CITY COUNCIL
MEETING AGENDA
August 4, 2016

Marc D. Tall, Mayor
Ronald J. Beauchamp, Mayor Pro-Tem
Patricia A. Baribeau, Council Member
Ralph B. Blasier, Council Member
Michael R. Sattem, Council Member

James V. O'Toole, City Manager
Robert S. Richards, CMC City Clerk
Ralph B. K. Peterson, City

City Council Chambers located at: City Hall – 410 Ludington Street – Room C101 – Escanaba MI 49829

The Council has adopted a policy to use a Consent Agenda, when appropriate. All items with an asterisk (*) are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the item will be removed from the General Order of Business and considered in its normal sequence on the Agenda.

Regular Meeting
Thursday, August 4, 2016, at 7:00 p.m.

CALL TO ORDER
ROLL CALL
INVOCATION/PLEDGE OF ALLEGIANCE -Pastor Chris Johnson of the Christ the King Lutheran Church
APPROVAL/CORRECTION(S) TO MINUTES - Regular Meeting – July 21, 2016, Special Meeting July 15, 2016
APPROVAL/ADJUSTMENTS TO THE AGENDA
CONFLICT OF INTEREST DECLARATION(S)
BRIEF PUBLIC COMMENT(S)
PUBLIC HEARING(S) - None
UNFINISHED BUSINESS

1. **Approval – Escanaba Yacht Club Lease Renewal - Ludington Park.**
Explanation: The Escanaba Yacht Club is seeking Council approval of a 10 year lease for City property located in Ludington Park for the club's building. Under the terms of the lease, the Escanaba Yacht Club will provide opportunities for members of the public to have access to the building and club activities, conduct a 4th of July brunch which shall be open to the public, host the Inland Seas, an educational vessel, sponsor a "Walk the Dock" event whereby the public will be invited to tour individual boats, provide an "Open House" for the Fun Run, sponsor sailing races wherein any member of the public can crew on a boat , co-sponsor "Marina Fest" and rent its facilities to the general public for high school graduation parties and wedding receptions. Administration is recommending approval of the lease.

NEW BUSINESS

1. **Approval - Revised Purchasing Policy and Procedures Manual.**
Explanation: Administration is seeking Council approval of a revised Purchasing Policy and Procedures Manual. The existing purchasing policy and procedures manual was last updated in 1992.

2. **First Reading – Ordinance No. 1174 – An Ordinance to Amend Chapter 10, Elections, and Schedule the Public Hearing and Adoption to August 18, 2016.**
Explanation: Administration is recommending the City Council amend Section 10-17 Location, of the City Code of Ordinances, regarding the location of Precinct 4, which is located at the Webster Grade School, 1209 North 19th Street. Webster Grade School has converted to a lockdown school location. In order to respect their desire to continue a lockdown facility on an election day, Administration is recommending Precinct 4 be moved to the Bay College M-TEC Technical Education Center located at 2000 North 30th St.

3. **Approval – Use of Public Space – North 18th Street Between 12th Avenue North and 13th Avenue North - Christ the King Lutheran Church – Fall Festival.**
Explanation: Christ the King Lutheran Church sought Council approval to close off the 1,200 block of North 18th Street between 12th Avenue North and 13th Avenue North for their Fall Festival on September 11, 2016, from 11:00 a.m. to 3:00 p.m. Administration recommended approval with the following conditions: 1) Proper insurance be provided naming the City of Escanaba as an additional insured, 2) The event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) The event sponsor pay for any overtime City labor costs that may be incurred.

Agenda – August 4, 2016

APPOINTMENTS
BOARD, COMMISSION, AND COMMITTEE REPORTS
PROCLAMATION – Proclamation – A PURPLE HEART CITY
GENERAL PUBLIC COMMENT
ANNOUNCEMENTS
ADJOURNMENT

Respectfully Submitted

James V. O'Toole
City Manager

OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Special Meeting
Friday, July 15, 2016

Pursuit to a special meeting notice posted July 14, 2016, the meeting was called to order by the Honorable Mayor Marc D. Tall at 12:15 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mayor Marc D. Tall, Council Members, Patricia A. Baribeau, Ronald J. Beauchamp, Ralph B. Blasier and Michael R. Sattem.

Absent: None

Also Present: City Manager James V. O'Toole, City Department Heads, media, and members of the public.

ADJUSTMENTS TO THE AGENDA

Sattem moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as submitted.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT - None

NEW BUSINESS

Approval – Electrical Distribution System General Liability Insurance Purchase – Electric Department.

City Administration sought Council approval to purchase American Transmission Company (ATC) required general liability insurance for the City electrical distribution system from March USA, Inc. of Milwaukee, WI, in an amount not to exceed $115,000. The cost of the insurance was not budgeted in the current fiscal year budget, however, funds were available from the electric fund balance. The following was discussed:

- ATC required subrogation and be listed on the policy as an additional insured, and general liability insurance, requirements the previous provider could not provide;
- Discussed amount of insurance coverage, and advised Insurance Policy needed approval as soon as possible;
- Last renewal was for 6 months, just under $40,000. Policy was terminated after the power plant was sold, and City received refund;
- Next policy would be for 12 months and should not be more than $80,000.

Blasier moved, Baribeau seconded, to purchase general liability insurance for the City electrical distribution system from March USA, Inc. of Milwaukee, WI, in an amount of $80,000, as required by ATC.

After discussion, Beauchamp moved, Sattem seconded to amend the main motion to change the amount not to exceed $115,000.

Upon a call of roll, the vote was as follows:

Ayes: Beauchamp, Sattem, Baribeau, Tall
Nays: None
Abstain: Blasier

MOTION CARRIED.

The Main Motion was now as follows:

Blasier moved, Baribeau seconded, to purchase general liability insurance for the City electrical distribution system from March USA, Inc. of Milwaukee, WI, in an amount not to exceed $115,000, as required by ATC.

Upon a call of roll, the vote was as follows:

Ayes: Blasier, Baribeau Sattem, Beauchamp, Tall
Nays: None

MOTION CARRIED.

GENERAL PUBLIC COMMENT – None

Hearing no further public comment, the Council adjourned at 12:21 p.m.

Respectfully submitted,

Robert S. Richards
City Clerk

Approved: _____
Marc D. Tall, Mayor

OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, July 21, 2016

The meeting was called to order by the Honorable Mayor Marc D. Tall at 7:00 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mayor Marc D. Tall, Council Members, Patricia A. Baribeau, Ralph B. Blasier, Ronald J. Beauchamp, and Michael R. Sattem.

Absent: None

Also Present: City Manager James V. O'Toole, City Department Heads, media, and members of the public.

City Clerk Robert Richards, gave the invocation and led Council in the Pledge of Allegiance.

Sattem moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting Minutes from July 7, 2016, and Special Meeting Minutes from June 29, 2016, as submitted.

ADJUSTMENTS TO THE AGENDA

Beauchamp moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as submitted.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT

William Bonifas Fine Arts Director Pasqua Warstler, asked Council for support of the 2017 Music Monday Grant, and thanked Council for their past support.

RETIREMENT PRESENTATION

Mayor Tall congratulated Mike Samuelson, Wastewater Department Assistant Superintendent with a Certificate of Meritorious Service Award and Proclaimed Friday October 30th as Mike Samuelson Day in the City of Escanaba upon his retirement. Mayor Tall directed Administration to present Mr. Samuelson with his Certificate of Merit and Proclamation upon his retirement.

PUBLIC HEARINGS

Public Hearing - Obsolete Properties Rehabilitation District No. 25 – 301 North

Lincoln Road and 2601 3rd Avenue North.

The Obsolete Properties Rehabilitation Act (PA 146 of 2000) allows partial exemption of property taxes for a specified period for certain types of property improvements within a specified area. The intent of the legislation is to encourage rehabilitation of underutilized or decaying commercial or commercial/residential properties in certain designated communities such as Escanaba. The first step in the OPRA process was the establishment of a district consisting of one or more eligible properties. In accordance with program requirements, the prospective buyer of 301 North Lincoln Road and 2601 3rd Avenue North, commonly known as Delta Plaza, has submitted a request that the City establish an OPRA District, which if approved, would allow for an Obsolete Property Rehabilitation exemption in the future.

D. P. Management, LLC representative Joshua Vickery provided information about his company, and showed examples of various Malls their company had purchased and redeveloped throughout the United States.

This being a Public Hearing, Mayor Tall ask if there was any public comment.

Hearing no public comment, Mayor Tall closed the public hearing.

PH-1 "By Council Member Beauchamp, seconded by Council Member Blasier;

CITY OF ESCANABA, DELTA COUNTY, MICHIGAN
RESOLUTION TO ESTABLISH
OBSOLETE PROPERTY REHABILITATION DISTRICT NO. 25

Whereas, Pursuant to P.A. 146 of 2000, the City of Escanaba has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of Escanaba; and

Whereas, DP Management, LLC, has filed a written request with the clerk of the City of Escanaba requesting the establishment of the Obsolete Property Rehabilitation District for an area in the vicinity of 301 North Lincoln Road located in the City of Escanaba hereafter described; and

Whereas, The City Council of the City of Escanaba determined that the district meets the requirements set forth in section 3(1) of PA 146 of 2000; and

Whereas, Written notice has been given by mail to all owners of real property located within the district and to the public by newspaper advertisement in the Daily Press and/or public posting of the hearing on the establishment of the proposed district; and

Whereas, On July 21, 2016, a public hearing was held and all residents and taxpayers of the City of Escanaba were afforded an opportunity to be heard thereon; and

Whereas, The City Council deems it to be in the public interest of the City of

Escanaba to establish the Obsolete Property District Rehabilitation as proposed.

Now, Therefore, Be It Resolved by the City Council of the City of Escanaba that the following described parcel(s) of land situated in the City of Escanaba, Delta County, and State of Michigan, to wit:

• Parcel #; SEC 25 T39N R23W [13.16 AC]
PRT OF BLKS 7, 8 & 9 OF THE CITY CENTER ADDITION NO. 3 & PRT OF SE1/4 OF NE1/4 SEC 25 FRM THE E1/4 COR OF SEC 25 TH N0D39'E 211.81 FT TH N89D14'40"W 50 FT TO INT OF N R/W LN OF 1ST AVE NO & W R/W LN STATE HWY M35 TH N89D58'W 100 FT TO POB TH N89D58'W 550.48 FT TH NORTH 361 FT TH N89D58'W 229.8 FT TH N0D05'39"E 366.06 FT TH N84D50'E 893.52 FT TO W R/W STATE HWY M35 TH S0D39'W 160.83 FT TH S84D50'W 150.73 FT TH S0D39'W 82.39 FT TH S0D39'W 450 FT TH N89D58'W 100 FT TH S0D39'W 100 FT TO POB. (CORRECTED LEGAL 12-23-2013 DRN); and

PRT S 1/2 NE 1/4 SEC 25 T39N R23W COM @ E 1/4 COR TH N 0D 39M E 211.81 FT TH N 89D 14M 40S W 50 FT TO PT ON N ROW 1ST AVE N & W ROW M-35 TH N 89D 58M W 1327.48 FT TO POB TH N 89D 58M W 292.69 FT TO PT 959.15 FT E OF N-S 1/4 LN TH N 0D 02M E 291 FT TH S 89D 58M E 148.69 FT TH N 0D 02M E 382.5 FT TO S ROW 3RD AVE N TH N 84D 50M E ALG 144.58 FT TH S 0D 02M W 686.48 FT TO POB 3.2421 AC M/L AC #143-2A, City of Escanaba, Delta County, Michigan

Be and hereby is established an Obsolete Property Rehabilitation District pursuant to the provisions of P.A. 146 of 2000 to be known as Obsolete Property Rehabilitation District No. 25.

The vote was as follows:

Ayes: Beauchamp, Blasier, Baribeau, Sattem, Tall
Nays: None

RESOLUTION DECLARED ADOPTED.

NEW BUSINESS

Approval - Small Water Meter Purchase - Water Department

Administration sought Council approval to purchase replacement water meters and encoder receiver transmitters (ERTS) from United Systems & Software, Inc. of Benton, KY in an amount not to exceed $80,000. This purchase was included in the current fiscal year budget.

Water/Wastewater Superintendent Lampi provided a brief overview of the proposed water meter purchase. The purchase would hope to help recover water loss from inaccurate meters.

NB-1 Blasier moved, Sattem seconded, to approve to purchase replacement water meters and encoder receiver transmitters (ERTS) from United Systems & Software, Inc. of Benton, KY in an amount not to exceed $80,000.

Upon a call of the roll, the vote was as follows:

Ayes: Blasier, Sattem, Baribeau, Beauchamp, Tall
Nays: None

MOTION CARRIED.

Approval – Summer 2016 Leak Detection Survey - Water Department.

Administration sought Council approval to retain the M.E. Simpson Company of Valparaiso, IN for the 2016 summer water distribution leak detection survey in an amount not to exceed $14,000. This purchase was included in the current fiscal year budget.

Water/Wastewater Superintendent Lampi provided a brief overview of the proposed leak detection proposal. Based on conversations from vendors, Administration recommended a summer and spring detection from two different companies.

NB-2 Beauchamp moved, Blasier seconded, to retain the M.E. Simpson Company of Valparaiso, IN for the 2016 summer water distribution leak detection survey in an amount not to exceed $14,000.

Upon a call of the roll, the vote was as follows:

Ayes: Beauchamp, Blasier, Sattem, Baribeau, Tall
Nays: None

MOTION CARRIED.

Approval – Spring 2017 Leak Detection Survey - Water Department.

Administration sought Council approval to retain the Davies Water (a division of) Ferguson, Inc. of Appleton, WI for the 2017 spring water distribution leak detection survey in an amount not to exceed $13,000. This purchase was included in the current fiscal year budget.

NB-3 Baribeau moved, Sattem seconded, to retain the Davies Water (a division of) Ferguson, Inc. of Appleton, WI for the 2017 spring water distribution leak detection survey in an amount not to exceed $13,000.

Upon a call of the roll, the vote was as follows:

Ayes: Baribeau, Sattem, Blasier, Beauchamp, Tall
Nays: None

MOTION CARRIED.

Approval - Eco-Mat Pilot Program - Wastewater Department.

Administration sought Council approval to retain Blue Water Technologies of Hayden, ID to conduct two (2) separate pilot programs for the Eco-Mat Rotating Belt Filter system at a cost of $7,500 each. Total funds spent on this project would not exceed $17,000. This study was not budgeted in the current fiscal year budget, however funds are available from the wastewater fund balance.

Water/Wastewater Superintendent Lampi provided a brief overview of the proposed technology. The new technology could possibly replace 2/3 of the WasteWater Treatment plant. Administration advised they would report back to Council with the results after the pilot program was concluded to see if it would work at Escanaba WasteWater Plant.

NB-4 Blasier moved, Beauchamp seconded, to retain Blue Water Technologies of Hayden, ID to conduct two (2) separate pilot programs for the Eco-Mat Rotating Belt Filter system at a cost not to exceed $17,000.

Upon a call of the roll, the vote was as follows:

Ayes: Blasier, Beauchamp, Baribeau, Sattem, Tall
Nays: None

MOTION CARRIED.

Presentation – Escanaba Area Public Schools Non-Homestead Millage Renewal.

Escanaba Area Public Schools Superintendent Michele Burley made a presentation on their proposed Non-Homestead Millage renewal that was on the August 2nd Primary.

Approval – Resolution of Support – Bonifas Art Center – 2017 Music Mondays Summer Concerts.

The Bonifas Art Center sought Council approval of a resolution supporting their grant application to the Michigan Council for Arts and Cultural Affairs seeking funds for the "Music Mondays" Summer Concert Series. If approved, the City of Escanaba will serve as the Administrator for the funds. Administration recommended approval.

NB-6 By Council Member Sattem, seconded by Council Member Baribeau, the following resolution was adopted:

RESOLUTION - SUPPORTING THE GRANT APPLICATION TO THE MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS SEEKING MATCHING FUNDS FOR THE "MUSIC MONDAYS" SUMMER CONCERT SERIES.

WHEREAS, the City Council of the City of Escanaba, Michigan, does hereby find as follows:

WHEREAS, the City desires to support the cultural lives of area residents through opportunities to be exposed to new art and music;

WHEREAS, the City has an excellent partner in the Bonifas Arts Center to successfully organize and promote community events, and educate the public through music appreciation programming;

WHEREAS, the City will administer the grant funds, if awarded, as set forth in the application;

WHEREAS, the City has a policy detailing equal opportunity provisions for job applicants and public accommodations and agrees to conform to the Assurances and Guidelines set forth in the application;

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the City Council of the City of Escanaba, Michigan, that the grant application should be made to the Michigan Council for Arts and Cultural Affairs for the August 3, 2016 deadline.

Upon a call of the roll, the vote was as follows:

Ayes: Sattem, Baribeau, Blasier, Beauchamp, Tall
Nays: None

RESOLUTION DECLARED ADOPTED.

APPOINTMENT(S) TO CITY BOARDS, COMMISSIONS, AND COMMITTEES – None

BOARD, COMMISSION, AND COMMITTEE REPORTS

Council Members reviewed City Board and Commission meetings each attended since the last City Council Meeting.

GENERAL PUBLIC COMMENT – None

ANNOUNCEMENTS – None

Hearing no further public comment, the Council adjourned at 7:51 p.m.

Respectfully submitted

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

LEASE

THIS AGREEMENT, made and entered into this _____ day of _____, 2016, by and between the **CITY OF ESCANABA**, a Michigan Municipal Corporation, hereinafter called the "City", and the **ESCANABA YACHT CLUB**, a nonprofit corporation of the City of Escanaba, County of Delta and State of Michigan hereinafter called the "Club".

WITNESSETH:

I.

The City, in consideration of the rentals and mutual covenants herein specified, does hereby let and lease unto the Club the following real property, more particularly hereinafter described, situated and being in the City of Escanaba, County, of Delta and State of Michigan, known and described as follows:

> **Commencing at a point where the West line of First Street intersects South line of First Avenue South in the Original 1st Plat of the City of Escanaba, thence East 500 feet, thence South 65.14 feet to the point of beginning; thence South 160 feet, thence East 150 feet, thence North 160 feet, thence West 150 feet to the point of beginning.**

for a term of ten (10) years from the _____ day of _____, 2016, at a rental of One Dollar ($1.00), and upon the terms and conditions hereinafter mentioned and the mutual covenants hereinafter set forth to be performed by the parties hereto, provided, that, the City may terminate this lease at any time provided the City shall give one (1) year written notice of said termination to the Club.

The City acknowledges that the building located on the premises is owned by the Club.

II.

In consideration of the above benefits, the Club agrees to:

1. Provide opportunities for the public as follows:
   (a) Said Club facility shall be open to all transient boaters and membership in the Escanaba Yacht Club shall not be a requirement.
   (b) The Escanaba Yacht Club shall provide a Fourth of July brunch which shall be open to the public.
   (c) The Escanaba Yacht Club shall host the Inland Seas, an educational vessel.
   (d) The Escanaba Yacht Club shall sponsor "Walk the Dock" wherein the public is invited to view individual boats.
   (e) The Escanaba Yacht Club shall provide its facility for Coast Guard Auxiliary meetings once a month.
   (f) The Escanaba Yacht Club shall provide an open house for the "Fun Run" whereby the facility shall be open to the public.
   (g) The Escanaba Yacht Club sponsors sailing races wherein any member of the public can, as reasonably possible, crew a boat in the race.
   (h) The Escanaba Yacht Club shall co-sponsor "Marina Fest."
   (i) The Escanaba Yacht Club shall rent its facilities to the general public for high school graduation parties and wedding receptions.
2. Provide care for the immediate grounds, including landscaping of the property in accordance with the wishes of the City of Escanaba.
3. Pay rental in the amount of One ($1.00) Dollar, to the City.
4. Maintain the clubhouse of the Club now on said property and provide further, that the Club shall not add to or change the exterior of said building without the previous written consent of the City. The Club shall, within one year from the date of execution of this lease, at Club expense, place all overhead utilities (i.e. electric, telephone, CATV underground).
5. In the event the Club shall, in the judgment of the City, fail to maintain the premises in a condition of reasonable repair and appearance, the City shall give written notice to the Club of its default. In the event the Club fails to remedy the situation within ninety (90) days after

such notice, its failure shall constitute a breach of this lease.

6. Assume the payment of any and all utility and tax bills incurred on said premises.

7. Forbid and prevent gambling of any and all kinds on said premises.

8. Forbid and prevent the sale of any and all intoxicating liquors, spirits, beer and wine on said premises.

9. Abide by the laws of the State of Michigan and the ordinances of the City of Escanaba.

10. As additional rental for the property, Club shall insure and keep insured the property of City covered by this lease with insurance companies acceptable to the City and shall procure, pay for, and deliver to City original certificates of insurance covering the following:

(a) Insure the fixtures and equipment and building against loss or damage by fire to the extent of the full insurable value thereof;

(b) Carry public liability insurance (GL) and property damage insurance (PD) at a minimum of $1,000,000.00 combined single limits (CLS);

(c) Procure insurance for accident or damages in the demised premises on sidewalks, in front thereof, in entrance ways and other portions of the property in the control or use of the Club in the amounts set forth in (b) above;

(d) Procure Host Liquor Liability insurance at a minimum of $1,000,000.00. Host Liquor Liability signifies that alcohol shall never be sold as per Paragraph #8 of this lease.

(e) The Club shall name the City of Escanaba as an "additional insured" to all policies, binders and certificates. The Club shall renew all policies of insurance the Club is required to procure and maintain under the provisions of this lease when renewal is required and at least fifteen (15) days prior to the expiration of the policies, the Club shall furnish to the City with the renewal policy, a copy thereof, or a certificate as evidence of the renewal of the insurance policies hereunder. All binders, policies, or certificates shall provide for fifteen (15) days notice from insurers to the City of any cancellation or amendment to Pany of the insurance policies; and

(f) The Club shall deliver evidence of insurance coverage contained within and policy notices to:

City Controller
City of Escanaba
410 Ludington Street
P.O. Box 948
Escanaba, MI 49829
(906) 786-9402 Office
(906) 786-4755 Fax

III.

In case any rent shall be due and unpaid or if default shall be made in any of the covenants herein contained, then it shall be lawful for the City, its certain attorneys, representatives or assigns to re-enter into and repossess the said property and the said Club and each and every occupant to remove and put out.

IV.

The Club will, at its own expense, during the continuance of this lease, keep the said property and every part thereof as in good repair and, at the expiration of the term, yield and deliver up the same in like condition as when taken, reasonable use and wear thereof by the elements excepted, and that Club, on performing all of the covenants aforesaid, shall and may peacefully enjoy, hold and have the above described property for the term aforesaid.

V.

The Club does hereby lease the said property and does covenant to carry out the above agreements.

IN WITNESS WHEREOF, the City of Escanaba has caused this agreement to be executed on its behalf by its proper officers thereunto duly authorized by a resolution adopted at a meeting of the

Escanaba City Council and the Escanaba Yacht Club has caused this agreement to be executed on its behalf by its proper corporate officers thereunto duly authorized on the day and year first above written.

In the Presence of:

ESCANABA YACHT CLUB, a Michigan Corporation

_____

_____

By: _____

Its: _____

_____

_____

By: _____

Its: _____

In the Presence of:

CITY OF ESCANABA, a Michigan Municipal Corporation

_____

_____

By Marc D. Tall
Its Mayor

_____

_____

By Robert Richards
Its City Clerk

NB#1 cc 8/4/16

James V. O'Toole
City Manager

410 Ludington Street
Escanaba, Michigan 49829
Phone (906)786-0240

MEMORANDUM

July 28, 2016

TO: Escanaba City Council

FROM: James V. O'Toole, City Manager

SUBJECT: Revised Purchasing Policy and Procedure Manual

During the recent budget hearings, there have been discussions and Council study session to discuss updating the City of Escanaba Purchasing Policy and Procedures Manual. As discussed, there are a variety of laws which govern both the purchasing process and the employees operating within it. The following summarizes the legal criteria and requirements which currently govern the purchasing process. In the course of your review you will see over time that the various requirements often times cannot be followed for such reasons as the elimination of the Purchasing Department and Purchasing Agent altogether, outdated Controller functions and a spending limit that was last increased in 1992.

In an effort to provide for proper and orderly control of the City's expenditures, Administration is looking for Council approval of a revised policy which is designed to consolidate all the past practices, rules and requirements into one policy and help provide the highest quality of goods and services to our citizens at the lowest possible cost, in an environment which provides free and open competition to the vendor's providing these services.

CITY CHARTER

Chapter VIII-Sec 3-...The chief accounting officer shall examine all...bills and other claims and demands against the city,...and shall issue no warrant unless he finds that the claim is in proper form, correctly computed and duly certified, and that it is justly and legally due and payable, **that an appropriation has been made therefore which has not been exhausted or that the payment has been otherwise legally authorized** and that there is money in the City treasury to make payment....

Chapter VIII-Sec 8-...**No liabilities shall be incurred by any officer or employee of the city, except in accordance with the provisions of the annual appropriations ordinance, or under continuing contracts and loans authorized under the provisions of the Charter....**

Chapter VIII-Sec 16-**No public work or improvement shall be commenced, or expenditure made,..., excepting as herein provided, until an appropriation has been made therefor...**

Chapter XIV-Sec 1-**Any public work or improvement costing more than one thousand dollars ($1,000), shall be executed by contract,** except where a special work or improvement is authorized by the Council, based on detailed estimates, submitted by the department authorized to execute such work or improvement. Contract shall be awarded to a responsible bidder. **Bids for such contracts shall be opened not less than three days after advertisement therefore in some newspaper published and circulated in the city,** but the Council shall have the right to reject any and all bids and to advertise again, and all advertising shall contain a reservation of this right. Provided that where the Council is not satisfied with the bids obtained, it may authorize the doing of such work under the direction of the Manager.

Chapter XIV-Sec 4-When it becomes necessary, in the prosecution of any work or improvement under contract,...**such alterations, changes or modifications shall be made only on the written order of the Manager.**

Charter XIV-Sec 5-**No such order shall be made until the price to be paid for the work or material or both, shall have been agreed upon in writing, and signed by the contractor and by the Manager.**

Charter XIV-Sec 9-**No public improvement costing more than one thousand dollars ($1,000) shall be contracted for**

or commenced, until drawings, profiles and estimates for same shall be submitted to the Council and approved by it, and the same, or a copy thereof, shall remain on file in the office of the Clerk, subject to inspection by the public.

Charter XIV-Sec 12-**The Council shall, by ordinance, prescribe the methods to more efficiently carry out the foregoing provisions.**

CODE OF ORDINANCES

Code of Ordinances Section 2-22. Controller

(c) The Controller shall issue warrants for the payment of accounts against the city **only when such accounts shall be evidenced by a voucher approved by the head of the department for which the indebtedness was incurred** and by the City Manager, and after the warrant shall be countersigned by the Treasurer.

(d) Before issuing such voucher, the supplies and materials delivered, or work done, shall be duly inspected and **certified to by the head of the proper department or office,** or by a person designated by him.

(f) ...The Controller shall, at his discretion, investigate or inspect, in person or through someone designated by him, all such services rendered and goods purchased on behalf of the city in order to determine quantity or quality or any other factors involving value received by the city, **and to suspend payment for goods and services of questionable value pending reference to the Manager.**

(g) **No contract, agreement or other obligation involving the expenditure of money shall be entered into or authorized by any officer of the city, unless the Controller first certifies that there is an unencumbered balance in the fund to be charged.**

Code of Ordinances Section 2-23. Purchasing Department

(a) The purchasing department is charged with the purchase, storage and distribution of supplies needed by the various departments.

(b) **The Purchasing Agent shall purchase or arrange for the procurement of all supplies and materials for the city and issue purchase orders covering all purchases.** He shall sell personal property of the city not needed or unsuitable for city use, or which may have condemned as useless by the director of a department. He shall have charge of storerooms and storehouses of the city in which shall be stored all supplies and materials purchased by the city and not directly delivered directly to the various departments; and he shall see that all supplies are inspected to determine quantity, quality and conformance with specifications. **No invoice covering any purchases of supplies or materials, whether for direct departmental delivery or for stores inventory account, shall be honored or paid unless accompanied by a properly signed receiving report from the department to which the supplies are consigned. All the invoices and receiving reports are to be processed through the purchasing department.**

(c) The Purchasing Agent may require from the director of any department a requisition for the quantity and kind of supplies to be paid from the appropriations of the department.

(d) Before making purchases or sales, the purchasing agent shall give the opportunity for competition. All proposals are to be on precise specifications.

(e) The purchasing agent shall not furnish any supplies or purchase any supplies for any department unless there is an available appropriation balance to the credit of the department in excess of all unpaid obligations sufficient to pay for the supplies or materials.

(f) **Any purchase involving six thousand dollars ($6,000) or over must be approved by the City Council, and no requisition or purchase shall be divided so as to keep expenditures below the amount needing such approval.** The City Manager is hereby authorized to expend funds up to the amount of fifteen thousand dollars ($15,000.00) to make emergency repairs without Council authorization.

(g) **Each purchase order shall be signed by the City Manager or Purchasing Agent.**

CITY OF ESCANABA

Purchasing Policies and Procedures Manual

July 5, 2016

Approved by Escanaba City Council _____

CITY OF ESCANABA PURCHASING POLICIES AND PROCEDURES MANUAL

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INTRODUCTION

The purchasing system of the City of Escanaba, administered by the City Manager or his designee, provides for the proper and orderly control of the City's expenditures. This manual defines the policies and procedures which are currently in place to accomplish this objective. While this manual does not answer all questions relating to purchasing, it is designed to provide a basic foundation for the purchasing system.

The primary objective of the purchasing process is to help provide the highest quality *goods* and services to our citizens at the lowest possible cost, in an environment providing free and open *competition* to the *vendors* providing these services. The following objectives foster this purpose:

Purchase of the proper material in the proper quantity at the appropriate time from the best source.

Conservation of public funds in acquiring *goods* and services through the reduction in cost and the improvement in the quality.

Development of subsystems which provide simplification and standardization for the acquisition of materials and supplies throughout the City.

Arrangement for the delivery of materials and supplies to the point where those items are to be utilized, in the most efficient manner, while still maintaining safeguards for the maintenance of a purchasing system of quality and integrity.

Providing public confidence in all procedures utilized in the purchasing process.

Complying with all legal requirements, including Federal, State and local laws.

The cooperation of all employees is essential if the City is to obtain maximum value for all public expenditures, while at the same time complying with all applicable laws. Suggestions which help reduce costs, promote efficiency, improve control or improve supplier's service or satisfaction are both welcome and requested.

GLOSSARY

Award – The acceptance of a bid or proposal, including the presentation of a *purchase order* or the signing of a contract.

Bid – An offer to provide goods or services at a particular price.

Bid Bond or Check – A deposit which may be required of entities responding to an advertised *bid*. Its purpose is to show good faith on behalf of the bidder, as well as to help ensure that the transaction is consummated. At bidder's option, funds can be in the form of a bond, certified check or cashier's check. Each RFP and RFB shall specifically identify the amount of the deposit required, if any.

Bid Evaluation – The process of examining a *bid* after the *bid opening*, to determine the bidder's responsibility, responsiveness to requirements and such other characteristics that relate to the determination of a successful bidder.

Bid Opening – The formal process through which bids are publicly opened and the contents revealed for the first time.

Bid Response – A *vendor's* offer to provide *goods* or services to the City, in response to a *formal solicitation*. The response should include all of the information that is requested within the *formal solicitation*.

Capital Outlay – any article having a useful life of one year or more and with a unit cost of $250 or more. *Capital outlay* can include both real and personal property of a durable nature that retains its identity throughout its useful life.

Competition – The process by which two or more *vendors* vie to secure the business of the city by offering the most favorable *goods* and services, in terms of price, quality, delivery and/or service.

Conflict of Interest – A situation where the personal interests of a contractor, public official or employee are, or appear to be, at odds with the best interest of the City.

Contracts – Written agreements between two or more legally competent parties for the performance of work or the furnishing of services, materials or supplies.

Cooperative Purchasing – The process of acquiring *goods* or services without a *solicitation* process, by obtaining the *goods* or services at a price which has been established through a prior *solicitation* by another qualified entity.

Emergency – An *emergency* is defined as a situation where the normal operations of the City would cease, or be seriously impaired, if immediate action were not undertaken to correct the situation. *Emergencies* can include extraordinary conditions or contingencies that could not reasonably be foreseen and guarded against or exist due to unusual trade or market conditions. In order to qualify as an *emergency*, the City Manager must make such declaration in writing.

Formal Solicitation – is the process that is required for all non-exempt purchases which will total $25,000 or more; *formal solicitations* may be used for purchases below this threshold, at the Department Head's discretion. *Formal solicitations* require the preparation and dissemination of documents which define the *goods* or services the City intends to procure, including detailed terms and conditions which will apply to the acquisition.

Goods – A tangible product, either supply or equipment.

Informal Solicitation – is the process that can be used for purchases which will total less than the *formal solicitation* threshold. These *solicitations* can be either non-competitive (under $2,000) or competitive (between $2,000.00 and $24,999.99). Competitive *informal solicitations* require that a minimum of three *vendors* be invited into the process, unless there is an approved exemption to this requirement.

Joint Purchasing – The process of combining the requirements of two or more political entities in a *solicitation* process for the purpose of obtaining the advantage of volume purchases, the reduction in administrative expenses and/or the obtaining of other public benefits.

Performance Bond – A legal document, provided by a qualified third party, which guarantees the performance of another party (*vendor*).

Professional Service – A service performed by an individual, partnership or corporation of a professional or technical nature. Personal services include, but are not limited to, accounting, consulting, engineering and legal services.

Purchase – as defined in the policy, includes the purchase, lease, rental or lease-purchase of *goods* or services.

Purchase Order – The purchaser's document used to formalize a purchase transaction with a *vendor*. A *purchase order* should contain statements as to quantity, description and the price of the *goods* or services ordered, along with any additional pertinent terms, such as payment, discounts and transportation terms.

Purchasing Emergency – is a situation where an emergency has been declared and immediate purchases are necessary to prevent or correct an immediate impairment of the City. A purchase made under *purchasing emergency* conditions in which the normal competitive purchasing procedures have been waived, by a written declaration of the City Manager. Under such conditions, alternative purchasing procedures may apply.

Purchasing Agent – Each City Department Head is deemed to be a *Purchasing Agent* of the city.

Request for Bid (RFB) – The document used to seek *proposals* in a *formal solicitation* process where the *goods* or services can be readily defined and compared to alternative *proposals*. Although non-cost factors may be weighed in determining the successful bidder, factors involving cost and quality are the predominant evaluation criteria.

Request for Proposal (RFP) – The document used to seek *proposals* in a *formal solicitation* process in those cases where there may be multiple approaches to providing solutions to a complex need. While the approach and content may vary depending on the purchase, *vendors* are typically provided with the end result or goal and are asked to offer a technical and price proposal to meet that goal. While cost will be a factor in evaluating proposals, this form of *solicitation* relies more heavily on non-cost factors in evaluating the proposals and determining the successful bidder. A weighted point assignment method of evaluation may be used, if considered appropriate.

Responsible Bidder – A bidder who is determined to have the ability, capacity and skill to provide the *goods* and/or services that are requested by the City. Considerations in making such a determination may include, but would not be limited to, reputation, judgment, experience, timeframe to perform, quality of prior performance and financial condition.

Responsive Bidder – A *vendor* whose bid conforms in all material respects to the terms and conditions, the *specifications* and other requirements of the *solicitation*.

Sealed Bid – A bid that has been submitted in a sealed manner, to prevent its contents from being revealed before the deadline for publicly opening the *bids*.

Sole Brand – *Goods* or services which are only available from a specific manufacturer; *sole brands* may be available only from a *sole source* or they may be available from multiple sources / distributors.

Sole Source – *Goods* or services which are clearly and legitimately limited to a single source of supply (supplier, distributor, *vendor*).

Solicitation – The process of notifying prospective *vendors* of the City's desire to purchase *goods* or services. *Solicitations* may be verbal, in a non-competitive purchasing process, or they may be written. This term also refers to the document used in that process.

Specifications – The explicit requirements furnished with a competitive *solicitation* upon which a *purchase order* or contract is to be based. *Specifications* set forth the characteristics of the *goods*/services to be purchased, so as to enable *vendors* to determine the needs of the City and their ability to meet those needs. *Specifications* should be prepared in such a manner so as to provide a prospective *vendor* with the knowledge that if the *specifications* are adhered to, the City will determine their *goods* and/or services to be acceptable.

Splitting – The process of purchasing and/or invoicing *goods* or services into multiple instances, for the specific purpose of avoiding a competitive purchasing procedure or in order to avoid dollar expenditure limits.

Vendor – A provider of materials, supplies, services and/or equipment.

1.0 – LEGAL / PROCEDURAL

There are a variety of laws which govern both the purchasing process and the employees operating within it. The following summarizes the legal criteria and requirements which currently govern the purchasing process. It is important to note that these summarizations may require further investigation in order to assure full compliance with the law.

1.1 Charter Provisions

Chapter VIII - Sec 3-...The chief accounting officer shall examine all...bills and other claims and demands against the city,...and shall issue no warrant unless he finds that the claim is in proper form, correctly computed and duly certified, and that it is justly and legally due and payable, that an appropriation has been made therefor which has not been exhausted or that the payment has been otherwise legally authorized and that there is money in the City treasury to make payment....

Chapter VIII - Sec 8-...No liabilities shall be incurred by any officer or employee of the city, except in accordance with the provisions of the annual appropriations ordinance, or under continuing *contracts* and loans authorized under the provisions of the Charter....

Chapter VIII - Sec 16- No public work or improvement shall be commenced, or expenditure made,...,excepting as herein provided, until an appropriation has been made therefor...

Chapter XIV - Sec 1 - Any public work or improvement costing more than One Thousand Dollars, shall be executed by contract, except where a special work or improvement is authorized by the Council, based on detailed estimates, submitted by the department authorized to execute such work or improvement. Contract shall be *awarded* to a *responsible bidder*. Bids for such *contracts* shall be opened not less than three days after advertisement therefor in some newspaper published and circulated in the city, but the Council shall have the right to reject any and all bids...

Chapter XIV - Sec 4 - When it becomes necessary, in the prosecution of any work or improvement under contract,...such alterations, changes or modifications shall be made only on the written order of the Manager.

Charter XIV - Sec 5 - No such order shall be made until the price to be paid for the work or material or both,...,shall have been agreed upon in writing, and signed by the contractor and by the Manager.

Charter XIV - Sec 9 - No public improvement costing more than One Thousand Dollars shall be contracted for or commenced, until drawings, profiles and estimates for same shall be submitted to the Council and approved by it, and the same, or a copy thereof, shall remain on file in the office of the Clerk, subject to inspection by the Public.

Charter XIV - Sec 12 - The Council shall, by ordinance, prescribe the methods to more efficiently carry out the foregoing provisions.

1.2 Code of Ordinances

Code of Ordinances Section 2-22. Controller

(c) The Controller shall issue warrants for the payment of accounts against the City only when such accounts shall be evidenced by a voucher approved by the head of the department for which the indebtedness was incurred and after the warrant shall be countersigned by the Treasurer.

(d) Before issuing such voucher, the supplies and materials delivered, or work done, shall be duly inspected and certified to by the head of the proper department or office, or by a person designated by him.

(f) ...The Controller shall, at his discretion, investigate or inspect, in person or through someone designated by him, all such services rendered and *goods* purchased on behalf of the City in order to determine quantity or quality or any other factors involving value received by the City, and to suspend payment for *goods* and services of questionable value pending reference to the City Manager.

(g) No contract, agreement or other obligation involving the expenditure of money shall be entered into or authorized by any officer of the City, unless the Controller first verifies that there is an unencumbered balance in the fund to be charged.

Code of Ordinances Section 2-23. Purchasing Department

(a) The purchasing department is charged with the purchase, storage and distribution of supplies needed by the various departments. The purchasing department is administered by the City Manager or his designee, with each department head acting as the purchasing agent for his/her operations.

(b) The purchasing agents shall purchase or arrange for the procurement of all supplies and materials for the city and issue purchase orders covering all purchases. All purchasing activities will be conducted in a manner established by the City's Purchasing Policies and Procedures Manual. The Purchasing Policies and Procedures Manual will be adopted by resolution by the City Council and may be amended as needed by further action by the City Council. The Purchasing Policies and Procedures Manual will be reviewed by administration and the City Council on a regular basis, but no less often than every four years. The Purchasing Policies and Procedures Manual will be available to the public at the City Clerk's office and will be placed on the City's website.

(c) Before making purchases or sales, purchasing agents shall give opportunity for competition. All proposals are to be on precise specifications.

(e) Purchasing agents shall not make purchases unless there is an unexpended budget balance to the credit of the department, in excess of all unpaid obligations, sufficient to pay for the purchase.

(f) Any purchase involving twenty-five thousand dollars ($25,000.00) or over must be approved by the City Council, and no requisition or purchase shall be divided so as to keep expenditures below the amount needing such approval. The City Manager is hereby authorized to expend funds in excess of twenty-five thousand dollars ($25,000.00) to make emergency repairs without City Council authorization, as long as the City Council is provided with a declaration of the emergency.

(g) Each purchase order shall be signed by the City Manager or one the of purchasing agents.

1.3 Federal and State Grant Provisions

In the normal course of business, the city is the recipient of a number of federal and state grant funds; the purpose of these funds is related to specific grant objectives. Typically, these grant funds are accepted subject to the city's compliance with specific requirements, sometimes including requirements related to the procurement of goods and services.

In order to comply with both the provisions of the grants and city purchasing policy, the City's purchasing policy requires that the city abide by the more restrictive of the two policies, in each instance. Doing so will ensure that the minimum requirements of both policies are adhered to.

It shall be the responsibility of each department head in receipt of grant funds to (1) understand the terms and conditions of each grant receipt and (2) assure compliance with both city purchasing policy and the requirements of the grant.

1.4 Code of Conduct

No employee, officer or agent of the City of Escanaba shall accept any gift, frank, free ticket, pass, reduced price or reduced rate of service from any person, firm or corporation operating a public utility within the City, or from any person known to him to have or to be endeavoring to secure a *contract* with the City.

No employee, officer or agent of the City of Escanaba shall participate in the selection, award or expenditure of city funds if a *conflict of interest*, real or apparent, would be involved. Such conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above, has a financial or other interest in the *vendor* selected for the award,

Any employee, officer or agent of the City of Escanaba who has concerns about a possible *conflict of interest* should discuss the specifics of the situation with the City Manager. The City Manager shall make a determination on the issue or can forward the issue to the City Attorney. If the matter appears before the City Council, public disclosure of the outcome of the review process would be required.

Any alleged and / or undisclosed violations of these standards of conduct shall be referred to the City of Escanaba Attorney. Where violations have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including, but not limited to, dismissal; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

2.0 - EXEMPT TRANSACTIONS

Certain transactions cannot be handled by the competitive purchasing process. Additionally, certain transactions are more effectively handled outside of the competitive purchasing process. These exempt transactions include:

Acquisition of real property, such as land, easements, right-of-ways, and existing buildings, structures or improvements. Reference to other City policy is appropriate.

Court ordered fines and judgements, resulting from litigation

Cash transfers and investment transactions for fiscal management purposes, processed through the City Treasurer's office

Accrued or current liabilities already charged against the budget and recorded against the general ledger accounts

Debt service payments charged against budgetary accounts

Grant disbursements to federal, state or local government agencies, or to private groups and agencies

Inter-fund or interdepartmental transfers or reimbursements within or among City departments

Insurance, including, but not limited to, liability, property, medical and workers' compensation insurance or payments from any loss fund established for such a purpose

Utilities, advertising, travel and postage

Dues and memberships in trade or professional organizations, subscriptions for periodicals, advertisements, copyrighted material, seminars, tuition registration and training

Medical services

Legal services

Commodity purchases, but only when specifically identified within this document

Any other items as may be included, amended and approved by City Council

3.0 -METHODS OF PROCUREMENT

Chapter VIII - Sec 3-...The Controller shall examine all...bills and other claims and demands against the City,...and shall issue no warrant unless he finds that the claim is in proper form, correctly computed and duly certified, and that it is justly and legally due and payable, that an appropriation has been made therefor which has not been exhausted or that the payment has been otherwise legally authorized and that there is money in the City treasury to make payment....

Chapter VIII - Sec 8-...No liabilities shall be incurred by any officer or employee of the City, except in accordance with the provisions of the annual appropriations ordinance, or under continuing *contracts* and loans authorized under the provisions of the Charter....

Chapter VIII - Sec 16-No public work or improvement shall be commenced, or expenditure made,...,excepting as herein provided, until an appropriation has been made therefor...

Chapter XIV - Sec 1 - Any public work or improvement costing more than twenty-five thousand dollars, shall be executed by contract, except where a special work or improvement is authorized by the Council, based on detailed estimates, submitted by the department authorized to execute such work or improvement. Contract shall be *awarded* to a *responsible bidder*. Bids for such *contracts* shall be opened not less than three days after advertisement therefor in some newspaper published and circulated in the city, but the Council shall have the right to reject any and all bids...

Code of Ordinances Section 2-22. Controller

(c) The Controller shall issue warrants for the payment of accounts against the City only when such accounts shall be evidenced by a voucher approved by the head of the department for which the indebtedness was incurred and after the warrant shall be countersigned by the Treasurer.

(d) Before issuing such voucher, the supplies and materials delivered, or work done, shall be duly inspected and certified to by the Department Head or by a person designated by him.

(f) Any purchase involving twenty-five thousand dollars ($25,000.00) or over must be approved by the City Council, and no requisition or purchase shall be divided so as to keep expenditures below the amount needing such approval.

3.1 General

All department heads are authorized to make transactions for the City of Escanaba, subject to the City's purchasing policies. Department heads may assign some or all of their purchasing responsibilities to other employees within the department, but ultimate responsibility for purchasing issues remains with the department head. Department head approval is required for any non-exempt expenditure prior to payment for the transaction.

No purchasing transactions shall be initiated unless there are legally authorized, and unexpended, budgeted funds available. The only exception to this requirement is where the City Manager has authorized, in writing, authority to expend funds.

No *capital outlay* shall be made, unless such expenditure is specifically authorized with the current budget. The only exception to this requirement is where the City Manager has authorized, in writing, authority to expend funds.

Payment for purchasing transactions may occur in a number of ways, including, but not limited to, petty cash, check, credit card and funds transfers; regardless of the method of payment, the City's purchasing policies apply to all transactions.

Purchasing transactions may not be split, or in any way manipulated, for the sole purpose of avoiding expenditure limits. The City Manager shall be the final authority on any disputes involving this policy.

Any actual or prospective *vendor*, who believes they have been aggrieved in connection with any purchase transaction or price *solicitation*, may protest their concerns to the City Manager

3.2 Small Purchases

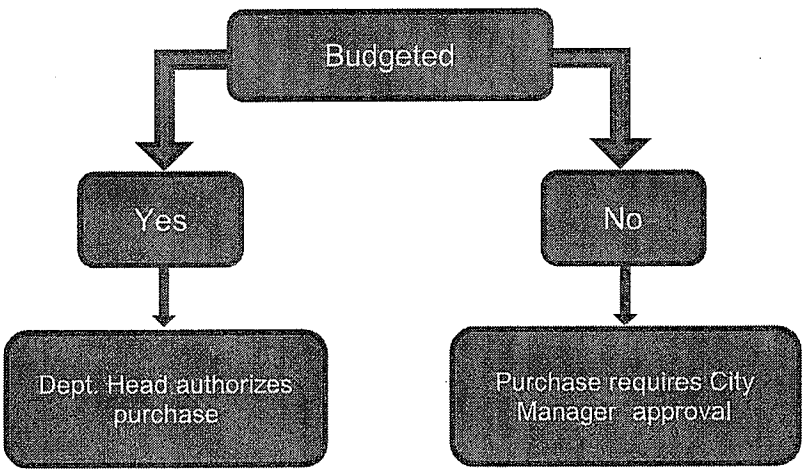
Department heads have the sole authority to enter into purchase transactions in amounts up to $25,000.00, assuming that all other purchasing policies are followed. Small purchases consist of two (3) distinct categories:

3.2.1 Purchases under $2,000.00

Purchasing transactions totaling less than $2,000.00 can be made by department heads with no requirements. Department heads are encouraged to provide open *competition* and to research pricing in order to obtain the best product at the lowest price.

The only exception to this authority is where the purchase is of a capital nature; in order to expend funds under this criterion, the capital acquisition has to either (1) be included in that department's current fiscal year budget or (2) authorized by the City Manager in writing.

Purchase of Under $2,000



3.2.2 Purchases from $2,000.00 up to $7,999.99

Purchasing transactions totaling between $1,999.99 and $8,000.00 require an informal quotation process. The following rules apply to this process:

In soliciting informal quotes, department heads should encourage *competition* by contacting as many *vendors* as is reasonably possible; except as noted below, quotes must be obtained from a minimum of three *vendors*. Care should be taken by the department to ensure that *vendors* are given exactly the same information and that prices are not disclosed from one *vendor* to the other until after an *award* has been made.

Informal quotes may be obtained by telephone, fax, e-mail, in person or in any other standard method of business communication.

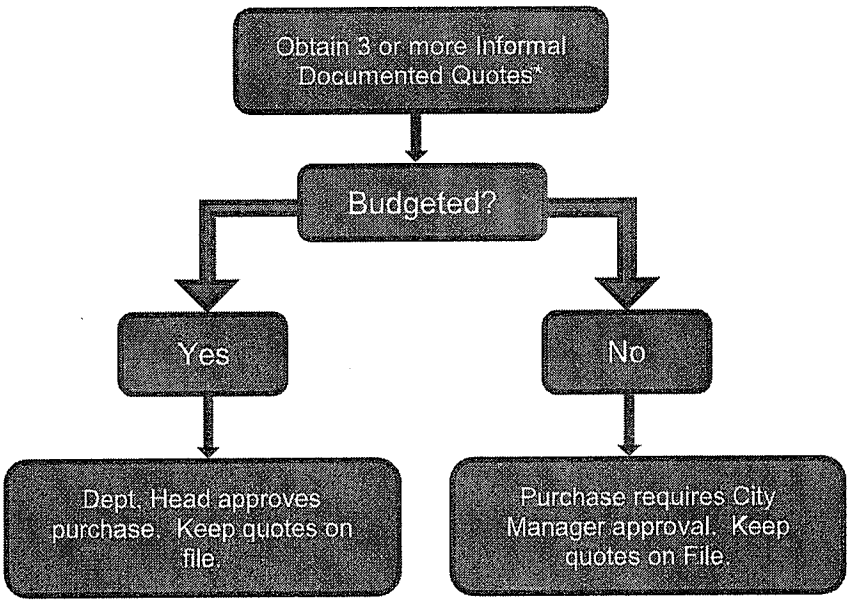
The department must prepare a written record of the quote *solicitation* process and this document must be retained for a minimum of three years after the transaction is completed.

If a department contacts a *vendor* and receives no response, a second contact shall be made. If the *vendor* does not respond after two contacts, the department may include the *vendor* as one of their minimum number of contacts.

The only exception to the requirement that a minimum of three (3) *vendors* be contacted is where the City Manager has authorized, in writing, the authority to expend funds based on a smaller number of quotes.

An exception to this authority is where the purchase is of a capital nature; in order to expend funds under this criterion, the capital acquisition has to either (1) be included in that department's current fiscal year budget or (2) authorized by the City Manager in writing.

Purchase of $2,000 - $7, 999.99



3.2.3 **Purchases from $8,000.00 up to $24,999.99**

Purchasing transactions totaling between $7,999.99 and $25,000.00 require a formal quotation process. The following rules apply to this process:

In soliciting formal quotes, department heads should encourage *competition* by contacting as many *vendors* as is reasonably possible; except as noted below, quotes must be obtained from a minimum of three *vendors*. Care should be taken by the department to ensure that vendors are given exactly the same information and that prices are not disclosed from one *vendor* to the other until after an *award* has been made.

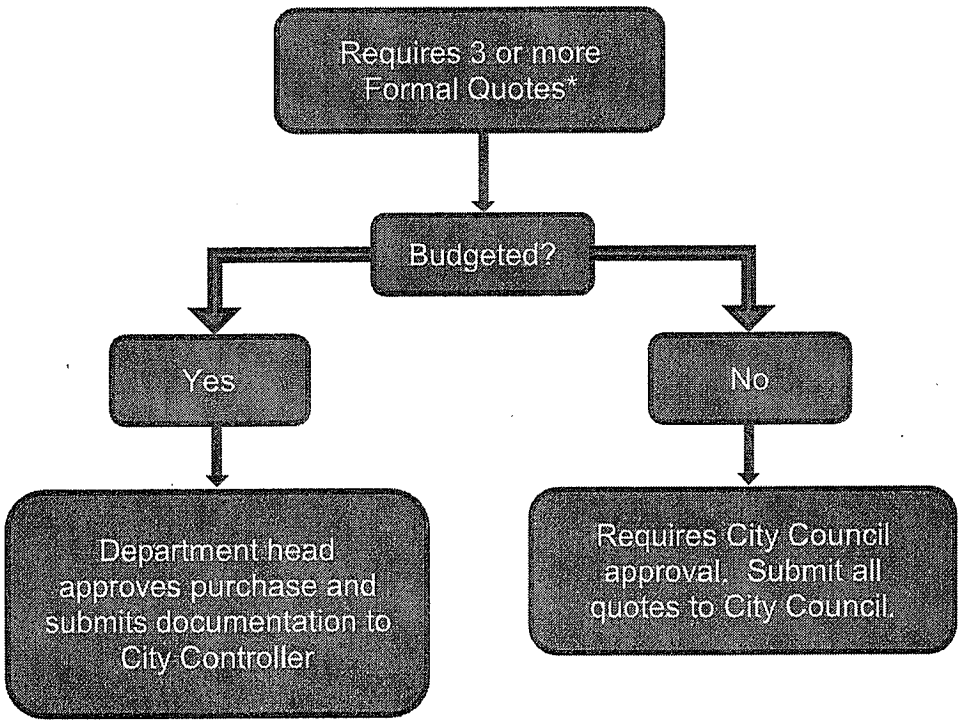
Formal quotes may be obtained by telephone, fax, e-mail, in person or in any other standard method of business communication. Regardless of the manner in which the quotations are solicited, however, the formal quotation process requires departments to obtain written documentation for each *vendor* which supports and verifies their quotes. These documents are required to be submitted by the department when they process the invoice(s) which approves the payment of said invoices.

If a department contacts a *vendor* and receives no response, a second contact shall be made. If the *vendor* does not respond after two contacts, the department shall submit written documentation which supports the *vendor* being contacted. Based on this documentation, the department may include the *vendor* as one of their minimum number of contacts.

The only exception to the requirement that a minimum of three (3) vendors be contacted is where the City Manager has authorized, in writing, the authority to expend funds based on a smaller number of quotes.

An exception to this authority is where the purchase is of a capital nature; in order to expend funds under this criterion, the capital acquisition has to either (1) be included in that department's current fiscal year budget or (2) authorized by the City Manager in writing.

Purchase of $8,000 - $24,999.99



*Quotes can be obtained on Vendor letterhead with signature or by e-mail. In the event an item is only available from one source, the formal quote process will be waived.

3.3 Large Purchases

All non-exempt purchasing transactions which are expected to equal or exceed $25,000.00 require a *formal solicitation* process. Additionally, these transactions require formal approval by the City Council. A large purchase transaction requires the preparation and dissemination of a document which provides potential *vendors* with as much information about the transaction as is reasonably possible. The intent of the document is to provide all potential *vendors* with an appropriate understanding of what they are required to do in order to be successful in the *solicitation* process. Documents should always be prepared in order to assure maximum *competition* and *vendor* responses.

Formal solicitations will be specific to each proposed purchase; at a minimum, however, each *formal solicitation* will contain the following:

Identification of the good or service which the City is seeking

The due date for submission of *vendor's* proposals

The time and place for the *bid opening*, where applicable (this is commonly the same time as the due date)

Proposal submission requirements

Boilerplate language which defines the rights and responsibilities of the City

Formal solicitations may include, but are not limited to, the following:

Statement of objectives

Scope of work

Special conditions

Request for *vendor* information

General instructions and conditions

A *formal solicitation* requires publication in the local newspaper and on the City's web site; publication in other appropriate media is at the discretion of the department.

Vendors' responses in the *formal solicitation* process are provided to the City by sealed documents; the sealed documents are all to be opened publicly at a time and place established in the *solicitation* process. In order to be considered for *bid evaluation*, all *vendors* must be determined to be a *responsible bidder*. Once *responsible bidders* are identified, a process is conducted to identify all *responsive bidders*. All *bid responses* must then be reviewed and evaluated based upon the requirements set forth in the *formal solicitation*. Based upon the evaluation, an *award* is generally made to the low cost, *responsible* and *responsive bidder*.

In any and all cases where the lowest cost bid is not recommended for the purchase, the evaluation must include the reason(s) for that recommendation.

The *bid evaluation* shall be conducted at the direction of the department head who has responsibility for the *goods* or services being requested; the department head can delegate all or a portion of the *bid evaluation* process to an appropriate party, but they shall maintain overall responsibility for the *solicitation process*. The City Manager has the authority to assign responsibility for the *solicitation process* in those situations where the benefit of the purchase extends beyond traditional departmental borders.

The process of the *bid evaluation* will vary from purchase to purchase, depending on the good or service that is being *solicited.* In each instance, the department head should be capable of providing the basis of their recommendation to any party requesting that information. For that reason, evaluation criteria and, if applicable, weighting of the criteria, are preferably reduced to writing and provided to potential *vendors* in the *formal solicitation* documents.

There may be occasions when it is necessary to correct, clarify or amend *formal solicitation* documents. In any such case, those alterations will be made using an Addendum to *Specifications*. The respective department head shall be responsible for ensuring that any prospective vendors receive a notice of such Addendum. No Addendum shall be issued five (5) days prior to a *bid opening* without extending the due date for *vendor's* proposals, unless the alteration does not materially affect the bid.

Depending on the nature of the transaction, the *formal solicitation* process can take several forms:

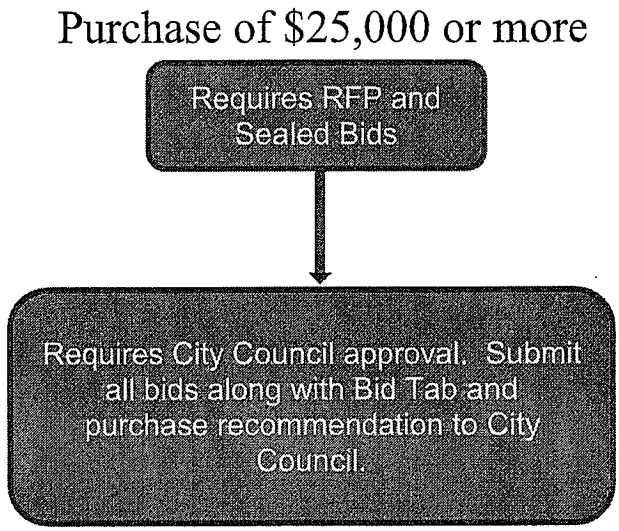
3.3.1 ***Request for Bids***

Requests for Bids (RFB) are used for the acquisition of *goods* and services that are easily defined as comparable. RFB's define in very specific terms (*specifications*) what good or service the City is interested in obtaining and any of the rules or criteria the *vendor* must address in order to be included in the pool of **vendors** from which the City will *award* the business to. While each RFB will be unique, based on the *goods* or services desired by the City, all RFB's require that certain rules are followed and specific language is included.

Typically, the *awarding* of the business to a *vendor* is based upon the lowest priced response which meets all of the bid specs, although other evaluation criteria can be used to determine the best *vendor*. If the department recommends a *vendor* which is not the lowest cost qualified bid, they will be required to provide justification for their recommendation.

3.3.2 ***Request for Proposal***

Request for Proposals (RFP) are used for the acquisition of *goods* and services where they may be more than one approach to providing a solution to a complex need or where precise definition of the good or service is impractical. While RFPs will vary depending on the project, *vendors* are typically provided with the goal or end result that the City desires and are asked to provide a technical and price proposal to meet that goal. The scope of the project and the *specifications* in the RFP should be as specific as possible, with the intent to provide *vendors* with as much relevant information as is possible. While each RFP will be unique, based on the *goods* or services desired by the City, all RFP's require that certain rules are followed and specific language is included. All RFP's prior to release must contain a stipulation that any bidding entity that submits a proposal will agree not to hire a former City employee for a period of six (6) months prior to the bid and through the completion of the contract.



3.4 *Joint Purchasing / Cooperative Purchasing*

Obtaining *goods* or services through the use of *joint purchasing* and *cooperative purchasing* processes is an acceptable procurement method for City departments.

Joint purchasing is the process where the City joins together with one or more other political subdivision(s) and jointly conducts a *solicitation* process. The benefits which can be obtained through the utilization of this method of procurement is that it may result in lower prices, due to volume purchases; it may decrease the administrative costs associated with each groups purchasing process and it may result in additional *vendor* participation, by increasing the overall value of the transaction that they are hoping to be *awarded*.

Joint purchasing solicitations typically involve the identification of each political subdivision participating in the process; in any case, in order for the *solicitation* to be acceptable under City purchasing policies, the *solicitation* process must meet the same guidelines as if the *solicitation* was being conducted solely by the City.

Cooperative purchasing involves the acquisition of *goods* or services through specific approved organizations. Once an organization is approved for City purchasing activities, any good or service may be obtained through that organization, without any other procurement process required.

As an alternative, *cooperative purchasing* organization's prices may be utilized as a base for purchasing the same good or service from another entity.

Currently, the following organizations are qualified for *cooperative purchasing*:

MiDeal

Delta County, Michigan

Delta County Road Commission

Delta Schoolcraft ISD

City of Gladstone

While *joint purchasing* and *cooperative purchasing* are acceptable procurement procedures, the use of these methods does not eliminate the need for City Council approval of the purchase in those instances where the value of the purchase exceeds the threshold for approval ($25,000.00).

3.5 *Professional Services*

Professional services, due to the nature of the activities and the product, are exempt from the City's procurement process. Despite this exemption, the issuance of Requests for Proposals (RFP) is encouraged for all activities that lend themselves to the process. In the review and recommendation process, cost of the proposals is usually not a determining factor in making a recommendation.

Based on Charter language and the nature of this form of procurement, all *Professional services* valued at $1,000 or more requires City Council approval.

The activities included under the *Professional Services* exemption would include, but not be limited to:

Legal services

Auditing and Accounting services

Engineering services

Environmental sciences services

There are a variety of services which are provided by individuals and organizations whom are highly trained and/or skilled – both licensed and unlicensed – which are not included under the *Professional Services* exemption; these would include, but not be limited to:

Electrician's services

Plumbing, heating and cooling services

Building trades' services

In each of these cases, standard City *solicitation* processes must be observed.

3.6 ***Sole Brand / Sole Source***

Sole source is a purchasing situation where a *vendor* is the only source from which a particular good or service can be acquired. *Sole brand* occurs when similar types of *goods* or services may exist, but for a variety of reasons, there is only one acceptable good or service which is practical or acceptable. While the two terms have some similarity, their implications on the procurement process are completely different.

Because purchasing processes that involve *sole sources* or *sole brands* result in the reduction or elimination of *competition* in the purchasing process, the standards required to meet these exceptions to the purchasing process are necessarily set very strictly.

The identification of these purchasing limitations can occur at various steps in the procurement process; until the limitation is identified, standard *solicitation* processes are to be followed.

3.6.1 ***Sole Brand***

Identification of a *sole brand* in the procurement process will usually result in the elimination of *competition* and should be avoided for that reason. Examples of *sole brand* procurement could include, but not be limited to:

Proprietary items which must be compatible with existing equipment or systems

Items retaining specific features essential for the completion of the task or project at hand

When changing brands or manufacturers would compromise the continuity and integrity of the project

When changing brands or manufacturers would compromise any warranties

Standardization of equipment for purposes of minimizing stocks of repair parts

In some procurement processes, the acquisition of substitute *goods* and services will only require that the acquisition needs to be "equal to or better" than the good or service desired. In those cases, the standard

solicitation should be conducted, using that attribute as one of the qualifications of any *vendor's* responses.

In some procurement processes, the acquisition of *sole brand goods* and services can be accomplished through a number of *vendors*. In those cases, the standard *solicitation* process should be conducted, using that attribute as one of the qualifications of any *vendor's* responses.

3.6.2 ***Sole Source***

In some procurement processes, the identification of a *sole brand* requirement may result in the additional identification of a *sole source* situation. This occurs only when a good or service has no acceptable substitutes and where only one *vendor* can provide the good or service. This situation may be identified prior to the initiation of the *solicitation* process or it may occur later in the process; once identified, it will act to suspend the remaining steps in the *solicitation* process and will require the acquiring department head to obtain the City Manager's approval to move the process forward.

In order to obtain the City Manager's approval, the department head must prepare documentation which demonstrates the lack of acceptable *competition*. Information provided in the documentation may include, but would not be limited to:

The unique qualifications, abilities or expertise of the recommended *vendor*

Any special circumstances involved in the procurement, including copyright restrictions, time constraints or sole availability at this location

Since *competition* was not utilized in the procurement process, an explanation of the reasonableness of the costs, which may involve the use of comparable *contracts*, market surveys or other appropriate methods of comparison

Departmental preference for a specific *vendor*, product or service is not a valid justification for the identification of a *sole source* purchasing situation. However, lack of competent *competition* may be justification, if that situation can be proven. Competency would be based on prior departmental experience or the experience of reputable sources.

Upon receipt of the City Manager's approval to proceed, the procurement would be subject to a purchasing threshold of $7,999.99; for any transactions which exceed this amount, City Council approval is also required.

3.7 Commodities

Certain goods utilized in City operations do not permit the standard purchasing model of solicitation, award and City Council approval. For reasons noted below, the purchase of the following specific goods does **not** require City Council approval, even if the final expenditure exceeds $25,000.00.

Fuel (gasoline and diesel) for operations – because market prices for these supplies can change on a daily basis, the timeline required for City Council approval would likely result in a change in price. While City Council approval is not required before the purchase is made, the competitive solicitation process is required.

Road Salt – the City has historically purchased all of its road salt needs through the State's MIDeal program. This process requires the City to commit to specific order quantities before the actual salt price is known, which prevents the City Council from approving a specific purchase amount.

Natural Gas (used to heat City Buildings) – because market prices for this supply can change on a dialy basis, the timeline required for City Council approval would likely result in a change in price. While City Council approval is not required before the purchase is made, the competitive solicitation process is required.

3.8 *Emergency*

An *emergency* is defined as a situation where the normal operations of the City would cease, or be seriously impaired, if immediate action were not undertaken to correct the situation. Emergencies can include extraordinary conditions or contingencies that could not reasonably be foreseen and guarded against or exist due to unusual trade or market conditions. In order to qualify as an *emergency*, the City Manager must make such declaration in writing and the City Council should be informed of the declaration as soon as is practical.

Once the City Manager concludes that a *purchasing emergency* situation exists, purchases may be made without following the standard procurement policy and without City Council approval. The City Manager shall apprize the City Council of the *emergency* response efforts; the City Council shall have the authority, utilizing standard meeting procedures and protocol, to override the *emergency* declaration and the *purchasing emergency*, which would require standard purchasing policies to be complied with.

4.0 – CREDIT CARDS

4.1 Approval

Prior approval shall be obtained from the Department Head before any use of the City credit card. Notification to the City Controller's office is required even when prior approval has been granted for out of town travel, as this will provide documentation of card usage should billing problems arise.

4.2 Types of Purchases

The acquisition of a City credit card is designed to assist in those purchasing situations where the use of checks/cash is not available or is inconvenient. The credit card should not be used as a replacement for the purchase order/check process when that avenue is available.

Qualifying credit card uses would include, but not necessarily be limited to:

Hotel/motel reservations

Travel expenditures, including meals, lodging and gasoline for City vehicles

Purchases requiring a credit card or advance payment

Under no circumstances should the credit card be used for:

Cash advances

Personal use – Use of the City credit card for such things as items for personal use, books, magazines, alcoholic beverages and in-room movies during a hotel/motel stay while on City business must be repaid to the City at the time receipts are turned in to the City Controller.

4.3 Tax Exemption

You must notify the vendor that your credit card transaction should be tax exempt for goods and services purchases. The City Controller's office has forms which can be used when the vendor requests documentation for tax or audit purposes.

4.4 Credit Card Security

The credit card should always be treated with a level of care that will ensure security for the card and the account number. The account number should not be written down or posted to keep it handy. Cards will be stored and tracked in the City Manager's office. They should be returned to this location as soon after use as is reasonably possible. If the card is lost or stolen, the City Manager's office should be notified immediately.

4.5 Credit Card Usage

When performing transactions, tell the vendor that you will be paying with a credit card. Transactions made in person will utilize the card; phone transactions will require that you give them the card number and expiration date. *All receipts and credit card slips shall be secured and submitted to the City Controller's office as soon as possible,* accompanied by a summary of charges and the account numbers to which the transactions should be recorded.

If you experience denials when trying to use the City credit card, you should contact the City Controller's office immediately.

4.6 Billing

Upon receipt of the monthly statement, the Controller will match the receipts to the billing to ensure that all transactions have been properly documented. Failure to forward all receipts to the Controller's office in a timely manner will result in unnecessary delays in processing payments.

4.7 Misuse of Credit Card

Departments having employees who fail to follow the above procedures shall, at minimum, be denied future use of the credit card. Depending on the type of violation, any employee or elected official of the City of Escanaba who violated the provisions of the Policies and Procedures could be subject to dismissal and appropriate criminal and/or civil action.

5.0 – BID SECURITY / PAYMENT AND PERFORMANCE BONDS

5.1 Bid Bond or Check

A *bid bond* is issued by a vendor to the City as part of a bid process to guarantee that the winning bidder will fulfill their obligation under the terms which they bid. The bid bond is subject to full or partial forfeiture if the winning bidder fails to either execute the contract or fulfill the terms of their bid.

At the vendor's option, the bid bond can be in the form of a bond, certified check or cashier's check.

As the value of a bid bond can vary greatly over the purchasing spectrum, the requirement for a bid bond for each specific bid will be made by the department head. If it is determined that a bid bond is to be required, the bid specifications shall provide a precise definition of the amount required, not to exceed 10% of the purchase price / contract value

If a bid response does not provide the bid bond as specified in the City's bid specifications, that bid response shall not be considered in the bid evaluation process. If a bid bond is provided, but does not meet the bid bond specifications, the bid response shall not be considered in the bid evaluation process.

5.2 Payment and Performance Bonds

Payment and Performance bonds are types of insurance that are intended to protect the City in certain purchasing transactions, most commonly construction projects While payment and performance bonds are two distinct policies, any City transaction requiring one of the policies will also require the other.

The Payment Bond protects the workers, suppliers of materials, and subcontractors from nonpayment by the contractor. The Performance Bond provides security on the contractor's duties, including promises to perform the construction within the time frame provided and at the agreed upon price.

In general, the bonds are written obligations to pay a fixed monetary sum on the happening or non-occurrence of a specified event or condition. In the case of payment bonds, the specified event is the non-payment of workers or other parties, while in the case of performance bonds, the specified event that triggers compensation is if the project stops prior to completion.

The requirement for Payment and Performance bonds for each specific bid will be made by the department head, except that all construction projects in excess of $25,000 shall require these bonds.

Unlike bid bonds, which are required as part of a vendor's bid submission, payment and performance bonds are not required of a successful bidder until the award of the bid is made or a contract is to be signed. Failure to provide the required bonds will terminate this transaction and, where applicable, result in a City claim against the bid bond or check.

6.0 - SALE / DISPOSAL OF CITY PROPERTY

The City Controller's department is responsible for the administration of all disposable and surplus property. Each department will work through the City Controller's department in disposing or selling excess City property.

6.1 Property Disposal / Scrapping

Disposable property is defined as property which is no longer functioning and is devoid of any value, except for scrap purposes. Wherever possible, property meeting these criteria should be scrapped or recycled. If the property is scrapped, the revenue accruing from the sale shall be returned to the department / fund where the property originated. In those situations where it is determined that landfilling of the property is the only reasonable option, all regulations and laws pertaining to the disposal must be complied with.

All City property which is disposed of or scrapped shall be reported to the City Controller's department on forms which are provided by the City Controller.

Under no circumstances is it acceptable for City employees or their family to take receipt of City property.

6.2 Excess / Surplus Property

6.2.1 Sale to the Public

Excess / surplus property is defined as property which still is usable or functional, as opposed to property which is only suitable for disposal/scrapping. The determination of the property's status is to be made by the Department Head.

The first step in the process of excess / surplus property involves notification to all other City departments of the availability of the property; the first City department to make a claim on the property would be entitled to take possession of the property, at no charge from the originating department. The only exception to the notification process would be in those situations where trade-in of the property, toward the purchase of new property, is identified as being in the City's best interest.

If no other City department makes a claim for the excess / surplus property, then the property should be offered to the public, in a competitive process. This process currently consists of a public auction, duly advertised to ensure maximum participation, under the supervision of the City Controller's department.

6.2.2 Exceptions to Public Sale

Based on the nature of City operations, some City property is of the nature where sale of the property to the general public is either illegal (example – surplus guns or chemicals) or inadvisable (specialized equipment or functionally flawed property). Under these circumstances, the department will advise the City Controller of the situation and the two departments shall work together to ensure that the property is sold/scrapped in a safe, legal manner.

Circumstances may exist that a determination is made that the public good is most appropriately served by providing the excess / surplus property to another governmental / non-profit entity. Under these circumstances, the City Council is required to publicly make this determination before the property can be transferred. Under no circumstances shall the property be donated to any private person or organization.

6.3 Sale of Other Property

During the course of normal operations, the City may be approached by individuals / organizations, both private and

public, and asked to approve the use of City property for their operations. A determination of the availability of the requested property will be made on a departmental level and is not subject to appeal. In order for a transaction to be considered, the following criteria must be met:

The property in question shall not be available to the requesting entity from other local sources within their required timeframe

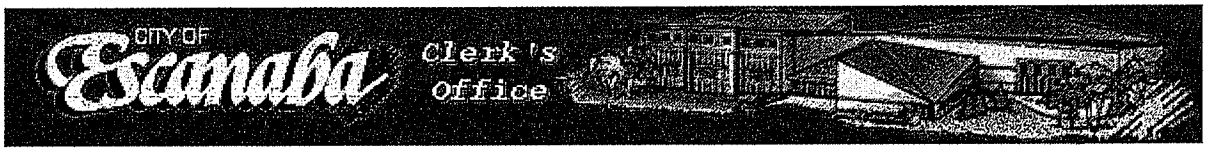
The property in question shall not be offered if, in the department head's determination, the transfer of the property shall jeopardize the City's operations in any way

If the department head determines that the property can be transferred at no risk to departmental operations, the following alternatives are acceptable City procedures:

The property can be "loaned" to the entity; the entity will be responsible for replacing the property at their earliest opportunity with the exact same property

The property can be sold to the entity; if the City doesn't intend to replace the property, it must be sold to the entity at its original cost, plus a 15% mark-up. If the City intends to replace the property with the same property, the property should be sold at its replacement cost, plus a 15% mark-up.

NB#2
CC 8/4/16



July 18, 2016

MEMORANDUM

TO: City Council,
James V. O'Toole, City Manager

FROM: Robert S. Richards, CMC
City Clerk

SUBJECT: August 4, 2016, Agenda Item – Elections Precinct Location

Administration is seeking Council authorization to amend Section 10-17 Location, of the City Code of Ordinances, regarding Precinct 4 in the City of Escanaba. The current location, Webster Grade School, has converted to a lock down school facility. In order to respect their desire to continue a lock down facility on election day, Administration recommends moving the Precinct 4 to the Bay College M-TEC Center, 2000 North 30th Street. The location sits in Precinct 4, and is a completely handicapped accessibly facility. If approved, State Election Law requires the City notify each registered voter, which is approximately 1,300.

ORDINANCE NO. 1165

AN ORDINANCE TO AMEND CHAPTER 10, ELECTIONS, OF THE CITY CODE OF ORDINANCES IN THE CITY OF ESCANABA

THE CITY OF ESCANABA ORDAINS:

CHAPTER 1

Chapter 10, Article II, Precincts, of the City Code of Ordinances shall be amended to read as follows:

Section 10-17. Location, of the Code is amended to read in its entirety as follows:

The following named places are hereby designated as the voting places for all future elections held in the City of Escanaba, the same to remain until the further order of the Council:

(1) *First Precinct:* City Hall Council Chambers, 410 Ludington Street.
(2) *Second Precinct:* Community Action Early Head Start Center, 1905 South 21st Street.
(3) *Third Precinct:* Civic Center, 225 North 21st Street, Main Entrance off Parking Lot.
(4) Fourth Precinct: ***Bay College M-TEC, 2000 North 30th Street.***

CHAPTER II
SAVING CLAUSE

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

CHAPTER III
EFFECTIVE DATE

This Ordinance shall be in full force and effect ten (10) days after its passage and publication.

APPROVED:

Ralph B. K. Peterson
City Attorney

APPROVED:

Marc D. Tall
Mayor

ATTEST:

Robert S. Richards, CMC
City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Council of the City of Escanaba, County of Delta, Michigan, at a regular Meeting held on the XX day of XXXXXXX, 2016, and was published in the Daily Press, a newspaper of general circulation in the City of Escanaba on XXXXXXX XX, 2016, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Robert S. Richards, CMC
City Clerk

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NB-3

CITY OF ESCANABA - SPECIAL EVENT APPLICATION

Festivals, Parades, Races, Walkathons, Temporary Road Closures

DATE(S) OF EVENT: 9-11-16 Sunday, September 11, 2016

Day of Week, Month, Day, Year (Example: Saturday, October 29, 2016)

NAME OF EVENT: Fall Festival / Rally Sunday

CONTACT INFORMATION: (Please print clearly – Incomplete applications may be delayed)

Organization: Christ the King Lutheran Church

Contact Person: Pastor Chris Johnson

Daytime Phone: 786-7400

Address: 1230 North 18th St

Evening Phone: 786-7988

City, State Zip: Escanaba, MI

E-mail: C.Lutheran@att.net

Website: www.ctk-escanaba.org

Event Phone: 786-7400

Charitable Org #: _____ (If applicable)

Fax: None

Alternate Contact: Roland Jacobson 786-7690 630-1736

(It is recommended that an alternative Name and Phone Number be provided)

Do you grant the City of Escanaba, City Manager's Office permission to give your telephone number to the general public? ☒ Yes ☐ No

LOCATION:

☐ City Park — Name of Park: _____

☒ Building/Facility — Name/Area: Christ the King Lutheran Church

☒ Road(s) Street — Road Closure Required? ☐ Partial ☒ Full

One Block

DATE/TIME:

	Event Begins	Event Ends
EVENT TIME This is the time your event would be ready to accept participants or general public.	DATE: 9-11-16 TIME: 12:00 Noon	DATE: 9-11-16 TIME: 3:00 p.m.
SET-UP TIME When you want the area reserved for your organization to ensure you have adequate time for set-up and tear-down.	Set-up Start DATE: 9-11-16 TIME: 11:00 am	Tear-down End DATE: 9-11-16 TIME: 3:00 p.m.

The collection, use and disclosure of personally identifying information submitted on this form will be used to facilitate the request to host a special event within the City of Escanaba. Applicants may, from time to time, be contacted by the city or a City-contracted third-party for the express purposes of gathering information about the proposed event, assessing satisfaction and/or obtaining feedback on services related to special events, Questions about this collection should be directed to the City Manager.

EVENT DETAILS – TYPE OF EVENT:

☐ Parade ☐ Cycling ☒ Festival/Event

☐ Run ☐ Walkathon ☐ Other (specify):_____

ESTIMATED ATTENDANCE: (Please estimate all that apply)

Participants: #50

Bands: #_____

Vehicles/Floats: #_____

Volunteers: #10

General Public: #30

Wheelchair Accessible: ☒ Yes ☐ No

For events on City Property are you seeking approval to charge:

Admission: ☐ Yes ☐ No

Parking: ☐ Yes ☐ No

This event is: ☒ Open to the Public

☐ For Invited Guests Only

EVENT ELEMENTS: (Complete to ensure proper permits are processed)

Power Requirements: ☑ Yes ☒ No

Sound Amplification: ☐ Yes ☒ No

Access to power if possible: ☐ Yes ☒ No

Live Music: ☐ Yes ☒ No

Tents/Temp. Structures: ☒ Yes ☒ No Size of Tent(s): _____

Amusement Rides: ☒ Yes ☒ No Provider:_____

Inflatables: ☒ Yes ☐ No Provider: BOSK

Fireworks: ☐ Yes ☒ No

Alcohol: ☐ Yes ☒ No

FOOD AND BEVERAGE:

Will there be Food and Non-Alcoholic Beverages sold? ☐ Yes ☒ No (Continue to next page)

Food Stand locations: ☐ Indoor ☐ Outdoor ☐ Indoor and Outdoor

What types of food will the Food Stands be selling? (Check all that apply)

☐ Chicken / Seafood ☐ Soups / Chili ☐ Other Foods (Please list)

☐ Rice / Pasta Dishes ☐ Salad _____

☐ Soda / Chips / Candy ☐ Other Meats _____

☐ Hotdogs / Hamburgers ☐ Baked Goods _____

RESERVATION FEES: (Check applicable box(es))

Ludington Park – Pavilion (1/2 Day)	☐ $75 (Resident)	☐ $100 (Non-Resident)
Ludington Park – Pavilion (Full Day)	☐ $100 (Resident)	☐ $125 (Non-Resident)
Ludington Park – Bandshell (1/2 Day)	☐ $75 (Resident)	☐ $100 (Non-Resident)
Ludington Park – Bandshell (Full Day)	☐ $100 (Resident)	☐ $125 (Non-Resident)
Ludington Park – Gazebo (2 Hour Block)	☐ $50 (Resident)	☐ $75 (Non-Resident)
Other Picnic or Gathering Area (Full Day)	☐ $35	
John D. Besse Park – Pavilion (1/2 Day)	☐ $75 (Resident)	☐ $100 (Non-Resident)
John D. Besse Park – Pavilion (Full Day)	☐ $100 (Resident)	☐ $125 (Non-Resident)
Lemerand Field – Pavilion (1/2 Day)	☐ $75 (Resident)	☐ $100 (Non-Resident)
Lemerand Field – Pavilion (Full Day)	☐ $100 (Resident)	☐ $125 (Non-Resident)
Lemerand Field – Entire Complex (Full Day)	☐ $250	

*** Half-Day Reservations Cut-off Time is 4:00PM. Half-day reservations can be made before or after 4:00PM.

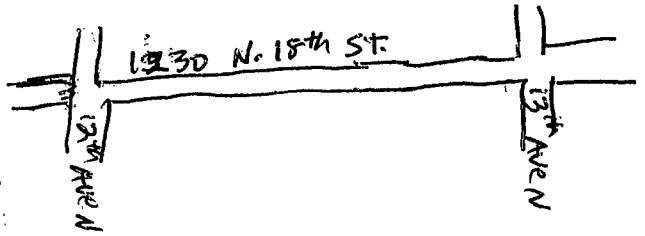
EVENTS REQUESTING ROAD CLOSURE:

Road closures must be approved by City Council. Once City Council has approved your road closure, changes cannot be made to your route without notification to the City Manager as a secondary Council Approval will have to be sought.

A detailed map of road closures **MUST** be included. Applicants must notify abutting properties of the closure at least 14 Days in advance of the event. This notification letter must be approved by the City Manager's Office. If there are any SPECIAL REQUESTS that you would like the City to consider, please outline them on a separate piece of paper and attach.

DEFINE THE CLOSURE LIMITS – ATTACH A DETAILED MAP

Block off one block of North 18th between 12th Ave N. and 13th Ave N.



I have read and understood the Special Events Application.

I will notify the City Manager's Office of any changed to my event application at least fourteen (14) days in advance of the event.

I have received a copy, read and understand the contents of the City of Escanaba Policy and Procedures No. 060101-10 – Alcohol in Public Places (if applicable).

Roland Jacobson	Roland Jacobson	7/21/16
Event Organizer Signature	Print Name	Date

PROCLAMATION

A PURPLE HEART CITY

AUGUST 4, 2016

WHEREAS, the City of Escanaba in the state of Michigan has always supported its military veteran population; and

WHEREAS, the Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782; and

WHEREAS, the Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the United States Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America; and

WHEREAS, the mission of the Military Order of the Purple Heart is to foster an environment of goodwill among the combat-wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly – make sure we never forget, and

WHEREAS, Escanaba has a large, highly decorated veteran population including many Purple Heart recipients, and

WHEREAS, Escanaba appreciates the sacrifices our Purple Heart recipients made in defending our freedoms and believe it is important that we acknowledge them for their courage and show them the honor and support they have earned.

NOW, THEREFORE, I, Marc D. Tall, Mayor of the City of Escanaba, Michigan, do hereby proclaim the City of Escanaba as

A PURPLE HEART CITY

And encourage the citizens of the City of Escanaba to show their appreciation for the sacrifices of the Purple Heart recipients have made in defending our freedoms, to acknowledge their courage, and to show them honor and support they have earned.

In witness whereof, I have placed my hand and caused the seal of the City of Escanaba to be affixed this 4th day August, 2016.

Marc D. Tall, Mayor