

CITY OF MUSKEGON

CITY COMMISSION MEETING

JUNE 10, 2014

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ☐ **CALL TO ORDER:**
- ☐ **PRAYER:**
- ☐ **PLEDGE OF ALLEGIANCE:**
- ☐ **ROLL CALL:**
- ☐ **HONORS AND AWARDS:**
 - A. Recognition of Spring 2014 Citizen's Academy Graduates. PUBLIC SAFETY
- ☐ **INTRODUCTIONS/PRESENTATION:**
- ☐ **CITY MANAGER'S REPORT:**
- ☐ **CONSENT AGENDA:**
 - A. Approval of Minutes. CITY CLERK
 - B. Fireworks Display Permit for 5th of July Celebration at Heritage Landing. CITY CLERK
 - C. City/County Human Resources Agreement. CITY MANAGER
 - D. Bid Award: Cost Sharing with Norton Shores and Fruitport Township (West Michigan Water Authority). ENGINEERING
 - E. Consideration of Bids: Contract Award Roof Replacement at McGraft Park Building. ENGINEERING
 - F. Amendment to the Fireworks Ordinance. PUBLIC SAFETY
 - G. Special Liquor License – Salute Muskegon, Inc. PUBLIC SAFETY
- ☐ **PUBLIC HEARINGS:**
 - A. Transmittal of 2014 – 15 Proposed Budget. CITY MANAGER
- ☐ **COMMUNICATIONS:**
- ☐ **UNFINISHED BUSINESS:**
- ☐ **NEW BUSINESS:**

☐ **ANY OTHER BUSINESS:**

☐ **PUBLIC PARTICIPATION:**

- ▶ **Reminder: Individuals who would like to address the City Commission shall do the following:**
- ▶ Fill out a request to speak form attached to the agenda or located in the back of the room.
- ▶ Submit the form to the City Clerk.
- ▶ Be recognized by the Chair.
- ▶ Step forward to the microphone.
- ▶ State name and address.
- ▶ Limit of 3 minutes to address the Commission.
- ▶ (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

☐ **CLOSED SESSION:**

☐ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY-FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE CUMMINGS, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TTY/TDD DIAL 7-1-1- TO REQUEST A REPRESENTATIVE TO DIAL (231) 724-6705.

Date: June 10, 2014

To: Honorable Mayor and City Commissioners

From: Director Jeffrey Lewis

RE: Recognition of Spring 2014 Citizen's Academy Graduates

SUMMARY OF REQUEST:

RESOLUTION
RECOGNITION OF SPRING 2014 CITIZEN'S ACADEMY GRADUATES

WHEREAS, the City Commission desires to provide citizens with a better understanding of the functions of law enforcement, dispelling misconceptions and increasing positive communication between citizens and police; and

WHEREAS, it is the desire of the Muskegon City Commission to encourage cooperation between the public and law enforcement to positively impact our communities;

NOW, THEREFORE, BE IT RESOLVED, that the Muskegon City Commission hereby congratulates and recognizes:

Caleb Allen
Joseph Beal
Hayden Binder
Anthony Black
Martha Bottomley
Donald Correll
Jonathan Dorchak
Michaela Harman-Wilson

Edgar Prelgauskas
Rory Stratton
David Travis
Byron Turnquist
Chardanaye Williams
A'Tianna Williams
Terry Zahniser
Brendan Zandi

for their faithful attendance, completion and graduation from the 10 week
Spring 2014 Citizen's Police Academy

Given on behalf of the Muskegon City Commission this 10th day of June, 2014.

Stephen J. Gawron, Mayor

STAFF RECOMMENDATION:

Approve - Director Jeffrey Lewis



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Given on behalf of the Muskegon City Commission this 10th day of June, 2014.



Stephen J. Gawron, Mayor



Memorandum

To: Mayor and Commissioners

From: Frank Peterson

Re: City Commission Meeting

Date: June 10, 2014

We have a number of items on the agenda, and I thought you could use a little background on them as you prepare for our meeting next week.

Work Session

1. The proposed budget is our attempt to meet the items outlined in the action plan – essentially improve services while dealing with the losses related to BC Cobb and added expenses related to the Smart Zone bonds and LC Walker Arena. Here are some highlights leading up to the budget presentation:
 - a. Proposed balanced general fund budget for fiscal year 2014-15 in accordance with Action Plan, with GF revenues of \$24,733,981 and GF expenditures of \$24,733,617.
 - b. Over 75% of GF revenues come from income tax, property tax and state shared revenue.
 - c. Compared with the budget from six years ago, property tax is down 7.56% and state shared revenue is down 13.42%.
 - d. FY 2014-15 budgeted revenues compared to actual FY 2008 revenues of \$25,563,632 are down over \$800,000.
 - e. FY 2014-15 budgeted revenues are about equal with actual revenues received in 2005. However, since 2005 the CPI has risen by more than 21%.
 - f. General operating millage to go from 9.5 to maximum 10.0 and sanitation millage to go from 2.5 to maximum 3.0.
 - g. 229 budgeted full-time positions for FY 2014-15 compared with 315 in 2002.
 - h. Contract trade inspections, environmental and rental inspection services with SafeBuilt.
 - i. Continue to contract recreational services with outside agencies.
 - j. GF to provide \$227,000 in support to Smartzone for debt service.
 - k. Proposed street lighting special assessment of 75% of street lighting costs to raise \$495,000.
 - l. We've increased blight fight efforts throughout neighborhoods.
 - m. Implementation of Action Plan approved in April by the City Commission to improve current service levels to provide the best value to our taxpayers.

CRC Meeting

1. We have a candidate for the Construction Board of Appeals. We are recommending approval.

Regular Meeting

1. We'll be recognizing some graduates of the Citizen Police Academy – including Commissioner Turnquist!
2. Organizers of the 4th of July special event at Heritage Park are asking to have a second day of fireworks – July 4th and 5th.
3. The Civil Service Commission has requested that the City Commission extend the HR agreement with the County for 1 additional year. There would be no changes in the contract terms – the cost would remain unchanged from the current year.
4. We are seeking approval for two capital improvements through the Engineering Department – one is cost share with Norton Shores and Fruitport Township, and the other is a roof replacement for the building at McGraft Park.
5. We are proposing a change to the Fireworks Ordinance to clarify when fireworks can be used, and on which types of properties they can be used on.
6. We will have a public hearing on the 2014-15 Budget.

Other Updates:

1. The CRC meetings on the road were very-well received. We have had a number of comments from people throughout the City that they would like to see these continue. I'm not sure how feasible it is to do that over the long-term, but I bet we can accommodate a couple each summer. I'll leave it up to the CRC Chair to make a recommendation on this.
2. We have gotten many positive comments about our Action Plans – people are reading them, and many are voicing their pleasure with our direction! This is great!
3. The Medical Marihuana ordinance will be ready for review and adoption at the first July meeting.
4. Parties in the Park start this week!

Date: June 10, 2014
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the May 27th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

MAY 27, 2014

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, May 27, 2014.

Mayor Gawron opened the meeting with a prayer from Rev. Bill Freeman from the Harbor Unitarian Universalist Congregation after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Gawron, Vice Mayor Lawrence Spataro, Commissioners Willie German, Dan Rinsema-Sybenga, Byron Turnquist, and Eric Hood, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Absent: Commissioner Ken Johnson (excused)

2014-39 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the May 12th Commission Worksession Meeting, and the May 13th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

C. Contract for Mowing Services. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve a two-year contract with the Sheldon Park Neighborhood Improvement Association for the maintenance of two City-owned lots in the Sheldon Park neighborhood.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize execution of the contract. The

responsibility for cleaning and mowing these lots would belong to the Association rather than the City and would extend through 2015. The City's estimated cost of \$1,000 to maintain the lots over this period would then be donated to the Association. The neighborhood has maintained the lots for several years under similar agreements and has done a great job.

G. 2014-2015 Michigan Municipal League Membership Dues. CITY CLERK

SUMMARY OF REQUEST: Approval to pay the 2014-2015 MML dues in the amount of \$9,495. This is an increase of \$149.

FINANCIAL IMPACT:	MML Dues	\$8,632
	Legal Defense Fund	<u>\$ 863</u>
	Total:	\$9,495

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

H. Approval of Building Contract for 2355 Lincoln. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To award the Building Contract for the construction of a new home located at 2355 Lincoln to JD Fisher Builders, in the amount of \$138,270, with an additional \$3,700 for bedroom/bathroom construction in the basement, for the City of Muskegon's Homebuyers Program through CNS.

CNS received five bids and the cost estimate from our spec writer was \$142,300 base bid with an additional \$7,200 for bedroom/bathroom construction in basement.

FINANCIAL IMPACT: The funding for this project has been secured through the HOME program 2013 grant allocation.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To award JD Fisher Builders the contract for the construction of 2355 Lincoln, in the amount of \$138,270 (with additional \$3,700) for the Community & Neighborhood Services Department.

Motion by Vice Mayor Spataro, second by Commissioner German to accept the Consent Agenda as read with the exception of items B, D, E, and F.

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Turnquist, Gawron, Hood, and Spataro

Nays: None

MOTION PASSES

2014-40 ITEMS REMOVED FROM THE CONSENT AGENDA:

B. 2014-2017 Water Treatment Chemical Bids. PUBLIC WORKS

SUMMARY OF REQUEST: Recommend endorsement of lowest responsible bidder

to supply Aluminum Sulfate and Hydrofluorisilicic Acid to the water filtration plant.

FINANCIAL IMPACT: Annual cost of \$91,875 for Aluminum Sulfate and \$31,430 for Hydrofluorisilicic Acid. (Based on average annual water pumped to mains).

BUDGET ACTION REQUIRED: None, these treatment chemicals have been budgeted.

STAFF RECOMMENDATION: Staff recommends the Mayor and City Commission endorse the low bids received and enter into a three-year contract with USALCO as the supplier of Aluminum Sulfate and Key Chemical as the supplier of Hydrofluorisilicic Acid.

Motion by Commissioner German, second by Vice Mayor Spataro to endorse the low bids and enter into a three-year contract with USALCO as the supplier of Aluminum Sulfate and Key Chemical as the supplier of Hydrofluorisilicic Acid.

ROLL VOTE: Ayes: Rinsema-Sybenga, Turnquist, Gawron, Hood, Spataro, and German

Nays: None

MOTION PASSES

D. Scott and Joes World Dogs Concession Contract for City of Muskegon Parks. PUBLIC WORKS

SUMMARY OF REQUEST: Staff is asking permission to enter into a one-year contractual agreement with Joe Ives of "Scott and Joes World Dogs" at Pere Marquette Park, located within the City of Muskegon, to sell hot dogs and other snacks/drinks from a mobile self-contained food trailer.

FINANCIAL IMPACT: Concession revenue is 10% of gross receipts.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to enter into concession agreement with Joe Ives of Scott and Joes World Dogs.

Motion by Commissioner Turnquist, second by Commissioner German to authorize DPW staff to enter into a concession agreement with Joe Ives of Scott and Joes World Dogs.

ROLL VOTE: Ayes: Turnquist, Gawron, Hood, Spataro, German, and Rinsema-Sybenga

Nays: None

MOTION PASSES

E. Concession Contract for City of Muskegon Parks. PUBLIC WORKS

SUMMARY OF REQUEST: Staff is asking permission to enter into a one-year contractual agreement with David Porter at Pere Marquette Park, located

within the City of Muskegon, to sell various food items out of a vehicle on stationary tables and coolers.

FINANCIAL IMPACT: Concession revenue is 10% of gross receipts.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to enter into concession agreement with David Porter.

Motion by Commissioner Turnquist, second by Commissioner Rinsema-Sybenga to authorize DPW staff to enter into a concession agreement with David Porter.

ROLL VOTE: Ayes: Gawron, Hood, Spataro, German, Rinsema-Sybenga, and Turnquist

Nays: None

MOTION PASSES

F. Operations Management Contract: Farmers' Market Commercial Kitchen. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The new Farmers' Market downtown includes a Commercial Kitchen. The intended use of the kitchen is for incubator space, as well as classroom/education. The ultimate goal is to have the Kitchen used 24/7. In order to market the facility, as well as manage the usage, collect rent, etc., a Kitchen Manager is needed. Proposals were requested for this and Pioneer Resources was the only proposal received. The City has negotiated with Pioneer Resources for their management services, with the resulting Contract. It is difficult to know exact costs and services needed at this point, since it is new for all of us. Therefore, the Contract term is only six months to start. It is anticipated that both the City and the Manager will have a better understanding of operations and costs at the end of the six month term. Meanwhile, we are confident that Pioneer is the best company to manage the Kitchen, as they have experience with food service and operations and management.

FINANCIAL IMPACT: Per the terms of the Contract, the Manager shall provide the staffing, management and operations of the facility. The City shall pay for the utility costs. The Manager shall track revenue and expenses and turn over any net proceeds to the City.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Contract and authorize the Mayor and Clerk's signatures.

Motion by Commissioner Rinsema-Sybenga, second by Vice Mayor Spataro to approve the operations management contract for the Farmers' Market commercial kitchen with Pioneer Resources and authorize the Mayor and Clerk's signatures.

ROLL VOTE: Ayes: Gawron, Hood, Spataro, German, Rinsema-Sybenga, and Turnquist

Nays: None

MOTION PASSES

2014-41 PUBLIC HEARINGS:

A. Request for the Establishment of an Industrial Development District at 2306, 2320, and 2350 S. Getty Street. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, Port City Architectural Signage has requested to establish an Industrial Development District at 2306, 2320 and 2350 S. Getty Street. The company owns buildings at all three sites and will eventually be making improvements to real and personal property. The establishment of the district will allow the company to become eligible for Industrial Facilities Tax Abatements (IFT's).

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the establishment of the Industrial Development District.

The Public Hearing opened to hear and consider any comments from the public. No comments were made.

Motion by Vice Mayor Spataro, second by Commissioner Hood to close the Public Hearing and approve the establishment of the Industrial Development District for the properties described.

ROLL VOTE: Ayes: Hood, Spataro, German, Rinsema-Sybenga, Turnquist, and Gawron

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 5:58 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk

Date: June 10, 2014
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
**RE: Fireworks Display Permit for 5th of July
Celebration at Heritage Landing.**

SUMMARY OF REQUEST: Commission previously approved Night Magic's request for a fireworks display on July 4th. Night Magic is also requesting approval of a fireworks display permit for July 5th at Heritage Landing. Fire Marshall Metcalf has reviewed the request and recommends approval contingent on inspection of the fireworks.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks.

APPLICATION

FOR FIREWORKS DISPLAY PERMIT

Act 358, P.A. 1968

DATE OF APPLICATION

4/8/14

I. TYPE OF DISPLAY:



Public Display



Agricultural Pest Control

II. APPLICANT

NAME OF PERSON

Brian Werschem

ADDRESS

3436 Whispering Woods Dr 49444

AGE: Must be 21 or over

44

IF A CORPORATION: Name of President

ADDRESS

III. PYROTECHNIC OPERATOR

NAME

Night Magic

ADDRESS

P.O. Box 294 Kingsbury IN 46346

AGE: Must be 21 or over

62

EXPERIENCE:

NUMBER OF YEARS

35

NUMBER OF DISPLAYS

1000+

WHERE

Lansing, Holland, Fruitport, Saugatuck, Worldwide

Dick Wilson

NAMES OF ASSISTANTS:

NAME

To Be Determined

ADDRESS

AGE

NAME

To Be Determined

ADDRESS

AGE

IV. NON-RESIDENT APPLICANT

NAME

ADDRESS

Name of Michigan Attorney or Resident Agent

ADDRESS

TELEPHONE NUMBER

V. EXACT LOCATION OF PROPOSED DISPLAY

Heritage Landing - Secure & Launch From The Point

DATE

7/4/14 ~ 7/5/14

TIME

10:20 PM

VI. NUMBER AND KINDS OF FIREWORKS TO BE DISPLAYED

570 pieces 3"-6" Display Shells July 4th
4 cakes520 Pieces 3"-6" Display Shells July 5th
10 cakes

MANNER & PLACE OF STORAGE PRIOR TO DISPLAY

The Fireworks are shipped in same day and immediately setup - No Storage
(Subject to Approval of Local Fire Authorities)

VII. FINANCIAL RESPONSIBILITY

A. AMOUNT OF BOND OR INSURANCE

(to be set by municipality)

\$ 5,000,000

B. BONDING CORPORATION OF INSURANCE COMPANY: NAME

ADDRESS

A.J. Gallagher & Associates

777 108th Ave, Suite 200, Bellevue, WA 98004

Application for Fireworks Other Than Consumer or Low Impact
Michigan Department of Licensing & Regulatory Affairs
Bureau of Fire Services
P.O. Box 30642
Lansing, MI 48909
(517) 241-8847

2014

Authority Compliance Penalty	2011 PA 256 Voluntary Permit will not be issued	The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc... under the Americans with Disabilities Act, you may make your needs known to this agency.	
☐ Agricultural or wildlife fireworks ☐ Special effects manufactured for outdoor pest control or agricultural purposes		☐ Articles Pyrotechnic ☒ Public Display	☒ Display Fireworks ☐ Private Display
NAME OF APPLICANT		ADDRESS	
IF A CORPORATION, NAME OF PRESIDENT		ADDRESS	
IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT		ADDRESS	TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR DAN FREIDER		ADDRESS PO Box 418 Kingsbury, IN 46345	AGE (18 or over) 48
NO. YEARS EXPERIENCE 25	NO. DISPLAYS 100 +	WHERE Muskegon, Grand Haven, Fort Wayne, etc	
NAME OF ASSISTANT		ADDRESS	AGE
NAME OF OTHER ASSISTANT		ADDRESS	AGE
EXACT LOCATION OF PROPOSED DISPLAY OR USE		CITY, Village, Township	
DATE OF PROPOSED DISPLAY OR USE		TIME OF PROPOSED DISPLAY OR USE	
MANNER AND PLACE OF STORAGE PRIOR TO DISPLAY SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124, & 1125 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT			
AMOUNT OF BOND OR INSURANCE (To be set by local government) \$5,000,000		NAME OF BONDING CORPORATION OR INSURANCE COMPANY Arthur J. Gallagher Risk Management Services, Inc. (James River Insurance Co; Berkshire Hathaway Homestate Insurance; Liberty Mutual Insurance Co.)	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY 777 108th Ave. NE. #200 Bellevue, WA 98004			
NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED		
510	3 inch shells		
170	4 inch shells		
90	5 inch shells		
36	6 inch shells		
11	Multi Shot boxes		
SIGNATURE OF APPLICANT		DATE	

2014

Permit for Fireworks Other Than Consumer or Low Impact

Michigan Department of Licensing & Regulatory Affairs
Bureau of Fire Services
P.O. Box 30642
Lansing, MI 48909
(517) 241-8847

Authority Compliance Penalty	2011 PA 256 Required Misdemeanor	The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc... under the Americans with Disabilities Act, you may make your needs known to this agency.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.

Public Display		
ISSUED TO		AGE (18 or over)
ADDRESS		
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION		
ADDRESS		
NUMBER AND TYPES OF FIREWORKS 510 pcs 3 inch shells 170 pcs 4 inch shells 90 pcs 5 inch shells 36 pcs 6 inch shells 11 pcs Multi Shot Boxes		
EXACT LOCATION OF DISPLAY OR USE		
CITY, VILLAGE, TOWNSHIP	DATE	TIME
BOND OR INSURANCE FILED ☒ Yes ☐ No		AMOUNT \$5,000,000

Issued by action of the Legislative Body of a		
☐ city	☐ village	☐ township of _____ on the _____ day of _____
		20 _____
_____ (Signature and Title of Legislative Body Representative)		

FORM IS VALID FOR YEAR SHOWN ONLY



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/24/2014

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

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

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 777 108th Ave NE, #200 Bellevue WA 98004		CONTACT NAME: Kristen Look PHONE (A/C, No, Ext): 425.586.1016 FAX (A/C, No): 425.451.3716 E-MAIL ADDRESS:	
INSURED Night Magic Displays PO Box 294 Kingsbury IN 46345		INSURER(S) AFFORDING COVERAGE INSURER A : James River Insurance Company 12203 INSURER B : Berkshire Hathaway Homestate Insura 20044 INSURER C : Liberty Mutual Insurance Company 23043 INSURER D : Tokio Marine Specialty Ins Co 23850 INSURER E : INSURER F :	

COVERAGES**CERTIFICATE NUMBER:** 1685404927**REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Per Show Agg GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC			00061032-0	2/4/2014	2/4/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$5,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON-OWNED AUTOS			02APM003700-01	2/4/2014	2/4/2015	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☒ EXCESS LIAB DED ☐ RETENTION \$			00061033-0	2/4/2014	2/4/2015	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐	N/A	WC534S311836044	3/12/2014	3/12/2015	☒ WC STATU-TORY LIMITS ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
D	Excess Liability			PUB449580	2/7/2014	2/4/2015	Per Occurrence/Agg 4,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Certificate holder is named as additional insured on the General Liability policy per form number FP5201 01-12
City of Muskegon and all elected and appointed officials, all employees and volunteers, all boards, commissions and or authorities, and their board members, all employees and volunteers, the County of Muskegon, Salute Muskegon, Tyler Sales Company, Inc., L3 Communications, Alcoa-Howmet, Port City Group, Hot Rod Harley Davidson and Muskegon Community Foundation are named as additional insured with respect to the July 4 and July 5, 2014 firework display in Muskegon MI.

CERTIFICATE HOLDER**CANCELLATION**

City of Muskegon 933 Terrace Muskegon MI 49440	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners

FROM: Franklin J. Peterson, City Manager

DATE: June 10, 2014

RE: City/County Human Resources Agreement

SUMMARY OF REQUEST:

The City currently contracts with Muskegon County for the provision of human resources services. This program is administered by the County Human Resources Department. The Agreement is set to expire June 30, 2014. City Staff is requesting that the City Commission extend the agreement for one year to June 30, 2015. All terms of the Agreement would remain unchanged.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the one year extension of the current Agreement.

COMMITTEE RECOMMENDATION:

The Civil Service Commission has recommended approval of the one year extension

**AGREEMENT BETWEEN THE CITY OF MUSKEGON
AND THE
MUSKEGON COUNTY BOARD OF COMMISSIONERS**

THIS AGREEMENT, entered into as of the 1st of July, 2013, between the City of Muskegon, a municipal corporation, by its City Commission, ("City"), the City of Muskegon Civil Service Commission ("CSC"), and the County of Muskegon, by its Board of Commissioners, ("County"), is as follows:

PURPOSE

The purpose of this Agreement is to provide for human resources services to be administered by the County Human Resources Department ("Human Resources Department"), which will provide a wide range of Human Resources services which will be described in detail in the following agreement.

I. **RELATIONSHIP OF THE PARTIES** - The County Department of Human Resources Department and Deborah Groeneveld shall perform all of the services under this Agreement as an Independent Contractor and not as an employee of the City of Muskegon. This Agreement does not create a partnership, joint venture, or any other relationship.

II. **TERM** - The agreement shall commence July 1, 2013 and terminate June 30, 2014, provided that either party may terminate the Agreement with six (6) months notice. The notice shall be sent by certified mail to the County Human Resources Director and the Chair of the CSC if terminated by the City. The notice shall be sent by certified mail to the City Manager and the Chair of the CSC if terminated by the County. The notice shall be sent by certified mail to the County Human Resources Director and the City Manager if the CSC terminates the appointment of Deborah Groeneveld as Personnel Director or terminates the Agreement.

III. **SCOPE OF SERVICE FOR THE CITY** - The Human Resources Department will provide recruitment, advertising, pre-employment physicals and orientation services for new city employees under the guidelines of the City of Muskegon Charter, Civil Service Rules and Regulations, and appropriate collective bargaining agreements. The Human Resources Department will also provide class and pay administration, benefit administration and maintain a complete set of personnel records for the City. The County will also assist City departments with the Employee Assistance Program (EAP), CDL drug testing, and unemployment. The County will also assist City departments and the CSC with disciplines, layoffs, recalls, and terminations.

IV. **SCOPE OF SERVICE FOR THE CSC** - The Human Relations Department will provide recommendations to the CSC as to rules relating to the examination and selection process in the classified service of the City. The Human Resources Department will provide assistance to the CSC in classifying positions, enforcing the administration of the Civil Service Rules, holding examinations for the filling of positions in the classified service, preparing and maintaining an eligibility list of persons passing examinations for positions, and certifying names of person to appointing officers for appointment to a classified position. The Human Resources Department will provide assistance to the CSC in the processing of requests for a leave of absence, temporary appointments, layoffs and recall of personnel, appeals of employees to the CSC relating to a discharge, reduction in rank or compensation, pursuant to the City Charter and Civil Service Rules, as modified by any applicable collective bargaining agreement.

V. **COUNTY HUMAN RESOURCES DEPARTMENT OBLIGATIONS** - The County agrees to perform the services and provide the materials set forth herein:

A. **QUALIFIED STAFF** - All County employees engaged in the performance of this Agreement shall be professional in manner and appearance and be trained in Human Resources Administration policies and procedures. The County Human Resources Director shall be responsible to ensure all duties are performed adequately.

B. **EQUIPMENT AND SUPPLIES** - The County will provide all equipment and supplies needed for the routine performance of its duties without additional expenses, except as otherwise set forth herein.

C. **MANUALS** - The current City of Muskegon Civil Service Charter and collective bargaining agreements shall be the documents followed for all recruitment activities. All other manuals needed to perform all functions will be provided by the County. (ex: ADA, Fair Labor Standards, FMLA Manuals).

D. **PERSONNEL RECORDS** - The County will maintain the master personnel files in the Muskegon County Human Resources Department. The personnel files shall be the property of the City.

E. **PUBLIC RELATIONS** - Good public relations are vital to the success of the Human Resources administration program. During the terms of this Agreement, County employees shall endeavor to promote understanding and amicable relations with City Departments and members of the public.

F. **RECRUITMENT AND CERTIFICATION OF APPLICANTS** - The County at the direction of the City and/or CSC shall advertise and compile applications for job openings. Qualified applicants will be tested and certified for employment selection. The City shall be responsible for any costs incurred for any testing material designated by the City and/or CSC. The City shall also be responsible for any advertising costs incurred over five hundred (\$500) dollars per agreement year.

G. **PHYSICALS AND ORIENTATIONS** - The County shall direct selected applicants through the physical and orientation process prior to starting employment. Selected applicants will be given orientations on employment procedures, policies and benefits at the direction of the City. The City shall be responsible for any costs incurred for the physical, back screen and drug test of selected applicants.

H. **CLASS AND PAY ADMINISTRATION** - County staff will maintain, modify or develop at the direction of the City class specifications for classes of work at the City.

I. **BENEFIT ADMINISTRATION** - The County shall provide assistance to the City and/or CSC with issues pertaining to FMLA (Family Medical Leave Act), UI (Unemployment Insurance), and the City's EAP (Employee Assistance Program). The City shall designate and provide the legal services for any contested unemployment proceeding filed during the existence of this agreement. Any counsel retained to handle a proceeding shall work under the direction of the

Human Resources Director. The City shall be responsible for any costs incurred for unemployment claims and the City EAP program.

J. **COMPUTERIZED INFORMATION TECHNOLOGY** – The County will provide staff, equipment, and software to maintain electronic records of recruitment activities using an applicant tracking system (SIGMA/NEOGOV) and testing software (OPAC), and human resources forms processing for current employees.

K. **LABOR RELATIONS RELATED ISSUES** - The County will provide services to the City and/or CSC on issues of discipline, layoff, recall and termination hearings. The City shall designate and provide the legal services for any labor related issue during the existence of this agreement. Any counsel retained to handle a proceeding shall work under the direction of the Human Resources Director.

L. **RECORDS MAINTENANCE AND ACCESS** – The County agrees to maintain personnel records with the most current information the Municipality makes available.

1. All changes of employee status, wages, trainings and certifications will be kept in the personnel file of the employee.
2. City staff and CSC Commissioners will be afforded access to personnel files per a policy or procedure designated by the City and CSC.
3. Personnel files are to be maintained at the County Human Resources Department during the term of this agreement, unless mutually agreed that these records may be maintained at another location.

VI. **CITY AND CSC OBLIGATIONS** - The City and CSC shall undertake the following:

A. **CSC FILES AND RECORDS** - The CSC shall provide Chapter XV of the City of Muskegon Charter, current Civil Service Rules, policies and procedures, personnel records, recruitment procedures, and all other documents maintained by the City of Muskegon Personnel Director to the Human Relations Department.

B. **CITY FILES AND RECORDS** - The City shall provide policies and procedures concerning class and pay administration, benefit administration or any Human Resources function presently performed by City employees, except as otherwise provided above, to the Human Relations Department.

C. **CIVIL SERVICE DIRECTOR** - The CSC shall appoint Deborah Groeneveld as the City of Muskegon Personnel Director, whom shall serve at the pleasure of the CSC. Deborah Groeneveld shall receive no additional compensation for serving as the City's Personnel Director and shall not be an employee of the City. Deborah Groeneveld shall be responsible, subject to delegation, to satisfying the obligations to be provided to the CSC.

VII. **FEES AND PAYMENTS** - The County will perform all the above services for the Municipality, subject to fees and expenses set forth and under the terms and conditions herein:

A. **FEES** - The fee for the agreement year, which is from July 1, 2013 to June 30, 2014, shall be \$75,000, in addition to UI (unemployment insurance), pre-employment physical, testing and advertising costs as otherwise set forth herein.

B. **PAYMENTS** - The Municipality shall remit the annual fee in equal quarterly payments of \$18,750 each. The payment is owed regardless of whether Deborah Groeneveld is appointed by the CSC as the City's Personnel Director.

VIII. **MISCELLANEOUS**

A. **SECTION HEADINGS** - The headings of the several sections, and any Table of Contents appended hereto, shall be solely for convenience of reference and shall not affect the meaning, construction or effect hereof.

B. **SEVERABILITY** - If any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal, or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

C. **ENTIRE AGREEMENT AND AMENDMENT** - In conjunction with matters considered herein, this Agreement contains the entire understanding and agreement of the parties and there have been no promises, representations, agreements, warranties, or undertakings by any of the parties, either oral or written, of any character or nature hereafter binding except as set forth herein. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the parties to this Agreement and by no other means. Each party waives their future right to claim, contest or assert that this Agreement was modified, canceled, superseded or changed by any oral agreements, course of conduct, waiver or estoppel. This agreement is subject to obligations, if any, provided for in collective bargaining agreements involving the City, the City of Muskegon Charter and the City of Muskegon Civil Service Rules and Regulations.

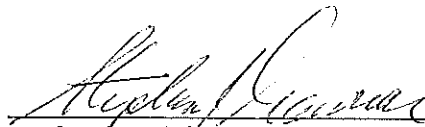
D. **SUCCESSORS AND ASSIGNS** - All representations, covenants, and warranties set forth in the Agreement by or on behalf of, or for the benefit of any or all of the parties hereto, shall be binding upon and inure to the benefit of such party, its successors and assigns.

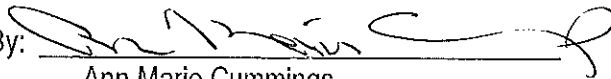
E. **TERMS AND CONDITIONS** - The terms and conditions used in this Agreement shall be given their common and ordinary definition and will not be construed against either party.

F. **EXECUTION OF COUNTERPARTS** - This Agreement may be executed in any number of counterparts and each such counterparts shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the parties shall preserve undestroyed, shall together constitute one and the same instrument.

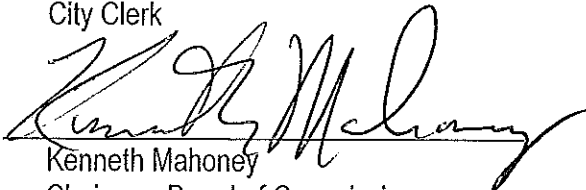
ACKNOWLEDGEMENTS

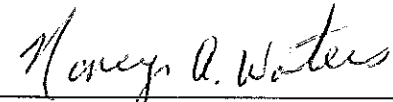
City of Muskegon

By: 
Stephen J. Gawron
Mayor

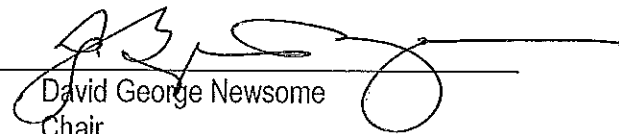
By: 
Ann Marie Cummings
City Clerk

County of Muskegon:

By: 
Kenneth Mahoney
Chairman Board of Commissioners

By: 
Nancy A. Waters
County Clerk

City of Muskegon
Civil Service Commission

By: 
David George Newsome
Chair

Date: June 10, 2014
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Bid Award/Cost Sharing with N.S & FP. TWP (West Michigan Water Authority)

SUMMARY OF REQUEST:

Participate in the cost to construct piping to connect the new high services pumps that Norton & F.P are proposing to the City's system which would help the city eliminate the usage of the plant's high service pumps during low demand periods and thus saving the City a lot more than the requested participation amount of \$21,500.

FINANCIAL IMPACT:

Contribute 50% of the bid amount of \$43,000. the funds will have to be added to the 2014/2015 budget.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

Authorize staff to execute any necessary documents to participate in the cost of the piping at a rate of no more than 50% of actual cost.

COMMITTEE RECOMMENDATION:



May 29, 2014

Council Meeting of June 3, 2014

Subject: Bid Award – Regional Water Contract A – High
Service Pump Station

The Honorable Mayor
and
Members of the City Council

Ladies and Gentlemen:

Bids were opened on May 22, 2014 for the construction of a high service pump station at the Muskegon Water Filtration Plant. The high service pump station will pump all of the water to the West Michigan Regional Water Authority serving the City of Norton Shores and Fruitport Charter Township. Six companies submitted bids.

All bids were found to be in order and meet specifications. Our engineer, URS, has provided a letter of recommendation to award the project along with an alternate to provide a connection to the City of Muskegon system contingent on the City of Muskegon paying for half of the connection. The recommended contractor is Owen-Ames-Kimball of Grand Rapids at a bid cost of \$2,859,000 plus \$43,000 for the alternate bid. The low bidder, Erhardt Construction Company, with a bid of \$2,857,000 plus \$42,400 for the alternate, withdrew their bid as they discovered that they made a significant error. As a result of their bid withdrawal, Erhardt Construction's bid bond will be responsible to make up the difference between their bid and the second low bid. The six bids for the high service pump station and the alternate bid are:

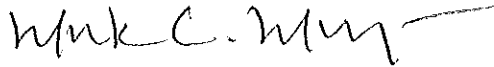
<u>Bidder</u>	<u>Bid Cost</u>	<u>Alternate Bid</u>
Erhardt Construction Co. Ada, MI	\$2,857,000	\$42,400
Owen-Ames-Kimball Grand Rapids, MI	\$2,859,000	\$43,000
Clifford Buck Construction Co. Muskegon, MI	\$2,911,739	\$41,000
Grand River Construction Co. Hudsonville, MI	\$2,915,000	\$41,000
Davis Construction Co. Kentwood, MI	\$2,966,857	\$42,210
Triangle Associates Grand Rapids, MI	\$3,009,000	\$45,000

Administration/City Clerk (231) 798-4391	Assessing Division (231) 799-6806	Building Division (231) 799-6801	Finance/Treasurer (231) 799-6805	Fire Prevention (231) 799-6809	Fire Department (231) 798-2255
Parks/Recreation (231) 799-6802	Planning/Zoning (231) 799-6800	Police Department (231) 733-2691	Public Works (231) 799-6803	Streets Division (231) 798-2156	Water/Sewer (231) 799-6804

Funding is being requested to be advanced from the Water Fund with reimbursement from the West Michigan Regional Water Authority once bonds are sold.

Adoption of the attached resolution will approve the award of the second low bid for the high service pump station to Owen-Ames-Kimball of Grand Rapids, MI in the amount of \$2,859,000 contingent on approval from Fruitport Charter Township and the West Michigan Regional Water Authority. Further, the resolution will award the alternate bid to provide a connection to the City of Muskegon system in the amount of \$43,000 contingent on an agreement from the City of Muskegon to pay half of the cost. The resolution will also approve the advancement of funds from the Water Fund.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark C. Meyers", with a long horizontal flourish extending to the right.

Mark C. Meyers
City Administrator

GAB/ts

RESOLUTION

WHEREAS, bids were received for the construction of a high service pump station at the Muskegon Water Filtration Plant to serve the Regional Water System, and

WHEREAS, an alternate bid was submitted to connect the high service pump station to the City of Muskegon system, and

WHEREAS, the bids were found to be in order and meet City specifications, and

WHEREAS, the low bidder withdrew their bid,

NOW, THEREFORE, BE IT RESOLVED that the bid for the construction of a high service pump station is hereby awarded to the second low bidder, Owen-Ames-Kimball of Grand Rapids, in the amount of \$2,859,000 contingent on approval from Fruitport Charter Township and the West Michigan Regional Water Authority. Further, the alternate bid in the amount of \$43,000 is approved contingent on an agreement from the City of Muskegon to pay half of the cost. Additionally, the advancement of funds from the Water Fund are hereby approved with reimbursement from the West Michigan Regional Water Authority once bonds are sold.

At a regular meeting of the City Council of the City of Norton Shores, held at the Norton Shores Branch Library, 705 Seminole Road, on the 3rd day of June, 2014 the foregoing resolution was moved for adoption by Councilmember

The motion was supported by Councilmember

Ayes:

Nays:

Abstain:

Resolution declared adopted.

Lynne A. Fuller, City Clerk



May 28, 2014

Mr. Matt Farrar
Fruitport Charter Township
6543 Airline Drive
Fruitport, MI 49415

Mr. James R. Murphy, PE
City of Norton Shores
4814 Henry Street
Norton Shores, MI 49441

**Re: West Michigan Regional Water Authority
High Service Pump Station Contract A
Water Filtration Plant, Muskegon, MI**

Dear Sirs:

On Tuesday, May 22, bids were received for Contract A, the High Service Pump Station at the Muskegon Filtration Plant. The lowest qualified bidder on the project was Owen-Ames-Kimball for \$2,859,000.00. URS recommends acceptance of this bid.

Owen-Ames-Kimball also has submitted a bid of \$43,000.00 to construct a connection that will allow one of the new pumps to feed the City of Muskegon system. Once the City of Muskegon has formally agreed to reimburse the Authority for these costs, we will request your authorization to add this to the contract.

Erhardt Construction Company had submitted a bid of \$2,857,000.00. However, Erhardt later withdrew that bid due to a computational error they discovered after they had submitted their bid. The terms of Erhardt's bid bond require that they pay the Authority the difference between their bid and Owen-Ames-Kimball bid.

Respectfully submitted,

URS Corporation Great Lakes

Phillip Vogelsang, PE
Project Manager

cc: URS Corporation File



6060 East Fulton



PO Box 208



Ada, Michigan 49301-0208



(616) 676-1222

www.erhardtcc.com

May 23, 2014

Mr. James Murphy

City of Norton Shores Public Works

4814 Henry Street

Norton Shores, MI 49441

Mr. Murphy:

On May 22, 2014, we submitted a bid to the West Michigan Regional Water Authority for the High Service Pump Station.

As is our standard practice on every bid, we immediately checked all of our calculations and bids from subcontractors to close out to our bid total. In doing so on this project, we identified a significant error and immediately notified URS of same. We had a mechanical subcontractor number come in very late, and entered it incorrectly into our bid tabulation sheet. This late mechanical number was entered into the incorrect work category, thereby replacing a higher number for electrical work that should have remained in our bid.

As we read the bid documents and our bid form, these facts make our bid nonconforming due to this error. Moreover, while our bid was read low, it has not yet been accepted by the owner. For these and other reasons, Erhardt Construction requests that our bid be withdrawn. I am available to discuss further at your request.

Very Truly Yours,

ERHARDT CONSTRUCTION

Benjamin D. Wickstrom, PE, LEED-AP
President

Sent via email and US Mail on May 23, 2014

Cc - Mr. Phillip Vogelsang, URS

Read: 5/22/14
Tab: 5/22/14[illegible]

Date: June 10, 2014
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids/Contract Award
Roof replacement @ McGraft Park Building

SUMMARY OF REQUEST:

Authorize staff to enter into agreement with Schmit Roofing to replace the roof at McGraft Park building since they submitted the lowest quote of \$15,274 (see bid tabulation).

FINANCIAL IMPACT:

The construction cost of \$15, 274.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Authorize staff to enter into agreement with Schmit Roofing to replace the roofing at the McGraft Park building.

COMMITTEE RECOMMENDATION:

CITY OF WISKEGON

MAY 29, 2014

Requisition

		Name of Bidder		Name of Bidder		Name of Bidder	
	Vendor	FREE SPIRIT CONST.		SCHMIT ROOFING & CONST.		3 OTHER BIDDERS	
	Telephone Number	231 739-2124		231 726-2020		WEITZ ASKED TO BID	
	Quoted By	LARRY WEAVER		RICKY HINES		NO SHADS	
Quantity	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	REPLACING ROOFING ON MCLEODT PARK COMMUNITY CENTER USING ARCHITECTURAL SHAKES		\$20,330.00		\$15,274.00		
	TOTAL BID	\$		\$		\$	
Cash Discount Terms							
F.O.B.							
Delivery Time From Receipt of Purchase Order							

Estimate

Date	Estimate #
3/31/2014	3905

Name / Address	Job Address
Parks Department Bernadette Young 1350 E. Keating Ave Muskegon, MI 49442	McGraft Park 2204 Wickham Muskegon, MI 49441

Phone Number	Credit cards are charged 2%-3% each use.	P.O. Number
	1/2 down, balance on completion	
Description		Total
Tear off all layers of roofing down to wood deck and haul away debris. Install ice shield 6ft up on all eaves of roof followed by a 15lb felt followed by IKO laminated shingles. All edges of roof to receive new drip edge. All peaks of roof to receive shingles over ridge vent. All walls to receive aluminum step flashing. All valleys to receive ice shield, 90lb rolled roofing, and weaved shingles. All pipes to receive new flashing boots. Reflash chimney at base. Install a fiberglass base sheet over wood deck on lower sloped roof. Install a 10" strip of torch down along all edges followed by new drip edge. Prime drip edge. Install a granulized torch down on entire roof. Flash all walls by running torch down up wall and back down on roof. Run torch down under shingles 2ft. Lifetime Manufactures Warranty on shingles 15 Year Sure Start 3 Year Workmanship 10 Year Manufacture's Warranty on torch down If you want a 26 gauge standing seam steel roof on the steeper parts only price is \$25,347.00 20 Year warranty on steel 40 year warranty on paint. Upon looking at the roof we think that the lower sloped roof does not have enough pitch on it for steel.		15,274.00
All material guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any board repair shall be an extra charge. All agreements contingent upon strikes, accidents or delays beyond our control. Our workers are fully covered by Workmen's Compensation Insurance. Contractor shall be liable for neither incidental nor consequential damages other than reasonable repair of installed work. Unpaid contract shall constitute a lien against this property until paid. Homeowner shall be liable for actual and reasonable attorney fees incurred by contractor. Any claims for defects not corrected within a reasonable time after notice shall be subject to arbitration in accordance with the rules of the Better Business Bureau, any award rendered thereon shall be fixed and binding in the parties hereto, and judgment may be entered thereon by a court having jurisdiction thereof.		OVER Authorized Signature: Ricky A Hines
Acceptance of Proposal	Signature:	
Date of acceptance:	Signature:	



Free Spirit
FS
Construction Inc.



2200 Roberts Street • Muskegon, Michigan 49444 • (231) 739-2124 • Fax (231) 773-7855

City of Muskegon
Parks Department
1350 E Keating Avenue
Muskegon, MI 49442

April 4, 2014

Dear Ms. Young, WE PROPOSE TO FURNISH ALL MATERIALS AND PERFORM ALL LABOR NECESSARY TO COMPLETE THE FOLLOWING: Install new flat and shingle roof systems on building at McGraft Park 2204 Wickham. To be completed in the following manner:

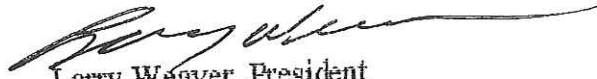
1. Completely remove the existing surface down to the deck and haul away. Site to be left clean.
2. Repair all damaged decking found at an added cost of \$2.00 per square foot.
3. Install new aluminum drip edge onto the entire perimeter.
4. Install Ice and Water Shield underlayment protection onto the entire roof surface.
5. Install new rubber boot flashings around plumbing stacks.
6. Install metal flashings at chimney.
7. Install IKO Cambridge Lifetime Architectural design laminated dimensional algae resistant shingles onto the prepared surface. To be completed to IKO specifications.
8. Install XLP ridge vent with matching ridge cap shingles on peak.
9. Install a fully adhered EPDM rubber roof system on both flat sections of roof to the manufacturer's specifications.

The above work will have a Lifetime material two (2) year labor warranty on the shingle roof and a 10 year material/labor warranty.

ALL OF THE ABOVE WORK TO BE COMPLETED IN A SUBSTANTIAL AND WORKMAN LIKE MANNER ACCORDING TO STANDARD PRACTICES FOR THE SUM OF: **Shingle Roof: \$9,880.00** **Flat Roof: \$10,450.00**
Option: Install a standing seam metal roof system in place of the shingles:
\$29,600.00

AS THE WORK PROGRESSES TO THE VALUE OF: 100% OF ALL WORK COMPLETED. THE ENTIRE AMOUNT OF CONTRACT TO BE PAID WITHIN:
50% Down 50% Upon Completion.

RESPECTFULLY SUBMITTED BY:


Larry Weaver, President

ACCEPTANCE

YOU ARE HEREBY AUTHORIZED TO FURNISH ALL MATERIALS AND LABOR REQUIRED TO COMPLETE THE WORK MENTIONED IN THE ABOVE PROPOSAL, FOR WHICH: **City of Muskegon** AGREE TO PAY THE AMOUNT MENTIONED IN SAID PROPOSAL, AND ACCORDING TO THE TERMS THEREOF:
ACCEPTED: DATE:

2204 Wickham

10

March 31, 2014 —

Fredericks 722-3937
Free Spirit 739-2124
Schmidt 726-2020
Sheriff Goslin 748-7772
Buck Construction 726-4913
Dan's — contact

Catch catches by inch
3066 Krollwood

Date: June 10, 2014
To: Honorable Mayor and City Commissioners
From: Public Safety Director
RE: Amendment to the Fireworks Ordinance

SUMMARY OF REQUEST: It is request that the City Commission approve the attached ordinance amendment which adds restrictions to the locations where fireworks may be used as allowed by state law. A provision was also added regarding sales to minors and the penalties set by state law.

Fireworks may not be ignited, discharged, or used on public property, school property, church property, or the property of another person without permission.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the ordinance as presented.

**City of Muskegon
Muskegon County, Michigan
Ordinance Amendment No. _____**

THE CITY OF MUSKEGON HEREBY ORDAINS:

Chapter 54, Article V “Fireworks,” of the Code of Ordinances of the City of Muskegon is hereby moved to Chapter 30 “Fire Prevention and Protection,” Article V and amended as follows:

Sec. 30-301. Purpose of article.

The purpose of this article is to provide for the regulation of the ignition, discharge and use of consumer fireworks, as allowed under the Michigan Fireworks Safety Act, Public Act No. 256 of 2011 (MCL 28.541 et. seq.)

Sec. 30-302. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any terms not specifically defined herein shall have the meanings attributed to them in Act 256.

Act 256 means the Michigan Fireworks Safety Act, Public Act No. 256 of 2011 (MCL 28.541 et. seq.)

Consumer Fireworks means the Michigan Fireworks Safety Act, Public Act No. 256 of 2011 (MCL 28.541 et. seq.)

Firework or fireworks means the Michigan Fireworks Safety Act, Public Act No. 256 of 2011 (MCL 28.541 et. seq.)

Sec. 30-303. Use of consumer fireworks prohibited.

Consumer fireworks may be ignited, discharged or used in the city only on the day proceeding, the day of, or the day after a national holiday, except between the hours of 1:00 a.m. and 8:00 a.m. when prohibited, as provided for in Act 256. No person shall ignite, discharge or use consumer fireworks in the city on any other day of the year at any time.

Sec. 30-304. Safety.

No person shall recklessly endanger the life, health, safety, or well-being of any person by the ignition, discharge, or use of consumer fireworks.

Sec. 30-305. Use of alcohol or controlled substances and fireworks prohibited.

No person shall discharge, ignite or use fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance, consistent with Act 256.

Sec. 30-306. Permissible Locations.

A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises at that time.

Section 30-307. Sale to Minors Prohibited.

Consumer fireworks shall not be sold to a minor. The age requirement shall be verified by checking a driver's license or another form of acceptable identification pursuant to Act 256.

Section 30-309. Penalty.

Any person violating the provisions of this article shall be responsible for a municipal civil infraction. Fines and any penalties stated within Act 256 may be imposed.

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By _____

Ann Cummings, MMC
City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the _____ day of _____, 2014, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted, and public notice was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2014

Ann Cummings, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

TO: ALL PERSONS INTERESTED

Please take notice that on _____, 2014, the City Commission of the City of Muskegon adopted an amendment to Chapter 54 Article V "Fireworks," moving it to Chapter 30 "Fire Prevention and Protection," Article V and making the following changes:

Section 30-301 "Purpose of article" (formerly Sec. 54-301) remains unchanged.

Section 30-302 "Definitions" (formerly Sec. 54-302) was amended to indicate that any terms not specifically defined in the ordinance shall have the meaning attributed to them in the Michigan Fireworks Safety Act, MCL 28.28.451 et. sec. "the Act."

Section 30-303 "Use of consumer fireworks prohibited" (formerly Sec. 54-303) remains unchanged.

Section 30-304. "Safety" (formerly Sec. 54-304) remains unchanged.

Section 30-305. "Use of alcohol or controlled substances and fireworks prohibited" (formerly Sec. 54-305) remains unchanged.

Section 30-306. Permissible Locations. This Section was added to prohibit the use of consumer fireworks on public property, school property, church property or the property of another person without the organization's or person's express permission to use those fireworks on those premises at that time.

Section 30-307. Sale to Minors Prohibited. This Section was added to prohibit all sales of consumer fireworks to minors.

Section 30-308. Penalty. (formerly Sec. 54-306) was amended to indicate that all penalties specified in the Act may be imposed for violation of this ordinance, in addition to fines.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten (10) days from the date of this publication.

CITY OF MUSKEGON

Published: _____, 2014 By: _____
Ann Cummings, MMC, Its Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE

Commission Meeting Date: June 10, 2014

Date: June 5, 2014
To: Honorable Mayor and City Commission
From: Director of Public Safety
RE: Special Liquor License – Salute Muskegon, Inc.

SUMMARY OF REQUEST: To approve a Special Liquor License for Salute Muskegon, Inc. to serve spirits on July 2 - 6, 2014 from 8AM – 9AM at Heritage Landing for their Salute to Heroes event. They have already submitted a Special Event Application. Each serving of spirits must be in a pre-measured format or beverages packaged through authorized manufacturer; no “free pour” is allowed. The event will display the Budweiser Clydesdale Home Team. Their event includes:

July 2 – Clydesdales parade from Heritage Landing down Western Avenue, turning around at the Farmer’s Market

July 3 – Salute Muskegon night – musical entertainment

July 4 – Musical entertainment and fireworks

July 5 – Tribute to the Armed Forces, with a USO-style show and fireworks

July 6 – Clydesdales parade starting at Pere Marquette, ending at the USS Silversides Museum

FINANCIAL IMPACT: Any and all City services required will be reimbursed by Salute Muskegon, Inc.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: The Director requests approval for Salute Muskegon, Inc. to serve spirits at their authorized event.

Date: June 3, 2014

To: Honorable Mayor and City Commissioners

From: City Manager

RE: Transmittal of 2014-15 Proposed Budget

SUMMARY OF REQUEST: At this time staff is transmitting to the City Commission the proposed budget for fiscal year 2014-15 which starts July 1, 2014. Both hardcopy and electronic versions of the budget have been distributed to Commissioners. Additionally, the budget is available for public inspection on the City's website and at the City Clerk's office or Hackley Public Library.

The proposed budget will be reviewed in detail with staff at the June 9th work session. A public hearing on the budget will be held at the regular Commission meeting the following evening. City ordinance requires that the budget be adopted by the Commission on or before the second Commission meeting in June.

FINANCIAL IMPACT: The budget is the City's financial plan for the coming fiscal year.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: None

COMMITTEE RECOMMENDATION: None