

CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 8, 2013

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ **CALL TO ORDER:**
- ❑ **PRAYER:**
- ❑ **PLEDGE OF ALLEGIANCE:**
- ❑ **ROLL CALL:**
- ❑ **HONORS AND AWARDS:**
- ❑ **INTRODUCTIONS/PRESENTATION:**
- ❑ **CONSENT AGENDA:**
 - A. Approval of Minutes. CITY CLERK
 - B. Setting Worksession and Commission Meetings. CITY CLERK
 - C. Gaming License Request from Muskegon Bike Time Events, Inc. CITY CLERK
 - D. Consideration of Bids: HVAC Cleaning at City Hall and Public Service Buildings. ENGINEERING
- ❑ **PUBLIC HEARINGS:**
- ❑ **COMMUNICATIONS:**
- ❑ **CITY MANAGER'S REPORT:**
- ❑ **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: January 8, 2013
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the December 10th Commission Worksession Meeting and the December 11th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

City of Muskegon
City Commission Worksession
December 10, 2012
City Commission Chambers
5:30 PM

MINUTES

2012-90

Present: Commissioners Gawron, Spataro, German, Wierengo, Turnquist, and Markowski.

Absent: Commissioner Hood.

Melching Property Rezoning.

A lawsuit has been filed against the City for the ballot question to rezone the property currently owned by Melching on the November ballot. The City Attorney encouraged those residents or groups interested to participate by joining the lawsuit with their own Attorney.

It was explained that Commissioners can not discuss the case because it is in litigation.

John Schrier, City Attorney, explained the options available. Even with a zone change, Melching and any successors can continue to use the property under its current zoning. It's a legal non-conforming use.

If the City chooses not to answer the lawsuit, a default judgment will be entered for the plaintiff unless citizens file and the judge accepts it.

The lawsuit is unlikely to be covered under the City's insurance policy and Attorney fees will be paid out of the General Fund.

Commissioner Turnquist stated a compromise is needed on both sides. The Attorney indicated that a compromise, if possible, would take several months. A response to the lawsuit needs to be given in the next two weeks.

Commissioner Markowski asked if it can be settled at this time. The Attorney responded, probably not.

The Attorney outlined options available in a memo to City Commission.

- A. The City can agree with Melching's position that the initiatory petition and vote has no legal binding effect.
- B. The City could disagree with Melching's position and litigate the validity of the initiatory petition and vote.
- C. If the City is going to litigate the issue, the City could encourage the proponents of the initiatory petition to join the litigation.

- D. If the City is going to vigorously litigate the issue, the City should consider adding Sappi to the litigation.

Communication between the City Commission and the City Attorney is confidential unless waived by City Commission.

Motion by Spataro, Seconded by Markowski to waive Client/Attorney privilege to release the City Attorney's memo explaining the options to respond to the lawsuit.

ROLL CALL VOTE:

Ayes: Spataro, German, Wierengo, Turnquist, Markowski, and Gawron.

Nays: None.

Copies are to be given by hard copy only available in the City Clerk's Office.

Senior Transit System.

Mayor Gawron indicated that the Senior Transit System is currently running in a deficit. The City's General fund will be using funds from the Stabilization Fund to balance.

Commissioner Turnquist indicated \$60,000 is a small amount of money and would like to continue to support the program.

Commissioner Spataro stated that the City needs to find a partner if we want to continue the program or make the program self-funding by reducing hours, raising the fee, etc.

Commissioner Markowski told the Commission she contacted a local transportation company that is willing to drop their fee to \$18 for a ride within a ten mile radius.

This item will be considered at the December 11th Commission Meeting.

Closure of Beach Street During Winter Months.

Staff suggested the Commission consider closing Beach Street by the Water Filtration during the winter months. Currently the City pays approximately 20 hours a month in overtime to remove sand from the street and place barricades blocking the road during bad winter days.

It was the consensus of the Commission to close the street through March.

Any Other Business.

Commissioner Spataro let the Commission know that he attended a meeting regarding potential locations for the jail.

He did tell the committee that he did not think the Commission would support a new facility at Craig School or adding a new facility by closing Pine Street.

A meeting regarding tree removal in Glenside was attended in November. Approximately 15 to 20 trees need to be removed. The City will be replacing some trees. Diseased trees can be removed by digging deeply for removal.

Commissioner Markowski asked that Commissioners update all Commissioners when attending meetings.

Public Comment.

Public comment was received.

Adjournment.

Motion by Turnquist, seconded by Spataro to adjourn at 7:48 p.m.

MOTION PASSES.

**Ann Marie Cummings, MMC
City Clerk**

CITY OF MUSKEGON

CITY COMMISSION MEETING

DECEMBER 11, 2012

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, Michigan at 5:30 p.m., Tuesday, December 11, 2012.

Mayor Gawron opened the meeting with a prayer from Pastor Marcy Miller from the Samuel Lutheran Church 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 Byron Turnquist, Lea Markowski, and Willie German, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Absent: Commissioners Sue Wierengo and Eric Hood (excused).

2012-91 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

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

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Marsh Field Management Agreement. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize the Mayor and City Clerk to execute the "Marsh Field Baseball Facility Management Agreement" with the Lakeshore Baseball Club.

FINANCIAL IMPACT: Lakeshore Baseball Club will expand the operations of this facility and will invest in improvements to the facility.

BUDGET ACTION REQUIRED: None, the contract will offer savings in maintenance costs for the City and create opportunities for capital improvements by LBC that the City is unable to accomplish at this time.

STAFF RECOMMENDATION: Approve request.

C. Truck Mounted Jet Rodder (Jet Truck). PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase one truck mounted jet rodder, model 800HPR Series III ECO Sewer Equipment Company of America, from Jack Doheny Supplies, Inc. for \$201,500. Doheny was the lowest responsible bidder out of the two bids received for this piece of equipment with the other company being AIS Equipment Company who submitted a bid on a compatible piece of equipment for \$204,000.

This piece of equipment is used primarily for sewer main cleaning and will replace the 1999 model we currently have in service.

FINANCIAL IMPACT: \$201,500.

BUDGET ACTION REQUIRED: None, this item was in our 2012/2013 Budget.

STAFF RECOMMENDATION: Authorize staff to purchase truck mounted jet rodder from Jack Doheny Supplies for \$201,500.

D. Request to Deny & Accept Properties that did not Sell During the Tax Sale for 2012. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The County of Muskegon held two delinquent tax auctions during 2012. There were nineteen properties left after the last auction. According to the State's new tax laws, the City must state that they are not interested in obtaining them, otherwise the City will automatically receive them. From the list that was provided, the properties are all vacant lots. Community & Neighborhood Services would like to obtain two of the vacant lots Planning would like to obtain four vacant lots with the remaining parcels being denied.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To deny thirteen parcels and accept six parcels and authorize both the Mayor and the Clerk to sign said resolution.

E. Approval of Purchase of 1282 Fleming and Sign a Memorandum of Understanding with Trinity Housing Non-Profit Corporation for the Transfer. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To authorize Community & Neighborhood Services office to purchase the HUD home at 1282 Fleming in the Oakview Neighborhood for our partner, Trinity Village Non-Profit Housing Corporation. A Memorandum of Understanding will be signed to transfer the home to Trinity after closing.

Trinity is the approved agent for the County's NSP3 HUD Grant Award. Oakview

Neighborhood is the target neighborhood.

FINANCIAL IMPACT: The home will be rehabilitated with Muskegon County NSP3 funds through Trinity Village Non-Profit Housing Corporation. No financial obligation is required of the City of Muskegon.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve Community & Neighborhood Services 1282 Fleming purchase and enter into a Memorandum of Understanding with Trinity Village Non-Profit Housing Corporation for the transfer of property.

F. Approval of the Bid Proposal of Blackberry Window and Door Systems at 1500 Leahy. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To accept the bid from Blackberry Window and Door Systems to restore the existing metal windows at 1500 Leahy Street, our last NSP1 project. The proposed price for this is \$33,545.

FINANCIAL IMPACT: Funding for the project has been approved in our NSP 1 allocation and will be supported with Program Income from the sales of other NSP projects.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Community & Neighborhood Services office to sign the contract to hire Blackberry Window and Door Systems as required by the State of Michigan Historic Preservation Office.

G. Fleet Vehicle Replacement. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase four full size Ford F-150 4X4 pick-up trucks for fleet replacement from Gorno Ford/MI Deal (state's lowest bidder for Ford). These will replace fleet vehicles that will be handed down to various departments as seasonal vehicles.

FINANCIAL IMPACT: \$93,983 Equipment Fund.

BUDGET ACTION REQUIRED: None, the price of this purchase is within the amount budgeted.

STAFF RECOMMENDATION: Authorize staff to purchase four Ford F-150 4X4 pick-ups from GORNO FORD/MIDEAL.

H. Fireworks Delegation of Authority Authorization. PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the City Commission review and authorize the "Fireworks Delegation of Authority Authorization Pursuant to PA 256".

The Bureau of Fire Services is seeking for departments that are interested in applying for inspection delegation for consumer fireworks sales facilities (CFRS) under Section 19 of 2011 PA 256. The delegation is for one year. The fire

department would be responsible to conduct inspections of the permanent and temporary CFRS location within its jurisdiction (City of Muskegon). Entities (MUFD) that elect to have delegation will receive 80% of the application fee paid for the consumer fireworks certificate (\$800 for permanent and \$480 for temporary).

Currently MUFD has two trained “certified fire inspectors” that are qualified to perform this job task. Application will be made upon the acceptance by City Commission.

FINANCIAL IMPACT: Positive financial impact as fees are paid to conduct inspections.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval to perform delegation inspections.

Motion by Commissioner Turnquist, second by Vice Mayor Spataro to accept the Consent Agenda as presented.

ROLL VOTE: Ayes: Turnquist, Markowski, Gawron, Spataro, and German

Nays: None

MOTION PASSES

2012-92 UNFINISHED BUSINESS:

A. SECOND READING: Rezoning Request for the Property Located at 137 E. Laketon Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone the property at 137 E. Laketon Avenue from B-2, Convenience and Comparison Business District to B-4, General Business District, by Jack Kennedy.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval of the request at their November 15th meeting.

Motion by Vice Mayor Spataro, second by Commissioner Markowski to approve the rezoning request for the property located at 137 E. Laketon Avenue to B-4, General Business District.

ROLL VOTE: Ayes: Markowski, Gawron, Spataro, German, and Turnquist

Nays: None

MOTION PASSES

2012-93 NEW BUSINESS:

A. Approval of Sale of City-Owned Home at 451 E. Isabella. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community & Neighborhood Services department to complete the sales transaction between Mr. Joseph R. Kieft, for the totally rehabilitated home at 451 E. Isabella. Mr. Kieft will purchase it for \$37,500.

This is a property that was under the Lease with Option to Buy Program five years ago.

FINANCIAL IMPACT: The proceeds from the sale will be used against the HOME Program deficit.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and direct the CNS staff to complete the sale.

Motion by Commissioner Markowski, second by Commissioner German to approve the sale of the property at 451 E. Isabella.

ROLL VOTE: Ayes: Gawron, Spataro, German, Turnquist, and Markowski

Nays: None

MOTION PASSES

B. Approval of Sale of City-Owned Home at 605 Jackson. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community & Neighborhood Services department to complete the sales transaction between Madra Bolden for the newly constructed home at 605 Jackson, which is part of the City's Neighborhood Stabilization Program (NSP) through the Michigan State Housing Development Authority Office of Community Development and Leverage funds with the HOME Program by HUD. Ms. Bolden is expected to receive a VA Loan for \$65,000.

FINANCIAL IMPACT: The proceeds from the sale will be used to complete the rehabilitation of 1500 Leahy Street, our final NSP 1 project.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and direct the CNS staff to complete the sale.

Motion by Vice Mayor Spataro, second by Commissioner German to approve the sale of the City-owned home at 605 Jackson to Ms. Bolden for the price stated.

ROLL VOTE: Ayes: Spataro, German, Turnquist, Markowski, and Gawron

Nays: None

MOTION PASSES

C. Approval of Sale of City-Owned Home at 1733 Manz. COMMUNITY & NEIGHBORHOOD SERVICES

REMOVED PER STAFF REQUEST

D. Appointment to County of Muskegon Port Advisory Committee. MANAGER

SUMMARY OF REQUEST: The County of Muskegon has established the Port Advisory Committee. The bylaws of the Committee call for a member from the City of Muskegon. It is requested that the City Manager serve as the City's representative on this Committee.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To appoint the City Manager as the City's designee to the Muskegon County Port Advisory Committee.

Motion by Commissioner German, second by Vice Mayor Spataro to appoint the City Manager as the City's designee to the Muskegon County Port Advisory Committee.

ROLL VOTE: Ayes: Spataro, German, Turnquist, Markowski, and Gawron

Nays: None

MOTION PASSES

E. Wheel Loader. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase one Cat 930K wheel loader from Michigan Cat for \$160,848 minus the trade in value of \$37,000 for our Case 521D for a net purchase price of \$123,848. This price is off of the state web site Mi Deal. This will replace the trade in machine which is a 2001.

FINANCIAL IMPACT: \$123,848.

BUDGET ACTION REQUIRED: None, we budgeted \$150,000. This item was in our 2012/2013 Budget.

STAFF RECOMMENDATION: Authorize staff to purchase Cat 930K Wheel Loader for \$123,848 after trade in.

Motion by Vice Mayor Spataro, second by Commissioner Markowski to approve the purchase of one Cat 930K wheel loader for \$123,848 after trade in.

ROLL VOTE: Ayes: German, Turnquist, Markowski, Gawron, and Spataro

Nays: None

MOTION PASSES

F. User Fees. FINANCE

SUMMARY OF REQUEST: City departments have reviewed and updated their user fees and these have been incorporated into the Master Fee Resolution for your consideration.

The new fees and fee changes that are being proposed include the following:

- Eliminating the current “cleaning deposit” for picnic shelter rentals and replacing it with a cleaning fee to be imposed if facility is not left in clean condition;
- New fee for vacant building administrative appeals that are late;
- Reducing Hartshorn Marina slip rentals to hopefully increase the number of rentals;
- Increase catamaran storage fees that have not changed in several years;
- Increase storm water cross-connection fees reflecting higher wastewater treatment costs;
- Replacing current planned unit development (PUD) processing fee with separate fees for preliminary and final PUD processing.

FINANCIAL IMPACT: Increased revenue for fee supported activities.

BUDGET ACTION REQUIRED: None at this time. Adoption of the Master Fee Resolution will help the City attain its budgeted revenue estimates.

STAFF RECOMMENDATION: Approval.

Motion by Vice Mayor Spataro, second by Commissioner Turnquist to adopt the proposed fee changes to the fee schedule.

ROLL VOTE: Ayes: Turnquist, Markowski, Gawron, Spataro, and German

Nays: None

MOTION PASSES

G. Melching Lawsuit. CITY MANAGER

Motion by Vice Mayor Spataro, second by Commissioner Markowski to pursue option C which would be to litigate this matter and invite interested parties to file intervention if they choose.

ROLL VOTE: Ayes: Markowski, Gawron, Spataro, German, and Turnquist

Nays: None

MOTION PASSES

H. Senior Transit. CITY MANAGER

Motion by Commissioner Turnquist, second by Commissioner German to extend and fund the Senior Transit program for fiscal year 2012/2013 ending in June of 2013.

ROLL VOTE: Ayes: German and Turnquist

Nays: Gawron, Spataro, and Markowski

MOTION FAILS

Motion by Commissioner Markowski, second by Vice Mayor Spataro to request staff to draft a request for proposal for services such as provided by Senior Transit with projected users of 150-175 to a similar cost as would be provided currently for round trip prices within the City of Muskegon.

ROLL VOTE: Ayes: Spataro, Turnquist, Markowski, and Gawron

Nays: German

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 7:52 pm.

Respectfully submitted

Ann Marie Cummings, MMC
City Clerk

Date: January 8, 2013
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Setting Worksession and Commission Meetings

SUMMARY OF REQUEST: Approval of the scheduled meetings.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

CITY OF MUSKEGON CITY COMMISSION WORKSESSIONS 2013

City Hall Commission Chambers (Room 107)
5:30 PM

January	7
February	11
March	11
April	8
May	13
June	10
July	8
August	12
September	9
October	7
December	9

The meetings will begin at 5:30 p.m. in the City Commission Chambers at City Hall, 933 Terrace Street, Muskegon, MI.

Ann Marie Cummings, MMC
City Clerk

CITY OF MUSKEGON CITY COMMISSION MEETINGS 2013

City Hall Commission Chambers (Room 107)
5:30 PM

January	8
	22
February	12
	26
March	12
	26
April	9
	23
May	14
	28
June	11
	25
July	9
	23
August	13
	27
September	10
	24
October	8
	22
November	12
	26
December	10

The meetings will begin at 5:30 p.m. in the City Commission Chambers at City Hall, 933 Terrace Street, Muskegon, MI.

Ann Marie Cummings, MMC
City Clerk

Date: January 8, 2013
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Gaming License Request from Muskegon Bike Time Events, Inc.

SUMMARY OF REQUEST: Muskegon Bike Time Events, Inc., 590 Ottawa, Muskegon, MI, is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a Gaming License. They have been recognized as a 501(c)(3) organization by the State.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval



To: Muskegon City Commissioners
From: Muskegon Bike Time Board of Trustees

Muskegon Bike Time Events, Inc a 501 (c) (3) non-profit (tax id #20-8458431) would like to conduct a 50/50 raffle at a Bike Time fundraiser in March.

The Bike Time Board requests the review and approval of the attached resolution as required by the State in order to apply for the proper raffle license.

Please add this request to the agenda for the next available City Commission meeting on January 8th.

Also include is the \$75 administration fee.

Best Regards,

Clyde Whitehouse
Chairperson
Muskegon Bike Time Board

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
(Required by MCL 432.103(K)(ii))

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

called to order by _____ on _____
DATE

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

Moved by _____ and supported by _____

that the request from _____ of _____
NAME OF ORGANIZATION CITY

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

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

gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL

Yeas: _____

Nays: _____

Absent: _____

DISAPPROVAL

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.

BSL-CG-1153(R6/09)

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

DEPARTMENT OF THE TREASURY

Date: **AUG 14 2007**

MUSKEGON BIKE TIME EVENTS INC
590 OTTAWA ST
MUSKEGON, MI 49442

Employer Identification Number:
20-8458431
DLN:
17053114081037
Contact Person:
DONNA ELLIOT-MOORE ID# 50304
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
DECEMBER 31
Public Charity Status:
509(a)(2)
Form 990 Required:
YES
Effective Date of Exemption:
FEBRUARY 15, 2007
Contribution Deductibility:
YES
Advance Ruling Ending Date:
DECEMBER 31, 2011

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

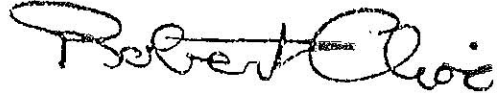
Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

MUSKEGON BIKE TIME EVENTS INC

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Choi". The signature is fluid and cursive, with the first name "Robert" and last name "Choi" clearly distinguishable.

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)
Statute Extension

Date: January 8, 2013
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
HVAC Cleaning @ City Hall & Public Service Buildings

SUMMARY OF REQUEST:

Authorize staff to enter into a contract with Krystal Kleen out of Holland to clean the HVAC systems at both, City hall for \$9,880 and PSB for \$2,150. Quotes were solicited and received (see attached) from three (3) companies with Krystal Kleen submitting the lowest responsible bid. While Krystal was not the lowest bidder, the feeling among staff is that they submitted a more realistic proposal outlying the proposed work in much more details than the lowest "quote" by Modernistic thus the recommendation.

Furthermore, if the request is approved, authorize staff to incorporate the cost into the budget via the quarterly updates.

FINANCIAL IMPACT:

The cost of \$12,030; \$9,880.00 from City Hall funds and \$2,150.00 from PSB fund.

BUDGET ACTION REQUIRED:

None at this time; however, if the project is approved, the City Hall cost will be incorporated into the budget via the second quarterly reforecast using the savings from the Tuck Pointing Parking lots Paving projects.

STAFF RECOMMENDATION:

Authorize staff to enter into an agreement with Krystal Kleen to clean the HVAC system at City Hall and PSB for \$12,030.00.

COMMITTEE RECOMMENDATION:

TELEPHONE BID TABULATION

Requisition

		Name of Bidder		Name of Bidder		Name of Bidder	
		KRYSTAL KLEEN		STANLEY STEEMER		MODERNISTIC	
Vendor		877 535-8297		800 783-3637		800 627-5080	
Telephone Number		DAN LEVERING		GREG Pucci		Carol Johnson	
Quoted By		Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	CITY HALL DUCT CLEANING		\$9,880		\$9,670		\$6,180
1	D.P.W. Duct CLEANING		\$2,150		\$3,255		\$2,900
TOTAL BID			\$12,030		\$12,925		\$9,080
Cash Discount Terms							
F.O.B.							
Delivery Time From Receipt of Purchase Order							

Krystal Kleen L.L.C.

Professional Fire, Water, and Mold Restoration

Professional HVAC Cleaning

PO Box 3163 Holland MI 49422

1-877-535-8297

www.michiganairduct.com

NADCA Certified

IICRC Certified

PHII Certified

Proposal for HVAC cleaning
City Hall
933 Terrace
Muskegon, MI. 49440

City of Muskegon
Attn: Ken Wolters
Direct:231-724-6710
ken.wolters@shorelinecity.com

Krystal Kleen's proposal, and cleaning schedule is as follows:

Krystal Kleen will be using a five man crew. Equipped with industrial power vacuum , industrial compressor, and many other small tools to complete the job requested.

We're using a large supply of negative air flow (Power Vacuum System), in combination with positive air flow (Large Air Compressor). Krystal Kleen video inspects each system upon completion by lead technician, to make sure goal is reached.

Krystal Kleen will start at the farthest point from each unit and work our way to the unit. We'll be cleaning all diffusers, trunk work, reheat coils, inline blower motors and every inch of the interior duct work. We will also clean all coils.

Krystal Kleen will follow OSHA safety rules, and each employee will be dressed with Krystal Kleen uniform. Krystal Kleen would also be responsible for the security of the building while we are there.

Krystal Kleen estimates that the cleaning process would work as follows; 12 hour shifts taking two nights to complete the cleaning from beginning to end.

The cost for this project is \$ 9,880

Krystal Kleen is a licensed and certified firm with the National Air Duct Cleaners Association, and have been Practicing HVAC cleaning for over 17 years

We greatly appreciate the opportunity to bid on above work.

References

Steve Gray	Newaygo County	231-218-0419
Tom Anton	Newkirk Electric	231-722-1691
Chris Bogner	Creekside Estates	231-730-4404
Larry Montgomery	Lacks Industries	616-554-7873

Please feel free to contact me with any questions.

Thank you once again,

Dan Levering

General Manager

Krystal Kleen L.L.C

This document certifies that

***Krystal Kleen
Holland, MI United States***



Is a Regular Member in good standing for the year

7/1/2012 – 6/30/2013

Member Since 5/11/2005

***The HVAC Inspection, Maintenance
and Restoration Association***

And has agreed to conduct its air duct cleaning business in accordance with the following mandatory Code of Ethics:

1. We will serve our customers with integrity and competence.
2. We will perform our work using source removal methods. In order to eliminate or prevent the delivery of airborne pollutants into indoor spaces through HVAC ductwork, we will remove the dust and other contaminants from the system. Thus, we pledge to administer source removal methods, cleaning the system ductwork as thoroughly as possible, before applying any coatings or treatments, including deodorizers, disinfectants, and/or sealants.
3. We will be honest and forthright about our advertising.
4. We will provide our clients with accurate inspections and evaluations of the cleanliness and physical condition of their HVAC systems, using this information to determine the type of cleaning and maintenance services required, if any.
5. We will provide only necessary and desired services to our clients, and will not use furnace/air duct cleaning as a means of selling unnecessary or unwanted products or services.
6. We will provide services only after completing the necessary bonding and licensing procedures.
7. We will utilize the services and products of those who possess specialized skills, tools, or trades not possessed by us when circumstances call for work to be done which we are unable to perform.
8. We will stay abreast of new developments in technology, tools of the trade, building codes, the Uniform Mechanical Code, and any other codes or information that directly affects our work.
9. We will require that all employees of our firm practice furnace/air duct cleaning in accordance with NADCA Guidelines and Code of Ethics.
10. We will perform our services in accordance with the current published standards of the Association. If I will be unable to clean in accordance with the NADCA standards, I agree to disclose this limitation to my customers at the point of sale, in advance of any cleaning.

The Ethics Committee shall hear and investigate charges of unethical conduct between concerned parties, and will make recommendation to the Board of Directors concerning the resolution of those charges.

NADCA President

NADCA Executive Director

NADCA

15000 Commerce Parkway • Suite C • Mt. Laurel, NJ 08054

Modernistic

CLEANING & RESTORATION

ESTIMATE

SUBMITTED TO

Address 821 Wakefield
City State Zip Plainwell, MI 49080
Phone 800-627-5080
Fax 269-685-9796
Representative CAROL JOHNSON
E-mail CJOHNSON@MODERNISTIC.NET
Website www.modernistic.com

Company City Of Muskegon
Address 933 Terrace
City State Zip Muskegon MI 49441
Phone 231 724 6710
Fax _____
Contact Ken Wolters and Terry Spyke
ken.wolters@shorelinecity.com
E-mail terry.spyke@shorelinecity.com

Service Location | Same as submitted to Ken and Terry

Proposal Date | 12-07-2012

Description of each area of the building to be serviced	Level of traffic and soil load	Description of service	Price to clean	
Air duct cleaning for 933 Terrace Muskegon MI				
All areas	Maintenance	Air Duct	\$6,180.00	
Air Duct Cleaning 1350 Keating (Public Works Building) Muskegon MI	Maintenance	Air Duct	\$,2900.00	
All areas				
There will be no service call charge				
Recommendation: Carpet cleaning should be done soon				

Thank you for the opportunity to earn your business!

PO Number _____

Credit Check: _____

- TERMS: All work will be performed in accordance with the specifications submitted above. Any alteration from above specifications will be executed only upon written orders. Please note: This proposal may be withdrawn by us if not accepted within thirty (30) days of the proposal date. Contract pricing is good for one year to date of this proposal.

SUBMITTED BY

CAROL JOHNSON

**RETURN
PROPOSAL
WITHIN 30 DAYS
Please Sign & Fax:**

PROPOSAL ACCEPTED

Signature: _____

Print Name: _____

Position: _____

Date: _____



November 23, 2012

Mr. Mohammed Al-Shatel, P.E.
Director of Public Works
City of Muskegon
1350 East Keating
Muskegon, MI 49442

Re: City Hall AHU's & Return & Fresh Air Duct Cleaning – 933 Terrace Street

Dear Mohammed:

Stanley Steemer would like to thank you for the opportunity to present our service to you at The City of Muskegon. We have taken pride in our delivery of quality cleaning for over fifty years in the cleaning industry. The scope of work at the **City of Muskegon City Hall** includes the source removal of visible contaminants and deposits including: dirt, dust, and miscellaneous particulates that have collected inside the HVAC system. Stanley Steemer is certified by NADCA "National Air Duct Cleaners Association" and also is a State of Michigan Licensed Mechanical Contractor. We comply with all NADCA commercial HVAC system cleaning specifications and requirements and clean to their standards.

Scope of Work

The work involves the removal and disposal of particulates from the return and fresh air duct work, utilizing a combination of power driven rotary brushes, aggressive agitation tools, compressed air, and negative pressure along. We will mechanically clean all non lined main trunk lines, branch duct runs. All lined insulated duct work and flexible duct will be cleaned with compressed air, non aggressive agitation devices, and contact vacuuming. The cleaning also includes the installation of "Ductmate" access doors of the appropriate size for the ductwork before/after all turning vanes and dampers to facilitate cleaning.

Once the duct system is cleaned, we will do a complete Cleaning on the (2) Large AHU "Air Handling Units" located in your mechanical room. This includes the cleaning of the blowers "fan", Heat & Coiling Coils, and HEPA vacuuming all other accessible surfaces inside the interior of each AHU's. Cleaning also includes the removal/cleaning/re-

installation of fresh air intake grills along with complete cleaning of fresh air intake duct work.

We will perform video documentation of "Before" and "After" cleaning results. Video documentation will be utilized throughout the cleaning to ensure quality.

Safety

As with The City of Muskegon., Stanley Steemer maintains the highest safety standards. We abide by all MIOSHA safety standards especially lock out/tag out and fall prevention. Our crews are also thoroughly trained and we adhere to a strict drug free work place policy.

Timing

As we discussed, Stanley Steemer is very flexible on our air duct cleaning scheduling. Due to your hours of operation and the size of the job, we could perform the work after normal working hours or on a weekend. I anticipate the job to take two full days to complete utilizing (4) duct crews and vacuum trucks.

Pricing

To perform all of the above mentioned in scope of work for Muskegon City Hall. This includes the cleaning of (2) Large AHU's, all return duct work, (2) fresh air intakes and all related fresh air return duct work. Cleaning also includes the installation of all permanent access panels into ductwork to facilitate cleaning **Price: \$ 9,670.00**

If you have any questions, or if I can be of any further assistance, please give me a call at (616) 878-7575 or 1-800-783-3637.

Sincerely,



Gregory C. Pucci ASCS, CVI, VSMR
President
Stanley Steemer Great Lakes Inc.
MI Mechanical License # 7115908