



Regular Meeting
February 20, 2017
7:30 PM

City Hall, Commission Chambers, 301 Washington Avenue, Bay City MI 48708

ROLL CALL

*City Commission Minutes (2/6/17).
RECOMMENDATION: Approve.

PRESENTATION

Employee of the Year - 2016 - Ellenore Pringle

PUBLIC HEARINGS

- 1 Amend the Bay City 2013-2017 Park and Recreation Plan to include the proposed Imagination Station Playground master plan.
- 2 Michigan Natural Resources Trust Fund Grant Application for proposed Imagination Station Playground in Bigelow Park.

PETITIONS

*McLaren Bay Medical Foundation requesting permission to hold the McLaren Bay Medical Foundation 5K Run/Walk, using the riverwalk and portions of E. Main Street, S. Water Street, 19th Street, and Broadway Street, on Saturday, May 6, 2017.
RECOMMENDATION: Approve.

ACCOUNTS AND CLAIMS

*City Manager presenting Accounts and Claims in the amount of \$552,403.78 and Investments and Wire Transfers in the amount of \$218,995.54 (2/13/17) and Accounts and Claims in the amount of \$256,990.01 and Investments and Wire Transfers in the amount of \$541,010.92 (2/20/17).
RECOMMENDATION: Approve.

PAYROLL

*City Manager presenting Payroll in the amount of \$1,067,526.04 (2/9/17).
RECOMMENDATION: Approve.

REPORTS OF OFFICERS

- 1 *City Manager recommending Lease Agreement with General Housing Corporation, Bay City, for access through property located at 4980 Wilder Road, in the amount of \$378 per year for five years.
RECOMMENDATION: Approve.

- 2 *City Manager recommending purchase of an Altec Hydraulic Digger Derrick on a 2018 Freightliner from Altec Industries, Indianapolis, IN, through the State of Michigan Extended Purchasing Program, in the total amount of \$266,408 for the Electric Department.
RECOMMENDATION: Approve.
- 3 *City Manager recommending purchase of two 2017 Chevrolet Impalas from Berger Chevrolet, Grand Rapids, MI, through the State of Michigan Extended Purchasing Program, in the total amount of \$41,978.
RECOMMENDATION: Approve.
- 4 *City Manager recommending purchase of two 2017 Chevrolet Express 2500 Cargo Vans from Berger Chevrolet, Grand Rapids, MI, through the State of Michigan Extended Purchasing Program, in the total amount of \$46,086.
RECOMMENDATION: Approve.

REPORTS OF COMMITTEES

- 1 *Minutes - Finance Policy Committee (1/30/17).
RECOMMENDATION: Approve.
- 2 *Minutes - Planning Commission (12/21/16).
RECOMMENDATION: Receive.
- 3 *Minutes - Downtown Development Authority (12/14/16 & 1/11/17).
RECOMMENDATION: Receive.
- 4 *Minutes - Historic District Commission (6/22/16).
RECOMMENDATION: Receive.

RESOLUTIONS

- 1 *Mayoral appointment of Christopher Girard, Bay City, to the Planning Commission, term to expire October 21, 2021, contingent upon Planning Commission Orientation Session.
RECOMMENDATION: Approve.
- 2 *Commission as a Whole resolution approving the Imagination Station Playground master plan and amend the Bay City 2013-2017 Park and Recreation Plan.
RECOMMENDATION: Approve.
- 3 *Commission as a Whole resolution supporting the Michigan Natural Resources Trust Fund Grant application in the amount of \$300,000 to assist with the development of the Imagination Station Playground to be constructed in Bigelow Park.
RECOMMENDATION: Approve.

Subject: Commission Minutes 2/6/17

Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott

Prepared By:

PERTINENT FACTS:

LEGAL ISSUES:

TIME SENSITIVITY:

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

CITY GOALS:

RECOMMENDED ACTION:

*City Commission Minutes (2/6/17).

RECOMMENDATION: Approve.

Subject: Employee of the Year -2016

Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott

Prepared By:

PERTINENT FACTS:

LEGAL ISSUES:

TIME SENSITIVITY:

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

CITY GOALS:

RECOMMENDED ACTION:

Employee of the Year - 2016 - Ellenore Pringle

Subject: To amend the Bay City 2013-2017 Park and Recreation Plan to include the proposed Imagination Station Playground master plan.

Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott

Prepared By:

PERTINENT FACTS:

LEGAL ISSUES:

TIME SENSITIVITY:

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

CITY GOALS:

RECOMMENDED ACTION:

Amend the Bay City 2013-2017 Park and Recreation Plan to include the proposed Imagination Station Playground master plan.

Subject: Public Hearing to receive input on applying for a Michigan Natural Resources Trust Fund grant for the Imagination Station Playground.
Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott
Prepared By: Debbie Kiesel - CDBG Coordinator/Grant Writer

PERTINENT FACTS:

The City of Bay City is applying for a Michigan Natural Resource Trust Fund (MNRTF) grant in the amount of \$300,000 to assist with the development of the Imagination Station Playground to be located in Bigelow Park.

The Department of Natural Resources (DNR) requires all applicants of MNRTF grants to hold at least one public meeting to receive input about the application.

Total estimated cost of the Imagination Station is \$997,713, applying for and receiving a \$300,000 MNRTF grant will be a substantial addition to the Imagination Station Playground development.

The Imagination Station Playground will be developed on an open 2 1/2 acre site in Bigelow Park, north of the Boys & Girls Club. The proposed project will be designed to appeal to children in the pre-school thru 12 year old range and include both natural and manufactured play features, along with parking facilities, pedestrian walkways, sanitary accommodations, utilities, lighting, landscaping and signage. To date \$367,000 has been raised towards the project with fundraising and grant writing efforts on going.

LEGAL ISSUES:

TIME SENSITIVITY:

Impending deadline

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

A public hearing requesting citizen input on applying for the MNRTF grant must be held before a resolution of support for the grant may be voted on.

FINANCIAL CONSIDERATIONS:

The City of Bay City is applying for a \$300,000 in Michigan Natural Resources Trust Funds towards the development of the Imagination Station Playground. Estimated total project cost is \$997,713.

CITY GOALS:

RECOMMENDED ACTION:

Michigan Natural Resources Trust Fund Grant Application for proposed Imagination Station Playground in Bigelow Park.

ATTACHMENTS:

Description	Upload Date	Type
public hearing notice	2/10/2017	Cover Memo

Notice of Public Hearing

Notice is hereby given that the City Commission of the City of Bay City will hold a public hearing on **Monday, February 20, 2017, at 7:30 p.m.**, or as shortly thereafter as possible, in the Commission Chambers, City Hall, 301 Washington Avenue, Bay City, Michigan. The purpose of this public hearing is to discuss and consider a proposed grant application to the Michigan Department of Natural Resources for funding to help finance the development of Imagination Station Playground to be located on the open 2 ½ acre site in Bigelow Park. Interested persons are invited to attend this meeting. Please call the City of Bay City, CDBG Coordinator/Grant Writer at (989) 894-8158 for further information.

Subject: Special Events Permit - McLaren 5K
Uptown Riverwalk/City Streets
May 6, 2017

Reviewed By: City Manager: Richard Finn Deputy City Manager: Dana L. Muscott Special
Events Committee

Prepared By: Deputy City Clerk: Jamie C. McFarland

PERTINENT FACTS:

A request has been received from the McLaren Bay Medical Foundation requesting permission to hold their McLaren Bay Medical Foundation 5K Run/Walk on Saturday, May 6, 2017, that utilizes the Riverwalk and portions of E. Main Street, S. Water Street, 19th Street, and Broadway Street. This event is changing location from the previous year, requiring city commission approval. The event will begin and end at the McLaren Uptown property. Map of the route is included in the attached permit.

The petitioner is requesting complete street closures and barricades for the event on Saturday, May 6, 2017, from 9 a.m. until 11 a.m.

Public Safety overtime is not expected for this event.

Notices to residents and businesses affected by the closure will be mailed by the City Clerk's office.

LEGAL ISSUES:

The Special Events Permit was established in 1997. Revisions and updates were made by the Special Events Committee, reviewed by City Attorney Mark Kolka, and adopted by the City Commission at their May 17, 2004, meeting. Subsequent revisions were adopted by the City Commission at their April 3 and April 17, 2006, April 20, 2009, and October 15, 2012 meetings.

TIME SENSITIVITY:

Routine

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

Pursuant to the changes to the Special Events Policies & Procedures approved on April 3, 2006, by the City Commission, special event organizers will be invoiced for actual overtime costs and out-of-pockets expenses as well as those fees listed in the current Fee Schedule. The out-of-pocket expenses include the overtime incurred when requested by the special event organizer; tipping fees the City incurs for hauling trash to the landfill outside of its normal collection and disposal activities; and any other direct payments made by the City of Bay City on behalf of any special event in providing assistance to that event.

Cost estimates for requested items:

- Street Department services total - \$278.88
- Special Event Coordinator - \$68
- Trash Barrels - \$12.50

A General Liability Certificate of Insurance in the amount of \$1,000,000 is required as well as a \$150 clean up bond. Proof of insurance shall be supplied to the City Clerk's Office by at least 12:00 noon the day an event is scheduled to be presented to City Commission for approval. If proof of insurance is not received, approval of

the item will be pulled from the City Commission agenda.

CITY GOALS:

RECOMMENDED ACTION:

*McLaren Bay Medical Foundation requesting permission to hold the McLaren Bay Medical Foundation 5K Run/Walk, using the riverwalk and portions of E. Main Street, S. Water Street, 19th Street, and Broadway Street, on Saturday, May 6, 2017.

RECOMMENDATION: Approve.

ATTACHMENTS:

Description	Upload Date	Type
Draft Permit	2/10/2017	Backup Material

**SPECIAL EVENTS PERMIT FOR CITY PARKS,
STREETS, BUILDINGS AND GROUNDS**

THIS AGREEMENT, made this _____ day of _____, 2017, between **CITY OF BAY CITY**, a Municipal Corporation, of 301 Washington Avenue, Bay City, Michigan, 48708, hereinafter referred to as the "CITY," and **MCLAREN BAY MEDICAL FOUNDATION** of 1900 Columbus Ave, Bay City, Michigan 48708, hereinafter referred to as PERMITTEE.

INSTRUCTIONS - PERMITTEE shall comply with all sections of this permit designated as follows:

WITNESSETH:

(1) **Description**. The CITY in consideration of the terms, conditions, covenants and agreements to be performed by PERMITTEE, does hereby grant to PERMITTEE permission to use and occupy the following ["premises"] (**Note: If the event is a walk/run and participation is under 200 participants, the walk/run shall be conducted on the Riverwalk and/or the Railtrail**):

5K walk/run event being held beginning at McLaren's Uptown campus, using the Riverwalk and portions of E. Main Street, S. Water Street, 19th Street, and Broadway Street (map attached).

(2) **Term**. The term of this Permit shall be for **Saturday, May 6, 2017 from 6:00 a.m. until 12:00 p.m.**

(3) **Acceptance of Premises**. PERMITTEE has examined and is satisfied with the physical condition of the premises, and accepts the premises in its "as is" condition.

(4) **Use**. PERMITTEE may use and occupy the premises for:

"MCLAREN BAY MEDICAL FOUNDATION 5K RUN/WALK"

and for no other reason. The use and occupancy shall only be under PERMITTEE'S name or any assumed name of PERMITTEE. PERMITTEE shall not use or knowingly

allow any part of the premises to be used for any unlawful purpose. In the event of any violation of this provision the CITY at its sole discretion may terminate this Permit and expel PERMITTEE from the premises. PERMITTEE waives, releases and relinquishes all claims of right or interest in the premises.

(5) **Clean-up, Repairs, Maintenance and Damage.** PERMITTEE shall be solely responsible for clean-up of the premises and the repair expense for any damage caused to the premises throughout the term of this Permit. PERMITTEE shall, at the direction of the CITY, provide a sufficient number of dumpsters and trash collection cans for the event. PERMITTEE will be responsible to reimburse the CITY for out-of-pocket costs (i.e. tipping fee) associated with trash removal and disposal. The CITY strongly encourages PERMITTEE to utilize volunteers for cleanup.

PERMITTEE shall take good care of and shall keep the premises, including its fixtures and furnishings, in a clean, safe, orderly and sanitary condition including, but not limited to, keeping all sidewalks, parking areas, alleys, roadways and facilities/areas which are a part of the premises, neat and clean; guarding all defects on the premises which may be a hazard to the general public and business invitees; and promptly removing all debris or any other material which may be a hazard to the general public and business invitees. PERMITTEE shall promptly make all repairs which are required to maintain the premises in the condition which existed upon the commencement of its actual use and occupancy. PERMITTEE shall not be required to repair plumbing and electrical components of the premises for damages which is not caused by the PERMITTEE, its guests or invitees. At the termination of this Permit, PERMITTEE shall yield and deliver up the premises in like condition, reasonable use and wear thereof and damage by the elements exempted.

- **PERMITTEE is requesting use of 5 city owned trash barrels. Fee of \$2.50 each for a total of \$12.50 will be invoiced at the conclusion of the event.**
 - **This equipment is stored under the Liberty Bridge. PERMITTEE shall contact the Parks Department at (989) 894-8314 in the week prior to the event to make arrangements to pick up a gate key to access the storage site. PERMITTEE shall be solely responsible for picking up, transporting, setting up and returning the equipment to the storage site. PERMITTEE shall also be responsible for replacing any equipment damaged during the course of use. Gate keys shall be immediately returned to the Parks Division business office following use. Failure to return the key may result in forfeiture of the event damage deposit. The event sponsor shall insure that the storage site is secured upon leaving and the access gate is locked.**

(6) **Clean-up and Damage Bond.** PERMITEE shall deposit with the City Clerk a clean-up and damage bond in the form of cash or check payable to the CITY, as follows: low hazard \$100; medium hazard \$150; high hazard \$500; and special hazard \$750. This will correlate with the type of insurance required. The bond should be deposited with the City Clerk at the time the application is submitted, when possible, but is required prior to the permit being presented to the City Commission for approval. The bond shall be returned to PERMITEE, without interest, within seven (7) days after the expiration of this Permit if the PERMITEE has fully performed the restoration and clean-up of the premises to an "as-is" or better condition as prior to the event. Should PERMITEE fail to restore and clean the premises in satisfactory condition, the CITY may retain the clean-up and damage bond and if the amount thereof is insufficient, pursue all other remedies.

(7) **Electrical Permits.** For any event, carnival or fair connecting to or modifying an existing electrical source or service, Permittee covenants and agrees to designate a licensed electrical contractor and secure an electrical permit in compliance under Article 525 of the current National Electric Code. An electrical permit shall be obtained two week prior to the event and a copy shall be provided to the City Manager's office. Inspections shall be requested by the electrical contractor prior to the opening of the event, or use of the electrical service.

(8) **All Utilities.** The CITY agrees to allow PERMITEE to use existing electrical and water services for food and beverage concessions, lighting and audio equipment. However, the CITY shall not be responsible for any damages whatsoever due to any interruption in electrical, water or other services.

There shall be no modification or alteration of the CITY's electrical supply boxes or other equipment, unless prior approval has been obtained from the CITY and any work is approved by the CITY's electrical inspector. All such work must be done by a licensed electrical contractor at PERMITEE'S sole expense.

(9) **Reimbursement of Utility Costs.** PERMITEE shall reimburse the CITY for the costs of electric, water and other utility services utilized by the PERMITEE, its vendees and concessionaires.

(10) **Signs.** PERMITEE shall be entitled, at PERMITEE'S own expense, to install signs and banners along the premises. Signs shall comply with Article XX of the Zoning Chapter of the Bay City Code of Ordinances.

(11) **Insurances. CERTIFICATES OR OTHER EVIDENCE OF ALL REQUIRED COVERAGES AND ENDORSEMENTS MUST BE FILED WITH THE CITY CLERK AT LEAST SEVEN (7) DAYS BEFORE THE COMMENCEMENT OF THE EVENT.**

General Liability. PERMITTEE shall carry comprehensive general liability insurance, including premises and all operations, through companies licensed and admitted to do business in Michigan, which shall provide protection from all claims of damage or injury, including death, to persons and property which may arise out of, result from or be caused by PERMITTEE'S use or occupancy of the premises or its operations conducted thereon, with occurrence and aggregate limits of not less than the amount set forth below:

REQUIRED LIMITS
COMPREHENSIVE GENERAL LIABILITY

- Not less than \$ _____ , per occurrence (Special Hazard)
- Not less than \$3,000,000, per occurrence (High Hazard)
- Not less than \$1,000,000, per occurrence (Medium Hazard)
- Not less than \$1,000,000, per occurrence (Low Hazard)

THE CITY, ITS OFFICERS AND EMPLOYEES SHALL BE NAMED AN ADDITIONAL INSURED AND THIS COVERAGE SHALL BE ENDORSED ON THE CERTIFICATE AND POLICY "AS BEING PRIMARY TO THE CITY, AND NOT EXCESS OF ANY OTHER INSURANCE, SIMILAR PROTECTION (E.G. RISK MANAGEMENT ASSOCIATION) OR ANY OTHER VALID, APPLICABLE, OR COLLECTABLE INSURANCE OR SELF-INSURANCE WHICH IS OR MAY BE AVAILABLE TO OR CARRIED BY THE CITY."

PERMITTEE shall, upon the issuance of this Permit, provide the CITY with a certificate or other evidence of all required coverages, including those set forth below. The certificate or other evidence of coverage shall provide a thirty (30) day written notice to the CITY in the event of cancellation or material changes in the coverage.

Liquor Liability. PERMITTEE or its designee (for example, a local service club) shall carry liquor liability insurance with combined limits of not less than \$1,000,000 insuring for any and all damage and liability which may be caused by, related to or arise out of the sale, furnishing, giving, distribution or consumption of alcoholic beverages on the premises.

Motor Vehicle Liability. PERMITTEE shall also obtain and maintain vehicle liability coverage for all owned, non-owned and hired motor vehicles which may be operated, maintained or used on the premises. Minimum combined limits of \$500,000 shall be maintained.

Food. PERMITTEE or its designee shall carry products and completed operations coverage insurance with combined limits of not less than \$500,000 insuring for any and all damage and liability which may be caused by, related to or arise out of the sale, furnishing, giving, distribution or consumption of food on the premises.

(12) **Indemnity.**

PERMITTEE covenants and agrees to indemnify, protect, defend and save the CITY, its officers and employees harmless from any claim, action or suit for any loss, liability and damages that may be asserted or levied against the premises or the CITY, its officers or employees, in whole or in part by reason of PERMITTEE'S acts or omissions, or by its use or occupancy of or its operations on the premises or by reason of any other person on the premises by contract, invitation or license, including any expenses, costs and attorney fees incurred in connection with any such claim, action or suit. In the event of any incident occurring on the premises resulting in any personal injury, including death, to any person, PERMITTEE shall give notice to the CITY within twelve (12) hours after the occurrence thereof or after PERMITTEE learns of such occurrence.

The indemnity, defense and hold harmless requirements shall include and extend to bodily injury to any person or injury to any property of PERMITTEE, its employees and all persons on the premises by contract, invitation or consent.

All property kept, stored or maintained in the premises shall be so kept, stored or maintained at the risk of PERMITTEE only.

(13) **Other insurance.** If PERMITTEE employs any independent contractor or others for any purpose whatsoever in relation to its use or occupancy of the premises, or for any operations or maintenance connected therewith, PERMITTEE shall obtain and maintain, or cause said independent contractor to obtain and maintain, policies of workers compensation insurance and such other liability insurance of the types and in the amounts outlined above which will provide coverage to the City, its officers and employees for all claims which may arise out of, result from or be caused by that work.

(14) **Right of Inspection and Access.** The CITY may enter the premises at any time to examine, inspect and to do whatever the CITY may deem necessary or desirable to determine compliance with or to enforce the terms of this Permit. Bay City police, fire and other enforcement personnel shall have unrestricted access to the premises at all times.

(15) **Compliance With Rules and Regulations.** PERMITTEE shall abide by all laws, statutes, ordinances, governmental orders, rules and regulations which control or in any manner affect or relate to the use or occupancy of the premises, or operations conducted thereon.

(16) **Fencing.** PERMITTEE shall be allowed to use any fencing that the CITY has in its possession that is not in use by the CITY. PERMITTEE must schedule a survey to identify the location of buried utilities scheduled through MISS DIG – call 1-800-482-7171 or 811 prior the event.

(17) **Concessions.** PERMITTEE or its designees shall be allowed to sell assorted food and beverage items and to run concession stands during the term of this Permit. PERMITTEE or its designee shall obtain all necessary licenses and/or permits from the appropriate state, county or city governmental authorities. All concessions will be closed by 10:00 p.m. each day. PERMITTEE shall submit a list of all food concessionaires to the Fire Marshall's office one (1) week prior to the event. PERMITTEE shall notify and require the following of all food concessionaires:

- (1) A fire extinguisher shall be provided in all tents and in all areas and enclosures used for cooking.
 - (a) The fire extinguisher shall be an ABC type, a minimum of 5 pounds.
 - (b) Proof that the fire extinguisher has been serviced within the last year is required.
 - (c) The extinguisher shall be tagged with the date and service provider.
 - (d) If the fire extinguisher was purchased within the last year, a sales slip must be provided.

- (e) When cooking with grease a K rated fire extinguisher is required.
- (2) All propane tanks used for cooking shall be secured so as to prevent tipping. The tanks shall be remote from congested areas.
- (3) Only approved, heavy-duty extension cords shall be used and all electrical connections shall be protected.
- (4) There shall be no open flame or cooking in or near any tent.
- (5) When cooking with grease a Type 1 hood shall be provided with an approved automatic fire suppression system.

If the vendor fails to comply with these requirements, they will not be permitted to participate in the event.

- **All food vendors shall adhere to the International Fire Code (2009) requirements.**

(18) **Alcoholic Beverages**. PERMITTEE or its designee shall be allowed to sell and/or furnish beer and wine on the premises from _____.m. until _____.m. on _____ and _____ 20__ and from _____ until _____.m. on _____, 20__. If an additional day is needed due to inclement weather, the time shall be extended from _____.m. until _____.m. on _____, 20__. The sale, furnishing and consumption of alcoholic beverages is specifically conditioned upon PERMITTEE or its designee obtaining and maintaining liquor liability insurance as required in Paragraph 11 above and all approvals from the Liquor Control Commission.

(19) **Exclusive Use**. PERMITTEE shall have the exclusive use of the premises.

(20) **Admission**. PERMITTEE may charge admission to the general public to enter premises. Entry shall not be denied to any individual based upon race, sex, age, creed, or national origin.

(21) **Police and Fire Protection**. PERMITTEE shall fully reimburse the CITY at overtime and fringe benefit rates for all additional police and/or fire department officers who are assigned to the premises, or the vicinity thereof, because of the use or occupancy thereof by PERMITTEE.

- **At this time no Public Safety overtime is expected for this event.**

(22) **Parking and Traffic**. PERMITTEE shall prohibit all motor vehicles in or on the premises and shall cause all streets and alleys to be properly barricaded and signed. All motor vehicles shall be operated only on established roads and parked in

designated areas. All fire lanes and no parking zones shall be maintained during the event.

- **PERMITTEE is requesting complete street closure on the city streets noted above and on the attached map.**
- **Street Department overtime cost estimate for requested service is \$278.88. Actual overtime costs will be invoiced at the conclusion of the event.**

(23) **Health and Sanitation Facilities.** PERMITTEE shall furnish and maintain a sufficient number of portable bathrooms and washing facilities, at PERMITTEE'S expense. Each bank or group of portable restrooms shall have a minimum of one (1) barrier free/ADA compliant restroom. A bank or group consists of ten (10) or less portable restrooms.

- **PERMITTEE shall provide required portable restrooms on their property for the event.**

(24) **Compliance with PERMITTEE'S Representations.** PERMITTEE shall fully comply with all representations and promises set forth in its Application for Special Events Permit.

(25) **Equipment and Services.** The CITY agrees to have the following equipment and services available during the term of this Permit:

- **Street Department service**
- **5 trash barrels**

(26) **Security.** It shall be PERMITTEE'S sole responsibility to provide security throughout the term of the event. The Director of Public Safety or designee shall establish the number of security personnel whom PERMITTEE shall be required to have on the premises. The security shall be provided by a licensed and certified security agency, whose members shall be in identifiable uniforms.

(27) **Bleachers.** PERMITTEE shall be solely responsible for the construction and removal of any bleachers, booths, fencing, tents or structures used during the course of the event.

X

(28) **Reimbursement of Other Costs:** PERMITTEE, on behalf of the organization, agrees to reimburse the City of Bay City for its “out-of-pocket” expenses which includes but is not limited to overtime of City employees and trash disposal tipping fees at landfills. City staff is readily accessible to discuss out-of-pocket cost estimates and ways to reduce these costs. If applicable, PERMITTEE shall reimburse the CITY for all cost relating to the use of barricades, fencing, bleachers and other facilities and equipment provided by the CITY. All City of Bay City invoices sent to organizations for reimbursement of out-of-pocket costs are due within thirty (30) days.

- **Estimated cost for the required city special event coordinator to be on-site during this event is \$68. Actual cost will be invoiced at the conclusion of the event.**
 - **The special event coordinator for this event will be Mike Bacigalupo. His contact number is (989) 239-0411.**

X

(29) **Tents.** All tents or air supported structures used during the term of this permit shall comply with Section 31 of the Michigan Building Code and Section 24 of the International Fire Code. Material of all tents shall be of non-combustible material or flame resistant material conforming to NFPA 701, treated in an approved manner to render the material flame resistant. Appropriate documentation must be presented to any Building Code Enforcement Officer, Fire Official or other Code Official upon request. A copy shall also be retained on the premises where the tent is located. The documentation must attest to the following information relative to the flame resistance of the fabric:

1. Name and address of the owners of the tent or air supported structure.
2. Date the fabric was last treated with flame resistant solution.
3. Trade name of kind of chemical used in treatment.
4. Name of person or firm treating the material.
5. Name of testing agency and test standard by which the fabric was treated.

If more than one tent or air supported structure is located on the premises a copy of all required documentation for each tent or structure shall be kept at a central location on the premises. The use of gasoline, gas, charcoal or any other cooking devices or any unapproved flame inside or within 20 feet of a tent or other air supported structure is strictly prohibited.

PERMITTEE must schedule a survey to identify the location of buried utilities scheduled through MISS DIG – call 1-800-482-7171 or 811 prior the event. **NO TENTS STAKES ARE TO BE DRIVEN INTO ASPHALT SURFACES.**

- **All tents over 400 square feet shall be treated with a flame retardant in accordance with National Fire Protection Association (NFPA) 701 and all tents shall comply with International Fire Code (IFC) 2009 chapter 24.**

(30) **Fire.**

- (a) No open flames or explosives shall be permitted for decoration, display or use with-out permission from the Fire Department.
- (b) The use of paper or fabric for coverings or decoration shall not be permitted unless proof is submitted to the Fire Department that such materials are flame proof.
- (c) All seating capacity and room arrangements shall be approved by the Fire Department.
- (d) An access lane, a minimum of eighteen (18) feet wide, shall be maintained leading into and out of the event so that emergency vehicles can enter in case of an emergency.
- (e) Barricades or any type of obstruction which could impede or interfere with fire suppression forces shall not be erected.

(31) **Music.** PERMITTEE shall be solely responsible for obtaining the appropriate license to present any music covered by copyright, whether by live performance, recorded music or retransmission of radio and/or television broadcast. The PERMITTEE covenants and agrees to indemnify, protect, defend and save the CITY, its officers and employees harmless from any claim, action or suit or for any loss, liability and damages that may be asserted or levied against the CITY, its officers or employees, based in whole or in part upon a claim of copyright infringement.

(32) **Other Conditions/Requirements.**

- **PERMITTEE shall not advertise their event by placing any type of flier/sign etc. within the City Right of Way (area located between the sidewalk and the street). Violations shall be considered a failure to follow the terms of the City Special Event Permit and could lead to revoking the City issued permit.**
- **Any music shall be in accordance to City Ordinance.**
- **All routes to remain open in case of emergency response (barricades must be moveable).**
- **Other activities with this event will take place on McLaren's Uptown property.**

(33) **Cancellation or Modification.** It is understood and agreed that ten (10) days advance written notice of any cancellation, reduction and/or material changes in

the proposed agenda will be provided to the City Manager, City of Bay City, 301 Washington Avenue, Bay City, Michigan, 48708.

(34) **Duplicate Original Copies.** This Permit is executed in duplicate original copies, one of which shall be retained by the CITY and one by PERMITTEE, each of which shall be deemed to be an original, but each of which shall be construed as one document.

(35) **Governing Law.** This Permit and the rights of the parties hereunder shall be governed by and interpreted in accordance with the laws of the State of Michigan.

(36) **Paragraph Headings.** The paragraph headings appearing in this Permit have been inserted for the purpose of convenience and ready reference. They do not purport to, and shall not be deemed to, define, limit or extend the scope or intent of the paragraphs to which they appertain.

(37) **Entire Agreement.** This Permit represents the entire agreement of the parties and shall be deemed to be an integrated agreement containing all prior and contemporaneous oral and written agreements between the parties, and shall not be modified in any part, except in a writing signed by all parties.

IT SHALL BE THE RESPONSIBILITY OF THE PERMITTEE TO DESIGNATE A SPECIFIC LOCATION ON THE PREMISES AS ITS HEADQUARTERS AND TO HAVE AVAILABLE AT THAT LOCATION, AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC AND DURING SET UP OR CONSTRUCTION, AT LEAST ONE PERSON WHO HAS THE KNOWLEDGE AND AUTHORITY TO REPRESENT PERMITTEE CONCERNING ALL ACTIVITIES CONDUCTED UNDER THE TERMS OF THIS PERMIT. FAILURE TO COMPLY WITH THIS SECTION OR ANY OTHER TERM OF THIS PERMIT SHALL BE CAUSE FOR THE CITY MANAGER, CHIEF OF POLICE, FIRE CHIEF, OR DESIGNEE TO IMMEDIATELY REVOKE THIS SPECIAL EVENTS PERMIT AND TO REQUIRE PERMITTEE TO VACATE THE PREMISES.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

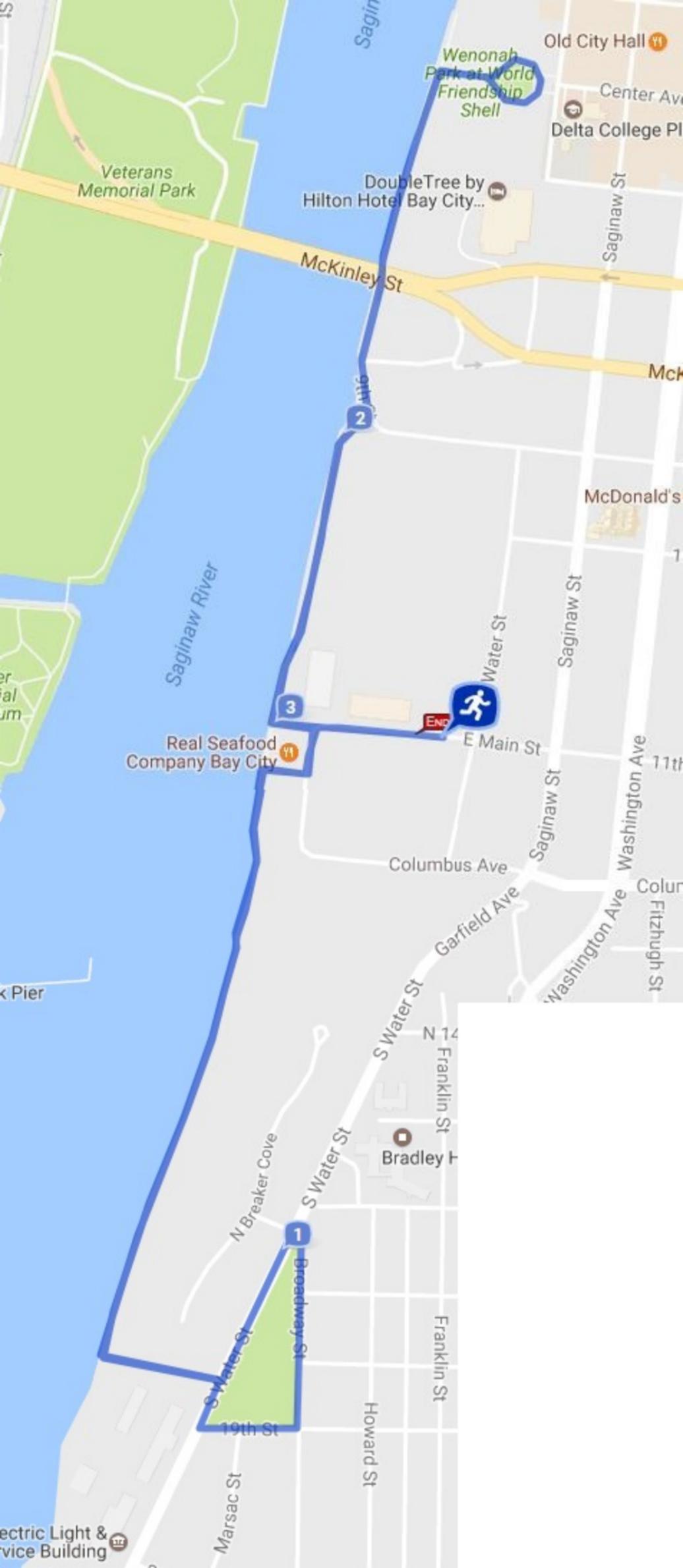
CITY OF BAY CITY

**MCLAREN BAY MEDICAL
FOUNDATION - PERMITTEE**

By: **KATHLEEN NEWSHAM**
Its: Mayor

By: **ALYSA MATTHEWS**
Its: Specialist

By: **TEMA J. LUCERO**
Its: City Clerk



SPECIAL EVENT PROCEDURES PUBLIC WORKS DEPARTMENT

- The event sponsor shall insure that all activities are properly controlled and supervised, and comply with all park rules and regulations, as well as City ordinances and applicable laws. The City's Special Event Coordinator will be on site to ensure all rules, regulations, ordinances and applicable laws are followed.
- Vehicles are strictly prohibited from driving on park lawns and pedestrian walkways, except as approved by the City's Special Events Coordinator or the City's Parks Superintendent.
- The event sponsor shall be responsible for site cleanup immediately following the event, and the removal and off-site disposal of all litter resulting from the event.
- The event sponsor shall be responsible for the repair of any damages, above and below ground, resulting from the use of City park facilities and City buildings, including damage caused by movement of equipment.
- It is strictly prohibited to attach anything to park trees and facilities by nailing, stapling, taping or other damaging means.
- The cost of repairing damaged equipment and facilities, as well as site cleanup and litter removal, shall be the responsibility of the event sponsor.
- Ground fires are strictly prohibited, except as approved in advance by the Public Works Department and City Fire Marshall.
- **No ground penetrations or excavations shall be permitted on any city properties prior to investigations being conducted to locate, identify and mark underground utilities in compliance with Public Act 174, "*Miss Dig Underground Facility Damage Prevention and Safety Act*". Event sponsors shall be solely responsible for scheduling utility surveys and shall contact "Miss Dig" @ 811 / www.missdig.org a minimum of three working days prior to conducting any activities that result in ground penetrations or excavations for event features and attractions, including staking for tents, fencing and signage**
- **No permanent markings are permitted on paved surfaces anywhere in the City including city parks, walkways, drives and parking lots. Water soluble markings are permitted, however all markings must be removed immediately following the event. Failure to do so will result in the City removing the markings and charging the event sponsor.**
- Park facilities are provided "As-Is". No improvements shall be made to alter the existing facilities without express written permission from the City.

- If the event sponsor is requesting electrical service the event sponsor shall provide a qualified person to manage electrical services. No improvement or modification of electrical systems shall be permitted, without express written permission from the City. Any improvement or modification of existing electrical services shall be performed by the City's electrical contractor. The cost of all improvements or modifications shall be the responsibility of the event sponsor.
- The Public Works Department will not assist in supporting the setup, teardown and cleanup of special events. The event sponsor shall be solely responsible for providing all personnel as may be required to perform the maintenance services necessary to conduct the event, including the following:
 - Event set-up on the park site
 - Event tear down and restoring the park site to the condition that existed prior to the event
 - Pick-up and delivery of available city owned equipment from a designated storage site. All equipment borrowed for the event shall be returned to the storage site immediately following the event.
 - Cleanup and disposal of **all** trash and debris generated by the event, both during the event and immediately upon conclusion of the activities. In addition, all items eligible for the City's recycling program shall be recycled during the event. Whenever necessary, the event sponsor shall be responsible for providing trash bags and dumpsters in addition to personnel for cleanup.
- Immediately following the event, the park site shall be returned to the same condition that existed prior to the event. All City equipment provided for the event, shall be removed and stored in a location identified by the City, and all litter and recycling shall be collected and properly disposed of off-site. Any and all damages to facilities shall be repaired immediately.
- The City maintains a limited supply of equipment for event use and shall not be responsible for purchasing additional equipment if the equipment available is not sufficient for the needs of the event. Event sponsors desiring to use this equipment will be provided a gate key to access the storage site under the Liberty Bridge. Event sponsors shall be solely responsible for picking up, transporting and returning the equipment to the storage site. Event sponsors shall also be responsible for replacing any equipment damaged during the course of use. Gate keys shall be immediately returned to the Public Works Department business office following use. Failure to return the key may result in forfeiture of the event damage deposit. The event sponsor shall insure that the storage site is secured upon leaving and the access gate is locked.
- The event sponsor shall be responsible for the cost of immediately repairing all turf damages that may result from driving vehicles across lawn areas. The event sponsor is strongly encouraged to monitor both site and weather conditions

throughout the event and take the necessary precautions to protect and preserve lawn areas. It is also strongly suggested that the event sponsor manage vehicular access to lawn areas and restrict the same to only those used that are critical for the conduct of activities. The Public Works Department will not approve vehicular access to turf areas in situations where the potential for damage is obvious. It is expected that event sponsors will manage event related vehicular parking and utilize existing hard surfaced areas available for that purpose. The Special Event Coordinator will be on site to make final determination of parking locations and use of city property.

- All tent and fence locations shall be approved in advance of setup by the Parks Division. No tent or fencing stakes shall be driven into the ground, prior to the completion of a survey to identify the location of buried utilities. Driving tent stakes and fence posts into asphalt pathways, drives or parking areas is strictly prohibited.
- No signs, banners or other forms of advertising the event shall be placed on public properties in advance of the event without express written approval from the City. At no time shall any signage be installed within the City right-of-way. Violations of this requirement will result in the immediate removal of these items by the City and a charge being assessed to cover the City's out-of-pocket costs. The event sponsor shall be responsible for all costs incurred by the City related to the removal of signs, banners or other forms of advertising.

SPECIAL EVENTS PROCEDURES

DEPARTMENT OF PUBLIC SAFETY

FIRE SUPPRESSION DIVISION

1. All events shall adhere to the International Fire Prevention Code and International Building Code requirements.
2. No open flames or explosives shall be permitted for decoration, display or use without permission from the Fire Marshal's Office.
3. The use of paper or fabrics used for coverings or decorations shall not be permitted unless proof is submitted to the Fire Marshal's Office that such materials are flame proof.
4. All seating capacity and room arrangements shall be approved by the Fire Marshal or his designee.
5. An access lane, minimum of 20 feet in width shall be maintained leading into and out of the event so that emergency vehicles can enter, in the event of an emergency.
6. Barricades or any type of obstructions shall not be erected that could impede or interfere with fire suppression forces.
7. If tents exceeding 400 square feet are used, proof shall be submitted that the tent is made of fire resistive materials or has been treated with a fire resistive solution.
8. A list of all participating food vendors shall be submitted to the Fire Marshalls Office one (1) week in advance of the event. All food vendors participating shall be notified of the following requirements. If the vendor fails to comply with these requirements, they will not be permitted to participate in said events.
 - A. There shall be no open flame cooking in or near any tent.
 - B. A fire extinguisher shall be provided in all tents and in all areas and enclosures used for cooking. The fire extinguisher shall be a 5 lb. ABC rated extinguisher. Proof that the fire extinguisher has been serviced within the last year is required. When cooking with grease, a K rated fire extinguisher is required. All fire extinguishers shall be tagged with date of service and who serviced it.
 - C. When cooking with grease a Type 1 hood shall be provided with an approved automatic fire suppression system.
 - D. All propane tanks used for cooking shall be secured from accidentally tipping over. The tanks shall be remote from congested areas.
 - E. Only approved heavy-duty extension cords shall be used and all electrical connections shall be protected.

All fire laws of the State of Michigan governing place of public assemblage shall be adhered to; reference the International Fire Code

Subject: Lease Agreement-General Housing Corporation
Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott
Prepared By: Economic Development Project Manager: Sara Dimitroff

PERTINENT FACTS:

The purpose of this recommendation is to request approval of a lease agreement with General Housing Corporation for five years to allow access from Wilder Road onto General Housing's property. In 2002, the City of Bay City purchased a parcel of land as 4680 Wilder Road from Central Michigan Railway Company. At that time, the railroad had an existing lease with General Housing Corporation to allow them access from Wilder Road.

The lease is for \$378 per year for the next five years. Use of the 50'x289.40' of parcel 09-13-15-126-001 is limited to ingress and egress purposes only.

LEGAL ISSUES:

City Attorney, Neil Wackerly has prepared the Lease Agreement between the City of Bay City and General Housing Corporation.

TIME SENSITIVITY:

Routine

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

This lease expired in December, 2015. In order to bill General Housing we must have a lease in place.

FINANCIAL CONSIDERATIONS:

Proceeds from the rental of this property will be credited to Economic Opportunities, Lease Income Account 451-7301-66711.

CITY GOALS:

RECOMMENDED ACTION:

*City Manager recommending Lease Agreement with General Housing Corporation, Bay City, for access through property located at 4980 Wilder Road, in the amount of \$378 per year for five years.

RECOMMENDATION: Approve.

ATTACHMENTS:

Description	Upload Date	Type
Lease Agreement	1/20/2017	Backup Material
Aerial of Site	1/20/2017	Backup Material

LEASE AGREEMENT

THIS AGREEMENT OF LEASE, made this 18 day of January, 2017, by and between **CITY OF BAY CITY**, a Michigan Municipal Corporation, of 301 Washington Avenue, Bay City, Michigan, 48708 [hereinafter referred to as the "Lessor"], and **GENERAL HOUSING CORPORATION**, of 900 Andre Street, Bay City, Michigan 48706 [hereinafter referred to as the "Lessee"].

WITNESSETH:

WHEREAS, the Lessee, General Housing Corporation, desires and wishes to lease certain land and improvements thereon for business purposes from Lessor and Lessor desires and wishes to lease same to said Lessee; and

WHEREAS, said Lessee is a Michigan Corporation, and empowered to lease real and personal property;

NOW THEREFORE, in consideration of the mutual warranties, representations, covenants and promises herein contained, is mutually covenanted and agreed upon by and between the parties hereto as follows:

1. **Description.** That the Lessor, in consideration of the agreements herein to be performed by the Lessee, does hereby grant, lease, demise and let onto Lessee the following parcel of land together with hereditaments and appurtenances thereunto situate and being in the City of Bay City, County of Bay and State of Michigan [hereinafter designated as "premises"], to-wit:

Commencing from the intersection of Wilder Road and vacated Andre Street if extended, further described as the NW corner of the NE ¼ of the NW ¼ Section 15, Town 14 North, Range 5 East; thence South along the centerline of vacated Andre Street 33 feet to the Point of Beginning; thence continuing South along the centerline of vacated Andre Street 50 feet; thence East parallel to the North line of Section 15, 289.40 feet; thence North parallel to Andre Street 50 feet; thence West parallel to the North line of Section 15 to the Point of Beginning.

Said parcel consisting of 14,470 Sq. Ft. or 0.33 acres more or less.

2. **Term.** The term of this lease shall be for a period of five (5) years [lease term], commencing upon and having an effective date of January 1, 2017, and shall continue through and inclusive of the 31st day of December, 2021. Notwithstanding the above, either party may terminate this agreement upon ninety (90) days written notice to the other party.

3. **Acceptance of premises.** Lessee has examined the premises and is satisfied with the physical condition of the structures and improvements thereon and accepts same "as is".

4. **Use.** The Lessee may use and occupy the premises for the purposes of ingress and egress from the public right-of-way to Lessee's business property only and for no other purpose, and said use and occupancy may be under Lessee's name or any

assumed name of Lessee. The Lessee shall not use or knowingly permit any part of the leased premises to be used for any unlawful purpose. Lessee shall not use the premises in any manner which would cause the premises to be considered an extra or especially hazardous risk under a standard insurance policy. In the event of any violation of this provision, Lessor, at its sole option, may terminate this lease and forthwith re-enter and repossess the premises.

5. **Rental.** The Lessee, in consideration of the agreements and covenants to be performed by the Lessor, does hereby hire the said premises for the term herein set forth and covenants, agrees and promises to pay, for the term of this lease to Lessor, a rental for the above described premises of One Thousand Eight Hundred Ninety and 00/100 (\$1,890.00) DOLLARS in five (5) installments of Three Hundred Seventy Five and 00/100 (\$378.00) DOLLARS each, in advance, with the first installment payable on or before January 31, 2017 and the remaining installments due and payable on the 1st day of January and each such day thereafter throughout the term of this lease or any extension or renewal thereof. Rental payments shall be made at 301 Washington Avenue, Bay City, Michigan 48708, or such other place or places as Lessor may from time to time designate in writing. Lessee shall pay all taxes and assessment levied on the premises during the term of this lease before any penalty for nonpayment attaches thereto.

6. **Repairs and maintenance.** Lessee shall take good care of the demised premises and its fixtures and furnishings, and suffer no waste, and shall keep the premises in a clean, safe, orderly and sanitary condition, including, but not limited to, cutting grass, as well as keeping the sidewalks and driveways neat and clean, and promptly removing all snow, ice, debris or any material which may be a hazard to the general public, including any business invitees, and Lessee shall make all such repairs as are required in order to maintain the demised premises in the condition in which the same exists upon commencement of actual use and occupancy. Lessee agrees to assume any and all liability for damages and make the necessary repairs of any damages to the demised premises caused by negligence of or misuse by Lessee, its agents, invitees or guests and at the termination of this lease or any renewal thereof, Lessee shall yield and deliver up the demised premises in like condition.

7. **Alterations.** Lessee shall not make any alterations or improvements on or to the demised premises without the prior written consent of Lessor.

8. **Insurance and Indemnity.**

- (a) The Lessee agrees that it will carry its own liability insurance of all kinds whereby Lessee shall keep, save, defend and hold harmless Lessor from any and all damages and liability from anything and everything whatsoever arising from, or out of, the use or occupancy of the premises hereby demised by the Lessor to the Lessee with combined limits of not less than \$500,000.00 and Lessee shall provide Lessor with a certificate of insurance showing the Lessor to be an additional named insured, forthwith provide a fifteen (15) day written notice to the Lessor in the event of cancellation or material changes in the coverage. Lessee agrees to indemnify, protect, defend and save Lessor harmless from any loss or liability that may be levied against the premises

by reason of Lessee's use or occupancy or any other person thereon by invitation or license of Lessee, and from any expense, cost and attorney fees incurred in connection with any such claim. In the event of any incident or occurrence in and upon the demised premises resulting in personal injury to any person, Lessee agrees to give notice to the Lessor within twelve (12) hours after the occurrence thereof, or Lessee learns of such occurrence, or Lessee should have reasonably known of such occurrence.

- (b) Lessor shall be defended and held harmless by Lessee from any liability for damages to any person or any property in or upon said premises and including but not limited to the sidewalks, parking lots and facilities/areas being a part of said premises, including the person and property of Lessee, and its employees and all persons in the building at its or their invitation or with their consent. It is understood and agreed that all property kept, stored and maintained in the demised premises shall be so kept, stored or maintained at the risk of Lessee only. Lessee shall not suffer or give cause for the filing of any lien against the herein demised premises. Lessee shall be solely responsible for all injuries to persons and property resulting from any incident, accident, explosion, leak or other cause arising in or about the use of the premises and its appurtenances, as hereinbefore stated.

9. **Personalty.** All personal property in the devised premises belonging to the Lessee shall be at the risk of the Lessee only, and said Lessor shall not be liable for any damage to said personal property, or to said Lessee or other persons, arising from the building or any part of the appurtenances thereof becoming out of repair or from any acts or neglect of the occupants of the demised premises or any other person or due to the happening of any incident in or to said building.

10. **Other Insurance.** If either party shall employ an independent contractor or others to make any repairs or alterations to the demised premises or for any maintenance thereto, such party shall obtain and maintain or cause said independent contractor to obtain or maintain policies of workers' compensation insurance and such other insurance policies so that the other party will be held harmless from any and all obligations that may arise by causing said repairs, alterations or maintenance to be made.

11. **Waiver of Subrogation.** The Lessor waives all rights of recovery against the Lessee, and sublessees and their respective agents and employees, for any loss or damage to property of the Lessor located on the demised premises or comprising a part thereof or insured under valid and collectible insurance policies to the extent of any recovery collectible under such insurance. The Lessee waives, and will require any sublessees to waive, all rights of recovery against the Lessor, and the agents and employees of the Lessor, for loss or damage to property of the Lessee or to the insured under valid and collectible insurance agencies, to the extent of any recovery collectible under such insurance. The parties hereto agree that all policies of fire or extended coverage insurance or any and all material damage insurance, shall contain either an

appropriate provision waiving all rights of subrogation, or an endorsement acknowledging notice that the aforesaid rights of recovery have been waived.

12. **Assignment and Sub-letting.** Lessee shall not assign or transfer this lease or any interest therein, or hypothecate or mortgage the same or any interest therein, or sublet said premises or any part thereof without the prior written consent of Lessor. Lessor shall consent to such assignment or subletting if the proposed assignee or subtenant is, in the sole determination of Lessor, a responsible party and will not adversely affect the character and reputation of the building or the limited purpose and intent of this lease. In case of any assignment or subletting permitted hereunder, Lessee, as well as its assignee or subtenant shall remain subject to all provisions of this lease, including as a surety and/or guarantor of all performances and payments hereunder.

13. **Quiet Enjoyment.** Lessor covenants that if Lessee shall observe and perform all and singular its covenants and agreements herein contained, Lessee may peacefully and quietly have, hold, occupy and enjoy said demised premises, with the appurtenances, for and during the term hereof.

14. **Default.** If Lessee shall fail to observe or perform any obligations under this lease and shall fail to cure its default within fifteen (15) days after notice from Lessor to do so, or within fifteen (15) days after notice of failure to pay rent, or if Lessee shall be adjudicated bankrupt or become insolvent or shall make an assignment for the benefit of creditors or abandon the demised premises, then in any of said cases, Lessor may, in addition to other remedies provided by law, terminate this lease and/or lawfully enter into and upon the demised premises or any part thereof and repossess the same, and expel the Lessee and persons claiming under and through it, and remove any effects, without being liable for trespass and without prejudice to any remedies which may be available for arrears or for Lessee's breach of covenant. Upon default, Lessor may assess against Lessee all of Lessor's reasonable expenses, including attorney fees, for the preparation of any notices or representation in any court proceedings, summary proceedings, eviction, or any other proceeding which pertains to the enforcement of the terms of this lease.

15. **Amendment, Entire Agreement and Waiver of Default.** This lease contains all the agreements and conditions made between the parties hereto, and may not be modified orally or in any other manner than by an agreement in writing signed by all the parties hereto or their respective successors in interest. The receipt of rent by Lessor with knowledge of any breach of this lease by the Lessee, or any default on the part of Lessee in the observances or performance of any of the conditions or covenants of this lease, shall not be deemed to be a waiver or any provisions of this lease. No failure on the part of the Lessor to enforce any covenant or provision herein contained, nor any waiver of any right thereunder by the Lessee, unless in writing, shall discharge or invalidate such covenant or provision or affect the right of the Lessor to enforce the same in the event of any subsequent breach of default. The receipt by the Lessor of any rent or any other sum of money or any other consideration hereunder paid by the Lessee after the termination, in any manner, of the term herein demised, or after the giving by the Lessor of any notice hereunder to effect such termination, shall not reinstate, continue, or extend the term herein demised, or destroy, or in any manner impair the efficacy of any such notice of termination as may have been given hereunder by the Lessor to the Lessee prior to the receipt of any such sum of money or other

consideration, unless so agreed to in writing and signed by the Lessor. Neither acceptance of the keys or any other act or thing done by the Lessor or any agent or employee during the term of this lease shall be deemed to be in agreement in writing signed by the Lessor accepting or agreeing to accept such a surrender.

16. **Holding Over.** Any holding over by the Lessee beyond the expiration of the specified term or any additional period hereunder shall give rise to a tenancy from month to month.

17. **Eminent Domain.**

- (a) If the whole of the premises shall be taken by any public authority under the power of eminent domain, then the term of this lease shall cease as of the day possession shall be taken by such public authority and the rent shall be paid up to that day with a proportionate refund by Lessor of any prepaid rent.
- (b) If less than the whole but more than twenty-five percent (25%) of the premises shall be taken under eminent domain, either party shall have the right to terminate this lease by notice in writing delivered to the other party within ten (10) days after such taking, and Lessee shall have the further right by like notice to terminate in the event so much of the premises shall be taken as shall render the remaining portion unsuitable for Lessee's purposes. If neither party elects to terminate this lease, Lessee shall continue in possession of the remainder of the premises, and all of the terms of this lease shall continue in full operative force and effect, except that the rent other than percentage rent shall be reduced in proportion to the value of the premises taken, and Lessor, at its own costs and expense, shall make all repairs or alterations to the building necessary to constitute the remaining premises substantially like the original premises.
- (c) All damages awarded for any taking under the power of eminent domain, whether for the whole or a part of the premises, shall belong to and be the property of Lessor whether such damages shall be awarded as compensation for the diminution in value to the leasehold or to the fee of the premises; provided, however, that Lessor shall not be entitled to any award made to Lessee for loss of business or removal of furniture, fixtures or other equipment installed on the premises by Lessee.

18. **Notices.** All notices to be given hereunder by either party shall be in writing and given by personal delivery or certified mail to the parties at the addresses as hereinbefore set forth or to the Lessee at the demised premises. For purposes of calculating time periods under the provision of this agreement, notice shall be deemed effective upon mailing or personal delivery, whichever is applicable.

19. **Benefit and Usage.** The terms and conditions of this agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, representatives, successors, or assigns, except as may be hereinbefore provided, and

when applicable, pronouns and relative words shall be read as plural, feminine or neuter, respectively.

20. **Duplicate Original Copies.** This agreement is executed in duplicate original copies, one of which shall be retained by Lessor and one by Lessee, each of which shall be deemed to be an original but all of which shall be construed as one document.

21. **Governing Law.** This agreement and the rights of the parties hereunder shall be governed by and interpreted in accordance with the laws of the State of Michigan.

22. **Acknowledgment and Time of the Essence.** Each party acknowledges that they have read this agreement and agree to the terms and conditions herein contained and further agree that time shall be deemed of the very essence of this agreement.

23. **Paragraph Headings.** The paragraph headings appearing in this agreement have been inserted for the purpose of convenience and ready reference. They do not purport to, and shall not be deemed to, define, limit or extend the scope or intent of the paragraphs to which they appertain.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

LESSOR: CITY OF BAY CITY

By: Kathleen Newsham, Its Mayor

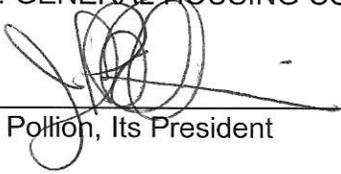
Tema Lucero, Its Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF BAY)

On the ____ day of _____, 2017, before me, a Notary Public in and for said County, personally appeared KATHLEEN NEWSHAM and TEMA LUCERO, who did for themselves say that they are the Mayor and Clerk of the City of Bay City, the municipal corporation named in and which executes the within instrument, and that said instrument was signed on behalf of said municipal corporation by authority of its Commission; and severally acknowledged said instrument to be the free act and deed of said municipal corporation.

*, Notary Public
State of Michigan, County of Bay
My Commission Expires: _____
Acting in the County of Bay

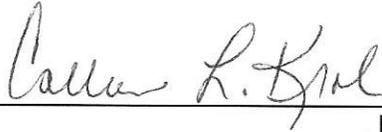
LESSEE: GENERAL HOUSING CORPORATION



By: John Pollion, Its President

STATE OF MICHIGAN)
)ss.
COUNTY OF BAY)

On the 18th day of January, 2017, before me, a Notary Public in and for said County, personally appeared JOHN POLLION, who did say that he is the President of General Housing Corporation, the corporation named in and which executes the within instrument, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said corporation.



* _____, Notary Public
State of Michigan, County of Bay
My Commission Expires: 9-12-2018
Acting in the County of Bay

Prepared by:
Neil P. Wackerly, Esq., (P27812)
ALLSOPP WACKERLY
Attorneys and Counselors, P.C.
301 Washington Avenue, Suite 107
Bay City, Michigan 48708
(989) 893-1661

**3980 Wilder Road – City-Owned Property Leased
to
General Housing Corporation**



 = Boundaries of city-owned property leased to General Housing Corporation

Subject: Purchase of a New Cab & Chassis/ Digger Derrick, Replacement of Unit #529
Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott Director of Public Works: William J. Bohlen DPW Manager, SSF: Kurt A. Hausbeck
Prepared By: DPW Coordinator: Robert J. Harrison

PERTINENT FACTS:

The Electric Department utilizes truck mounted pole digger units primarily for removal and installation of utility poles for street lighting, electric service lines and other related electric service work activity. This unit also assists with the setting of the 46 KV high voltage utility poles.

Unit #529 is a 2000, International Commander, 4900 6x4 Digger-Derrick utility truck with 22,900 miles and 6,523 hours (which is equalivent to 163,075 operational miles). Besides the body being very rusty, it is in need of boom repairs with an initial repair cost of \$25,250, this estimate is expected to increase once the boom is disassembled and inspected. The existing unit is budgeted for replacement this fiscal year and has scored a 13 on the vehicle evaluation form which supports the replacement of this unit.

The proposed unit is an Altec Model D2050B mounted on 2018 Freightliner M2-106 for \$266,408 from Altec Industries, Indianapolis, IN, through the State of Michigan Extended Purchasing Program (MiDEAL).

LEGAL ISSUES:

The standard purchase order previously approved by City Attorney will be used for this transaction

TIME SENSITIVITY:

Routine

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

The Altec Model D2050B mounted on 2018 Freightliner M2-106 COST for \$266,408 from Altec Industries, Saint Joseph, MO through the State of Michigan Extended Purchasing Program (MiDEAL).

The purchase of this replacement equipment was budgeted in the current fiscal year. Funds of \$190,000 were allocated for the purchase of a unit, additional funds \$86,995 are available due to the postponing several budgeted vehicles for the Electric Department. The total request of \$266,408 is available in account 661-2702-98100, Motor Equipment Revolving Fund (MERF) which has a current balance of \$1,057,958.

CITY GOALS:

RECOMMENDED ACTION:

*City Manager recommending purchase of an Altec Hydraulic Digger Derrick on a 2018 Freightliner from Altec Industries, Indianapolis, IN, through the State of Michigan Extended Purchasing Program, in the total amount of \$266,408 for the Electric Department.

RECOMMENDATION: Approve.

ATTACHMENTS:

Description

Altec Quote

Vehicle Evaluation #529

Department Justification

State of Michigan Contract

Upload Date

1/31/2017

1/31/2017

1/31/2017

1/31/2017

Type

Backup Material

Backup Material

Backup Material

Contract

January 25, 2017
Our 88th Year

Ship To:
CITY OF BAY CITY
ELECTRIC DEPT
900 S WATER ST
BAY CITY, MI 48708
US

Bill To:
CITY OF BAY CITY
ELECTRIC DEPT
900 S WATER ST
BAY CITY, MI 48708
United States

Attn:
Phone: 989-894-8115
Email:

Altec Quotation Number: 340175 - 5
Account Manager: Andrew M Johnson
Technical Sales & Support: Stephanie R. Lowe

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	<u>Unit</u>		
1.	ALTEC Model D2050B; 50 foot Digger Derrick with hydraulic extending full capacity intermediate and upper booms. Built in accordance with standard specifications and to include the following features:	1	
	<ul style="list-style-type: none"> A. Pole Setting Sheave Height: 50.0 feet B. Maximum Horizontal Reach from centerline of rotation: 40.3 feet C. Digging Radius from centerline of rotation. Minimum: 18.7 feet, Maximum: 28.5 feet D. Lift Capacity at 10 Ft. Radius: 14,747 lbs. (Without optional equipment installed). See complete load chart for capacities with installed options. Designed and tested to meet safety factors in accordance with ANSI 10.31. E. Boom Articulation: -17 to 83 degrees F. Insulated, 46 KV and below G. Continuous Rotation: with planetary drive gearbox H. Side Load Protection: helps prevent overload conditions on rotation system due to excessive side load. I. Hydraulic Overload Protection (HOP) System: activates when the unit is exposed to an overload condition. System prevents actuation of all functions that could increase the overload condition. System automatically resets when overload condition is relieved. Overload protected functions include: <ul style="list-style-type: none"> - Boom Lower - Intermediate Boom Extend - Third Stage Boom Extend - Winch Raise - Digger Dig J. Load Indicator Gauge: located at the main control panel, displays the percentage of total allowable lifting capacity being utilized. By use of this gauge, the operator is aware of the hydraulic and structural design rating of the derrick and proximity to the limits during operation. 		

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
K.	Electronic Controls: Intuitive electronic controls with superior metering. Includes a diagnostic port which by connecting a handheld service tool, provides troubleshooting code readouts and the ability to calibrate function speeds and control sensitivity. Electric controls eliminate the risk of high pressure hose leaks near the operator and leak points are minimized throughout the machine.		
L.	Manual override of electronically controlled boom, winch, and digger functions at the main control valve		
M.	Standard/Low Speed Selector: Operator can select standard or low function speed operation. When in standard mode, each function operates at normal speeds. When in low speed, the maximum operational speed of each function is slower providing finer feathering capability. The function is separate from engine throttle control.		
N.	Remote Control Retrofittable: Control system includes single quick connect plug for quick and easy installation of radio remote control system in the field upon request (if not already equipped).		
O.	Proportional Hydraulic Control System: Closed Center Hydraulic control valve for boom, winch, and digger functions are operated and controlled by a proportional pilot system which provides full metering and feathering characteristics.		
P.	Hydraulic System: Closed Center hydraulic system with maximum flow of 43 gpm for simultaneous operation of multiple functions. Flow is provided by a variable displacement, pressure compensated, piston pump. This 'flow on demand' system optimizes the overall system efficiency. System is designed with compensators in each valve section for smooth transitions between functions. Maximum system pressure is 3000 psi. Because flow is provided by a single source (piston pump), maximum flow is available to any combination of functions including simultaneous operation of the boom and digger/winch functions and flow combining is not necessary.		
R.	Fiberglass hydraulic upper boom and boom tip with provision for platform attachment.		
S.	Transferable Hydraulic Pole Guides and Steel Boom Flares at the boom tip with adjustable alignment guides. Pole guides are hydraulically powered for open, close, and tilt.		
T.	Pole Guide Tilt Interlock: Prevents the upper boom from extending when the transferrable guides are attached to the intermediate boom until the proximity sensors detect that the guides are tilted all the way up and out of the way.		
U.	Bearings: All extending booms utilize self lubricating, low friction, slide bearings.		
V.	Boom Stow Protection System: A proximity switch on main boom detects the boom support as the boom is being stored and limits the boom down function to avoid excessive down force into the stow.		
W.	Auger Stow Protection: Limits the upward travel of the auger as it reaches the top of the auger stow latch to prevent an overstow condition.		
X.	Two-part load line attachment point on the intermediate boom		
Y.	Unit is painted with a powder coat paint process which provides a finish-painted surface that is highly resistant to chipping, scratching, abrasion and corrosion.		
Z.	Structural Warranty: all of the following applicable major components is to be warranted for so long as the initial purchaser owns the product: Booms, boom articulation links, hydraulic cylinder structures, outrigger weldments, pedestals, subbases and turntable.		
AA.	Manuals: Two (2) operator and Maintenance/Parts manuals		
2.	2.63 in Hex Output Shaft With 2.63 in Hex Extension Shaft	1	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
3.	5 Rear Mount Over Rear Axle available on all units	1	
4.	173 - Rear Mount Altec Opti-View Control Seat, installed on curb side of turntable, includes twin multi-function joystick controls and foot throttle.	1	
5.	8 - Turntable Winch	1	
6.	11 - Normal winch speed (15,000 lbs)	1	
7.	94 - Digger, Two-Speed Mechanical Shift, 12,000 ft-lbs, includes all of the components necessary to operate digger, installed	1	
8.	88 - Digger - right-hand storage, viewing from boom tip - streetside for rear and corner mount, curbside for behind cab mount - normal. Includes Auger Overstow Protection System	1	
9.	175 - ANSI use criteria, Digger Derrick use only (no Personnel Handling)	1	
10.	No Derrick Tong Protectors	1	
11.	31 - Foot throttle. Included when Altec Opti-View Control Seat is selected.	1	
12.	No hard wired upper controls and NO TOOL CIRCUIT at boom tip	1	
13.	Standard Pole Guides for 18.00 in Dia Pole Maximum	1	
14.	Hydraulic Side Load Protection: relieves overload conditions by allowing rotation system to back drive.	1	
15.	450 - Outriggers, A-frame, folding shoe, 153 maximum spread, for use as auxiliary outriggers on all units or primary outriggers on select units	1	
16.	41 - Outriggers, A-frame, fixed shoe, 149 maximum spread, for use as auxiliary outriggers only, includes: <ul style="list-style-type: none"> A. Maximum Spread: 149 inches to outer edge or shoes B. Penetration at maximum extension: 6.75 inches (for standard installation on a 40 inch frame height) C. Standard Shoe Dimensions: 12 x 12 inches D. Hydraulic Outrigger Control Valves E. Outrigger/Unit Selector Control: Reduces the potential for inadvertent outrigger movement during machine operation if outrigger controls are bumped. F. Outrigger Interlocks: Will not allow the unit to be operated until the outriggers have been at least partially deployed. 	1	
17.	Custom unit color (specify color code). L-5961 EB Medium Red Blue	1	
18.	Custom Above Rotation Color L-5961 EB Medium Red Blue	1	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

UTILITY EQUIPMENT AND BODIES SINCE 1929

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
19.	Custom Pedestal/Tower Color L-5961 EB Medium Red Blue	1	
20.	Custom Inner Outrigger Leg Color L-5961 EB Medium Red Blue	1	
21.	Custom Outrigger Housing Color L-5961 EB Medium Red Blue	1	
<u>Unit & Hydraulic Acc.</u>			
22.	Unit Installation Components.	1	
23.	Carbide Teeth Auger, 18" Dia., With 2-5/8" Hex X 104" Long	1	
24.	Winch Rope For Turntable Winch 115 Ft length of 1-1/8 inch Samson Spectron II synthetic braided rope with eye in each end	1	
25.	Load Line Swivel Hook, 8-1/2 Ton (Crosby)	1	
26.	Nylite Spool, Shackle, and Shield for Winch Rope	1	
27.	D2/3/4000 Series Derrick Subbase (Rigid)	1	
28.	Insert Subbase Stop At 10'	1	
29.	Subbase Storage With Drop Down Door (Paddle Latch) At Rear Stops in side tubes at 8'2"	1	
30.	Reservoir, 80 Gallon	1	
31.	Kendall Glacial Blue Hydraulic Oil (Meets MilSpec 5606).	90	
32.	Piston Pump, Pressure Compensated, right hand rotation, provides 46 gpm max system flow at 3000 psi max system pressure.	1	
33.	Air shift PTO for manual transmission	1	
34.	Muncie PTO (Altec Standard)	1	
35.	Winch Recovery Option, Winch Operates In Neutral, First And Reverse (Automatic Transmissions Only) PTO is allowed to engage in Neutral, First and Reverse (Winch Recovery). When Park Brake is applied, chassis is forced to Neutral (normal machine operation). PTO will disengage when RPM limits are exceeded (chassis speed of approximately 5 mph).	1	
36.	Braden AHGU5 Hydraulic Front Winch And Bumper Package.	1	
	A. Worm Gear 20,000 LB Two-Speed Winch		
	B. With Tool Box And RH Extended Shaft and Four Way Roller		
	C. Hydraulic hoses and fittings		

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

UTILITY EQUIPMENT AND BODIES SINCE 1929

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
37.	200' Of 1/2" Winch Cable	1	
38.	Quick Hook (5 TON) Wide mouth type	1	
39.	Winch Controls, Dual Location (In-Cab And Remote Mounted), Air, Single Axis Control Levers (Non-Meterable), Altec Preferred Dual Location Air Controllers Include two speed in cab (two-speed to be electrically shifted)	1	
40.	Cathead, General Purpose Capstan Head (Aluminum)	1	
41.	Wire Guides for Capstans Install on front curbside outrigger, reference run 1027794	1	
42.	Collapsible Reel (CR Reel)	1	
43.	Fold-Over Storage Bracket, For Collapsible Reel (CR Reel). Install centered on front bumper (reference Lansing 40452141)	1	
44.	Altec recommends any connection made to the tool circuit be done with Non-Conductive hose. If ordering a Hose reel, Altec recommends ordering a hose reel with Non-Conductive hose. The lower tool circuit hoses may be, or become, conductive. Death or serious injury could occur if the unit becomes energized while lower tool circuit is in use.	1	
45.	Install Tool Circuit For Hose Reel Installation, Below Rotation (Male Pressure, Female Return)	1	
46.	Custom Hydraulic Hose Reel Or Tool Circuit Installation Manual rewind hydraulic hose reel, location TBD	1	
47.	40' Non-Conductive Hose Kit, Orange, Includes Quick Disconnects and Dust Caps (Male Pressure, Female Return)	1	
48.	Stanley Pole Tamper, 3' Handle With Valve (Requires 3-9 GPM, 1000-2000 PSI) Include 3' of hose and QDs	1	
49.	Pole Puller Assembly With 5/8" Chain And Puller Plate	1	
50.	Pole Puller Storage Bracket Install on curbside front outrigger	1	
51.	74 - Flow Divider Variable - for installation of tools at tailself	1	
52.	Manual Outrigger Valve Installation, Derricks	1	
53.	Additional Unit/Hydraulic Accessory Hollow 2 5/8" kelly bar	1	
54.	Additional Unit/Hydraulic Accessory 4 foot x 1/2 inch wire rope sling	1	
55.	Additional Unit/Hydraulic Accessory Provide a drop down or fold away ladder for access to	1	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	riding seat in any position		
	<u>Body</u>		
56.	Altec Body	1	
57.	Steel Body	1	
58.	Platform/Flatbed	1	
59.	172" Estimated Flatbed Length (Engineering To Determine Final Length)	1	
60.	1/8" (12 Gauge) Treadplate Floor Galvanneal Treadplate Steel Floor	1	
61.	96" Body Width	1	
62.	Finish Paint T-Box/Saddle Box Custom Color (Provide Color And Code) Blue L-5961 EB Medium Red Blue	1	
63.	Undercoat Body	1	
64.	E-Coat Body (Not Available On Aluminum Bodies)	1	
65.	Undercoat T-Box/Saddle Box	1	
66.	E-Coat Body (T-Box/Saddle Box)	1	
67.	Clear Coat Body	1	
68.	Clear Coat Body (Only if Specifically Required by Customer, Not Available On Aluminum Bodies)	1	
69.	Finish Paint Body Custom Color (Provide Color And Code) Blue L-5961 EB Medium Red Blue	1	
70.	4 High Flatbed (No Cross Storage Available)	1	
71.	D-Ring Recessed In Body Floor 360 Degree Rotation	6	
72.	Stake Pockets on Sides and Rear of Flatbed, Installed on 24" Centers Outside of Frame	1	
73.	Custom Cargo Retaining Boards 12 Inch High Removable Composite Stake Sides (double 2x6 boards) along curbside, streetside, and rear, reference job 27239505	1	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
74.	Recessed Gripstrut (Preferred) Curbside Access Steps, One (1) U-Shaped Grab Handle (Second Handle Mounted On Rear Of T-Box/Saddle Box), Vented Battery Storage Beneath Include removable 2x6 composite retainer board	1	
75.	Outrigger Cutout Required	1	
76.	Unit Cutout Required	1	
77.	Light Channels Installed At Rear Of Flatbed	1	
78.	Notch Outside Rails for Tire Clearance	1	
79.	Additional Body Option Galvanneal Treadplate Steel Floor	1	
80.	Altec T-Box/Saddle Box	1	
81.	Steel T-Box/Saddle Box	1	
82.	S-42 Saddle Box	1	
83.	Standard Doors With Door Post(s) And Partitions Between Compartments	1	
84.	42 Inch Overall Body Length	1	
85.	96 Body Width	1	
86.	46 Inch Body Compartment Height	1	
87.	18 Body Compartment Depth	1	
88.	Rope Lights (LED) Around Top And Sides Of Compartment Door Facings	4	
89.	Stainless Steel Rotary Paddle Latches With Keyed Locks	4	
90.	All Locks Keyed Alike Including Accessories (Preferred Option)	1	
91.	Gas Shock (Gas Spring) Rigid Door Holders On All Vertical Doors	1	
92.	Standard Master Body Locking System (Located At Front)	4	
93.	1st Vertical (SS) - B-Line Channel Installed In Compartment	1	
94.	1st Vertical (SS) - Locking Swivel Hooks On An Adjustable Rail - Left Wall	1	
95.	1st Vertical (SS) - Locking Swivel Hooks On An Adjustable Rail - Rear Wall	2	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

UTILITY EQUIPMENT AND BODIES SINCE 1929

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
96.	1st Vertical (SS) - Locking Swivel Hooks On An Adjustable Rail - Right Wall	1	
97.	1st Vertical (SS) - Locking Swivel Hook(s) On A Fixed Rail (Left Wall)	2	
98.	1st Vertical (SS) - Locking Swivel Hook(s) On A Fixed Rail (Rear Wall)	3	
99.	1st Vertical (SS) - Locking Swivel Hook(s) On A Fixed Rail (Right Wall)	2	
100.	2nd Vertical (SS) - B-Line Channel Installed In Compartment	1	
101.	2nd Vertical (SS) - Locking Swivel Hooks On An Adjustable Rail - Left Wall	1	
102.	2nd Vertical (SS) - Locking Swivel Hooks On An Adjustable Rail - Rear Wall	2	
103.	2nd Vertical (SS) - Locking Swivel Hooks On An Adjustable Rail - Right Wall	1	
104.	2nd Vertical (SS) - Locking Swivel Hook(s) On A Fixed Rail (Left Wall)	2	
105.	2nd Vertical (SS) - Locking Swivel Hook(s) On A Fixed Rail (Rear Wall)	3	
106.	2nd Vertical (SS) - Locking Swivel Hook(s) On A Fixed Rail (Right Wall)	2	
107.	1st Vertical (CS) - Adjustable Shelf With Removable Dividers On 4 Inch Centers	4	
108.	1st Vertical (CS) - B-Line Channel Installed In Compartment	1	
109.	2nd Vertical (CS) - Adjustable Shelf With Removable Dividers On 4 Inch Centers	2	
110.	2nd Vertical (CS) - B-Line Channel Installed In Compartment	1	
111.	2nd Vertical (CS) - Locking Swivel Hooks On An Adjustable Rail - Left Wall	1	
112.	2nd Vertical (CS) - Locking Swivel Hooks On An Adjustable Rail - Rear Wall	2	
113.	2nd Vertical (CS) - Locking Swivel Hooks On An Adjustable Rail - Right Wall	1	
114.	Steel Outrigger Valve Cover/Guards Installed At Rear Of Tailshelf	1	
115.	Vise Bracket Installed On Rear Of Tailshelf	1	
116.	Steel Top Opening Storage Box, One (1) Treadplate Lid, Gas Props, Hasp Lock, Handle Parallel To Ground And Centered (2 Handles for Boxes Greater Than 108") Chainsaw box, 42" long x 18" wide x 20" high, vented, install on curbside compartment top Box, 42" long x 18" wide x 20" high, install on streetside compartment top	2	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

UTILITY EQUIPMENT AND BODIES SINCE 1929

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
117.	Additional Body Option Hand coil rack - one single slot approx. 10" mounted tight to the bulkhead with the rack mounted sideways (facing curbside/streetside)	1	
118.	Additional Body Option Shovel/rake holder installed on front of body curbside, use approx. 3" tube across front of body on slight angle so rakes and shovels will stay in tubes during travel	1	
119.	Additional Body Option ICE Package - Stainless Steel Sidepacks Beneath Floor Level Galvanneal Treadplate Steel Floor	1	
<u>Body and Chassis Accessories</u>			
120.	ICC (Underride Protection) Bumper Installed At Rear	1	
121.	T-125 Style Pintle Hitch (30,000 LB MGTW with 6,000 LB MVL) Install at 28 +/- 1" from ground	1	
122.	Set Of D-Rings for Trailer Safety Chain, installed one each side of towing device mount.	1	
123.	Glad Hands At Rear, Straight Type	1	
124.	Rubber Belted Step , 12" H, 7" D, 22" W, Steel, Mounted Beneath Side Access Steps (Installed To Extend Approx. 2" Outward)	1	
125.	Custom Material Rail Material rail installed on front and sides pedestal, approx. 24 inches above the cargo floor, to be made of round bar with 4 sliding hooks on each side, rail only needs to be as wide as the pedestal at 24 inches off of the ground, but needs to be flush with pedestal at cargo floor. (example: if you hang something from the hooks, it will touch the cargo floor before it touches the pedestal.) Reference 37-27239505.	1	
126.	Lower Boom Rest Weldment	1	
127.	Mounting Brackets for Lights, Located on Lower Boom Rest	1	
128.	Plastic Outrigger Pad, 24" x 22" x 1", Black With Handle	4	
129.	Mud Flaps With Altec Logo (Pair)	1	
130.	Wheel Chocks, Rubber with Metal Hairpin Style Handle, 9.75" L X 7.75" W X 5.00" H (Pair)	2	
131.	Wheel Chock Holders (Pair), For Installation Under Flatbed Or Dump Body	2	
132.	Capstan Head Storage Location TBD	1	
133.	Slope Indicator Assembly For Machine With Outriggers	1	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
134.	Pole Rack, Two Pole Capacity With Ratchet Tie Binders (Fixed at Rear) Install streetside, reference run 1013457 for pole rack designs and ratchet strap types and locations	1	
135.	Secondary Boom Saddle For Offset Stowing Of Derrick Due To Pole Rack	1	
136.	Triangular Reflector Kit, Installed	1	
137.	10 LB Fire Extinguisher With Light Duty Bracket, Shipped Loose	1	
138.	Vise, Utility, 6.5 IN Jaw with 5.5 IN Opening, Pipe Jaws, with Replaceable Jaws and Swivel base	1	
139.	Vise Mounting Bracket, 2 Square Tube Vertical Receiver Type with 8 x 8 Mounting Plate Install on front bumper (bracket to be transferable to tailshelf)	1	
140.	Flag Holder Install on front bumper	2	
141.	Vinyl manual pouch for storage of all operator and parts manuals	1	
142.	Outrigger Valve Handle Guards	1	
143.	Additional Body/Chassis Accessory D-rings, install two each side of pedestal 16" off cargo floor, reference 37-27239505	4	

Electrical Accessories

144.	Compartment Lights Wired To Dash Mounted Master Switch	1	
145.	Lights and reflectors in accordance with FMVSS #108 lighting package. (Complete LED, including LED reverse lights)	1	
146.	Altec Standard Amber LED Strobe Light with Brush Guard Install one each side of boomrest, master on/off switch in cab	2	
147.	4-Corner Strobe Lighting, Amber LED Master on/off switch in cab	1	
	A. Two (2) Surface Mounted Lights in Front Grille		
	B. Two (2) Round Grommet Mounted Lights at Rear		
148.	Custom Spot Light LED Betts spotlights, install one on boomrest to shine in cargo area, one at rear curbside compartment top to shine on tailshelf, one on side of unit to shine down boom, lights to include a separate ground wire - base ground light is not acceptable	3	
149.	Cargo Light LED 4 DIA Grommet Mounted (Tecniq #T41-WC0T-1) One at side access walkway, four spaced evenly on cargo walls, lights to have their own master on/off switch in cab	5	
150.	Underbody Lights, Black (Pair) Two installed in front of body near the top of the body each	2	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	side and two installed behind the body on each side near the top, lights to have their own master on/off switch		
151.	Flood Light, LED, With Aluminum Housing, 4.25" W x 4.25" H, No Switch on the Light Install above hitch in chassis frame rails, to automatically come on in reverse and also to have separate toggle switch for use as work lighting	2	
152.	Remote Spot Light, LED, Permanent Mount with Wireless Dash Mounted Controls and Programmable Wireless Remote Install one each side of boom rest outboard of strobes	2	
153.	Auto-Adjustable Back-Up Alarm	1	
154.	Altec Standard Multi-Point Grounding System	8	
155.	Grounding Reel, Automatic Retracting, Hannay - Holds #2 GA, #1/0 GA (Max 75'), Or #2/0 GA Cable (Max 65') Install on curbside in front of rear outriggers	1	
156.	Grounding Cable, #4/0 GA Yellow Jacketed Cable (Specify Length In Feet)	50	
157.	Copper U Shaped Grounding Lug (Threaded) Install curbside front and rear	2	
158.	Grounding Clamp, Aluminum C-Clamp Style With Smooth Jaws (Includes Ferrule and Heat Shrink Tubing)	1	
159.	Custom Alarm/Sensor Backup camera with dash mounted display, AOM713WPVoyager, 7 inch Heavy duty color LCD monitor sealed/weatherproof w/ 3 camera inputs. (VCCS150-Voyager CCD) color block style camera, 150 degree diagonal view. White housing. IR and LED assisted light (night vision). (CEC34) 34 ft camera to LCD monitor cable. (72704) – Panavise 4 inch single cellular mount.	1	
160.	PTO Hour Meter, Digital, with 10,000 Hour Display	1	
161.	7-Way Trailer Receptacle (Pin Type) Installed At Rear	1	
162.	Electric Trailer Brake Controller (Tekonsha Voyager #9030)	1	
163.	12 Volt Receptacles (Cigarette Lighter Style) Triple Bank (3 Gang) Non-Weatherproof Center under dash, wire battery hot	1	
164.	Power Distribution Module Is A Compact Self-Contained Electronic System That Provides A Standardized Interface With The Chassis Electrical System. (Includes Operator's Manual)	1	
165.	Altec Modular Panel System (AMPS) - Includes Mounting Panel and Accessory Switches	1	
166.	Cab Interior Fluorescent Light Install centered on cab roof and towards rear of cab so head will not hit it when entering cab, wire battery hot	1	
167.	Additional Electrical Accessory Install main battery disconnect inside cab on the driver's side floor as entering cab next to seat	1	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
<u>Finishing Details</u>			
168.	Custom Unit Color Wet Paint Topcoat Over Powder On Unit, L-5961 EB Medium Red Blue	1	
169.	Finish Paint Body Accessories Custom Color (Specify Color Code) L-5961 EB Medium Red Blue	1	
170.	Altec Standard; Components mounted below frame rail shall be coated black by Altec. i.e. step bumpers, steps, frame extension, pintle hook mount, dock bumper mounts, D-rings, receiver tubes, accessory mounts, light brackets, under-ride protection, etc. Components mounted to under side of body shall be coated black by Altec. i.e. Wheel chock holders, mud flap brackets, pad carriers, boxes, lighting brackets, steps, and ladders.	1	
171.	Custom Above Rotation Color L-5961 EB Medium Red Blue	1	
172.	Custom Pedestal Color L-5961 EB Medium Red Blue	1	
173.	Custom Inner Outrigger Leg Color L-5961 EB Medium Red Blue	1	
174.	Custom Outrigger Housing Color L-5961 EB Medium Red Blue	1	
175.	Heavy Duty Cargo Coating, Line-X, Cargo Area Floor and Tailshelf LineX bedliner material installed on complete line body including: cargo floor, cargo walls, top of compartments, entire tailshelf, entire ICC bumper area including steps & pintle hitch area, entire side access area, entire front of body, entire outrigger housings, entire front bumper winch package, and the insides of all the additional boxes	1	
176.	English Safety And Instructional Decals	1	
177.	Vehicle Height Placard - Installed In Cab	1	
178.	Placard, Kendall Glacial Blue Hydraulic Oil	1	
179.	Dielectric test unit according to ANSI requirements.	1	
180.	Stability test unit according to ANSI requirements.	1	
181.	DOT Certification Required City of Bay City	1	
182.	Customer Inspection Required	1	
183.	Focus Factory Build	1	
184.	Delivery Of Completed Unit	1	
185.	Inbound Freight	1	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

UTILITY EQUIPMENT AND BODIES SINCE 1929

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
186.	D2050B-TR FA Installation	1	
	<u>Chassis</u>		
187.	Chassis	1	
188.	Altec Supplied Chassis	1	
189.	2018 Model Year	1	
190.	Freightliner M2-106	1	
191.	6x4 Tandem Axle	1	
192.	157 Clear CA (Round To Next Whole Number)	1	
193.	Regular Cab	1	
194.	Chassis Cab	1	
195.	Chassis Color - Blue	1	
196.	Chassis Wheelbase Length - 226	1	
197.	Cummins ISL	1	
198.	330 HP Engine Rating	1	
199.	Allison 3500 RDS Automatic Transmission	1	
200.	GVWR 58,000 LBS	1	
201.	18,000 LBS Front GAWR	1	
202.	40,000 LBS Rear GAWR	1	
203.	315/80R22.5 Front Tire	1	
204.	11R22.5 Rear Tire	1	
205.	Air Brakes	1	
206.	Park Brake In Rear Wheels	1	
207.	016-1C2 - Freightliner Vertical Exhaust (Right-Horizontal-Under Cab-Vertical)	1	
208.	Freightliner - Clear Area Around Allison PTO Openings (362-1Y0) and (363-011)	1	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
209.	Freightliner - Clear Frame Rails From Back Of Cab To Front Rear Suspension Bracket (607-001)	1	
210.	Freightliner PTO Throttle Wiring for Automatic Transmission (163-004) (148-074) (87L-003)	1	
211.	Freightliner Transmission Dipstick Relocated to RH Side of Transmission (346-013)	1	
212.	Freightliner/Allison Body Builder Connection (34C-001)	1	
213.	Freightliner DEF Pump Mounting (23Y-001)	1	
214.	No Prewire Chassis	1	
215.	No Idle Engine Shut-Down Required	1	
216.	50-State Emissions	1	
217.	Clean Idle Certification	1	
218.	204-215 Freightliner 50 Gallon Fuel Tank (Left Hand Under Cab)	1	
219.	23U-001, 43X-002 Freightliner 6 Gallon DEF Tank (Under Cab Left Hand)	1	
220.	Front Frame Extensions	1	
221.	2 Chassis Batteries	1	
222.	2100 CCA Minimum	1	
223.	Battery Under Cab Left Hand	1	
224.	Air Horn Under Cab	1	
225.	AM/FM Radio	1	
226.	Trailer Air Brake Package	1	
227.	Air Ride Drivers Seat	1	
228.	Air Ride Passenger Seat	1	
<u>Additional Pricing</u>			
229.	Standard Altec Warranty: One (1) year parts warranty, one (1) year labor warranty, ninety (90) days warranty for travel charges, limited lifetime structural warranty	1	

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
230.	Federal Excise Tax Item: If provided, Quote subtotal is an Estimate only. Final determined at invoicing.	1	

Miscellaneous

231.	THE FOLLOWING OPTION IS NOT INCLUDED IN THE QUOTE OR QUOTE PRICE, BUT IS RECOMMENDED. TALK TO YOUR OUTSIDE SALES REPRESENTATIVE FOR ADDITIONAL DETAILS: Complete Derrick OSHA Compliance (D.O.C.) Package: Includes Anti-Two Block Device & Load Moment Limiter.	1	
------	--	---	--

Unit / Body Total	181,878.00
Chassis Total	84,530.00
Total	266,408.00

Altec Industries, Inc.

BY Stephanie Lowe

Notes:

1 Altec takes pride in offering solutions that provide a safer work environment for our customers. In an effort to focus on safety, we would encourage you to consider the following items:

- Outrigger pads (When Applicable)
- Fall Protection System
- Fire extinguisher/DOT kit
- Platform Liner (When Applicable)
- Altec Sentry Training
- Wheel Chocks

The aforementioned equipment can be offered in our new equipment quotations. If you find that any of these items have not been listed as priced options in the body of your quotation and are required by your company, we would encourage you to contact your Altec Account Manager and have an updated quotation developed for you. These options must be listed as individual options in the body of the quotation for them to be supplied by Altec.

2 Altec Standard Warranty:

One (1) year parts warranty.

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

One (1) year labor warranty.

Ninety (90) days warranty for travel charges.

Warranty on structural integrity of the following major components is to be warranted for so long as the initial purchaser owns the product: Booms, boom articulation links, hydraulic cylinder structures, outrigger weldments, pedestals, subbases and turntables.

Altec is to supply a self-directed, computer based training (CBT) program. This program will provide basic instruction in the safe operation of this aerial device. This program will also include and explain ANSI and OSHA requirements related to the proper use and operation of this unit.

Altec offers its standard limited warranty with the Altec supplied components which make up the Altec Unit and its installation, but expressly disclaims any and all warranties, liabilities, and responsibilities, including any implied warranties of fitness for a particular purpose and merchantability, for any customer supplied parts

Altec designs and manufactures to applicable Federal Motor Vehicle Safety and DOT standards

3 Altec Extended Warranty Option:

Labor/Material/Expense for 1 Year. Price to be quoted

An Altec Extended Warranty is an extension of Altec's Limited Warranty, that protects you from the repair cost associated with defects of materials and workmanship beyond the first year of ownership.

A number of packages are available and can be quoted upon request.

4 Unless otherwise noted, all measurements used in this quote are based on a 40 inch (1016mm) chassis frame height and standard cab height for standard configurations.

5 F.O.B. - Customer Site

6 This vehicle is subject to 12% Federal Excise Tax (F.E.T.) on the price of the cab and chassis and on any applicable accessories.

7 Changes made to this order may affect whether or not this vehicle is subject to F.E.T. A review will be made at the time of invoicing and any applicable F.E.T. will be added to the invoice amount.

8 Price does not reflect any local, state or Federal Excise Taxes (F.E.T). The quote also does not reflect any local title or licensing fees. All appropriate taxes will be added to the final price in accordance with regulations in effect at time of invoicing.

9 Interest charge of 1/2% per month to be added for late payment.

10 Delivery: 330-360 days after receipt of order PROVIDING:
A. Order is received within 14 days from the date of the quote. If initial timeframe expires, please contact your Altec representative for an updated delivery commitment.
B. Chassis is received a minimum of sixty (60) days before scheduled delivery.
C. Customer approval drawings are returned by requested date.
D. Customer supplied accessories are received by date necessary for compliance with scheduled delivery.
E. Customer expectations are accurately captured prior to releasing the order. Unexpected additions or changes made at a customer inspection will delay the delivery of the vehicle.

We Wish To Thank You For Giving Us The Pleasure
And Opportunity of Serving You

Altec reserves the right to change suppliers in order to meet customer delivery requirements, unless specifically identified, by the customer, during the quote and or ordering process.

- 11 Trade-in offer is conditional upon equipment being maintained to DOT (Department of Transportation) operating and safety standards. This will include, but is not limited to tires, lights, brakes, glass, etc. All equipment, i.e., jibs, winches, pintle hooks, trailer connectors, etc., are to remain with unit unless otherwise agreed upon in writing by both parties. ALTEC Industries reserves the right to re-negotiate its trade-in offer if these conditions are not met.

All reasonable and necessary expenses required of ALTEC Industries to execute transportation of the trade-in will be invoiced to the customer for payment if these conditions are not met to maintain DOT standards.

Customer may exercise the option to rescind this agreement in writing within sixty (60) days after receipt of purchase order. After that time ALTEC Industries will expect receipt of trade-in vehicle upon delivery of new equipment as part of the terms of the purchase order unless other arrangements have been made.

- 12 This quotation is valid until FEB 13, 2017. After this date, please contact Altec Industries, Inc. for a possible extension.
- 13 After the initial warranty period, Altec Industries, Inc. offers mobile service units, in-shop service and same day parts shipments on most parts from service locations nationwide at an additional competitive labor and parts rate. Call 877-GO-ALTEC for all of your Parts and Service needs.
- 14 Please email Altec Capital at finance@altec.com or call 888-408-8148 for a lease quote today.
- 15 Please direct all questions to Andrew M Johnson at (248) 807-9127

VEHICLE /EQUIPMENT EVALUATION SUMMARY REPORT

UNIT #:	<u>529</u>	DEPARTMENT	<u>BAY CITY LIGHT &POWER</u>		
YEAR:	<u>2000</u>	MAKE:	<u>INTERNATIONAL</u>	MODEL:	<u>4900</u>
DESCRIPTION:	<u>COMMANDER 4047 POLE SETTING TRUCK</u>				

SUMMARY VALUES

AGE:	<u>17 YEARS</u>	AGE OVER BASE:	<u>7 YEARS</u>	POINTS:	<u>4</u>
MILEAGE:	<u>22,900 MILES</u>	MILES OVER BASE:	<u>-</u>	POINTS:	<u>1</u>

MAINTENANCE COST

PM COST:	<u>\$6,733.70</u>	REACTIVE PM COST:	<u>\$42,874.52</u>		
PURCHASE COST:	<u>\$101,250.00</u>	TOTAL M & R COST:	<u>\$49,608.22</u>	POINTS:	<u>4</u>

CONDITION VALUATION

BOOK VALUE:		ESTIMATED REPAIRS:	<u>\$25,250</u>	POINTS:	<u>4</u>
Total points (11 POINTS OR GREATER SUPPORT VEHICLE REPLACEMENT)				TOTAL PTS:	<u>13</u>

COMMENTS & CONSIDERATIONS:

#529 HAS 6,523 HOURS WHICH IS EQUIVALENT TO 163,075 OPERATION MILES. THIS UNIT WAS PURCHASED NEW AND PLACED INSERVICE ON 8/01/2000. THIS UNIT IS USED DAILY BY LIGHT DEPARTMENT AND IS A MAIN UNIT FOR EMERGENCY RESPONSE WITHIN

FLEET MANAGER'S RECOMMENDATIONS:

THIS EQUIPMENT IS IN NEED OF SOME VERY COSTLY REPAIRS: THE 3RD STAGE BOOM NEEDS TO BE REPLACED ALONG WITH THE HYDRAULIC PUMP. THIS UNIT HAS ALOT OF RUST INCLUDING HOLES IN THE TAIL BOARD AREA OF THE BED FLOOR.

MEMORANDUM

BAY CITY ELECTRIC LIGHT & POWER
900 S. WATER STREET
BAY CITY, MI 48708



TO: Kurt Hausbeck, DPW Manager SSF
FROM: Todd Denham, Interim Superintendent
DATE: Tuesday, January 31, 2017
RE: 529 Replacement

As you review the specifications for the replacement of 529, you will note some changes from the previous vehicle. After years of use and changes in utility construction standards, we have opted to spec out a vehicle that would allow our crews to be more productive and also to conserve resources rather than request an exact duplicate.

- Bins on the new vehicle have been removed and replaced with a flatbed, this will result in a cost saving measure. This area will be much more suitable for transporting transformers and other large items to job sites. Due to the increased size of underground transformers required for larger developments, being able to transport them on the truck itself will save on resources and allow crews to install equipment in areas that may not be suitable for a trailer.
- Lifting capacity has also been increased. This will allow crews to set larger transformers with one vehicle instead of two and reduce the need for outside assistance.

Should you have any questions or concerns, please let me know.

STATE OF MICHIGAN
 DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET
 PROCUREMENT

525 W. ALLEGAN STREET
 LANSING, MI 48933

P.O. BOX 30026
 LANSING, MI 48909

CHANGE NOTICE NO. 3
 to
 CONTRACT NO. 071B2200264
 between
 THE STATE OF MICHIGAN
 and

NAME & ADDRESS OF CONTRACTOR	PRIMARY CONTACT	EMAIL
Altec Industries Inc 5201 West 84th Street Indianapolis IN, 46268	Andy Johnson	andy.johnson@altec.com
	PHONE	CONTRACTOR'S TAX ID NO. (LAST FOUR DIGITS ONLY)
	(248) 807-9127	*****2926

STATE CONTACTS	AGENCY	NAME	PHONE	EMAIL
PROGRAM MANAGER / CCI	MDOT	Dan Smith	517-334-7767	smithd4@Michigan.gov
CONTRACT ADMINISTRATOR	DTMB	Yvon Dufour	(517) 284-6996	dufourey@michigan.gov

CONTRACT SUMMARY			
DESCRIPTION: Aerial Towers & Accessories			
INITIAL EFFECTIVE DATE	INITIAL EXPIRATION DATE	INITIAL AVAILABLE OPTIONS	EXPIRATION DATE BEFORE CHANGE(S) NOTED BELOW
July 1, 2012	June 30, 2015	2 - 1 Year	June 30, 2016
PAYMENT TERMS		DELIVERY TIMEFRAME	
Net 45			
ALTERNATE PAYMENT OPTIONS			EXTENDED PURCHASING
<input type="checkbox"/> P-card <input type="checkbox"/> Direct Voucher (DV) <input type="checkbox"/> Other			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MINIMUM DELIVERY REQUIREMENTS			

DESCRIPTION OF CHANGE NOTICE				
EXERCISE OPTION?	LENGTH OF OPTION	EXERCISE EXTENSION?	LENGTH OF EXTENSION	REVISED EXP. DATE
<input checked="" type="checkbox"/>	1 Year	<input type="checkbox"/>		June 30, 2017
CURRENT VALUE		VALUE OF CHANGE NOTICE	ESTIMATED AGGREGATE CONTRACT VALUE	
align="center">\$3,000,000.00		\$ 0.00	align="center">\$3,000,000.00	
DESCRIPTION: Effective April 5th, 2016, the second option year available on this contract is hereby exercised. The revised contract expiration date is June 30, 2017. All other terms, conditions, specifications and pricing remain the same. Per agency request, and DTMB Procurement approval.				

Subject: Vehicle Replacement of units #91 and #95.
Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscot Director of Public Works: William J.Bohlen DPW Manager, SSF: Kurt A. Hausbeck
Prepared By: DPW Coordinator: Robert J.Harrison

PERTINENT FACTS:

The City of Bay City Building Code Enforcement Department performs inspections of buildings, city businesses, property and other building enforcement needs throughout the city. This Department currently has four (4) vehicles for staff to use for these inspections. Two of these vehicles are scheduled and budgeted for replacement this fiscal year.

The first car #91, is a 2004 Dodge Neon car with 72,413 miles. The second car #95, is a 2003 Pontiac Grand Prix with 92,970 miles. The 2003 Grand Prix was reassigned last year when the original unit #95, a 2001 Impala (which was an old Police vehicle) had a major engine failure with 128,890 miles and was not worth repairing. Both vehicles have met and exceeded their normal life span. They scored a 12 and 13 respectively, out of 15 points on the vehicle evaluation supporting their replacement. The bodies are becoming very rusty and do not warrant repairs due to their age and condition.

City staff recommends replacement of the current unit #91 and #95 with two (2), 2017 Chevrolet Impalas from Berger Chevrolet Inc., Grand Rapids, MI. The City of Bay City participates in and is able to take advantage of pricing contracted through the State of Michigan Extended Purchasing Program (MiDEAL) with Berger Chevrolet. A 2017 Chevrolet Impala is \$20,989.00 for a total of \$41,978.00.

LEGAL ISSUES:

The standard purchase order previously approved by City Attorney will be used for this transaction .

TIME SENSITIVITY:

Routine

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

\$40,000 was budgeted for the replacement of these vehicles in the FYE 16 budget, the additional cost of \$1,978 over the budgeted amount is available in this account from unused funds from other purchases. Funds of \$41,978.00 are available in account 661-2702-98100, Motor Equipment Revolving Fund (MERF) with a balance \$893,722.00.

CITY GOALS:

RECOMMENDED ACTION:

*City Manager recommending purchase of two 2017 Chevrolet Impalas from Berger Chevrolet, Grand Rapids, MI, through the State of Michigan Extended Purchasing Program, in the total amount of \$41,978.

RECOMMENDATION: Approve.

ATTACHMENTS:

Description

Upload Date

Type

berger quote	2/13/2017	Backup Material
mideal contract	2/13/2017	Backup Material
Vehicle Evaluation #91	2/15/2017	Cover Memo
Vehicle Evaluation #95	2/15/2017	Cover Memo

BID PER ENCLOSED SPECIFICATIONS

Cost per vehicle \$ \$20,989.00

Number of units 1

Total Bid Amount \$ \$20,989.00

Vehicle Description:

Year 2017

Make Chevrolet

Model Impala

Vendor:

Berger Chevrolet Inc.

Address 2525 28th Street S.E.

Grand Rapids, MI 49512

Phone (616) 949-5200

Fax (616) 988-9178

Signature



Printed Signature Robert M. Evans

Date 2/7/2017

Bid Prepared For :

City of Bay City

Price includes title fee and delivery.

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Impala 4dr Sdn LS w/1FL 1GX69

SELECTED MODEL & OPTIONS

SELECTED MODEL - 2017 Fleet/Non-Retail 1GX69 4dr Sdn LS w/1FL

<u>Code</u>	<u>Description</u>
1GX69	2017 Chevrolet Impala 4dr Sdn LS w/1FL

SELECTED VEHICLE COLORS - 2017 Fleet/Non-Retail 1GX69 4dr Sdn LS w/1FL

<u>Code</u>	<u>Description</u>
-	Interior: Jet Black/Dark Titanium
-	Exterior 1: Silver Ice Metallic
-	Exterior 2: No color has been selected.

SELECTED OPTIONS - 2017 Fleet/Non-Retail 1GX69 4dr Sdn LS w/1FL

<u>Code</u>	<u>Description</u>
FE9	EMISSIONS, FEDERAL REQUIREMENTS
LFX	ENGINE, 3.6L DOHC V6 DI WITH VARIABLE VALVE TIMING (VVT) (305 hp [227.4 kW] @ 6800 rpm, 264 lb-ft of torque [356.4 N-m] @ 5200 rpm) (Includes E85 FlexFuel-capable with (FE9) Federal emissions. When ordering (NE1/YF5) Northeast/California emissions for E85 include (NC7) Federal emissions override for Fleet or Government order types only.)
M7W	TRANSMISSION, 6-SPEED AUTOMATIC, ELECTRONICALLY-CONTROLLED WITH OVERDRIVE (Included and only available with (LFX) 3.6L V6 engine.)
D70	AXLE, 2.77 FINAL DRIVE RATIO (Included and only available with (LFX) 3.6L V6 engine.)
1FL	LS PREFERRED EQUIPMENT GROUP includes Standard Equipment (Fleet or Government order types only.)
GAN	SILVER ICE METALLIC
—	STANDARD PAINT
A51	SEATS, FRONT BUCKET (STD)

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Impala 4dr Sdn LS w/1FL 1GX69

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2017 Fleet/Non-Retail 1GX69 4dr Sdn LS w/1FL

<u>Code</u>	<u>Description</u>
H0Z	JET BLACK/DARK TITANIUM, PREMIUM CLOTH SEAT TRIM
IO3	AUDIO SYSTEM, AM/FM STEREO AND AUXILIARY INPUT JACK (STD)
T67	BATTERY, 70AH, MAINTENANCE FREE WITH RUNDOWN PROTECTION, HEAVY-DUTY 512 COLD-CRANKING AMPS (Included and only available with (LFX) 3.6L V6 engine.)
NWT	EXHAUST, DUAL STAINLESS-STEEL WITH HIDDEN, TURNED-DOWN TIPS (Included and only available with (LFX) 3.6L V6 engine.)
C67	AIR CONDITIONING, SINGLE-ZONE ELECTRONIC (Included and only available with (LFX) 3.6L V6 engine.) *No Longer Factory Orderable, See Dealer for Current Availability*

OPTIONS TOTAL

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

February 07, 2017 1:39:11 PM

Page 2

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Impala 4dr Sdn LS w/1FL 1GX69

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail 1GX69 4dr Sdn LS w/1FL

ENTERTAINMENT

- Audio system, AM/FM stereo and auxiliary input jack
- Audio system feature, 6-speaker system 100-watt
- Audio system feature, 4.2" diagonal color infotainment display
- Audio system feature, USB port, 1, located in center console
- SiriusXM Satellite Radio enjoy a 3-month trial (IMPORTANT: The SiriusXM Satellite Radio trial package is not provided on vehicles that are ordered for Fleet Daily Rental ("FDR") use. If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates. Fees and taxes apply. To cancel you must call us at 1-866-635-2349. See our Customer Agreement for complete terms at www.siriusxm.com. All fees and programming subject to change.)
- Bluetooth for phone, personal cell phone connectivity to vehicle audio system
- Steering wheel controls, mounted audio and cruise controls

EXTERIOR

- Wheels, 18" (45.7 cm) steel with fascia-spoke wheel covers
- Tires, P235/50R18 all-season, blackwall
- Wheel, compact spare, 17" (43.2 cm) steel
- Tire, compact spare, T125/70R17
- Headlamps, halogen
- Headlamp control, automatic on and off
- Glass, acoustic, laminated front-side and windshield
- Mirrors, outside power-adjustable body-color, manual-folding with Black mirror caps
- Wipers, front intermittent
- Door handles, body-color

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

February 07, 2017 1:39:17 PM

Page 1

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Impala 4dr Sdn LS w/1FL 1GX69

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail 1GX69 4dr Sdn LS w/1FL

INTERIOR

- Seats, front bucket
- Seat trim, premium cloth
- Seat adjuster, driver 8-way power
- Seat adjuster, front passenger, 4-way manual
- Seat adjuster, driver power lumbar
- Head restraints, 2-way adjustable (up/down), front
- Seat, rear 60/40 split-folding
- Head restraints, rear, 2-way adjustable
- Console, floor with storage compartment, without cover
- Armrest, rear center
- Floor mats, carpeted front
- Floor mats, carpeted rear
- Steering column, manual tilt and telescopic
- Instrumentation, analog with speedometer, tachometer, engine temperature and fuel gauge with color Driver Information Center
- Driver Information Center, color display includes trip/fuel information, vehicle information and vehicle messages
- Window, power with driver Express-Up and Down
- Windows, power with Express-Down on all
- Brake, park, electronic push button powered located on instrument panel left of steering wheel
- Remote Keyless Entry includes panic alarm button
- Cruise control, electronic with set and resume speed
- Trunk release, power located inside on instrument panel left of steering wheel
- Theft-deterrent system
- Air conditioning, single-zone electronic

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Impala 4dr Sdn LS w/1FL 1GX69

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail 1GX69 4dr Sdn LS w/1FL

- Defogger, rear-window
- Power outlet, 1, auxiliary, 12-volt located inside console
- Power outlet, auxiliary, 12-volt located on rear of console
- Map pockets, driver and front passenger seatbacks
- Mirror, inside rearview manual day/night
- Visors, driver and front passenger illuminated vanity mirrors
- Assist handles, driver, front passenger and rear outboard
- Lighting, interior with theater dimming, delayed entry/exit, glovebox and trunk

MECHANICAL

- Engine, ECOTEC 2.5L DOHC 4-cylinder DI with Variable Valve Timing (VVT) and auto stop/start (197 hp [147 kW] @ 6300 rpm, 191 lb-ft of torque [258 N-m] @ 4400 rpm)
- Transmission, 6-speed automatic (Included and only available with (LCV) 2.5L engine.)
- Axle, 3.23 final drive ratio (Included and only available with (LCV) 2.5L engine.)
- Engine control, stop-start system (Included and only available with (LCV) 2.5L engine.)
- Hill Start Assist
- Front wheel drive
- Battery, 800 cold-cranking amps (Included and only available with (LCV) 2.5L engine.)
- Alternator, 150 amps
- Chassis equipment, front strut assembly
- Suspension, rear 4-link
- Steering, power, variable assist, electric
- Brakes, 4-wheel antilock, 4-wheel disc
- Brake lining, high-performance, noise and dust performance with FNC rotors
- Exhaust, single-outlet stainless-steel with hidden, turned-down tip (Included and only available with (LCV) 2.5L engine.)

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

February 07, 2017 1:39:17 PM

Page 3

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevens@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Impala 4dr Sdn LS w/1FL 1GX69

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail 1GX69 4dr Sdn LS w/1FL

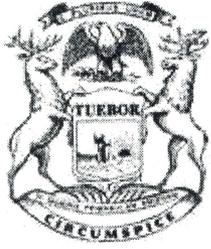
SAFETY

- OnStar with 4G LTE and built-in Wi-Fi hotspot to connect to the internet at 4G LTE speeds includes 3GB or 3 months OnStar Data Trial (whichever comes first) (Visit www.onstar.com for coverage map, details and system limitations. Services vary by model. OnStar acts as a link to existing emergency service providers. Not all vehicles may transmit all crash data. Available Wi-Fi requires compatible mobile device, active OnStar service and data plan. Data plans provided by AT&T.)
- Brake Assist, panic
- Brake control, cornering
- StabiliTrak, stability control system
- Traction control
- Daytime Running Lamps, integrated into headlamps
- Air bags, 10 total, frontal and knee for driver and front passenger, side-impact seat-mounted and roof rail for front and rear outboard seating positions includes Passenger Sensing System (Always use safety belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)
- OnStar Guidance plan for 3 months, including Automatic Crash Response, Stolen Vehicle Assistance, Roadside Assistance, Turn-by-Turn Navigation, Advanced Diagnostics and more (trial excludes Hands-Free Calling) for 6 months, including Automatic Crash Response, Stolen Vehicle Assistance, Roadside Assistance, Turn-by-Turn Navigation, Advanced Diagnostics and more (trial excludes Hands-Free Calling) (Visit www.onstar.com for coverage map, details and system limitations. Services vary by model. OnStar acts as a link to existing emergency service providers. Not all vehicles may transmit all crash data.)
- OnStar Basic Plan for 5 years includes limited vehicle mobile app features, Monthly Diagnostics Report and Dealer Maintenance Notification (Basic Plan available for 5 years from the date of vehicle delivery, and is transferable. Does not include Emergency, Security or Navigation services.)
- Safety belts, 3-point, all positions
- Safety belt pretensioners, driver and front passenger
- Door and window locks, rear child security, power
- LATCH system (Lower Anchors and Top tethers for CHildren) for child safety seats
- Tool kit, road emergency

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:



**STATE OF MICHIGAN
ENTERPRISE PROCUREMENT**

Department of Technology, Management, and Budget
525 W. ALLEGAN ST., LANSING, MICHIGAN 48913 P.O. BOX
30026 LANSING, MICHIGAN 48909

CONTRACT CHANGE NOTICE

Change Notice Number 9
to
Contract Number 071B1300016

CONTRACTOR	BERGER CHEVROLET	STATE Program Manager	Scott Poyer	MULTI
	2525 28th. Street S. E.		517-284-6448	
	Grand Rapids, MI 49506		poyers@Michigan.gov	
	Bob Evans	STATE Contract Administrator	Yvon Dufour	DTMB
	616-575-9629		(517) 284-6996	
	bevans@bergerchevy.com		dufoury@michigan.gov	
*****4197				

CONTRACT SUMMARY				
VEHICLES - MDOT				
INITIAL EFFECTIVE DATE	INITIAL EXPIRATION DATE	INITIAL AVAILABLE OPTIONS	EXPIRATION DATE BEFORE	
October 1, 2010	September 30, 2015	2 - 1 Year	September 30, 2017	
PAYMENT TERMS		DELIVERY TIMEFRAME		
ALTERNATE PAYMENT OPTIONS			EXTENDED PURCHASING	
<input type="checkbox"/> P-Card	<input type="checkbox"/> Direct Voucher (DV)	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
MINIMUM DELIVERY REQUIREMENTS				
DESCRIPTION OF CHANGE NOTICE				
OPTION	LENGTH OF OPTION	EXTENSION	LENGTH OF EXTENSION	REVISED EXP. DATE
<input type="checkbox"/>		<input type="checkbox"/>		September 30, 2017
CURRENT VALUE	VALUE OF CHANGE NOTICE	ESTIMATED AGGREGATE CONTRACT VALUE		
\$1,023,344.68	\$0.00	\$1,023,344.68		
DESCRIPTION				

VEHICLE /EQUIPMENT EVALUATION SUMMARY REPORT

UNIT #:	<u>91</u>	DEPARTMENT	<u>BUILDING CODE</u>		
YEAR:	<u>2004</u>	MAKE:	<u>DODGE</u>	MODEL:	<u>NEON SE</u>
DESCRIPTION:	<u>BUILDING CODE ENFORCEMENT USE DAILY</u>				

SUMMARY VALUES

AGE:	<u>13 YEARS</u>	AGE OVER BASE:	<u>4 YEARS</u>	POINTS:	<u>3</u>
MILEAGE:	<u>72,413 MILES</u>	MILES OVER BASE:	<u>-</u>	POINTS:	<u>1</u>

MAINTENANCE COST

PM COST:	<u>\$389.35</u>	REACTIVE PM COST:	<u>\$7,985.00</u>		
PURCHASE COST:	<u>\$11,764.00</u>	TOTAL M & R COST:	<u>\$8,374.35</u>	POINTS:	<u>4</u>

CONDITION VALUATION

BOOK VALUE:		ESTIMATED REPAIRS:		POINTS:	<u>4</u>
Total points (11 POINTS OR GREATER SUPPORT VEHICLE REPLACEMENT)				TOTAL PTS:	<u>12</u>

COMMENTS & CONSIDERATIONS:

THIS CAR WAS PUT IN SERVICE NEW ON 12/23/03 AND USED DAILY BY BUILDING CODE ENFORCEMENT.

FLEET MANAGER'S RECOMMENDATIONS:

THIS EQUIPMENT SHOULD BE REPLACED BEFORE MAJOR REPAIRS ARE NEEDED AND WILL PUT THIS UNIT OUT OF SERVICE . THIS CAR WILL REQUIRE SOME BODY WORK AS THE ROCK PANELS ARE RUSTED OUT ON BOTH SIDES OF THIS CAR.

VEHICLE /EQUIPMENT EVALUATION SUMMARY REPORT

UNIT #:	<u>95</u>	DEPARTMENT	<u>BUILDING CODE</u>		
YEAR:	<u>2003</u>	MAKE:	<u>PONTIAC</u>	MODEL:	<u>GRAND PRIX</u>
DESCRIPTION:	<u>BUILDING CODE ENFORCEMENT USE DAILY</u>				

SUMMARY VALUES

AGE:	<u>14 YEARS</u>	AGE OVER BASE:	<u>5 YEARS</u>	POINTS:	<u>4</u>
MILEAGE:	<u>92,970 MILES</u>	MILES OVER BASE:	<u>-</u>	POINTS:	<u>1</u>

MAINTENANCE COST

PM COST:	<u>\$415.00</u>	REACTIVE PM COST:	<u>\$8,321.00</u>		
PURCHASE COST:	<u>\$11,000.00</u>	TOTAL M & R COST:	<u>\$8,736.00</u>	POINTS:	<u>4</u>

CONDITION VALUATION

BOOK VALUE:		ESTIMATED REPAIRS:	<u>\$3,600</u>	POINTS:	<u>4</u>
Total points (11 POINTS OR GREATER SUPPORT VEHICLE REPLACEMENT				TOTAL PTS:	<u>13</u>

COMMENTS & CONSIDERATIONS:

THIS CAR WAS PURCHASED USED AND PLACED INSERVICE AS A DETECTVE UNIT ON 04/08/16. THIS UNIT WAS REASSIGNED TO CODE ENFOREMENT IN APRIL OF 2016 TO REPLACE A 2001 IMPALA THAT HAD A MAJOR ENGINE FAILURE.

FLEET MANAGER'S RECOMMENDATIONS:

THIS EQUIPMENT SHOULD BE REPLACED BEFORE MAJOR REPAIRS ARE NEEDED THAT WILL PLACE THIS UNIT OUT OF SERVICE . THIS CAR WILL REQUIRE SOME BODY WORK TO THE ROCKER PANELS ON BOTH SIDE OF THE VEHICLE AT A COST OF \$3600.

Subject: Replacement of City unit #507 and #737.

Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott Director of Public Works: William J. Bohlen DPW Manager, SSF: Kurt A. Hausbeck

Prepared By: DPW Coordinator: Robert J. Harrison

PERTINENT FACTS:

The Water Division utilizes a combination of half ton and three quarter ton vehicles in the maintenance, repair and replacement of water lines throughout the City. The Water Division also utilizes these vehicles to assist with the flushing of hydrants, meter replacements and field service requests.

Unit #737, a 2003 Chevrolet Van, was placed in service in 2003 to the Water Division. Replacing this unit with a full size van would allow the installation of a laptop, shelving and a crib to have all of the necessary tools to provide the best customer service available in the field.

Unit #737 has exceeded its normal life expectancy, typically 8-10 years under normal use. This vehicle has 139,843 miles and has \$20,525 in maintenance and repairs, it scored a 15 out of 15 on the vehicle evaluation which supports its replacement.

The City of Bay City Electric Department has a light duty van within their fleet. Crews use this vehicle to haul supplies and tools in the field. It is fitted with a laptop computer that is necessary for the installation of new meters and the work orders with meter repairs.

Unit #507 is a 2005 Chevrolet van placed in-service in 2005. Replacing this unit with the same type and size of vehicle will allow the installation of a laptop, shelving for all necessary tools and supplies for their field work.

Unit #507 has exceeded its normal life expectancy, which is typically 8-10 years under normal use. This vehicle has 149,738 miles and has been in for repairs more frequently for repairs, it scored a 15 out of 15 on the vehicle evaluation which supports its replacement.

City staff recommends the replacement of unit #507 and #737 with two (2), 2017 Chevrolet Express 2500 Cargo Vans from Berger Chevrolet Inc. Grand Rapids, MI for a total of \$46,086. The replacement for #507 is \$23,297.00 and #737 price \$22,789.00 (the cost of #507 is \$508 for the special color option to stay consistent with the Electric Department's current vehicle fleet). The City of Bay City participates in and is able to take advantage of pricing contracted through the State of Michigan Extended Purchasing Program (MiDEAL) with Berger Chevrolet of Grand Rapids, MI.

LEGAL ISSUES:

The standard purchase order previously approved by City Attorney will be used for this transaction.

TIME SENSITIVITY:

Routine

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

\$81,348 was budgeted in the current FY17 budget for the replacement of unit #507 and #737. Purchase price through the State of Michigan Extended Purchasing Program (MiDEAL) for two (2), 2017 Chevrolet Express 2500 Cargo Vans from Berger Chevrolet Inc., Grand Rapids, MI is a total of \$46,086 (\$23,297 for #507 and \$22,789 for #737).

Total funds of \$46,086 is available in the Motor Equipment Revolving Fund, Vehicle Maintenance, Vehicles; account #661-2702-98100 with a balance of \$893,722.

CITY GOALS:

RECOMMENDED ACTION:

*City Manager recommending purchase of two 2017 Chevrolet Express 2500 Cargo Vans from Berger Chevrolet, Grand Rapids, MI, through the State of Michigan Extended Purchasing Program, in the total amount of \$46,086.

RECOMMENDATION: Approve.

ATTACHMENTS:

Description	Upload Date	Type
quote 507	2/14/2017	Backup Material
Vehicle Evaluation #507	2/15/2017	Backup Material
quote 737	2/14/2017	Backup Material
Vehicle Evaluation #737	2/15/2017	Backup Material
contract	2/14/2017	Backup Material

BID PER ENCLOSED SPECIFICATIONS

Cost per vehicle \$23,297.00

Number of units 1

Total Bid Amount \$23,297.00

Vehicle Description:

Year 2017

Make Chevrolet

Model Express 2500
Dark Blue
Cargo van

Vendor:

Berger Chevrolet Inc.

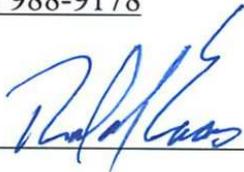
Address 2525 28th Street S.E.

Grand Rapids, MI 49512

Phone (616) 949-5200

Fax (616) 988-9178

Signature



Printed Signature Robert M. Evans

Date 2/14/2017

Bid Prepared For :

City of Bay City

Price includes title fee and delivery

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Express Cargo Van RWD 2500 135" CG23

SELECTED MODEL & OPTIONS

SELECTED MODEL - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
CG23405	2017 Chevrolet Express Cargo Van RWD 2500 135"

SELECTED VEHICLE COLORS - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
-	Interior: Medium Pewter
-	Exterior 1: Special Paint
-	Exterior 2: No color has been selected.

SELECTED OPTIONS - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
ZW9	BODY, STANDARD (STD)
FE9	EMISSIONS, FEDERAL REQUIREMENTS
L20	ENGINE, VORTEC 4.8L V8 SFI (285 hp [212.5 kW] @ 5400 rpm, 295 lb-ft of torque [398.3 N-m] @ 4600 rpm) (STD) (Includes external engine oil cooler. Reference the Engine/Axle page for availability.)
MYD	TRANSMISSION, 6-SPEED AUTOMATIC, HEAVY-DUTY, ELECTRONICALLY CONTROLLED with overdrive tow/haul mode and internal transmission oil cooler (STD) (Reference the Engine/Axle page for availability.)
GU6	REAR AXLE, 3.42 RATIO (Reference the Engine/Axle page for availability.)
E24	DOOR, SWING-OUT PASSENGER-SIDE, 60/40 SPLIT (STD)
1WT	2500 VAN PREFERRED EQUIPMENT GROUP includes Standard Equipment
ZLP	TIRE, SPARE LT245/75R16E ALL-SEASON, BLACKWALL located at rear underbody of vehicle (STD)

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Express Cargo Van RWD 2500 135" CG23

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
AR7	SEATS, FRONT BUCKET WITH VINYL TRIM and outboard head restraints, includes inboard armrests. (STD) (Requires (**W) interior trim. Includes (DAA) driver and front passenger vinyl visors.)
93W	MEDIUM PEWTER, VINYL SEAT TRIM
ZX2	SEATING ARRANGEMENT, DRIVER AND FRONT PASSENGER HIGH-BACK BUCKETS with head restraints and vinyl or cloth trim (STD) (Not available with (AJ3) driver-side only frontal air bag.)
C60	AIR CONDITIONING, SINGLE-ZONE MANUAL (STD)
U0F	AUDIO SYSTEM, AM/FM STEREO WITH MP3 PLAYER seek-and-scan, digital clock, TheftLock, random select, auxiliary jack and 2 front door speakers (STD) (Not available with (U2K) SiriusXM Satellite Radio or (5BV) Upfitter electrical provisions.)
ZQ3	CONVENIENCE PACKAGE, TILT-WHEEL AND (K34) CRUISE CONTROL (Required with (5BV) Upfitter electrical provisions. Included with (PCH) Hotel Shuttle Package.)
G80	DIFFERENTIAL, HEAVY-DUTY LOCKING REAR
UA1	BATTERY, HEAVY-DUTY 770 COLD-CRANKING AMPS, MAINTENANCE-FREE with rundown protection and retained accessory power (Included with (Y3H) Paratransit Package. Not available with (LWN) 2.8L Duramax Turbo Diesel engine.)
Z82	TRAILERING EQUIPMENT, HEAVY-DUTY 4-pin/7-pin sealed connector (Includes (UY7) trailering provisions, trailering wire harness only.)
UY7	TRAILERING PROVISIONS, TRAILERING WIRE HARNESS ONLY (Included with (Z82) heavy-duty trailering equipment.)
A12	GLASS, FIXED REAR DOORS WINDOWS (Included and only available when (ZW*) is ordered.)

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

February 14, 2017 12:48:38 PM

Page 2

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Express Cargo Van RWD 2500 135" CG23

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
A13	GLASS, FIXED REAR SIDE DOOR AND REAR DOOR WINDOW (Requires (ZW3) rear doors and side cargo door fixed glass, (ZW4) rear doors, side cargo door and rear passenger-side quarter fixed glass, (ZW6) full body window package fixed glass or SEO (ZW1) right side cargo door fixed glass. Not available with (5BV) Upfitter electrical provisions, (AJ1) Glass, Solar-Ray deep tinted, (PCH) Hotel Shuttle Package or (Y3H) Paratransit Package.)
ZW3	GLASS, FIXED REAR DOORS AND SIDE CARGO DOORS (May upgrade fixed glass to swing-out glass, see (A18) rear cargo door windows swing-out glass. Upgrade requires (A19) rear side door and rear door window swing-out glass. Included with (PCH) Hotel Shuttle Package.)
K34	CRUISE CONTROL (Required with (UF3) high idle switch. Included with (ZQ3) Convenience Package.)
DRJ	MIRROR, INSIDE REARVIEW includes Rear Vision Camera display (Requires (UVC) Rear Vision Camera. Not available with (UI8) Chevrolet MyLink radio with Navigation.)
DAA	VISORS, DRIVER AND FRONT PASSENGER vinyl in lieu of standard cloth (Included with (AR7) front bucket seats with vinyl trim and (Y3H) Paratransit Package.)
UVC	REAR VISION CAMERA display integrated into rearview mirror (Display included with (DRJ) inside rearview mirror. Display integrated into navigation screen when (UI8) Chevrolet MyLink radio with navigation is ordered.)
R9Y	FLEET FREE MAINTENANCE CREDIT. This option code provides a credit in lieu of the free oil changes, tire rotations and inspections (2 maximum), during the first 24 months and 24,000 miles period for this ordered vehicle. The invoice will detail the applicable credit. The customer will be responsible for all oil change, tire rotations and inspections costs for this vehicle. (Requires one of the following Fleet or Government order types: FBC, FBN, FCA, FCN, FLS, FNR, FRC or FGO. Not available with FDR order types.) *CREDIT*
01U	SPECIAL PAINT

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Express Cargo Van RWD 2500 135" CG23

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
TGK	SPECIAL PAINT, SOLID, ONE COLOR All normally body colored non-sheet metal parts will be flat Black (Required with any SEO paint selection. Not available with RPO (B46) rear body-colored halo trim. May require extra lead time and GM will require 5 orders before sending to the plant.)

OPTIONS TOTAL

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

February 14, 2017 12:48:38 PM

Page 4

VEHICLE /EQUIPMENT EVALUATION SUMMARY REPORT

UNIT #:	<u>507</u>	MENT	<u>Bay City Light and Power</u>		
YEAR:	<u>2005</u>	MAKE:	<u>Chevy</u>	MODEL:	<u>Express Van</u>
DESCRIPTION:	<u>Meter repair van</u>				

SUMMARY VALUES

AGE:	<u>10 yr</u>	AGE OVER BASE:	<u>5 yr</u>	POINTS:	<u>4</u>
MILEAGE:	<u>148,977 MILES</u>	MILES OVER BASE:	<u>48,977 MILES</u>	POINTS:	<u>3</u>

MAINTENANCE COST

PM COST:	<u>\$852.70</u>	REACTIVE PM COST:	<u>\$8,737.50</u>		
PURCHASE COST:	<u>\$14,632.00</u>	TOTAL M & R COST:	<u>\$9,590.20</u>	POINTS:	<u>4</u>

CONDITION VALUATION

BOOK VALUE:		ESTIMATED REPAIRS:		POINTS:	<u>4</u>
				TOTAL PTS:	<u>16</u>

Total Points (11 points or greater support vehicle replacement)

COMMENTS & CONSIDERATIONS:

This equipment is becoming very unreliable for staff for daily use. Cost of maintenance is increasing rapidly with the age and mileage of this unit.

FLEET MANAGER'S RECOMMENDATIONS:

Recommendation is to replace this equipment before major repairs are required.

BID PER ENCLOSED SPECIFICATIONS

Cost per vehicle \$22,789.00

Number of units 1

Total Bid Amount \$22,789.00

Vehicle Description:

Year 2017

Make Chevrolet

Model Express 2500

White

Cargo van

Vendor:

Berger Chevrolet Inc.

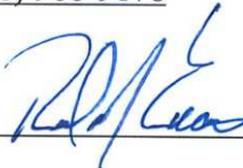
Address 2525 28th Street S.E.

Grand Rapids, MI 49512

Phone (616) 949-5200

Fax (616) 988-9178

Signature



Printed Signature Robert M. Evans

Date 2/14/2017

Bid Prepared For :

City of Bay City

Price includes title fee and delivery

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Express Cargo Van RWD 2500 135" CG23

SELECTED MODEL & OPTIONS

SELECTED MODEL - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
CG23405	2017 Chevrolet Express Cargo Van RWD 2500 135"

SELECTED VEHICLE COLORS - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
-	Interior: Medium Pewter
-	Exterior 1: Summit White
-	Exterior 2: No color has been selected.

SELECTED OPTIONS - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
ZW9	BODY, STANDARD (STD)
FE9	EMISSIONS, FEDERAL REQUIREMENTS
L20	ENGINE, VORTEC 4.8L V8 SFI (285 hp [212.5 kW] @ 5400 rpm, 295 lb-ft of torque [398.3 N-m] @ 4600 rpm) (STD) (Includes external engine oil cooler. Reference the Engine/Axle page for availability.)
MYD	TRANSMISSION, 6-SPEED AUTOMATIC, HEAVY-DUTY, ELECTRONICALLY CONTROLLED with overdrive tow/haul mode and internal transmission oil cooler (STD) (Reference the Engine/Axle page for availability.)
GU6	REAR AXLE, 3.42 RATIO (Reference the Engine/Axle page for availability.)
E24	DOOR, SWING-OUT PASSENGER-SIDE, 60/40 SPLIT (STD)
1WT	2500 VAN PREFERRED EQUIPMENT GROUP includes Standard Equipment
ZLP	TIRE, SPARE LT245/75R16E ALL-SEASON, BLACKWALL located at rear underbody of vehicle (STD)

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Express Cargo Van RWD 2500 135" CG23

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
ZY1	PAINT, SOLID
GAZ	SUMMIT WHITE
AR7	SEATS, FRONT BUCKET WITH VINYL TRIM and outboard head restraints, includes inboard armrests. (STD) (Requires (**W) interior trim. Includes (DAA) driver and front passenger vinyl visors.)
93W	MEDIUM PEWTER, VINYL SEAT TRIM
ZX2	SEATING ARRANGEMENT, DRIVER AND FRONT PASSENGER HIGH-BACK BUCKETS with head restraints and vinyl or cloth trim (STD) (Not available with (AJ3) driver-side only frontal air bag.)
C60	AIR CONDITIONING, SINGLE-ZONE MANUAL (STD)
U0F	AUDIO SYSTEM, AM/FM STEREO WITH MP3 PLAYER seek-and-scan, digital clock, TheftLock, random select, auxiliary jack and 2 front door speakers (STD) (Not available with (U2K) SiriusXM Satellite Radio or (5BV) Upfitter electrical provisions.)
ZQ3	CONVENIENCE PACKAGE, TILT-WHEEL AND (K34) CRUISE CONTROL (Required with (5BV) Upfitter electrical provisions. Included with (PCH) Hotel Shuttle Package.)
G80	DIFFERENTIAL, HEAVY-DUTY LOCKING REAR
UA1	BATTERY, HEAVY-DUTY 770 COLD-CRANKING AMPS, MAINTENANCE-FREE with rundown protection and retained accessory power (Included with (Y3H) Paratransit Package. Not available with (LWN) 2.8L Duramax Turbo Diesel engine.)
Z82	TRAILERING EQUIPMENT, HEAVY-DUTY 4-pin/7-pin sealed connector (Includes (UY7) trailering provisions, trailering wire harness only.)
UY7	TRAILERING PROVISIONS, TRAILERING WIRE HARNESS ONLY (Included with (Z82) heavy-duty trailering equipment.)
A12	GLASS, FIXED REAR DOORS WINDOWS (Included and only available when (ZW*) is ordered.)

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

Prepared For:
City of Bay City

Prepared By:
Robert Evans
Berger Chevrolet
2525 28th Street SE
Grand Rapids, MI 49512
Phone: (616) 575-9629
Fax: (616) 988-9178
Email: bevans@bergerchevy.com

2017 Fleet/Non-Retail Chevrolet Express Cargo Van RWD 2500 135" CG23

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2017 Fleet/Non-Retail CG23405 RWD 2500 135"

<u>Code</u>	<u>Description</u>
A13	GLASS, FIXED REAR SIDE DOOR AND REAR DOOR WINDOW (Requires (ZW3) rear doors and side cargo door fixed glass, (ZW4) rear doors, side cargo door and rear passenger-side quarter fixed glass, (ZW6) full body window package fixed glass or SEO (ZW1) right side cargo door fixed glass. Not available with (5BV) Upfitter electrical provisions, (AJ1) Glass, Solar-Ray deep tinted, (PCH) Hotel Shuttle Package or (Y3H) Paratransit Package.)
ZW3	GLASS, FIXED REAR DOORS AND SIDE CARGO DOORS (May upgrade fixed glass to swing-out glass, see (A18) rear cargo door windows swing-out glass. Upgrade requires (A19) rear side door and rear door window swing-out glass. Included with (PCH) Hotel Shuttle Package.)
K34	CRUISE CONTROL (Required with (UF3) high idle switch. Included with (ZQ3) Convenience Package.)
D31	MIRROR, INSIDE REARVIEW MANUAL DAY/NIGHT (Available with (UVC) Rear Vision Camera only when (UI8) Chevrolet MyLink radio with Navigation is ordered. Included with (A12) fixed rear doors window glass, (A18) swing-out rear cargo door window glass or (Y3H) Paratransit Package.)
DAA	VISORS, DRIVER AND FRONT PASSENGER vinyl in lieu of standard cloth (Included with (AR7) front bucket seats with vinyl trim and (Y3H) Paratransit Package.)
R9Y	FLEET FREE MAINTENANCE CREDIT. This option code provides a credit in lieu of the free oil changes, tire rotations and inspections (2 maximum), during the first 24 months and 24,000 miles period for this ordered vehicle. The invoice will detail the applicable credit. The customer will be responsible for all oil change, tire rotations and inspections costs for this vehicle. (Requires one of the following Fleet or Government order types: FBC, FBN, FCA, FCN, FLS, FNR, FRC or FGO. Not available with FDR order types.) *CREDIT*

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 472.0, Data updated 1/3/2017
©Copyright 1986-2005 Chrome Systems Corporation. All rights reserved.

Customer File:

VEHICLE /EQUIPMENT EVALUATION SUMMARY REPORT

UNIT #:	737	DEPARTMENT	WATER DEPARTMENT		
YEAR:	2003	MAKE:	CHEVROLET	MODEL:	2500 EXPRESS VAN
DESCRIPTION:	WATER DEPARTMENT FOR METER REPAIR OR REPLACEMENT				

SUMMARY VALUES

AGE:	14 YEARS	AGE OVER BASE:	6 YEARS	POINTS:	4
MILEAGE:	139,843 MILES	MILES OVER BASE:	39,843 MILES	POINTS:	3

MAINTENANCE COST

PM COST:	\$1,677.20	REACTIVE PM COST:	\$11,423.00		
PURCHASE COST:	\$15,963.00	TOTAL M & R COST:	\$13,100.20	POINTS:	4

CONDITION VALUATION

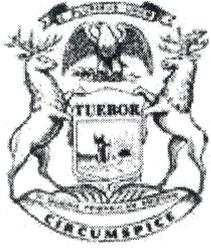
BOOK VALUE:		ESTIMATED REPAIRS:		POINTS:	4
Total points (11 POINTS OR GREATER SUPPORT VEHICLE REPLACEMENT)				TOTAL PTS:	16

COMMENTS & CONSIDERATIONS:

THIS EQUIPMENT IS BECOMING VERY UNRELIABLE AND IS VERY RUSTY. IT IS USED ON A REGULAR BASIS DURING NORMAL AND AFTER HOURS EMERGENCY CALLS.

FLEET MANAGER'S RECOMMENDATIONS:

THIS EQUIPMENT SHOULD BE REPLACED BEFORE MAJOR REPAIRS ARE NEEDED THAT WILL PLACE THIS UNIT OUT OF SERVICE . THIS VAN HAS ENGINE LIGHT ON AND NEEDS ENGINE WORK. THE BODY HAS RUST HOLES AND DOES NOT REPRESENT THE CITY'S IMAGE.



**STATE OF MICHIGAN
ENTERPRISE PROCUREMENT**

Department of Technology, Management, and Budget
525 W. ALLEGAN ST., LANSING, MICHIGAN 48913 P.O. BOX
30026 LANSING, MICHIGAN 48909

CONTRACT CHANGE NOTICE

Change Notice Number 9
to
Contract Number 071B1300016

CONTRACTOR	BERGER CHEVROLET	STATE Program Manager	Scott Poyer	MULTI
	2525 28th. Street S. E.		517-284-6448	
	Grand Rapids, MI 49506		poyers@Michigan.gov	
	Bob Evans	STATE Contract Administrator	Yvon Dufour	DTMB
	616-575-9629		(517) 284-6996	
	bevans@bergerchevy.com		dufoury@michigan.gov	
*****4197				

CONTRACT SUMMARY

VEHICLES - MDOT

INITIAL EFFECTIVE DATE	INITIAL EXPIRATION DATE	INITIAL AVAILABLE OPTIONS	EXPIRATION DATE BEFORE
October 1, 2010	September 30, 2015	2 - 1 Year	September 30, 2017

PAYMENT TERMS

DELIVERY TIMEFRAME

ALTERNATE PAYMENT OPTIONS

EXTENDED PURCHASING

P-Card Direct Voucher (DV) Other Yes No

MINIMUM DELIVERY REQUIREMENTS

DESCRIPTION OF CHANGE NOTICE

OPTION	LENGTH OF OPTION	EXTENSION	LENGTH OF EXTENSION	REVISED EXP. DATE
<input type="checkbox"/>		<input type="checkbox"/>		September 30, 2017

CURRENT VALUE

VALUE OF CHANGE NOTICE

ESTIMATED AGGREGATE CONTRACT VALUE

\$1,023,344.68

\$0.00

\$1,023,344.68

DESCRIPTION

Subject: FP Minutes 1/30/17

Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott

Prepared By:

PERTINENT FACTS:

LEGAL ISSUES:

TIME SENSITIVITY:

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

CITY GOALS:

RECOMMENDED ACTION:

*Minutes - Finance Policy Committee (1/30/17).

RECOMMENDATION: Approve.

ATTACHMENTS:

Description

FP Minutes 1.30.17

Upload Date

2/7/2017

Type

Cover Memo

CITY OF BAY CITY
CITY COMMISSION
FINANCE/POLICY COMMITTEE MEETING MINUTES
ANNUAL TOWN HALL
Monday, January 30, 2017

The Finance/Policy Committee met at City Hall, 301 Washington Avenue, Commission Chambers. The meeting was called to order by Commission President Larry Elliott at 6:07 PM.

Present: Commissioners Lynn Stamiris, David Terrasi, Andrew Niedzinski, Brentt Brunner, Jim Irving, John Davidson, Kerice Basmadjian, Ed Clements, Larry Elliot, 9.

Absent: None.

Others Present: City Manager Richard Finn, Deputy City Manager Dana Muscott, Mayor Kathleen Newsham, Public Safety Director Michael Cecchini, Public Works Director Bill Bohlen, Human Resource Director Mikki Manion, Assistant Director of Technology James Kilburn and Building Code Enforcement Officer Sue Coggin.

Welcome

Commission President Elliott welcomed everyone to the Town Hall meeting.

Employee of the Year

Human Resource Director Mikki Manion announced Ellenore Pringle, Senior Administrative Assistant, Public Safety Department, as Employee of the Year for 2016. Ellenore was unable to attend the meeting, a formal presentation will take place at the February 20, 2017, commission meeting.

City Website

Assistant Director of Technology James Kilburn gave a demonstration of the new website where he explained how to access information, and recent updates to the new city website.

Presentation of the Housing Improvement Strategy

City Manager Richard Finn outlined the city's 15-year plan to improve housing values and property conditions. Community Development Director Stephen King explained how the homes were scored in the housing study and the goals the city has for increasing that overall score.

Building Code Enforcement Officer Sue Coggin explained a proposed vacant property inspection program that will actively monitor neighborhoods for potential concerns. She also stated the city already has a rental licensure program, and the plan is to be more proactive and aggressive to bring unregistered rentals into compliance. One proposed incentive she would like to implement is a tiered license program where the landlords that are in compliance are rewarded with lower fees and fewer inspections.

Public Safety Director Michael Cecchini stated he is excited about this program and the Department of Public Safety is committed to working closely with the community development and code enforcement departments to enforce the new plans.

Public Works Director Bill Bohlen stated one of the biggest challenges is limited resources to allocate toward infrastructure improvements, and outlined the targeted improvement areas consistent with the housing study. He also mentioned the Pavement Surface and Evaluation Rating and the overall score of roads in the city is 3.1 out of a possible 9. Along with road issues there are sidewalk issues that need attention.

Public Comment

Forrest Robison, 1210 Hine Street, stated there are two blighted properties located at 1900 Broadway and 1300 Broadway that need to be remediated. Building Code Enforcement Officer Sue Coggin responded that action has begun on both properties and will be handled through the courts.

Alex Dewitt, 1309 Erie Street, stated he is concerned the housing strategy has a sense of gentrification and needs to be addressed before implemented. He is interested in further details on the Citizen's District Council plans as they are laid out and how they will be implemented. He also asked if the regulations will be applied equally to homes and out buildings. City Manager Richard Finn responded stating rules would apply to out buildings and recommends reporting any issues to the city as they are found.

Mike Buda, 526 Handy Drive, stated the presentation did not include information regarding seniors who may be on a fixed income and not able to afford repairs. Commissioner Davidson responded stating that addresses could be turned into Habitat for Humanity as they do have a revitalization program. City Manager Finn added the city is looking into a program that would use Community Development Block Grant funds and partner with the local banks to assist in those situations.

Jesse Dockett, 2157 5th Street, provided information on internet data usage. He proposed to solve the problem the City Manager, under direction of the commission, develop municipal internet access. He provided information to support that municipal internet may attract and retain business, create jobs in the city, and increase home values.

Teresa Langin, 411 S. Hampton Street, spoke on the amount of rentals on her block and vacant property. She stated the city should limit the number of rentals.

Meagan Lepien, 1702 Cass Avenue, asked if there was a program or incentive to flip houses in targeted areas. City Manager Finn responded there is not at this time, but it is something being considered by staff.

Charlie Congdon, 211 N. Dewitt Street, stated there is a vacant building on Marquette that needs repair or to be taken down and spoke on the upcoming Lafayette bridge project. City Manager Finn responded stating the building on Marquette is the Fletcher building and will be taken down in the next few months, and that the city is looking at relocating the bridge so that there is no closure during construction.

Bruce Eckhart, 810 Germania Street, stated he would like to see a big crowd at the regular meetings to help with changes being made. He also spoke on the National budget.

Mark Hickmott, 1109 Stanton Street, stated that difficult decisions have been made across the board by businesses, home owners and municipalities and he feels we are moving a positive direction. He hopes in the new plan that no one is left out and open discussions are held.

Chris Girard, 100 Braddock Street, stated he and his wife are investors in the city because they believe in community, he looks forward to bringing everyone together to assist in carrying out the plan and attracting more residents to the city.

Debra Groulx, 706 8 Mile Road, Kawkawlin, MI, stated she is a realtor and landlord and thinks the plan looks very good. She spends her time driving around clients to encourage them to buy here. She thanked everyone for the job they are doing in revitalizing the city and making it an attractive place for potential investors.

Other Issues/Concerns/Announcements

None.

Commission President Elliott adjourned the meeting at 7:39 PM.

Respectfully submitted,
Tema J. Lucero
City Clerk

Subject: Planning Commission Minutes - 12/21/16
Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott
Prepared By:

PERTINENT FACTS:

LEGAL ISSUES:

TIME SENSITIVITY:

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

CITY GOALS:

RECOMMENDED ACTION:

*Minutes - Planning Commission (12/21/16).

RECOMMENDATION: Receive.

ATTACHMENTS:

Description	Upload Date	Type
Planning Commission Minutes - December 21, 2016	2/10/2017	Cover Memo



**PLANNING COMMISSION
MINUTES OF MEETING
December 21, 2016**

CALL TO ORDER & ROLL CALL

A regular meeting of the Bay City Planning Commission held in the Commission Chambers, City Hall, was called to order by President Frank Starkweather at 7:00 p.m.

Members present: F. Starkweather, M. Ewald Sayles, R. Milster, B. Branigan, L. Dufresne, J. Green, and R. Shea

Members absent: None.

Staff and City Commission Liaisons present: Planning & Zoning Manager Terry Moulthane and City Commissioner Larry Elliott.

The commission and others present recited the pledge of allegiance.

APPROVAL OF MINUTES

M. Sayles stated the first paragraph under public comment should state that many of the walls are “load bearing”, not low bearing. Motion made by R. Shea, seconded by L. Dufresne, to approve the October 19, 2016 meeting minutes with the correction made. Motion carried.

F. Starkweather mentioned he has been on the Planning Commission for many years and his term ended October 21st. It was posted and no one has applied and reposted for another 45 days. F. Starkweather will serve until someone is selected and sworn in.

PUBLIC COMMENTS AND COMMUNICATIONS NOT ON THE AGENDA:

Coleen Tippman of 1872 9th St. Ms. Tippman spoke regarding Wenonah Park. She stated when thinking of a pavilion and what to put in the park, step back and look at the river front and think of what is missing in the park. There is nothing missing. Feels the West side would be better area.

Mary Jane Cooper of 1111 N. Water # 102. Ms. Cooper has lived in Bay City for many years. Asked if there was any research on the changes to Wenonah Park and if people have been interviewed. Ms. Cooper also asked if anyone ice skates anymore and she sees no reason for it. She is worried about homeless people that will gather there and if there is a nice place, who will patrol it at night.

Sandy Rogers of 1111 N. Water # 305. She is concerned about if the DDA and State Theatre had reached out to the City of Bay City with a feasible market study and if they did, she would like to see it. Wenonah Park is a City owned public park. She asked if the City of Bay City has a contract with the DDA, Mike Bacigalupo or the State Theatre to build a pavilion in a public park. She asked how can a public park be given to a private entity and who will the pavilion belong to and who will build it. She wondered if the answer is the City if there will there be a fair bidding process or will it be behind closed doors as this whole project has been and if City procedure will be followed. The City will have to carry insurance for the pavilion and skating rink. Ms. Rogers feels the pavilion has been manipulated and orchestrated by Rick Finn, Mike Bacigalupo, Dave Green and Candace Bales, and Jack Kidwell. She does not understand how all the big promoters of this pavilion, of who don't even live within the City limits, can tell our City what to do with a public park. The supporters justify the project by if we build it, they will come. She is asking not to support this project. They do not have

December 21, 2016

the money it will take to maintain it. She asks the Commission to look at the facts and not the dream.

Christa Schubert of 707 ½ Washington Ave. Ms. Schubert loves that there is an opportunity for Wenonah Park to receive funding for structural improvements. The band shell could use some improvements and loves the idea of concession area and updates to the bathroom. She is not in favor of the idea of a pavilion in Wenonah Park because it is too small of an area. The Nickless Foundation grant should be for structural improvements and have an updated bandshell.

Rene Holcomb of 808 N. Water St. Ms. Holcomb is a supporter of writing grants and has written numerous grants for non-profit agencies. She supports downtown and all of Bay City. She didn't feel welcomed when she attended the DDA meeting and was proud of two of their members. Mr. Sarrow and Mr. Dore were the only members to ask why we are getting a pavilion on the East side and they made valid points. We have enough pavilions in Bay City and please do not put one in Wenonah Park. They also want to do things with other structures so where is our green space.

Sarita Bills of 904 Marsac. Ms. Bills is new in Bay City and concerned with Wenonah Park and it's the only green space in the area. She states that it was noted that the project will bring in 10 jobs. She does not believe it to be that much. She loves the greenery and walking her dogs and believe Vets Park is much larger. She doesn't know anyone that goes skating and thinks it's a bad idea and have not seen one positive comment on it.

Penny Fahlig of 604 Park Avenue. She appreciates being able to speak to this body. She thinks that in that small space it is charming and people visit from out of town and take family there. It is a great green space and would be damaged by a pavilion or a parking lot. She hopes that the Commission listen to the ones that live downtown. She has talked to people and not one is in favor of the pavilion. She is in favor of quality of life for children and feel ice skating is a great opportunity for children but it should be near the sledding hill.

Andy Rogers of 1111 N. Water St. He stated the other speakers said it all. It's an interesting project, but wrong location. The lure of money from one donation has taken the whole project and put pressure on individuals and organization and civic groups to try and funnel money to suit a personal agenda. The greater interest to Bay City to put a pavilion and supplementary building will put too much commercial activity around a green space. He hopes the Planning Commission would consider preserving this park and fulfilling the goals and plans that was set up in 2004-2006.

Steve Lockey. Feels in all this controversy, he wanted to define a point on how people are being characterized on each side of issue. He believes it is an ideological thing. Mr. Lockey states there is an article that states that people that are against it how they feel they will affect the park and them. If they are against, they shouldn't be judged.

Shirley Roberts of 1712 Center Avenue. Ms. Roberts has worked in community development roles in Bay City for over 30 years. She was also part of the team who created the Master Plan for Wenonah Park about 10 years ago and helped plan for Veteran's Memorial Park. During the updates for Wenonah Park they talked about a pavilion and holding more concerts. Conclusion was that Wenonah Park was not well suited for those activities. She is very disappointed that the conversation was forgotten and encourage to look at existing plans. It was a collaborative project and was embraced by the community. She is frustrated and want to say that she believes the DDA thinks they are doing their job. They are on a defined space of downtown Bay City and need to look at what is best for the community as a whole.

Marlene Christa Sunberg of 609 N. Trumbull. Ms. Sunberg has watched the development of Bay City and this is the most controversial ever followed. Do not support the pavilion or any other building in this park. Many people here in Bay City walk or run in that park. The structures will interfere with what we like to do in the City. If you put a pavilion in, it will be in our way. People come out with their bikes and come to the park. It's a focus to come to Wenonah Park and enjoy what is there. There are things we need, but don't understand

December 21, 2016

why there is a need of a pavilion. She asks the Commission to look at how the park is utilized.

J. Green stated he is against the pavilion, but the Chamber and Rick Finn are for it. He stated the only way you can stop it is to talk to your City Commissioner. Downtown Bay City, Bay City Chamber of Commerce and Rick Finn have their minds made up and it's a done deal. State Theatre and DoubleTree Hotel are all together and we don't have an influence, but the City Commission can do it.

F. Starkweather thanked everyone for their input and closed public comment.

NEW BUSINESS

SU 16-06, 701 Adams St. Special use for used vehicle sales.

Public Hearing

Motion made by R. Shea, seconded by L. Dufresne, to go into public hearing. Motion carried.

Mr. Steve Sleva was present and requesting a special use for used vehicle sales at 701 Adams Street.

R. Shea asked if the building was involved or just parking cars. Mr. Sleva stated the building is 717 Adams and the lot is at 701 Adams.

Question was asked if anyone will be at the site. Mr. Sleva mentioned there will be a staff of 3 at the office.

Question also asked if there will be servicing of vehicles or just a place of purchase. Mr. Sleva mentioned this property will just be vehicle sales. There will be an off-site servicing facility.

Discussion was raised on the sign permit for the building and Mr. Sleva mentioned he will be using the 4'X4' sign that is currently there.

Question was raised to Mr. Sleva if he is in the used car business and have other lots. It was mentioned that this type of car lot should be on a busy street with a lot of visibility instead of an off street. Mr. Sleva mentioned he has a lot in Flint and it is on a busy street.

F. Starkweather asked if anyone in the audience that would like to comment.

Steve King, Director of Community Development for the City of Bay City stated he looked at the Above PAR report from 2013 and it recommend mixed use redevelopment for the surface parking lots. The staff report recommended denial of this giving the fact that the proposal does meet the minimal standards of the Zoning Ordinance however this is a special use permit request and not a site plan request. The special use permit is broader in content than what needs to be considered, including compatibility issues. Those issues need to be considered for the downtown.

This site is located at the center of positive redevelopment activity for the city and downtown. Concern is the need to consider the compatibility of this site and the long term context within the downtown and how it relates to the efforts the city and multiple other stakeholders and private investors within the community are working towards and how that fits in the master plan and other efforts in the city.

T. Moulthane read the Planning Commission Finding of Fact and motion to approve or deny applicant's request from the staff report. It states that that staff does not recommend allowing a used vehicle sales lot in the downtown by granting a special approval use.

Motion made by R. Milster, seconded by M. Sayles to close the Public Hearing. Motion carried.

December 21, 2016

Business Session

R. Milster commented that he would like to make it his tendency to try and be helpful and assist an entrepreneur, but doesn't see a way that a used car lot is compatible with what we are trying to do downtown. We are trying to get an urban center and cultural attractions and pedestrian friendly. He feels a used car lot is not consistent with that and doesn't fit in with the hopes and vision of downtown.

L. Dufresne talked about the car lot on Garfield Avenue. When she was a Commissioner she would get calls when their lot was over populated. Hates to see something like that happening when there is parking issues already.

T. Moulthane stated a lot has gone into the plans for downtown. They look at how to do projects that have an ability to add density to the downtown. The Zoning Ordinance does list auto related items in the C-3 district and some of the other zoning areas as a special use permit. When the Master Plan is completed, we want to look at the ordinance that is the tool we can regulate the uses downtown. T. Moulthane stated it is his proposal when we do get in the section of the zoning ordinance, would recommend getting rid of the car sales from the C-3 and give better identification of the area of C-3 zoning. Would like to see the Zoning Ordinance reflect what we would like to see in the downtown.

Motion made by R. Milster, seconded by B. Branigan to deny SU 16-06 because it is not appropriate for its proposed location and it is not compatible with the character of the surrounding land areas. The reason it is not appropriate is that it is too small for a used car lot and that it's not compatible with the character surrounding land use of what we are trying to accomplish in Downtown Bay City. Downtown Bay City is a dynamic urban core of entertainment, offices, housing, restaurants and mixed use development, the type of development that encourages people to be on the sidewalks and walking the streets after 5:00 and not just during the normal business days. Motor vehicle sales are not compatible with that type of pedestrian friendly housing/economic development environment. Motion carried. Vote: All in favor.

Election of Officers

President: Member nominated L. Dufresne as President of the Planning Commission. L. Dufresne turn down the nomination based on feeling she has not been on the Commission long enough and still learning the protocol.

Member nominated B. Branigan as President of the Planning Commission. B. Branigan rejected the nomination based on his busy schedule and already President of the Realtor Association.

Member nominated R. Shea as President of the Planning Commission. R. Shea rejected the nomination.

Member nominated R. Milster as President of the Planning Commission. R. Milster rejected the nomination and is currently the Trustee of the Community Foundation and would like to stay as a Commissioner.

Motion by M. Sayles, seconded by B. Branigan to re-nominate L. Dufresne and asks if she gives this serious consideration as she has experience with the City Commission and other committees. L. Dufresne accepted the nomination. Motion carried.

Vice President: Motion made by F. Starkweather to nominate B. Shea as Vice President. B. Shea declined the nomination and feels younger blood should be on the board.

Motion made by F. Starkweather, seconded by B. Shea to nominate M. Sayles as Vice President. M. Sayles accepted the nomination and motion carried.

Secretary: Motion made by M. Sayles, seconded by L. Dufresne, to nominate B. Branigan as Secretary of the Planning Commission. B. Branigan accepts the nomination. Motion carried.

December 21, 2016

OTHER BUSINESS

Update on Master Plan and Wenonah Park Plan: T. Moulthane mentioned he is disappointed expected a draft of the Master Plan before Thanksgiving. He has been discussing the schedule with Carlisle Wortman and they know they are behind and assured a draft Master Plan in January.

T. Moulthane stated the DDA did meet regarding the Wenonah Park Plan and working within the timeline, the next step is to have Kibbe and Associates create a better specification of the pavilion. Which will be where will it be located and the exact size. They are still engaged with a design consultant. OHM was assisting the Parks Department and OHM has completed their tasks for what they were doing and now another design firm hired by the DDA will give a better detail of the pavilion. F. Starkweather mentioned that none of this was brought to the Planning Commission. T. Moulthane stated the City and the DDA are still considered the client because of the funding mechanism and arrangement of the use of Wenonah Park. In time it will come to the Planning Commission.

Discussion was held on the funding and question raised on the amount of the funding. T. Moulthane stated he is only going by what he has heard at this point through media sources.

Non-Motorized Plan Request for Proposal: T. Moulthane stated there has been discussion on creating a non-motorized plan. Staff is looking at the RFP and seeing how to scale the cost. Final decision has not been made yet.

A memo was included in the packet about the Park and Recreation Plan and it covers what is necessary, to amend the existing plan because of the grant for the Imagination Play Station. T. Moulthane stated there are a few benchmark dates that we need to hit and we need to add the facility of the Imagination Play Station and then when we get into the Parks and Recreation Plan next year we will add other ideas. Suggestion was to add the water trail be part of the larger recreation plan adoption.

Michigan Planning Enabling Act Information: F. Starkweather thanked T. Moulthane for sharing the Michigan Planning Enabling Act Information. Very bottom of the page section 1.25.3815 Sec. 15. (1) In a municipality, the chief elected official shall appoint members of the planning commission, subject to approval by a majority vote of the members of the legislative body elected and serving. In a county, the county board of commissioners shall determine the method of appointment of members of the planning commission by resolution of a majority of the full membership of the county board.

F. Starkweather stated the chief elected official is the Mayor. The legislative body elected and servicing would be the City Commission. This is the state law of how to appoint.

BUSINESS NOT ON THE AGENDA

No business.

ADJOURN

Motion made by M. Sayles, seconded by B. Branigan, to adjourn the meeting. Motion carried.

Prepared by Terry Moulthane, Manager
Planning & Zoning Department

Subject: Downtown Development Authority Meeting Minutes 12/14/16 & 1/11/17
Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott
Prepared By:

PERTINENT FACTS:

LEGAL ISSUES:

TIME SENSITIVITY:

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

CITY GOALS:

RECOMMENDED ACTION:

*Minutes - Downtown Development Authority (12/14/16 & 1/11/17).

RECOMMENDATION: Receive.

ATTACHMENTS:

Description	Upload Date	Type
Downtown Development Authority Minutes 12-14-16	2/10/2017	Cover Memo
Downtown Development Authority Minutes 1-11-17	2/10/2017	Cover Memo

Approved
Downtown Development Authority
Regular Meeting Minutes
Wednesday, December 14, 2016
7:30 a.m. ~ Doubletree Hotel ~ One Wenonah Place

Chairperson Green called the regular meeting of the Downtown Development Authority to order at 7:35 am. Members present were:

Jean Ann DeShano	Trevor Keyes	David Green
Joe Wespiser	Mike Bacigalupo	Terry Spencer
Art Dore	Bob Sarow	Mayor Kathi Newsham
Tim Banaszak	Ashley Anderson	Jenifer Acosta
Don Carlyon		

Absences: Director Jeff Cederstrom

Also present: Rick Finn, City of Bay City Manager
Terry Moulane, City of Bay City Neighborhood Services Manager
Darwin Baranski, City of Bay City DPW Manager
Steve King, City of Bay City Community Development Manager
Candace Bales, Executive Director
Suzanne Maxwell, Administrative Assistant

A quorum of DDA Board of Directors was present.

PUBLIC INPUT

Rene Holcomb requested that the DDA consider using the donation from the Nickless Foundation to update the band shell, stage and add a concession area, rather than constructing a pavilion.

Director Jeff Cederstrom submitted a letter of support for the pavilion, as he was unable to attend the meeting. Green read the letter to the Board.

EXCUSED ABSENCES

Chairperson Green reported that Director Cederstrom requested an excused absence. Motion by Banaszak, supported by Spencer to approve the excused absence.

ORGANIZATION

Chairperson Green presented Consent Agenda items 1 through 4 under Organization and asked the Board if any items needed to be removed for further discussion. Motion by Banaszak, supported by Spencer to approve the consent agenda. Motion unanimously approved.

Chairperson Green presented the minutes of the DDA Town Hall Meeting held November 30, 2016. Motion by Carlyon, supported by DeShano for approval. Motion unanimously approved.

Chairperson Green presented the October 18, 2016 minutes of the Downtown Management Board for review.

WENONAH PARK MASTER PLAN UPDATE

Chairperson Green stated that at the November 8, 2016 DDA Board meeting, the following top three priorities for Wenonah Park were determined: 1) Upgrade the park entrance with new lighting, trees, landscaping and decorative fencing; 2) Upgrade band shell and audience lawn sitting area, including removal of the berm; 3) Add a new pavilion which would incorporate restrooms and a concession stand.

Green presented a spreadsheet outlining the estimated cost of their priorities. He noted that there is approximately \$976,000 currently available in the Water Street TIF. If the pavilion is not built, all improvements would cost about \$1.6 million. If the pavilion is built using private funds, it would cover the cost of the desired restrooms and concession stand, in addition to some other minor improvements in the park, bringing the DDA costs down to approximately \$1 million.

Acosta and Bacigalupo were excused from the meeting room during the discussion.

Sarow presented a letter opposing the pavilion. Dore suggested using the Nickless Foundation grant to improve the band shell. Mr. Finn noted that the attorney for the Nickless Foundation stated that the grant money was specified for a pavilion, and other improvements in Wenonah Park. He added that other funds for maintenance may also be available annually from the Nickless Foundation if the pavilion is approved.

Motion by Wespiser, supported by DeShano to support the pavilion subject to approval of design, size, location, etc. The following Board members voted yes: Anderson, Banaszak, Carlyon, DeShano, Green, Keyes, Newsham, Spencer, Wespiser. The following Board members voted no: Dore, Sarow. The following Board members abstained: Acosta, Bacigalupo.

Acosta and Bacigalupo returned to the meeting.

Chairperson Green presented a proposal from William A. Kibbe & Associates, Inc. to provide initial conceptual drawings of the proposed renovations to Wenonah Park, with the cost for their services not to exceed \$4,900. Bacigalupo stated that the cost would be shared with the Nickless Foundation Pavilion Grant. Motion by Spencer, supported by Anderson to approve Kibbe & Associates to provide the pavilion rendering at a cost not to exceed \$4,900, to be divided with the Nickless Foundation. Motion approved. Acosta and Bacigalupo abstained from voting.

Bacigalupo stated that the drawings would be available for the January DDA meeting for review and potential approval by the Board. The plan would then be presented to the City Planning Commission. From there, the plan would then be presented to the City Commission for review and potential approval.

STRATEGIC PLAN REVIEW

Bales noted that the Strategic Plan progress to date will be discussed at the January meeting.

PARKING UPDATE

Maxwell reported that monthly parking reports and fiscal year-to-date parking reports are included in the member packet for review.

Chairperson Green reminded the group of the free employee parking in the lot at Washington and Sixth. Bales reported that the 37 free spaces in the lot at Washington & Sixth designated as free employee parking have been taken. She added that the Parking Ambassadors are monitoring the use of those free parking area and to-date have reported an average of six vehicles per day using the spaces. The status of the program will be evaluated after the new year.

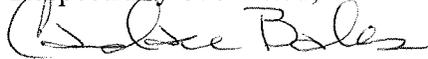
OTHER BUSINESS

Keyes reported that a used car sales lot is being proposed on the northwest corner of Sixth and Adams Streets, and suggested that DDA Board consider attending the December 21, 2016, City Planning Commission meeting and possibly speak against a car lot within the DDA district boundaries. Discussion held. Motion by Dore, supported by DeShano to not interfere with the decision of the City Planning Commission regarding the proposed used car lot. Motion approved.

ADJOURN

With no further business to come before the Downtown Development Authority, meeting adjourned at 8:30 am.

Respectfully Submitted,



Candace Bales
Executive Director

**Approved
Downtown Development Authority
Regular Meeting Minutes
Wednesday, January 11, 2017
7:30 a.m. ~ Commerce One**

Chairperson Green called the regular meeting of the Downtown Development Authority to order at 7:35 am. Members present were:

Jean Ann DeShano	Trevor Keyes	David Green
Mike Bacigalupo	Terry Spencer	Jenifer Acosta
Bob Sarow	Mayor Kathi Newsham	
Tim Banaszak	Ashley Anderson	

Absences: Joe Wespiser, Art Dore and Don Carlyon

Also present: Rick Finn, City of Bay City Manager
Terry Moulane, City of Bay City Neighborhood Services Manager
Don Haeger, William A. Kibbe & Associates, Inc.
Jerry DeCarlo, Jennison Condominium Association
Candace Bales, Executive Director
Suzanne Maxwell, Administrative Assistant

A quorum of DDA Board of Directors was present.

PUBLIC INPUT

Jerry DeCarlo, representing the Jennison Place Condominium Association, reported that there are two locations in the Jennison parking garage structure where concrete is cracked, resulting in concrete falling into the parking garage. He added that the cracks are a result of water leakage from the parking deck into the structure and would like to work with the DDA to resolve the problem.

Chairperson Green deferred to Banaszak, who led a subcommittee that previously examined the structure. Banaszak noted he will work with DeCarlo to develop a solution regarding the issue and bring it to the February 8 DDA meeting for discussion and potential approval by the Board.

EXCUSED ABSENCES

Chairperson Green reported that Carlyon and Dore requested an excused absence. Motion by Spencer, supported by Anderson to approve the excused absence.

ORGANIZATION

Chairperson Green presented Consent Agenda items 1 through 4 under Organization and asked the Board if any items needed to be removed for further discussion. Motion by Banaszak, supported by Spencer to approve the consent agenda. Motion unanimously approved.

WENONAH PARK MASTER PLAN UPDATE

Using a conceptual plan for Wenonah Park based on the DDA approved priorities from the December 14, 2016 DDA meeting, Don Haeger, William H. Kibbe & Associates, presented a version showing each of the discussed locations for the proposed pavilion and ancillary building. The options for placement in the southwest quadrant of the park, northwest corner of quadrant: 1) Pavilion's long side is perpendicular to the riverfront, outbuilding is parallel to the riverfront; 2) Pavilion's long side and outbuilding is parallel to the riverfront; 3) Pavilion is angled, outbuilding is parallel to the riverfront.

Haeger also pointed out other potential updates to the park which included an updated entrance with arches, an updated radius around the Friendship Ring that would compliment the Ring and promenade, band shell renovations, lowering the berm/audience seating area in front of the stage, and placement of the international flags along the water front. Haeger added that lowering the berm, rather than creating tiered seating that was included in the 2006 conceptual plan, allows for universal use.

Mayor Newsham noted that some members of the community are concerned that the placement of the pavilion and outbuilding will interfere with events. Chairperson Green noted that large tents are usually placed in the area where the proposed pavilion will be placed.

It was noted that the proposed pavilion is 5,000 square feet and the proposed outbuilding is 2,500 square feet. The outbuilding will include restrooms, concession stand, and skate rental.

Discussion held.

Motion by Keyes to chose option 1, with the pavilion in the southwest quadrant of the park, with the long side perpendicular to the riverfront and the outbuilding parallel to the riverfront. Motion supported by Spencer. Sarow opposed. Acosta and Bacigalupo abstained from voting. Motion approved.

Chairperson Green noted that the Wenonah Park plan as approved will be presented to the City Planning Commission on January 18.

STRATEGIC PLAN REVIEW

Bales noted that the Downtown Strategic Plan progress to-date will be discussed at the February 8, 2017 DDA meeting.

PARKING UPDATE

Maxwell reported that monthly parking reports and fiscal year-to-date parking reports are included in the member packet for review. The quarterly report regarding fines collected by the 74th District Court for unpaid parking tickets will be presented in February.

Chairperson Green reminded the group of the no charge permit employee parking option in the lot at Washington and Sixth. Bales reported that the 37 free spaces in that lot designated as free employee parking have been taken. She added that the Parking Ambassadors have been

monitoring use of the spaces for the past two months and approximately half of the free permit stickers are not being used by people who asked for them. Bales suggested revoking the unused stickers in order to have other Downtown employees be able to utilize the program.

DMB UPDATE

Bales distributed a document highlighting Downtown marketing and business updates. She noted that Sundays in the City was successful again this year, with positive feedback received from businesses that participated.

Bales reported that a new segment of Downtown Bay City on Under the Radar Michigan will start being shown on PBS stations in the Midwest and Canada on Thursday, January 19. The Bay City segment highlights Retro Attics, St. Laurent Brothers, Downtown eateries and Wine Walk.

Bales reported that Suzie Q's Upscale Consignment Shop is opening soon at 107 Fifth Street. Plus, Tondue Medical Spa will be opening soon at 715 Washington Avenue. And the Comfort Inn of Bay City is now open at 501 Saginaw Street.

ADJOURN

With no further business to come before the Downtown Development Authority, meeting adjourned at 8:40 am.

Respectfully Submitted,



Candace Bales
Executive Director

Subject: Historic District Commission Minutes 6/22/16
Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott
Prepared By:

PERTINENT FACTS:

LEGAL ISSUES:

TIME SENSITIVITY:

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

CITY GOALS:

RECOMMENDED ACTION:

*Minutes - Historic District Commission (6/22/16).

RECOMMENDATION: Receive.

ATTACHMENTS:

Description	Upload Date	Type
Historic District Commission Minutes - June 22, 2016	2/10/2017	Cover Memo



**Historic District Commission Meeting Minutes - June 22nd, 2016
City Commission Chambers, City Hall**

1. Call to Order

Chair Mary Ewald-Sayles called the meeting to order at 5:30 p.m.

2. Introductions & Roll Call

Present: Ashley de Beaubien, Alan Flood, Joel Labrie, Mary Ewald-Sayles & Mike Wittbrodt. **Excused:** Rich Gill. **Others Present:** Scott McKillop, Community Development Planner/Historic Preservation Officer. City Commission Liaison Lynn Stamiris advised staff he would be unable to attend the meeting.

3. Approval of Minutes

Motion by Mr. Wittbrodt to approve the minutes of June 8th HDC meeting. Mr. Labrie seconded. Minutes approved.

4. Public Comment

None

5. New Business

HDC 16-15 700 N. VanBuren - Lon & Jacquelyn Rule Residence

The applicants are requesting a COA authorizing the removal and replacement of this single-family home's cedar shake siding with CertainTeed Cedar Impressions Triple 5" Straight Edge Perfection Shingles. The applicants will also be undertaking ongoing repair and painting of their home's wood trim as part of this project. This latter item is classified as "ordinary maintenance" and not subject review.

Lon Rule described ongoing work on repairing and painting the home's exterior trim and assessment of its original cedar shake siding. He stated the cedar shake has deteriorated over major portions of the home's exterior. He stated he wishes to remove the siding from the home's four elevations, cover the walls with ¼ inch Styrofoam insulation and install the CertainTeed Cedar Impressions as proposed.

Mr. Labrie and Mr. Wittbrodt asked if Mr. Rule could estimate the extent of serious deterioration. Mr. Rule stated nearly half of the shakes on the north and east elevations are punky and rotted. He indicated he and Mrs. Rule had had a number of trees removed from their north and east yards in an effort to extend the life of the existing siding. He stated replacing the cedar shake siding with identical material would be a prohibitively expensive, and that the proposed replacement material mimics the look of painted shake. Mr. Labrie and Mr. Wittbodt concurred with Mr. Rules comments.

Mrs. Ewald-Sayles asked if HDC members had additional questions or comments. There were none. She asked for a motion on the applicant's request.

Motion

Motion by Mr. Wittbrodt to grant a COA for Case HDC 16-74, 700 N. VanBuren to replace the cedar shake siding with CertainTeed Cedar Impressions Triple 5" Straight Edge Perfection Shingles citing Secretary of the Interior Standards 1, 2, 5 and 6. Mr. Labrie seconded.

Vote

4 yes; 1 no; Motion approved by majority voice vote.

6. Old Business

Status of 1801 Center Avenue

Staff advised the HDC he had nothing to report since the HDC made its finding of Demolition by Neglect at the June 8th meeting.

8. Other Business

910 10th Street

Mr. Wittbrodt stated some of the home's front porch columns have collapsed and the porch roof is being supported by temporary jacks. He asked that staff advise the HDC whether the Building and Code Enforcement Department is aware of or taken any action regarding the matter.

The HDC asked that staff invite City Manager Rick Finn to one of the July meetings.

9. Adjourn

Meeting adjourned at 6:10 p.m.

Prepared by: Scott McKillop, Planning, Zoning & Grant Administration Department

Subject: Planning Commission Appointment
Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott
Prepared By: Deputy City Manager: Dana L. Muscott

PERTINENT FACTS:

On December 6, 2016, notification was given by the Deputy City Manager that there was one vacancy on the Planning Commission. The vacancy was created from the term expiring for Frank Starkweather.

Four applications were received from Steven Lockey, Chris Girard, Andy Rogers, and Chris Brashaw.. Andy Rogers withdrew his application. The remaining applications are attached and qualifications are included with the information submitted.

Per City Commission resolution, interviews took place by the Commission Officers (Newsham, Elliott, Brunner, Irving), Commission Liaison (Stamiris), Planning Commission President Dufresne and the City Manager Finn. After interviews, the Mayor and Committee choose Chris Girard to be appointed to the Planning Commission.

Mr. Girard will be required to attend a Planning Commission Orientation prior to his first meeting.

LEGAL ISSUES:

According to the Bay City Code of Ordinances, Administration, Section 2-182, “the planning commission shall consist of seven members who shall be appointed by the city commission.”

TIME SENSITIVITY:

Routine

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

FINANCIAL CONSIDERATIONS:

Planning Commission members are not compensated.

CITY GOALS:

RECOMMENDED ACTION:

*Mayoral appointment of Christopher Girard, Bay City, to the Planning Commission, term to expire October 21, 2021, contingent upon Planning Commission Orientation Session.

RECOMMENDATION: Approve.

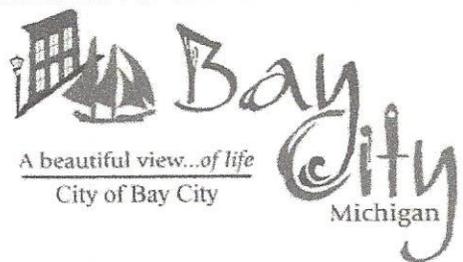
ATTACHMENTS:

Description	Upload Date	Type
Applications	2/9/2017	Cover Memo
Resolution	2/9/2017	Cover Memo

5:15 pm

RECEIVED
By
JAN 17 2017

**CITY OF BAY CITY
APPLICATION FOR APPOINTMENT TO**



Bay City Planning Commission
Name of Board, Committee or Commission

Name: Christopher Girard

Address: 100 Braddock Street Bay City, MI

Email Address: cgirard1@msn.com

Cell/Home Phone No: 989-450-7827 Work Phone No: 989-894-2851

Employer: Do-All, Inc. Occupation: Administration

Do you reside within the corporate boundaries of the City of Bay City? Yes

If so, length of time you have resided in the City of Bay City: 38 years

If you do not live in the City of Bay City, do you have an "interest" in this area? N/A

List your qualifications for the Board, Committee or Commission:

Previous Bay City Commissioner, Bay Area Chamber of Commerce Board member
Community Home Solutions Board member, Operate multiple businesses in
Bay City

Do you meet the qualifications needed for this Board, Committee or Commission? Yes

Why are you interested in serving on this Board, Committee or Commission:

I deeply care about the future of our community. I feel I can provide my time and talents to help Bay City become a great community where we all want to live.

List any other information you feel would be pertinent in assisting the appointing authority and the City Commission in their selection:

I believe my background as a longtime resident, former city commissioner, and business leader will help in the role on the Planning Commission.

Do you serve on any other City Board, Committees or Commissions? No

Christopher Girard
Applicant Signature

1/16/2017
Date Submitted

Please return form to: Dana Muscott, Deputy City Manager
301 Washington Avenue, Room 307
Bay City, MI 48708



901 Saginaw Street
Bay City, MI 48708

Tel: 989.893.4567
Fax: 989.895.5594

Email: chamber@baycityarea.com
Web: www.baycityarea.com

January 10, 2017

Bay City Commissioners
301 Washington Ave
Bay City MI 48706

Dear Commissioners,

I am writing today to express my support of Chris Girard as a candidate for a seat on the city's planning commission. Chris brings a breadth of experience as a community leader, businessman, and an advocate for Bay City, coupled with an extensive background in government and several key board positions including the board of our Bay Area Chamber of Commerce.

I have found Chris to be extremely fair and balanced in his approach, and he continuously looks for ways to make our community something we can be proud of. His experience and background would make Chris an outstanding choice for this important role in our community.

I would be happy to speak with any of you at your convenience and can be reached at 989-893-4567 or via e-mail at ryan@baycityarea.com.

Kind regards,

Ryan T. Carley
President and CEO
Bay Area Chamber of Commerce



5:35 pm

CITY OF BAY CITY
APPLICATION FOR APPOINTMENT TO:



Planning Commission

Name of Board, Committee or Commission

Name: Steven J. Lockey

Address: 1606 24th Street

Email Address: slockey@yahoo.com

Cell/Home Phone No: 989-239-7014 Work Phone No: 989-391-9944

Employer: Self Occupation: Real Estate, Commercial

Do you reside within the corporate boundaries of the City of Bay City? Yes

If so, length of time you have resided in the City of Bay City: 40 years

If you do not live in the City of Bay City, do you have an "interest" in this area? _____

List your qualifications for the Board, Committee or Commission:
Career in Real Estate Sales, Leasing, AND Development in Bay City. Educated in Real Estate Law AND Development.

Do you meet the qualifications needed for this Board, Committee or Commission? Yes

Why are you interested in serving on this Board, Committee or Commission:
To serve Bay City AND to maintain AND Improve property values through orderly development.

List any other information you feel would be pertinent in assisting the appointing authority and the City Commission in their selection:
Previous membership in the DDA, DMTS AND many other Boards + Committee

Do you serve on any other City Board, Committees or Commissions? _____

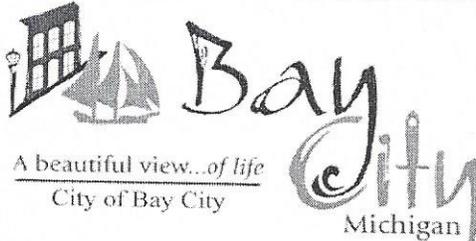
Steven Lockey
Applicant Signature

01/10/2017
Date Submitted

Please return form to: Dana Muscott, Deputy City Manager
301 Washington Avenue, Room 307
Bay City, MI 48708

6:00

CITY OF BAY CITY
APPLICATION FOR APPOINTMENT TO:



Planning Commission

Name of Board, Committee or Commission

Name: CHRISTOPHER ALLEN BRASHAW

Address: 308 NORTH JACKSON ST.

Email Address: brashawc@gmail.com

Cell/Home Phone No: 989 998 4578 Work Phone No: 989 893 8294

Employer: AAA TRANSPORT & Limo Occupation: DRIVER SUPERVISOR

Do you reside within the corporate boundaries of the City of Bay City? Yes

If so, length of time you have resided in the City of Bay City: 38 years

If you do not live in the City of Bay City, do you have an "interest" in this area?

List your qualifications for the Board, Committee or Commission:

Committee Member Birney Park Car Show (Current)

Director Bay City MI City wide Neighborhood Watch (Current)

Board Member FIRST Pentecostal Church (2012 - 2015)

Do you meet the qualifications needed for this Board, Committee or Commission? Yes

Why are you interested in serving on this Board, Committee or Commission:

I Am a life long resident of Bay City and believe that I could bring valuable experience to helping our city prosper.

List any other information you feel would be pertinent in assisting the appointing authority and the City Commission in their selection:

I possess valuable leadership experience, and can work well with others to get things done.

Do you serve on any other City Board, Committees or Commissions? NO

Christopher Brashaw

1/19/2017

Applicant Signature

Date Submitted

Please return form to: Dana Muscott, Deputy City Manager
301 Washington Avenue, Room 307
Bay City, MI 48708

Of the Mayor:

Resolved that Christopher Girard, Bay City, be appointed to the Planning Commission, term to expire October 21, 2021.

Subject: Approval of Imagination Station Playground master plan and amendment to the Bay City 2013-2017 Park and Recreation Plan.
Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott
Prepared By: Terry Moutane, Planning & Zoning Manager

PERTINENT FACTS:

The purpose of this recommendation is to request approval of the Imagination Station Playground master plan and for the adoption of a resolution amending the current Bay City Park & Recreation Plan to include this project.

Imagination Station Playground master plan

The Imagination Station Playground was reviewed by the Planning Commission at their meeting January 18th. The Planning Commission's review was based on the Michigan Planning Enabling Act., Act 33 of 2008 in 125.3861 which states the following:

125.3861 Construction of certain projects in area covered by municipal master plan; approval; initiation of work on projects; requirements; report and advice.

Sec. 61. (1) A street; park, playground, public way, ground, or other open space; or public building or other structure shall not be constructed or authorized for construction in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body or other body having jurisdiction over the authorization or financing of the project has been approved by the planning commission. The planning commission shall submit its reason for approval or disapproval to the body having jurisdiction. If the planning commission disapproves, the body having jurisdiction may overrule the planning commission by a vote of not less than 2/3 of its entire membership...

The presentation made by the Parks Manager reviewed the project history that included a partnership with the Bay Area Community Foundation to organize a Citizens Advisory Committee, who participated in the selection of both a consultant and the new development site in Bigelow Park, assisted to solicit public input and promoted fund raising efforts. The proposed master plan for this new development includes: the play area(s) and related equipment, parking, access improvements in the form of vehicular drives and pedestrian walkways, sanitary accommodations, utilities, lighting, signage, landscaping and site furnishings. The design of all features will place heavy emphasis on accessibility.

On a 6 to 1 vote, the Planning Commission recommended approval of the plan to the City Commission based on the playground providing recreation opportunities for a wide range of youth and being designed to provide play experiences that support both the physical and cognitive development of children.

Amendment to Park & Recreation Plan

The City of Bay City has had a Park and Recreation Plan in place since 1968 and updated every five years as required by the Michigan Department of Natural Resources (DNR). The current Plan was adopted by the City Commission in 2013 and is valid until December 2017. The primary purpose of the Park and Recreation Plan is to assist community leaders, area residents, recreational providers, public and private organizations, and Citizens District Councils in the decision making process for the improvement of the park system. The secondary purpose of the Park and Recreation Plan qualify the City to become eligible for State recreation grants through the Michigan DNR. Staff is amending the current Park & Recreation Plan to include the proposed play area development in Bigelow Park. This project is intended to replace the former Imagination Station Playground that was removed from Veterans Park in the spring of 2015 due to deterioration and the leaching of arsenic contaminants from wood components into adjacent soils.

As required by the DNR for amending a recreation plan, a Notice of Amendment Availability was published in the Bay City Times on February 2, 2017 for an additional public meeting held with the Planning Commission on February 15th, 2017. The City Commission received a presentation of the project at the February 13, 2017 commission meeting prior to the public hearing for the amendment. In addition to the required notices, Bay City's five Citizens District Councils with each being approximately 10-12 members were provided information about the project and plan amendment on February 1, 2017. The draft plan amendment and support documents was posted on the City's website as well.

At their February 15, 2017 meeting the Planning Commission was presented with the recreation plan amendment and adopted a resolution recommending approval of the amendment to the 2013-2017 Park and Recreation Plan. After adoption of the plan amendment by the City Commission staff will submit it to the DNR. When state grants for park development activities are pursued by the City, the Plan and amendment will be reviewed by DNR staff to determine whether the proposed project complies with the Plan.

LEGAL ISSUES:

N/A

TIME SENSITIVITY:

Impending deadline

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

Approval of the play area plan and adoption of the Parks Master Plan Amendment for this project by the City Commission will comply with the States eligibility requirements to qualify for available grants to fund recreational improvements. The deadline for submitting the Parks Master Plan Amendment is March 1, 2017 and is a requirement to be eligible for submitting a grant application in this years funding cycle. Grant applications are due on April 1, 2017.

FINANCIAL CONSIDERATIONS:

The Plan serves as the tool for the identification of improvements for the City's Park and Recreation system and possible sources of funding. The cost estimates are identified in the master plan and the grant resolution.

CITY GOALS:

RECOMMENDED ACTION:

*Commission as a Whole resolution approving the Imagination Station Playground master plan and amend the Bay City 2013-2017 Park and Recreation Plan.

RECOMMENDATION: Approve.

ATTACHMENTS:

Description	Upload Date	Type
PC Minutes 1/18/17	2/16/2017	Cover Memo
Master plan for Imagination Station Playground	2/9/2017	Cover Memo
Amendment to the Park & Rec Plan with CIP	2/16/2017	Cover Memo
PC Minutes 2/15/17	2/16/2017	Cover Memo
Resolution of Planning Commission	2/9/2017	Cover Memo



**PLANNING COMMISSION
MINUTES OF MEETING
January 18, 2017**

CALL TO ORDER & ROLL CALL

A regular meeting of the Bay City Planning Commission held in the Commission Chambers, City Hall, was called to order by President Lori Dufresne at 7:00 p.m.

The commission and others present recited the pledge of allegiance.

Members present: L. Dufresne, R. Milster, B. Branigan, M. Ewald Sayles, F. Starkweather, M. Ewald Sayles, J. Green and R. Shea

Staff and City Commission Liaisons present: Commissioner Larry Elliott asked to be excused, Planning & Zoning Manager Terry Moulthane and City Commissioner Lynn Stamiris present.

APPROVAL OF MINUTES

F. Starkweather mentioned the engineering firm Kibbe & Associates was misspelled.

Motion made by B. Shea, seconded by M. Sayles to approve the December 2016 minutes with correction made. Motion carried.

PUBLIC COMMENTS AND COMMUNICATIONS NOT ON THE AGENDA:

Anne Yandall of 223 Jennison Place made a comment regarding downtown parking. There is snow piled on the curb and passengers cannot get out.

NEW BUSINESS

Imagination Station Plan Presentation and Action:

Steve King, Community Development Director with the City of Bay City mentioned that this isn't a traditional site plan. There are two master plans brought on by proposed investments in the community. The applicant on the Imagination Station is the Community Foundation and this is for the park's master plan. It is the Planning Commission's role to hear the proposal in its entirety and make a recommendation to the City Commission. If this proposed Imagination Station plan is approved by the City Commission, the plan will be before the Planning Commission next month with a grant application recommendation to the Department of Natural Resources Trust Fund Grant Program.

Mr. Baranski, City of Bay City Parks Manager stated he has been working on this project for almost 2 years. The plan is to replace the former Imagination Station Playground. The playground was constructed in 1996 and removed in the spring of 2015 due to deterioration resulting from vandalism and soil contamination. It was also reaching its life span. Plans for the pillars, which displayed ceramic tile with hand prints, is incorporated in the new project.

The Community Foundation assisted in organizing a steering committee to develop a plan and replace the play area and assist in fundraising. After looking for a central location and going through a list of criteria, Bigelow Park was the site of the project.

January 18, 2017

OHM Advisors was hired by the Community Foundation and the Steering Committee as the design consultant. There will be 2 phases of the development. Phase 1 is the site preparation, utilities, parking, hardscape, walkways and some play apparatus. Phase 2 will be the balance of play equipment, sanitary facilities, landscaping, lighting, and site furnishings.

Discussion was held on the play equipment and the universal accessibility it will have and meet the standards of the Americans with Disabilities Act.

The cost estimate for Phase 1 is \$726,000 and estimate of Phase 2 is \$270,850. The total cost for the entire project is approximately \$997,712. The City is preparing to submit an application to the State for a Michigan Natural Resources Trust Fund Grant in the amount of \$300,000 for Phase 1. It is estimated that approximately \$490,000 has been secured by the Community Foundation along with City Contributions.

The next steps in the process is to prepare a Parks Master Plan amendment that is required by the State to qualify for a Natural Resources Trust Fund Grant.

F. Starkweather asked which phase the restrooms will be built. Mr. Baranski stated they will be built in Phase 2.

R. Milster commented that he is the Chair of the Community Foundation and the material mentioned has never come before the trustee or the Bay Area Community Foundation. He stated the Bay Area Community Foundation did approve a study but has not seen this plan or endorsed it to make an application. D. Baranski stated that the City is the applicant and the Bay Area Community Foundation has assisted in steering the project.

L. Dufresne stated in one of her service clubs they had presentation on the project. The steering committee has secured funding of approximately \$300,000. This is a wide open playground for any and all children.

R. Milster commented that they playground is spectacular but questioned the details of the plan cost. D. Baranski stated that a water connection will need to be in place for the bathroom. They are exploring the possibility of a compost system and other details with utilities. Commissioner commented that Bigelow Park already have bathrooms that are locked because we cannot maintain and want to spend money on additional bathrooms. D. Baranski stated the distance is one reason and the restrooms are available with shelter rentals. The other bathrooms are not large enough to accommodate the playground use and without new restrooms it will make the existing shelter less desirable to rent.

B. Branigan discussed maintenance and cost of bathroom facilities and it's not in the budget to maintain. He asked the estimate of the park cost on a yearly basis. D. Baranski mentioned there is a maintenance endowment fund that will help and the initial maintenance will be low due to the project being new.

Public Comment

Robert Schwartz of 219 N. McLellan Street asked if there will be adequate lighting and security cameras.

D. Baranski stated that lighting is part of Phase 1. Discussion is being held on security cameras in the park in the near future. If there are problems, cameras will be installed.

Discussion: R. Milster commented that he will be voting no due to the fact that this is a \$1 Million project and not \$400,000 - \$600,000 as stated before. The City didn't have the funds to maintain the former imagination station. There is a fund at the Community Foundation to assist repair, but was the City's responsibility to repair.

M. Sayles stated that the City already has 9 parks that have play areas and equipment.

January 18, 2017

L. Dufresne stated that even though there are other parks, this one will be an 'all access' park. She feels this is a good thing for Bay City.

Rick Finn, City Manager with the City of Bay City clarified the maintenance of the project. He stated this is a City project and it was directed by City Commission when the former Imagination Station was taken down. The arsenic in the materials was a problem and that is why more maintenance wasn't done and needed to be taken down. The reason for the cost difference is due to providing parking for this universal access park. He stated that this play area will be for children that have limited places to go.

R. Milster questioned the proposal because it has over \$400,000 in playground equipment and will be one million dollars and improve the whole north end of the middle grounds island. This proposal adds about \$600,000 more than the actual playground.

R. Finn stated that restrooms are expensive. This will be a role model park for this part of the state and trying to market the city as a place to come. The City Commission will have to make the decision on the funding as there is an excellent opportunity for grant money.

M. Sayles asked about the endowment fund and how much was left over from the former Imagination Station and how much the City can put into it.

R. Finn was not sure on the amount left over and the estimated cost will vary from year to year based on the age of the equipment. The equipment being purchased will have less maintenance.

Motion made by J. Green, seconded by B. Shea, to approve the Imagination Station Playground Plan and to make a recommendation to the City Commission. Motion carried with a roll call vote of 6 yes and 1 no.

Wenonah Park Plan Presentation and Action:

Community Development Director, Steve King stated that the Planning Commission is to consider the proposed Wenonah Park Plan in its entirety and provide a recommendation to the City Commission as presented. The plan is for a pavilion in the park and also for park improvements which includes lighting, streetscaping, landscaping, and band shell improvements. If approved, staff will be preparing a grant application to secure funding.

DDA Chairman, Dave Green gave an overview of the planning process and the goal to remake of Wenonah Park. The DDA wants the improvement of Wenonah Park to attract more people downtown and live and work downtown. This will also increase the tax base and increase property values everywhere. The plan will be in 3 Phases: renovating the band shell; the entryway upgraded with decorative fencing and lowering the berm in front of the band shell and reconfiguring the concrete spectator seating area; and a new multipurpose building which will allow Wenonah Park to be used year around along with restrooms and a concession stand. Total cost of Phase 1 with architectural costs is about \$2.7 Million.

D. Green stated the goal is to have a facility that can be used year-round and for different uses and restrooms that are open during the winter. Money would come from the DDA for Phase 1 and there is currently \$1.2 million donated by the Nickless Foundation for the pavilion, restrooms and concession stands. There is currently \$800,000 through the DDA that was bonded out last year and funds left over from the milling and resurfacing of the downtown streets. Those funds have been earmarked by the board for Wenonah Park.

Don Haeger from William Kibbe & Associates, Inc. stated the pavilion location was chosen because of minimal impact on the trees in the park. The main functions of pavilion would enhance the performances in the band shell, as it gives an exceptional place for seating. The pavilion is located perpendicular to the band shell and close to the accessory building that would house the bathrooms and concession use. The 2006 Master Plan incorporates a new dome shell that would be more up to date for performances. This design has the existing building remaining with a replacement of the band shell covering. Main focus on the Master Plan

January 18, 2017

was to minimize the impact to the wooded area on the southeast corner of the site. Mr. Haeger reviewed the northeast corner of the park where the cistern system is underground and takes up 2/3 of that area to the south edge of the current plaza. The pump houses will have minimal work and reconfiguration of the plaza.

Mr. Haeger explained the main idea for the newer Riverwalk promenade involved radiuses and circles and this design maintains that idea throughout the park. The DDA proposed the reconfiguration of the fountain system to a double tiered round fountain as well as the plaza having a radial type design in lieu of the diamond shape. There will be the reconstruction of the entrance of the park with an archway and a fence that would go from 5th to 6th Street. The ramps will be reconfigured and a radial shape scheme for access. Also widening the sidewalk to have decorative trees and streetscape near the approach. The DDA proposed moving the parade of flags out to the Riverwalk which will be more visible and create an international flavor coming through the water ways and maintain the open lawn area on southwest corner, except for the pavilion. Because of the use of the pavilion, the berm will be lowered for a more visual connection with the band shell and reconfiguring the parking lot to make more use of that area. All lighting will be LED.

B. Branigan stated there wasn't detailed drawings of what the pavilion would look like. Mr. Haeger stated the drawings are in preliminary stage right now and the location is the primary factor. Once determined, it will be brought back to the Planning Commission.

F. Starkweather asked about the fence. It was mentioned it is proposed to be from the north and south along Water Street and does not continue into the park.

D. Green stated the board had 3 priorities which are to preserve the Friendship Ring and it being refurbished, not to disrupt any trees and replant the ones that are, and replacing the park pavilion that a one time in the park's history included one.

R. Milster asked if one of the main reasons for the pavilion is to have more of a winter designation or use. Mr. Haeger stated it would make the park useful all year around and include a skating rink 50' x 100', which is standard size. The accessory building will be a warming house, concession and skate rental.

F. Starkweather asked if a market research was completed and what numbers came in for such a facility.

D. Green stated that there was not a study done and it's an attempt to make the park a year around facility and he feels there is an interest in a skating rink.

L. Dufresne stated that in her last year of being a city commissioner, she did receive phone calls from individuals that missed having the outdoor skating.

B. Shea mentioned he received about 15 emails against the skating.

B. Branigan asked if Phase 2 and 3 will be completed when funding is in place and if there is a time frame. D. Green stated that there is no fixed time table. The DDA bonded out last year and the bond is for 12 years. After that time the DDA could bond out again. Financially the project has to be done in phases. The river front was completed, which was part of Phase 1 of the original plan. This plan is a combination of the OCBA plan that was adopted by the City Commission in 2005 and the OHM plan which was designed and presented to the DDA Board in 2016. Most of the plan reflects the OCBA plan with some enhancements and upgrades.

B. Branigan stated the cost estimate is hard to rely on because it won't be out for bids for approximately 12 years. He questioned the 20% for fees and expenses. Mr. Haeger commented the 20% is for the soft cost which include engineering fees, utility cost, and site survey costs. Same percentages were used in the OCBA and OHM plan.

January 18, 2017

M. Sayles stated the band shell is in need of work and the restrooms need upgrading and is concerned that they are not showing up until Phase 3. Mr. Haeger commented that renovations for the band shell restrooms do not begin until Phase 3 because of the new accessory building. This building would house restrooms that would serve the purpose and may not have to renovate the band shell restrooms.

M. Sayles stated that the restrooms should be near the event and asked if a cost benefit analysis been completed. Mr. Haeger stated the revenue will be going towards the maintenance costs of the facilities.

Public Comment:

Ms. Dufresne stated the Planning Commission received many emails from the public. T. Moulthane stated there were emails and communication received and included in the commissioner's packet. Names include: Mary Jane Cooper, opposed to the project; Sita Compton, opposed to the project; William Wright, opposed to the removal of sculpture; Jeffrey Michalski, opposed to the project; Rene Holcomb, opposed to the project; Kristine Blossom, opposed to the project; Nancy Jablonski, opposed to the project; Alex Dewitt, opposed to the project; Linda Ebel, opposed to the project; Andrew Rogers, opposed to the project; Bonnie Darby, opposed to the project; Sandy Rogers, opposed to the project, Becky Pytlit, opposed to the project; Ilene Tyler, opposed to the project; and Colleen Tippman, opposed to the project.

T. Moulthane stated other emails came in since the packet was delivered and were placed on the desks of the Planning Commission. Bill Howard, opposed to the project; Jane Harris, opposed to the project; Don and Diane Schutt, opposed to the project; Mary Ann Coyer, opposed to the project; Janelle Thomas Egar, opposed to the project; Jody Arrowsmith, opposed to the project; Bob Sarrow, opposed to the project; Michelle Roberts Seeds, opposed to the project and Shirley Roberts opposed to the project. Erin Rytliniski and Magen Samyn are in favor of the project.

Anne Yandall of 223 Jennison Place, stated she represents 33 owners in the Jennison Building and was asked to speak for them. She is impressed by the Planning Commission and how they handle the meetings. Feels Wenonah Park is a jewel for the city and not in favor of the project. She asks the Planning Commission to please think it through.

Dot Rifenburg stated she has nothing but respect for Bay City. Children play on the grass in Wenonah Park enjoying the park and the green space. We need to maintain what we have and remember to look back and honor the past and move forward and be good stewards of the land. Keep and nurture and leave the green space.

Fran Sauve of 2163 5th Street stated she did not want to lose sight of the value of green space. This is the only park on the east side by the river and only green space on the river in the downtown. She is concerned about noise pollution from enlarging the space and feels the fence doesn't show the park's main purpose which is to be open.

Kathy Branigan of 803 N. McLellan is opposed of building the pavilion. She was expected to see a drawing and heard numerous stories as where the pavilion will be located. Feels it's a poor idea as Wenonah Park is the only green space on the east side of the river.

Joe Johnson of 7343 Brandon Drive feels the plans seem to be switching. He feels a pavilion is allowing the City to be a billboard for people who have money.

Tom Bock of 2123 Center Avenue appreciates the work the Planning Commission has done. Feels the bathrooms are not being maintained. Larger acts mean more trucks and equipment. He states the architect has not mentioned a spot for a loading dock and questions where will the busses unload. Also feels that no one has talked about parking or the rules for a year around park. He would like to know the business plan and questioned the bathrooms. He would also like to trees stay.

January 18, 2017

Sandy Rogers of 1111 N. Water feels there are false statements made by Mr. Green that the Boathouse was not part of the DDA. The Boathouse is part of the DDA and all residents of Bay City should be included. She heard that the ice skating will be free and now told the public should pay a small fee to skate. She feels the pavilion must sustain itself without City funds. Stated that residents at the Boathouse, Jennison Place, Mill End Lofts and Breaker Cove are not in favor of the project. There will need to be a \$1 Million endowment and without those funds there should not be a pavilion. Feels the project has been manipulated and orchestrated by a select few. She is asking the Planning Commission not to support the project.

Barb Engelhardt Cater stated she loves the green space and spends a lot of time in the park. Thinks a pavilion with a rink would be one more awesome attribute for Bay City. She feels people are afraid of change and their private park would be overtaken. Open their mind and eyes and look at the positive things bring to the city. Look at from all sides.

Matt Felan of 2116 Center Avenue is the President of Great Lakes Bay Alliance. He thanked the Nickless family for their donation to the community. He asked the Planning Commission to look at what is making the Great Lakes Bay Region revive and the investments in downtown. People live, visit and eat and want entertainment in the downtown. He states it is amazing to watch the excitement downtown. Feels that the silent majority is not at the meeting because of family time and being home with their young children. He looks at the idea and activity with children as an opportunity to bring people downtown.

Onie Triplett 1820 9th Street stated she enjoys going to the park and against the changing the park area. She feels it's the only green area and there is a sledding hill on the west side and suggests putting the skating rink near the hill.

Alan Flood of 1900 Center Avenue hopes all vote to turn project down. He doesn't know if there's a need or not for ice skating and if there is, Veteran's Park would be the place for it. He states the initial Wenonah Park has gone from a huge area to an area with a lot of pavement. Original pavilion was 70'x 30' and now a 5,000 foot pavilion is proposed. He hopes the Planning Commission don't further reduce the space in the park.

Mark Delestowicz is the Director and Chair of the State Theatre and stated the State Theatre helped procure the Nickless donation. The State Theatre board has approved construction of the Wenonah Park facilities. He mentioned that all programming that is put on by the State Theatre, including Tuesday movies in the park and Wednesday evening concerts, are scheduled by the State Theatre and a staff of 3. Events at either location are carried out by the State Theatre staff and many volunteers. Any new programming at the new facilities would be scheduled and implemented by the State Theatre staff and volunteers. More staff could be added once construction is completed. Salaries of the staff of the State Theatre are determined on an annual basis and the salaries of employees are not determined by the number of events at either location.

Sita Compton was director of the DDA and also on the 2005-2006 Wenonah Park Planning Committee. She is an advocate of the DDA and State Theatre, but against the construction of a pavilion and its related buildings. She has heard and seen very poor planning and not enough thought or a sound business plan. The 10 year old plan is a viable plan and feels the Planning Commission should stick to the 2005-2006 Master Plan for the park. The changes to the park is not in the public interest.

Mary Jane Cooper lives at the boathouse. She feels there is a lot of attention to young professionals and would appreciate if the older professionals had their ideas looked at. Young professionals are here because of family or jobs, not because of what is in the park. Would like more answers on if they will have to pay to use the park. Wants to know who will benefit.

Colleen Tippman asked why sit in a pavilion when you have stars as a canopy.

Jenifer Acosta speaking as DDA member and on behalf of the State Theatre and being involved in the discussion of the park plan. She stated in regards to the planning and design of the pavilion the DDA asked

January 18, 2017

why a pavilion was needed. This pavilion will help run all events and get more restrooms, have weddings in the park, hold kid activities and smaller trios can now be held under a shelter. She stated it is not about a skating rink and they did look at helping the State Theatre and a place to hold weddings. She stressed that this is about community enrichment and programming and the market is ready for a structure like this for smaller scale events.

C.J. Miller is a resident of Bay County and spends most time in Bay City at the park and near the river, which is his favorite spot. He states there is nothing more beautiful than the park as it is. He is against the pavilion, but agrees that the existing facilities need to be updated. He wishes someone would sit with the Nickless family and come to an agreement.

Marlene Christoff-Sundberge of 609 N. Trumbull has concerns regarding Wenonah Park, the pavilion and the changes. She feels there is conflicting information and all is controlled by the Director of the State Theatre. The project is not in the best interest of Bay City, but she feels is self-serving. She wonders how one person can have control and how effective can one person be having so much control. People enjoy the beauty of the park, riding bike, sitting, and seeing children playing. Construction of the pavilion will take away the green space and its serenity. Wenonah Park is the citizens' park and all of Bay City should have a say as to what happens. She believes the concerns are not being listened to and the powers that be have turned a deaf ear to the legit concerns. She would like to preserve Wenonah Park's uniqueness.

Frank Quinn is a Bay City native and remembers skating at the Fairgrounds. He states the noise and bands can be controlled and a rink will hold 2 types of people which are those who are dating and young children. The screams and noise from young children having fun on ice rink is the noise we should be promoting. He is in favor of the project and feels this is well thought out. The rink will draw attention, but not a lot of noise.

Bob Sarrow distributed a packet to the Planning Commission. He feels the park needs to have a clear vision to the river and people will not care about the pavilion and won't ice skate. He questions why we don't learn from the mistakes and uphold the founder's intent.

Michelle Roberts Seeds of 1712 Center Avenue stated she is amazed that people continue to say that young people want and need this. The individuals who put the plan in 10 years ago had a lot of foresight and created a plan that utilized needs and space. She feels Bay City is more than just Wenonah Park. She is concerned on the finances, no business plan, fees and fee structure. She questioned how the day to day operations will function. She suggested setting up a temporary ice rink and see how it is used and get a feeling of who will be using it. She feels it does not have to be in Wenonah Park.

Mary Ellyn Cain commented on Wenonah Park and how beautiful it is along with the view of the river, which made her come back to Bay City. Wenonah Park is accessible to people in the city. She feels this is a small park and mostly green and a great addition to the river. It doesn't need a building in the park. She stated that maintenance needs to be made to the band shell and the bathrooms are not big enough to accommodate who comes to the park. We need to take care of what's there instead of adding more in. She stated there is no market study and no answer of who would manage or profit from the concession stand. She hopes you will turn down the pavilion in Wenonah Park.

Shirley Roberts is the Executive Director of Bay Sail and a member of the DMB Board. She feels the document is not a good plan and created for one reason which is to circumvent the existing Wenonah Park Master Plan in order to include development of the pavilion and ancillary buildings. The original report didn't address the band shell. The pavilion project is not a good plan and did not follow a process. They should have had a well thought out plan and get permission then find the money. She questions whether the person who secured the grant has the authority to approve any development on public land in the City of Bay City and to obligate the citizens to the terms of a \$1M grant. Detailed plans have been changed and the proposed plan calls for reducing the berm. She feels there are so many conflicting pieces of information it makes it hard for people to sit back and evaluate the pros and cons. The plan calls for the only public assessable bathrooms

January 18, 2017

downtown, which is one of the main concerns and complaints is public restrooms. That feature of the plan would not enhance the quality of life of people who live and work downtown. This plan is supposed to be creating a place-making for downtown. The plan of 2006 was not weighted to bathroom improvements. It was for band shell improvements and there were amendments to fix the bathrooms. She asks the Planning Commission to pay attention of the rest of the neighborhoods in the community and if this is approved, it'll be accepting a flawed plan. She feels this sets a dangerous prescient of how the City develops public land for private interest in this community.

Don Haeger stated the DDA and architect took great care to maintain the view of the river. He stated the Park Master Plan concentrates more on location. The pavilion is a wide open structure and does not obstruct the view. The change of location for the pavilion was because of the concerns being made. The 2006 Plan removes and replants many trees and in this plan they have been maintained.

M. Sayles asked if anyone questioned the police to get their feeling on a covered space. L. Dufresne stated she hasn't heard anything, but stated the parks are patrolled as much as possible.

F. Starkweather stated this is not a personal park of the DDA but owned by the City of Bay City. There are trends all over to take green space and cut them up. This is a small park and it is the Planning Commission's role to protect this park. There's no market research or feasibility study, management plan or business plan.

R. Milster feels the pavilion is an interesting idea but in the wrong location. If the idea of the pavilion is to bring activity to downtown in the winter through ice skating, he doesn't see how it will do that. The sport of ice skating has shifted indoors. If you try to create it outdoors it should be near where the sledding hill is with other activities. He stated the 2006 plan talks about new restroom and renovating the band shell. There needs to be more green space in Wenonah Park. The reason downtown is as nice as it is because of the downtown residents. He mentioned a vast majority opposed to this are downtown residents and the DDA should work together. Will be voting no on the proposed plan.

R. Shea stated that not everyone can make the meeting, but he will have to respect the public and agree with R. Milster.

L. Dufresne added that there are a lot of people that cannot make meetings. She has talked to people on the street and asked their opinion. Many liked the idea and don't feel they are not listened at the meetings so they don't go. She talked to several business owners downtown and they also liked the idea. State Theatre manages the park with no compensation from the City. The City has always had someone other than City Hall managing Wenonah Park as it is an investment. She added that people are drawn to Wenonah Park and its location. State Theatre has made updates to the band shell and never asked the City for money back. She has an issue with the whole conspiracy theory. It is one of the larger city parks that doesn't have a pavilion that can be rented out. She stated she will be voting to approve the plan.

M. Sayles wondered how many times the pavilion would be rented out and the park area closed for it. L. Dufresne state they don't have to close the entire park.

Motion made by F. Starkweather, seconded by M. Sayles to not recommend approval of the Wenonah Park plan for the reasons stated by the commissioners. Roll call vote: 6 Yes and 1 No.

STAFF UPDATES

T. Moulane stated that staff is reviewing the draft Master Plan that just came in. It will be presented at an upcoming Planning Commission meeting.

T. Moulane announced that the commission seat vacancy was posted and applications are due January 20th. The term fulfills Mr. Starkweather's term ending 2021.

January 18, 2017

BUSINESS NOT ON THE AGENDA

F. Starkweather stated he has served on the Planning Commission for 10 years and this was his last meeting. He thanked the Commission for their support and level of approach of handling issues for the City. He asked that the Planning Commission stick to the 5 year plan and follow it.

ADJOURN

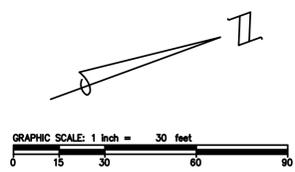
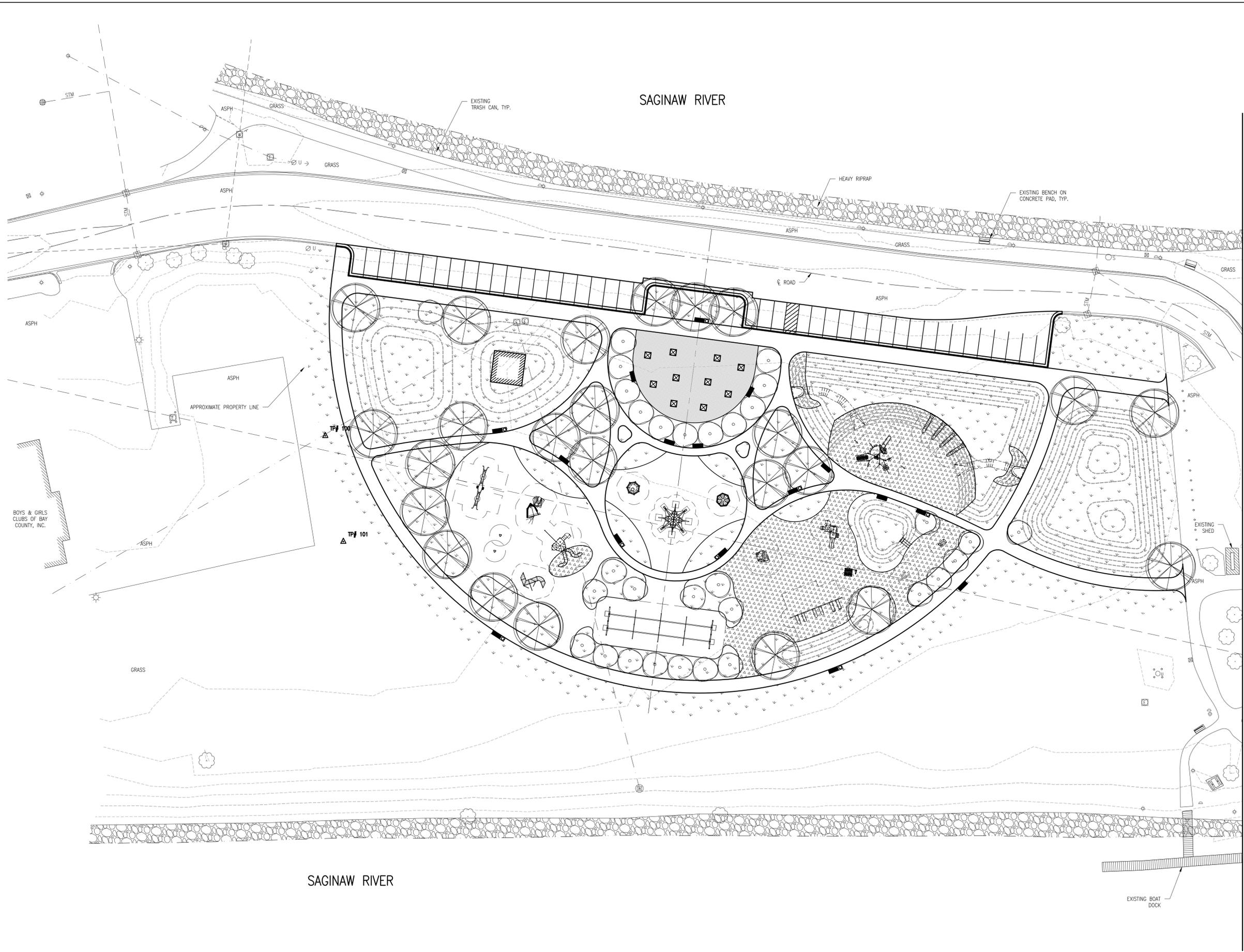
Motion made by M. Sayles, seconded by B. Branigan, to adjourn the meeting at 10:40 pm. Motion carried.

Prepared by Terry Moulane, Manager
Planning & Zoning Department



**PROPOSED CHILDREN'S PLAYAREA DEVELOPMENT
SITE LOCATION BIGELOW PARK**

DRAWING PATH: P:\4000_4100\4046160010_Bay_City_Bigelow_Park\Drawings\Civil\Plans_Const\160010SITE.dwg Jan 09, 2017 - 2:59pm



OHM
 ARCHITECTS ENGINEERS PLANNERS
 929 Bridgeview South
 Saginaw, MI 48604
 P (989) 393-4200
 OHM-ADVISORS.COM

MATCH LINE - SEE SHEET

LEGEND

- RELOCATED PILLARS
- GRASS
- SAFETY SURFACE
- BRICK PAVERS
- PROPOSED BUILDING LINE



Know what's below.
Call before you dig.

REVISIONS:									
DATE	PROJ NUMBER	ENG	PROJ MGR	CADD	COUNTY	CITY/VILLAGE/TOWNSHIP	SCALE	H.	V.
	4046160010	VWW	SLW	KCB	BAY	CITY OF BAY CITY	1"=40'	1"=40'	1"=4"
CITY OF BAY CITY									
BIGELOW PARK									
SITE PLAN - SOUTH									

COPYRIGHT 2016 OHM. ALL DRAWINGS AND WRITTEN MATERIALS APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF OHM AND THE SAME MAY NOT BE DUPLICATED, DISTRIBUTED, OR DISCLOSED WITHOUT PRIOR WRITTEN CONSENT OF OHM.

City of Bay City Park & Recreation Plan 2013-2017 Amendment

Project Description:

The City of Bay City is amending the current Park & Recreation Plan to include a proposed project in Bigelow Park. Bigelow Park is described on page 43 of the current plan as follows:

Bigelow Park is located at the north end of Middleground Island and is approximately 11.8 acres. The property for the park was donated in 1929 as a gift from Charles Bigelow who operated a large saw mill on the riverfront. Additional land was purchased by the city in 1949. It was not until 1991 that it was developed into a park. The park contains an extensive footbridge that crosses the river channel and connects the park to Veterans Memorial Park and the Riverwalk. Playground equipment and a pavilion were constructed by the Bay City Lions Club. The pavilion is frequently rented for family reunions, company picnics and other social events. The north end of the Middleground Island also contains a Victorian style building leased to the Rowing Club as a clubhouse, a Boys and Girls Club facility and a transient boat dock.

The proposed project within Bigelow Park is a new location for a children's play area to replace the nineteen year old Imagination Station Playground located in Veterans Park near the softball diamonds. The Imagination Station was removed due to general deterioration and contamination resulting from the leaching of arsenic into soils from pressure treated wood components. Both the play equipment and contaminate soils were removed in the spring of 2015.

Immediately following the demolition of the Imagination Station a project to replace the play area was organized as a joint partnership between the City and local community organizations. A citizen's Steering Committee has been established to assist in selecting a site and a design consultant, guiding the development of a master plan, soliciting public input and fundraising.

A number of sites were evaluated for the new playground, including two locations in Veterans Memorial Park. Since the play area is expected to be a prominent recreational feature, serving the needs of both residents and visitors, investigations have focused on potential centrally located sites on public properties and parkland on or near the Saginaw River corridor. The selection process concluded in December of 2015 with a public announcement that South Bigelow Park was determined to best meet the criteria established for the play area development including a clean environmental history and sufficient space for development needs.

The proposed master plan for this new development includes: the play area(s) and related equipment, parking, access improvements in the form of vehicular drives and pedestrian walkways, sanitary accommodations, utilities, lighting, signage, landscaping and site furnishings.

The play area will serve children in the pre-school through 12 year old age range. Unique and creative design solutions are being incorporated into the design that will expand play opportunities beyond a centralized equipment location, and utilize site and landscape features to stimulate creative play opportunities. The design will provide play experiences that support both the physical

and cognitive development of children, incorporate educational features, and provide a high degree of accessibility. Ease of maintenance is being carefully considered in both the design and selection of materials. It's expected that the play area and all related features will comply with American Society for Testing and Materials (ASTM) standards, Consumer Products Safety Commission (CPSC) recommendations, and the Americans with Disabilities Act legislation.

The Planning Process and Public Participation

An initiative began to plan for a replacement play area immediately following the Imagination Station's removal. The Bay Area Community Foundation (BACF) assisted to organize a steering committee called the "Friends of the Imagination Station", for purposes of working with City Staff to evaluate potential development sites, select a consultant, solicit public input and guide the design process. The Committee has also been involved in soliciting public input and promoting the project.

A survey and evaluation of 10 potential sites for the play area development was completed by the Steering Committee, and three sites were identified as best meeting the selection criteria established. The Steering Committee conducted a public meeting on December 17, 2015 at City Hall to review the selection process, receive public input, and officially announce the site rankings for the play area development. Those sites, and the order in which they were ranked, include: Veterans Park near the Trombly House (1st), Bigelow Park north of the Boys & Girls Club (2nd) and Putz Park (3rd).

To confirm their suitability for development, both the Veterans Park and Bigelow Park sites have recently undergone environmental testing performed by AKT Peerless. The Veterans Park site tested positive for contaminants in soil profiles below grade. Due to the historical uses of properties along the river corridor, the prevalence of contamination was not entirely unexpected. While these conditions do not present a health hazard as they presently exist, and could be mitigated for purposes of site development, the cost of doing so would be significant.

Environmental testing on the Bigelow Park Site was more favorable and did not reveal any contamination. Since it was determined that the final site selection would be based on the site that exhibited the most favorable conditions for development of the play area, and since the Bigelow Park site best meets the selection criteria, this site was recommended as the project location.

A publicly advertised Quality Based Selection (QBS) process for retaining a qualified design consultant was also completed during the fall of 2015. Steering Committee members and staff representatives from the City and Community Foundation received and reviewed resumes from nine design firms. Following that review, the four highest ranked firms were invited for interviews. From that field of four firms, OHM Advisors, with offices located in Saginaw Michigan, was determined to have the highest qualifications to provide the necessary design services. Services to be provided include surveying the site and researching utility records to develop a scaled base map of existing site conditions, developing preliminary designs for all proposed features including

parking, sidewalks, play area features, sanitary and shelter facilities, along with site amenities including benches, signage, lighting and landscaping.

The consultant facilitated a process that provided ample opportunities for public input into the design, which ultimately will conclude with the development of a site master plan for the project, along with detailed plans, specifications and cost estimates for constructing the improvements.

Action Plan (Chapter 6, page 92)

The following Goals and Objectives apply to the newly proposed Imagination Station Playground:

Goal: Provide facilities and services that meet the diverse recreational needs of residents and visitors to the community.

- Provide a balanced recreation system characterized by a variety of active, passive and cultural opportunities.
- Provide a recreation system that reflects the needs of all users.
- Emphasize quality of facilities and programs rather than quantity, especially in view of existing budget constraints.

Goal: Continue efforts to enhance the river corridor.

- Execute Master Plans for Wenonah and Veterans Memorial Park to reduce activity conflicts, and rehabilitate areas to better support both current and future uses.
- Capitalize on opportunities to expand use of the river, by providing improved access for a variety of activities like fishing, boating and walking.
- Strengthen pedestrian connections to parks within and from neighborhoods.
- Strengthen both physical and pedestrian connections to parks within and from business districts.
- Join with other entities to promote the river as a major recreational resource.

Goal: Adopt a sound planning basis for future park developments.

- Develop master plans for all parks identifying needs and improvements.
- Continue to assess community needs
- Continue to monitor leisure trends to validate future improvements and to exploit the opportunity to modify or add services.
- Develop a “Maintenance Impact Statement” for all proposed park improvements.
- Insure sufficient funding is available to support all new developments or programs.
- Focus on the rehabilitation of existing facilities.
- Identify and modify underutilized facilities.

Goal: Ensure current and future park facilities comply with all facility use and development standards.

- Perform regular safety inspections on all play equipment.
- Inspect all park areas for compliance with the “American with Disabilities Act”.
- Develop a transition plan to address barriers to accessibility.
- Incorporate universal accessibility and safety standards into all new designs.

Goal: Continue to develop partnerships with entities to program and maintain facilities.

- Renew agreement with Bay County for continued cooperative programming and maintenance of community park areas.
- Promote cooperation and resource sharing among recreation providers.
- Support volunteer efforts to maintain and improve park areas.
- Pursue “community service opportunities” with the local court and school systems.
- Inventory potential maintenance needs
- Where feasible, design facilities for multi-purpose uses.

Short-term Planning Recommendation & Strategies (page 95)

Master Planning

Developing master plans for individual parks provides an opportunity to analyze the comprehensive needs of each park, rather than simply considering potential improvements separately. The focus of the master planning process centers on the opportunity to improve and restore park features, while at the same time ensuring that parks continue to meet community needs for both active and passive recreational uses. This Park and Recreation Plan strongly encourages the development of individual park plans, guided by public input to determine future needs and improvements.

Proposed project

The proposed project fulfills the identified goals and objectives of the recreation plan and is a joint partnership between the City and local community organizations. A citizen’s Steering Committee helped to establish the development of a master plan, solicit public input and with fundraising efforts. With this amendment, the City identifies this as a priority project in the current recreation plan and is preparing a new recreation plan in 2017/2018.

Notice of Availability of the Draft Plan Amendment and Public Hearing

The Bay City Planning Commission received a presentation by the Park’s Manager on January 18, 2017. The presentation described the master plan public input process and improvements being made. A Notice of Amendment Availability was published in the Bay City Times on February 2, 2017 for an additional public meeting held on February 15th, 2017. The City Commission received a presentation of the project during a February 13, 2017 City Commission meeting with the public hearing for the amendment held on February 20, 2017.

In addition to the required notices, Bay City's five Citizens District Councils with each being approximately 10-12 members were provided information about the project and plan amendment on February 1, 2017. The draft plan amendment and support documents was posted on the City's website as well.

Capital Improvement Schedule (page 103) addition to: next page

2017-2018 CAPITAL IMPROVEMENT PROGRAM

Project# P3

Department: Public Works
 Division: Parks, Buildings & Grounds
 Project Manager/Supervisor: Baranski

Project Title: Children's Playarea Development P3
 Project Location: Bigelow Park

Description of Project: Playarea development to replace the Veterans Park Imagination Station

Justification For Project: Replaces Imagination Station that was removed in Veterans Park. Needs based recreational amenity has strong community support.

Future Impact of Project: Enhanced quality of life; provides recreation opportunities for pre-school - 12yr old children

Capital Costs	Fund	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	Total
Personal Serv.:								
Planning/Design:								
Land Acquist/Row:								
Construction:			726,862.00	270,850.00				997,712.00
Total Capital Costs:			\$726,862.00	\$270,850.00	\$0.00	\$0.00	\$0.00	
Related Costs	Fund	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	Total
Personal Serv.:								
Supp/Materials:								
Contractual Serv.:								
Capital Outlay:								
Total Related Costs:		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Source of Funds	Fund	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	Total
General Fund	City		190,000.00	13,500.00				203,500.00
Local Contributions / Grants			236,862.00	257,350.00				494,212.00
State Grants			300,000.00					300,000.00
Total Funding:		\$0.00	\$726,862.00	\$270,850.00	\$0.00	\$0.00	\$0.00	\$997,712.00

Capital Costs Beyond Project Completion: None Anticipated

This Project Is:
 % Federally Funded
 30 % State Funded
 20 % Locally Funded (City)
 50 % Private Grants

This Project Is:
 X In accordance with Department Master Plan
 Not in accordance with Department Master Plan
 In accordance with the comprehensive plan
 A continuing project
 A maintenance project



**PLANNING COMMISSION
MINUTES OF MEETING
DRAFT February 15, 2017**

CALL TO ORDER & ROLL CALL

A regular meeting of the Bay City Planning Commission held in the Commission Chambers, City Hall, was called to order by President Lori Dufresne at 7:00 p.m.

The commission and others present recited the pledge of allegiance.

Members present: L. Dufresne, B. Branigan, M. Ewald Sayles, F. Starkweather, J. Green and R. Shea

Staff and City Commission Liaisons present: Planning & Zoning Manager Terry Moulane, City Commissioner Larry Elliott and City Commissioner Lynn Stamiris.

APPROVAL OF MINUTES

Motion made by F. Starkweather, seconded by R. Shea to approve the January 18, 2017 meeting minutes. Motion carried.

PUBLIC COMMENTS AND COMMUNICATIONS NOT ON THE AGENDA:

No public comment at this time.

NEW BUSINESS

Park and Recreation Plan Amendment for Imagination Station Playground:

Terry Moulane stated there was an email sent in December informing the Planning Commission of the effort to the amendment to the Park and Recreation Plan. The current plan is valid until December 2017 and the plan is being amended because of the Imagination Station becoming a park project development. At the January Planning Commission meeting, approval was granted for the Master Plan and the City Commission will receive that plan on Monday, February 20th. T. Moulane stated that in the staff report is an overview of the notices that were published in The Bay City Times. One form is the notice of availability published and the actual amendment in the form of a supplement document was posted to the city website.

B. Branigan questioned the soil contamination and if environmental testing was completed. Darwin Baranski, Parks Manager stated the City has worked with AKT Peerless and the report came back that the soil was clean.

T. Moulane read the resolution:

2/15/17

Of Planning Commission as a Whole:

Whereas, Bay City has an established dynamic park and recreation system that serves City residents and residents of nearby communities; and

Whereas, the Bay Area Community Foundation assisted to organize a steering committee called the “Friends of the Imagination Station” for purposes of working with City Staff to evaluate potential development sites, solicit public input and guide the design process; and

Whereas, existing park and recreation facilities have been developed to meet the needs of Bay City as it developed but there is now a need to improve those facilities to meet the needs of children in the pre-school

February 15, 2016

through 12 year old age range; and

Whereas, staff has undertaken a planning process to determine the community recreation needs for the replacement of the Imagination Station Playground and has prepared an amendment to the city-wide park and recreation plan for the years 2013-2017; and

Whereas, during the drafting of the plan amendment, the community was provided with a well-advertised opportunity to express opinions, ask questions, and discuss all aspects of the recreation plan; and

Whereas, the plan amendment presents an identified park and recreation need of the community; and

Whereas, the plan amendment is required for continued eligibility for funding from state and federal grant-in-aid programs; and

Whereas, a public review meeting was held on February 15, 2017;

Now Therefore Be It Resolved that the Planning Commission recommends that the City Commission adopt the amendment to the "Bay City 2013-2017 Park and Recreation Plan."

Motion made by J. Green, seconded by B. Branigan, to approve the recommendation for the amendment to the Parks and Recreation Plan and have the plan go before the City Commission. Vote: All in favor, Motion Carried.

T. Moulane stated the deadline for the amendment is March 1st and the deadline for the amendment for the DNR Grant application is April 1st. The plan must be submitted one month earlier.

STAFF UPDATES

T. Moulane reminded the Planning Commission that on March 8th, MAP is having sessions on planning & zoning essentials in Frankenmuth. Please let T. Moulane know if you are interested in attending.

T. Moulane stated that a draft of the Master Plan has been received from Carlisle Wortman and distributed to the Planning Commission. He asked the Planning Commission to review it and the executive summary before the March meeting. After the March meeting, the Planning Commission will be provided an presentation from the consultants and then be asked to submit the Master Plan to the City Commission and they will issue a release to the public. It is currently still in the draft stage and there will be a 60-day comment period.

F. Starkweather stated he is happy to see this stage of development and this has been a long process. He asked if the Parks Plan will be part of the Master Plan. T. Moulane explained that it is in a way. A Park and Recreation Plan is a requirement for the DNR Trust Fund grant money. If the DNR didn't have a trust fund grant money, then there is nothing in the Planning Act for municipalities to plan a recreation plan. The Master Plan is covered in the Planning Act and covers several topic and including recreation and entertainment, which parks and recreation would fall under.

T. Moulane stated that Carlisle Wortman will be at the March meeting. There will also be a site plan for a residential development. He also mentioned that discussion will also be held on Big B Coffee on Euclid Avenue. They came to the Planning Commission with a site plan and special use approval. He anticipates them coming back to discuss a modification on the site plan as they are thinking of keeping the building.

T. Moulane stated that city staff is working on budgets and one of the goals the Park and Recreation Plan the opportunity to have an RFP out for a consultant to help with the plan.

T. Moulane added that staff will also be working on sign regulations.

T. Moulane stated that there had been meetings regarding medical marijuana and options available. Options will be brought to the City Commission in the spring. T. Moulane stated that legislation has cleaned up the dispensary issue. The City has the opportunity to regulate the number of dispensaries, the number of growing facilities and the use of transporter business. If a community decides to participate, there are some incentives

February 15, 2016

and a tax placed on it. Communities can limit the number of dispensaries permitted and charge an application fee for a license up to \$5,000 per application.

J. Green asked if it is possible for the County to handle the whole thing. T. Moulane stated that each individual municipality within the county will have the opportunity to opt in or out.

BUSINESS NOT ON THE AGENDA

F. Starkweather stated the efforts are in the works for a water trail plan and component for Bay City. The planning for Bay County completed last year with grant funds. Saginaw was done 15 years ago and needs to be updated. The Saginaw Bay Water Alliance is a non-profit helping to form a water trail for Saginaw Bay. They are in the process of selecting people to join. There is a summit being held on March 30th at the Saginaw Field and Stream Club in Thomas Township. If you know of anyone that would be interested, please give names to F. Starkweather. They will be eventually coming to the Planning Commission with a water trail plan for Bay City and will ask for an amendment to the Parks and Recreation Plan. T. Moulane stated that the plan can be included in the new recreation plan.

T. Moulane stated that the vacancy for the Planning Commission has been filled and thanked F. Starkweather for his time and involvement in the community.

ADJOURN

Motion made by M. Sayles, seconded by B. Branigan, to adjourn the meeting at 7:40pm. Motion carried.

Prepared by Terry Moulane, Manager
Planning & Zoning Department

2/15/17

Of Planning Commission as a Whole:

Of City Commission as a Whole:

Whereas, Bay City has an established dynamic park and recreation system that serves City residents and residents of nearby communities; and

Whereas, the Bay Area Community Foundation assisted to organize a steering committee called the "Friends of the Imagination Station" for purposes of working with City Staff to evaluate potential development sites, solicit public input and guide the design process; and

Whereas, existing park and recreation facilities have been developed to meet the needs of Bay City as it developed but there is now a need to improve those facilities to meet the needs of children in the pre-school through 12 year old age range; and

Whereas, staff has undertaken a planning process to determine the community recreation needs for the replacement of the Imagination Station Playground and has prepared an amendment to the city-wide park and recreation plan for the years 2013-2017; and

Whereas, during the drafting of the plan amendment, the community was provided with a well-advertised opportunity to express opinions, ask questions, and discuss all aspects of the recreation plan; and

Whereas, the plan amendment presents an identified park and recreation need of the community; and

Whereas, the plan amendment is required for continued eligibility for funding from state and federal grant-in-aid programs; and

Whereas, a public review meeting was held on February 15, 2017;

Now Therefore Be It Resolved that the Planning Commission recommends that the City Commission adopt the amendment to the "Bay City 2013-2018 Park and Recreation Plan."

2/20/17

Of Commission as a Whole:

Of City Commission as a Whole:

Whereas, Bay City has an established dynamic park and recreation system that serves City residents and residents of nearby communities; and

Whereas, the Bay Area Community Foundation assisted to organize a steering committee called the "Friends of the Imagination Station" for purposes of working with City Staff to evaluate potential development sites, solicit public input and guide the design process; and

Whereas, existing park and recreation facilities have been developed to meet the needs of Bay City as it developed but there is now a need to improve those facilities to meet the needs of children in the pre-school through 12 year old age range; and

Whereas, staff has undertaken a planning process to determine the community recreation needs for the replacement of the Imagination Station Playground and has prepared an amendment to the city-wide park and recreation plan for the years 2013-2017; and

Whereas, during the drafting of the plan amendment, the community was provided with a well-advertised opportunity to express opinions, ask questions, and discuss all aspects of the recreation plan; and

Whereas, the plan amendment presents an identified park and recreation need of the community; and

Whereas, the plan amendment is required for continued eligibility for funding from state and federal grant-in-aid programs; and

Whereas, on February 20, 2017, the Bay City Commission held a public hearing;

Now Therefore Be It Resolved that the Bay City Commission adopts the amendment to the "Bay City 2013-2017 Park and Recreation Plan."

Subject: Resolution of Support-Michigan Natural Resources Trust Fund Grant Application for Imagination Station Playground

Reviewed By: City Manager: Richard M. Finn Deputy City Manager: Dana L. Muscott

Prepared By: Debbie Kiesel - CDBG Coordinator/Grant Writer

PERTINENT FACTS:

City staff is seeking authorization to apply for a Michigan Natural Resources Trust Fund (MNRTF) Grant in the amount of \$300,000 to assist with the development of the Imagination Station Playground to be constructed in Bigelow Park. Grant applications are due April 1, 2017.

The DNR requires that grant applicants hold at least one public hearing to receive input in regards to submitting a MNRTF grant application and that the highest governing body approve a resolution supporting the submittal of the MNRTF grant and agree to enter into an agreement with the DNR for grant implementation.

In addition to the resolution applicants of MNRTF grants must adhere to certain commitments if awarded funds. Commitments include:

- A minimum 25% match on the total project cost is required if grant funds are awarded.
- The land included in the boundary of the project site must remain open to public outdoor recreation use in perpetuity.
- The grantee must maintain the site, including facilities constructed with grant assistance and any other facilities necessary for their use, such as entrance drives, parking, walkways and restrooms. This includes access in compliance with the 2010 ADA standards for accessible design.
- All projects must install a 12"x18" sign from Rotary Multiforms, Inc.
- An entrance sign identifying the park as a public recreation site must be prominently displayed.

Staff is confident that all commitments can be made if the grant is awarded. The 25% match requirement may be met with cash, other grants and in-kind services. Between the City of Bay City and the Citizens Steering Committee a total of \$366,000 in cash donations, grants and in-kind services has been received/committed for the Imagination Station Playground project. Fund raising efforts continue to be ongoing. The \$366,000 currently committed surpasses the required 25% match. Additional application points may be awarded if matching funds are above the 25% requirement.

LEGAL ISSUES:

TIME SENSITIVITY:

Impending deadline

BRIEFLY DESCRIBE THE NATURE OF THE TIME SENSITIVITY:

The DNR Michigan Natural Resources Trust Fund Grant application is due into the State of Michigan MiRecGrants system by April 1, 2017.

FINANCIAL CONSIDERATIONS:

Estimated total project cost is \$997, 713.

City staff is seeking authorization to apply for \$300,000 in Michigan Natural Resources Trust funding which requires a 25% local match. The match may include cash, donation of goods and services, donation of land value or other grants.

Fundraising and grant writing efforts are ongoing. To date an estimated \$366,000 in grants and donated services has been committed surpassing the 25% match of \$249,428.

CITY GOALS:

RECOMMENDED ACTION:

*Commission as a Whole resolution supporting the Michigan Natural Resources Trust Fund Grant application in the amount of \$300,000 to assist with the development of the Imagination Station Playground to be constructed in Bigelow Park.

RECOMMENDATION: Approve.

ATTACHMENTS:

Description	Upload Date	Type
Resolution - MNRT - Imagination Station	2/10/2017	Cover Memo
Map of Project Area	2/10/2017	Cover Memo

CP 2/20/2017

Of Commission as a Whole:

Whereas, the Michigan Department of Natural Resources provides funds to create opportunities to enhance understanding of sustainability, connecting people, resources, organizations and programs through regional networks of local projects; and

Whereas, the City of Bay City submitted a Michigan Natural Resources Trust Fund grant application to obtain \$300,000 for the development of the Imagination Station Playground; and

Whereas, the Bay City City Commission supports the Michigan Natural Resources Trust Fund grant application in the amount of \$300,000 for the purposes of constructing the Imagination Station Playground, a 2 ½ acre playground area; and

Whereas, if awarded the grant, the City of Bay City will enter into an agreement with the Michigan Department of Natural Resources for implementation of the grant,

Now Therefore Be It Resolved that the Bay City City Commission hereby supports the Michigan Natural Resources Trust Fund grant application, and, if awarded that the Mayor and City Clerk shall be authorized to sign grant contracts, any necessary amendments to grant contracts, and other contract related documents.



**PROPOSED CHILDREN'S PLAYAREA DEVELOPMENT
SITE LOCATION BIGELOW PARK**