

CITY OF MUSKEGON

CITY COMMISSION MEETING

NOVEMBER 26, 2013

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ CALL TO ORDER:
- ❑ PRAYER:
- ❑ PLEDGE OF ALLEGIANCE:
- ❑ ROLL CALL:
- ❑ HONORS AND AWARDS:
- ❑ INTRODUCTIONS/PRESENTATION:
- ❑ CONSENT AGENDA:
 - A. Approval of Minutes. CITY CLERK
 - B. Senior Nutrition Program – Agreement Between AgeWell Services of West Michigan (AWS) and the City of Muskegon. PLANNING & ECONOMIC DEVELOPMENT
 - C. Amendment to the Water Supplies Ordinance. PLANNING & ECONOMIC DEVELOPMENT
 - D. Purchase of Handheld Radios. PUBLIC WORKS
 - E. Grant Agreement Addendum – Hartshorn Marina & Cottage Grove Boating Access. PUBLIC WORKS
- ❑ PUBLIC HEARINGS:
- ❑ COMMUNICATIONS:
- ❑ CITY MANAGER’S REPORT:
- ❑ UNFINISHED BUSINESS:
- ❑ NEW BUSINESS:
 - A. Zoning Administrator Services – “Memorandum of Understanding, Zoning Services” Between City of Muskegon and City of Muskegon Heights. PLANNING & ECONOMIC DEVELOPMENT
- ❑ ANY OTHER BUSINESS:

❑ **PUBLIC PARTICIPATION:**

- ***Reminder: Individuals who would like to address the City Commission shall do the following:***
- Fill out a request to speak form attached to the agenda or located in the back of the room.
- Submit the form to the City Clerk.
- Be recognized by the Chair.
- Step forward to the microphone.
- State name and address.
- Limit of 3 minutes to address the Commission.
- (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

❑ **CLOSED SESSION:**

❑ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE CUMMINGS, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TTY/TDD DIAL 7-1-1 TO REQUEST A REPRESENTATIVE TO DIAL (231) 724-6705.

Date: November 26, 2013
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the November 12th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

NOVEMBER 12, 2013

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, November 12, 2013.

Mayor Gawron opened the meeting with a prayer from Pastor Marcy Miller from Samuel Lutheran Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Gawron, Vice Mayor Lawrence Spataro, Commissioners Lea Markowski, Eric Hood, Willie German, Sue Wierengo, and Byron Turnquist, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

2013-87 HONORS AND AWARDS:

A. 2013 Employee Service Awards.

Mayor Gawron, City Commissioners, and City Manager Franklin Peterson presented the Service Awards to the City employees thanking them for their years of service.

B. Recognition of JAAR Partnerships Participation in the Second Annual Police "GOOD BUDDY BUCKS" Program.

Chief Jeffrey Lewis presented a Resolution for Recognition of JAAR Partnerships participation in the second annual Police "Good Buddy Bucks" Program.

C. Muskegon Police Department Citizen Certificate of Appreciation for Diane Kooi.

Chief Jeffrey Lewis presented a Citizen Certificate of Appreciation to Diane Kooi for her life saving activity on July 19, 2013.

D. Recognition of Fall 2013 Citizen's Police Academy Graduates.

Chief Jeffrey Lewis and Denny Powers, Police-Community Coordinator, presented Resolutions to the fall 2013 Citizen's Police Academy Graduates.

2013-88 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the October 22nd City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Sludge Hauling and Disposal. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to enter into an agreement with Ottawa County Farms Landfill and Cordes Trucking for \$23,634.

FINANCIAL IMPACT: \$23,634.

BUDGET ACTION REQUIRED: Budgeted.

STAFF RECOMMENDATION: Staff recommends acceptance of the bid from Ottawa County Farms Landfill and Cordes Trucking for sludge removal and disposal.

C. Moratorium on Fees for 2014 Vacant Buildings. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to approve a moratorium on fees charged to owners of vacant buildings that are entering their sixth year billing cycle or under in 2014. Eligibility requirements for the moratorium of fees charged are proposed to remain the same as 2013. Moratoriums would be determined based on the criteria included on the Vacant Building Registration Moratorium with one addition to item number 3 of the criteria (in bold):

3. There were no more than 2 environmental letters sent to the address with no work being performed at the address in the vacancy years in question **nor did the City need to board the structure in order to secure it.**

FINANCIAL IMPACT: Exact amount unknown, but should be minimal.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of a fee moratorium for vacant building invoices meeting the approved criteria.

D. Emergency Pump Replacement at Beach Street Lift Station. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase a new pump from Kennedy Industries for the Beach Street Lift Station.

FINANCIAL IMPACT: Total cost \$16,603.

BUDGET ACTION REQUIRED: None, expenditures for the purchase would come from the Sewer Budget.

STAFF RECOMMENDATION: Approve purchase.

E. Acceptance of an Easement from ADAC Automotive, Inc. at the Southwest Corner of Keating and Port City Blvd. ENGINEERING

SUMMARY OF REQUEST: Accept a bike path easement from ADAC Automotive Inc., to construct and maintain a bike path at the southwest corner of Keating Ave. and Port City Blvd. and authorize the Mayor and Clerk to sign the easement documents and direct staff to record said easement.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Accept easement and direct staff to record said easement.

F. Winter Closure of Beach Street between Lakeshore Drive and Beachwood Park from the 3rd Friday in December to the 3rd Friday in March. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to annually close Beach Street from Lakeshore Drive to Beachwood Park. The closure would take effect from the third Friday in December until the third Friday of the following March.

FINANCIAL IMPACT: Cost of man-power to install signage/barricades, if approved.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to annually install signage/barricades for the Temporary 90-Day Closure of Beach Street.

G. Approval of the Fair Housing Agreement with Muskegon County. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: The Cities of Muskegon, Muskegon Heights, Norton Shores and the County of Muskegon are entering into an agreement with the Fair Housing Center of West Michigan to conduct fair housing testing in the County of Muskegon per the recommendation of the 2009 Analysis of Impediments Report.

FINANCIAL IMPACT: Based on population, the City of Muskegon will pay \$4,675 of the \$15,000 cost.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Agreement and authorize the Mayor to sign.

H. Extending the Master Plan. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The Michigan Zoning and Enabling Act requires that municipalities review their Master Plan every five years and decide whether they need to update it or extend the current plan. Staff feels that current plan developed 1997, which was also updated in 2008, is still sufficient and that focus should be put on the current zoning ordinance amendment. Planning Commission unanimously voted in favor of extending the current Master Plan at their special meeting on October 31. Staff is requesting permission to extend the Master Plan and to authorize staff to distribute the Master Plan to surrounding municipalities and ask for comments as required by the Michigan Zoning and Enabling Act. The municipalities will have 63 days to comment, then the Planning Commission will hold a public hearing to extend the current plan.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval to extend the Master Plan and authorization to distribute the plan.

I. Resolution Authorizing the SAW Grant Agreement. ENGINEERING

SUMMARY OF REQUEST: Adopt the resolution for the SAW Grant which Prein & Newhof (engineer) was authorized back in June of this year to prepare.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Adopt the resolution.

Motion by Commissioner Wierengo, second by Commissioner Hood to accept the Consent Agenda as presented.

ROLL VOTE: Ayes: Gawron, Hood, Spataro, German, Wierengo, Turnquist, and Markowski

Nays: None

MOTION PASSES

2013-89 PUBLIC HEARINGS:

A. Request for an Industrial Facilities Exemption Certificate – ADAC Plastics, 2050 Port City Blvd. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, ADAC Plastics, 2050 Port City Blvd., has requested the issuance of an Industrial Facilities Tax Exemption Certificate. The company will be making an investment of \$725,000 in real property improvements and plans on creating up to 90 jobs as part of the overall project, qualifying them for a 12-year abatement.

FINANCIAL IMPACT: The City will capture certain additional property taxes

generated by the expansion.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the resolution granting an Industrial Facilities Exemption Certificate for a term of 12 years on real property.

The Public Hearing opened to hear and consider any comments from the public. John Shape, ADAC Automotive, explained the item and thanked the City. Comments were heard from Ed Garner, Muskegon Area First.

Motion by Vice Mayor Spataro, second by Commissioner German to close the Public Hearing and approve the resolution granting an Industrial Facilities Exemption Certificate for a term of 12 years on the real property described.

ROLL VOTE: Ayes: Spataro, German, Wierengo, Turnquist, Markowski, Gawron, and Hood

Nays: None

MOTION PASSES

B. Request for an Industrial Facilities Exemption Certificate – ADAC Plastics, 2653 Olthoff Dr. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, ADAC Plastics, 2653 Olthoff Drive, has requested the issuance of an Industrial Facilities Tax Exemption Certificate. The company will be making an investment of \$926,270 in real property improvements and plans on creating up to 90 jobs as part of the overall project, qualifying them for a 12-year abatement.

FINANCIAL IMPACT: The City will capture certain additional property taxes generated by the expansion.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the resolution granting an Industrial Facilities Exemption Certificate for a term of 12 years on real property.

The Public Hearing opened to hear and consider any comments from the public. No public comments were made.

Motion by Commissioner Hood, second by Commissioner Markowski to close the Public Hearing and approve the resolution granting an Industrial Facilities Exemption Certificate for a term of 12 years.

ROLL VOTE: Ayes: German, Wierengo, Turnquist, Markowski, Gawron, Hood, and Spataro

Nays: None

MOTION PASSES

C. Request for an Exemption of New Personal Property (PA 328) – ADAC

Plastics, 2050 Port City Blvd. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 328 of 1998, as amended, ADAC Plastics, Inc., 2050 Port City Blvd., has requested an exemption of new personal property. The company plans on investing over \$5.7 million in personal property improvements at two Muskegon locations and is seeking a 12-year exemption on personal property. The exemption would include all new personal property investments during the duration of the exemption. The company plans on hiring 90 employees as part of the overall project.

FINANCIAL IMPACT: The City will forgo 100% of the new personal property taxes for the length of the abatement.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the exemption of new personal property for a duration of 12 years.

The Public Hearing opened to hear and consider any comments from the public. No public comments were made.

Motion by Commissioner Markowski, second by Vice Mayor Spataro to close the Public Hearing and approve the request for an exemption of new personal property (PA 328) for ADAC Plastics, 2050 Port City Blvd, for a duration of 12 years.

ROLL VOTE: Ayes: Wierengo, Turnquist, Markowski, Gawron, Hood, Spataro, and German

Nays: None

MOTION PASSES

D. Request for an Exemption of New Personal Property (PA 328) – ADAC Plastics, 2653 Olthoff Dr. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 328 of 1998, as amended, ADAC Plastics, Inc., 2653 Olthoff Dr., has requested an exemption of new personal property. The company plans on investing over \$5.7 million in personal property improvements at two Muskegon locations and is seeking a 12-year exemption on personal property. The exemption would include all new personal property investments during the duration of the exemption. The company plans on hiring 90 employees as part of the overall project.

FINANCIAL IMPACT: The City will forgo 100% of the new personal property taxes for the length of the abatement.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the exemption of new personal property for a duration of 12 years.

The Public Hearing opened to hear and consider any comments from the public. No public comments were made.

Motion by Commissioner Turnquist, second by Commissioner Wierengo to close the Public Hearing and approve the exemption of new personal property for a duration of 12 years for ADAC Plastics, 2653 Olthoff Dr.

ROLL VOTE: Ayes: Turnquist, Markowski, Gawron, Hood, Spataro, German, and Wierengo

Nays: None

MOTION PASSES

2013-90 NEW BUSINESS:

A. Transmittal of 6/30/13 Comprehensive Annual Financial Report.
FINANCE

SUMMARY OF REQUEST: The City's *June 30, 2013 Comprehensive Annual Financial Report* (CAFR) has previously been distributed to City Commissioners via email and hard copy. The CAFR is also available on the City's website at www.shorelinecity.com. The CAFR includes the annual independent auditor's report required by state law. At this time the CAFR is being formally transmitted to the City Commission. The CAFR has been prepared in accordance with all current Governmental Accounting Standards Board (GASB) pronouncements and also includes the single-audit of federal grants received by the City.

FINANCIAL IMPACT: The CAFR report summarizes the City's financial activities for the year and includes the independent auditor's unqualified opinion on the City's financial statements.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Acceptance of the June 30, 2013, CAFR and authorization for staff to transmit the CAFR to appropriate federal, state and private agencies.

Motion by Vice Mayor Spataro, second by Commissioner Wierengo to accept the June 30, 2013, CAFR and authorize staff to transmit the CAFR to appropriate federal, state and private agencies.

ROLL VOTE: Ayes: Hood, Spataro, German, Wierengo, Turnquist, Markowski, and Gawron

Nays: None

MOTION PASSES

B. Supplemental MERS Contribution. FINANCE

SUMMARY OF REQUEST: One of the biggest financial challenges facing the City is pension funding. Relative to other cities, Muskegon's pension plans are

considered very well-funded. Moreover, the city has already made difficult choices – including closing defined benefit pensions to new hires – that will stop the further accumulation of long-term pension liabilities. Still, paying down our existing pension legacy costs will present budget challenges for many years to come.

Based on successful financial results for the fiscal year ended June 30, 2013, staff believes it is appropriate to take this opportunity to make a \$500,000 supplemental payment (above the actuarial computed contribution amount) to MERS. This is money that the city would be required to pay to MERS eventually. Paying early - while we are in a position to afford it - ensures time remains an ally (instead of an enemy) and will help ease pressure on future city budgets.

FINANCIAL IMPACT: \$500,000 supplemental payment to MERS. The impact to the fund balance of the City's general fund will be \$300,000. The remaining \$200,000 will be paid from monies previously set aside for MERS in the collector fund.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to make a supplemental \$500,000 payment to MERS no later than December 31, 2013.

Motion by Vice Mayor Spataro, second by Commissioner Hood to authorize staff to make a supplemental \$500,000 payment to MERS no later than December 31, 2013.

ROLL VOTE: Ayes: Markowski, Gawron, Hood, Spataro, German, Wierengo, and Turnquist

Nays: None

MOTION PASSES

C. First Quarter 2013-14 Budget Reforecast. FINANCE

SUMMARY OF REQUEST: At this time staff is transmitting the ***First Quarter 2013-14 Budget Reforecast*** which outlines proposed changes to the original budget that have come about as result of changes in revenue projections, policy priorities, labor contracts, updated economic conditions, or other factors.

FINANCIAL IMPACT: Major first quarter proposed adjustments are as follows:

- The actual FY13 year-end fund balance for the General Fund was \$5,653,558 as compared to the estimated \$5,552,504 used in preparing the FY14 budget.
- General fund revenues are estimated to be \$103,042 higher than originally budgeted. The increase is attributable to higher building permit fees and state shared revenues.

- General Fund expenditures are forecast to be \$367,350 higher than originally budgeted:
 - It is recommended that a supplemental \$300,000 general fund contribution to MERS be made prior to year-end (see related agenda item).
 - Inspection costs will be \$58,000 higher than budgeted due to higher than anticipated building activity and permit revenues.
- Other city funds are mostly in-line with original budget projections. Some proposed changes to these funds include:
 - Equipment fund revenues/expenditures are adjusted to reflect receipt of grant for police radios. Also, a large sewer jet truck purchase originally scheduled for FY13 was made in FY14.
 - Sewer fund revenues/expenditures are adjusted to reflect receipt of grant for infiltration study.
 - Marina & Launch Ramp fund revenues/expenditures are adjusted to reflect receipt of grant for dredging.

BUDGET ACTION REQUIRED: City Commission approval of this reforecast will formally amend the City's 2013-14 budget.

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Hood, second by Commissioner German to approve the budget reforecast for 2013-2014.

ROLL VOTE: Ayes: Gawron, Hood, Spataro, German, Wierengo, Turnquist, and Markowski

Nays: None

MOTION PASSES

D. Rental Program and Environmental Code Compliance Professional Services Agreement. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the Agreement with SafeBuilt of Michigan, Inc. to provide rental program and environmental code compliance services to the City of Muskegon, including the Lease Agreement (Exhibit C). The Vacant Building and Dangerous Building programs will remain with the Community & Economic Development Division, with a supervisor and an inspector.

FINANCIAL IMPACT: The contract will save the City on costs associated with the rental program and environmental code compliance services. Also, it is anticipated that additional funds will be generate through broader enforcement and oversight of all programs.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the agreement between the City of Muskegon and SafeBuilt of Michigan, Inc. and to authorize the Mayor and

Clerk to execute the contract at the discretion of City staff on or after December 1, 2013.

Motion by Vice Mayor Spataro, second by Commissioner Wierengo to approve the agreement between the City of Muskegon and SafeBuilt of Michigan, Inc. and to authorize the Mayor and Clerk to execute the contract at the discretion of City staff on or after December 1, 2013.

ROLL VOTE: Ayes: Hood, Spataro, German, Wierengo, Turnquist, Markowski, and Gawron

Nays: None

MOTION PASSES

E. Next Michigan/West Michigan Economic Partnership – Interlocal Agreement for the West Michigan Economic Development Partnership.
PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The West Michigan Economic Partnership (WMEP) Board is prepared to recommend Next Michigan zones for our jurisdictions at their next meeting on November 13, 2013. Once approved by the WMEP, the zones will be forwarded to the Michigan Economic Development Corporation (MEDC) for final approval. Once the zones are approved, the MEDC, as well as local entities, may start marketing them for development. In addition, the WMEP is expected to receive a marketing grant from MEDC to assist with its efforts. The zone recommended for Muskegon starts at the Mart Dock property and proceeds to the Verplank property, along the shoreline. It is anticipated that additional land may be added in the future (i.e., the Consumers Energy parcel/s).

FINANCIAL IMPACT: WMEP has established a budget of \$69,314 for a two-year period. Each of the five participating municipalities will be responsible for \$9,862.80. In Muskegon's case, we have commitments from Mart Dock, Verplank, Consumers Energy, the County and the City to meet the budget.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To recommend approval to the WMEP for the Next Michigan Zone for Muskegon, as depicted on the map. The zone starts at Mart Dock on the west and proceeds along the Muskegon Lake shoreline to the Verplank property on the east.

Motion by Commissioner Hood, second by Commissioner Turnquist to approve the Next Michigan/West Michigan Economic Partnership – Interlocal Agreement for the West Michigan Economic Development Partnership.

ROLL VOTE: Ayes: Spataro, German, Wierengo, Turnquist, Markowski, Gawron, and Hood

Nays: None

MOTION PASSES

F. Concurrence with the Housing Board of Appeals Notice and Order to Demolish the Following: PUBLIC SAFETY

224 W. Grand

850 Turner

860 Emerson (Garage Only)

1324 Pine

1459 Terrace

868 W. Hackley

345 W. Grand

709 E. Apple (Remove Concrete from Second Garage Only)

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structures are unsafe, substandard, a public nuisance and that they be demolished within 30 days. It is further requested that administration be directed to obtain bids for the demolition of the structures and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: CDBG Funds, and CDBG Funds or General Fund depending on State Historic Preservation Office determination for 1459 Terrace.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To concur with the Housing Board of Appeals decision to demolish.

Motion by Vice Mayor Spataro, second by Commissioner German to concur with the Housing Board of Appeals notice and order to demolish 850 Turner, 860 Emerson (garage only), 1324 Pine, 1459 Terrace, and 868 W. Hackley.

ROLL VOTE: Ayes: German, Wierengo, Turnquist, Markowski, Gawron, Hood, and Spataro

Nays: None

MOTION PASSES

Motion by Vice Mayor Spataro, second by Commissioner Hood to concur with the Housing Board of Appeals notice and order to demolish 224 W. Grand.

ROLL VOTE: Ayes: Wierengo, Turnquist, Markowski, Gawron, Hood, Spataro, and German

Nays: None

MOTION PASSES

Motion by Vice Mayor Spataro, second by Commissioner German to concur with the Housing Board of Appeals notice and order to demolish 345 W. Grand.

ROLL VOTE: Ayes: Turnquist, Markowski, Gawron, Hood, Spataro, German, and Wierengo

Nays: None

MOTION PASSES

Motion by Vice Mayor Spataro, second by Commissioner German to concur with the Housing Board of Appeals notice and order to demolish 709 E. Apple (remove concrete from second garage only).

ROLL VOTE: Ayes: Markowski, Gawron, Spataro, Wierengo, and Turnquist

Nays: Hood and German

MOTION PASSES

ANY OTHER BUSINESS: Comments were made reference no sidewalks on Market Street in the site plan for the new Farmer's Market.

ADJOURNMENT: The City Commission Meeting adjourned at 7:40 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk

Commission Meeting Date: November 26, 2013

Date: November 19, 2013
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department
**RE: Senior Nutrition Program- Agreement Between AgeWell
Services of West Michigan (AWS) and the City of Muskegon**

SUMMARY OF REQUEST: The City of Muskegon has contracted with AgeWell Services for several years to conduct the senior nutrition program at the McGraft Park Community Building. Unfortunately, the number of seniors at this location has declined over the past few years, making it unfeasible to continue services. The good news is that Tanglewood Park, location three miles from McGraft Park, is open and available to these seniors, offering a variety of services in addition to meals. Therefore, AWS has made the decision to close the McGraft Park Congregate Nutrition Program effective December 31, 2013. The most recent Agreement between the City and AWS ended in September 2013. The Commission is requested to approve the new Agreement through December 31, 2013.

FINANCIAL IMPACT: The City will no longer financially support the AWS program at McGraft Park, in the amount of \$2,079 a year and AWS will no longer pay the City \$200 a month for rent and utilities.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Agreement between AWS and the City of Muskegon through December, 31, 2013 and authorize the Mayor to sign the Agreement.



RECEIVED

NOV 07 2013

CITY OF MUSKEGON
PLANNING DEPARTMENT

October 31, 2013

Dear Friends,

This is a difficult letter to write as our Board of Directors has made the decision to close the McGraft Park Congregate Nutrition Program effective 12/31/2013. The State of Michigan and our Area Agency is requiring a year end average of 20 seniors per day. McGraft Parks attendance averages about 15 per day. Our State was more flexible in the past on this rule but with the Sequestration Cuts we have had, we must use our monies to serve the most people. We have tried outreach to new residents and existing residents without much success. We know the opening of Tanglewood Park 3 miles away impacted the growth of this center as we discussed earlier this year.

Our last planned day of actual meals is 12/20/2013 and we will use those few days by the holidays to remove any items we have within your facility. I thank you for the many years we were able to serve the residents of the City of Muskegon with ongoing activities and nutrition to keep them active and engaged in the community. We will also work with the existing attendees to educate them of the options they have for continued activities and meals at other nearby locations. There are still numerous programs and many residents of the City attend Tanglewood Park regularly.

Attached are two copies of the proposed, updated agreement from now until December 31, 2013. Please review. I have pro-rated the staffing support figure and our fiscal department will be sending bills for the past amounts due. If you have questions, please contact me. If there are no changes, please return one copy to me and keep one for yourself.

Thank you for the opportunity to work with the City of Muskegon for so many years to provide this wonderful service to so many seniors over the years!

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon TerHaar", written in a cursive style.

Sharon TerHaar
Director

AGREEMENT BETWEEN

AgeWell Services of West Michigan (AWS)

AND

The City of Muskegon

FOR THE MCGRAFT PARK COMMUNITY BUILDING
and Senior Citizen Programs within the City of Muskegon

The purpose of the agreement is to establish the working arrangements for the occupancy of the City owned McGraft Park Community Building by the Senior Nutrition Program operated by AgeWell Services of West Michigan (AWS) and for the operation of programs for City of Muskegon older adults. The specifics of this agreement shall be as follows:

1. The City of Muskegon agrees to allow use of the McGraft Park Community Building to AWS to operate as a location for senior meals and support services for seniors in the area.
2. AWS will pay to the City \$200.00 per month as a fee for expenses of rent and utilities including garbage service.
3. A telephone will be provided at the expense of AWS.
4. The City will provide a locked office for the program. A locked cupboard for storage in the kitchen will also be provided.
5. AWS will provide all materials for the program meal. AWS has full and complete responsibility for the operation of the program.
6. AWS agrees to work to promote recreational opportunities for City of Muskegon senior citizens.
7. AWS agrees to try to secure grants if available towards facility improvements or equipment for the operation of the program.
8. The building will be available to AWS from Monday through Friday during business hours – typically 9 - 3. Exceptions are voting days and the third Wednesday of the month “Shuffleboard Potlucks” during the summer. AWS may use the building for an evening event when approved by the City.
9. The care and maintenance of the facility is the City’s responsibility with AWS responsible for routine daily clean-up; which is wiping tables, counters, sinks, and spills, and disposing of food and supply waste; leaving kitchen and dining area ready for use by any other tenants.

Page two – agreement between AWS and City of Muskegon for McGraft Park

10. AWS provides liability insurance and its own health department licensing for its centers. Written evidence is available upon request.
11. The City agrees to financial support in the amount of \$ 2079.00 for staff time for programs provided at McGraft Park and other locations for City of Muskegon older adults. These activities are wellness programs including exercise and health, chronic disease management, educational, social and a diversity of enrichment programs.
12. Either party with sixty- (60) day notice may terminate this agreement with just cause.

The inclusive dates of this agreement are October 1, 2013 through December 31, 2013.

FOR: City of Muskegon

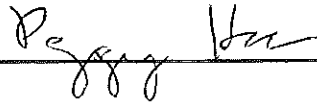
933 Terrace Street
Muskegon, MI 49440

Stephen J. Gawron
Mayor of Muskegon

Date

FOR: AgeWell Services

Tanglewood Park
560 Seminole Road
Muskegon, MI 49444



AgeWell Services
Chairperson of the Board

10/30/13

Date

Commission Meeting Date: November 26, 2013

Date: November 20, 2013
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Amendment to the Water Supplies Ordinance

SUMMARY OF REQUEST:

Gene's Service, Inc has petitioned to designate a total of 13 properties located in the City of Muskegon as "affected premises" under the City of Muskegon Water Supplies Ordinance (Ordinance No. 1133). This request follows years of response activities, including investigation and monitoring associated with the site, as well as the Michigan Department of Quality's approval for Gene's Service, Inc to utilize the Muskegon ordinance as an appropriate exposure control measure.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approval of the amendment to ordinance

COMMITTEE RECOMMENDATION:

None



August 22, 2013

RECEIVED

AUG 27 2013

CITY OF MUSKEGON
PLANNING DEPARTMENT

City of Muskegon
Planning Department
933 Terrace Street
Muskegon, MI 49443

WestshoreConsulting.com

Re: *Petition to Designate Affected Premises Under Water Supplies Ordinance
Proposed Restricted Zone – Gene's Service Station, 1987 West Sherman
Blvd., Norton Shores, Muskegon County, Michigan (the "Site")*

Muskegon

2534 Black Creek Road
Muskegon, Michigan 49444
Ph: (231) 777-3447
Fx: (231) 773-3453

Grand Haven

(616) 844-1260

Manistee

(231) 920-5818

To Whom It May Concern:

Gene's Service, Inc. (also known as Gene's Service Station) has requested that Westshore Consulting (Westshore) prepare a petition to designate a total of 13 properties located in the City of Muskegon as *affected premises* under the City of Muskegon Water Supplies Ordinance (Ordinance No. 1133). This request follows years of response activities, including investigation and monitoring associated with the Site, as well as the Michigan Department of Environmental Quality's (MDEQ) June 6, 2013 letter granting approval for Gene's Service to utilize the Muskegon ordinance as an appropriate exposure control measure. The Site is located at 1987 West Sherman Boulevard, Norton Shores, Michigan.

Westshore has completed environmental investigations and has delineated the extent of contamination associated with a release of petroleum-related compounds discovered in 1994 at the Site. The extent of soil and groundwater contamination has been delineated within Residential Tier 1 Risk Based Screening Levels (RBSLs). Minor soil contamination is present in the immediate vicinity of the former underground storage tank (UST) system, and low levels of groundwater contaminants have migrated offsite in a northeasterly direction. Westshore has completed a Tier 2 Risk Based Corrective Action (RBCA) evaluation, and in order to close this Site, reliance upon institutional controls is necessary. Westshore has shared the available environmental data with the MDEQ, and they agree that use of the City of Muskegon Water Supplies Ordinance will result in appropriate control of exposure risks to offsite property owners, and will allow the Site to be closed. The MDEQ's June 6, 2013 approval letter is included in Attachment C.

The remaining contamination at the Site consists of gasoline-based hydrocarbons including toluene, ethylbenzene, xylenes, 1,2,4-trimethylbenzene (TMB), 1,3,5-TMB and naphthalene. Minimal soil contamination remaining is confined to the Site property, and is present in the immediate vicinity of the former UST system on the Site. Only one soil sample (VTB-4 S-2) contained concentrations of petroleum parameters that exceeded the MDEQ residential Tier 1 RBSLs, and only xylenes were above the MDEQ criteria. Soil contamination at the Site has been fully defined, and no further investigation or remediation is necessary.

Groundwater contamination is present in low concentrations that originate on the Site property and extend to the north beneath Sherman Boulevard and several properties immediately adjacent to the north of Sherman Boulevard (most of the properties included in this request are not impacted by the Site contaminants, but are included to provide an appropriate buffer zone). A series of monitoring wells have been installed both onsite and offsite that fully delineate the extent of impact in the aquifer. Groundwater at the Site is present about 10 feet below the top of the ground surface. Groundwater monitoring has occurred since the 1990s, and demonstrates that the low concentration of hydrocarbon constituents have decreased with time, and the plume is stable and not expanding. There are no utility corridors that are affected by the hydrocarbon release. The remaining groundwater contamination only slightly exceeds the MDEQ residential Tier 1 RBSLs as related to the drinking water pathway. The only hypothetical exposure concern is the potential use of the groundwater for potable purposes, and no other potential exposure concerns are known. Westshore has conducted a water well survey of the neighborhood, and no potable or sprinkler wells are known to exist at this time. The concentration of hydrocarbons in the aquifer is very low, and will be further reduced through natural attenuation over time. No additional investigation or remediation is warranted, and Westshore plans to submit a Closure Report to the MDEQ upon the anticipated acceptance of the Site into the City of Muskegon Groundwater Protection Ordinance.

If you have any questions or need further information, please contact me at (231) 777-3447.

Sincerely,

WESTSHORE CONSULTING



Robert L. Schulz, CPG
Vice President

RLS/jlg/4040-2

Attachments:

Petition Form

Figure 1 – Proposed Restricted Zone Affected Premises

Attachment A – Responses to Petition

Attachment B – Property Owner Data Affected Premises

Attachment C – MDEQ approval letter dated June 6, 2013

Table 1 – Historical Groundwater Analytical Results for Site

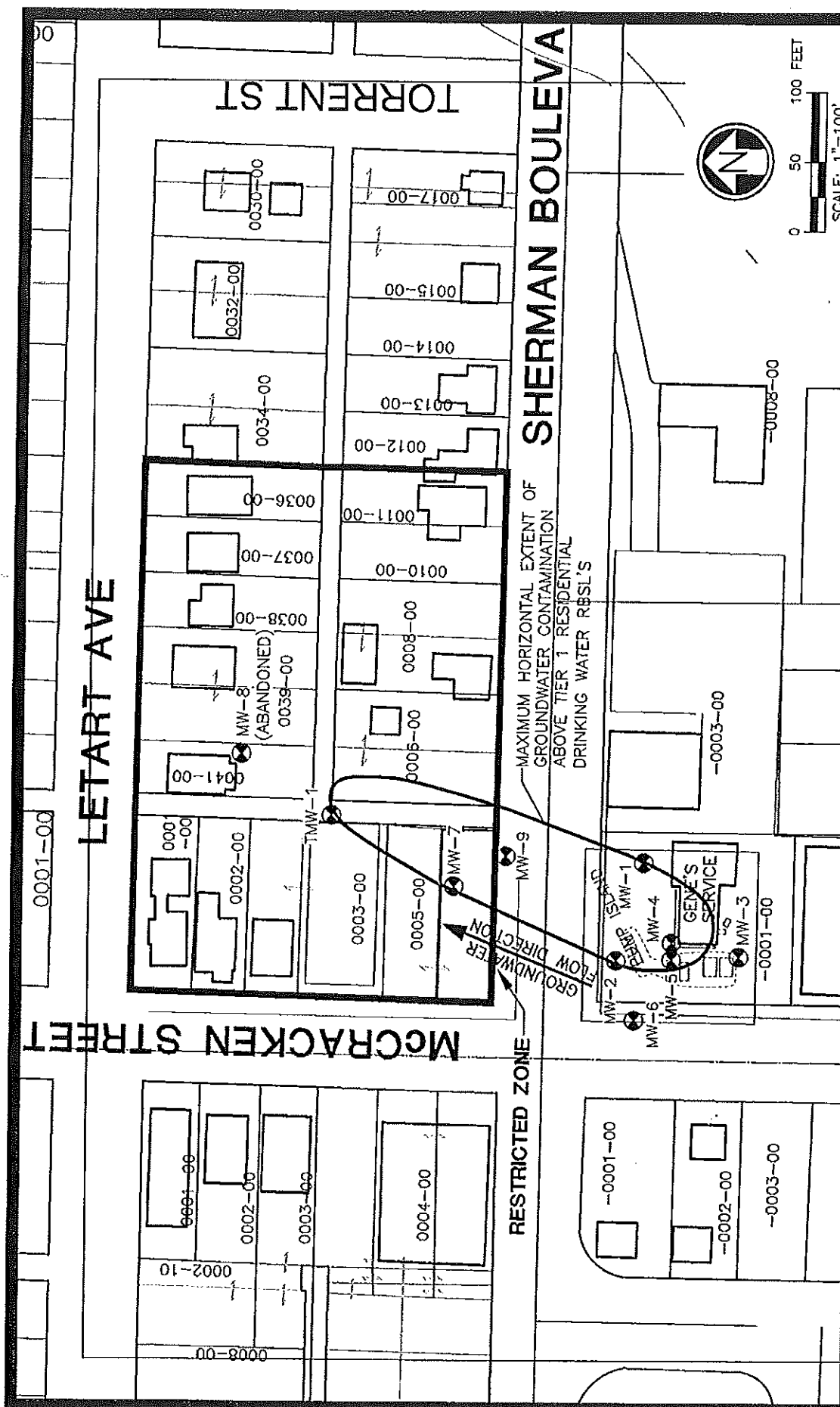
cc: Mr. Jeff Smith, Gene's Service, Inc.

Attachment B - Affected Premises - Property Owners Information & Groundwater Well Survey

Map ID#	Tax Identification No.	Street Address	Owner	Are Water Wells Existing at Site per Owner (1)	Are Water Wells Visible at Site per State Inspection (1)	Do Water Wells Exist at Site per Health Department (2,3)	Do Water Wells Records Exist per MDEQ Water Well Viewer (3)	Is Site Connected to City Water (4)	Does the Site have Current City Water Usage (5)	Owner's Address	City	State	Zip	Phone
Sherman Boulevard sites														
1	61-24-645-000-0005-00	1986 West Sherman Boulevard	John C Halbover et al.	NO	NO	NO	NO	YES	YES	1986 West Sherman Boulevard	Muskegon	MI	49441	231-759-7625
2	61-24-645-000-0006-00	1984 West Sherman Boulevard	Robert D Stubbs	NO	NO	NO	NO	YES	YES	1984 West Sherman Boulevard	Muskegon	MI	49441	231-755-1820
3	61-24-645-000-0008-00	1980 West Sherman Boulevard	Lynn A Grant / Johnson M Robinson	NO	NO	NO	NO	YES	YES	1980 West Sherman Boulevard	Muskegon	MI	49441	Not Available
4	61-24-645-000-0010-00	1944 West Sherman Boulevard	Mary E Barnes	NO	NO	NO	NO	YES	YES	P.O. Box 463	Muskegon	MI	49443-0463	Not Available
5	61-24-645-000-0011-00	1940 West Sherman Boulevard	Doyle Daniels	NO	NO	NO	NO	YES	YES	1940 West Sherman Boulevard	Muskegon	MI	49441	231-755-3104
Lehart Avenue sites														
6	61-24-645-000-0036-00	1935 Lehart Avenue	Johnathan Murphy	NO	NO	NO (6)	NO	YES	YES	1935 Lehart Avenue	Muskegon	MI	49441	231-747-7470
7	61-24-645-000-0037-00	1949 Lehart Avenue	Sophia Kuck	NO	NO	NO (6)	NO	YES	YES	1949 Lehart Avenue	Muskegon	MI	49441	Not Available
8	61-24-645-000-0038-00	1953 Lehart Avenue	Jennifer Jilak	NO	NO	NO (6)	NO	YES	YES	1953 Lehart Avenue	Muskegon	MI	49441	231-759-0716
9	61-24-645-000-0039-00	1961 Lehart Avenue	Sean W & Dawn Black	NO	NO	NO (6)	NO	YES	YES	1961 Lehart Avenue	Muskegon	MI	49441	231-755-2185
10	61-24-645-000-0041-00	1971 Lehart Avenue	Amy L Kingsley	NO	NO	NO (6)	NO	YES	YES	327 Randall Road	Muskegon	MI	49441-4947	Not Available
McCracken Street sites														
11	61-24-645-000-0001-00	2558 McCracken Street	Mark D Hill	NO (7)	NO	NO	NO	YES	YES	3689 McCracken Street	Muskegon	MI	49441	231-780-2839
12	61-24-645-000-0002-00	2564 McCracken Street	Margaret M Harris	NO	NO	NO	NO	YES	YES	2564 McCracken Street	Muskegon	MI	49441	231-759-0006
13	61-24-645-000-0003-00	2572 McCracken Street	Sher Mac, Inc.	NO	NO	NO	NO	YES (4)	YES (4)	2011 Lehart Avenue	Muskegon	MI	49441	231-755-0155

Notes:

- (1) Data based on Property-to-Property Survey conducted by Westshore Consulting from December 2006 to January 2007.
- (2) Data based on letter from Ms. Victoria Webster, Environmental Health Supervisor, Muskegon County Health Department in May 2004.
- (3) Data based on MDEQ Water Well Viewer website search conducted by Westshore Consulting in March 2013.
- (4) Data based on connection dates provided by Mr. Kelly DeFrenth, DPW, City of Muskegon in January 2007.
- (5) Data based on current utility billing history information obtained from City of Muskegon online website in March 2013.
- (6) Data indicated water shutoff in November 2011 and has not been turned back on, based on current utility billing history information obtained from City of Muskegon online website in March 2013.
- (7) Westshore Consulting was unable to contact an owner during the Property-to-Property Survey in 2006-07, however, contacted the current owner on March 19, 2013.
- (8) Data based on Muskegon County Health Department FOIA response on April 2, 2013.



Checked: RLS
 Date: 04/03/13
 Drawn by: BUA
 Date: 04/03/13
 File No.: 4040-2
 Figure: 1

**PROPOSED
RESTRICTED ZONE
AFFECTED
PREMISES**

Gene's Service
 1987 W. Sherman Blvd.
 Norton Shores, Michigan

2524 Black Creek Road
 Muskegon, MI 49444
 Ph: (231) 777-3447
 Fax: (231) 773-3453
 Service@westshoreconsulting.com
 228 Parkside Avenue, Suite 2
 Manistee, MI 49660
 Ph: (231) 723-2202
 Fax: (231) 723-2261
 Westshore@Voyager.net

WESTSHORE

CONSULTING

Engineers ■ Scientists ■ Surveyors

Date: November 26, 2013

To: Honorable Mayor and City Commissioners

From: DPW/Equipment

RE: Purchase of Handheld Radios

SUMMARY OF REQUEST:

Authorize staff to purchase seventy (70) handheld radios from Motorola (Mi-deal, state contract) for \$108,704.50 and to purchase one hundred radio holders from Porta-Chip for \$2,100.

FINANCIAL IMPACT:

The total cost of this purchase is \$110,804.50. 75% of the total cost is funded through a grant the police department has secured and the remaining 25% is from the equipment fund.

BUDGET ACTION REQUIRED:

None at this time as this proposed purchase and grant were reflected in the 1st quarterly reforecast of the 2013/2014 budget recently approved.

STAFF RECOMMENDATION:

Authorize staff to purchase the radios and holders.

COMMITTEE RECOMMENDATION:

Date: November 26, 2013
To: Honorable Mayor and City Commission
From: Dept. of Public Works
RE: Grant agreement Addendum – Hartshorn Marina & Cottage Grove Boating Access

SUMMARY OF REQUEST:

Adopt the attached resolution and authorize the mayor and clerk to sign the agreement amendment between the City and MDNR reflecting the acceptance of the grant based on actual bids and other expenses.

FINANCIAL IMPACT:

None to the city as the entire cost of \$209,118.35 is grant eligible.

BUDGET ACTION REQUIRED:

None, the cost and grant numbers were reflected in the first quarterly reforecast of the 2013/2014 budget.

STAFF RECOMMENDATION:

Adopt the resolution and authorize the mayor and clerk to sign the agreement.

COMMITTEE RECOMMENDATION:



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

November 1, 2013

Mr. Kevin Santos
City of Muskegon
350 Keating
Muskegon, Michigan 49442

Dear Mr. Santos:

Enclosed are two copies of an Agreement Addendum between the City of Muskegon-Hartshorn Marina and Cottage Grove Boating Access Site and the Department of Natural Resources (DNR), as well as two copies of a Resolution for adoption by the City authorizing execution of the Agreement Addendum.

Please have both copies of the Agreement Addendum (*do not date the first page*) and the Resolution signed as appropriate. All copies should be returned to my attention. The Agreement Addendum will be signed and dated by the DNR, and a fully executed copy will be returned for your files.

If you have any questions, please contact me (517-335-3033), or at DNR-Parks and Recreation Division, P.O. Box 30257, Lansing, MI 48909-7757.

Sincerely,

Paul R. Petersen
Waterways Grant Program Manager
Parks and Recreation Division

Enclosures

AGREEMENT ADDENDUM

(Supplemental Funding, Scope of Work Change, or Time Extension)

THIS AGREEMENT ADDENDUM, made this _____ day of _____, 2013, by and between the CITY OF MUSKEGON, MICHIGAN, a municipal corporation, hereinafter referred to as the "City", and the MICHIGAN DEPARTMENT OF NATURAL RESOURCES, an agency of the State of Michigan, hereinafter referred to as the "Department."

WHEREAS, on _____, 2013 an agreement was entered into between the Department and City, to assist the City in the Emergency Dredging at the City of Muskegon, Hartshorn Marina & Cottage Grove BAS facility, under provisions of the State's Waterways Grant-in-Aid Program.

NOW, THEREFORE, in consideration of the mutual promises and conditions contained herein, it is mutually agreed as follows:

1. The Department agrees:

(a) To grant to the City funds for emergency dredging of Hartshorn Marina & Cottage Grove BAS (the facilities). Said total grant-in-aid for the project shall not exceed Two hundred Nine thousand One hundred Eighteen Thirty-five cents (\$209,118.35). These monies shall be used only for the project work outlined in the Agreement and this Addendum and related engineering costs.

(b) To release State funds according to the following:

Completion of Department approved plans and cost estimated by the community's engineer.

Twenty-five (25) percent of the total grant upon execution of this Agreement. These advance funds may be used toward the plans, specifications and permits acceptable to the Department and City. The State's ability to advance funds will be dependent on approval of the Emergency Dredge Plan Supplemental, and approval from the Department of Treasury. If the plan is not acceptable to the regulatory agencies and permits are denied, remaining funds will be returned to the State of Michigan.

The remaining seventy-five (75) percent shall be released as a reimbursement. The final ten (10) percent shall be paid upon completion of work and receipt of progress payment requests from the contractor that are approved for payment by the designated project manager. The final ten (10) percent of State funds shall be paid upon completion of the project and 60 days after receipt of project cost documentation to the Department by the City or completion of an audit of the expenditures for the facilities by the Department, whichever occurs first.

2. The City agrees:

(a) Said total grant-in-aid for the project shall not exceed Two hundred Nine thousand One hundred Eighteen Thirty-five cents (\$209,118.35). These monies shall be used for the project work outlined in the Agreement and this Addendum and related engineering costs. This sum represents 100 percent of the total cost of the project work. Any additional funds needed to complete the project work shall be provided by the City. The City must have the prior written approval of the Department for any change orders to the contract(s) in cost, plans or specifications.

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

IN WITNESS WHEREOF, the parties execute this Agreement by the signatures of their duly authorized representatives.

WITNESSES:

CITY OF MUSKEGON

By: _____

Title: _____

**MICHIGAN DEPARTMENT OF
NATURAL RESOURCES**

By: _____
Ronald A. Olson, Chief
Parks and Recreation Division

RESOLUTION

Upon Motion made by _____, seconded by _____, the following Resolution was adopted:

"RESOLVED, that the City of Muskegon, MUSKEGON County, Michigan does hereby accept the terms of the Agreement Addendum as received from the Michigan Department of Natural Resources, and the City does hereby specifically agree, but not by way of limitation, as follows:

1. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.
2. To dredge the facility and provide such funds, services, and materials as may be necessary to satisfy the terms of the said Agreement Addendum.
3. To comply with any and all terms of the said Agreement Addendum including all terms not specifically set forth in the foregoing portions of the Resolution."

The following aye votes were recorded: _____

The following nay votes were recorded: _____

STATE OF MICHIGAN)

COUNTY OF MUSKEGON)

I, _____, Clerk of the City of Muskegon, Muskegon County, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which Resolution was adopted by the City Council at a meeting held _____, 2013.

Dated: _____
City Clerk

Commission Meeting Date: November 26, 2013

Date: November 19, 2013
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department
RE: Zoning Administrator Services- “Memorandum of Understanding, Zoning Services” Between City of Muskegon and City of Muskegon Heights

SUMMARY OF REQUEST: The City of Muskegon Heights is requesting zoning administration services from the City of Muskegon. Our Zoning Administrator, Mike Franzak, will provide those services. A “Memorandum of Understanding (MOU)” has been proposed to allow for these services. Mr. Franzak will provide zoning services for a minimum of six hours every two weeks and a maximum of six hours every week; with four hours to be located within Muskegon Heights City Hall.

FINANCIAL IMPACT: The Zoning Administrator services will be provided to Muskegon Heights at the rate of \$35.00 per hour.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the attached MOU and authorize the Mayor’s signature.

Memorandum of Understanding

Zoning Administrator Services

The City of Muskegon Heights intends to utilize the Zoning Administrator services of the City of Muskegon, through the Planning & Economic Development Department, on an hourly basis.

The Zoning Administrator services will be provided at a rate of thirty-five dollars (\$35.00) per hour. Up to six hours per week of services will be provided to the City of Muskegon Heights, with a minimum of six hours every two weeks (resulting in a minimum payment to the City of Muskegon in the amount of \$210.00).

The Zoning Administrator will have at least four office hours in the City of Muskegon Heights City Hall Planning Department on a bi-weekly basis; the terms of which will be coordinated between Muskegon Heights and Muskegon staff.

The Zoning Administrator services provided by the City of Muskegon shall include, but are not limited to the following:

- Administer and review land use applications including rezoning, lot splits, PUDs plats, etc.
- Administer Zoning and Development ordinances
- Perform site plan compliance
- Serve as staff support to the Muskegon Heights Planning Commission and the Zoning Board of Appeals
- Ensure compliance of zoning regulations for specific building projects
- Conduct site plan reviews and technical review for new construction projects, special –use, variances, and improvements of existing sites.

Either party may terminate the Memorandum of Understanding with a two-week’s notice.

CITY OF MUSKEGON HEIGHTS, MICHIGAN

CITY OF MUSKEGON, MICHIGAN

AUTHORIZED SIGNATURE (Date)

AUTHORIZED SIGNATURE (Date)