CITY OF MUSKEGON

CITY COMMISSION MEETING

OCTOBER 8, 2002

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- **CALL TO ORDER:**
- **PRAYER:**
- **PLEDGE OF ALLEGIANCE:**
- **ROLL CALL:**
- **HONORS AND AWARDS:**
- **PRESENTATIONS:**
- **CONSENT AGENDA:**

  a. **Approval of Minutes.** CITY CLERK

  b. **Resolution for Charitable Gaming License.** CITY CLERK

  c. **2002-2003 Transportation Planning Program Funding.** CITY MANAGER

  d. **Smith-Ryerson Agreement.** LEISURE SERVICES

  e. **Consideration of Bids – Removal of Underground Storage Tanks at Hackley Fire Barn.** PUBLIC WORKS

  f. **Sale of Non-buildable Lot at 497 Deaner Drive.** PLANNING & ECONOMIC DEVELOPMENT

  g. **Approval of WEMET Contract.** POLICE

  h. **Approval of City's Vinyl Siding Program Guidelines.** COMMUNITY & NEIGHBORHOOD SERVICES

- **PUBLIC HEARINGS:**

  a. **Public Hearing for Resolution for Development District On-Premise Liquor License for Peter C. Johnson.** PLANNING & ECONOMIC DEVELOPMENT

  b. **Spreading of the Special Assessment Roll for Ridge, Glenside to Cumberland.** ENGINEERING

c. **Spreading of the Special Assessment Roll for Leon Street, Harrison to Crozier.** ENGINEERING

d. **Spreading of the Special Assessment Roll for Harvey Street, Keating to South End.** ENGINEERING

e. **Spreading of the Special Assessment Roll for Wilson, Dowd to Henry.** ENGINEERING

f. **Spreading of the Special Assessment Roll for Roberts, Keating to Laketon.** ENGINEERING

- **COMMUNICATIONS:**
- **CITY MANAGER'S REPORT:**
- **UNFINISHED BUSINESS:**
- **NEW BUSINESS:**

a. **Request for Final Planned Unit Development Approval for 1350 Hackley Ave. (Hackley Glen).** PLANNING & ECONOMIC DEVELOPMENT

b. **Purchase of Computer Hardware.** POLICE

c. **Amend the Special Assessment Roll for the Sidewalk Replacement Program 2002 (Area E5).** ENGINEERING

d. **Consideration of Bids for the Lakeshore Trail, Laketon Corridor (Phase II).** ENGINEERING

- **ANY OTHER BUSINESS:**
- **PUBLIC PARTICIPATION:**

- ***Reminder: Individuals who would like to address the City Commission shall do the following:***
- 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.)

- **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 GAIL A. KUNDINGER, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TDD: (231) 724-4172.

Date: **October 8, 2002**

To: **Honorable Mayor and City Commissioners**

From: **Gail A. Kundinger, City Clerk**

RE: **Approval of Minutes**

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, September 24, 2002, and the Special Meeting that was held on Monday, September 30, 2002.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

OCTOBER 8, 2002

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 5:30pm, Tuesday, October 8, 2002.

Mayor Warmington opened the meeting with a prayer from Vice Mayor Buie, after which members of the City Commission and members of the public joined in reciting the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington; Vice-Mayor Karen Buie: Commissioners Stephen Gawron, William Larson, Robert Schweifler, Clara Shepherd and Lawrence Spataro; City Manager Bryon Mazade, City Attorney John Schrier and City Clerk Gail Kundinger.

2002-111 CONSENT AGENDA:

c. **2002-2003 Transportation Planning Program Funding.** CITY MANAGER

SUMMARY OF REQUEST: To approve the City's share of the local matching funds for the Muskegon County Metropolitan Planning Program for fiscal year 10/1/02 to 9/30/03. The City receives grant funds through this program for certain major streets.

FINACIAL IMPACT: $16,040 from the Major Street Fund

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve this request.

d. **Smith-Ryerson Agreement.** LEISURE SERVICES

SUMMARY OF REQUEST: To authorize the Mayor and Clerk to sign agreement with Basic Neighborhood Services to manage Smith-Ryerson Community Center.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve

COMMITTEE RECOMMENDATION: Leisure Services Board Recommends Approval.

f. <u>Sale of Non-buildable Lot at 497 Deaner Drive.</u> PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of a vacant non-buildable lot (Parcel #24-205-018-0016-00) at 497 Deaner Drive to Bob Neal and Becky Hatfield, 498 Mulder Street, Muskegon, MI 49442. Approval of this sale will allow the adjacent property owner to expand their current yard (see attached map). This is very small, land-locked parcel (16 x 16.5 ft.) and there is a large Mulberry tree that needs to be removed. The City can't maintain this tree without crossing private property. The cost for tree removal would be extensive to the applicant, and in order to relieve some of their cost, LRC has recommended that an exception be made to the property sale policy and allow the lot to be sold for $1.

FINANCIAL IMPACT: The sale of this lot will allow the property to be placed back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution and to authorize both the Mayor and the Clerk to sign the resolution.

COMMITTEE RECOMMENDATION: The LRC recommended approval, due to special circumstances.

g. <u>Approval of WEMET Contract.</u> POLICE

SUMMARY OF REQUEST: Police Department staff request that the Commission review and approve the 2002-2003 Personnel Services Agreement with the West Michigan Enforcement Team (WEMET). This is an annual operating agreement between the City and WEMET.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the request.

h. <u>Approval of City's Vinyl Siding Program Guidelines.</u> COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the guidelines for the vinyl siding program administered through the Community and Neighborhood Services department.

Because of a change in policy related to the lead based paint issue, the Community and Neighborhood Services has discontinued its exterior painting program.

Therefore, in an effort to serve as many residents as economically feasible the department revised its vinyl siding guidelines.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the revised vinyl siding program guidelines.

COMMITTEE RECOMMENDATION: Recommended the change to new program guidelines.

Motion by Commissioner Schweifler, second by Commissioner Shepherd to approve the Consent Agenda with Items a, b & e removed.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Buie, Gawron, Larson, Schweifler,

Nays: None

MOTION PASSES

2002-112 ITEMS REMOVED FROM AGENDA:

a. <u>Approval of Minutes.</u> CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, September 24, 2002, and the Special Meeting that was held on Monday, September 30, 2002.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

Motion by Commissioner Schweifler, second by Vice Mayor Buie to approve the Minutes of the Regular Commission Meeting of September 24, 2002.

ROLL VOTE: Ayes: Spataro, Warmington, Buie, Gawron, Larson, Schweifler, Shepherd

Nays: None

MOTION PASSES

b. <u>Resolution for Charitable Gaming License.</u> CITY CLERK

SUMMARY OF REQUEST: Obesity Cure International Inc., 1248 Albert Avenue, is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a gaming license.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval

Motion by Commissioner Schweifler, second by Commissioner Larson to approve the resolution recognizing Obesity Cure International Inc. as a non-profit organization operating in the City for the purpose of obtaining a gaming license.

ROLL VOTE: Ayes: Warmington, Buie, Gawron, Larson, Schweifler, Shepherd, Spataro

Nays: None

MOTION PASSES

e. **<u>Consideration of Bids – Removal of Underground Storage Tanks at Hackley Fire Barn.</u>** PUBLIC WORKS

SUMMARY OF REQUEST: The contract for the removal of underground fuel storage tanks at Hackley Avenue Fire Barn be awarded to Michigan Consulting and Environmental since they were the lowest (see bid tabulation) responsible bidder with a bid price of $13,693.14.

FINANCIAL IMPACT: The demolition cost of $13,693.14 plus a 20% contingency for a total of $16,431.77. This has been budgeted with the Capital Improvements Fund in the 2002 budget.

Construction Engineering has been handled under separate contract.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Award the contract to Michigan Consulting and Environmental.

Motion by Commissioner to award the contract for the removal of underground fuel storage tanks at Hackley Ave. Fire Barn to Northern A-1 Services of 1122 E. Barney, Muskegon Michigan for $13,962.50.

ROLL VOTE: Ayes: Buie, Larson, Shepherd, Warmington

Nays: Gawron, Schweifler, Spataro

MOTION PASSES

2002-113 PUBLIC HEARINGS:

a. **<u>Public Hearing for Resolution for Development District On-Premise Liquor License for Peter C. Johnson.</u>** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To hold a public hearing on the request for a Development District On-Premise Liquor License for Peter C. Johnson and approve the resolution. The request is necessary due to a lack of available liquor licenses in the City of Muskegon. The Liquor Control Code allows for additional liquor licenses within Downtown Development Authority Districts under certain conditions.

FINANCIAL IMPACT: Approval of the liquor license will allow for a new restaurant in the downtown area of Muskegon, which will ultimately result in increases revenue for the City.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To hold a public hearing and approve the resolution.

COMMITTEE RECOMMENDATION: The Downtown Development Authority approved the request at their special meeting on September 30, 2002.

The Public Hearing was opened at 6:00pm to hear any comments from the public. No comments were heard.

Motion by Vice Mayor Buie, second by Commissioner Gawron to close the public hearing at 6:07 and to approve the resolution for a Development District On-Premise Liquor License for Peter C. Johnson.

ROLL VOTE: Ayes: Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington, Buie

Nays: None

MOTION PASSES

b. **Spreading of the Special Assessment Roll for Ridge, Glenside to Cumberland.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the Special assessment for Ridge, Glenside to Cumberland, and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of $12,745.06 would be spread against the seventeen-(17) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

The Public Hearing was opened at 6:00pm to hear any comments from the public. No comments were heard.

Motion by Commissioner Schweifler, second by Commissioner Gawron to close the public hearing at 6:08 and to approve the spreading of the special assessment for Ridge, Glenside to Cumberland and adopt the resolution confirming the special assessment roll.

ROLL VOTE: Ayes: Larson, Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron

Nays: None

MOTION PASSES

c. **Spreading of the Special Assessment Roll for Leon Street, Harrison to Crozier.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the Special assessment for Leon, Crozier to Harrison, and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of $49,047.24 would be spread against the nineteen-(19) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

The Public Hearing was opened at 6:11pm to hear any comments from the public. No comments were heard.

Motion by Commissioner Schweifler, second by Commissioner Gawron to close the public hearing at 6:13 and to approve the spreading of the special assessment

for Leon, Crozier to Harrison and adopt the resolution confirming the special assessment roll.

ROLL VOTE: Ayes: Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron, Larson,

Nays: None

MOTION PASSES

d. <u>Spreading of the Special Assessment Roll for Harvey Street, Keating to South End.</u> ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the Special assessment for Harvey, Keating to South End, and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of $32,964.25 would be spread against the six-(6) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

The Public Hearing was opened at 6:13pm to hear any comments from the public. No comments were heard.

Motion by Commissioner Schweifler, second by Commissioner Gawron to close the public hearing at 6:14 and to approve the spreading of the special assessment for Harvey, Keating to South End and adopt the resolution confirming the special assessment roll.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Buie, Gawron, Larson, Schweifler

Nays: None

MOTION PASSES

e. <u>Spreading of the Special Assessment Roll for Wilson, Dowd to Henry.</u> ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the Special assessment for Wilson, Dowd to Henry, and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of $66,888.76 would be spread against the thirty one-(31) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

The Public Hearing was opened at 6:14pm to hear any comments from the public. No comments were heard.

Motion by Commissioner Shepherd, second by Vice Mayor Buie to close the

public hearing at 6:15 and to approve the spreading of the special assessment for Wilson, Dowd to Henry and adopt the resolution confirming the special assessment roll.

ROLL VOTE: Ayes: Spataro, Warmington, Buie, Gawron, Larson, Schweifler, Shepherd,

Nays: None

MOTION PASSES

f. **Spreading of the Special Assessment Roll for Roberts, Keating to Laketon.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the Special assessment for Roberts, Keating to Laketon, and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of $34,924.68 would be spread against the seven-(7) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

The Public Hearing was opened at 6:16pm to hear any comments from the public. No comments were heard.

Motion by Commissioner Shepherd, second by Vice Mayor Buie to close the public hearing at 6:17 and to approve the spreading of the special assessment for Roberts, Keating to Laketon and adopt the resolution confirming the special assessment roll.

ROLL VOTE: Ayes: Warmington, Buie, Gawron, Larson, Schweifler, Shepherd, Spataro

Nays: None

MOTION PASSES

2002-114 NEW BUSINESS:

a. **Request for Final Planned Unit Development Approval for 1350 Hackley Ave. (Hackley Glen).** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request for final approval for the Planned Unit Development and associated, site landscape and utility plans for the current Hackley Glen property, for a mixed-use residential development, containing senior, family apartment and possible future condominium units. The request is from Ruddiman Associates Limited Partnership.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval of the final PUD and associated plans provided that the conditions listed in the resolution are met.

COMMITTEE RECOMMENDATION: The Planning Commission recommended final approval of the PUD and associated plans, with the conditions listed on the resolution, at a special meeting on 9/26. The vote was unanimous, with S. Warmington, B. Smith, M. Kleaveland and J. Aslakson absent.

Motion by Commissioner Spataro, second by Commissioner Schweifler to approve the final Planned Unit Development and associated site, landscape and utility plans for the current Hackley Glen property, for a mixed-use residential development, containing senior, family apartment and possible future condominium units.

ROLL VOTE: Ayes: Buie, Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington

Nays: None

MOTION PASSES

b. <u>Purchase of Computer Hardware.</u> POLICE

SUMMARY OF REQUEST: Police Department staff requests that the Commission approve the use of FY2000 Local Law Enforcement Block Grant Funds to purchase new computer hardware. Working in conjunction with the Information Technology Department, a data system has been designed for use within the Police Department that will allow for the following.

- Software updates from a central location-saving staff time and money
- The development of a secure MPD database-allowing for potential web applications
- Communication to outside organizations runs through one access point-providing for greater security and management.
- A new high capacity backup unit
- Increased life expectancy for our PC's
- The groundwork for a system that would allow for wireless downloads of reports from the cruisers

FINANCIAL IMPACT: Cost for this system is $28,211. There is no impact on General Fund monies. This grant expires at the end of this month.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the request.

Motion by Commissioner Shepherd, second by Vice Mayor Buie to approve the use of FY2000 Local Law Enforcement Block Grant Funds to purchase new computer hardware.

ROLL VOTE: Ayes: Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington, Buie

Nays: None

MOTION PASSES

c. **Amend the Special Assessment Roll for the Sidewalk Replacement Program 2002 (Area E5).** ENGINEERING

SUMMARY OF REQUEST: The special assessment roll for the 2002 sidewalk program be amended to remove the following parcels from the recently adopted roll:

- 1025 Allen (24-142-000-043-00)
- 1370 Langeland (24-750-000-0085-00)

FINANCIAL IMPACT: A total of $154,556.20 will be assessed against 296 parcels.

BUDGET ACTION REQUIRED: None a this time.

STAFF RECOMMENDATION: To approve the amended special assessment roll and adopt the resolution.

Motion by Commissioner Spataro, second by Commissioner Schweifler to amend the special assessment roll for the 2002 sidewalk program to remove 1025 Allen (24-142-000-0043-00) and 1370 Langeland (24-750-000-0085-00).

ROLL VOTE: Ayes: Larson, Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron

Nays: None

MOTION PASSES

d. **Consideration of Bids for the Lakeshore Trail, Laketon Corridor (Phase II).** ENGINEERING

SUMMARY OF REQUEST: The contract to construct the Laketon corridor of the Lakeshore Trail (phase II) from Leahy to Southern be awarded to Youngstrom Construction out of Ionia, since they were the lowest (see bid tabulation) responsible bidder with a bid price of $358,716.04. Furthermore, it respectfully requested that the award, if granted, be contingent upon the approval of MDOT.

FINANCIAL IMPACT: The construction cost of $358,716.04 plus associated engineering cost.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Award the contract to Youngstrom Construction.

Motion by Commissioner Larson, second by Commissioner Schweifler to award the contract to construct the Laketon corridor of the lakeshore Trail (phase II) from Leahy to Southern to Youngstrom Construction of Ionia.

ROLLVOTE: **Ayes: Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron, Larson**

Nays: None

MOTION PASSES

ADJOURNMENT: The Regular Commission Meeting for the City of Muskegon was adjourned at 6:37pm.

Respectfully submitted,

Gail Kundinger

Gail Kundinger, MMC

AGENDA ITEM NO. ___________

CITY COMMISSION MEETING ___10/08/02___

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: September 27, 2002

RE: 2002-2003 Transportation Planning Program Funding

SUMMARY OF REQUEST:

To approve the City's share of the local matching funds for the Muskegon County Metropolitan Planning Program for fiscal year 10/1/02 to 9/30/03. The City receives grant funds through this program for certain major streets.

FINANCIAL IMPACT:

$16,040 from the Major Street Fund.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve this request.

COMMITTEE RECOMMENDATION:

None.

JMS – O: (2003-TRANSPLAN)
O:COMMON\DEPTMENT\ADMIN\AGNDAFRM

WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION

Memorandum

Date: September 19, 2002

To: The Honorable Steve Warmington
Mayor, City of Muskegon

From: Nancy Crandall, Chairperson
Transportation Policy Committee
Mayor, City of Norton Shores

Subject: Local Matching Funds
West Michigan Metropolitan Transportation Planning Program(WestPlan)

The Work Program and Budget for the Fiscal Year 2003 (October 1, 2002 through September 30, 2003) for the West Michigan Metropolitan Transportation Planning Program (WestPlan) was approved by the Transportation Policy Committee on July 10, 2002. A copy of the Work Program and Budget was forwarded to your representative on the Transportation Policy Committee.

As you are aware, the MPO Program was recently reorganized to include portions of northern Ottawa County as a result of the 2000 Census. This realignment/expansion, as well as, changes to the organizational and dues structure was approved ***by roll call vote*** at a meeting of the Transportation Policy Committee on September 18, 2002. A copy of the proposal was previously forwarded to you. If you have any questions or comments regarding the Work Program and Budget or the realignment/expansion of the MPO, please call me or the Regional Commission's Executive Director, Sandeep Dey.

ms

Enclosure

cc: Bryan Mazade

RECEIVED
SEP 20 2002
MUSKEGON
CITY MANAGER'S
OFFICE

137 MUSKEGON MALL
P.O. BOX 387
WWW.WMSRDC.ORG
MUSKEGON, MICHIGAN 49443-0387
(231) 722-7878
FAX (231) 722-9362
e-mail: WMSRDC@WMSRDC.ORG

West Michigan Metropolitan Transportation Planning Program (WestPlan)

Dues Structure

Approved September 18, 2002

Muskegon County		
	Dues	**Population**
City of Muskegon	$16,040.00	40,105
Muskegon Heights	$4,820.00	12,049
Roosevelt Park	$1,560.00	3,890
Norton Shores	$9,010.00	22,527
North Muskegon	$1,620.00	4,031
Village of Fruitport	$500.00	1,124
*MCRC	$22,180.00	55,446
Sub Total	***$55,730.00***	
Ottawa County		
	Dues	**Population**
City of Grand Haven	$4,470.00	11,168
City of Ferrysburg	$1,220.00	3,040
Village of Spring Lake	$1,010.00	2,514
*OCRC FAUB	$13,310.00	33,274
Ottawa County	$20,000.00	49,996
Sub Total	***$40,010.00***	
Transit Agencies		
	Dues	
Harbor Transit	$5,000.00	
Muskegon Area Transit System	$5,000.00	
Sub Total	***$10,000.00***	
TOTAL	**$105,740.00**	

1 Dues calculated based on $.40 per capita using 2000 Census
2 Village of Fruitport assessed flat fee of $500.00
3 MATS and Harbor Transit also assessed flat fee of $5,000.00 each
4 Population basis for the Road Commissions include all portions of townships included in the Federal Aid Urban Boundary

*Township included:

Muskegon County: Sullivan, Egelston, Dalton, Fruitport (minus village population), Laketon and Muskegon
Ottawa County: Grand Haven, Robinson, Crockery and Spring Lake

Local Governments in the Muskegon/Grand Haven area are expected to receive $10 to $15 million annually in federal transportation funds through the West Michigan Shoreline Regional Development Commission's MPO Program.

INVOICE

WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION

137 MUSKEGON MALL • P.O. BOX 387 • MUSKEGON, MICHIGAN 49443-0387

PHONE (231) 722-7878 • FAX (231) 722-9362

WEBSITE - WWW.WMSRDC.ORG

SOLD TO

City of Muskegon
Steve Warmington, Mayor
P.O. Box 536

Muskegon, MI 49443

SHIPPED TO

DATE	DATE SHIPPED	SHIPPED VIA	YOUR ORDER NO.	F.O.B.	TERMS	INVOICE NO.
10/1/02						003863

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	City of Muskegon's share of the Fiscal Year 2003		
	Transportation Planning Program.		$16,040.00
	Cr: 6329.0329.1 14,891.20		
	CR:6329.0329.3 1,148.80		

Thank You!

Date: September 30, 2002

To: Honorable Mayor and City Commissioners

From: Ric Scott

RE: Smith-Ryerson Agreement

SUMMARY OF REQUEST:

To authorize the Mayor and Clerk to sign agreement with Basic Neighborhood Services to manage Smith-Ryerson Community Center

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Leisure Services Board Recommends Approval

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh. Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Inspection Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

Police Dept.
231/724-6750
FAX/722-5140

Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON

West Michigan's Shoreline City

Date: September 30, 2002

To: Honorable Mayor and City Commissioners

From: Ric Scott

Re: Smith-Ryerson Agreement

For many years, Basic Neighborhood Services has been managing the Community Center at Smith-Ryerson. This agreement is basically a renewal of that agreement.

This summer, the Jackson Hill Neighborhood Association expressed interest in managing the facility. However, they decided not to do it when many of the officers changed.

I would ask that you authorize the Mayor and clerk sign the agreement. The Leisure Services Board recommends approval.

Thank you for your consideration.

OPERATING AGREEMENT

2002-111(d)

THIS AGREEMENT made between BASIC NEIGHBORHOOD SERVICES, a Michigan non-profit corporation ("BNS"), and CITY OF MUSKEGON, a municipal corporation ("CITY"):

WHEREAS, BNS has proposed to the CITY that BNS justly assumes possession and responsibility for the maintenance, operations, staffing and security ("operating control") of the Smith Ryerson Community Center at the Smith Ryerson Playfield, a CITY park owned and operated by the City of Muskegon; and

WHEREAS, this agreement is a renewal of the operating agreement between BNS and CITY dated October 8, 2002.

NOW THEREFORE IT IS AGREED:

1. For a period of one (1) year from and after date of execution of this agreement, the CITY hereby assigns and transfers to BNS possession and operating control of the Smith Ryerson Community Center and its environs at the easterly end of the Smith Ryerson Playfield, City of Muskegon, Muskegon County, Michigan. The terms of this agreement may be renewed, annually, upon terms and conditions mutually agreeable.

2. BNS shall pay to the CITY the sum of One Dollar ($1.00) for the rights and privileges granted hereunder.

BNS may charge a fee for the usage of the Community, which fee shall be used for programs at this site, maintenance and repairs. Monies received from ___________ shall be payable to the City.

3. Attached hereto and incorporated herein by reference as Exhibit A is an inventory of the personal property and equipment located upon the premises possession and control of which are also transferred to BNS but which shall not be damaged, destroyed or removed from the premises by BNS or any of its agents or employees.

4. BNS accepts the premises in its existing condition and on an AS IS basis and in no event shall the CITY be liable for any defect in such property or for limitations on its use.

5. BNS shall, at its own expense, make any and all necessary interior repairs and replacements to the premises and shall maintain the same in a clean and orderly condition provided however that in the event BNS determines to undertake repairs and improvements to the premises all such repairs and improvements shall be done in a good and workmanlike manner and in compliance with the applicable codes and ordinances of the CITY; provided further that no such alterations, improvements or repairs shall be undertaken without first having obtained the prior written consent of the City Manager of the CITY. All improvements, replacements and

repairs made to the premises shall, upon completion thereof, become the property of the CITY and shall remain upon the premises at the expiration of this agreement.

6. The parties understand that BNS will from time to time receive grants and payments of funds from third parties for the purpose of operating its programs as well as performing its obligations to repair and maintain the facilities. BNS agrees that it receives said funds, to the extent they are paid for the purpose of repairing, maintaining or improving the facility, as agent of the CITY and that it shall devote the said funds to the uses intended by the grantor or payor thereof. BNS acknowledges its obligation to account to the CITY at such times as may be reasonably demanded, for its use of said earmarked funds.

7. During the term of this agreement the CITY shall pay all charges for water, gas and electricity used, rendered or supplied, upon or in connection with the premises.

8. The CITY shall maintain all mechanical equipment in and upon the premises during the term of this agreement.

9. The CITY shall not be liable for any damage on account of stoppage or failure of operation of any part of the mechanical plant of the premises including the heating, air conditioning, plumbing or electrical facilities.

10. The CITY shall provide a minimum of three (3) summer workers to assist in the operation of the premises for the months of June through September during the term of this agreement.

11. INSURANCE AND INDEMNITY

a. Hold Harmless Agreements. To the fullest extent permitted by law, BNS agrees to defend, pay in behalf of, indemnify, and hold harmless the CITY, its elected and appointed officials, employees, volunteers, and others working on behalf of the CITY against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the CITY, its elected and appointed officials, employees, volunteers, or others working on behalf of the CITY, by reason of personal injury, including bodily injury and death, property damage, including loss of use thereof, and/or the effects of or release of toxic and/or hazardous material which arises out of or is any way connected or associated with this contract. The obligation to defend and hold harmless extends to CITY'S employees, agents, subcontractors, assigns and successors.

b. Contractor Insurance Requirement. BNS shall not commence work under this contract until obtaining the insurance required under this paragraph. All coverages shall be with insurance companies licensed and admitted to do business in the State of Michigan and Best Rated A VIII. All coverage shall be with insurance carriers acceptable to CITY.

c. Workers' Compensation Insurance. BNS shall procure and maintain during the life of this contract, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable Statutes of the State of Michigan.

d. Commercial General Liability Insurance. BNS shall procure and maintain during the life of this contract, commercial general Liability Insurance on an "Occurrence Basis" with limits of liability not less than $3,000,000 per occurrence and/or aggregate combined single limit, Personal Injury Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all explosion, Collapse and Underground (SCU) Exclusions, if applicable.

e. Additional Insured. Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be "Additional Insureds": The CITY, all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. The endorsement adding the City as additional insured shall read exactly as follows: "The City of Muskegon is hereby added as an additional insured…"

f. Cancellation Notice. Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following: "It is understood and agreed that Thirty (30) days' Advance Written Notice of Cancellation, Non-Renewal, Reduction and/or Material Change shall be sent to: CITY OF MUSKEGON LEISURE SERVICES DEPARTMENT."

g. Proof of Insurance Coverage. BNS shall provide the CITY at the time the contracts are returned by them for execution, certificates and policies endorsing the City as additional insured as listed below:

i. Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance.

ii. Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;

iii. Original Policy, or original Binder pending issuance of policy, for Owner's and Contractor's Protective Liability Insurance;

iv. If so requested, Certified Copies of all policies mentioned above will be furnished.

h. If any of the above coverages expire during the term of this contract, the CITY and BNS shall deliver renewal certificates and/or policies to CITY at least ten (10) days' prior to the expiration date.

12. BNS shall honor all existing contracts between tenants of the Smith Ryerson Community Center and the City of Muskegon.

13. If BNS shall fail to perform any of its obligations hereunder, CITY may, if it so elects, declare this Memorandum of Agreement to be in default and, without notice, at its option, declare this agreement terminated and may reenter the premises and remove all persons and property from the same, using all necessary force to do so; and BNS expressly waives all service of any demand or notice prescribed by any statute whatsoever.

14. One or more waivers of any covenant or condition by either party shall not be construed as a waiver of a further breach of the same covenant or condition.

15. This agreement shall be interpreted under the laws of the State of Michigan.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Agreement 8th day of October, 2002.

WITNESSES: BASIC NEIGHBORHOOD SERVICES

_______________ By_______________

Its_______________

_______________ and_______________

Its_______________

CITY OF MUSKEGON

JoAnn M. Krukowski By_______________
JoAnn m Krukowski Stephen J. Warmington, Mayor

Linda Potter and Gail A. Kundinger
Linda Potter Gail A. Kundinger, Clerk

Commission Meeting Date: October 8, 2002

Date: **September 30, 2002**

To: **Honorable Mayor and City Commissioners**

From: **Planning & Economic Development** cbc

RE: **Sale of Non-buildable Lot at 497 Deaner Drive**

SUMMARY OF REQUEST:

To approve the sale of a vacant non-buildable lot (Parcel #24-205-018-0016-00) at 497 Deaner Drive to Bob Neal and Becky Hatfield, 498 Mulder Street, Muskegon, MI 49442 Approval of this sale will allow the adjacent property owner to expand their current yard (see attached map). This is very small, land-locked parcel (16 x 16.5 ft.) and there is a large Mulberry tree that needs to be removed. The City can't maintain this tree without crossing private property. The cost for tree removal would be extensive to the applicant, and in order to relieve some of their cost, LRC has recommended that an exception be made to the property sale policy and allow the lot to be sold for $1.

FINANCIAL IMPACT:

The sale of this lot will allow the property to be placed back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the attached resolution and to authorize both the Mayor and the Clerk to sign the resolution.

COMMITTEE RECOMMENDATION:

The LRC recommended approval, due to special circumstances.

CITY OF MUSKEGON

RESOLUTION #2002-111(f)

RESOLUTION APPROVING THE SALE OF A CITY-OWNED NON-BUILDABLE LOT

WHEREAS, the City of Muskegon has received $1 from Bob Neal and Becky Hatfield, 498 Mulder Street, Muskegon, MI 49442 for the purchase of a vacant, City-owned lot located adjacent to her property at 497 Deaner Drive (parcel #24-205-018-0016-00);

WHEREAS, this lot is not considered buildable under the City's Zoning Ordinance,

WHEREAS, the sale would enable the City to place this property back on the tax rolls, and would relieve the City of further maintenance;

WHEREAS, the sale of this property would be in accordance with property disposition goals and special recommendation of the Land Reutilization Committee (LRC);

NOW, THEREFORE BE IT RESOLVED, that THE CITY OF MUSKEGON REVISED PLAT OF 1903 W 16 FT LOT 14 EX S 115.5 FT BLK 18 be sold to Bob Neal and Becky Hatfield for $1.

Resolution adopted this 8th day of October, 2002.

Ayes:

Nays:

Absent:

By: ______________________
Stephen J. Warmington
Mayor

Attest: Gail A. Kundinger
Gail A. Kundinger, MMC
Clerk

CERTIFICATION

2002-111(f)

This resolution was adopted at a regular meeting of the City Commission, held on October 8, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kundinger

Gail A. Kundinger, MMC
Clerk

QUIT-CLAIM DEED

2002-111(f)

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, whose address is 933 Terrace Street, Muskegon, MI 49440,

QUIT CLAIMS TO: **BOB NEAL**, a single man, and **BECKY HATFIELD**, of 498 Mulder, Muskegon, MI 49442,

the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

West 16 feet of Lot 14, except the South 115.5 feet, Block 18, CITY OF MUSKEGON REVISED PLAT OF 1903

for the sum of One and no/100 Dollars ($1.00)

This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

Dated this 30 day of October, 2002.

Signed in the presence of:

Jo Ann M. Krukowski

Margaret M. Platt
Margaret M. Platt

CITY OF MUSKEGON

By [signature]
Stephen J. Warmington, Mayor

and Gail A. Kundinger
Gail A. Kundinger, MMC, City Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 30 day of October, 2002, by Stephen J. Warmington and Gail A. Kundinger, MMC, Mayor and City Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

Jo Ann M. Krukowski
JO ANN M KRUKOWSKI
Notary Public, Muskegon County, Michigan
My commission expires: 5-13-05

PREPARED BY:
John C. Schrier
Parmenter O'Toole
175 W. Apple Ave., P. O. Box 786
Muskegon, MI 49443-0786
Telephone: 616/722-1621

SEND SUBSEQUENT TAX BILLS TO: Grantee WHEN RECORDED RETURN TO: Grantee

Vacant Non-buildable City-Owned Lot Between Mulder Street and Deaner Drive

CITY COMMISSION MEETING
Tuesday October 8, 2002

TO: Honorable Mayor and City Commissioners

FROM: Anthony L. Kleibecker
Chief of Police

DATE: October 1, 2002

SUBJECT: Approval of WEMET Contract

SUMMARY OF REQUEST:

Police Department staff requests that the Commission review and approve the 2002-2003 Personnel Services Agreement with the West Michigan Enforcement Team (WEMET). This is an annual operating agreement between the City and WEMET.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approval of the request.

AGREEMENT FOR PERSONNEL SERVICES BETWEEN THE WEST MICHIGAN ENFORCEMENT TEAM (WEMET) AND MUSKEGON POLICE DEPARTMENT

2002-111(g)

This Agreement is made this 1st day of October, 2002, by and between the West Michigan Enforcement Team (WEMET) and Muskegon Police Department, a Michigan municipal corporation, (the Contracting Public Agency) with reference to the following facts and circumstances:

A. WEMET is a cooperative law enforcement force, established under the provisions of the Urban Cooperation Act, MCLA 124.501 et seq., MSA 4.4088(1) et seq., for the purpose of protecting the health, safety, and welfare of the general public and the residents of West Michigan by enforcing narcotics and controlled substance laws.

B. The Contracting Public Agency has a law enforcement agency under its jurisdiction and control, and agrees to provide full-time equivalent manpower from that law enforcement agency to participate in and support WEMET operations, on the terms and conditions set forth herein.

Now therefore the parties agree as follows:

1. Duties of the Contracting Public Agency. The Contracting Public Agency agrees to provide and assign 5 full-time (average of 40 hours per week) law enforcement officer(s) to function as a member(s) of the WEMET cooperative law enforcement force. During the period of such assignment, any law enforcement officer provided by the Contracting Public Agency shall operate and perform all law enforcement functions under the direct supervision and control of the Commander of WEMET. The name and any specific terms under which any assigned law enforcement officer shall work under the jurisdiction of WEMET shall be set forth in a separate

letter from the Contracting Public Agency and shall, to the maximum extent permitted by law, be confidential under the provisions of the Michigan Freedom of Information Act, MCLA 15.231 et seq., MSA 4.1801 et seq.

2. Employee of Contracting Public Agency. All personnel supplied to the Contracting Public Agency shall remain at all times solely the employee of the Contracting Public Agency, and not of WEMET; and the Contracting Public Agency shall be and remain solely responsible for the payment of all wages, fringe benefits, disability payments, and charges to be made for equipment, supplies, and materials used or expended by which are not otherwise supplied by WEMET. Any equipment, supplies, and materials to be supplied or furnished by the Contracting Public Agency for use by the personnel assigned under this Agreement is listed in Exhibit "A" attached hereto, and may be changed or supplemented from time-to-time by agreement of the parties.

3. Reassignment of Personnel: The parties agree and understand that, due to the nature of WEMET's work, it is absolutely necessary that the Commander of WEMET have the final determination with regard to personnel assigned to WEMET operations. The parties agree to work cooperatively with regard to personnel decisions and assignments but final decisions regarding the appropriateness of personnel and their assignments shall rest with the Commander. The Commander may request re-assignment of personnel at any time, without cause, and in his/her absolute discretion.

4. Indemnification and Hold Harmless. It is the intent of this Agreement that all parties shall bear the sole responsibility for the acts and omissions of its personnel in providing services pursuant to this Agreement. Each Contracting Public Agency shall defend, indemnify and all other Contracting Public Agencies, and all Participating Public Agencies under the West

Michigan Enforcement Team Agreement harmless from any costs and liability, including attorneys' fees, caused by any act or omission of the indemnifying party, its officers, agents or employees, performed while acting within the scope of their duties and while performing under the terms of this Agreement. Nothing contained within this Agreement shall be intended or construed to provide third party beneficiary rights to any persons or to create a cause of action in favor of such persons.

5. Governmental Immunity. In signing this Agreement, neither party waives their governmental immunity, nor any defenses available to them or their officers, agents or employees when providing services pursuant to this Agreement, under the terms of the Michigan Governmental Immunity Act, being Act 170 of the Public Acts of 1964, as amended, MCL 691.1401, et seq., MSA 3.996(101) et seq., or any other defenses which may be available to any of them under state or federal law, nor shall this Agreement modify, or be construed to modify, the privileges and immunities of law enforcement officers under Michigan law.

6. Insurance. The Contracting Public Agency signing this Agreement shall maintain, at all times during the term of this Agreement, liability insurance for claims of bodily injury, personal injury or property damage to cover the operations of their respective departments, employees, officers and agents, including all assigned personnel, with limits in an amount of not less than $1,000,000. Such insurance shall provide coverage for offenses including, but not limited to, bodily injury or property damage arising out of the use of reasonable force to protect, to prevent injury, or to effect an arrest, false arrest, false detention, false imprisonment, malicious prosecution, libel, slander, false, erroneous, or improper service of civil process, and violation of federal and state constitutional rights and federal, state, and other civil rights. The Contracting Public Agency shall also maintain, at all times during the term of this Agreement, Worker's

Disability Compensation insurance or self-insurance approval, as required by Michigan law. The Contracting Public Agency shall further maintain, at all times during the term of this Agreement, insurance policies or programs to cover the use and operations of motor vehicles, with limits of not less than $1,000,000 for comprehensive general liability and statutory "no fault" requirements. The Contracting Public Agency shall furnish proof of any insurance coverage required by this section, upon reasonable written request, to any signatory of this Agreement.

7. Termination of Agreement. This Agreement shall commence on the day and year first above written, and shall terminate on September 30, 2003, unless otherwise extended in writing by all parties to this Agreement. Any party may withdraw from this Agreement by providing written notice of the intent to withdraw to the chief law enforcement official and the chief civil administrative official of each of the other parties no less than thirty days prior to the date that the party will cease to participate.

IN WITNESS WHEREOF, the parties have executed this Agreement, effective the date first written.

West Michigan Enforcement Team
(WEMET)

By: Robert Dostert
Chairperson, Policy Board

By: [signature]
Secretary, Policy Board

Contracting Public Agency

By: [signature]

Its: Stephen J. Warmington, Mayor

By: Gail A. Kundinger

Its: Gail A. Kundinger, City Clerk

Commission Meeting Date: October 8, 2002

Date: **October 1, 2002**

To: **Honorable Mayor & City Commission**

From: **Community and Neighborhood Services Department**

RE: **Approval of City's Vinyl Siding program guidelines**

SUMMARY OF REQUEST: To approve the guidelines for the vinyl siding program administered through the Community and Neighborhood Services department.

Because of a change in policy related to the lead based paint issue, the Community and Neighborhood Services has discontinued its exterior painting program.

Therefore, in an effort to serve as many residents as economically feasible the department revised its vinyl siding guidelines.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the revised vinyl siding program guidelines

COMMITTEE RECOMMENDATION: Recommended the change to new program guidelines.

Vinyl Siding Program Revised Guidelines

The Vinyl Siding program intends to correct damages to the exterior siding of owner occupied homes to qualified residents throughout the City of Muskegon. In addition to maintenance value, the vinyl siding program is to add aesthetic appeal to the home and the immediate neighborhood throughout the City.

Priority: Assistance will be available to residents citywide with priority given to Senior Citizens (62 years of age and older), certified physical disable persons with the following types of exterior siding: imitation brick, asbestos, slate and chipboard.

Eligibility Requirements

1. Total household income must be no greater than 60% of area median income

2. The applicant must be an owner occupant of a single-family dwelling. Land sale contract buyers are eligible but must obtain the approval of the land contact holder.

3. All applicants must reside in the home for at least one year before applying.

4. All property taxes must be paid up to date at the time applicant applies to program and at the time of construction.

Other conditions that may qualify applicants for the program

1. Extensive damage to siding, cracks, holes or rotted wood.

2. Large amounts of missing siding when the original material is no longer available.

3. A wood surface that has deteriorated to the point where paint no longer properly adhere to the surface.

All structures must be determined structurally sound by the CNS rehabilitation inspector and / or city building inspectors

A lien will be against the property for the full amount of assistance. This lien will be reduced by 20% per year until concluded or balance reimbursed to the City of Muskegon.

Date: October 8, 2002

To: Honorable Mayor and City Commissioners

From: Gail Kundinger, City Clerk

RE: Resolution for Charitable Gaming License

SUMMARY OF REQUEST: Obesity Cure International Inc., 1248 Albert Avenue, is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a gaming license.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: None

Mr. Wilson commented on what the group would be doing..

* check on 501C(3)

MICHIGAN LOTTERY
CHARITABLE GAMING DIVISION
101 E. HILLSDALE, BOX 30023
LANSING, MICHIGAN 48909
(517) 335-5780
www.state.mi.us\milottery

LOCAL GOVERNING BODY RESOLUTION
FOR GAMING LICENSES ISSUED BY THE MICHIGAN LOTTERY

(Authorized by MCL 432.101 et seq)

2002-112(b)

At a Regular (REGULAR OR SPECIAL) meeting of the City Commission (TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD)

called to order by Mayor Warmington on October 8, 2002 (DATE) at

5:30 (TIME) ~~a.m.~~/p.m. the following resolution was offered:

Moved by Commissioner Schweifler and supported by Commissioner Larson

that the request from Obesity Cure International Inc (NAME OF ORGANIZATION) of Muskegon (CITY),

county of Muskegon (COUNTY NAME), asking that they be recognized as a nonprofit

organization operating in the community for the purpose of obtaining a gaming license or

registration be considered for approval (APPROVAL/DISAPPROVAL).

APPROVAL		DISAPPROVAL	
Yeas:	7	Yeas:	
Nays:	0	Nays:	
Absent:	0	Absent:	

State of Michigan) SS
County of Muskegon)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted

by the City Commission at a Regular meeting held on

October 8, 2002.

*** SEAL OR NOTARY***

SIGNED: Gail A. Kundinger
TOWNSHIP, CITY, OR VILLAGE CLERK

Gail A. Kundinger, City Clerk
PRINTED NAME AND TITLE

933 Terrace
Muskegon, MI 49440
ADDRESS

NOT VALID UNLESS MARKED WITH GOVERNING BODY SEAL OR NOTARIZED

COMPLETION: Required.
PENALTY: Possible denial of application.

O.C.I.
Obesity Cure International
" A Non-Profit Corporation "
501 (C) (3)

P.O. Box 5397 ~ N. Muskegon, MI 49445
Phone 1-888-220-9133 ~ Fax 231-773-6792
www.weightperfect.org

September 23, 2002

City of Muskegon Commission Board
933 Terrace Street
Muskegon, Michigan 49443

Muskegon City Commission:

Obesity Cure International, dba O.C.I., was created with the specific purpose of finding a permanent solution to the greatest health risk facing America today, obesity.

It is our intention to build a , state of the art, research institute in the city of Muskegon.

We have decided a weekly bingo would be helpful to cover operating expenses until major fund raising programs are in place.

A resolution by the commission is necessary to accompany our application to the State of Michigan.

Your prompt consideration to this matter will greatly be appreciated.

P.S.

Board members and officers are all volunteers.

Sincerely
John B. Wilson pres.
John B. Wilson

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUN 2 [illegible]

OBESITY CURE INTERNATIONAL INC
C/O JOHN B WILSON
1248 ALBERT AVE
MUSKEGON, MI 49442

Employer Identification Number:
38-3540694
DLN:
302126006
Contact Person:
WILLIAM C JARVI ID# 31431
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Foundation Status Classification:
509(a)(2)
Advance Ruling Period Begins:
June 13, 2001
Advance Ruling Period Ends:
December 31, 2005
Addendum Applies:
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in section 509(a)(2).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of $100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally $25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally $25,000 or less, and sign the return. Because you will be treated as a public charity for return filing purposes during your entire advance ruling period, you should file Form 990 for each year in your advance ruling period that you exceed the $25,000 filing threshold even if your sources of support do not satisfy the public support test specified in the heading of this letter.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of $20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed $10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding $1,000,000 in any year, the penalty is $100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding $1,000,000 shall not exceed $50,000. This penalty may also be charged if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If you distribute funds to individuals, you should keep case histories

OBESITY CURE INTERNATIONAL INC

showing the recipients' names, addresses, purposes of awards, manner of selection, and relationship (if any) to members, officers, trustees or donors of funds to you, so that you can substantiate upon request by the Internal Revenue Service any and all distributions you made to individuals. (Revenue Ruling 56-304, C.B. 1956-2, page 306.)

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

Steven T. Miller
Director, Exempt Organizations

Enclosure(s):
Form 872-C

Charitable Contributions - Substantiation and Disclosure Requirements

UNDER THE NEW LAW, CHARITIES WILL NEED TO PROVIDE NEW KINDS OF INFORMATION TO DONORS. Failure to do so may result in denial of deductions to donors and the imposition of penalties on charities.

Legislation signed into law by the President on August 10, 1993, contains a number of significant provisions affecting tax-exempt charitable organizations described in section 501 (c)(3) of the Internal Revenue Code. These provisions include: (1) new substantiation requirements for donors, and (2) new public disclosure requirements for charities (with potential penalties for failing to comply). Additionally, charities should note that donors could be penalized by loss of the deduction if they fail to substantiate. **THE SUBSTANTIATION AND DISCLOSURE PROVISIONS APPLY TO CONTRIBUTIONS MADE AFTER DECEMBER 31, 1993.**

Charities need to familiarize themselves with these tax law changes in order to bring themselves into compliance. This Publication alerts you to the new provisions affecting tax-exempt charitable organizations. Set forth below are brief descriptions of the new law's key provisions. The Internal Revenue Service plans to provide further guidance in the near future.

Donor's Substantiation Requirements

Documenting Certain Charitable Contributions. — Beginning January 1, 1994, no deduction will be allowed under section 170 of the Internal Revenue Code for any charitable contribution of $250 or more unless the donor has contemporaneous written substantiation from the charity. In cases where the charity has provided goods or services to the donor in exchange for making the contribution, this contemporaneous written acknowledgement must include a good faith estimate of the value of such goods or services. Thus, taxpayers may no longer rely solely on a cancelled check to substantiate a cash contribution of $250 or more.

The substantiation must be "contemporaneous." That is, it must be obtained by the donor no later than the date the donor actually files a return for the tax year in which the contribution was made. If the return is filed after the due date or extended due date, then the substantiation must have been obtained by the due date or extended due date.

The responsibility for obtaining this substantiation lies with the donor, who must request it from the charity. The charity is not required to record or report this information to the IRS on behalf of donors.

The legislation provides that substantiation will <u>not</u> be required if, in accordance with regulations prescribed by the Secretary, the charity reports directly to the IRS the information required to be provided in the written substantiation. At present, there are no regulations establishing procedures for direct reporting by charities to the IRS of charitable contributions made in 1994. Consequently, charities and donors should be prepared to provide/obtain the described substantiation for 1994 contributions of $250 or more.

There is no prescribed format for the written acknowledgement. For example, letters, postcards or computer-generated forms may be acceptable. The acknowledgement does not have to include the donor's social security or tax identification number. It must, however, provide sufficient information to substantiate the amount of the deductible contribution. The acknowledgement should note the amount of any cash contribution. However, if the donation is in the form of property, then the acknowledgement must describe, but need not value, such property. Valuation of the donated property is the responsibility of the donor.

The written substantiation should also note whether the donee organization provided any goods or services in consideration, in whole or in part, for the contribution and, if so, must provide a description and good-faith estimate of the value of the goods or services. In the new law these are referred to as "quid pro quo contributions."

Please note that there is a new law requiring charities to furnish disclosure statements to donors for such quid pro quo donations in excess of $75. This is addressed in the next section regarding Disclosure By Charity.

If the goods or services consist entirely of intangible religious benefits, the statement should indicate this, but the statement need not describe or provide an estimate of the value of these benefits. "Intangible religious benefits" are also discussed in the following section on Disclosure By Charity. If, on the other hand, the donor received nothing in return for the contribution, the written substantiation must so state.

The present law remains in effect that, generally, if the value of an item or group of like items exceeds $5,000, the donor must obtain a qualified appraisal and submit an appraisal summary with the return claiming the deduction.

The organization may either provide separate statements for each contribution of $250 or more from a taxpayer, or furnish periodic statements substantiating contributions of $250 or more.

Separate payments are regarded as independent contributions and are not aggregated for purposes of measuring the $250 threshold. However, the Service is authorized to establish anti-abuse rules to prevent avoidance of the substantiation requirement by taxpayers writing separate smaller checks on the same date.

If donations are made through payroll deductions, the deduction from each paycheck is regarded as a separate payment.

A charity that knowingly provides false written substantiation to a donor may be subject to the penalties for aiding and abetting an understatement of tax liability under section 6701 of the Code.

Disclosure by Charity of Receipt of Quid Pro Quo Contribution

Beginning January 1, 1994, under new section 6115 of the Internal Revenue Code, a charitable organization must provide a written disclosure statement to donors who make a payment, described as a "quid pro quo contribution," in excess of $75. This requirement is separate from the written substantiation required for deductibility purposes as discussed above. While, in certain circumstances, an organization may be able to meet both requirements with the same written document, an organization must be careful to satisfy the section 6115 written disclosure statement requirement in a timely manner because of the penalties involved.

A quid pro quo contribution is a payment made partly as a contribution and partly for goods or services provided to the donor by the charity. An example of a quid pro quo contribution is where the donor gives a charity $100 in consideration for a concert ticket valued at $40. In this example, $60 would be deductible. Because the donor's payment (quid pro quo contribution) exceeds $75, the disclosure statement must be furnished, even though the deductible amount does not exceed $75.

Separate payments of $75 or less made at different times of the year for separate fund-raising events will not be aggregated for purposes of the $75 threshold. However, the Service is authorized to develop anti-abuse rules to prevent avoidance of this disclosure requirement in situations such as the writing of multiple checks for the same transaction.

The required written disclosure statement must:

(1) inform the donor that the amount of the contribution that is de-

ductible for federal income tax purposes is limited to the excess of any money (and the value of any property other than money) contributed by the donor over the value of goods or services provided by the charity, and

(2) provide the donor with a good-faith estimate of the value of the goods or services that the donor received.

The charity must furnish the statement in connection with either the solicitation or the receipt of the quid pro quo contribution. If the disclosure statement is furnished in connection with a particular solicitation, it is not necessary for the organization to provide another statement when the associated contribution is actually received.

The disclosure must be in writing and must be made in a manner that is reasonably likely to come to the attention of the donor. For example, a disclosure in small print within a larger document might not meet this requirement.

In the following three circumstances, the disclosure statement is not required.

(1) Where the only goods or services given to a donor meet the standards for "insubstantial value" set out in section 3.01, paragraph 2 of Rev. Rroc. 90-12, 1990-1 C.B. 471, as amplified by section 2.01 of Rev. Proc. 92-49, 1992-1 C.B. 987 (or any updates or revisions thereof);

(2) Where there is no donative element involved in a particular transaction with a charity, such as in a typical museum gift shop sale.

(3) Where there is only an intangible religious benefit provided to the donor. The intangible religious benefit must be provided to the donor by an organization organized exclusively for religious purposes, and must be of a type that generally is not sold in a commercial transaction outside the donative context. An example of an intangible religious benefit would be admission to a religious ceremony. The exception also generally applies to de minimis tangible benefits, such as wine, provided in connection with a religious ceremony. The intangible religious benefit exception, however, does not apply to such items as payments for tuition for education leading to a recognized degree, or for travel services, or consumer goods.

A penalty is imposed on charities that do not meet the disclosure requirements. For failure to make the required disclosure in connection with a quid pro quo contribution of more than $75, there is a penalty of $10 per contribution, not to exceed $5,000 per fundraising event or mailing. The charity may avoid the penalty if it can show that the failure was due to reasonable cause.

Please note that the prevailing basic rule allowing donor deductions only to the extent that the payment exceeds the fair market value of the goods or services received in return still applies generally to all quid pro quo contributions. The $75 threshold pertains only to the obligation to disclose and the imposition of the $10 per contribution penalty, not the rule on deductibility of the payment.

Department of the Treasury
Internal Revenue Service
Publication 1771 (11-93)
Catalog Number 20054Q

Internal Revenue Service
1111 Constitution Avenue, NW
Washington, D.C. 20224

Bulk Rate
Postage and Fees Paid
IRS
Permit No. **G-48**

Date: October 8, 2002

To: Honorable Mayor and City Commissioners

From: Department of Public Works

RE: Consideration of Bids
Removal of Underground Storage Tanks at Hackley Fire Barn

SUMMARY OF REQUEST:

The contract for the removal of underground fuel storage tanks at Hackley Avenue Fire Barn be awarded to Michigan Consulting and Environmental since they were the lowest (see bid tabulation) responsible bidder with a bid price of $13,693.14.

FINANCIAL IMPACT:

None

The demolition cost of $13,693.14 plus a 20% contingency for a total of $16,431.77. This has been budgeted with the Capital Improvements Fund in the 2002 budget.

Construction Engineering has been handled under separate contract.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract to Michigan Consulting and Environmental.

COMMITTEE RECOMMENDATION:

City of Muskegon - Hackley Avenue Fire Barn

Bid Tabulation for Removal of Underground Storage Tanks

Bid Opening September 19, 2002

	Pitsch Companies 675 Richmond, N.W. Grand Rapids, Michigan			Northern A-1 Services 1122 E. Barney Muskegon, Michigan			Rohr Gasoline Equip., Inc. 8549 Centre Industrial Dr. Byron Center, Michigan			Michigan Consulting and Environmental P.O. Box 484. Mount Pleasant, Michigan		
Bid Item	Base Bid Unit	Base Bid Unit Price	Base Bid Total	Base Bid Unit	Base Bid Unit Price	Base Bid Total	Base Bid Unit	Base Bid Unit Price	Base Bid Total	Base Bid Unit	Base Bid Unit Price	Base Bid Total
Project Management/ Supervision	LS		$250.00	LS		$1,225.00	LS		$2,000.00	LS		$3,500.00
Mobilization/Demobilization, Equipment, Personnel	LS		$750.00	LS		$1,200.00	LS		$500.00	LS		$1,000.00
Purging, removal and Disposal of Contents of UST's	LS		$3,500.00	LS		$475.00	LS		$4,650.00	LS		$2,638.14
Excavation/Removal of UST's (and Piping) (1) 15,000 Gallon Fiberglass Unleaded Gas (1) 15,000 Gallon Fiberglass Diesel	LS		$6,900.00	LS		$3,200.00	LS		$5,500.00	LS		$2,000.00
Cleaning/Evacuation/Dismantlement of UST's Dispensers and Related Piping	LS		$500.00	LS		$600.00	LS		$1,500.00	LS		$1,000.00
Transporation of UST's, Dispensers, and Piping	LS		$50.00	LS		$720.00	LS		$750.00	LS		$500.00
Disposal of UST's, Dispensers, and Piping and any Drummed Materials	LS		$50.00	LS		$1,520.00	LS		$3,500.00	LS		$0.00
Disposal of Ashalt/Concrete Debris	LS		$250.00	LS		$165.00	LS		$1,250.00	LS		$500.00
Placement/Compaction of Backfill (250 CY's) and stone cover	CY	$10.00	$2,500.00	CY	$13.59	$3,397.50	CY	$15.00	$3,750.00	CY	$7.20	$1,800.00
Replacement/Topsoil/Grass seed (1,000 SF)	SF	$0.50	$500.00	SF	$1.46	$1,460.00	SF	$0.75	$750.00	SF	$0.755	$755.00
Total Base Bid			**$15,250.00**			**$13,962.50**			**$24,150.00**			**$13,693.14**

CITY OF MUSKEGON

AGREEMENT FOR SERVICES OR CONSTRUCTION
Small and Limited Projects

THIS IS AN AGREEMENT between the CITY OF MUSKEGON ("City"), 933 Terrace Street, Muskegon, Michigan, and Northern A-1 Services ("Contractor"), of Muskegon, Michigan, for a small or limited project, and is made in the following terms:

Agreement and Performance

Contractor agrees to perform and supply all the services and materials set forth in the Statement of Work attached to this agreement, ("Performance"). Contractor's performance shall be accomplished in good and workmanlike manner, to the satisfaction of the City. Performance shall be completed on or before 30 days from contract signing.

Price

Contractor will perform as set forth above for the complete contract price of $ 13,962.50

Conditions and Covenants

Contractor will comply with all laws, rules and regulations of the City, and any other local government of the State of Michigan and the United States Government. Contractor will supply insurance as required by separate written document, naming the City as an additional insured, if appropriate, and shall carry such additional insurance coverage's as are required by the City. Contractor shall hold the City harmless against any and all claims for damages or costs made against the City arising from Contractor's performance, including all costs of defense, attorneys' fees, expenses and the amount of any damage determined against the City.

Contractor certifies that it is eligible for performance of government work and has not been cited or listed for failure to comply with Wage and Hour or prevailing wage regulations of the State of Michigan or the Federal Government.

Termination and Cancellation

This contract may be terminated for failure to perform in accordance herewith, and Contractor shall be liable for normal contractual remedies available to the City. In the event liquidated damages for nonperformance age agreed to, the following amounts constitute liquidated damages:

$ N/A per day of nonperformance.

Nondiscrimination Compliance

Contractor agrees to comply with all nondiscrimination laws, rules and regulations and policies of the City, State and Federal Governments including, but not limited to, the provisions of Executive Order 11246, Affirmative Action Requirements for Disabled Veterans and Veterans of the Viet Nam Era and for Handicapped Workers. If required by the City and appropriate for the services in this contract, Contractor shall comply with City oversight procedures. The provisions of all said policies, rules, executive orders and laws regarding nondiscrimination and affirmative action are available from the City by contacting the Affirmative Action Director of the City, City Hall, 933 Terrace Street, Muskegon, Michigan, telephone 724-6703. The City may supply a copy with this contract in its discretion.

The parties agree to performance of this contract by signing below. The effective date of this agreement is _____________, 20___.

Witnesses:

Stacey Lough

Brian Baker

Linda Potter
Linda Potter

Margaret M. Platt
Margaret M. Platt

Contractor: Northern A-1 Service's

By Michael H Bates

CITY OF MUSKEGON

By ______________________
Stephen J. Warmington, Mayor

By Gail A. Kundinger
Gail A. Kundinger, MMC, City Clerk

Contract Between
City of Muskegon
And
Northern A-1 Services

STATEMENT OF WORK

Your contract description (see sample below)

Remove and dispose of two Underground storage tanks, piping and dispensers as described in the attached bid specifications.

Initials: M.H.B

Contractor: Northern A-1 Services

City: [signature]
(Your name)

Contract for service and construction for small and limited projects. This form would generally be used for projects under $20,000, informally bid or solicited, where no performance bond is being required. Generally such projects will involve repair and maintenance, one-time services.

BID SPECIFICATIONS
FOR THE REMOVAL AND DISPOSAL OF
UNDERGROUND STORAGE TANK SYSTEM
CITY OF MUSKEGON, DEPARTMENT OF PUBLIC WORKS (OWNER)
HACKLEY AVENUE FIRE BARN
906 WEST HACKLEY AVENUE
MUSKEGON, MICHIGAN

The Contractor shall furnish all supervision, labor, materials, tools, equipment, and transportation facilities necessary to perform removal of two (2) underground storage tanks (UST's) and associated product line piping, fill piping, vent piping, dispensers and related work at the Owner's Hackley Avenue Fire Barn (Site) located at 906 West Hackley Avenue, Muskegon, Michigan (see Figure #1 - Site Location Map). The location of the UST system, system layout and detail is shown on Figure #2 - Site Plan with UST Piping and Dispenser Locations. The Site Plans are provided in Appendix A.

Work shall be as specified herein and indicated on Figure #2.

General

1. The materials and methods for the work specified herein and indicated on Figure #2 shall be in accordance with current local, State, and Federal regulations for the type of work involved and those specifically stated herein.

2. The Consultant (Superior Environmental Corp.) will perform project supervision and site assessment sampling during the UST removal activities to assure that the construction activities and site assessment sampling is acceptable to the Owner.

Scope of Work

1. The Contractor shall remove and dispose of designated dispensers, piping and tanks. The Contractor shall salvage all in-tank equipment (piping, submersible pumps, leak detection components, cathodic wiring, etc.) and aboveground equipment (dispensers, card reader, fill pipe, vent pipe, fill covers, etc.). Salvaged items shall be placed on the Site where designated at the time of removal, for subsequent disposal by the Contractor.

2. The Contractor shall excavate and remove the following existing UST's: One (1) 15,000 gallon fiberglass diesel fuel UST and one (1) 15,000 gallon unleaded gasoline UST. The Contractor shall arrange for the removal and proper disposal of the residual diesel and gasoline contents from the UST's and piping. Contractor shall place residual tank bottom waste, solids and sludge's into Contractor-provided containers (55 gallon steel drums) for later disposal by the Contractor. The Contractor shall demolish, remove and disposal of the concrete slab located over the UST's. The Contractor shall then excavate and remove the UST's, fill piping, the vent piping, and the below ground product piping of the UST systems as designated by the Owner.

3. The Owner assumes that there is no release from the UST's, therefore the soil from the UST excavation is assumed to be non-impacted, and will be stockpiled for later use as backfill. The soil near the fill pipes, vent pipes, and the below ground product piping of the UST systems are assumed to be non-impacted. The Contractor shall excavate and stockpile the designated soil, and remove and dispose of the miscellaneous debris as indicated on Figure #2.

4. The Contractor shall backfill the UST excavations and piping excavation areas with environmentally clean granular fill. The Contractor shall backfill the excavations, first with stockpiled non-impacted soil, and the remaining excavation volume with environmentally clean granular fill as specified herein, and complete related work as shown on Figure #2. Backfill placed in the excavations shall be compacted to a minimum of 95% compaction as specified herein. The Contractor shall complete related work as specified herein. The Contactor shall provide compaction-testing services with the results forwarded to the Consultant at the completion of the work activities. The Contractor shall provide to the compaction-testing service a proctor of the clean granular fill to be used, prior to the start of work activities.

5. The Contractor shall be responsible for notifying MISS DIG at least one (1) week prior to the start of the work activities to have the site staked for underground utilities. The Contractor shall also protect all existing utilities near the excavation areas designated on Figure #2. If it is necessary to remove utilities to complete the required work, to do so only after rerouting them. It is the Contractors responsibility to repair or replace any damaged utilities after excavation and work activities are completed.

Schedule of Work

1. The Contractor will be required to submit a work schedule or sequence to the Consultant and the Owner to plan the work activities and oversight staffing accordingly.

2. It is expected that once the work has started, the Contractor shall continue working until all the work is completed, and all work will be completed in accordance with the schedule and/or sequence.

Existing Utilities

1. Prior to beginning excavation, the Contractor shall verify the locations of the existing utilities identified on Figure #2.

2. The Contractor shall protect all existing utilities near the excavation areas designated on Figure #2. Replace damaged utilities after excavation activities are completed as specified below.

3. If it is found necessary to remove and replace the existing utilities in the excavation areas, all work shall be performed in accordance with the appropriate Sections 5.13.01 through 5.13.12 of the Michigan Department of Transportation (MDOT) 1990 Standard Specifications for Construction.

4. Utility excavation and backfilling shall be performed in accordance with Sections 5.13.03 and 5.13.08 of the MDOT 1990 Standard Specifications for Construction.

5. During site activities, care should be taken to protect any adjacent building(s) or structures.

Tank Contents

1. Residual tank and associated piping contents, including rinse by-products, shall be removed and disposed of by the Contractor. The Contractor shall place residual tank bottom waste, solids and sludge's into Contractor-provided containers (55 gallon steel drums) for later disposal by the Contractor. The Owner and/or Consultant shall be available to sign all required manifests documenting the disposal of the materials.

Excavation/UST Removal

1. The Contractor shall be responsible for locating UST's and piping, obtaining all field measurements, setting of stakes for grade and verifying to their satisfaction the existing grades and dimensions indicated on Figure #2. The Contractor shall verify grades with the Owner prior to starting excavation.

2. During excavation procedures and UST removals, the Contractor's employees shall wear and use appropriate protective clothing and equipment in accordance with Federal, State, and local laws and regulations.

3. The Contractor shall immediately notify the Consultant and/or Owner of unexpected subsurface conditions and discontinue work in the affected area until notified by the Consultant and/or Owner to resume work.

4. Excavations shall be sufficiently wide to enable observation of the excavation and collection of soil samples by the Consultant for testing.

5. Maximum excavation limits shall be as indicated on Figure #2. The excavation limits may be reduced if field conditions warrant a smaller excavation.

6. For the existing UST's and related piping, excavate non-impacted soil only to the extent necessary to remove the UST's and piping, and stockpile soils for later backfilling.

7. The Consultant shall have responsibility to provide all required notifications to the MDEQ-STD and/or local agencies.

8. The Contractor shall make appropriate safe side slopes during excavation to comply with existing MIOSHA regulations.

9. The Contractor shall excavate and remove the fill piping, spill containers, vent piping, and product piping associated with the UST systems.

10. The excavated tanks shall be removed and properly disposed of off the Owner's Site. The Contractor shall scrap the tanks and state on a Contractor-provided document the final disposition of the tanks. The Contractor shall purge, decontaminate, and cut up the tanks on-site, in accordance with State and Federal regulations.

11. The existing piping runs and fill pipes must be removed with care, so that all underground piping can be inspected before removal from the ground.

Ground Water

1. It is anticipated that ground water will not be encountered during the tank removal activities.

Backfill

1. Excavate and remove UST systems and related piping, and then backfill excavation(s) with stockpiled non-impacted soil and environmentally clean granular fill, after site assessment samples have been collected, and backfill as authorized by the Consultant.

2. The Contractor shall backfill the tank excavations to the limits indicated on Figure #2, or specified herein.

3. All backfill material required to bring the sub grade to the proper elevations shall meet the requirements of the following paragraphs and placed in maximum twelve (12) inch compacted layers.

4. The Contractor shall compact the sub grade to a minimum of 95% of the maximum dry density as determined by on-site compaction testing (Modified Proctor Test - Michigan Cone). Contractor shall provide for compaction testing during the backfilling activities and provide the compaction testing results to the Consultant upon completion of the work.

5. Backfill obtained from an off-site source shall consist of environmentally clean granular fill material meeting the gradation requirements of Class II MDOT 1990 Standard Specifications for Construction, Section 8.02, and placed in accordance with Section 2.11.

6. The backfill shall be free of topsoil or other debris.

7. Compaction shall be accomplished by any satisfactory method or methods that will obtain the required density.

8. All adjustments of elevation of adjacent surfaces shall be included as part of the backfill.

9. Contractor shall provide a six-inch (minimum) layer of 22A stone, gravel or crushed limestone (or other MDOT equivalent) to finish off the surface of the excavation areas within the driveway and parking areas and/or in areas as directed by the Consultant and Owner.

10. Topsoil, grass seed and mulch will be provided and applied by the Contractor over the areas where the existing turf has been removed or damaged. The Contractor shall ensure that the new turf is established and shall warranty the growth of the new turf for one year following the completion of the work.

<u>Health and Safety</u>

1. Contractor shall provide a copy of the Contractor's Health and Safety Plan (site specific) to the Consultant for review at least two weeks prior to the start of work activities. Contractor will also certify compliance with all provisions and requirements in 29 CFR 1910.120. Contractor will provide a copy of Contractor's Drug/Alcohol Free Workplace Policy to the Consultant.

2. Due to the nature of Site operations, no smoking will be permitted in the work areas.

<u>Miscellaneous</u>

1. The Contractor shall schedule and coordinate the work activities with the Owner and the Consultant.

2. All work shall be performed in an expedient manner to prevent delays.

3. The Contractor shall provide and maintain all required signs, barricades, and other safety devices required to direct traffic and to prevent accidents.

4. The Contractor shall exercise extreme care to prevent damage to existing utilities and facilities not designated to be removed.

5. The Contractor shall be responsible for any cost or expenses associated with the damage of existing utilities and facilities caused by their carelessness.

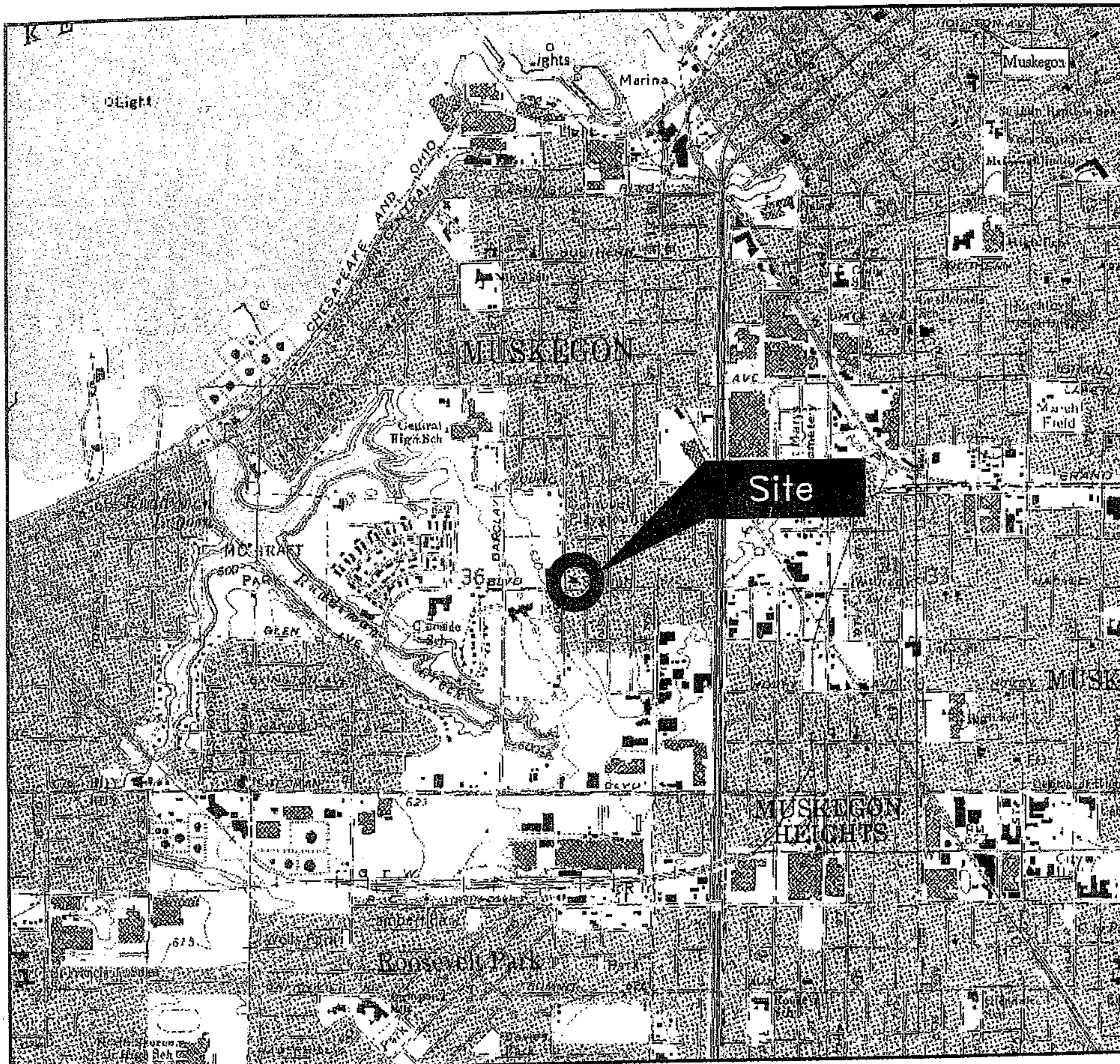
6. At the close of the job, the Contractor shall remove all debris created by them during the course of the work, and shall leave the job site clean and clear to the satisfaction of the Consultant and Owner.

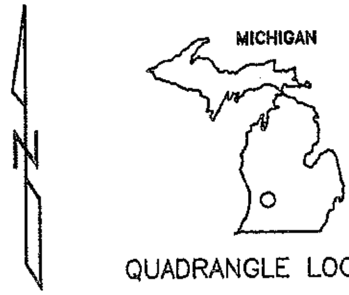
Codes and Permits

1. All work shall comply with all requirements of all legally constituted authorities having jurisdiction over any part of the work. Code requirements supplement these specifications and shall take precedence in case of conflict.

2. The Contractor shall obtain all required permits for the work, and pay all fees for said permits.

3. The Contractor shall arrange all required inspections, and pay all inspection fees for the project as required by authorities having jurisdiction. The Contractor shall provide the Owner documentation indicating compliance with this requirement.





QUADRANGLE LOCATION

0 2000 feet 4000

Adapted from 7.5 minute topographic quadrangle:
Muskegon West, 1980.

FIGURE 1

SITE LOCATION
WITH LOCAL TOPOGRAPHY

960 WEST HACKLEY AVE

Section: 36,
Town: 10 North, Range: 17 West,
City of Muskegon,
Muskegon County, Michigan

Superior
ENVIRONMENTAL CORP

FAX
Grand Rapids Office

1128 Franklin Street
Marne, MI 49435
Phone: 616-667-4000
Fax: 616-667-3666

Date: 9/12/02 **Project #:GR2408.00**

To: Perry Sietsema **Company: Rohr Gasoline Equipment**

Fax #: 616-722-4188 **From: Gregg Gallagher**

Number of pages: (including cover) 1

Remarks:

Re: Hackley Ave. Fire Barn Project/Addenda #2

Perry: As discussed during the pre-bid meeting of 9/10/02, this fax shall serve as Addenda #2 to the Proposal/Bid Specifications for the above referenced project. The following information shall be included as part of your bid;

1. Upon entering into a contact with the City of Muskegon (City), the winning Contractor shall provide the City with a Certificate of Liability Insurance naming the City as a Certificate Holder or "additional insured". The Contractor's Certificate of Liability Insurance shall provide the coverage's required by the City as indicated in Addendum #1 as well as Contractor Pollution Liability insurance with minimum limits of $1,000,000.00 per claim and $1,000,000.00 aggregate. Failure to provide the City with the required insurance coverage's shall result in the Contractor being disqualified and the work awarded to the next valid bidder.

2. The bid due date time has been changed from 5:00 pm, September 19, 2002 to **2:00 pm,** September 19, 2002. Any bids received after this time will be disqualified and returned unopened.

Please acknowledge receipt of this addenda on the space indicated on the Proposal Form PF-1.

Please contact me at (616) 667-3620 with any questions you may have.

Thanks Gregg Gallagher

DRAFT

Superior®
ENVIRONMENTAL CORP

ADDENDUM 1

1. **INSURANCE AND INDEMNITY**

a. **Hold Harmless Agreements. To the fullest extent permitted by law, Contractor and Subcontractors agree to defend, pay in behalf of, indemnify, and hold harmless the City of Muskegon, their elected and appointed officials, employees, volunteers, and others working on behalf of the CITY OF MUSKEGON against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the CITY OF MUSKEGON and their elected and appointed officials, employees, volunteers, or others working on behalf of the CITY OF MUSKEGON by reason of personal injury, including bodily injury and death, property damage, including loss of use thereof, and/or the effects of or release of toxic and/or hazardous material which arises out of or is any way connected or associated with this contract. The obligation to defend and hold harmless extends to Contractor's employees, agents, subcontractors, assigns and successors.**

b. **Contractor Insurance Requirement. Contractor and Subcontractors shall not commence work under this contract until obtaining the insurance required under this paragraph. All coverages shall be with insurance companies licensed and admitted to do business in the State of Michigan and Best Rated A VIII. All coverage shall be with insurance carriers acceptable to the CITY OF MUSKEGON.**

c. **Workers' Compensation Insurance. The Contractor and Subcontractor shall procure and maintain during the life of this contract, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable Statutes of the State of Michigan.**

d. **Commercial General Liability Insurance. The Contractor shall procure and maintain during the life of this contract, commercial general Liability Insurance on an "Occurrence Basis" with limits of liability not less than $500,000 per occurrence and/or aggregate combined single limit. Personal Injury, Bodily Injury and Property Damage coverages shall be included. Coverage shall also include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form Liability Extensions or equivalent; (E) Deletion of all explosion, collapse and underground (SCU) exclusions, if applicable. The said insurance shall cover liability caused by the activities of any subcontractor.**

e. **Motor Vehicle Liability. The Contractor shall procure and maintain during the life of this contract Motor Vehicle Liability Insurance, including Michigan No-Fault Coverages, with limits of liability for third party claims of not less than $500,000 per occurrence or combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles and all hired vehicles. The said insurance shall cover liability caused by the activities of any subcontractor.**

f. Additional Insured. Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be "Additional Insureds" using the following language: "The CITY OF MUSKEGON and all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof are hereby added as 'Additional Insureds'".

g. Cancellation Notice. Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following: "It is understood and agreed that Thirty (30) days Advance Written Notice of Cancellation, Non-Renewal, Reduction and/or Material Change shall be sent to: CITY OF MUSKEGON ENGINEERING DEPARTMENT".

h. Owner's and Contractor's Protective Liability. The Contractor shall procure and maintain during the life of this contract Owner's and Contractor's Protective Liability with limits of liability not less than $500,000 per occurrence and/or aggregate, combined single limit. Personal injury, Bodily injury and Property Damage coverages shall be included. The CITY OF MUSKEGON shall be "Named Insured" on this coverage. Thirty (30) days notice of cancellation to the CITY OF MUSKEGON shall be required. Said insurance shall cover liability caused by the activities of any subcontractor(s) either by means of a rider attached to the Prime Contractor's Certificate of Insurance indicating this coverage for subcontractors; or the subcontractor(s) shall submit their own Certificate of Insurance.

i. Proof of Insurance Coverage. The Contractor and Subcontractors shall provide the CITY OF MUSKEGON at the time the contracts are returned by him for execution, certificates and policies endorsing the City of Muskegon as additional insured as listed below:

(1.) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;

(2.) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;

(3.) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;

(4.) Original Policy, or original Binder pending issuance of policy, for Owner's and Contractor's Protective Liability Insurance;

(5.) If so requested, Certified Copies of all policies mentioned above will be furnished.

j. If any of the above coverages expire during the term of this contract,theContractor and Subcontractors shall deliver renewal certificates and/or policies to CITY OF MUSKEGON at least ten (10) days prior to the expiration date.

BID BOND

A bid bond amounting to 5% of the bid price, by certifies check shall be included with each proposal. Unsuccessful bidders will have bonds returned with bid results.

PROJECT COMPLETION

It is anticipated that this project will be completed by November 29, 2002.

Commission Meeting Date: October 8, 2002

Date:	**September 30, 2002**
To:	**Honorable Mayor and City Commissioners**
From:	**Planning & Economic Development** cbe
RE:	**Public Hearing for Resolution for Development District On-Premise Liquor License for Peter C. Johnson**

SUMMARY OF REQUEST:

To hold a public hearing on the request for a Development District On-Premise Liquor License for Peter C. Johnson and approve the attached resolution. The request is necessary due to a lack of available liquor licenses in the City of Muskegon. The Liquor Control Code allows for additional liquor licenses within Downtown Development Authority Districts under certain conditions.

FINANCIAL IMPACT:

Approval of the liquor license will allow for a new restaurant in the downtown area of Muskegon, which will ultimately result in increased revenue for the City.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To hold a public hearing and approve the attached resolution.

COMMITTEE RECOMMENDATION:

The Downtown Development Authority approved the request at their special meeting on September 30, 2002,

Commission Meeting Date: October 8, 2002

Date: **September 30, 2002**

To: **Honorable Mayor and City Commissioners**

From: **Planning & Economic Development** Cbc

RE: **Public Hearing for Resolution for Development District On-Premise Liquor License for Peter C. Johnson**

SUMMARY OF REQUEST:

To hold a public hearing on the request for a Development District On-Premise Liquor License for Peter C. Johnson and approve the attached resolution. The request is necessary due to a lack of available liquor licenses in the City of Muskegon. The Liquor Control Code allows for additional liquor licenses within Downtown Development Authority Districts under certain conditions.

FINANCIAL IMPACT:

Approval of the liquor license will allow for a new restaurant in the downtown area of Muskegon, which will ultimately result in increased revenue for the City.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To hold a public hearing and approve the attached resolution.

COMMITTEE RECOMMENDATION:

The Downtown Development Authority approved the request at their special meeting on September 30, 2002,

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

RESOLUTION NO. 2002-113(a)

A resolution concerning the issuance of a Development District On-Premise Liquor License pursuant to Sections 521 of the Liquor Control Code of 1998.

The City Commission of the City of Muskegon hereby RESOLVES:

Recitals

1. Peter Johnson has applied for a Development District On-Premise Liquor License for the premises at 441 W. Western Avenue, formerly known as the Brunswick Building.

2. It is required that the Downtown Development Authority and the City Commission approve the issuance of such license before application may be made to the Michigan Liquor Control Commission.

3. A hearing was held on September 30, 2002, at a special meeting of the DDA, and the said hearing was publicly noticed in *The Muskegon Chronicle*, and mailed to the neighborhood association involved, as well as the applicant. Public notice was determined by the DDA to be sufficient.

4. A hearing was held October 8, 2002, at the regular meeting of the City Commission. Notice was mailed and deemed satisfactory.

DDA Findings

The DDA found the following facts to be true, based upon the application and the materials placed before the DDA in the public hearing:

1. The business shall be a full service restaurant, which prepares food on the premises, and shall be open to the public.

2. The business will be open for food service not less than ten (10) hours per day five (5) days per week.

3. At least 50% of the gross receipts of the business will be derived from the sale of food for consumption on the premises. "Food" does not include beer or wine.

4. The business has dining facilities that will seat more than twenty-five (25) persons.

5. The business is located in the Downtown Development Authority's Development District, which has a population of less than 50,000. The District is duly established under 1975 PA 197.

6. The DDA, after hearing, has found that the issuance of the license will prevent further deterioration within the Development District and will promote economic growth within the Development District.

7. It appears, based upon the showings at the hearing, that the City of Muskegon has issued all appropriate on-premise licenses that are available under Section 531(1) of the Liquor Control Code of 1998. Further, the DDA is satisfied, after hearing, that an appropriate on-premise escrowed license is not readily available in the City of Muskegon, where the entire Development District is located. The DDA has found that such license is not readily available, taking into account all appropriate economic feasibility factors, including the fair market value of any such license, which is not determinable, for the reason that no such license is available after diligent inquiry by the applicant. Further, the DDA has considered the size and scope of the proposed operation and applicant's efforts to purchase a license. No sale of any such license has been offered or available.

8. The DDA, after public hearing, held after notice on September 30, 2002, has approved the issuance of the said Development District On-Premise license.

NOW, THEREFORE, THE CITY COMMISSION RESOLVES:

The City Commission has reviewed the findings of the DDA and held its own hearing, and concurs with the findings of the Downtown Development Authority, and approved in concurrence with the Authority that the license should be issued to the applicant at 441 W. Western Avenue, the premises formerly known as the Brunswick Building. The City Commission recommends to the Liquor Control Commission the issuance of the said requested license.

This resolution passed.

Ayes Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington, Buie

Nays None

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, MMC
City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on October 8, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kundinger

Gail A. Kundinger, MMC
City Clerk

CITY OF MUSKEGON
DOWNTOWN DEVELOPMENT AUTHORITY
MUSKEGON COUNTY, MICHIGAN

RESOLUTION NO. ______

A resolution approving the issuance by the Liquor Control Commission of a Downtown Development On-Premise Liquor License to Peter Johnson pursuant to Sections 521 of the Liquor Control Code of 1998.

The DDA hereby RESOLVES:

Recitals

1. Peter Johnson has applied for a Class C license for the premises at 441 W. Western Avenue, formerly known as the Brunswick Building.

2. It is required that the Downtown Development Authority and the City Commission approve the issuance of such license before application may be made to the Michigan Liquor Control Commission.

3. A hearing was held on September 30, 2002, at a special meeting of the DDA, and the said hearing was publicly noticed in *The Muskegon Chronicle*, and mailed to the neighborhood association involved, as well as the applicant. Public notice was determined by the DDA to be sufficient.

Findings

The DDA finds the following facts to be true, based upon the application and the materials placed before the DDA in the public hearing:

1. The business shall be a full service restaurant, which prepares food on the premises, and shall be open to the public.

2. The business will be open for food service not less than ten (10) hours per day five (5) days per week.

3. At least 50% of the gross receipts of the business will be derived from the sale of food for consumption on the premises. "Food" does not include beer and wine.

4. The business has dining facilities and will seat more than twenty-five (25) persons.

5. The business is located in the Downtown Development Authority's Development District, which has a population less than 50,000. The District is duly established under 1975 PA 197.

6. The DDA, after hearing, has found that the issuance of the license will prevent further deterioration within the Development District and will promote economic growth within the Development District.

7. It appears, based upon the showings at the hearing, that the City of Muskegon has issued all appropriate on-premise licenses that are available under Section 531(1) of the Liquor Control Code of 1998. Further, the DDA is satisfied, after hearing, that an appropriate on-premise escrowed license is <u>not</u> readily available in the City of Muskegon, where the entire Development District is located. The DDA has found that such license is not readily available taking into account all appropriate economic feasibility factors, including the fair market value of any such license, which is not determinable for the reason that no such license is available after diligent inquiry by the applicant. Further, the DDA has considered the size and scope of the proposed operation and the applicant's efforts to purchase a license. No sale of any such license has been offered or available.

NOW, THEREFORE, THE DDA HEREBY RESOLVES:

1. That the applicant, Peter Johnson, has presented at public hearing before the DDA substantial evidence supporting the above findings.

2. The DDA, therefore, approves the issuance of a Development District On-Premise Liquor License pursuant to Section 521 of the Liquor Control Code of 1998 to Peter Johnson at the specific location of 441 W. Western Avenue, Muskegon, Michigan, formerly known as the Brunswick Building.

This resolution passed.

Ayes B. Bifoss, E. Fethke, K. Cierpial, L. Wood, R. Taylor,
D. Medendorp, K. Jackson, M. Plichta, W. Stone, B. Mazade.

Nays None.

CITY OF MUSKEGON
DOWNTOWN DEVELOPMENT AUTHORITY

By David Mellon(?)
Secretary

CERTIFICATE

This resolution was adopted at a meeting of the Downtown Development Authority, held on September 30, 2002, after public hearing. The meeting was properly held and noticed pursuant to public notice and held in accordance with the Open Meetings Act of the State of Michigan Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON
DOWNTOWN DEVELOPMENT AUTHORITY

By David Meldrum

Secretary

NOTICE OF PUBLIC HEARINGS
CITY OF MUSKEGON
COUNTY OF MUSKEGON, MICHIGAN
CLASS "C" LIQUOR LICENSE FOR THE PROPERTY FORMERLY KNOWN AS
THE BRUNSWICK BUILDING
441 W. WESTERN AVENUE
TO ALL INTERESTED PERSONS IN THE CITY OF MUSKEGON:

PLEASE TAKE NOTICE that two public hearings are scheduled to determine whether the City of Muskegon and its Downtown Development Authority shall approve the issuance of a class "C" (on premises) liquor license for a restaurant to be located at the former Brunswick Building at the above address in the City of Muskegon. The hearings are scheduled:

Before the Downtown Development Authority on September 30, 2002 at 4 p.m. in the Conference Room 103, Muskegon City Hall, 933 Terrace Street, Muskegon, MI 49440.

Before the City Commission on October 8, 2002 at 5:30 p.m. in the City Commission Chambers, Muskegon City Hall, 933 Terrace Street, Muskegon, MI 49440.

Any comments may be made at the hearing or by mail received prior to the hearing.

PUBLISH: September 23, 2002

STATE OF MICHIGAN
County of Muskegon ss.

Gary Ostrom being duly sworn deposes and says that he is the Publisher of the MUSKEGON CHRONICLE, a newspaper printed and circulated within said County of Muskegon; that the annexed notice was duly printed and published in said MUSKEGON CHRONICLE for One (1) day(s); that is to say, on the 23rd day(s) of September 2002, and the ______ day(s) of ______ 200__, and that said publication was continued during said time without any intermission or omission, and that he has a personal knowledge of the facts above set forth.

Gary Ostrom

Subscribed and sworn to before me this 23rd day of September A.D. 2002

Laurie Schaus
Notary Public, Muskegon County, Mich.

Printer's fees: ______ inches ______ times, $______

LAURIE SCHAUS
NOTARY PUBLIC MUSKEGON CO, MI
MY COMMISSION EXPIRES Jan 17, 2005

749 Moulton Ave.
N. Muskegon, MI.
49445

PCJ Enterprises, LLC

September 20, 2002

To whom it may concern,

The purpose of this letter is to inform the Downtown Development Authority (DDA) and subsequently, the City of Muskegon, that I will be making a presentation to request a State of Michigan issued DDA liquor license.

The liquor license is being requested for the property located at 441 W. Western Ave. formerly known as the Brunswick Bowling Lanes. PCJ Enterprises, LLC acquired clear title and ownership to the above mentioned property in late August of 2002 and is planning to redevelop the property into a large entertainment based venue in the next nine to eighteen months.

In order for the Michigan Liquor Control Commission to implement the licensing investigation process, compiled laws, conditions, and documents must be reviewed and received by the DDA.

All the details on these laws and conditions will be discussed at the next scheduled DDA meeting. I am looking forward to meeting with you and discussing this exciting project for downtown Muskegon.

Sincerely,
Peter C. Johnson

President

community foundation

Muskegon County

425 W. Western Ave.
Suite 200
Muskegon, MI
49440.1101
Ph. 231.722.4538
Fax 231.722.4616
info@cffmc.org
www.cffmc.org

September 23, 2002

Liquor Control Commission
7150 Harris Drive
Lansing, MI 48909

Dear Sir or Madam:

Re: Support for PCJ Enterprises Application

On behalf of the Community Foundation *for* Muskegon County and the Frauenthal Center for the Performing Arts, I write to support the approval of a Development District On-Premises Liquor License to PCJ Enterprises for use in the former Brunswick Bowling Alley on W. Western Avenue. Peter Johnson and his business partner Hoby Thrasher now are neighbors of our facility.

Their plans for a new use in the Brunswick facility will greatly enhance this district's efforts to become the arts and entertainment venue for the community. We strongly support the approval of this application for a Development District On-Premises Liquor License through the City's Downtown Development Authority.

Sincerely,

Chris A. McGuigan

Chris A. McGuigan
President

\\cfmc01\data\executive office\correspondence\support letters\2002liquorlicense.doc

Affirmative Action
(231)724-6703
FAX: (231)722-1214

Assessor/Equalization
(231)724-6708
FAX: (231)726-5181

Cemetery Department
(231)724-6783
FAX: (231)726-5617

City Manager
(231)724-6724
FAX: (231)722-1214

Civil Service
(231)724-6716
FAX: (231)724-4405

Clerk
(231)724-6705
FAX: (231)724-4178

Community and
Neigh. Services
(231)724-6717
FAX: (231)726-2501

Computer Info.
Systems
(231)724-6744
FAX: (231)722-4301

Engineering Dept.
(231)724-6707
FAX: (231)727-6904

Finance Dept.
(231)724-6713
FAX: (231)724-6768

Fire Department
(231)724-6792
FAX: (231)724-6985

Income Tax
(231)724-6770
FAX: (231)724-6768

Inspection Services
(231)724-6715
FAX: (231)728-4371

Leisure Services
(231)724-6704
FAX: (231)724-1196

Mayor's Office
(231)724-6701
FAX: (231)722-1214

Planning/Zoning
(231)724-6702
FAX: (231)724-6790

Police Deptartment
(231)724-6750
FAX: (231)722-5140

Public Works Dept.
(231)724-4100
FAX: (231)722-4188

Treasurer's Office
(231)724-6720
FAX: (231)724-6768

Water Billing Dept.
(231)724-6718
FAX: (231)724-6768

Water Filtration
(231)724-4106
FAX: (231)755-5290

MUSKEGON

West Michigan's Shoreline City

September 24, 2002

Ms. Lisa Shannahan
Michigan Liquor Control Commission
7150 Harris Drive
P.O. Box 30005
Lansing, MI 48909-7505

Dear Ms. Shannahan:

As you may know, a new restaurant is in the planning process on Western Avenue in the former Brunswick Building in the city of Muskegon. Mr. Peter Johnson, the new owner of the property plans construction of a restaurant and entertainment venue in the building. He will be submitting an application for a Development District On-Premise Liquor License.

As Mayor of Muskegon, I want to add my full endorsement to Mr. Johnson's application. The opening of this restaurant will serve as a catalyst for further development in downtown Muskegon. The building in which the restaurant will be developed is in a former bowling lanes located in the heart of our newly emerging entertainment district, which will be a showcase establishment utilizing an obsolete, empty building. It's location near the historic Frauehthal Theater and newly renovated residential Amazon Building, is prime for redevelopment and certain to spur the further renaissance of the area.

The City is excitedly anticipating the grand opening of this new entertainment venue in the near future. Anything that you can do to help expedite the issuance of the liquor license would be greatly appreciated.

Sincerely,

Stephen J. Warmington
Mayor
City of Muskegon

MUSKEGON
Area Chamber of Commerce

October 10, 2002

Ms. Lisa Shannahan
Michigan Liquor Control Commission
7150 Harris Drive
PO Box 30005
Lansing, MI 48909-7505

Dear Ms. Shannahan,

As you may know, a new restaurant is in the construction process in the former Brunswick building in downtown Muskegon. Mr. Hoby Thrasher and Mr. Peter Johnson, the owners of the proposed restaurant, have submitted an application for a Development District On-Premise Liquor License. I understand this application is now under construction by the Liquor Commission.

As President of the Muskegon Area Chamber of Commerce, I want to add my full endorsement to the application. Both gentlemen are well known restaurateurs in our community. Mr. Hoby Thrasher was the recipient of our 2001 Entrepreneur Award. Both Mr. Thrasher and Mr. Johnson are highly regarded by our business community.

The Chamber is excitedly anticipating the opening of this new restaurant. It will be a wonderful addition to our growing and prosperous downtown area. Anything you can do to help expedite the issuance of the liquor license would be greatly appreciated.

Sincerely,

Cindy Larsen
President

900 Third Street ▫ Suite 200 ▫ P.O. Box 1087 ▫ Muskegon, Michigan 49443-1087
Phone (231) 722-3751 ▫ FAX (231) 728-7251 ▫ Email macc@muskegon.org ▫ Website www.muskegon.org

Bryon

RECEIVED
NOV 6 2001
MUSKEGON
CITY MANAGER'S
OFFICE

RECEIVED
SEP 19 2001
MUSKEGON
CITY MANAGER'S
OFFICE

September 19, 2001

TO: MUSKEGON CITY COUNCIL

FROM: MICHIGAN LIQUOR CONTROL COMMISSION

SUBJECT: DEVELOPMENT DISTRICT ON PREMISES LICENSES

This is information relative to the new type of on premises license created by Act No. 440 of the Public Acts of 1996, being section 1521 of the Michigan Liquor Control Code of 1998, being MCL 436.1521(1) (formerly known as (f/k/a) Section 436.17k(1).

436.1521(1) of the Michigan Compiled Laws provides that in addition to on premises quota licenses and on premises resort licenses, the Commission may issue not more than 50 Tavern or Class C licenses to persons operating certain qualifying businesses located in development districts.

Development districts are defined in subsection (6)(a) of section 436.1521 of the Michigan Compiled Laws as follows:

> ". . .(i) An authority district established under the tax increment finance authority act, Act No. 450 of the Public Acts of 1980, being sections 125.1801 to 125.1830 of the Michigan Compiled Laws."
>
> (ii) An authority district established under the local development financing act, Act No. 281 of the Public Acts of 1986, being section 125.2151 to 125.2174 of the Michigan Compiled Laws."
>
> (iii) A downtown district established under Act No. 197 of the Public Acts of 1975, being sections 125.1651 to 125.1681 of the Michigan Compiled Laws."
>
> (iv) A principal shopping district established under Act No. 120 of the Public Acts of 1961, being sections 125.981 to 125.987 of the Michigan Compiled Laws, before January 1, 1996."

The conditions that must be met prior to the issuance of a development district license contained in subsection (1) of 436.1521 of the Michigan Compiled Laws are as follows:

> ". . .(a) The business is a full service restaurant, is open to the public, and prepares food on the premises."
>
> (b) The business is open for food service not less than 10 hours per day, 5 days per week."

(c) At least 50% of the gross receipts of the business are derived from the sale of food for consumption on the premises, excluding beer and wine."

(d) The business has dining facilities to seat not less than 25 persons.

(e) The business is located in a development district with a population of not more than 50,000 in which the authority, after a public hearing, has found that the issuance of the license would prevent further deterioration within the development district and promote economic growth within the development district. The Commission shall not issue the license unless the local unit of government within which the authority is located, after holding a public hearing, passes a resolution concurring in the findings of the authority.

(f) The business demonstrates to the Commission that an escrowed license is not readily available in any local unit of government in which the development district is located."

Initial applications for on premises licenses under the provisions of 436.1521(1) of the Michigan Compiled Laws will be made to the development district where the proposed business is to be located and not to the Liquor Control Commission offices. The Liquor Control Commission will not maintain lists of interested applicants nor submit names of the applicants to the development districts for consideration.

In order for the Liquor Control Commission to implement the licensing investigation process for applications under the provisions of 436.1521(1) of the Michigan Complied Laws, the following documents must be received:

(1) Written verification from the development authority identifying the statutory provisions under which it was established and certification that its population is not more than 50,000.

(2) A copy of the notice of public hearing held by the development district.

(3) A copy of written findings of the development district which state that the issuance of the license to the applicant at a specific location would prevent further deterioration within the development district and promote economic growth.

(4) A copy of the notice of public hearing held by the local legislative body.

(3) A copy of the resolution passed by the local legislative body which concurs in the findings of the authority for issuance of a license <u>to the applicant at a specific location</u>.

Once these documents are received, Liquor Control Commission license application forms and instructions will be mailed to the applicant and the customary licensing process will be implemented. This process will include receipt of recommendations from both the local legislative body and the local law enforcement agency.

It is important to note that the Liquor Control Commission may issue not more than 50 Tavern or Class C licenses in development districts throughout the State and applications may be considered by the Liquor Control Commission without regard to the order in which the applications are received.

The provisions of 436.1521(4) of the Michigan Compiled Laws further prohibit the issuance of a Specially Designated Merchant license, a Specially Designated Distributor license or any other license that allows the sale of alcoholic liquor for consumption off the premises. Act 440 of the Public Acts of 1996 further expanded the definition of a Brewpub license to allow the beer produced at the premises to be sold for consumption off the premises. Therefore, the provisions of 436.1521(4) of the Michigan Compiled Laws prohibit the issuance of a Brewpub license in conjunction with an on premises license issued under this section 1521(1).

Licenses issued under the provisions of 436.1521(1) of the Michigan Compiled Laws may transfer ownership and may transfer location within the development district in which originally issued. The same conditions and procedures outlined above will be applicable to a transfer location of licenses issued under 436.1521 of the Michigan Compiled Laws within the development district.

If you have any further questions, please contact the Escrow/Quota Unit of the Licensing Division at (517)-322-1400.

A:\DEVDLIC2.B17

P.A.1952, No. 150, § 1.
P.A.1955, No. 42, § 1.
P.A.1955, No. 126, § 1.
P.A.1957, No. 275, § 1.
P.A.1960, No. 151, § 1.
P.A.1962, No. 35, § 1.
P.A.1964, No. 172, § 1.
P.A.1965, No. 39, § 1.
P.A.1966, No. 196, § 1.
C.L.1970, § 436.17.
P.A.1976, No. 416, § 1.
P.A.1976, No. 417, § 1.
P.A.1976, No. 418, § 1.
P.A.1977, No. 2, § 1.
P.A.1978, No. 6, § 1.
P.A.1979, No. 74, § 1.
C.L.1979, § 436.17.
P.A.1980, No. 6, § 1.
P.A.1980, No. 185, § 1.
P.A.1980, No. 302, § 1.
P.A.1981, No. 187, § 1.
P.A.1983, No. 21, § 1.
P.A.1983, No. 81, § 1.
P.A.1985, No. 123, § 1.
P.A.1986, No. 7, § 1.
P.A.1987, No. 191, § 1.
P.A.1988, No. 207, § 1.
P.A.1989, No. 118, § 1.
P.A.1992, No. 136, § 1.
P.A.1994, No. 185, § 1.
P.A.1995, No. 113, § 1.
P.A.1995, No. 138, § 1.
P.A.1996, No. 71, § 1.

American Law Reports

Construction of provision precluding sale of intoxicating liquors within specified distance from another establishment selling such liquors, 7 ALR3d 809.
Revocation or suspension of liquor license because of drinking or drunkenness on part of licensee or business associates, 36 ALR3d 1301.
Validity and construction of statute or ordinance respecting employment of women in places where intoxicating liquors are sold, 46 ALR3d 369.
Security interests in liquor licenses, 56 ALR4th 1131.

Law Review and Journal Commentaries

First amendment freedoms: Annual survey of Michigan law 1975. Peter M. Alter, Ellen J. Alter, 22 Wayne L.Rev. 365 (1976).

Library References

Intoxicating Liquors ⚷59(1).
WESTLAW Topic No. 223.
C.J.S. Intoxicating Liquors § 95.

Notes of Decisions

State-owned lands 1

1. State-owned lands

Liquor control commission may not issue license for premises constituting land of which state is fee owner, even though land is under lease to another. Op.Atty.Gen., 1951–52, No. 1321, p. 129.

Real estate property acquired by Huron-Clinton metropolitan authority was not state-owned within the meaning of that term as used in P.A.1949, No. 174, which prohibited the issuance of licenses for sale of alcoholic liquor on state owned lands. Op.Atty.Gen.1949–50, No. 1227, p. 551.

P.A.1933, Ex.Sess., No. 8, § 17 as amended by P.A.1949, No. 174, prohibited the liquor control commission from issuing licenses for use on state owned lands and such licenses in existence on the effective date of the amendatory act could not be renewed or transferred for use thereon. Op.Atty.Gen.1949–50, No. 1024, p. 288.

436.1521. Tavern or class "C" licenses, issuance

Sec. 521. (1) In addition to any licenses for the sale of alcoholic liquor for consumption on the premises that may be available in the local governmental unit under section 531(1), and the resort and resort economic development licenses authorized in section 531(2), (3), and (4), the commission may issue not more than 50 tavern or class C licenses to persons who operate businesses that meet all of the following conditions:

(a) The business is a full service restaurant, is open to the public, and prepares food on the premises.

(b) The business is open for food service not less than 10 hours per day, 5 days a week.

(c) At least 50% of the gross receipts of the business are derived from the sale of food for consumption on the premises. For purposes of this subdivision, food does not include beer and wine.

(d) The business has dining facilities to seat not less than 25 persons.

(e) The business is located in a development district with a population of not more than 50,000, in which the authority, after a public hearing, has found that the issuance of the license would prevent further deterioration within the development district and promote economic growth within the development district. The commission shall not issue the license unless the local unit of government within which the authority is located, after holding a public hearing, passes a resolution concurring in the findings of the authority.

(2) The individual signing the application for the license shall state and demonstrate that the applicant attempted to secure an appropriate on-premise escrowed license or quota license issued under section 531 and that, to the best of his or her knowledge, an on-premise license or quota license issued under section 531 is not readily available within the local unit of government in which the applicant proposes to operate.

(3) If in any licensing year the sale of food for consumption on the premises of the business represents less than 50% of the gross receipts for the business, the commission, after due notice and proper hearing, shall revoke the license issued under subsection (1).

(4) Not more than 1 license shall be issued under subsection (1) to any individual, partnership, limited partnership, limited liability company, corporation, or any combination of any of the above, including stockholders, general partners, or limited partners. A license issued under this section is transferable as to ownership or location only within the development district.

(5) The commission shall not issue a specially designated merchant license, specially designated distributor license, or any other license that allows the sale of alcoholic liquor for consumption off the premises in conjunction with a license issued under subsection (1) or at the premises for which a license has been issued under subsection (1).

(6) The commission shall not issue a license under this section if the local governmental unit within which the development district is located has not issued all appropriate on-premise licenses available under section 531(1) or if an appropriate on-premise escrowed license is readily available in any local unit of government in which the development district is located. The commission shall not issue more than 2 licenses authorized under this section in any city or municipality with a population greater than 50,000. If an applicant's proposed location is within more than 1 development district, the applicant shall obtain the approval of both or all of the applicable local units of government or development districts.

(7) The commission may issue the licenses under this section without regard to the order in which the applications for the licenses are received.

(8) The commission shall annually report to the legislature the names of the businesses issued licenses under this section and their locations.

(9) As used in this section:

(a) "Development district" means any of the following:

(*i*) An authority district established under the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830.

(*ii*) An authority district established under the local development financing act, 1986 PA 281, MCL 125.2151 to 125.2174.

(*iii*) A downtown district established under 1975 PA 197, MCL 125.1651 to 125.1681.

(*iv*) A principal shopping district established under 1961 PA 120, MCL 125.981 to 125.987, before January 1, 1996.

(b) "Escrowed license" means a license in which the rights of the licensee in the license or to the renewal of the license are still in existence and are subject to renewal and activation in the manner provided for in R 436.1107 of the Michigan administrative code.

(c) "Readily available" means available under a standard of economic feasibility, as applied to the specific circumstances of the applicant, that includes, but is not limited to, the following:

(*i*) The fair market value of the license, if determinable.

(*ii*) The size and scope of the proposed operation.

(*iii*) The existence of mandatory contractual restrictions or inclusions attached to the sale of the license.

P.A.1998, No. 58, § 521, Imd. Eff. April 14, 1998. Amended by P.A.1998, No. 282, Imd. Eff. July 27, 1998.

Historical and Statutory Notes

P.A.1998, No. 282, in subsec. (1), in the introductory paragraph, inserted "and resort economic development"; deleted subsec. (1)(f), which read:

"The business demonstrates to the commission that an escrowed license is not readily available in any local unit of government in which the development district is located."

P.A.1998, No. 282, also, inserted subsec. (2); redesignated former subsecs. (2) to (4) as subsecs. (3) to (5), respectively; in subsec. (4), added the second sentence; inserted subsecs. (6) and (8); and redesignated former subsecs. (5) and (6) as subsecs. (7) and (9), respectively.

Prior Laws:

P.A.1933, Ex.Sess., No. 8, § 17k.
C.L.1979, § 436.17k.
P.A.1996, No. 440, § 1.

Library References

Intoxicating Liquors ⚷57.1.
WESTLAW Topic No. 223.
C.J.S. Intoxicating Liquors § 104.

436.1522. Banquet facility permits; issuance to on-premise licensees

Sec. 522. (1) The commission may issue 1 banquet facility permit to an on-premise licensee, as an extension of that on-premise license, for the serving of

CITY OF MUSKEGON
DOWNTOWN DEVELOPMENT AUTHORITY
MUSKEGON COUNTY, MICHIGAN

RESOLUTION NO. _______

A resolution approving the issuance by the Liquor Control Commission of a Downtown Development On-Premise Liquor License to PCJ Enterprises, LLC pursuant to Sections 521 of the Liquor Control Code of 1998.

The DDA hereby RESOLVES:

Recitals

1. PCJ Enterprises, LLC has applied for a Class C license for the premises at 441 W. Western Avenue, formerly known as the Brunswick Building.

2. It is required that the Downtown Development Authority and the City Commission approve the issuance of such license before application may be made to the Michigan Liquor Control Commission.

3. A hearing was held on September 30, 2002, at a special meeting of the DDA, and the said hearing was publicly noticed in *The Muskegon Chronicle*, and mailed to the neighborhood association involved, as well as the applicant. Public notice was determined by the DDA to be sufficient.

Findings

The DDA finds the following facts to be true, based upon the application and the materials placed before the DDA in the public hearing:

1. The business shall be a full service restaurant, which prepares food on the premises, and shall be open to the public.

2. The business will be open for food service not less than ten (10) hours per day five (5) days per week.

3. At least 50% of the gross receipts of the business will be derived from the sale of food for consumption on the premises. "Food" does not include beer and wine.

4. The business has dining facilities and will seat more than twenty-five (25) persons.

5. The business is located in the Downtown Development Authority's Development District, which has a population less than 50,000. The District is duly established under 1975 PA 197.

6. The DDA, after hearing, has found that the issuance of the license will prevent further deterioration within the Development District and will promote economic growth within the Development District.

7. It appears, based upon the showings at the hearing, that the City of Muskegon has issued all appropriate on-premise licenses that are available under Section 531(1) of the Liquor Control Code of 1998. Further, the DDA is satisfied, after hearing, that an appropriate on-premise escrowed license is not readily available in the City of Muskegon, where the entire Development District is located. The DDA has found that such license is not readily available taking into account all appropriate economic feasibility factors, including the fair market value of any such license, which is not determinable for the reason that no such license is available after diligent inquiry by the applicant. Further, the DDA has considered the size and scope of the proposed operation and the applicant's efforts to purchase a license. No sale of any such license has been offered or available.

NOW, THEREFORE, THE DDA HEREBY RESOLVES:

1. That the applicant, PCJ Enterprises, LLC, has presented at public hearing before the DDA substantial evidence supporting the above findings.

2. The DDA, therefore, approves the issuance of a Development District On-Premise Class C Liquor License pursuant to Section 521 of the Liquor Control Code of 1998 to PCJ Enterprises, LLC at the specific location of 441 W. Western Avenue, Muskegon, Michigan, formerly known as the Brunswick Building.

This resolution passed.

Ayes B. Bifoss, E. Fethke, K. Cierpial, L. Wood, R. Taylor, D. Medendorp,
K. Jackson, M. Plichta, W. Stone, B. Mazade

Nays None

CITY OF MUSKEGON
DOWNTOWN DEVELOPMENT AUTHORITY

By ______________________
Secretary

CERTIFICATE

This resolution was adopted at a meeting of the Downtown Development Authority, held on September 30, 2002, after public hearing. The meeting was properly held and noticed pursuant to public notice and held in accordance with the Open Meetings Act of the State of Michigan Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON
DOWNTOWN DEVELOPMENT AUTHORITY

By ______________________________
Secretary

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

RESOLUTION NO. 2002-113(a)

A resolution concerning the issuance of a Development District On-Premise Liquor License pursuant to Sections 521 of the Liquor Control Code of 1998.

The City Commission of the City of Muskegon hereby RESOLVES:

Recitals

1. PCJ Enterprises,LLC . has applied for a Development District On-Premise Liquor License for the premises at 441 W. Western Avenue, formerly known as the Brunswick Building.

2. It is required that the Downtown Development Authority and the City Commission approve the issuance of such license before application may be made to the Michigan Liquor Control Commission.

3. A hearing was held on September 30, 2002, at a special meeting of the DDA, and the said hearing was publicly noticed in *The Muskegon Chronicle*, and mailed to the neighborhood association involved, as well as the applicant. Public notice was determined by the DDA to be sufficient.

4. A hearing was held October 8, 2002, at the regular meeting of the City Commission. Notice was mailed and deemed satisfactory.

DDA Findings

The DDA found the following facts to be true, based upon the application and the materials placed before the DDA in the public hearing:

1. The business shall be a full service restaurant, which prepares food on the premises, and shall be open to the public.

2. The business will be open for food service not less than ten (10) hours per day five (5) days per week.

3. At least 50% of the gross receipts of the business will be derived from the sale of food for consumption on the premises. "Food" does not include beer or wine.

4. The business has dining facilities that will seat more than twenty-five (25) persons.

5. The business is located in the Downtown Development Authority's Development District, which has a population of less than 50,000. The District is duly established under 1975 PA 197.

6. The DDA, after hearing, has found that the issuance of the license will prevent further deterioration within the Development District and will promote economic growth within the Development District.

7. It appears, based upon the showings at the hearing, that the City of Muskegon has issued all appropriate on-premise licenses that are available under Section 531(1) of the Liquor Control Code of 1998. Further, the DDA is satisfied, after hearing, that an appropriate on-premise escrowed license is not readily available in the City of Muskegon, where the entire Development District is located. The DDA has found that such license is not readily available, taking into account all appropriate economic feasibility factors, including the fair market value of any such license, which is not determinable, for the reason that no such license is available after diligent inquiry by the applicant. Further, the DDA has considered the size and scope of the proposed operation and applicant's efforts to purchase a license. No sale of any such license has been offered or available.

8. The DDA, after public hearing, held after notice on September 30, 2002, has approved the issuance of the said Development District On-Premise license.

NOW, THEREFORE, THE CITY COMMISSION RESOLVES:

The City Commission has reviewed the findings of the DDA and held its own hearing, and concurs with the findings of the Downtown Development Authority, and approved in concurrence with the Authority that the Class C license should be issued to PCJ Enterprises, LLC at 441 W. Western Avenue, the premises formerly known as the Brunswick Building. The City Commission recommends to the Liquor Control Commission the issuance of the said requested license.

This resolution passed.

Ayes Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington, Buie

Nays None

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, MMC
City Clerk

CERTIFICATE

2002-113(a)

This resolution was adopted at a meeting of the City Commission, held on October 8, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kundinger

Gail A. Kundinger, MMC
City Clerk

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: OCTOBER 8, 2002

RE: Public Hearing
Spreading of the Special Assessment Roll
Ridge, Glenside to Cumberland

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for **Ridge, Glenside to Cumberland**, and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of $12,745.06 would be spread against the seventeen-(17) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2002-113(b)

Resolution Confirming Special Assessment Roll

For **Ridge Street, from Glenside to Cumberland**

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **March 26, 2002**, at the first hearing.

2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.

3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.

4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.

2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment that is paid in installments shall carry interest at the rate of five (5) percent per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR **Ridge Street, from Glenside to Cumberland**

Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

Ayes: Larson, Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron

Nays: None

City of Muskegon

By Gail A. Kundinger
Gail A. Kundinger, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **October 8, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **October 8, 2002**.

City of Muskegon

By Gail A. Kundinger
Gail A. Kundinger, City Clerk

EXHIBIT A

Ridge St., Glenside to Cumberland

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Ridge St. from Glenside to Cumberland.

RIDGE STREET, GLENSIDE TO CUMBERLAND

MAYOR'S ENDORSEMENT AND WARRANT

I, STEPHEN J. WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON

BY ______________________________

STEPHEN J. WARMINGTON

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT DISTRICT FOR :

H-1544, RIDGE-GLENSIDE TO CUMBERLAND

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 27TH OF SEPTEMBER, 2002

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
17 DAY OF October, 2002.

JoAnn M. Krukowski
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 5-13-05

JOANN M. KRUKOWSKI
Notary Public - Michigan
Muskegon County
My Commission Expires May 13, 2005

OWNERS NAME
OWNERS ADDRESS
MUSKEGON, MI 49441

Property Parcel Number: 24-XXX-XXX-XXXX-XX at PARCEL ADDRESS

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

Ridge,Glenside to Cumberland

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, OCTOBER 8TH, 2002 at 5:30 P.M. You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED OCTOBER 8TH, 2002 YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL(517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

The final projected cost of the street improvement portion of the project is $82,000 of which $12,745.06 will be paid by special assessment. If the special assessment is confirmed, your property will be assessed $XXX.XX based on 95 feet assessable front footage at $9.35 per assessable foot for the street improvements. In addition, you will be assessed $0.00 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of $XXX.XX. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years
Interest Rate: 5% per year
First Installment: $XXX.XX PER YEAR
Due Date: December 8th, 2002

CDBG Approved You Owe $0.00

The total assessment may be paid in full any time prior to the due date shown above without interest being charged. After this date, interest will be charged at the rate shown above on the outstanding balance. Assessments also may be paid over a ten year period in ten equal principal installments. If you pay your assessment in installments, your annual installment (including interest) will be included as a separate item on your property tax bill each year. Therefore, if you pay your property taxes through a mortgage escrow agent, you should notify them of this change. Early payments may be made at any time and are encouraged.

PLEASE NOTE THAT IF THE ASSESSMENT IS NOT CONFIRMED AT THE PUBLIC HEARING YOU WILL BE NOTIFIED. IF THE ASSESSMENT IS CONFIRMED, THIS LETTER WILL REPRESENT YOUR INITIAL BILLING IF YOU WISH TO PAY IN FULL PRIOR TO THE DUE DATE AND AVOID INTEREST COSTS. OTHERWISE, YOU WILL AUTOMATICALLY BE BILLED ON AN INSTALLMENT BASIS WITH THE FIRST INSTALLMENT SHOWN ON YOUR NEXT PROPERTY TAX BILL

If you have any specific questions about the work done please call the Engineering Department at 231- 724-6707 before the hearing date.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and Application for Waiver of Special Assesment for financial assistance .

Sincerely,

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

Special Assessment Payment Options

Property owners in the City of Muskegon who are being specially assessed for street, sidewalk or other public improvements may pay their assessment in the following ways:

I. Lump Sum Payment in Full

Assessments may be paid in full within sixty (60) days of the confirmation of the special assessment roll *without interest.*

II. Installment Payments

Assessments not paid within the first sixty (60) days may be paid in installments over several years as follows:

> ***Street and Alley Assessments*** – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is $850.00, you will be billed $85.00 per year plus applicable interest as described below.
>
> ***Driveway, Sidewalk, and Approach Assessments*** - Ten (10) years equal annual principal payments plus applicable interest as described below.
>
> ***Interest*** – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

III. Special Assessment Deferral (Low Income Seniors and Disabled Persons)

To qualify for a special assessment deferral you or your spouse (if jointly owned) must:

- Be 65 years or older or be totally or permanently disabled.
- Have been a Michigan resident for five (5) years or more and have owned and occupied the homestead being assessed for five (5) years or more.
- Be a citizen of the U.S.
- Have a total household income not in excess of $16,823.00
- Have a special assessment of $300.00 or more.

Under this program the State of Michigan will pay the entire balance owing of the special assessment, including delinquent, current, and further installments. At the time of payment a lien will be recorded on your property in favor of the State of Michigan. Repayment to the State must be made at the time the property is sold or transferred or after the death of the owner(s). During the time the special assessment is deferred interest is accrued at the rate of 6.00% per year.

IV. Further Information About the Above Programs

Further information about any of the above payment options may be obtained by calling either the ***City Assessor's Office* at 724-6708** or the ***City Treasurer's Office* at 724-6720.** *Applications may be obtained at the Muskegon County Equalization Office in the Muskegon County building or City of Muskegon Assessor's Office in City Hall.*

V. Additional Special Assessment Payment Assistance

Qualified low and moderate income homeowners who are being assessed may be eligible for payment assistance through the City of Muskegon Community Development Block Grant (CDBG) Program. Assistance from this program will be available to the extent that funds are available. To obtain further information and determine whether you are eligible, contact the ***Community and Neighborhood Services Department* at 724-6717.**

CITY OF MUSKEGON – H 1554
RIDGE, GLENSIDE TO CUMBERLAND
STREET ASSESSMENT PROGRAM
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT

HOUSEHOLD INFORMATION

Name: ______________________ **Birthdate:**____________ **Social Security #** ____-____-____

Spouse:______________________ **Birthdate:**____________ **Social Security #** ____-____-____

Address: ____________________ **Phone:**________________ **Race:**____________

Parcel # ______________________ **Owner/Spouse Legally Handicapped Or Disabled?** ( )Yes ( ) No

(Please refer to your assessment letter for this information)

Number Living in Household:________ List information for household members besides owner/spouse here.

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

INCOME INFORMATION

ANNUAL Household Income: $________ **Wage earner:** ______________
(Must include all household income)

________ **Wage earner:** ______________

________ **Wage earner:** ______________

________ **Wage earner:** ______________

Total: $________

PROPERTY INFORMATION

Proof Of Ownership: ( ) Deed ( ) Mortgage ( ) Land Contract

Homeowner's Insurance Co: ______________________ **Expiration Date:**________

Property Taxes: ( ) Current ( ) Delinquent Year(s) Due ______________________

(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

Owner's Signature:______________________________ **Date:**____________

By signing this application, the applicant verifies he/she **owns and occupies** the dwelling. The Applicant/Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant/Owner's knowledge and belief. The property owner's signature will be required prior to the application being processed.

FOR OFFICE USE ONLY

APPROVED ( ) DENIED ( ) DATE ________ CENSUS TRACT NO. ______

SIGNATURE ______________________ TITLE ______________________

COMMENTS/REMARKS ______________________________________

****ATTENTION APPLICANT****

Please see reverse side for instructions on providing proof of income, ownership, and property insurance.

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS

SPECIAL ASSESSMENT DISTRICTS:

HARVEY, KEATING TO S. END (900' OF GRAVEL ROAD)
LEON, HARRISON TO CROZIER
RIDGE, GLENSIDE TO CUMBERLAND
ROBERTS, KEATING TO LAKETON
AND
WILSON, HENRY TO DOWD

The location of the special assessment districts and the properties proposed to be assessed are:

- **All parcels abutting Harvey Street from Keating to the South End**
- **All parcels abutting Leon St. between Harrison and Crozier**
- All parcels abutting Ridge St. between Glenside and Cumberland
- **All parcels abutting Roberts Street from 192' N. of CL of Keating to Laketon Ave.**
- **All parcels abutting Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd**

PLEASE TAKE NOTICE that a hearing to confirm the special assessment rolls will be held at the City of Muskegon Commission Chambers on **OCTOBER 8, 2002 at 5:30 p.m.**

At the time set for the hearing the City Commission will examine and determine whether to approve the special assessment rolls that have been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment rolls are on file and may be examined during regular business hours at the City Engineer's office between 8:00 a.m. and 5:00 p.m. on weekdays, except holidays.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THIS HEARING OR DID SO AT THE PREVIOUS HEARING ON THIS SPECIAL ASSESSMENT DISTRICT EITHER IN PERSON OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

You are further notified that at the first hearings the City Commission determined that the special assessment districts should be created, the improvements made, and the assessments levied. The purpose of these hearings are to hear objections to the assessment rolls and to approve, reject, or correct the said rolls.

Gail A. Kundinger, City Clerk, MMC

Publish: **SEPTEMBER 28, 2002**

ADA POLICY

The City will provide necessary appropriate auxiliary aids and services, for example, signers for the hearing impaired, audio tapes for the visually impaired, etc., for disabled persons who want to attend the meeting, upon twenty-four hours notice to the City. Contact:

Gail A. Kundinger, City Clerk
933 Terrace Street, Muskegon, MI 49440
(231) 724-6705 of TDD (231) 724-6773

APR 03 2002

CITY OF MUSKEGON

Resolution No. 2002-40(c)

Resolution At First Hearing Creating Special Assessment District
For **Ridge Street, from Glenside to Cumberland**

Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **March 26, 2002** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.

2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.

3. At the hearing held **March 26, 2002,** there were 6.86 % objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.

2. The City Commission has considered the value of the property to be assessed and the value of the benefit to be received by each property proposed to be assessed in the district after the improvements have been made. The City Commission determines that the assessments of costs of the City project will enhance the value of the properties to be assessed in an amount at least equivalent to the assessment and that the improvement thereby constitutes a benefit to the property.

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.

2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.

3. The City Commission hereby appoints a Board of Assessors consisting of City Commissioners Larson and Warmington and the City Assessor who are hereby directed to prepare an assessment roll. Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **13.4%** of the cost of the street improvement will be paid by special assessments.

5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Larson, Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron

Nays None

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **March 26, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

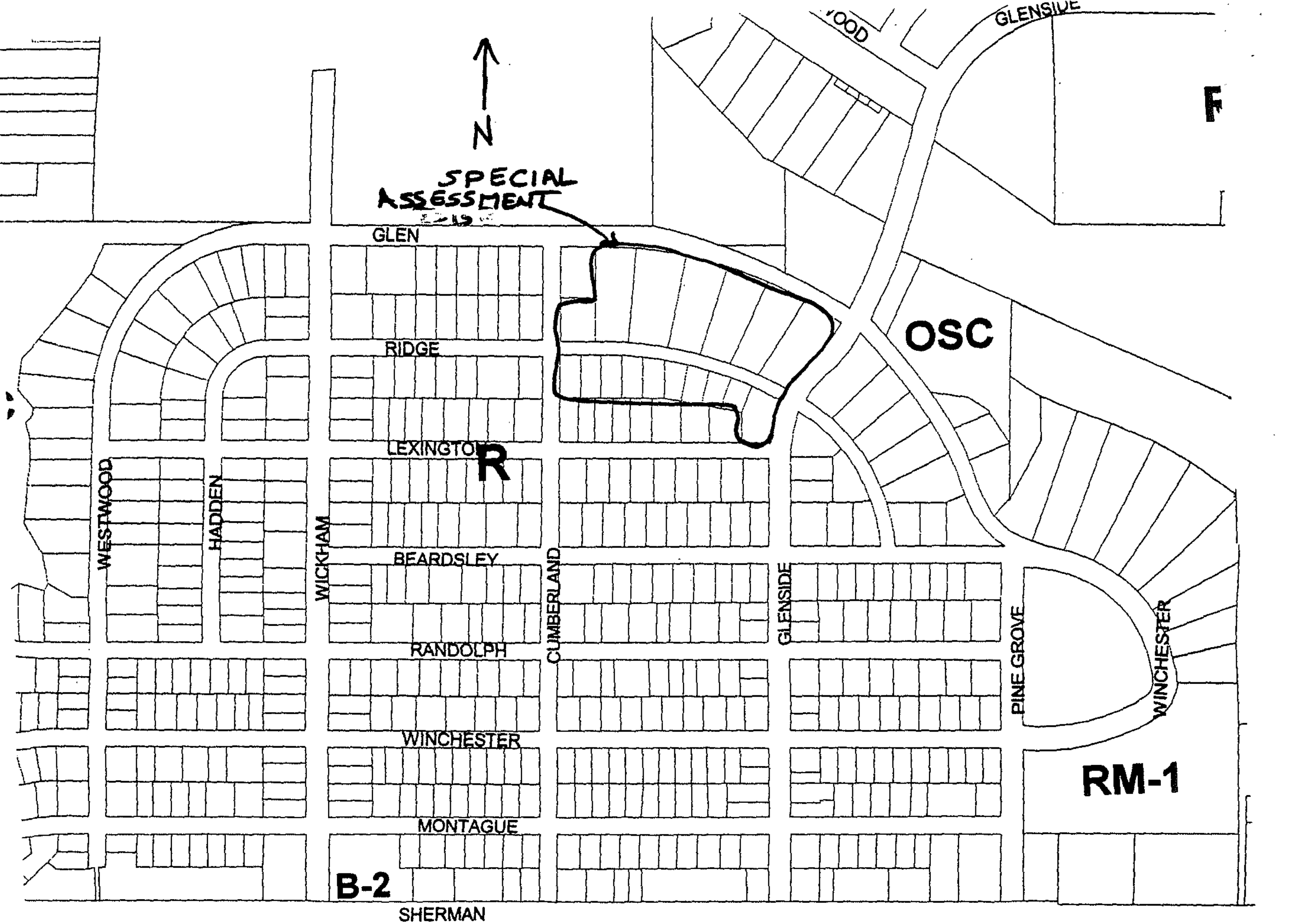
By Gail A. Kundinger
Gail A. Kundinger, Clerk

EXHIBIT A

Ridge St., Glenside to Cumberland

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Ridge St. from Glenside to Cumberland.


N
SPECIAL
ASSESSMENT
GLEN
GLENSIDE
WOOD
F
OSC
RIDGE
LEXINGTON
R
WESTWOOD
HADDEN
WICKHAM
BEARDSLEY
CUMBERLAND
GLENSIDE
PINE GROVE
WINCHESTER
RANDOLPH
WINCHESTER
RM-1
MONTAGUE
B-2
SHERMAN

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

H-1554 RIDGE, GLENSIDE BLVD TO CUMBERLAND ST

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE **15th DAY OF MARCH, 2002.**

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
20 DAY OF March, 2002.

JoAnn M. Krukowski
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
JoAnn M Krukowski
MY COMMISSION EXPIRES 5-13-05

H-1554

HEARING DATE OCTOBER 8TH, 2002

Ridge,Glenside to Cumberland

SPECIAL ASSESSMENT ROLL

PARCEL	@		OWNER	MAILING ADDRESS				PAVING	DR APP / SW	TOTAL
24-382-022-0007-00	**1406.0**	**RIDGE AVE**	FETT JAMES C	1406 RIDGE AVE	MUSKEGON	MI	49441	$865.81	$0.00	***$865.81***
24-382-023-0010-00	**1408.0**	**LEXINGTON A**	LEE ROBERT/JULIE A	1408 LEXINGTON AVE	MUSKEGON	MI	49441	$872.82	$0.00	***$872.82***
24-382-022-0006-00	**1411.0**	**GLEN AVE**	PORTENGA ROY J	1411 GLEN AVE	MUSKEGON	MI	49441	$841.50	$0.00	***$841.50***
24-382-023-0009-00	**1419.0**	**RIDGE AVE**	CRABTREE DANIEL W	%1419 RIDGE AVE	MUSKEGON	MI	49441	$654.50	$0.00	***$654.50***
24-382-023-0008-00	**1425.0**	**RIDGE AVE**	LOWE PAMELA S	1425 RIDGE AVE	MUSKEGON	MI	49441	$607.75	$0.00	***$607.75***
24-382-023-0007-00	**1429.0**	**RIDGE AVE**	LAZUKA TYRONE E/KA	1429 RIDGE AVE	MUSKEGON	MI	49441	$607.75	$17.37	***$625.12***
24-382-022-0005-00	**1431.0**	**GLEN AVE**	AMRHEIN PETER J	1431 GLEN AVE	MUSKEGON	MI	49441	$888.25	$0.00	***$888.25***
24-382-022-0004-00	**1441.0**	**GLEN AVE**	MERCER JOHN C/BOU	1441 GLEN AVE	MUSKEGON	MI	49441-3	$888.25	$0.00	***$888.25***
24-382-023-0006-00	**1441.0**	**RIDGE AVE**	TORREY JUNE M	1441 RIDGE AVE	MUSKEGON	MI	49441	$607.75	$0.00	***$607.75***
24-382-023-0005-00	**1453.0**	**RIDGE AVE**	FOHLBROOK PATRICI	1453 RIDGE AVE	MUSKEGON	MI	49441	$607.75	$0.00	***$607.75***
24-382-022-0003-00	**1455.0**	**GLEN AVE**	STEVENS JOHN E/DA	1455 GLEN AVE	MUSKEGON	MI	49441	$1,122.00	$0.00	***$1,122.00***
24-382-023-0004-00	**1461.0**	**RIDGE AVE**	BULTEMA KAREN	1461 RIDGE AVE	MUSKEGON	MI	49441	$563.34	$0.00	***$563.34***
24-382-022-0002-00	**1475.0**	**GLEN AVE**	DEBOER JUDITH F TR	1475 GLEN AVE	MUSKEGON	MI	49441	$888.25	$0.00	***$888.25***
24-382-023-0003-00	**1477.0**	**RIDGE AVE**	VEGTER MAY	1477 RIDGE	MUSKEGON	MI	49441	$608.22	$0.00	***$608.22***
24-382-023-0002-00	**1483.0**	**RIDGE AVE**	CLARK WILLIAM ROBE	1483 RIDGE	MUSKEGON	MI	49441-3	$561.00	$0.00	***$561.00***
24-382-022-0001-10	**2334.0**	**CUMBERLAND**	NIENHUIS DONNA M T	2334 CUMBERLAND S	MUSKEGON	MI	49441	$935.00	$0.00	***$935.00***
24-382-023-0001-00	**2364.0**	**CUMBERLAND**	CLAYTOR DARLEEN P	2364 CUMBERLAND	MUSKEGON	MI	49442	$607.75	$0.00	***$607.75***

H-1554 HEARING DATE OCTOBER 8TH, 2002

Ridge,Glenside to Cumberland

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
	TOTALS			$12,727.69	$17.37	$12,745.06

PLEASE NOTE: PARCELS SHOWING $0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS

10/21/02
CLIFF TURNER, DIRECTOR,COUNTY EQUALIZATION DATE

Bill Larsen 10-9-02
BILL LARSON CITY COMMISSIONER DATE

10-14-02
STEVE WARMINGTON CITY COMMISSIONER DATE

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: OCTOBER 8, 2002

RE: Public Hearing
Spreading of the Special Assessment Roll
Leon St., Crozier to Harrison

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for **Leon, Crozier to Harrison**, and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of $49,047.24 would be spread against the nineteen-(19) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2002-113(c)

Resolution Confirming Special Assessment Roll

For **Leon St. between Harrison and Crozier**

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **March 26, 2002**, at the first hearing.

2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.

3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.

4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.

2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment that is paid in installments shall carry interest at the rate of five (5) percent per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR **Leon St. between Harrison and Crozier**

Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

Ayes: Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron, Larson

Nays: None

City of Muskegon

By Gail A. Kundinger

Gail A. Kundinger, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **October 8, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **October 8, 2002**.

City of Muskegon

By Gail A. Kundinger

Gail A. Kundinger, City Clerk

EXHIBIT A

Leon St. between Harrison and Crozier

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Leon St. between Harrison and Crozier

LEON STREET, CROZIER TO HARRISON

MAYOR'S ENDORSEMENT AND WARRANT

I, STEPHEN J. WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON

BY ____________________

STEPHEN J. WARMINGTON

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT DISTRICT FOR :

H-1543 Leon, Harrison to Crozier

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 27TH OF SEPTEMBER, 2002

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
17 DAY OF October, 2002.

JoAnn M. Krukowski
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 5-13-05

JOANN M. KRUKOWSKI
Notary Public - Michigan
Muskegon County
My Commission Expires May 13, 2005

September 27TH , 2002

OWNERS NAME
OWNER'S ADDRESS
MUSKEGON, MI 49441

Property Parcel Number: 24-XXX-XXX-XXXX-XX at PARCEL ADDRESS

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

Leon,Crozier to Harrison

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, OCTOBER 8TH, 2002 at 5:30 P.M. You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED OCTOBER 8TH, 2002 YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL (517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

The final projected cost of the street improvement portion of the project is $184,000 of which $49,047.24 will be paid by special assessment. If the special assessment is confirmed, your property will be assessed $XXX.XX based on 64.3 feet assessable front footage at $36.35 per assessable foot for the street improvements. In addition, you will be assessed $XXX.XX for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of $XXXX.XX Following are the terms of the special assessment:

Assessment Period: Ten (10) Years
Interest Rate: 5% per year
First Installment: $XXX.XX PER YEAR
Due Date: December 8th, 2002

CDBG Approved You Owe $0.00

The total assessment may be paid in full any time prior to the due date shown above without interest being charged. After this date, interest will be charged at the rate shown above on the outstanding balance. Assessments also may be paid over a ten year period in ten equal principal installments. If you pay your assessment in installments, your annual installment (including interest) will be included as a separate item on your property tax bill each year. Therefore, if you pay your property taxes through a mortgage escrow agent, you should notify them of this change. Early payments may be made at any time and are encouraged.

PLEASE NOTE THAT IF THE ASSESSMENT IS NOT CONFIRMED AT THE PUBLIC HEARING YOU WILL BE NOTIFIED. IF THE ASSESSMENT IS CONFIRMED, THIS LETTER WILL REPRESENT YOUR INITIAL BILLING IF YOU WISH TO PAY IN FULL PRIOR TO THE DUE DATE AND AVOID INTEREST COSTS. OTHERWISE, YOU WILL AUTOMATICALLY BE BILLED ON AN INSTALLMENT BASIS WITH THE FIRST INSTALLMENT SHOWN ON YOUR NEXT PROPERTY TAX BILL

If you have any specific questions about the work done please call the Engineering Department at 231- 724-6707 before the hearing date.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and Application for Waiver of Special Assesment for financial assistance .

Sincerely,

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

Special Assessment Payment Options

Property owners in the City of Muskegon who are being specially assessed for street, sidewalk or other public improvements may pay their assessment in the following ways:

I. Lump Sum Payment in Full

Assessments may be paid in full within sixty (60) days of the confirmation of the special assessment roll *without interest.*

II. Installment Payments

Assessments not paid within the first sixty (60) days may be paid in installments over several years as follows:

> ***Street and Alley Assessments*** – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is $850.00, you will be billed $85.00 per year plus applicable interest as described below.
>
> ***Driveway, Sidewalk, and Approach Assessments*** - Ten (10) years equal annual principal payments plus applicable interest as described below.
>
> ***Interest*** – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

III. Special Assessment Deferral (Low Income Seniors and Disabled Persons)

To qualify for a special assessment deferral you or your spouse (if jointly owned) must:

- Be 65 years or older or be totally or permanently disabled.
- Have been a Michigan resident for five (5) years or more and have owned and occupied the homestead being assessed for five (5) years or more.
- Be a citizen of the U.S.
- Have a total household income not in excess of $16,823.00
- Have a special assessment of $300.00 or more.

Under this program the State of Michigan will pay the entire balance owing of the special assessment, including delinquent, current, and further installments. At the time of payment a lien will be recorded on your property in favor of the State of Michigan. Repayment to the State must be made at the time the property is sold or transferred or after the death of the owner(s). During the time the special assessment is deferred interest is accrued at the rate of 6.00% per year.

IV. Further Information About the Above Programs

Further information about any of the above payment options may be obtained by calling either the ***City Assessor's Office* at 724-6708** or **the *City Treasurer's Office* at 724-6720.** *Applications may be obtained at the Muskegon County Equalization Office in the Muskegon County building or City of Muskegon Assessor's Office in City Hall.*

V. Additional Special Assessment Payment Assistance

Qualified low and moderate income homeowners who are being assessed may be eligible for payment assistance through the City of Muskegon Community Development Block Grant (CDBG) Program. Assistance from this program will be available to the extent that funds are available. To obtain further information and determine whether you are eligible, contact the ***Community and Neighborhood Services Department* at 724-6717**.

CITY OF MUSKEGON
STREET ASSESSMENT PROGRAM
COMMUNITY DEVELOPMENT BLOCK GRANT
REQUEST FOR WAIVER OF SPECIAL ASSESSMENT

Note: You may receive this application several times – If you have already applied, please discard.

Dear Resident:

The City of Muskegon, for roadway improvements, is specially assessing property owners in your area. City ordinances require that property owners be responsible for the special assessment for roadwork done to their property's assessable frontage. To assist homeowners, who may have difficulty paying the costs of the special assessment, the City offers assessment waivers through the Community Development Block Grant (CDBG) Program for eligible households and families. If you meet the CDBG program qualifications, the City may pay for your special assessment **to the extent that funds is available.**

Application Requirements:

✓ **Applicants must submit proof that their total household income does not exceed 65% of Area Median Income** (see chart below); Proof of income may include copies of Wage & Tax Statement (W-2's) from the year 2001, pension or other benefit checks, bank statements for direct deposits or agency statements for all household income.

2002

65% MEDIAN HOUSEHOLD INCOME CHART

FAMILY SIZE	INCOME LIMIT
1	$26,650
2	30,420
3	34,255
4	38,025
5	41,080
6	44,135
7	47,125
8	50,180
For each extra, add	3,055

✓ **Applicants must submit proof that they both own and occupy property at the time of application;** Land Contract purchasers must obtain approval of titleholder prior to receiving assistance. Proof of ownership should be a deed, mortgage, or land contract; proof of occupancy can be a copy of a driver's license or other official document showing both your name and address.

✓ **Applicants must submit proof of current property insurance.**

Please complete the first four (4) sections of the application on the reverse side of this notice, and return it, along with supporting documentation, to:

City of Muskegon
Community & Neighborhood Services
933 Terrace Street, 2nd Floor
Muskegon, MI 49440

For further information, please contact this office by calling 724-6717, weekdays from 8:30 a.m. and 5:00 p.m.

The City reserves the right to verify all application information, and to reject any applications that contain falsified information or insufficient documentation.

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS

SPECIAL ASSESSMENT DISTRICTS:

HARVEY, KEATING TO S. END (900' OF GRAVEL ROAD)
LEON, HARRISON TO CROZIER
RIDGE, GLENSIDE TO CUMBERLAND
ROBERTS, KEATING TO LAKETON
AND
WILSON, HENRY TO DOWD

The location of the special assessment districts and the properties proposed to be assessed are:

- **All parcels abutting Harvey Street from Keating to the South End**
- **All parcels abutting Leon St. between Harrison and Crozier**
- All parcels abutting Ridge St. between Glenside and Cumberland
- **All parcels abutting Roberts Street from 192' N. of CL of Keating to Laketon Ave.**
- **All parcels abutting Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd**

PLEASE TAKE NOTICE that a hearing to confirm the special assessment rolls will be held at the City of Muskegon Commission Chambers on **OCTOBER 8, 2002 at 5:30 p.m.**

At the time set for the hearing the City Commission will examine and determine whether to approve the special assessment rolls that have been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment rolls are on file and may be examined during regular business hours at the City Engineer's office between 8:00 a.m. and 5:00 p.m. on weekdays, except holidays.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THIS HEARING OR DID SO AT THE PREVIOUS HEARING ON THIS SPECIAL ASSESSMENT DISTRICT EITHER IN PERSON OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

You are further notified that at the first hearings the City Commission determined that the special assessment districts should be created, the improvements made, and the assessments levied. The purpose of these hearings are to hear objections to the assessment rolls and to approve, reject, or correct the said rolls.

Gail A. Kundinger, City Clerk, MMC

Publish: <u>**SEPTEMBER 28, 2002**</u>

ADA POLICY

The City will provide necessary appropriate auxiliary aids and services, for example, signers for the hearing impaired, audio tapes for the visually impaired, etc., for disabled persons who want to attend the meeting, upon twenty-four hours notice to the City. Contact:

Gail A. Kundinger, City Clerk
933 Terrace Street, Muskegon, MI 49440
(231) 724-6705 of TDD (231) 724-6773

CITY OF MUSKEGON

Resolution No. 2002-40(b)

Resolution At First Hearing Creating Special Assessment District
For **Leon St. between Harrison and Crozier**

Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **March 26, 2002** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.

2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.

3. At the hearing held **March 26, 2002,** there were 28.14% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.

2. The City Commission has considered the value of the property to be assessed and the value of the benefit to be received by each property proposed to be assessed in the district after the improvements have been made. The City Commission determines that the assessments of costs of the City project will enhance the value of the properties to be assessed in an amount at least equivalent to the assessment and that the improvement thereby constitutes a benefit to the property.

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.

2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.

3. The City Commission hereby appoints a Board of Assessors consisting of City Commissioners Larson and Schweifler and the City Assessor who are hereby directed to prepare an assessment roll. Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **27.7%** of the cost of the street improvement will be paid by special assessments.

5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington, Buie

Nays None

CITY OF MUSKEGON

By Gail A Kundinger
Gail A. Kundinger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **March 26, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

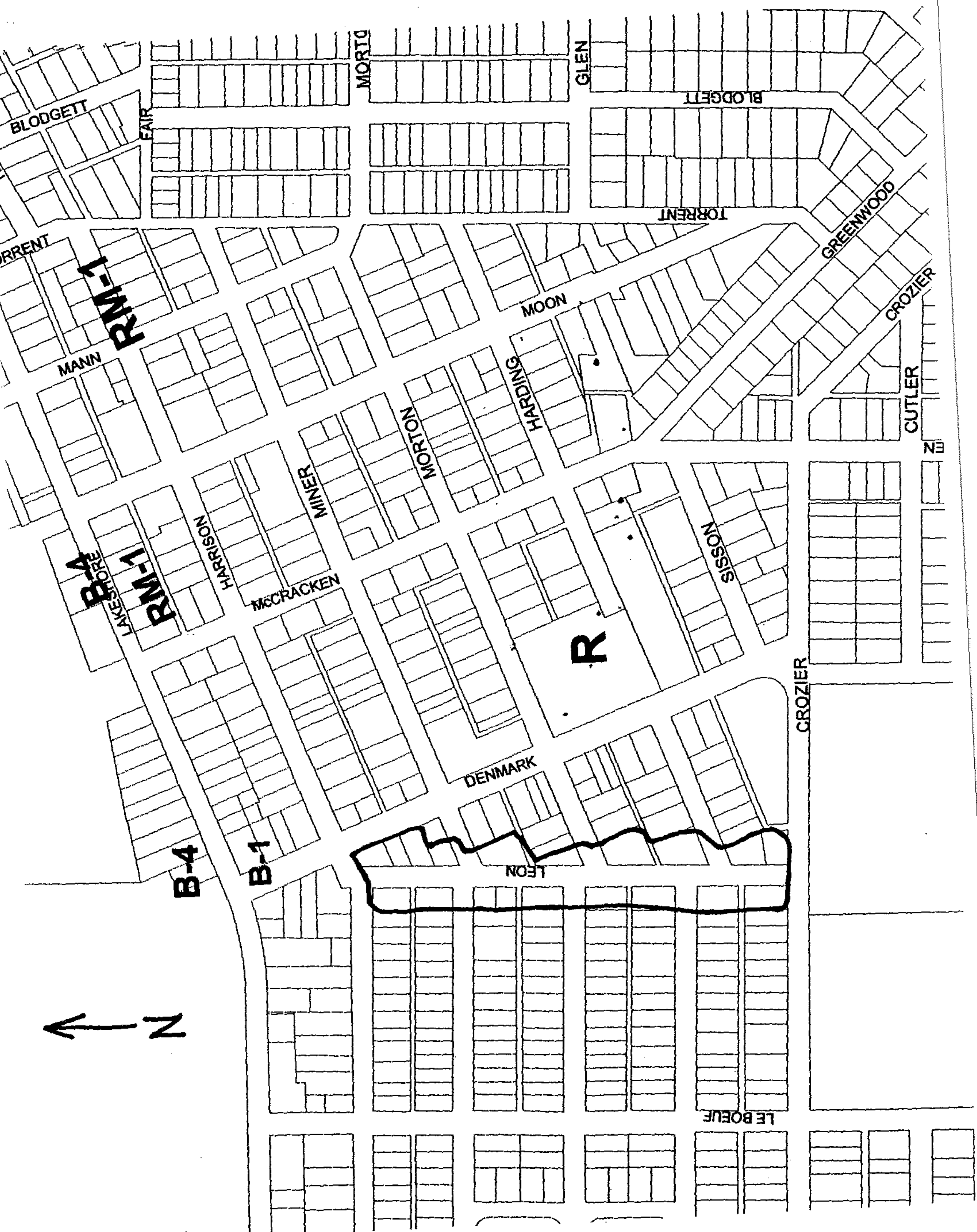
By Gail A Kundinger
Gail A. Kundinger, Clerk

EXHIBIT A

Leon St. between Harrison and Crozier

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Leon St. between Harrison and Crozier


BLODGETT
FAIR
MORTO
GLEN
BLODGETT
TORRENT
GREENWOOD
RRENT
RM-1
MOON
CROZIER
MANN
HARDING
CUTLER
MORTON
MINER
EN
HARRISON
SISSON
B-4
LAKESHORE
RM-1
MCCRACKEN
R
CROZIER
DENMARK
B-4
B-1
LEON
LE BOEUF
N

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

H-1543 LEON, CROZIER TO HARRISON

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE **15th DAY OF MARCH, 2002.**

Gail A Kundinger

GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
29 DAY OF March, 2002.

Jo Ann M. Krukowski

NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
Jo Ann M. Krukowski
MY COMMISSION EXPIRES 5-13-02

Leon,Crozier to Harrison

SPECIAL ASSESSMENT ROLL

PARCEL	@		OWNER	MAILING ADDRESS				PAVING	DR APP / SW	TOTAL
24-205-657-0003-00	2178	MINER AVE	BLASZAK JOSEPH E	2178 MINER AVE	MUSKEGON	MI	49441	$2,417.28	$0.00	*$2,417.28*
24-205-656-0004-00	2180	MORTON AVE	CROSS BENJAMIN	2180 MORTON AVE	MUSKEGON	MI	49441	$1,744.80	$0.00	*$1,744.80*
24-205-655-0005-00	2183	MORTON AVE	WASHINGTON MUTUA	75 N FAIRWAY DR	VERNON HILLS	IL	60061	$2,606.30	1,002.50	*$3,608.80*
24-205-656-0003-00	2187	MINER AVE	KING DENNIS	2187 MINER AVE	MUSKEGON	MI	49441	$2,515.42	3,205.83	*$5,721.25*
24-205-660-0001-00	2199	MINER AVE	SIAS BARRY J	2199 MINER AVE	MUSKEGON	MI	49441	$436.20	$0.00	*$436.20*
24-205-661-0001-00	2199	MORTON AVE	HOUSEMAN HAROLD	2199 MORTON AVE	MUSKEGON	MI	49441	$1,435.83	$0.00	*$1,435.83*
24-205-662-0015-00	2200	CROZIER AVE	FARNELLI JANIS E	2200 CROZIER AVE	MUSKEGON	MI	49441	$2,337.31	$697.00	*$3,034.31*
24-205-659-0015-00	2200	MINER AVE	SOUTHWARD THOMA	2200 MINER AVE	MUSKEGON	MI	49441	$2,035.60	$880.33	*$2,915.93*
24-205-660-0015-00	2200	MORTON AVE	STONE SUSAN K	2200 MORTON AVE	MUSKEGON	MI	49441	$2,253.70	$924.85	*$3,178.55*
24-205-662-0001-00	2201	HARDING AVE	HANNON EDWARD	2201 HARDING AVE	MUSKEGON	MI	49441	$2,366.02	$695.88	*$3,061.90*
24-205-657-0001-00	2203	DENMARK ST	TULEJA ELSIE	2203 DENMARK ST	MUSKEGON	MI	49441	$1,417.65	$697.00	*$2,114.65*
24-205-657-0001-10	2215	DENMARK ST	CARPENTER JEFFRAY	2215 DENMARK ST	MUSKEGON	MI	49441	$976.72	$642.11	*$1,618.83*
24-205-659-0001-00	2221	LEON ST	ZBOJNIEWICZ LORRAI	2221 LEON ST	MUSKEGON	MI	49441	$2,008.34	$642.11	*$2,650.45*
24-205-657-0002-00	2225	DENMARK ST	CARPENTER JEFFRAY	2215 DENMARK ST	MUSKEGON	MI	49441	$1,308.60	$697.00	*$2,005.60*
24-205-660-0001-10	2269	LEON ST	SCARBROUGH JOSEP	2269 LEON ST	MUSKEGON	MI	49441	$2,150.83	$0.00	*$2,150.83*
24-205-661-0015-00	2331	LEON ST	BENNINGER MARY	2331 LEON ST	MUSKEGON	MI	49441	$2,280.96	$535.00	*$2,815.96*
24-205-655-0007-00	2348	LEON ST	BAIR JERRY	2348 LEON ST	MUSKEGON	MI	49441	$2,606.30	1,189.08	*$3,795.38*
24-205-654-0008-00	2380	LEON ST	ANDERSON PEGGY	2380 LEON ST	MUSKEGON	MI	49441	$1,919.28	$476.70	*$2,395.98*

HEARING DATE OCTOBER 8TH, 2002

Leon,Crozier to Harrison

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS			PAVING	DR APP / SW	TOTAL
24-205-654-0007-10	**2390 LEON ST**	LAKESIDE UNITED ME	2160 CROZIER AVE	MUSKEGON	MI 49441	$1,944.73	$0.00	***$1,944.73***
	TOTALS					**$36,761.85**	**12,285.39**	**$49,047.24**

PLEASE NOTE: PARCELS SHOWING $0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS

10/14/02

CLIFF TURNER, DIRECTOR,COUNTY EQUALIZATION DATE

Bill Larson 10-9-02

BILL LARSON CITY COMMISSIONER DATE

ROBERT SCHWEIFLER CITY COMMISSIONER DATE

9/25/02

H-1543

HEARING DATE OCTOBER 8TH, 2002

Leon,Crozier to Harrison

CDBG APPROVED

PARCEL	@		OWNER	MAILING ADDRESS				PAVING	DR APP / SW	TOTAL
24-205-656-0003-00	**2187**	**MINER AVE**	KING DENNIS	2187 MINER AVE	MUSKEGON	MI	49441	$2,515.42	3,205.83	***$5,721.25***
24-205-659-0015-00	**2200**	**MINER AVE**	SOUTHWARD THOMA	2200 MINER AVE	MUSKEGON	MI	49441	$2,035.60	$880.33	***$2,915.93***
24-205-659-0001-00	**2221**	**LEON ST**	ZBOJNIEWICZ LORRAI	2221 LEON ST	MUSKEGON	MI	49441	$2,008.34	$642.11	***$2,650.45***
24-205-661-0015-00	**2331**	**LEON ST**	BENNINGER MARY	2331 LEON ST	MUSKEGON	MI	49441	$2,280.96	$535.00	***$2,815.96***
	TOTALS							**$8,840.32**	**$5,263.27**	**$14,103.59**

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: OCTOBER 8, 2002

RE: Public Hearing
Spreading of the Special Assessment Roll
Harvey St., Keating to S. End

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for **Harvey, Keating to south End**, and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of $32,964.25 would be spread against the six-(6) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2002-113(d)

Resolution Confirming Special Assessment Roll

For **Harvey Street from Keating Ave. to the South End**

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **April 9, 2002**, at the first hearing.

2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.

3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.

4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.

2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment that is paid in installments shall carry interest at the rate of five (5) percent per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR **Harvey Street from Keating Ave. to the South End**

Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

Ayes: Shepherd, Spataro, Warmington, Buie, Gawron, Larson, Schweifler

Nays: None

City of Muskegon

By Gail A. Kundinger

Gail A. Kundinger, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **October 8, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **October 8, 2002**.

City of Muskegon

By Gail A. Kundinger

Gail A. Kundinger, City Clerk

EXHIBIT A

Hravey Street from Keating to South End

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Harvey from Keating to South End.

HARVEY ST. FROM KEATING TO SOUTH END

MAYOR'S ENDORSEMENT AND WARRANT

I, STEPHEN J. WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON

BY ______________________

STEPHEN J. WARMINGTON

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT DISTRICT FOR :

H-1545, Harvey, Keating to S End

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 27TH OF SEPTEMBER, 2002

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
17 DAY OF October, 2002.

JoAnn M. Krukowski
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 5-13-05

JOANN M. KRUKOWSKI
Notary Public - Michigan
Muskegon County
My Commission Expires May 13, 2005

September 27TH , 2002

OWNERS NAME
OWNERS ADDRESS
MUSKEGON, MI 49443-1208

Property Parcel Number: 24-XXX-XXX-XXXX-XX at PARCEL ADDRESS

<u>NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL</u>

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

Harvey, Keating to S end.

<u>Public Hearings</u>

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, OCTOBER 8TH, 2002 at 5:30 P.M. You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED OCTOBER 8TH, 2002 YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL(517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

<u>Costs</u>

The final projected cost of the street improvement portion of the project is $105,000 of which $33,327.75 will be paid by special assessment. If the special assessment is confirmed, your property will be assessed $XXXX based on 460.88 feet assessable front footage at $10.75 per assessable foot for the street improvements. In addition, you will be assessed $0.00 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of $XXXX. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years
Interest Rate: 5% per year
First Installment: $XXX.XX PER YEAR
Due Date: December 8th, 2002

0

The total assessment may be paid in full any time prior to the due date shown above without interest being charged. After this date, interest will be charged at the rate shown above on the outstanding balance. Assessments also may be paid over a ten year period in ten equal principal installments. If you pay your assessment in installments, your annual installment (including interest) will be included as a separate item on your property tax bill each year. Therefore, if you pay your property taxes through a mortgage escrow agent, you should notify them of this change. Early payments may be made at any time and are encouraged.

PLEASE NOTE THAT IF THE ASSESSMENT IS NOT CONFIRMED AT THE PUBLIC HEARING YOU WILL BE NOTIFIED. IF THE ASSESSMENT IS CONFIRMED, THIS LETTER WILL REPRESENT YOUR INITIAL BILLING IF YOU WISH TO PAY IN FULL PRIOR TO THE DUE DATE AND AVOID INTEREST COSTS. OTHERWISE, YOU WILL AUTOMATICALLY BE BILLED ON AN INSTALLMENT BASIS WITH THE FIRST INSTALLMENT SHOWN ON YOUR NEXT PROPERTY TAX BILL

If you have any specific questions about the work done please call the Engineering Department at 231- 724-6707 before the hearing date.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and Application for Waiver of Special Assesment for financial assistance .

Sincerely,

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

Special Assessment Payment Options

Property owners in the City of Muskegon who are being specially assessed for street, sidewalk or other public improvements may pay their assessment in the following ways:

I. Lump Sum Payment in Full

Assessments may be paid in full within sixty (60) days of the confirmation of the special assessment roll *without interest.*

II. Installment Payments

Assessments not paid within the first sixty (60) days may be paid in installments over several years as follows:

> ***Street and Alley Assessments*** – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is $850.00, you will be billed $85.00 per year plus applicable interest as described below.
>
> ***Driveway, Sidewalk, and Approach Assessments*** - Ten (10) years equal annual principal payments plus applicable interest as described below.
>
> ***Interest*** – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

III. Special Assessment Deferral (Low Income Seniors and Disabled Persons)

To qualify for a special assessment deferral you or your spouse (if jointly owned) must:

- Be 65 years or older or be totally or permanently disabled.
- Have been a Michigan resident for five (5) years or more and have owned and occupied the homestead being assessed for five (5) years or more.
- Be a citizen of the U.S.
- Have a total household income not in excess of $16,823.00
- Have a special assessment of $300.00 or more.

Under this program the State of Michigan will pay the entire balance owing of the special assessment, including delinquent, current, and further installments. At the time of payment a lien will be recorded on your property in favor of the State of Michigan. Repayment to the State must be made at the time the property is sold or transferred or after the death of the owner(s). During the time the special assessment is deferred interest is accrued at the rate of 6.00% per year.

IV. Further Information About the Above Programs

Further information about any of the above payment options may be obtained by calling either the ***City Assessor's Office* at 724-6708** or the ***City Treasurer's Office* at 724-6720.** *Applications may be obtained at the Muskegon County Equalization Office in the Muskegon County building or City of Muskegon Assessor's Office in City Hall.*

V. Additional Special Assessment Payment Assistance

Qualified low and moderate income homeowners who are being assessed may be eligible for payment assistance through the City of Muskegon Community Development Block Grant (CDBG) Program. Assistance from this program will be available to the extent that funds are available. To obtain further information and determine whether you are eligible, contact the *Community and Neighborhood Services Department* at 724-6717.

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS

SPECIAL ASSESSMENT DISTRICTS:

HARVEY, KEATING TO S. END (900' OF GRAVEL ROAD)
LEON, HARRISON TO CROZIER
RIDGE, GLENSIDE TO CUMBERLAND
ROBERTS, KEATING TO LAKETON
AND
WILSON, HENRY TO DOWD

The location of the special assessment districts and the properties proposed to be assessed are:

- **All parcels abutting Harvey Street from Keating to the South End**
- **All parcels abutting Leon St. between Harrison and Crozier**
- All parcels abutting Ridge St. between Glenside and Cumberland
- **All parcels abutting Roberts Street from 192' N. of CL of Keating to Laketon Ave.**
- **All parcels abutting Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd**

PLEASE TAKE NOTICE that a hearing to confirm the special assessment rolls will be held at the City of Muskegon Commission Chambers on **OCTOBER 8, 2002 at 5:30 p.m.**

At the time set for the hearing the City Commission will examine and determine whether to approve the special assessment rolls that have been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment rolls are on file and may be examined during regular business hours at the City Engineer's office between 8:00 a.m. and 5:00 p.m. on weekdays, except holidays.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THIS HEARING OR DID SO AT THE PREVIOUS HEARING ON THIS SPECIAL ASSESSMENT DISTRICT EITHER IN PERSON OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

You are further notified that at the first hearings the City Commission determined that the special assessment districts should be created, the improvements made, and the assessments levied. The purpose of these hearings are to hear objections to the assessment rolls and to approve, reject, or correct the said rolls.

Gail A. Kundinger, City Clerk

Publish: **SEPTEMBER 28, 2002**

ADA POLICY

The City will provide necessary appropriate auxiliary aids and services, for example, signers for the hearing impaired, audio tapes for the visually impaired, etc., for disabled persons who want to attend the meeting, upon twenty-four hours notice to the City. Contact:

Gail A. Kundinger, City Clerk
933 Terrace Street, Muskegon, MI 49440
(231) 724-6705 of TDD (231) 724-6773

CITY OF MUSKEGON

Resolution No. 2002-47(a)

Resolution At First Hearing Creating Special Assessment District
For **Harvey Street from Keating Ave. to the South End**

Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **April 9, 2002** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.

2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.

3. At the hearing held **April 9, 2002,** there were 26.56% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.

2. The City Commission has considered the value of the property to be assessed and the value of the benefit to be received by each property proposed to be assessed in the district after the improvements have been made. The City Commission determines that the assessments of costs of the City project will enhance the value of the properties to be assessed in an amount at least equivalent to the assessment and that the improvement thereby constitutes a benefit to the property.

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.

2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.

3. The City Commission hereby appoints a Board of Assessors consisting of City Commissioners Buie and Warmington and the City Assessor who are hereby directed to prepare an assessment roll. Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **33.3%** of the cost of the street improvement will be paid by special assessments.

5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Shepherd, Spataro, Warmington, Buie, Gawron, Larson, Schweifler

Nays None

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **April 9, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

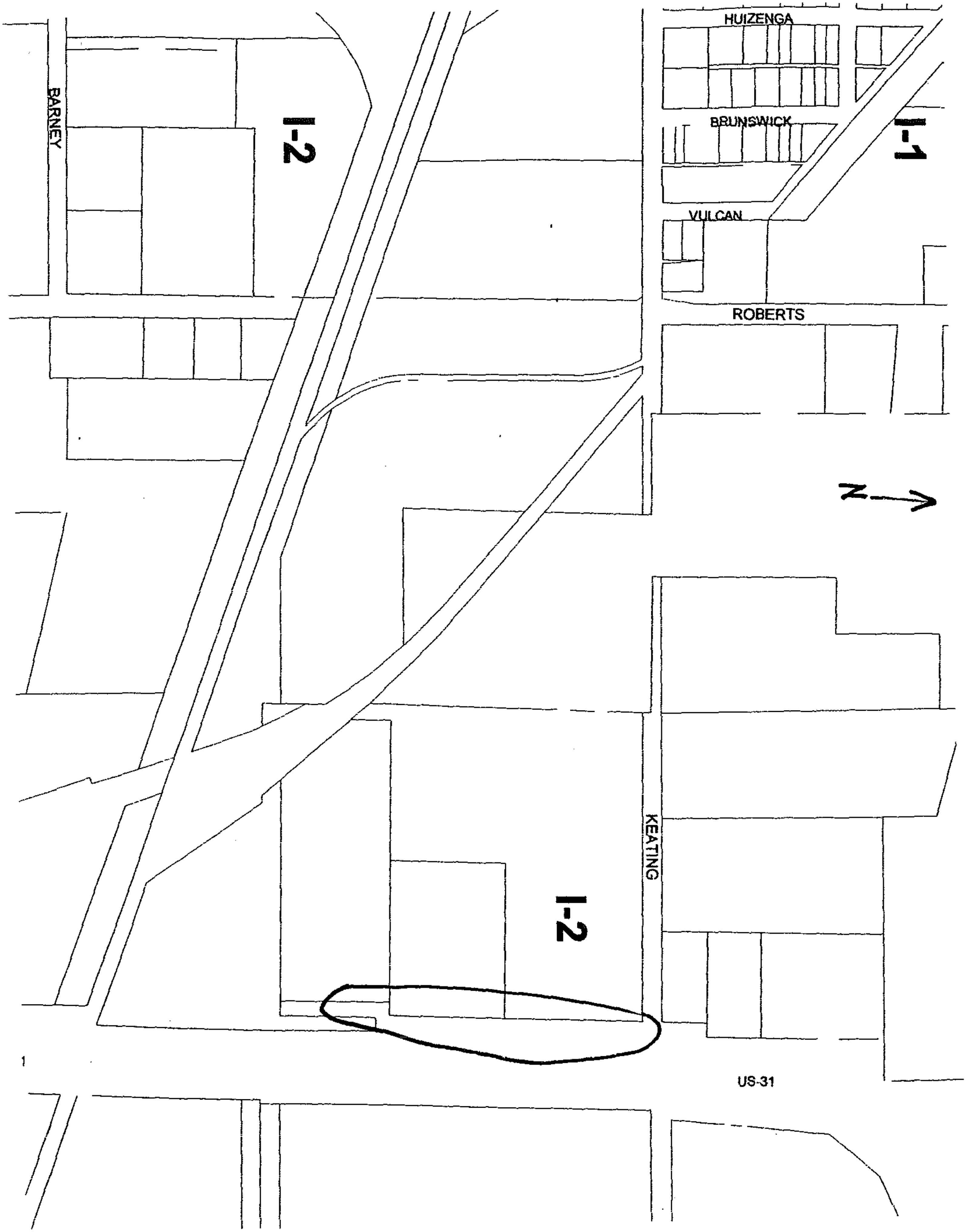
By Gail A. Kundinger
Gail A. Kundinger, Clerk

EXHIBIT A

Hravey Street from Keating to South End

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Harvey from Keating to South End.


HUIZENGA
BRUNSWICK
VULCAN
ROBERTS
BARNEY
I-2
I-1
N
KEATING
I-2
US-31
1

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

H-1545, HARVEY, KEATING TO SOUTH END

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 29TH DAY OF MARCH, 2002.

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
16th DAY OF April, 2002.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 9-25-02

H-1545 HEARING DATE OCTOBER 8TH, 2002

Harvey, Keating to S end.

SPECIAL ASSESSMENT ROLL

PARCEL	@		OWNER	MAILING ADDRESS				PAVING	DR APP / SW	TOTAL
** 24-133-200-0021-0C	**2051**	**HARVEY ST**	HARVEY TWO CO	PO BOX 1208	MUSKEGON	MI	49443-1	$4,954.46	$0.00	***$4,954.46***
** 24-133-200-0021-1C	**2121**	**HARVEY ST**	ELJON REALTY LLC	5203 S DIVISION AVE	GRAND RAPID	MI	48548	$3,473.54	$0.00	***$3,473.54***
24-133-200-0022-0C	**2151**	**HARVEY ST**	PREMIER PARTNERS	2151 S HARVEY ST	MUSKEGON	MI	49442	$13,522.20	$0.00	***$13,522.20***
24-133-200-0024-0C	**2195**	**HARVEY ST**	CONSUMERS ENERG	4000 CLAY AVE SW P	GRAND RAPID	MI	49501-0	$2,399.10	$0.00	***$2,399.10***
24-133-400-0008-0C	**2431**	**HARVEY ST**	DOBB LARRY J/JANIC	3884 MONTEVIEW DR	MUSKEGON	MI	49441	$6,179.50	$0.00	***$6,179.50***
24-133-200-0021-1C	**2121**	**HARVEY ST**	ELJON REALTY LLC	5203 S DIVISION AVE	GRAND RAPID	MI	48548	$2,435.45	$0.00	***$2,435.45***
TOTALS								**$32,964.25**	**$0.00**	**$32,964.25**

PLEASE NOTE: PARCELS SHOWING $0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS

10/14/02

CLIFF TURNER, DIRECTOR,COUNTY EQUALIZATION DATE

Karen Buie 10/9/02

KAREN BUIE CITY COMMISSIONER DATE

10-14-02

STEVE WARMINGTON CITY COMMISSIONER DATE

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: OCTOBER 8, 2002

RE: Public Hearing
Spreading of the Special Assessment Roll
Wilson, Dowd to Henry

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for **Wilson, Dowd to Henry**, and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of $66,888.76 would be spread against the thirty one-(31) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2002-113(e)

Resolution Confirming Special Assessment Roll

For **Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd**

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **March 12, 2002**, at the first hearing.

2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.

3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.

4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.

2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment that is paid in installments shall carry interest at the rate of five (5) percent per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR **Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd**
Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

Ayes: Spataro, Warmington, Buie, Gawron, Larson, Schweifler, Shepherd

Nays: None

City of Muskegon

By Gail A. Kundinger
Gail A. Kundinger, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **October 8, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **October 8, 2002**.

City of Muskegon

By Gail A. Kundinger
Gail A. Kundinger, City Clerk

EXHIBIT A

Wilson Ave., Henry St. to Dowd

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd

WILSON, DOWD TO HENRY ST.

MAYOR'S ENDORSEMENT AND WARRANT

I, STEPHEN J. WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON

BY ______________________

STEPHEN J. WARMINGTON

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT DISTRICT FOR :

H-1523, WILSON, HENRY TO DOWD

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 27TH OF SEPTEMBER, 2002

Gail A. Kundinger

GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
17 DAY OF October, 2002.

Jo Ann M. Krukowski

NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 5-13-05

JOANN M. KRUKOWSKI
Notary Public - Michigan
Muskegon County
My Commission Expires May 13, 2005

September 27TH , 2002

OWNERS NAME
OWNERS ADDRESS
MUSKEGON, MI 49441

Property Parcel Number: 24-XXX-XXX-XXXX-XX at PARCEL ADDRESS

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

Wilson, Dowd to Henry St.

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, OCTOBER 8TH, 2002 at 5:30 P.M. You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED OCTOBER 8TH, 2002 YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL(517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

The final projected cost of the street improvement portion of the project is $126,000 of which $66,888.76 will be paid by special assessment. If the special assessment is confirmed, your property will be assessed $XXXX based on XX feet assessable front footage at $34.42 per assessable foot for the street improvements. In addition, you will be assessed $XXX for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of $XXXX. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years
Interest Rate: 5% per year
First Installment: $227.18 per year
Due Date: December 8th, 2002

CDBG Approved You Owe $0.00

The total assessment may be paid in full any time prior to the due date shown above without interest being charged. After this date, interest will be charged at the rate shown above on the outstanding balance. Assessments also may be paid over a ten year period in ten equal principal installments. If you pay your assessment in installments, your annual installment (including interest) will be included as a separate item on your property tax bill each year. Therefore, if you pay your property taxes through a mortgage escrow agent, you should notify them of this change. Early payments may be made at any time and are encouraged.

PLEASE NOTE THAT IF THE ASSESSMENT IS NOT CONFIRMED AT THE PUBLIC HEARING YOU WILL BE NOTIFIED. IF THE ASSESSMENT IS CONFIRMED, THIS LETTER WILL REPRESENT YOUR INITIAL BILLING IF YOU WISH TO PAY IN FULL PRIOR TO THE DUE DATE AND AVOID INTEREST COSTS. OTHERWISE, YOU WILL AUTOMATICALLY BE BILLED ON AN INSTALLMENT BASIS WITH THE FIRST INSTALLMENT SHOWN ON YOUR NEXT PROPERTY TAX BILL

If you have any specific questions about the work done please call the Engineering Department at 231- 724-6707 before the hearing date.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and Application for Waiver of Special Assesment for financial assistance .

Sincerely,

Mohammed Al-Shatel

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

Special Assessment Payment Options

Property owners in the City of Muskegon who are being specially assessed for street, sidewalk or other public improvements may pay their assessment in the following ways:

I. Lump Sum Payment in Full

Assessments may be paid in full within sixty (60) days of the confirmation of the special assessment roll *without interest.*

II. Installment Payments

Assessments not paid within the first sixty (60) days may be paid in installments over several years as follows:

> ***Street and Alley Assessments*** – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is $850.00, you will be billed $85.00 per year plus applicable interest as described below.
>
> ***Driveway, Sidewalk, and Approach Assessments*** - Ten (10) years equal annual principal payments plus applicable interest as described below.
>
> ***Interest*** – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

III. Special Assessment Deferral (Low Income Seniors and Disabled Persons)

To qualify for a special assessment deferral you or your spouse (if jointly owned) must:

- Be 65 years or older or be totally or permanently disabled.
- Have been a Michigan resident for five (5) years or more and have owned and occupied the homestead being assessed for five (5) years or more.
- Be a citizen of the U.S.
- Have a total household income not in excess of $16,823.00
- Have a special assessment of $300.00 or more.

Under this program the State of Michigan will pay the entire balance owing of the special assessment, including delinquent, current, and further installments. At the time of payment a lien will be recorded on your property in favor of the State of Michigan. Repayment to the State must be made at the time the property is sold or transferred or after the death of the owner(s). During the time the special assessment is deferred interest is accrued at the rate of 6.00% per year.

IV. Further Information About the Above Programs

Further information about any of the above payment options may be obtained by calling either the ***City Assessor's Office* at 724-6708** or **the *City Treasurer's Office* at 724-6720.** *Applications may be obtained at the Muskegon County Equalization Office in the Muskegon County building or City of Muskegon Assessor's Office in City Hall.*

V. Additional Special Assessment Payment Assistance

Qualified low and moderate income homeowners who are being assessed may be eligible for payment assistance through the City of Muskegon Community Development Block Grant (CDBG) Program. Assistance from this program will be available to the extent that funds are available. To obtain further information and determine whether you are eligible, contact the ***Community and Neighborhood Services Department* at 724-6717**.

CITY OF MUSKEGON
WILSON, HENRY TO DOWD H-1523
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT

HOUSEHOLD INFORMATION

Name: ______________________ **Birthdate:**____________ **Social Security #** ____-____-____

Spouse:______________________ **Birthdate:**____________ **Social Security #** ____-____-____

Address: ______________________ **Phone:**______________ **Race:**______________

Parcel # ______________________ **Owner/Spouse Legally Handicapped Or Disabled? ( )Yes ( ) No**

(Please refer to your assessment letter for this information)

Number Living in Household:________ List information for household members besides owner/spouse here.

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

INCOME INFORMATION

ANNUAL Household Income: $________ **Wage earner:** ______________
(Must include all household income)

________ **Wage earner:** ______________

________ **Wage earner:** ______________

________ **Wage earner:** ______________

Total: $________

PROPERTY INFORMATION

Proof Of Ownership: ( ) Deed ( ) Mortgage ( ) Land Contract

Homeowner's Insurance Co: ______________________ **Expiration Date:**________

Property Taxes: ( ) Current ( ) Delinquent Year(s) Due ______________________

(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

Owner's Signature:______________________________ **Date:**____________

By signing this application, the applicant verifies he/she **owns and occupies** the dwelling. The Applicant/Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant/Owner's knowledge and belief. The property owner's signature will be required prior to the application being processed.

FOR OFFICE USE ONLY

APPROVED ( ) DENIED ( ) DATE ________ CENSUS TRACT NO. ______

SIGNATURE ______________________ TITLE ______________________

COMMENTS/REMARKS ____

****ATTENTION APPLICANT****

Please see reverse side for instructions on providing proof of income, ownership, and property insurance.

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS

SPECIAL ASSESSMENT DISTRICTS:

HARVEY, KEATING TO S. END (900' OF GRAVEL ROAD)
LEON, HARRISON TO CROZIER
RIDGE, GLENSIDE TO CUMBERLAND
ROBERTS, KEATING TO LAKETON
AND
WILSON, HENRY TO DOWD

The location of the special assessment districts and the properties proposed to be assessed are:

- **All parcels abutting Harvey Street from Keating to the South End**
- **All parcels abutting Leon St. between Harrison and Crozier**
- All parcels abutting Ridge St. between Glenside and Cumberland
- **All parcels abutting Roberts Street from 192' N. of CL of Keating to Laketon Ave.**
- **All parcels abutting Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd**

PLEASE TAKE NOTICE that a hearing to confirm the special assessment rolls will be held at the City of Muskegon Commission Chambers on **OCTOBER 8, 2002 at 5:30 p.m.**

At the time set for the hearing the City Commission will examine and determine whether to approve the special assessment rolls that have been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment rolls are on file and may be examined during regular business hours at the City Engineer's office between 8:00 a.m. and 5:00 p.m. on weekdays, except holidays.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THIS HEARING OR DID SO AT THE PREVIOUS HEARING ON THIS SPECIAL ASSESSMENT DISTRICT EITHER IN PERSON OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

You are further notified that at the first hearings the City Commission determined that the special assessment districts should be created, the improvements made, and the assessments levied. The purpose of these hearings are to hear objections to the assessment rolls and to approve, reject, or correct the said rolls.

Gail A. Kundinger, City Clerk, MMC

Publish: **SEPTEMBER 28, 2002**

ADA POLICY

The City will provide necessary appropriate auxiliary aids and services, for example, signers for the hearing impaired, audio tapes for the visually impaired, etc., for disabled persons who want to attend the meeting, upon twenty-four hours notice to the City. Contact:

Gail A. Kundinger, City Clerk
933 Terrace Street, Muskegon, MI 49440
(231) 724-6705 of TDD (231) 724-6773

CITY OF MUSKEGON

Resolution No. 2002-32(b)   MAR 2 5 2002

Resolution At First Hearing Creating Special Assessment District
For **Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd**
Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **March 12, 2002** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.

2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.

3. At the hearing held **March 12, 2002,** there were 14.81 % objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.

2. The City Commission has considered the value of the property to be assessed and the value of the benefit to be received by each property proposed to be assessed in the district after the improvements have been made. The City Commission determines that the assessments of costs of the City project will enhance the value of the properties to be assessed in an amount at least equivalent to the assessment and that the improvement thereby constitutes a benefit to the property.

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.

2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.
3. The City Commission hereby appoints a Board of Assessors consisting of City

Commissioners Schweifler and Spataro and the City Assessor who are hereby directed to prepare an assessment roll. Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **43.3%** of the cost of the street improvement will be paid by special assessments.

5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Spataro, Warmington, Buie, Gawron, Larson, Schweifler

Nays None

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **March 12, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

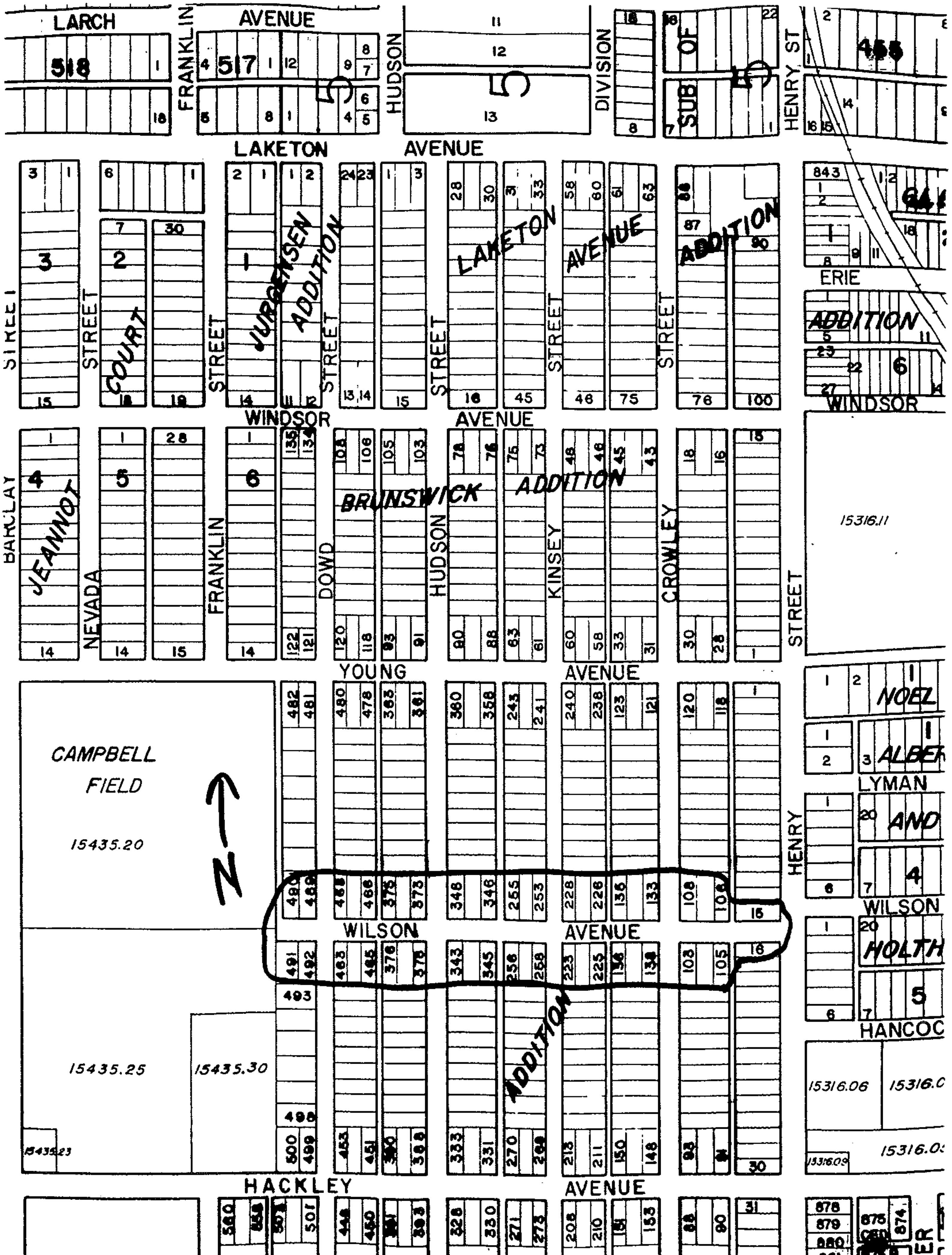
By Gail A. Kundinger
Gail A. Kundinger, Clerk

EXHIBIT A

Wilson Ave., Henry St. to Dowd

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd


LARCH AVENUE
518
517
FRANKLIN
HUDSON
DIVISION
SUB OF
HENRY ST
455
LAKETON AVENUE
JURGENSEN ADDITION
LAKETON AVENUE ADDITION
ERIE
ADDITION
COURT
STREET
WINDSOR AVENUE
WINDSOR
BARCLAY
JEANNOT
NEVADA
FRANKLIN
DOWD
HUDSON
KINSEY
CROWLEY
STREET
BRUNSWICK ADDITION
15316.11
YOUNG AVENUE
NOEL
LYMAN
AND
HENRY
CAMPBELL FIELD
15435.20
N
WILSON AVENUE
WILSON
ADDITION
15435.25
15435.30
15435.23
15316.06
15316.09
HACKLEY AVENUE

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

H-1523, WILSON, DOWD TO HENRY STREET

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 1ST DAY OF MARCH, 2002.

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
14th DAY OF March, 2002.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 9-25-02

H-1523 HEARING DATE OCTOBER 8TH, 2002

Wilson, Dowd to Henry St.

SPECIAL ASSESSMENT ROLL

PARCEL	@		OWNER	MAILING ADDRESS				PAVING	DR APP / SW	TOTAL
24-665-000-0014-00	**2083**	**HENRY ST**	PEARSON JOHN H ET	2083 HENRY ST	MUSKEGON	MI	49441	$2,065.20	$206.64	***$2,271.84***
24-665-000-0347-00	**2090**	**HUDSON ST**	PRESTON HAROLD M	2090 HUDSON ST	MUSKEGON	MI	49441	$2,271.72	$0.00	***$2,271.72***
24-665-000-0016-00	**2107**	**HENRY ST**	TISCH PROPERTIES L	1905 MCILWRAITH	MUSKEGON	MI	49442	$2,065.20	2,988.48	***$5,053.68***
24-365-000-0007-00	**2110**	**DOWD ST**	WERLING KENNETH	2110 DOWD ST	MUSKEGON	MI	49441	$1,702.76	$0.00	***$1,702.76***
24-665-000-0491-00	**2111**	**DOWD ST**	SKLENAR CATHERINE	2111 DOWD ST	MUSKEGON	MI	49441	$2,161.58	$0.00	***$2,161.58***
24-665-000-0343-00	**2118**	**HUDSON ST**	BRUCKBAUER DANIEL	2118 HUDSON ST	MUSKEGON	MI	49441	$1,600.53	$0.00	***$1,600.53***
24-665-000-0257-00	**2119**	**KINSEY ST**	OCWEN FERAL BANK	1675 PALM BEACH LA	WEST PALM BE	FL	33401	$2,134.04	$0.00	***$2,134.04***
24-665-000-0106-00	**828**	**WILSON AVE**	DAHLGREN BESSIE	834 WILSON AVE	MUSKEGON	MI	49441	$1,376.80	$0.00	***$1,376.80***
24-665-000-0104-00	**829**	**WILSON AVE**	VAN DONKELAAR WIL	829 WILSON AVE	MUSKEGON	MI	49441	$2,753.60	$842.62	***$3,596.22***
24-665-000-0107-00	**834**	**WILSON AVE**	DAHLGREN BESSIE	834 WILSON AVE	MUSKEGON	MI	49441	$1,376.80	$0.00	***$1,376.80***
24-665-000-0103-00	**841**	**WILSON AVE**	HOLT MICHAEL/CATHI	160 JOHN AVE	MUSKEGON	MI	49441	$1,125.53	$220.08	***$1,345.61***
24-665-000-0108-00	**846**	**WILSON AVE**	CITY OF MUSKEGON					$1,125.53	$885.68	***$2,011.21***
24-665-000-0133-00	**854**	**WILSON AVE**	SHREVE BERNARD	854 WILSON AVE	MUSKEGON	MI	49441	$2,065.20	$0.00	***$2,065.20***
24-665-000-0138-00	**855**	**WILSON AVE**	MAYNARD CHARLES	855 WILSON AVE	MUSKEGON	MI	49441	$2,065.20	$0.00	***$2,065.20***
24-665-000-0136-00	**865**	**WILSON AVE**	FELCOSKIE ROBERT	865 WILSON AVE	MUSKEGON	MI	49441	$2,065.20	$413.49	***$2,478.69***
24-665-000-0135-00	**866**	**WILSON AVE**	ZAVITZ SHIRLEY A/ZA	866 WILSON AVE	MUSKEGON	MI	49441	$2,065.20	$211.40	***$2,276.60***
24-665-000-0223-00	**879**	**WILSON AVE**	LAUDE GARY F	879 WILSON AVE	MUSKEGON	MI	49441	$3,710.48	$879.72	***$4,590.20***
24-665-000-0226-00	**882**	**WILSON AVE**	KUZMA JOSEPH/MICH	882 WILSON AVE	MUSKEGON	MI	49441	$3,710.48	$428.10	***$4,138.58***

H-1523 HEARING DATE OCTOBER 8TH, 2002

Wilson, Dowd to Henry St.

SPECIAL ASSESSMENT ROLL

PARCEL	@		OWNER	MAILING ADDRESS				PAVING	DR APP / SW	TOTAL
24-665-000-0253-00	**900**	**WILSON AVE**	CIHOS STANLEY	900 WILSON AVE	MUSKEGON	MI	49441	$2,134.04	$0.00	***$2,134.04***
24-665-000-0256-00	**911**	**WILSON AVE**	JENSEN MICHAEL P	911 WILSON AVE	MUSKEGON	MI	49441	$1,342.38	$0.00	***$1,342.38***
24-665-000-0255-00	**912**	**WILSON AVE**	BRUCKBAUER LEONA	912 WILSON AVE	MUSKEGON	MI	49441	$1,342.38	$503.91	***$1,846.29***
24-665-000-0345-00	**919**	**WILSON AVE**	BOLEMA LONNIE	919 WILSON AVE	MUSKEGON	MI	49441	$2,013.57	$0.00	***$2,013.57***
24-665-000-0346-00	**920**	**WILSON AVE**	TENBRINK BRAD D/MA	920 WILSON AVE	MUSKEGON	MI	49441	$1,342.38	$184.09	***$1,526.47***
24-665-000-0373-00	**944**	**WILSON AVE**	GILL NORMA	944 WILSON AVE	MUSKEGON	MI	49441	$922.46	$0.00	***$922.46***
24-365-000-0008-00	**949**	**WILSON AVE**	JOHNSON HELEN M	949 WILSON AVE	MUSKEGON	MI	49441	$1,723.41	$882.49	***$2,605.90***
24-665-000-0374-00	**950**	**WILSON AVE**	GILL NORMA	944 WILSON AVE	MUSKEGON	MI	49441	$1,342.38	$0.00	***$1,342.38***
24-665-000-0375-00	**956**	**WILSON AVE**	PIKAART TERRY L	11755 SAND RD	MONTAGUE	MI	49437	$1,342.38	$430.90	***$1,773.28***
24-665-000-0466-00	**968**	**WILSON AVE**	EVANS PAULINE R	968 WILSON AVE	MUSKEGON	MI	49441	$1,342.38	$0.00	***$1,342.38***
24-665-000-0467-00	**972**	**WILSON AVE**	LINK MARCUS A	1960 S MILL IRON RD	MUSKEGON	MI	49442	$1,342.38	$449.38	***$1,791.76***
24-665-000-0468-00	**976**	**WILSON AVE**	KAMROWSKI TERRI	976 WILSON AVE	MUSKEGON	MI	49441	$901.80	$0.00	***$901.80***
24-665-000-0489-00	**996**	**WILSON AVE**	GROGAN THOMAS	996 WILSON AVE	MUSKEGON	MI	49441	$2,161.58	$667.21	***$2,828.79***

9/27/02

H-1523 **HEARING DATE** OCTOBER 8TH, 2002

Wilson, Dowd to Henry St.

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
	TOTALS			**$56,694.57**	**10,194.19**	**$66,888.76**

PLEASE NOTE: PARCELS SHOWING $0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS

10/14/02

CLIFF TURNER, DIRECTOR,COUNTY EQUALIZATION DATE

ROBERT SCHWEIFLER CITY COMMISSIONER DATE

10-9-02

LAWRENCE SPATARO CITY COMMISSIONER DATE

9/27/02

H-1523 **HEARING DATE** OCTOBER 8TH, 2002

Wilson, Dowd to Henry St.

CDBG APPROVED

PARCEL	@		OWNER	MAILING ADDRESS				PAVING	DR APP / SW	TOTAL
24-665-000-0014-00	**2083**	**HENRY ST**	PEARSON JOHN H ET	2083 HENRY ST	MUSKEGON	MI	49441	$2,065.20	$206.64	***$2,271.84***
24-665-000-0107-00	**834**	**WILSON AVE**	DAHLGREN BESSIE	834 WILSON AVE	MUSKEGON	MI	49441	$1,376.80	$0.00	***$1,376.80***
24-665-000-0466-00	**968**	**WILSON AVE**	EVANS PAULINE R	968 WILSON AVE	MUSKEGON	MI	49441	$1,342.38	$0.00	***$1,342.38***
	TOTALS							**$4,784.38**	**$206.64**	**$4,991.02**

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: OCTOBER 8, 2002

RE: Public Hearing
Spreading of the Special Assessment Roll
ROBERTS, Keatinting to Laketon

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for **Roberts, Keating to Laketon,** and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of $34,924.68 would be spread against the seven-(7) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2002-113(f)

Resolution Confirming Special Assessment Roll

For **Roberts St., 192' N. of the Centerline of Keating to Laketon Ave.**

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **January 22, 2002**, at the first hearing.

2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.

3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.

4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.

2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment that is paid in installments shall carry interest at the rate of five (5) percent per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR **Roberts St., 192' N. of the Centerline of Keating to Laketon Ave.**
Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

Ayes: Warmington, Buie, Gawron, Larson, Schweifler, Shepherd, Spataro

Nays: None

City of Muskegon

By Gail A. Kundinger

Gail A. Kundinger, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **October 8, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **October 8, 2002**.

City of Muskegon

By Gail A. Kundinger

Gail A. Kundinger, City Clerk

EXHIBIT A

ROBERTS ST. FROM SHERMAN TO LATIMER

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Roberts St. from 192' N. of the centerline of Keating to Laketon Ave.

ROBERTS ST. FROM KEATING TO LAKETON

MAYOR'S ENDORSEMENT AND WARRANT

I, STEPHEN J. WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON

BY ______________________

STEPHEN J. WARMINGTON

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT DISTRICT FOR :

H-1512, ROBERTS-KEATING TO LAKETON

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 27TH OF SEPTEMBER, 2002

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
17 DAY OF October, 2002.

JoAnn M. Krukowski
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 5-13-05

JOANN M. KRUKOWSKI
Notary Public - Michigan
Muskegon County
My Commission Expires May 13, 2005

September 27TH , 2002

OWNERS NAME
OWNERS ADDRESS
MUSKEGON, MI 49441-1904

Property Parcel Number: 24-XXX-XXX-XXXX-XX at PARCEL ADDRESS

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

Milling & Resurfacing of Roberts Street,Keating Ave to Laketon Ave

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, OCTOBER 8TH, 2002 at 5:30 P.M. You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED OCTOBER 8TH, 2002 YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL(517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

The final projected cost of the street improvement portion of the project is $109,000 of which $34,924.68 will be paid by special assessment. If the special assessment is confirmed, your property will be assessed $XXXX based on XXX feet assessable front footage at $18.00 per assessable foot for the street improvements. In addition, you will be assessed $0.00 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of $XXXX. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years
Interest Rate: 5% per year
First Installment: $XXX.XX PER YEAR
Due Date: December 8th, 2002

0

The total assessment may be paid in full any time prior to the due date shown above without interest being charged. After this date, interest will be charged at the rate shown above on the outstanding balance. Assessments also may be paid over a ten year period in ten equal principal installments. If you pay your assessment in installments, your annual installment (including interest) will be included as a separate item on your property tax bill each year. Therefore, if you pay your property taxes through a mortgage escrow agent, you should notify them of this change. Early payments may be made at any time and are encouraged.

PLEASE NOTE THAT IF THE ASSESSMENT IS NOT CONFIRMED AT THE PUBLIC HEARING YOU WILL BE NOTIFIED. IF THE ASSESSMENT IS CONFIRMED, THIS LETTER WILL REPRESENT YOUR INITIAL BILLING IF YOU WISH TO PAY IN FULL PRIOR TO THE DUE DATE AND AVOID INTEREST COSTS. OTHERWISE, YOU WILL AUTOMATICALLY BE BILLED ON AN INSTALLMENT BASIS WITH THE FIRST INSTALLMENT SHOWN ON YOUR NEXT PROPERTY TAX BILL

If you have any specific questions about the work done please call the Engineering Department at 231- 724-6707 before the hearing date.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and Application for Waiver of Special Assesment for financial assistance .

Sincerely,

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

Special Assessment Payment Options

Property owners in the City of Muskegon who are being specially assessed for street, sidewalk or other public improvements may pay their assessment in the following ways:

I. Lump Sum Payment in Full

Assessments may be paid in full within sixty (60) days of the confirmation of the special assessment roll *without interest*.

II. Installment Payments

Assessments not paid within the first sixty (60) days may be paid in installments over several years as follows:

Street and Alley Assessments – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is $850.00, you will be billed $85.00 per year plus applicable interest as described below.

Driveway, Sidewalk, and Approach Assessments - Ten (10) years equal annual principal payments plus applicable interest as described below.

Interest – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

III. Special Assessment Deferral (Low Income Seniors and Disabled Persons)

To qualify for a special assessment deferral you or your spouse (if jointly owned) must:

- Be 65 years or older or be totally or permanently disabled.
- Have been a Michigan resident for five (5) years or more and have owned and occupied the homestead being assessed for five (5) years or more.
- Be a citizen of the U.S.
- Have a total household income not in excess of $16,823.00
- Have a special assessment of $300.00 or more.

Under this program the State of Michigan will pay the entire balance owing of the special assessment, including delinquent, current, and further installments. At the time of payment a lien will be recorded on your property in favor of the State of Michigan. Repayment to the State must be made at the time the property is sold or transferred or after the death of the owner(s). During the time the special assessment is deferred interest is accrued at the rate of 6.00% per year.

IV. Further Information About the Above Programs

Further information about any of the above payment options may be obtained by calling either the ***City Assessor's Office* at 724-6708** or **the *City Treasurer's Office* at 724-6720.** *Applications may be obtained at the Muskegon County Equalization Office in the Muskegon County building or City of Muskegon Assessor's Office in City Hall.*

V. Additional Special Assessment Payment Assistance

Qualified low and moderate income homeowners who are being assessed may be eligible for payment assistance through the City of Muskegon Community Development Block Grant (CDBG) Program. Assistance from this program will be available to the extent that funds are available. To obtain further information and determine whether you are eligible, contact the ***Community and Neighborhood Services Department* at 724-6717**.

CITY OF MUSKEGON

[illegible]

CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT

HOUSEHOLD INFORMATION

Name: ______________________ **Birthdate:**____________ **Social Security #** ____-____-____

Spouse:______________________ **Birthdate:**____________ **Social Security #** ____-____-____

Address: ______________________ **Phone:**______________ **Race:**____________

Parcel # ______________________ **Owner/Spouse Legally Handicapped Or Disabled? ( )Yes ( ) No**

(Please refer to your assessment letter for this information)

Number Living in Household:________ List information for household members besides owner/spouse here.

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

Name______________________ **Birthdate**____________ **Social Security #** ____-____-____

INCOME INFORMATION

<u>ANNUAL</u> Household Income: $________ **Wage earner:** ______________
(Must include all household income)

________ **Wage earner:** ______________

________ **Wage earner:** ______________

________ **Wage earner:** ______________

Total: $__________

PROPERTY INFORMATION

Proof Of Ownership: ( ) Deed ( ) Mortgage ( ) Land Contract

Homeowner's Insurance Co: ______________________ **Expiration Date:**________

Property Taxes: ( ) Current ( ) Delinquent Year(s) Due ______________________

(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

Owner's Signature:______________________________ **Date:**__________

By signing this application, the applicant verifies he/she **owns and occupies** the dwelling. The Applicant/Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant/Owner's knowledge and belief. The property owner's signature will be required prior to the application being processed.

FOR OFFICE USE ONLY

APPROVED ( ) DENIED ( ) DATE ________ CENSUS TRACT NO. ______

SIGNATURE ______________________ TITLE ______________________

COMMENTS/REMARKS ____

****ATTENTION APPLICANT****

Please see reverse side for instructions on providing proof of income, ownership, and property insurance.

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS

SPECIAL ASSESSMENT DISTRICTS:

HARVEY, KEATING TO S. END (900' OF GRAVEL ROAD)
LEON, HARRISON TO CROZIER
RIDGE, GLENSIDE TO CUMBERLAND
ROBERTS, KEATING TO LAKETON
AND
WILSON, HENRY TO DOWD

The location of the special assessment districts and the properties proposed to be assessed are:

- **All parcels abutting Harvey Street from Keating to the South End**
- **All parcels abutting Leon St. between Harrison and Crozier**
- All parcels abutting Ridge St. between Glenside and Cumberland
- **All parcels abutting Roberts Street from 192' N. of CL of Keating to Laketon Ave.**
- **All parcels abutting Wilson from Henry St. to 75' W. of the Westerly R-O-W of Dowd**

PLEASE TAKE NOTICE that a hearing to confirm the special assessment rolls will be held at the City of Muskegon Commission Chambers on **OCTOBER 8, 2002 at 5:30 p.m.**

At the time set for the hearing the City Commission will examine and determine whether to approve the special assessment rolls that have been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment rolls are on file and may be examined during regular business hours at the City Engineer's office between 8:00 a.m. and 5:00 p.m. on weekdays, except holidays.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THIS HEARING OR DID SO AT THE PREVIOUS HEARING ON THIS SPECIAL ASSESSMENT DISTRICT EITHER IN PERSON OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

You are further notified that at the first hearings the City Commission determined that the special assessment districts should be created, the improvements made, and the assessments levied. The purpose of these hearings are to hear objections to the assessment rolls and to approve, reject, or correct the said rolls.

Gail A. Kundinger, City Clerk

Publish: **SEPTEMBER 28, 2002**

ADA POLICY

The City will provide necessary appropriate auxiliary aids and services, for example, signers for the hearing impaired, audio tapes for the visually impaired, etc., for disabled persons who want to attend the meeting, upon twenty-four hours notice to the City. Contact:

Gail A. Kundinger, City Clerk
933 Terrace Street, Muskegon, MI 49440
(231) 724-6705 of TDD (231) 724-6773

CITY OF MUSKEGON

Resolution No. 2002-10(b)

Resolution At First Hearing Creating Special Assessment District
For **Roberts St., 192' N. of the Centerline of Keating to Laketon Ave.**
Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **January 22, 2002** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.

2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.

3. At the hearing held **January 22, 2002,** there were 0 % objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.

2. The City Commission has considered the value of the property to be assessed and the value of the benefit to be received by each property proposed to be assessed in the district after the improvements have been made. The City Commission determines that the assessments of costs of the City project will enhance the value of the properties to be assessed in an amount at least equivalent to the assessment and that the improvement thereby constitutes a benefit to the property.

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.

2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.
3. The City Commission hereby appoints a Board of Assessors consisting of City

Commissioners Buie and Larson and the City Assessor who are hereby directed to prepare an assessment roll. Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **20.42%** of the cost of the street improvement will be paid by special assessments.

5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Shepherd, Spataro, Warmington, Buie, Gawron, Larson, and Schweifler

Nays None

CITY OF MUSKEGON

By Gail A. Kundinger

Gail A. Kundinger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **January 22, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kundinger

Gail A. Kundinger, Clerk

EXHIBIT A

ROBERTS ST. FROM SHERMAN TO LATIMER

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Roberts St. from 192' N. of the centerline of Keating to Laketon Ave.


N
E FOREST AV
GRACE AV
E DALE AV
AURORA AV
TURNER AV
HUIZENGA ST
VULCAN ST
ROBERTS ST
BURTON ST
E LARCH AV
NEW ST
LAKETON AVENUE
SPECIAL ASSESSMENT DISTRICT
CONTINENTAL ST
AUSTIN ST
VALLEY ST
MADISON ST
NIMS ST
HUIZENGA ST
BRUNSWICK ST
VULCAN ST
E. KEATING AVENUE
E DELANO AV

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

H-1512, ROBERTS-192' N OF KEATING TO LAKETON AVE

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 11TH DAY OF JANUARY, 2002.

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
28th DAY OF January, 2002.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
Linda S. Potter
MY COMMISSION EXPIRES 9-25-02

H-1512 **HEARING DATE** OCTOBER 8TH, 2002

Milling & Resurfacing of Roberts Street,Keating Ave to Laketon Ave

SPECIAL ASSESSMENT ROLL

PARCEL	@		OWNER	MAILING ADDRESS				PAVING	DR APP / SW	TOTAL
24-133-100-0008-00	**1183**	**LAKETON AVE**	GR MUSK HOUSING C	1065 4TH ST	MUSKEGON	MI	49441-1	$4,950.00	$0.00	***$4,950.00***
24-133-100-0009-00	**1875**	**ROBERTS ST**	NEWKIRK ELECTRIC A	1875 ROBERTS ST	MUSKEGON	MI	49442	$9,755.10	$0.00	***$9,755.10***
24-133-200-0001-00	**1225**	**LAKETON AVE**	EARTHGRAINS COMP	8400 MARYLAND AVE	ST LOUIS	MO	63105	$3,204.00	$0.00	***$3,204.00***
24-133-200-0005-00	**1842**	**ROBERTS ST**	LORIN INDUSTRIES	1960 ROBERTS ST	MUSKEGON	MI	49442	$1,944.00	$0.00	***$1,944.00***
24-133-200-0007-00	**1894**	**ROBERTS ST**	KERSCO DIVISION INC	1960 ROBERTS ST	MUSKEGON	MI	49442	$7,168.50	$0.00	***$7,168.50***
24-133-200-0008-00	**1960**	**ROBERTS ST**	LORIN INDUSTRIES	1960 ROBERTS ST	MUSKEGON	MI	49442	$5,812.20	$0.00	***$5,812.20***
24-215-014-0001-00	**1975**	**ROBERTS ST**	LORIN INDUSTRIES	1960 ROBERTS ST	MUSKEGON	MI	49442	$2,090.88	$0.00	***$2,090.88***
	TOTALS							**$34,924.68**	**$0.00**	**$34,924.68**

PLEASE NOTE: PARCELS SHOWING $0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS

10/14/02
CLIFF TURNER, DIRECTOR,COUNTY EQUALIZATION DATE

Karen Buie 10/9/02
KAREN BUIE CITY COMMISSIONER DATE

Bill Larson 10/9/02
BILL LARSON CITY COMMISSIONER DATE

9/27/02

Commission Meeting Date: October 8, 2002

Date:	**September 27, 2002**
To:	**Honorable Mayor and City Commissioners**
From:	**Planning & Economic Development**
RE:	**Request for final Planned Unit Development approval for 1350 Hackley Ave. (Hackley Glen).**

SUMMARY OF REQUEST:

Request for final approval for the Planned Unit Development and associated site, landscape and utility plans for the current Hackley Glen property, for a mixed-use residential development, containing senior, family apartment and possible future condominium units. The request is from Ruddiman Associates Limited Partnership.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

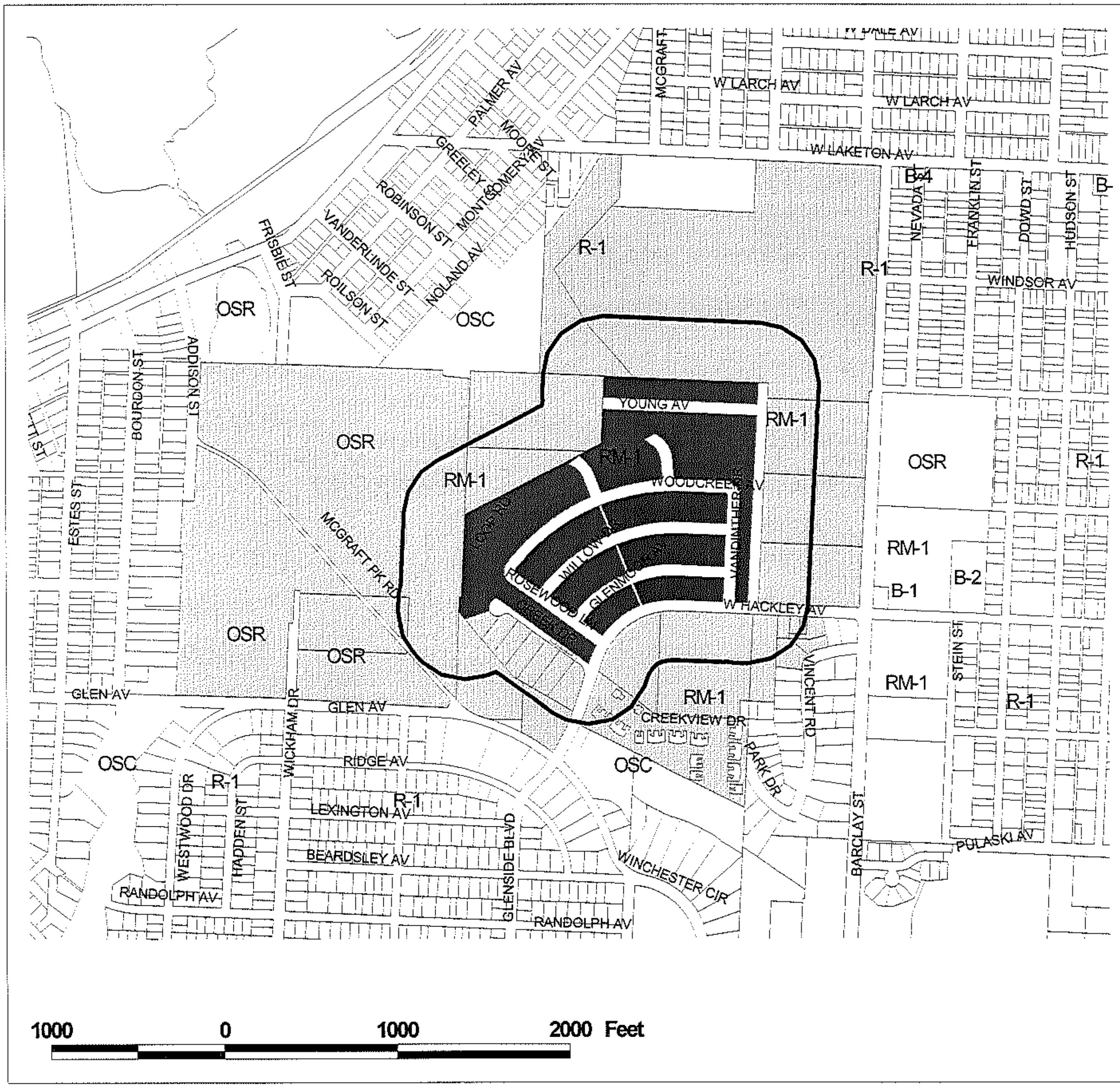
STAFF RECOMMENDATION:

Staff recommends approval of the final PUD and associated plans provided that the conditions listed in the attached resolution are met.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended final approval of the PUD and associated plans, with the conditions listed on the attached resolution, at a special meeting on 9/26. The vote was unanimous, with S. Warmington, B. Smith, M. Kleaveland and J. Aslakson absent.

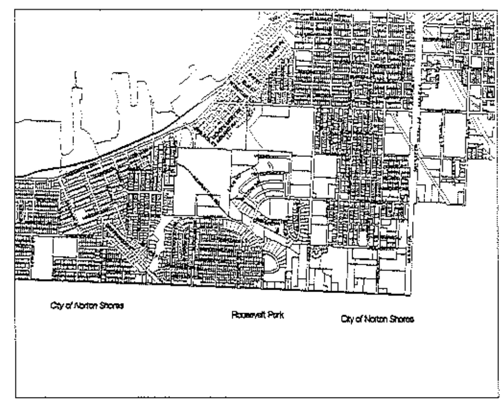
City of Muskegon
Planning Commission
Case # 2002-47



■ = Subject Property(ies)

○ = Notice Area

R-1 = Single-Family Residential
RM-1= Low Density Multiple FamilyResidential
OSR = Open Space Recreation
OSC = Open Space Conservation
B-1 = Limited Business
B-2 = Convenience & Comparison Business
B-4 = General Business



Staff Report [EXCERPT]
CITY OF MUSKEGON
PLANNING COMMISSION
SPECIAL MEETING

September 26, 2002

Hearing; Case 2002-39: Request for final Planned Unit Development approval for a mixed-use housing development at Hackley Glen, 1350 Hackley Ave., by Ruddiman Associates Limited Partnership.

BACKGROUND
Applicant: Ruddiman Associates Limited Partnership
Request: Final PUD approval for a mixed-use housing development.
Present Land Use: Housing development
Zoning: RM-1, Low Density Multiple-Family Residential

STAFF OBSERVATIONS - PLANS ALREADY DISTRIBUTED SEPARATELY FOR THIS

1. The preliminary PUD and conceptual site plan for this proposed redevelopment were approved by the Planning Commission on August 15, 2002 and by the City Commission on August 27, 2002. The applicants are now asking for a final PUD approval, including final approval of their site plan.
2. The applicant is proposing a mixed-use housing development in several phases. The first two phases, for which they are seeking a Planned Unit Development (PUD) approval at this time, include a senior housing complex as well as 2-story multi-family apartment units. Future development on the property is proposed to include additional multi-family apartment units and possible condominium units as well.
3. Since the previous meeting, the applicant has addressed several issues that various City departments had with the conceptual plan. These concerns included locations of relocated utilities for the development and access to those utilities, fire access for the senior housing complex, and the amount of open space that both the City and MSHDA (Michigan State Housing Development Authority) required for the development.
4. The proposed development includes the complete vacation of Glenmoor St. and of Willow St., and capping or relocation of the existing utilities underneath these streets. The Department of Public Works is satisfied that all concerns regarding existing utilities in these streets have been addressed by the developer on the enclosed utility plan and will continue to work with them regarding any utility issues that come up during construction of the development.
5. The street vacation requests for Glenmoor and Willow Streets will be on the regular October Planning Commission agenda. Staff has no objections to vacating either of these two streets, given the utility and fire access issues that have been addressed by the developers.

6. A signed easement agreement has been provided to staff for the relocated utilities on the site. However, the agreement does not list legal descriptions for these easements, instead referring to an exhibit which shows them on a map. The easement agreement should be amended to include exact legal descriptions for all utility easements.
7. The City Engineer had asked the developers to provide an easement for a right-of-way across their property to a portion of vacant, City-owned property to which there currently is no access. The developer had verbally agreed to this, and the location of the easement is shown on the site plan. A dedicated easement agreement for a legally described right-of-way needs to be provided, signed and recorded.
8. There are two proposed free-standing signs for the development. One is located at the corner of Hackley Ave. and Parslow St., near the welcome center and the other is located further down Hackley Ave., at the other entrance to the complex. The Zoning Ordinance allows one free-standing sign per major road frontage for residential developments and although Hackley Ave. is a major street, Parslow St. is not. Therefore the ordinance would only permit one free-standing sign for this development. However, as a PUD, the Planning Commission has some flexibility to allow additional signage if they feel it is warranted. The two signs are proposed to be identical in size and appearance and are shown on the site plan.
9. Staff has reviewed the submitted final site plan and has the following comments:
   a. The site plan is very thorough, but staff did note a few minor adjustments/changes which should be addressed by the developer.
   b. Although the interior street names are shown on the plan, the exterior streets (Hackley Ave., Parslow St.) need to be labeled as well.
   c. Since the development is located on a corner, there are required front setbacks along both street frontages. The building setbacks along Parslow St. are shown to be approx. 23 feet, which meets ordinance requirements for the RM-1 district (20-foot requirement). A 10-foot average greenbelt needs to be provided along Parslow as well - this needs to be shown on the site plan. The building setback along Hackley Ave. is shown as at least 70 feet for the proposed senior center. No building setback is shown for the proposed Welcome Center. A 10-foot average greenbelt needs to be provided along Hackley as well and needs to be indicated on the site plan.
   d. Although dimensions of the proposed are shown on the building floor plan layouts included in the information provided by the developer, they need to be indicated on the site plan as well.
   e. The numbers of spaces in each area of parking is labeled on the site plan - two of these appear to be inaccurate. The lot to the west of the proposed senior center shows 12 actual spaces where it is labeled '10', and 15 spaces where it is labeled '12'. This should be corrected.
   f. There are 112 units in the proposed senior center, which requires 224 parking spaces by ordinance requirements (2 spaces per unit for multi-family uses). Two spaces per unit seems excessive for a use where most of the inhabitants probably do not drive or own cars. This use could be looked at more similarly to a convalescent home, which only requires one space for each 4 beds and one space for every 3 employees. The site plan shows 118 parking spaces provided for the 112 units, and staff is satisfied that this should be sufficient

parking for the senior center.

g. There are 8 'cottage' units shown on the plan. It is unclear on the site plan where the required parking spaces are to be provided for these units, as only one parking area of 6 spaces is shown. The developers have indicated that each cottage unit will have a garage and a driveway providing a total of 2 spaces per unit, and the extra 6 spaces are intended as visitor parking. This would meet ordinance requirements and should be clearly indicated on the site plan.

h. There are 151 proposed apartment units, which would require 302 parking spaces. The site plan indicates that 315 spaces are provided - staff counted a total of 298, plus 20 spaces for the welcome center. Staff is satisfied that the parking requirements for the apartment units have been met.

i. The Zoning Ordinance requires that maneuvering lanes for parking areas be at least 22 feet wide. Some of the lanes shown on the site plan are only 20 feet wide. However, as the ordinance only requires parking spaces to be 18 feet long, some of the spaces shown as 20 feet long could be shortened to provide the additional 2 feet of maneuvering space. This should be indicated on the site plan.

j. The only adjoining properties to this site are other multi-family developments, so no screening is required from these adjoining properties.

k. The applicant has provided a stormwater management plan for the site. The site plan shows one proposed stormwater detention area on the west side of the development. The developers had discussed with the City Engineer a second stormwater detention area to the north of the development, which is described in the stormwater management calculations, but is not shown on the site plan. Even though this area would be in the portion of the development labeled "Phase III" which is not to be developed at this time, the stormwater detention area needs to be shown as it will contain stormwater from earlier phases of the development. The City Engineer will need to approve the stormwater management plan.

l. Sidewalks are shown on the site plan throughout the development as well as along Hackley Ave. A 6' bike lane is also proposed to be located along the 'ring road' around the development (Rosewood Ln., Woodcreek Ave., and Van Dinther St.). This lane would be posted with 'no parking' signs in order to keep clear for bicycle or pedestrian traffic. However, the sidewalks are not labeled, and are shown as light gray lines which are difficult to pick out on the plan. They should either be labeled or shown with darker lines in order to call out specifically where all proposed and existing sidewalks are located.

m. A 26 foot access drive has been added to the site plan for emergency access to the rear of the proposed senior center, and the parking lots surrounding the senior center now show 26-foot wide access lanes as well. This meets fire code requirements for the senior center. The Fire Marshal wants to make sure that access to all structures remains unobstructed during demolition and new construction at all times for fire access. He has also stated that he requires that all of the water supply shall remain in service. A flow test will be required after installation of the 8" water main. The development must comply with IFC Appendix B, Table B105.1 for minimum required fire flow and flow duration for buildings. Flow test results shall be submitted to the Fire Marshal and the Dept. of Public Works after the test.

n. There are two 'tot lots' proposed for the development, both toward the east side of the development. Given that there is quite a bit of open space near the center of the development, staff feels that one of the lots could be relocated more centrally within the development in order to be more accessible to residents on the west side. Alternately, a third tot lot could be provided toward the west side of the development to accommodate those residents.

o. The proposed landscape plan shows that many of the existing trees are proposed to be retained. These are clearly marked on the plan. Additional landscaping is shown on the plan as well, as well as a typical landscape plan for the apartment buildings. Sizes and species of the proposed landscape materials are shown and satisfactorily meet ordinance requirements.

p. The zoning ordinance requires that parking lots exceeding 5,000 square feet be landscaped with extra islands or bump-outs. Many landscape islands and bump-outs are shown on the site plan, but these should be landscaped where possible. Staff understands that snow storage is also an issue, but several of the larger islands could be landscaped, along with some of the smaller ones and bump-outs as well.

PHOTOS

Existing apartment office and existing trees (near where senior facilities would be located).

Some of the existing apartment units.

Existing area with mature trees and benches off of Hackley Ave.

View of existing development from Hackley Ave.

DELIBERATION

Standards for discretionary uses: <u>(emphasis provided)</u>

1. <u>Give</u> due <u>regard to</u> the nature of all <u>adjacent uses and structures</u> and the <u>consistency with</u> the adjacent use and development.

2. Find that the proposed use or activity would <u>not be offensive, or a nuisance</u>, by reason of increased traffic, noise, vibration, or light.

3. Adequate water and sewer infrastructure exists or will be constructed to service the activity.

4. The <u>proposed site plan</u> complies with section 2313 (4) of the ordinance and <u>has</u>:
    a. proper ingress and egress
    b. sufficient parking areas, streets, roads and alleys
    c. screening walls and/or fences
    d. adequate fire and police protection
    e. provisions for disposal of surface water run-off, sanitary sewage
    f. adequate traffic control and maintenance services
    g. preserves property values to related or adjoining properties.

CITY OF MUSKEGON

RESOLUTION #2002-114(a)

RESOLUTION FOR FINAL PLANNED UNIT DEVELOPMENT APPROVAL FOR 1350 Hackley Ave. (current Hackley Glen site)

WHEREAS, a petition for a planned unit development was received from Ruddiman Associates Limited Partnership and,

WHEREAS, a planned unit development will allow a mixed-use residential development, containing senior, family apartment and possible future condominium units; and,

WHEREAS, the planned unit development received preliminary approval from this City Commission on August 27, 2002; and,

WHEREAS, proper notice was given by mail and publication and public hearings were held by the City Planning Commission and by the City Commission to consider said petition, during which all interested persons were given an opportunity to be heard in accordance with provisions of the Zoning Ordinance and State Law; and

WHEREAS, the Planning Commission and staff have recommended approval of the final Planned Unit Development and associated site, landscaping and utility plans with conditions as follows:

1. Any buildings from the existing development remaining after Phases I and II are complete will be demolished once residents have been relocated to the new buildings. A copy of any assurances given to MSHDA or other entities regarding this will be provided to staff.
2. The developer and management will work with the current tenants of the development to ensure a smooth transition as building demolition and new construction occur.
3. Access to all structures shall remain unobstructed during demolition and new construction at all times for fire access. All of the water supply shall remain in service. A flow test will be performed after installation of the 8" water main. The development must comply with IFC Appendix B, Table B105.1 for minimum required fire flow and flow duration for buildings. Flow test results shall be submitted to the Fire Marshal and the Dept. of Public Works after the test.
4. An easement agreement for a legally described, dedicated private easement to the vacant, City-owned property to the west of the subject property needs to be provided, signed and recorded.
5. The provided easement agreement for utility easements needs to be amended to include specific legal descriptions for all proposed utility easements.
6. A revised site plan needs to be submitted for final staff approval. The revised plan shall include:
   a. The names of the exterior streets shall be shown on the plan.

b. Ten-foot greenbelt buffers need to be shown along both the Hackley Ave. and Parslow St. frontages. The building setback for the Welcome Center from Hackley Ave. needs to be shown as well.

c. Building dimensions need to be indicated on the site plan, or in an attached narrative.

d. The inaccurate labels for parking space totals need to be corrected.

e. The proposed garage and driveway parking spaces for the cottage units need to be shown or labeled on the plan.

f. All maneuvering lanes shall be a minimum of at least 22 feet wide and need to be labeled as such on the site plan.

g. The proposed stormwater detention area to the north of the development must be shown and clearly labeled on the site plan. The proposed stormwater management plan is subject to final approval from the City Engineer.

h. All proposed sidewalks must be either noted with darker lines or labeled clearly on the site plan. The sidewalk plan will reflect what is shown on the landscape plan, with connections through to the main streets.

i. One of the tot lots needs to be relocated more centrally in the development, or a third tot lot needs to be provided that will be more accessible to residents on the west side of the development.

j. Additional landscaping in landscape islands and/or bump-outs needs to be shown on the landscape plan.

NOW, THEREFORE, BE IT RESOLVED that the recommendation by staff and the City Planning Commission be accepted and the final planned unit development is hereby approved with conditions.

Adopted this 8th day of October, 2002

Ayes: Buie, Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington

Nays: None

Absent: None

By: ______________________
Stephen J. Warmington, Mayor

Attest: Gail A. Kundinger
Gail A. Kundinger, MMC, City Clerk

CERTIFICATE (Final PUD for 1350 Hackley Ave.)

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 8th day of October, 2002, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: October 16, 2002.

Gail A. Kundinger

Gail A. Kundinger, MMC
Clerk, City of Muskegon

CITY COMMISSION MEETING
Tuesday October 8, 2002

TO: Honorable Mayor and City Commissioners

FROM: Anthony L. Kleibecker
Chief of Police

DATE: October 1, 2002

SUBJECT: Purchase of Computer Hardware

SUMMARY OF REQUEST:

Police Department staff requests that the Commission approve the use of FY2000 Local Law Enforcement Block Grant Funds to purchase new computer hardware. Working in conjunction with the Information Technology Department, a data system has been designed for use within the Police Department that will allow for the following:

- Software updates from a central location-saving staff time and money
- The development of a secure MPD database-allowing for potential web applications.
- Communication to outside organizations runs through one access point-providing for greater security and management.
- A new high capacity backup unit.
- Increased life expectancy for our PC's
- The groundwork for a system that would allow for wireless downloads of reports from the cruisers.

FINANCIAL IMPACT:

Cost for this system is $28,211. There is no impact on General Fund monies. This grant expires at the end of this month.

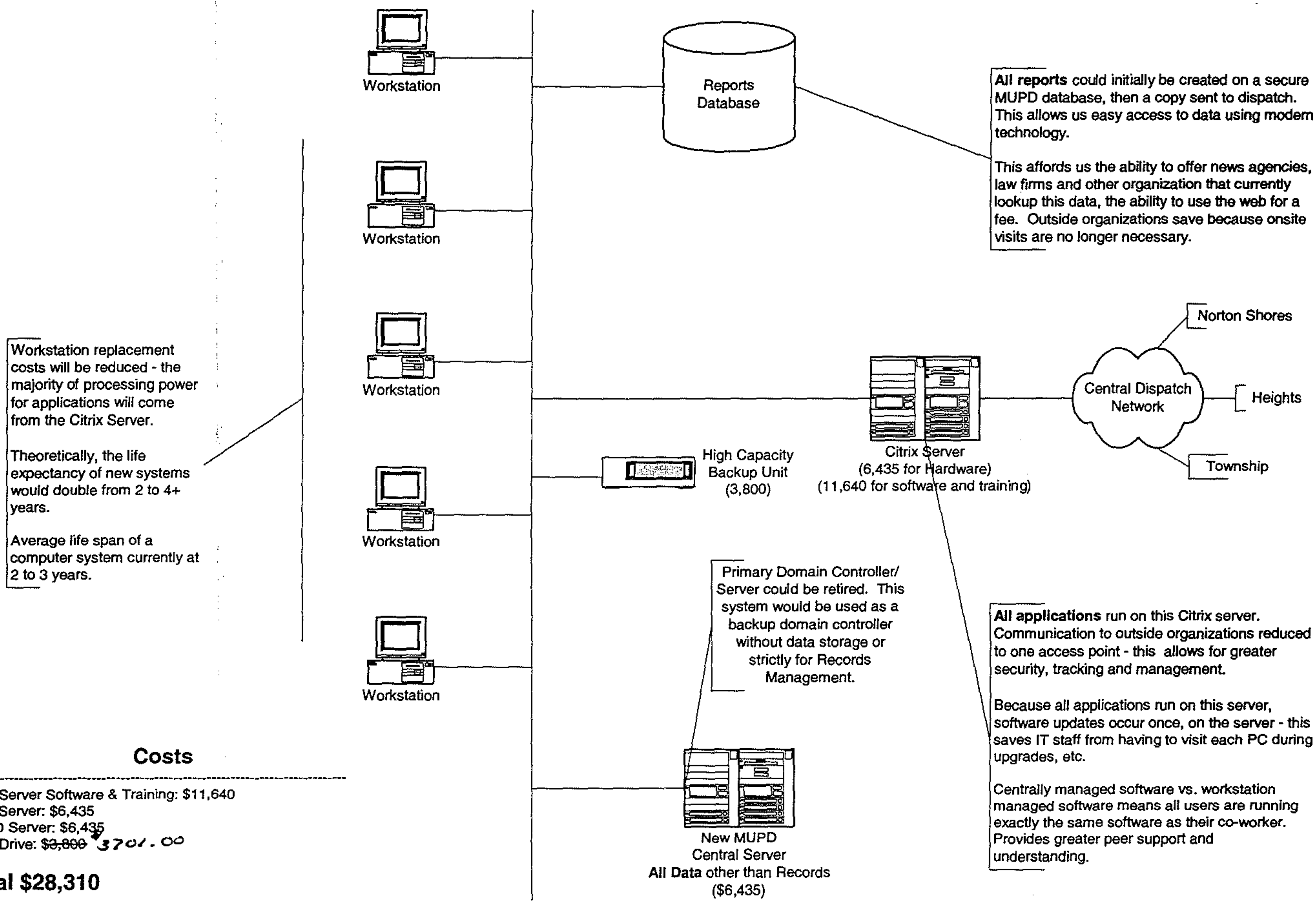
BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approval of the request.

Muskegon Police Department Advanced Software Management Solution



Costs

Citrix Server Software & Training: $11,640
Citrix Server: $6,435
MUPD Server: $6,435
Tape Drive: ~~$3,800~~ 3701.00

Total $28,310

Vendor Recommendation

The Information Technology Department has recommended the purchase of the following hardware from the following vendors based upon the quotes received:

Citrix Server Software and Training CDW 230 North Milwaukee Avenue Vernon Hills, IL 60061	$11,640
Servers (2) Dell Corporation Austin, TX	$12,870
High Capacity Tape Drive CDW 230 North Milwaukee Avenue Vernon Hills, IL 60061	$ 3,701

Maurer, Jim

From: Dave Bulkley [dbulkley@1nce.com]
Sent: Friday, September 27, 2002 2:15 PM
To: Maurer, Jim
Subject: Citrix Quote

001.xlt (978 KB)

Jim,

Here's a new quote listing both options for the CTX-1221 training class at either New Horizons or Async Associates.

Talk to you soon.

Regards,
Dave

Dave Bulkley
Citrix Product & Licensing Consultant
National Computer Enterprises - NCE
Phone: 586-532-6231 ext 111
Fax: 586-532-0615
Cell: 586-420-8605
dbulkley@1nce.com

NATIONAL COMPUTER ENTERPRISES

Proposal and Quotation 001

Name: Jim Maurer
Company: City of Muskegeon
Phone: 231-724-6964
Email: jmmail@shorelinecity.com
City/State: Muskegeon, MI

Date: 9/26/2002
National Computer Enterprises

Office: (586) 532-6231
Fax: (586) 532-0615

Item	Qty	Part #	Description	Cost	Extended Total
1	1	EW22XPS0020	MetaFrame XPs: Starter System with Subscription Advantage (20 Users)	$4,139.00	$4,139.00
2	1	EW24CLS0010	MetaFrame XPs: 10-User Connection License Pack	$2,069.70	$2,069.70
3	3	CTX-1221	MetaFrame XPs 1.0 Windows Administrator's Class* (4-Day Class)	$2,295.00	$6,885.00
4	3	CTX-1221	MetaFrame XPs 1.0 Windows Administrator's Class ** (4-Day Class)	$1,700.00	$5,100.00
			* training class at Async Associates ** training class at New Horizons		
				Total	$18,193.70

Purchase Order Must Note:
"F.O.B. Origin   Terms: NET 30 Days"
End user's name/phone #/E-mail Address

Thank you for this opportunity to submit our quotation. We hope to be favored by your order. Upon acceptance thereof, the order should be made out to National Computer Enterprises, and faxed to:

National Computer Enterprises
Attn: Dave Bulkley
Fax#: (586) 532-0615
Office: (586) 532-6231

NATIONAL COMPUTER ENTERPRISES

Proposal and Quotation 001

Name: Jim Maurer
Company: City of Muskegeon
Phone: 231-724-6964
Email: jmmail@shorelinecity.com
City/State: Muskegeon, MI

Date: 9/26/2002
National Computer Enterprises

Office: (586) 532-6231
Fax: (586) 532-0615

Item	Qty	Part #	Description	Cost	Extended Total
1	1	EW22XPS0020	MetaFrame XPs: Starter System with Subscription Advantage (20 Users)	$4,139.00	$4,139.00
2	1	EW24CLS0010	MetaFrame XPs: 10-User Connection License Pack	$2,069.70	$2,069.70
3	3	CTX-1221	MetaFrame XPs 1.0 Windows Administrator's Class* (4-Day Class)	$2,295.00	$6,885.00
			*scheduled at Async Associates		
				Total	$13,093.70

Purchase Order Must Note:
"F.O.B. Origin Terms: NET 30 Days"
End user's name/phone #/E-mail Address

Thank you for the opportunity to submit our quotation. We hope to be
favored by your order. Upon execution thereof, the order should be made out to
National Computer Enterprises, and faxed to:

National Computer Enterprises
Attn: Dave Bulkley
Fax#: (586) 532-0615
Office: (586) 532-6231

Maurer, Jim

From: Dave Bulkley [dbulkley@1nce.com]
Sent: Thursday, September 26, 2002 1:59 PM
To: Maurer, Jim
Subject: Citrix Quote

001.xlt (978 KB)

Jim,

Attached please the quote for your Citrix software. I HIGHLY recommend the CTX-1221 course through Brian Cambier at Async Associates. From my experience, he is regarded as one of the best Citrix Certified Instructors (CCI) in the nation. His class might be a little more than others, but it is excellent while others are just average. Take my word for it.

I'll follow up with you soon.

Regards,
Dave

Dave Bulkley
Citrix Product & Licensing Consultant
National Computer Enterprises - NCE
Phone: 586-532-6231 ext 111
Fax: 586-532-0615
Cell: 586-420-8605
dbulkley@1nce.com

Maurer, Jim

From: Dell OnLine Sales [commerce_opspagemaster@dell.com]
Sent: Monday, September 23, 2002 2:19 PM
To: Maurer, Jim
Cc: Maurer, Jim
Subject: Dell Computer - Saved Quote Information

Dear JIM MAURER,

This requisition for computer equipment from Dell Computer Corporation has been sent to you from jason.boes@shorelinecity.com. An E-Quote has been saved in their name at the Dell Online Store for you to review and approve. This E-Quote will be held for 45 days to allow for completion of the order.

E-Quote Information

E-Quote Number: E002212782
Replaced E-Quote Number: _
E-Quote Name: dell CITRIX server
Saved By: JASON BOES
Saved On: Monday, September, 23, 2002
Expires On: Thursday, November, 07, 2002

Your Comments:
CITRIX server

E-Quote Description:
CITRIX server rackmount

E-Quote Items
Item#: 1
Description: Base--PowerEdge 2600, Intel Xeon 2.4GHz/512K Cache
Quantity: 1
Single Item Cost: $6,435.00
Sub-Total for Item: $6,435.00

Grand-Total: $6,435.00

To retrieve this E-Quote
----

1. Visit the web site at Dell.com
2. Enter the online store for Michigan State Store
3. Click on "retrieve an E-Quote"
4. Fill out the retrieval screen as follows and press continue:
   E-Quote Number: E002212782
   E-Quote Name: dell CITRIX server
   E-Mail Address: jason.boes@shorelinecity.com
   The E-Quote Number and one of the other identifiers listed (E-Quote Name, E-Mail Address) are required to access this cart.

Thanks for shopping the Dell Online Store and for using our E-Quote service. We hope you find it useful in making your purchase and will continue to think of Dell.com for all of your computing needs.

Sincerely,
Dell Online Sales

Maurer, Jim

From: patobri@cdwg.com
Sent: Monday, September 23, 2002 12:26 PM
To: Maurer, Jim
Subject: CDW-G Quote HW96477

Jim -
The training is offered in a couple of locations, but I thin
k the Chicago area one is closest to you. Other locations a re Allentown, PA; Orlando, FL; Ft. Lauderdale, FL; and Cali. If you ordere the training before Oct. 7 the price is only $ 1280. Thanks!

This e-mail best viewed in a fixed font such as Courier.

JIM MAURER

Thank you for choosing CDW-G for your computing needs. Following are the details of your quote.

Quote Date: 9/23/2002
Quote Number: HW96477
P.O. Number: CITRIX QUOTE
Customer#: 1856159

Payment Terms: MasterCard/Visa Govt
Shipped Via: UPS Ground

QTY	ITEM	DESCRIPTION/MFG. PART NUMBER	UNIT PRICE	EXT. PRICE
1	393350	CITRIX MF XPS V2 START SYS 20U W/SUB CRX-EW22XPS1020	4560.00	4560.00
1	277524	CITRIX MS XPS V1.0 CONN PK 10U CRX-EW24CLS0010	2280.00	2280.00
3 ~~1~~	369548	PPI 1221 CITRIX METAFRAME XP WIN ADM PPI-10005487 Date: 09/23/02 Time: 08:30 Chicago, IL Event Id: 15436624	1600.00	1600.00

Subtotal	8,440.00
Sales Tax	.00
Freight	.00
Total	~~8,440.00~~ 11,640

Ship To:
CITY OF MUSKEGON
933 TERRACE ST
JIM MAURER
MUSKEGON MI 49440-1348

Bill To:
JIM MAURER
933 TERRACE ST
MUSKEGON MI 49440-1348

If you find any discrepancies or I can be of further assistance, please feel free to contact me.

PAT O'BRIEN

Direct line: 8778982997
Fax Number: 8473712184
E-Mail: patobri@cdwg.com

==

Click here to purchase, amend or view this quote via your CDWG@work extranet: http:/www.cdwg.com/r.asp?n=27145&cdwquotenumber=HW96477

Please note that you will need a user name and password for our site in order to log on to your CDWG@work extranet. Need one? Get one at: http://www.cdwg.com/eaccount For future reference, you may also use your extranet to view your order history and the status of all of your CDW-G orders. You can also use your extranet to view your quote history or retrieve new quotes.

CDW-G(r)
The Right Technology. Right Away.(tm)
www.cdwg.com

Corporate Headquarters:
230 N. Milwaukee Avenue
Vernon Hills, Illinois 60061
1-800-808-4239
Business Hours:
Monday-Friday, 7am-7pm
Will Call Pick Up Hours:
Monday-Friday, 9am-7pm (Vernon Hills)
Monday-Friday, 8am-6pm (Chicago)
Saturday, 9am-2pm (Vernon Hills)
Saturday, Closed (Chicago)
Sunday, Closed

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Maurer, Jim

From: Dave Bulkley [dbulkley@1nce.com]
Sent: Wednesday, September 11, 2002 2:07 PM
To: Maurer, Jim
Subject: RE: Citrix CSN Contact

Jim,

Have you received the MetaFrame XP demo I sent you and if so, is there anything we can help you out with right now? I want to make sure your pilot goes successful and we'd like to support you if need be. Please let me know how everything's going.

Regards,
Dave

-----Original Message-----
From: Maurer, Jim [mailto:jim.maurer@shorelinecity.com]
Sent: Monday, August 19, 2002 2:12 PM
To: 'Dave Bulkley'
Subject: RE: Citrix CSN Contact

Jim Maurer
933 Terrace Street
Muskegon, MI 49443.

-----Original Message-----
From: Dave Bulkley [mailto:dbulkley@1nce.com]
Sent: Monday, August 19, 2002 2:14 PM
To: Maurer, Jim
Subject: Citrix CSN Contact

Jim,

Thank-you for your time today. I'm confident we can show your people the advantages of Citrix as opposed to using PC's. Please forward me your address and we'll send you a demo copy of MetaFrame XPa. I'll call you on Thursday.

Regards,
Dave

Dave Bulkley
Citrix Product & Licensing Consultant
National Computer Enterprises - NCE
Phone: 586-532-6231
Fax: 586-532-0615
Cell: 586-420-8605
dbulkley@1nce.com

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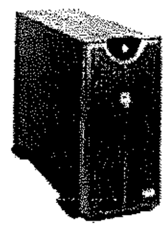

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3. Click "Add to Orderform" button at the bottom of the page to add your system to your Order Form.

View Options: ○ View Drop-down List ○ View all System Options ● View Configuration Det

Price*:$6,435.00

Date:	Monday, September 23, 2002 1:17:59 PM CST
Catalog Number:	84 Retail RC957164
Base:	PowerEdge 2600, Intel Xeon 2.4GHz/512K Cache 26240 - [221-0240]
Additional Processors:	Single Processor Only 1P - [311-1193]
Memory:	2GB DDR SDRAM (4X512MB) 2GB4D - [311-1786]
Keyboard:	Standard Windows Keyboard, Gray S - [310-1676]
Monitors:	No Monitor Option N - [320-0058]
1st Hard Drive:	36GB 10K RPM Ultra 320 SCSI Hard Drive 3610320 - [340-6863]
Primary Controller:	PERC4/Di 128MB (2 Internal Channels) - Embedded RAID ROMB128 - [340-6467]
Floppy:	3.5 in, 1.44MB, Floppy Drive FD - [340-3640]
Operating System:	Windows 2000 Server with 5 Client Licenses,4GB Utility Partition W2KSVR4 - [420-0236]
Mouse:	Logitec Mouse,Gray L - [310-3776]
Network Adapters:	Intel Dual Port 10/100 IN100DP - [430-0236]
CD-ROM:	24X IDE CD-ROM CD24X - [313-1281]
BackPlanes:	1X6 Hot-Pluggable Backplane,PE2600 1X6BKPL - [311-1839]
Documentation:	Electronic Documentation,P2600 EDOCS - [310-0438]
2nd Hard Drive:	36GB 10K RPM Ultra 320 SCSI Hard Drive 3610320 - [340-6863]
Factory Configurations:	Drives attached to embedded PERC4/Di, RAID 5, Min of 3 drives required MR5N - [340-6472]
Chassis Style:	Versa Rails for Third Party Rack,PE2600 3RACKF - [310-1724]
Hardware Support Services:	3Yr Parts + Onsite Labor (Next Business Day) U3OS - [900-6220 900-6222]
Installation Support Services:	No Installation NOINSTL - [900-9997]
Power Supplies:	Non-Redundant Power Supply,PE2600 NREDPWR - [310-1727]
4th Hard Drive:	36GB 10K RPM Ultra 320 SCSI Hard Drive 3610320 - [340-6863]
3rd Hard Drive:	

	36GB 10K RPM Ultra 320 SCSI Hard Drive 3610320 - [340-6863]
Uninterrupted Power Supplies:	Rack Mount 1400 UPS 120V 2U14UPS - [310-6133]

Update Price | Save E-quote | Add to Orderform

1-800-981-3355 **Current Orderform** | **Retrieve E-Quote** | **Help**

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Monday, September 23, 2002 1:17:59 PM CST

Maurer, Jim

From: patobri@cdwg.com
Sent: Tuesday, September 24, 2002 10:50 AM
To: Maurer, Jim
Subject: CDW-G Quote HX21859

Here's pricing for the Quantum SDLT drive.
Thanks!

This e-mail best viewed in a fixed font such as Courier.

JIM MAURER

Thank you for choosing CDW-G for your computing needs. Following are the details of your quote.

```
Quote Date:      9/24/2002
Quote Number:   HX21859
P.O. Number:    SDLT            QUOTE
Customer#:      1856159

Payment Terms: MasterCard/Visa Govt
Shipped Via:    UPS Ground
```

==

QTY	ITEM	DESCRIPTION/MFG. PART NUMBER	UNIT PRICE	EXT. PRICE
1	399963	QUANTUM SDLT 320 SUPER DLT EXT LVD QTN-TRS23BA-YF	3701.42	3701.42

Subtotal	3,701.42
Sales Tax	.00
Freight	.00
Total	3,701.42

==

Ship To:
CITY OF MUSKEGON
933 TERRACE ST
JIM MAURER
MUSKEGON MI 49440-1348

Bill To:
JIM MAURER
933 TERRACE ST
MUSKEGON MI 49440-1348

==

If you find any discrepancies or I can be of further assistance, please feel free to contact me.

PAT O'BRIEN

Direct line: 8778982997
Fax Number: 8473712184
E-Mail: patobri@cdwg.com

==

Click here to purchase, amend or view this quote via your CDWG@work extranet:
http:/www.cdwg.com/r.asp?n=27145&cdwquotenumber=HX21859

Please note that you will need a user name and password for our site in order to log on to your CDWG@work extranet. Need one? Get one at: http://www.cdwg.com/eaccount For future reference, you may also use your extranet to view your order history and the status of all of your CDW-G orders. You can also use your extranet to view your quote history or retrieve new quotes.

CDW-G(r)
The Right Technology. Right Away.(tm)
www.cdwg.com

Corporate Headquarters:
230 N. Milwaukee Avenue
Vernon Hills, Illinois 60061
1-800-808-4239
Business Hours:
Monday-Friday, 7am-7pm
Will Call Pick Up Hours:
Monday-Friday, 9am-7pm (Vernon Hills)
Monday-Friday, 8am-6pm (Chicago)
Saturday, 9am-2pm (Vernon Hills)
Saturday, Closed (Chicago)
Sunday, Closed

All information subject to CDW-G's terms and policies.
For more details, contact a CDW-G account manager or go to http://www.cdwg.com/r.asp?n=18531

Date: October 8, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Amend the Special Assessment Roll
Sidewalk Replacement Program 2002 (Area E5)

SUMMARY OF REQUEST:

The special assessment roll for the 2002 sidewalk program be amended to remove the following parcels from the recently adopted roll:

- 1025 Allen (24-142-000-0043-00
- 1370 Langeland (24-750-000-0085-00)

FINANCIAL IMPACT:

A total of $154,556.20 will be assessed against 296 parcels.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the amended special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2002-114(c)

Resolution to Amend the Special Assessment Roll

for **THE 2002 SIDEWALK REPLACEMENT PROGRAM**

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the properties set forth in Exhibit A attached to this resolution on **February 12, 2002**, at the first hearing.

2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City. The original roll was adopted September 24, 2002, and it appears that the roll should be amended to remove the properties located at 1370 Langeland (parcel number 24-750-000-0085-00) and 1025 Allen (parcel number 24-142-000-0043-00).

3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.

4. The City Commission has heard all objections to the amended roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors as amended is hereby approved.

2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment which is paid in installments shall carry interest at the rate of **5.00%** per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING THE AMENDED SPECIAL ASSESSMENT ROLL
FOR **THE 2002 SIDEWALK REPLACEMENT PROGRAM**

Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

Ayes: Larson, Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron

Nays: None

City of Muskegon

By Gail A. Kundinger

Gail A. Kundinger, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **October 8, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **October 8, 2002**.

City of Muskegon

By Gail A. Kundinger

Gail A. Kundinger, City Clerk

EXHIBIT A

SIDEWALK REPLACEMENT PROGRAM FOR 2002

SPECIAL ASSESSMENT DISTRICT

The location of the special assessment district and the properties proposed to be assessed are:

Those properties identified in the area listed below as having sidewalk deficiencies in which the owners have not completed the required improvements by **June 1, 2002.**

All parcels within area E-5 which is bounded by Ryerson Creek to the north, Evanston to south, Getty St. to the west and Easterly City limits to the east in a addition to 995 Evanston, 1381, 1391 & 1405 Madison

THE 2002 SIDEWALK REPLACEMENT PROGRAM
(Area E-5)

MAYOR'S ENDORSEMENT AND WARRANT

I, STEPHEN WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON

BY: ______________________
STEPHEN WARMINGTON

BROWN BOBBY W
1025 ALLEN AVE
MUSKEGON, MI 49442

Property Parcel Number: 24-142-000-0043-00 at 1025 ALLEN AVE

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

H-1535 Sidewalk Replacement Program for 2002

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, September 24th, 2002 at 5:30 P.M. You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED ON DECEMBER 11, 2001, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL (517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

You had no work done by city contractors-please disregard the bill you received.

The total cost of the project will be paid by special assessment to property owners. If the special assessment is confirmed, your property will be assessed **$00.00** for the work performed. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years
Interest Rate: 5.00%
First installment$00.00
Due Date: November 13th, 2002

Affirmative Action
(231)724-6703
FAX: (231)722-1214

Assessor/Equalization
(231)724-6708
FAX: (231)726-5181

Cemetery Department
(231)724-6783
FAX: (231)726-5617

City Manager
(231)724-6724
FAX: (231)722-1214

Civil Service
(231)724-6716
FAX: (231)724-4405

Clerk
(231)724-6705
FAX: (231)724-4178

Community and Neigh. Services
(231)724-6717
FAX: (231)726-2501

Computer Info. Systems
(231)724-6744
FAX: (231)722-4301

Engineering Dept.
(231)724-6707
FAX: (231)727-6904

Finance Dept.
(231)724-6713
FAX: (231)724-6768

Fire Department
(231)724-6792
FAX: (231)724-6985

Income Tax
(231)724-6770
FAX: (231)724-6768

Inspection Services
(231)724-6715
FAX: (231)728-4371

Leisure Services
(231)724-6704
FAX: (231)724-1196

Mayor's Office
(231)724-6701
FAX: (231)722-1214

Planning/Zoning
(231)724-6702
FAX: (231)724-6790

Police Department
(231)724-6750
FAX: (231)722-5140

Public Works Dept.
(231)724-4100
FAX: (231)722-4188

Treasurer's Office
(231)724-6720
FAX: (231)724-6768

Water Billing Dept.
(231)724-6718
FAX: (231)724-6768

Water Filtration
(231)724-4106
FAX: (231)755-5290

MUSKEGON

West Michigan's Shoreline City

SORENSEN LOUIS/BETTY
1370 LANGELAND
MUSKEGON, MI 49442-2438

Property Parcel Number: 24-750-000-0085-00 at 1370 LANGELAND AVE

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H-1535 Sidewalk Replacement Program for 2002

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Costs

YOU HAD NO WORK DONE BY CITY CONTRACTORS-PLEASE DISREGARD PREVIOUS BILL

The total cost of the project will be paid by special assessment to property owners. If the special assessment is confirmed, your property will be assessed **$000.00** for the work performed. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years
Interest Rate: 5.00%
First installment$00.00
Due Date: November 13th, 2002

180

H-1535 SIDEWALK REPLACEMENT PROGRAM FOR 2002
AMENDED SPECIAL ASSESSMENT ROLL

PARCEL	@		TAXPAYER				TOTAL
24-680-000-0013-00	1259	ADA AVE	PICARD LAURA J	1259 ADA AVE	MUSKEGON	MI	$397.50
24-680-000-0009-00	1272	ADA AVE	PECK BRUCE	1272 ADA AVE	MUSKEGON	MI	$265.00
24-250-000-0092-00	1086	ADA AVE	HARKER PATRICK J	1086 ADA AVE	MUSKEGON	MI	$132.50
24-250-000-0089-00	1068	ADA AVE	SCOTT DOUGLAS L	1068 ADA AVE	MUSKEGON	MI	$861.25
24-250-000-0086-00	1048	ADA AVE	DREESE MONTE G/KENDRA	1048 ADA AVE	MUSKEGON	MI	$530.00
24-250-000-0105-00	1025	ADA AVE	PAIGE BETTY J/HARRY	1025 ADA AVE	MUSKEGON	MI	$575.05
24-250-000-0103-00	1037	ADA AVE	JOLMAN BRADLEY	1037 ADA AVE	MUSKEGON	MI	$466.40
24-250-000-0102-00	1043	ADA AVE	ROGERS RICHARD D/MONIQUE	1043 ADA AVE	MUSKEGON	MI	$201.40
24-250-000-0100-00	1055	ADA AVE	BAKER DANIEL/STEPHANIE	1055 ADA	MUSKEGON	MI	$251.75
24-250-000-0099-00	1059	ADA AVE	LEE LYNELL U	1059 ADA AVE	MUSKEGON	MI	$728.75
24-250-000-0098-00	1067	ADA AVE	BOWMAN JOHN J/PUTNAM JUDI	1067 ADA AVE	MUSKEGON	MI	$265.00
24-250-000-0096-00	1081	ADA AVE	SCAIFE CALVIN	3433 EVANSTON AVE	MUSKEGON	MI	$265.00
24-250-000-0094-00	1093	ADA AVE	WALTON GWENDOLYN E	1093 ADA AVE	MUSKEGON	MI	$397.50
24-250-000-0122-00	913	ADA AVE	KITCHEN MARK A/DELPHINE E	913 ADA AVE	MUSKEGON	MI	$795.00
24-250-000-0067-00	924	ADA AVE	LANDACRE PAMELA	924 ADA AVE	MUSKEGON	MI	$530.00
24-250-000-0068-00	930	ADA AVE	JOHNSON JEREMIAH J	930 ADA AVE	MUSKEGON	MI	$742.00
24-250-000-0069-00	934	ADA AVE	POTTER MARIE E	934 ADA AVE	MUSKEGON	MI	$636.00
24-250-000-0070-00	942	ADA AVE	GENTER FAMILY LIVING TRUST	1915 FRANCIS AVE	MUSKEGON	MI	$1,049.40
24-250-000-0071-00	948	ADA AVE	KILGORE LEONA M	948 ADA AVE	MUSKEGON	MI	$397.50
24-250-000-0073-00	966	ADA AVE	INGRAM SONYA L	966 ADA AVE	MUSKEGON	MI	$132.50
24-250-000-0076-00	984	ADA AVE	BECKER JOHN/DANETTE	984 ADA AVE	MUSKEGON	MI	$1,802.00
24-250-000-0078-00	990	ADA AVE	DODGE WILLIAM F	990 ADA AVE	MUSKEGON	MI	$397.50
24-250-000-0134-00	829	ADA AVE	DOUBLES GEORGE	1351 MARIANNE AVE	MUSKEGON	MI	$265.00
24-250-000-0132-00	839	ADA AVE	IKENS Y/MEDENDORP S/BLAKE	318 HOUSTON AVE	MUSKEGON	MI	$132.50
24-250-000-0131-00	845	ADA AVE	MEANS DANEE E	2109 JARMAN	MUSKEGON H	MI	$132.50
24-851-003-0001-00	1210	ALLEN AVE	COBB FRANK/EDMONSON/TRO	801 MILLS	MUSKEGON	MI	$265.00
24-850-002-0006-00	1260	ALLEN AVE	PERRY CONNIE L	1260 ALLEN AVE	MUSKEGON	MI	$148.40
24-785-000-0027-00	1316	ALLEN AVE	ODNEAL ROBERT	1316 ALLEN AVE	MUSKEGON	MI	$265.00
24-785-000-0023-00	1340	ALLEN AVE	MAJOR DEBRA A	1340 ALLEN	MUSKEGON	MI	$422.21
24-850-001-0012-00	1297	ALLEN AVE	PEREZ AGAPITO	1297 ALLEN	MUSKEGON	MI	$530.00
24-785-000-0002-00	1315	ALLEN AVE	DENGLER ESTHER A/ET AL	1315 ALLEN AVE	MUSKEGON	MI	$132.50

H-1535 SIDEWALK REPLACEMENT PROGRAM FOR 2002
SPECIAL ASSESSMENT ROLL

PARCEL	@		TAXPAYER				TOTAL
24-785-000-0005-00	1345	ALLEN AVE	MOORE INVESTMENT PROPER	P O 5377	MUSKEGON	MI	$283.55
24-785-000-0008-00	1351	ALLEN AVE	PALMER MARION	1351 ALLEN AVE	MUSKEGON	MI	$132.50
24-121-300-0183-00	1186	ALLEN AVE	ROSE ARDIE C	484 MCLAUGHIN AVE	MUSKEGON	MI	$588.30
24-121-300-0178-00	1148	ALLEN AVE	DAKE JOSEPH	1148 ALLEN AVE	MUSKEGON	MI	$265.00
24-121-300-0177-00	1132	ALLEN AVE	FLEET MORTGAGE CORP	11200 W PARKLAND AVE	MILWAUKEE	WI	$636.00
24-121-300-0186-00	1131	ALLEN AVE	CUNNINGHAM LAWAUN	1131 ALLEN AVE	MUSKEGON	MI	$705.76
24-121-300-0188-00	1145	ALLEN AVE	TILLEMA GLEN A	2044 S WALKER RD	MUSKEGON	MI	$874.50
24-121-300-0190-00	1155	ALLEN AVE	JORDAN MYRTLE H	1153 ALLEN AVE	MUSKEGON	MI	$397.50
24-121-300-0144-00	849	ALLEN AVE	TRAYLOR LINDA C	849 ALLEN AVE	MUSKEGON	MI	$265.00
24-121-300-0143-00	845	ALLEN AVE	COLLIE ALLEN J	845 ALLEN AVE	MUSKEGON	MI	$265.00
24-121-300-0128-00	830	ALLEN AVE	WHITE GARY JR	830 ALLEN AVE	MUSKEGON	MI	$265.00
24-121-300-0129-00	838	ALLEN AVE	ERICKSON AUDREY	1949 RIEGLER RD	MUSKEGON	MI	$121.63
24-121-300-0132-00	868	ALLEN AVE	COACH MATILDA	868 ALLEN AVE	MUSKEGON	MI	$516.75
24-142-000-0051-00	1085	ALLEN AVE	THOMAS HOLMAN/MAY DELL	1085 ALLEN AVE	MUSKEGON	MI	$879.80
24-142-000-0048-00	1061	ALLEN AVE	KITCHEN SHEILA	1061 ALLEN AVE	MUSKEGON	MI	$132.50
24-142-000-0042-00	1015	ALLEN AVE	BANK OF NEW YORK	101 BARCLAY ST	NEW YORK	NY	$241.15
24-142-000-0040-00	1003	ALLEN AVE	JOHNSON LATESHA	1003 ALLEN AVE	MUSKEGON	MI	$267.65
24-142-000-0030-00	982	ALLEN AVE	BROWN IDELLIA	982 ALLEN AVE	MUSKEGON	MI	$552.06
24-142-000-0023-00	1044	ALLEN AVE	IVORY BETTY	1044 ALLEN AVE	MUSKEGON	MI	$132.50
24-142-000-0021-00	1060	ALLEN AVE	DAVIS WENDY/BETTS RASHON	1060 ALLEN AVE	MUSKEGON	MI	$132.50
24-142-000-0017-00	1084	ALLEN AVE	MUSKEGON CONQUERING FAI	1084 ALLEN AVE	MUSKEGON	MI	$1,231.30
24-142-000-0006-00	999	AMITY	CITY OF MUSKEGON	933 TERRACE	MUSKEGON	MI	$265.00
24-121-400-0005-00	1248	AMITY AVE	BLACKMON PATRICIA	1248 AMITY AVE	MUSKEGON	MI	$265.00
24-121-400-0006-00	1270	AMITY AVE	NEUMANN RICHARD	552 E BARD RD	MUSKEGON	MI	$530.00
24-121-400-0007-00	1280	AMITY AVE	HILL LINDA A	1280 AMITY AVE	MUSKEGON	MI	$613.48
24-850-002-0012-00	1291	AMITY AVE	COOPER ELI	5967 AIRLINE RD	FRUITPORT	MI	$132.50
24-785-000-0034-00	1359	AMITY AVE	DOOLEY ARTHUR EARL	1359 AMITY AVE	MUSKEGON	MI	$397.50
24-785-000-0042-00	1397	AMITY AVE	GILLIAM MARY A	1397 AMITY	MUSKEGON	MI	$265.00
24-121-300-0116-00	877	AMITY AVE	ROBAR PAUL	1119 SOPHIA ST	MUSKEGON	MI	$530.00
24-121-300-0115-00	869	AMITY AVE	MURAR DAVID A	869 AMITY AVE	MUSKEGON	MI	$132.50
24-121-300-0114-00	861	AMITY AVE	RING LINDA L	861 AMITY AVE.	MUSKEGON	MI	$287.06

H-1535 SIDEWALK REPLACEMENT PROGRAM FOR 2002
SPECIAL ASSESSMENT ROLL

PARCEL	@		TAXPAYER				TOTAL
24-121-300-0067-00	824	AMITY AVE	WYNN BOAZIE/GERALDINE	824 AMITY AVE	MUSKEGON	MI	$1,099.75
24-121-300-0071-00	850	AMITY AVE	ROSS ANNIE L TRUST	850 AMITY AVE	MUSKEGON	MI	$861.19
24-121-300-0072-00	858	AMITY AVE	SMITH JOHN K	PO BOX 1422	MUSKEGON	MI	$265.00
24-121-300-0061-00	892	AMITY AVE	SMITH GEORGE T	892 AMITY AVE	MUSKEGON	MI	$2,252.50
24-121-300-0073-00	904	AMITY AVE	BRIGGS JACQUELINE MOFFET	904 AMITY AVE	MUSKEGON	MI	$1,104.12
24-121-300-0074-00	918	AMITY AVE	HIGLEY GERALD F	918 AMITY AVE	MUSKEGON	MI	$795.00
24-121-300-0076-00	934	AMITY AVE	WILSON VINDA	934 AMITY AVE	MUSKEGON	MI	$265.00
24-142-000-0016-00	1093	AMITY AVE	SUMLAR RANMERLEE	1093 AMITY AVE	MUSKEGON	MI	$265.00
24-142-000-0012-00	1051	AMITY AVE	HUGHES PERRY	1051 AMITY AVE	MUSKEGON	MI	$132.50
24-142-000-0002-00	965	AMITY AVE	BANKS GWENDOLYN	965 AMITY AVE	MUSKEGON	MI	$159.00
24-142-000-0001-00	961	AMITY AVE	WALLACE CARL/NICOLE	961 AMITY AVE	MUSKEGON	MI	$583.00
24-121-300-0092-00	966	AMITY AVE	JACOBS BARBARA	966 AMITY AVE	MUSKEGON	MI	$927.50
24-121-300-0093-00	982	AMITY AVE	DAVIS DELORES	3125 8TH ST	MUSKEGON H	MI	$415.12
24-121-300-0100-00	1048	AMITY AVE	AUSTIN TONY S	1048 AMITY AVE	MUSKEGON	MI	$287.06
24-121-300-0105-00	1094	AMITY AVE	BEACH ASHEL T/ESMERALDA	1094 AMITY AVE	MUSKEGON	MI	$481.39
24-121-300-0164-00	1111	AMITY AVE	DAVIS LAWRENCE JR	1111 AMITY AVE	MUSKEGON	MI	$132.50
24-121-300-0165-00	1123	AMITY AVE	LEGERT TAYLOR/WILLIE MAE T	1123 AMITY AVE	MUSKEGON	MI	$135.15
24-121-300-0168-00	1143	AMITY AVE	SUHR BLANCHE J/MARILYN J	1143 AMITY AVE	MUSKEGON	MI	$122.76
24-680-000-0081-00	1301	APPLE	BUNTY INC	1301 E APPLE	MUSKEGON	MI	$3,204.60
24-121-400-0025-00	1216	APPLE AVE	POSTEMA MAX	1216 E APPLE AVE	MUSKEGON	MI	$662.50
24-850-001-0006-00	1258	APPLE AVE	TEMPLE HARRY	1258 E APPLE AVE	MUSKEGON	MI	$397.50
24-850-001-0002-00	1280	APPLE AVE	DIPLEY ROSE	1280 E APPLE AVE	MUSKEGON	MI	$132.50
24-850-001-0001-00	1294	APPLE AVE	MCBRIDE ROBERT/WALKER NI	1294 E APPLE AVE	MUSKEGON	MI	$132.50
24-121-400-0027-00	1314	APPLE AVE	APPLE INVESTORS LLC	1314 E APPLE AVE	MUSKEGON	MI	$686.35
24-121-400-0028-00	1328	APPLE AVE	S L PROPERTIES	1314 E APPLE AVE	MUSKEGON	MI	$397.50
24-121-400-0034-00	1392	APPLE AVE	VANSOLKEMA DAVID/MARY	4360 HACKLEY POINT LN	MUSKEGON	MI	$323.30
24-121-400-0035-00	1414	APPLE AVE	WMCR CORPORATION	P O BOX 456	ALPENA	MI	$1,457.50
24-730-000-0169-00	1436	APPLE AVE	B K MUSKEGON PROPERTIES	4220 EDISON LAKES PKWY	MISHAWAKA	IN	$397.50
24-121-300-0202-00	1176	APPLE AVE	SCOTT JOYCE A	1176 E APPLE AVE	MUSKEGON	MI	$530.00
24-121-300-0200-00	1162	APPLE AVE	MITCHELL JOHN	1162 E APPLE AVE	MUSKEGON	MI	$397.50
24-121-300-0197-00	1130	APPLE AVE	JAMESON MARY E	1130 E APPLE AVE	MUSKEGON	MI	$132.50

H-1535 SIDEWALK REPLACEMENT PROGRAM FOR 2002
SPECIAL ASSESSMENT ROLL

PARCEL	@		TAXPAYER				TOTAL
24-121-300-0157-00	868	APPLE AVE	TIMMER J SCOTT	301 E CIRCLE DR	N MUSKEGON	MI	$132.50
24-121-300-0161-00	908	APPLE AVE	FRALY CRAIG/HOWE D	908 E APPLE AVE	MUSKEGON	MI	$132.50
24-121-300-0151-00	920	APPLE AVE	HITTLE JAMES J	1321 KINGSLEY ST	MUSKEGON	MI	$132.50
24-121-300-0163-00	938	APPLE AVE	MCEACHEN JAMES/BONITA	1439 EAST ST	MUSKEGON	MI	$265.00
24-128-200-0010-00	1333	APPLE AVE	PRIMAX PROPERTIES LLC	1115 E MOREHEAD ST	CHARLOTTE	NC	$3,733.62
24-142-000-0053-00	1090	APPLE AVE	TOKARCZYK DANA	1090 E APPLE AVE	MUSKEGON	MI	$265.00
24-121-300-0198-00	1150	APPLE AVE	BAKER MICHAEL D	1150 E APPLE AVE	MUSKEGON	MI	$132.50
24-680-000-0003-00	1279	APPLE AVE	BLOCKBUSTER VIDEO	PO BOX 8009	MCKINNEY	TX	$1,120.95
24-128-200-0009-00	1317	APPLE AVE	PUTHOFF C RICHARD	13 HARTFORD AVE PO BOX 8	MUSKEGON	MI	$2,831.75
24-226-000-0033-00	1395	APPLE AVE	BESSINGER ROLAND H	15460 WISTERIA LN	SPRING LAKE	MI	$3,577.50
24-390-001-0003-00	1111	APPLE AVE	MATTHEWS CAROLYN	1111 E APPLE AVE	MUSKEGON	MI	$662.50
24-250-000-0029-00	941	APPLE AVE	ZUZELSKI GREGORY A	941 E APPLE AVE	MUSKEGON	MI	$817.06
24-250-000-0035-00	917	APPLE AVE	SPANN SAMONE/BENN	917 E APPLE AVE	MUSKEGON	MI	$397.50
24-250-000-0038-00	897	APPLE AVE	FRIES DONALD E	486 HILL AVE	GLEN ELLYN	IL	$927.50
24-680-000-0057-00	1162	BURTON RD	BAYLE TRICIA L	1330 5TH ST	MUSKEGON	MI	$132.50
24-680-000-0079-00	1036	BURTON RD	PUTHOFF C RICHARD/SHARON	1400 LAKE SHORE CT	MUSKEGON	MI	$1,468.10
24-685-011-0001-00	1254	CALVIN AVE	BELLAH JOSEPH M	1254 CALVIN AVE	MUSKEGON	MI	$397.50
24-475-000-0002-00	1427	CALVIN AVE	BURR CHARLENE	1427 CALVIN AVE	MUSKEGON	MI	$530.00
24-475-000-0006-00	1475	CALVIN AVE	CHAPMAN AHMED J	1475 CALVIN AVE	MUSKEGON	MI	$530.00
24-750-000-0039-00	1337	CALVIN AVE	LYNK PAMELA D	1337 CALVIN AVE	MUSKEGON	MI	$265.00
24-685-010-0003-00	1200	CALVIN AVE	SORENSON ORVILLE	1200 CALVIN AVE	MUSKEGON	MI	$132.50
24-128-100-0041-00	1125	CALVIN AVE	BOOKER SAMUEL JR	1125 CALVIN AVE	MUSKEGON	MI	$397.50
24-128-100-0043-00	1145	CALVIN AVE	O CONNELL RICHARD	1145 CALVIN AVE	MUSKEGON	MI	$1,489.30
24-128-100-0044-00	1155	CALVIN AVE	OLSEN WILLIAM JR	1155 CALVIN AVE	MUSKEGON	MI	$1,510.50
24-685-009-0018-00	1185	CALVIN AVE	RAFFERTY STEVEN F/NANCY K	1185 CALVIN AVE	MUSKEGON	MI	$132.50
24-190-004-0012-00	1094	CALVIN AVE	VANDERSTELT MAURICE V	1094 CALVIN AVE	MUSKEGON	MI	$84.80
24-190-003-0025-00	1051	CALVIN AVE	JOHNSON GERALD R	1051 CALVIN AVE	MUSKEGON	MI	$222.60
24-680-000-0039-00	1265	CATHERINE AVE	B BOLEMA REAL ESTATE ONE L	4450 WEBER RD	WHITEHALL	MI	$132.50
24-680-000-0033-00	1270	CATHERINE AVE	QUINTERO MIGUEL/NANCY	1270 CATHERINE AVE	MUSKEGON	MI	$132.50
24-680-000-0031-00	1286	CATHERINE AVE	BERRY ANTHONY/SINGLETON	1286 CATHERINE AVE	MUSKEGON	MI	$132.50
24-680-000-0059-00	1312	CATHERINE AVE	RADEMAKER EVA M	1312 CATHERINE AVE	MUSKEGON	MI	$265.00

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PARCEL	@	TAXPAYER					TOTAL
24-680-000-0062-00	1318	CATHERINE AVE	SMITH LEONA	1318 CATHERINE AVE	MUSKEGON	MI	$397.50
24-251-000-0246-00	878	CATHERINE AVE	MERRICK DOROTHY V	878 CATHERINE AVE	MUSKEGON	MI	$411.49
24-251-000-0247-00	872	CATHERINE AVE	BUCKNER DIAN L	872 CATHERINE AVE	MUSKEGON	MI	$259.70
24-251-000-0249-00	860	CATHERINE AVE	SHAW WILLIAM D	860 CATHERINE AVE	MUSKEGON	MI	$1,007.00
24-251-000-0228-00	996	CATHERINE AVE	MOORE JOHN K	996 CATHERINE AVE	MUSKEGON	MI	$132.50
24-251-000-0229-00	992	CATHERINE AVE	HINTON ALAN LOUIS JR	992 CATHERINE AVE	MUSKEGON	MI	$371.00
24-251-000-0230-00	986	CATHERINE AVE	WATERMAN NANCY E	986 CATHERINE AVE	MUSKEGON	MI	$132.50
24-251-000-0233-00	972	CATHERINE AVE	GALBERT BEN	972 CATHERINE AVE	MUSKEGON	MI	$662.50
24-251-000-0235-00	954	CATHERINE AVE	JOHNSON SARAH/CLAUDIA	954 CATHERINE AVE	MUSKEGON	MI	$530.00
24-251-000-0238-00	936	CATHERINE AVE	BARNES ERICA S	936 CATHERINE AVE	MUSKEGON	MI	$662.50
24-251-000-0239-00	930	CATHERINE AVE	UNITED STATES OF AMERICA	1755 SOUTH MITCHELL ST	CADILLAC	MI	$132.50
24-430-000-0001-00	915	CATHERINE AVE	KNOLLINGER DONA J	2701 HUIZENGA ST LOT 54	MUSKEGON	MI	$397.50
24-430-000-0003-00	929	CATHERINE AVE	GOINS AYLIA	929 CATHERINE AVE	MUSKEGON	MI	$132.50
24-430-000-0005-00	943	CATHERINE AVE	VANHOESEN LAURA D	943 CATHERINE AVE	MUSKEGON	MI	$132.50
24-430-000-0006-00	951	CATHERINE AVE	BARNES SHAWNDRA	951 CATHERINE AVE	MUSKEGON	MI	$795.00
24-430-000-0007-00	957	CATHERINE AVE	REDDING CELIA A	2580 E ELLIS RD	MUSKEGON	MI	$132.50
24-430-000-0011-00	987	CATHERINE AVE	FONGERS ROBERT	987 CATHERINE AVE	MUSKEGON	MI	$132.50
24-430-000-0012-00	995	CATHERINE AVE	BUFFEY TIMOTHY J	995 CATHERINE AVE	MUSKEGON	MI	$265.00
24-430-000-0013-00	1001	CATHERINE AVE	ESTEPP SHERYL	1001 CATHERINE AVE	MUSKEGON	MI	$132.50
24-430-000-0014-00	1011	CATHERINE AVE	PERSONS GLEN/KELLY	1011 CATHERINE AVE	MUSKEGON	MI	$397.50
24-750-000-0176-00	1461	CRESTON ST	GRAYER GEORGE L	1461 CRESTON ST	MUSKEGON	MI	$397.50
24-750-000-0180-00	1481	CRESTON ST	HEJKA HELEN	1481 CRESTON ST	MUSKEGON	MI	$662.50
24-475-000-0080-00	1516	CRESTON ST	BELMONTE FRANK	1516 CRESTON ST	MUSKEGON	MI	$265.00
24-475-000-0091-00	1380	CRESTON ST	PIATT ALAN	1380 CRESTON ST	MUSKEGON	MI	$265.00
24-475-000-0093-00	1354	CRESTON ST	HAMMERLE CLINT F	1354 CRESTON ST	MUSKEGON	MI	$132.50
24-475-000-0094-00	1344	CRESTON ST	BOLEMA LUMBER & SUPPLY	1230 E LAKETON AVE	MUSKEGON	MI	$132.50
24-750-000-0081-00	1325	CRESTON ST	NGUYEN NGA T	1325 CRESTON ST	MUSKEGON	MI	$265.00
24-128-200-0011-00	1367	E APPLE	TRIDONN DEVELPOMENT	1838 RUDDIMAN	MUSKEGON	MI	$4,531.50
24-121-400-0037-00	1490	E APPLE	R & E MC ELROY	PO BOX 802206	DALLAS	TX	$863.88
24-250-000-0035-10	1020	EASTGATE ST	ROMANELLI LARRY B	1020 EASTGATE ST	MUSKEGON	MI	$204.05
24-475-000-0071-00	1499	EASTWOOD DR	COURTNEY R J	1499 EASTWOOD DR	MUSKEGON	MI	$1,192.50

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PARCEL	@		TAXPAYER				TOTAL
24-475-000-0027-00	1500	EASTWOOD DR	DILL RANDALL E/PAMELA J	1500 EASTWOOD DR	MUSKEGON	MI	$1,192.50
24-475-000-0052-00	1301	EASTWOOD DR	LANDINGHAM WILLIAM F ETUX	1301 EASTWOOD DR	MUSKEGON	MI	$530.00
24-475-000-0053-00	1321	EASTWOOD DR	BLACKSHIRE KEITH	1321 EASTWOOD DR	MUSKEGON	MI	$530.00
24-475-000-0038-00	1360	EASTWOOD DR	JOHNSON TROY C	1360 EASTWOOD DR	MUSKEGON	MI	$397.50
24-475-000-0040-00	1334	EASTWOOD DR	MOORE ROBERT R	1334 EASTWOOD DR	MUSKEGON	MI	$795.00
24-475-000-0044-00	1290	EASTWOOD DR	WILLIAMS MARFAYE	1300 EASTWOOD DR	MUSKEGON	MI	$662.50
24-685-001-0007-20	1226	EVANSTON AVE	MCDONALD JUDITH A	1226 EVANSTON AVE	MUSKEGON	MI	$556.50
24-685-002-0001-10	1250	EVANSTON AVE	AVANT MILDRED S TRUST	1250 EVANSTON AVE	MUSKEGON	MI	$159.00
24-750-000-0197-00	1332	EVANSTON AVE	DAHLMAN DOUGLAS/DAWN	1332 EVANSTON AVE	MUSKEGON	MI	$795.00
24-750-000-0191-00	1300	EVANSTON AVE	LYONS LORETTA	1300 EVANSTON AVE	MUSKEGON	MI	$795.00
24-750-000-0203-00	1376	EVANSTON AVE	WILCOX RONALD L	1376 EVANSTON AVE	MUSKEGON	MI	$265.00
24-750-000-0199-00	1356	EVANSTON AVE	PUTNAM DAVID W	1356 EVANSTON	MUSKEGON	MI	$397.50
24-475-000-0078-00	1440	EVANSTON AVE	MAHN BRUCE A/CHARLOTTE	1440 EVANSTON AVE	MUSKEGON	MI	$1,192.50
24-128-100-0013-00	984	EVANSTON AVE	SCHUITEMA PETER F	984 EVANSTON AVE	MUSKEGON	MI	$132.50
24-190-001-0002-00	1096	EVANSTON AVE	2001 C/W 24-190-001-0001-00	P O BOX 536	MUSKEGON	MI	$2,816.95
24-850-002-0001-00	941	EVART ST	MORRIS NATHANIEL	941 EVART ST	MUSKEGON	MI	$132.50
24-685-003-0003-00	1260	FLOWER AVE	FORESTER MARK/KAREN	1260 FLOWER AVE	MUSKEGON	MI	$190.80
24-685-003-0005-00	1270	FLOWER AVE	TICE LOIS K	1270 FLOWER AVE	MUSKEGON	MI	$131.44
24-685-003-0007-00	1282	FLOWER AVE	RAWDON ALBERT JR	1282 FLOWER	MUSKEGON	MI	$494.65
24-750-000-0157-00	1318	FLOWER AVE	BULTHOUSE LUCILLE	3675 NORTON HILLS	MUSKEGON	MI	$1,192.50
24-750-000-0155-00	1326	FLOWER AVE	SINGLETON JAMES L	3925 E APPLE	MUSKEGON	MI	$583.00
24-750-000-0149-00	1366	FLOWER AVE	SIPERLY PAULINE	1366 FLOWER AVE	MUSKEGON	MI	$265.00
24-750-000-0145-00	1392	FLOWER AVE	HEIKKINEN HAROLD	1392 FLOWER	MUSKEGON	MI	$927.50
24-750-000-0163-00	1309	FLOWER AVE	BURR JACKLYN K	1309 FLOWER AVE	MUSKEGON	MI	$132.50
24-750-000-0165-00	1315	FLOWER AVE	BULLERMAN NEIL J	1315 FLOWER AVE	MUSKEGON	MI	$397.50
24-750-000-0169-00	1357	FLOWER AVE	SMITH DANIEL W/REBECCA S	1367 FLOWER AVE	MUSKEGON	MI	$397.50
24-750-000-0174-00	1387	FLOWER AVE	2001 C/W 24-750-000-0173-00	1387 FLOWER AVE	MUSKEGON	MI	$397.50
24-685-006-0014-00	1213	FRANCES AVE	MESSER CHARLES	1213 FRANCES AVE	MUSKEGON	MI	$132.50
24-685-007-0008-00	1285	FRANCES AVE	POST JEFFREY P	1285 FRANCES AVE	MUSKEGON	MI	$265.00
24-685-007-0012-00	1261	FRANCES AVE	REDMON GARY	1261 FRANCES AVE	MUSKEGON	MI	$882.50
24-685-009-0004-00	1208	FRANCES AVE	KECK LESLIE C	1208 FRANCES AVE	MUSKEGON	MI	$132.50

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24-685-009-0008-00	1232	FRANCES AVE	VANDAM ELDRED	1232 FRANCES AVE	MUSKEGON	MI	$132.50
24-750-000-0079-00	1391	FRANCES AVE	BREWER PAUL E/DEBBIE L	1391 FRANCES AVE	MUSKEGON	MI	$795.00
24-750-000-0057-00	1346	FRANCES AVE	STINSON PATRICIA A	1346 FRANCES	MUSKEGON	MI	$530.00
24-128-100-0051-00	1172	FRANCES AVE	VEIHL SABRINA	1172 FRANCES AVE	MUSKEGON	MI	$5,013.80
24-685-006-0016-00	1201	FRANCES AVE	MEYERS CARRIE	1201 FRANCES AVE	MUSKEGON	MI	$132.50
24-685-001-0007-10	1415	GARDEN AVE	RODRIGUEZ WILLIAM	1415 GARDEN AVE	MUSKEGON	MI	$190.80
24-121-300-0040-00	840	GETTY ST	BABCOCK CHERYL L	840 GETTY ST	MUSKEGON	MI	$132.50
24-250-000-0143-00	1096	GETTY ST	EVANS DARLENE	2116 APPLE AVE.	MUSKEGON	MI	$795.00
24-250-000-0137-00	1072	GETTY ST	STEINBACH JOHN/MARY	18364 174TH	SPRING LAKE	MI	$339.20
24-251-000-0192-00	1122	GETTY ST	VANDERMOLEN JAMES A REV	1122 GETTY ST	MUSKEGON	MI	$132.50
24-160-000-0027-00	1180	GETTY ST	PHILADELPHIA MISSIONARY BA	845 CATHERINE AVE	MUSKEGON	MI	$530.00
24-390-004-0004-00	1132	GREEN ST	WEBB ALVIN/TRACIE	1132 GREEN ST	MUSKEGON	MI	$265.00
24-390-004-0002-00	1112	GREEN ST	PATRICIO GREGORY J/TAMMY	1112 GREEN ST	MUSKEGON	MI	$132.50
24-128-100-0003-00	1027	GREEN ST	TOWNSEND REUBEN	1027 GREEN ST	MUSKEGON	MI	$132.50
24-128-100-0004-00	1049	GREEN ST	SANDIFER OLLIE L	1049 GREEN ST	MUSKEGON	MI	$397.50
24-390-001-0017-00	1057	GREEN ST	VANDERMOLEN HARRIET	1057 GREEN ST	MUSKEGON	MI	$132.50
24-685-004-0002-00	1254	HOWARD	ARNOLDI JOHN/KATHY	1070 CADILLAC	MUSKEGON	MI	$530.00
24-685-003-0008-00	1283	HOWARD AVE	CARR VICTORIA H	1283 HOWARD AVE	MUSKEGON	MI	$397.50
24-750-000-0129-00	1305	HOWARD AVE	VEEN CLARENCE ET AL	1305 HOWARD AVE	MUSKEGON	MI	$530.00
24-750-000-0143-00	1391	HOWARD AVE	MYERS MAX E	1391 HOWARD AVE	MUSKEGON	MI	$265.00
24-685-005-0003-00	1206	HOWARD AVE	WILLIAMSON WILLIAM III	1206 HOWARD AVE	MUSKEGON	MI	$132.50
24-685-005-0005-00	1210	HOWARD AVE	ADAMS ERIC D	1210 HOWARD AVE	MUSKEGON	MI	$795.00
24-685-005-0007-00	1224	HOWARD AVE	TUCKER IDA ROBINSON	1244 HOWARD AVE	MUSKEGON	MI	$265.00
24-685-005-0008-00	1236	HOWARD AVE	KELLY KIMBERLY ANN	1236 HOWARD AVE	MUSKEGON	MI	$265.00
24-685-004-0006-00	1280	HOWARD AVE	SCHOENMAKER MARTIN W	1280 HOWARD AVE	MUSKEGON	MI	$265.00
24-750-000-0127-00	1306	HOWARD AVE	MURDZIA ALLAN D	1306 HOWARD AVE	MUSKEGON	MI	$132.50
24-750-000-0113-00	1390	HOWARD AVE	FERRIS RICHARD	1390 HOWARD AVE	MUSKEGON	MI	$132.50
24-685-005-0002-00	1192	HOWARD AVE	MCKINLEY JEANETTE	1192 HOWARD AVE	MUSKEGON	MI	$132.50
24-128-200-0006-00	1236	ISABELLA AVE	MOORE JOHNNY	1236 E ISABELLA AVE	MUSKEGON	MI	$265.00
24-680-000-0023-00	1260	ISABELLA AVE	TERRELL ESTHER	1260 E ISABELLA AVE	MUSKEGON	MI	$397.50
24-225-000-0010-00	1354	ISABELLA AVE	VANBEMMELEN JAMES A	1354 E ISABELLA AVE	MUSKEGON	MI	$397.50

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PARCEL	@		TAXPAYER				TOTAL
24-250-000-0182-00	1074	ISABELLA AVE	HANNON MICHELLE	1074 E ISABELLA AVE	MUSKEGON	MI	$369.41
24-250-000-0174-00	1024	ISABELLA AVE	WEVER JAMES E	1024 E ISABELLA AVE	MUSKEGON	MI	$265.00
24-250-000-0159-00	924	ISABELLA AVE	WALLACE KAREN ET AL	1417 WARNER	WHITEHALL	MI	$1,325.00
24-250-000-0161-00	936	ISABELLA AVE	BROUGHMAN AARON J	936 E ISABELLA AVE	MUSKEGON	MI	$1,022.90
24-250-000-0163-00	950	ISABELLA AVE	MACK RONALD JR	950 E ISABELLA AVE	MUSKEGON	MI	$230.55
24-250-000-0164-00	956	ISABELLA AVE	WACKERLE MARC	4922 MCARTHUR RD	MUSKEGON	MI	$132.50
24-250-000-0167-00	972	ISABELLA AVE	BRIDGES GREG	972 E ISABELLA AVE	MUSKEGON	MI	$151.05
24-250-000-0168-00	984	ISABELLA AVE	GOODEN THERESA A	984 E ISABELLA AVE	MUSKEGON	MI	$265.00
24-250-000-0173-00	1008	ISABELLA AVE	PASTOR CHAD	1008 E ISABELLA AVE	MUSKEGON	MI	$768.50
24-250-000-0151-00	866	ISABELLA AVE	BEENE EUGENE	866 E ISABELLA AVE	MUSKEGON	MI	$132.50
24-250-000-0149-00	852	ISABELLA AVE	BRININSTOOL JERRY	1819 BELMONT DR	MUSKEGON	MI	$132.50
24-250-000-0146-00	834	ISABELLA AVE	JACOBS PROPERTY INVESTME	1701 W SHERMAN BLVD STE	MUSKEGON	MI	$530.00
24-251-000-0200-00	843	ISABELLA AVE	NESBITT BARBARA ANN	843 E ISABELLA AVE	MUSKEGON	MI	$397.50
24-251-000-0203-00	863	ISABELLA AVE	WATKINS EWELL/DELORES/MO	863 E ISABELLA AVE	MUSKEGON	MI	$265.00
24-251-000-0204-00	871	ISABELLA AVE	WADE JAMES/MICHELLE	1337 SUMAC ST	MUSKEGON	MI	$662.50
24-251-000-0213-00	937	ISABELLA AVE	BLACK PAMELO J	1193 RANSOM ST	MUSKEGON	MI	$265.00
24-251-000-0214-00	943	ISABELLA AVE	MARLOW JUANITA L	943 E ISABELLA AVE	MUSKEGON	MI	$397.50
24-251-000-0224-00	1007	ISABELLA AVE	MITCHELL MARIA	1007 E ISABELLA AVE	MUSKEGON	MI	$397.50
24-685-005-0010-00	1237	LANGELAND AV	MUTTART ROBERT JR	1237 LANGELAND AVE	MUSKEGON	MI	$106.00
24-685-006-0006-00	1220	LANGELAND AV	CITY OF MUSKEGON	933 TERRACE ST	MUSKEGON	MI	$500.85
24-685-006-0007-00	1226	LANGELAND AV	PATRICIO DOMINIC/SUSAN	1226 LANGELAND AVE	MUSKEGON	MI	$235.85
24-685-007-0005-00	1274	LANGELAND AV	JDR PROPERTIES LLC	PO BOX 145	FRUITPORT	MI	$265.00
24-685-007-0006-00	1280	LANGELAND AV	WALKER ROGER L	1260 KENNETH	MUSKEGON	MI	$132.50
24-685-007-0007-00	1288	LANGELAND AV	SPENCER DONALD	1288 LANGELAND AVE	MUSKEGON	MI	$265.00
24-750-000-0096-00	1300	LANGELAND AV	FRANKLIN SHARRON B	1300 LANGELAND AVE	MUSKEGON	MI	$397.50
24-750-000-0088-00	1348	LANGELAND AV	MCFAYDEN GEORGE/BRIMMER	1348 LANGELAND AVE	MUSKEGON	MI	$265.00
24-685-006-0001-00	1188	LANGELAND AV	BRASPENNING SUSIE M	1188 LANGELAND AVE	MUSKEGON	MI	$291.50
24-190-002-0008-00	1070	LANGELAND AV	DEUELL MICHAEL	1306 CARDINAL CIRCLE	N MUSKEGON	MI	$132.50
24-190-002-0004-00	1052	LANGELAND AV	STORDAHL GREGG M	1052 LANGELAND	MUSKEGON	MI	$132.50
24-350-000-0013-00	1391	MADISON ST	CRUMMEL WARD H	1391 MADISON ST	MUSKEGON	MI	$1,478.70
24-350-000-0014-00	1405	MADISON ST	CRAIN MATTHEW O	1405 MADISON ST	MUSKEGON	MI	$1,380.65

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PARCEL	@		TAXPAYER				TOTAL
24-250-000-0010-10	1024	MADISON ST	FISHER DAVID/KATHY	1024 MADISON ST	MUSKEGON	MI	$198.75
24-190-005-0001-00	1200	MADISON ST	LEWIS JOE	1200 MADISON ST	MUSKEGON	MI	$2,159.75
24-190-002-0030-00	1320	MADISON ST	HOPKINS JUSTINA	1320 MADISON ST	MUSKEGON	MI	$265.00
24-685-011-0012-00	1259	MCLAUGHLIN A	HAYNES DELAWRENCE	1259 MCLAUGHLIN AVE	MUSKEGON	MI	$265.00
24-680-000-0051-00	1312	MCLAUGHLIN A	SCHUTTER RUSSELL T	1312 MCLAUGHLIN AVE	MUSKEGON	MI	$291.50
24-750-000-0014-00	1385	MCLAUGHLIN A	MEADOWS LESLEY R	1385 MCLAUGHLIN AVE	MUSKEGON	MI	$265.00
24-750-000-0010-00	1361	MCLAUGHLIN A	PHIPPS CHARON C REV TRUST	1361 MCLAUGHLIN AVE	MUSKEGON	MI	$132.50
24-190-005-0004-00	1044	MCLAUGHLIN A	ALDERINK MELINDA K	1044 MCLAUGHLIN AVE	MUSKEGON	MI	$365.70
24-190-005-0005-00	1050	MCLAUGHLIN A	STONE REX/RHONDA	1050 MCLAUGHLIN AVE	MUSKEGON	MI	$132.50
24-128-100-0031-00	1153	MCLAUGHLIN A	MERCER GREG	1153 MCLAUGHLIN AVE	MUSKEGON	MI	$132.50
24-190-004-0030-00	1027	MCLAUGHLIN A	BANKERS TRUST CO OF CALIF	800 RIDGEVIEW DR 2ND FLR	HORSHAM	PA	$530.00
24-190-004-0025-00	1059	MCLAUGHLIN A	KRACHT JAMES E	1059 MCLAUGHLIN AVE	MUSKEGON	MI	$265.00
24-190-004-0020-00	1081	MCLAUGHLIN A	RUUD CINDY	1081 MCLAUGHLIN AVE	MUSKEGON	MI	$662.50
24-190-004-0016-00	1111	MCLAUGHLIN A	VEST RUSSELL JR	1111 MCLAUGHLIN	MUSKEGON	MI	$257.05
24-121-300-0036-00	921	OAK AVE	RILEY TIMOTHY F/PIPKINS TAMI	921 OAK AVE	MUSKEGON	MI	$132.50
24-121-300-0029-00	861	OAK AVE	GARDNER JOHN JR	861 OAK AVE	MUSKEGON	MI	$662.50
24-121-300-0009-00	866	OAK AVE	CARTER NORMAN/BERTHA	866 OAK AVE	MUSKEGON	MI	$172.25
24-121-300-0012-00	886	OAK AVE	SINGLETON LICHTLE CORP	3925 APPLE AVE	MUSKEGON	MI	$1,047.81
24-121-300-0013-00	896	OAK AVE	STEGALL LORI M	896 OAK AVE	MUSKEGON	MI	$397.50
24-121-300-0011-00	914	OAK AVE	MOORE INVESTMENT PROPS	P0 BOX 5377	MUSKEGON	MI	$397.50
24-121-300-0014-00	920	OAK AVE	JACKSON JULIA M	920 OAK AVE	MUSKEGON	MI	$309.12
24-121-300-0015-00	926	OAK AVE	MATTSON BRIAN/SHELLY	15400 COMSTOCK	GRAND HAVE	MI	$265.00
24-121-300-0018-00	946	OAK AVE	BAILEY JIMMIE R	946 OAK AVE	MUSKEGON	MI	$866.97
24-121-300-0085-00	1007	OAK AVE	CONSUMERS ENERGY	4000 CLAY AVE SW PO BOX 2	GRAND RAPID	MI	$1,060.00
24-121-300-0080-00	987	OAK AVE	CRAIN REBA L	987 OAK ST	MUSKEGON	MI	$710.20
24-390-001-0004-00	1030	OAKGROVE ST	BRATSBURG CORI/MITCHELL F	1030 OAKGROVE ST	MUSKEGON	MI	$450.50
24-390-001-0012-00	1086	OAKGROVE ST	HOLCOMB JUNE A	1086 OAKGROVE ST	MUSKEGON	MI	$405.45
24-128-100-0028-00	1212	OAKGROVE ST	MCMILLEN ANN M	1212 OAKGROVE ST	MUSKEGON	MI	$662.50
24-128-100-0047-00	1280	OAKGROVE ST	SOKOLOWSKI/BOLLES	1280 OAKGROVE ST	MUSKEGON	MI	$1,566.15
24-128-100-0066-00	1350	OAKGROVE ST	SHYNE JOHN A	1350 OAKGROVE ST	MUSKEGON	MI	$1,987.50
24-121-300-0063-00	915	ORCHARD AVE	LEE ENOUS/LEE LINWOOD	915 ORCHARD AVE	MUSKEGON	MI	$132.50

H-1535 SIDEWALK REPLACEMENT PROGRAM FOR 2002
SPECIAL ASSESSMENT ROLL

PARCEL	@		TAXPAYER				TOTAL
24-121-300-0046-00	872	ORCHARD AVE	LESTER CLANCIE	872 ORCHARD AVE	MUSKEGON	MI	$154.56
24-121-300-0048-00	886	ORCHARD AVE	BROWN CHARLES D	886 ORCHARD AVE	MUSKEGON	MI	$265.00
24-121-300-0050-00	908	ORCHARD AVE	GILBERT FAY R	908 ORCHARD AVE	MUSKEGON	MI	$1,104.12
24-121-300-0051-00	922	ORCHARD AVE	WILKINS GAIL L	922 ORCHARD AVE	MUSKEGON	MI	$132.50
24-121-300-0053-00	940	ORCHARD AVE	MCKENZIE ELIZABETH W	940 ORCHARD AVE	MUSKEGON	MI	$132.50
24-850-001-0007-00	954	PLYMOUTH ST	TEMPLE HARRY E	1258 E APPLE	MUSKEGON	MI	$530.00
24-390-002-0023-00	1035	ROBERTS ST	LALONDE LAURIE	1035 ROBERTS ST	MUSKEGON	MI	$265.00
24-390-002-0021-00	1051	ROBERTS ST	HOFFMAN HERMAN	1051 ROBERTS ST	MUSKEGON	MI	$132.50
24-128-100-0045-00	1255	ROBERTS ST	HUDSON HERMAN A	1255 ROBERTS ST	MUSKEGON	MI	$1,392.84
24-750-000-0186-00	1467	SAMBURT ST	BYRD CHARLES R	1467 SAMBURT ST	MUSKEGON	MI	$132.50
24-121-300-0124-00	921	STEVENS ST	MOFFETT ISAAC JR	1500 N PETERSON RD	MUSKEGON	MI	$132.50
24-121-300-0066-00	873	STEVENS ST	BRADFIELD LARRY D	873 STEVENS ST	MUSKEGON	MI	$132.50
24-121-300-0065-00	863	STEVENS ST	VAZQUEZ CARLOS A/ET AL	15136 OAKLAND	SPRING LAKE	MI	$397.50
24-142-000-0032-00	940	STEVENS ST	SIMS DORIS	940 STEVENS ST	MUSKEGON	MI	$341.85
24-121-300-0082-00	846	STEVENS ST	BURT MAYLIA M	846 STEVENS ST	MUSKEGON	MI	$927.50
24-121-300-0087-00	850	STEVENS ST	FISHER GLORIA J ET AL	850 STEVENS ST	MUSKEGON	MI	$485.81

H-1535 SIDEWALK REPLACEMENT PROGRAM FOR 2002
SPECIAL ASSESSMENT ROLL

PARCEL	@		TAXPAYER				TOTAL
24-121-300-0091-00	876	STEVENS ST	BIBBS SUSIE A	876 STEVENS ST	MUSKEGON	MI	$132.50

GRAND TOTAL $154,556.20

BOARD OF ASSESSORS:

CLIFF TURNER, COUNTY EQUALIZATION DATE

CLARA SHEPHERD, CITY COMMISSIONER DATE

ROBERT SCHWEIFLER, CITY COMMISSIONER DATE

Date: October 8, 2002

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Consideration of Bids
Lakeshore Trail, Laketon Corridor (Phase II)

SUMMARY OF REQUEST:

The contract to construct the Laketon corridor of the Lakeshore Trail (phase II) from Leahy to Southern be awarded to Youngstrom Contruction out of Ionia, since they were the lowest (see bid tabulation) responsible bidder with a bid price of $358,716.04. Furthermore, it respectfully requested that the award, if granted, be contingent upon the approval of MDOT.

FINANCIAL IMPACT:

The construction cost of $358,716.04 plus associated engineering cost.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract to Youngstrom Construction.

COMMITTEE RECOMMENDATION:

B228 LAKESHORE TRAIL- LAKETON CORRIDOR PHASE II
BID TABULATION
September 30, 2002

				CONTRACTOR	YOUNGSTROM CON.		TRIANGLE EXC		LAKESIDE CONST.		DIVERSCO CONST	
				ADDRESS	593 SPRAGUE		581 OTTAWA STE 1A		PO BOX 510		675 CLYDE CT SW	
				CITY/ST	IONIA, MI 48846		HOLLAND, MI 49423		GRAND HAVEN, MI 49417		BYRON CENTER, MI 49315	
Item	Item Number	Participating Item Description	Unit	Estimated Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	2070005	Removing curb and gutter	LFT	170	$20.00	$3,400.00	$13.00	$2,210.00	$4.00	$680.00	$10.00	$1,700.00
2	2070002	Removing pavement	SYD	960	$8.00	$7,680.00	$7.00	$6,720.00	$3.25	$3,120.00	$10.00	$9,600.00
3	2070006	Removing sidewalk	SYD	192	$20.00	$3,840.00	$7.00	$1,344.00	$3.00	$576.00	$10.00	$1,920.00
4	6260152	Removal of sign, Type III	EA	3	$100.00	$300.00	$50.00	$150.00	$50.00	$150.00	$100.00	$300.00
5	2087001	Station grading, special	LFT	5,400	$6.00	$32,400.00	$8.00	$43,200.00	$11.00	$59,400.00	$20.00	$108,000.00
6	6110002	Concrete sidewalk, 4"	SFT	252	$3.00	$756.00	$3.50	$882.00	$2.25	$567.00	$3.00	$756.00
7	4500001	Concrete pavement, reinforced - 6"	SYD	20	$50.00	$1,000.00	$40.00	$800.00	$25.00	$500.00	$30.00	$600.00
8	6090048	Concrete curb and gutter, detail F4	LFT	169	$18.00	$3,042.00	$22.00	$3,718.00	$12.00	$2,028.00	$15.00	$2,535.00
9	4000050	Bituminous mixture, 36A	TON	692	$48.00	$33,216.00	$46.00	$31,832.00	$43.75	$30,275.00	$45.00	$31,140.00
10	4000043	Bituminous mixture, 13A	TON	791	$48.00	$37,968.00	$49.00	$38,759.00	$42.06	$33,269.46	$45.00	$35,595.00
11	3010002	Aggregate base under bituminous	TON	2010	$15.00	$30,150.00	$11.50	$23,115.00	$11.00	$22,110.00	$14.00	$28,140.00
12	2110002	Subbase (CIP)	CYD	17	$20.00	$340.00	$12.00	$204.00	$25.00	$425.00	$20.00	$340.00
13	6290243	Regular dry pavement marking, 6", white	LFT	673	$2.00	$1,346.00	$1.00	$673.00	$0.75	$504.75	$6.00	$4,038.00
14	4007011	Pavement color coat	SYD	355	$30.00	$10,650.00	$6.00	$2,130.00	$27.00	$9,585.00	$12.00	$4,260.00
15	6507050	Bench, furnish and place	EA	8	$750.00	$6,000.00	$500.00	$4,000.00	$1,825.00	$14,600.00	$775.00	$6,200.00
16	6507050	Litter receptacle	EA	9	$500.00	$4,500.00	$500.00	$4,500.00	$1,150.00	$10,350.00	$762.00	$6,858.00
17	6260173	Salvaged Sign, Type III	EA	3	$100.00	$300.00	$100.00	$300.00	$85.00	$255.00	$100.00	$300.00
18	6317051	Traffic control	LS	1	$2,500.00	$2,500.00	$7,000.00	$7,000.00	$10,000.00	$10,000.00	$6,000.00	$6,000.00
19	6230001	Mobilization	LS	1	$35,000.00	$35,000.00	$7,250.00	$7,250.00	$10,000.00	$10,000.00	$25,000.00	$25,000.00
20	6507050	Red Sunset Maple Acer rubra "Franksred"	EA	26	$360.00	$9,360.00	$300.00	$7,800.00	$350.00	$9,100.00	$336.00	$8,736.00
21	6507050	Celzam Maple Acer freemanii "Celzam"	EA	6	$360.00	$2,160.00	$500.00	$3,000.00	$335.00	$2,010.00	$336.00	$2,016.00
22	6507050	Vaughn Hawthorne Crateagus x vaughnii	EA	12	$340.00	$4,080.00	$350.00	$4,200.00	$325.00	$3,900.00	$310.00	$3,720.00
23	6507050	Red Gnome Dogwood Cornus Alloa Sibirica "Red Gnome"	EA	35	$40.00	$1,400.00	$45.00	$1,575.00	$42.00	$1,470.00	$36.00	$1,260.00
24	6507050	Tulip Tree Liriodendum tulipifera	EA	6	$335.00	$2,010.00	$400.00	$2,400.00	$345.00	$2,070.00	$308.00	$1,848.00
25	6507050	American Hophornbeam Ostraya Virginiana	EA	7	$300.00	$2,100.00	$400.00	$2,800.00	$325.00	$2,275.00	$266.00	$1,862.00
26	6507050	Goldtide Forsythia Forsythia x "Courtsol" PP9104	EA	40	$50.00	$2,000.00	$45.00	$1,800.00	$42.00	$1,680.00	$42.00	$1,680.00
27	6507050	Norway Spruce Picea abies	EA	14	$300.00	$4,200.00	$320.00	$4,480.00	$225.00	$3,150.00	$264.00	$3,696.00
28	6507050	Colorado Spruce Picea pungens	EA	28	$300.00	$8,400.00	$320.00	$8,960.00	$200.00	$5,600.00	$264.00	$7,392.00
29	6507050	White Pine Pinus strobus	EA	13	$300.00	$3,900.00	$300.00	$3,900.00	$200.00	$2,600.00	$264.00	$3,432.00
30	6537011	Grass Seed "A"	SYD	18,308	$0.82	$15,012.56	$0.65	$11,900.20	$0.35	$6,407.80	$0.81	$14,829.48
31	6537011	Grass Seed "B"	SYD	5,526	$0.72	$3,978.72	$0.60	$3,315.60	$0.35	$1,934.10	$0.72	$3,978.72

B228 LAKESHORE TRAIL- LAKETON CORRIDOR PHASE II
BID TABULATION
September 30, 2002

				CONTRACTOR	YOUNGSTROM CONST.		TRIANGLE EXC		LAKESIDE CONST.		DIVERSCO CONST	
				ADDRESS	593 SPRAGUE		581 OTTAWA STE 1A		PO BOX 510		675 CLYDE CT SW	
				CITY/ST	IONIA, MI 48846		HOLLAND, MI 49423		GRAND HAVEN, MI 49417		BYRON CENTER, MI 49315	
Item	Item Number	Participating Item Description	Unit	Estimated Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
32	6537010	Wildflower seed mix	SFT	16,698	$0.12	$2,003.76	$0.07	$1,168.86	$0.08	$1,335.84	$0.11	$1,836.78
33	6537050	Transplant Existing Tree	EA	11	$275.00	$3,025.00	$100.00	$1,100.00	$300.00	$3,300.00	$275.00	$3,025.00
34	6537050	Transplant Existing Shrub	EA	29	$25.00	$725.00	$30.00	$870.00	$25.00	$725.00	$25.00	$725.00
35	6537011	Topsoil	SYD	24,478	$0.50	$12,239.00	$1.80	$44,060.40	$2.25	$55,075.50	$5.50	$134,629.00
36	2087021	Non-hazardous contaminated material handling and dispos	CY	50	$50.00	$2,500.00	$20.00	$1,000.00	$30.00	$1,500.00	$20.00	$1,000.00
37	6500002	Watering and cultivating, first season	LS	1	$4,000.00	$4,000.00	$3,000.00	$3,000.00	$2,500.00	$2,500.00	$500.00	$500.00
38	2130015	Silt fence	LFT	1,000	$1.50	$1,500.00	$2.00	$2,000.00	$3.00	$3,000.00	$2.00	$2,000.00
39	6507050	Bench, salvage	EA	1	$300.00	$300.00	$300.00	$300.00	$125.00	$125.00	$750.00	$750.00
40	6260116	Sign, Type IIIA	SFT	316	$18.00	$5,688.00	$18.00	$5,688.00	$16.00	$5,056.00	$16.00	$5,056.00
41	6260120	Sign, Type IIIB	SFT	55	$18.00	$990.00	$18.00	$990.00	$16.00	$880.00	$16.00	$880.00
42	6260101	Steel Post, 3 lbs.	LFT	217.5	$6.00	$1,305.00	$4.00	$870.00	$4.00	$870.00	$4.00	$870.00
43	6760106	Wood Posts, 4" x 6"	LFT	397.5	$20.00	$7,950.00	$18.00	$7,155.00	$16.50	$6,558.75	$16.50	$6,558.75
		PARTICIPATING SUBTOTAL $				$315,215.04		$303,120.06		$331,695.70		$485,562.73
Item	Item Number	Non-Participating Item Description	Unit	Estimated Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	6500002	Irrigation system	LS	1	$32,000.00	$32,000.00	$48,000.00	$48,000.00	$31,067.00	$31,067.00	$31,067.00	$31,067.00
2	6500002	Irrigation sleeves	LS	1	$9,000.00	$9,000.00	$4,300.00	$4,300.00	$8,990.00	$8,990.00	$8,990.00	$8,990.00
3	1057051	Contractor, staking	LS	1	$1,000.00	$1,000.00	$7,000.00	$7,000.00	$4,750.00	$4,750.00	$7,500.00	$7,500.00
4	1057051	Contractor staking, urban	LS	1	$1.00	$1.00	$2,000.00	$2,000.00	$500.00	$500.00	$7,500.00	$7,500.00
5	1057040	Staking Plan Errors and Extras, two person	HOUR	20	$75.00	$1,500.00	$100.00	$2,000.00	$100.00	$2,000.00	$1.00	$20.00
		NON-PARTICIPATING SUBTOTAL $				$43,501.00		$63,300.00		$47,307.00		$55,077.00
		PROJECT TOTAL AMOUNT $				$358,716.04		$366,420.06		$379,002.70		$540,639.73