

CITY OF MUSKEGON

CITY COMMISSION MEETING

AUGUST 24, 2010

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ **CALL TO ORDER:**
- ❑ **PRAYER:**
- ❑ **PLEDGE OF ALLEGIANCE:**
- ❑ **ROLL CALL:**
- ❑ **HONORS AND AWARDS:**
- ❑ **INTRODUCTIONS/PRESENTATION:**
- ❑ **CONSENT AGENDA:**
 - A. Approval of Minutes. CITY CLERK
 - B. Admiral Petroleum – 531 E. Laketon Avenue, Request for an Encroachment Agreement. ENGINEERING
 - C. National Association for County and City Health Officials (NACCHO) Achieve Grant Administration Agreement Between the City and County of Muskegon. PLANNING & ECONOMIC DEVELOPMENT
 - D. Fireworks Display Permit for Muskegon Shoreline Spectacular. CITY CLERK
 - E. Budgeted Vehicle Replacement – Six 2011 Crown Victoria Police Interceptors. PUBLIC WORKS
 - F. Budgeted Vehicle Replacement – One Regular Cab 2011 Ford F-250 Truck. PUBLIC WORKS
 - G. Budgeted Vehicle Replacement – Five Extended Cab 2011 Ford F-250 Trucks. PUBLIC WORKS
 - H. Budgeted Vehicle Replacement – One Extended Cab 4x4 2011 Ford F-250 Truck. PUBLIC WORKS
 - I. Consideration of Bids for B-242 Department of Public Works Parking Lot. ENGINEERING
 - J. Selection of Vinyl Siding Installer for Fiscal Year 2010 – 2011. COMMUNITY & NEIGHBORHOOD SERVICES
 - K. Selection of Vinyl Siding Supplier for Fiscal Year 2010 – 2011.

COMMUNITY & NEIGHBORHOOD SERVICES

L. Contract for Demolition of 1585 Hudson. COMMUNITY & NEIGHBORHOOD SERVICES

M. Approval of Contractor for Complete Rehabilitation of CNS Homes. COMMUNITY & NEIGHBORHOOD SERVICES

N. High Service Pump #5. WATER FILTRATION

O. Request to Submit a Grant Application for Temple Street Resurfacing from Young to Laketon. ENGINEERING

❑ PUBLIC HEARINGS:

A. Review 2009 – 2010 Consolidated Annual Performance Evaluation Report (CAPER). COMMUNITY & NEIGHBORHOOD SERVICES

❑ COMMUNICATIONS:

❑ CITY MANAGER'S REPORT:

❑ UNFINISHED BUSINESS:

❑ NEW BUSINESS:

A. Designation of Voting Delegates for the Michigan Municipal League Annual Business Meeting. CITY CLERK

B. Special Event Request – Breakwater Festival, Labor Day Weekend at Margaret Drake Elliott Park. COMMUNITY & ECONOMIC DEVELOPMENT

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

1237 Pine Street (Area 11)

79 E. Grand Avenue (Area 13)

553 Oak Avenue (Area 11)

148 Allen Avenue (Area 11)

❑ 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 BECKER, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TDD: (231) 724-4172.

Date: August 24, 2010
To: Honorable Mayor and City Commissioners
From: Ann Marie Becker, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes for the August 9th Commission Worksession Meeting and the August 10th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

City of Muskegon
City Commission Worksession
August 9, 2010
City Commission Chambers
5:30 PM

MINUTES

2010-70

Present: Commissioners Warmington, Carter, Spataro, Wierengo, Shepherd, and Wisneski.

Absent: Vice Mayor Gawron.

Potential Property Donation to City - Abonmarche.

Cathy Brubaker-Clarke stated that the City has been approached by an anonymous donor who would like to purchase property for the purpose of providing a natural park or park-like setting for the public. The property currently being considered is the Abonmarche property, adjacent to Richard's Park.

If the City obtains ownership of the property, the Muskegon Conservation District is very interested in adding this to their lease, along with Richard's Park. Staff has met with Kathy Evan's of WMSRDC who anticipates using NOAA wetland restoration funds to make improvements to the Abonmarche site immediately upon the City's taking ownership of the property. Ms. Evans was also present to answer any questions of Commissioners.

Staff is asking permission to use EPA site assessment funds for the environmental site assessment which will be needed prior to taking ownership of the property.

The City Commission voiced their approval and to continue forward evaluating the project.

Water System Consortium.

Mayor Warmington and Mr. Mazade will be meeting with Prein and Newhof to evaluate a water system consortium.

Adjournment.

Motion by Commissioner Carter, seconded by Commissioner Shepherd to adjourn at 5:45 p.m.

MOTION PASSES

**Ann Marie Becker, MMC
City Clerk**

CITY OF MUSKEGON

CITY COMMISSION MEETING

AUGUST 10, 2010

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, August 10, 2010.

Mayor Warmington opened the meeting with a prayer from Elder George Monroe from the Evanston Avenue Baptist Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Vice Mayor Stephen Gawron, Commissioners Steve Wisneski, Chris Carter, Clara Shepherd, Lawrence Spataro, and Sue Wierengo, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

2010-71 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the City Commission Meeting that was held on Tuesday, July 27, 2010.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Fluoride System Evaluation Construction Phase. WATER FILTRATION

SUMMARY OF REQUEST: To authorize staff to enter into an agreement with Franklin Holwerda Company for construction of the fluoridation system overfeed protection improvements at the Water Filtration Plant.

FINANCIAL IMPACT: The construction cost is \$12,450.

BUDGET ACTION REQUIRED: None, the fluoride system construction cost will be covered by a grant from the Michigan Department of Community Health – Oral Health Division.

STAFF RECOMMENDATION: It is staff's recommendation that the Mayor and City

Commission authorize staff to enter into an agreement with Franklin Holwerda Company for the fluoride system evaluation construction phase at the Water Filtration Plant at a cost of \$12,450.

C. Rescind Bid for Lead Abatement at 605 Jackson. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: On ~~August~~ July 27, 2010, the City Commission approved the awarding of the bid for Lead Abatement at 605 Jackson to Murphy and Son Construction LLC.

The contractor was at the meeting and knew of the approval by the City Commission. Prior to the meeting the contractor was specifically asked if he would have a problem starting the Lead Abatement on Monday, August 2 and completing it on Friday, August 6. The contractor said he was ready to go. The CNS office talked to the contractor on Wednesday, advising him he had to come in to sign a contract that day. He did not show up until Friday, July 30. That same afternoon his Lead Abatement contractor came in and had questions that needed to be cleared up. When we did not hear anything by 5:00 p.m. that day, we decided to rebid the project.

It was imperative we get this completed so our architect could go into the home and get us drawings for a walk-thru the following week. No one is allowed on the premises except licensed lead workers during the Lead Abatement.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To rescind the bid from Murphy and Son Construction LLC and rebid the project.

D. 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."

Each City bargaining unit selects a member to attend the MERS annual meeting. The bargaining units have agreed to a rotating system (based on date of joining MERS) to select one official employee representative. This year the employee representative will be Pete Hughes from the Fire Union.

FINANCIAL IMPACT: Registration for the MERS conference in Kalamazoo is \$185 per person. Additionally, mileage and lodging costs will be incurred.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Certification of Tim Paul and Pete Hughes to be the City's officer and employee delegates at the MERS annual meeting in Kalamazoo September 15-17.

E. Accept Resignation from Board of Review. CITY CLERK

SUMMARY OF REQUEST: To accept the resignation of Jack Rottman from the Board of Review.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To accept the resignation.

COMMITTEE RECOMMENDATION: The Community Relations Committee approved this request at their August 9th Meeting.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to approve the Consent Agenda as read with correction of Item C changing August to July.

ROLL VOTE: Ayes: Carter, Gawron, Shepherd, Spataro, Warmington, Wierengo, and Wisneski

Nays: None

MOTION PASSES

2010-72 UNFINISHED BUSINESS:

A. SECOND READING: Rezoning Request for a Portion of the Property Located at 721 E. Laketon Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone a portion of the property at 721 E. Laketon Avenue from R-1, Single Family Residential district to B-4, General Business district, by Micheal David. This would make the entire parcel zoned B-4, General Business District.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request at their July 15th meeting.

Motion by Commissioner Carter, second by Commissioner Wierengo to approve the second reading of the rezoning request for a portion of the property located at 721 E. Laketon Avenue.

ROLL VOTE: Ayes: Gawron, Shepherd, Spataro, Warmington, Wierengo, Wisneski, and Carter

Nays: None

MOTION PASSES

2010-73 NEW BUSINESS:

A. Muskegon Lake Research Fund. CITY MANAGER

SUMMARY OF REQUEST: The Muskegon Lake Research Fund Committee Members are requesting that the City offer an option that customers purchasing an annual boat launch sticker may choose to give a \$2 donation to the Muskegon Lake Research Fund.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: None.

Motion by Commissioner Carter, second by Commissioner Shepherd to approve the option that customers purchasing an annual boat launch sticker may choose to give a \$2 donation to the Muskegon Lake Research Fund.

Motion and second amended to leave the amount of the donation open.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Wierengo, Wisneski, Carter, and Gawron

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Ann Marie Becker, City Clerk, read a thank you from Commissioner Shepherd for all the kindness, cards and concerns during her and her family's time of sorrow at the loss of her grandson, T.J. Thomas.

Commissioner Shepherd has been chosen by the MML to receive an award at the September conference in Dearborn, MI.

ADJOURNMENT: The City Commission Meeting adjourned at 5:44 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk

Date: August 24, 2010
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Admiral Petroleum – 531 E. Laketon Ave
Request for an Encroachment Agreement

SUMMARY OF REQUEST:

Hopp Environmental, on behalf of Admiral Petroleum, is requesting your permission to install five (5) groundwater monitoring wells in the easterly right-of-way of McIlwraith St. south of Laketon and within the alleys located to the west of the Admiral station and west of McIlwraith, as shown in the attached application.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the encroachment agreement subject to the supplemental conditions and compliance with the necessary insurance requirements.

COMMITTEE RECOMMENDATION:

None

SUPPLEMENTAL CONDITIONS

- 1- The grantee shall be fully responsible for the maintenance of the wells and any relocation that becomes necessary to facilitate other improvements within the right of way (s).
- 2- If approved (by the City Commission), a permit to work in the right of way must be obtained from the Engineering Department before any work begins.
- 3- Insurance: LICENSEE shall at all times, carry liability insurance in such amounts as are satisfactory to the City (attached). The provision for liability insurance set forth shall remain in full force and effect in lieu of any other insurance requirement, provided that the City shall be given thirty days written notice before a change in coverage may occur.
- 4- The City and/or its agent are not responsible for any damage to the facilities.

City of Muskegon
Groundwater Monitoring Well Installation Application and Permit
(Encroachment Permit Agreement)

RECEIVED
CITY OF MUSKEGON

JUL 27 2010

ENGINEERING DEPARTMENT

Permit Number:	Date issued:	Permit Fee:	Other:
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If applicant hires a contractor to perform work, BOTH shall assume responsibility of the Permittee for the provisions of this Application and Permit

APPLICATION

APPLICANT - Please Print			CONTRACTOR - Please Print		
Name	ADMIRAL PETROLEUM		Name	HOPP ENVIRONMENTAL	
Street	13 RANDALL ST		Street	127 MARK TEAGUE RD	
City	COOPERSVILLE	State MI Zip 49404	City	PITTSBORO	State NC Zip 27312
Phone	6168376218	Fax	Phone	9195420914	Fax

Permittee proposes to install, repair, or maintain groundwater monitoring well(s) ("the encroachment"), in or abutting a street, alley, sidewalk, park, terrace, or other property controlled or owned by the City of Muskegon, as described below (Permittee shall attach a site map to scale which shows each monitoring well location):

Street Name & Address/General Description (legal description may be required):	Location (Cross streets between which property is located or nearest intersection):
531 E. LAKETON, MUSKEGON, MI	LAKETON + JARROW

Project Description/Purpose:

SEE ATTACHED SHEET

Proposed Start Date:

OPEN

Monitoring/Observation Well Information

Drilling Company (if different than Contractor):	Proposed Well Depth (ft.):	Well name or #:
SHEPLER DRILLING	17-37'	MW23 VW6-9
Purpose of Monitoring Well Installation: ☒ Part 211/213 Site ☐ Part 201 Site ☐ Part 111 Site ☐ Phase II ESA/AAI ☐ BEA		
☐ Other (specify)		

Applicant/Authorized Agent Signature - If Authorized Agent, I certify that I am acting as Authorized Agent on behalf of named Applicant.

Name: <u>[Signature]</u> Pres.

PERMIT

PERMIT AGREEMENT: This permit is made and entered into by and between the City of Muskegon, a municipal corporation (City), and the Permittee (indicated above). Therefore, the City does hereby grant unto Permittee the privilege of constructing, installing, maintaining, repairing, and performing all necessary functions relating to the monitoring well installation (encroachment), and for that purpose to enter the property, for the term herein stated. This permit shall be effective on the date shown above, and shall not occur before the delivery to the City of the required evidence of insurance coverage and bonding information, and only after approval of this permit by the City Commission, at which time the permit shall become effective. The attached Permit Requirements & Conditions are incorporated herein by reference and constitute an integral part of this permit.

This permit is subject to the following special conditions:

Required Bond Amount: \$ _____

Witnesses:

CITY OF MUSKEGON:

By _____, Mayor

And _____, Clerk

APPLICANT: _____

CONTRACTOR: _____

City of Muskegon

Groundwater Monitoring Well Permit Application – Requirements & Conditions

1. **Fees and Costs.** A one-hundred dollar (\$100.00) non-refundable fee is required for processing of this request. At the time the permit is issued, the permittee shall pay an administrative handling fee of \$10.00 per well per year, which fees shall be deposited in advance for the entire term of this permit.
2. **Monitoring Well Installation Requirements:**
 - a. Top of well casing shall be flush-mounted (unless written permission is otherwise granted by the City) and equipped with a sturdy lockable, water-tight cover. Each monitoring well must be permanently labeled in the field so that it is readily identifiable, and coincides with the designations provided on the scaled map referenced in Section 2(d) below. Monitoring well(s) shall be constructed in accordance with generally accepted industry standards.
 - b. The Permittee shall provide the City with at least 72 hours written advance notice prior to starting work at the site.
 - c. Permittee must maintain and repair, as necessary, the monitoring well(s) and any associated equipment. Upon completion of the use of the monitoring well(s), all wells shall be properly abandoned in accordance with current Michigan Department of Environmental Quality (MDEQ) standards. At least 72 hours advance written notice shall be given to the City prior to monitoring well abandonment activities. Permittee shall provide the City with a copy of a monitoring well abandonment report in acceptable form.
 - d. Following installation of any monitoring wells in accordance with this permit, Permittee shall provide the City with a scaled map or figure specifically identifying the locations of the monitoring wells. References to the location of wells shall be measured from permanent monuments, structures, streets and/or intersections.
 - e. Any costs, expenses, or liability for environmental response or remediation shall be considered as restoration and shall be the sole responsibility of the Permittee.
 - f. Permittee warrants and represents that it has all required permits, licenses or approvals from the Michigan Department of Environmental Quality, or other governmental department or agency with jurisdiction over Permittee's activities.
 - g. The City reserves the right to require the Permittee to remove all or any well(s) if in the sole opinion of the City it is necessary to facilitate other improvements within the right-of-way, with no reimbursement of costs to Permittee or its contractor.
 - h. The City and/or its agents are not responsible for any injury or damage caused by Permittee, its contractor, their representatives, employees, or agents.
 - i. The Permittee shall provide a copy of the data collected from the monitoring well(s) to the City, upon request.
3. **Specifications.** All work performed under this permit must be done in accordance with plans, specifications, maps, and statements filed with and approved by the City, and must comply with the City's current ordinances and specifications on file with the City of Muskegon.
4. **Miss Dig.** In all cases, there must be compliance with Public Act No. 53 of 1974 (MCL 460.701 et seq.) regarding the protection of underground utilities. Call Miss Dig at (800) 482-7171. The Permittee assumes all responsibility for damage to or interruption of underground utilities.
5. **Bond.** Before this permit becomes valid, the Permittee must file with the City Clerk a bond, in a form and amount acceptable to the City at the time the permit is issued. The bond must be posted before any work begins, and must remain in force during the entire term of the permit and be in such amount sufficient to guarantee to the City the cost of proper monitoring well abandonment.
6. **Insurance.** The Contractor shall at all times carry insurance in the following or greater amounts. The insurance shall be issued by companies acceptable to the City, licensed in the State of Michigan. The City shall be named as additional insured on policies of liability insurance. The Permittee shall file certificates or policies evidencing such insurance coverage annually with the City. Insurance policies or certificates shall provide that the City be given thirty (30) days written notice before a cancellation or change in coverage may occur. Valid insurance coverage, acceptable to the City, shall be maintained until such time as the monitoring well is properly abandoned.

<u>Type</u>	<u>Limits</u>
Workers' Compensation	Statutory
Professional Errors and Omissions	\$1,000,000/claim, \$1,000,000/aggregate
Liability (including pollution liability coverage)	
Commercial General Liability	\$1,000,000/occurrence, \$1,000,000/aggregate
(including blanket contractual liability coverage)	
Automotive Liability	\$500,000/person
Bodily Injury	\$500,000/occurrence
7. **Indemnification.** The Permittee shall indemnify and hold harmless the City of and from any liability for claims, damages, costs, expenses, or fees, including any attorney fees, or fines or awards brought against or charged to the City by any person, firm, or corporation on account of or arising from the privilege hereby granted to the Permittee or the activities of the Permittee related to the installation, maintenance, repair, or abandonment of monitoring wells. This indemnification obligation shall include all liabilities for environmental damage or releases of hazardous substances subject to any governmental or third party action. "Hazardous substance" is defined as any chemical, substance or material constituting a prohibited or regulated substance under governmental law, rule, statute, or regulations in force at any time, or any substance with respect to which any present or future federal, state, or local environmental law or governmental agency requires environmental investigation, monitoring or remediation.

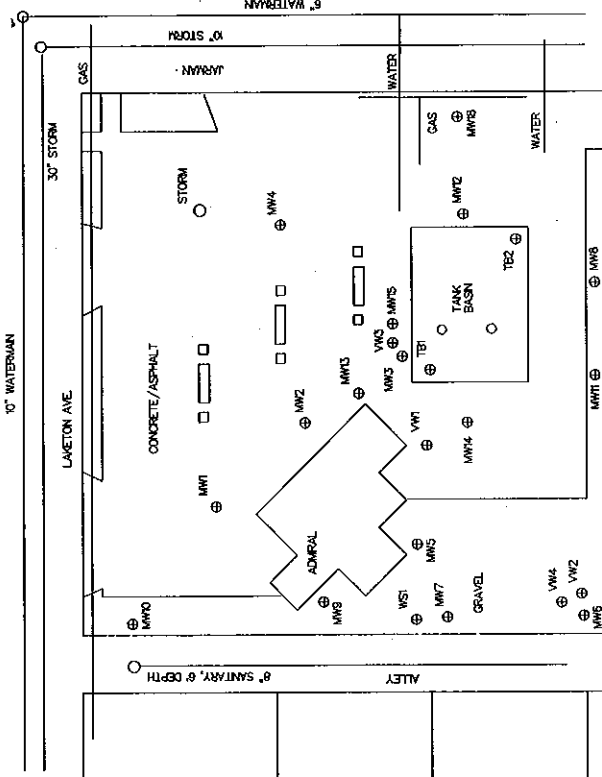
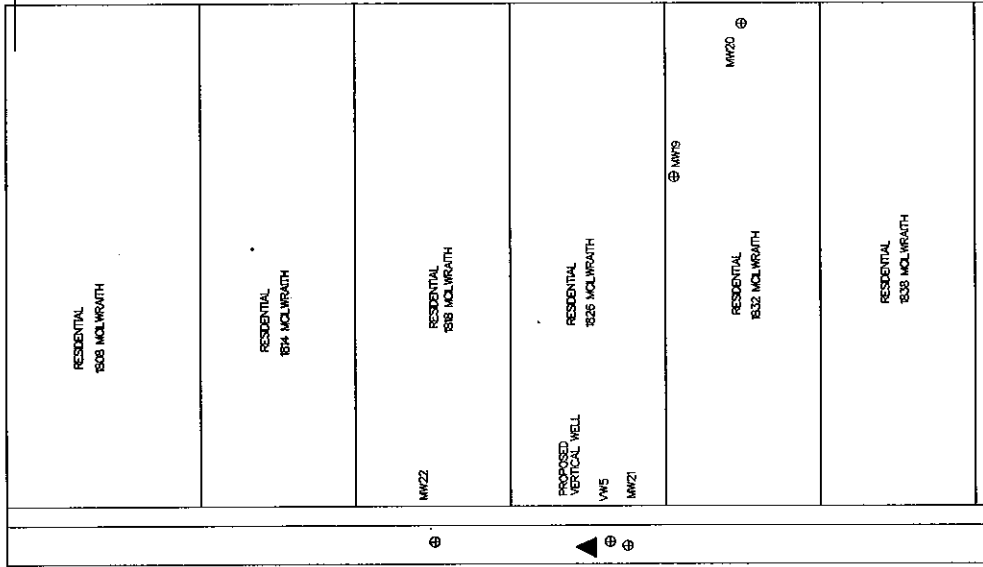
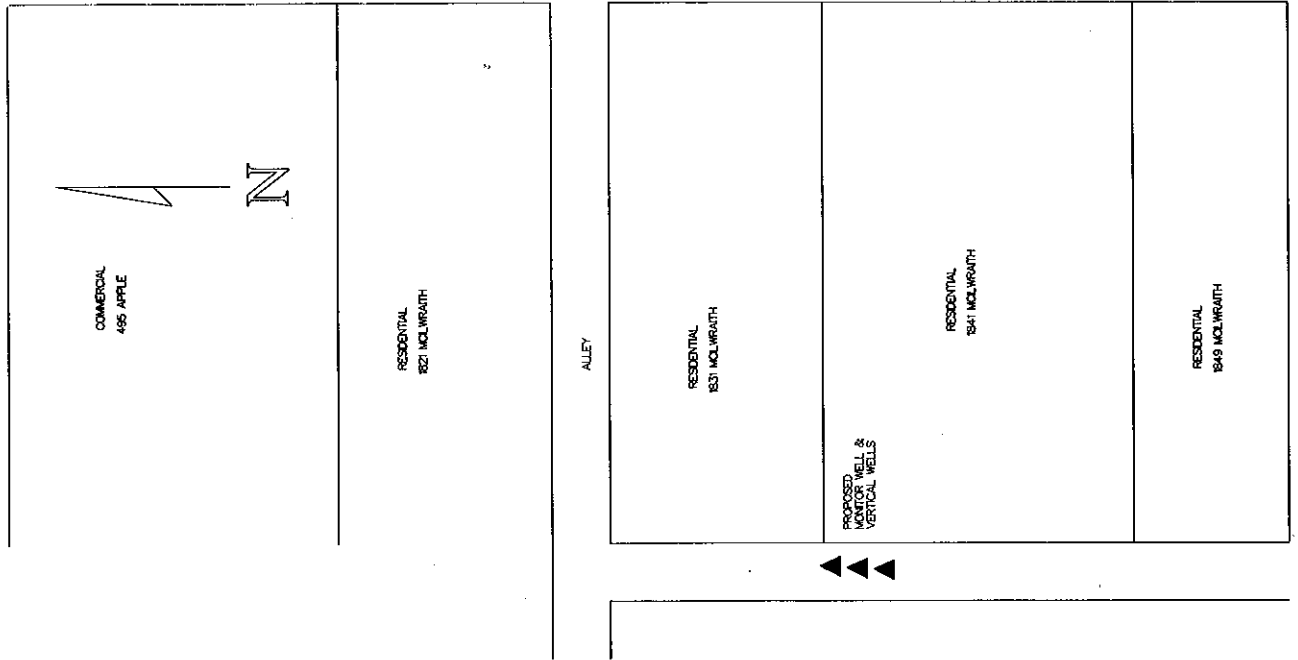
8. **Term of Permit.** The privilege granted by this permit shall continue for a period of five (5) years from the date of signature. Renewal payment of appropriate fees shall continue in five (5) year intervals, due on the first day of May, unless terminated in accordance with Paragraph 11 below.
9. **Limitation of Permit.** This permit does not relieve the Permittee from meeting applicable laws and regulations of other governmental agencies or departments. The Permittee is responsible for obtaining additional permits or authorizations, as necessary, which may be required in connection with this work from other governmental agencies, public utilities, private entities and individuals, including property owners.
10. **Assignment.** This permit shall be binding upon the respective heirs, representatives, successors, and assigns of the Permittee.
11. **Permit Revocation or Surrender.** The City may cancel and revoke this permit at any time upon giving the Permittee fourteen (14) days of written notice, with no refund of the fees required in Paragraph 1. The Permittee may surrender the permit hereby granted at any time upon giving the City fourteen (14) days of written notice, with no refund of the fees required in Paragraph 1. Upon the voluntary relinquishment or abandonment of this privilege, or upon cancellation or revocation thereof by the City, the Permittee shall properly abandon the monitoring well(s) as described in Paragraph 2 and restore the property at the Permittee's expense and in a manner satisfactory to the City; and in default thereof shall be liable to the City for any cost, damage, or expense the City may sustain in such restoration.
12. **Violation of Permit.** In the event the Permittee fails or refuses to conform to any of the terms and conditions of this permit, the privilege hereby granted shall immediately terminate and become null and void.

Project Description/Purpose

A groundwater investigation is being completed for the Admiral Petroleum station located at 531 E. Laketon, Muskegon, MI. Monitor wells are required to be installed by the Michigan Department of Natural Resources & Environment (MDNRE) in order to define the full extent of gasoline contaminants which had been released from the old underground tank system. Wells have been installed within the City of Muskegon along the east side of McIlwraith under permit # 68-028. Additional wells are required to further define the extent of migration.

Wells are proposed to be installed near the previous wells along McIlwraith and within the alleys located to the west of the Admiral station and west of McIlwraith. One well is to be located within the alley behind 1825 Jarman and installed to a depth of 25'. A second well is to be located in front of 1826 McIlwraith at a depth of 35'. A group of three wells are to be installed within the ally west of McIlwraith behind 1831 or 1841 McIlwraith. These wells will be set at depths of approximately 17', 27' and 37' below grade. All wells will be completed flush with the ground surface and covered with an 8" diameter, bolt down, cast iron manhole.

A map is enclosed indicating well locations.



ADMIRAL PETROLEUM
531 E. LAKEVIEW AVE.
MUSKEGON, MI
PROPOSED MONITOR WELL &
SOL SAMPLE LOCATIONS

Commission Meeting Date: Aug. 24, 2010

Date: Aug. 10, 2010
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department
**RE: National Association for County and City Health
Officials (NACCHO) Achieve Grant Administration
Agreement Between the City and County of
Muskegon**

SUMMARY OF REQUEST: The County of Muskegon obtained a NACCHO Achieve Grant for improvements in the Jackson Hill Neighborhood in March 2009. Leisure Services staff have assisted with the grant administration, along with County Health Department staff. Since the funds are being spent in the City of Muskegon, we have agreed that it is beneficial for the City to administer the grant funds. The total funds available for the project to the Jackson Hill Neighborhood are \$23,750. The Community Health Action and Response Team (CHART) have determined that the funds will be spent for community gardens at Marquette School, Aamodt Park and Steele School. They are working on some additional projects, as well. The attached Agreement outlines the process for reimbursement.

FINANCIAL IMPACT: The City of Muskegon will ensure that only receipts that have been approved in the Achieve budget, and include signatures from the CHART Chairperson and Treasurer, are paid. In no cases will the budgeted line item be exceeded. NACCHO will reimburse the City for expenditures.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the attached Agreement and authorize the Mayor's signature.

COMMITTEE RECOMMENDATION: None.

**AGREEMENT BETWEEN
THE COUNTY OF MUSKEGON
Herein referred to as "Public Health" or "PHMC"
AND
CITY OF MUSKEGON**

I. PURPOSE:

The purpose of this Agreement is to execute an award from the National Association for County and City Health Officials (NACCHO) (contract number #2009-110503).

II. BACKGROUND:

In March of 2009, PHMC was awarded funding from NACCHO to support the formation of a Community Health Action and Response Team (CHART) in the neighborhood of Jackson Hill in the City of Muskegon. Under this agreement, PHMC partnered with Jackson Hill neighborhood residents as well as the City of Muskegon and attended a series of trainings (coaches meeting in April 2009 and a CHART meeting in July of 2009) targeted at introducing and encouraging the understanding of the relationship between the current and future health status of residents and how current environmental conditions can play a role in the health of residents. As a final deliverable for the grant of March 2009, the CHART was asked to produce a Community Action Plan (CAP) to address community needs. The approved CAP is attached to this Agreement and incorporated by reference.

PHMC was awarded funding to support the implementation of the CAP as approved by NACCHO. For reasons of efficiency, PHMC has requested that the City of Muskegon provide oversight of activities and expenditures as well as provide needed services at cost to the Muskegon Jackson Hill CHART to implement and execute the NACCHO approved CAP.

III. FINANCIAL INFORMATION:

PHMC will reimburse the City of Muskegon for all associated costs up to the amount of \$23,750.00 as described in the approved CAP. These activities include, but are not limited to, consultation and labor services for garden development, policy implementation, meeting room fees, and printing. The City of Muskegon should reference account number 6443 when requesting reimbursement from PHMC.

All expenses submitted to the City of Muskegon by the Muskegon Jackson Hill CHART for reimbursement, must include initials (signifying approval) of CHART president, treasurer, and secretary.

IV. AGREEMENT TERM:

The term of this agreement shall begin October 1, 2009 and shall continue in effect until September 29, 2010 unless earlier terminated in accordance with the terms herein. Expiration of the term or termination of this Agreement shall not extinguish any rights or obligations of the parties that have accrued prior thereto.

V. RESPONSIBILITIES:

PHMC

1. Provide oversight for the implementation of activities and strategies identified in the CAP.
2. Participate in bi-monthly ACHIEVE policy webinars.
3. Participate in bi-monthly technical assistance calls with other NACCHO ACHIEVE communities.
4. Participate in evaluation and data collection, including working with Altarum Institute and submitting a progress report on a semi-annual basis.
5. Complete a technical assistance needs assessment to help identify topic areas and training approaches that meet the needs of coaches and CHARTs.
6. Complete a reassessment of the Community Health Assessment and Group Evaluation (CHANGE), a tool that assesses community assets and potential areas for improvement.
7. Resubmit the CAP.

City of Muskegon

1. Participate in PHMC responsibilities as required by this Agreement.
2. Provide administration and oversight of the approved project including bid approvals and payments.
3. Provide technical assistance to the CHART on acquiring city services and carrying out activities according to City of Muskegon ordinance, rules, and procedures.
4. Provide direct reimbursement for Muskegon Jackson Hill CHART activities.
5. Invoice PHMC on a periodic basis for reimbursement from NACCHO for approved Muskegon Jackson Hill CHART related activities.

VI. OTHER REQUIREMENTS:

PHMC will reimburse the City of Muskegon for expenses in relation to this agreement up to \$23,750.00. PHMC will not reimburse the City of Muskegon for expenses incurred after September 29, 2010. In order to receive reimbursement, the final invoice must be received by PHMC no later than October 15, 2010 as PHMC is required to submit final invoice to NACCHO no later than 45 calendar days after the end of this agreement (September 29, 2010).

All invoices must itemize all expenses with supporting documentation for each itemized expense.

Invoicing

Attention: Nancy Bramer
ACHIEVE 6443
Public Health – Muskegon County
209 E. Apple Avenue
Muskegon, MI 49442
bramerna@co.muskegon.mi.us
231-724-1201

VII. MODIFICATION OR TERMINATION:

This agreement will become effective upon signature by all parties. Either party may terminate this Agreement upon at least fifteen (15) days prior written notice to the other party. NACCHO and PHMC will pay City of Muskegon for services rendered through the date of termination.

VIII. ASSIGNMENT

Lessee shall not assign any of its rights nor transfer any of its obligations under this Agreement without the prior written consent of PHMC and any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination.

IX. REMEDIES NOT EXCLUSIVE

No remedy herein conferred upon or reserved to PHMC is intended to be exclusive of any other remedy or remedies, and each and every such remedy, to the extent permitted by law, shall be cumulative and in addition to any other remedy given hereunder or now or hereafter existing at law or in equity or otherwise.

X. NO WAIVER OF DEFAULT

No delay or omission of PHMC to exercise any right or power arising upon the occurrence of any event of default shall impair any such right or power or shall be construed to be a waiver of any such default or an acquiescence therein; and every power and remedy given by this Agreement to PHMC shall be exercised from time-to-time and as often as may be deemed expedient in the sole discretion of PHMC.

XI. INDEMNIFICATION

To the fullest extent permitted by law, City of Muskegon shall defend, indemnify, and hold harmless PHMC, its subsidiaries, departments, divisions, and agencies and their respective officials, officers, directors, employees, and agents from and against any and all liability, litigation, causes of action, and claims, by whomsoever brought or alleged, and regardless of the legal theories upon which based, and from and against all losses, costs, expenses, and fees and expenses of attorneys and expert witnesses resulting, therefrom on account of, relating to, or arising out of bodily injury or death of any person, or on account of damage to property, including loss of use thereof, arising or allegedly arising out of or resulting from the work. The foregoing indemnity of PHMC shall include, but not be limited to, claims alleging or involving the negligence of City of Muskegon, its employees, subcontractors, or the joint negligence of City of Muskegon, its employees, subcontractors, and/or PHMC, but shall not extend to liability found by way of final judgment to have resulted from the sole negligence of PHMC.

XII. SEVERABILITY

If any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

XIII. ENTIRE AGREEMENT AND AMENDMENT

In conjunction with the matters considered herein, this Agreement contains the entire understanding and agreement of the parties and there have been no promises, representations, agreements, warranties or undertakings by any of the parties, either oral or written, of any character or nature hereafter binding except as set forth herein. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the parties to this Agreement and by no other means. Each party waives their future right to claim, contest or assert that this Agreement was modified, canceled, superceded or changed by any oral agreements, course of conduct waiver or stopped.

XIV. TERMS AND CONDITIONS

The terms and conditions used in this Agreement shall be given their common and ordinary definition and will not be construed against either party.

IN WITNESS WHEREOF, the parties have executed this Agreement.

PUBLIC HEALTH - MUSKEGON COUNTY

Dated: _____, 2010

By: _____
Kenneth A. Kraus, Public Health Director

CITY OF MUSKEGON

Dated: _____, 2010

By: _____

Date: August 24, 2010
To: Honorable Mayor and City Commissioners
From: Ann Marie Becker, City Clerk
RE: Fireworks Display Permit for Muskegon Shoreline Spectacular

SUMMARY OF REQUEST: Shoreline Foundation, Inc. is requesting approval of a fireworks display permit for September 5th at the Muskegon Shoreline Spectacular. Fire Marshall Metcalf has reviewed the request and recommends approval contingent on inspection of the fireworks.

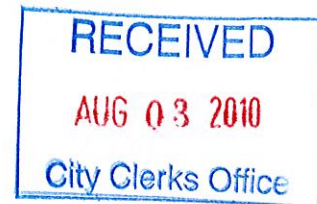
FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks.

Application for Fireworks Display Permit

Michigan Department of Labor & Economic Growth
Bureau of Construction Codes & Fire Safety
7150 Harris Drive
Lansing, MI 48909
517/322-1938



Authority: 1968 PA 358 Compliance: Voluntary Penalty: Permit will not be issued	The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance reading, writing, hearing, etc. under the Americans with Disabilities Act, you may make your needs known to this agency.
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☐ Public Display ☐ Agricultural Pest Control		DATE OF APPLICATION August 2, 2010
NAME OF APPLICANT Shoreline Foundation, Inc.		ADDRESS 2743 Henry St., Ste. 115, Muskegon, MI
IF A CORPORATION, NAME OF REPRESENTATIVE Pamela Carey		ADDRESS
IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT		TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR Great Lakes Fireworks/Bruce Tyree		ADDRESS 24805 Marine, Eastpointe, MI 48021
NO. YEARS EXPERIENCE 15	NO. DISPLAYS 100+	AGE (18 or over) 46
NAME OF ASSISTANT Will advise ...		ADDRESS
NAME OF OTHER ASSISTANT		ADDRESS
EXACT LOCATION OF PROPOSED DISPLAY From barge 400' offshore from Heritage Park, Muskegon, MI		
DATE OF PROPOSED DISPLAY September 5, 2010		TIME OF PROPOSED DISPLAY Dusk - Approx. 10:00 p.m.
NUMBER OF FIREWORKS		KIND OF FIREWORKS TO BE DISPLAYED
Approx. 200		3" shells
Approx. 100		4" shells
Approx. 50		Various barrage cakes 3" and smaller
MANNER AND PLACE OF STORAGE PRIOR TO DISPLAY (Subject to Approval of Local Fire Authorities)		
At federal licensed facility in West Branch, MI, until date of display.		
AMOUNT OF BOND OR INSURANCE (To be set by local government) \$5,000,000		NAME OF BONDING CORPORATION OR INSURANCE COMPANY Allied Specialty Insurance Company
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY 10451 Gulf Blvd., Treasure Island, FL 33706		
SIGNATURE OF APPLICANT 		

Date: 08/24/10
To: Honorable Mayor and City Commission
From: DPW
RE: Budgeted Vehicle Replacement

SUMMARY OF REQUEST: Approval to purchase six 2011 Crown Victoria Police Interceptors.

FINANCIAL IMPACT: \$130,860.00

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve purchase from Vanderhyde Ford.



Memorandum



To: Honorable Mayor and City Commissioners

From: DPW

Date: 08/24/10

Re: Budgeted Vehicle Replacement

The Equipment Division has scheduled the replacement of six Crown Victoria Police Interceptors for 2010. These vehicles will be set up with video systems, light bars, and radar units and be used as police patrol vehicles.

We have requested prices from area dealers as well as the statewide purchasing contract. The equipment Division is recommending Vanderhyde Ford. Attached is a summary of the bids.

In accordance with established purchasing policy, we are requesting permission to purchase six Ford Crown Victoria Police Interceptors from Vanderhyde Ford.

Equipment Purchase - 2010				
	<u>State Bid</u>	<u>Great Lakes Ford</u>	<u>Fremont Ford</u>	<u>Vanderhyde Ford</u>
	<u>3942 W. Lansing</u>	<u>2469 E. Apple Ave</u>	<u>7148 W. 48th</u>	<u>345 N. Main</u>
<u>Type of Vehicle</u>	<u>Perry Mi 48872</u>	<u>Muskegon Mi 49442</u>	<u>Fremont Mi. 49412</u>	<u>Cedar Springs Mi. 49319</u>
6 Crown Victoria	\$21,992.00	\$21,832.00	\$22,128.00	\$21,810.00
Police Interceptors				
Total	\$131,952.00	\$130,992.00	\$132,768.00	\$130,860.00

Date: 08/24/10
To: Honorable Mayor and City Commission
From: DPW
RE: Budgeted Vehicle Replacement

SUMMARY OF REQUEST: Approval to purchase one regular cab 2011 Ford F-250 Truck from Vanderhyde Ford.

FINANCIAL IMPACT: Total Cost \$18,295.00

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the purchase.



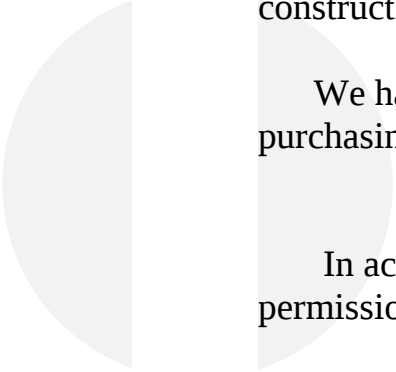
Memorandum

To: Honorable Mayor and City Commissioners

From: DPW

Date: 08/24/2010

Re: Budgeted Vehicle Replacement



The Equipment Division has scheduled the replacement of one of our Parks Department pickup trucks for 2010. This truck is used to haul mowers, deliver supplies to and from our parks, and on general construction and maintenance activities.

We have requested prices from area dealers as well as the statewide purchasing contracts. Attached is a summary of the bids.

In accordance with established purchasing policy, we are requesting permission to purchase one 2011 Ford F-250 from Vanderhyde Ford.

[illegible]

Date: 08/24/10
To: Honorable Mayor and City Commission
From: DPW
RE: Budgeted Vehicle Replacement

SUMMARY OF REQUEST: Approval to purchase five extended cab 2011 Ford F-250 Trucks from Vanderhyde Ford.

FINANCIAL IMPACT: Total Cost \$96,240.00

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the purchase.



Memorandum



To: Honorable Mayor and City Commission

From: DPW

Date: 08/24/10

Re: Work Truck Replacement



The Equipment Division has scheduled the replacement of five Water and Sewer Department trucks for this year. These vehicles are used for a variety of activities including water meter setting, Miss Dig staking, and general construction work.

We have requested prices from area dealers as well as the statewide purchasing contract. The Equipment Division is recommending Vanderhye Ford. Attached is a summary of the bids.

In accordance with established purchasing policy, we are requesting permission to purchase five 2011 Ford F-250 trucks from Vanderhye Ford.

Equipment Purchase - 2010				
	<u>State Bid</u>	<u>Great Lakes Ford</u>	<u>Fremont Ford</u>	<u>Vanderhyde Ford</u>
	<u>3942 W. Lansing</u>	<u>2469 E. Apple Ave</u>	<u>7148 W 48th</u>	<u>345 North Main</u>
<u>Type of Vehicle</u>	<u>Perry Mi 48872</u>	<u>Muskegon Mi 49442</u>	<u>Fremont ,Michigan</u>	<u>Cedar Springs Mi 49319</u>
2011 Ford F-250	\$19,315.00	\$19,418.00	\$19,567.00	\$19,248.00
Total for 5	\$96,575.00	\$97,090.00	\$97,835.00	\$96,240.00

Date: 08/24/10
To: Honorable Mayor and City Commission
From: DPW
RE: Budgeted Vehicle Replacement

SUMMARY OF REQUEST: Approval to purchase one extended cab 4X4 2011Ford F-250 Truck from Vanderhyde Ford.

FINANCIAL IMPACT: Total Cost \$23,038.00

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the purchase.

Memorandum

To: Honorable Mayor and City Commissioners

From: DPW

Date: 08/24/2010

Re: Budgeted Vehicle Replacement

The Equipment Division has scheduled the replacement of the filtration plant truck for 2010. This truck is used to collect water samples for the City, County, Township, and North Muskegon. It is also used to perform routine maintenance at the five elevated tanks, and three booster stations. In the winter, it is used to plow snow at the filtration plant and remote sites to keep them accessible.

We have requested prices from area dealers as well as the statewide purchasing contracts. Attached is a summary of the bids.

In accordance with established purchasing policy, we are requesting permission to purchase one 2011 Ford F-250 extended cab 4x4 from Vanderhyde Ford.

Equipment Purchase - 2010

[illegible]

Date: August 24, 2010
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids for:
B-242 Department of Public Works Parking Lot

SUMMARY OF REQUEST:

Award the Department of Public Works Parking Lot project to Wood Trucking Company out of Muskegon. They were the lowest responsible bidder with a total bid price of \$58,933.50 (see attached bid tabulation).

FINANCIAL IMPACT:

The construction cost of \$58,933.50 plus engineering cost, which is estimated at an additional 15%.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Award the construction project to Wood Trucking Company.

COMMITTEE RECOMMENDATION:

None

**B-242 DEPARTMENT
OF PUBLIC WORK
BID TABULATION 08/05/10**

Contractor						ENGINEERS		ACCURATE EXCAVATORS LLC.		MCCORMICK SAND INC.		WOOD TRUCKING CO.		MICHIGAN PAVING AND MATERIAL	
Address								2821 CENTRAL AVE.		5430 RUSSELL RD.		2075 PARK ST.		3566 MILLCREEK	
City/ST/ZIP						ESTIMATE		MUSKEGON, MI 49445		TWIN LAKE, MI 49457		MUSKEGON, MI 49444		COMSTOCK, MI 49321	
#	ITEM OF WORK	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	DR STRUCTURE, COVER, ADJUST	EACH	3	\$400.00	\$1,200.00	\$400.00	\$1,200.00	\$150.00	\$450.00	\$ 450.00	\$ 1,350.00	\$ 300.00	\$ 900.00	\$ 300.00	\$ 900.00
2	PAVT, REM, MODIFIED	S.Y.	5051	\$2.30	\$11,617.30	\$2.30	\$11,617.30	\$0.85	\$4,293.00	\$ 1.30	\$ 6,566.30	\$ 1.00	\$ 5,051.00	\$ 0.78	\$ 3,939.78
3	HMA, 36A	TON	834	\$65.00	\$54,210.00	\$65.00	\$54,210.00	\$62.00	\$51,708.00	\$ 58.04	\$ 48,405.36	\$ 60.50	\$ 50,457.00	\$ 63.93	\$ 53,317.62
4	MACHINE GRADING, MODIFIED	S.Y.	5051	\$1.00	\$5,051.00	\$1.00	\$5,051.00	\$1.00	\$5,051.00	\$ 0.85	\$ 4,293.35	\$ 0.50	\$ 2,525.50	\$ 0.40	\$ 2,020.40
					TOTAL		\$72,078.30		\$61,502.00		\$ 60,615.01		\$ 58,933.50		\$ 60,177.80

Commission Meeting Date: August 24, 2010

Date: August 16, 2010

To: Honorable Mayor and City Commission

From: Community and Neighborhood Services Department

**Re: Selection of Vinyl Siding Installer for
Fiscal Year 2010 – 2011**

SUMMARY OF REQUEST: To approve Community and Neighborhood Services to sign a contract with Mark Tucker Construction, 9121 Holton Road, Holton, MI, and Cutting Edge, 766 Chatterson Road, Muskegon, MI to install vinyl siding at an agreed price of \$50.00 (fifty dollars) per building square for the Vinyl Siding Program's 2010 – 2011 fiscal year. Last year's price was \$55.00 per building square

The Community and Neighborhood Services office received two other bids from vinyl siding installers:

- 4 Star Builders, Inc - 3326 Lenedo Ste C, Muskegon, 49444 \$55.00
- Gray Space Construction - 601 Amity, Muskegon, 49442 \$260.00

FINANCIAL IMPACT: Funding will be disbursed from the 2010 – 2011 Community Development Block Grant Vinyl Siding fund.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve request.

COMMITTEE RECOMMENDATION: The funding for the Vinyl Siding Program was approved by the Commission during the 2010 – 2011 allocation period last April.

2010 - 2011 CDBG - Vinyl Siding Installers

Bid Results

		4 Star Builders	Cutting Edge Const	Gray Space Const	Mark Tucker Const	Average	Low	High
HOUSE	Siding/Estimate	\$55.00	\$50.00	\$260.00	\$50.00	\$103.75	\$50.00	\$260.00
	Fascia	\$3.00	\$1.00	\$3.00	\$1.00	\$2.00	\$1.00	\$3.00
	Soffit	\$3.00	\$1.00	\$3.50	\$1.00	\$2.13	\$1.00	\$3.50
	Door Wrap	\$25.00	\$22.00	\$40.00	\$25.00	\$28.00	\$22.00	\$40.00
	Windows Wrap	\$30.00	\$22.00	\$50.00	\$25.00	\$31.75	\$22.00	\$50.00
	Wood		\$1.00	\$1.50	\$1.00	\$1.17	\$1.00	\$1.50
	Treated Wood/Cedar		\$1.00	\$2.00	\$1.00	\$1.33	\$1.00	\$2.00
	Fan Fold	\$15.00	\$8.00	\$50.00	\$10.00	\$20.75	\$8.00	\$50.00
	Tyvek	\$15.00	\$10.00	\$30.00	\$10.00	\$16.25	\$10.00	\$30.00
	Tyvek Cap	\$1.00	\$1.00	\$2.00		\$1.33	\$1.00	\$2.00
GARAGE	Siding/Estimate	\$55.00	\$50.00	\$260.00	\$50.00	\$103.75	\$50.00	\$260.00
	Fascia	\$3.00	\$1.00	\$3.00	\$1.00	\$2.00	\$1.00	\$3.00
	Soffit	\$3.00	\$1.00	\$3.50	\$1.00	\$2.13	\$1.00	\$3.50
	Door Wrap	\$25.00	\$22.00	\$40.00	\$25.00	\$28.00	\$22.00	\$40.00
	Windows Wrap	\$30.00	\$22.00	\$50.00	\$25.00	\$31.75	\$22.00	\$50.00
	Wood		\$1.00	\$1.50		\$1.25	\$1.00	\$1.50
	Treated Wood/Cedar		\$1.00	\$2.00		\$1.50	\$1.00	\$2.00
	Fan Fold	\$15.00	\$8.00	\$50.00	\$10.00	\$20.75	\$8.00	\$50.00
	Tyvek	\$15.00	\$10.00	\$30.00	\$10.00	\$16.25	\$10.00	\$30.00
	Tyvek Cap	\$1.00	\$1.00	\$2.00		\$1.33	\$1.00	\$2.00

Commission Meeting Date: August 24, 2010

Date: August 17, 2010

To: Honorable Mayor and City Commission

From: Community and Neighborhood Services Department

**Re: Selection of Vinyl Siding Supplier for
Fiscal Year 2010 – 2011**

SUMMARY OF REQUEST: To approve the Community and Neighborhood Services department's selection of the Vinyl Siding Supplier for 2010 – 2011 fiscal year. After reviewing all bids, the department selected the bid from Keene Lumber, located at 346 W. Laketon Avenue, Muskegon, MI, for the price of \$48.00 (forty-eight dollars) per building square for white and \$50.00 (fifty dollars) per square for color.

The Community and Neighborhood Services department received three additional bids from:

- | | |
|-----------------------------|-------------------|
| • Premier Building Products | \$53.75 for white |
| 2151 S. Harvey, Muskegon | \$53.75 for color |
| • Sethco Lumber | \$69.99 for white |
| 4566 Apple Ave, Muskegon | \$72.99 for color |
| • Weber Lumber Co. | \$51.00 for white |
| 465 Ottawa, Muskegon | \$51.00 for color |

The above documentation shows the closeness of all the bids; but, because of the long-term relationship with Keene Lumber as well as them being located in the City of Muskegon, CNS has selected Keene Lumber to be the 2010-2011 Vinyl Siding supplier for this fiscal year.

FINANCIAL IMPACT: Funding will be disbursed from the 2010 – 2011 Community Development Block Grant Vinyl Siding fund.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve request.

COMMITTEE RECOMMENDATION: The funding for the Vinyl Siding Program was approved by the Commission during the 2010 – 2011 allocation period last April.

Item	Keene Lumber	Premier Building	Sethco Lumber	Weber Lumber	Average	Low	High
Per Square (White)	\$48.00	\$53.75	\$69.99	\$51.00	\$55.69	\$48.00	\$69.99
Per Square (Color)	\$50.00	\$53.75	\$72.99	\$51.00	\$56.94	\$50.00	\$72.99
J-Channel (White)	\$3.50	\$2.90	\$4.95	\$3.68	\$3.76	\$2.90	\$4.95
J-Channel (Color)	\$3.50	\$2.90	\$4.95	\$3.68	\$3.76	\$2.90	\$4.95
F-Channel (White)	\$5.25	\$5.00	\$4.86	\$5.75	\$5.22	\$4.86	\$5.75
F-Channel (Color)	\$5.25	\$5.00	\$4.86	\$5.75	\$5.22	\$4.86	\$5.75
Undersill (PC) (White)	\$3.50	\$3.25	\$4.86	\$3.97	\$3.90	\$3.25	\$4.86
Undersill (PC) (White)	\$3.50	\$3.25	\$4.86	\$3.97	\$3.90	\$3.25	\$4.86
O/S Corner (PC) White	\$10.15	\$9.35	\$15.55	\$11.89	\$11.74	\$9.35	\$15.55
O/S Corner (PC) White	\$10.15	\$9.35	\$15.55	\$11.89	\$11.74	\$9.35	\$15.55
J-Block (White)	\$6.50	\$4.85	\$6.92	\$7.79	\$6.52	\$4.85	\$7.79
J-Block (Color)	\$6.50	\$4.85	\$6.92	\$7.79	\$6.52	\$4.85	\$7.79
Recessed J-Block (White)	\$6.50	\$5.25	\$7.34	\$8.15	\$6.81	\$5.25	\$8.15
Recessed J-Block (Color)	\$6.50	\$5.25	\$7.34	\$8.15	\$6.81	\$5.25	\$8.15
J-Vent (White)	\$10.50	\$8.75	\$11.45	\$13.39	\$11.02	\$8.75	\$13.39
J-Vent (Color)	\$10.50	\$8.75	\$11.45	\$13.39	\$11.02	\$8.75	\$13.39
Intake Louver (White)	\$16.50	\$15.00	\$19.83	\$13.39	\$16.18	\$13.39	\$19.83
Intake Louver (Color)	\$16.50	\$15.00	\$19.83	\$13.39	\$16.18	\$13.39	\$19.83
10' Starter Strip (Alum)	\$1.95	\$1.75	\$2.98	\$2.09	\$2.19	\$1.75	\$2.98
10' Starter Strip (Alum)	\$3.25	\$2.95	\$7.05	\$2.99	\$4.06	\$2.95	\$7.05
Soffit 0.19/Solid (White)	\$10.90	\$10.00	\$11.50	\$11.99	\$11.10	\$10.00	\$11.99
Soffit 0.19/Solid (Color)	\$10.90	\$10.00	\$12.35	\$12.29	\$11.39	\$10.00	\$12.35
Soffit 0.19/Vented (White)	\$10.90	\$10.00	\$11.50	\$11.99	\$11.10	\$10.00	\$11.99
Soffit 0.19/Vented (Color)	\$10.90	\$10.00	\$12.35	\$12.29	\$11.39	\$10.00	\$12.35
Fascia .024/4' (White)	\$6.00	\$5.00	\$7.90	\$8.79	\$6.92	\$5.00	\$8.79
Fascia .024/4' (Color)	\$6.00	\$5.00	\$8.76	\$8.79	\$7.14	\$5.00	\$8.79
Fascia .024/6' (White)	\$8.30	\$7.80	\$9.19	\$9.29	\$8.65	\$7.80	\$9.29
Fascia .024/6' (Color)	\$8.30	\$7.80	\$10.05	\$9.49	\$8.91	\$7.80	\$10.05
Fascia .024/8' (White)	\$10.45	\$10.20	\$11.92	\$11.99	\$11.14	\$10.20	\$11.99
Fascia .024/8' (Color)	\$10.45	\$10.20	\$12.77	\$12.39	\$11.45	\$10.20	\$12.77
Trim Coil .019 (White)	\$62.00	\$55.00	\$83.49	\$69.95	\$67.61	\$55.00	\$83.49
Trim Coil .019 (Color)	\$62.00	\$60.00	\$83.49	\$79.95	\$71.36	\$60.00	\$83.49
1 1/2" #25 box	N/A	N/A	N/A	\$32.95	\$32.95	\$32.95	\$32.95
1 1/2" #30 box	\$29.75	\$26.00	\$42.74	N/A	\$32.83	\$26.00	\$42.74
1 3/4" #25 box	N/A	N/A	N/A	\$32.95	\$32.95	\$32.95	\$32.95
1 3/4" #30 box	\$29.75	\$35.00	\$41.03	N/A	\$35.26	\$29.75	\$41.03
2" #25 box	N/A	N/A	N/A	\$32.95	\$32.95	\$32.95	\$32.95
2" #30 box	\$29.75	\$35.00	\$41.03	N/A	\$35.26	\$29.75	\$41.03
Trim Nails #1 box (White)	\$7.50	\$6.95	\$17.71	\$9.23	\$10.35	\$6.95	\$17.71
Trim Nails #1 box (Color)	\$7.50	\$2.80	\$17.71	\$9.23	\$9.31	\$2.80	\$17.71
Caulk (White)	\$1.95	\$4.25	\$2.39	\$4.29	\$3.22	\$1.95	\$4.29
Caulk (Clear)	\$2.95	\$4.25	\$3.59	\$4.39	\$3.80	\$2.95	\$4.39
Caulk (Color)	\$2.95	\$4.25	\$3.19	\$4.89	\$3.82	\$2.95	\$4.89
Backerboard (Fanfold)	\$37.00	\$18.95	\$38.69	\$13.75	\$27.10	\$13.75	\$38.69
Backerboard (Core board)	\$37.00	N/A	\$13.00	\$11.83	\$20.61	\$11.83	\$37.00
House Wrap	\$50.00 (9 x 100)	\$75.95 (9 x 150)	\$74.35 (9 x 100)	\$47.95			
Tyvar	\$99.00 (9 x 100)	N/A	N/A	N/A			
Tyvek	N/A	N/A	\$160.73 (9 x 150)	\$124.95			

Commission Meeting Date: August 24, 2010

Date: August 12, 2010

To: Honorable Mayor and City Commission

From: Community and Neighborhood Services Department

Re: Contract for Demolition of 1585 Hudson

SUMMARY OF REQUEST: To approve for Community and Neighborhood Services to execute a contract with Press's LLC, 8081 Holton Duck Lake Road, Holton, for the demolition of the structure located at 1585 Hudson. This activity is under the Neighborhood Stabilization Program. The bid is for \$3,980, which was the lowest bid. The City received two additional bids:

- Robert Peters, 2790 S. Maple Island, Muskegon for \$4,300
- Tarte Trucking, 1138 Dangl Rd, Muskegon for \$6,600

FINANCIAL IMPACT: The funding will be allocated from the City's NSP Grant.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the request.



Commission Meeting Date: August 24, 2010

Date: August 17, 2010

To: Honorable Mayor & City Commission

From: Community and Neighborhood Services Department

**RE: Approval of Contractor for Complete Rehabilitation
of CNS Homes**

SUMMARY OF REQUEST: To approve the following rehabilitation contracts:

Gray Space, 601 Amity, Muskegon, for the complete rehabilitation of 1644 Division in the amount of \$35,945

Mossy Oak Builders, 3101 Hall Rd, Muskegon, for the complete rehabilitation of 1500 Leahy in the amount of \$64,490

JEA Construction, 4392 Hall Rd, Muskegon, for the complete rehabilitation of 1733 Manz in the amount of \$54,625

Five contractors bid on the various projects as per the attached.

The complete rehabilitation is being financed with Neighborhood Stabilization funds from the Michigan State Housing Development Authority. After the total rehabilitation is completed, the houses will be marketed to any eligible owner-occupied homebuyer with a household income less than 120 percent of the area median income.

FINANCIAL IMPACT: The funding for the project will be taken from the money awarded to the City of Muskegon through the Neighborhood Stabilization Program.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve for the Community and Neighborhood Services office to develop a contract with these contractors and direct the Mayor and Clerk to sign the contract. This is contingent upon CNS receiving the additional NSP grant funding.

COMMITTEE RECOMMENDATION: None required. The Citizen's District Council is aware of the next phase of rehabs under the Neighborhood Stabilization Program.

NSP PHASE 2 REHAB BID RESULTS 8/17/2010

Name	Address	1644 Division	1500 Leahy	1733 Manz	605 Jackson*
4-Star Builders Joe Ferrier	3326 Lenado, Suite C Muskegon 49444 773-7000	\$55,775	\$79,600	\$68,525	no bid
Gray Space Curtis Holden	601 Amity St Muskegon, 49442 955-9701	\$35,945	no bid	\$56,190	no bid
JEA Construction John Anderson	4392 Hall Rd Muskegon, 49442 788-3001	\$64,433	no bid	\$54,625	not accepting
Mossy Oak Builders Jeff Fisher	3101 Hall Rd Muskegon, 49442 740-9367	\$47,275	\$64,490	\$53,850	no bid
Murphy & Son Const Mike Murphy	84 N Bock Muskegon, 49442 206-1864	\$59,700	\$71,350	\$58,800	no bid

* 605 Jackson is not being rehabbed but demolished due to the cost of rehab. Contractors were notified on August 13.

Date: August 24, 2010
To: Honorable Mayor and City Commission
From: Water Filtration
RE: High Service Pump #5

SUMMARY OF REQUEST:

Authorize staff to enter into an agreement with Wylie Electric Motor Service Inc. out of Ferrysburg to perform the necessary repairs on high service pump #5 at the Water Filtration Plant for a not to exceed cost of \$8,321.62.

FINANCIAL IMPACT:

The repair cost is \$8,321.62.

BUDGET ACTION REQUIRED:

The cost of repair is unexpected, however this situation is planned as part of the Water Filtration Plant budget.

STAFF RECOMMENDATION:

Staff recommends the Mayor and City Commission allow staff to enter into agreement with Wylie Electric Motor Service Inc. for the repair of the motor on high service pump #5 at a cost of \$8,321.62.

MEMORANDUM

8/18/10

TO: M. AL-SHATEL, DIRECTOR
FROM: R. VENEKLASSEN, WATER FILTRATION
RE: HIGH SERVICE PUMP #5 MOTOR BEARING REPLACEMENT

High service pump #5 is one of seven pumps of differing capacities that pump the finished drinking water to the City's water distribution system. The pump motor is a 450 Hp of medium voltage (1289 volt) and weighs 4,580 pounds. Pump #5 is rated at 10 million gallons per day capacity. This pump was installed as part of the 2004 improvements project but is past its warranty period.

Plant staff has previously attempted to solicit bids for the bearing replacement and have experienced reconsiderations from motor repair contractors due to the difficulty of removing the motor from the pump and subsequent handling to remove it from the building.

As a result we have released a price bid request to insure all participants are bidding on the same project requirements. The bid request is attached.

The bids received are as follows:

Wylie Electric Motor Service Inc. 331 Carmen Drive Ferrysburg, MI 49409	\$8,321.62
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Jones Electric 1965 Sanford St. Muskegon, MI 49441	\$8,750.00
--	------------

EMS Grand Rapids 1057 Cottage Grove Grand Rapids, MI 49507	\$12,408.15
--	-------------

Please note the bid from Jones Electric is their original dated 8/11/10. They did not respond to the "Request for Price Quotation" with an updated bid.

Based on the bids received it is my recommendation that we have Wylie Electric perform the bearing replacement on high service pump #5 at the Water Filtration Plant for a cost of \$8,321.62.

Date: August 24, 2010
To: Honorable Mayor and City Commission
From: Engineering
RE: Request to Submit a Grant Application for Temple Street Resurfacing
from Young to Laketon

SUMMARY OF REQUEST:

Adopt the attached resolution and authorize staff to submit a request for a grant application to MDOT for TEDF-A economic funds to mill and resurface Temple Street between Young & Laketon along with other necessary work including drainage. The request is for \$180,000 and will require a match of up to \$36,000 which will have to be budgeted for in the upcoming budget year. The grant request is for 2011.

FINANCIAL IMPACT:

A local share of \$36,000 match plus engineering costs.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

Adopt the resolution and authorize staff to submit the application.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

RESOLUTION

WHEREAS, the City of Muskegon finds it necessary to mill and resurface Temple Street between Young Street and Laketon Avenue and along with any other necessary work; and

WHEREAS, the City of Muskegon wishes to apply for a \$180,000 grant from the Michigan Department of Transportation for TEDF-A economic funds; and

WHEREAS, the proposed project will take place in 2011 and will require a match up to \$36,000;

NOW THEREFORE BE IT RESOLVED that the City Commission is dedicated to milling and resurfacing Temple Street between Young Street and Laketon Avenue along with other necessary work and hereby authorizes staff to submit a grant application in the amount of \$180,000 with a match up to \$36,000 for the 2011 calendar year.

Signed this 24th day of August 2010.

Stephen J. Warmington
Mayor

Commission Meeting Date: August 24, 2010

Date: August 17, 2010

To: Honorable Mayor & City Commission

From: Community and Neighborhood Services Department

**RE: Public Hearing to Review 2009-2010 Consolidated
Annual Performance Evaluation Report (CAPER)**

SUMMARY OF REQUEST: To conduct a public hearing on August 24, 2010 to review accomplishments and receive comments from the public concerning the 2009– 2010 Consolidated Annual Performance Evaluation Report (CAPER) developed by the Community and Neighborhood Services department.

After the public hearing has been conducted and all the comments have been documented, the Community and Neighborhood Services office requests that the Commission direct the staff to submit the required documents to the U. S. Department of Housing and Urban Development (HUD) in compliance with 24 CFR 91.520, by no sooner than September 8, 2010.

FINANCIAL IMPACT: The City is required to submit the CAPER report in order to continue receiving Community Development Block Grant (CDBG) and HOME funding.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To direct staff to gather comments from the public and to submit the CAPER to HUD after the public comment period has elapsed.

COMMITTEE RECOMMENDATION: The document was reviewed by the Citizen District Council

Date: August 24, 2010
To: Honorable Mayor and City Commissioners
From: Ann Marie Becker, City Clerk
**RE: Designation of Voting Delegates for the Michigan
Municipal League Annual Business Meeting**

SUMMARY OF REQUEST: To designate by action of the Commission, one of our officials who will be in attendance at the Convention as an official representative to cast the vote of the municipality at the annual meeting; and, if possible, to designate one other official to serve as alternate.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

August 12, 2010

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Annual Convention of the Michigan Municipal League will be held in Dearborn, September 21-24, 2010. The annual meeting is scheduled for 11:00 am on Wednesday, September 22, at the Hyatt Regency Hotel. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see page 2).
2. Policy. To vote on Core Legislative Principles document and resolutions properly brought before the annual meeting. All member municipalities planning on submitting resolutions for consideration at the annual meeting are reminded that under the Bylaws, the deadline for League trustees to receive resolutions for their review is August 23, 2010. (please see page 2).
3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the annual meeting, and, if possible, to designate one other official to serve as alternate. After taking this action, please return the enclosed reply card no later than September 8, 2010.

Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

"Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary Members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative."

1. Election of Trustees

Regarding election of officers, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions *

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and "no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting." Thus the deadline this year for the League to receive resolutions is August 23.

"Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof."

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership are available on the League website*, to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the annual meeting.

The Board of Trustees will meet on Tuesday, September 21 at the Hyatt Regency Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

* The proposed League Core Legislative Principles document is available on the League website at <http://www.mml.org>. If you would like to receive a copy of the proposed principles by fax, please call Susan at the League at 800-653-2483.

Sincerely,



Jeff Jenks
President



Daniel P. Gilmartin
Executive Director & CEO

Enc.

CITY COMMISSION MEETING DATE
AUGUST 24, 2010

Date: July 2, 2010

To: Honorable Mayor and City Commissioners

From: Cathy Brubaker-Clarke, Director of Community & Economic Development

Re: Special Event Request – Breakwater Festival
Labor Day Weekend, Margaret Drake Elliott Park

SUMMARY OF REQUEST: The Breakwater Festival has filed a special events application to hold their annual festival at Pere Marquette/Margaret Drake Elliott Park on Labor Day weekend, September 3 – 6, 2010.

They have requested that the City waive equipment rental fees for the following items: 25 rolls of snow fence and poles, 30 picnic tables, 10 barricades, 20 metal trash cans, 30 plastic trash cans, trash bags, and the Hackley Park stage. They have stated that they will pick up, set up and return the equipment to the DPW, in order to eliminate City staff costs.

FINANCIAL IMPACT: The Breakwater Festival requests that equipment rental fees be waived, the estimated value of which is \$2325.00

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION:

COMMITTEE RECOMMENDATION:

DATE: 08/06/2010
TO: Honorable Mayor and Commissioners
FROM: Anthony Kleibecker, Director of Public Safety
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN100051

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 **1237 PINE ST Area 11** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. 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.

Case# & Project Address: # EN100051 - 1237 PINE ST

Location and ownership: This structure is located on Pine St. between Catherine and Isabella Streets and is owned by Muskegon County Treasurer/ QUINN DARYLL/CHESENNA.

Staff Correspondence: A dangerous building inspection(fire) was conducted on 04/06/10. The Notice and Order to Repair was issued on 04/16/10. On 06/03/10 the HBA declared the structure substandard and dangerous.

Owner Contact: No one was present for the HBA meeting dated 06/03/10. Property is now in foreclosure by County of Muskegon as of 04/02/10. No permits have been issued, no inspections scheduled and now owner contact.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$ 9,500(Entire property)

Estimated cost to repair: \$10,000 Exterior Only

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish.

SUMMARY FOR: 1237 PINE ST

This property is a wood framed, two story, single family dwelling.

This building was damaged in a fire in April 2010.

The attached garage was extensively damaged in the fire and caused damage to the main structure, including the roof and exterior siding, an interior inspection was requested but none has occurred as of this date.

There has been no attempt by the property owner to effect the necessary repairs, and the home is becoming an attractive nuisance. If left in its current state, it is unlikely that this building will be rehabilitated and will continue to be a blighting influence on the neighborhood.

CITY OF MUSKEGON
933 Terrace St., P.O. Box 537, Muskegon, MI 49443 (231) 724-6715
**DANGEROUS BUILDING INSPECTION
REPORT**

Friday, April 16, 2010

Enforcement # EN100051 **Property Address** 1237 PINE ST
Parcel #24-205-252-0009-00 **Owner** QUINN DARYLL/CHESENNA

Inspector: Henry Faltinowski

Date completed: 04/06/2010

DEFICIENCIES:

Uncorrected

1. Repair chimney on home.
2. Replace damaged roof affected by fire.
3. Rebuild garage to MRC 2006 code structurally unsound.
4. Replace all damaged siding.
5. Back door open - board up home.
6. Interior inspection required by trade inspectors.

Request interior inspection by all trades, electrical, mechanical and plumbing. Please contact Inspection Services with any questions or to schedule an inspection at 933 Terrace St., Muskegon, MI 49440 (231) 724 6758.

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

Henry Faltinowski, Building Inspector

Date

1237 PINK ST. D.B. FIRE DAMAGED





1237 Pine



DATE: 08/06/2010
TO: Honorable Mayor and Commissioners
FROM: Anthony Kleibecker, Director of Public Safety
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN100045

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 **79 E GRAND AVE Area 13** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. 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.

Case# & Project Address: # EN100045 - 79 E GRAND AVE

Location and ownership: This structure is located on Grand Ave. between Clinton and Jiroch Streets and is owned by KORKOSKIE KENNETH R JR.

Staff Correspondence: A dangerous building inspection was conducted on 11/03/09. The Notice and Order to Repair was issued on 04/15/10. On 06/03/10 the HBA declared the structure substandard and dangerous.

Owner Contact: No one was present for the HBA meeting dated 06/03/10. No permits have been issued and no inspections scheduled.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$5,100 (Entire property)

Estimated cost to repair: \$75,000

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish.

SUMMARY FOR: 79 E GRAND AVE

This property is a wood framed, two story, single family dwelling.

This building was damaged in a fire in March 2010

The fire damage to this building was extensive, and the cost to repair the building will exceed the value of the property. The property owner has indicated that he is not interested in saving the structure.

CITY OF MUSKEGON

933 Terrace St., P.O. Box 537, Muskegon, MI 49443 (231) 724-6715

DANGEROUS BUILDING INSPECTION REPORT

Tuesday, March 30, 2010

Enforcement # EN100045
Parcel # 24-205-278-0011-00

Property Address 79 E GRAND AVE
Owner KORKOSKIE KENNETH R JR

Inspector: Henry Faltinowski

Date completed: 11/03/2009

DEFICIENCIES:

Uncorrected

Plumbing/Mechanical

1. Inspect & certify furnace, water heater, chimney.
2. Gas press test gas line.
3. Clean ductwork.
4. Inspect & certify house plumbing (all)
5. Provide bath vent fans.

Electrical:

6. Completely rewire to comply with MRC

Building:

7. Interior of building to be completely gutted
8. (remove all smoke, fire, and water damaged material.)
9. Replace roof
10. Remove all damaged siding
11. Replace soffits
12. All construction to comply with MRC
13. 2nd floor to be reconfigured to be used as habitable space (or converted back in to attic space)
14. Install smoke detectors

Request interior inspection by all trades, electrical, mechanical and plumbing. Please contact Inspection Services with any questions or to schedule an inspection at 933 Terrace St., Muskegon, MI 49440 (231) 724 6758.

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

Henry Faltinowski, Building Inspector

Date



79 E. Grand





79 E Grand



DATE: 08/06/2010
TO: Honorable Mayor and Commissioners
FROM: Anthony Kleibecker, Director of Public Safety
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN100055

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 **553 OAK AVE Area 11** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. 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.

Case# & Project Address: # EN100055 - 553 OAK AVE

Location and ownership: This structure is located on Oak Ave. between Scott and Kenneth Streets and is owned by KETCHUM BERNARD/HATTIE.

Staff Correspondence: A dangerous building inspection was conducted on 04/09/10. The Notice and Order to Repair was issued on 04/21/10. On 06/03/10 the HBA declared the structure substandard and dangerous.

Owner Contact: No one was present for the HBA meeting dated 12/06/07. All notices sent certified mail have returned unclaimed. No permits have been issued and no inspections scheduled. We received call from Hattie Scott saying upon divorce decree she has no interest in home.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$ (Entire property)

Estimated cost to repair: \$ 7000.00 (Exterior Only)

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish.

SUMMARY FOR: 553 OAK AVE

This property is a wood framed, two story, single family dwelling, that is currently vacant. This building is partially boarded. An interior inspection was requested but none has occurred as of this date. The exterior repairs needed on this building include replacement of the roof, repair of broken windows and rotted window frames. There has been no attempt by the property owner to make repairs to this dwelling. If left in it's current state it will continue to be a blighting influence on the neighborhood.

CITY OF MUSKEGON

933 Terrace St., P.O. Box 537, Muskegon, MI 49443 (231) 724-6715

DANGEROUS BUILDING INSPECTION REPORT

Tuesday, April 13, 2010

Enforcement # EN100055 **Property Address** 553 OAK AVE
Parcel #24-205-049-0015-00 **Owner** BERNARD KETCHUM

Inspector: Henry Faltinowski

Date completed: 04/09/2010

DEFICIENCIES:

Uncorrected

1. Replace roof covering. Shingles are deteriorated, open fascia on roof system repair.
2. Scrape and paint siding and exterior wood trim on windows and doors.
3. Broken out windows on home - Replace all damaged windows and frames.
4. Some windows on home are boarded up.
5. Replace damaged siding.
6. Provide interior inspection by trade inspectors

Request interior inspection by all trades, electrical, mechanical and plumbing. Please contact Inspection Services with any questions or to schedule an inspection at 933 Terrace St., Muskegon, MI 49440 (231) 724 6758.

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

Henry Faltinowski, Building Inspector

Date



P.B. 553 Oak. 4/9/2010.

DATE: 08/06/2010
TO: Honorable Mayor and Commissioners
FROM: Anthony Kleibecker, Director of Public Safety
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN100048

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 **148 ALLEN AVE Area 11** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. 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.

Case# & Project Address: # EN100048 - 148 ALLEN AVE

Location and ownership: This structure is located on Allen Ave. between Jay and Spring Streets and is owned by GREEN, EDCO.

Staff Correspondence: A dangerous building inspection (fire) was conducted on 07/09/08. The Notice and Order to Repair was issued on 04/15/10. On 06/03/10 the HBA declared the structure substandard and dangerous.

Owner Contact: Mr. Green arrived late for the HBA meeting dated 06/03/10. Mr. Green's daughter contacted Inspections stating there are no funds to repair home. No permits have been issued and no inspections scheduled.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$ 13,500 (Entire property)

Estimated cost to repair: \$ 30,000

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish.

SUMMARY FOR: 148 ALLEN AVE

148 Allen

This property is a wood framed, two story, single family dwelling.

This building was damaged in a fire in July 2008

The fire damage to the second floor of this building this building was extensive

There has been no attempt by the property owner to make repairs to this dwelling In it's current state it will continue to be a blighting influence on the neighborhood.

CITY OF MUSKEGON

933 Terrace St., P.O. Box 537, Muskegon, MI 49443 (231) 724-6715

DANGEROUS BUILDING INSPECTION REPORT

Tuesday, April 6, 2010

Enforcement # EN100048 **Property Address** 148 ALLEN AVE
Parcel #24-205-208-0012-00 **Owner** GREEN EDCO

Inspector: Henry Faltinowski

Date completed: 07/09/2008

DEFICIENCIES:

Uncorrected

1. Pressure test gas line.
2. Inspect & certify chimney & heater vent & heat unit.
3. Provide heat to habital spaces.
4. Paint gas piping.
5. Terminate water heater vent.
6. Inspect clearances to combustibles.
7. House to be rewired to code.
8. Electric service to be replaced to code.
9. Smoke alarms to be installed to code.
10. Replace all smoke and wate damaged wall covering on first floor.
11. Replace floor joist on 2nd floor
12. Replace roof.
13. Replace all walls on 2nd floor.
14. All construction to comply with 2006 Michigan Residential Code.
15. Smoke detectors.

Request interior inspection by all trades, electrical, mechanical and plumbing. Please contact Inspection Services with any questions or to schedule an inspection at 933 Terrace St., Muskegon, MI 49440 (231) 724 6758.

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

Henry Faltinowski, Building Inspector

Date

File Home DB. 148 ALLEN.





148 Allen





148 Allen

