

CITY OF MUSKEGON

CITY COMMISSION MEETING

SEPTEMBER 13, 2016

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ☐ **CALL TO ORDER:**
- ☐ **PRAYER:**
- ☐ **PLEDGE OF ALLEGIANCE:**
- ☐ **ROLL CALL:**
- ☐ **HONORS AND AWARDS:**
- ☐ **INTRODUCTIONS/PRESENTATION:**
- ☐ **CITY MANAGER'S REPORT:**
- ☐ **CONSENT AGENDA:**
 - A. Approval of Minutes** City Clerk
 - B. Request to Fly Breast Cancer Ribbon Flags** City Clerk
 - C. Supplemental MERS Contribution** Finance
 - D. Transfers to Engineering, Public Improvement and Arena Funds**
Finance
 - E. Bid Tabulation for HVAC Condenser Replacement at L.C. Walker Arena Annex** City Manager and Finance Director
 - F. Request to Create a New Neighborhood Enterprise Zone District at 316 Morris Street** Planning & Economic Development
 - G. Special Projects Coordinator** City Manager
 - H. Community Relations Committee Recommendations for Various City Boards and Committees** City Clerk
- ☐ **PUBLIC HEARINGS:**
- ☐ **COMMUNICATIONS:**

☐ **UNFINISHED BUSINESS:**

- A. Request to Add Parcels to the City's Existing Groundwater Ordinance**
Planning & Economic Development – SECOND READING

☐ **NEW BUSINESS:**

- A. Request to Create a New Neighborhood Enterprise Zone District at 965 W Western Avenue & 920 Washington Avenue** Planning & Economic Development

B. LED Street Light Assessment City Manager

☐ **ANY OTHER BUSINESS:**

☐ **PUBLIC PARTICIPATION:**

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

☐ **CLOSED SESSION:**

☐ **ADJOURNMENT:**

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

Memorandum

To: Mayor and Commissioners

From: Frank Peterson

Re: City Commission Meeting

Date: September 8, 2016

Here is a quick outline of the items on next week's agenda:

1. We have a number of items on the Work Session:
 - a. A presentation from Dave Alexander on the Downtown BID. The BID's one year term is expiring at the end of 2016, and we are preparing for a one-year extension with the same terms. We felt this was prudent given the BID's late implementation last year (only actually removing snow Feb-April). This will give us a full winter to understand the BID's benefits.
 - b. A presentation by Dakota Crow with the Boys and Girls Club.
 - c. Creation of SPECIAL PROJECTS COORDINATOR position. I would like the Commission to consider the creation of a position that oversees, manages, and in some cases even undertake certain construction projects throughout the city. We have ongoing and planned projects at the LC and City Hall, as well as the likelihood of some level of improvements/construction at PM Park, improvements to the boardwalk at Kruse Park, improvements to the Farmers Market, and through CNS (siding programs, rehab programs, etc.), and I feel that an in-house person will put us in the best position to get the projects/improvements completed in the most efficient (time and cost) manner possible. We have found the cost of construction to be growing greatly, and we think this will allow us to better control those costs. The initial projects that I expect this person to begin working on are the many maintenance items that need addressing at the LC, as well as the distillery's construction. Additionally, if we decide to move forward with popup sheds or shipping container conversions at PM Park, I would intend for this person to manage and likely undertake that construction as well.

- d. We will be asking the Commission to approve an NEZ for the Watermark project on Tuesday, so we thought it should be added to Monday as well for more in depth discussion. This project and the potential for tax incentives have caused some condo owners as well as some local residents to call for the incentives to be denied. As staff, we are cautioning against that action. There are many reasons why, which I will explain below:
 - i. The project is a difficult and expensive undertaking. Without state and local incentives, this project would not be feasible. Even in markets like Grand Rapids – where rents are significantly higher than Muskegon – state and local incentives are imperative to making a project work.
 - ii. If we want state incentives (Brownfield and CRP) to be applied to this project, there will be a requirement that the local government put “skin in the game.” In other words, the NEZ is going to be expected by the MEDC just as much as it will be the developer.
 - iii. The taxes currently being paid at this property will continue. Only the new growth will realize a tax savings. 920 Washington paid \$46,000 in 2015 property taxes, and between 2012 and 2015 has paid nearly \$135,000 in property taxes. 965 West Western paid \$13,000 in 2015 property taxes, and between 2012 and 2015 has paid nearly \$36,000 in property taxes. These taxes will not be abated.
 - iv. As part of the Brownfield Plan, a development agreement will be created that outlines timelines, etc. Inability to meet the timelines could result in the revocation of the Brownfield as well as the NEZ certificate.
 - v. Absent the incentives, we can be confident that the development will not occur. We may be successful in getting the buildings boarded up in that instance, but forcing and completing a demolition would be highly unlikely.
- e. Discussion on whether or not to pursue the LED Streetlight upgrade via special assessment. I have had discussions with each of you on the pros and cons of the implementation. It is my opinion that these types of improvements/investments are essential to our city’s long-term fiscal health. I have reattached our estimates that show a great long-term return on our investment of \$18.00 per parcel per year for 10 years. I believe that long-term, this has the potential to help solve the fiscal strife we are predicting in the coming 5 year period. With this change, we would only need to solve the MERS Pension Valuation issue to put us on a path of what I would consider long-term stability. Given what we know the long-term effects would be of making the LED conversion, it may even be possible to extend the assessment to 15 or 20 years in order to lower the cost to residents. At 15

years, the assessment would be closer to \$12.50 per year, and at 20 years, the assessment would be closer to \$9.50 per year. This would make the assessment more affordable to some/most residents and extend the payment of the improvement out longer. If that is what it takes to make this improvement a reality, my recommendation would be to do so.

2. We will have a CRC Meeting following the Work Session.
3. Under the Tuesday consent agenda, we are asking the Commission for approval of the following:
 - a. Last meeting's minutes.
 - b. A request from Tempting Tables to fly Brest Cancer Awareness Ribbon Flags in certain city locations.
 - c. Approval to make a supplemental payment to MERS in the amount of \$206,831.82. These additional funds will help close our unfunded accrued liability, but will not have an effect on our budget because they were already expensed in 2015-16.
 - d. Approval of transfers from the General Fund to the Engineering Fund (\$50,000), Public Improvement Fund (\$750,000) and Arena Fund (\$250,000). These transfers are all necessary to keep the funds from a deficit position. The funds transferred to the Public Improvement Fund will be returned to the General Fund as the homes in Midtown Square sell.
 - e. Approval of replacement of HVAC Condenser unit at the LC Walker Annex. This unit has essentially failed. The unit is original to the building and very inefficient as well. The recommendation is to award the Bid to Northside Heating and Cooling. Northside does work on our fire stations as well, and we have a positive history with them. In my opinion, this is just a precursor to additional major needs at the arena – the cooling system is on its last leg, as were the ice chillers . . . and the recent rain storms revealed many leaks in the roof. These will all be part of the likely bond request later in 2016.
 - f. Creation of a NEZ at 316 Morris Street. This NEZ is being required by the MEDC in support of their \$450,000 CRP Grant to Terrace Plaza. Staff recommends approval, as this will be our first new market rate apartment investment in downtown in many years.
4. Under unfinished business we will have the second reading of the expansion of the ground water ordinance. As per last meeting, there is a newly identified area of groundwater contamination, which has been attributed to Exxon Mobil. Notices were sent to affected property owners by their consultant (Groundwater and Environmental Services, Inc.),

notifying them of this hearing. Once the hearing is completed, the commission will be asked to expand the current groundwater ordinance to include the newly identified parcels. The ordinance greatly restricts the use of wells in the affected area.

5. Under new business, we will be asking the Commission to approve an NEZ for the Watermark project. If there are questions on any agenda items, please try to let staff know in advance, and we will be sure to have the appropriate data/research available at the meeting.

Date: September 7, 2016
To: Honorable Mayor and City Commissioners
From: Ann Marie Meisch, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the August 23, 2016 Regular City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

AUGUST 23, 2016

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, MI at 5:30 p.m., Tuesday, August 23, 2016.

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

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Vice Mayor Eric Hood, Commissioners Byron Turnquist, Ken Johnson, Debra Warren, Willie German, Jr., and Dan Rinsema-Sybenga, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

Absent: Mayor Stephen J. Gawron

2016-65 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve minutes of the August 8, 2016 Worksession and the August 9, 2016 Regular City Commission Meetings.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

C. Certification of MERS Representatives Finance

SUMMARY OF REQUEST: The MERS plan document provides that "the governing body for each municipality shall certify the names of two delegates to the Annual Meeting. One delegate shall be a member who is an officer of the municipality appointed by the governing body of the municipality. The other delegate shall be a member who is not an officer of the municipality, elected by the member officer/employees of the municipality."

The City's employee units previously agreed to a rotating system (based on date of joining MERS) to select one official employee representative. This year the official employee representative attending the MERS conference will be Peter

Hughes (Firefighter) from the firefighters' union group.

It is recommended that Elizabeth Lewis (Assistant Finance Director) be designated as the City's employer delegate.

FINANCIAL IMPACT: Registration for the MERS conference in Acme, MI is \$250 per person. Additionally, mileage, hotel and related costs will be incurred.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Certification of Elizabeth Lewis and Peter Hughes to be the City's officer and employee delegates at the MERS annual meeting in Acme September 28-29, 2016.

F. Beach Cleaner DPW/Equipment

SUMMARY OF REQUEST: Authorize staff to purchase one new Surf Rake from H Barber and Sons, Inc. for \$53,750.00 and trade in the current Surf Rake for trade value of \$9,000.00

FINANCIAL IMPACT: \$53,750.00 minus \$9,000.00 (trade in) for total purchase of \$44,750.00

BUDGET ACTION REQUIRED: None. Amount is what was budgeted.

STAFF RECOMMENDATION: Authorize staff to purchase one new Surf Rake.

G. Youth Basketball League and Open Gym Proposal – Muskegon Public Schools Planning & Economic Development

SUMMARY OF REQUEST: The City of Muskegon has contracted with Muskegon Public Schools for the management of the Youth Basketball League and Open Gym since 2010. The program has been successful and the Schools would like to manage the program for the 2016-2017 school year. The Commission is requested to approve the proposal and authorize staff to enter into an agreement with the Schools for oversight of the basketball program and the Open Gym program.

FINANCIAL IMPACT: The cost for the program is \$18,500 (which has not changed since 2010).

BUDGET ACTION REQUIRED: Funds are available through the Leisure Services Budget.

STAFF RECOMMENDATION: To approve the "Youth Basketball League and Open Gym Proposal" and authorize staff to enter into a formal agreement with the Schools.

H. Request to Create a New Neighborhood Enterprise Zone District at 285 W. Western Avenue *ITEM REMOVED PER CITY MANAGER*

Motion by Commissioner Johnson, second by Commissioner German, to approve the Consent Agenda as presented with the exception of Items B, D, & E.

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Turnquist, Johnson, Gawron, Hood, and Warren

Nays: None

MOTION PASSES

2016-66 ITEMS REMOVED FROM CONSENT AGENDA:

B. Designation of Voting Delegates for the Michigan Municipal League Annual Business Meeting City Clerk

SUMMARY OF REQUEST: To designate by action of the Commission, Mayor Stephen J. Gawron, who will be in attendance at the convention as an official representative to cast the vote of the municipality at the annual meeting; and to designate City Manager, Frank Peterson, to serve as alternate.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga, to approve the designation of voting delegates for the Michigan Municipal League Annual Business Meeting.

ROLL VOTE: Ayes: Hood, Warren, German, Rinsema-Sybenga, Turnquist, and Johnson

Nays: None

MOTION PASSES

D. Police Detective Vehicles DPW/Equipment

SUMMARY OF REQUEST: Authorize staff to purchase two Chevy Impalas from Berger Chevrolet, the MI-Deal State contract holder. These will replace the two oldest vehicles currently being used.

FINANCIAL IMPACT: \$46,738.12 OR \$23,369.06 each.

BUDGET ACTION REQUIRED: None. Amount is what was budgeted.

STAFF RECOMMENDATION: Authorize staff to purchase two Chevy Impalas from Berger Chevrolet.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga, to authorize staff to purchase two Chevy Impalas from Berger Chevrolet

ROLL VOTE: Ayes: Hood, Warren, German, Rinsema-Sybenga, Turnquist, and Johnson

Nays: None

MOTION PASSES

E. Trust Fund Grant Application for Pere Marquette Park Engineering

SUMMARY OF REQUEST: Adopt the resolution committing the City for the local match on the Trust Fund Grant application for improvements at Pere Marquette Park.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None as the local match has been anticipated and budgeted for in the Public Improvement Fund.

STAFF RECOMMENDATION: Adopt the resolution.

Motion by Commissioner Turnquist, second by Commissioner Johnson, to adopt the resolution committing the City for the local match on the Trust Fund Grant application for improvements at Pere Marquette Park.

ROLL VOTE: Ayes: Warren, German, Rinsema-Sybenga, Turnquist, Johnson, and Hood

Nays: None

MOTION PASSES

2016-67 NEW BUSINESS:

A. Concurrence with the Housing Board of Appeals Notice and Order to Demolish Public Safety

1133 W. Western Avenue

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structure located at 1133 W. Western Avenue is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days or infraction tickets may be issued. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder or staff may issue infraction tickets to the owner, agent, or responsible party if they do not demolish the structure.

FINANCIAL IMPACT: General Fund

BUDGET ACTION REQUIRED: None

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

Motion by Commissioner Warren, second by Commissioner Turnquist, to concur with the Housing Board of Appeals decision to demolish 1133 W. Western Avenue

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Turnquist, Johnson, Hood, and Warren

Nays: None

MOTION PASSES

B. Request to Add Parcels to the City's Existing Groundwater Ordinance
Planning & Economic Development

SUMMARY OF REQUEST: The City has received an application to designate 52 parcels under the water supplies ordinance. These parcels are associated with the former Mobil Oil Pipeline – Sisson Avenue at McCracken Street. The ordinance prohibits the use of groundwater wells and secondary water supplies under certain circumstances and in certain locations, to prevent exposure to contaminated groundwater, as well as to prevent wells from influencing the movement of contaminated water. Notice was sent to the affected addresses prior to this meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the ordinance amendment to add the additional 52 parcels.

Motion by Commissioner Johnson, second by Commissioner German, to approve the ordinance amendment to add the additional 52 parcels.

ROLL VOTE: Ayes: Rinsema-Sybenga, Turnquist, Johnson, Hood, Warren, and German

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission adjourned at 6:47 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC, City Clerk

Date: September 7, 2016
To: Honorable Mayor and City Commissioners
From: Ann Marie Meisch, City Clerk
RE: Request to Fly the Breast Cancer Ribbon Flag

SUMMARY OF REQUEST: As they have done in the past, Tempting Tables is requesting the use of City flag poles at the Farmer's Market, Hackley Park, City Hall, Shoreline Drive, Root Park, Hartshorn Marina, and the Fire Station for the month of October to bring greater awareness of breast cancer to our community.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the request.



TEMPTING TABLES

Contact Person
J'nai Closz
Jnai67@comcast.net
231-744-1767

August 30, 2016

Muskegon City Council
Muskegon, MI

To Whom it May Concern,

Tempting Tables is a volunteer organization that showcases elaborate Tablescapes. Our mission is to create a greater awareness of breast cancer and raise money for breast cancer research. The event is held every other year. We had a very successful event last year in October at the Muskegon Holiday Inn. This October is our "off" year and we are planning to decorate the Muskegon downtown area with our breast cancer ribbon flags to bring a greater awareness of breast cancer to our community. We are asking permission to use the flag poles that are listed below for the month of October. I have coordinated this effort with Bernadette Young in the past and would work with her again to make this happen.

Thank you for considering our request.

Sincerely,

A handwritten signature in cursive script that reads "J'nai Closz".

J'nai Closz

On behalf of the Tempting Tables Committee

Farmers Market
Hackley Park
City Hall
Shoreline Dr
Root Park
Hartshorn Marina
Fire Station

Commission Meeting Date: September 13, 2016

Date: September 6, 2016
To: Honorable Mayor and City Commissioners
From: Finance
RE: Supplemental MERS Contribution

SUMMARY OF REQUEST: One of the most significant financial challenges facing the city and many other governments across the nation is the issue of pension funding. Relative to many other cities, Muskegon's pension plans have historically been considered well-funded. However, in recent years, due in part to lower than expected investment returns and changes in actuarial assumptions, the funding levels of the city's pension plans have decreased. Paying down the city's existing pension legacy costs will present budget challenges for years to come.

For the fiscal year that ended June 30, 2016, staff conservatively budgeted for an increase in pension costs. During the course of fiscal year 2015-16, an additional \$206,831.82 was expensed and accumulated for payment towards the city's pension costs. At this time staff believes it is appropriate to take this opportunity to make a \$206,831.82 supplemental payment (above the actuarial computed amount) to MERS. This is money that the city would be required to pay to MERS eventually. Paying early, while the city is in a position to do so, makes time an ally (instead of an enemy) and may help to ease some pressure on future city budgets.

FINANCIAL IMPACT: \$206,831.82 supplemental payment to MERS. \$206,831.82 will be paid from monies already set aside for MERS in the collector fund.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to make a supplemental \$206,831.82 payment to MERS no later than October 31, 2016.

Commission Meeting Date: September 13, 2016

Date: September 6, 2016
To: Honorable Mayor and City Commissioners
From: Finance
RE: Transfers to Engineering, Public Improvement and Arena Funds

SUMMARY OF REQUEST: During the close out of fiscal year 2015-16 and based on the financial results for the fiscal year ended June 30, 2016, staff transferred \$50,000 from the general fund to the engineering services fund to eliminate a fund balance deficit in that fund. In addition, staff transferred \$750,000 from the general fund to the public improvement fund to eliminate a fund balance deficit in that fund and \$250,000 to support the arena fund.

FINANCIAL IMPACT: \$50,000 from the general fund to the engineering services fund, \$750,000 from the general fund to the public improvement fund, and \$250,000 from the general fund to the arena fund.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Formal approval of the transfers from the general fund to the engineering services fund, public improvement fund, and arena fund, effective June 30, 2016.

Commission Meeting Date: September 13, 2016

Date: September 7, 2016
To: Honorable Mayor and City Commissioners
From: City Manager and Finance Director
**RE: Bid Tabulation for HVAC Condenser Replacement at
L.C. Walker Arena Annex**

SUMMARY OF REQUEST: Two bids were received from contractors to perform work to replace the HVAC condenser at the arena annex building. A bid tabulation summary is attached. Northside Heating, Cooling, & Refrigeration, Inc. was the lowest cost from the bids received. Therefore, based on cost and quality of work, staff requests the approval of Northside Heating, Cooling, & Refrigeration, Inc. for the replacement of the HVAC condenser at the L.C. Walker Arena Annex.

FINANCIAL IMPACT: Total proposed cost of \$40,020 to replace the HVAC condenser at the arena annex building.

BUDGET ACTION REQUIRED: Fiscal year 2016-17 budget to be adjusted to reflect the need to replace the HVAC condenser at the L.C. Walker Arena Annex.

STAFF RECOMMENDATION: To approve the bid received from Northside Heating, Cooling, & Refrigeration, Inc. for the replacement of the HVAC condenser at L.C. Walker Arena Annex.

City of Muskegon
Bid Tabulation for Replacement of HVAC Condenser at L. C. Walker Arena Annex

Bid No.	Contractor	Contractor's Address	Contractor's Phone #	Total Proposed Cost
1	Muskegon Quality Builders, Inc.	2837 Peck Street Muskegon, MI 49444	231-733-4278	\$86,093.00
2	Northside Heating, Cooling & Refrigeration, Inc.	2145 Jenna Lane Muskegon, MI 49475	231-744-0911	\$40,020.00



MUSKEGON QUALITY BUILDERS, INC.

2837 PECK STREET, MUSKEGON, MI 49444
P.231.733.4278 | www.mqbinc.com

PROPOSAL

DATE	PROPOSAL #
8/25/2016	16402

PROPOSAL SUBMITTED TO:

City of Muskegon
Attn: Franklin Peterson
933 Terrace Street
P.O. Box 0536
Muskegon, MI 49443-0536

RE: LC Walker Arena Annex - HVAC

Bid Includes: Labor, material, equipment and permits for HVAC Condenser Replacement at LC Walker Arena – Peak Performance – Training Area.

Scope:

Install two new 20 ton condensing units
Install platform over existing sidewalk for units to be mounted to (Note: this still needs to be approved by local ordinance)
Pipe units into existing evaporators, leak tested and charged with R-407C refrigerant
Install electrical hook up to units
Start up units and operationally check for proper function
Provide documents to Safe Built to obtain permit

Thank you for the opportunity to submit this Proposal.

BASE BID

\$86,093.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by MQB.

NOTE: THIS PROPOSAL MAY BE WITHDRAWN BY US IF NOT ACCEPTED WITHIN 30 DAYS.

Respectfully submitted,

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature _____ Date _____

Northside Heating, Cooling &
Refrigeration, Inc.

2145 Jenna Lane
Muskegon, MI 49445

Phone # 231-744-0911

Fax # 231-744-8806

Estimate

Date	9/7/2016
Estimate #	15644
Estimate is good for 30 days.	

Proposal Submitted To:
City of Muskegon Attn: Frank Peterson 933 Terrace Muskegon, MI 49440

Work To Be Performed At:
L.C. Walker Arena Annex Bldg Peak Performance Training Area

Description	Total
Permit, labor and material to install: - Two (2) equipment stands - Two (2) York 20 ton condensers 460V, 3 phase - Refrigerant piping with insulation - Two (2) suction and two (2) liquid line driers (core and shell) - Two (2) TXV's - Two (2) sight glasses	37,520.00
Electrical to wire two (2) condensing units.	2,500.00
Price includes: - Crane charge - Refrigerant - Starting up equipment - Flushing out existing evaporator coils	
Not included: - Removing existing water cooled condensing unit - Repairs or maintenance to existing air handlers	
Notes: Quote subject to necessary plan approval by the City of Muskegon.	

Respectfully submitted by:	Jerry Roof
Payment to be made as follows:	To be determined

Acceptance of proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature _____	Date _____
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Commission Meeting Date: September 13, 2016

Date: August 16, 2016
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
**RE: Request to Create a New Neighborhood Enterprise Zone District
at 316 Morris St**

SUMMARY OF REQUEST:

Pursuant to Public Act 147 of the Michigan Public Acts of 1992, Hinman Lake, LLC has requested to create a new Neighborhood Enterprise Zone (NEZ) district for the parcel at 316 Morris St. Properties located in this NEZ district will be eligible to apply for NEZ certificates, which will lower the residential property taxes for rehab construction. Notice letters were sent to the taxing jurisdictions on July 1 and a public hearing was held on July 12. State law requires that the resolution must be adopted at least 60 days after the notice letters were sent. This project will include 19 condo units that will be located on the 6th and 7th floors of the current building.

FINANCIAL IMPACT:

No financial impact at this point. However, being in a district will allow them to apply for a rehab NEZ certificate, which will freeze the building at its pre-rehabilitated rate for 1 to 15 years.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the new NEZ district.

COMMITTEE RECOMMENDATION:

None

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE
DISTRICT WITHIN THE CITY OF MUSKEGON**

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, the City of Muskegon would like to create a new Neighborhood Enterprise Zone district to a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on July 1, 2016, and;

WHEREAS, a public hearing was held regarding the creation of this new district on July 12, 2016; and

WHEREAS, the new district boundaries will include the property known as “Terrace Plaza (316 Morris St, property # 24-792-000-0000-00),” as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon has been approved.

Adopted this, 13th day of September, 2016.

Ayes:

Nays:

Absent:

By: _____
Stephen J. Gawron, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on September 13, 2016.

By: _____

Ann Meisch
City Clerk

Attachment A



AGENDA ITEM NO. _____
CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners

FROM: Frank Peterson, City Manager

DATE: September 13, 2016

RE: Special Projects Coordinator

SUMMARY OF REQUEST:

To create the position of Special Project Coordinator and authorize staff to begin the process of filling the position.

FINANCIAL IMPACT:

The position will be advertised at Range VII-B with a salary range of \$43,154 to \$57,110.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To create the position of Special Project Coordinator and authorize staff to begin the process of filling the position.

COMMITTEE RECOMMENDATION:

Date: September 13, 2016
To: Honorable Mayor and City Commissioners
From: City Clerk
**RE: Community Relations Committee Recommendations for
Various City Boards and Committees**

SUMMARY OF REQUEST: Accept the recommendations from the Community Relations Committee.

Accept the resignation of Rosalind Ford from the *Citizen's District Council*.

Appoint Lisa Judge to the *Citizen's District Council*.

FINANCIAL IMPACT: None.

STAFF RECOMMENDATION: Approval

COMMITTEE RECOMMENDATION: Approval

Commission Meeting Date: August 23, 2016

Date: September 8, 2016
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Request to Add Parcels to the City's Existing Groundwater Ordinance

SUMMARY OF REQUEST:

The City has received an application to designate 52 parcels under the water supplies ordinance. These parcels are associated with the former Mobil Oil Pipeline – Sisson Ave @ McCracken St. The ordinance prohibits the use of groundwater wells and secondary water supplies under certain circumstances and in certain locations, to prevent exposure to contaminated groundwater, as well as to prevent wells from influencing the movement of contaminated water. Notice was sent to the affected addresses prior to this meeting.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approval of the ordinance amendment to add the additional 52 parcels.

COMMITTEE RECOMMENDATION:

None

Resolution No. _____

MUSKEGON CITY COMMISSION

An ordinance amending the City Code of Ordinances by adding to Ordinance No. 2039 (Muskegon City Code of Ordinances Section 34, Article III) certain identifying "Appendix Maps" and descriptions of properties determined to be "affected premises" on which groundwater wells are prohibited unless excepted under Section 34-65 due to the contamination or potential contamination of said groundwater. The said Ordinance No. 2039 is amended by this Ordinance.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

1. The properties identified in this amending ordinance are determined to be affected premises within the meaning of and regulated in accordance with, Ordinance No. 2039 or any successor ordinance prohibiting wells on such premises. The said affected premises are included in Attachment A.
2. Attached to this ordinance and incorporated herein are Appendix Maps locating the affected premises and their legal descriptions.
3. This ordinance shall be effective ten (10) days after publication. In the event any part of this ordinance is finally determined to be invalid or unenforceable by a court having jurisdiction, then said determination shall not affect the validity of the remaining provisions.

Adopted this 13th Day of September 2016.

Ayes:

Nays:

Absent:

BY: _____
Stephen J. Gawron
Mayor

ATTEST: _____
Ann Meisch
Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on September 13, 2016.

Ann Meisch
Clerk

Attachment A

2326 Greenwood St

CITY OF MUSKEGON REVISED PLAT OF 1903 PT OF LOT 1 BLK 620 & PT OF LOT 1 BLK 1 GREENWOOD SUB COM SW COR LOT 1 BLK 1 GREENWOOD SUB TH S 46D 09M E 5.3 FT TH N 66D 49M E 12.17 FT TH N 135.3 FT TO NLY LN SD LOT TH S 76D 29M W 15.4 FT TO NW COR SD LOT TH S ON W LN SD LOT 105 FT TH SWLY 140.53 FT TO NLY LN OF GREENWOOD ST TH SELY ON NLY LN GREENWOOD ST 85.8 FT TH N 43D 50M E 103.84 FT TO BEG

1963 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 640 LOT 2

1964 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 13 BLK 639

1977 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 4 BLK 640 ALSO COM @ NWLY COR LOT 3 FOR POB TH SELY TO SWLY COR SAID LOT TH ELY 4 FT TH NWLY 125.85 FT TO POB

1978 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 LOT 11

1984 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 10 BLK 639

1995 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 640 LOT 6

1996 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 LOT 9

2003 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 640 LOT 7

2006 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 SE 1/2 LOT 8

1970 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 LOT 12

1987 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 640 LOT 5

1971 Harding Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 3 BLK 640 EX COM @ NWLY COR SD LOT FOR POB TH SELY ALG LOT LN OF SWLY COR TH ELY ALG SLY LN LOT 3 4 FT TH NWLY 125.85 FT TO BEG

2204 McCracken St

CITY OF MUSKEGON REVISED PLAT OF 1903 NWLY 82 FT LOT 7 & SWLY 10 FT NWLY 82 FT LOT 6 BLK 638

2218 McCracken St

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 6 EXC SWLY 10 FT OF NWLY 82 FT & SELY 50 FT LOT 7 BLK 638

2226 McCracken St

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 638 LOT 8

2272 McCracken St

CITY OF MUSKEGON REVISED PLAT OF 1903 NW 1/2 LOT 8 BLK 639

2311 McCracken St

CITY OF MUSKEGON REVISED PLAT 1903 BLK 646 N 90 FT LOT 1 & WLY 19.6 FT MCCracken STREET ABUTTING SD

2320 McCracken St

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 620 PT OF LOT 1 COM ON E LN MC CRACKEN ST 16 FT SELY OF SW COR BLK 640 TH N 76D 29M E 180 FT TH S 105 FT TH SWLY 140.53 FT TO E LN MC CRACKEN ST TH NWLY ALG MC CRACKEN ST 106.15 FT TO BEG

2331 McCracken St

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 646 SLY 90.00 FT OF THE ELY 50.00 FT LOT 19 ALSO SLY 90.00 FT OF LOT 20 WITH THE WLY 19.60 FT OF MCCracken ST ABUTTING SD LOT 20

2264 McCracken St

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 SE 1/2 LOT 7

2321 McCracken St

CITY OF MUSKEGON REVISED PLAT OF 1903 LOTS 1 & 20 & ELY 50 FT LOT 19 & ENTIRE VAC 16.50 FT ALLEY ABUTTING SAME BLK 646 ALSO WLY 19.60 FT MCCracken ST ABUTTING SD LOT 1 & SD VAC ALLEY & ABUTTING LOT 20 DESC AS FOLS COM @ NELY COR SD LOT 20 FOR POB TH SLY ALG WLY LN MCCracken ST 98.34 FT TH N ALG W LN MCCracken ST EXTND TO A POINT 19.60 FT @ RT ANG TO WLY LN MCCracken ST TH NWLY PAR WITH WLY LN MCCracken ST TO SLY LN ALLEY EXTND TH SWLY 19.60 FT ALG SLY LN ALLEY EXTND TO POB EXC SLY 90 FT TH'OF ALSO EXC NLY 90 FT TH'OF

2001 Miner Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 SW 1/2 LOT 4

1997 Mine Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 638 NLY 72 FT LOT 1

2021 Miner Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 4 BLK 638

2031 Miner Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 638 LOT 5

2225 Moon St

CITY OF MUSKEGON REVISED PLAT OF 1903 NW 1/2 LOT 1 BLK 639

2253 Moon St

CITY OF MUSKEGON REVISED PLAT OF 1903 NW 1/2 LOT 1 BLK 639

2271 Moon St

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 1 BLK 640

2303 Moon St

CITY OF MUSKEGON REVISED PLAT OF 1903 PT LOT 3 BLK 620 & PT LOT 1 BLK 1 GREENWOOD SUB DESC AS COM NE COR LOT 3 BLK 620 TH WLY ALNG NLY LN 31.5 FT TO WLY LN MOON ST FOR POB TH SWLY 145.3 FT TO POINT LOCATED 57.35 FT SLY OF NE COR LOT 1 BLK 1 TH N 57.35 FT TO NE COR TH SWLY ALNG N LN 118.8 FT TO NW COR TH SLY ALNG WLY LN 13 FT TO SW COR TH S 46D 09M W 5.3 FT TH N 66D 49M E 290.27 FT M/L TO WLY LN MOON ST TH NWLY ALNG WLY LN MOON ST 53.75 FT TO POB EXC W 15 FT TH'OF

2231 Moon St

CITY OF MUSKEGON REVISED PLAT OF 1903 SE 1/2 LOT 1 BLK 639

2205 Moon St

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 14 BLK 638

2245 Moon St

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 LOT 15

2185 Moon St

CITY OF MUSKEGON REVISED PLAT OF 1903 S 60 FT LOT 1 BLK 638

2293 Moon St

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 640 LOT 8 ALSO THAT PT OF LOT 3 OF BLK 620 DESC AS FOL COM @ A PT ON N LN LOT 3 BLK 620 & WLY LN OF MOON ST TH W 133.5 FT TO W LN OF LOT 3 TH S 57.35 FT TH NELY 145.3 FT TO POB

2017 Morton Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 6 BLK 639

2016 Morton Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 638 LOT 10

1983 Morton Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 LOT 2

1993 Morton Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 LOT 3

2005 Morton Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 5 BLK 639

2026 Morton Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 9 BLK 638

2025 Morton Ave

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 639 NW 1/2 LOT 7

Commission Meeting Date: September 13, 2016

Date: August 16, 2016
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
**RE: Request to Create a New Neighborhood Enterprise Zone District
at 965 W Western Ave & 920 Washington Ave**

SUMMARY OF REQUEST:

Pursuant to Public Act 147 of the Michigan Public Acts of 1992, P&G Holdings NY, LLC has requested to create a new Neighborhood Enterprise Zone (NEZ) district for the parcels at 965 W Western Ave and 920 Washington Ave. Properties located in this NEZ district will be eligible to apply for NEZ certificates, which will lower the residential property taxes for rehab construction. Notice letters were sent to the taxing jurisdictions on July 1 and a public hearing was held on July 12. State law requires that the resolution must be adopted at least 60 days after the notice letters were sent. This project will include 120 new market rate apartment units.

FINANCIAL IMPACT:

No financial impact at this point. However, being in a district will allow them to apply for a rehab NEZ certificate, which will freeze the building at its pre-rehabilitated rate for 1 to 15 years.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the new NEZ district.

COMMITTEE RECOMMENDATION:

None

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE
DISTRICT WITHIN THE CITY OF MUSKEGON**

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, the City of Muskegon would like to create a new Neighborhood Enterprise Zone district to a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on July 1, 2016, and;

WHEREAS, a public hearing was held regarding the creation of this new district on July 12, 2016; and

WHEREAS, the new district boundaries will include the property known as “The Watermark (965 W Western Ave and 920 Washington Ave, property numbers 24-205-468-0001-10 and 24-205-467-0001-00),” as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon has been approved.

Adopted this, 13th day of September, 2016.

Ayes:

Nays:

Absent:

By: _____
Stephen J. Gawron, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on September 13, 2016.

By: _____
Ann Meisch
City Clerk

Attachment A



AGENDA ITEM NO. _____
CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners

FROM: Frank Peterson, City Manager

DATE: September 13, 2016

RE: LED Street Light Assessment

SUMMARY OF REQUEST:

To set a public hearing for October 11, 2016 for the creation of a proposed city-wide streetlight assessment district.

FINANCIAL IMPACT:

None.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To set the public hearing for October 11, 2016.

COMMITTEE RECOMMENDATION: