



Brighton City Council Meeting

Contact Information: City Hall • 200 N First St. • Brighton, Michigan 48116
(810) 227-1911 • www.brightoncity.org • info@brightoncity.org

This meeting will be conducted electronically.
Please visit the City website or the notice posted at City Hall for Zoom Meeting login instructions.

Regular Business Meeting September 3, 2020 – 7:30 p.m.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Consider Approval of the Agenda
5. Consider Approval of Consent Agenda Items

Consent Agenda Items

- a. Approval of Minutes: Closed Session Meeting of August 20, 2020
- b. Approval of Minutes: [Study Session Meeting of August 20, 2020](#)
- c. Approval of Minutes: [Regular Meeting of August 20, 2020](#)
- d. [Confirmation of Dining Igloos as Permitted Use Through the Sidewalk Café Permit Process](#)

Correspondence

6. Call to the Public
7. Staff Updates
8. Updates from Councilmember Liaisons to Various Boards and Commissions

Public Hearing

9. [Conduct a Public Hearing and Consider Adoption of Ordinance # 593: Amendment to Chapter 54 "Fireworks"](#)

New Business

10. [Consider Approval of the purchase of 2020 Salt/Dump Truck from D&K Truck Company and Truck & Trailer, Inc. for a price not to exceed \\$205,344.00](#)
11. Receive City Attorney Update Regarding the Farmers Market and Applicable Executive Orders

Other Business

12. Call to the Public
13. Adjournment



City Council Study Session

200 N First St • City Hall Council Chambers • Brighton, Michigan 48116
(810) 227-1911 • www.brightoncity.org

This meeting will be conducted electronically.

MINUTES OF THE STUDY SESSION OF THE BRIGHTON CITY COUNCIL HELD ON AUGUST 20, 2020

Call to Order

Mayor Pipoly called the Study Session to order at 6:30 p.m.

Roll Call

Present were Mayor Pipoly and Mayor Pro Tem Gardner, Councilmembers: Bohn, Emaus, Muzzin, Pettengill, and Tobbe. City Manager Nate Geinzer, City Clerk Tara Brown, Community Development Manager Mike Caruso, Finance Director Gretchen Gomolka, DPS Director Marcel Goch, Management Assistant Henry Outlaw, Police Chief Rob Bradford, Attorney Jeff Alber. There were six persons in the audience.

Call to the Public

Mayor Pipoly opened the Call to the Public at 6:31 p.m. Hearing and seeing no comment, Mayor Pipoly closed the Call to the Public at 6:31 p.m.

DISCUSSION: CLEARGOV (BUDGET, CIP, AND PROJECT COMMUNICATION TOOL)

Management Assistant Henry Outlaw presented a brief introduction to ClearGov, a software interface system for a more open government that enables end users to quickly access information on various initiatives as well as facilitates budget and CIP planning document creation. City Council raised questions concerning cost/benefit and requested more information on streamlining several software programs into ClearGov. Staff will bring the requested information back for Council review.

DISCUSSION: DINING IGLOOS

Community Development Manager Caruso introduced the agenda item noting a downtown business owner requested an igloo style dining option to encourage healthy public socialization and to utilize outdoor area during the winter months. Mr. Caruso noted that he did reach out to the Health Department about the safety of the igloos and COVID-19. The Health Department is amenable to the use and noted several other cities have utilized igloos for dining and socialization purposes. Several hurdles must be worked out and investigated before more action can be taken, such as extension of the sidewalk café permit and other land use concerns.

CALL TO THE PUBLIC

Mayor Pipoly opened the Call to the Public at 7:27 p.m.

Steve Pilon explained the sanitizing steps necessary for the outdoor igloo between customers.

Mayor Pipoly closed the Call to the Public at 7:27 p.m.

ADJOURNMENT

Motion by Councilmember Pettengill, seconded by Councilmember Bohn to adjourn the Study Session at 7:30 p.m. **The motion carried without objection by roll call vote.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor



Brighton City Council Meeting

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This meeting was conducted electronically.

MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON AUGUST 20, 2020

1. Call to Order

Mayor Pipoly called the meeting to order at 7:30 p.m.

2. Pledge of Allegiance

3. Roll Call

Present were Mayor Pipoly and Mayor Pro Tem Gardner, Councilmembers: Bohn, Emaus, Muzzin, Pettengill, and Tobbe. City Manager Nate Geinzer, City Clerk Tara Brown, Community Development Manager Mike Caruso, Human Resources Manager Michelle Miller, Finance Director Gretchen Gomolka, DPS Director Marcel Goch, Management Assistant Henry Outlaw, Police Chief Rob Bradford, and Attorney Jeff Alber. There were nine persons in the audience.

4. Consider Approval of the Agenda

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Emaus to approve the agenda as amended moving item d from the Consent Agenda to New Business and adding "as Requested by the City Manager" to item 11. **The motion carried without objection by roll call vote.**

5. Consider Approval of Consent Agenda Items

Motion by Mayor Pre Tem Gardner, seconded by Councilmember Emaus to approve the consent agenda as amended. **The motion carried without objection by roll call vote.**

Consent Agenda Items

- a. Approval of Minutes: Study Session Meeting of August 6, 2020
- b. Approval of Minutes: Regular Meeting of August 6, 2020
- c. Approval of Graphic Sciences, Inc. Document Imaging Scope of Work in the Amount of \$11,498.38
- d. ~~Acceptance of Quarterly Financial Reports (moved to New Business)~~

Correspondence

6. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:35 p.m. Hearing and seeing no comment, Mayor Pipoly closed the Call to the Public at 7:36 p.m.

7. Staff Updates

No updates were given.

8. Updates from Councilmember Liaisons to Various Boards and Commissions

Mayor Pro Tem Gardner stated the BACC met on September 12, 2020 to discuss upcoming events and how they may look as social distancing is still in effect.

Councilmember Bohn stated the Planning Commission met on August 17, 2020 to discuss temporary usage, parking zoning, and accessory structures in older neighborhoods.

Councilmember Pettengill and the Zoning Board of Appeals met on August 18, 2020 to discuss two variances. One for an enclosed porch and the other to raze a detached garage and rebuild an era appropriate replacement.

Councilmember Muzzin and the Brighton Area Fire Authority met on August 13, 2020. He was pleased to announce Fire Marshall Richard Boisvert achieved the Center for Public Safety Excellence designation. Mr. Boisvert is one of four in Michigan and one of 189 in the United States to achieve this credential. The Board also approved the purchase of turn out gear per the regularly scheduled cycle.

Councilmember Emaus and the Brighton Veterans Memorial Committee met to welcome new member from the Air Force. There are currently no plans to celebrate Veterans Day, detail will follow should plans develop. The Committee will be adding a new flag to the memorial in honor of Space Force. Councilmember Emaus met with Representative Elissa Slotkin and other local officials for a round table to discuss the restaurant industry during the pandemic, to help generate business, plan for winter months, and overall needs.

Mayor Pipoly and the Downtown Development Authority met on August 18, 2020. The DDA approved amendments to the authority's bylaws, confirmed advisory committee appointments, and discussed future planning.

New Business

d. Acceptance of Quarterly Financial Report

Councilmember Emaus questioned the personal property taxes and expectations from the county's contribution. He then asked about the individual financial institutions and how banks are chosen, noting a recent MTT case with State Bank where the City holds an account.

Director Gomolka noted the financial institutions are chosen by Treasurer Laura Hoshaw and approved by herself based on the products they offer and the interest rate on those products.

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to accept the quarterly financial reports. **The motion carried without objection by roll call vote.**

9. Consider Amendments to Resolution #20-12 To Promote Our Community and Healthy Public Socialization

Manager Geinzer introduced the agenda item stating the Chamber of Commerce has asked that City Council allow the Farmers Market to continue on Main Street until October 31, 2020. There have been recent concerns over spacing but the Chamber and the Farmers Market organizers have addressed the issues and have made layout arrangements to space out vendors along Main Street.

Overall City Council was in favor of continuing with Farmers Market on Main Street until October 31, 2020 however all efforts must be made to maintain social distancing and masks must be worn by all vendors. Councilmember Bohn questioned how the Farmers Market can be in compliance

and continue to be open with Executive Orders mandating attendance during events. Mr. Bohn asked the City Attorney to give an opinion regarding the Executive Orders and associated laws allowing the Farmers Market to continue to be open.

Motion by Councilmember Muzzin, seconded by Councilmember Pettengill to allow the Farmers Market to continue on Main Street on Saturdays until 2:00 p.m. concluding at the end of the Farmers Market on October 31, 2020. **The motion carried by roll call vote, Councilmembers Bohn and Emaus voting no.**

Other Business

10. Call to the Public

Mayor Pipoly opened the Call to the Public at 8:32 p.m. Hearing and seeing no comment, Mayor Pipoly closed the Call to the Public.

11. Consider Entering Closed Session to Consider the Periodic Personnel Evaluation of the City Manager Pursuant to MCL 15.268(a) as Requested by the City Manager.

Motion by Councilmember Muzzin, seconded by Councilmember Emaus to enter into closed session at 8:34 p.m. to consider the periodic personnel evaluation of the City Manager pursuant to MCL 15.268(a) as requested by the City Manager. **The motion carried without objection by roll call vote.**

Motion by Councilmember Emaus, seconded by Mayor Pro Tem Gardner to reconvene the regular session of City Council at 9:36 p.m. **The motion carried without objection by roll call vote.**

Mayor Pipoly asked that the compensation committee consisting of Mayor Pro Tem Gardner and Councilmembers Emaus and Muzzin meet with Human Resources Manager Michelle Miller to discuss compensation for the City Manager as well as review City Council per diems.

12. Adjournment

Motion by Councilmember Tobbe, seconded by Mayor Pro Tem Gardner to adjourn the meeting at 9:26 p.m. **The motion carried without objection by roll call vote.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL SEPTEMBER 3, 2020

SUBJECT: PERMITTED USE OF DINING IGLOOS THROUGH THE SIDEWALK CAFÉ PERMIT PROCESS

ADMINISTRATIVE SUMMARY

At the August 20, 2020 Study Session, City Council discussed the potential use of dining igloos by restaurant owners in public right-of-ways, located in the downtown area. The discussion was generated due to a few of these owners requesting to utilize the igloos on City sidewalks and streets.

- After staff review and research, the Community Development Department has determined the regulating of dining igloos can be accomplished through the current language of the Sidewalk Café Ordinance and permit process.
- The City attorney has reviewed the ordinance and confirmed the use of dining igloos is permitted through the Sidewalk Café permit process.

Reviews will be completed by Livingston County Building, the Fire Department, and in consideration of COVID, a written letter of authorization will be obtained from the Health Department.

RECOMMENDATION

As this was a topic of discussion at the August 20, 2020 Study Session, staff is recommending City Council confirmation of dining igloos regulated by the current language of the Sidewalk Cafe Ordinance.

Prepared by: Michael Caruso, Community Development Manager

Approved by: Nate Geinzer, City Manager

Attachments: Sidewalk Café Ordinance

CHAPTER 22, BUSINESSES

ARTICLE III. SIDEWALK CAFES AND OUTDOOR SEATING AREAS

Sec. 22-86. Purpose.

The sidewalk cafe and outdoor seating regulations, as established in this article, are designed to allow sidewalk cafes or outdoor seating areas by permit on public property in locations where they are determined to be appropriate by the city manager or his designee, and to promote and protect the public health, safety, and general welfare of the community. These general goals include, among others, the following specific purposes:

- (1) To attract residents and nonresidents to downtown Brighton;
- (2) To provide an additional way for restaurants or food establishments to expand their operations, subject to the needs of the city;
- (3) To promote sidewalk cafes and outdoor seating as useful and properly planned visual amenities;
- (4) To provide adequate space for pedestrians on the sidewalk adjacent to sidewalk cafes or outdoor seating and to insure access to adjacent commercial and retail uses;
- (5) To promote the most desirable use of land and buildings and thereby protect the city's tax revenues;
- (6) To provide for penalties for violations of this article.

Sec. 22-87. Definitions.

Outdoor furniture means weatherproof, moveable furniture and other weatherproof, moveable items including, but not limited to, planters, railings, tables, chairs, and table umbrellas.

Outdoor seating area means an outdoor area operated by an existing restaurant or other food establishment which sells food or nonalcoholic beverages for immediate consumption, located on public property that provides seating outside of an establishment for patrons and other persons, and contains readily removable outdoor furniture. This area does not provide waiter or waitress service or offer alcoholic beverages. It is unenclosed by fixed walls and open to the air, except that it may have table umbrellas or other nonpermanent cover.

Sidewalk cafe means an outdoor dining area operated by an existing restaurant or other food establishment which sells food, nonalcoholic beverages, or alcoholic beverages for immediate consumption, located on public property that provides seating outside of an establishment for patrons, and contains readily removable outdoor furniture. This area either:

- (1) Provides waiter, waitress service or counter service; or
- (2) Offers alcoholic beverages. It is unenclosed by fixed walls and open to the air, except that it may have table umbrellas or other nonpermanent cover.

Sidewalk cafe or outdoor seating area permit means a permit issued by city staff based upon approval by the city manager, or his designee, which conforms to the procedures and regulations of this article, granting a license to undertake sidewalk cafe or outdoor seating area operations on public property.

Sec. 22-88. Permit procedures.

(a) City staff is authorized to issue a sidewalk cafe or an outdoor seating area permit provided that the applicant has complied with the standards set forth in this article. A revocable license to operate a sidewalk cafe or an outdoor seating area on public property in a form acceptable to the city attorney shall be executed by both tenant, if applicable, and owner concurrently with any permit issued under this section. Owner shall provide proof of ownership concurrently with execution of the license agreement.

(b) Sidewalk cafe or outdoor seating area permit applications shall be reviewed by city staff and approved by the city manager or his designee. The city manager reserves the right to forward a permit application to the city council for its review and consideration. Sidewalk cafes serving alcohol shall comply with all applicable state and federal laws and regulations, including, but not limited to, those regarding licensing. No sidewalk cafe or outdoor seating area permit shall be issued until all relevant licenses and permits have been approved by the state or federal government, and any local approval resolutions have been approved by the city council.

(c) A sidewalk cafe or outdoor seating area permit shall expire three years from the date of approval. Unless another time frame is specified in the permit approval or by the requirements of this article, the permit shall allow the operation of a sidewalk cafe or outdoor seating area from the time of the annual inspection set forth in section 22-90, below, up to and including November 1 of the calendar year of such inspection.

(d) Permits shall be reapplied for if any of the following occur:

- (1) The three-year term of the permit expires;
- (2) If the person or establishment would like to change their approved site plan; or
- (3) If there is a change in ownership.
- (4) No person or establishment that is in default to the city shall be eligible for a sidewalk cafe or outdoor seating area permit.

(e) Any person or establishment granted a sidewalk cafe or outdoor seating area permit by city staff shall pay to the city a fee in an amount set by the city council. City staff shall not issue a permit unless the fees required by this section are paid.

(f) Each application for a sidewalk cafe or outdoor seating area permit shall be accompanied by a policy or certificate of insurance covering the area of the proposed sidewalk cafe or outdoor seating area, in an amount and form acceptable to the city council, listing the city as an additional named insured. Sidewalk cafes serving alcohol shall also provide a liquor liability policy or certificate of insurance in an amount and form acceptable to the city council listing the city as an additional named insured.

(1) All insurance policies required under this section shall be issued by a company authorized to do business in the State of Michigan.

(2) The holder of a sidewalk cafe or outdoor seating area permit shall be required to notify the city in writing:

- a. At least ten days before any policy mandated by this section is to expire; and
- b. Immediately, in the event that a policy mandated by this section is cancelled.

(3) The insurance certificate required by this article shall be in effect for any period during which the sidewalk cafe or outdoor seating area is in operation.

(4) Failure to provide a current insurance certificate on request shall be cause for denial, suspension, or revocation of the sidewalk cafe or outdoor seating area permit.

(5) Sidewalk cafe or outdoor seating area permits that have been denied, suspended, or revoked for failure to conform with the requirements of this subsection may be reinstated upon submittal of proof of proper insurance.

(g) *Indemnification.* All sidewalk cafe and outdoor seating area permits, and license agreements, shall contain, as a condition of acceptance, the requirement that the applicant hold harmless and indemnify and keep indemnified the city, its officers and employees from all claims, suits and judgments to which the city, its officers or employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the city, whether due to negligence of the applicant or the joint negligence of the applicant and the city, arising out of the sidewalk cafe or outdoor seating area permit; or resulting from failure to comply with the terms of the sidewalk cafe or outdoor seating area permit. This requirement shall also be reflected in the application for a sidewalk cafe or outdoor seating area permit, and the applicant, by applying for a sidewalk cafe or outdoor seating area permit shall agree to this indemnification requirement.

(h) *Site plan and application approval.*

(1) No sidewalk cafe or outdoor seating area shall be established on public property, except in conformance with a site plan reviewed by city staff and approved by the city manager, or his designee.

(2) A permit application available from city staff for site plan approval shall include, but shall not be limited to the following:

- a. Name of the applicant and business.
- b. Address of the business.
- c. Address of the applicant.
- d. Telephone number of the applicant and business.
- e. Name of the property owner if other than applicant.
- f. Address of the property owner if other than applicant.
- g. Telephone number of the property owner if other than applicant.
- h. Proposed hours of occupancy.
- i. Proposed number of tables, chairs, railings, posts, table umbrellas or other items.
- j. Proposed color, design, materials, and workmanship of tables, chairs, railings, posts, table umbrellas or other items.
- k. Proposed area of occupancy including square feet and dimensions.
- l. Whether alcohol will be served.
- m. Copy of certificate of insurance.
- n. Whether permit application is a new application or renewal; if renewal, applicant shall describe any changes from the previous application.

o. Written authorization from the owner of the property shall be required where the applicant is not the owner of the affected property.

(3) The site plan and the accompanying application shall show the design, relevant details and location of all outdoor furniture. Electrical outlets or appliances, hydrants, all ingress and egress, existing lighting and other equipment shall accompany the site development plan and permit application.

(4) The city manager, or his designee, shall distribute copies of the site plan and permit application to the community development department, finance department, chief of police, fire department, building official, and director of public services for review and comments in relation to compliance with this article and all other city ordinances.

(i) Conditions specific to the operation of a business may be incorporated into the permit as required by city staff, the city manager or his designee.

(j) Based upon review comments from city staff, the city manager or his designee may approve, approve with conditions, refer the application back to the applicant for modification, deny the application, or refer the application to the city council. If approved, the city manager or his designee shall authorize the issuance of the sidewalk cafe or outdoor seating area permit.

Sec. 22-89. Standards.

(a) The site plan and permit applications must meet the requirements of the adopted city ordinance, building code and fire code.

(b) Sidewalk cafes or outdoor seating area may only be located adjacent to the establishment with which they are associated.

(c) Sidewalk cafes or outdoor seating areas must be clean and orderly at all times.

(d) Employees of the permit-holding establishment shall continuously supervise outdoor dining areas serving alcoholic beverages.

(e) A barrier such as planters or a railing shall physically separate patrons from pedestrian traffic, and delineate the perimeter of a sidewalk cafe serving alcoholic beverages. All barriers used for sidewalk cafes serving liquor shall also conform to all applicable state and federal laws and regulations.

(f) Furnishings for a sidewalk cafe or outdoor seating area shall consist solely of outdoor furniture. Outdoor furniture shall only be anchored or secured in a manner approved by the city manager or his designee. The method of anchoring shall not create a hazard for pedestrian traffic at any time, including, but not limited to, times when the outdoor furniture is removed.

(g) A sidewalk cafe or outdoor seating area shall not interfere with any public service facility, such as a telephone, mailbox, or bench located on a sidewalk or public property.

(h) Operation of a sidewalk cafe or outdoor seating area shall not adversely impact adjacent or nearby residential, religious, educational, or commercial properties and shall be in accordance with all applicable codes and regulations.

(i) Outdoor furniture at a sidewalk cafe or outdoor seating area shall be of quality design, materials, and workmanship both to ensure the safety and convenience of users and to enhance the visual and aesthetic quality of the area. Such equipment shall be routinely cleaned, painted, or replaced and may be inspected by the city manager or his designee.

Sec. 22-90. Annual site inspection.

- (a) Any person or establishment possessing a sidewalk cafe or outdoor seating area permit shall be required to have an inspection of that sidewalk cafe or outdoor seating area conducted by the city manager or his designee between May 1 and May 31 of every year of the permit's duration.
- (b) The person or establishment granted a permit shall pay to the city an inspection fee in the amount established by the city council.
- (c) No sidewalk cafe or outdoor seating area shall be operated during a calendar year during which an annual site inspection has not been performed. Failure to comply with this requirement shall subject the permit holder to the penalties in section 22-97.

Sec. 22-91. Operating restrictions.

- (a) Unless otherwise regulated by state or federal law, all sidewalk cafes serving alcoholic beverages shall be allowed to operate during the hours of 10:00 a.m. until 1:00 a.m. the following day, Monday through Saturday, and during the hours of 12:00 p.m. (noon) until 10:00 p.m. Sunday. Monday through Saturday sales and service shall cease by 12:30 a.m. and all areas shall be vacated by 1:00 a.m. on the following day. Sunday sales and service shall cease by 9:30 p.m. and all areas shall be vacated by 10:00 p.m.
- (b) All alcoholic beverages to be served at a sidewalk cafe shall be prepared within the existing restaurant, and alcoholic beverages shall only be served to patrons within the sidewalk cafe. The operator of the sidewalk cafe shall take all necessary action to procure the appropriate license or permit from the relevant state and/or federal authority to serve alcoholic beverages in the sidewalk cafe and shall comply with all other state, federal and local laws, ordinances and regulations concerning the serving of alcoholic beverages.
- (c) The consumption of alcoholic beverages purchased at a sidewalk cafe within the confines of the sidewalk cafe area shall not be construed as a violation of section 54-199 of this Code.
- (d) The permittee shall not serve food or beverages to a patron at a sidewalk cafe unless that patron is within the sidewalk care or outdoor seating area.
- (e) The permittee may leave the outdoor furniture in place over night. It shall be the responsibility and duty of the permittee to secure their outdoor furniture.
- (f) From November 2 until the time of the annual inspection set forth in section 22-90, above, outdoor furniture shall not be stored outside. It shall be the responsibility of the establishment to secure adequate storage of these items.
- (g) The maintenance of a sidewalk cafe or outdoor seating area shall be the responsibility of the establishment including but not limited to, surface treatment and cleaning, litter control, sweeping, and snow and ice removal. The sidewalk and public property shall be kept neat and clean at all times and free from any substance that may cause damage to the sidewalk or public property or cause pedestrian injury.
- (h) Advertising on table umbrellas or railings is prohibited.

Sec. 22-92. Revocation and suspension.

Permits and the accompanying licenses issued under this section may be suspended or revoked at will by the city manager. It is to be understood that the permits granted under this section are revocable at the will of the city and that permittees acquire no rights in the city property and expressly waive any

right to claim damages or compensation in case their permits are revoked. The decision to revoke or suspend a permit, or failure to do so, shall in no way be construed as to limit the right of the city to issue a municipal civil infraction violation under section 22-97, below.

Sec. 22-93. Hearing demand; review; council powers.

Any person whose permit is revoked or suspended, or any person whose application for a permit is denied, may have a hearing on that determination before the city council. Requests for a hearing or an appeal must be made, in writing within five days of the revocation, suspension or denial. No person shall operate any sidewalk cafe or outdoor seating area during any time when the permit therefore has been suspended, revoked, or canceled.

Sec. 22-94. Renewal considered as original application.

Unless otherwise provided in this article, an application for renewal of a sidewalk cafe or outdoor seating area permit shall be considered in the same manner as an original application.

Sec. 22-95. Transferal.

No permit issued under the provisions of this article or any other ordinance of the city shall be transferable. If the property or establishment changes ownership, the new owner is required to submit a new application for review.

Sec. 22-96. Violations.

Any person found to violate this chapter shall be guilty of a municipal civil infraction and shall be punished by a fine(s) as set forth in section 1-16(b). The imposition of a municipal civil infraction fine, or failure to impose such a fine, under this section shall in no way be construed as to limit the right of the city manager to revoke or suspend a license under section 22-92, above.

Sec. 22-97. Severability.

If any clause, sentence, paragraph or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy and in which such judgment shall have been rendered.

Sec. 22-98. Temporary use authorization.

In the event a sidewalk cafe and outdoor seating permit holder requests to utilize city right-of-way or city public property outside the time allowable by this article, being May 1 through November 2, the city manager or his designee may administratively approve such a temporary use time period. Prior to consideration of any temporary use time period, the sidewalk cafe and outdoor seating permit holder must submit a written request stating the requested time period, including a site plan as required under subsection 22-88(h). The submittal must also comply with all other applicable sidewalk cafe and outdoor seating area requirements set forth in this Article, including but not limited to subsection 22-88(f) insurance requirements, as well as meet all applicable building and fire codes.



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL September 3, 2020

**SUBJECT: CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE 593,
TEXT AMENDMENTS TO CHAPTER 54 OF THE CODE OF ORDINANCE.**

ADMINISTRATIVE SUMMARY

- The current fireworks ordinance, Chapter 54, Article V, Division 1: Use of Consumer Fireworks, is not in alignment with state law with regards to when consumer grade fireworks are allowed to be discharged. Under the current language consumer fireworks could be discharged 365 days a year in the City of Brighton.
- It is recommended to amend Chapter 54, Article V, Division 1: Use of Consumer Fireworks. The goal of the amendment is to simplify the ordinance and to bring it into alignment with PA 256 of 2011, the Michigan Fireworks Safety Act.
- Consistent with the Act, the amendments to Sections 54-121, 122, and 123, clarify definitions, make it clear the days and times the discharge of fireworks are authorized, and the penalties for violation.
- The draft ordinance amendment has been reviewed by the City Attorney and found to be in acceptable form.
- City Council conducted a First Reading of the proposed ordinance amendments at their regular meeting held on August 6, 2020.

RECOMMENDATION

It is the recommendation of staff that City Council conducts a public hearing to obtain public comment, and to consider adoption of Ordinance 593, text amendments to the City of Brighton Code of Ordinance.

Prepared by: Rob Bradford, Police Chief

Mike Caruso, Community Development Manager

Approved by: Nate Geinzer, City Manager

Attachment: Ordinance 593 (draft)

CITY OF BRIGHTON

ORDINANCE NO. 593

AN ORDINANCE OF THE CITY OF BRIGHTON, MICHIGAN; AMENDING CHAPTER 54 "OFFENSES AND MISCELLANEOUS PROVISIONS"; BY REMOVING AND REPLACING ARTICLE V, DIVISION 1 OF THE CODE OF ORDINANCE.

THE CITY OF BRIGHTON, LIVINGSTON COUNTY, HERBY ORDAINS:

1. That the current Article V, Division 1, of Chapter 54 of the Code of Ordinance is hereby repealed.
2. A new Article V, Division 1 of Chapter 54 of the Code of Ordinance is hereby created to read as follows:

ARTICLE V. OFFENSES AGAINST PUBLIC SAFETY

DIVISION 1. USE OF CONSUMER FIREWORKS

Sec. 54-121. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act - means the Michigan Fireworks Safety Act, Public Act 256 of 2011, MCL 28.451 *et seq*, as amended (the "Act").

APA Standard 87-1 - means the "APA Standard 87-1, Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics", 2001 edition, published by the American Pyrotechnics Association of Bethesda, Maryland.

Consumer Fireworks – fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA Standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

Firework or Fireworks - means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, homemade fireworks, and special effects.

Low-Impact Fireworks - means ground and handheld sparkling devices as that phrase is defined under APA Standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

Minor - means an individual who is less than 18 years of age.

Person - means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

Sec. 54-122. Ignition, discharge, or use of consumer fireworks.

- (a) A person shall not ignite, discharge, or use consumer fireworks except on the following days after 11:00 a.m.
 - (1) December 31 until 1 a.m. on January 1.
 - (2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
 - (3) June 29 to July 4 until 11:45 p.m. on each of those days.
 - (4) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
 - (5) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.
- (b) Any person violating the provisions of this Section shall be responsible for a municipal civil infraction with a civil fine of \$1,000.00 for each violation. \$500.00 of the fine collected under the chapter shall be remitted to the local law enforcement agency responsible for enforcing the chapter.

Sec. 54-123. Parental/Host Responsibility.

- (a) A minor shall not possess, ignite, discharge, or use consumer fireworks.
- (b) It shall be unlawful for the parent, guardian, or other person having legal care and custody of a minor under the age of 17 years to permit such minor to ignite, discharge or use any fireworks.
- (c) It shall be unlawful for the host or organizers of a gathering or event to allow a guest or visitors to ignite, discharge or use any fireworks except when compliant with all applicable state, federal and local laws and regulations. Any person found to violate section 54-122(f) shall be guilty of a civil infraction and shall be punished by a fine(s) as set forth in section 1-16(b).
- (d) Any person found to violate this section shall be guilty of a civil infraction and shall be punished by a fine(s) as set forth in section 1-16(b).

(Ord. No. 563, § III, 4-18-13)

Sec. 54-124. Ignition, discharge or use of display fireworks.

- (a) No person shall discharge any display fireworks without a permit issued by the city council. Permits are not transferable and shall not be issued to a minor.
- (b) Applicants for permit under this section must file with the city clerk an application in writing on a form to be provided by the Department of Licensing and Regulatory Affairs, as set forth in MCL 28.466.
- (c) The fees for the permit required by this section shall be charged by the city clerk in an amount to be established by resolution of the council.
- (d) A permit shall not be issued to a nonresident person, firm, or corporation for ignition of articles pyrotechnic or display fireworks until the person, firm, or corporation has appointed in writing a resident member of the bar of this state or a resident agent to be the legal representative upon whom all process in an action or proceeding against the person, firm, or corporation may be served.
- (e) Before a permit for articles pyrotechnic or a display fireworks ignition is issued, the person, firm, or corporation applying for the permit shall furnish proof of financial responsibility by a bond or insurance in an amount, character, and form deemed necessary by the local governing authority to satisfy claims for damages to property or personal injuries arising out of an act or omission on the part of the person, firm, or corporation or an agent or employee of the person, firm, or corporation, and to protect the public.

- (f) The city council shall rule on the competency and qualifications of articles pyrotechnic and display fireworks operators as required by NFPA 1123, as the operator has furnished in his or her application form, and on the time, place, and safety aspects of the display of articles pyrotechnic or display fireworks before granting permits.
- (g) In addition to the other conditions set forth in this section, permit applications shall be subject to background investigations to determine whether the applicant has ever been involved in criminal or fraudulent activities, or has ever had a license or permit suspended or revoked for cause. If, as a result of the investigation, the fire marshal or chief of police has reasonable cause to believe that the applicant may cause or present a danger to public safety if granted a fireworks display permit, the city council may deny the application.
- (h) **Cost of policing.** Fireworks displays vary in size and scope, and displays of large magnitude cause the city to incur significant additional expenses for police, fire, and emergency services. Therefore, in addition to the nonrefundable application fee, an applicant for a permit to use, discharge, or display fireworks shall deposit with the city, as a condition of enjoying the privileges inherent in receipt of a permit, an amount reasonably calculated to reimburse the city for the cost of additional police and emergency services. The city shall hold such amount, to be determined by the city council at the time the permit application is considered, in escrow until after the fireworks display. In determining the amount, the city council may utilize its past experiences and the experiences of other communities. The city shall itemize its additional police and emergency services expenses incurred as a result of the fireworks display and may draw from the escrowed funds to achieve full reimbursement. Remaining funds shall be returned to the permit applicant. In the event that the escrowed funds are insufficient to cover the city's actual costs under this subsection (h), the city shall serve an invoice upon the permit applicant with a demand for payment. Failure of a permit applicant to comply with any of the provisions of this subsection (h) shall be a misdemeanor, punishable as provided in section 1-16(b) of this code.
- (i) **Term.**
- (1) Permits for the use or discharge of display fireworks are valid only for the date(s) and time(s) stated on the permit itself. Each subsequent use or discharge of display fireworks shall require a new permit, and the applicant shall follow the application process set forth in this article.
- (j) **Display permit conditions.** The issuance of a permit for the use or discharge of display fireworks shall be conditioned upon compliance with all of the terms and conditions of this article, as well as the International Fire Code. In addition, the issuance of such a permit shall be conditioned upon the following:
- (1) The applicant and property owner must execute a written agreement, in a form approved by the city attorney, to allow police, fire, and emergency personnel designated by the city to be present on the premises before, during, and after the fireworks display for purposes of supervising and inspecting the display and surrounding conditions for public safety hazards and violations of city codes and ordinances; and
- (2) The applicant and property owner must execute an indemnification agreement, in a form approved by the city attorney, to indemnify the city for any and all liability or damages incurred by any person or entity as a result of the fireworks display.

(Ord. No. 563, § III, 4-18-13)

Sec. 54-125. Revocation of display fireworks permit.

A permit issued under this division may be refused, suspended, or revoked by the city council for cause. The term "cause" as used in this section, shall include the doing or omitting of any act or permitting any condition to exist on the premises for which a permit is issued, which act, omission, or condition is contrary to the health, safety, and welfare of the public, is unlawful, irregular, or fraudulent in nature, is unauthorized or beyond the scope of the permit issued, or is forbidden by this division or any applicable law. Cause shall include but not be limited to:



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL September 3, 2020

SUBJECT **CONSIDER PURCHASE OF 2020 SALT/DUMP TRUCK FROM D&K TRUCK COMPANY AND TRUCK & TRAILER, INC. FOR A PRICE NOT TO EXCEED \$205,344.00**

BACKGROUND

After evaluating the needs of the Public Works Division in early 2017, it was determined that the fleet of six heavy winter maintenance trucks were in need of replacement in order to continue to provide responsive service to our residents and businesses. With an average age of 17 years, our heavy truck fleet had excessive maintenance costs and unacceptable down time. Later that same year, with Council's help, staff replaced two of the older trucks and reduced the overall salt truck fleet by one with the intention of replacing the remaining fleet as funds would allow.

ADMINISTRATIVE SUMMARY

Staff's original goal was to replace two trucks and reduce the fleet by two so Public Services would have four heavy winter maintenance trucks overall. This would lower operating and maintenance costs. While staff did sell both of the older trucks that were replaced with new trucks, reducing the fleet proved difficult as the remaining older trucks suffered many breakdowns. Staff decided that reducing the fleet by one instead of two would leave enough vehicles to perform winter maintenance if one of the older trucks went out of service. Once we receive the new salt truck, we will reassess the need for the remaining extra vehicle, the goal is to eventually reduce the fleet by one more truck.

With maintenance costs and dependability being significant factors for providing consistent winter maintenance service to our residents, staff is recommending the replacement of the next salt truck due in the Public Works inventory. This vehicle is currently 16 years old and has had repairs totaling over \$5,300 in the last two years. This cost does not include routine maintenance. This vehicle's age and the repair costs incurred recently is an indication that larger and more expensive repairs could be on the way. If approved, the new truck will not be received until fall of 2021 due to the long lead time of having it ordered and built, which would then make the current truck one year older.

While the funds for the two trucks purchased in 2017 were obtained through an installment purchase program, this vehicle will be purchased with monies from the Capital Reserve Fund. Staff. Council established this fund two years ago to facilitate large purchases such as this. There was \$210,000 budgeted and approved in the 2020/2021 Budget, and \$205,344.00 of that will be expended. As was done with the trucks that were replaced in 2017, all funds received through the sale of the existing trucks will be returned to the General Fund.



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL September 3, 2020

The total cost of the vehicle is \$205,344.00, of which \$87,794.00 is for the truck chassis from D&K Truck Co. in Lansing. This price was obtained through the Michigan Department of Technology, Management and Budget (Mi-Deal) Contract No. 071B6600119. The remaining \$117,550.00 will be used for the build and installation of equipment quoted by Truck and Trailer Specialties, Inc. of Howell. Just like in 2017, this quote was obtained through the Rochester Hills Contract No. RFP-RH-13-030 awarded in 2013 that has been extended through 2020. The City will again receive an additional 2 percent off the build price once the contract has been approved, which will result in an additional savings of \$2,351.00.

RECOMMENDATION

Approve the purchase of 2020 Salt/Dump Truck from D&K Truck Company and Truck & Trailer, Inc. for a price not to exceed \$205,344.00.

Prepared by: Marcel Goch, DPS Director

Reviewed & Approved by: Nate Geinzer, City Manager

Attachments: Quotes from D&K Truck Company and Truck and Trailer, Inc.

Prepared for:
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 Phone: (517) 484-1905 Ext. 129

New order

Mi-DEAL Contract# 071B6600119

2021 FREIGHTLINER 108SD CONVENTIONAL CHASSIS

SET BACK AXLE - TRUCK
 CUM L9 350 HP @ 2000 RPM, 2200 GOV RPM, 1000
 LB/FT @ 1400 RPM
 ALLISON 3500 RDS AUTOMATIC TRANSMISSION WITH
 PTO PROVISION
 RS-23-160 23,000# R-SERIES SINGLE REAR AXLE
**HENDRICKSON PRIMAAX EX 26,000# REAR AIR
 SUSPENSION**
 DETROIT DA-F-18.0-5 18,000# FL1 71.0 KPI/3.74 DROP
 SINGLE FRONT AXLE
 18,000# FLAT LEAF FRONT SUSPENSION

108 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL
 CAB
 4425MM (174 INCH) WHEELBASE
 7/16X3-9/16X11-1/8 INCH STEEL FRAME
 1600MM (63 INCH) REAR FRAME OVERHANG
 1/4 INCH (6.35MM) C-CHANNEL INNER FRAME
 REINFORCEMENT
 BODY COMPANY INSTALLED ADDITIONAL FRONT
 FRAME REINFORCEMENT FOR SNOW PLOW

			PER UNIT		TOTAL
VEHICLE PRICE	TOTAL # OF UNITS (1)	\$	88,016	\$	88,016
CUSTOMER PRICE BEFORE TAX		\$	88,016	\$	88,016
TAXES AND FEES					
FEDERAL EXCISE TAX (CREDIT)		\$	(237)	\$	(237)
TITLE FEE		\$	15	\$	15
BALANCE DUE	(LOCAL CURRENCY)	\$	87,794	\$	87,794

COMMENTS:

Includes 26,000lb HENDRICKSON REAR AIR RIDE SUSPENSION AND MERITOR AXLE
Includes Mi-DEAL process fees.
Chassis portion net 30 from Delivery included.

APPROVAL: Please indicate your acceptance of this quotation by signing below:

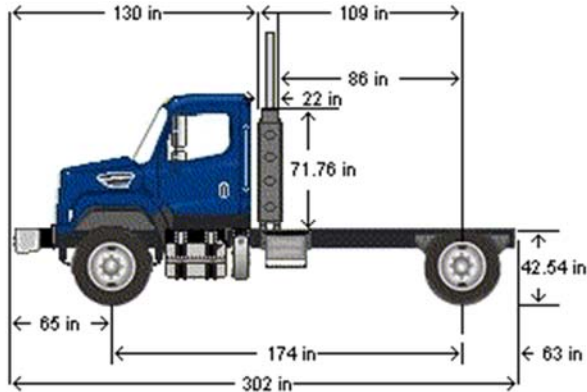
Customer: X _____ Date: ___ / ___ / ___.

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D I M E N S I O N S



VEHICLE SPECIFICATIONS SUMMARY - DIMENSIONS

Wheelbase (545).....	4425MM (174 INCH) WHEELBASE
Rear Frame Overhang (552).....	1600MM (63 INCH) REAR FRAME OVERHANG
Cab Size (829).....	108 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB
Sleeper (682).....	NO SLEEPER BOX/SLEEPERCAB
Exhaust System (016).....	RH OUTBOARD FRAME MOUNTED VERTICAL AFTERTREATMENT SYSTEM ASSEMBLY WITH TOPSTACK

TABLE SUMMARY - DIMENSIONS

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Dimensions	Inches
Bumper to Back of Cab (BBC)	130.1
Bumper to Centerline of Front Axle (BA)	64.6
Min. Cab to Body Clearance (CB)	3.0
Back of Cab to Centerline of Rear Axle(s) (CA)	108.7
Effective Back of Cab to Centerline of Rear Axle(s) (Effective CA)	86.2
Back of Cab Protrusions (Exhaust/Intake) (CP)	22.4
Back of Cab Protrusions (Side Extenders/Trim Tab) (CP)	0.0
Back of Cab Protrusions (CNG Tank)	0.0
Back of Cab Clearance (CL)	22.4
Back of Cab to End of Frame	171.7
Cab Height (CH)	71.8
Wheelbase (WB)	174.2
Frame Overhang (OH)	63.0
Overall Length (OAL)	301.8
Rear Axle Spacing	0.0
Unladen Frame Height at Centerline of Rear Axle	42.5

Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.

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S P E C I F I C A T I O N P R O P O S A L

Vehicle Configuration

001-176	108SD CONVENTIONAL CHASSIS	6,829	3,748	
004-221	2021 MODEL YEAR SPECIFIED			STD
002-004	SET BACK AXLE - TRUCK			STD
019-002	STRAIGHT TRUCK PROVISION			STD
003-001	LH PRIMARY STEERING LOCATION			STD

General Service

AA1-002	TRUCK CONFIGURATION			STD
AA6-002	DOMICILED, USA (EXCLUDING CALIFORNIA AND CARB OPT-IN STATES)			STD
A85-011	CONSTRUCTION SERVICE			STD
A84-1CO	CONSTRUCTION BUSINESS SEGMENT			STD
AA4-003	DRY BULK COMMODITY			STD
AA5-002	TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN TRANSIT, IS SPENT ON PAVED ROADS			STD
AB1-008	MAXIMUM 8% EXPECTED GRADE			STD
AB5-001	SMOOTH CONCRETE OR ASPHALT PAVEMENT - MOST SEVERE IN-TRANSIT (BETWEEN SITES) ROAD SURFACE			STD
995-1A0	FREIGHTLINER SD VOCATIONAL WARRANTY			STD
A66-99D	EXPECTED FRONT AXLE(S) LOAD : 16000.0 lbs			
A68-99D	EXPECTED REAR DRIVE AXLE(S) LOAD : 23000.0 lbs/ 26000LB SUSPENSION			

Truck Service

AA3-005	FLATBED/PLATFORM/STAKE BODY			STD
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Engine

101-22U	CUM L9 350 HP @ 2000 RPM, 2200 GOV RPM, 1000 LB/FT @ 1400 RPM			\$3,551.00
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Electronic Parameters

79A-075	68 MPH ROAD SPEED LIMIT			N/C
79B-000	CRUISE CONTROL SPEED LIMIT SAME AS ROAD SPEED LIMIT			N/C
79P-002	PTO RPM WITH CRUISE SET SWITCH - 700 RPM			N/C

Engine Equipment

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	99C-017	2016-2019 ONBOARD DIAGNOSTICS/2010 EPA/CARB/FINAL GHG17 CONFIGURATION			STD
	99D-010	NO 2008 CARB EMISSION CERTIFICATION			N/C
	13E-001	STANDARD OIL PAN			STD
	105-015	OIL FILL AND DIPSTICK LOCATED FOR ENHANCED SERVICEABILITY			\$126.00
	014-1C5	SIDE OF HOOD AIR INTAKE WITH FIREWALL MOUNTED DONALDSON AIR CLEANER AND INSIDE/OUTSIDE AIR WITH SNOW DOOR	10		\$578.00
	124-1D7	DR 12V 160 AMP 28-SI QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE			STD
	292-235	(2) DTNA GENUINE, FLOODED STARTING, MIN 2000CCA, 370RC, THREADED STUD BATTERIES			STD
	290-1CD	BATTERY BOX WITH ALUMINUM COVER MOUNTED SHORT SIDE TO RAIL			\$248.00
	281-001	STANDARD BATTERY JUMPERS			STD
	282-042	LH BATTERY BOX MOUNTED AS FAR AFT AS POSSIBLE, NO GREATER THAN 60 INCHES BACK OF CAB			\$257.00
	291-017	WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN			STD
	289-001	NON-POLISHED BATTERY BOX COVER			STD
	87P-001	CAB AUXILIARY POWER CABLE	5		\$60.00
	293-058	POSITIVE LOAD DISCONNECT WITH CAB MOUNTED CONTROL SWITCH MOUNTED OUTBOARD DRIVER SEAT	8		\$206.00
	107-032	CUMMINS TURBOCHARGED 18.7 CFM AIR COMPRESSOR WITH INTERNAL SAFETY VALVE			STD
	152-041	ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM			STD
	128-076	CUMMINS ENGINE INTEGRAL BRAKE WITH VARIABLE GEOMETRY TURBO ON/OFF	20		STD
N	016-1C0	RH OUTBOARD FRAME MOUNTED VERTICAL AFTERTREATMENT SYSTEM ASSEMBLY WITH TOPSTACK	65	65	\$3,020.00
	28F-002	ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND DASH MOUNTED REGENERATION REQUEST SWITCH			STD
	239-038	11 FOOT 06 INCH (138 INCH+0/-5.9 INCH) EXHAUST SYSTEM HEIGHT			N/C
*	237-1CR	RH CURVED VERTICAL TAILPIPE B-PILLAR MOUNTED ROUTED FROM STEP			\$99.00
	23U-001	6 GALLON DIESEL EXHAUST FLUID TANK	-35	-10	(\$95.00)
	30N-003	100 PERCENT DIESEL EXHAUST FLUID FILL			(\$17.00)
	23Y-002	DIESEL EXHAUST FLUID PUMP MOUNTED AFT OF DIESEL EXHAUST FLUID TANK			\$68.00

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43X-004	LH FORWARD FACE OF DIESEL EXHAUST FLUID TANK 48 TO 52 INCHES BACK OF CAB		\$105.00
43Y-001	STANDARD DIESEL EXHAUST FLUID TANK CAP		STD
242-011	ALUMINUM AFTERTREATMENT DEVICE/MUFFLER/TAILOUT SHIELD(S)		N/C
273-018	HORTON DRIVEMASTER ADVANTAGE ON/OFF FAN DRIVE		STD
276-002	AUTOMATIC FAN CONTROL WITH DASH SWITCH AND INDICATOR LIGHT, NON ENGINE MOUNTED		\$10.00
110-003	CUMMINS SPIN ON FUEL FILTER		STD
118-008	COMBINATION FULL FLOW/BYPASS OIL FILTER		STD
266-104	1115 SQUARE INCH ALUMINUM RADIATOR		STD
103-039	ANTIFREEZE TO -34F, OAT (NITRITE AND SILICATE FREE) EXTENDED LIFE COOLANT		STD
171-007	GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT		STD
172-001	CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES		STD
270-016	RADIATOR DRAIN VALVE		STD
360-013	1350 ADAPTER FLANGE FOR FRONT PTO PROVISION	20	\$487.00
138-011	PHILLIPS-TEMRO 1000 WATT/115 VOLT BLOCK HEATER	4	\$90.00
140-053	BLACK PLASTIC ENGINE HEATER RECEPTACLE MOUNTED UNDER LH DOOR		N/C
132-004	ELECTRIC GRID AIR INTAKE WARMER		STD
155-058	DELCO 12V 38MT HD STARTER WITH INTEGRATED MAGNETIC SWITCH		STD

Transmission

N	342-584	ALLISON 3500 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION	(\$75.00)
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Transmission Equipment

343-339	ALLISON VOCATIONAL PACKAGE 223 - AVAILABLE ON 3000/4000 PRODUCT FAMILIES WITH VOCATIONAL MODELS RDS, HS, MH AND TRV		STD
84B-002	ALLISON VOCATIONAL RATING FOR CONCRETE MIXER APPLICATIONS ONLY AVAILABLE WITH 3000 PRODUCT FAMILIES		STD
84C-023	PRIMARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY		STD
84D-023	SECONDARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY		STD

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84E-013	S1 PERFORMANCE PRIMARY SHIFT SCHEDULE, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY		N/C
84F-012	S1 PERFORMANCE SECONDARY SHIFT SCHEDULE, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY		N/C
84G-013	2100 RPM PRIMARY MODE SHIFT SPEED		N/C
84H-013	2100 RPM SECONDARY MODE SHIFT SPEED		N/C
84U-000	DRIVER SWITCH INPUT - DEFAULT - NO SWITCHES		STD
353-022	VEHICLE INTERFACE WIRING CONNECTOR WITHOUT BLUNT CUTS, AT BACK OF CAB		\$49.00
34C-002	ELECTRONIC TRANSMISSION CUSTOMER ACCESS CONNECTOR MOUNTED BACK OF CAB		\$76.00
362-823	CUSTOMER INSTALLED CHELSEA 280 SERIES PTO		N/C
363-001	PTO MOUNTING, LH SIDE OF MAIN TRANSMISSION		N/C
341-018	MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION DRAIN, AXLE(S) FILL AND DRAIN		STD
345-003	PUSH BUTTON ELECTRONIC SHIFT CONTROL, DASH MOUNTED		STD
97G-004	TRANSMISSION PROGNOSTICS - ENABLED 2013		STD
370-015	WATER TO OIL TRANSMISSION COOLER, IN RADIATOR END TANK		STD
346-003	TRANSMISSION OIL CHECK AND FILL WITH ELECTRONIC OIL LEVEL CHECK		STD
35T-001	SYNTHETIC TRANSMISSION FLUID (TES-295 COMPLIANT)		STD

Front Axle and Equipment

400-1BA	DETROIT DA-F-18.0-5 18,000# FL1 71.0 KPI/3.74 DROP SINGLE FRONT AXLE	190	\$2,253.00
402-030	MERITOR 16.5X6 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES	10	N/C
403-002	NON-ASBESTOS FRONT BRAKE LINING		STD
419-023	CONMET CAST IRON FRONT BRAKE DRUMS		\$8.00
427-001	FRONT BRAKE DUST SHIELDS	5	\$102.00
409-006	FRONT OIL SEALS		STD
408-001	VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL		STD
416-022	STANDARD SPINDLE NUTS FOR ALL AXLES		STD
405-002	MERITOR AUTOMATIC FRONT SLACK ADJUSTERS		STD
406-001	STANDARD KING PIN BUSHINGS		STD
536-012	TRW TAS-85 POWER STEERING	40	N/C

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539-003	POWER STEERING PUMP			STD
534-003	4 QUART POWER STEERING RESERVOIR	5		\$48.00
40T-001	MINERAL SAE 80/90 FRONT AXLE LUBE			STD

Front Suspension

620-005	18,000# FLAT LEAF FRONT SUSPENSION	290		\$767.00
619-004	GRAPHITE BRONZE BUSHINGS WITH SEALS - FRONT SUSPENSION			N/C
62G-998	NO FRONT SUSPENSION OPTIONS			STD
410-001	FRONT SHOCK ABSORBERS			\$121.00

Rear Axle and Equipment

420-051	RS-23-160 23,000# R-SERIES SINGLE REAR AXLE	180		\$872.00
421-614	6.14 REAR AXLE RATIO			N/C
424-001	IRON REAR AXLE CARRIER WITH STANDARD AXLE HOUSING			STD
386-074	MXL 176T MERITOR EXTENDED LUBE MAIN DRIVELINE WITH HALF ROUND YOKES	25	25	(\$10.00)
452-001	DRIVER CONTROLLED TRACTION DIFFERENTIAL - SINGLE REAR AXLE		20	\$734.00
878-018	(1) DRIVER CONTROLLED DIFFERENTIAL LOCK REAR VALVE FOR SINGLE DRIVE AXLE			N/C
87B-004	BLINKING LAMP WITH EACH MODE SWITCH, DIFFERENTIAL UNLOCK WITH IGNITION OFF, ACTIVE <5 MPH			N/C
423-020	MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES			STD
433-002	NON-ASBESTOS REAR BRAKE LINING			STD
434-011	BRAKE CAMS AND CHAMBERS ON FORWARD SIDE OF DRIVE AXLE(S)			N/C
451-001	CAST IRON OUTBOARD REAR BRAKE DRUMS			STD
425-002	REAR BRAKE DUST SHIELDS	5		\$56.00
440-006	REAR OIL SEALS			STD
426-100	WABCO TRISTOP D LONGSTROKE 1-DRIVE AXLE SPRING PARKING CHAMBERS			STD
428-003	HALDEX AUTOMATIC REAR SLACK ADJUSTERS			\$54.00
41T-001	MINERAL SAE 80/90 REAR AXLE LUBE			(\$162.00)
42T-001	STANDARD REAR AXLE BREATHER(S)			STD

Rear Suspension

622-1H1	HENDRICKSON PRIMAAX EX 26,000# REAR AIR SUSPENSION	250		\$4,180.00
621-125	HENDRICKSON PRIMAAX 10.00" RIDE HEIGHT			N/C
431-003	AXLE CLAMPING GROUP			N/C

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888-048	MANUAL DUMP VALVE FOR AIR SUSPENSION WITH GAUGE			\$154.00
87D-006	INDICATOR LIGHT FOR EACH REAR SUSPENSION CONTROL SWITCH			N/C
910-004	DUAL AIR REAR SUSPENSION LEVELING VALVES			N/C
623-002	TRANSVERSE CONTROL RODS			N/C
439-004	REAR SHOCK ABSORBERS - ONE AXLE (AIR RIDE SUSPENSION)			N/C

Brake System

490-100	WABCO 4S/4M ABS			STD
871-001	REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES			STD
904-001	FIBER BRAID PARKING BRAKE HOSE			STD
412-001	STANDARD BRAKE SYSTEM VALVES			STD
46D-002	STANDARD AIR SYSTEM PRESSURE PROTECTION SYSTEM			STD
413-002	STD U.S. FRONT BRAKE VALVE			STD
432-003	RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE			STD
480-088	WABCO SYSTEM SAVER HP WITH INTEGRAL AIR GOVERNOR AND HEATER			STD
479-004	AIR DRYER MOUNTED OUTBOARD ON LH RAIL			N/C
460-008	STEEL AIR BRAKE RESERVOIRS MOUNTED INSIDE RAIL			\$215.00
477-004	PULL CABLES ON ALL AIR RESERVOIR(S)			\$3.00

Trailer Connections

296-027	PRIMARY CONNECTOR/RECEPTACLE WIRED FOR COMBINATION STOP/TURN, CENTER PIN POWERED THROUGH IGNITION WITH STOP SIGNAL PREWIRE PACKAGE			\$169.00
297-001	SAE J560 7-WAY PRIMARY TRAILER CABLE RECEPTACLE MOUNTED END OF FRAME	5	5	\$849.00
335-004	UPGRADED CHASSIS MULTIPLEXING UNIT			STD

Wheelbase & Frame

545-442	4425MM (174 INCH) WHEELBASE			N/C
546-102	7/16X3-9/16X11-1/8 INCH STEEL FRAME (11.11MMX282.6MM/0.437X11.13 INCH) 120KSI	240	130	\$720.00
547-001	1/4 INCH (6.35MM) C-CHANNEL INNER FRAME REINFORCEMENT	170	360	\$986.00
548-803	BODY COMPANY INSTALLED ADDITIONAL FRONT FRAME REINFORCEMENT FOR SNOW PLOW			N/C
552-030	1600MM (63 INCH) REAR FRAME OVERHANG			STD
55W-006	FRAME OVERHANG RANGE: 61 INCH TO 70 INCH			N/C

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549-002	24 INCH INTEGRAL FRONT FRAME EXTENSION	140	-20	\$4.00
AC8-99D	CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 108.66 in			
AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 86.22 in			
AE4-99D	CALC'D FRAME LENGTH - OVERALL : 302.36			
FSS-0LH	CALCULATED FRAME SPACE LH SIDE : 35.22 in			N/C
FSS-0RH	CALCULATED FRAME SPACE RH SIDE : 178.55 in			N/C
AM6-99D	CALC'D SPACE AVAILABLE FOR DECKPLATE : 108.45 in			
553-001	SQUARE END OF FRAME			STD
550-001	FRONT CLOSING CROSSMEMBER			STD
559-003	LIGHTWEIGHT HEAVY DUTY ALUMINUM ENGINE CROSSMEMBER	-12		\$50.00
562-001	STANDARD MIDSHIP #1 CROSSMEMBER(S)			STD
572-001	STANDARD REAR MOST CROSSMEMBER			STD
* 565-002	HEAVY DUTY SUSPENSION CROSSMEMBER		30	\$199.00

Chassis Equipment

556-997	OMIT FRONT BUMPER, CUSTOMER INSTALLED SPECIAL BUMPER,	-110		(\$488.00)
558-001	FRONT TOW HOOKS - FRAME MOUNTED	15		\$80.00
551-007	GRADE 8 THREADED HEX HEADED FRAME FASTENERS			STD

Fuel Tanks

204-192	50 GALLON/189 LITER RECTANGULAR ALUMINUM FUEL TANK - LH	-15	10	(\$27.00)
218-005	RECTANGULAR FUEL TANK(S)			N/C
215-005	PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS			STD
212-007	RAISED FUEL TANK(S) FORWARD			STD
664-001	PLAIN STEP FINISH			STD
205-001	FUEL TANK CAP(S)			STD
122-1J1	DETROIT FUEL/WATER SEPARATOR WITH WATER IN FUEL SENSOR, HAND PRIMER AND 12 VOLT PREHEATER	-5		\$51.00
216-020	EQUIFLO INBOARD FUEL SYSTEM			STD
202-016	HIGH TEMPERATURE REINFORCED NYLON FUEL LINE			STD

Tires

N	093-128	GOODYEAR G291 315/80R22.5 18 PLY RADIAL FRONT TIRES	54		\$648.00
N	094-1KU	GOODYEAR G282 MSD 12R22.5 16 PLY RADIAL REAR TIRES		152	\$1,504.00

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Hubs

418-060	CONMET PRESET PLUS PREMIUM IRON FRONT HUBS		STD
450-060	CONMET PRESET PLUS PREMIUM IRON REAR HUBS		STD

Wheels

502-356	ALCOA ULTRA ONE 89U64X 22.5X9.00 10-HUB PILOT 5.99 INSET ALUMINUM FRONT WHEELS	-28	\$436.00
505-693	ALCOA LVL ONE 88267X 22.5X8.25 10-HUB PILOT ALUMINUM DISC REAR WHEELS	-100	\$572.00
524-001	POLISHED FRONT WHEELS; OUTSIDE ONLY		\$28.00
525-001	POLISHED REAR WHEELS; OUTSIDE OF OUTER WHEELS ONLY		\$60.00

Cab Exterior

829-1A5	108 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB		STD
650-008	AIR CAB MOUNTING		STD
705-012	CAB ROOF REINFORCEMENTS FOR ROOF MOUNTED COMPONENTS	2	\$62.00
648-002	NONREMOVABLE BUGSCREEN MOUNTED BEHIND GRILLE		STD
667-037	SHORT FENDER WITH MUDFLAP		\$141.00
754-017	BOLT-ON MOLDED FLEXIBLE FENDER EXTENSIONS	10	\$110.00
678-001	LH AND RH GRAB HANDLES		STD
645-002	BRIGHT FINISH RADIATOR SHELL/HOOD BEZEL		\$221.00
646-042	STATIONARY BLACK GRILLE WITH BRIGHT ACCENTS		\$66.00
65X-003	CHROME HOOD MOUNTED AIR INTAKE GRILLE		\$15.00
644-006	FIBERGLASS HOOD WITH ACCESS HATCHES	10	\$682.00
690-017	HOOD LINER, ADDED FIREWALL AND FLOOR HEAT INSULATION	5	\$180.00
727-1AH	SINGLE 14 INCH ROUND POLISHED AIR HORN ROOF MOUNTED		STD
726-002	DUAL ELECTRIC HORNS		\$3.00
728-001	SINGLE HORN SHIELD		STD
657-001	DOOR LOCKS AND IGNITION SWITCH KEYED THE SAME		STD
78G-002	KEY QUANTITY OF 2		STD
575-001	REAR LICENSE PLATE MOUNT END OF FRAME		STD
312-067	HALOGEN COMPOSITE HEADLAMPS WITH BRIGHT BEZELS		N/C
302-047	LED AERODYNAMIC MARKER LIGHTS		\$34.00
311-012	DAYTIME RUNNING LIGHTS - LOW BEAM ONLY		\$21.00

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294-001	INTEGRAL STOP/TAIL/BACKUP LIGHTS		STD
300-015	STANDARD FRONT TURN SIGNAL LAMPS		STD
744-1BC	DUAL WEST COAST BRIGHT FINISH HEATED MIRRORS WITH LH AND RH REMOTE		\$286.00
797-001	DOOR MOUNTED MIRRORS		STD
796-001	102 INCH EQUIPMENT WIDTH		STD
743-204	LH AND RH 8 INCH BRIGHT FINISH CONVEX MIRRORS MOUNTED UNDER PRIMARY MIRRORS		N/C
74A-001	RH DOWN VIEW MIRROR		\$21.00
74B-079	RH 8 INCH STAINLESS STEEL FENDER MOUNTED CONVEX MIRROR WITH TRIPOD BRACKETS	4	\$79.00
729-001	STANDARD SIDE/REAR REFLECTORS		STD
768-043	63X14 INCH TINTED REAR WINDOW		STD
661-004	TINTED DOOR GLASS LH AND RH WITH TINTED OPERATING WING WINDOWS		STD
654-003	MANUAL DOOR WINDOW REGULATORS		STD
663-029	1-PIECE BONDED HEATED WIPER PARK SOLAR GREEN GLASS WINDSHIELD		\$653.00
659-007	8 LITER (2 GAL) WINDSHIELD WASHER RESERVOIR, CAB MOUNTED, WITHOUT FLUID LEVEL INDICATOR		STD

Cab Interior

707-1AK	OPAL GRAY VINYL INTERIOR		STD
706-026	MOLDED PLASTIC DOOR PANEL WITHOUT VINYL INSERT WITH ALUMINUM KICKPLATE LOWER DOOR		\$27.00
708-026	MOLDED PLASTIC DOOR PANEL WITHOUT VINYL INSERT WITH ALUMINUM KICKPLATE LOWER DOOR		\$27.00
772-006	BLACK MATS WITH SINGLE INSULATION		STD
785-004	DASH MOUNTED ASH TRAY(S) WITHOUT LIGHTER		STD
691-008	FORWARD ROOF MOUNTED CONSOLE WITH UPPER STORAGE COMPARTMENTS WITHOUT NETTING		STD
694-010	IN DASH STORAGE BIN		STD
693-023	LH DOOR MAP POCKET		\$101.00
742-007	(2) CUP HOLDERS LH AND RH DASH		STD
680-006	GRAY/CHARCOAL FLAT DASH		STD
860-004	SMART SWITCH EXPANSION MODULE		\$196.00
700-002	HEATER, DEFROSTER AND AIR CONDITIONER		STD
701-008	STANDARD HVAC DUCTING WITH SNOW SHIELD FOR FRESH AIR INTAKE		\$31.00

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703-005	MAIN HVAC CONTROLS WITH RECIRCULATION SWITCH		STD
170-015	STANDARD HEATER PLUMBING		STD
130-041	VALEO HEAVY DUTY A/C REFRIGERANT COMPRESSOR		STD
702-002	BINARY CONTROL, R-134A		STD
739-034	PREMIUM INSULATION		\$164.00
285-013	SOLID-STATE CIRCUIT PROTECTION AND FUSES		STD
280-007	12V NEGATIVE GROUND ELECTRICAL SYSTEM		STD
324-011	DOMED DOOR ACTIVATED LH AND RH, DUAL READING LIGHTS, FORWARD CAB ROOF		\$63.00
655-001	CAB DOOR LATCHES WITH MANUAL DOOR LOCKS		STD
284-023	(1) 12 VOLT POWER SUPPLY IN DASH		STD
756-1J3	BASIC HIGH BACK AIR SUSPENSION DRIVER SEAT WITH MECHANICAL LUMBAR AND INTEGRATED CUSHION EXTENSION	30	\$225.00
760-1DC	BASIC HIGH BACK NON SUSPENSION PASSENGER SEAT		STD
759-006	DUAL DRIVER SEAT ARMRESTS AND INBOARD PASSENGER SEAT ARMREST	6	\$104.00
711-004	LH AND RH INTEGRAL DOOR PANEL ARMRESTS		STD
758-022	BLACK MORDURA CLOTH DRIVER SEAT COVER		\$25.00
761-023	BLACK MORDURA CLOTH PASSENGER SEAT COVER		\$22.00
763-101	BLACK SEAT BELTS		STD
532-002	ADJUSTABLE TILT AND TELESCOPING STEERING COLUMN	10	\$478.00
540-015	4-SPOKE 18 INCH (450MM) STEERING WHEEL		STD
765-002	DRIVER AND PASSENGER INTERIOR SUN VISORS		STD

Instruments & Controls

732-004	GRAY DRIVER INSTRUMENT PANEL		STD
734-004	GRAY CENTER INSTRUMENT PANEL		STD
87L-001	ENGINE REMOTE INTERFACE WITH PARK BRAKE INTERLOCK		N/C
870-001	BLACK GAUGE BEZELS		STD
486-001	LOW AIR PRESSURE INDICATOR LIGHT AND AUDIBLE ALARM		STD
840-002	2 INCH PRIMARY AND SECONDARY AIR PRESSURE GAUGES		STD
198-025	INTAKE MOUNTED AIR RESTRICTION INDICATOR WITHOUT GRADUATIONS		STD
149-013	ELECTRONIC CRUISE CONTROL WITH SWITCHES IN LH SWITCH PANEL		STD

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156-007	KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY		STD
811-042	ICU3S, 132X48 DISPLAY WITH DIAGNOSTICS, 28 LED WARNING LAMPS AND DATA LINKED		STD
160-038	HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR LOCATED BELOW LH DASH		STD
844-001	2 INCH ELECTRIC FUEL GAUGE		STD
148-070	ENGINE REMOTE INTERFACE WITH PRESET FAST IDLE		\$286.00
163-001	ENGINE REMOTE INTERFACE CONNECTOR AT BACK OF CAB		N/C
856-001	ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE		STD
864-001	2 INCH TRANSMISSION OIL TEMPERATURE GAUGE		STD
830-017	ENGINE AND TRIP HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY		STD
372-035	(1) DASH MOUNTED PTO SWITCH WITH INDICATOR LAMP	10	\$116.00
852-002	ELECTRIC ENGINE OIL PRESSURE GAUGE		STD
679-001	OVERHEAD INSTRUMENT PANEL		\$76.00
746-115	AM/FM/WB WORLD TUNER RADIO WITH BLUETOOTH AND USB AND AUXILIARY INPUTS, J1939	10	\$490.00
747-001	DASH MOUNTED RADIO		N/C
750-002	(2) RADIO SPEAKERS IN CAB		N/C
753-001	AM/FM ANTENNA MOUNTED ON FORWARD LH ROOF		N/C
810-027	ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER		STD
817-001	STANDARD VEHICLE SPEED SENSOR		STD
812-001	ELECTRONIC 3000 RPM TACHOMETER		STD
162-002	IGNITION SWITCH CONTROLLED ENGINE STOP		STD
329-091	(6) IGN CONTROLLED EXTRA SWITCHES WITH IND LIGHTS WIRED TO POWER DIST BOX WITH RELAYS PROVIDING 20 AMPS PER CIRCUIT TO JUNCTION BLOCK AND 1 CIRCUIT AT 30 AMPS		\$468.00
81Y-001	PRE-TRIP LAMP INSPECTION, ALL OUTPUTS FLASH, WITH SMART SWITCH		\$12.00
836-015	DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY		STD
660-025	SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY PROGRAMMED TO SLOWEST SPEED WITH PARK BRAKE SET		\$22.00

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304-039	MARKER LIGHT SWITCH INTEGRAL WITH HEADLIGHT SWITCH AND DUAL CONNECTORS AND SWITCH FOR CUSTOMER FURNISHED SNOW PLOW LIGHTS, LOW BEAMS OFF WITH HIGH BEAMS	\$214.00
882-009	ONE VALVE PARKING BRAKE SYSTEM WITH WARNING INDICATOR	STD
299-013	SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, WASHER/WIPER AND HAZARD IN HANDLE	STD
298-039	INTEGRAL ELECTRONIC TURN SIGNAL FLASHER WITH HAZARD LAMPS OVERRIDING STOP LAMPS	STD
Design		
065-000	PAINT: ONE SOLID COLOR	STD
Color		
980-8BZ	CAB COLOR A: L0585EY BLUE ELITE EY	N/C
986-020	BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT	STD
963-003	STANDARD E COAT/UNDERCOATING	STD

, tariffs, and raw material surcharges will be passed through and added to factory invoices.