

# MANISTEE CITY COUNCIL

## MEETING AGENDA

TUESDAY, AUGUST 6, 2013 – 7:00 P.M. – COUNCIL CHAMBERS

**I. Call to Order.**

- a.) PLEDGE OF ALLEGIANCE.
- b.) ROLL CALL.

**II. Public Hearings.**

**III. Citizen Comments on Agenda Related Items.**

**IV. Consent Agenda.** All agenda items marked with an asterisk (\*) are on the consent agenda and considered by the City Manager to be routine matters. Prior to approval of the Consent Agenda, any member of Council may have an item from the Consent Agenda removed and taken up during the regular portion of the meeting. Consent agenda items include:

- V. Approval of Minutes.
- VI. a.) Approval of Payroll.  
b.) Cash Balances Report.
- XI. c.) Notification Regarding Next Work Session.  
d.) Consideration of Humane Society Tag Day Request.  
e.) Consideration of Fire Department Fill the Boot Fundraiser.  
f.) Consideration of Running with Soldiers Event.  
g.) Consideration of Hops & Props on the River Event.

At this time Council could take action to approve the Consent Agenda as presented.

**\*V. Approval of Minutes.** Approval of the minutes of the July 16, 2013 regular meeting as attached.

**VI. Financial Report.**

**\*a.) APPROVAL OF PAYROLL.**

\*b.) CASH BALANCES REPORT.

**VII. Unfinished Business.**

**VIII. New Business.**

a.) CONSIDERATION OF MECHANICAL / HVAC CONTRACT PROVIDER OF RECORD RENEWAL.

On April 3, 2012 the City of Manistee entered into an agreement with Custom Sheet Metal & Heating, Inc. to be the City of Manistee Mechanical / HVAC Maintenance Contract Provider of Record. The term of the contract was for expiration on June 30, 2013 with the option for renewal for up to two additional two-year periods upon terms acceptable to the City and the Contractor.

City staff has reviewed the proposal from Custom Sheet Metal & Heating and recommends executing a new two-year contract. The proposal includes the addition of the Ramsdell HVAC system that was not in the previous contract because it was under construction. A new charge for Water Testing has been added to help maintain the systems and prevent damage to the equipment. This new service requires trained personnel to test and monitor the water system. Other charges received a minor increase. The City Attorney has prepared the new contract.

At this time Council could take action to extend the contract with Custom Sheet Metal & Heating, Inc. until June 30, 2015.

b.) CONSIDERATION OF THE PURCHASE OF A 2013 ELGIN STREET SWEEPER.

The City of Manistee has an active street cleaning program. Cleaning streets improves the appearance of the streets and assists in getting storm water into catch basins while reducing maintenance costs on the storm sewer system. The current sweeper was scheduled for replacement in 2012-2013. However, the purchase was delayed a year and has been approved in the 2013-2014 budget. Utilizing the State of Michigan contract process, a quote in the amount of \$161,050 was received from Bell Equipment Company for a 2013 Elgin NP Pelican Street Sweeper in January 2013. The pricing complies with the MiDeal State Contract #071B1300075 and a trade-in of our existing unit in the amount of \$35,000.

At this time Council could take action to approve the purchase of the 2013 Elgin NP Pelican Street Sweeper from Bell Equipment for \$161,050 and trade-in the existing sweeper for a \$35,000 credit; making the total purchase amount \$126,050.

**IX. Notices, Communications, Announcements.**

- a.) PRESENTATION OF A RESOLUTION OF APPRECIATION, MORGAN HAYWOOD.

At this time Mayor Colleen Kenny and Public Safety Director David Bachman will present a resolution of thanks and appreciation to Morgan Haywood.

- b.) PRESENTATION BY PUBLIC SAFETY DIRECTOR DAVID BACHMAN ON RESERVE OFFICER PROGRAM.

At this time Public Safety Director David Bachman will make a presentation on a proposed reserve officer program.

- \*c.) NOTIFICATION REGARDING NEXT WORK SESSION.

A Council work session has been scheduled for Tuesday, August 13, 2013 at **6 p.m.** A Council bus tour for project updates will be conducted; and such business as may come before the Council.

No action is required on this item.

- \*d.) CONSIDERATION OF HUMANE SOCIETY TAG DAY REQUEST.

The Manistee County Humane Society would like to hold their annual Tag Day fundraiser on Friday and Saturday, August 23 and 24, 2013 in the City of Manistee. This is one of their largest fundraising events that support the Homeward Bound Animal Shelter.

At this time Council could take action to authorize the Manistee County Humane Society Tag Days on August 23 and 24, 2013 in the City of Manistee.

- \*e.) CONSIDERATION OF FIRE DEPARTMENT FILL THE BOOT FUNDRAISER.

Members of the City Fire Department have collected thousands of dollars for Muscular Dystrophy over the years. They are requesting permission to hold their annual fundraiser on Friday, August 30, 2013 beginning at 8:30 a.m. using the intersection of Cypress and First Street to solicit cash from drivers stopped at the light. If staff levels permit, they would like to use the Maple and River Street intersection also.

At this time Council could take action to authorize the Manistee Fire Department to conduct their annual Muscular Dystrophy fundraiser on August 30, 2013.

\*f.) CONSIDERATION OF RUNNING WITH SOLDIERS EVENT.

The Family Readiness Group from the National Guard Armory is requesting permission to hold their second annual Running With Soldiers 5K run or 1 mile walk on Saturday, September 7, 2013 at 8:15 a.m. at the Armory. Citizens and family can run with the soldiers of Bravo Troop.

At this time Council could take action to authorize the second annual Running with Soldiers event on September 7, 2013.

\*g.) CONSIDERATION OF HOPS & PROPS ON THE RIVER EVENT.

The Manistee Main Street Downtown Development Authority is requesting permission to use River Street, Marina property and other public property to hold the annual Hops & Props on the River event on Friday and Saturday, September 13 and 14, 2013. Among other things, the event will include a dinner, beer garden, Century boat show and an art fair.

At this time Council could take action to authorize the annual Hops & Props on the River event on September 13 and 14, 2013.

**X. Concerns and Comments.**

- a.) CITIZEN COMMENT. This is an opportunity for citizens to comment on municipal services, activities or areas of City involvement. Citizens in attendance shall be recognized by the Mayor for comments (limited to five minutes). Letters submitted to Council will not be publicly read.
- b.) OFFICIALS AND STAFF.
- c.) COUNCILMEMBERS.
- d.) CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION.

City Manager Mitchell D. Deisch has requested an Executive Session this evening as permitted by the Open Meetings Act, Section 8 (a) for the City Manager's annual evaluation.

**XI. Adjourn.**

MDD:cl

**COUNCIL AGENDA ATTACHMENTS:**

Council Meeting Minutes – July 16, 2013  
Cash Balances Report  
Mechanical / HVAC Contract Provider of Record  
Street Sweeper Purchase  
Resolution of Appreciation  
Humane Society Tag Day Request  
Fill the Boot Request  
Running With Soldiers Request  
Hops & Props Request

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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – July 16, 2013

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A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, July 16, 2013 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

**PRESENT:** Colleen Kenny, Edward Cote, Robert Hornkohl, Robert Goodspeed, Catherine Zaring, and Beth Adams.

**ABSENT:** Eric Gustad.

**ALSO PRESENT:** City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, Community Development Director – Jon Rose, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Public Safety Director – Dave Bachman, and City Engineer - Corey Kandow/Abonmarche.

### **CITIZEN COMMENTS ON AGENDA RELATED ITEMS.**

Mayor Kenny stated that three applications for Boards & Commissions have been received since the agenda was printed – Jeffrey Stege/Brownfield Redevelopment Authority, Marlene McBride/Brownfield Redevelopment Authority, and Brian Garcia/Ramsdell Theatre Governing Authority.

*No citizen comments received.*

### **CONSENT AGENDA.**

- Minutes
  - July 2, 2013 - Regular Meeting
  - July 16, 2013 - Work Session
  - July 16, 2013 - Special Meeting
- Payroll
  - June 24 – July 7, 2013 - \$ 132,099.35
- Monthly Bills
  - June 10, 2013 - \$ 556,926.95
  - June 28, 2013 - \$ 154,112.48
- Notification Regarding Next Work Session – August 13, 2013 – **6:00 p.m.**

A Council bus tour for project updates will be conducted; a discussion on a proposed reserve officer program; and such business as may come before the Council.
- Consideration of DAV Forget Me Not Fundraiser.

The Manistee Salt City Chapter 43 of the Disabled American Veterans (DAV) have requested authorization to sell their Forget Me Not flowers to raise money for state and local DAV service projects. They are requesting the dates of August 15, 16, and 17, 2013 for their annual fundraiser.

**MOTION** by Hornkohl, second by Goodspeed to approve the Consent Agenda as presented.

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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – July 16, 2013

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With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, and Adams

NAYS: None

### **CONSIDERATION OF MICHIGAN CERTIFIED LOCAL GOVERNMENT PROGRAM APPLICATION.**

Staff has prepared the application requesting designation as a Certified Local Government from the State Historic Preservation Office. This program would assist the Historic District Commission with training / workshops that are available through the program and provide a new opportunity to apply for grants that are only available if a community is certified. City Council discussed this opportunity at their July 9, 2013 work session and unanimously agreed to proceed with the program application.

MOTION by Hornkohl, second by Zaring to authorize an application to become a Certified Local Government; and further authorize the Mayor to execute the necessary documentation.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, and Adams

NAYS: None

### **CONSIDERATION OF GRAPES ON THE RIVER CHAMBER EVENT.**

The Manistee Area Chamber of Commerce is requesting the use of public property and a street closure on River Street on Friday, July 19, 2013 from 5 p.m. to 9 p.m. for their Grapes on the River event. River Street would be closed from 7 a.m. to 10 p.m. for setup and cleanup. Questions remain on the acquisition of a liquor license and securing additional parking and will be answered by the Chamber at the Council meeting.

MOTION by Hornkohl, second by Cote to authorize the Grapes on the River Chamber event on Friday, July 19, 2013 including the closure of River Street for the event. Deisch stated that the liquor license has been received and the parking has been addressed. Discussion followed regarding the lateness of this request.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, and Adams

NAYS: None

### **CONSIDERATION OF TWO EASEMENTS BETWEEN THE CITY OF MANISTEE AND 63 MAPLE STREET LLC.**

A component of the Maple Street Sidewalk Construction Project was the need for a twelve inch storm sewer pipe to be installed in the crawlspace of the Lighthouse Group / Manistee Abstract building at 63 Maple Street (owned by 63 Maple Street LLC). Two easements were prepared by the City Attorney. The first is from 63 Maple Street LLC to the City which allowed the installation of the City storm sewer

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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – July 16, 2013

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pipe and access through the building for City employees as necessary for cleaning. The second is from the City to 63 Maple Street LLC which allows the property owner to construct a handicap ramp to the building on City right-of-way if the property owner so desires.

MOTION by Hornkohl, second by Zaring to authorize the Mayor and City Clerk to execute two easements between the City of Manistee and 63 Maple Street LLC.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, and Adams

NAYS: None

### **CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.**

The City Clerk has taken action to advertise vacancies on the Brownfield Redevelopment Authority, Downtown Development Authority, Non-Motorized Transportation Committee, Ramsdell Theatre Governing Authority, and the Zoning Board of Appeals.

All appointments by the Mayor are subject to the Council's approval, unless otherwise specified by statute or ordinance. Nominations for Council appointments do not require a second. After a member of Council nominates an individual for appointment, Council shall vote on the nomination. A majority vote in favor of placement of the nominee is required for appointment.

The following applications have been received (\*Incumbent):

**Brownfield Redevelopment Authority** - Three vacancies, three-year terms ending 06/30/16, Mayoral appointment.

Frank Beaver, 715 Maple Street  
Jeffrey Stege, 286 Fourth Avenue\*  
Marlene McBride, 217 River Street\*

Mayor Kenny appointed Frank Beaver, 715 Maple Street, to the Brownfield Redevelopment Authority for a three year term ending 06/30/16. Goodspeed supported the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, and Adams

NAYS: None

Mayor Kenny appointed Jeffrey Stege, 286 Fourth Avenue, to the Brownfield Redevelopment Authority for a three year term ending 06/30/16. Goodspeed supported the Mayor's appointment.

With a roll call vote this motion passed unanimously.

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**PROCEEDINGS OF THE MANISTEE CITY COUNCIL – July 16, 2013**

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AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, and Adams  
NAYS: None

Mayor Kenny appointed Marlene McBride, 217 River Street, to the Brownfield Redevelopment Authority for a three year term ending 06/30/16. Hornkohl supported the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, and Adams  
NAYS: None

**Downtown Development Authority** - Two vacancies, four-year terms ending 07/01/17, Mayoral appointment.

*None received.*

**Non-Motorized Transportation Committee** - One unexpired term ending 03/31/14, Mayoral appointment.

*None received.*

**Ramsdell Theatre Governing Authority** - One unexpired term ending 06/13/14, Mayoral appointment.

Robin L. Hogan, 887 18<sup>th</sup> Street  
Brian Garcia, 2374 Alkens Road

Mayor Kenny appointed Brian Garcia, 2374 Alkens Road, to the Ramsdell Theatre Governing Authority for an unexpired term ending 06/30/14. Hornkohl supported the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, and Adams  
NAYS: None

**Zoning Board of Appeals** - Alternate member, one unexpired term ending 05/31/15, Mayoral appointment.

*None received.*

**A REPORT FROM THE UTILITIES DEPARTMENT.**

Mr. Jeff Mikula, Mr. Bruce Banks, and Ms. Jody Banks reported on the activities of the Utilities Department and responded to questions the Council had regarding their activities.

**CITIZEN COMMENT.**

*None received.*

**OFFICIALS AND STAFF.**

Rose stated that this was his last Council meeting for the City of Manistee; thanked Council for the wonderful opportunity and a rewarding career.

**COUNCILMEMBERS.**

Councilmembers thanked Rose for his years of service to the City, wished him good luck at his new position, and stated that he will be missed.

**ADJOURN.**

MOTION to adjourn was made by Goodspeed, second by Cote. Meeting adjourned at 7:51 p.m.

Michelle Wright MMC / CPFA, MiCPT  
City Clerk/Deputy Treasurer

CASH TRANSACTIONS REPORT

MONTH: JUNE  
City of Manistee

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Account Number	Beginning Balance	Debit	Credit	Ending Balance
<b>Fund: 100 - AIP PAYING FUND</b>				
Dept: 000				
001.000 Cash	4,145.02	711,043.69	711,039.43	4,149.28
Total Dept: 000	4,145.02	711,043.69	711,039.43	4,149.28
<b>Fund: 100</b>	<b>4,145.02</b>	<b>711,043.69</b>	<b>711,039.43</b>	<b>4,149.28</b>
<b>Fund: 101 - GENERAL FUND</b>				
Dept: 000				
001.000 Cash	559,042.25	554,566.97	528,938.81	584,670.41
001.002 Cash - Escrow	25,507.55	37,900.20	322.60	63,085.15
004.000 Cash - Petty	800.00	0.00	0.00	800.00
017.000 MBIA Mi Class Inv	57,142.10	1.88	0.00	57,143.98
Total Dept: 000	642,491.90	592,469.05	529,261.41	705,699.54
<b>Fund: 101</b>	<b>642,491.90</b>	<b>592,469.05</b>	<b>529,261.41</b>	<b>705,699.54</b>
<b>Fund: 202 - MAJOR STREET FUND</b>				
Dept: 000				
001.000 Cash	149,694.91	157,156.71	167,031.40	139,820.22
Total Dept: 000	149,694.91	157,156.71	167,031.40	139,820.22
<b>Fund: 202</b>	<b>149,694.91</b>	<b>157,156.71</b>	<b>167,031.40</b>	<b>139,820.22</b>
<b>Fund: 203 - LOCAL STREET FUND</b>				
Dept: 000				
001.000 Cash	34,105.84	10,761.14	6,416.67	38,450.31
Total Dept: 000	34,105.84	10,761.14	6,416.67	38,450.31
<b>Fund: 203</b>	<b>34,105.84</b>	<b>10,761.14</b>	<b>6,416.67</b>	<b>38,450.31</b>
<b>Fund: 204 - STREET IMPROVEMENT FUND</b>				
Dept: 000				
001.000 Cash	122,610.48	70,013.38	100,000.00	92,623.86
Total Dept: 000	122,610.48	70,013.38	100,000.00	92,623.86
<b>Fund: 204</b>	<b>122,610.48</b>	<b>70,013.38</b>	<b>100,000.00</b>	<b>92,623.86</b>
<b>Fund: 226 - CITY REFUSE FUND</b>				
Dept: 000				
001.000 Cash	99,369.52	16,754.88	41,359.13	74,765.27
001.030 Cash Mgt Chk	98,864.45	4.06	0.00	98,868.51
Total Dept: 000	198,233.97	16,758.94	41,359.13	173,633.78
<b>Fund: 226</b>	<b>198,233.97</b>	<b>16,758.94</b>	<b>41,359.13</b>	<b>173,633.78</b>
<b>Fund: 243 - BROWNFIELD REDEVELOPMENT AUTHO</b>				
Dept: 000				
001.000 Cash	8,214.58	9,140.09	9,140.09	8,214.58
Total Dept: 000	8,214.58	9,140.09	9,140.09	8,214.58
<b>Fund: 243</b>	<b>8,214.58</b>	<b>9,140.09</b>	<b>9,140.09</b>	<b>8,214.58</b>
<b>Fund: 245 - OIL &amp; GAS FUND</b>				
Dept: 000				
001.000 Cash	468,696.70	7,627.77	274,481.68	201,842.79
001.020 Money Market	447,026.18	0.00	0.00	447,026.18
003.000 CD	250,000.00	0.00	0.00	250,000.00

CASH TRANSACTIONS REPORT

MONTH: JUNE  
City of Manistee

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Account Number	Beginning Balance	Debit	Credit	Ending Balance
Total Dept: 000	1,165,722.88	7,627.77	274,481.68	898,868.97
<b>Fund: 245</b>	1,165,722.88	7,627.77	274,481.68	898,868.97
<b>Fund: 249 - BUILDING INSPECTOR</b>				
Dept: 000				
001.000 Cash	16,499.01	237.39	0.00	16,736.40
Total Dept: 000	16,499.01	237.39	0.00	16,736.40
<b>Fund: 249</b>	16,499.01	237.39	0.00	16,736.40
<b>Fund: 275 - GRANT MANAGEMENT FUND</b>				
Dept: 000				
001.000 Cash	232,188.93	0.00	16,717.19	215,471.74
Total Dept: 000	232,188.93	0.00	16,717.19	215,471.74
<b>Fund: 275</b>	232,188.93	0.00	16,717.19	215,471.74
<b>Fund: 296 - RAMSDELL THEATRE</b>				
Dept: 000				
001.000 Cash	91,224.59	4,364.73	9,781.08	85,808.24
004.000 Cash - Petty	500.00	0.00	0.00	500.00
Total Dept: 000	91,724.59	4,364.73	9,781.08	86,308.24
<b>Fund: 296</b>	91,724.59	4,364.73	9,781.08	86,308.24
<b>Fund: 297 - RAMSDELL RESTORATION PROJECT</b>				
Dept: 000				
001.000 Cash	1,516.04	0.06	0.00	1,516.10
Total Dept: 000	1,516.04	0.06	0.00	1,516.10
<b>Fund: 297</b>	1,516.04	0.06	0.00	1,516.10
<b>Fund: 430 - CAPITAL IMPROVEMENT FUND</b>				
Dept: 000				
001.000 Cash	83,366.41	3.53	0.00	83,369.94
Total Dept: 000	83,366.41	3.53	0.00	83,369.94
<b>Fund: 430</b>	83,366.41	3.53	0.00	83,369.94
<b>Fund: 490 - RENAISSANCE PARK</b>				
Dept: 000				
001.000 Cash	6,712.86	0.28	0.00	6,713.14
Total Dept: 000	6,712.86	0.28	0.00	6,713.14
<b>Fund: 490</b>	6,712.86	0.28	0.00	6,713.14
<b>Fund: 508 - BOAT RAMP FUND</b>				
Dept: 000				
001.000 Cash	2,762.70	2,385.21	193.18	4,954.73
004.000 Cash - Petty	1,001.00	0.00	0.00	1,001.00
Total Dept: 000	3,763.70	2,385.21	193.18	5,955.73
<b>Fund: 508</b>	3,763.70	2,385.21	193.18	5,955.73
<b>Fund: 573 - WATER &amp; SEWER UTILITY</b>				
Dept: 000				
001.000 Cash	428,338.56	557,853.77	361,124.57	625,067.76
001.002 Cash - Escrow	30,200.00	1,000.00	800.00	30,400.00
004.000 Cash - Petty	300.00	0.00	0.00	300.00

CASH TRANSACTIONS REPORT

MONTH: JUNE  
City of Manistee

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Account Number	Beginning Balance	Debit	Credit	Ending Balance
Dept: 000				
017.000 MBIA Mi Class Inv	488,597.17	16.12	0.00	488,613.29
Total Dept: 000	947,435.73	558,869.89	361,924.57	1,144,381.05
<b>Fund: 573</b>	947,435.73	558,869.89	361,924.57	1,144,381.05
<b>Fund: 594 - MARINA FUND</b>				
Dept: 000				
001.000 Cash	18,863.73	18,539.76	37,126.24	277.25
004.000 Cash - Petty	300.00	0.00	0.00	300.00
Total Dept: 000	19,163.73	18,539.76	37,126.24	577.25
<b>Fund: 594</b>	19,163.73	18,539.76	37,126.24	577.25
<b>Fund: 661 - MOTOR POOL FUND</b>				
Dept: 000				
001.000 Cash	466,161.95	23,808.23	0.00	489,970.18
Total Dept: 000	466,161.95	23,808.23	0.00	489,970.18
<b>Fund: 661</b>	466,161.95	23,808.23	0.00	489,970.18
<b>Fund: 703 - CURRENT TAX COLLECTION</b>				
Dept: 000				
001.000 Cash	0.00	238,152.14	0.00	238,152.14
Total Dept: 000	0.00	238,152.14	0.00	238,152.14
<b>Fund: 703</b>	0.00	238,152.14	0.00	238,152.14
<b>Fund: 704 - PAYROLL CLEARING FUND</b>				
Dept: 000				
001.000 Cash	61,462.92	464,588.79	472,954.73	53,096.98
001.005 Cash - NEW Flex \ HRA	9,162.72	16,960.77	16,973.14	9,150.35
001.007 Cash - Federal & State Taxes	2.39	57,712.23	57,712.15	2.47
Total Dept: 000	70,628.03	539,261.79	547,640.02	62,249.80
<b>Fund: 704</b>	70,628.03	539,261.79	547,640.02	62,249.80
<b>Fund: 705 - DELINQUENT TAX COLLECTION</b>				
Dept: 000				
001.000 Cash	15,459.89	2,811.13	10,111.03	8,159.99
Total Dept: 000	15,459.89	2,811.13	10,111.03	8,159.99
<b>Fund: 705</b>	15,459.89	2,811.13	10,111.03	8,159.99
<b>Grand Totals:</b>	4,279,840.45	2,963,404.91	2,822,223.12	4,421,022.24



# MEMORANDUM

Planning & Zoning  
 Community Development  
 231.398.2805  
 Fax 231.723-1546  
 www.mansiteemi.gov

TO: Mitch Deisch, City Manager *M Deisch*

FROM: *J* Jon R. Rose, Community Development Director

DATE: July 24, 2013

RE: Mechanical/HVAC Maintenance Contract Provider of Record contract extension



Mitch, Custom Sheet Metal & Heating, Inc. has been the City of Manistee Mechanical/HVAC Maintenance Contract Provider of Record since January 1, 2009. Custom Sheet Metal has maintained a great performance record of meeting the needs of the City.

The terms of the current contract has their contract expiring on June 30, 2013, with a renewal for up to two additional two-year periods upon terms acceptable to the City and Contractor. We received a proposal to extend the contract from Amy Lofits, President with the following changes.

<b>Mechanical/HVAC Maintenance Contract Provider of Record Agreement</b>			
	<b>2008 Contract</b>	<b>2011/2012 Contract</b>	<b>PROPOSAL for Renewal 2013-2015</b>
Maintenance Agreement	<b>Annually - \$2,616</b> (City Hall \$1,758) (Ramsdell \$858)	<b>Annually - \$1,725</b> (City Hall \$1,175) (Marina \$550) (Ramsdell \$0)*	<b>Annually - \$4,725</b> (City Hall \$1,275) (Marina \$550) (Ramsdell \$2,900)*
*Ramsdell Theater & Hardy Hall HVAC was under construction so there was no service 2011/2012			
Water Testing	n/a	n/a	<b>\$700 Annually</b> (City Hall \$350) (Ramsdell \$350)
Water Testing has not been done in the past, but is necessary to maintain system and prevent damage to the equipment.			
<b>Additional Labor Rates</b>			
8 am to 5 pm Monday – Friday	\$60 per hour	\$65 per hour 8 am to 4 pm Monday - Friday	\$70 per hour 8 am to 4 pm Monday - Friday
Overtime Rate	\$85 per hour	\$95 per hour	\$100 per hour
Service Call Fee		\$69 per call	\$69 per call

The City Attorney has drafted a renewal for the proposed changes to the contract for Council's consideration. City staff has been well satisfied with the Custom Sheet Metal's response and quality of work. It is especially important that we maintain consistency as we get up to speed with the new Ramsdell HVAC System. I recommend this two year renewal of the contract.

# CUSTOM

## SHEET METAL & HEATING, INC.

Heating • Air Conditioning • Sheet Metal • Piping • Boilers

June 28, 2013

City of Manistee  
Attention: Jon Rose  
70 Maple St.  
Manistee, MI 49660

Dear Mr. Rose:

Thank you for the opportunity to extend our current preventative maintenance services for the City of Manistee through July 2015. This type of equipment service is industry recognized as the best way to maximize energy efficiency, which in turn saves money on heating and cooling costs.

Custom Sheet Metal & Heating, Inc. has been serving the Manistee, Mason, Lake, Oceana and Wexford counties for the past 31 years. We have several trained technicians on staff to provide the prompt courteous service that you have come to expect. Each technician will arrive prepared to complete the necessary maintenance as required.

Our office hours are from 7:00 am – 4:00 pm, Monday – Friday. We also provide 24/7 service for any after-hours emergency that may arise. You may reach us by calling our office at 231-464-5436, or email [esm@wildblue.net](mailto:esm@wildblue.net).

Attached you will find an outline of the extension terms and a copy of our liability insurance. Please let me know if there is any additional information you may need.

Thank you again for the opportunity to provide maintenance services for your heating and cooling service needs.

Sincerely,



Amy Loftis  
President

Enclosures

**MECHANICAL/HVAC MAINTENANCE AND WATER TESTING CONTRACT  
PROVIDER OF RECORD AGREEMENT**

This Agreement entered into by and between:

The **City of Manistee**, a Michigan municipal corporation [City], with its principal office located at 70 Maple Street, Manistee, Michigan 49660, acting by its duly authorized officials; and **Custom Sheet Metal & Heating, Inc.**, [Contractor], a Michigan corporation, with principal office located at 9444 North US 31, Freesoil, Michigan 49411, acting through its duly authorized officer;

**WHEREAS**, the City requires Mechanical/HVAC Maintenance for City Hall, the City Marina and the Ramsdell Theatre/Hardy Hall Building and water testing for both City Hall and the Ramsdell Theatre/Hardy Hall Building, both in Manistee, Michigan; and

**WHEREAS**, Contractor is duly skilled and licensed to perform such services and desires to enter into this contract to provide such services to the City;

**NOW THEREFORE**, City and Contractor, for good and valuable consideration, the receipt of which is hereby acknowledged, do agree and contract as follows;

**Services/ Scope of Work**

Contractor will perform such Mechanical/HVAC maintenance as requested by the City. The services to be performed pursuant to this Agreement and covered by the compensation provided in the following Section, are as follows:

City Marina Building (\$550.00 per year) inspection/service:

- Furnace
- Air Conditioning
- Water Heater
- Roof Top Unit
- Filter replacement

City Hall (\$1,275.00 per year) inspection/service:

- Boiler Maintenance
- CSD-1 Testing
- Coil Cleaning
- Chiller Coil Cleaning
- Filter replacement

Price to include cost of Filter. If additional parts are required, City will receive a discount of 15% from the standard charge.

Ramsdell Theater and Hardy Hall (\$2,900.00 per year) inspection/service:

- HVAC system

Water Testing (\$700 per year):

- Ramsdell and City Hall

**Engagement and Compensation**

The City does hereby engage the Contractor for Mechanical/HVAC Maintenance services and water testing. The City will compensate the Contractor for Mechanical/HVAC Maintenance services and water testing on an annual basis at \$5,425.00, payable in semi-annual installments and billed by Contractor after each semi-annual service visit.

Contractor shall bill the City monthly by invoice for additional services. Such invoices will be paid by the City in a timely manner in accordance with the City’s accounts payable schedule. Additional services will be billed at the following rates:

8 am to 5 pm (Monday-Friday)	\$70 per hour
Overtime rate	\$100 per hour
Service Call Fee	\$69 per call

This is a non-exclusive contract and the City reserves the right to contract with other Mechanical/HVAC Maintenance contractors to perform such services that it deems to be in the best interest of the City, and at its sole discretion.

**Term**

The term of this contract shall commence upon execution of this Agreement and continue to June 30, 2015. However, said contract shall be terminable by either party at any time upon sixty (60) days written notice, with no further liability after the expiration of such notification period, other than accrued and unpaid fees. The term of this Agreement may be renewed by the parties for an additional two-year period upon their mutual agreement.

**Independent Contractor**

Contractor acknowledges that it is an independent contractor and not an employee of the City. Further, any personnel used by the Contractor are not employees of the City. Contractor is responsible for any and all employment taxes and charges associated with its employees.

Contractor will indemnify and hold the City harmless for any and all claims or causes of actions based upon Contractors performance of services to the City.

**Insurance**

The Contractor shall carry and maintain general liability, automobile and worker’s compensation insurance in the minimum amounts for the coverage described in the attached Certificate of Liability Insurance.

**Interpretation**

This agreement, and any dispute or cause of action that may arise out of the agreement shall be interpreted in accordance with the laws of the State of Michigan.

**Authority to Execute**

Each party represents to the other that the person(s) signing this agreement on behalf of the respective parties is fully authorized and empowered to do so by appropriate empowerment and authority by the respective governing Boards of the Parties. Further, Contractor represents and warrants that is a duly authorized and existing Michigan corporation and at the time of signing this agreement is in good standing with the State of Michigan and that it holds such necessary training, skills and licensures necessary to properly perform the services it will provide the City.

**Integration**

This instrument contains the entire Agreement of the parties relating to the matters herein. Any representation, promise, or condition not incorporated herein shall not be binding upon the parties. Any modifications of this Agreement or waiver of any provision herein contained shall not be binding unless in writing and signed.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be signed this \_\_ day of \_\_\_\_\_, 2013, and the signatories warrant their authority to bind their principals.

**CUSTOM SHEET METAL & HEATING, INC.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Amy Loftis, President

**CITY OF MANISTEE**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Colleen Kenny, Mayor

Dated: \_\_\_\_\_

\_\_\_\_\_  
Michelle Wright, City Clerk



MEMO TO: Mitch Deisch, City Manager

*M Deisch*

FROM: Jeffrey W. Mikula, Public Works Director

*JWM*



DATE: July 29, 2013

**DPW Director's Office  
231-723-7132**

SUBJECT: Street Sweeper Purchase

The Sweeper purchase was set up by Mr. Garber prior to his retirement. The following is what I have been able to piece together on the history. The purchase was deferred from the 2012-2013 budget and the Street Department was going to stretch the equipment out one more year. Therefore, the purchase was anticipated in the 2013-2014 budget.

Our vendor, Bell Equipment, informed the City that Elgin was switching the engines to something with less power. The previous engines had been in service for over a decade and our mechanic is very familiar and comfortable with them. Bell offered to place an early order on the City's behalf to ensure we would receive the more powerful engine that our mechanic recommended. If council did not approve the purchase in the 2013-2014 budget, Bell would cancel our order and they would sell the unit to another customer. As such Mr. Garber ordered the unit this past spring.

The adopted Motor Pool budget for 2013-4 lists the sweeper purchase with \$33,000 allocated towards a purchase plan. The purchase price from Bell is \$161,050, trade in value of the old sweeper is \$35,000, leaving a balance of \$126,050. The finance Director has indicated there are sufficient funds to pay for this unit, without the need for financing, due to delaying one of the two approved Sander/Plow Trucks into the next fiscal year.

The City's old sweeper broke down in mid-June and was facing over \$5,000 in repairs. We decided to forgo the repairs once City Council approved the 2013-4 budget. The sweeper was delivered in late June and we immediately placed it into service. We were not aware that the purchase had not been before Council.



## Equipment Company

**Michigan Office:**  
78 Northpointe Drive  
Lake Orion, Michigan 48359  
Phone: (248) 370-0000  
Fax: (248) 370-0011

**Ohio Office:**  
4137 Park Ave. West  
Mansfield, Ohio 44903  
Phone: (419) 589-2355  
Fax: (419) 589-5525

January 31, 2013

Mr. Jack Garber  
City of Manistee  
280 Washington Street  
Manistee, Michigan 49660

Jack:

Thank you for the opportunity to quote you on the Elgin NP Pelican Street Sweeper off the Mi Deal State Contract #071B1300075. The pricing is as follows:

<b>NP Pelican Single</b>	<b>\$147,330</b>
<b>Vogel Auto Lube</b>	<b>5,060</b>
<b>Conveyor Cleanout</b>	<b>400</b>
<b>Pelican Parts Manual</b>	<b>120</b>
<b>Pelican Service Manual</b>	<b>120</b>
<b>Beacon w/Guard</b>	<b>645</b>
<b>A/C</b>	<b>2,440</b>
<b>Sliding Rear Window</b>	<b>740</b>
<b>Limb Guard Rt. Side</b>	<b>1,125</b>
<b>AM/FM/CD w/Map Lights</b>	<b>525</b>
<b>Rt. Side Gutter Broom Tilt</b>	<b>1,630</b>
<b>Bostrom Air Ride Seat (Cloth)</b>	<b>915</b>
<b>Price</b>	<b>\$161,050</b>
<b>(Inc. Delivery, Installation, and Training)</b>	
<b>Less Trade of 2005 Pelican</b>	<b>-35,000</b>
<b>Total Price</b>	<b>\$126,050</b>

If you have any questions, or desire additional information, please advise at your earliest convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wayne Demchinski". The signature is written in black ink and is positioned above the printed name.

Wayne Demchinski





**Manistee County Humane Society  
PO Box 144  
736 Paws Trail  
Manistee, MI 49660**

**July 22, 2013**

**City of Manistee  
City Council  
280 Washington St.  
Manistee, MI 49660**

**Dear City Manager,**

**The Manistee County Humane Society would like to hold our annual Tag Day fundraiser on August 23 and 24, 2013 in the city of Manistee. This is one of our largest fundraisers of the year to support Homeward Bound Animal Shelter.**

**Thank you for your consideration.**

**Lorrie Manthei**

A handwritten signature in black ink that reads "Lorrie Manthei".

**Comm. Chair, MCHS**

**CITY HALL**  
70 Maple Street

**CITY MANAGER**  
231.398.2801

**CITY ASSESSOR**  
231.398.2802

**BUILDING INSPECTOR**  
231.398.2806

**PLANNING, ZONING &  
COMMUNITY DEV.**  
231.398.2805

**CITY CLERK**  
231.398.2803

**CITY TREASURER**  
231.398.2804

**WATER BILLING**  
231.723.2559

**ADMINISTRATION**  
FAX 231.723.1546

**CLERK/TREASURER**  
FAX 231.723.5410

**POLICE DEPARTMENT**  
70 Maple Street  
231.723.2533  
FAX 231.398.2012

**FIRE DEPARTMENT**  
281 First Street  
231.723.1549  
FAX 231.723.3519

**PUBLIC WORKS**  
280 Washington St.  
231.723.7132  
FAX 231.723.1803

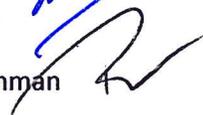
**PARKS DEPARTMENT**  
231.723.4051

**WATER MAINTENANCE**  
231.723.3641

**WASTEWATER PLANT**  
50 Ninth St.  
231.723.1553



Monday, July 29, 2013

Memo To: Mitch Deisch   
From: David M Bachman   
Re: Agenda Request Item



Mitch:

The firefighters have asked to do their annual fund raiser for Muscular Dystrophy at the end of August. They are requesting permission to solicit funds on Friday August 30<sup>th</sup> 2013 beginning at 0830 am. They will work the event throughout the day as staffing is available.

Their event is a fill the boot drive with firefighters at the traffic light soliciting a cash donation from cars while stopped at the light. They use different locations throughout the weekend to maximize traffic patterns and donations. This year they would like to use the intersection of Cypress and 1<sup>st</sup> St. at the shell station. If staffing permits they will also be at the corner of River and maple.

Deputy Chief Darling will be at the meeting to answer council questions concerning the request.

The firefighters make sure that the event doesn't have a negative impact on our operations and most of the activity happens with off duty staff. These guys collect thousands of dollars for this important charity.

I know of no reason to object to the request.





CITY HALL  
70 Maple Street

CITY MANAGER  
231.398.2801

CITY ASSESSOR  
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WASTEWATER PLANT  
50 Ninth St.  
231.723.1553

Monday, July 29, 2013

Memo To: Mitch Deisch   
From: David Bachman   
Re: Agenda Request

Mitch;

Please take a look at the attached agenda request item. The Family readiness group for the Bravo Troop of the Armory is asking permission to hold the 2<sup>nd</sup> annual run with the soldiers 5K run or 1 mile walk.

Last year they had the event and called it run for the soldiers because they were deployed. This year the soldiers will be in town for their drill weekend. The families and citizens will be running with the soldiers.

The soldiers will provide the bulk of the traffic control but have asked for a police liaison. I have assigned Sgt. Schmeling to fill that role. I do not anticipate the need for other resources.

I know of no reason not to approve this request.

DB





2nd Annual

Name of Special Event: Running with the Soldiers 5K/1 mile walk

Date of Special Event: Sept. 7, 2013

Time of Special Event: 8:15 a.m.

**Number of Units Participating**

(Running)  
Marching/Walking: 5D(+) Driven: \_\_\_\_\_ Other: \_\_\_\_\_

Assembly/Starting Location: Cedar St

Destination/Finishing Point: Manistee Armory

Route that the Special Event will Follow: Starts\* @ Cedar St heading <sup>West</sup> ~~East~~ Running  
around 1st Beach Loop to Cherry St(S) to Eighth St (E)  
E follow to Spruce St(N) down to <sup>(W)</sup> Water St back  
to <sup>(W)</sup> 1st St ENDING @ \*ARMORY \*

Person(s) / Organization(s) making request: Nicole Seaborn ; Tami Schütz  
Bravo Troop 1-126th Family Readiness Group

Contact Person: Name: Nicole Seaborn

Address: 1275 Cornell St

Telephone Work: 231-723-8363 Home: 231-287-7134

Signature of Contact Person: N. Seaborn

*The City of Manistee has been advised by our insurance carrier that when an event is held on City Properties we need to require an insurance certificate naming the City of Manistee as co-insured. An insurance certificate must be on file prior to your event. The minimum amount that our insurance company will accept is \$1 million dollars of Liability Insurance.*

*The Insurance Certificate should be sent to the attention of Mary Nemecek, Deputy Clerk. Ms. Nemecek can be reached at 231.398.2803 her fax# is 231.723.5410.*

**Return this request to the Manistee City Police Department after it has been filled out and only after the first requirement has been complied and approved.**

**Traffic Control Order #01-67  
Special Event Permit**

**Uniform Traffic Code adopted by the City of Manistee, Michigan November 5, 1963.**

Section 5.47 When permits are required for parades, processions and other special events.

No procession, Parade or Special Event, excepting the forces of the United States Armed Services, the Military forces of this State and the forces of the Police and Fire Departments, shall occupy, march or proceed along the roadway, except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply.

**The following requirements must be complied with in order to obtain a permit.**

1. Any person, persons, or organization, must receive permission of the City Council. The request must be in writing and passed by the City Council at a regular or special meeting. The City Council meets regularly the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of the month.
2. Applications must be completely filled out and submitted thirty (30) days prior to the Special Event date to the City Council through the Chief of Police.
3. Special Event Forms for the permits will be provided by the Chief of Police and can be obtained at the Manistee Police Department, 70 Maple Street, Manistee, MI 49660.

**This Traffic Control Order was passed by the City Council on October 3, 1967 at a regular meeting.**

This order was filed with the City Clerk on September 28<sup>th</sup>, 1967.

Date Received: \_\_\_\_\_

5-24-13

\_\_\_\_\_  
David M. Bachman, Chief of Police



**CITY HALL**  
70 Maple Street

**CITY MANAGER**  
231.398.2801

**CITY ASSESSOR**  
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70 Maple Street  
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280 Washington St.  
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**PARKS DEPARTMENT**  
231.723.4051

**WATER MAINTENANCE**  
231.723.3641

**WASTEWATER PLANT**  
50 Ninth St.  
231.723.1553

Tuesday, July 30, 2013

Memo To: Mitch Deisch  
From: Dave Bachman  
Re: Agenda Request



Mitch;

Attached is a request from Travis Alden and the DDA for the Hops and Props on the Rover event. I think this may be the third year for the event which has incorporated the Century Boat show to bring really impact the event. It has been my experience that this is a very well-run and attended event with few if any problems for police or city services.

Travis has done a nice job of detailing the requests for city services, all of which seem reasonable. I will share the request with DPW Director Jeff Mikula. The event crew is responsible for set up and cleanup after the event. They take care of all parking needs and have applied for a liquor license that certainly will be approved

I am supportive of the event and now of no reason to deny the request.



**Name of Special Event: Hops & Props on the River**

**Date of Special Event: Friday and Saturday, September 13-14, 2013**

**Time of Special Event: Friday 4pm-8pm (brewers & boaters dinner)**  
**Saturday 12pm – 11:59pm (main event)**

**Number of Units Participating**

**Marching/Walking: N/A**      **Driven: N/A**      **Other: event tent, art vendors, boats**

**Assembly/Starting Location: River Street, in front of Municipal Marina in the fountain plaza**

**Destination/Finishing Point: same**

- The main event tent will be located on River Street between Pine and Spruce Streets
- The event tent/garden footprint will be almost identical to last year's Hops & Props event
- MSDDA is responsible for all setup and tear-down of fencing, tents and staging.
  - Upper Tent Rental to set up tent 9/12 approx. 5pm and take it down 9/15 approx. 10am
  - MSDDA staff & volunteers to set up fencing 9/13 approx. 12pm and take it down 9/14 after event is over (midnight). We return the morning of 9/15 for additional clean-up, stage removal, etc. MSDDA rolls up fencing and power cords and puts them behind the ½ wall on the North side of that block on the marina grounds. We stack the blocks and posts in the same area, on the sidewalk along the ½ wall.
- City Staff assistance required:
  - DPW drop-off of concrete blocks and wood posts and orange fencing for beer garden perimeter
  - DPW drop-off of 8x garbage cans and some spare liners
  - Borrow 4x long extension power cords from DPW, as in the past
  - DPW pick up said materials Monday morning
  - Periodic monitoring by Police Dept a few times during the event, especially evening of 9/14 if possible.
- Street closures requested:
  - River Street between Pine and Spruce: beginning Thursday 9/12 at 12noon (barricades to make sure street is clear for tent setup) through Sunday 9/15 approx. 12pm.
  - River Street between Maple and Pine: from early morning 9/13 until approx. 7pm 9/13. This is for the Manistee Art Institute art fair.

**Person(s) / Organization(s) making request: Travis Alden – Director, Manistee Main Street DDA**

**Contact Person: Name: Travis Alden**

**Address: 11 Cypress St. Manistee, MI 49660 Telephone Work: 231-398-3262**

**Home: 231-233-4349 Signature of Contact Person:**



*The City of Manistee has been advised by our insurance carrier that when an event is held on City Properties we need to require an insurance certificate naming the City of Manistee as co-insured. An insurance certificate must be on file prior to your event. The minimum amount that our insurance company will accept is \$1 million dollars of Liability Insurance.*

*The Insurance Certificate should be sent to the attention of Mary Nemecek, Deputy Clerk. Ms. Nemecek can be reached at 231.398.2803 her fax# is 231.723.5410.*

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This order was filed with the City Clerk on September 28<sup>th</sup>, 1967.

Date Received: \_\_\_\_\_

\_\_\_\_\_  
David M. Bachman, Chief of Police