

# MANISTEE CITY COUNCIL

## MEETING AGENDA

TUESDAY, OCTOBER 1, 2013 – 7:00 P.M. – COUNCIL CHAMBERS

**I. Call to Order.**

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

**II. Public Hearings.**

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

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

- V. Approval of Minutes.
- VI. a.) Approval of Payroll.  
b.) Cash Balances Report.
- XI. b.) Notification Regarding Next Work Session.  
c.) Consideration of Northfire Dance Company Bottle Drive.  
d.) Consideration of Annual Boos, Brews & Brats Event.

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

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

**VI. Financial Report.**

- \*a.) APPROVAL OF PAYROLL.

\*b.) CASH BALANCES REPORT.

**VII. Unfinished Business.**

**VIII. New Business.**

a.) CONSIDERATION OF AN ENGINEER OF RECORD AGREEMENT WITH THE SPICER GROUP.

At their meeting of August 20, 2013 Council took action to approve the recommendation of the EOR Interview Team and selected the Spicer Group as the City of Manistee's Engineer of Record; and further authorized the City Manager and City Attorney to negotiate an Engineer of Record Agreement. Staff and the City Attorney have completed negotiations and recommend the attached agreement.

At this time Council could take action to approve an Engineer of Record Agreement with the Spicer Group for a period of five years; and further authorize the Mayor and City Clerk to execute the agreement.

b.) CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Downtown Development Authority, Harbor Commission, Non-Motorized Transportation Committee, Planning Commission and the Zoning Board of Appeals.

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

The following applications have been received:

**DOWNTOWN DEVELOPMENT AUTHORITY** – Two vacancies, four-year terms ending 07/01/17; Mayoral appointment.

Rachel L. Estabrook, 4 Brookharbor North  
John L. Smith, 315 Condon Road

**HARBOR COMMISSION** – Two vacancies, three-year terms ending 10/31/16; Council appointment.

None received.

**NON-MOTORIZED TRANSPORTATION COMMITTEE** – Two unexpired terms ending 03/31/14 and 03/31/15; Mayoral appointment.

None received.

**PLANNING COMMISSION** – Three vacancies, three-year terms ending 10/31/16; Mayoral appointment.

Mark W. Wittlief, 363 Tenth Street\*  
Marlene McBride, 217 River Street\*  
David J. Crockett, 260 Third Avenue\*

**ZONING BOARD OF APPEALS** – Alternate member, one unexpired term ending 05/31/15; Mayoral appointment.

None received.

\*Incumbent

At this time the Mayor and Council could take action to make appointments as noted above.

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

- a.) A REPORT FROM THE PLANNING & ZONING OFFICE AND THE BUILDING INSPECTOR'S OFFICE.

A regular part of each Council meeting is a report from a cooperating agency, organization or department.

At this time Ms. Denise Blakeslee will report on the activities of the Planning and Zoning Office and respond to any questions the Council may have regarding their activities.

At this time Mr. Mark Niesen will report on the activities of the Building Inspector's Office and respond to any questions the Council may have regarding their activities.

No action is required on this item.

\*b.) NOTIFICATION REGARDING NEXT WORK SESSION.

A Council work session has been scheduled for Tuesday, October 8, 2013 at 7 p.m. A discussion will be conducted on the Surplus Property Policy, DDA Tree and Sign Proposals, Motor Pool Update, Project Updates; and such business as may come before the Council. No action is required on this item.

\*c.) CONSIDERATION OF NORTHFIRE DANCE COMPANY BOTTLE DRIVE.

The Northfire Dance Company has requested authorization to conduct a bottle drive on Saturday, October 12, 2013 from 10 a.m. to 4 p.m. to solicit bottles that they can cash in. The proceeds from this event will be used for competition travel and other team expenses.

At this time Council could take action to authorize a bottle drive on Saturday, October 12, 2013 in the City of Manistee for the Northfire Dance Company.

\*d.) CONSIDERATION OF ANNUAL BOOS, BREWS & BRATS EVENT.

The Manistee Main Street Downtown Development Authority has requested authorization to conduct their annual Boos, Brews & Brats event on Saturday, October 26, 2013 from noon until 11 p.m. on River Street in front of the marina building. This is the fourth year of this popular attraction and features a beer tent, entertainment, a 2 mile Zombie race and a pet parade.

At this time Council could take action to authorize the annual Boos, Brews & Brats event on Saturday, October 26, 2013.

**X. Concerns and Comments.**

a.) CITIZEN COMMENT. This is an opportunity for citizens to comment on municipal services, activities or areas of City involvement. Citizens in attendance shall be recognized by the Mayor for comments (limited to five minutes). Letters submitted to Council will not be publicly read.

b.) OFFICIALS AND STAFF.

c.) COUNCILMEMBERS.

**XI. Adjourn.**

MDD:cl

**COUNCIL AGENDA ATTACHMENTS:**

Council Meeting Minutes – September 16, 2013

Cash Balances Report

Engineer of Record Agreement with the Spicer Group

Board and Commission Applications

Northfire Dance Company Bottle Drive Request

Boos, Brews & Brats Event Request

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

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

**PRESENT:** Colleen Kenny, Robert Hornkohl, Robert Goodspeed, Catherine Zaring, Beth Adams, and Eric Gustad (*arrived at 7:23 p.m.*).

**ABSENT:** Edward Cote.

**ALSO PRESENT:** City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, Finance Director – Ed Bradford, Public Safety Director – Dave Bachman, and City Engineer – Corey Kadow/Abonmarche.

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

Ross Spencer- 328 Eighth Street, asked if the public would be able to read the City Manager's employment agreement before it is voted on.

### **CONSENT AGENDA.**

- Minutes - September 3, 2013 - Regular Meeting
- Payroll - no report
- Monthly Bills - August 29, 2013 - \$ 5,277,957.94  
- August 29, 2013 #2 - \$ 4,542.00
- Notification Regarding Next Work Session – October 8, 2013  
A discussion will be conducted on a Surplus Property Policy, Downtown Trees, DPW Truck Purchases and Project Updates; and such business as may come before the Council.
- Consideration of Homecoming Parades, Manistee Catholic Central School and Manistee High School  
Both Manistee Catholic Central School (MCC) and Manistee High School (MHS) have requested authorization for their annual homecoming parade on Friday, September 27, 2013. The Police Department has coordinated these parade requests that will begin with MCC at 4:30 p.m. and MHS immediately following. Both parades will begin at Division Street and end on River Street at the Fountain.

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

With a roll call vote this motion passed unanimously.

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

**NAYS:** None

**CONSIDERATION OF APPROVED DEPOSITORIES FOR CITY FUNDS.**

City Charter Section 7-8 requires that Council designate the depositories for City funds. The Finance Director requests that the following financial institutions be approved as designated depositories: Charles Schwab, Flagstar Bank, Honor State Bank, Huntington Bank, MBIA Michigan Class, Northwestern Bank, PNC Bank, Shelby State Bank, UBS, West Michigan Bank & Trust, and West Shore Bank.

MOTION by Hornkohl, second by Goodspeed to approve designated depositories for the City of Manistee.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**CONSIDERATION OF A DECK LEASE WITH THE BOAT HOUSE GRILL.**

The City of Manistee has had a deck lease agreement with the property owners at 440 River Street for many years that allows a deck from the business to extend over City property to the north. The current agreement with Boat House Grill expired on December 31, 2012. City Administration recommends approval of the agreement and the City Attorney has prepared and approved the lease agreement.

MOTION by Hornkohl, second by Goodspeed to approve a deck lease agreement between the City of Manistee and the Boat House Grill, located at 440 River Street for a ten year period; and further authorize the Mayor and City Clerk to execute the lease agreement.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**CONSIDERATION OF BIDS RECEIVED FOR THE FIRE STATION DOOR REPLACEMENT.**

The current rear door on the station does not accommodate vehicle entry into the Fire Station. Specs were created and bids were advertised and opened on Tuesday, August 27, 2013. Only one bid was received from Joseph A.A. Helminski Construction Company in the amount of \$29,948. This bid came in over the budgeted amount of \$26,700. The bidder was asked to remove the electronic opener component and after value engineering the bid was reduced to \$26,448. The City Attorney has reviewed and approved the attached contract.

MOTION by Zaring, second by Hornkohl to accept the bid of \$26,448 from Joseph A.A. Helminski Construction Company to replace the rear door at the Fire Station; and further authorize the Mayor and City Clerk to execute the contract. Brief discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**A REPORT FROM THE MANISTEE COUNTY COMMUNITY FOUNDATION AND THE CITY CLERK’S OFFICE.**

Ms. Laura Heintzelman reported on the activities of the Manistee County Community Foundation and responded to questions the Council had regarding their activities.

*Councilmember Gustad arrived – time 7:23 p.m.*

Ms. Michelle Wright reported on the activities of the City Clerk’s Office and responded to questions the Council had regarding their activities.

**PRESENTATION OF THE FOURTH QUARTER INVESTMENT REPORT BY FINANCE DIRECTOR ED BRADFORD.**

**CITIZEN COMMENT.**

Dennis Skiera – 1453 Maple Road, commented on a water and sewer billing issue at his rental property at 103 Sycamore Street; the meters were disconnected on the unoccupied units; asked Council to direct the billing office to remove the bond debt charges.

Tom Geoghan – 286 Dunes Drive, stated that he received a disservice from the City of Manistee in reference to his tax bill; arrangements were made with the bank to make the payment on August 20<sup>th</sup>; payment was not received until August 23<sup>rd</sup>; received a balance due notice for the late charges; feels the late charge should not have been applied because the situation was out of his control.

**OFFICIALS AND STAFF.**

Deisch expressed his condolences to the former Councilmember Jan Gavliniski’s family on her passing.

Bachman commented on the funeral held for Trooper Butterfield this past weekend; stated Manistee shined and came together for this event.

**COUNCILMEMBERS.**

Hornkohl and Goodspeed commended all that worked on the Butterfield funeral for a job well done.

Kenny, on behalf of the City of Manistee, thanked the police, fire, and all who helped with the funeral; she also was saddened by the passing of Jan Gavliniski who served on the City Council from 1996-2001 and also served as Mayor Pro-Tem in 1998-1999.

**CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION.**

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

MOTION by Goodspeed, second by Hornkohl to adjourn to Executive Session. Time: 7:50 p.m.

MOTION by Hornkohl, second by Zaring to return to Regular Session. Time: 8:16 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**CONSIDERATION OF CITY MANAGER EMPLOYMENT AGREEMENT.**

Following completion of the City Manager's annual evaluation, City Council could consider a revised employment agreement with City Manager Mitchell D. Deisch.

MOTION by Hornkohl, second by Zaring to approve an amended employment agreement with City Manager Mitchell D. Deisch (retroactive to 7/1/13) and authorize the Mayor and City Clerk to execute the agreement.

With a roll call vote this motion passed, 5-1.

AYES: Kenny, Hornkohl, Zaring, Adams, and Gustad

NAYS: Goodspeed

**ADJOURN.**

MOTION to adjourn was made by Goodspeed, second by Hornkohl. Meeting adjourned at 8:18 p.m.

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

**CASH TRANSACTIONS REPORT**  
DRAFT

MONTH: AUGUST  
City of Manistee

Page: 1  
9/25/2013  
5:38 pm

Account Number	Beginning Balance	Debit	Credit	Ending Balance
<b>Fund: 101 - GENERAL FUND</b>				
Dept: 000				
001.000 Cash	517,628.14	2,887,856.79	1,005,530.20	2,399,954.73
001.002 Cash - Escrow	63,545.15	60.00	7,178.14	56,427.01
004.000 Cash - Petty	800.00	0.00	0.00	800.00
017.000 MBIA Mi Class Inv	57,146.15	2.05	0.00	57,148.20
Total Dept: 000	639,119.44	2,887,918.84	1,012,708.34	2,514,329.94
<b>Fund: 101</b>	639,119.44	2,887,918.84	1,012,708.34	2,514,329.94
<b>Fund: 202 - MAJOR STREET FUND</b>				
Dept: 000				
001.000 Cash	131,922.76	98,905.27	161,105.15	69,722.88
Total Dept: 000	131,922.76	98,905.27	161,105.15	69,722.88
<b>Fund: 202</b>	131,922.76	98,905.27	161,105.15	69,722.88
<b>Fund: 203 - LOCAL STREET FUND</b>				
Dept: 000				
001.000 Cash	85,352.15	10,373.69	6,750.00	88,975.84
Total Dept: 000	85,352.15	10,373.69	6,750.00	88,975.84
<b>Fund: 203</b>	85,352.15	10,373.69	6,750.00	88,975.84
<b>Fund: 204 - STREET IMPROVEMENT FUND</b>				
Dept: 000				
001.000 Cash	92,846.83	242.05	70,000.00	23,088.88
Total Dept: 000	92,846.83	242.05	70,000.00	23,088.88
<b>Fund: 204</b>	92,846.83	242.05	70,000.00	23,088.88
<b>Fund: 226 - CITY REFUSE FUND</b>				
Dept: 000				
001.000 Cash	88,317.57	185,716.03	69,233.62	204,799.98
001.030 Cash Mgt Chk	98,872.71	4.20	0.00	98,876.91
Total Dept: 000	187,190.28	185,720.23	69,233.62	303,676.89
<b>Fund: 226</b>	187,190.28	185,720.23	69,233.62	303,676.89
<b>Fund: 243 - BROWNFIELD REDEVELOPMENT AUTHO</b>				
Dept: 000				
001.000 Cash	8,214.58	30,000.00	297.50	37,917.08
Total Dept: 000	8,214.58	30,000.00	297.50	37,917.08
<b>Fund: 243</b>	8,214.58	30,000.00	297.50	37,917.08
<b>Fund: 245 - OIL &amp; GAS FUND</b>				
Dept: 000				
001.000 Cash	211,828.19	259,416.74	125,000.00	346,244.93
001.020 Money Market	160,448.05	0.00	0.00	160,448.05
Total Dept: 000	372,276.24	259,416.74	125,000.00	506,692.98
<b>Fund: 245</b>	372,276.24	259,416.74	125,000.00	506,692.98
<b>Fund: 249 - BUILDING INSPECTOR</b>				
Dept: 000				
001.000 Cash	13,519.82	1,283.80	1,100.00	13,703.62
Total Dept: 000	13,519.82	1,283.80	1,100.00	13,703.62
<b>Fund: 249</b>	13,519.82	1,283.80	1,100.00	13,703.62

## CASH TRANSACTIONS REPORT

DRAFT

MONTH: AUGUST  
City of ManisteePage: 2  
9/25/2013  
5:38 pm

Account Number	Beginning Balance	Debit	Credit	Ending Balance
<b>Fund: 251 - EPA GRANT - PETROLEUM</b>				
Dept: 000				
001.000 Cash	5,285.53	15,892.50	19,082.51	2,095.52
Total Dept: 000	5,285.53	15,892.50	19,082.51	2,095.52
<b>Fund: 251</b>	5,285.53	15,892.50	19,082.51	2,095.52
<b>Fund: 252 - EPA GRANT - HAZARDOUS</b>				
Dept: 000				
001.000 Cash	0.00	2,890.00	7,100.00	-4,210.00
Total Dept: 000	0.00	2,890.00	7,100.00	-4,210.00
<b>Fund: 252</b>	0.00	2,890.00	7,100.00	-4,210.00
<b>Fund: 275 - GRANT MANAGEMENT FUND</b>				
Dept: 000				
001.000 Cash	204,674.15	251,130.00	437,464.64	18,339.51
Total Dept: 000	204,674.15	251,130.00	437,464.64	18,339.51
<b>Fund: 275</b>	204,674.15	251,130.00	437,464.64	18,339.51
<b>Fund: 290 - PEG COMMISSION</b>				
Dept: 000				
001.000 Cash	2,704.44	2,451.78	3,824.53	1,331.69
Total Dept: 000	2,704.44	2,451.78	3,824.53	1,331.69
<b>Fund: 290</b>	2,704.44	2,451.78	3,824.53	1,331.69
<b>Fund: 296 - RAMSDELL THEATRE</b>				
Dept: 000				
001.000 Cash	38,423.80	80,739.25	32,643.84	86,519.21
004.000 Cash - Petty	500.00	0.00	0.00	500.00
Total Dept: 000	38,923.80	80,739.25	32,643.84	87,019.21
<b>Fund: 296</b>	38,923.80	80,739.25	32,643.84	87,019.21
<b>Fund: 297 - RAMSDELL RESTORATION PROJECT</b>				
Dept: 000				
001.000 Cash	1,516.17	170.00	0.00	1,686.17
Total Dept: 000	1,516.17	170.00	0.00	1,686.17
<b>Fund: 297</b>	1,516.17	170.00	0.00	1,686.17
<b>Fund: 430 - CAPITAL IMPROVEMENT FUND</b>				
Dept: 000				
001.000 Cash	83,373.77	0.00	71,944.98	11,428.79
Total Dept: 000	83,373.77	0.00	71,944.98	11,428.79
<b>Fund: 430</b>	83,373.77	0.00	71,944.98	11,428.79
<b>Fund: 490 - RENAISSANCE PARK</b>				
Dept: 000				
001.000 Cash	6,713.45	0.00	0.00	6,713.45
Total Dept: 000	6,713.45	0.00	0.00	6,713.45
<b>Fund: 490</b>	6,713.45	0.00	0.00	6,713.45
<b>Fund: 508 - BOAT RAMP FUND</b>				
Dept: 000				
001.000 Cash	10,674.57	16,310.00	5,495.13	21,489.44
004.000 Cash - Petty	1,001.00	0.00	0.00	1,001.00

## CASH TRANSACTIONS REPORT

DRAFT

MONTH: AUGUST  
City of ManisteePage: 3  
9/25/2013  
5:38 pm

Account Number	Beginning Balance	Debit	Credit	Ending Balance
Total Dept: 000	11,675.57	16,310.00	5,495.13	22,490.44
<b>Fund: 508</b>	11,675.57	16,310.00	5,495.13	22,490.44
<b>Fund: 573 - WATER &amp; SEWER UTILITY</b>				
Dept: 000				
001.000 Cash	693,977.17	305,264.70	602,002.39	397,239.48
001.002 Cash - Escrow	30,600.00	600.00	200.00	31,000.00
004.000 Cash - Petty	300.00	0.00	0.00	300.00
017.000 MBIA Mi Class Inv	488,631.85	17.35	0.00	488,649.20
Total Dept: 000	1,213,509.02	305,882.05	602,202.39	917,188.68
<b>Fund: 573</b>	1,213,509.02	305,882.05	602,202.39	917,188.68
<b>Fund: 594 - MARINA FUND</b>				
Dept: 000				
001.000 Cash	31,583.53	89,919.53	62,516.50	58,986.56
004.000 Cash - Petty	300.00	0.00	0.00	300.00
Total Dept: 000	31,883.53	89,919.53	62,516.50	59,286.56
<b>Fund: 594</b>	31,883.53	89,919.53	62,516.50	59,286.56
<b>Fund: 661 - MOTOR POOL FUND</b>				
Dept: 000				
001.000 Cash	387,271.30	23,348.89	77,242.39	333,377.80
001.002 Cash - Escrow	271,273.24	0.00	0.00	271,273.24
Total Dept: 000	658,544.54	23,348.89	77,242.39	604,651.04
<b>Fund: 661</b>	658,544.54	23,348.89	77,242.39	604,651.04
<b>Fund: 703 - CURRENT TAX COLLECTION</b>				
Dept: 000				
001.000 Cash	1,591,532.82	4,399,469.82	5,471,927.14	519,075.50
Total Dept: 000	1,591,532.82	4,399,469.82	5,471,927.14	519,075.50
<b>Fund: 703</b>	1,591,532.82	4,399,469.82	5,471,927.14	519,075.50
<b>Fund: 704 - PAYROLL CLEARING FUND</b>				
Dept: 000				
001.000 Cash	59,128.67	483,649.67	540,280.18	2,498.16
001.005 Cash - NEW Flex \ HRA	9,821.78	13,827.97	13,216.12	10,433.63
001.007 Cash - Federal & State Taxes	2.63	60,735.12	60,734.96	2.79
Total Dept: 000	68,953.08	558,212.76	614,231.26	12,934.58
<b>Fund: 704</b>	68,953.08	558,212.76	614,231.26	12,934.58
<b>Fund: 705 - DELINQUENT TAX COLLECTION</b>				
Dept: 000				
001.000 Cash	9,494.57	2,443.44	0.00	11,938.01
Total Dept: 000	9,494.57	2,443.44	0.00	11,938.01
<b>Fund: 705</b>	9,494.57	2,443.44	0.00	11,938.01
<b>Grand Totals:</b>	<b>5,459,226.54</b>	<b>9,222,720.64</b>	<b>8,851,869.92</b>	<b>5,830,077.26</b>

MEMO TO: Mayor Colleen Kenny  
Members of City Council

FROM: Mitch Deisch, City Manager

DATE: September 26, 2013

SUBJECT: Engineer of Record Agreement



City Manager's Office  
231-398-2801

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On August 20, 2013 City Council directed staff to negotiate an Engineer of Record (EOR) Agreement with the Spicer Group that was within the City budget.

The previous EOR Agreement with Abonmarche included a \$36,000 annual retainer for general engineering services. Due to the fiscal constraints while preparing the fiscal year 2013-2014 budget and based upon the expertise of the current DPW Director, who previously served as the Abonmarche VP responsible for the City agreement, staff reduced the retainer amount from \$36,000 to \$12,000. This reduced amount was approved in the fiscal year 2013-2014 budget by City Council. The proposed EOR Agreement with the Spicer Group identifies this reduced retainer amount to \$12,000.

For all engineering services that do not fall under the retainer, the Spicer Group will be required to prepare an Engineering Project Report, which will identify the scope of the project, project cost estimates (as prepared by the Engineer), final costs and will be signed by all parties including the Department Director, Finance Director, City Manager and City Engineer. Negotiations with the Spicer Group have resulted in them reducing their hourly rates to 91% of their standard hourly rates. This amount can be increased by 2% annually.

City Staff will utilize the percentages that were incorporated into the former EOR Agreement as a basis for determining the reasonableness of the fees identified on the Engineering Project Reports.

Staff is recommending a five-year agreement with the Spicer Group. However, it is important to identify the clause that allows this contract to be terminated by either party with 30 days written notice. City Attorney George Saylor has reviewed and approved the attached agreement.

MDD:cl

## **ENGINEERING CONSULTANT SERVICES AGREEMENT**

THIS AGREEMENT entered into by and between the City of Manistee, a Michigan municipal corporation, with principal office located at 70 Maple Street, Manistee, Michigan 49660, acting by its duly authorized officials, hereinafter referred to as the CITY, and being the party of the first part of this Contract, and Spicer Group, Inc. a Michigan corporation, with its principal service office located at 230 S. Washington Ave., Saginaw, MI 48607, acting through its duly authorized officer, hereinafter referred to as ENGINEER, and being the party of the second part of this Contract;

WITNESSETH:

WHEREAS, the CITY from time to time will require various engineering, planning, GIS and electronic control services and surveying services for CITY projects; and

WHEREAS, the person with authority to authorize Engineering work for the CITY is the City Council through the City Manager or his/her designee; and

**NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

### **Section I. Engineering Services Provided**

- A. The preparation of preliminary plans, estimates of cost, reasonable revisions, and assistance in final description of scope of work for CITY projects.
- B. Final field surveys, development of construction plans and preparation of construction estimates; draft specifications and contract documents, including bidding forms.
- C. Assist the CITY in receipt and analysis of bids, award of contracts, selection of materials, construction testing, construction project staking; establishing plan reference lines and benchmarks for construction and general engineering; review of shop drawings submitted by contractors; consultation and advice during construction including such items as review quantities of work completed; issue periodic certificates of payment; preparation of bulletins and change orders and, upon completion of construction, make final inspection of all work before final acceptance to reasonably determine that construction has been completed in substantial compliance with the contract documents; make final measurements, issue final certificates, and furnish the CITY with revised/recorded drawings.
- D. Review plans for general development and site plans for commercial and industrial projects, site grading and paving plans, including review of available water supply, storm drainage and sanitary sewers, road improvements, cable, electrical, telephone, gas and/or other utilities for any public or private development, establish and review stake reference lines

and generally observe construction of same and advise the CITY of any substantial noncompliance with CITY standards.

E. Write or review descriptions for easements and land acquisitions, land exchanges and land sales, required for various private and CITY projects, and such other herein unclassified surveying and engineering services as the CITY may from time to time require.

F. The ENGINEER shall attend any City Council meetings, or any other meetings, as requested by officials of the CITY.

G. Where requested, furnish day-to-day field inspection of construction of CITY or private projects including sanitary sewer, water main, and storm sewer and paving projects and generally observe construction and advise the CITY of any substantial noncompliance with the contract documents.

H. Assist the CITY in continuation of developing GIS system, which will include working with other contractors that the CITY has contracted with for GIS Services.

I. Assist the City with Programmable Logic Controls within the Utilities Department, which will include working with other contractors that the CITY has contracted with for Programmable Logic Controls Services.

## **Section II. General Engineering Compensation**

The CITY employs the ENGINEER as Consulting Engineer to handle routine day-to-day engineering services. The CITY will compensate the ENGINEER for general engineering services at the rate of \$1,000 per month, which will include the following activities:

1. Attendance at weekly staff meetings and other meetings as requested by CITY.
2. Attendance at CITY Council meeting as requested by CITY.
3. General consulting/communications (phone calls, emails, etc.).
4. Assistance in preparing small grant applications (assuming less than 8 hours of work).
5. Prepare preliminary estimates of engineering and construction cost for projects.
6. Review site plans for site grading, storm water collection, building elevations, etc. as requested by the CITY.

ENGINEER shall submit invoices to the CITY monthly and will be paid in a timely manner in accordance with the CITY accounts payable schedule.

Invoices for work other than that described in this Section II shall be on a per project basis and include supporting documentation as determined by CITY in consultation with ENGINEER. The ENGINEER will provide sufficient detail in invoices as requested by the CITY.

During the CITY's annual budget process the CITY and the ENGINEER may review the annual retainer amount to determine its reasonableness based on anticipated workloads.

### **Section III. Project Specific Engineering**

The ENGINEER shall provide the CITY with an Engineer Project Report (EPR) for all projects that are not covered under the retainer identified in Section II. General Engineering Compensation. The ENGINEER shall use the CITY EPR form, which may be revised from time to time.

The ENGINEER will bill the CITY at 91% of the attached hourly rate schedule. The attached ENGINEER billable hour sheet will not be amended until after the second year of the contract (after 9/30/15) and then can be adjusted annual by not more than 2%.

### **Section IV. Term**

The term of this Contract shall commence October 1, 2013, and shall continue for a period of five years. Contract shall be terminable by either party at any time during the five year term upon thirty (30) days written notice.

### **Section V. Duty / Responsibility of Engineer**

The duties and responsibilities of the ENGINEER shall be as set forth in Section I, II and III of this Contract. The ENGINEER shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with any project. The Engineer shall only be responsible for its work and not the work of contractors, subcontractors or third parties. However, the ENGINEER shall notify the CITY in writing of any discovered material deviations from the plans and specifications, which may adversely affect the final construction product.

### **Section VI. Insurance**

The ENGINEER shall carry professional liability, general liability, automobile and workmen's compensation insurance, which insure ENGINEER in the amount of \$5,000,000. The CITY shall carry automobile, workmen's compensation and premises insurance, which insures CITY. ENGINEER shall indemnify the CITY and hold the CITY harmless for any damages to third parties arising out of negligent or intentional acts of the ENGINEER.

### **Section VII. Non-Exclusive Agreement**

This is a non-exclusive agreement and the CITY has the right to contract with other engineering firms for any work that the CITY deems to be in the best interest of the CITY.

### **Section VIII. Private Development / Conflict of Interest**

The ENGINEER recognizes that the City is their primary client within the City of Manistee corporate boundaries. Prior to the ENGINEER providing any private development engineering services within the City corporate boundaries the ENGINEER must obtain written permission from the CITY.

Any engineering related services for neighboring townships (Filer and Manistee) that border the City or parcels that utilize City utilities or any private development in these townships that utilizes or anticipates utilizing City infrastructure or utilities shall also require written permission from the City of Manistee.

The ENGINEER will inform the CITY of any relationship with private developers doing business within the City corporate limits, within neighboring townships (Filer and Manistee) where development parcels are adjacent to the City corporate limits and in neighboring townships (Filer and Manistee) where development parcels may utilize City infrastructure or utilities.

The process for informing the City of a potential conflict shall include verbal and written communication with City Manager regarding potential conflict, City Manager or his/her designee determination of conflict and City Manager or his/her designee providing a written response to ENGINEER. The CITY and ENGINEER will draft a mutually agreeable conflict of interest form that will be used to document these matters.

If the CITY determines there is a Conflict of Interest the ENGINEER will not perform the requested services from the neighboring township or private development.

#### **Section IX. Integration**

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

#### **Section XI. Ownership of Documents**

Final plans and specifications prepared in connection with the above services and in conjunction with all prior service contracts between the ENGINEER and the CITY belong and remain the property of the ENGINEER. The ENGINEER shall furnish to the CITY reproducible set of final plans and specifications to the CITY after ENGINEER receives full compensation for their preparation. The ENGINEER shall furnish to the CITY As-Built / recorded Drawings for all completed projects, in both hard copy and electronic versions. The ENGINEER shall be compensated for reproduction cost in accordance with the ENGINEER's current Classified Hourly Rate Schedule for material costs only.

Electronic copies of all data generated on behalf of the CITY whether job specific or not, shall be delivered to the CITY immediately after the project has been closed out, or more frequently per CITY request. These electronic files shall include all relevant files, including but not limited to plans, specifications, bid documents, data sets, correspondence, reports, applications and renderings. All files shall be in PDF format, except for CAD drawings shall be in PDF format and their native CAD format, complete with all associated data. The CITY shall have the right to use all plans/documents as determined by the CITY, without approval from the ENGINEER.

All documents, including data stored in electronic format are not intended or represented to be suitable for reuse by OWNER or others on extensions of the project or on any other project. Any reuse without written verification or adaptation by ENGINEER for the specific purposes intended will be at OWNER's sole risk and without liability or legal exposure to ENGINEER; and OWNER shall indemnify and hold harmless ENGINEER for all claims, damages, losses and expenses including attorney's fees arising out of or resulting therefrom. Any such verification or adaptation will entitle ENGINEER to reasonable compensation at rates to be agreed upon by OWNER and ENGINEER.

**Section XI. Dispute Resolution**

Any dispute between the parties regarding the language in this Agreement, enforcement of this Agreement or their respective rights and obligations associated with the work or payment relating to this Agreement, shall be resolved in the courts of Manistee County, Michigan.

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

WITNESS:

SPICER GROUP, INC.

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

By: Larry Protasiewicz, Vice President

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

By: Shawn Middleton, Principal

WITNESS:

CITY OF MANISTEE

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

By: Colleen Kenny, Mayor

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

By: Michelle Wright, City Clerk

**SPICER GROUP, INC.**  
**STANDARD HOURLY RATES**  
*Effective January 2013*

Administrative Assistant.....	\$58.00	Technician IV .....	\$86.00
Project Assistant .....	\$70.00	Project Architect I .....	\$124.00
Construction Services Technician .....	\$88.00	Project Architect II.....	\$128.00
Construction Manager .....	\$114.00	Landscape Architect.....	\$112.00
Senior Construction Manager .....	\$157.00	Planner.....	\$98.00
Survey Technician .....	\$66.00	Project Planner I .....	\$112.00
Crew Chief.....	\$97.00	Project Planner II.....	\$120.00
Intern Surveyor .....	\$62.00	Senior Project Planner .....	\$157.00
Staff Surveyor I .....	\$110.00	Intern Engineer .....	\$62.00
Staff Surveyor II .....	\$122.00	Controls Technician .....	\$97.00
Staff Surveyor III.....	\$127.00	Design Engineer I.....	\$97.00
Survey Project Manager .....	\$129.00	Design Engineer II .....	\$102.00
Project Surveyor I.....	\$137.00	Design Engineer III .....	\$112.00
Project Surveyor II.....	\$141.00	Project Engineer I.....	\$115.00
Senior Project Surveyor.....	\$157.00	Project Engineer II .....	\$122.00
Designer I .....	\$94.00	Project Engineer III .....	\$127.00
Designer II.....	\$99.00	Project Manager I .....	\$129.00
Designer III.....	\$109.00	Project Manager II.....	\$137.00
Senior Designer .....	\$114.00	Project Manager III .....	\$157.00
Technician I .....	\$62.00	Senior Project Manager I.....	\$157.00
Technician II.....	\$73.00	Senior Project Manager II .....	\$177.00
Technician III .....	\$80.00		



*Overtime rates for hourly workers will be charged at 1-1/2 times the above rates.*



## APPLICANTS NEEDED

### BOARDS and COMMISSIONS VACANCIES

**DOWNTOWN DEVELOPMENT AUTHORITY.** Two vacancies – four year terms ending 07/01/17. Purpose: Central business district and tax increment financing authority.

**HARBOR COMMISSION.** Two vacancies – three year terms ending 10/31/16. Purpose: Advisory on marina, harbor development issues.

**NON-MOTORIZED TRANSPORTATION COMMITTEE.** Two unexpired terms ending 03/31/14 and 03/31/15. Purpose: Provide safe, scenic routes throughout the City that encourages non-motorized transportation use for fitness, transportation and tourism.

**PLANNING COMMISSION.** Three vacancies – three year terms ending 10/31/16. Purpose: Reviews master plan, zoning, site plans, development issues.

**ZONING BOARD OF APPEALS -alternate member–** One unexpired term ending 05/31/15. Purpose: Hears appeals to zoning and building issues.

Application forms are available at the City Clerk's office, 70 Maple Street or on the City website at <http://www.manisteemi.gov> . All applications should be returned prior to the October 1, 2013 City Council meeting when appointments will be made.



RECEIVED

AUG 15 2013

CITY OF MANISTEE  
CLERK-TREASURER

## APPLICATION FOR APPOINTMENT

Thank you for your expression of interest in serving this community by volunteering for appointment to a board or commission. Please provide the requested information in addition to any other information you think appropriate for the Mayor and City Council to consider. Please plan on attending the Council meeting at which this matter will be considered. The public notice for this vacancy included that date.

BOARD OR COMMISSION APPLIED FOR: MSDDA At-Large Board Member

NAME: Rachel L. Estabrook  
ADDRESS: 4 Brookharbor North  
Manistee, MI 49660

PHONE: (Home) 989.992.5512 (Work) 231.398.1270

E-MAIL: est.rac@wsmed.org  personal or  work

I want to volunteer for this position because:

I have a passion for the development, redevelopment and improvement projects of quaint and unique downtowns such as Downtown Manistee.

I think vibrant downtowns are important to attract visitors and create economic growth while maintaining its rich history and architecture.

There is room for growth and improvement in Downtown Manistee and I would like to be involved in the projects.

Please add any particular education, experience or background you think appropriate to include:

Masters of Communication and Bachelors of Communication and Marketing

Boos, Brews and Brats, Christmas Weekend and Chamber Business Expo Committee Member

Former Executive Board Member of Develop Iosco (Iosco County) - Assisted with Walk Ability Assessments, Downtown Enhancement Projects and Economic Growth

Feel free to attach any additional information.

I  (will)  (will not) be able to attend the Council meeting. Please circle one.

Rachel Estabrook  
Signature Dated

The City of Manistee does not discriminate on the basis of race, color, religion, sex, national origin, age or disability. If you have a disability and may need accommodation to participate fully on this board or commission, please contact the City ADA Officer, or check this box and someone will contact you to discuss your needs.

**Rachel L. Estabrook**  
4 Brookharbor North  
Manistee, Michigan 49660  
989.992.5512  
rlestabr@svsu.edu

## Education

**Certificate in Fund Raising Management**  
Indiana University School of Philanthropy  
Expected Certification - December 2014

**Master of Arts in Communication and Multimedia**  
Saginaw Valley State University  
Graduated - December 2004

**Bachelor of Arts**  
**Major: Communication Minor: Marketing**  
Saginaw Valley State University  
Graduated - December 1998

## Work Experience

1/13 - present

**West Shore Medical Center**  
*Executive Director of West Shore Healthcare Foundation*

- Strategically plan and implement fund development activities including planned giving program and special events
- Prepare revenue and expense reports and present the same during Foundation and Hospital board meetings
- Establish and maintain strong positive donor and community relationships
- Implement employee giving program
- Interview and appoint volunteers according to program requirements

8/04 - 12/12

**Saginaw Valley State University**  
*Adjunct Professor of Communication and Public Speaking*

- Successfully instructed diverse groups of students the complexities of the communication process and concepts which correlate with interpersonal, small group and intercultural communication
- Assigned and assessed classroom activities and exams
- Created classroom environment that was stimulating and adaptive to student needs
- Proficient in motivating and leading students to achieve course goals

1/08 - 4/11

**St. Joseph Health System**  
*Director of Communication*

- Hired, administered and supervised the communication and outreach department
- Managed department budgets
- Participated in health system and fund development strategic planning
- Developed and launched multifunctional website
- Created and distributed health system wide marketing materials such as newsletters, annual report, community benefit report and special event materials
- Developed and maintained media and community relationships

**Community Service & Awards**

- Manistee Victorian Christmas Weekend Volunteer
- Bay County Animal Shelter Volunteer
- Oscoda Rotary Club 2010-2011
- Develop Iosco - Vice President - 2008-2011
- Tawas Area Chamber of Commerce Volunteer
- Rotary District 6310 Group Study Exchange Program to Portugal - May 2010
- Saginaw Valley State University Volunteer

**Computer Skills**

- Microsoft Office (Word, Excel, Publisher and Power Point)
- InDesign
- ACT Database
- Raiser's Edge
- Outlook

**References**

Dr. David Schneider  
Chair of the Department of Communication  
Saginaw Valley State University  
989-964-4398

Mr. Lane Taylor  
Administrative Director of Physician and Family Practices  
St. Joseph Health System  
89.362.9404

Mrs. Susan Kaderle  
Director  
Northern Michigan Integrated Service Network  
989.569.6001



RECEIVED

JUL 18 2013

CITY OF MANISTEE  
CLERK-TREASURER

### APPLICATION FOR APPOINTMENT

Thank you for your expression of interest in serving this community by volunteering for appointment to a board or commission. Please provide the requested information in addition to any other information you think appropriate for the Mayor and City Council to consider. Please plan on attending the Council meeting at which this matter will be considered. The public notice for this vacancy included that date.

BOARD OR COMMISSION APPLIED FOR: DDA

NAME: John L Smith

ADDRESS: 315 Condon Rd  
Manistee MI 49660

PHONE: (Home) 321-723 2869 (Work) 723-6070

E-MAIL: Variety 2 @ Charter, Net  personal or  work

I want to volunteer for this position because:

I would like to help improve  
downtown business

Please add any particular education, experience or background you think appropriate to include:

I have managed or owned BUSINESS on River  
St since 1971. I now own Manistee Variety  
@ 435 River St

Feel free to attach any additional information.

I  (will)  (will not) be able to attend the Council meeting. Please circle one.

John L Smith 7-17-13  
Signature Dated

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RECEIVED

SEP 17 2013

CITY OF MANISTEE  
CLERK-TREASURER



### APPLICATION FOR APPOINTMENT

Thank you for your expression of interest in serving this community by volunteering for appointment to a board or commission. Please provide the requested information in addition to any other information you think appropriate for the Mayor and City Council to consider. Please plan on attending the Council meeting at which this matter will be considered. The public notice for this vacancy included that date.

BOARD OR COMMISSION APPLIED FOR: PLANNING COMMISSION

NAME: MARK W WITLIEF

ADDRESS: 363 TENTH ST  
MANISTEE, MI.

PHONE: (Home) 231-723-9540 (Work) 231-887-5000

E-MAIL: w\_witlief@hotmail.com  personal or  work

I want to volunteer for this position because:

Currently member of the P/C also served on  
the P/C in 2005. ZBA member 1998-2005 + 2010.  
My employment does not require heavy travel.

Please add any particular education, experience or background you think appropriate to include:

Received CITIZEN PLANNER CERTIFICATION IN 2005 AND  
currently will receive the 2013 certification this  
year.

Feel free to attach any additional information.

I  (will) <sup>called + will not be attending</sup> (will not) be able to attend the Council meeting. Please circle one.

Mark W Wiltief 9/18/13  
Signature Dated

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APPLICATION FOR APPOINTMENT

Thank you for your expression of interest in serving this community by volunteering for appointment to a board or commission. Please provide the requested information in addition to any other information you think appropriate for the Mayor and City Council to consider. Please plan on attending the Council meeting at which this matter will be considered. The public notice for this vacancy included that date.

BOARD OR COMMISSION APPLIED FOR: Planning Com.

NAME: Marlene McBride

ADDRESS: 217 River St  
Manistee, MI 49660

PHONE: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ Cell-248-331-7917

E-MAIL: \_\_\_\_\_ ( ) personal or ( ) work

I want to volunteer for this position because:

I have enjoyed working on the Planning Com. I have had training & from MSU ext classes on Urban planning as my term is expiring I would like to continue serving

Please add any particular education, experience or background you think appropriate to include:

was member of ZBA, have had many years on planning com, and also current member of Brownsfield Dev and Lake to Land.

Feel free to attach any additional information.

I (will)  (will not) be able to attend the Council meeting. Please circle one.

Marlene McBride  
Signature Dated

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### APPLICATION FOR APPOINTMENT

Thank you for your expression of interest in serving this community by volunteering for appointment to a board or commission. Please provide the requested information in addition to any other information you think appropriate for the Mayor and City Council to consider. Please plan on attending the Council meeting at which this matter will be considered. The public notice for this vacancy included that date.

BOARD OR COMMISSION APPLIED FOR: Planning Commission

NAME: David J Crockett

ADDRESS: 260 3rd Ave  
Manistee MI 49660

PHONE: (Home) 231 423 7914 (Work) \_\_\_\_\_

E-MAIL: derockett7914@gmail.com  personal or  work

I want to volunteer for this position because: I believe very strongly in community service. Serving the past seven years as a planning commissioner has been a privilege.

Please add any particular education, experience or background you think appropriate to include: Bachelor of Arts degree University of Michigan  
7 years on planning commission  
Numerous training and Master Planning classes

Do you have a criminal history that may affect your service or the public's perception of you as a public official?  
yes  no

If yes, please explain: \_\_\_\_\_

Feel free to attach any additional information.

I (will) (will not) <sup>?</sup> be able to attend the Council meeting. Please check one.  
I will try to attend meeting but have out of town work scheduled that day.

David J. Crockett Signature 9-23-13 Dated

The City of Manistee does not discriminate on the basis of race, color, religion, sex, national origin, age or disability. If you have a disability and may need accommodation to participate fully on this board or commission, please contact the City ADA Officer, or check this box and someone will contact you to discuss your needs.



P. O. Box 358 • Manistee, Michigan 49660-0358 • [www.manisteemi.gov](http://www.manisteemi.gov)

**CITY HALL**  
70 Maple Street

**CITY MANAGER**  
231.398.2801

**CITY ASSESSOR**  
231.398.2802

**BUILDING INSPECTOR**  
231.398.2806

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

**CITY CLERK**  
231.398.2803

**CITY TREASURER**  
231.398.2804

**WATER BILLING**  
231.723.2559

**ADMINISTRATION**  
FAX 231.723.1546

**CLERK/TREASURER**  
FAX 231.723.5410

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

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

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

**PARKS DEPARTMENT**  
231.723.4051

**WATER MAINTENANCE**  
231.723.3641

**WASTEWATER PLANT**  
50 Ninth St.  
231.723.1553

Memo To: Mitch Deisch

From: Chief Bachman

Re: Agenda Request

Bottle Drive

Date: September 23, 2013



Mitch;

I received a request from Janet Abramowski to hold a bottle drive on Saturday October 12<sup>th</sup> from 10:00 am to 4:00 pm within the city of Manistee.

Ms. Abramowski represents the Northfire Dance Company. They hope to have 15 to 20 kids working the bottle drive,

The money collected goes towards fees associated with competition at shows, travel expenses and other fees. The kids work in pairs and cover parts in the city and some parts outside of town. They understand our permission is only covering the in town portion of their request,

There are several bottle drives in town throughout the year and not all of them come before council for permission. These events require no city services and are generally well received in the neighborhoods. I know of no reason not to grant the request.

db





Memo To: Mitch Deisch   
From: Chief Bachman  
Re: Agenda Request  
Boos, Brews and Brats  
Date: September 24, 2013

Mitch:

Attached is a special event request from Gini Pelton for the 4<sup>th</sup> annual Boos, Brews and Brats event on River Street in front of the Marina Building.

This event is all day on Saturday October 26<sup>th</sup> and includes a pet parade at 12:30 pm following by 2 mile Zombie run/walk.

The main event is a beer tent on River Street serving the public from noon until 11 Pm

The special event request covers specific requests from police and public works which have been forwarded to the DPW Director for assignment.

This is the 4<sup>th</sup> annual event and I am aware of no reason to deny the request. The events of the past have been well run and popular with the community. The Zombie run/walk is sure to be a hit with many new participants.

db

**Name of Special Event: 4<sup>th</sup> annual Boos, Brews & Brats**

**Date of Special Event: Saturday, October 26, 2013**

**Time of Special Event: All day, tent open 12-11pm, 5k run begins at 4pm**

**Number of Units Participating**

Marching/Walking: 125 runners approx Driven: N/A Other: event tent

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

Destination/Finishing Point: same

- The main event tent will be located on River Street between Pine and Spruce Streets
- The event tent/garden footprint will be almost identical to this year's Hops & Props event
- MSDDA is responsible for all setup and tear-down of fencing, tents and staging.
  - Upper Tent Rental to set up tent 10/25 approx. 5pm and take it down 10/27 approx. 10am
  - MSDDA staff & volunteers to set up fencing 10/25 approx. 7pm and take it down 10/26 after event is over (11pm). We return the morning of 10/27 for additional clean-up, stage removal, etc. MSDDA rolls up fencing and power cords and puts them behind the ½ wall on the North side of that block on the marina grounds. We stack the blocks and posts in the same area, on the sidewalk along the ½ wall.
- City Staff assistance required:
  - DPW drop-off of concrete blocks and wood posts and orange fencing for beer garden perimeter
  - DPW drop-off of 8x garbage cans and some spare liners
  - Borrow 4x long extension power cords from DPW, as in the past
  - DPW pick up said materials Monday morning
  - Periodic monitoring by Police Dept a few times during the event, especially evening of 10/26 if possible.
- Street closures requested:
  - River Street between Pine and Spruce: beginning Friday 10/25 10am (barricades to make sure street is clear for tent setup) through Sunday 10/27 approx. 12pm.
  - Various streets (see attached 5K run route) beginning at 4pm until 5pm.
  - River Street between Maple and Pine starting at 12:30pm until 12:50pm (just a police car at the intersection) for the pet parade (contact for that event is Colleen Kenny)

Person(s) / Organization(s) making request: Gini Pelton, Boos, Brews & Brats event chair for Manistee Main Street DDA

Contact Person: Name: Gini Pelton

Address: 11 Cypress St. Manistee, MI 49660 Telephone Work: 231-723-6100

Home: 231-690-0852 Signature of Contact Person:

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

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

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

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

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

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

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

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

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

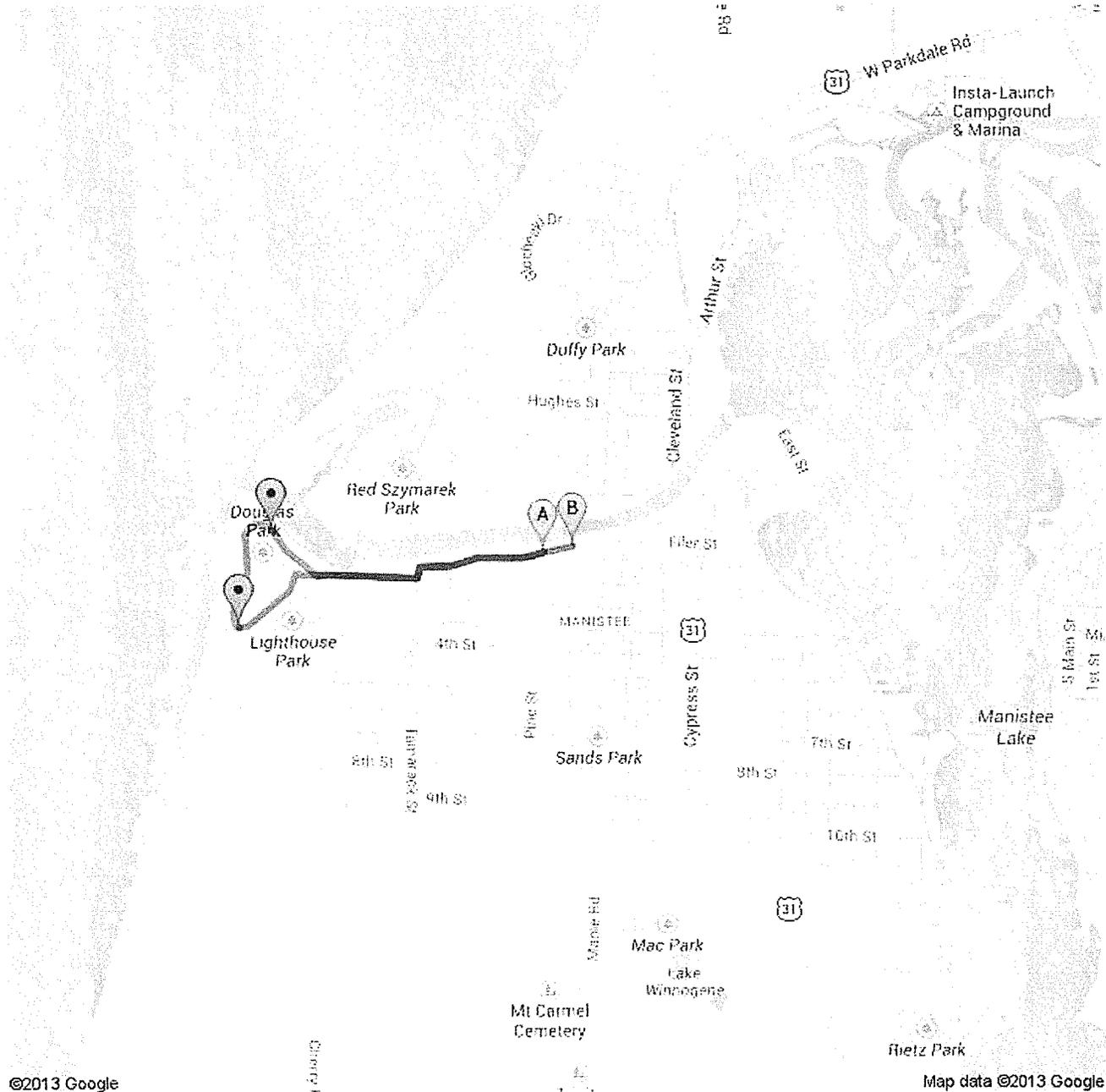
09/24/13

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



Directions to 440 River St, Manistee, MI 49660  
2.2 mi – about 42 mins

**Walking directions are in beta.**  
Use caution – This route may be missing sidewalks or pedestrian paths.



©2013 Google

Map data ©2013 Google

 480 River St, Manistee, MI 49660

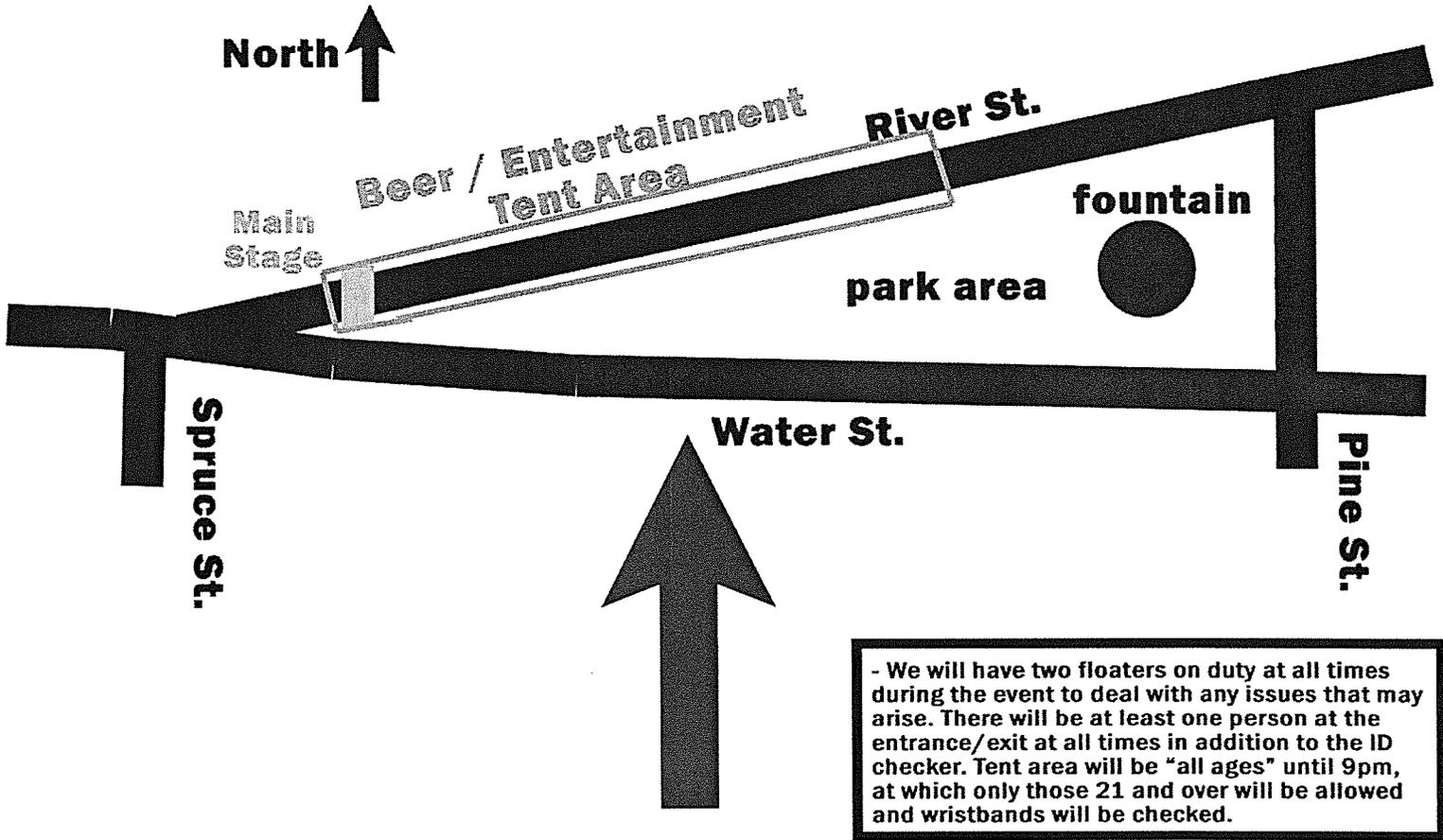
1. Head **west** on **River St** toward **Water St**  
About 1 min  
go 322 ft  
total 322 ft
2. Continue onto **Water St**  
About 5 mins  
go 0.3 mi  
total 0.3 mi
-  3. **Water St** turns slightly left and becomes **Tamarack St**  
go 171 ft  
total 0.4 mi
-  4. Turn right onto **1st St**  
About 5 mins  
go 0.3 mi  
total 0.6 mi
-  5. Slight right onto **Beach Rd**  
About 1 min  
go 390 ft  
total 0.7 mi
6. Continue onto **S Lakeshore Dr**  
About 10 mins  
go 0.5 mi  
total 1.2 mi
7. Continue onto **Beach Rd**  
About 3 mins  
go 0.2 mi  
total 1.4 mi
-  8. Turn right onto **1st St**  
About 6 mins  
go 0.3 mi  
total 1.7 mi
-  9. Turn left onto **Tamarack St**  
go 171 ft  
total 1.8 mi
-  10. **Tamarack St** turns slightly right and becomes **Water St**  
About 5 mins  
go 0.3 mi  
total 2.0 mi
-  11. Slight left onto **River St**  
Destination will be on the left  
About 3 mins  
go 0.1 mi  
total 2.2 mi

 440 River St, Manistee, MI 49660

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2013 Google

Directions weren't right? Please find your route on [maps.google.com](https://maps.google.com) and click "Report a problem" at the bottom left.



- We will have two floaters on duty at all times during the event to deal with any issues that may arise. There will be at least one person at the entrance/exit at all times in addition to the ID checker. Tent area will be "all ages" until 9pm, at which only those 21 and over will be allowed and wristbands will be checked.

**Beverage Tent Area Layout  
(not to scale)**

