and occupant load makes the requirement for two attendants unreasonable;
- (b) That the granting of the variance will not be detrimental to the public welfare or injurious to those intended to be protected under Chapter 7 of the City Code; and,
- (c) That the granting of the variance is consistent with the intent of Chapter 7 of the City Code, and properly balances the interests of the applicant in seeking the variance and those to be protected by strict application of the provision of Chapter 7 of the City Code.

Date 6/15/16
New X
Renewal

CITY OF STERLING HEIGHTS
AMUSEMENT DEVICE TYPE A (Center)

RECEIVED
CITY CLERK

2016 AUG 26 A 11:30

Name of Business S W Navarre Navarre

Business Address 43648 Schoenher Rd

City SterlingHts State MI Zip 48313 Business Phone 586-480-6038

Owner of Business Harvinder Singh Birth Date

Residential Address 37065 Bradford drive #222

City SterlingHts State MI Zip 48312 Residential Phone 586-480-6038

Owner's Michigan Driver's License No.

Manager Harvinder Singh Birth Date

Residential Address 37065 Bradford drive #222

City SterlingHts State MI Zip 48312 Residential Phone 586-480-6038

Manager's Michigan Driver's License No.

Contact Email address SWNAVARRE@gmail.com

Distributor -NA- OWN GAMES

Address Phone No.

If business operates under an assumed name, as a partnership or a corporation, give the full names, business and residential addresses, phone numbers and birth dates of proprietors, partners or corporate officers.

Name	Business Address	Business Phone	Residential Address	Residential Phone	Birth Date
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Application for Amusement Device License (Type A)

Page 2

Has owner or manager been convicted of any crime, misdemeanor, or violation of any municipal ordinance? If so, identify individual, charge, date, place and disposition.

- NA -

Please complete the following information pertaining to the license for which you are applying or renewing:

Type A (Amusement device center)

Name and sq. footage of center Gameland 1204.5 sqft
Sq. footage of area devoted to devices 928.8 sqft

Type B (business location with 10 or fewer amusement devices as an accessory use to a valid principal use)

Principal use of premises _____
Hours of operation of principal use _____
Sq. footage of building _____

AMUSEMENT DEVICE LISTING:

Number of devices to be placed at this location 18

DESCRIPTION OF MACHINE MANUFACTURER'S NAME SERIAL NUMBER

Redemption Game Machines Some games are multi Player
I will Submit all Serial numbers + manufacture
details once the machines arrive at location.
(Before opening LOCATION for Business)
See Attached for Serial #s

(Attach additional sheet if necessary)

Contact Information (person we may contact with questions regarding this application)

Name Harvinder Paul Singh

Contact Phone Number – Business _____ Mobil 586-480-6038

Contact Email address swnavarre@gmail.com

SerIAL# 'D

Multi Player Game

43876294 FGK

FISH GAME

Server BASED Redemption

MXL10304KD

MXL95019KD

2UA05108BD

2UA0180C1UF

2UA1230XT R

2UA0160049

MXL1162SQ0

2UA1080Y0 S

2UA1080ZL4

MXL0330G18

2UA9510K2 X

MXL1030652

MXL103069D

MXL0330G15

MXL0120MN2

MXL103069D

MXL95306BJ

MXL0120MN3

13
Quits

THIS APPLICATION CANNOT BE PROCESSED UNTIL ALL REQUESTED INFORMATION AND DOCUMENTATION HAS BEEN PROVIDED AND ALL APPLICABLE FEES HAVE BEEN PAID. THE POLICE DEPARTMENT MAY CONTACT YOU FOR ADDITIONAL INFORMATION IF NECESSARY.

I hereby apply for an amusement device license in the City of Sterling Heights and agree to operate in compliance with the Code of Ordinances, the Zoning Ordinance, and Charter of the City of Sterling Heights, and any other applicable statutes.

I acknowledge receipt of a copy of the current ordinances and resolutions regulating such operations, and agree to abide by their terms as amended. I acknowledge that my license expires on December 31 of each year, that it is non-transferable and that it must be prominently displayed.

If signing for a partnership, assumed name business or corporation, I certify that I am authorized to act on its behalf.

I further certify that all information contained on this application is true. I understand any false or fraudulent statement may result in revocation of the license and that all statements contained herein are subject to verification.

6/15/16
Date


Signature

HARVINDER PAUL SINGH
Print Name

Owner
Title

swnavarre@gmail.com
E-mail Address

586-480-6038
Phone Number

IMPORTANT: APPLICATION WILL BE RETURNED IF ALL INFORMATION REQUESTED ON THIS FORM IS NOT PROVIDED

CITY OF STERLING HEIGHTS – CLERK’S OFFICE
AMUSEMENT DEVICE – TYPE A (CENTER)
ARCADE ATTENDANT REGISTRATION

NAME: Harvinder P. Singh DATE OF BIRTH: _____
RESIDENTIAL ADDRESS: 37065 Bradford Ave #222, Sterling Hts, MI
RESIDENTIAL PHONE NUMBER: 586-480-6038
DRIVER’S LICENSE NUMBER: _____
AMUSEMENT CENTER WHERE EMPLOYED: Cameland
ADDRESS AND PHONE # OF AMUSEMENT CENTER: 43648 Schoenherd Rd
Sterling Heights, MI
586-480-6038

Have you ever been convicted of any crime, misdemeanor, or violation of any municipal ordinance? If yes, identify crime or offense, date, place and disposition.

NO YES _____

I hereby request registration as an Amusement Device Attendant for the above location in the City of Sterling Heights and agree to operate this amusement device center in compliance with the Code of Ordinances, the Zoning Ordinance of the City of Sterling Heights, and other applicable statutes. I have read and am familiar with the current applicable ordinances and understand that all statements are subject to verification.

DATE: 6/15/16

BY: [Signature]
Attendant's Signature

HARVINDER PAUL SINGH
Attendant's Printed Name

NOTE: Two (2) attendants, 18 years of age or older, are required at a Type A licensed location for the first seventy-five (75) devices on the premises (or fraction thereof) and one additional attendant for each fifty (50) devices (or fraction thereof) beyond the first seventy-five (75) devices in order to ensure that the regulations contained in Chapter 7 of the Sterling Heights Code of Ordinances are enforced.

CITY OF STERLING HEIGHTS – CLERK’S OFFICE
AMUSEMENT DEVICE – TYPE A (CENTER)
ARCADE ATTENDANT REGISTRATION

NAME: Supreet Singh DATE OF BIRTH: _____
RESIDENTIAL ADDRESS: 37065 Bradford drive #222, Sterling Hts
RESIDENTIAL PHONE NUMBER: 516-376-0332

DRIVER’S LICENSE NUMBER: _____

AMUSEMENT CENTER WHERE EMPLOYED: GameLand

ADDRESS AND PHONE # OF AMUSEMENT CENTER: 43648 Schoenherr Rd
Sterling Heights, MI
586-480-6038

Have you ever been convicted of any crime, misdemeanor, or violation of any municipal ordinance? If yes, identify crime or offense, date, place and disposition.
NO YES _____

I hereby request registration as an Amusement Device Attendant for the above location in the City of Sterling Heights and agree to operate this amusement device center in compliance with the Code of Ordinances, the Zoning Ordinance of the City of Sterling Heights, and other applicable statutes. I have read and am familiar with the current applicable ordinances and understand that all statements are subject to verification.

DATE: 4/15/16
BY: Supreet Singh
Attendant's Signature
SUPREET SINGH
Attendant's Printed Name

NOTE: Two (2) attendants, 18 years of age or older, are required at a Type A licensed location for the first seventy-five (75) devices on the premises (or fraction thereof) and one additional attendant for each fifty (50) devices (or fraction thereof) beyond the first seventy-five (75) devices in order to ensure that the regulations contained in Chapter 7 of the Sterling Heights Code of Ordinances are enforced.

Game Land Proposed Use

Objectives:

Game Land will build a 1,200-square-foot unit in the Lake view Square Shopping Center area of Macomb County/Sterling Heights, Michigan. Service/products include 18 computerized Gaming Terminals, Game Land anticipates opening in July. Revenues are expected to grow at a rate above inflation.

Mission:

The purpose of Game Land is to provide the residents of Sterling Heights with family entertainment in an enjoyable, pleasant atmosphere. It will provide excellent service using the most technologically advanced Gaming equipment in a clean facility, which will cater to the entire family. The casual gaming ambiance, quality of service will ensure a large, loyal following of customers. The Business will also feature retail-services of all the gift or prizes that are available for redemption, all items could also be purchased if any customer desired to do so.

Location:

Game Land will be strategically located to maximize the profits from the modern day Gamer. Game Land will be located, close to the Lake Side mall. This location is a half mile from Hall road, in the Lake view Square Shopping Center, which includes Kroger Gas, Pizza Hut, Lakeside Family Restaurant, Serene Beauty Spa, 5 other store-front type businesses. This is an excellent location for a Game Land. Game Land will provide entertainment, This will bring in more customers to the Area and provide them more ways to enjoy themselves and spend their discretionary income.

Hours of Operation:

Monday to Sunday 10:00 am– 10:00pm

Type of Games:

"redemption game" means a single player or multiplayer mechanical, electronic, or manual amusement device involving a game, the object of which is throwing, rolling, bowling, shooting, placing, propelling, or stopping a ball or other object into, upon, or against a hole or other target.

Redemption Items:

The redemption value of coupons or other representations of value awarded for the successful single play of a game does not exceed 15 times the amount charged for a single play of the game or a \$3.75-per-play average, whichever is less. However, players may accumulate coupons or other representations of value for redemption for non-cash prizes, toys, or novelties of a greater value up to, but not exceeding, \$500.00 wholesale value.

SWNAVARRE LLC (GAME LAND)
43648 Schoenherr Rd.
586-488-1069
swnavarre@gmail.com

September 10, 2016

To,
City of Sterling Heights

Dear [Recipient]

I Harvinder Paul Singh would like to request a variance to reduce the number of attendants required at the location from 2 to 1. The reason for the request is simply due to the fact that:

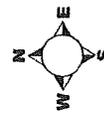
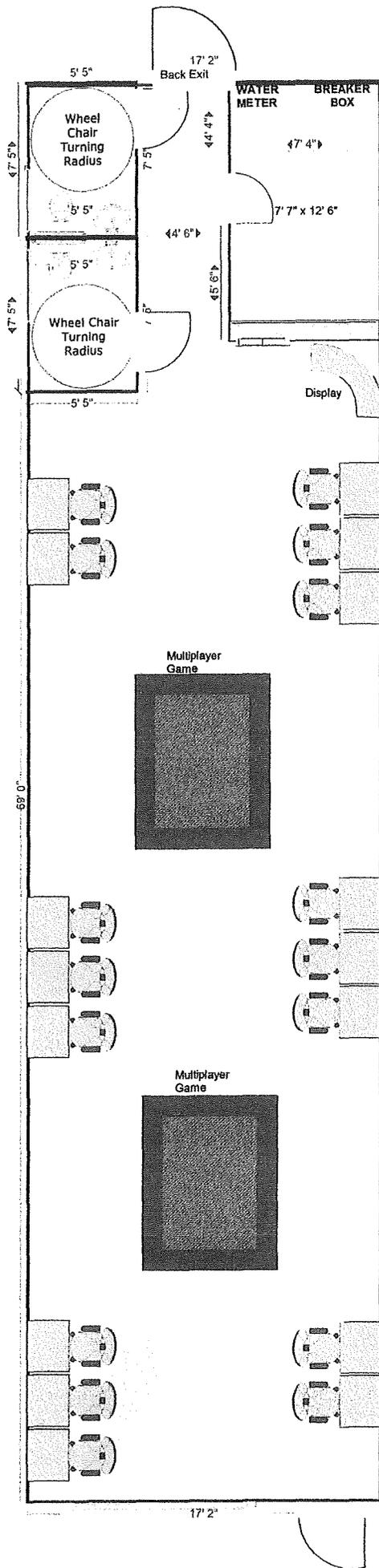
- The business is not catering to minors but to adults.
- Minor must be accompanied by an adult.
- The total square footage of the location is only 1260s/q feet and the gaming area is approximately 900s/q feet.
- There are only a total of 18 gaming stations at the location
 - 1 multi player (10 max)
 - 17 single units
- Max capacity of customers at a time can only be 28 due to the number of games, maximum number of people that will ever be in the location at any given time will probably never exceed 35.

Based upon the above given facts for such a small location and with mainly adults clientele 1 attendant is more than sufficient, to provide good customer service to an adult audience given the nature of the business.

Warm regards,


Harvinder Paul Singh

Owner



GAME LAND

ADDRESS: 43648 SCHOENHERR RD
STERLING HEIGHTS, MI 48313

LAYOUT DRAWING



Provided by:

Helix Game offers a variety of games to play that will comply with the Michigan redemption law 750.310b which allows for "skill-based" redemption gaming systems in your place.

Helix games has up to 26 games to choose from and after a winning combination spin the player is require to do a skill and dexterity test to be awarded the point. These points will go towards redemption for products that the business location offers the customer.

Here are just some of our games:

BILLY ON WHEELS – 20 LINE



IRISH DUCKY – 30 LINE



IT'S HALLOWEEN – 20 LINE



SHINING STARS - 8 LINE



WILD WOLF - 20 LINE



Most games have the following:

- Animated themes
- Available on individual game terminals
- Free games for scatter combinations
- Random hot seat award given to individual eligible player
- Shared jackpot prize for all eligible players
- Player rules and instructions on each game screen page 2
- Excitement on every play

For information please contact us.

THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

750.310b Applicability of chapter; redemption game.

Sec. 310b. (1) This chapter does not apply to a redemption game if all of the following conditions are met:

(a) The outcome of the game is determined through the application of an element of skill by the player.

(b) The award of the prize is based upon the player's achieving the object of the game or otherwise upon the player's score.

(c) Only noncash prizes, toys, novelties, or coupons or other representations of value redeemable for noncash prizes, toys, or novelties are awarded. A gift card may be awarded under this subdivision if all of the following apply:

(i) The gift card is usable only at a retailer or an affiliated group of retailers.

(ii) The gift card is issued in a specified amount.

(iii) The gift card is redeemable only for goods and services available from the retailer or retailers and not for cash.

(iv) Information on the gift card may not be altered with the use of a personal identification number.

(d) The wholesale value of a prize, toy, or novelty awarded for the successful single play of a game is not more than \$3.75.

(e) The redemption value of coupons or other representations of value awarded for the successful single play of a game does not exceed 15 times the amount charged for a single play of the game or a \$3.75-per-play average, whichever is less. However, players may accumulate coupons or other representations of value for redemption for noncash prizes, toys, or novelties of a greater value up to, but not exceeding, \$500.00 wholesale value.

(2) As used in this section, "redemption game" means a single player or multiplayer mechanical, electronic, or manual amusement device involving a game, the object of which is throwing, rolling, bowling, shooting, placing, propelling, or stopping a ball or other object into, upon, or against a hole or other target.

Redemption game does not include either of the following:

(a) A game such as roulette, beano, cards, dice, wheel of fortune, video poker, a slot machine, or another

game in which winning depends primarily upon fortuitous or accidental circumstances beyond the control of the player.

(b) A game that includes a mechanical or physical device that directly or indirectly impairs or thwarts the skill of the player.

History: Add. 1996, Act 539, Imd. Eff. Jan. 14, 1997;—Am. 2010, Act 219, Imd. Eff. Dec. 9, 2010.

Rendered Thursday, June 2, 2016 Page 1 Michigan Compiled Laws Complete Through PA 141 of 2016



This is an example of some of the redeemable awards and Novelties



Interoffice Memorandum

Date: October 24, 2016

To: Mark Carufel, City Clerk

From: Chris McLeod, AICP – City Planner

Subject: PAD16-0036 GameLand – 43648 Schoenherr

The Office of Planning has reviewed the proposed amusement device license request and does not have any issues with the request as proposed. The applicant has received a variance from the Zoning Board of Appeals (PZBA16-0017) to not require food to be prepared and served onsite and has also received Planning Commission approval (PPCM-1160) for the actual use of the amusement device center.

PAD16-0036
GameLand
43648 Schoenherr Road

I also do not have any issues in approving a variance to operate with only one (1) attendant rather than the required (2) attendants per the ordinance. This is based on the number of games on the premises (18 games, maximum 27 players), the intended adult customer base and the type of gaming (redemption / games of skill) proposed. One adult attendant is capable of adequately supervising this use within the 1,200 sq. ft. of leased space.

If you have any additional questions or comments please feel free to contact me

STERLING HEIGHTS ZONING BOARD OF APPEALS
REGULAR MEETING
CITY HALL
July 21, 2016

LOCATION: City Council Chambers, 40555 Utica Road, Sterling Heights, MI
SUBJECT: Minutes of the Regular Meeting of the Zoning Board of Appeals held July 21, 2016.

Mr. Graef called the meeting to order at 7:02 p.m.

Members present at roll call: Derek D'Angelo, David Graef, Stefano Militello,
Pashko Ujkic

Members absent at roll call: Dale Deming and Ray Washburn - Excused

Also in attendance: Chris McLeod, City Planner
Don DeNault, City Attorney

APPROVAL OF AGENDA

Motion by Mr. Militello, supported by Graef, to APPROVE the Agenda.

Ayes: Militello, Graef, Ujkic, D'Angelo

Nays: None

Absent: Deming and Washburn

Motion carried.

CORRESPONDENCE

Mr. McLeod stated he received correspondence from ZeerCo Development Corp, case PZBA16-0011, asking their case be postponed.

PZBA16-0017 - Harvinder Paul Singh

Requesting Board approval to allow for an amusement device center without providing food services - East side of Schoenherr between Canal Road and Hall Road in Section 01.

Property address: 43648 Schoenherr Road

Mr. D'Angelo asked petitioner to come forward to the podium.

Mr. McLeod gave an overview and stated provisions in the ordinance state an amusement device center within a shopping center have to have a food service as part of their overall delivery of services. He stated the tenant wishes to provide bagged goods, pre-prepared foods and drinks as well but no food preparation and service type atmosphere. The proposed operation will be open seven days a week, from 10 a.m. to 10 p.m. It will be a series of gaming stations within the tenant space. Mr. McLeod then displayed and described the site plan.

Mr. D'Angelo invited petitioner to come forward to the podium.

Harvinder Singh came to the podium. He stated there is not enough space to provide a food service. He stated he inquired with the Health Department about setting up a type of coffee stand but it does not meet the requirements.

Mr. D'Angelo asked what will be next to the business.

Mr. Singh stated there is a karate place, a Pizza Hut, on the south side is a café and on the north side is a "we buy gold" place.

Mr. D'Angelo asked if he was affiliated with any of the business in the shopping center.

Mr. Singh stated his wife owns Serene Beauty day spa which is located further down, in the center.

Mr. D'Angelo asked for any questions from the Board.

Mr. D'Angelo asked Mr. McLeod if this is similar to the case, Jack Pots. Mr. McLeod stated it is somewhat similar.

Mr. D'Angelo asked the petitioner what is the difference with his business to Jack Pots.

Mr. Singh stated there it will be similar but there will be different options for prizes.

Mr. D'Angelo asked if there was an age limit and if kids are allowed to play the games.

Mr. Singh stated you have to be 18. If younger than 18, you have to be supervised by an adult. The children under 18 may play the games.

Mr. D'Angelo asked Mr. McLeod if there were any state regulations to be aware of for this case.

Mr. McLeod stated as long as the child was being supervised, it would probably suffice.

Mr. Ujkic asked the petitioner if he currently has a lease for the space and for how long.

Mr. Singh stated he has a 3-year lease.

Mr. Ujkic asked Mr. McLeod if the case was approved, would it stay with the building and negate if the petitioner decides to move on.

Mr. McLeod stated variances go with the property so the variance would stay with the space that is being requested provided the use remained exactly the same as approved.

Mr. Ujkic asked Mr. D'Angelo to state to the petitioner there is not a full Board.

Mr. D'Angelo stated to Mr. Singh that there were only four board members present and all would have to vote in favor of the case.

Mr. D'Angelo asked Mr. McLeod what the history was for the ordinance for amusement device centers.

Mr. McLeod stated that typically with this type of provision, it is to provide a more family orientated place, a combination of uses, being food and entertainment.

Mr. DeNault agreed with Mr. McLeod and stated he thought it was possibly to prevent these types of places from becoming "hang-outs".

Mr. D'Angelo asked if there were any other questions for the petitioner. He then asked if the petition would like to request postponement because two board members were absent or move forward at this time.

Mr. Singh stated he would like to move forward.

Mr. D'Angelo asked for public participation. Being none, he closed public participation and asked the Board for any further comments. Being none, he called for a motion.

Motion by Mr. Graef, supported by Mr. Militello In the case of PZBA16-0017, Harvinder Paul Singh, 42648 Schoenherr, I move to **APPROVE** the variance with the following conditions:

- 1) The decision of the Board will remain valid and in force as long as the facts and information presented to the Board in Public Hearing are found to be correct, and that the conditions upon which the motion is based are forever maintained as

- presented to the Board. The petitioner agrees to abide by and comply with all the ordinances of the City of Sterling Heights and the regulations of every lawful agency or governing authority now or hereafter in force;
- 2) Notice of the approval of the variance shall be delivered to the City Clerk's office within 60 days after the approval date of the applicable meeting minutes for recording with the Macomb County Register of Deeds. Failure to file this notice shall serve as grounds to revoke the variance;
 - 3) A Hold Harmless Agreement, in favor of the City of Sterling Heights, shall be delivered to the City Clerk's office within 60 days after the approval date of the applicable meeting minutes for recording with the Macomb County Register of Deeds. Failure to follow this agreement shall serve as grounds to revoke the variance;
 - 4) All appropriate planning, building, and license approvals must be sought and obtained prior to occupancy.
 - 5) The variance will be limited to the tenant space identified in the materials submitted by the Applicant.

This motion to approve is supported by the following findings of fact:

- 1) All of the facts and standards in the Zoning Ordinance for approving a non-use variance have been established and met.
- 2) The space being occupied by the proposed tenant is only 1,200 square feet and does not have sufficient space for the food service requirement set forth in the Zoning Ordinance.

Mr. D'Angelo asked for any further discussion. Being none, he called for a roll call vote.

Ayes: Graef, Militello, D'Angelo, Ujkic,

Nays: None

Absent: Deming and Washburn

Motion Carried

PZBA16-0018 - V & R Building Company (Art & Jakes)

Requesting Board approval for a reduction of the total number of required parking spaces - West side of Mound Road, south of M-59 in Section 05.

Property address: 44899 Mound Road

Mr. D'Angelo asked Mr. McLeod for an overview.

Mr. McLeod displayed the site plan and gave an overview of the proposal. He explained the applicant wants to enclose the patio area which would then require the space to be calculated for parking requirements. He noted that there is excess parking in the area (shopping center) if parking became an issue at certain times.

Mr. D'Angelo asked petitioner to come forward to the podium.

Victor Trpcevski, owner of Art & Jakes and V & R building company came forward.

Mr. Trpcevski stated the building will stay the same; they are looking to enclose patio area which is already there for bad weather and winter months.

Mr. D'Angelo asked for questions from the Board.

Mr. D'Angelo asked if they will have the same number of tables that are currently out on the patio.

Mr. Trpcevski stated yes, the same exact number. He stated the Fire Marshall stated they may have 283 people and they are set up for 236 seats.

- 4) That appropriate site plan, engineering, and building approvals shall be sought and obtained prior to any new construction and in relation to the existing buildings which have no valid permits, and that addition site plan requirements may arise as a part of such review;
- 5) That additional low level, hedge type plantings be provided between the proposed deciduous trees along the property frontage.

This motion to approve is supported by the following findings of fact:

- 1) The applicant has provided landscaping between the proposed parking lot and the front property line as well as between the proposed parking lot and the front facade of the building.
- 2) The applicant is providing additional improved planting area and site improvements beyond those previously developed on the site.
- 3) Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, lot coverage, density, or other dimensional or construction standards will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with such restrictions unnecessarily burdensome.
- 4) The grant of a variance will do substantial justice to the applicant as well as to other property owners in the district and a lesser variance will not give substantial relief to the applicant as well as be more consistent with justice to other property owners in the zoning district.
- 5) The plight of the applicant is due to unique circumstances of the property.
- 6) The problem is not self-created.
- 7) The spirit of the ordinance will be observed, public safety and welfare secured, and substantial justice done.
- 8) This is a highly industrial area, being located on a service drive and an elevation change with Metropolitan Parkway going above the applicant's site.

Mr. D'Angelo stated he would like to add number 8 to the motion.

Motion to AMEND by Mr. Graef, supported by Mr. Militello to add number 8.

Mr. D'Angelo asked for any discussion on the motion. Being none, he called for a roll call vote.

Ayes: Graef, Militello, Ujkic, D'Angelo
Nays: None
Absent: Deming and Washburn
Abstained: None
Motion Carried

APPROVAL OF MINUTES

Motion by Mr. Militello, supported by Mr. Graef to APPROVE minutes for June 23, 2016 meeting.

Ayes: Militello, Graef, Ujkic
Nays: None
Absent: Deming and Washburn
Abstained: D'Angelo
Motion Carried

NEW BUSINESS

None

OLD BUSINESS

None

PUBLIC PARTICIPATION

None

MOTION TO ADJOURN

Motion by Mr. Militello, supported by Mr. Graef, to adjourn.
Ayes: Militello, Graef, Ujkic, D'Angelo
Nays: None
Absent: Deming and Washburn
Motion Passed

Meeting adjourned at 8:24 P.M.

Respectfully submitted,

Derek B. D'Angelo, Chairman
Zoning Board of Appeals

STERLING HEIGHTS FIRE DEPARTMENT

Amusement Device License - Type B
Inspection Status Report Form

DATE: October 14, 2016
TO: City Clerk Mark Carufel - City Clerk's Office
FROM: Fire Marshal Mike Bauss - Fire Prevention Division
BUSINESS: S W Navarre DBA Gameland
43648 Schoenherr
Sterling Heights, MI 48313

Date of your request9/7/16
Inspection Report Number.....42527
Inspection Report Date 10/12/16
Number of Amusement Devices Found 18
Capacity for this facility 50

- At this time, all fire and life safety requirements are in compliance. We have no objection to the approval of a **Amusement Device License** for this business.
- This business is not built yet. Plans have NOT been received and/or reviewed.
- Violation items were cited on the inspection report and Fire Department approval cannot be granted at this time. A re-inspection will be conducted upon completion.
- A re-inspection was conducted on _____
Violation items were found corrected. We have no objection to the approval of a **Amusement Device License** for this business at this time.

Yours in fire safety,

Reviewed and Approved:



Mike Bauss
Fire Marshal



Chris Martin
Fire Chief

/rk

Amusement Device Permit | PAD16-0036

Property Information

10-01-310-016-000 43648 Schoenherr Road Subdivision: Lakeview Commercial Sub.
Sterling Heights MI, Lot: Block:

Name Information

Owner: STERLING LAKEVIEW, LLC Phone: (586) 764 4847
Occupant: Phone:
Applicant: STERLING LAKEVIEW, LLC Phone: (586) 764 4847
Contractor: Phone:
Licensee: Phone:
License Issued:
License Expires:

Permit Information

Date Issued: Date Expires: Status: READY TO ISSUE

Work Description:

S. W. Navarre - NewAmusement Device - Type A

Stipulations:

Comment:

Approval - Building Inspection | Frank Bayer

Status: Completed Result: Approved
Scheduled: 10/17/2016 12:00 AM Completed: 10/17/2016 02:22 PM

Amusement Device Permit | PAD16-0036

Property Information

10-01-310-016-000 43648 Schoenherr Road Subdivision: Lakeview Commercial Sub.
Sterling Heights MI, Lot: Block:

Name Information

Owner: STERLING LAKEVIEW, LLC Phone: (586) 764 4847
Occupant: Phone:
Applicant: STERLING LAKEVIEW, LLC Phone: (586) 764 4847
Contractor: Phone:
Licensee: Phone:
License Issued:
License Expires:

Permit Information

Date Issued: Date Expires: Status: READY TO ISSUE

Work Description:

S. W. Navarre - NewAmusement Device - Type A

Stipulations:

Comment:

Planning Department Inspection | Chris McLeod

Status: Completed Result: Approved
Scheduled: 09/08/2016 12:00 AM Completed: 10/17/2016 02:49 PM

Proactive - Amusement Device Enforcement | E16-07916

Property Information

10-01-310-016-000 43648 Schoenherr Road Subdivision: Lakeview Commercial Sub.
Sterling Heights MI, Lot: Block:

Name Information

Owner: STERLING LAKEVIEW, LLC Phone: (586) 764 4847
Occupant: Phone:
Filer: Phone:

Enforcement Information

Date Filed: 09/07/2016 Date Closed: 09/08/2016 Status: **CLOSED**

Complaint:

Last Action Date: Last Inspection: 09/08/2016

Last Action:

Ordinance Inspection | Pat Willis

Status: Completed Result: **Complied**
Scheduled: 09/08/2016 Completed: **09/08/2016**

Comments:

NO VIOLATIONS NOTED.

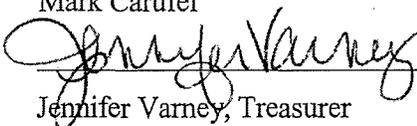


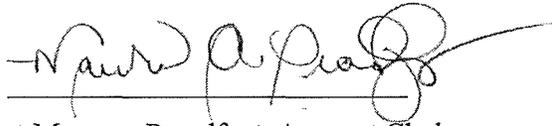
CITY OF Sterling Heights

Interoffice Memorandum

Date: October 3, 2016

To: Mark Carufel

From: 
Jennifer Varney, Treasurer


Maureen Proudfoot, Account Clerk

Subject: Tax Search –Application for a New Amusement Device License –Type A

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	N/A	Property Address	43648 Schoenherr Rd.
Taxable Value	N/A	Requested By	Mark Carufel
School District	Utica Community Schools	Date Requested	9/06/16
	S W NAVARRE		

2016 Summer Taxes

- Paid in full
- Due in the amount of \$
- Delinquent in the amount of \$
- No taxes due

Invoices (Munis)

- Paid in full
- Due in the amount of \$
- None

2015 Winter Taxes

- Paid in full
- Delinquent in the amount of \$
- No taxes due

Special Assessments

- Paid in full
- Due in the amount of \$
- Delinquent in the amount of \$
- None

2015 Summer Taxes

- Paid in full
- Delinquent in the amount of \$
- No taxes due

2014 Taxes and Prior

- Paid in full
- Delinquent in the amount of \$
- No taxes due

NO PRIOR TAXES LEVIED ON THE BUSINESS NAME OF "S W NAVARRE"



Business of the City Council
Sterling Heights, Michigan

City Clerk's Use
Item No: 3
Meeting: 11/01/16

AGENDA STATEMENT

OMB AS03 Rev. 11/04

Item Title: To consider a moratorium in the City of Sterling Heights on the opening and operation of new banquet facilities, and on the expansion of existing banquet facilities, for a period of 6 months (Presentation Chris McLeod, City Planner).

Submitted By: Office of City Planning

Contact Person/Telephone: Chris McLeod, City Planner/446-2384 *cm*

Administration (initial as applicable)

Attachments

<i>MC</i> City Clerk	<u> x </u>	Resolution	<u> </u>	Minutes
<i>BBjs</i> Finance & Budget Director	<u> </u>	Ordinance	<u> </u>	Plan/Map
<i>MK</i> City Attorney (as to legal form)	<u> </u>	Contract	<u> </u>	Other
<i>MM</i> City Manager				

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

Executive Summary

I. Historical Background

The concept of a "banquet hall" or "banquet facility" is not defined anywhere in the City Code or within Zoning Ordinance No. 278. In fact, the latter only makes a brief reference to "banquet facilities" in 3 sections and it only refers to "banquet halls" in 1 section (relating to required parking spaces).

Wikipedia refers to banquet halls in its broader definition of "function halls":

A function hall, reception hall, or banquet hall is a room or building for the purpose of hosting a party, banquet, wedding or other reception, or other social event. Function halls are often found within pubs, clubs, hotels, or restaurants. Some are run by fraternal organizations and rented out as a fundraiser for the organization, for example Masonic Halls. Some condominium associations and apartment buildings have these to keep the noise of parties out of the residential units.

Wikipedia notes that the first recorded mention of a "function room" was in 1922. Since that time, ordinances and legislation have been slow to develop. To this day, most communities still do not define the concept of a "banquet hall." However, those that do define the term tend to include the following common themes:

1. Special occasions
2. Available for rent (involving a rental agreement and fee)
3. Only available for private occasions/events
4. Access to the general public is restricted/prohibited
5. Liquor service is regulated by state law but is only incidental to the primary use
6. Persons involved with the facility have no interest in the events being held
7. Catering and/or staff service is involved
8. Consumption of food

Another term used by some communities is “reception hall,” which on its face captures a broader range of facility uses because it does not limit its meaning to a facility for “banquets.” Most ordinances that use the term “reception hall” do not require that food be part of the event for which the facility is being used.

The term “special event center” is also a term used in some communities to capture similar types of facilities. In some instances, these establishments are distinguished from “private clubs” or “lodges.”

II. Banquet Facility Proliferation

At present, the website www.yelp.com lists 15 facilities in Sterling Heights with the term “banquet” in the description or reviews. However, City Administration believes there are many other establishments operating some type of function hall, gathering hall, banquet hall, or special event space within the City. Because Zoning Ordinance No. 278 allows banquet facilities as an ancillary use for restaurants, tracking their proliferation is imprecise. Even without specific tracking, however, the City is clearly experiencing an identifiable trend toward the utilization of existing restaurant spaces as “banquet halls” and similar types of reception/gathering facilities. The trend includes small facilities in strip mall environments, which tend to be smaller, are not necessarily associated with a traditional principal use, and have a more dense arrangement of surrounding uses.

III. Banquet Facility Effects

In some instances, the land uses near some of the banquet facilities include residential homes that may experience noise, vibration, litter, and other secondary effects of larger gatherings. In other instances, the facilities are being used as private gathering places that can potentially be used for gambling, unlicensed liquor sales, smoking, and other uses that are either unlawful or have negative secondary impacts on the community. Additional concerns, such as hours of operation, arise when an owner uses the facility as a “nightclub” by charging admission fees and providing live entertainment.

IV. Other Municipalities

Somewhat surprisingly, ordinances regulating banquet halls are not very common. Two communities that have enacted more extensive zoning regulations for these types of establishments are Minneapolis, MN and Elizabeth City, NC. Those communities addressed similar concerns relating to proliferation, nightclub use, noise, liquor, and litter. Most other communities that address banquet halls have done so only by providing a definition of the types of facilities to be covered by that term. Otherwise, similar to Sterling Heights, many ordinances tend to simply mention “banquet halls” or a similar term as being permitted in specific instances without addressing any unique regulations that should be applied.

V. Moratorium

A “moratorium” is generally defined as a suspension of activity. Here, a moratorium on the construction, opening, and operation of new banquet facilities and the expansion of existing banquet facilities would simply suspend the approval of using property within the City for such purposes for a finite and limited period of time. To ensure the protection of all due process rights, the moratorium cannot be arbitrary and must be “rationally related to a legitimate governmental interest.”

A moratorium may be enacted by resolution so long as it is imposed for a short-term purpose. A moratorium lasting for less than one year has been deemed by the courts to be properly enacted by resolution. The United States Supreme Court has even noted with approval that moratoria are “used widely among land-use planners to preserve the status quo while formulating a more permanent development strategy.”

City Administration has prepared a moratorium resolution with itemized findings that preserves the status quo in Sterling Heights by suspending the development of new banquet facilities along with any expansion of an existing facility while ordinance text amendments are researched, drafted, reviewed and proposed for adoption by the City Council.

Recommendation

The Office of Planning is recommending adoption of the moratorium resolution.

Suggested Action:

MOVED BY:

SECONDED BY:

RESOLVED, to adopt the resolution instituting a moratorium in the City of Sterling Heights on the opening and operation of new banquet facilities, and on the expansion of existing banquet facilities, for a period of 6 months to afford City Administration time to research, draft, and present ordinance text amendments and other pertinent regulations to govern existing and future banquet facilities within the City.

RESOLUTION

This Resolution was made and adopted at a meeting of the City Council of the City of Sterling Heights, Macomb County, Michigan held at the City Center on the ___ day of _____, 2016.

Members Present: _____

Members Absent: _____

The following preamble and resolution was offered by Member _____ and supported by Member _____.

WHEREAS, the City of Sterling Heights, a home rule city governed by the Constitution and laws of the State of Michigan, desires to maintain and protect its residents and the employees and patrons of its businesses as well as the public’s health, safety, and welfare;

WHEREAS, the City Council has determined that a need has emerged to study the City’s current regulations for the establishment, expansion, and operation of facilities within the City that operate as reception, banquet, catering, rental, and gathering halls (collectively referred to as “banquet facilities”);

WHEREAS, the City’s zoning ordinance currently has a specific provision that allows banquet facilities in the C-3 General Business District, which is designed to provide for a wide diversity of business activities that are higher intensity in nature and are predominantly retail in character;

WHEREAS, with the exception of parking requirements, the City’s zoning ordinance provides no additional regulations applicable to banquet facilities;

WHEREAS, some communities in Michigan and throughout the country allow banquet facility uses only by special approval land use review that includes certain conditions and requirements, recognizing that banquet facilities possess unique characteristics and their external effects on the surrounding areas necessitate more in-depth review and consideration;

WHEREAS, the City Council finds that it is necessary to research the possibility of developing consistent, cohesive, and objective land use and regulatory standards applicable to the placement and operation of banquet facilities in order to secure the health, safety, and welfare of the community;

WHEREAS, the City Council finds that banquet facilities of varying size and scope are becoming more prolific in the Metro Detroit area and throughout the City, with no process in place to track the actual number currently operating in the City;

WHEREAS, the City Council finds that it would be counterproductive to approve the development and operation of more banquet facilities within the City while the City studies, develops, and adopts new regulations;

WHEREAS, Section 4i of Act 279 of 1909, being MCL 117.4i, authorizes the City to provide for the enforcement of police, sanitary, and other ordinances that are not in conflict with the general laws, and the City of Sterling Heights needs appropriate time to study the public health, safety, and welfare issues related to the proliferation of banquet facilities and their potential external effects;

WHEREAS, certain state laws and administrative regulations govern the service of alcoholic liquor at banquet facilities, but the City of Sterling Heights needs appropriate time to prepare and adopt ordinances that are within the City's authority to enact so that the City's approval and regulation of the placement and operation of banquet facilities is governed by specific standards;

WHEREAS, due to the recent proliferation of banquet facilities within and around the City and throughout Michigan, current state laws and administrative regulations are likely not sufficient to, nor designed to, protect the health, safety, and welfare of City residents and guests at a local level;

WHEREAS, it is in the public interest to impose a moratorium upon the opening, expansion, and operation of new and existing banquet facilities within the City after the date of enactment of this Resolution, so that the City has the opportunity to study and develop appropriate regulations for such operations within the City; and

WHEREAS, this moratorium is a temporary measure designed to preserve the status quo without impacting existing banquet facilities while stopping and preventing any new banquet facilities from opening and operating and any existing banquet facilities from expanding within the City, and this moratorium will remain in effect only as long as deemed necessary to develop and enact appropriate ordinances and regulations, and in no circumstance for longer than a period of six (6) months unless extended for an additional period of six (6) months by lawful action of the City Council.

NOW THEREFORE, BE IT RESOLVED:

1. Effective upon adoption of this Resolution and for a period of six (6) months, through April 18, 2017, a moratorium is hereby established on the opening and/or operation of any banquet facility not already lawfully open and operating, and on the expansion of any lawfully existing banquet facility operations, within the City.

2. During the period of this moratorium, there shall be no consideration or action taken by the City, any elected or appointed official, or any employee on any request to operate or expand a banquet facility, whether a new operation or a location transfer, including an application for a certificate of occupancy.
3. City officials shall proceed to promptly investigate and consider appropriate regulations upon existing and future banquet facilities within the City.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL ON _____, 2016.

CERTIFICATION

I, Mark Carufel, certify that the above resolution is a true copy of the Resolution made and adopted by the City Council of the City of Sterling Heights at its regular meeting held on _____, 2016.

Mark Carufel, City Clerk