

CITY OF MUSKEGON

CITY COMMISSION MEETING

AUGUST 13, 2002

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ CALL TO ORDER:
- ❑ PRAYER:
- ❑ PLEDGE OF ALLEGIANCE:
- ❑ ROLL CALL:
- ❑ HONORS AND AWARDS:
- ❑ PRESENTATIONS:
- ❑ CONSENT AGENDA:
 - a. Approval of Minutes. CITY CLERK
 - b. Sale of Non-buildable Lot at 880 W. Southern Avenue. PLANNING & ECONOMIC DEVELOPMENT
 - c. Sale of Non-buildable Lot at 635 Adams Avenue. PLANNING & ECONOMIC DEVELOPMENT
 - d. Sale of Buildable Vacant Lot at 564 W. Muskegon Avenue. PLANNING & ECONOMIC DEVELOPMENT
 - e. Sale of Buildable Vacant Lot at 601 W. Webster Avenue. PLANNING & ECONOMIC DEVELOPMENT
 - f. Sale of Non-buildable Lot at 2474 Miner Avenue. PLANNING & ECONOMIC DEVELOPMENT
 - g. Request for Proposals for City-owned Vacant Land – Corner of Marquette Avenue and Getty Street. PLANNING & ECONOMIC DEVELOPMENT
 - h. IFT Contract Amendments. PLANNING & ECONOMIC DEVELOPMENT
 - i. Consideration of Bids – Marshall Street Tank Painting. ENGINEERING
 - j. Consideration of Bids - Apple Avenue from Wood to Williams. ENGINEERING

k. Amend City Commission Rules and Procedures. CITY CLERK

- ❑ PUBLIC HEARINGS:
- ❑ COMMUNICATIONS:
- ❑ CITY MANAGER'S REPORT:
- ❑ UNFINISHED BUSINESS:

a. Second Quarter 2002 Budget Reforecast. FINANCE

❑ NEW BUSINESS:

a. Participation in MMRMA "Energy Choice" Program. FINANCE

b. FIRST READING: Pension Ordinance Change Due to Contract Settlement. FINANCE

c. Approval of Rehabilitation Contract with Top Notch Design for 850 Wood Street. COMMUNITY & NEIGHBORHOOD SERVICES

d. Approval of Rehabilitation Contract with Lewis Johnson Construction for 322 Amity. COMMUNITY & NEIGHBORHOOD SERVICES

e. Consideration of Bids - Lakefront Development. ENGINEERING

f. Concurrence with the Housing Board of Appeals Notice & Order to Demolish 488 McLaughlin. INSPECTION SERVICES

g. Concurrence with the Housing Board of Appeals Notice & Order to Demolish 1096 Third Street. INSPECTION SERVICES

❑ ANY OTHER BUSINESS: h. Refunding of 1993 MTF Bonds FINANCE DIRECTOR

❑ PUBLIC PARTICIPATION:

- *Reminder: Individuals who would like to address the City Commission shall do the following:*
- Be recognized by the Chair.
- Step forward to the microphone.
- State name and address.
- Limit of 3 minutes to address the Commission.
- (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

❑ ADJOURNMENT:

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT GAIL A. KUNDINGER, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TDD: (231) 724-4172.

Date: August 13, 2002
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, July 23, 2002.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

AUGUST 13, 2002

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30pm, Tuesday, August, 13, 2002.

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

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

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

2002-90 CONSENT AGENDA:

a. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, July 23, 2002.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

b. Sale of Non-buildable Lot at 880 W. Southern Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of a vacant non-buildable lot (Parcel #24-205-006-0015-10) at 880 W. Southern Avenue to Rick and Linda Cato, 890 W. Southern Avenue, Muskegon, MI 49441. Approval of this sale will allow the adjacent property owner to expand their current yard (see map). In order to avoid creating odd-shaped lots and as is required by City policy, the subject parcel is being offered for \$100 to Mr. and Mrs. Cato.

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

BUDGET ACTION REQUIRED: None

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

c. Sale of Non-buildable Lot at 635 Adams Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of a vacant non-buildable lot (Parcel #24-765-003-0019-00) at 635 Adams Avenue to Gwenelle Ferguson-Allen, 643 Adams Avenue, Muskegon, MI 49442. Approval of this sale will allow the adjacent property owner to expand her current yard (see map). As is required by City policy, the parcel was offered to both adjacent property owners. Since there was no response from the other owner, the subject parcel is being offered for \$100 to Ms. Ferguson-Allen.

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

BUDGET ACTION REQUIRED: None

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

f. Sale of Non-buildable Lot at 2474 Miner Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of a vacant non-buildable lot (Parcel #24-205-693-0001-47) at 2274 Miner Avenue to Edward Dion, 2226 Clifford Street, Muskegon, MI 49441. Approval of this sale will allow the adjacent property owner to expand his current yard (see map). In order to avoid creating odd-shaped lots and as is required by City policy, the subject parcel is being offered for \$100 to Mr. Dion.

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

BUDGET ACTION REQUIRED: None

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

g. Request for Proposals for City-owned Vacant Land – Corner of Marquette Avenue and Getty Street. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: At the direction of the City Commission, City staff obtained a survey and appraisal for approximately 6 acres of vacant land on the corner of Marquette Avenue and Getty Street. Staff now requests to publish a Request for Proposals (RFP) for the possible sale and development of the parcel.

FINANCIAL IMPACT: Sale and development of this property will lead to increased property taxes and relief of mowing and other maintenance costs.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval.

COMMITTEE RECOMMENDATION: LRC recommended publishing of an RFP at their May 28, 2002 meeting.

h. IFT Contract Amendments.
DEVELOPMENT

PLANNING & ECONOMIC

SUMMARY OF REQUEST: To approve the form for the "Contract for Tax Abatement", as amended.

FINANCIAL IMPACT: None, at this time.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the amended form for the "Contract for Tax Abatement".

COMMITTEE RECOMMENDATION: The Legislative Policy Committee recommends approval

i. Consideration of Bids - Marshall Street Tank Painting.
ENGINEERING

SUMMARY OF REQUEST: The contract to paint the Marshall Street Water Storage Tank be awarded to George Kountoupes Painting Company out of Lincoln Park, MI since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$158,100.00.

FINANCIAL IMPACT: The construction cost of \$158,100.00 plus associated engineering costs.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Award the contract to George Kountoupes Painting Company.

j. Consideration of Bids - Apple Avenue from Wood to Williams.
ENGINEERING

SUMMARY OF REQUEST: The contract for the replacement of Storm Sewer on Apple Avenue between Wood & Williams be awarded to Felco Contractors from Muskegon Michigan since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$60,614.62.

FINANCIAL IMPACT: The construction cost of \$60,614.62 plus associated engineering cost which is estimated at an additional 8 1/2% will be reimbursed by the Michigan Department of Transportation.

BUDGET REQUIRED: None

STAFF RECOMMENDATION: Award the contract to Felco Contractors.

k. Amend City Commission Rules and Procedures. CITY CLERK

SUMMARY OF REQUEST: To change Section E (Citizen Participation) number 5 to add: Candidates or any person(s) working for a candidate shall not be allowed to use public participation time for campaigning.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve.

Motion by Vice Mayor Buie, second by Commissioner Schweifler to approve the Consent Agenda except for items d & e.

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

Nays: None

MOTION PASSED

2002-91 ITEMS REMOVED FROM CONSENT AGENDA

d. Sale of Buildable Vacant Lot at 564 W. Muskegon Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of a vacant buildable lot at 564 W. Muskegon Avenue (designated as parcel #24-205-339-0007-00) described as LOT 7 BLOCK 339, CITY OF MUSKEGON to Neighborhood Investment Corporation (NIC), of 161 Muskegon Mall, Muskegon, MI. The lot is 66 x 132 ft. and is being offered to NIC for \$4,000. They plan to use the land for the construction of a 1,300 – 1,500 sq. ft. single-family home. The home will contain 3 bedrooms, a full basement, and an attached 2-stall garage. The appraised value of the lot is \$4,000 and the NIC submitted the only bid of \$4,000.

FINANCIAL IMPACT: the sale of this lot for construction of a new home will generate additional tax revenue for the City and will place the property back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTION REQUIRED: None

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

e. Sale of Buildable Vacant Lot at 601 W. Webster Avenue. PLANNING & ECONOMIC DEVELOPMENT

To approve the sale of a vacant buildable lot at 601 W. Webster Ave. (designated as parcel number 24-205-339-0006-00) described as LOT 6 BLOCK 339, CITY OF MUSKEGON to Neighborhood Investment Corporation (NIC), of 161 Muskegon Mall, Muskegon, MI. The lot is 66 x 132 ft. and is being offered to NIC for \$4,000. They plan to use the land for the construction of a 1,300 – 1,500 sq. ft. single-family home. The home will contain 3 bedrooms, a full basement, and a 2-stall attached garage. The appraised value of the lot is \$4,000 and the NIC submitted the only bid of \$4,000.

FINANCIAL IMPACT: the sale of this lot for construction of a new home will generate additional tax revenue for the City and will place the property back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTION REQUIRED: None

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

Motion by Commissioner Schweifler, second by Commissioner Spataro to approve the resolution and to authorize both the Mayor and the Clerk to sign said resolutions for 564 W. Muskegon and 601 W. Webster.

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

Nays: None

MOTION PASSED

2002-92 CITY MANAGER'S REPORT:

Mayor Warmington introduced State Representative from the 91 District, Gerald VanWoerkom who discussed the overturn of the Governor's veto on Revenue Sharing.

2002-93 UNFINISHED BUSINESS:

a. Second Quarter 2002 Budget Reforecast. FINANCE

SUMMARY OF REQUEST: At this time staff is transmitting the Second Quarter 2002 Budget Reforecast which outlines proposed changes to the original budget that have come about as result of changes in policy priorities, labor contracts, updated information, or other factors. For the next meeting, an action item will be placed on the agenda for adoption of the proposed budget reforecast together with any additional changes deemed necessary by Commissioners.

FINANCIAL IMPACT: The second quarter 2002 Budget Reforecast reflects continued falloff in general fund revenues due to the economy. Significant downward adjustments have been made in the areas of city income tax, state shared revenues and interest income. Also, budgets for some areas (particularly City Attorney, Fire Safety Inspections and Environmental Services) have had to be increased due to unforeseen service demands and/or labor contract issues.

Accordingly, the following budget adjustments are proposed: 1) postponement of the scheduled renovation of the Reese Playfield restrooms (\$150,000), 2) postponement of purchase of an alternate power supply for Ctiy Hall (\$100,000), 3) reduction and reallocation of \$50,000 originally earmarked for fire station property acquisition to instead be used for a fire station location and operations study. At this time we also forecast the need for a year-end transfer of \$300,000 from the city's budget stabilization (i.e. "rainy day") fund to the general fund.

BUDGET ACTION RQUIRED: Self-explanatory

STAFF RECOMMENDATION: The City Commission should review the Reforecast to ensure it reflects their policy initiatives. At the next City Commission meeting, staff will request formal approval of the Reforecast and related budget amendments.

COMMITTEE RECOMMENDATION: There is no committee recommendation at this time.

Motion by Commissioner Schweifler, second by Commissioner Gawron to approve the Reforecast and related budget amendments.

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

Nays: None

MOTION PASSED

2002-94 NEW BUSINESS:

a. Participation in MMRMA "Energy Choice" Program. FINANCE

SUMMARY OF REQUEST: Over the last few years, the state has moved to deregulate the electric and natural gas industries in the state. For consumers (including the city) the benefit is potentially lower costs. Since deregulation was announced, staff has tried to stay informed of the issues and determine how the City might benefit. Unfortunately, the process and issues are very complex and to this point deregulation has primarily benefited large corporations and other organizations having professional "energy management" resources. Staff believes and intergovernmental approach through MMRMA (and its hired consultants) provides the best avenue for the City to successfully participate in electric and natural gas deregulation without incurring significant costs. MMRMA has represented the City well for many years in the insurance arena and is an effective and well-run intergovernmental cooperation organization. Also, a comparable program sponsored by the MML has failed to get off the ground to this point, so the MMRMA Energy Choice program offers the best option to realize energy savings.

FINANCIAL IMPACT: The short-term costs of participation in this program are a one-time \$150 charge for installation of a "splitter box" at each site. This will allow the use of existing phone lines to transmit meter data to the utility. Longer-term financial impacts are expected be significant in terms of lower electric/gas costs (estimated at 10%). For example, 10% savings in electric costs for the LC Walker Arena equal \$10,500/year.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: approval of the "Energy Choice Agreement".

COMMITTEE RECOMMENDATION: None

Motion by Commissioner Spataro, second by Commissioner Larson to approve the "Energy Choice Agreement".

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

Nays: None

MOTION PASSED

b. FIRST READING: Pension Ordinance Change Due to Contract Settlement. FINANCE

SUMMARY OF REQUEST: The recent arbitration/contract settlement of the patrol officers' labor contract calls for the inclusion of overtime and educational bonus pay in the computation of "final average compensation" for pension purposes. This amendment brings the pension ordinance into alignment with the new contract.

FINANCIAL IMPACT: Higher pension costs for the City.

BUDGET ACTION REQUIRED: None. The change will be reflected in future actuarial valuations, which set the City's annual pension contribution level.

STAFF RECOMMENDATION: Approval.

COMMITTEE RECOMMENDATION: The Police and Fire Retirement Board recommend approval.

Motion by Commissioner Larson, second by Vice Mayor Buie to approve the amendment for the Pension Ordinance.

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

Nays: None

MOTION PASSED

c. Approval of Rehabilitation Contract with Top Notch Design for 850 Wood Street. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the contract with Top Notch Design, 4740 Jensen, Fruitport, MI for rehabilitation located at 850 Wood St., "Wood St. Revival" for \$85,185.

After rehabilitation is complete, the structure will be sold to a qualified family for homeownership.

FINANCIAL IMPACT: Funding for this project will come from the 2001 HOME funds budgeted for this project.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the contract with Top Notch Design for \$85,185.

COMMITTEE RECOMMENDATION: None

Motion by Commissioner Spataro, second by Commissioner Larson to approve the contract with Top Notch Design for \$85,185.

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

Nays: None

MOTION PASSED

d. Approval of Rehabilitation Contract with Lewis Johnson Construction for 322 Amity. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the contract with Lewis Johnson Construction, 16076 Bonita CT., Grand Haven, MI for rehabilitation located at 322 Amity "Operation New Life" for \$62,900.

After rehabilitation is complete, the structure will be sold to a qualified family for homeownership.

FINANCIAL IMPACT: Funding for this project will come from the 2001 HOME funds budgeted for this project.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: to approve the contract with Lewis Johnson Construction for \$62,900.

COMMITTEE RECOMMENDATION: The Land Reutilization Committee approved the rehabilitation of the structure.

Motion by Commissioner Gawron, second by Commissioner Larson to approve the contract with Lewis Johnson Construction for \$62,900.

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

Nays: None

MOTION PASSED

e. Consideration of Bids - Lakefront Development. ENGINEERING

SUMMARY OF REQUEST: The contract for the construction of streets, water mains, sanitary sewers and storm sewers for Terrace Street and Lakefront Drive be awarded to Jackson – Merkey Contractors, Inc. out of Muskegon, Michigan since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$1,240,157.65. This action contingent upon the acquisition of the required right of way by the City.

FINANCIAL IMPACT: The construction cost of \$1,240,157.65 plus associated engineering costs.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Award the contract with Alternative 2 and Alternative 3 for a total cost of \$1,240,157.65 to Jackson-Merkey Contractors Inc. This action contingent upon the acquisition of the required right of way by the City.

Motion by Commissioner Larson, second by Commissioner Schweifler to award the contract for a total cost of \$1,240,157.65 to Jackson-Merkey Contractors Inc. This action contingent upon the acquisition of the required right of way by the City, securing all required permits, and environmental approval.

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

Nays: None

MOTION PASSED

f. Concurrence with the Housing Board of Appeals Notice & Order to Demolish 488 McLaughlin. INSPECTION SERVICES

SUMMARY OF REQUEST: This is to request City Commission concurrence with findings of the Housing Board of Appeals that the structure located at 488 McLaughlin, 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: #02-011, 488 McLaughlin

Location and ownership: This structure is located on McLaughlin between Chestnut and William Streets. It was owned by Pearl Jones and Willis Fields.

Staff Correspondence: This property was brought to the Inspection Dept. through a gambling raid in early March. An interior inspection was conducted 3/27/02. A notice and order to repair or demolish was issued 4/4/02. Mr. Fields pulled a permit to repair 4/17/02. The case was brought before the HBA on June 6 and it was declared substandard. Mr. Fields was not present at the meeting, as he was incarcerated at the time. His daughter was present and stated she would like to repair and live in the house, but she has no ownership rights. There has been no contact from owner since then.

Owner Contact: there has been no contact from the owner since pulling a permit to repair 4/17/02. No inspections have been called for.

FINANCIAL IMPACT: The cost of demolition will be paid with CDBG funds.

BUDGET ACTION REQUIRED: None

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

Estimated Cost of Repairs: \$10,000

Motion by Vice Mayor Buie, second by Commissioner Gawron to concur with the Housing Board of Appeals decision to demolish 488 McLaughlin.

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

Nays: None

MOTION PASSED

g. Concurrence with the Housing Board of Appeals Notice & Order to Demolish 1096 Third Street. INSPECTION SERVICES

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals and the Historical District Commission that the structure located at 1096 Third is unsafe, substandard and a public nuisance.

Case # & Project Address: 99-29 – 1096 Third

Location and ownership: This property is located in the Nelson Neighborhood and is owned by William Uecher of 3352 Peck Street.

Staff Correspondence: A dangerous building inspection was conducted 5/15/98. A notice to repair or demolish was issued 5/21/98. Another inspection report was written on 6/21/99. The case was brought before the HBA 8/5/99 and 8/17/00. The structure was declared substandard, a public nuisance, and forward to the City Commission for their concurrence to demolish. Mr. Ueker submitted a

timetable for repairs, which was accepted, 9/99. The porch was to be completed by 10/13/99. This work was never completed. On 8/17/00 the HBA again declared the structure a dangerous building. An appeal was filed 9/8/00. Mr. Uecher was notified that he needed to schedule a final inspection, and if approved it would not go before the board again. The case was brought before the HBA again 2/7/02 and declared. The city also boarded the structure 2/6/02.

Owner Contact: At the 2/7/02 HBA meeting Mr. Uecher claimed he did not have the money to complete the repairs.

FINANCIAL IMPACT:

BUDGET ACTION REQUIRED: General funds

State Equalized value: \$7,400

Estimated cost to repair:

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

Motion by Commissioner Spataro, second by Commissioner Shepherd to concur with the Housing Board of Appeals decision to demolish 1096 Third Street.

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

Nays: None

MOTION PASSED

h. Refunding of 1993 MTF Bonds. Finance Director

SUMMARY OF REQUEST: The City issued bonds in 1993 secured by state street funds ("MTF bonds") to finance various street improvement projects. A recent analysis shows that the bonds remaining outstanding (\$2,150,000) can be refunded at today's lower interest rates with present value savings to the City of Muskegon, Clerk's Office \$62,188. These savings equate to 2.89% of the outstanding principal. A general rule of thumb is that PV savings should be at least 2% of bond principal in order to proceed with a refunding. Staff requests your indulgence in adding this item to the agenda for August 13.

FINANCIAL IMPACT: Present value savings of \$62,188.

BUDGET ACTION REQUIRED: None at this time. The annual debt service costs will be budgeted in future years until the bonds are retired.

STAFF RECOMMENDATION: Approval of the notice of intent resolution authorizing staff to proceed with the proposed bond refunding.

Motion by ice Mayor Buie, second by Commissioner Schweifler to approve the notice of intent resolution authorizing staff to proceed with the proposed bond refunding.

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

Nays: None

MOTION PASSED

2002-95 ANY OTHER BUSINESS:

Motion by Commissioner Schweifler, second by Commissioner Spataro to put on record that Commissioner Shepherd would like to correct her vote of July 23, 2002 to read in support of the demolition of 1969 Hoyt Street.

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

Nays: None

MOTION PASSED

ADJOURNMENT: The Regular Commission Meeting for the City of Muskegon was adjourned at 6:51pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gail Kunding". The signature is fluid and cursive, with a large initial "G" and a long, sweeping underline.

Gail Kunding, CMC/AEE

City Clerk

Commission Meeting Date: August 13, 2002

Date: July 29, 2002
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *cbc*
RE: Sale of Non-buildable Lot at 880 W. Southern Avenue

SUMMARY OF REQUEST:

To approve the sale of a vacant non-buildable lot (Parcel #24-205-006-0015-10) at 880 W. Southern Avenue to Rick and Linda Cato, 890 W. Southern Avenue, Muskegon, MI 49441. Approval of this sale will allow the adjacent property owner to expand their current yard (see attached map). In order to avoid creating odd-shaped lots and as is required by City policy, the subject parcel is being offered for \$100 to Mr. and Mrs. Cato.

FINANCIAL IMPACT:

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

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

RESOLUTION #2002- 90(b)

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

WHEREAS, the City of Muskegon has received \$100 from Rick and Linda Cato, 890 W. Southern Avenue, Muskegon, MI 49441 for the purchase of a vacant, City-owned lot located adjacent to their property at 880 W. Southern Avenue (parcel #24-205-486-0015-10);

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

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

WHEREAS, the sale of this property would be in accordance with property disposition goals and policies of the City;

NOW, THEREFORE BE IT RESOLVED, that the E ½ LOT 15 BLK 486 CITY OF MUSKEGON REVISED PLAT 1903 be sold to Rick and Linda Cato for \$100.

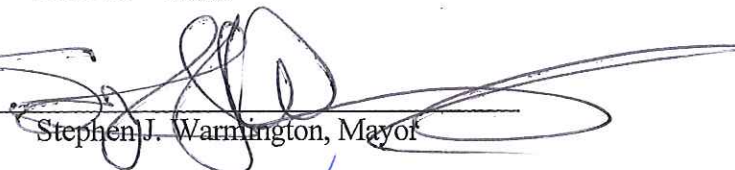
Resolution adopted this 13th day of August, 2002.

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

Nays: None

Absent: None

By:


Stephen J. Warmington, Mayor

Attest:

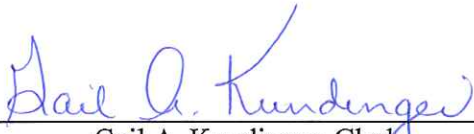

Gail A. Kunding, Clerk

CERTIFICATION

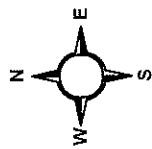
This resolution was adopted at a regular meeting of the City Commission, held on August 13, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By


Gail A. Kunderinger, Clerk

Vacant Non-buildable City-Owned Lot 880 W. Southern Avenue



Rick & Linda Cato
890 W. Southern Ave.

☆ = Subject Property(ies)
to be sold



QUIT CLAIM DEED

2002-90(b)

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

QUIT CLAIMS TO: **RICK and LINDA CATO**, husband and wife, of 890 W. Southern Avenue, Muskegon, MI 49441,

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

East 1/2 of Lot 15, Block 486, of the Revised Plat (of 1903) of the
City of Muskegon

for the sum of One Hundred and no/100 Dollars (\$100.00).

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

Dated this 13 day of August, 2002

Signed in the presence of:

Linda Potter
Linda Potter

Margaret M. Platt
Margaret M. Platt

STATE OF MICHIGAN
COUNTY OF MUSKEGON

CITY OF MUSKEGON
By [Signature]
Stephen J. Warmington, Mayor
and Gail A. Kunderger
Gail A. Kunderger, Clerk

The foregoing instrument was acknowledged before me this 19th day of August, 2002, by Stephen J. Warmington and Gail A. Kunderger, Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

Linda S. Potter
Linda S. Potter, Notary Public
Muskegon County, Michigan
My Comm. Expires: 7-25-02

PREPARED BY:

John C. Schrier

Parmenter O'Toole

175 W. Apple Ave., P. O. Box 786

Muskegon, MI 49443-0786

Telephone: 616/722-1621

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

Commission Meeting Date: August 13, 2002

Date: August 5, 2002
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *cbc*
RE: Sale of Non-buildable Lot at 635 Adams Avenue

SUMMARY OF REQUEST:

To approve the sale of a vacant non-buildable lot (Parcel #24-765-003-0019-00) at 635 Adams Avenue to Gwenelle Ferguson-Allen, 643 Adams Avenue, Muskegon, MI 49442. Approval of this sale will allow the adjacent property owner to expand her current yard (see attached map). As is required by City policy, the parcel was offered to both adjacent property owners. Since there was no response from the other owner, the subject parcel is being offered for \$100 to Ms. Ferguson-Allen.

FINANCIAL IMPACT:

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

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

RESOLUTION #2002-90(c)

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

WHEREAS, the City of Muskegon has received \$100 from Gwenelle Ferguson-Allen, 643 Adams Avenue, Muskegon, MI 49442 for the purchase of a vacant, City-owned lot located adjacent to her property at 635 Adams Avenue (parcel #24-765-003-0019-00);

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

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

WHEREAS, the sale of this property would be in accordance with property disposition goals and policies of the City;

NOW, THEREFORE BE IT RESOLVED, that THE CITY OF MUSKEGON REVISED PLAT OF 1903, SUB DIV OF BLK 3 LOT 19 BLK 3 ALSO N ½ VAC ADJ ALLEY be sold to Gwenelle Ferguson-Allen for \$100.

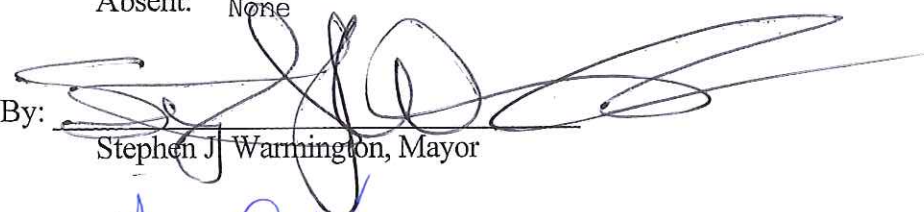
Resolution adopted this 13th day of August, 2002.

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

Nays: None

Absent: None

By:


Stephen J. Warmington, Mayor

Attest:


Gail A. Kunderinger, Clerk

CERTIFICATION

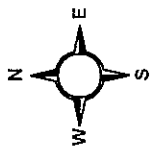
This resolution was adopted at a regular meeting of the City Commission, held on August 13, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

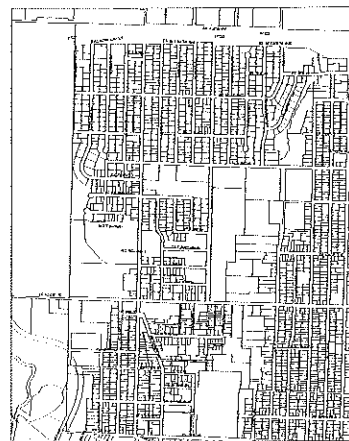
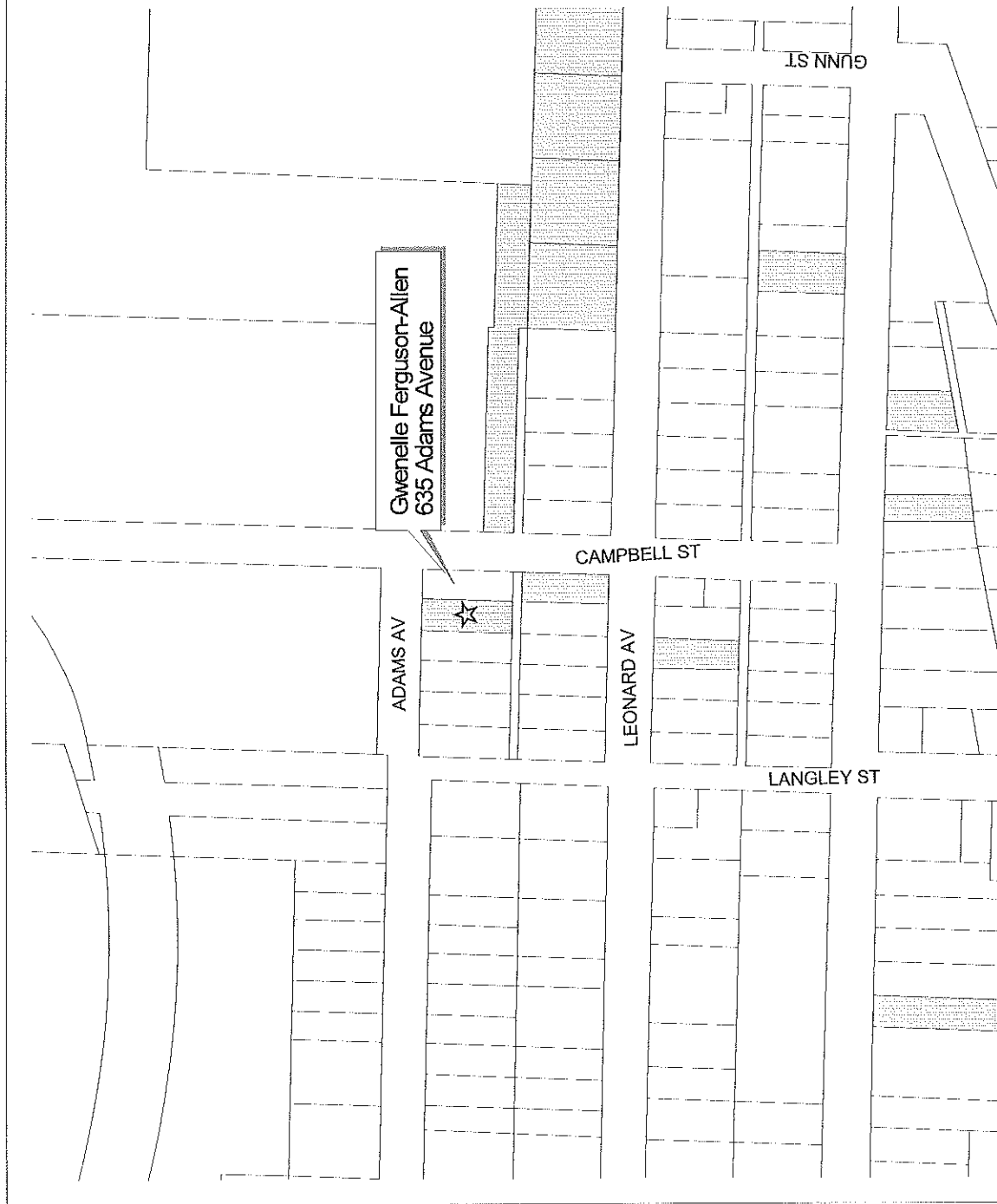
By


Gail A. Kunderger, Clerk

**Vacant Non-buildable City-Owned Lot
635 Adams Avenue**



☆ = Subject Property(ies)
to be sold



QUIT-CLAIM DEED

2002-90(c)

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

QUIT CLAIMS TO: **GWENELLE FERGUSON-ALLEN**, of 634 Adams Avenue, Muskegon, MI 49442,

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

Lot 19, Block 3, and also the North 1/2 of vacated adjacent alley,
of Subdivision of the Revised Plat (of 1903) of the City of Muskegon

for the sum of One Hundred and no/100 Dollars (\$100.00).

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

Dated this 13 day of August, 2002

Signed in the presence of:

Linda Potter
Linda Potter

Margaret M. Platt
Margaret M. Platt

STATE OF MICHIGAN
COUNTY OF MUSKEGON

CITY OF MUSKEGON

By

Stephen J. Warmington
Stephen J. Warmington, Mayor

and

Gail A. Kunderger
Gail A. Kunderger, Clerk

The foregoing instrument was acknowledged before me this 19th day of August, 2002, by Stephen J. Warmington and Gail A. Kunderger, Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY:

John C. Schrier

Parmenter O'Toole

175 W. Apple Ave., P. O. Box 786

Muskegon, MI 49443-0786

Telephone: 616/722-1621

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

Linda S. Potter
Linda S. Potter
Notary Public, Muskegon County, Michigan
My commission expires: 9-25-02

Commission Meeting Date: August 13, 2002

Date: August 6, 2002
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Sale of Non-buildable Lot at 2474 Miner Avenue

SUMMARY OF REQUEST:

To approve the sale of a vacant non-buildable lot (Parcel #24-205-693-0001-47) at 2274 Miner Avenue to Edward Dion, 2226 Clifford Street, Muskegon, MI 49441 Approval of this sale will allow the adjacent property owner to expand his current yard (see attached map). In order to avoid creating odd-shaped lots and as is required by City policy, the subject parcel is being offered for \$100 to Mr. Dion.

FINANCIAL IMPACT:

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

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

RESOLUTION #2002-90(f)

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

WHEREAS, the City of Muskegon has received \$100 from Edward Dion, 2226 Clifford Street, Muskegon, MI 49441 for the purchase of a vacant, City-owned lot located adjacent to his property at 2474 Miner Avenue (parcel #24-205-693-0001-47);

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

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

WHEREAS, the sale of this property would be in accordance with property disposition goals and policies of the City;

NOW, THEREFORE BE IT RESOLVED, that CITY OF MUSKEGON REVISED PLAT OF 1903 PART OF BLK 693 COM AT A PT 497 FT S OF S LINE OF LAKE ST AND 33 FT W OF E LINE OF BLK 693 TH 33 FT S 84 ½ FT W 33 FT N 84 1/2 FT TO BEG STREET # 26 be sold to Edward Dion for \$100.

Resolution adopted this 13th day of August, 2002.

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

Nays: None

Absent: None

By: _____


Stephen J. Warmington, Mayor

Attest: _____


Gail A. Kunding, Clerk

CERTIFICATION

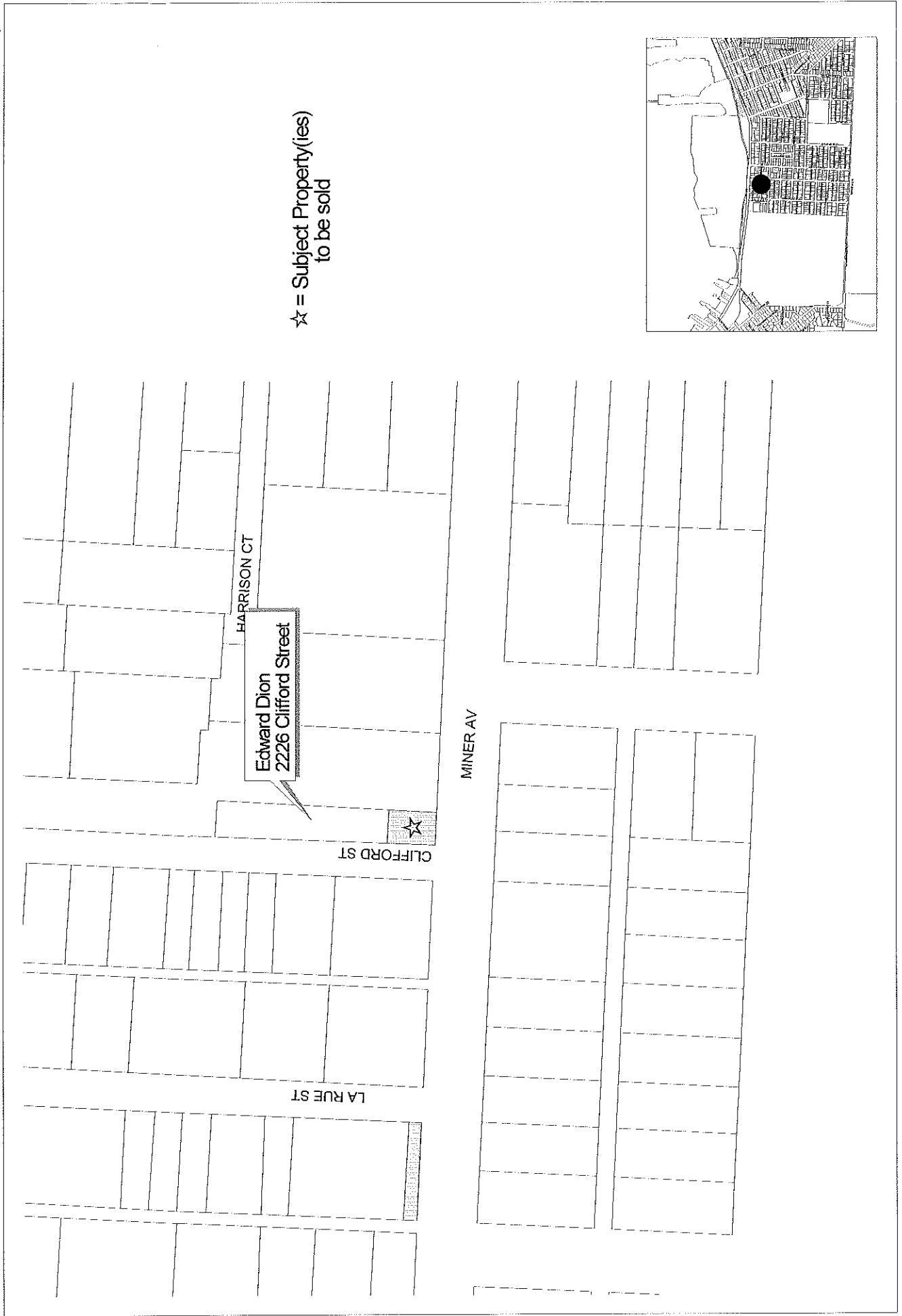
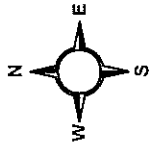
This resolution was adopted at a regular meeting of the City Commission, held on August 13, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By


Gail A. Kunderger, Clerk

Vacant Non-buildable City-Owned Lot 2474 Miner Avenue



QUIT-CLAIM DEED

2002-90(f)

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

QUIT CLAIMS TO: **EDWARD DION**, a single man, of 2226 Clifford Street, Muskegon, MI 49441,

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

CITY OF MUSKEGON REVISED PLAT OF 1903 PART OF
BLK 693 COM AT PT 497 FT S OF S LINE OF LAKE ST &
33 FT W OF E LINE OF BLK 693 TH E 33 FT S 84 1/2 FT W
33 FT N 84 1/2 FT TO BEG STREET #26

(a/k/a 2474 Miner Avenue)

for the sum of One Hundred and no/100 Dollars (\$100.00).

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

Dated this 13 day of August, 2002

Signed in the presence of:

Linda Potter
Linda Potter

Margaret M. Platt
Margaret M. Platt

CITY OF MUSKEGON

By

Stephen J. Warmington, Mayor

and

Gail A. Kunding, Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 19th day of August, 2002, by Stephen J. Warmington and Gail A. Kunding, Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY:

John C. Schrier

Parmenter O'Toole

175 W. Apple Ave., P. O. Box 786

Muskegon, MI 49443-0786

Telephone: 616/722-1621

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

Linda S. Potter
Linda S. Potter
Notary Public, Muskegon County, Michigan
My commission expires: 9-25-02

Commission Meeting Date: August 13, 2002

Date: July 30, 2002
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *CBL*
**RE: Request for Proposals for City-owned Vacant Land - Corner
Marquette Avenue and Getty Street**

SUMMARY OF REQUEST:

At the direction of the City Commission, City staff obtained a survey and appraisal for approximately 6 acres of vacant land on the corner of Marquette Avenue and Getty Street. Staff now requests to publish a Request for Proposals (RFP) for the possible sale and development of the parcel.

FINANCIAL IMPACT:

Sale and development of this property will lead to increased property taxes and relief of mowing and other maintenance costs.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Staff recommends approval.

COMMITTEE RECOMMENDATION:

LRC recommended publishing of an RFP at their May 28, 2002 meeting.

Resolution No. 2002-90(g)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING THE PUBLISHING OF A REQUEST FOR PROPOSALS FOR VACANT CITY-OWNED LAND AT THE CORNER OF MARQUETTE AVENUE AND GETTY STREET.

WHEREAS, the Land Reutilization Committee at its May 28, 2002 meeting recommended the publishing of a Request for Proposals for the sale and development of the property at the corner of Marquette Avenue and Getty Street;

WHEREAS, the sale and development would generate additional tax revenue for the City and relieve the City of further maintenance costs;

WHEREAS, the sale and development would be consistent with City policy regarding the disposition of large blocks of land;

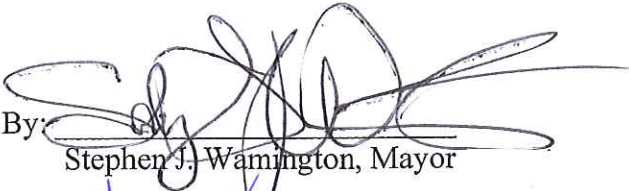
NOW THEREFORE BE IT RESOLVED, that a Request for Proposals be published for the sale and development of the large parcel of City-owned vacant land located at the corner of Marquette Avenue and Getty Street.

Adopted this 13th day of August, 2002

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

Nays: None

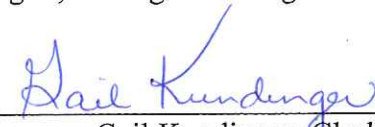
Absent None

By: 
Stephen J. Warmington, Mayor

Attest: 
Gail Kunding, 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 August 13, 2002.

By: 
Gail Kunding, Clerk

REQUEST FOR PROPOSALS

Development of City-Owned Property

The City of Muskegon is soliciting proposals to develop approximately 5.3 acres of city-owned property, which is located on the Northeast corner of Getty Street and Marquette Avenue. The parcel is "U" shaped, abuts Sanford Bayou, and has frontage on both Getty St. and Marquette Ave. It is currently zoned B-1, Limited Business, RM-1, Low Density Multi-Family Residential, and OSC, Open Space Conservation. Rezoning of all or part of the property is possible through the City Commission, depending on the nature of the proposal.

All interested parties are invited to submit development proposals to the City of Muskegon Planning & Economic Development Department. Proposals must include:

1. A generic site sketch showing the layout of the proposed development, including building footprints and lot dimensions. Plans should focus on residential development, which may include mixed uses (e.g., single-family and multi-family with small-scale business). The City Commission wants quality, creative design so development options are intentionally broad.
2. Any proposed roads, sidewalks, or other infrastructure necessary for completion of the project.
3. Source of funding to be used by the developer for completion of the project.
4. Timeline for project completion.
5. Sealed bid for purchase of the property. **Minimum bid is \$106,000**, which is based on a current appraisal of the property.

The City Commission reserves the right to reject any and all bids.

A survey of the property may be viewed at the City Planning Department, second floor, City Hall. Please submit your proposal no later than **September 20, 2002**. All inquiries and proposals, should be directed to:

Lonna Anguilm, Assistant Planner
Planning & Economic Development Department
933 Terrace Street
Muskegon, MI 49440

Phone: (231) 724-6702
Fax: (231) 724-6790
E-Mail: lonna.anguilm@postman.org

Commission Meeting Date: August 13, 2002

Date: August 2, 2002

To: Honorable Mayor & City Commission

From: Planning & Economic Development Department *CBC*

RE: IFT Contract Amendments

SUMMARY OF REQUEST: To approve the attached form for the "Contract for Tax Abatement", as amended.

FINANCIAL IMPACT: None, at this time.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the amended form for the "Contract for Tax Abatement".

COMMITTEE RECOMMENDATION: The Legislative Policy Committee recommends approval.

CITY OF MUSKEGON

CONTRACT FOR TAX ABATEMENT

Act 198 Public Acts of 1974

AGREEMENT between CITY OF MUSKEGON, a municipal corporation of 933 Terrace Street, Muskegon, Michigan 49441, ("City") and ("Company").

Recitals:

A. The Company has applied to City for the establishment of an industrial development district or industrial rehabilitation district pursuant to the provisions of Act 198 of the Public Acts of 1974, as amended, which act requires a contract between the City and the Company to be agreed and submitted with the Company's subsequent anticipated application for an industrial facilities exemption certificate.

B. That in addition to the statutory requirement, the City has determined that it is in the best interests of the taxpayers, property owners and residents of the City that this Agreement be approved and executed prior to the establishment of the requested district, and the City deems this Contract, together with the conditions set forth in the said Act to constitute a necessary element in the City's determination whether or not to create the district.

C. The Company intends to install the project set forth in its application ("project") which it believes qualifies for the process of establishing the district and the application for industrial facilities exemption certificate.

D. The City, provided this Agreement is executed, will determine whether to create the district based upon the potential for the production of permanent jobs, the continuation, **stabilization** or increase of economic activity, planning and zoning considerations and the City's general plan and intentions regarding economic development. In addition to the City policy considerations and predictions that the Company's proposed district and certificate benefit the community in those ways, the City has further determined that the contractual commitments made by the Company to thereby assist the community shall be binding on the Company and necessary to continue the tax exemption made possible by the certificate.

E. This contract shall become effective upon the issuance of an Industrial Facilities Tax Exemption Certificate.

NOW THEREFORE THE PARTIES AGREE:

1. **COMPANY AGREEMENT.** The Company irrevocably commits to the investment, job retention and job creation promises made in its application, a copy of which is attached hereto and incorporated herein. In particular the Company agrees:

- 1.1 That _____ percent of the promised new jobs shall be in place with full-time employees on or before _____, 20____, and _____ percent of the said jobs shall be in place with full time employees on or before _____, 20____. Finally, 100% of the jobs shall be filled and in existence with full-time employees by a date no later than two (2) years from the date of the granting of the certificate by the State Tax Commission, **subject to the provisions of section 3.4 of this agreement.**
- 1.2 That the amount of jobs listed on the application, whether new or retained, will be maintained through the life of the abatement, **subject to the provisions of section 3.4 of this agreement.**
- 1.3 The Company shall meet the affirmative action goal included in the application or in any documents supplied by the City and utilized by the Company, including any additional representations made to the City Commission on or before the date two (2) years after the granting of the certificate by the State Tax Commission. It shall maintain the said levels of employment diversity during the period of the certificate, **subject to the provisions of section 3.4 of this agreement.**
- 1.4 The Company, by the end of two (2) years from the date of the grant of the certificate by the State Tax Commission shall have completed the investment of \$_____ in the equipment and improvements as shown in the application, **subject to the provisions of section 3.4 of this agreement.**
- 1.5 That the improvements and equipment to receive the tax abatement treatment shall be completed on or before the date two (2) years from the date of granting of the certificate by the State Tax Commission.
- 1.6 The Company shall pay its specific taxes required by the act in a timely manner, and shall not delay payments so as to incur any penalties or interest.
- 1.7 The Company shall fully cooperate with the City representatives in supplying all requested and required documentation regarding jobs, investment, the meeting of all goals and the timely installation and utilization of equipment and improvements. The City shall be entitled to inspect at reasonable hours the Company's premises where the said improvements and equipment have been installed and where the said jobs are performed.
- 1.8 The Company shall maintain, during the entire period for which the tax abatement is granted, the level of jobs, affirmative action goals, production and utilization of the improvements and equipment at the site where the district has been created and for which the tax exemption has been granted.

- 1.9 The Company shall not cause or fail to cure the release of any hazardous substance, or the violation of any environmental law on its premises in the City. It shall report any releases to the appropriate governmental authority in a timely and complete manner, and provide copies of said report documentation to the City. It shall comply with all orders and actions of any governmental agency having authority.
- 1.10 The Company shall maintain the equipment and improvements so as to minimize physical or functional obsolescence.
- 1.11 The Company shall continue to operate its business location in the City, containing the same number of and type of jobs, for the term of the certificate.

2. **AGREEMENT BY THE CITY.** Provided this contract has been executed and further provided all applications to create the district and achieve the industrial facility exemption certificate have been properly filed, the City shall, in a timely manner, determine in a public meeting **whether to** create the district and **whether to** receive, process, and approve thereafter the Company's application for an industrial facilities exemption certificate. The City may consider this contract in a meeting separate from and prior to the meeting in which the City considers the creation of the district and/or approval of the application for certificate. Further, the City shall require the submission of this contract signed by the Company together with its applications, before creating the district.

3. **EVENTS OF DEFAULT.** The following actions or failures to comply shall be considered events of default by the Company:

- 3.1 Failure to meet any of the commitments set forth above.
- 3.2 The closing of the Company's facilities in the City. Closing shall mean for purpose of this Agreement, the removal, without transfer to another site within the City of substantially all of the production facilities, and the elimination of substantially all the jobs created or retained thereby, which are set forth in the Company's application.
- 3.3 Failure to afford to the City the documentation and reporting required.
- 3.4 The failure to create or retain jobs, meet affirmative action goals or expend the funds on equipment and improvements as represented in the application within the times required hereby, **unless the company can show that there has been a loss of revenue and employment due to circumstances beyond the control of the company. In order to make that showing the company shall have the burden of supplying, to the City's satisfaction, complete and**

convincing documentation supporting and justifying reductions in investment, failures to attain affirmative action goals or job losses. The company shall supply such information as is possible through written correspondence to the City of Muskegon. The company shall make available to the City any additional documentation that the City determines is needed to support this loss of business. The documentation shall be available at the company's premises. It will be the responsibility of the company to have such documentation prepared for the City's inspection upon the City's arrival at the company's premises.

3.5 The bankruptcy or insolvency of the Company.

3.6 The failure to pay any and all taxes and assessments levied on the Company's property or any other taxes, local, state or federal, including but not limited to City income taxes and the withholding of said City income taxes from employees as required by the City Income Tax Ordinance.

3.7 The performance or omission of any act which would lead to revocation under MCLA 207.565, being §15 of the Act.

3.8 The violation of any provisions, promises, commitments, considerations or covenants of this Agreement.

4. **WAIVER OF EVENTS OF DEFAULT.** An event of default, as provided under Section 3 of this Agreement, may be waived by the City of Muskegon as follows:

4.1 Upon review of national, regional and/or local economic conditions, the City of Muskegon may, in its discretion, elect to waive any and all events of default by companies that result from adverse national, regional or local economic conditions.

4.2 An individual company may petition the City of Muskegon for a waiver of one or more events of default for a period of years as may be requested by the company. The company shall have the burden of demonstrating that such waiver is justified based upon one or more of the following factors: national economic conditions, industry sector economic conditions, increased domestic or foreign competition, technological advances, equipment obsolescence or other reasons the City of Muskegon deems sufficient to support the petition. The company shall supply, or make available for inspection, such information and documentation as reasonably supports its petition. Such information and documentation may be provided to the City through written correspondence or onsite inspection at a company location. Such information as a company identifies as confidential or proprietary shall be treated as such by the City of Muskegon, as to the extent allowed by law.

5. **REMEDIES ON DEFAULT.** In the event of any of the above defaults the City shall have the following remedies which it may invoke without notice, except as may be reasonably required by the Company's rights to due process.

5.1 In the event of a **plant** closing as determined after investigation of the facts and a public hearing, the Company shall be immediately liable for penalties to be paid forthwith to the City as determined as follows:

5.1.1 The Company shall pay to the City for prorata distribution to the taxing units experiencing the abatement, an amount equal to the difference between the industrial facilities tax which it has paid, and the total property taxes to the relevant taxing units which it would have paid, given its installations of improvements and equipment, during the years for which the certificate was in effect.

5.1.2 Immediate Revocation. The Company hereby consents to revocation to the IFT certificate before the State Tax Commission, without hearing, and the City shall submit a copy of this Agreement to the State Tax Commission in connection with its revocation procedure, giving notice that the default has occurred and immediate revocation should occur.

5.2 In the event the improvements and equipment have not been installed before the two (2) year period, in addition to the revocation procedures before the State Tax Commission, the abatement should immediately be reduced by the City proportionately, and any installations which have not been finished at the end of said two (2) year period shall not be eligible for the abatement thereafter and shall be placed on the regular tax roll.

5.3 Failure to Expend the Funds Represented. In the event, (whether or not the installations have been completed), the Company has not expended the funds it has represented on its application that it would invest for the installation of equipment, the abatement shall be reduced prorata, and any remaining value of equipment shall be placed on the regular tax roll, **unless the company can show, through receipts, etc. that the cost of the equipment was actually less than the amount estimated by the company (i.e., the same equipment was purchased as listed in the IFT application, but the bids came in less than expected).**

5.4 Job Creation and Retention. In the event the promised number of jobs have not been created or retained at the end of the two (2) years after the grant of the certificate by the State Tax Commission, the abatement shall be proportionately reduced, **unless the company can show that the loss of jobs, or inability to hire as many people as expected, is due to circumstances beyond the control of the company (such as an economic downturn), subject to the provisions of section 3.4 of this agreement.**

5.5 Affirmative Action Goals. In the event, after one (1) year from the grant of the certificate by the State Tax Commission, the affirmative action goals of the City for additional jobs have not been met on a prorata basis **(as is consistent with Section 3.4)**, the abatement shall be revoked.

5.6 Other Violations For other violations of this Agreement or for actions or omissions by the Company amounting to grounds for revocation by statute, the City shall recommend to the State Tax Commission immediate revocation of the certificate.

5.7 Special Assessment. For any amount due to be paid to the City, under this Section 4, the Company consents that the City shall have a personal action against the Company for the said amount, and in addition, cumulatively, and not by election, the City shall have a special assessment lien on all the property of the Company personal and real, located in the City, for the collection of the amounts due as and in the manner of property taxes and in such case the collection of the said special assessment shall be accomplished by addition by the City to the Company's property tax statement regularly rendered.

6. Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Michigan applicable to contracts made and to be performed within the State of Michigan.

7. Counterparts. This Agreement may be executed in one or more counterparts. Notwithstanding such execution all such counterparts shall constitute one and the same Agreement.

8. Benefit. This Agreement shall be binding upon and inure to the benefit of the respective parties, their successors and personal representatives

9. Effective Date. This Agreement shall be effective on the date the State of Michigan Tax Commission grants the company at Industrial Facilities Exemption Certificate.

CITY OF MUSKEGON

By _____
Steve J. Warmington, Mayor

and _____
Gail A. Kunderinger, Clerk

By _____

Its _____

and _____

Its _____

Date: August 13, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
Marshal Street Tank Painting

SUMMARY OF REQUEST:

The contract to paint the Marshal Street Water Storage Tank be awarded to George Kountoupes Painting Company out of Lincoln Park, MI since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$158,100.00

FINANCIAL IMPACT:

The construction cost of \$158,100.00 plus associated engineering costs.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract to George Kountoupes Painting Company.

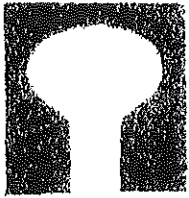
COMMITTEE RECOMMENDATION:

MUSKEGON BID TAB - DIVISION 0500

Contractor	Deflector Plate (1)	Roof Vent/ Ventilation Hatch (2)	Catch Basin (3)	Roof Railing (4)	Access Tube Extension (5)	Flap Valve (6)	Total (1 - 6)
Kountoupes Painting							
Lincoln Park, MI	\$400.00	\$4,800.00	\$1,200.00	\$18,000.00	\$9,500.00	\$1,500.00	\$35,400.00
L C United Painting							
Sterling Heights, MI	\$1,500.00	\$5,500.00	\$2,000.00	\$18,500.00	\$17,500.00	\$1,500.00	\$46,500.00

MUSKEGON BID TAB - DIVISION 09870

Contractor	Exterior Repaint (1)	Lettering Alt. (2)	Total (1 & 2)	Antennas & Cables	Total Both Divisions	Bid Bond
Kountoupes Painting Lincoln Park, MI	\$114,700.00	\$8,000.00	\$122,700.00	\$0.00	\$158,100.00	yes
L C United Painting Sterling Heights, MI	\$134,000.00	\$14,000.00	\$148,000.00	\$100.00	\$194,500.00	yes

**DIXON**ENGINEERING AND
INSPECTION SERVICES
FOR THE COATING INDUSTRY1104 Third Avenue
Lake Odessa, MI 48849
Telephone 1-616-374/3221
Fax 1-616-374/7116

August 6, 2002

City of Muskegon
933 Terrace Street
P.O. Box 536
Muskegon, MI 49443-0536

Attn: Mr. Mohammed S. Al-Shatel, P.E., City Engineer

Subject: Marshall Street Elevated Tank Repainting - Recommendation for Award

Dear Mohammed:

Dixon Engineering has reviewed the bids submitted for the Marshall Street elevated tank repainting project and recommends award to the low bidder, Kountoupes Painting Co., in the amount of \$158,100. This is well below our project estimate of \$190,000. Kountoupes Painting Co. is a prequalified contractor and in the past has successfully completed many similar projects for Dixon. They recently completed repainting of the Muskegon Heights elevated tank.

If you have any questions, please give me a call at (616) 374-3221, Ext. 303.

FOR DIXON ENGINEERING, INC.,

Ira M. Gabin, P.E.

cc: Kountoupes Painting

Members: Steel Structures Painting Council
American Water Works Association
Consulting Engineers Council

Date: August 13, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
Apple Avenue from Wood to Williams

SUMMARY OF REQUEST:

The contract for the replacement of Storm Sewer on Apple Avenue between Wood & Williams be awarded to Felco Contractors from Muskegon Michigan since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$60,614.62.

FINANCIAL IMPACT:

None

The construction cost of \$60,614.62 plus associated engineering cost which is estimated at an additional 8 1/2% will be reimbursed by the Michigan Department of Transportation.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract to Felco Contractors.

COMMITTEE RECOMMENDATION:

H-1562 APPLE AVE. STORM SEWER - WOOD TO WILLIAMS

BID TABULATON

July 26, 2002

CONTRACTOR				FELCO CONTRACTORS		JACKSON-MERKEY	
ADDRESS				874 PULASKI AVE.		555 E. WESTERN AVE	
CITY/ST				MUSKEGON, MI 49441		MUSKEGON, MI 49441	
	DESCRIPTON	UANTITY	UNIT	UNIT PRICE	TOTAL PRIC	UNIT PRICE	TOTAL PRICE
1	REMOVAL ITEMS	1	LUMP	\$5,075.00	\$5,075.00	\$6,885.00	\$6,885.00
2	TRAFFIC CONTROL	1	LUMP	\$16,444.62	\$16,444.62	\$12,635.00	\$12,635.00
3	DRAINAGE ITEMS	1	LUMP	\$22,285.00	\$22,285.00	\$27,425.00	\$27,425.00
4	PAVEMENT ITEMS	1	LUMP	\$16,810.00	\$16,810.00	\$20,840.00	\$20,840.00
	GRAND TOTAL				\$60,614.62		\$67,785.00

Date: August 13, 2002
To: Honorable Mayor and City Commissioners
From: Gail Kunding, City Clerk
RE: Amend City Commission Rules and Procedures

SUMMARY OF REQUEST: To change Section E (Citizen Participation) number 5 to add: Candidates or any person(s) working for a candidate shall not be allowed to use public participation time for campaigning.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval

CITY OF MUSKEGON

CITY COMMISSION

**RULES AND
PROCEDURES**

CONTENTS

RULES OF THE CITY COMMISSION

- A. Regular & Special Meetings
- B. Meeting Procedures
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GUIDELINES FOR CONDUCT

- A. Public Relations
- B. City Commission Relations with City Staff
- C. City Commission Relations with Appointed City Commissions and Committees and Commission Member Representation to other Agencies and Groups

RESOLUTION

A RESOLUTION OF THE CITY OF MUSKEGON ADOPTING RULES OF THE CITY COMMISSION FOR THE CONDUCT OF COMMISSION MEETINGS AND A CODE OF CONDUCT.

BE IT RESOLVED by the City Commission of the City of Muskegon that said Commission does hereby adopt certain rules of procedures and conduct as follows:

RULES OF THE CITY COMMISSION

A. REGULAR AND SPECIAL MEETINGS:

1. REGULAR MEETINGS

Regular meetings of the City Commission will be held on the second and fourth Tuesday of each month beginning at 5:30 p.m., local prevailing time, at the City Hall, 933 Terrace Street, Muskegon. Regular meetings may be rescheduled to other times by a vote of the Commission.

2. SPECIAL MEETINGS

A special meeting may be called by the Mayor or any of two (2) or more members of Commission and upon at least eighteen (18) hours notice to each member.

3. BUSINESS AT SPECIAL MEETINGS

No business shall be transacted at any special meeting of the Commission unless the same has been stated in the required notice of such meeting.

4. STUDY SESSION MEETINGS

The Study worksession meetings will be held on the Monday preceding the second Tuesday of each month at 5:15 p.m. in City Hall, 933 Terrace Street.

5. REGULAR AND SPECIAL MEETING NOTICE (POSTING) REQUIREMENTS.

- a) For regular meetings of the Commission, the Clerk shall post at the City Hall, within three (3) days after the first meeting of the Commission in each calendar year, a public notice stating the dates, times, and places of its regular meeting for the year.
- b) For a rescheduled regular or a special meeting, of the Commission, a public notice stating the date, time, place and reason of the meeting shall be posted in City Hall at least 18 hours before the meeting.
- c) However, such notice, as described in 5a and b above, is not required

for a meeting of the Commission in emergency session in the event of a widespread natural disaster or a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Commission determine that delay would be detrimental to the City's efforts in responding to the threat.

6. MAILING OF MEETING AGENDAS

Upon written request of an individual, organization, firm or corporation, and upon the requesting party's payments of an annual fee of not more than the reasonable estimated cost for printing and postage of such notices, the Clerk shall send to the requesting party by first class mail a copy of regular meeting agendas. Upon written request, the Clerk shall provide a copy of such notices of meetings to any newspaper published in the City of Muskegon and to any radio and television station located in Muskegon County free of charge.

7. MINUTES OF REGULAR AND SPECIAL MEETINGS

- a) A journal of the proceedings of each regular and special meeting will be kept in the English language by the Clerk and shall be signed by the City Clerk, upon approval of Commission.
- b) Unapproved minutes of regular or special meetings will be available for public inspection not more than eight business days after such meeting.
- c) Approved minutes will be available for public inspection not later than five business days after the meeting at which the minutes were approved.

B. MEETING PROCEDURES:

1. MEETINGS TO BE PUBLIC

All regular and special meetings of the City Commission shall be open to the public and citizens shall have a reasonable opportunity to be heard under such rules and regulations as the Commission may prescribe.

2. ORDER OF BUSINESS

An agenda for each Regular Commission meeting shall be prepared by the Mayor, City Manager or City Clerk in accordance with the following order of business:

- a. Call Meeting to Order/Welcome
- b. Prayer
- c. Pledge of Allegiance
- d. Roll Call
- e. Honors and Awards
- f. Consent Agenda
- g. Public Hearings

- h. Communications
- i. City Manager's Report
- j. Unfinished Business
- k. New Business
- l. Any Other Business
- m. Public Participation
- n. Adjournment

3. QUORUM

Four (4) members of the Commission in office at the time shall be a quorum for the transaction of business.

4. PRESIDING OFFICER

The presiding officer shall be responsible for enforcing the Rules of the City Commission, contained herein, as well as the Code of Conduct. The Mayor shall be the presiding officer of the Commission. In the absence of or disability of the Mayor, the Vice-Mayor shall be the presiding officer of the Commission. In the absence or disability of both, the Commission, may designate another of its members to serve as presiding officer during such absence or disability.

C. CLOSED MEETINGS:

1. PURPOSE

The City Commission may only meet in closed session for purposes defined in the Michigan Open meetings Act as follows:

- a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent, when the named person requests a closed hearing.
- b) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement or related issues when either negotiating party requests a closed hearing.
- c) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. This does not include the sale, lease or other conveyance of City property to others.
- d) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the Commission.
- e) To review the specific contents of an application for employment or appointment to a public office when the candidate requests that the

application remain confidential. All interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.

- f) To consider material exempt from discussion or disclosure by state or federal statute.

2. CALLING CLOSED SESSIONS:

A two-thirds roll call vote of the Commission members elected and serving shall be required, except under Sections (a) and (b) above. The roll call vote shall be taken at an open meeting and the purpose for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.

3. MINUTES OF CLOSED MEETINGS

A separate set of minutes shall be taken by the Clerk or the designated Secretary at the closed session. These minutes will be retained by the Clerk of the Commission, shall not be available to the public, and shall be disclosed if required by a civil action. These minutes shall be kept for a period of one year from the date of the closed meeting.

4. CONFIDENTIALITY OF CLOSED MEETING INFORMATION

A City Commission member shall not divulge to an unauthorized person confidential information discussed in an executive session in advance of the time prescribed for its authorized release to the public by the City Commission. Commission members shall honor the confidentiality of the debate, discussion, and preliminary action taken in executive session, and be aware of the potential financial liability and/or harm to the reputation of the City by premature disclosure.

D. VOTING AND DISCUSSION:

1. ROLL CALL

In all roll call votes, the names of the members of the Commission shall be called. A vote upon all ordinance enactments, rezoning issues, and liquor license requests shall be taken by a roll call vote and entered upon the records.

2. RESULTS OF VOTING

In all cases where a vote is taken, the Chair or Clerk shall declare the result.

3. DUTY TO VOTE

Whenever a question is put before the Chair, every member shall vote, provided however, that no member shall be required to vote if:

- a) That member shall have a conflict of interest and shall state his/her conflict of interest, or
- b) That member shall state that he/she has inadequate information upon which to base a reasonably informed vote and shall state the particulars of the information desired before a reasonable informed vote can be cast.

(Absence from a prior meeting shall not constitute the basis of the lack of information referred to above)

If a member is precluded from voting pursuant to a conflict of interest, that member shall refrain from participating in the discussion on the issue.

4. CONDUCT OF DISCUSSION

The maker of the motion shall speak first; the supporter of the motion shall speak second. During Commission discussion and debate, no member shall speak until recognized for the purpose by the Chair. After such recognition the member shall confine discussion to the question at hand. Personal comments about other individuals should be avoided. When addressing other members of the Commission they should be addressed by title and/or last name but not by first name. No member should request to speak a second time on a motion as long as another is requesting recognition to speak for a first time.

5. COMMISSION MEMBER REQUESTS FOR POSTPONEMENTS

Requests for postponements on agenda items from members of Commission requires approval by a majority of Commission present.

6. RULES OF PARLIAMENTARY PROCEDURE

The rules of parliamentary practice as contained in Robert's Rules of Order, most recent edition, shall govern the Commission in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Ordinances and Charter of the City of Muskegon.

7. RECONSIDERATION OF MOTIONS

When a question has been decided, it shall be in order for any Commission member who voted on the prevailing side of the question to move the reconsideration at the same meeting or at the next regularly scheduled meeting, provided no action has been taken as a result of the previous vote.

8. GENERAL CONSENSUS

General consent or consensus may be used to give direction and the minutes should indicate that a majority consented.

E. CITIZEN PARTICIPATION:

1. GENERAL

Each Commission meeting agenda shall provide for reserve time for audience participation, as requested.

2. LENGTH OF PRESENTATION - PUBLIC HEARINGS AND PUBLIC PARTICIPATION

Members of the public at the meeting shall not speak unless recognized by the chair. Members of the public shall be limited to speaking for a maximum of three (3) minutes during any public hearing or public comment. A person representing a group and speaking on behalf of the group shall be allowed ten (10) minutes to address Commission. They must first submit a written request form with the City Clerk *prior to start of the meeting they wish to speak at.*

3. PERSONS ADDRESSING THE COMMISSION

Prior to addressing Commission, members of the public shall step up to the microphone/podium and state their name and address and, if appropriate, group affiliation. The Commission may in its discretion limit public comments to new information or matters not fully addressed at any previous meeting regarding the agenda item at issue.

4. DEVIATION

Either in his/her discretion, or upon the request of a member of the Commission, the Mayor may recognize a member of the audience who shall be permitted to address the Commission at a time other than audience participation; however, all other rules as provided herein shall apply.

5. REQUESTS TO SPEAK DURING PUBLIC PARTICIPATION.

Any person who wishes to speak on a subject not on the printed agenda may speak at this time. All rules of conduct still apply.

Candidates or any person(s) working for a candidate shall not be allowed to use public participation time for campaigning.

6. REQUESTS TO SPEAK DURING REGULAR AGENDA ITEMS.

Any person who wishes to speak on an item included on the printed meeting agenda may do so. Speakers will be recognized by the Chair, at which time they will be required to step forward to the microphone/podium and state their name and address and will be allowed three (3) minutes maximum to address the Commission. A speaker representing a group will be allowed ten (10) minutes to address the Commission if they have completed a request form and turned it into the City Clerk by Noon on the day they wish to speak.

7. DISORDERLY CONDUCT AT MEETINGS.

Persons addressing the Commission shall make responsible comments and shall refrain from making personal, impertinent, slanderous or profane remarks. The Chairperson may call to order any person who is being disorderly by speaking when not recognized by the chair or otherwise disrupting the proceeding by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such persons shall thereupon be seated until the Chair shall have determined whether the person is in order. If a person so engaged in presentation shall be called out of order, he or she shall not be permitted to speak at the same meeting, except upon special leave by the Commission. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the Police Department to remove the person from the meeting.

F. AGENDA:

1. PREPARATION

The City Manager and City Clerk shall prepare an agenda for each regular or special meeting of the City Commission. The deadline for submitting items for Commission agenda is 4:00 p.m. on the Tuesday preceding the Tuesday of the Commission meeting to the City Clerk. Agenda items from Commission members should be submitted in writing by this same time to the City Manager. Requested items will appear on a meeting agenda within three meetings after request is made.

2. DISTRIBUTION

Agendas, ordinances and all related background material will be delivered to City Commission members at their residence the Thursday before the scheduled regular meeting, or at least 12 hours before a scheduled special meeting.

3. AGENDA MATERIAL

Department Heads and all others shall submit written requests for inclusion on the agenda to the City Clerk with all necessary supporting data. Written presentations shall be submitted by 4:00 p.m. on the Tuesday preceding the Tuesday Commission meeting for circulation with agendas. Agenda requests could be delayed to a later meeting if related information is not received by the City Clerk in a timely manner.

G. CONSENT AGENDA:

1. PURPOSE.

A consent agenda will be used to allow the City Commission to act on numerous administrative or non-controversial items at one time.

2. AGENDA ITEMS.

A consent agenda will be developed by the City Clerk and/or City Manager prior to the regular meeting. Items that could be included on this agenda include non-controversial items such as approval of minutes, payment of bills, approval of recognition resolutions, pay raises, etc. Any member of the Commission or the public may request that an item be removed from the consent agenda and placed on the regular agenda for discussion.

H. RECORDING OF COMMISSION MEETINGS:

1. MEETINGS MAY BE RECORDED

All regular or special meetings of the City Commission may be recorded through the use of audio/visual electronic devices. Such recordings will be under the control and supervision of the City Clerk.

2. RETENTION OF RECORDS

Any recordings from Commission meetings may be retained by the City Clerk for a period of two (2) years from the date of the meeting.

I. MISCELLANEOUS:

1. AMENDMENTS TO RULES

The rules of the City Commission may be altered or amended by a majority vote of two-thirds of the entire Commission.

2. SUSPENSION OF RULES

The rules of the City Commission may be suspended for good cause for a specified portion of a meeting by a two-thirds majority of the entire Commission.

3. CONTROLLING AUTHORITY

These rules shall control, unless preempted by City Charter, State laws or the Court.

4. REVIEW OF CONSULTANTS

City Commission shall make an annual internal evaluation of consultants at the time of review of the City budget to determine if the services being provided are satisfactory and if judged to be inappropriate, will move to proceed with establishing a more formal review process.

5. RESOLUTIONS OF RECOGNITION

Requests for resolutions will be made and acted on at the Community Relations Committee meeting. The Mayor will sign all resolutions approved by the majority. All Commissioners will sign resolutions voted on and approved unanimously. As Mayor, the Mayor can sign any other resolutions.

J. COMMITTEE ASSIGNMENTS

1. ASSIGNMENTS

The Mayor may assign Commission members to any committee as is deemed necessary, with approval of the City Commission.

2. RESPONSIBILITIES

Commission member's responsibilities as committee members will be generally limited to policy and not the administration of a department or appointed organization.

K. CITY MANAGER EVALUATION PROCESS

The City Manager will be evaluated by the members of the City Commission before July 1st each year. Forms and materials will be sent out by the City Clerk and all completed forms will be returned to the City Clerk for compiling. A report will be generated by the City Clerk with the results of the evaluations. A meeting with the City Manager and City Commissioners will be scheduled to review the evaluations.

CITY OF MUSKEGON

GUIDELINES OF CONDUCT

A. PUBLIC RELATIONS

1. Members of Commission should refrain from argument with a member of the public or staff at Commission meetings since these arguments seldom resolve concerns and many times inflame feelings at a public meeting. Any concerns by a member of Commission over the behavior or work of a City employee during a Commission meeting should be directed to the City Manager to ensure the concern is addressed.

B. CITY COMMISSION RELATIONS WITH CITY STAFF

1. There shall be mutual respect from both Staff and Commission members of their respective roles and responsibilities when and if expressing criticism in public session.
2. Requests for information or questions by the City Commission shall be directed to the City Manager *or the appropriate Department Head*. All non-routine requests should be submitted to the City Manager's office. All complaints shall be submitted to the City Manager.
3. All written informational material requested by individual Commission members shall be submitted to the City Manager who will transmit them to all Commission members with the notation indicating which Commission member requested the information.
4. Commission shall not attempt to correct or influence Staff in the selection of employees, recommendations for the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits.
5. Incoming mail clearly marked as personal shall not be opened when addressed to individual Commission members or staff unless requested. All other mail addressed to City offices for the Mayor or City Commission Members shall be opened by appropriate staff. The City Manager's office will advise City Commission members if they have received mail which must be acknowledged, in order that Commission may timely respond.
6. *A Commission member shall not direct Staff to initiate any action or prepare any report that is significant in nature or initiate any project or study without the approval of a majority of the City Commission. All such requests will be first directed to the City Manager.*

C. CITY COMMISSION RELATIONSHIP WITH APPOINTED CITY COMMISSIONS AND COMMITTEES, AND COMMISSION MEMBER REPRESENTATION TO OTHER AGENCIES AND GROUPS.

1. Members of the City Commission should not attempt to influence recommendations by City Commission appointed commissions or committees, or to influence or lobby individual appointed commission or committee members on any item under their consideration. It is important for appointed commissions and committees to be able to make objective recommendations to the City Commission on items before them. Members of City Commission that attempt to influence appointed commission positions on an item may prejudice or hinder their role in reviewing the appointed commission's or committee's recommendation as a member of the City Commission.
2. Individual City Commission members who are not members of an appointed commission or committee have the right to attend meetings but are cautioned about becoming involved in the meeting's discussion, except as a member of the public. City Commission members, however, may answer questions put to them or respond to information being provided. City Commissioners should not act so as to influence an appointed commission or committee by virtue of their holding the office of City Commissioner.
3. If a member of the City Commission represents the City before another governmental agency or organization, the City Commission member should first indicate the majority position as an opinion of the City Commission. Personal opinions and comments may be expressed only if the City Commission member clarifies that these statements do not represent the position of the City Commission.

Moved by Commissioner Shepherd, seconded by Commissioner Aslakson, to adopt the City Commission Rules and Procedures for the City of Muskegon.

Adopted this 25th day of May, 1999.

Fred J. Nielsen, Mayor

Gail A. Kunding, Clerk

City Commission #99-45d

Amended 8-14-01 (Manager Eval.)

Amended 8-13-02 (Section E, number 5)

Commission Meeting Date: August 13, 2002

Date: August 6, 2002
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department *CBC*
RE: Sale of Buildable Vacant Lot at 564 W. Muskegon Avenue

SUMMARY OF REQUEST:

To approve the sale of a vacant buildable lot at 564 W. Muskegon Avenue (designated as parcel number 24-205-339-0007-00) described as LOT 7 BLOCK 339, CITY OF MUSKEGON to Neighborhood Investment Corporation (NIC), of 161 Muskegon Mall, Muskegon, MI. The lot is 66 x 132 ft. and is being offered to NIC for \$4,000. They plan to use the land for the construction of a 1,300 - 1,500 sq. ft. single-family home. The home will contain 3 bedrooms, a full basement, and an attached 2-stall garage. The appraised value of the lot is \$4,000 and the NIC submitted the only bid of \$4,000.

FINANCIAL IMPACT:

The sale of this lot for construction of a new home will generate additional tax revenue for the City and will place the property back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

Resolution No. 2002-91(d)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING THE SALE OF A BUILDABLE LOT AT 564 W. MUSKEGON AVENUE IN NELSON NEIGHBORHOOD FOR \$4,000.

WHEREAS, Neighborhood Investment Corporation has placed a \$400 deposit for the parcel designated as parcel numbers 24-205-339-0007-00, located at 564 W. Muskegon Avenue;

WHEREAS, Neighborhood Investment Corporation has submitted the only bid of \$4,000 for the parcel designated as parcel numbers 24-205-339-0007-00, located at 564 W. Muskegon Avenue;

WHEREAS, the sale would generate additional tax revenue for the City and relieve the City of further maintenance costs;

WHEREAS, the sale is consistent with City policy regarding the disposition of buildable lots;

NOW THEREFORE BE IT RESOLVED, that parcel number 24-205-339-0007-00, located at 564 W. Muskegon Avenue be sold to the above-mentioned buyer.

CITY OF MUSKEGON REVISED PLAT 1903, LOT 7 BLK 339;

Adopted this 13 day of August, 2002

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

Nays: None

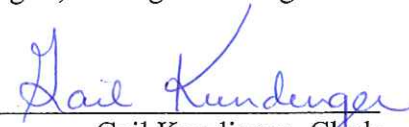
Absent None

By: 
Stephen J. Warmington, Mayor

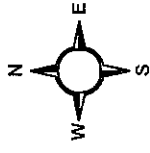
Attest: 
Gail Kunderinger, Clerk

CERTIFICATION

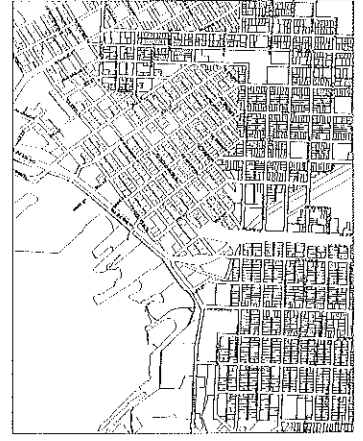
I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 13, 2002.

By: 
Gail Kunderinger, Clerk

**Vacant Buildable City-Owned Lot
564 W. Muskegon Avenue**



☆ = Subject Property(ies)
to be sold



QUIT-CLAIM DEED

2002-91(d)

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49442,

QUIT CLAIMS to **NEIGHBORHOOD INVESTMENT CORPORATION**, a _____, of 161 Muskegon Mall, Suite 302, P.O. Box 1693, Muskegon, MI 49440,

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

Lot 7, Block 339, of the Revised Plat (of 1903) of the City of Muskegon

(a/k/a 564 W. Muskegon Avenue)

for the sum of Four Thousand and no/100 Dollars (\$4,000.00).

PROVIDED, HOWEVER, Grantee, or its assigns, shall commence construction of one (1) single family home on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns. In addition, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. Buyer shall remove only those trees necessary for construction of the home and driveway. "Complete construction" means: (1) issuance of a residential building permit by the City of Muskegon; and, (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwelling described in the said building permit. In the event of reversion of title of the above-described premises, improvements made thereon shall become the property of Grantor. Provided, further, that Grantee covenants that the parcel described above shall be improved with not more than one (1) single family home, and it shall be owner-occupied for five (5) years after the date of this deed. These covenants and conditions shall run with the land.

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

Dated this 13th day of August, 2002.

Signed in the presence of:

Linda Potter
Linda Potter

Margaret M. Platt
Margaret M. Platt

CITY OF MUSKEGON

By [Signature]
Stephen J. Warmington, Its Mayor

and Gail A. Kunderger
Gail A. Kunderger, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 19th day of August, 2002, by STEPHEN J. WARMINGTON and GAIL A. KUNDINGER, Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

Linda S. Potter
Linda S. Potter
Notary Public, Muskegon County, MI
My Comm. Expires: 9-25-02

PREPARED BY: John C. Schrier
Parmenter O'Toole
175 W. Apple Avenue/P.O. Box 786
Muskegon, MI 49443-0786
Telephone: 231/722-1621

WHEN RECORDED RETURN TO: Grantees

SEND SUBSEQUENT TAX BILLS TO: Grantees

REAL ESTATE PURCHASE AGREEMENT

THIS AGREEMENT is made _____, 2002, by and between the CITY OF MUSKEGON, a municipal corporation, with offices at 933 Terrace, Muskegon, Michigan 49442 ("Seller"), and NEIGHBORHOOD INVESTMENT CORPORATION, a _____, of 161 Muskegon Mall, Suite 302, P.O. Box 1693, Muskegon, Michigan 49440 ("Buyer").

1. **General Agreement and Description of Premises.** Seller agrees to sell, and Buyer agrees to buy, marketable record title of real estate, and all improvements thereon, with all beneficial easements, and with all of Seller's right, title and interest in all adjoining public ways, the real property located in the City of Muskegon, Muskegon County, Michigan ("Premises"), and specifically described as:

Lot 7, Block 339, of the Revised Plat (of 1903)
of the City of Muskegon
(a/k/a 564 W. Muskegon Avenue)

Subject to the reservations, restrictions and easements of record, provided said reservations, restrictions and easements of record are acceptable to Buyer upon disclosure and review of the same, and subject to any governmental inspections required by law.

2. **Purchase Price and Manner of Payment.** The purchase price for the Premises shall be Four Thousand and no/100 Dollars (\$4,000.00).

3. **Taxes and Assessments.** All taxes and assessments that are due and payable at the time of Closing shall be paid by Seller prior to or at Closing. All taxes and special assessments that become due and payable after Closing shall be the responsibility of Buyer.

4. **Title Insurance.** Seller agrees to deliver to Buyer's attorney, ten (10) days prior to closing, a commitment for title insurance, issued by Transnation Title Insurance Company, for an amount not less than the purchase price stated in this Agreement, guaranteeing title on the conditions required herein. In the event the reservations, restrictions or easements of record disclosed by said title commitment is, in the sole discretion of Buyer, deemed unreasonable, Seller shall have forty-five (45) days from the date Seller is notified in writing of such unreasonableness of restriction and such unmarketability of title, to remedy such objections. If Seller resolves such restrictions and remedies the title (by obtaining satisfactory title insurance or otherwise) within the time specified, Buyer agrees to complete this sale as herein provided, within ten (10) days of written notification thereof. If Seller fails to resolve such restrictions or remedy the title within the time above specified or fails to obtain satisfactory title insurance, this Agreement will be terminated at Buyer's option. The premium for the owner's title policy shall be paid by Seller.

5. **Covenant to Construct Improvements and Use.** Buyer acknowledges that, as part of the consideration inuring to the City, Buyer covenants and agrees to construct on the

premises a single-family home, up to all codes, within eighteen (18) months of the closing of this transaction. Buyer may only remove those trees necessary for construction of the home and driveway. The home shall be substantially completed within eighteen (18) months and, in the event said substantial completion has not occurred, or the restriction of this paragraph relating to tree removal is violated, in the sole judgment of the City, the property and all improvements then installed shall revert in title to the City, without any compensation or credit to Buyer. Buyer further covenants that the home shall be owner occupied for five (5) years after the closing. The covenants in this paragraph shall survive the closing and run with the land.

6. **Survey.** Buyer at its own expense may obtain a survey of the Premises, and Buyer or its surveyor or other agents may enter the Premises for that purpose prior to Closing. If no survey is obtained, Buyer agrees that Buyer is relying solely upon Buyer's own judgment as to the location, boundaries and area of the Premises and improvements thereon without regard to any representations that may have been made by Seller or any other person. In the event that a survey by a registered land surveyor made prior to closing discloses an encroachment or substantial variation from the presumed land boundaries or area, Seller shall have the option of effecting a remedy within thirty (30) days after disclosure, or tendering Buyer's deposit in full termination of this Purchase Agreement, and paying the cost of such survey. Buyer may elect to purchase the Premises subject to said encroachment or variation.

7. **Condition of Premises and Examination by Buyer.** NO IMPLIED WARRANTIES OF HABITABILITY, QUALITY, CONDITION, FITNESS FOR A PARTICULAR PURPOSE, OR ANY OTHER IMPLIED WARRANTIES SHALL OPERATE BETWEEN SELLER AND BUYER, AND BUYER EXPRESSLY WAIVES ANY AND ALL SUCH IMPLIED WARRANTIES. BUYER UNDERSTANDS AND AGREES THAT THE PREMISES ARE TAKEN "AS IS," SUBJECT TO THE EXPRESS COVENANTS, CONDITIONS AND/OR EXPRESS WARRANTIES CONTAINED IN THIS PURCHASE AGREEMENT. BUYER FURTHER SAYS THAT HE HAS PERSONALLY INSPECTED THE PREMISES AND IS SATISFIED WITH THE CONDITION OF THE LAND, AND THE BUILDINGS AND IMPROVEMENTS THEREON, AND THAT THE PROPERTY IS BEING PURCHASED AS A RESULT OF SUCH INSPECTION AND INVESTIGATION AND NOT DUE TO ANY REPRESENTATIONS MADE BY OR ON BEHALF OF SELLER. BUYER ACKNOWLEDGES THAT SELLER KNOWS OF NO HAZARDOUS SUBSTANCES OR CONTAMINATION ON THE PROPERTY, AND BUYER WAIVES ANY CLAIM AGAINST SELLER BASED ON THE PRESENCE OF SAME.

8. **Real Estate Commission.** Buyer and Seller both acknowledge and agree that neither has dealt with any real estate agents, brokers or salespersons regarding this sale, and that no agent, broker, salesperson or other party is entitled to a real estate commission upon the closing of this sale. Buyer and Seller both agree to indemnify and hold the other harmless from any liability, including reasonable attorney fees, occasioned by reason of any person or entity asserting a claim for a real estate commission arising from actions taken by the other party.

9. **Closing.** The closing date of this sale shall be on or before _____, 2002 ("Closing"). The Closing shall be conducted at Transnation Title Insurance Company,

570 Seminole Road, Ste. 102, Muskegon, MI 49444. If necessary, the parties shall execute an IRS closing report at the Closing.

10. **Delivery of Deed.** Seller shall execute and deliver a quit claim deed to Buyer at Closing for the Premises.

11. **Affidavit of Title.** At the Closing, Seller shall deliver to Buyer an executed Affidavit of Title.

12. **Date of Possession.** Possession of Premises is to be delivered to Buyer by Seller on the date of Closing.

13. **Costs.** Seller shall be responsible to pay the Michigan transfer tax, if any, in the amount required by law. In addition, Seller shall be responsible to pay for the recording of any instrument that must be recorded to clear title to the Premises, to the extent required by this Agreement.

Buyer shall pay for the cost of recording the deed to be delivered at Closing.

14. **General Provisions.**

a. **Paragraph Headings.** The paragraph headings are inserted in this Agreement only for convenience.

b. **Pronouns.** When applicable, pronouns and relative words shall be read as plural, feminine or neuter.

c. **Merger.** It is understood and agreed that all understandings and agreements previously made between Buyer and Seller are merged into this Agreement, which alone fully and completely expresses the agreement of the parties.

d. **Governing Law.** This Agreement shall be interpreted and enforced pursuant to the laws of the State of Michigan.

e. **Successors.** All terms and conditions of this Agreement shall be binding upon the parties, their successors and assigns.

f. **Severability.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision(s) had never been contained herein.

g. **Survival of Representations and Warranties.** The representations, warranties, covenants and agreements contained in this Agreement and in any instrument provided for herein shall survive the Closing and continue in full force and effect after the consummation of this purchase and sale.

h. **Modification of the Agreement.** This Agreement shall not be amended except by a writing signed by Seller and Buyer.

The parties have executed this Real Estate Purchase Agreement the day and year first above written.

WITNESSES:

Linda Potter
Linda Potter

Margaret M. Platt
Margaret M. Platt

SELLER: CITY OF MUSKEGON

By [Signature]
Stephen J. Warmington, Mayor

Gail A. Kunding
Gail A. Kunding, Clerk

BUYER: NEIGHBORHOOD INVESTMENT
CORPORATION, a non profit

corporation

[Signature]

By [Signature]
It is Artie W. Clingman Scott
Its Executive Director
EIN# 39307 4993



Transnation

570 SEMINOLE ROAD
SUITE 102
MUSKEGON, MI 49444

No 200970
200970
9-9720

TRANSACTION TITLE INSURANCE COMPANY

FILE NO. ESCROW ACCOUNT DATE

08/28/02

THREE THOUSAND ONE HUNDRED SIXTY AND 00/100 DOLLARS 3160.00

PAY



TO
THE
ORDER
OF

City of Muskegon.

VOID AFTER 90 DAYS
COMERICA BANK
MUSKEGON, MI 49441
720-11758

BY *[Signature]* AUTHORIZED SIGNATURE
BY _____ AUTHORIZED SIGNATURE

20443/20453

⑈200970⑈ ⑆072000096⑆ 1840353146⑈

Bank 5344

Order No 421222
421222

Closed by MP1

DESCRIPTION

Check 200970

Property 601 W Webster

AMOUNT

Buyer Neighborhood Investment Corporati Seller City of Muskegon

08/28/02 Net proceeds to seller(s)

3160.00

\$3160.00

TRANSACTION TITLE INSURANCE CO
570 SEMINOLE ROAD, SUITE 102
MUSKEGON MI 49444

Date: August 28, 2002
Escrow Number: 421223

Property Address: 564 W. Western Avenue
Muskegon, Michigan 49441

SELLER'S STATEMENT			
		DEBIT	CREDIT
Purchase Price	\$		\$ 4,000.00
EXISTING LOAN			
Deposit of earnest money		400.00	
CLOSING FEES		250.00	
OWNERS PREMIUM		190.00	
Real Estate Commission			
Sub Total	\$	840.00	\$ 4,000.00
Amount due Seller	\$	3,160.00	
TOTALS	\$	4,000.00	\$ 4,000.00

The undersigned Sellers acknowledge Receipt of a copy of this statement and agree to the correctness thereof, and ratifies the disbursement of the funds as stated therein.

Seller(s) Signature(s):

City of Muskegon,

BY _____
Lonna Anguilm, Assistant Planner

AFFIDAVIT OF TITLE

STATE OF MICHIGAN
COUNTY OF Muskegon

} SS

Title Commitment # 421223

That City of Muskegon, a Municipal Corporation being first duly sworn on oath says that they are the true and lawful owner(s) of the premises located at:

564 W. Western Avenue
Muskegon, Michigan 49441

AND

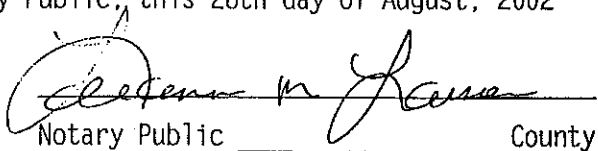
1. That on this date hereof there is no mechanic's lien on the property and that no work has been done, or materials furnished, out of which a mechanic's lien could ripen.
2. That no agreement is in effect which would adversely affect the title to the property such as a purchase agreement, lease, land contract, option, etc. other than the contract with the grantees in a certain deed of even date hereof.
3. That the parties in possession other than the affiant(s) are bona fide tenants only and have no other interest in the premises whatsoever.
4. That there are no judgments or liens against affiant(s), including income tax liens, adversely affecting the title to said property.
5. That there are no unpaid taxes, special assessments or water bills outstanding other than those shown on the closing statement.
6. That any overlooked, unknown, or misquoted taxes, special assessments, water bills, mortgage deficiencies, etc. shall be immediately paid by affiant(s) as soon as informed of such.

Seller(s):

City of Muskegon,

BY 
Lonna Anguilm, Assistant Planner

Subscribed and sworn to, before me a Notary Public, this 28th day of August, 2002


Notary Public _____ County _____

My Commission Expires: _____

LEEANN M. LARSON
Notary Public, Muskegon County, Michigan
My Commission Expires 11-10-2004

SURVEY WAIVER

Date: August 28, 2002

RE: 421223

To:

Property Address:

564 W. Western Avenue

Muskegon, Michigan 49441

County: Muskegon

We, the undersigned, purchasers and sellers, of the above captioned property, acknowledge we have been strongly advised by you to obtain a land survey showing the dimensions of the property and the location of all buildings situated thereon.

We have decided, completely of our own volition, not to obtain a survey and wish to complete the transaction without the recommended survey.

We hereby release and, its employees and/or agents, from any responsibility and/or liability concerning or pertaining to survey matters, including, but not limited to size of lot or land, location of boundary line, location of building and encroachments.

PURCHASER(S):

Neighborhood Investment Corporation,

SELLER(S):

City of Muskegon,

BY

BY

Lorna Anguilm. Assistant Planner

Commission Meeting Date: August 13, 2002

Date: August 6, 2002
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department *CBC*
RE: Sale of Buildable Vacant Lot at 601 W. Webster Avenue

SUMMARY OF REQUEST:

To approve the sale of a vacant buildable lot at W. Webster Avenue (designated as parcel number 24-205-339-0006-00) described as LOT 6 BLOCK 339, CITY OF MUSKEGON to Neighborhood Investment Corporation (NIC), of 161 Muskegon Mall, Muskegon, MI. The lot is 66 x 132 ft. and is being offered to NIC for \$4,000. They plan to use the land for the construction of a 1,300 – 1,500 sq. ft. single-family home. The home will contain 3 bedrooms, a full basement, and a 2-stall attached garage. The appraised value of the lot is \$4,000 and the NIC submitted the only bid of \$4,000.

FINANCIAL IMPACT:

The sale of this lot for construction of a new home will generate additional tax revenue for the City and will place the property back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

Resolution No. 2002-91(e)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING THE SALE OF A BUILDABLE LOT AT 601 W. WEBSTER AVENUE IN NELSON NEIGHBORHOOD FOR \$4,000.

WHEREAS, Neighborhood Investment Corporation has placed a \$400 deposit for the parcel designated as parcel numbers 24-205-339-0006-00, located at 610 W. Webster Avenue;

WHEREAS, Neighborhood Investment Corporation has submitted the only bid of \$4,000 for the parcel designated as parcel numbers 24-205-339-0006-00, located at 601 W. Webster Avenue;

WHEREAS, the sale would generate additional tax revenue for the City and relieve the City of further maintenance costs;

WHEREAS, the sale is consistent with City policy regarding the disposition of buildable lots;

NOW THEREFORE BE IT RESOLVED, that parcel number 24-205-339-0006-00, located at 601 W. Webster Avenue be sold to the above-mentioned buyer.

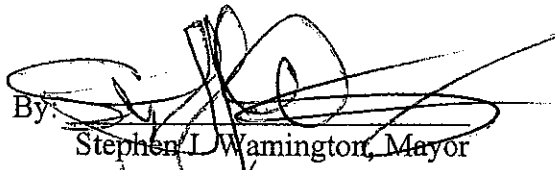
CITY OF MUSKEGON REVISED PLAT 1903, LOT 6 BLK 339;

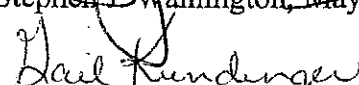
Adopted this 13th day of August, 2002

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

Nays: None

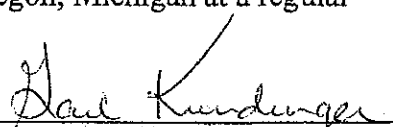
Absent None

By: 
Stephen L. Warmington, Mayor

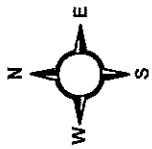
Attest: 
Gail Kunderinger, Clerk

CERTIFICATION

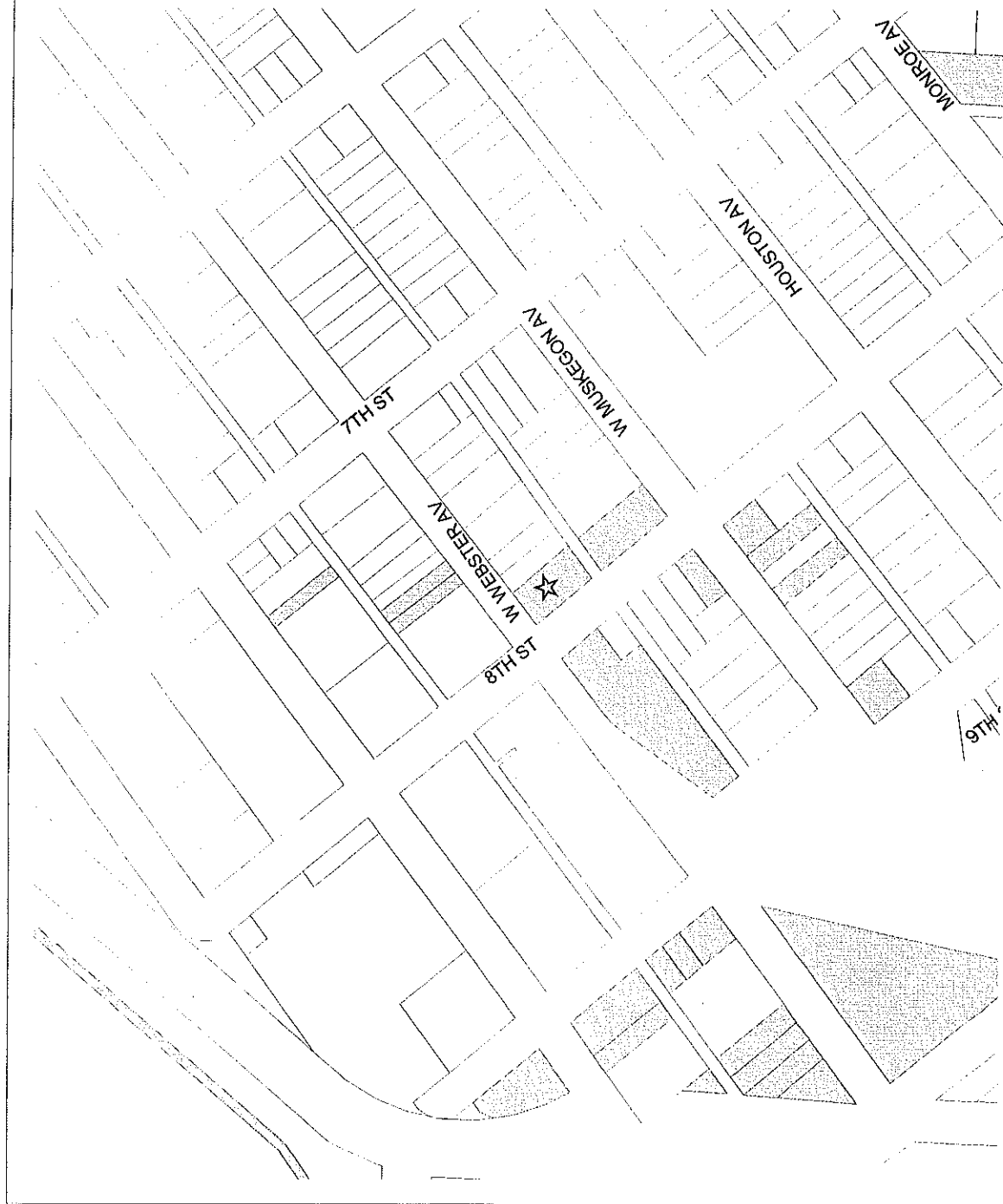
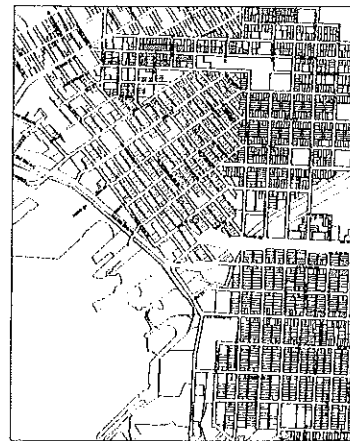
I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 13, 2002.

By: 
Gail Kunderinger, Clerk

**Vacant Buildable City-Owned Lot
601 W. Webster Avenue**



☆ = Subject Property(ies)
to be sold



QUIT-CLAIM DEED

2002-91(e)

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49442,

QUIT CLAIMS to **NEIGHBORHOOD INVESTMENT CORPORATION**, a _____, of 161 Muskegon Mall, Suite 302, P.O. Box 1693, Muskegon, MI 49440,

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

Lot 6, Block 339, of the Revised Plat (of 1903) of the City of Muskegon

(a/k/a 601 W. Webster Avenue)

for the sum of Four Thousand and no/100 Dollars (\$4,000.00).

PROVIDED, HOWEVER, Grantee, or its assigns, shall commence construction of one (1) single family home on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns. In addition, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. Buyer shall remove only those trees necessary for construction of the home and driveway. "Complete construction" means: (1) issuance of a residential building permit by the City of Muskegon; and, (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwelling described in the said building permit. In the event of reversion of title of the above-described premises, improvements made thereon shall become the property of Grantor. Provided, further, that Grantee covenants that the parcel described above shall be improved with not more than one (1) single family home, and it shall be owner-occupied for five (5) years after the date of this deed. These covenants and conditions shall run with the land.

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

Dated this 13th day of August, 2002.

Signed in the presence of:

Linda Potter
Linda Potter

Margaret M. Platt
Margaret M. Platt

CITY OF MUSKEGON

By [Signature]
Stephen J. Warrington, Its Mayor

and Gail A. Kunderger
Gail A. Kunderger, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 19th day of August, 2002, by STEPHEN J. WARMINGTON and GAIL A. KUNDINGER, Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

Linda S. Potter
Linda S. Potter

Notary Public, Muskegon County, MI

My Comm. Expires: 9-25-02

PREPARED BY: John C. Schrier
Parmenter O'Toole
175 W. Apple Avenue/P.O. Box 786
Muskegon, MI 49443-0786
Telephone: 231/722-1621

WHEN RECORDED RETURN TO: Grantees

SEND SUBSEQUENT TAX BILLS TO: Grantees



Transnation

570 SEMINOLE ROAD
SUITE 102
MUSKEGON, MI 49444

No 200973 **200973**

421223 MP1
TRANSACTION TITLE INSURANCE COMPANY

08/28/02

9-9/720

FILE NO.

ESCROW ACCOUNT

DATE

PAY

THREE THOUSAND ONE HUNDRED SIXTY AND 00/100 DOLLARS

3160.00



TO
THE
ORDER
OF

City of Muskegon.

VOID AFTER 90 DAYS
COMERICA BANK
MUSKEGON, MI 49441
720-11758

BY *[Signature]* AUTHORIZED SIGNATURE

20443/20453

AUTHORIZED SIGNATURE

⑈ 200973⑈ ⑆072000096⑆ 1840353146⑈

Bank 5344

Order No 421223 Closed by MP1
421223

Check 200973
DESCRIPTION Property 564 W Webster

AMOUNT

Buyer Neighborhood Investment Corp

Seller City of Muskegon

08/28/02 Net proceeds to seller(s)

3160.00

\$3160.00

REAL ESTATE PURCHASE AGREEMENT

THIS AGREEMENT is made _____, 2002, by and between the **CITY OF MUSKEGON**, a municipal corporation, with offices at 933 Terrace, Muskegon, Michigan 49442 ("Seller"), and **NEIGHBORHOOD INVESTMENT CORPORATION**, a _____, of 161 Muskegon Mall, Suite 302, P.O. Box 1693, Muskegon, Michigan 49440 ("Buyer").

1. **General Agreement and Description of Premises.** Seller agrees to sell, and Buyer agrees to buy, marketable record title of real estate, and all improvements thereon, with all beneficial easements, and with all of Seller's right, title and interest in all adjoining public ways, the real property located in the City of Muskegon, Muskegon County, Michigan ("Premises"), and specifically described as:

Lot 6, Block 339, of the Revised Plat (of 1903)
of the City of Muskegon
(a/k/a 601 W. Webster Avenue)

Subject to the reservations, restrictions and easements of record, provided said reservations, restrictions and easements of record are acceptable to Buyer upon disclosure and review of the same, and subject to any governmental inspections required by law.

2. **Purchase Price and Manner of Payment.** The purchase price for the Premises shall be Four Thousand and no/100 Dollars (\$4,000.00).

3. **Taxes and Assessments.** All taxes and assessments that are due and payable at the time of Closing shall be paid by Seller prior to or at Closing. All taxes and special assessments that become due and payable after Closing shall be the responsibility of Buyer.

4. **Title Insurance.** Seller agrees to deliver to Buyer's attorney, ten (10) days prior to closing, a commitment for title insurance, issued by Transnation Title Insurance Company, for an amount not less than the purchase price stated in this Agreement, guaranteeing title on the conditions required herein. In the event the reservations, restrictions or easements of record disclosed by said title commitment is, in the sole discretion of Buyer, deemed unreasonable, Seller shall have forty-five (45) days from the date Seller is notified in writing of such unreasonableness of restriction and such unmarketability of title, to remedy such objections. If Seller resolves such restrictions and remedies the title (by obtaining satisfactory title insurance or otherwise) within the time specified, Buyer agrees to complete this sale as herein provided, within ten (10) days of written notification thereof. If Seller fails to resolve such restrictions or remedy the title within the time above specified or fails to obtain satisfactory title insurance, this Agreement will be terminated at Buyer's option. The premium for the owner's title policy shall be paid by Seller.

5. **Covenant to Construct Improvements and Use.** Buyer acknowledges that, as part of the consideration inuring to the City, Buyer covenants and agrees to construct on the

premises a single-family home, up to all codes, within eighteen (18) months of the closing of this transaction. Buyer may only remove those trees necessary for construction of the home and driveway. The home shall be substantially completed within eighteen (18) months and, in the event said substantial completion has not occurred, or the restriction of this paragraph relating to tree removal is violated, in the sole judgment of the City, the property and all improvements then installed shall revert in title to the City, without any compensation or credit to Buyer. Buyer further covenants that the home shall be owner occupied for five (5) years after the closing. The covenants in this paragraph shall survive the closing and run with the land.

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8. **Real Estate Commission.** Buyer and Seller both acknowledge and agree that neither has dealt with any real estate agents, brokers or salespersons regarding this sale, and that no agent, broker, salesperson or other party is entitled to a real estate commission upon the closing of this sale. Buyer and Seller both agree to indemnify and hold the other harmless from any liability, including reasonable attorney fees, occasioned by reason of any person or entity asserting a claim for a real estate commission arising from actions taken by the other party.

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570 Seminole Road, Ste. 102, Muskegon, MI 49444. If necessary, the parties shall execute an IRS closing report at the Closing.

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Buyer shall pay for the cost of recording the deed to be delivered at Closing.

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c. **Merger.** It is understood and agreed that all understandings and agreements previously made between Buyer and Seller are merged into this Agreement, which alone fully and completely expresses the agreement of the parties.

d. **Governing Law.** This Agreement shall be interpreted and enforced pursuant to the laws of the State of Michigan.

e. **Successors.** All terms and conditions of this Agreement shall be binding upon the parties, their successors and assigns.

f. **Severability.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision(s) had never been contained herein.

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h. **Modification of the Agreement.** This Agreement shall not be amended except by a writing signed by Seller and Buyer.

The parties have executed this Real Estate Purchase Agreement the day and year first above written.

WITNESSES:

SELLER: CITY OF MUSKEGON

Linda Porter
Linda Porter

By Stephen J. Warrington
Stephen J. Warrington, Mayor

Margaret M. Platt
Margaret M. Platt

Gail A. Kunding
Gail A. Kunding, Clerk

BUYER: NEIGHBORHOOD INVESTMENT
CORPORATION, a _____

[Signature]

By James M. J. Scott
James M. J. Scott
✓ Its Executive Director
EIN# 38 307 6893

TRANSNATION TITLE INSURANCE COMPANY
570 Seminole Road
Muskegon MI 49444

Date: August 28, 2002
Escrow Number: 421222

Property Address: 601 W. Webster Avenue
Muskegon, Michigan 49441

	S E L L E R ' S S T A T E M E N T	
	DEBIT	CREDIT
Purchase Price	\$	\$ 4,000.00
EXISTING LOAN		
Deposit of earnest money	400.00	
CLOSING FEES	250.00	
OWNERS PREMIUM	190.00	
Real Estate Commission		
Sub Total	\$ 840.00	\$ 4,000.00
Amount due Seller	\$ 3,160.00	
TOTALS	\$ 4,000.00	\$ 4,000.00

The undersigned Sellers acknowledge Receipt of a copy of this statement and agree to the correctness thereof, and ratifies the disbursement of the funds as stated therein.

Seller(s) Signature(s):

City of Muskegon,

BY _____
Lonna Anguilm, Assistant Planner

AFFIDAVIT OF TITLE

STATE OF MICHIGAN
COUNTY OF Muskegon

} SS
}

Title Commitment # 421222

That City of Muskegon, a Municipal Corporation being first duly sworn on oath says that they are the true and lawful owner(s) of the premises located at:

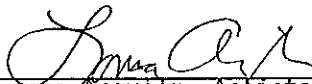
601 W. Webster Avenue
Muskegon, Michigan 49441

AND

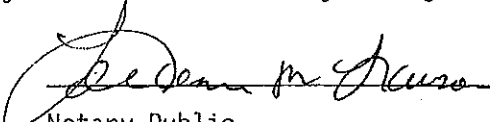
1. That on this date hereof there is no mechanic's lien on the property and that no work has been done, or materials furnished, out of which a mechanic's lien could ripen.
2. That no agreement is in effect which would adversely affect the title to the property such as a purchase agreement, lease, land contract, option, etc. other than the contract with the grantees in a certain deed of even date hereof.
3. That the parties in possession other than the affiant(s) are bona fide tenants only and have no other interest in the premises whatsoever.
4. That there are no judgments or liens against affiant(s), including income tax liens, adversely affecting the title to said property.
5. That there are no unpaid taxes, special assessments or water bills outstanding other than those shown on the closing statement.
6. That any overlooked, unknown, or misquoted taxes, special assessments, water bills, mortgage deficiencies, etc. shall be immediately paid by affiant(s) as soon as informed of such.

Seller(s):

City of Muskegon.

BY 
Lonna Anguilm, Assistant Planner

Subscribed and sworn to, before me a Notary Public, this 28th day of August, 2002


Notary Public _____ County

My Commission Expires:

LEEANN M. LARSON
Notary Public, Muskegon County, Michigan
My Commission Expires 11-10-2004

SURVEY WAIVER

Date: August 28, 2002

RE: 421222

To:

Property Address:

601 W. Webster Avenue

Muskegon, Michigan 49441

County: Muskegon

We, the undersigned, purchasers and sellers, of the above captioned property, acknowledge we have been strongly advised by you to obtain a land survey showing the dimensions of the property and the location of all buildings situated thereon.

We have decided, completely of our own volition, not to obtain a survey and wish to complete the transaction without the recommended survey.

We hereby release and, its employees and/or agents, from any responsibility and/or liability concerning or pertaining to survey matters, including, but not limited to size of lot or land, location of boundary line, location of building and encroachments.

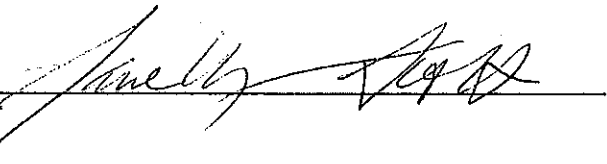
PURCHASER(S):

Neighborhood Investment Corporation.

SELLER(S):

City of Muskegon.

BY



BY


Lonna Anguilm, Assistant Planner

Date: July 23, 2002

To: Honorable Mayor and City Commissioners

From: Finance Director

RE: Second Quarter 2002 Budget Reforecast

SUMMARY OF REQUEST: At this time staff is transmitting the **Second Quarter 2002 Budget Reforecast** which outlines proposed changes to the original budget that have come about as result of changes in policy priorities, labor contracts, updated information, or other factors. For the next meeting, an action item will be placed on the agenda for adoption of the proposed budget reforecast together with any additional changes deemed necessary by Commissioners.

FINANCIAL IMPACT: The second quarter 2002 *Budget Reforecast* reflects continued falloff in general fund revenues due to the economy. Significant downward adjustments have been made in the areas of city income tax, state shared revenues and interest income. Also, budgets for some areas (particularly City Attorney, Fire Safety Inspections and Environmental Services) have had to be increased due to unforeseen service demands and/or labor contract issues.

Accordingly, the following budget adjustments are proposed: 1) postponement of the scheduled renovation of the Reese Playfield restrooms (\$150,000), 2) postponement of purchase of an alternate power supply for City Hall (\$100,000), 3) reduction and reallocation of \$50,000 originally earmarked for fire station property acquisition to instead be used for a fire station location and operations study. At this time we also forecast the need for a year-end transfer of \$300,000 from the city's budget stabilization (i.e. "rainy day") fund to the general fund.

BUDGET ACTION REQUIRED: Self-explanatory.

STAFF RECOMMENDATION: The City Commission should review the *Reforecast* to ensure it reflects their policy initiatives. At the next City Commission meeting, staff will request formal approval of the *Reforecast* and related budget amendments.

COMMITTEE RECOMMENDATION: There is no committee recommendation at this time.

CITY OF MUSKEGON
GENERAL FUND

HISTORICAL SUMMARY

Year		Revenues & Transfers In	Expenditures & Transfers Out	Fund Balance at Year-End
1992	\$	11,297,076	\$ 11,282,444	\$ 1,538,372
1993		13,990,266	13,231,208	2,297,430
1994		15,301,973	15,572,689	2,026,714
1995		16,633,179	16,337,586	2,322,307
1996		17,666,214	18,018,159	1,970,362
1997		20,437,646	20,358,321	2,049,687
1998		21,643,855	21,634,467	2,059,075
1999		21,451,681	22,011,881	1,498,875
2000		23,685,516	22,232,657	2,951,734
2001		23,446,611	23,235,978	3,162,367

Fiscal 2002 Budget Summary

FUND BALANCE AT START OF YEAR **\$ 3,162,367**

MEANS OF FINANCING:

Taxes	13,355,426	56.0%
Licenses and Permits	1,031,600	4.3%
Federal Grants	222,089	0.9%
State Grants	36,635	0.2%
State Shared Revenue	5,385,471	22.6%
Other Charges	2,005,243	8.4%
Interest & Rentals	315,043	1.3%
Fines and Fees	371,200	1.6%
Other Revenue	356,633	1.5%
Other Financing Sources	<u>762,200</u>	<u>3.2%</u>
	23,841,540	100.0%

ESTIMATED REQUIREMENTS:

Customer Value Added Activities	17,542,410	72.2%
Business Value Added Activities	4,220,550	17.4%
Fixed Budget Items	<u>2,523,743</u>	<u>10.4%</u>
	24,286,704	100.0%

ESTIMATED FUND BALANCE AT END OF YEAR **\$ 2,717,203**

OPERATING SURPLUS (DEFICIT) **\$ (445,164)**

TARGET FUND BALANCE (10% PY EXPENDITURES) **\$ 2,323,598**

ESTIMATED EXCESS (SHORTFALL) vs. TARGET **\$ 393,605**

City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Revenue Summary By Source

Available Fund Balance - BOY									
	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Revised Budget Estimate 2002	Change From 2002 Original	% Change From 2002 Original	Comments	
	\$ 2,059,875	\$ 2,951,735	\$ 3,124,987	\$ 3,162,368	\$ 3,162,368	\$ 37,381			
Taxes									
City income tax	\$ 7,079,571	\$ 6,820,171	\$ 6,850,000	\$ 3,495,508	\$ 6,650,000	\$ (200,000)	-2.92%	ECONOMIC SLOWDOWN	
Property taxes - general	3,686,780	3,940,343	4,219,038	3,561,911	4,219,038	-	0.00%		
Property taxes - sanitation	1,630,491	1,570,955	1,808,160	1,509,455	1,808,160	-	0.00%		
Property taxes - pass-thru from LDFA II	-	-	103,000	114,665	220,000	117,000	113.59%	TWO-YEAR CATCH-UP IN 2002	
Industrial facilities taxes	362,676	353,742	367,228	-	367,228	-	0.00%		
Payments in lieu of taxes	69,148	75,758	80,000	-	80,000	-	0.00%		
Delinquent chargeback collected	3,769	17,514	10,000	10,510	11,000	1,000	10.00%		
	\$ 12,831,435	\$ 12,878,483	\$ 13,437,426	\$ 8,692,049	\$ 13,355,426	\$ (82,000)	-0.61%		
Licenses and permits									
Business licenses	\$ 32,363	\$ 31,239	\$ 37,500	\$ 26,250	\$ 37,500	\$ -	0.00%		
Liquor licenses	35,511	36,427	37,500	7,494	37,500	-	0.00%		
Cable TV franchise fees	327,004	204,820	250,000	40	265,000	15,000	6.00%		
Telecom franchise fees (Act 48)	-	-	-	-	-	-	0.00%		
Housing licenses	62,965	66,126	75,000	31,095	75,000	-	0.00%		
Burial permits	104,180	98,735	100,000	48,634	100,000	-	0.00%		
Building permits	366,333	333,798	250,000	163,513	300,000	50,000	20.00%	CONTINUED STRONG ACTIVITY	
Electrical permits	87,692	127,055	75,000	41,850	100,000	25,000	33.33%	CONTINUED STRONG ACTIVITY	
Plumbing permits	45,147	48,863	45,000	19,642	45,000	-	0.00%		
Heating permits	62,847	65,495	70,000	26,895	70,000	-	0.00%		
Franchise fees	1,100	-	1,000	-	1,000	-	0.00%		
Police gun registration	1,879	2,040	-	590	600	600	0.00%		
	\$ 1,129,001	\$ 1,014,598	\$ 941,000	\$ 366,003	\$ 1,031,600	\$ 90,600	9.63%		
Federal grants									
Federal operational grant	\$ 522,111	\$ 417,925	\$ 208,705	\$ 113,188	\$ 222,089	\$ 13,384	6.41%		
	\$ 522,111	\$ 417,925	\$ 208,705	\$ 113,188	\$ 222,089	\$ 13,384	6.41%		
State grants									
State operational grant	\$ -	\$ 17,569	\$ 73,269	\$ 1,691	\$ 36,635	\$ (36,634)	-50.00%	GRANT TO BE REC'D OVER TWO YEARS	
	\$ -	\$ 17,569	\$ 73,269	\$ 1,691	\$ 36,635	\$ (36,634)	-50.00%		
State shared revenue									
State sales tax	\$ 5,486,712	\$ 5,748,523	\$ 5,750,000	\$ 880,762	\$ 5,385,471	\$ (364,529)	-6.34%	MOST RECENT FIGURES FROM STATE	
	\$ 5,486,712	\$ 5,748,523	\$ 5,750,000	\$ 880,762	\$ 5,385,471	\$ (364,529)	-6.34%		

City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Revenue Summary By Source

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Revised Budget Estimate 2002	Change From 2002 Original	% Change From 2002 Original	Comments
Other charges for sales and services								
Tax administration fees	\$ 224,399	\$ 232,349	\$ 250,000	\$ 205,449	\$ 250,000	\$ -	0.00%	
Utility administration fees	166,032	175,215	174,965	87,483	174,965	-	0.00%	
Reimbursement for elections	30,568	20,534	12,000	370	20,000	8,000	66.67%	SPECIAL ELECTION CALLED
Indirect cost reimbursement	925,008	908,256	941,778	446,040	941,778	-	0.00%	
Site-plan review fee	1,800	895	1,000	306	1,000	-	0.00%	
Sale of cemetery lots	24,269	25,275	18,000	5,970	18,000	-	0.00%	
Sale of columbarium niches	1,325	-	1,000	-	1,000	-	0.00%	
Sale of Harbortown dockminiums	-	-	-	-	-	-	0.00%	
Police miscellaneous	67,711	48,873	65,000	29,385	65,000	-	0.00%	
Police impound fees	38,576	37,781	45,000	15,225	45,000	-	0.00%	
Landlord's alert fee	-	1,630	1,800	2,480	2,500	700	38.89%	
Fire protection-state property	83,093	82,087	85,000	-	85,000	-	0.00%	
Zoning fees	9,325	13,915	10,000	6,640	12,000	2,000	20.00%	
Clerk fees	2,586	1,391	5,000	1,149	5,000	-	0.00%	
Clerk - passport fees	-	-	7,500	-	3,500	(4,000)	-53.33%	
IFT application fees	9,917	4,944	2,500	-	2,500	-	0.00%	
Treasurer fees	26,934	33,708	22,000	3,505	22,000	-	0.00%	
False alarm fees	16,439	18,806	10,000	3,629	10,000	-	0.00%	
Miscellaneous cemetery income	21,224	24,118	21,000	11,277	21,000	-	0.00%	
Housing commission reimbursement	23,503	-	-	-	-	-	0.00%	
Senior transit program fees	8,261	7,986	8,000	1,309	8,000	-	0.00%	
Fire miscellaneous	25,798	9,012	25,000	1,587	25,000	-	0.00%	
Sanitation stickers	43,280	42,355	38,000	19,322	42,000	4,000	10.53%	
Lot cleanup fees	96,998	74,584	70,000	64,307	70,000	-	0.00%	
Reimbursements for mowings and demolitions	107,400	75,099	70,000	26,943	70,000	-	0.00%	
Recreation program fees	138,866	133,183	130,000	78,731	110,000	(20,000)	-15.38%	FEWER SOFTBALL TEAMS THIS YEAR
	\$ 2,093,312	\$ 1,971,996	\$ 2,014,543	\$ 1,011,107	\$ 2,005,243	\$ (9,300)	-0.46%	
Interest and rental income								
Interest	\$ 411,444	\$ 331,923	\$ 400,000	\$ 16,286	\$ 150,000	\$ (250,000)	-62.50%	INTEREST RATES ARE EXTREMELY LOW
Flea market	25,269	22,157	27,000	7,349	27,000	-	0.00%	
Farmers market	22,040	26,475	23,000	3,947	23,000	-	0.00%	
City right of way rental	6,400	6,400	4,400	4,400	6,400	2,000	45.45%	
Parking ramp rentals	46,819	22,069	32,000	21,468	22,000	(10,000)	-31.25%	
Mail parking	-	-	-	-	-	-	0.00%	
McGraft park rentals	55,518	53,758	54,443	2,685	54,443	-	0.00%	
Other park rentals	31,919	28,081	32,200	15,629	32,200	-	0.00%	
	\$ 599,409	\$ 490,863	\$ 573,043	\$ 71,764	\$ 315,043	\$ (258,000)	-45.02%	

City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Revenue Summary By Source

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Revised Budget Estimate 2002	Change From 2002 Original	% Change From 2002 Original	Comments
Fines and fees								
Income tax - penalty and interest	\$ 70,290	\$ 95,916	\$ 65,000	\$ 72,055	\$ 100,000	\$ 35,000	53.85%	AGGRESSIVE ENFORCEMENT
Late fees on current taxes	40,167	27,220	15,000	-	30,000	15,000	100.00%	
Interest on late invoices	329	730	1,200	27	1,200	-	0.00%	
Civil infraction fines	-	-	-	-	-	-	0.00%	
Property transfer affidavit fines	6,400	1,900	1,000	-	-	(1,000)	0.00%	
Parking fines	41,829	74,056	80,000	37,077	80,000	-	0.00%	
Court fines	179,662	150,735	160,000	78,717	160,000	-	0.00%	
	\$ 338,677	\$ 350,657	\$ 322,200	\$ 187,876	\$ 371,200	\$ 49,000	15.21%	
Other revenue								
Sale of land and assets	\$ 350	\$ -	\$ 3,000	\$ (300)	\$ 3,000	\$ -	0.00%	
Police sale and auction proceeds	3,214	3,706	4,000	1,944	4,000	-	0.00%	
CDBG program reimbursements	391,573	322,587	280,000	119,133	304,633	24,633	8.80%	
Contributions	68,993	33,592	11,000	13,719	14,000	3,000	27.27%	
Muskegon County Community Foundation	-	-	7,000	521	7,000	-	0.00%	
Miscellaneous reimbursements	-	-	4,000	-	4,000	-	0.00%	
Miscellaneous and sundry	13,093	17,755	20,000	6,124	20,000	-	0.00%	
	\$ 477,223	\$ 377,640	\$ 329,000	\$ 141,141	\$ 356,633	\$ 27,633	8.40%	
Other financing sources								
Operating transfers in								
Cemetery Perpetual Care	63,858	67,373	70,000	28,050	70,000	-	0.00%	
Criminal Forfeitures Fund	75,000	60,000	75,000	-	75,000	-	0.00%	
Police Training Fund	36,286	31,142	15,000	-	15,000	-	0.00%	
DDA for Administration	30,000	10,000	10,000	5,000	10,000	-	0.00%	
Reese Playfield Fund	1,827	4,333	1,800	76,525	77,000	75,200	4177.78%	
RLF for Administration	-	5,000	5,000	2,500	5,000	-	0.00%	ACCOUNTING CHANGE
Budget Stabilization Fund	-	-	-	-	500,000	300,000	0.00%	YEAR-END TRANSFER ANTICIPATED
Special Assessment Fund	-	-	-	-	-	-	0.00%	
Hackley Park Improvement Fund	51	-	-	-	-	-	0.00%	
Hackley Park Memorial Fund	614	609	600	9,997	10,200	9,600	1600.00%	
	\$ 207,636	\$ 178,457	\$ 177,400	\$ 122,072	\$ 762,200	\$ 384,800	329.65%	ACCOUNTING CHANGE
Total general fund revenues and other sources								
	\$ 23,685,516	\$ 23,446,611	\$ 23,826,586	\$ 11,587,653	\$ 23,841,540	\$ 14,954	0.06%	

City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

I. Customer Value Added Activities

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
40301 Police Department								
Salaries & Benefits	\$ 5,825,308	\$ 5,803,534	\$ 6,213,479	\$ 2,750,736	44%	\$ 6,193,479	\$ (20,000)	VACANCY SAVINGS
Operating Supplies	159,537	154,680	136,994	92,498	56%	165,000	28,006	
Contractual Services	953,985	951,902	892,201	514,466	58%	892,201	-	
Other Expenses	54,242	54,675	31,621	39,358	76%	51,621	20,000	TWO NEW OFFICERS IN POLICE ACADEMY
Capital Outlays	207,553	87,593	68,219	35,587	52%	68,219	-	
Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 7,200,625	\$ 7,052,384	\$ 7,342,514	\$ 3,432,645	47%	\$ 7,370,520	\$ 28,006	
	\$ 7,200,625	\$ 7,052,384	\$ 7,342,514	\$ 3,432,645	47%	\$ 7,370,520	\$ 28,006	
50336 Fire Department								
Salaries & Benefits	\$ 2,708,005	\$ 2,930,180	\$ 2,942,864	\$ 1,405,699	48%	\$ 2,942,864	\$ -	
Operating Supplies	97,561	92,307	100,000	55,888	56%	100,000	-	
Contractual Services	133,101	149,605	150,000	119,723	80%	150,000	-	
Other Expenses	10,051	12,785	20,000	7,858	39%	20,000	-	
Capital Outlays	38,636	32,714	31,993	39,175	87%	45,000	13,007	
Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 2,987,354	\$ 3,217,591	\$ 3,244,857	\$ 1,632,343	50%	\$ 3,257,864	\$ 13,007	
50387 Fire Safety Inspections								
Salaries & Benefits	\$ 623,329	\$ 579,330	\$ 596,927	\$ 305,523	48%	\$ 641,927	\$ 45,000	TRADE INSPECTORS SALARY INCREASE
Operating Supplies	17,135	25,077	32,500	11,918	36%	32,500	-	
Contractual Services	247,418	232,848	270,111	144,789	54%	270,111	-	
Other Expenses	11,070	8,109	15,000	5,316	35%	15,000	-	
Capital Outlays	9,838	15,215	6,500	4,587	71%	6,500	-	
Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 908,790	\$ 860,579	\$ 921,038	\$ 472,033	49%	\$ 966,038	\$ 45,000	
	\$ 3,896,144	\$ 4,078,170	\$ 4,165,895	\$ 2,104,376	50%	\$ 4,223,902	\$ 58,007	
60523 General Sanitation								
Salaries & Benefits	\$ 66,335	\$ 67,901	\$ 75,369	\$ 31,605	42%	\$ 75,369	\$ -	
Operating Supplies	690	1,006	1,400	162	12%	1,400	-	
Contractual Services	1,308,314	1,351,420	1,432,223	573,524	40%	1,432,223	-	
Other Expenses	-	83	5,000	564	11%	5,000	-	
Capital Outlays	24,360	24,847	50,000	-	0%	50,000	-	
Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 1,399,699	\$ 1,445,257	\$ 1,563,992	\$ 605,855	35%	\$ 1,563,992	\$ -	
60528 Recycling								
Salaries & Benefits	\$ -	\$ -	\$ -	-	N/A	\$ -	\$ -	
Operating Supplies	-	-	-	-	N/A	-	-	
Contractual Services	263,478	257,926	269,043	95,474	35%	269,043	-	
Other Expenses	-	-	-	-	N/A	-	-	
Capital Outlays	-	3,305	1,500	-	0%	1,500	-	
Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 263,478	\$ 261,231	\$ 270,543	\$ 95,474	35%	\$ 270,543	\$ -	

City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
60550 Stormwater Management								
5100 Salaries & Benefits	\$ -	\$ -	\$ 64,260	\$ 1,052	2%	\$ 64,260	\$ -	
5200 Operating Supplies	-	-	4,000	-	0%	4,000	-	
5300 Contractual Services	-	-	62,665	15,058	24%	62,665	-	
5400 Other Expenses	-	-	1,000	-	0%	1,000	-	
5700 Capital Outlays	-	-	5,000	-	0%	5,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ 136,925	\$ 16,110	12%	\$ 136,925	\$ -	
60448 Streetlighting								
5100 Salaries & Benefits	\$ 10,601	\$ 11,387	\$ 8,329	\$ 4,420	53%	\$ 8,329	\$ -	
5200 Operating Supplies	-	-	-	-	N/A	-	-	
5300 Contractual Services	507,599	504,551	530,450	211,740	40%	530,450	-	
5400 Other Expenses	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 518,200	\$ 515,938	\$ 538,779	\$ 216,160	40%	\$ 538,779	\$ -	
60707 Senior Citizen Transit								
5100 Salaries & Benefits	\$ 44,554	\$ 44,925	\$ 44,349	\$ 21,781	49%	\$ 44,349	\$ -	
5200 Operating Supplies	-	-	-	-	N/A	-	-	
5300 Contractual Services	5,450	7,100	5,850	5,070	87%	5,850	-	
5400 Other Expenses	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 50,004	\$ 52,025	\$ 50,199	\$ 26,851	53%	\$ 50,199	\$ -	
60446 Community Event Support								
5100 Salaries & Benefits	\$ 113,420	\$ 77,841	\$ 82,903	\$ 10,021	12%	\$ 82,903	\$ -	
5200 Operating Supplies	14,743	1,971	3,000	321	11%	3,000	-	
5300 Contractual Services	45,757	31,071	15,000	1,824	12%	15,000	-	
5400 Other Expenses	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 173,920	\$ 110,883	\$ 100,903	\$ 12,166	12%	\$ 100,903	\$ -	
	\$ 2,405,301	\$ 2,385,334	\$ 2,661,341	\$ 972,616	37%	\$ 2,661,341	\$ -	
70751 Parks Maintenance								
5100 Salaries & Benefits	\$ 410,877	\$ 470,749	\$ 556,037	\$ 232,256	42%	\$ 556,037	\$ -	
5200 Operating Supplies	188,503	240,998	180,344	73,428	41%	180,344	-	
5300 Contractual Services	509,593	596,720	491,277	211,278	43%	491,277	-	
5400 Other Expenses	2,939	2,905	5,000	2,173	43%	5,000	-	
5700 Capital Outlays	53,703	75,959	75,000	72,756	97%	75,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 1,165,615	\$ 1,387,331	\$ 1,307,658	\$ 591,891	45%	\$ 1,307,658	\$ -	

City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
70757 Mc Graft Park Maintenance								
5100 Salaries & Benefits	\$ 10,522	\$ 5,030	\$ 15,622	\$ 1,909	12%	\$ 15,622	\$ -	
5200 Operating Supplies	3,862	4,918	4,250	1,444	34%	4,250	-	
5300 Contractual Services	43,985	42,488	23,700	6,332	27%	23,700	-	
5400 Other Expenses	210	238	200	-	0%	200	-	
5700 Capital Outlays	283	65	9,280	-	0%	9,280	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 58,862	\$ 52,739	\$ 53,052	\$ 9,685	18%	\$ 53,052	\$ -	
70775 General Recreation Programs								
5100 Salaries & Benefits	\$ 117,149	\$ 140,436	\$ 182,701	\$ 48,443	27%	\$ 182,701	\$ -	
5200 Operating Supplies	31,912	43,244	33,000	30,759	93%	33,000	-	
5300 Contractual Services	115,122	108,318	88,000	52,003	59%	88,000	-	
5400 Other Expenses	2,969	4,068	3,786	2,724	72%	3,786	-	
5700 Capital Outlays	4,344	288	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 271,496	\$ 296,354	\$ 307,487	\$ 133,929	44%	\$ 307,487	\$ -	
70776 Inner City Recreation Programs								
5100 Salaries & Benefits	\$ 135,718	\$ 142,997	\$ 142,897	\$ 50,421	35%	\$ 142,897	\$ -	
5200 Operating Supplies	10,781	8,172	18,730	10,327	55%	18,730	-	
5300 Contractual Services	29,995	27,245	41,685	14,400	35%	41,685	-	
5400 Other Expenses	2,895	5,184	3,000	983	33%	3,000	-	
5700 Capital Outlays	-	95	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 179,390	\$ 183,694	\$ 206,312	\$ 76,131	37%	\$ 206,312	\$ -	
70276 Cemeteries Maintenance								
5100 Salaries & Benefits	\$ 184,070	\$ 185,819	\$ 182,578	\$ 91,189	50%	\$ 182,578	\$ -	
5200 Operating Supplies	13,440	21,908	25,000	9,820	39%	25,000	-	
5300 Contractual Services	246,081	263,671	275,000	27,394	10%	275,000	-	
5400 Other Expenses	568	1,199	1,000	340	34%	1,000	-	
5700 Capital Outlays	19,930	33,975	24,635	12,632	90%	14,000	(10,835)	MOWER PURCHASE DEFERRED FOR HIGHER THAN EXPECTED BLDG RENOVATION COSTS
5900 Other Financing Uses	-	-	-	-	N/A	-	(10,835)	
	\$ 464,059	\$ 508,572	\$ 508,413	\$ 141,375	28%	\$ 497,578	\$ (10,835)	
70585 Parking Operations								
5100 Salaries & Benefits	\$ 13,182	\$ 13,439	\$ 13,654	\$ 7,201	53%	\$ 13,654	\$ -	
5200 Operating Supplies	2,316	2,475	2,924	414	14%	2,924	-	
5300 Contractual Services	27,501	32,854	35,000	16,137	23%	71,000	36,000	MALL PARKING LOTS
5400 Other Expenses	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 42,999	\$ 48,769	\$ 51,578	\$ 23,752	27%	\$ 87,578	\$ 36,000	
70771 Forestry								
5100 Salaries & Benefits	\$ 89,755	\$ 86,584	\$ 115,260	\$ 39,594	34%	\$ 115,260	\$ -	
5200 Operating Supplies	9,852	9,831	9,800	3,769	38%	9,800	-	
5300 Contractual Services	16,843	14,244	14,000	6,252	45%	14,000	-	
5400 Other Expenses	818	1,309	1,700	381	22%	1,700	-	
5700 Capital Outlays	3,207	2,101	3,000	500	17%	3,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 120,475	\$ 114,069	\$ 143,760	\$ 50,496	35%	\$ 143,760	\$ -	

**City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Expenditure Summary By Function**

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
70863 Farmers' Market & Flea Market								
5100 Salaries & Benefits	\$ 27,185	\$ 28,023	\$ 32,331	\$ 10,697	33%	\$ 32,331	\$ -	
5200 Operating Supplies	591	960	1,000	774	77%	1,000	-	
5300 Contractual Services	15,000	19,175	7,931	3,159	40%	7,931	-	
5400 Other Expenses	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 42,776	\$ 48,058	\$ 41,262	\$ 14,630	35%	\$ 41,262	\$ -	
	\$ 2,345,712	\$ 2,837,586	\$ 2,619,522	\$ 1,041,889	39%	\$ 2,644,687	\$ 25,165	
80799 Weed and Seed Program								
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	N/A	-	-	
5300 Contractual Services	112	-	-	-	N/A	-	-	
5400 Other Expenses	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 112	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
80387 Environmental Services								
5100 Salaries & Benefits	\$ 150,456	\$ 179,865	\$ 182,793	\$ 78,945	43%	\$ 182,793	\$ -	
5200 Operating Supplies	9,525	9,023	6,300	8,825	93%	9,500	3,200	
5300 Contractual Services	265,250	244,510	170,000	137,172	61%	225,000	55,000	
5400 Other Expenses	333	1,633	3,000	682	23%	3,000	-	
5700 Capital Outlays	4,135	6,556	12,000	7,335	61%	12,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 429,699	\$ 441,587	\$ 374,093	\$ 232,959	54%	\$ 432,293	\$ 58,200	
	\$ 429,811	\$ 441,587	\$ 374,093	\$ 232,959	54%	\$ 432,293	\$ 58,200	
10875 Other - Contributions to Outside Agencies								
Muskegon Area Transit (MATs)	\$ 80,163	\$ 80,163	\$ 80,500	\$ 40,082		\$ 80,500	-	
Neighborhood Association Grants	27,443	34,063	40,000	34,475		40,000	-	
Muskegon Area First (Moved from Planning for 2002)	-	-	45,516	-		45,516	-	
Veterans Memorial Day Costs	7,324	7,535	8,500	-		8,500	-	
WMSRDC - Muskegon Area Plan (MAP)	-	6,151	6,151	-		6,151	-	
Institute for Healing Racism	-	3,000	4,000	4,000		4,000	-	
Muskegon Area Labor Management (MALMC)	1,000	1,000	1,000	-		1,000	-	
Sister Cities' Youth Travel	-	1,000	-	-		-	-	
Feral Cat Control	-	-	6,000	-		20,000	14,000	CONTRACT WITH COUNTY
Other	-	-	4,000	-		4,000	-	
Contributions To Outside Agencies	\$ 115,930	\$ 132,912	\$ 195,667	\$ 78,557	37%	\$ 209,667	\$ 14,000	
	\$ 115,930	\$ 132,912	\$ 195,667	\$ 78,557	37%	\$ 209,667	\$ 14,000	
Total Customer Value Added Activities								
	\$ 16,393,523	\$ 16,727,953	\$ 17,359,032	\$ 7,863,042	45%	\$ 17,542,410	\$ 183,378	
As a Percent of Total General Fund Expenditures								
	73.7%	72.0%	70.4%	71.9%		72.2%		

**City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Expenditure Summary By Function**

II. Business Value Added Activities

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
10101 City Commission								
5100 Salaries & Benefits	\$ 56,917	\$ 56,483	\$ 57,889	\$ 29,139	50%	\$ 57,889	\$ -	
5200 Operating Supplies	11,861	12,288	17,500	9,241	53%	17,500	-	
5300 Contractual Services	30,541	36,894	44,000	24,890	57%	44,000	-	
5400 Other Expenses	8,813	7,631	12,000	4,228	35%	12,000	-	
5700 Capital Outlays	91	-	-	480	80%	600	600	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 108,223	\$ 113,296	\$ 131,389	\$ 67,978	52%	\$ 131,989	\$ 600	
10102 City Promotions & Public Relations								
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	10,000	-	0%	10,000	-	
5300 Contractual Services	14,791	24,563	31,960	11,418	36%	31,960	-	
5400 Other Expenses	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 14,791	\$ 24,563	\$ 41,960	\$ 11,418	27%	\$ 41,960	\$ -	
10172 City Manager								
5100 Salaries & Benefits	\$ 172,284	\$ 168,180	\$ 169,350	\$ 84,180	50%	\$ 169,350	\$ -	
5200 Operating Supplies	2,564	1,851	3,500	1,172	33%	3,500	-	
5300 Contractual Services	2,962	2,055	5,000	1,075	22%	5,000	-	
5400 Other Expenses	4,247	2,149	5,000	1,480	29%	5,000	-	
5700 Capital Outlays	1,814	-	3,500	54	2%	3,500	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 183,871	\$ 174,035	\$ 186,350	\$ 87,941	47%	\$ 186,350	\$ -	
10145 City Attorney								
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	480	833	1,000	869	87%	1,000	-	
5300 Contractual Services	384,201	457,739	382,734	193,764	39%	500,000	117,266	TOWNSHIP WATER AND SEWER LAWSUITS AND SMARTZONE, MALL PARKING PROJECTS
5400 Other Expenses	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 384,681	\$ 458,572	\$ 383,734	\$ 194,633	39%	\$ 501,000	\$ 117,266	
	\$ 891,566	\$ 770,466	\$ 743,433	\$ 361,970	42%	\$ 861,299	\$ 117,866	
20173 Administration								
5100 Salaries & Benefits	\$ 137,659	\$ 120,324	\$ 122,783	\$ 63,907	52%	\$ 122,783	\$ -	
5200 Operating Supplies	2,295	1,784	3,450	1,404	41%	3,450	-	
5300 Contractual Services	15,871	15,734	21,150	4,526	21%	21,150	-	
5400 Other Expenses	12,278	7,230	13,628	3,642	27%	13,628	-	
5700 Capital Outlays	581	1,632	3,000	25	1%	3,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 168,684	\$ 146,704	\$ 164,011	\$ 73,504	45%	\$ 164,011	\$ -	

City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
20228 Affirmative Action								
5100 Salaries & Benefits	\$ 69,370	\$ 72,256	\$ 81,875	\$ 39,767	49%	\$ 81,875	\$ -	
5200 Operating Supplies	506	1,713	2,300	382	17%	2,300	-	
5300 Contractual Services	2,334	1,759	1,500	398	27%	1,500	-	
5400 Other Expenses	2,801	2,913	4,431	1,450	33%	4,431	-	
5700 Capital Outlays	118	649	1,000	-	0%	1,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 75,129	\$ 79,290	\$ 91,106	\$ 41,997	46%	\$ 91,106	\$ -	
20744 Julia Hackley Internships								
5100 Salaries & Benefits	\$ 7,482	\$ 10,692	\$ 7,000	\$ 1,695	24%	\$ 7,000	\$ -	
5200 Operating Supplies	718	-	-	-	N/A	-	-	
5300 Contractual Services	711	-	-	-	N/A	-	-	
5400 Other Expenses	-	20	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 8,911	\$ 10,712	\$ 7,000	\$ 1,695	24%	\$ 7,000	\$ -	
20215 City Clerk & Elections								
5100 Salaries & Benefits	\$ 218,893	\$ 208,602	\$ 226,515	\$ 109,254	48%	\$ 226,515	\$ -	
5200 Operating Supplies	32,549	35,327	17,000	15,096	89%	17,000	-	
5300 Contractual Services	28,284	31,458	44,530	30,123	68%	44,530	-	
5400 Other Expenses	5,420	7,136	6,000	3,109	52%	6,000	-	
5700 Capital Outlays	2,551	5,199	3,450	416	12%	3,450	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 287,687	\$ 287,722	\$ 297,495	\$ 157,998	53%	\$ 297,495	\$ -	
20220 Civil Service								
5100 Salaries & Benefits	\$ 130,015	\$ 132,405	\$ 153,115	\$ 75,526	49%	\$ 153,115	\$ -	
5200 Operating Supplies	6,339	17,111	10,750	4,866	45%	10,750	-	
5300 Contractual Services	39,839	22,799	26,815	13,980	52%	26,815	-	
5400 Other Expenses	42,287	12,336	5,800	9,300	98%	9,500	3,700	
5700 Capital Outlays	762	8,600	1,000	204	20%	1,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 219,242	\$ 193,251	\$ 197,480	\$ 103,876	52%	\$ 201,180	\$ 3,700	
	\$ 759,653	\$ 717,679	\$ 757,092	\$ 379,070	50%	\$ 760,792	\$ 3,700	
30202 Finance Administration								
5100 Salaries & Benefits	\$ 259,785	\$ 267,254	\$ 276,780	\$ 141,508	51%	\$ 276,780	\$ -	
5200 Operating Supplies	9,334	9,554	9,900	3,385	34%	9,900	-	
5300 Contractual Services	64,594	99,977	101,100	72,926	72%	101,100	-	
5400 Other Expenses	2,385	2,348	2,700	2,935	98%	3,000	300	
5700 Capital Outlays	4,586	2,085	3,000	1,766	59%	3,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 340,684	\$ 381,218	\$ 393,480	\$ 222,520	57%	\$ 393,780	\$ 300	
30209 Assessing Services								
5100 Salaries & Benefits	\$ 5,013	\$ 6,759	\$ 7,668	\$ 5,348	70%	\$ 7,668	\$ -	
5200 Operating Supplies	-	-	-	-	N/A	-	-	
5300 Contractual Services	340,213	367,367	396,754	195,582	49%	396,754	-	
5400 Other Expenses	80	45	100	60	60%	100	-	
5700 Capital Outlays	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 345,306	\$ 374,171	\$ 404,522	\$ 200,990	50%	\$ 404,522	\$ -	

**City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Expenditure Summary By Function**

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
30205 Income Tax Administration								
5100 Salaries & Benefits	\$ 212,980	\$ 213,846	\$ 234,090	\$ 92,138	39%	\$ 234,090	\$ -	
5200 Operating Supplies	18,875	24,678	25,025	10,359	41%	25,025	-	
5300 Contractual Services	34,550	34,092	38,250	16,517	43%	38,250	-	
5400 Other Expenses	1,288	1,648	3,000	233	8%	3,000	-	
5700 Capital Outlays	2,180	206	4,000	453	11%	4,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 269,773	\$ 274,470	\$ 304,365	\$ 119,700	39%	\$ 304,365	\$ -	
30253 City Treasurer								
5100 Salaries & Benefits	\$ 251,881	\$ 236,759	\$ 272,699	\$ 130,955	48%	\$ 272,699	\$ -	
5200 Operating Supplies	38,165	35,489	38,000	13,647	36%	38,000	-	
5300 Contractual Services	55,546	49,210	34,130	13,902	41%	34,130	-	
5400 Other Expenses	1,264	900	1,200	2,094	100%	2,100	900	
5700 Capital Outlays	7,298	4,281	3,900	10,767	90%	12,000	8,100	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 354,154	\$ 326,639	\$ 349,929	\$ 171,375	48%	\$ 358,929	\$ 9,000	
30248 Information Systems Administration								
5100 Salaries & Benefits	\$ 167,381	\$ 182,403	\$ 237,076	\$ 112,337	47%	\$ 237,076	\$ -	
5200 Operating Supplies	6,695	2,024	5,000	1,334	27%	5,000	-	
5300 Contractual Services	38,925	72,769	49,404	10,260	21%	49,404	-	
5400 Other Expenses	10,689	12,457	9,268	5,693	61%	9,268	-	
5700 Capital Outlays	52,283	53,828	47,195	16,716	35%	47,195	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 275,973	\$ 323,481	\$ 347,943	\$ 146,340	42%	\$ 347,943	\$ -	
	\$ 1,585,890	\$ 1,679,979	\$ 1,800,239	\$ 860,925	48%	\$ 1,809,539	\$ 9,300	
60265 City Hall Maintenance								
5100 Salaries & Benefits	\$ 63,273	\$ 64,853	\$ 62,526	\$ 32,055	51%	\$ 62,526	\$ -	
5200 Operating Supplies	11,926	12,457	14,650	7,805	53%	14,650	-	
5300 Contractual Services	184,471	214,595	190,000	81,240	43%	190,000	-	
5400 Other Expenses	395	598	500	-	0%	500	-	
5700 Capital Outlays	3,422	253	12,996	1,476	11%	12,996	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 263,487	\$ 292,756	\$ 280,672	\$ 122,578	44%	\$ 280,672	\$ -	
	\$ 263,487	\$ 292,756	\$ 280,672	\$ 122,578	44%	\$ 280,672	\$ -	
80400 Planning, Zoning and Economic Development								
5100 Salaries & Benefits	\$ 395,554	\$ 387,005	\$ 427,548	\$ 182,610	43%	\$ 427,548	\$ -	
5200 Operating Supplies	16,283	19,455	15,700	5,206	33%	15,700	-	
5300 Contractual Services	76,924	87,314	50,734	52,783	100%	53,000	2,266	
5400 Other Expenses	7,746	9,751	9,000	5,069	56%	9,000	-	
5700 Capital Outlays	3,018	3,644	3,000	2,937	98%	3,000	-	
5900 Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 501,525	\$ 507,189	\$ 505,982	\$ 248,605	49%	\$ 508,248	\$ 2,266	
	\$ 501,525	\$ 507,189	\$ 505,982	\$ 248,605	49%	\$ 508,248	\$ 2,266	
Total Business Value Added Activities	\$ 3,802,121	\$ 3,968,049	\$ 4,087,418	\$ 1,973,148	47%	\$ 4,220,550	\$ 133,132	
As a Percent of Total General Fund Expenditures	17.1%	17.1%	16.6%	18.0%		17.4%		

City of Muskegon
2nd Quarter Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

II. Fixed Budget Items

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
30999 Transfers To Other Funds								
Major Street Fund	\$ -	\$ -	\$ 200,000	\$ 100,000	100%	\$ 100,000	\$ (100,000)	REDUCED TO OFFSET REVENUE SHORTFALLS
Local Street Fund	\$ 620,000	\$ 820,000	\$ 850,000	\$ 425,000	50%	\$ 850,000	-	
Budget Stabilization Fund	-	250,000	100,000	-	N/A	-	(100,000)	BSF WAS FULLY FUNDED IN 2001
L.C. Walker Arena Fund (Operating Subsidy)	346,000	301,000	271,837	135,918	50%	271,837	-	
Public Improvement Fund (Fire Equipment Reserve)	220,000	150,000	150,000	75,000	50%	150,000	-	
State Grants Fund (Beachwood Park Grant Match)	-	-	105,000	-	0%	105,000	-	
MOD State Rehab Loan Fund	22,810	-	-	-	N/A	-	-	
TIFA Debt Service Fund	-	-	-	-	N/A	-	-	
Tree Replacement	2,723	-	-	-	N/A	-	-	
	\$ 1,211,533	\$ 1,521,000	\$ 1,676,837	\$ 735,918	50%	\$ 1,476,837	\$ (200,000)	
30851 General Insurance	\$ 249,757	\$ 236,222	\$ 242,000	\$ 291,826	99%	\$ 295,000	\$ 53,000	HIGHER COSTS DUE TO POOR EXPERIENCE
30906 Debt Retirement	407,835	375,101	209,406	19,397	9%	209,406	-	
10891 Contingency and Bad Debt Expense	142,954	268,110	400,000	2,907	1%	400,000	-	
90000 Major Capital Improvements	24,934	139,543	670,000	52,770	37%	142,500	(527,500)	SEE CAPITAL IMPROVEMENTS DETAIL
Total Fixed-Budget Items	\$ 2,037,013	\$ 2,539,976	\$ 3,198,243	\$ 1,102,818	44%	\$ 2,523,743	\$ (674,500)	
As a Percent of Total General Fund Expenditures	9.2%	10.9%	13.0%	10.1%		10.4%		
Total General Fund	\$ 22,232,657	\$ 23,235,978	\$ 24,644,694	\$ 10,939,008	45%	\$ 24,286,704	\$ (357,990)	
Recap: Total General Fund By Expenditure Object								
5100 Salaries & Benefits	\$ 12,678,843	\$ 12,895,861	\$ 13,789,267	\$ 6,195,921	45%	\$ 13,814,267	\$ 25,000	
5200 Operating Supplies	719,038	790,815	733,017	375,013	49%	764,223	31,206	
5300 Contractual Services	6,559,992	6,991,218	7,029,865	3,252,469	45%	7,307,397	277,532	
5400 Other Expenses	185,789	159,350	162,934	99,652	53%	187,834	24,900	
5700 Capital Outlays	469,627	502,633	1,043,368	260,638	49%	526,740	(516,628)	
5900 All Other Financing Uses	1,619,368	1,896,101	1,886,243	755,315	45%	1,686,243	(200,000)	
Total General Fund	\$ 22,232,657	\$ 23,235,978	\$ 24,644,694	\$ 10,939,008	45%	\$ 24,286,704	\$ (357,990)	

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

202 Major Streets and State Trunklines Fund														
	Available Fund Balance - BOY	\$	3,585,170	\$	2,989,718	\$	1,726,109	\$	2,361,992	\$	2,361,992	\$	635,883	
Revenues														
Special assessments	\$	221,610	\$	228,652	\$	200,000	\$	-	\$	200,000	\$	-		
Federal grants		3,154,271		3,331,781		598,000		-		598,000		-		- LAKETON ST/ROBERTS ST/SEAWAY RD PARK PROJECTS
State grants		-		196,000		6,060,000		-		6,060,000		-		- SHORELINE DR (\$5.8 MIL)/BLACK CREEK/SOUTHERN PROJECTS
State shared revenue		2,590,185		2,513,944		2,865,941		784,891		2,865,941		-		
Interest income		214,103		199,976		60,000		20,711		60,000		-		
Operating transfers in		-		-		200,000		100,000		100,000		-	(100,000)	GENERAL FUND TRSFR - REDUCED DUE TO BUDGET SHORTFALL
Other	\$	514,262		283,125		75,000		14,999		75,000		-	(100,000)	
	\$	6,694,431	\$	6,703,478	\$	10,046,941	\$	920,601	\$	9,945,941	\$	(100,000)		
Operating Expenditures														
Salaries & Benefits	\$	649,222	\$	596,655	\$	873,257	\$	291,570	33%	\$	873,257	\$	-	
Operating Supplies		105,439		185,361		166,200		77,183	46%		166,200		-	
Contractual Services		915,522		894,483		762,970		457,884	60%		762,970		-	
Other Expenses		5,545		5,589		4,000		1,876	47%		4,000		-	
Capital Outlays		-		1,635		-		-	N/A		-		-	
Other Financing Uses		905,964		610,523		626,463		358,894	57%		626,463		-	DEBT SERVICE
	\$	2,581,692	\$	2,304,246	\$	2,432,890	\$	1,187,407	49%	\$	2,432,890	\$	-	
Project Expenditures														
Operating Supplies	\$	-	\$	-	\$	8,755,000		215,633	N/A	\$	-	\$	-	
Contractual Services		4,708,191		5,026,658		-		-	3%		8,201,000		(554,000)	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
Capital Outlays		-		-		-		-	N/A		-		-	
	\$	4,708,191	\$	5,026,658	\$	8,755,000	\$	215,633	3%	\$	8,201,000	\$	(554,000)	
	\$	7,289,883	\$	7,331,204	\$	11,187,890	\$	1,403,040	13%	\$	10,633,890			
Available Fund Balance - EOY														
	\$	2,989,718	\$	2,361,992	\$	585,160	\$	1,879,553		\$	1,675,043	\$	1,089,883	

- LAKETON ST/ROBERTS ST/SEAWAY IND PARK PROJECTS
- SHORELINE DR (\$5.8 MIL)/BLACK CREEK/SOUTHERN PROJECT
- GENERAL FUND TRSFER - REDUCED DUE TO BUDGET SHORTF.

SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL

City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds

203 Local Streets Fund

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
Available Fund Balance - BOY	\$ 175	\$ 122,968	\$ 319,647	\$ 156,747		\$ 156,747	\$ (162,900)	
Revenues								
Special assessments	\$ 76,570	\$ 120,108	\$ 75,000	\$ -		\$ 75,000	\$ -	
Federal grants	31,073	-	30,000	-		30,000	-	EDA GRANT FOR SEAWAY INDUSTRIAL PARK
State grants	48,467	24,000	100,000	-		100,000	-	SHORELINE DRIVE
State shared revenue	639,505	645,381	666,663	215,998		666,663	-	
Interest income	11,210	12,845	10,000	709		10,000	-	
Operating transfers in	870,000	820,000	850,000	425,000		850,000	-	GENERAL FUND TRANSFER
Other	20,982	764	20,000	180		20,000	-	
	\$ 1,595,907	\$ 1,623,098	\$ 1,751,693	\$ 641,888		\$ 1,751,693	\$ -	
Operating Expenditures								
Salaries & Benefits	\$ 437,738	\$ 431,139	\$ 427,175	\$ 273,551	64%	\$ 427,175	\$ -	
Operating Supplies	107,551	112,034	84,000	60,797	72%	84,000	-	
Contractual Services	589,182	508,360	582,958	326,377	56%	582,956	-	
Other Expenses	2,236	1,695	1,000	78	8%	1,000	-	
Capital Outlays	-	-	-	-	N/A	-	-	
Other Financing Uses	63,143	-	-	-	N/A	-	-	
	\$ 1,199,650	\$ 1,053,228	\$ 1,095,131	\$ 660,803	60%	\$ 1,095,131	\$ -	
Project Expenditures								
Operating Supplies	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
Contractual Services	\$ 374,267	\$ 536,088	\$ 870,000	\$ 46,999	6%	\$ 826,000	\$ (44,000)	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
	\$ 1,574,117	\$ 1,589,317	\$ 1,965,131	\$ 707,802	37%	\$ 1,921,131	\$ (44,000)	
Available Fund Balance - EOY	\$ 122,966	\$ 156,747	\$ 106,179	\$ 90,833		\$ (12,721)	\$ (118,900)	

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

230 Enterprise Community Fund

Available Fund Balance - EOY		Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
		\$	\$	\$	\$		\$	\$	
Revenues									
Special assessments	\$	-	-	\$	-		-	\$	-
Federal grants	633	-	85,494	180,000	85,981		180,000	-	-
State shared revenue	-	-	-	-	-		-	-	-
Charges for services	-	-	-	-	-		-	-	-
Interest income	-	-	-	-	-		-	-	-
Operating transfers in	-	-	-	-	-		-	-	-
Other	-	-	-	-	-		-	-	-
633	\$	\$ 633	\$ 85,494	\$ 180,000	\$ 85,981		\$ 180,000	\$ -	
Operating Expenditures									
Salaries & Benefits	\$	-	-	\$	-	N/A	\$	-	-
Operating Supplies	-	-	-	-	-	N/A	-	-	-
Contractual Services	633	-	85,494	180,000	85,981	48%	180,000	-	-
Other Expenses	-	-	-	-	-	N/A	-	-	-
Capital Outlays	-	-	-	-	-	N/A	-	-	-
Other Financing Uses	-	-	-	-	-	N/A	-	-	-
633	\$	\$ 633	\$ 85,494	\$ 180,000	\$ 85,981	48%	\$ 180,000	\$ -	
Project Expenditures									
Operating Supplies	\$	-	-	\$	-	N/A	\$	-	-
Contractual Services	-	-	-	-	-	N/A	-	-	-
633	\$	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
633	\$	\$ 633	\$ 85,494	\$ 180,000	\$ 85,981	48%	\$ 180,000	\$ -	
Available Fund Balance - EOY									
		\$	\$	\$	\$		\$	\$	

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

254 L.C. Walker Arena Fund									
Available Fund Balance - EOY	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Charge From 2002 Original	Comments	
\$	3,426	\$	3,851	\$	19,133	\$	19,133	\$	1,188
Revenues									
Special assessments	\$	\$	\$	\$		\$	\$		
State grants	-	-	-	-		-	-		
State shared revenue	-	-	-	-		-	-		
Charges for services	505,229	561,449	590,000	386,938		590,000			
Interest income	24	-	500	315		500			
Operating transfers in	346,000	301,000	271,837	135,918		271,837			
Other	3,848	520	5,000			5,000			
\$	855,101	\$	862,969	\$	523,171	\$	867,337	\$	-
Operating Expenditures									
Salaries & Benefits	\$	11,120	\$	11,543	\$	11,837	\$	11,837	\$
Operating Supplies	-	-	-	6,103	52%	-	-	-	-
Contractual Services	842,086	835,912	870,000	532,204	61%	870,000			
Other Expenses	-	-	-	-	N/A	-	-	-	-
Capital Outlays	1,480	242	-	-	N/A	-	-	-	-
Other Financing Uses	-	-	-	-	N/A	-	-	-	-
\$	854,666	\$	847,697	\$	538,307	\$	881,837	\$	-
Project Expenditures									
Operating Supplies	\$	-	\$	-	N/A	\$	-	\$	-
Contractual Services	-	-	-	-	N/A	-	-	-	-
\$	854,666	\$	847,697	\$	538,307	\$	881,837	\$	-
Available Fund Balance - EOY	\$	3,861	\$	19,133	\$	3,445	\$	4,633	\$
				3,997					1,188

GENERAL FUND TRANSFER - OPERATING SUBSIDY

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

403 Sidewalk Improvement Fund										Comments			
Available Fund Balance -BOY													
	\$	63,255	\$	613,738	\$	41,325	\$	(95,006)	\$	(95,006)	\$	(136,331)	
Revenues													
Special assessments	\$	459,927	\$	239,318	\$	500,000	\$	-	\$	500,000	\$	-	
Federal grants		-		-		-		-		-		-	
State shared revenue		-		-		-		-		-		-	
Charges for services		-		-		-		-		-		-	
Interest income		39,198		60,374		20,000		919		20,000		-	
Operating transfers in		97,219		-		100,000		-		100,000		-	
Other:		826,068		-		800,000		-		800,000		-	
	\$	1,422,412	\$	299,692	\$	1,420,000	\$	919	\$	1,420,000	\$	-	PROPOSED ISSUANCE OF SIDEWALK ASSESSMENT BONDS
Operating Expenditures													
Salaries & Benefits	\$	-	\$	-	\$	-	\$	-	N/A	\$	-	\$	-
Operating Supplies		-		-		-		-	N/A		-		-
Contractual Services		-		-		-		-	N/A		-		-
Other Expenses		-		-		-		-	N/A		-		-
Capital Outlays		-		-		-		-	N/A		-		-
Other Financing Uses		143,014		373,443		401,612		126,495	31%	401,612		-	DEBT SERVICE
	\$	143,014	\$	373,443	\$	401,612	\$	126,495	31%	\$	401,612	\$	-
Project Expenditures													
Operating Supplies	\$	-	\$	-	\$	-	\$	-	N/A	\$	-	\$	-
Contractual Services		588,030		622,666		600,000		121,454	40%	300,000		(300,000)	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
Other Expenses		6,520		12,337		-		-	N/A		-		-
Other Financing Uses		154,405		-		-		7,068	N/A		-		-
	\$	728,955	\$	634,993	\$	600,000	\$	128,522	43%	\$	300,000	\$	(300,000)
	\$	871,969	\$	1,008,436	\$	1,001,612	\$	255,017	36%	\$	701,612		
Available Fund Balance - EOY													
	\$	613,738	\$	(95,006)	\$	459,713	\$	(346,104)		\$	623,382	\$	163,669

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

404 Public Improvement Fund									
	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised 2002	Revised Estimate 2002	Change From 2002 Original	Comments	
Available Fund Balance - EOY	\$ 1,354,812	\$ 421,441	\$ 1,400,338	\$ 1,564,898	\$	\$ 1,564,898	\$ 164,560		
Revenues									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$	\$ -	\$ -		
Property taxes	-	-	-	-	-	-	-		
Federal grants	-	-	295,200	52,850	-	295,200	-	EDA GRANT FOR SEAWAY INDUSTRIAL PARK	
Contributions	-	1,200,000	-	-	-	-	-		
Sales of Property	148,053	76,257	100,000	21,446	-	100,000	-		
Interest income	51,375	31,880	25,000	14,708	-	25,000	-		
Operating transfers in	220,000	450,000	150,000	75,000	-	150,000	-	GENERAL FUND TRANSFER - FIRE EQUIPMENT RESERVE	
Other	35,643	31,859	-	3,000	-	-	-		
	\$ 455,071	\$ 1,790,006	\$ 570,200	\$ 167,004	\$	\$ 570,200	\$ -		
Operating Expenditures									
30936 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -		
5100 Operating Supplies	-	-	-	-	N/A	-	-		
5300 Contractual Services	-	-	-	58,850	N/A	-	-		
5400 Other Expenses	-	-	-	-	N/A	-	-		
5700 Capital Outlays	-	-	-	-	N/A	-	-		
5900 Other Financing Uses	105,000	-	-	-	N/A	-	-		
	\$ 105,000	\$ -	\$ -	\$ 58,850	N/A	\$ -	\$ -		
Project Expenditures									
90000 Operating Supplies	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -		
5300 Contractual Services	696,960	53,375	-	15,191	N/A	-	-		
5400 Other Expenses	-	-	-	-	N/A	-	-		
5700 Capital Outlays	586,482	593,174	224,000	119,016	53%	224,000	-	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL	
	\$ 1,283,442	\$ 646,549	\$ 224,000	\$ 134,207	60%	\$ 224,000	\$ -		
	\$ 1,388,442	\$ 646,549	\$ 224,000	\$ 193,057	86%	\$ 224,000	\$ -		
Available Fund Balance - EOY	\$ 421,441	\$ 1,564,898	\$ 1,746,538	\$ 1,538,845	\$	\$ 1,911,098	\$ 164,560		

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

482 State Grants Fund										Comments
Available Fund Balance - BOY										
	\$	-	\$	-	\$	-	\$	-	\$	
Revenues										
Special assessments	\$	-	\$	-	\$	-	\$	-	\$	-
State grants	275,965		363,056		2,778,099		114,662		2,778,099	
Federal grants	73,386		406,614		-		-		-	
Sales of Property	-		-		-		-		-	
Interest Income	-		-		-		-		-	
Operating transfers in	601,173		693,281		348,000		-		348,000	
Other	-		-		1,000,000		10,000		1,000,000	
	\$ 950,524		\$ 1,462,951		\$ 4,124,099		\$ 124,662		\$ 4,124,099	
Operating Expenditures										
Salaries & Benefits	\$	-	\$	-	\$	-			N/A	\$
Operating Supplies	-		-		-		-		N/A	-
Contractual Services	-		-		-		-		N/A	-
Other Expenses	-		-		-		-		N/A	-
Capital Outlays	-		-		-		-		N/A	-
Other Financing Uses	-		-		-		-		N/A	-
	\$	-	\$	-	\$	-			N/A	\$
Project Expenditures										
Operating Supplies	\$	-	\$	-	\$	-			N/A	\$
Contractual Services	950,524		1,283,344		-		113,480		N/A	-
Capital Outlays	-		179,607		4,124,099		58,186		1%	4,124,099
	\$ 950,524		\$ 1,462,951		\$ 4,124,099		\$ 171,666		4%	\$ 4,124,099
	\$ 950,524		\$ 1,462,951		\$ 4,124,099		\$ 171,666		4%	\$ 4,124,099
SEE BUDGETED CAPITAL IMPROVEMENTS FOR DETAIL										
Available Fund Balance - EOY										
	\$	-	\$	-	\$	-			(47,004)	

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

594 Marina & Launch Ramp Fund										Comments
	Actual 2000	Actual 2001	Estimate 2002	2002	Of Revised	2002	2002 Original			
Available Cash Balance - BOY	\$ 62,225	\$ 2,292	\$ 126,329	\$ 66,148	\$	\$ 66,148	\$ (60,181)			
Revenues										
Special assessments	\$ -	\$ -	\$ -	-	\$	-	\$ -	-		
State grants	-	158,150	122,500	-	-	122,500	-	-		
State shared revenue	-	-	-	-	-	-	-	-		
Charges for services	273,456	292,144	276,600	161,510	-	254,392	(22,208)			
Interest income	5,184	1,544	5,000	544	-	5,000	-			
Operating transfers in	-	-	-	-	-	-	-			
Other	10,797	2,128	-	-	-	-	-			
	\$ 289,437	\$ 454,966	\$ 404,100	\$ 162,054	\$	\$ 381,892	\$ (22,208)			
Operating Expenditures										
Salaries & Benefits	\$ 74,283	\$ 92,244	\$ 114,172	\$ 42,548	37%	\$ 114,172	\$ -			
Operating Supplies	17,771	7,942	9,650	3,712	38%	9,650	-			
Contractual Services	143,006	127,477	100,223	45,338	45%	100,223	-			
Other Expenses	2,307	545	1,000	805	81%	1,000	-			
Capital Outlays	1,350	561	-	-	N/A	-	-			
Other Financing Uses	(841)	-	-	-	N/A	-	-			
Other Cash Uses (e.g., Debt Principal)	-	(5,126)	-	-	N/A	-	-			
	\$ 237,876	\$ 223,643	\$ 225,045	\$ 92,403	41%	\$ 225,045	\$ -			
90000 Project Expenditures										
Operating Supplies	\$ -	\$ -	\$ -	-	N/A	\$ -	\$ -	-	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL	
Contractual Services	111,494	167,467	245,000	162,669	66%	245,000	-	-		
Capital Outlays	-	-	-	-	N/A	-	-	-		
	\$ 111,494	\$ 167,467	\$ 245,000	\$ 162,669	66%	\$ 245,000	\$ -	-		
	\$ 349,370	\$ 391,110	\$ 470,045	\$ 255,072	54%	\$ 470,045	\$ -	-		
Available Cash Balance - EOY	\$ 2,292	\$ 66,148	\$ 60,384	\$ (26,870)	\$	\$ (22,035)	\$ (82,389)			

City of Muskegon

584	Municipal Golf Course Fund									
	Available Cash Balance - EOY	Actual 2000	Actual 2001	Estimate 2002	2002	Q1 Rev/Sec	2002	2002 Original	Comments	
	\$ 1,564,213	\$ 1,151,296	\$ 567,480	\$ 492,650	\$ 492,650	\$	\$ 492,650	\$ (74,830)		
Revenues										
Special assessments	\$	\$	\$	\$	\$	\$	\$	\$		
State grants	-	-	-	-	-	-	-	-		
State shared revenue	-	-	-	-	-	-	-	-		
Charges for services	-	-	-	-	-	-	-	-		
Interest income	86,159	55,488	40,000	5,077	5,077	-	40,000	-		
Operating transfers in	-	-	-	-	-	-	-	-		
Other	-	-	-	-	-	-	-	-		
	\$ 86,159	\$ 55,488	\$ 40,000	\$ 5,077	\$ 5,077	\$	\$ 40,000	\$		
Operating Expenditures										
Salaries & Benefits	\$	\$	\$	\$	\$	N/A	\$	\$		
Operating Supplies	-	-	-	-	-	N/A	-	-		
Contractual Services	2,903	-	-	-	-	N/A	-	-		
Other Expenses	-	-	-	-	-	N/A	-	-		
Capital Outlays	-	-	-	-	-	N/A	-	-		
Other Financing Uses	496,173	714,134	241,000	-	-	0%	241,000	-	LOCAL MATCH FOR TRAIL PROJECT GRANTS	
Other Cash Uses (e.g., Debt Principal)	-	-	-	-	-	N/A	-	-		
	\$ 499,076	\$ 714,134	\$ 241,000	\$	\$	0%	\$ 241,000	\$		
Project Expenditures										
Operating Supplies	\$	\$	\$	\$	\$	N/A	\$	\$		
Contractual Services	-	-	-	-	-	N/A	-	-		
Capital Outlays	-	-	-	-	-	N/A	-	-		
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -		
	\$ 499,076	\$ 714,134	\$ 241,000	\$	\$	0%	\$ 241,000	\$		
Available Cash Balance - EOY										
	\$ 1,161,296	\$ 492,650	\$ 366,480	\$ 497,727	\$ 497,727	\$	\$ 291,650	\$ (74,830)		

2nd Quarter Budget Reforecast - Non-General Funds

661 Equipment Fund										Comments
Available Cash Balance - EOY										
	\$	499,092	\$	380,984	\$	399,549	\$	367,851	\$	(31,798)
Revenues										
Special assessments	\$	-	\$	-	\$	-	\$	-	\$	-
State grants		-		-		-		-		-
State shared revenue		-		-		-		-		-
Charges for services		1,950,310		1,950,000		1,129,170		1,950,000		-
Interest income		27,193		1,985,638		40,000		3,635		40,000
Operating transfers in		-		-		-		-		-
Other	\$	193,377		127,412		100,000		36,662		100,000
	\$	2,170,880	\$	2,134,923	\$	2,090,000	\$	1,169,467	\$	2,090,000
Operating Expenditures										
Salaries & Benefits	\$	364,999	\$	446,604	\$	403,801	\$	194,565	\$	403,801
Operating Supplies		506,768		649,641		561,230		38%		561,230
Contractual Services		393,192		459,869		404,596		283,834		404,596
Other Expenses		3,357		4,070		3,500		3,722		3,500
Capital Outlays		872,983		713,321		766,490		392,256		766,490
Other Financing Uses		-		-		-		-		-
Other Cash Uses (e.g., Debt Principal)	\$	47,789		(125,449)		-		-		-
	\$	2,288,993	\$	2,148,056	\$	2,139,577	\$	1,086,978	\$	2,139,577
								51%		-
Project Expenditures										
Operating Supplies	\$	-	\$	-	\$	-	\$	-	\$	-
Contractual Services		-		-		-		-		-
Capital Outlays	\$	-	\$	-	\$	-	\$	-	\$	-
	\$	2,288,993	\$	2,148,056	\$	2,139,577	\$	1,086,978	\$	2,139,577
								51%		-
Available Cash Balance - EOY										
	\$	380,984	\$	367,851	\$	350,072	\$	448,339	\$	318,274
										(31,798)

SEE 'BUDGETED CAPITAL IMPROVEMENTS' FOR DETAIL

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

642 Public Service Building Fund													Comments
Available Cash Balance - EOY													
	\$	34,173	\$	(200,038)	\$	(113,928)	\$	(110,757)	\$	(110,757)	\$	8,171	
Revenues													
Special assessments	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	-
State grants	-	-	-	-	-	-	-	-	-	-	-	-	-
State shared revenue	-	-	-	-	-	-	-	-	-	-	-	-	-
Charges for services	480,000	-	557,060	-	557,060	-	306,383	-	557,060	-	1,000	-	-
Interest income	-	-	-	-	1,000	-	-	-	1,000	-	-	-	-
Operating transfers in	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	427	-	-	-	-	-	-	-	-	-	-	-	-
	\$	480,427	\$	557,060	\$	558,060	\$	306,383	\$	558,060	\$	-	-
Operating Expenditures													
Salaries & Benefits	\$	174,399	\$	178,227	\$	177,609	\$	84,826	\$	177,609	\$	-	-
Operating Supplies	19,767	-	22,582	-	26,950	-	11,670	-	26,950	-	22,268	-	-
Contractual Services	5300	215,070	193,076	-	222,268	-	115,493	-	222,268	-	2,000	-	-
Other Expenses	5400	10,956	(1,951)	-	2,000	-	50	-	2,000	-	-	-	-
Capital Outlays	5700	18,961	68,738	-	-	-	37,977	-	-	-	-	-	-
Other Financing Uses	5900	-	-	-	-	-	-	-	-	-	-	-	-
Other Cash Uses and Adjustments (e.g., Debt Principal)	(21,076)	-	7,107	-	-	-	-	-	-	-	-	-	-
	\$	418,077	\$	487,779	\$	428,827	\$	250,016	\$	428,827	\$	-	-
Project Expenditures													
Operating Supplies	5200	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Contractual Services	5300	276,561	-	-	159,350	-	7,992	-	159,350	-	159,350	-	-
Capital Outlays	5700	\$	276,561	\$	-	\$	159,350	\$	7,992	\$	159,350	\$	-
	\$	694,638	\$	467,779	\$	588,177	\$	257,708	\$	588,177	\$	-	-
Available Cash Balance - EOY													
	\$	(200,038)	\$	(110,757)	\$	(149,045)	\$	(82,082)	\$	(140,874)	\$	8,171	-

- SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

643 Engineering Services Fund									
	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments	
Available Cash Balance - EOY	\$ 86,178	\$ 117,667	\$ 140,189	\$ 144,167		\$ 144,167	\$ 3,978		
Revenues									
Special assessments	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -		
State grants	-	-	-	-		-	-		
State shared revenue	-	-	-	-		-	-		
Charges for services	478,738	554,621	656,756	217,597		656,756	-		
Interest income	5,749	6,378	10,000	1,296		10,000	-		
Operating transfers in	-	-	-	-		-	-		
Other	24,762	28,005	-	-		-	-		
	\$ 509,249	\$ 589,004	\$ 666,756	\$ 218,893		\$ 666,756	\$ -		
Operating Expenditures									
Salaries & Benefits	\$ 348,155	\$ 405,175	\$ 494,560	\$ 183,155	37%	\$ 494,560	\$ -		
Operating Supplies	15,188	18,746	20,530	13,882	68%	20,530	-		
Contractual Services	107,040	127,790	134,612	67,218	50%	134,612	-		
Other Expenses	3,964	1,844	6,300	1,079	17%	6,300	-		
Capital Outlays	22,025	14,568	16,650	2,890	17%	16,650	-		
Other Financing Uses	-	-	-	-	N/A	-	-		
Other Cash Uses and Adjustments (e.g., Debt Principal)	(19,413)	(5,967)	-	-	N/A	-	-		
	\$ 476,959	\$ 562,755	\$ 672,652	\$ 268,214	40%	\$ 672,652	\$ -		
Project Expenditures									
Operating Supplies	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -		
Contractual Services	771	378	-	378	N/A	-	-		
Capital Outlays	-	-	-	-	N/A	-	-		
	\$ 771	\$ 378	\$ -	\$ 378	N/A	\$ -	\$ -		
	\$ 477,730	\$ 562,834	\$ 672,652	\$ 268,592	40%	\$ 672,652	\$ -		
Available Cash Balance - EOY	\$ 117,667	\$ 144,167	\$ 134,293	\$ 94,468		\$ 138,271	\$ 3,978		

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

677 General Insurance Fund									
	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments	
Available Cash Balance - BOY	\$ 1,193,782	\$ 935,251	\$ 1,038,212	\$ 855,366		\$ 855,366	\$ (182,846)		
Revenues									
Special assessments	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -		
State grants	-	-	-	-		-	-		
State shared revenue	-	-	-	-		-	-		
Charges for services	1,978,797	2,169,113	2,634,320	1,210,852		2,634,320	-		
Interest income	55,393	33,408	40,000	7,338		40,000	-		
Operating transfers in	784,995	881,596	900,000	-		900,000	-		
Other	117,275	11,750	75,000	-		75,000	-		
	\$ 2,936,460	\$ 3,095,957	\$ 3,649,320	\$ 1,217,991		\$ 3,649,320	\$ -	TRANSFER FROM PENSION FUNDS FOR RETIREE HEALTHCARE	
Operating Expenditures									
Salaries & Benefits	\$ 5,712	\$ 42,455	\$ 44,910	\$ 137,240	305%	\$ 44,910	\$ -		
Operating Supplies	475	922	1,000	78	8%	1,000	-		
Contractual Services	3,072,981	3,243,323	3,534,320	1,591,863	45%	3,534,320	-		
Other Expenses	461	2,075	2,000	118	6%	2,000	-		
Capital Outlays	-	2,405	2,000	315	16%	2,000	-		
Other Financing Uses	-	-	-	-	N/A	-	-		
Other Cash Uses and Adjustments (e.g., Debt Principal)	115,362	(115,428)	-	-	N/A	-	-		
	\$ 3,194,691	\$ 3,175,752	\$ 3,584,230	\$ 1,729,614	48%	\$ 3,584,230	\$ -		
Project Expenditures									
Operating Supplies	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -		
Contractual Services	-	-	-	-	N/A	-	-		
Capital Outlays	-	-	-	-	N/A	-	-		
	\$ 3,194,691	\$ 3,175,752	\$ 3,584,230	\$ 1,729,614	48%	\$ 3,584,230	\$ -		
Available Cash Balance - EOY	\$ 935,251	\$ 855,366	\$ 1,103,302	\$ 343,743		\$ 920,456			

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

591 Water Fund	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
Available Cash Balance - BOY	\$ 6,094,347	\$ 5,982,941	\$ 5,148,538	\$ 5,071,320		\$ 5,071,320	\$ (77,218)	
Revenues								
Special assessments	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	- EDA GRANT FOR SEAWAY INDUSTRIAL PARK
Federal grants	-	-	90,000	-		90,000	90,000	- SHORELINE DRIVE
State grants	-	-	100,000	-		100,000	-	
State shared revenue	-	-	-	-		-	-	
Charges for services - City	3,531,540	3,980,059	3,550,000	745,509		3,550,000	3,550,000	
Charges for services - Township	-	-	450,000	114,969		450,000	450,000	
Hydrant Rental - Township	-	-	-	-		-	-	
Interest income	320,696	230,884	140,000	31,128		140,000	140,000	
Operating transfers in	-	454,812	54,000	-		54,000	54,000	
Other	84,101	52,184	100,000	85,567		100,000	100,000	
	\$ 3,936,337	\$ 4,717,919	\$ 4,484,000	\$ 978,163		\$ 4,484,000	\$ -	
Operating Expenditures Administration								
Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
Operating Supplies	-	10	-	-	N/A	-	-	
Contractual Services	359,581	453,613	481,606	244,239	52%	481,606	481,606	- INSURANCE/INDIRECT COSTS/ADMINISTRATION FEE
Other Expenses	7,431	6,144	-	-	N/A	-	-	
Capital Outlays	45	-	-	-	N/A	-	-	
Other Financing Uses	465,727	471,301	432,270	230,392	53%	432,270	432,270	- INTEREST ON WATER BONDS
Other Cash Uses and Adjustments (e.g., Debt Principal)	302,213	591,739	390,000	-	0%	390,000	390,000	- PRINCIPAL ON WATER BONDS
	\$ 1,164,997	\$ 1,522,807	\$ 1,303,876	\$ 475,631	37%	\$ 1,303,876	\$ -	
Operating Expenditures Maintenance - City								
Salaries & Benefits	\$ 698,628	\$ 788,512	\$ 601,859	\$ 334,305	56%	\$ 601,859	\$ -	
Operating Supplies	237,968	235,205	92,350	53,537	58%	92,350	92,350	
Contractual Services	293,031	390,528	321,312	164,006	51%	321,312	321,312	
Other Expenses	71,880	12,356	4,130	4,791	116%	4,130	4,130	
Capital Outlays	5,129	7,327	10,900	1,980	18%	10,900	10,900	
Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 1,306,436	\$ 1,393,928	\$ 1,030,551	\$ 558,619	54%	\$ 1,030,551	\$ -	
Operating Expenditures Maintenance - Township								
Salaries & Benefits	\$ 3,190	\$ 206,700	\$ 292,602	\$ 103,356	35%	\$ 292,602	\$ -	
Operating Supplies	863	9,525	12,483	5,425	43%	12,483	12,483	
Contractual Services	47	120,508	125,594	54,747	44%	125,594	125,594	
Other Expenses	-	469	1,420	663	47%	1,420	1,420	
Capital Outlays	-	800	4,350	1,399	32%	4,350	4,350	
Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 4,100	\$ 338,003	\$ 436,449	\$ 165,591	38%	\$ 436,449	\$ -	
Operating Expenditures Filtration								
Salaries & Benefits	\$ 469,642	\$ 440,416	\$ 480,724	\$ 227,542	47%	\$ 480,724	\$ -	
Operating Supplies	121,252	115,078	107,140	54,984	51%	107,140	107,140	
Contractual Services	285,375	349,281	400,250	140,270	35%	400,250	400,250	
Other Expenses	3,546	2,374	4,150	1,100	27%	4,150	4,150	
Capital Outlays	27,339	104,225	39,950	14,217	36%	39,950	39,950	
Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 907,154	\$ 1,011,383	\$ 1,032,214	\$ 438,113	42%	\$ 1,032,214	\$ -	
Project Expenditures								
Operating Supplies	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	- SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
Contractual Services	665,056	1,353,419	5,288,771	158,213	3%	5,202,771	(86,000)	
Capital Outlays	665,056	1,353,419	5,288,771	158,213	3%	5,202,771	(86,000)	
	\$ 4,047,743	\$ 5,629,540	\$ 9,091,861	\$ 1,798,187	20%	\$ 9,005,861	\$ -	
Available Cash Balance - EOY	\$ 5,982,941	\$ 5,071,320	\$ 540,677	\$ 4,250,316		\$ 549,459	\$ 8,782	

**City of Muskegon
2nd Quarter Budget Reforecast - Non-General Funds**

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Actual Thru June 2002	Actual As % of Revised	Revised Estimate 2002	Change From 2002 Original	Comments
590 Sewer Fund								
Available Cash Balance - BOY	\$ 787,448	\$ 1,445,721	\$ 1,266,849	\$ 1,027,063	\$	\$ 1,027,063	\$ (239,786)	
Revenues								
Special assessments	\$ -	\$ -	\$ -	\$ -	\$	\$ -	\$ -	
Federal grants	-	-	3,000	-	-	3,000	-	
State grants	-	-	100,000	462,131	-	550,000	450,000	SHORELINE DRIVE
State shared revenue	-	-	-	-	-	-	-	
Charges for services	3,989,052	3,808,493	4,750,000	977,479	-	4,750,000	-	
Interest income	54,362	69,601	40,000	9,993	-	40,000	-	
Operating transfers in	-	-	-	-	-	-	-	
Other	45,967	113,201	80,000	7,844	-	80,000	-	
	\$ 4,088,381	\$ 3,981,295	\$ 4,973,000	\$ 1,457,447	\$	\$ 5,433,000	\$ 460,000	
Operating Expenditures Administration								
Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
Operating Supplies	-	-	-	-	N/A	-	-	
Contractual Services	269,957	629,842	264,062	185,417	70%	264,062	-	INSURANCE/INDIRECT COSTS/ADMINISTRATION FEE
Other Expenses	13,098	9,635	-	-	N/A	-	-	
Capital Outlays	45	-	-	-	N/A	-	-	
Other Financing Uses	216,776	651,981	176,043	93,578	53%	176,043	-	INTEREST ON SEWER BONDS
Other Cash Uses and Adjustments (e.g., Debt Principal)	714,619	551,971	458,918	-	0%	458,918	-	PRINCIPAL ON SEWER BONDS
	\$ 1,214,495	\$ 1,843,629	\$ 899,023	\$ 278,995	31%	\$ 899,023	\$ -	
60559 Operating Expenditures Maintenance								
Salaries & Benefits	\$ 551,757	\$ 587,142	\$ 725,420	\$ 302,430	42%	\$ 725,420	\$ -	
Operating Supplies	50,955	54,343	54,335	30,484	56%	54,335	-	
Contractual Services	1,346,297	1,684,616	2,086,204	699,190	34%	2,086,204	-	
Other Expenses	3,992	2,093	2,900	1,779	61%	2,900	-	
Capital Outlays	8,360	8,511	17,700	3,959	22%	17,700	-	
Other Financing Uses	-	-	-	-	N/A	-	-	
	\$ 1,961,381	\$ 2,336,705	\$ 2,886,559	\$ 1,037,842	36%	\$ 2,886,559	\$ -	
90000 Project Expenditures								
Operating Supplies	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
Contractual Services	255,232	229,619	805,000	468,205	39%	1,264,000	459,000	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
Capital Outlays	-	-	-	-	N/A	-	-	
	\$ 255,232	\$ 229,619	\$ 805,000	\$ 468,205	36%	\$ 1,264,000	\$ 459,000	
	\$ 3,431,108	\$ 4,408,953	\$ 4,530,582	\$ 1,815,042	36%	\$ 5,049,592	\$ -	
Available Cash Balance - EOY	\$ 1,445,721	\$ 1,027,063	\$ 1,649,267	\$ 669,468	\$	\$ 1,410,461	\$ -	

City of Muskegon
2nd Quarter Budget Reforecast
Budgeted Capital Improvements

	Responsibility	Original Budget	1st Quarter Budget Reforecast	2nd Quarter Budget Reforecast	Comments
2002 PROJECTS					
101 General Fund					
91001 Community Center Design	Scott	\$ 100,000	\$ 8,000	\$ -	
91002 Relocate Central Fire (Acquisition, Demolition)	Simpson	250,000	100,000	-	ELIMINATED DUE TO BUDGET SHORTFALL
Fire Station Location/Operation Analysis	Simpson	-	-	50,000	REALLOCATED FROM ABOVE PROJECT
91003 Alternate Power Supply for City Hall	Al-Shatel	100,000	100,000	-	ELIMINATED DUE TO BUDGET SHORTFALL
91004 Reese Park Restroom/Maintenance Building	Scott	150,000	150,000	-	ELIMINATED DUE TO BUDGET SHORTFALL
99012 Geographical Information System	Moore	-	7,500	7,500	
99019 Restlawn Office Renovation (Phase II)	Scott	70,000	85,000	85,000	BIDS HIGHER THAN EXPECTED
		670,000	450,500	142,500	
404 Public Improvement Fund					
91005 Demolish Hackley Fire Station (Incl Repeater Relocation)	Kuhn	70,000	70,000	70,000	
99020 Seaway-Hackley Industrial Park Property Acquisition	Brubaker-Clarke	54,000	54,000	54,000	
Property Acquisition	Brubaker-Clarke	75,000	75,000	75,000	
Hovercraft	Simpson	25,000	25,000	25,000	
		224,000	224,000	224,000	
202 Major Streets					
90041 Black Creek Road, Sherman to Latimer	Al-Shatel	510,000	2,000	140,000	Special Assessment Ultimately Approved
90042 Washington, Division to Franklin	Al-Shatel	225,000	350,000	350,000	Reconstruction
90043 Laketon, Peck to Park	Al-Shatel	550,000	550,000	530,000	New Construction - Partially Funded by \$375,000 STP Grant
90052 Division, Southern to Western	Al-Shatel	210,000	175,000	175,000	Mill & Resurface
90053 Southern, Division to Seaway	Al-Shatel	250,000	125,000	110,000	
90063 M-120 over Musekgon River	Al-Shatel	-	55,000	55,000	Carryover Costs from 2001
90020 Barney, Valley to Roberts	Al-Shatel	-	14,000	14,000	Carryover Costs from 2001
90011 Barclay, Sherman to Hackley	Al-Shatel	-	15,000	15,000	Carryover Costs from 2001
90056 Houston, Third to First	Al-Shatel	150,000	125,000	125,000	Mill & Resurface
90058 Terrace St., Irwin to Iona	Al-Shatel	325,000	285,000	285,000	Reconstruction
90059 Harvey, Keating to South End (900' of Gravel Road)	Al-Shatel	100,000	100,000	100,000	New Construction
90060 Roberts, Keating to Laketon	Al-Shatel	171,000	125,000	125,000	Mill and Resurface - Partially Funded by \$86,000 STP Grant
90061 State's Job (Seaway Drive, Southern to Sherman)	Al-Shatel	60,000	55,000	55,000	
90063 State's Job (US31 SB Off Ramp at Sherman)	Al-Shatel	15,000	3,000	3,000	
91013 Laketon @ Barclay Intersection	Al-Shatel	-	160,000	135,000	
96017 Shoreline Dr (incl Terrace Extension, Spring & Western)	Al-Shatel	5,850,000	5,850,000	5,850,000	New Construction - Funded by \$11.6 million State Grant
96059 Sidewalks - Handicap Ramps	Al-Shatel	25,000	20,000	20,000	
99020 Seaway-Hackley Industrial	Al-Shatel	114,000	114,000	114,000	Funded 60% by EDA Grant
Unspecified Projects	Al-Shatel	200,000	260,000	-	
		8,755,000	8,383,000	8,201,000	

City of Muskegon
2nd Quarter Budget Reforecast
Budgeted Capital Improvements

		Responsibility	Original Budget	1st Quarter Budget Reforecast	2nd Quarter Budget Reforecast	Comments
2002 PROJECTS						
203	<u>Local Streets</u>					
90057	Leon, Harrison to Crozier (Gravel Street)	Al-Shatel	150,000	150,000	200,000	New Construction
90064	Austin, Barney to Delano	Al-Shatel	90,000	6,000	6,000	Reconstruction
90065	Sherin, Lakeshore Drive to Miner	Al-Shatel	100,000	75,000	75,000	New Construction and Reconstruction
98017	Shoreline Dr (Incl Terrace Extension, Spring & Western)	Al-Shatel	50,000	50,000	50,000	New Construction - Funded by State Grant
96059	Sidewalks - Handicap Ramps	Al-Shatel	25,000	20,000	20,000	
99020	Seaway-Hackley Industrial	Al-Shatel	255,000	255,000	255,000	Funded 60% by EDA Grant
91015	Ridge, Genside to Cumberland	Al-Shatel	-	-	80,000	
90070	Wilson, Henry to Dowd	Al-Shatel	-	-	140,000	
	Unspecified Projects	Al-Shatel	200,000	200,000	-	
			870,000	756,000	826,000	
403	<u>Sidewalks</u>					
96059	2002 Sidewalk Replacement Program	Al-Shatel	600,000	300,000	300,000	Financed With Special Assessment Bonds
482	<u>State Grants Fund</u>					
90014	Clean Michigan Initiative (Teledyne-Streets, Utilities)	Brubaker-Clarke	1,601,000	1,601,000	1,601,000	Continued Property Acquisition
90040	Lakeshore Trail Phase I (Heritage to Grand Trunk)	Scott	100,000	100,000	100,000	Local Match \$105,000
91006	Beachwood Park Renovation	Scott	405,000	405,000	405,000	Financed With Core Communities Loan
91008	Core Communities Initiative (Teledyne-Boardwalk)	Brubaker-Clarke	1,000,000	1,000,000	1,000,000	
96096	Site Assessment Projects	Brubaker-Clarke	237,625	237,625	237,625	
98022	Cole's Expansion	Brubaker-Clarke	99,056	99,056	99,056	
98050	Lakeshore Trail Phase II (Laketon)	Scott	281,000	281,000	281,000	
99010	Clean Michigan Initiative (Amazon Building)	Brubaker-Clarke	100,418	100,418	100,418	
99080	Lakeshore Trail Phase IV (Shoreline Drive)	Scott	300,000	300,000	300,000	
			4,124,099	4,124,099	4,124,099	

**City of Muskegon
2nd Quarter Budget Reforecast
Budgeted Capital Improvements**

	Responsibility	Original Budget	1st Quarter Budget Reforecast	2nd Quarter Budget Reforecast	Comments
2002 PROJECTS					
590 Sewer					
90041	Black Creek Road, Sherman to Latimer	10,000	-	-	Street Project - Associated Utility Work
90042	Washington, Division to Franklin	80,000	140,000	140,000	Street Project - Associated Utility Work
90043	Laketon, Peck to Park	10,000	-	-	Street Project - Associated Utility Work
90052	Division, Southern to Western	15,000	15,000	15,000	Street Project - Associated Utility Work
90053	Southern, Division to Seaway	10,000	1,000	1,000	Street Project - Associated Utility Work
90057	Leon, Harrison to Crozier	10,000	7,000	7,000	Street Project - Associated Utility Work
90058	Terrace St, Irwin to Iona	150,000	150,000	150,000	Street Project - Associated Utility Work
90059	Harvey, Keating to South end	80,000	145,000	145,000	Street Project - Associated Utility Work
90060	Roberts, Keating to Laketon	5,000	1,000	1,000	Street Project - Associated Utility Work
90063	M-120 over Muskegon River	-	463,000	463,000	100% Reimbursed from MDOT
90065	Sherin, Lakeshore Drive to Miner	10,000	1,000	1,000	Street Project - Associated Utility Work
90066	Randolph, Westwood to End (Sewer Extension)	50,000	16,000	16,000	Homes Currently on Septic Systems
90068	Industrial Park Liftstation	125,000	125,000	125,000	
96017	Shoreline Dr (incl Terrace Extension, Spring & Western)	100,000	100,000	100,000	Street Project - Associated Utility Work
99020	Seaway-Hackley Industrial	100,000	100,000	100,000	Funded 60% by EDA Grant
	Unspecified Projects	50,000	-	-	
		805,000	1,264,000	1,264,000	
591 Water					
90041	Black Creek Road, Sherman to Latimer	10,000	-	-	Street Project - Associated Utility Work
90042	Washington, Division to Franklin	125,000	140,000	140,000	Street Project - Associated Utility Work
90043	Laketon, Peck to Park	10,000	10,000	10,000	Street Project - Associated Utility Work
90052	Division, Southern to Western	100,000	100,000	60,000	Street Project - Associated Utility Work
90053	Southern, Division to Seaway	15,000	1,000	1,000	Street Project - Associated Utility Work
90056	Houston, Third to First	75,000	30,000	30,000	Street Project - Associated Utility Work
90057	Leon, Harrison to Crozier	10,000	7,000	7,000	Street Project - Associated Utility Work
90058	Terrace St, Irwin to Iona	150,000	190,000	190,000	Street Project - Associated Utility Work
90060	Roberts, Keating to Laketon	5,000	1,000	1,000	Street Project - Associated Utility Work
90065	Sherin, Lakeshore Drive to Miner	40,000	55,000	65,000	Street Project - Associated Utility Work
90067	Marshall St. Tank Painting	200,000	200,000	200,000	Street Project - Associated Utility Work
96017	Shoreline Dr (incl Terrace Extension, Spring & Western)	100,000	100,000	100,000	Street Project - Associated Utility Work
97041	Water Filtration Plant Improvements	4,298,771	4,298,771	4,298,771	Financed With 1999 Water Improvement Bonds
99020	Seaway-Hackley Industrial	100,000	100,000	100,000	Funded 60% by EDA Grant
	Unspecified Projects	50,000	-	-	
		5,288,771	5,232,771	5,202,771	

**City of Muskegon
2nd Quarter Budget Reforecast
Budgeted Capital Improvements**

		Responsibility	Original Budget	1st Quarter Budget Reforecast	2nd Quarter Budget Reforecast	Comments
<u>2002 PROJECTS</u>						
<u>594</u>	<u>Marina & Launch Ramp</u>					
91007	Hartshorn Electrical Upgrade	Scott	245,000	245,000	245,000	Financed 50% With State Grant
<u>642</u>	<u>Public Service Building</u>					
99040	Public Service Building Renovation	Kuhn	159,350	159,350	159,350	
<u>661</u>	<u>Equipment Fund</u>					
	Patrol Car Replacements (10)	Kuhn	206,250	206,250	206,250	Replacement
	Plow Truck Replacements (1)	Kuhn	67,000	67,000	67,000	Replacement
	Dump Truck (1)	Kuhn	76,000	76,000	76,000	Replacement
	Pickup Trucks 3/4 Ton (2)	Kuhn	36,000	36,000	36,000	Replacement
	Mini-Pickup Trucks (2)	Kuhn	30,000	30,000	30,000	Replacement
	Excavator (1)	Kuhn	113,000	113,000	113,000	Replacement
	Holder (1)	Kuhn	75,000	75,000	75,000	New - Will Replace Backhoe
	Sedans (6)	Kuhn	96,000	96,000	96,000	Replacement
	Radios and Various Other Minor Equipment	Kuhn	67,200	67,200	67,200	Replacement
			766,450	766,450	766,450	
			\$ 22,507,670	\$ 21,905,170	\$ 21,455,170	

Date: August 13, 2002

To: Honorable Mayor and City Commissioners

From: Finance Director

RE: Participation in MMRMA "Energy Choice" Program

SUMMARY OF REQUEST: Over the last few years, the state has moved to deregulate the electric and natural gas industries in the state. For consumers (including the city) the benefit is potentially lower costs. Since deregulation was announced, staff has tried to stay informed of the issues and determine how the City might benefit. Unfortunately, the process and issues are very complex and, to this point deregulation has primarily benefited large corporations and other organizations having professional "energy management" resources. Staff believes an intergovernmental approach through MMRMA (and its hired consultants) provides the best avenue for the City to successfully participate in electric and natural gas deregulation without incurring significant costs. MMRMA has represented the City well for many years in the insurance arena and is an effective and well-run intergovernmental cooperation organization. Also, a comparable program sponsored by the MML has failed to get off the ground to this point, so the MMRMA Energy Choice program offers the best option to realize energy savings.

FINANCIAL IMPACT: The short-term costs of participation in this program are a one-time \$150 charge for installation of a "splitter box" at each site. This will allow the use of existing phone lines to transmit meter data to the utility. Longer-term financial impacts are expected be significant in terms of lower electric/gas costs (estimated at 10%). For example, 10% savings in electric costs for the LC Walker Arena equals \$10,500/year.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approval of the attached "Energy Choice Agreement".

COMMITTEE RECOMMENDATION: None.

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4055

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

Neigh. & Const.
Services
231/724-6715
FAX/726-2501

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

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

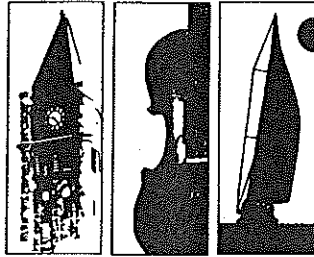
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

August 14, 2002

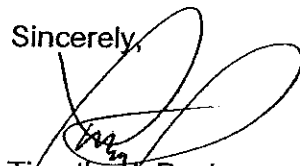
Mr. Chuck Schwab
Director of Risk Management
MMRMA
14001 Merriman
Livonia, MI 48154

Dear Chuck:

At its meeting on August 13, 2002 the Muskegon City Commission approved participation in the MMRMA Energy Choice program. Enclosed is a signed copy of the "Energy Choice Agreement." Please contact me at (231) 724-6709 with any further details needed to begin implementation.

Thank you.

Sincerely,



Timothy J. Paul
Finance Director

Cc: Jan Rogers, Kimball Power

ENERGY CHOICE AGREEMENT

By and Between

Michigan Municipal Risk Management Authority

and

CITY OF MUSKEGON

(Participating Member)

MUSKEGON, MICHIGAN

(For service within the service territory of)

CONSUMERS ENERGY

(Local Electric Utility)

DTE

(Local Gas Distribution Company)

May 2002

ENERGY CHOICE PROGRAM AGREEMENT

This Energy Choice Program Agreement ("Agreement") is made and entered into by and between Michigan Municipal Risk Management Authority, ("MMRMA"), and the undersigned Member Municipal Corporation ("Member").

PREMISES

- A. The deregulation of the electric and gas industries in Michigan has started. Although it is not possible to know the full scope and implications of this utility deregulation, it is clear that deregulation will provide significant cost savings for public entities and the citizens they serve.
- B. MMRMA has established a program for the coordinated purchase and management of electricity and gas related services ("ECP") to its members ("Members").
- C. The Member is a qualified municipal corporation serviced by non-municipal electric utility ("Utility").
- D. The Member agrees to cooperate with MMRMA for the purchase of electricity and gas related services by MMRMA in accordance with the terms and conditions of this Agreement.
- E. MMRMA agrees to purchase or arrange for the purchase of ENERGY on behalf of the Member and to provide related services to the Member.
- F. This Agreement and the ECP are subject to the rules, tariffs and other regulations of the Michigan Public Service Commission ("MPSC").

NOW, THEREFORE, in consideration of the mutual promises and commitments herein contained, MMRMA and the Member hereby agree as follows:

1. Term

- 1.1 Subject to the provisions of Section 9, this Agreement shall be in full force and effect for one (1) year from the time of signing. This Agreement shall automatically renew for successive one (1) year periods each year thereafter, unless the Member notifies MMRMA by written notice at least 90 days prior to the termination date, of the Member's intention to cancel this Agreement effective the next one (1) year anniversary date. (Ex: Agreement signed 6/1/02, first year anniversary is 6/1/03. Written notice of cancellation must be tendered by or before 3/1/03 or Agreement extends for another year.)
- 1.2 In the event Member cancels the Agreement pursuant to section 1.1, Member will be required to fulfill its obligations under any agreements entered into on behalf under section 3.1. Such obligations will include, but not limited to, taking delivery of Energy and paying for such Energy.

2. MMRMA Responsibilities

- 2.1 Services performed by MMRMA under this Agreement shall include all the energy requirements for each of the locations specified by the Member. Locations may be amended from time to time by consent of MMRMA and the Member.
- 2.2 MMRMA shall provide the following for the Member:
- 2.2.1 Purchase, or arrange to be purchased, electrical and/or gas energy and the scheduling and transportation thereof to Member locations, either separately for the Member or in aggregation with other Members.
- 2.2.2 Negotiate and execute contracts and agreements for energy purchase, transportation and other related transactions;

3. Member Duties

- 3.1 The Member authorizes MMRMA to act as its exclusive and lawful agent for the purchase of electric or gas energy and the provision of related services for locations enrolled in ECP. This includes, but is not limited to the purchase and transportation of energy either for the Member individually or in aggregation with other Members.
- 3.2 The Member shall notify MMRMA of any changes in the Member's location and operations which can reasonably be expected to increase or decrease electric energy consumption by 20% or more based upon historical usage patterns.

4. Title

- 4.1 All energy, utility transportation service and other contracts and agreements shall be in the name of MMRMA as agent of the Membership.

5. Provision of Services by MMRMA or Others

- 5.1 MMRMA may provide the services required by this Agreement through agents or other consultants, experts, or attorneys selected by MMRMA.

6. Start-Up Costs; Service Fee; Energy Costs

- 6.1 MMRMA has paid all start-up costs for the ECP including compensation paid to consultants, experts, and attorneys selected by MMRMA.
- 6.2 With commencement of Energy flow, the cost billed to the Member shall include a maximum service fee of \$.006 per kilowatt-hour of electrical energy delivered to the Member locations and/or a maximum service fee of \$.10 per MMBtu of natural

gas delivered to the Member locations. The service fee(s) shall be in addition to the energy and delivery costs for the energy billed to Member's location. MMRMA shall use the service fee for administrative costs and overhead costs associated with the ECP and to recoup the start-up costs paid by MMRMA. Administrative costs include payments to consultants, experts, or attorneys retained by MMRMA to implement and operate the ECP. MMRMA may retain any service fee excess. MMRMA may also charge the Member, in addition to the fees and costs mentioned above, a collection fee for late payments, an on-and-off fee, and a reconnect fee.

- 6.3 MMRMA charges to the Member will include the total delivered Energy cost per kWh and/or MMBtu including the service fees as per section 6.2 above and any applicable transportation charges and ancillary charges accessed by the LDC, utility and/or third-party supplier.

7. Billing and Payment

- 7.1 Monthly, MMRMA shall prepare an invoice for the Member's locations receiving electric services. Invoices will be directed to the Member, and payment will be made directly to MMRMA, pursuant to section 8 of this Agreement. Payment is due 15 calendar days from the date of invoice postmark. Late payment charges shall be imposed by MMRMA at a rate not to exceed one percent (1%) per 30-day month prorated on all outstanding balances by the day. Notwithstanding the existence of any late payment penalty, any failure by the Member to pay any monthly invoice and/or late payment fee or other fee shall give MMRMA the unilateral right to terminate this Agreement.

- 7.2 Member acknowledges and agrees that MMRMA may not always receive timely information to invoice the Member on its actual Energy usage for any period. In such cases MMRMA may invoice the Member based on the average of the Member's last two months actual usage as measured in MMBtu for natural gas and/or kWh for electricity. Member agrees to pay MMRMA the estimated invoice as presented, and all adjustments shall be made as soon as practicable thereafter. Such payment shall not be deemed to be a waiver by the Member of the right to recoup any overpayment, or by MMRMA of its right to recoup any underpayment.

8. Establishment of Escrow Account

- 8.1 MMRMA shall establish, separate from all other MMRMA accounts, an ECP escrow account for the purposes of receiving payments from Members and making payments to the electrical energy supplier, service providers, and any other payees.
- 8.2 Member acknowledges and agrees that MMRMA may be required, from time to time, to pay supplier and/or utility invoices for services provided to the Member prior to MMRMA having submitted an invoice to the Member for said services.

To insure that MMRMA has adequate funds in the escrow account to pay such supplier and/or utility invoices, MMRMA requires the Member to pay a deposit to the escrow account. Such deposit will be equal to the Member's average gas and/or electric bill during the previous 12-month period. At such time as the Member leaves the ECP the deposit will be returned to the Member less any funds due and payable to MMRMA.

9. Modification, Transfer or Cancellation of Services

- 9.1 Any change in law, rule or regulation, or utility practice which prohibits or substantially prevents MMRMA or the Member from carrying out the terms of this Agreement shall excuse both parties from their obligations under this Agreement, except for the obligation of the Member to make payments due for energy and/or other services previously rendered.
- 9.2 Subject to the limitations of Section 1.1, the Member may withdraw or cancel this Agreement, but only in accordance with Michigan Public Service Commission (MPSC) rules and regulations, and in a manner which provides for Member payment for energy ordered and other services rendered, and which releases MMRMA from all responsibility and liability related to its services and other obligations under this Agreement.
- 9.3 Actions by the utilities and/or the MPSC which MMRMA determines to be in conflict with its sound business practices, or which impose unnecessary risks on either party to this Agreement, or which substantially prevent MMRMA from performing services under this Agreement, may result in the cancellation of this Agreement by MMRMA. MMRMA shall give the Member at least 60 days written notice prior to such cancellation and both parties shall utilize their best efforts to minimize the negative effects on MMRMA and the Member of such cancellation.

10. MMRMA Membership; Representation

- 10.1 Upon approval and signature to this Agreement, the Member becomes a member of MMRMA for the Energy Choice Program only. Membership in the ECP shall not entitle the Member to participate or have any rights in any other program or service provided by MMRMA unless the Member, by separate agreement, has agreed to participate in such program or service.
- 10.2 The Member shall appoint a ECP Member Representative who shall be either a member of the governing body or a full-time employee of the Member. The Member Representative shall have full authority to sign this Agreement and to act for the Member. MMRMA shall not be required to consult or obtain the permission of any other person or persons.

- 10.3 All notices required by this Agreement from or to MMRMA shall be addressed to the MMRMA Executive Director who shall be responsible for the administration of this Agreement.
- 10.4 Any legal proceedings instituted by any Member or MMRMA involving any Member or the MMRMA shall be in the County in which the office of MMRMA's Executive Director is located. This Agreement shall be interpreted by the laws of the State of Michigan.

II. Notices and Billing Address**11.1 Notice to MMRMA:**

Michael Rhyner, Executive Director
Michigan Municipal Risk Management Authority
14001 Merriman
Livonia, MI 48154

Telephone: (734) 513-0300
Facsimile: (734) 513-0318

11.2 Notice to the Member:

Member: City of Muskegon

Address: P.O. Box 536

Muskegon, MI 49443

Attn: Timothy J. Paul, Finance Director

(Insert both name and title)

Telephone: (231) 724-6709

Facsimile: (231) 724-6768

11.3 Member Billing Information:

Member: City of Muskegon

Address: P.O. Box 536

Muskegon, MI 49443

Attn: Kathy Coleman, Finance Clerk

(Insert both name and title)

Telephone: (231) 724-6931

Facsimile: (231) 724-6768

11.4 The Member Representative pursuant to paragraph 10.2 of this Agreement is:

Timothy J. Paul, Finance Director

Name and Title

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed by their duly authorized representatives on the date entered.

Michigan Municipal Risk Management Authority

By: Charles Schwab

Its: Director of Risk Management

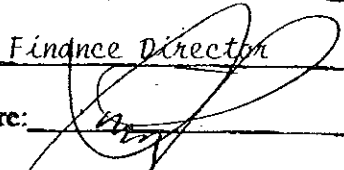
Signature: _____

Date: _____

(Name of Member)

By: Timothy J. Paul

Its: Finance Director

Signature: 

Date: August 14, 2002

Date: August 13, 2002

To: Honorable Mayor and City Commissioners

From: Finance Director

RE: Pension Ordinance Change Due to Contract Settlement

SUMMARY OF REQUEST: The recent arbitration/contract settlement of the patrol officers' labor contract calls for the inclusion of overtime and educational bonus pay in the computation of "final average compensation" for pension purposes. This amendment brings the pension ordinance into alignment with the new contract.

FINANCIAL IMPACT: Higher pension costs for the City.

BUDGET ACTION REQUIRED: None. The change will be reflected in future actuarial valuations, which set the City's annual pension contribution level.

STAFF RECOMMENDATION: Approval.

COMMITTEE RECOMMENDATION: The Police and Fire Retirement Board recommend approval.

PARMENTER O'TOOLE

Attorneys at Law

175 West Apple Avenue ■ P.O. Box 786 ■ Muskegon, Michigan 49443-0786
Phone 231.722.1621 ■ Fax 231.722.7866 or 231.728.2206
www.Parmenterlaw.com

May 28, 2002

Tim Paul
Finance Director
City of Muskegon
P.O. Box 536
Muskegon, MI 49443-0536

RECEIVED
CITY OF MUSKEGON

MAY 31 2002

FINANCE DEPT.

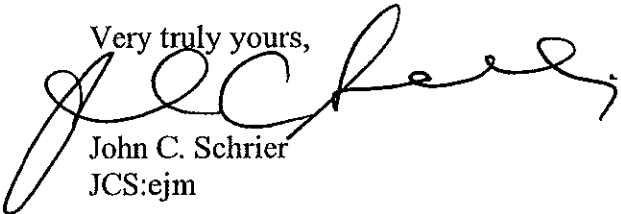
Re: Police/Fire Retirement System: Police Patrol changes

Dear Mr. Paul:

Enclosed is an **Ordinance Amendment and Notice of Adoption** to conform with the tentative agreement reached with the police patrol unit. I will let you forward the amendment to the City Commission at your discretion.

If you have any further questions or concerns, please let me know.

Very truly yours,



John C. Schrier
JCS:ejm

c Lee Slaughter
Tony Kleibecker

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. 2085

An ordinance amending Appendix A of the Code of the City of Muskegon concerning Police-Fire Retirement System Ordinance.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

The Police-Fire Retirement System Ordinance is amended as follows:

1. Section 2. **DEFINITIONS**

Section 2(n) shall be amended to read as follows:

(n) *Compensation* means the salary or wages paid a member by the city for personal services rendered to the city as a police officer or firefighter. Compensation shall include:

- (i) Payments based on unused sick leave subject to the following maximum:
The amount computed on the maximum amount of sick leave a member could accrue over the period of credited service used in computing his final average compensation.
- (ii) Holiday pay,
- (iii) Vacation Pay (current year accrual), provided, for police command officers who retire after January 1, 1992, and for police patrol officers, the amount of vacation pay to be included in compensation shall include accrued and unused vacation days from the period of one (1) year prior to the member's retirement date for a maximum of 20 accrued unused days. Vacation pay (current year accrual), provided, for firefighters and officers who retire after January 1, 1993, the amount of vacation pay to be included in compensation shall include accrued and unused vacation days from the period of one year prior to the member's retirement date, for a maximum of 12 accrued unused days.
- (iv) Longevity pay,
- (v) Pay while absent from work on account of illness,
- (vi) Termination or severance pay,

- (vii) Overtime pay on or after January 1, 1976 to firefighter members and on or after January 1, 2002 for police patrol, and
- (viii) Educational bonus for police command officers on or after January 1, 2001 and for police patrol officers on or after January 1, 2002.
- (ix) Items of a similar nature as determined by the board.

Compensation shall not include:

- (i) Overtime pay to police officer members prior to January 1, 2002,
- (ii) Overtime pay prior to January 1, 1976 to firefighter members,
- (iii) Allowances for clothing, equipment, travel, and similar items,
- (iv) Reimbursement of expenses,
- (v) The value of any fringe benefit not specifically included, and
- (vi) Items of a similar nature as determined by the board.

In all other respects Appendix A of the Code of the City of Muskegon shall remain in full force and effect.

This ordinance adopted:

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

Nays: None

Adoption Date: August 13, 2002

Effective Date: August 31, 2002

First Reading: August 13, 2002

Second Reading: N/A

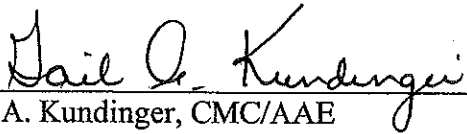
CITY OF MUSKEGON

By: Gail A. Kunding
Gail A. Kunding
City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 13th day of August, 2002, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted, and public notice was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: August 13, 2002



Gail A. Kunderinger, CMC/AAE
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

TO: ALL PERSONS INTERESTED

Please take notice that on August 13, 2002, the City Commission of the City of Muskegon adopted amendments to Appendix A of the Muskegon City Code concerning the Police and Fire Retirement System, summarized as follows:

1. Section 2(n) was amended to provide for the inclusion of overtime, education bonus and longevity pay in compensation for police patrol officers effective January 1, 2002.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten (10) days from the date of this publication.

CITY OF MUSKEGON

Published August 21, 2002

By _____
Gail A. Kunding, Its Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Commission Meeting Date: August 13, 2002

Date: August 6, 2002

To: Honorable Mayor & City Commission

**From: Community and Neighborhood Services
Department**

**RE: Approval of Rehabilitation Contract with Top
Notch Design for 850 Wood St.**

SUMMARY OF REQUEST: To approve the contract with Top Notch Design, 4740 Jensen, Fruitport, MI for rehabilitation located at 850 Wood St, "Wood St. Revival" for \$85,185.

After rehabilitation is complete, the structure will be sold to a qualified family for homeownership

FINANCIAL IMPACT: Funding for this project will come from the 2001 HOME funds budgeted for this project.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the contract with Top Notch Design for \$85,185.

COMMITTEE RECOMMENDATION: None

850 Wood Street Bid Sheet Comparison

Name of Business	Bid Amount	New Calculated Totals *
Nobles Inc./ Wasco Construction 500 Western Ave Muskegon, MI	\$86,744.00	\$86,749.00
Top Notch Design Contractors 4740 Jensen Fruitport, MI	\$85,940.00	\$85,185.00
Parks Construction Services** 1504 Coit Ave NE Grand Rapids, MI	\$154,874.00	

*** Corrected caluclations**

****Bid amount does not include demolition and trash**

CITY OF MUSKEGON
COMMUNITY & NEIGHBORHOOD SERVICES
RESIDENTIAL PROPERTY CONTRACT AGREEMENT

2002-94(c)

AGREEMENT made this 6th day of August, 2002 between City of Muskegon and Top Notch Design, hereinafter called "General Contractor". WITNESSETH, that the Contractor and the Owner for the considerations stated herein mutually agree as follows:

STATEMENT OF WORK. The rehabilitation of residential structures with assistance provided under this Residential Property Contract Agreement is subject to the Department of Housing and Urban Development Lead Based Paint Regulations, (24CFR Part 35) expressly prohibiting the use of lead based paint. Any funds made available by the grantee for the rehabilitation of structures with assistance provided under this Agreement shall be made subject to the provisions for the elimination of lead based paint hazards under Subpart B of said regulations.

General Conditions

1. The Contractor must commence work within ten (10) days after the issuance of the Proceed Order. Extensions of this time period must be approved in writing by the Owner. Failure to begin work within said specified period without an approved extension may result in an award of the contract to the next lowest qualified bidder.
2. The Contractor must satisfactorily complete the work within 120 days after issuance of the Proceed Order. In the event of failure to complete work within said specified period without an approved extension, the City of Muskegon, reserves the right to withhold sufficient funds from final payment to retain another contractor for satisfactory completion of work to be performed. Inexcusable and unapproved delays in completion may result in per diem surcharges against the Contractor, to be deducted from final payment.
3. The Contractor shall furnish all supervision, labor, materials, machinery, tools, equipment, and services and perform and complete all work in an efficient and workmanlike manner, in accordance with standard specifications of Housing Rehab Services.
4. A. The Contractor shall be paid the contract price in increment payments after work is satisfactorily completed.

B. Progress payments will be paid within 20 days from the receipt of the invoice of the Contractor together with satisfactory release of liens or claims for liens by subcontractors, laborers, and materials suppliers for completed work or installed materials. Such progress payments shall be paid on the basis of the percentage of work satisfactorily completed. Progress payments shall not exceed 90% of the value of work satisfactorily completed. Payment shall be made only after inspection and acceptance by the Owner and Housing Rehab Services and the appropriate Community Neighborhood construction staff.

C. Final Payment on this Contract shall be made only after final inspection and acceptance of all work performed by the Contractor and/or his subcontractors and after the Contractor has furnished the Owner satisfactory releases of liens or claims for liens by the Contractor, subcontractors, laborers, and materials suppliers.

5. The premises will be vacant during the period of rehabilitation construction.

6. The Contractor shall:

A. Furnish evidence of comprehensive public liability insurance coverage protecting the City of Muskegon, the Contractor, the developer and any subcontractor performing work covered by the Contract from any and all claims which may arise from the performance, inspection, or acceptance of the work covered by this Contract whether such claims arise as a result of the alleged act or omission of the Owner, the City of Muskegon, the Contractor, any subcontractor, or anyone directly or indirectly employed by any of them.

The amounts of insurance shall be as follows:

Bodily Injury, Including Death

Each Person \$50,000.00

Each Accident \$100,000.00

Property Damage

Each Accident \$25,000.00

Aggregate \$ 50,000.00

Proof of such insurance coverage shall be evidenced by submitting a certificate of insurance. The Contractor shall also provide satisfactory evidence of Worker's Compensation for himself and for his subcontractors.

B. Obtain and pay for all permits and licenses necessary for the completion and execution of the work and labor to be performed.

C. Perform all work in conformance with applicable ordinances and code requirements whether or not covered by the drawings and specifications for the work.

D. Keep the premises clean and orderly during the course of the work and remove all debris at the completion of the work. Materials and equipment that have been removed and replaced as part of the work shall belong to the Contractor.

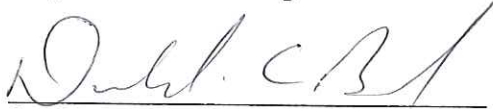
E. Not assign the Contract or enter into any special arrangement without the written consent of the Director of Neighborhood and Construction Services or a designated representative Community and Neighborhood Services.

- F. Guarantee such work and material for a period of one year from the date of final inspection and acceptance of all work required by this Contract, and furnish the Owner with all manufacturers' and suppliers' written guarantees and warranties covering materials and equipment furnished under this Contract.
7. The Owner shall:
- A. Permit the contractor to use at no cost, existing utilities such as light, heat, power and water necessary to the carrying out and completion of the work.
- B. Cooperate with the contractor to facilitate the performance of the work, including the removal and replacement of rugs, covering, furniture, etc.
8. Further provisions as applicable to this instrument are described below by general subject and attachment designation and are a part of this instrument. (For example: the identities, addresses and specific trades of all subcontractors) WORKFORCE ANALYSIS.
- 8a. Minority Outreach: General Contractor and Developer should be aware that under Section 3 of the Housing and Urban Development Act of 1968: Whenever HUD financial assistance is given for housing and or community development to the greatest extent feasible, economic opportunities will be given to local residents and businesses. In addition, the City of Muskegon requires that all contracted assignments at least fourteen percent (14%) of the workforce be minority, with special emphasis or focus on minority semi and skilled labor persons. The City of Muskegon will monitor the make-up of the contractor's workforce throughout the completion of the project.
9. This contract consists of the Bid and Proposal, the Statement of Work including the general conditions, the Owners' and Contractors' responsibilities, and any attachments designated above.
10. The undersigned Contractor offers to do the rehabilitation work specified in the Contractors' Bid and Proposal, or Work Write-Up attachment hereto and made a part thereof, on the parcel described as Parcel # 61-24-205-046-0005-00 Located at **850 Wood.**

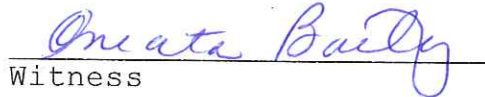
With total for entire project of \$85,185.

GENERAL CONTRACTOR

Top Notch Design



Owner, Don Beach


Witness

Contractors Address:

4740 Jensen

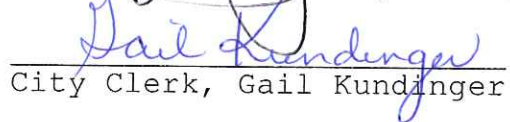
Fruitport, MI 49415

ACCEPTANCE BY OWNER

City of Muskegon



Mayor, Steve Warmington


City Clerk, Gail Kunder

Owner Address:

933 Terrace St. P. O. Box 536

Muskegon, MI 49442

August 27, 2002

Date of Acceptance

RAP-701 - 1985

Commission Meeting Date: August 13, 2002

Date: August 6, 2002

To: Honorable Mayor & City Commission

**From: Community and Neighborhood Services
Department**

**RE: Approval of Rehabilitation Contract with Lewis
Johnson Construction for 322 Amity**

SUMMARY OF REQUEST: To approve the contract with Lewis Johnson Construction, 16076 Bonita Ct, Grand Haven, MI for rehabilitation located at 322 Amity "Operation New Life" for \$62,900.

After rehabilitation is complete, the structure will be sold to a qualified family for homeownership

FINANCIAL IMPACT: Funding will be allocated from the 2001HOME funds budgeted for this project.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the contract with Lewis Johnson Construction for \$62,900.

COMMITTEE RECOMMENDATION: The Land Reutilization Committee approved the rehabilitation of the structure.

CITY OF MUSKEGON
COMMUNITY & NEIGHBORHOOD SERVICES
RESIDENTIAL PROPERTY CONTRACT AGREEMENT

AGREEMENT made this 6th day of August, 2002 between City of Muskegon hereinafter called "Owner", Lewis Johnson Construction hereinafter called "General Contractor". WITNESSETH, that the Contractor and the Owner for the considerations stated herein mutually agree as follows:

STATEMENT OF WORK. The rehabilitation of residential structures with assistance provided under this Residential Property Contract Agreement is subject to the Department of Housing and Urban Development Lead Based Paint Regulations, (24CFR Part 35) expressly prohibiting the use of lead based paint. Any funds made available by the grantee for the rehabilitation of structures with assistance provided under this Agreement shall be made subject to the provisions for the elimination of lead based paint hazards under Subpart B of said regulations.

General Conditions

1. The Contractor must commence work within ten (10) days after the issuance of the Proceed Order. Extensions of this time period must be approved in writing by the Owner. Failure to begin work within said specified period without an approved extension may result in an award of the contract to the next lowest qualified bidder.
2. The Contractor must satisfactorily complete the work within 120 days after issuance of the Proceed Order. In the event of failure to complete work within said specified period without an approved extension, the City of Muskegon, reserves the right to withhold sufficient funds from final payment to retain another contractor for satisfactory completion of work to be performed. Inexcusable and unapproved delays in completion may result in per diem surcharges against the Contractor, to be deducted from final payment.
3. The Contractor shall furnish all supervision, labor, materials, machinery, tools, equipment, and services and perform and complete all work in an efficient and workmanlike manner, in accordance with standard specifications of Housing Rehab Services.
4. A. The Contractor shall be paid the contract price in increment payments after work is satisfactorily completed.

B. Progress payments will be paid within 20 days from the receipt of the invoice of the Contractor together with satisfactory release of liens or claims for liens by subcontractors, laborers, and materials suppliers for completed work or installed materials. Such progress payments shall be paid on the basis of the percentage of work satisfactorily completed. Progress payments shall not exceed 90% of the value of work satisfactorily completed. Payment shall be made only after inspection and acceptance by the Owner and Housing Rehab Services and the appropriate Community Neighborhood construction staff.

C. Final Payment on this Contract shall be made only after final inspection and acceptance of all work performed by the Contractor and/or his subcontractors and after the Contractor has furnished the Owner satisfactory releases of liens or claims for liens by the Contractor, subcontractors, laborers, and materials suppliers.

5. The premises will be vacant during the period of rehabilitation construction.

6. The Contractor shall:

A. Furnish evidence of comprehensive public liability insurance coverage protecting the City of Muskegon, the Contractor, the developer and any subcontractor performing work covered by the Contract from any and all claims which may arise from the performance, inspection, or acceptance of the work covered by this Contract whether such claims arise as a result of the alleged act or omission of the Owner, the City of Muskegon, the Contractor, any subcontractor, or anyone directly or indirectly employed by any of them.

The amounts of insurance shall be as follows:

Bodily Injury, Including Death

Each Person \$50,000.00

Each Accident \$100,000.00

Property Damage

Each Accident \$25,000.00

Aggregate \$ 50,000.00

Proof of such insurance coverage shall be evidenced by submitting a certificate of insurance. The Contractor shall also provide satisfactory evidence of Worker's Compensation for himself and for his subcontractors.

B. Obtain and pay for all permits and licenses necessary for the completion and execution of the work and labor to be performed.

C. Perform all work in conformance with applicable ordinances and code requirements whether or not covered by the drawings and specifications for the work.

D. Keep the premises clean and orderly during the course of the work and remove all debris at the completion of the work. Materials and equipment that have been removed and replaced as part of the work shall belong to the Contractor.

E. Not assign the Contract or enter into any special arrangement without the written consent of the Director of Neighborhood and Construction Services or a designated representative Community and Neighborhood Services.

F. Guarantee such work and material for a period of one year from the date of final inspection and acceptance of all work required by this Contract, and furnish the Owner with all manufacturers' and suppliers' written guarantees and warranties covering materials and equipment furnished under this Contract.

7. The Owner shall:

A. Permit the contractor to use at no cost, existing utilities such as light, heat, power and water necessary to the carrying out and completion of the work.

B. Cooperate with the contractor to facilitate the performance of the work, including the removal and replacement of rugs, covering, furniture, etc.

8. Further provisions as applicable to this instrument are described below by general subject and attachment designation and are a part of this instrument. (For example: the identities, addresses and specific trades of all subcontractors) WORKFORCE ANALYSIS.

8a. Minority Outreach: General Contractor and Developer should be aware that under Section 3 of the Housing and Urban Development Act of 1968: Whenever HUD financial assistance is given for housing and or community development to the greatest extent feasible, economic opportunities will be given to local residents and businesses. In addition the City of Muskegon requires that all contracted assignments at least fourteen percent (14%) of the workforce be minority, with special emphasis or focus on minority semi and skilled labor persons. The City of Muskegon will monitor the make-up of the contractor's workforce throughout the completion of the project.

9. This contract consists of the Bid and Proposal, the Statement of Work including the general conditions, the Owners' and Contractors' responsibilities, and any attachments designated above.

10. The undersigned Contractor offers to do the rehabilitation work specified in the Contractors' Bid and Proposal, or Work Write-Up attachment hereto and made a part thereof, on the parcel described as Parcel # 24-205-204-0015-20 located at 322 Amity.

With total for entire project of \$62,900.

General Contractor

Lewis Johnson Construction

Lewis E. Johnson
Owner, Lewis Johnson

Oneta Bully
Witness

Contractors Address:

16076 Bonita Ct.
Grand Haven, MI

Acceptance by Owner

City of Muskegon

[Signature]
Mayor, Steve Warmington

Gail Kunding
City Clerk, Gail Kunding

Owner Address:

933 Terrace St. P. O. Box 536
Muskegon, MI 49442

August 26, 2002

Date of Acceptance

RAP-701 - 1985

322 Amity

Bid Comparison Sheet

Contractor

Bid Amount

Lewis Johnson
16076 Bonita Ct
Grand Haven, MI

\$62,900

Top Notch Design
4740 Jensen
Fruitport, MI

\$63,190

Date: August 13, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
Lakefront Development

SUMMARY OF REQUEST:

The contract for the construction of streets, water mains, sanitary sewers and storm sewers for Terrace Street and Lakefront Drive be awarded to Jackson - Merkey Contractors, Inc. out of Muskegon, Michigan since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$1,240,157.65. This action contingent upon the acquisition of the required right of way by the City,

Securing all required permits, environmental approval.

FINANCIAL IMPACT:

The construction cost of \$1,240,157.65 plus associated engineering costs.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract with Alternative 2 and Alternative 3 for a total cost of \$1,240,157.65 to Jackson - Merkey Contractors Inc. This action contingent upon the acquisition of the required right of way by the City.

COMMITTEE RECOMMENDATION:

H-1521, S-556 & W-630 LAKEFRONT DEVELOPMENT CITY OF MUSKEGON BID TABULATION



FLEIS & VANDENBRINK
ENGINEERING, INC.
Terre Plaza Building, 316 Morris Avenue, Muskegon, MI 49440
Ph (231) 726-1000 Fax (231) 726-2200

ITEM NO.	ITEM DESCRIPTION	JACKSON MERKEY			S.F. RAYMER			DIVERSCO			WADEL STABILIZATION			MILBOCKER & SONS			KAMMINGA & ROODVETS		
		TOTAL QTY	UNIT	PRICE	TOTAL AMOUNT	UNIT	PRICE	TOTAL AMOUNT	TOTAL AMOUNT	UNIT	PRICE	TOTAL AMOUNT	UNIT	PRICE	TOTAL AMOUNT	UNIT	PRICE	TOTAL AMOUNT	
GENERAL ITEMS																			
1	TRENCH UNDERCUTTING	700	CY	\$8.50	\$5,950.00														
2	GRAVULAR BACKFILL	3500	CY	\$7.15	\$25,025.00														
3	DEWATERING	1	LSUM	\$58,800.00	\$58,800.00														
4	CARBON WATER TREATMENT SYSTEM	1	LSUM	\$39,250.00	\$39,250.00														
5	CARBON CHANGE-OUTS	36000	LB	\$0.30	\$10,800.00														
6	SOIL RELOCATION, ONSITE	2000	CY	\$1.50	\$4,500.00														
7	SOIL LOADING, TRANSPORTATION AND DISPOSAL	1500	TON	\$14.50	\$21,750.00														
8	MASONRY & CONCRETE STRUCTURES, REMOVE	300	CY	\$10.25	\$3,075.00														
SANITARY SEWER ITEMS																			
9	8" SANITARY SEWER (ASTM D3034-SDR 35 PVC)	2029	LF	\$11.85	\$32,199.65														
10	4" DIAMETER MANHOLE	10	EA	\$1,685.00	\$16,850.00														
11	8" x 8" WYE	13	EA	\$60.00	\$780.00														
12	6" SANITARY LATERAL	615	LF	\$14.50	\$8,917.50														
13	6" RISER	13	EA	\$40.00	\$520.00														
14	6" PLUG	13	EA	\$20.00	\$260.00														
15	6" PLUG	2	EA	\$50.00	\$100.00														
16	CONNECT TO EXISTING MANHOLE	3	EA	\$565.00	\$1,695.00														
STORM SEWER ITEMS																			
17	12" STORM SEWER (CONC. CL-IV)	443	LF	\$21.55	\$9,590.95														
18	15" STORM SEWER (CONC. CL-IV)	817	LF	\$25.25	\$20,629.25														
19	18" STORM SEWER (CONC. CL-IV)	1030	LF	\$28.25	\$28,847.50														
20	24" STORM SEWER (CONC. CL-IV)	1089	LF	\$40.50	\$44,104.50														
21	4" DIAMETER CATCH BASIN W/2' SUMP	22	EA	\$1,490.00	\$32,780.00														
22	5" DIAMETER CATCH BASIN W/2' SUMP	1	EA	\$2,125.00	\$2,125.00														
WATERMAIN ITEMS																			
23	6" D.I. WATERMAIN, CL52 (F.S.)	300	LF	\$19.30	\$5,790.00														
24	8" D.I. WATERMAIN, CL52	508	LF	\$19.80	\$9,990.00														
25	10" D.I. WATERMAIN, CL52 (F.S.)	110	LF	\$22.00	\$2,420.00														
26	12" D.I. WATERMAIN, CL52	3102	LF	\$26.00	\$80,736.00														
27	8" x 8" TEE	4	EA	\$210.00	\$840.00														
28	12" x 12" TEE	11	EA	\$325.00	\$3,575.00														
29	12" x 12" TEE	6	EA	\$350.00	\$2,100.00														
30	12" x 12" TEE	2	EA	\$440.00	\$880.00														
31	6" VALVE & BOX (F.S.)	8	EA	\$550.00	\$4,400.00														
32	8" VALVE & BOX (F.S.)	7	EA	\$750.00	\$5,250.00														
33	8" VALVE & BOX (F.S.)	3	EA	\$700.00	\$2,100.00														
34	12" VALVE & BOX	35	EA	\$1,015.00	\$35,525.00														
35	12" VALVE & BOX	11	EA	\$1,135.00	\$12,485.00														
36	HYDRANT	7	EA	\$1,135.00	\$7,945.00														
37	12" x 8" REDUCER	7	EA	\$145.00	\$1,015.00														
38	6" PLUG (F.S.)	8	EA	\$60.00	\$480.00														
39	8" PLUG (F.S.)	2	EA	\$60.00	\$120.00														
40	8" PLUG (F.S.)	3	EA	\$75.00	\$225.00														
41	12" PLUG	1	EA	\$105.00	\$105.00														
42	8" 45° BEND	2	EA	\$195.00	\$390.00														
43	12" 45° BEND	4	EA	\$385.00	\$1,540.00														
44	12" 45° BEND	5	EA	\$385.00	\$1,925.00														
45	REMOVE 12" PLUG	4	EA	\$50.00	\$200.00														
46	CONNECT TO EX 12" WATERMAIN	1	EA	\$375.00	\$375.00														
47	2" COPPER WATER SERVICE	410	LF	\$13.00	\$5,330.00														
48	2" CORP. STOP CURB STOP & BOX	11	EA	\$480.00	\$5,280.00														

49	CLEARING	SV	25834	\$0.70	\$2,166.80	\$0.70	\$18,083.80	\$0.50	\$12,317.00	\$1.00	\$25,934.00	\$0.80	\$20,667.20	\$0.28	\$6,452.50
50	TOPSOIL STRIPPING	SV	13263	\$0.20	\$2,652.60	\$1.55	\$20,557.65	\$1.00	\$13,263.00	\$1.00	\$13,263.00	\$1.00	\$13,263.00	\$0.28	\$7,315.75
51	FILL (SUBGRADE)	CV	16000	\$6.50	\$10,400.00	\$6.10	\$97,600.00	\$6.50	\$10,400.00	\$8.00	\$128,000.00	\$4.55	\$104,800.00	\$5.00	\$37,950.00
52	8" 22A GRAVEL (C.I.P.)	SV	13263	\$4.85	\$64,325.55	\$5.25	\$69,630.75	\$5.25	\$69,630.75	\$4.75	\$62,998.25	\$5.00	\$66,315.00	\$5.35	\$70,950.00
53	CONCRETE CURB & GUTTER 2' WIDE	LF	6425	\$7.75	\$50,006.25	\$10.50	\$67,462.50	\$8.50	\$54,612.50	\$9.00	\$57,825.00	\$2.30	\$59,752.50	\$10.00	\$64,250.00
54	CONCRETE SIDEWALK, 4" THICK	SF	27178	\$2.00	\$54,356.00	\$2.70	\$73,380.60	\$2.50	\$67,945.00	\$2.40	\$65,227.20	\$2.25	\$61,150.50	\$2.25	\$61,150.50
55	BITUMINOUS LEVELING, 3C	TON	950	\$36.70	\$34,865.00	\$39.64	\$37,658.00	\$32.00	\$30,400.00	\$36.70	\$34,865.00	\$36.70	\$34,865.00	\$36.70	\$34,865.00
56	BITUMINOUS SURFACING, 4C	TON	950	\$39.40	\$37,430.00	\$42.53	\$40,403.50	\$40.00	\$38,000.00	\$39.38	\$37,411.00	\$39.38	\$37,411.00	\$39.38	\$37,411.00
57	TOPSOIL SEED, FERTILIZE & MULCH	SV	9552	\$1.95	\$18,626.40	\$3.20	\$30,566.40	\$1.00	\$9,552.00	\$1.35	\$12,895.20	\$1.70	\$16,238.40	\$2.50	\$23,880.00
58	SUBGRADE UNDERCUTTING	CV	1200	\$6.25	\$7,500.00	\$11.00	\$13,200.00	\$6.00	\$7,200.00	\$10.00	\$12,000.00	\$8.00	\$9,600.00	\$15.00	\$18,000.00
59	SOIL EROSION CONTROL MEASURES	LS	1	\$4,450.00	\$4,450.00	\$5,000.00	\$5,000.00	\$1,500.00	\$1,500.00	\$4,500.00	\$4,500.00	\$10,000.00	\$10,000.00	\$13,500.00	\$13,500.00
60	COLD PLASTIC OVERLAY, RR SYMBOL	EA	2	\$275.00	\$550.00	\$300.00	\$600.00	\$150.00	\$300.00	\$300.00	\$600.00	\$300.00	\$600.00	\$300.00	\$600.00
61	CIRCULAR RR SIGN	EA	4	\$220.00	\$880.00	\$100.00	\$400.00	\$150.00	\$600.00	\$225.00	\$900.00	\$225.00	\$900.00	\$150.00	\$600.00
62	1/2" COLD PLASTIC STOP BAR	EA	2	\$50.00	\$100.00	\$150.00	\$300.00	\$100.00	\$200.00	\$75.00	\$150.00	\$75.00	\$150.00	\$250.00	\$500.00
63	6" DECORATIVE CONCRETE	SV	26501	\$82.90	\$219,685.00	\$95.00	\$251,750.00	\$85.00	\$225,350.00	\$83.00	\$219,950.00	\$100.00	\$265,000.00	\$85.00	\$225,350.00
64	CONCRETE CURB, DETAIL E3	LFT	1670	\$9.00	\$15,030.00	\$11.75	\$19,632.50	\$10.50	\$17,512.50	\$13.00	\$21,860.00	\$16.16	\$26,987.20	\$13.00	\$21,860.00
65	EXPANSION JOINT, TYPE E2	LFT	74	\$14.00	\$1,036.00	\$13.00	\$962.00	\$12.00	\$888.00	\$12.00	\$888.00	\$10.75	\$795.50	\$15.00	\$1,110.00
66	LANDSCAPE	EA	6	\$295.00	\$1,770.00	\$500.00	\$3,000.00	\$435.00	\$2,610.00	\$235.00	\$1,410.00	\$345.00	\$2,070.00	\$325.00	\$1,950.00
67	REDSPICE PEAR 2-1/2" CHL	EA	5	\$280.00	\$1,400.00	\$500.00	\$2,500.00	\$435.00	\$2,175.00	\$230.00	\$1,150.00	\$345.00	\$1,725.00	\$325.00	\$1,625.00
68	SEA GREEN JUNIPER 24" SPREAD	EA	78	\$25.00	\$1,950.00	\$40.00	\$3,120.00	\$45.00	\$3,510.00	\$24.00	\$1,872.00	\$54.00	\$4,212.00	\$50.00	\$3,900.00
69	COMPACT EUROPEAN CRANBERRYBUSH VIBURNUM 18" HEIGHT	EA	69	\$42.00	\$2,898.00	\$40.00	\$2,760.00	\$43.00	\$2,957.00	\$17.00	\$1,173.00	\$55.00	\$3,864.00	\$50.00	\$3,450.00
70	STELLA DE ORO DAYLILY 1.0T	EA	4100	\$5.25	\$21,525.00	\$8.45	\$34,645.00	\$11.50	\$47,150.00	\$2.35	\$9,635.00	\$10.00	\$41,000.00	\$9.00	\$36,900.00
71	ALUMINUM EDGING	LFT	600	\$2.35	\$1,410.00	\$3.25	\$1,950.00	\$4.25	\$2,550.00	\$2.15	\$1,290.00	\$2.50	\$1,500.00	\$3.00	\$1,800.00
72	SOD	SV	225	\$2.50	\$562.50	\$3.25	\$731.25	\$2.50	\$562.50	\$2.01	\$452.25	\$2.40	\$540.00	\$3.00	\$675.00
73	SEED	SV	2000	\$0.10	\$200.00	\$0.35	\$700.00	\$0.05	\$100.00	\$0.07	\$140.00	\$0.18	\$360.00	\$0.20	\$400.00
74	TOPSOIL	CV	2501	\$19.00	\$47,500.00	\$20.00	\$50,000.00	\$20.00	\$50,000.00	\$17.50	\$43,750.00	\$19.00	\$47,500.00	\$19.00	\$47,500.00
TOTAL OF ALL ESTIMATED PRICES:										\$1,397,293.95	\$1,462,996.90	\$1,501,381.80	\$1,572,232.80		

ALTERNATE 1 - CONCRETE PAVEMENT
 ALTERNATE 1 REPLACES ALL OF THE ASPHALT PAVEMENT WITH 6" NON REINFORCED CONCRETE PAVEMENT. CURBS SHALL BE INTEGRAL DEDUCT

55	BITUMINOUS LEVELING, 3C	TON	950	\$36.70	\$34,865.00	\$39.64	\$37,658.00	\$32.00	\$30,400.00	\$36.70	\$34,865.00	\$36.70	\$34,865.00	\$36.70	\$34,865.00
56	BITUMINOUS SURFACING, 4C	TON	950	\$39.40	\$37,430.00	\$42.53	\$40,403.50	\$40.00	\$38,000.00	\$39.38	\$37,411.00	\$39.38	\$37,411.00	\$39.38	\$37,411.00
75	CONCRETE PAVEMENT WITH INTEGRAL CURB NON REINFORCED 6"	SV	13263	\$22.25	\$295,101.75	\$24.38	\$323,351.94	\$22.00	\$291,786.00	\$21.20	\$281,175.60	\$24.00	\$318,312.00	\$22.00	\$291,786.00
76	EXPANSION JOINT TYPE E2	LFT	320	\$9.00	\$2,880.00	\$9.60	\$3,072.00	\$9.00	\$2,880.00	\$10.75	\$3,440.00	\$8.00	\$2,560.00	\$9.00	\$2,880.00
TOTAL OF ALTERNATE 1:										\$226,266.00	\$212,339.60	\$248,596.00	\$222,390.00		

ALTERNATE 2 - SUBSTITUTE STORMCEPTOR
 SUBSTITUTE STORMCEPTOR CATCH BASINS FOR DRAINAGE STRUCTURES DEDUCT

21	4' DIAMETER CATCH BASIN W/2' SUMP	EA	4	\$1,490.00	\$5,960.00	\$1,300.00	\$5,200.00	\$1,500.00	\$6,000.00	\$2,250.00	\$9,000.00	\$1,100.00	\$4,400.00	\$2,000.00	\$8,000.00
77	4' DIAMETER STORMCEPTOR	EA	4	\$10,635.00	\$42,540.00	\$14,500.00	\$58,000.00	\$11,500.00	\$46,000.00	\$12,000.00	\$48,000.00	\$12,000.00	\$48,000.00	\$12,500.00	\$50,000.00
TOTAL OF ALTERNATE 2:										\$52,800.00	\$39,000.00	\$43,600.00	\$42,000.00		

ALTERNATE 3 - GEOTEXTILE FABRIC
 ADD 8oz NONWOVEN GEOTEXTILE BENEATH AGGREGATE BASE FOR ALL ADD

78	8oz NONWOVEN GEOTEXTILE FABRIC	SV	13263	\$0.50	\$11,956.70	\$2.00	\$26,526.00	\$1.50	\$19,894.50	\$1.25	\$16,578.75	\$1.25	\$16,578.75	\$1.50	\$19,894.50
TOTAL OF ALTERNATE 3:										\$11,956.70	\$16,578.75	\$16,578.75	\$19,894.50		

SECTION A BASE BID

ITEM NO.	ITEM DESCRIPTION	UNIT	TOTAL QTY	UNIT PRICE	TOTAL AMOUNT
GENERAL ITEMS					
1	TRENCH UNDERCUTTING	CY	700	\$5.00	\$3,500.00
2	GRANULAR BACKFILL	CY	3500	\$5.00	\$17,500.00
3	DEWATERING	LSUM	1	\$50,000.00	\$50,000.00
4	CARBON WATER TREATMENT SYSTEM	LSUM	1	\$44,050.00	\$44,050.00
5	CARBON CHANGE-OUTS	LB	36000	\$1.00	\$36,000.00
6	SOIL RELOCATION	CY	3000	\$4.00	\$12,000.00
7	SOIL LOADING, TRANSPORTATION AND DISPOSAL	TON	1500	\$25.00	\$37,500.00
8	MASONRY & CONCRETE STRUCTURES, REMOVE	CY	300	\$15.00	\$4,500.00
SANITARY SEWER ITEMS					
9	8" SANITARY SEWER (ASTM D3034-SDR 35 pvc)	LF	2029	\$24.00	\$48,696.00
10	4' DIAMETER MANHOLE	EA	10	\$1,500.00	\$15,000.00
11	8" x 6" WYE	EA	13	\$125.00	\$1,625.00
12	6" SANITARY LATERAL	LF	615	\$20.00	\$12,300.00
13	6" RISER	EA	13	\$75.00	\$975.00
14	6" PLUG	EA	13	\$50.00	\$650.00
15	8" PLUG	EA	2	\$50.00	\$100.00
16	CONNECT TO EXISTING MANHOLE	EA	3	\$125.00	\$375.00
STORM SEWER ITEMS					
17	12" STORM SEWER (CONC. CL-IV)	LF	443	\$24.00	\$10,632.00
18	15" STORM SEWER (CONC. CL-IV)	LF	817	\$28.00	\$22,876.00
19	18" STORM SEWER (CONC. CL-IV)	LF	1030	\$34.00	\$35,020.00
20	24" STORM SEWER (CONC. CL-IV)	LF	1089	\$42.00	\$45,738.00
21	4' DIAMETER CATCH BASIN W/2' SUMP	EA	22	\$1,500.00	\$33,000.00
22	5' DIAMETER CATCH BASIN W/2' SUMP	EA	1	\$2,000.00	\$2,000.00
WATERMAIN ITEMS					
23	6" D.I. WATERMAIN, CL52 (F.S.)	LF	300	\$16.00	\$4,800.00
24	8" D.I. WATERMAIN, CL52	LF	505	\$18.00	\$9,090.00
25	8" D.I. WATERMAIN, CL52 (F.S.)	LF	110	\$18.00	\$1,980.00
26	12" D.I. WATERMAIN, CL52	LF	3105	\$24.00	\$74,520.00
27	8" x 8" x 6" TEE	EA	4	\$350.00	\$1,400.00
28	12" x 12" x 6" TEE	EA	11	\$450.00	\$4,950.00
29	12" x 12" x 8" TEE	EA	6	\$500.00	\$3,000.00
30	12" x 12" x 12" TEE	EA	2	\$600.00	\$1,200.00
31	6" VALVE & BOX (F.S.)	EA	8	\$475.00	\$3,800.00
32	6" VALVE & BOX	EA	7	\$475.00	\$3,325.00
33	8" VALVE & BOX (F.S.)	EA	3	\$650.00	\$1,950.00
34	8" VALVE & BOX	EA	3	\$650.00	\$1,950.00
35	12" VALVE & BOX	EA	11	\$1,100.00	\$12,100.00
36	HYDRANT	EA	7	\$1,400.00	\$9,800.00
37	12" x 8" REDUCER	EA	1	\$250.00	\$250.00
38	6" PLUG (F.S.)	EA	8	\$150.00	\$1,200.00
39	8" PLUG	EA	2	\$175.00	\$350.00
40	8" PLUG (F.S.)	EA	3	\$200.00	\$600.00
41	12" PLUG	EA	1	\$225.00	\$225.00
42	8" 45° BEND	EA	2	\$250.00	\$500.00
43	12" 22 1/2° BEND	EA	15	\$350.00	\$5,250.00
44	12" 45° BEND	EA	5	\$350.00	\$1,750.00
45	REMOVE 12" PLUG	EA	1	\$100.00	\$100.00
46	CONNECT TO EX 12" WATERMAIN	EA	2	\$900.00	\$1,800.00
47	2" COPPER WATER SERVICE	LF	410	\$20.00	\$8,200.00
48	2" CORP. STOP, CURB STOP & BOX	EA	11	\$550.00	\$6,050.00
ROADWAY / ROW					
49	CLEARING	SY	25834	\$1.00	\$25,834.00
50	TOPSOIL STRIPPING	SY	13263	\$1.00	\$13,263.00
51	FILL (SUBGRADE)	CY	16000	\$7.00	\$112,000.00
52	8" 22A GRAVEL (C.I.P.)	SY	13263	\$6.00	\$79,578.00
53	CONCRETE CURB & GUTTER 2' WIDE	LF	6425	\$10.00	\$64,250.00
54	CONCRETE SIDEWALK, 4" THICK	SF	27178	\$3.00	\$81,534.00
55	BITUMINOUS LEVELING, 3C	TON	950	\$42.00	\$39,900.00
56	BUTUMINOUS SURFACING, 4C	TON	950	\$42.00	\$39,900.00
57	TOPSOIL SEED, FERTILIZE & MULCH	SY	9552	\$2.00	\$19,104.00
58	SUBGRADE UNDERCUTTING	CY	1200	\$6.00	\$7,200.00
59	SOIL EROSION CONTROL MEASURES	LS	1	\$6,000.00	\$6,000.00
60	COLD PLASTIC OVERLAY, RR SYMBOL	EA	2	\$600.00	\$1,200.00
61	CIRCULAR RR SIGN	EA	4	\$200.00	\$800.00
62	12" COLD PLASTIC STOP BAR	EA	2	\$300.00	\$600.00
DECORATIVE CONCRETE					
63	6" DECORATIVE CONCRETE	SY	2650	\$75.00	\$198,750.00
64	CONCRETE CURB, DETAIL F3	LFT	1670	\$18.00	\$30,060.00

65	EXPANSION JOINT, TYPE E2	LFT	74	\$15.00	\$1,110.00
LANDSCAPE					
66	FREEMAN RED MAPLE 2-1/2" Cal.	EA	6	\$312.50	\$1,875.00
67	REDSPICE PEAR 2-1/2" Cal.	EA	5	\$312.50	\$1,562.50
68	SEA GREEN JUNIPER 24" SPREAD	EA	78	\$40.00	\$3,120.00
69	COMPACT EUROPEAN CRANBERRYBUSH VIBURNUM 18"HEIGHT	EA	69	\$40.00	\$2,760.00
70	STELLA DE ORO' DAYLILY 1 QT	EA	4100	\$2.00	\$8,200.00
71	ALUMINUM EDGING	LFT	600	\$4.50	\$2,700.00
72	SOD	SY	225	\$3.50	\$787.50
73	SEED	SF	2000	\$0.11	\$220.00
74	TOPSOIL	CY	250	\$22.00	\$5,500.00

SUBTOTAL \$1,341,985.00
 10% Contingencies \$134,198.50
\$1,476,183.50

TOTAL OF ALL ESTIMATED PRICES:

ALTERNATE 1 - CONCRETE PAVEMENT

ALTERNATE 1 REPLACES ALL OF THE ASPHALT PAVEMENT WITH 6" NON REINFORCED CONCRETE PAVEMENT. CURBS SHALL BE INTEGRAL WITH DEDUCT

55	BITUMINOUS LEVELING, 3C	TON	950	\$42.00	\$39,900.00
56	BUTUMINOUS SURFACING, 4C	TON	950	\$42.00	\$39,900.00
ADD					
75	CONCRETE PAVEMENT WITH INTEGRAL CURB NON REINFORCED 6"	SY	13263	\$40.00	\$530,520.00
76	EXPANSION JOINT TYPE E2	LFT	320	\$15.00	\$4,800.00

SUBTOTAL \$455,520.00
 10% Contingencies \$45,552.00
\$501,072.00

TOTAL of ALT. 1

ALTERNATE 2 - SUBSTITUTE STORMCEPTOR

SUBSTITUTE STORMCEPTOR CATCH BASINS FOR DRAINAGE STRUCTURES
 DEDUCT

21	4' DIAMETER CATCH BASIN W/2' SUMP	EA	4	\$1,500.00	\$6,000.00
ADD					
77	4' DIAMETER STORMCEPTOR	EA	4	\$7,000.00	\$28,000.00

SUBTOTAL \$22,000.00
 10% Contingencies \$2,200.00
\$24,200.00

TOTAL of ALT. 2

TOTAL INCREASE (DECREASE) ESTIMATED PRICES
SECTION A - ALTERNATE 2 - SUBSTITUTE STORMCEPTOR

ALTERNATE 3 - GEOTEXTILE FABRIC

ADD 8oz NONWOVEN GEOTEXTILE BENEATH AGGREGATE BASE FOR ALL
 ADD

80	8oz NONWOVEN GEOTEXTILE FABRIC	SY	13263	\$2.00	\$26,526.00
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SUBTOTAL \$26,526.00
 10% Contingencies \$2,652.60
\$29,178.60

TOTAL of ALT. 3



FLEIS & VANDENBRINK ENGINEERING, INC.

Offices in Grand Rapids, Traverse City, and Muskegon

316 Morris Ave., Suite 230, Muskegon, MI 49440 • Office: (231) 726-1000 • Fax: (231) 726-2200 • www.fveng.com

August 1, 2002

Mr. Mohammed Al-Shatel
City Engineer
City of Muskegon
933 Terrace Street
Muskegon, Michigan 49440

**RE: Lakefront Development Project
Muskegon, Michigan**

Dear Mohammed;

Attached is the bid tabulation for the above referenced project. The apparent low bidder is Jackson-Merkey Contractors, Inc., (CONTRACTOR) with a base bid of \$1,192,040.95. The Engineer estimate for this work was \$1,341,985.00. The bid also contained prices for Alternatives 1, 2 and 3 of \$225,686.75, \$36,180.00 and \$11,936.70 respectively.

The CONTRACTOR did not complete all of the bidding documents, including; written totals of estimated prices on the bid form, the Non-collusion Affidavit of Prime Bidder, the list of proposed sub-contractors, and the Statement of Bidder's Qualifications. However, we understand the CONTRACTOR completes numerous projects for the City of Muskegon annually. In addition, members of our staff have worked with the CONTRACTOR on unrelated projects and find the CONTRACTOR is a qualified contractor in the Muskegon area for the scope of work presented with this project. The CONTRACTOR intends to submit the Non-collusion Affidavit of Prime Bidder upon award of the contract. The list of proposed sub-contractors was overlooked and is forthcoming.

Based on the costs provided by the CONTRACTOR, we recommend that Alternative 2 (Substitute Stormceptor) and Alternative 3 (Geotextile Fabric) be included with the project. We recommend the contract for Lakefront Development Project be awarded to the low bidder, Jackson-Merkey Contractors, Inc., in the amount of \$1,240,157.65.

The original bid documents for each of the six bidders are enclosed.

Sincerely,

FLEIS & VANDENBRINK ENGINEERING, INC.

William P. Frazier, P.E.
Project Manager

Attachment:
Enclosure:

WPF/jdm

RECEIVED
CITY OF MUSKEGON

AUG 02 2004

ENGINEERING DEPT.

H-1521, S-556 & W-630 LAKEFRONT DEVELOPMENT

CITY OF MUSKEGON

BID TABULATION

ITEM NO.	ITEM DESCRIPTION	UNIT	TOTAL QTY	JACKSON MERKEY, Muskegon, MI TOTAL AMOUNT	S.F. RAYMER, Marne, MI TOTAL AMOUNT	DIVERSCO, Byron Center, MI TOTAL AMOUNT	WADEL STABILIZATIO N, Hart, MI TOTAL AMOUNT	MILBOCKER & SONS, Allegan, MI TOTAL AMOUNT	KAMMINGA & ROODOETS, Grand Rapids, MI TOTAL AMOUNT
GENERAL ITEMS									
1	TRENCH UNDERCUTTING	CY	700	\$5,950.00	\$7,350.00	\$4,500.00	\$7,000.00	\$6,300.00	\$9,800.00
2	GRANULAR BACKFILL	CY	3500	\$25,025.00	\$22,750.00	\$21,000.00	\$24,500.00	\$14,000.00	\$35,000.00
3	DEWATERING	LSUM	1	\$58,800.00	\$70,000.00	\$25,000.00	\$55,000.00	\$126,000.00	\$110,000.00
4	CARBON WATER TREATMENT SYSTEM	LSUM	1	\$39,250.00	\$50,000.00	\$30,000.00	\$60,000.00	\$100,000.00	\$86,500.00
5	CARBON CHANGE-OUTS	LB	36000	\$10,800.00	\$24,840.00	\$18,000.00	\$36,000.00	\$45,000.00	\$41,400.00
6	SOIL RELOCATION, ONSITE	CY	3000	\$4,500.00	\$11,250.00	\$15,000.00	\$12,000.00	\$6,000.00	\$10,500.00
7	SOIL LOADING, TRANSPORTATION AND DISPOSAL	TON	1500	\$21,750.00	\$36,000.00	\$18,000.00	\$52,500.00	\$30,000.00	\$37,500.00
8	MASONRY & CONCRETE STRUCTURES, REMOVE	CY	300	\$3,075.00	\$1,800.00	\$15,000.00	\$4,500.00	\$19,500.00	\$15,000.00
SANITARY SEWER ITEMS									
9	8" SANITARY SEWER (ASTM D3034-SDR 35 pvc)	LF	2029	\$32,159.65	\$32,464.00	\$71,015.00	\$52,754.00	\$31,449.50	\$60,870.00
10	4' DIAMETER MANHOLE	EA	10	\$16,850.00	\$14,000.00	\$18,000.00	\$20,000.00	\$23,000.00	\$20,000.00
11	8" x 6" WYE	EA	13	\$780.00	\$845.00	\$1,950.00	\$1,950.00	\$2,015.00	\$975.00
12	6" SANITARY LATERAL	LF	615	\$8,917.50	\$12,300.00	\$15,375.00	\$17,220.00	\$7,995.00	\$12,300.00
13	6" RISER	EA	13	\$520.00	\$1,300.00	\$1,300.00	\$650.00	\$1,950.00	\$1,950.00
14	6" PLUG	EA	13	\$260.00	\$650.00	\$1,300.00	\$1,300.00	\$650.00	\$130.00
15	8" PLUG	EA	2	\$100.00	\$100.00	\$300.00	\$300.00	\$110.00	\$40.00
16	CONNECT TO EXISTING MANHOLE	EA	3	\$1,695.00	\$600.00	\$4,500.00	\$9,000.00	\$1,500.00	\$2,250.00
STORM SEWER ITEMS									
17	12" STORM SEWER (CONC. CL-IV)	LF	443	\$9,590.95	\$10,189.00	\$14,176.00	\$12,404.00	\$7,974.00	\$12,847.00
18	15" STORM SEWER (CONC. CL-IV)	LF	817	\$20,629.25	\$19,608.00	\$27,778.00	\$26,144.00	\$16,340.00	\$24,510.00

ITEM		TOTAL		JACKSON MERKEY, Muskegon, MI	S.F. RAYMER, Marne, MI	DIVERSCO, Byron Center, MI	WADEL STABILIZAITO N, Hart, MI	MILBOCKER & SONS, Allegan, MI	KAMMINGA & ROODVOETS, Grand Rapids, MI
ITEM NO.	DESCRIPTION	UNIT	QTY	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT
19	24" STORM SEWER (CONC. CL-IV)	LF	1089	\$44,104.50	\$33,759.00	\$47,916.00	\$49,005.00	\$39,204.00	\$45,738.00
20	4' DIAMETER CATCH BASIN W/2' SUMP	EA	22	\$32,780.00	\$28,600.00	\$33,000.00	\$34,100.00	\$38,940.00	\$44,000.00
21	5' DIAMETER CATCH BASIN W/2' SUMP	EA	1	\$2,125.00	\$2,000.00	\$2,000.00	\$2,250.00	\$2,550.00	\$3,000.00
WATERMAIN ITEMS									
22	6" D.I. WATERMAIN, CL52 (F.S.)	LF	300	\$5,790.00	\$6,600.00	\$9,600.00	\$7,800.00	\$7,500.00	\$10,500.00
23	8" D.I. WATERMAIN, CL52	LF	505	\$9,999.00	\$12,625.00	\$17,170.00	\$15,150.00	\$10,100.00	\$16,665.00
24	8" D.I. WATERMAIN, CL52 (F.S.)	LF	110	\$2,420.00	\$2,750.00	\$3,960.00	\$3,300.00	\$2,200.00	\$4,290.00
25	12" D.I. WATERMAIN, CL52	LF	3105	\$80,730.00	\$93,150.00	\$130,410.00	\$117,990.00	\$75,762.00	\$124,200.00
26	8" x 8" x 6" TEE	EA	4	\$840.00	\$800.00	\$1,540.00	\$1,200.00	\$1,240.00	\$2,040.00
27	12" x 12" x 6" TEE	EA	11	\$3,575.00	\$3,465.00	\$4,950.00	\$4,400.00	\$5,830.00	\$6,930.00
28	12" x 12" x 8" TEE	EA	6	\$2,100.00	\$1,950.00	\$2,850.00	\$2,520.00	\$3,360.00	\$3,900.00
29	12" x 12" x 12" TEE	EA	2	\$880.00	\$750.00	\$1,000.00	\$1,150.00	\$1,330.00	\$1,440.00
30	6" VALVE & BOX (F.S.)	EA	8	\$4,400.00	\$6,000.00	\$6,400.00	\$3,600.00	\$4,720.00	\$4,800.00
31	6" VALVE & BOX (F.S.)	EA	7	\$3,850.00	\$5,250.00	\$5,600.00	\$3,150.00	\$4,130.00	\$4,200.00
32	8" VALVE & BOX (F.S.)	EA	3	\$2,100.00	\$2,250.00	\$2,700.00	\$2,400.00	\$2,310.00	\$2,190.00
33	8" VALVE & BOX	EA	3	\$2,100.00	\$2,250.00	\$2,700.00	\$2,400.00	\$2,310.00	\$2,190.00
34	12" VALVE & BOX	EA	11	\$11,165.00	\$12,100.00	\$16,500.00	\$16,500.00	\$14,300.00	\$12,100.00
35	HYDRANT	EA	7	\$7,945.00	\$14,000.00	\$10,500.00	\$12,250.00	\$9,800.00	\$10,500.00
36	12" x 8" REDUCER	EA	1	\$145.00	\$275.00	\$275.00	\$275.00	\$282.00	\$250.00
37	6" PLUG (F.S.)	EA	8	\$480.00	\$800.00	\$2,000.00	\$1,200.00	\$560.00	\$2,120.00
38	8" PLUG	EA	2	\$120.00	\$200.00	\$600.00	\$300.00	\$200.00	\$640.00
39	8" PLUG (F.S.)	EA	3	\$225.00	\$300.00	\$900.00	\$450.00	\$300.00	\$825.00
40	12" PLUG	EA	1	\$105.00	\$150.00	\$400.00	\$200.00	\$185.00	\$375.00
41	8" 45° BEND	EA	2	\$390.00	\$220.00	\$700.00	\$440.00	\$380.00	\$950.00
42	12" 22 1/2° BEND	EA	15	\$5,775.00	\$3,000.00	\$6,750.00	\$4,050.00	\$5,175.00	\$6,700.00
43	12" 45° BEND	EA	5	\$1,925.00	\$1,000.00	\$2,250.00	\$1,850.00	\$2,775.00	\$2,900.00
44	REMOVE 12" PLUG	EA	1	\$60.00	\$250.00	\$350.00	\$150.00	\$270.00	\$250.00
45	CONNECT TO EX 12" WATERMAIN	EA	2	\$750.00	\$2,000.00	\$1,500.00	\$3,500.00	\$1,200.00	\$2,100.00
46	2" COPPER WATER SERVICE	LF	410	\$5,330.00	\$9,430.00	\$12,300.00	\$4,100.00	\$6,560.00	\$12,300.00
47	2" CORP. STOP, CURB STOP & BOX	EA	11	\$5,280.00	\$4,400.00	\$9,900.00	\$16,500.00	\$5,610.00	\$8,250.00
ROADWAY / ROW									

ITEM NO.	ITEM DESCRIPTION	UNIT	QTY	JACKSON MERKEY, Muskegon, MI		S.F. RAYMER, Marne, MI		DIVERSCO, Byron Center, MI		WADEL STABILIZATIO N, Hart, MI		MILBOCKER & SONS, Allegan, MI		KAMMINGA & ROODOETS, Grand Rapids, MI	
				TOTAL	AMOUNT	TOTAL	AMOUNT	TOTAL	AMOUNT	TOTAL	AMOUNT	TOTAL	AMOUNT	TOTAL	AMOUNT
48	TOPSOIL STRIPPING	SY	13263		\$2,652.60	\$20,557.65	\$13,263.00	\$13,263.00	\$13,263.00	\$13,263.00	\$13,263.00	\$13,263.00	\$13,263.00	\$3,315.75	\$3,315.75
49	FILL (SUBGRADE)	CY	16000		\$110,400.00	\$97,600.00	\$104,000.00	\$104,000.00	\$128,000.00	\$128,000.00	\$104,800.00	\$104,800.00	\$104,800.00	\$80,000.00	\$80,000.00
50	8" 22A GRAVEL (C.I.P.)	SY	13263		\$64,325.55	\$69,630.75	\$69,630.75	\$69,630.75	\$62,999.25	\$62,999.25	\$66,315.00	\$66,315.00	\$66,315.00	\$70,957.05	\$70,957.05
51	CONCRETE CURB & GUTTER 2' WIDE	LF	6425		\$49,793.75	\$67,462.50	\$54,612.50	\$54,612.50	\$57,825.00	\$57,825.00	\$59,752.50	\$59,752.50	\$59,752.50	\$64,250.00	\$64,250.00
52	CONCRETE SIDEWALK, 4" THICK	SF	27178		\$54,356.00	\$73,380.60	\$67,945.00	\$67,945.00	\$65,227.20	\$65,227.20	\$61,150.50	\$61,150.50	\$61,150.50	\$61,150.50	\$61,150.50
53	BITUMINOUS LEVELING, 3C	TON	950		\$34,865.00	\$37,658.00	\$30,400.00	\$30,400.00	\$34,865.00	\$34,865.00	\$34,865.00	\$34,865.00	\$34,865.00	\$34,865.00	\$34,865.00
54	BITUMINOUS SURFACING, 4C	TON	950		\$37,430.00	\$40,403.50	\$38,000.00	\$38,000.00	\$37,411.00	\$37,411.00	\$37,411.00	\$37,411.00	\$37,411.00	\$37,411.00	\$37,411.00
55	TOPSOIL SEED, FERTILIZE & MULCH	SY	9552		\$18,626.40	\$30,566.40	\$9,552.00	\$9,552.00	\$12,895.20	\$12,895.20	\$16,238.40	\$16,238.40	\$16,238.40	\$23,880.00	\$23,880.00
56	SUBGRADE UNDERCUTTING	CY	1200		\$7,500.00	\$13,200.00	\$7,200.00	\$7,200.00	\$12,000.00	\$12,000.00	\$9,600.00	\$9,600.00	\$9,600.00	\$18,000.00	\$18,000.00
57	SOIL EROSION CONTROL MEASURES	LS	1		\$4,450.00	\$5,500.00	\$1,500.00	\$1,500.00	\$4,500.00	\$4,500.00	\$10,000.00	\$10,000.00	\$10,000.00	\$13,500.00	\$13,500.00
58	COLD PLASTIC OVERLAY, RR SYMBOL	EA	2		\$950.00	\$600.00	\$300.00	\$300.00	\$600.00	\$600.00	\$600.00	\$600.00	\$600.00	\$700.00	\$700.00
59	CIRCULAR RR SIGN	EA	4		\$880.00	\$400.00	\$600.00	\$600.00	\$900.00	\$900.00	\$900.00	\$900.00	\$900.00	\$600.00	\$600.00
60	12" COLD PLASTIC STOP BAR	EA	2		\$160.00	\$300.00	\$200.00	\$200.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$500.00	\$500.00
	DECORATIVE CONCRETE														
61	6" DECORATIVE CONCRETE	SY	2650		\$219,685.00	\$251,750.00	\$225,250.00	\$225,250.00	\$219,950.00	\$219,950.00	\$265,000.00	\$265,000.00	\$265,000.00	\$225,250.00	\$225,250.00
62	CONCRETE CURB, DETAIL F3	LFT	1670		\$15,030.00	\$19,622.50	\$17,535.00	\$17,535.00	\$21,710.00	\$21,710.00	\$26,987.20	\$26,987.20	\$26,987.20	\$21,710.00	\$21,710.00
63	EXPANSION JOINT, TYPE E2	LFT	74		\$1,036.00	\$962.00	\$888.00	\$888.00	\$888.00	\$888.00	\$795.50	\$795.50	\$795.50	\$1,110.00	\$1,110.00
	LANDSCAPE														
64	FREEMAN RED MAPLE 2-1/2" Cal.	EA	6		\$1,770.00	\$3,000.00	\$2,610.00	\$2,610.00	\$1,410.00	\$1,410.00	\$2,070.00	\$2,070.00	\$2,070.00	\$1,950.00	\$1,950.00
65	REDSPIRE PEAR 2-1/2" Cal.	EA	5		\$1,400.00	\$2,500.00	\$2,175.00	\$2,175.00	\$1,150.00	\$1,150.00	\$1,725.00	\$1,725.00	\$1,725.00	\$1,625.00	\$1,625.00
66	SEA GREEN JUNIPER 24" SPREAD	EA	78		\$1,950.00	\$3,120.00	\$3,120.00	\$3,120.00	\$1,872.00	\$1,872.00	\$4,212.00	\$4,212.00	\$4,212.00	\$3,900.00	\$3,900.00
67	COMPACT EUROPEAN CRANBERRYBUSH VIBURNUM 18"HEI	EA	69		\$2,898.00	\$2,760.00	\$2,967.00	\$2,967.00	\$1,173.00	\$1,173.00	\$3,864.00	\$3,864.00	\$3,864.00	\$3,450.00	\$3,450.00
68	STELLA DE ORO DAYLILY 1 QT	EA	4100		\$21,525.00	\$34,645.00	\$47,150.00	\$47,150.00	\$9,635.00	\$9,635.00	\$41,000.00	\$41,000.00	\$41,000.00	\$36,900.00	\$36,900.00
69	ALUMINUM EDGING	LFT	600		\$1,410.00	\$1,950.00	\$2,550.00	\$2,550.00	\$1,290.00	\$1,290.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,800.00	\$1,800.00
70	SOD	SY	225		\$562.50	\$731.25	\$562.50	\$562.50	\$452.25	\$452.25	\$540.00	\$540.00	\$540.00	\$675.00	\$675.00
71	SEED	SF	2000		\$200.00	\$700.00	\$100.00	\$100.00	\$140.00	\$140.00	\$360.00	\$360.00	\$360.00	\$400.00	\$400.00
72	TOPSOIL	CY	250		\$4,750.00	\$5,000.00	\$5,000.00	\$5,000.00	\$4,375.00	\$4,375.00	\$4,750.00	\$4,750.00	\$4,750.00	\$4,750.00	\$4,750.00
TOTAL OF ALL ESTIMATED PRICES:					\$1,156,746.65	\$1,350,370.15	\$1,346,815.75	\$1,400,082.90	\$1,456,715.60	\$1,532,814.30					

		JACKSON MERKEY, Muskegon, MI		S.F. RAYMER, Marengo, MI		DIVERSCO, Byron Center, MI		WADEL STABILIZATIO N, Hart, MI		MILBOCKER & SONS, Allegan, MI		KAMMINGA & ROODVOETS, Grand Rapids, MI	
ITEM	ITEM	TOTAL	AMOUNT	TOTAL	AMOUNT	TOTAL	AMOUNT	TOTAL	AMOUNT	TOTAL	AMOUNT	TOTAL	AMOUNT
NO.	DESCRIPTION	UNIT	QTY	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT
ALTERNATE 1 REPLACES ALL OF THE ASPHALT PAVEMENT WITH 6" NON REINFORCED CONCRETE													
DEDUCT													
55	BITUMINOUS LEVELING, 3C	TON	950	\$34,865.00	\$37,658.00	\$30,400.00	\$34,865.00	\$34,865.00	\$34,865.00	\$34,865.00	\$34,865.00	\$34,865.00	\$34,865.00
56	BUTUMINOUS SURFACING, 4C	TON	950	\$37,430.00	\$40,403.50	\$38,000.00	\$37,411.00	\$37,411.00	\$37,411.00	\$37,411.00	\$37,411.00	\$37,411.00	\$37,411.00

75	ADD												
76	CONCRETE PAVEMENT WITH INTEGRAL CURB NON EXPANSION JOINT TYPE E2	SY	13263	\$295,101.75	\$323,351.94	\$291,786.00	\$281,175.60	\$318,312.00	\$291,786.00	\$291,786.00	\$291,786.00	\$291,786.00	\$291,786.00
		LFT	320	\$2,880.00	\$3,072.00	\$2,880.00	\$3,440.00	\$2,560.00	\$2,880.00	\$2,880.00	\$2,880.00	\$2,880.00	\$2,880.00
TOTAL OF ALTERNATE 1:				\$225,686.75	\$248,362.44	\$226,266.00	\$212,339.60	\$248,596.00	\$222,390.00	\$222,390.00	\$222,390.00	\$222,390.00	\$222,390.00

ALTERNATE 2 - SUBSTITUTE STORMCEPTOR
SUBSTITUTE STORMCEPTOR CATCH BASINS FOR DRAINAGE STRUCTURES

21	DEDUCT												
	4' DIAMETER CATCH BASIN W/2' SUMP	EA	4	\$5,960.00	\$5,200.00	\$6,000.00	\$9,000.00	\$4,400.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
77	ADD												
	4' DIAMETER STORMCEPTOR	EA	4	\$42,140.00	\$58,000.00	\$46,000.00	\$48,000.00	\$48,000.00	\$48,000.00	\$48,000.00	\$48,000.00	\$48,000.00	\$48,000.00
TOTAL OF ALTERNATE 2:				\$36,180.00	\$52,800.00	\$40,000.00	\$39,000.00	\$43,600.00	\$42,000.00	\$42,000.00	\$42,000.00	\$42,000.00	\$42,000.00

ALTERNATE 3 - GEOTEXTILE FABRIC
ADD 8oz NONWOVEN GEOTEXTILE BENEATH AGGREGATE BASE

78	ADD												
	8oz NONWOVEN GEOTEXTILE FABRIC	SY	13263	\$11,936.70	\$26,526.00	\$19,894.50	\$16,578.75	\$16,578.75	\$16,578.75	\$16,578.75	\$16,578.75	\$16,578.75	\$16,578.75
TOTAL OF ALTERNATE 3:				\$11,936.70	\$26,526.00	\$19,894.50	\$16,578.75	\$16,578.75	\$16,578.75	\$16,578.75	\$16,578.75	\$16,578.75	\$16,578.75

Bid Proposal

DATE: August 6, 2002

TO: Honorable Mayor and City Commissioners

FROM: Robert B. Grabinski, Director of Inspections

Re: Concurrence with the Housing Board of Appeals Notice & Order to Demolish. Dangerous building case #02-011-Address: 488 McLaughlin.

SUMMARY OF REQUEST: This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at **488 McLaughlin** 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: #02-011, 488 McLaughlin

Location and ownership: This structure is located on McLaughlin between Chestnut and William Streets. It was owned by Pearl Jones and Willis Fields.

Staff Correspondence: This property was brought to the Inspection Dept. through a gambling raid in early March. An interior inspection was conducted 3/27/02. A notice and order to repair or demolish was issued 4/4/02. Mr. Fields pulled a permit to repair 4/17/02. The case was brought before the HBA on June 6 and it was declared substandard. Mr. Fields was not present at the meeting, as he was incarcerated at the time. His daughter was present and stated she would like to repair and live in the house, but she has no ownership rights. There has been no contact from owner since then.

Owner Contact: There has been no contact from the owner since pulling a permit to repair 4/17/02. No inspections have been called for.

Financial Impact: The cost of demolition will be paid with CDBG funds.

Budget Action Required: None

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

Estimated Cost of Repairs: \$10,000

City Commission Recommendation: The Commission will consider this item at it's meeting on Tuesday, August 13, 2002.





488 McLaughlin

For The Inspection Dept.

419452

City of Muskegon

FROM CITY ASSESSOR'S RECORDS

OWNER Pearl Jones
PROPERTY 488 McLaughlin
PLATE # 24-205-080-0008-00
DESCRIPTION West 1/2 Lot 8 Block 80

FROM RECORDS OF TRANSNATION TITLE COMPANY

LIBER: 1473

PAGE: 284

DATE OF DEED: April 21, 1989

GRANTOR NAME & ADDRESS: Kenneth G. Kroll and wife DeLean I. Kroll,
7245 Apple Avenue, Muskegon, MI 49442

GRANTEE NAME & ADDRESS: Pearl E. Jones and Willis Fields, 488
McLaughlin, Muskegon, MI 49442

LIENS OR MORTGAGES: 1812-855, 1947-754, 1969-944, 2015-753, 2081-
929, 2200-847, 3291-990

TODAY'S DATE: March 28, 2002

EFFECTIVE DATE: March 5, 2002 at 8:00 AM

ABSTRACTED BY:

Debra K. Jones
TRANSNATION TITLE INSURANCE COMPANY

The above information is to be used for reference purposes only and not to be relied upon as evidence of the title and/or encumbrances. Accordingly, said information is furnished at a reduced rate, and the Company's liability shall in no event exceed the amount paid for said information, should evidence of title and/or encumbrances be desired, application for title insurance should be placed with Transnation Title Insurance Company.

The Grantor(s) Kenneth G. Kroll and wife DeLean I Kroll

MAY -4 P 12:15

whose address is
7245 Apple Ave., Muskegon Mich. 49442
convey(s) and warrant(s) to
Pearl E. Jones and son Willis Fields
whose address is 488 McLaughlin St.
Muskegon Michigan 49442
the following described premises situated in the City
of Muskegon, County of Muskegon
and State of Michigan:

The West 1/2 of Lot 8 of Block 80 of the
Revised Plat of (1903) of the City of
Muskegon. (Also known as 488 McLaughlin)

for the sum of \$6000.00

subject to easements and building and use restrictions of record and further subject to

Dated this 21st day of April
Signed in presence of

1989

Signed by:

Mark Kalisz
Orville V. Crain
Orville V. Crain

Kenneth G. Kroll
DeLean I Kroll

STATE OF MICHIGAN. } SS.
COUNTY OF Muskegon

The foregoing instrument was acknowledged before me this 21st day of April
19 89 by Kenneth and DeLean Kroll

May 4 1989
Muskegon, Mich.
"I hereby certify that there are no tax liens or titles held by the
state or any individual against the within description, and all
taxes on same are paid for five years previous to the date of
this instrument, as shown by the records in my office."
044256 John A. Kays Co. Treas.

Orville V. Crain
Orville V. Crain
Notary Public,
Michigan
My commission expires: 8-13-91

County Treasurer's Certificate

REAL ESTATE
TRANSFER TAX
\$ 06.60
MAY -4 89
Taxation
RB.10666

When Recorded Return To:

Grantor
Pearl E Jones
(Name)
488 McLaughlin St.
(Street Address)
Muskegon, Mich 49442
(City and State)

Send Subsequent Tax Bills To:

Pearl E Jones
488 McLaughlin
Muskegon, Mich, 49442

Drawn By:

DeLean I Kroll
Business Address:
7245 Apple Ave.
Muskegon, MI 49442

MAKE YOUR REAL ESTATE TRANSFERS SAFE BY USING FIRST AMERICAN TITLE INSURANCE COMPANY OF MID-AMERICA

1473 284

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: August 6, 2002

488 McLaughlin
(Address of Property)

TO: All owners and interested parties:

Pearl Jones, Willis & Mary Fields, 498 McLaughlin, Muskegon, MI 49442
(Name of Owner)

A-1 Bail Bond Services, 2918 Pine Grove Ave, Port Huron, MI 48060
(Other interested parties)

Clarence Wilkins, 2234 Fifth, Muskegon, MI 49444

On June 6, 2002 the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on August 13, 2002, to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on August 13, 2002, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

CITY OF MUSKEGON INSPECTIONS DEPARTMENT,
FOR THE HOUSING BOARD OF APPEALS

By


Robert B. Grabinski, Director of Inspections

**CITY OF MUSKEGON
CITY OF MUSKEGON HOUSING (BUILDING) BOARD OF APPEALS**

Date: June 11, 2002

To: Pearl Jones, Willis & Mary Fields, 498 McLaughlin, Muskegon, MI 49442
Owners Name & Address

A-1 Bail Bond Services, 2918 Pine Grove Ave, Port Huron, MI 48060
Names & Addresses of Other Interested Parties

Clarence Wilkins, 2234 Fifth St. Muskegon, MI 49444

ORDER TO DEMOLISH STRUCTURE

The Housing Board of Appeals, having received evidence at a scheduled and noticed meeting held on Thursday, June 6, 2002 does hereby order that the following structure(s) located at 488 McLaughlin, Muskegon, Michigan, shall be demolished for the reason that the said structure or structures are found, based upon the evidence before the Board of Appeals, to be dangerous, substandard and a public nuisance.

The owners or persons interested shall apply for the required permits to demolish the structure(s) within 30 days from the final determination to concur and demolish, if it is made by the City Commission. Demolition shall be accomplished no later than 60 days after a concurrence by the City Commission.

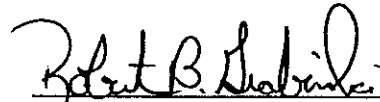
The director of inspections is ordered to place before the Muskegon City Commission this order and the record in this case to seek concurrence by the City Commission with the decision of this board, and further to give notice to the owner and interested parties of the date and time when this matter shall be considered by the City Commission. **This order is not final until concurred with by the City Commission.**

NOTICE TO OWNER AND INTERESTED PARTIES

Please take notice that this decision of the Housing Board of Appeals will be presented to the City Commission of the City of Muskegon on the date and at a time to be noticed to you by the Director of Inspections. You are hereby notified that you will have an opportunity to appear before the said City Commission at that time and to present any and all evidence or matters relevant to the issue of demolition or repair of the said structures. This order of the Housing Board of Appeals is not final, but will become final if and when the City Commission has considered the record and this order, and has concurred.

The City Commission may concur with this order, or disapprove or modify the order.

FOR THE HOUSING BOARD OF APPEALS:

A handwritten signature in dark ink, appearing to read "Robert B. Grabinski", written over a horizontal line.

Robert B. Grabinski, Director of Inspections

**CITY OF MUSKEGON
CITY OF MUSKEGON HOUSING (BUILDING) BOARD OF APPEALS**

NOTICE OF HEARING

Date: May 23, 2002

Address of the Property: **488 McLaughlin**

TO: Pearl Jones, Willis & Mary Fields, 498 McLaughlin, Muskegon, MI 49442
[Name & Address of Owner]

A-1 Bail Bond Services, 2918 Pine Grove Ave. Port Huron, MI 48060
Names & Addresses of Other Interested Parties]

Clarence Wilkins, 2234 Fifth St., Muskegon, MI 49444

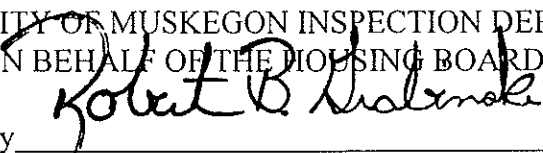
Please take notice that on **Thursday, June 6, 2002**, the City of Muskegon Housing Board of Appeals will hold a hearing at 933 Terrace, Muskegon, MI at 5:30 o'clock p.m., and at the said hearing consider whether or not the following structure should be determined to be dangerous, substandard and a nuisance, and demolished, or repaired.

The reason for this hearing is that you have not complied with the Notice and Order to Repair or Remove issued 4/4/02.

At the hearing on Thursday, June 6, 2002, at 5:30 o'clock p.m., at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, you may appear and present any relevant evidence to the Housing Board of Appeals and have counsel of your choice present, if you desire, to show cause why the structure should not be allowed or ordered demolished.

CITY OF MUSKEGON INSPECTION DEPARTMENT,
ON BEHALF OF THE HOUSING BOARD OF APPEALS

By


Robert B. Grabinski, Director of Inspections

BUILDING PERMIT APPLICATION

City of Muskegon

933 Terrace St. P.O. Box 536

Muskegon, MI 49443-0536

(231)724-6758

Date 4-17-02

Permit # 02-0228

EXPIRES 5-1

I. JOB LOCATION

Job Address <u>488 McLaughlin</u>		Has a plan review been completed for this project? YES ☐ NO ☐ NOT REQUIRED ☒	
Name of Owner/Agent <u>Willie Jones</u>		Owner Telephone	
Owner Address <u>498 McLaughlin</u>	City <u>Muskegon</u>	State <u>MI</u>	Zip Code <u>49442</u>

II. CONTRACTOR / OWNER INFORMATION

☒ Contractor ☐ Homeowner	Name	License Number	Expiration Date
Address (Street & Name)		City	State
Telephone Number ()		Federal employer ID Number (or reason for exemption)	MESC Employer Number (or reason for exemption)
Workers Compensation Insurance Carrier (or reason for exemption)		Contractor information registered with the City of Muskegon YES ☐ NO ☐	

III. ARCHITECT OR ENGINEER

Name (Company or Individual)			License Number	
Address	City	State	Zip code	Telephone Number

IV. TYPE OF JOB

Class of work (check all that apply)				
NEW BUILDING ☐	ADDITION ☐	ALTERATION ☐	REPAIR ☒	
RESIDENTIAL ☐	COMMERCIAL ☐	INDUSTRIAL ☐	OTHER ☐	
Description of work <u>Repair building repairs per D.B. list - Floors, ceiling, floors, stairs</u>				

V. FEE - Enter the value of the proposed project.

State the total cost of the improvement, including excavation, building, plumbing, electrical, mechanical and architectural costs	\$ <u>500</u>	Permit Fee	<u>23.50</u>
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Separate permits are required for Plumbing, Mechanical, and Electrical work.

NO WORK IS TO START PRIOR TO THE ISSUANCE OF BUILDING PERMIT

(PROJECTS STARTED WITHOUT A PERMIT MAY BE SUBJECT TO INVESTIGATION FEES)

Received By <u>LG</u>	Approved
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I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of this permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

VI. APPLICANT SIGNATURE

Section 23a of the state construction code act of 1972, 1972 PA 230, MCL 125.1523a, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subjected to civil fines."

Signature of licensee or property owner <u>Willie Jones</u>	Date <u>4-17-02</u>
--	------------------------

CITY OF MUSKEGON

NOTICE AND ORDER TO REPAIR OR REMOVE (DEMOLISH) A STRUCTURE

DATE: April 4, 2002

Address of the Property: 488 McLaughlin, Muskegon, Michigan

TO: Pearl Jones, Willis & Mary Fields, 498 McLaughlin, Muskegon, MI 49442
[Name & Address of Owner]

A-1 Bail Bond Services, Ltd, 2918 Pine Grove Ave, Port Huron, MI 48060
(Interested Parties)

Clarence Wilkins, 2234 Fifth St, Muskegon, MI 49444

The Building Inspection Department of the City of Muskegon has determined that the structures above described are dangerous, substandard, and constitute a nuisance in violation of the Dangerous Buildings Ordinance of the City.

You are hereby notified that the City will proceed to demolish or cause the demolition and removal of the said structure unless you accomplish the actions indicated below within the time limits indicated (only one to be checked):

1. X Obtain the issuance of all permits required to accomplish the repair of the structure defects listed in the attached schedule within 30 days of this notice. All repairs shall be accomplished within the times set forth in the permits. All work must be physically commenced within 30 days of the date of this notice.
2. Obtain the issuance of the appropriate permit for the demolition of structures within 30 days, and accomplish the demolition thereof within 60 days of this notice.

The conditions which cause the said structures to be dangerous, substandard and a nuisance are listed in the attached schedule.

FAILURE TO COMPLY

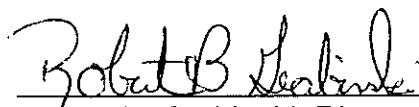
After 30 days from mailing this notice, if you have not complied with this notice, a hearing will be scheduled before the City of Muskegon Housing Board of Appeals for the purpose of enforcing this notice and order and instituting City action to remove the structure. You will receive notice of that hearing. You may appear and present any relevant evidence to the Housing Board of Appeals and have counsel of your choice present, if you desire. You will have the opportunity to show cause why the structure shall not be ordered demolished.

SCHEDULE OF CONDITIONS

The following conditions are present at the structure at 488 McLaughlin Muskegon, Michigan, and cause said structure to be a dangerous or substandard building and a public nuisance.

Please see the attached inspection report

CITY OF MUSKEGON INSPECTION DEPARTMENT

A handwritten signature in black ink, appearing to read "Robert B. Grabinski", is written over a horizontal line.

Robert B. Grabinski, Director of Inspections

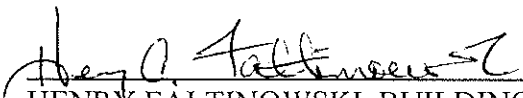
CITY OF MUSKEGON
DANGEROUS BUILDING INSPECTION REPORT

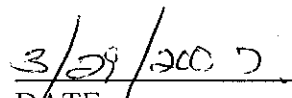
488 McLaughlin
Interior
3/27/02

Inspection noted:

1. Space heater and vent need to be checked out and certified.
2. Gas line by water heater needs plug.
3. Water heater has no boiler drain and T & P drop is too close to floor and wrong material.
4. Toilet needs ballcock repair.
5. Cellar not accessible to find main water shut off.
6. Smoke detectors and outlet covers are missing.
7. Exterior light needs repair or replacement.
8. Remove light on cord.
9. Pull chain light incomplete.
10. Service – no permit pulled.
11. Repair floor, back door floor area. Incomplete structure repair of floor joist supports. Need piers, column and proper beam support.
12. Repair interior wall damage.
13. Replace missing, damaged ceiling tile.
14. Front porch decking needs repair.

BASED UPON MY RECENT INSPECTION OF THE ABOVE PROPERTY, I HAVE DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS AND/OR SUBSTANDARD BUILDING AS SET FORTH IN SECTION 4-23 OF THE MUSKEGON CITY CODE.


HENRY FALTINOWSKI, BUILDING INSPECTOR


DATE

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

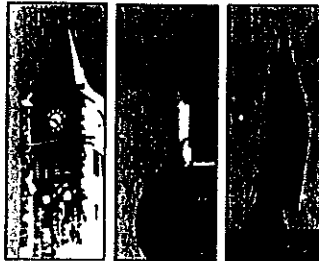
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

March 15, 2002

Pearl Jones
488 McLaughlin
Muskegon, MI 49442

Dear Property Owner:

Subject: Board-up: 488 McLaughlin, Muskegon MI

The structure owned by you at the subject address has recently been found to be dangerous because it is unsecured. Unsecured structures are not only an invitation to children, but also to vagrants, vandals, and others who would use them for illegal purposes.

To combat this, City building regulations require that windows, doors, or other openings on vacant structures be kept intact and securely locked or neatly boarded up in order to prevent entrance by unauthorized persons. Please board up/secure all doors and first floor windows of all structures. **Boarding must be done with exterior grade plywood at least ½ inch thick which is painted to blend with the colors of the building so as to be as inconspicuous as possible.**

Please note, however, that under City ordinance a property may not remain boarded up for longer than 180 consecutive days. As a dangerous building, your structure(s) must be secured within ten (10) days of the date of this notice. If the building is not secured within this time frame, the City of Muskegon will take action to have it secured and the cost assessed against the property.

Any unpaid invoices could be sent to a collection agency if not paid.

If you have any questions concerning this matter, 724-6715.

Sincerely,

Robert B. Grabinski
Fire Marshal/Inspections Dept.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

4792 2614
1926 7761
E700 0013
0250 0002

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Recipient's Name (Please Print Clearly) (To be completed by mailer)
Pearl Jones
Street, Apt. No.; or PO Box No.
488 McLaughlin
City, State, ZIP+4
49442

PS Form 3800, February 2000 See Reverse for Instructions

INSPECTIONS

Incident Report

MUSKEGON POLICE DEPARTMENT

2002-005858-I

Incident No 2002-005858-I		Date & Time Rept 03/22/2002 09:30		Offense: ASSIST AGENCY ASSIST OTHER AGENCY	
Occurred From: 03/22/2002 09:30		Occurred Until: 03/22/2002 09:30		Incident Location 488 MCLAUGHLIN AV	
Current Disp CLOSED		Disposed To CLOSED FLYNN		Municipality MUSKEGON	
				District 117	
Disposition Date 03/22/2002		Juveniles Only? NO		TTY Sent? Canceled? TTY number NO	
Photos? NO		Consent? NO		Affidavit? NO	
				Optional Date/Time / / 00:00	
Officer Assigned 10551 GUST, JAMES PETER OFC				Investigating Officer	
Name/Address/Phone				Description	
P	FIELDS, WILLIE EDWARD			Born 02/08/1931 MALE	
E	488 MCLAUGHLIN			Hgt. 5' 8" BLACK	
R	MUSKEGON MI 49441			Wgt. 225 NON-HISP	
S	(231) 727-0125			Hair BLK Eyes BRO	
O	OFFENDER		ASSIST AGENCY		ASSIST OTHER AGENCY
N	03/22/2002				
Description/Name/Comments		Make/Model/Stat		Serial No./Qty/Value	
NO PROPERTY					
Status/Plate Type/VIN		Reg/Evid/Value		Description	
NO VEHICLES					
Category			Description		
NO M.O. INFORMATION					

Incident No	Date & Time Rept	Offense: ASSIST AGENCY
2002-005858-I	03/22/2002 09:30	ASSIST OTHER AGENCY

N TAKEN FROM WORDPERFECT DOCUMENT 2002005858.001

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INFORMATION:

Sgt. Flynn advise Ofc. Luker and I that the power to 488 McLaughlin had been turned off. He further advised that WILLIE FIELDS was running an extension cord to the house for power. He requested that we check on it.

ACTIONS:

Ofc. Luker and I went to the location. I saw that the electric meter was missing. I also saw an extension cord coming out of a window at 498 McLaughlin and go into a window at 488 McLaughlin.

We made contact with FIELDS. I asked him if he had an extension cord running from 498 McLaughlin to 488 McLaughlin. He told me yes and that he had a light hooked up to it. I asked him if he was living inside of 488 McLaughlin and he said yes.

He told me that he spoke with someone in inspections. He said that he was told it was alright to run an extension cord from one house to another.

I called the desk to have an inspector come to my location. Inspector LaBrenz arrived on the scene. He told me that he had been trying to get a hold of someone at the residence about the extension cord. He spoke with FIELDS and told him that it was not alright to run the extension cord from one house to the other. FIELDS said that he was going to undo the extension cord.

J. Gust 37

Incident Report

MUSKEGON POLICE DEPARTMENT

2002-005688-I

Incident No 2002-005688-I	Date & Time Rept 03/20/2002 02:12	Offense: 55000 HEALTH AND SAFETY		
Occurred From: 03/20/2002 02:12	Occurred Until: 03/20/2002 02:12	Incident Location 488 MCLAUGHLIN AV		
Current Disp CLOSED	Disposed To CLOSED BRIDE	Municipality MUSKEGON	District 117	
Disposition Date 03/20/2002	Juveniles Only? NO	TTY Sent? NO	Cancelled?	TTY number
Photos? NO	Consent? NO	Affidavit? NO	Optional Date/Time / / 00:00	
Officer Assigned 10437 BAKER, NATHAN DANIEL		Investigating Officer		

N OFFENSE: ORDV Ordinance Viol.

O
T =CAD TIMES: 02:12;02:12;02:12;02:12;

Name/Address/Phone	Description
P FIELDS, WILLIE EDWARD	Born 02/08/1931 MALE
E 498 MCLAUGHLIN	Hgt. 5' 8" BLACK
R MUSKEGON MI 49441	Wgt. 225 NON-HISP
S (231) 727-0125	Hair BLK Eyes BRO
O OFFENDER 55000	HEALTH AND SAFETY
N 03/20/2002	

Description/Name/Comments	Make/Model/Stat	Serial No./Qty/Value
NO PROPERTY		

Status/Plate Type/VIN	Reg/Evid/Value	Description
NO VEHICLES		

Category

Description

NO M.O. INFORMATION

Continued

MUSKEGON POLICE DEPARTMENT

2002-005688-I

Incident No 2002-005688-I	Date & Time Rept 03/20/2002 02:12	Offense: 55000 HEALTH AND SAFETY
------------------------------	--------------------------------------	-------------------------------------

N TAKEN FROM WORDPERFECT DOCUMENT 2002005688.001

A While on patrol I noted that there were inside lights on at
R 488 Mclaughlin. To the best of my knowledge the power was shut off
R to this residence about a week ago. After a raid by WEMET at 488
A Mclaughlin, the power was turned off by Inspector Grabinski. I
T also noted that the front porch light wasn't on, usually this light
I is always on.

V A closer look at the home showed an orange power cord running
E from the west window of 498 Mclaughlin to 488 Mclaughlin. The
power cord ran out the window and then was buried underground.
While I was checking Willie Fields came out of 488 Mclaughlin. I
tried to walk away and told Willie that there was no problem. I am
sure that Willie knew what I was looking at. I request a copy of
this report be sent to Inspector Grabinski as soon as possible. I
cleared.

N. Baker #45

Copy of this report to Inspector Grabinski

Reviewed 3-20-02

Sgt Bride

Case #02-011 – 488 McLaughlin – Pearl Jones, Willie & Mary Fields, 498 McLaughlin, Muskegon

Mrs. Fields and her daughter were present to represent this case. Mr. Grabinski gave a history of this case. It was started March 21, 2002. It was a weekend night when he was called to meet the police department there. The inspection report includes the interior. There are electrical issues and space heater venting, there are a lot of things that need to be taken care of. There are problems with the flooring, especially in the back floor area. After the power was removed that night, the owner ran an extension cord from the house next door where he resides. Mr. Fields has stated his desire to repair the property. The daughter wants to stay in the house. She doesn't have the money yet to take care of the repairs and her name is not on the title. She asked for more time, 2 or 3 months. Mr. Grabinski stated the reason he was called there at 3:30 a.m. was because there was a raid for illegal gambling and narcotics usage. He stated his problem is that Mr. Fields states he will live in this house and this department knows he actually lives at 498 and will use 488 for other things. The building permit that was issued is now expired. Mr. Grabinski advised Ms. Fields to see an attorney about getting her name on the title. Nick Kroes clarified what is happening now with the board declaring the structure and the time before it goes before commission. Mr. Grabinski stated if she gets help and gets her name on the title, the inspection office would work with her to repair the property.

Staff Recommendation: Declare this building substandard, a public nuisance, and dangerous building and forward to city commission for their concurrence.

Motion made by Randy Mackie, seconded by Jon Rolewicz, to support staff's recommendation.

A roll call vote was taken:

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman
Randy Mackie
John Warner
Jon Rolewicz
Nick Kroes

Jerry Bever
Clara Shepherd

The motion carried.

Case #02-014 – 1226 Pine St. (Garage) – Equicredit Corp. P.O. Box 53077, Jacksonville, FL

No one was present to represent this case. Pictures of the garage were passed to board members.

DATE: August 6, 2002

TO: Honorable Mayor and City Commissioners

FROM: Robert B. Grabinski, Fire Marshal/Inspection
Services Dept.

Re: Concurrence with the Housing Board of Appeals
Notice and Order to demolish. Dangerous building case #99-29-
1096 Third Street.

SUMMARY OF REQUEST: This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at **1096 Third St.** 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: 99-29- 1096 Third St.

Location and ownership: This structure is located on Third St. between Muskegon and Houston Avenues. It is owned by William Uecker.

Staff Correspondence: This property has been going through the dangerous building proceedings since 1998. A dangerous building inspection was conducted on 5/14/98. A progress inspection was conducted on 6/21/99. On 8/10/99 HBA declared unsafe but gave 30 days for Mr. Uecker to submit a \$5,000.00 Certified check for escrow and to submit a timetable for completion of repairs. An escrow check and a timetable was submitted (see letter dated 9/8/99 from the Inspections Dept. to Mr. Uecker). The case was heard again on 8/17/00 where the HBA declared unsafe and delayed forwarding to the Commission for 30 days. On 9/8/00 Mr. Uecker appealed the decision of the board. (See claim of appeal form dated (9/8/00). No final inspection of exterior work was scheduled or completed. On 2/7/02 the HBA declared it substandard. On June 4, 2002 the HDC concurred with the HBA.

Owner Contact: None

Financial Impact: The cost of demolition will be paid with general funds.

Budget Action Required: None

Estimated Cost of Repairs: \$10,000

CITY COMMISSION RECOMMENDATION: The Commission will consider this item at it's meeting on Tuesday, August 13, 2002.

AV

W. MUSKIEGON

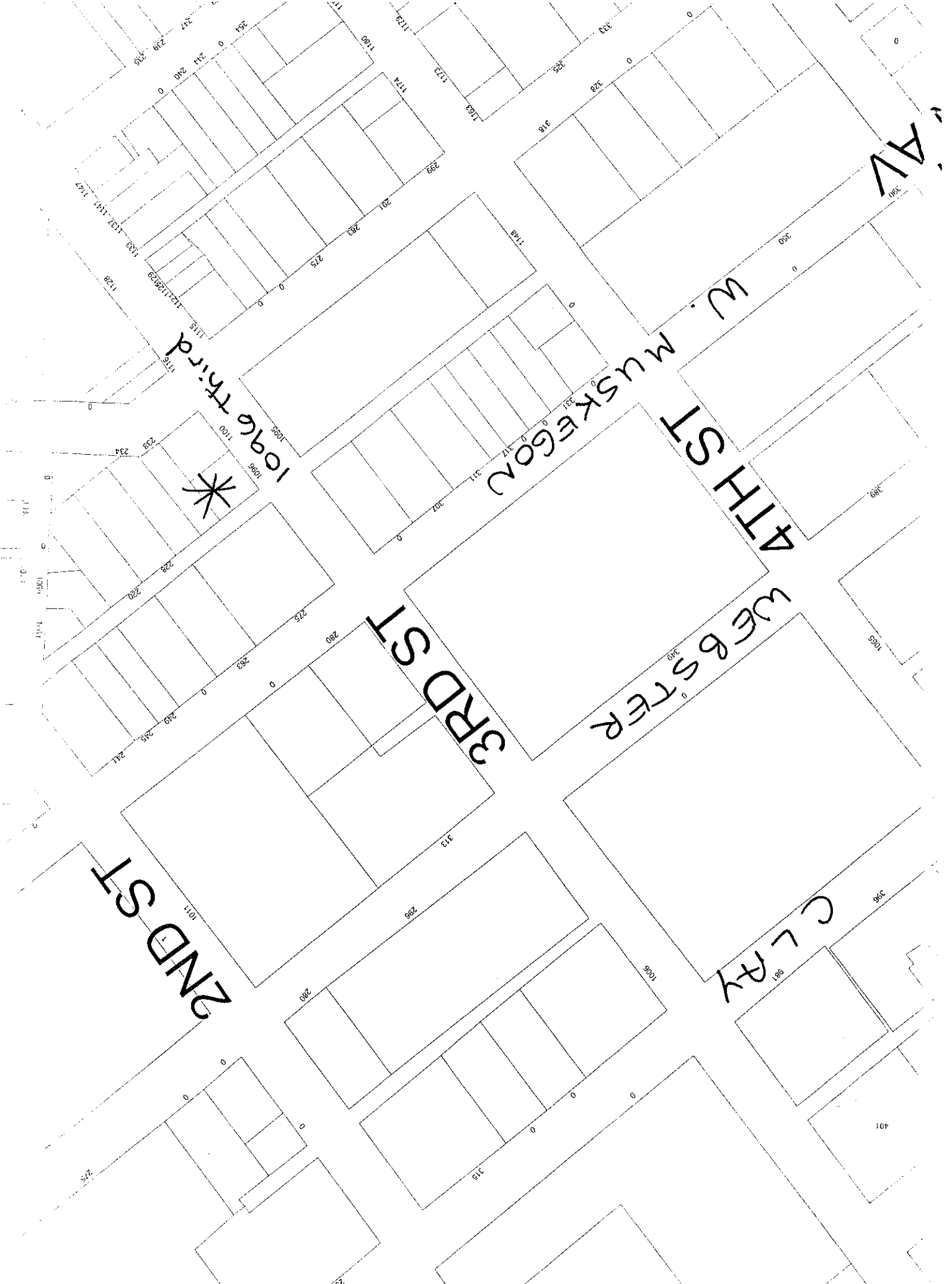
WEBSTER

CLAY

3RD ST

2ND ST

1096 Third





1096 third

TRANSNATION TITLE INSURANCE COMPANY

TAX REPORT
Affecting land in Muskegon County, Michigan
described as follows:

Lot 7, Except the Southerly 66 feet thereof and except the Easterly 33 feet thereof, Block 351, Revised Plat (of 1903) of the City of Muskegon, as recorded in Liber 3 of Plats, Page 71, Muskegon County Records.

Permanent Property No. 00-05315

An examination of the records for the period of fifteen years prior to the date hereof shows no Taxes or Special Improvement Assessments unpaid, sold, subject to redemption or deeded, except as specified below. This report includes information obtained from the records in the office of the Treasurers of Muskegon County and of the City of Muskegon after said information has been received by the Treasurer in the form of an assessment roll. This report also includes, but without any representation by Transnation Title Insurance Company as to the accuracy thereof, information obtained from Village and Township Treasurers, and from Treasurers of Cities other than the City of Muskegon, Inheritance or Estate Taxes and Federal Tax Liens, if any, are not included in this report.

CITY OR VILLAGE TAXES

No 1998 City taxes.

STATE AND COUNTY TAXES

1995 County taxes due in the amount of \$1,042.37, by July 31, 1998

1996 County taxes due in the amount of \$913.28, by July 31, 1998

1997 County taxes due in the amount of \$655.98, by July 31, 1998

SPECIAL ASSESSMENTS

City of Muskegon invoice due in the amount of \$60.87.

Proof of payment of City of Muskegon infraction(s) in the amount of \$500.00, plus costs and penalties. Contact District Court for payoff.

TAX SALES

State Equalized Value \$9,600.00.
Taxable Value \$8,891.00.
Tax Code No. 31-30-212-007.

MEMBER OF MICHIGAN LAND TITLE ASSOCIATION AND AMERICAN LAND TITLE ASSOCIATION

For The Inspection Dept.
City of Muskegon

402029

FROM CITY ASSESSOR'S RECORDS

OWNER

Uecker
William D. Eucker, 3352 Peck St., Muskegon, MI 49444

PROPERTY

1096 Third St.

PLATE #

05315

DESCRIPTION

Lot 7, ex Sly 66' therof and ex Ely 33' thereof, Block 351

FROM RECORDS OF TRANSNATION TITLE COMPANY

LIBER:

1226

PAGE:

942

DATE OF DEED:

9-25-81

GRANTOR:

Harvey V. Olson and wife Jessie B. Olson and

GRANTEE:

Joyce Carol Olson aka Joyce C. Olson

William D. Uecker

LIENS OR MORTGAGES:

NONE

DATE:

4-27-98 @ 8:00 AM

ABSTRACTED BY:

Connie L Johnson

TRANSNATION TITLE INSURANCE COMPANY

The above information is to be used for reference purposes only and not to be relied upon as evidence of title and/or encumbrances. Accordingly, said information is furnished at a reduced rate, and the Company's liability shall in no event exceed the amount paid for said information, should evidence of title and/or encumbrances be desired, application for title insurance should be placed with Transnation Title Insurance Company.

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: August 6, 2002

1096 Third
(Address of Property)

TO: All owners and interested parties:

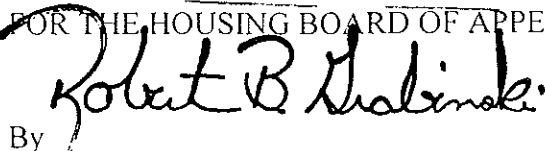
William Uecker, 3352 Peck St., Muskegon, MI 49444
(Name of Owner)

None
(Other interested parties)

On February 7, 2002 the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on August 13, 2002, to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on August 13, 2002, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

CITY OF MUSKEGON INSPECTIONS DEPARTMENT.
FOR THE HOUSING BOARD OF APPEALS

By 

Robert B. Grabinski, Director of Inspections

CITY OF MUSKEGON HISTORICAL DISTRICT COMMITTEE

NOTICE OF HEARING

Date: May 22, 2002

Address of the Property: 1096 Third St.

TO: William Uecker, 3352 Peck St., Muskegon, MI 49444
[Name & Address of Owner]

None

Names & Addresses of Other Interested Parties]

Please take notice that on Tuesday, June 4, 2002, the City of Muskegon Historical District Committee will hold a hearing at 933 Terrace, Muskegon, MI at 4:00 o'clock p.m., and at the said hearing consider whether or not the subject structure should be determined to be dangerous, substandard and a nuisance, and demolished.

The reason for this hearing is that you have not complied with the Order to Repair issued 5/21/98.

At the hearing on Tuesday, June 4, 2002, at 4:00 o'clock p.m., at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, you may appear and present any relevant evidence to the Historical District Committee and have counsel of your choice present, if you desire, to show cause why the structure should not be allowed or ordered demolished.

CITY OF MUSKEGON INSPECTION DEPARTMENT,
FOR THE HISTORICAL DISTRICT COMMITTEE

By

Robert B. Grabinski

Robert B. Grabinski, Director of Inspections

CITY OF MUSKEGON
HISTORIC DISTRICT COMMISSION
REGULAR MEETING
MINUTES

June 4, 2002

The meeting was called to order at 4:00 p.m. by Chairperson, Bill Seeback.

MEMBERS PRESENT: B. Seeback, D. Chambers, W. Matsey, J. Hilt, L. Spataro,
T. Bosma, T. Russo

MEMBERS ABSENT: None

STAFF PRESENT: B. Moore, H. Griffith

OTHERS PRESENT: D. Labrenz, Housing Inspections; H. Faltinowski, Housing
Inspections; R. Schweifler, City Commissioner; W. Uecker,
3352 Peck; G. Borgman, 234 Houston; B. Klingenmaier,
148 Campus; B. Dodge, 90 W Larch; P. Oliphant Stone,
1752 Jefferson; S. Livingston, 712 Moulton; T. Harryman,
1527 Fifth.

APPROVAL OF MINUTES

A motion to approve the regular meeting minutes for May 7, 2002, was made by D. Chambers, supported by J. Hilt and unanimously approved.

W. Matsey and L. Spataro arrived at 4:04 p.m.

NEW BUSINESS/PUBLIC HEARINGS

Project 1

Request to demolish all structure on the site. Applicant: Robert Grabinski (Inspections Dept); 1282 Arthur; District: McLaughlin; Class: A. B. Moore presented the staff report. Due to the deteriorated condition of the structure, and upon recommendation of the Housing Board of Appeals, applicant wishes to demolish the house and all structures on the property. In light of the fact that this structure has been deemed a dangerous building since early 1999, and Inspections Department staff's efforts to work with the owner has produced no results, staff recommends approval.

B. Seeback referenced the map that was in the member's packets. The map is of the historic districts and the red properties are the ones on the dangerous building list. B. Moore added that the list that the members received, will tell them which of the properties on the dangerous building list have permits for repairs. D. Labrenz stated that there have been problems off and on for years with this property. He provided pictures of the property that H. Faltinowski had taken in November 1998. D. Chambers inquired if entry had been gained. D. Labrenz stated that the last time had been in 1985. W.

Matsey inquired about the back door being opened at the time the pictures had been taken, why the inspectors didn't enter the building at that time. D. Labrenz stated that the inspectors aren't allowed to enter homes without the homeowner or tenant allowing them to. D. Chambers stated that he heard that the owner of C & C Carpet & Tile had tried to purchase the home for their parents. D. Labrenz stated that he believed the problem was getting a clear title for the property. According to the report for the property from 1999, the following items were in need of repair: foundation, front steps, bricks and verticle supports, chimney, roof, facia, siding, structure is partially painted. T. Russo stated that the foundation looks as if it had been replaced, but it does seem to have a slant to it. B. Seeback inquired about the funds that would be used for the demolition. D. Labrenz stated that the information was not available at this time. L. Spataro inquired how long this had been on the dangerous building list and who owns the property. D. Labrenz stated that it has been on the dangerous building list since January 1999 and that a mortgage company is the current owner of record. R. Schweifler stated that the homeowner does have opportunities through court that would provide them with more time to bring the property up to code. Should the owner not do anything, it would take about 4 to 6 months before the property would be demolished. D. Labrenz stated that once demolition is approved for a property, there is a 21-day window before inspections asks for bids for demolition.

A motion to concur with the HBA decision and recommend demolition of all structures at 1282 Arthur to the City Commission, was made by L. Spataro, supported by T. Bosma and unanimously approved.

Project 2

Request to demolish all structures on the site. Applicant: Robert Grabinski (Inspections Dept); 1096 Third Street; District: Houston; Class: A. B. Moore presented the staff report. Due to the deteriorated condition of the structure, and upon recommendation of the Housing Board of Appeals, applicant wishes to demolish the house and all structures on the property. This structure has been deemed a dangerous building since early 1998, and Inspections Department staff's effort to work with the owner has produced limited results. There has been foundation work on the home and some work on the porch. Preliminary research by the HDC Chair indicates that this structure is dated around the 1850's and may be one of the oldest in the City. One of the communications to the owner indicates that the building is on the dangerous building list because it is "unsecured". If this is the case, it likely does not meet the HDC guideline for permitting demolition.

B. Seeback had a copy of a newspaper article from approximately 1904 that he provided the members with. The article was about the death of Mr. Bronson, who had been a former owner of this address and lived there for more than half a century. He had lived there when the original address was 76 Third. Currently the house is not in the original condition. W. Uecker gave a list of items that he had done to the home such as: a new wall and support beams, a new roof, he had also redone the front porch. He had to re-putty the windows as he found one of the windows had fallen out. L. Spataro inquired when he had purchased the property, if he had ever lived or rented the property, and if he had brought any of the repairs before the HDC. W. Uecker stated that he purchased the property in 1981, he has never rented the property but has stayed there on some weekends while he worked on it. B. Moore stated that the front porch had been approved by the HDC. The rest of the items he had repaired were routine maintenance. L. Spataro inquired if the Mr. Uecker had the means to get the property up to code within

a year. W. Uecker stated that he did. L. Spataro inquired if he had worked with the inspections department with coming up with a timeline to get the home up to code. W. Uecker stated that he had worked with inspections. H. Faltinowski provided pictures to the members showing the neglect of the property that were taken in 1999. Mr. Uecker had gotten permits and would start to make progress and seemed to stop. B. Seebach inquired about what is considered "secured" for a house. H. Faltinowski stated that there would be doors and windows or else it could be boarded up. There is a time limit for boarding of about 4 months before it is considered blight. The inspections department has been getting complaints about this address. L. Spataro inquired about the porch, if there are still some things that need to be done, and if there had been an interior inspection of the home. H. Faltinowski stated that the porch meets code now, but it is exposed to the elements and could easily deteriorate. The house still needs painting and protection from decay. The interior of the home is pretty much stable, but there are some things that are starting to need repair. G. Borgman stated that he has lived next to this home since 1983. He knows that the furnace and hot water heater are not in working order. When the owner does stay there, he is using kerosene to heat the home. He also added that he is a member of the HBA and in the past he has abstained from voting since his home is next door. He felt that this may have been a conflict of interest for him. He has decided to start voting recently as he hasn't seen very much progress for the repairs and he has also chased people out that were coming and going through the basement. R. Schweifler inquired how many times this property had gone before the HBA. G. Borgman stated that it had been done at least 4 times. R. Schweifler stated that he has seen this go before the City Commission for demolition about 15 years ago. He urges this body to request a demolition of the property. The owner has the opportunity to request more time and place \$5000 in an escrow account with the City. A timeline for the repairs to be completed will be given. Once the repairs are completed the owner will get their money back, but if the repairs are not completed, the house will be demolished and the money will go toward it. Should the demolition cost less than the \$5000, then the owner will be refunded the difference. B. Seebach inquired if Mr. Uecker would be in agreement with this. W. Uecker stated that he would.

A motion to concur with the HBA decision and recommend demolition of all structures at 1096 Third to the City Commission, was made by L. Spataro, supported by D. Chambers and unanimously approved.

Project 3

Request to demolish single-stall garage and replace with a two-stall garage; remove existing stockade fence and replace with a privacy fence; install French doors in the dining room. Applicant: Roy Winegar/Barbara Klingenmaier; 148 Campus; District: Houston; Class: A. B. Moore presented the staff report. Applicant requests to demolish a single-stall garage located at the rear of their property and construct a "similarly designed" two-stall garage. The garage will have a hip roof and cedar siding. Applicant also requests to remove and replace the existing stockade fence with a new privacy fence. The fence will be wood and will be painted white and must meet all zoning requirements regarding height. Applicant also requests to install wooden French doors leading from the dining room into the back yard. A small existing window would be removed to accommodate the new doors. The applicant will keep the design of the existing garage by use of the hip roof and cedar siding. Staff recommends approval. The stockade fencing currently in place is in disrepair and needs replacing. The new fence will enhance the appearance of the home. Staff recommends approval.

The French doors will not replace any historical features of the home, and will face the back yard. Staff recommends approval.

B. Klingenmaier stated that cedar is much more expensive than 4 inch white siding. She would like to go with a white vinyl fence with a divided top. She also brought in samples of the cedar and siding along with a brochure for the fence. L. Spataro stated that what is done should be in characteristic with what was there. He inquired about what the garage door would look like and if the garage is going to match the house. B. Klingenmaier stated that she wants the garage to be a 2-door style and the garage would match the house.

A motion to approve the request to demolish the single-stall garage and replace with a two-stall garage, remove existing stockade fence and replace with a privacy fence, and install french doors in the dining room, was made by L. Spataro, supported by T. Russo and unanimously approved.

Project 4

Request to replace large garage doors. Applicant: Bruce Dodge; 90 W. Larch; District: National Register; Class: AA. B. Moore presented the staff report. Applicant requests to replace the existing wooden garage doors with metal doors. The doors will be similar in appearance to the existing doors with no windows and brown in color. Since the new garage doors will be similar in appearance to the existing doors, staff recommends approval.

B. Dodge stated that the house had been moved to this location in 1977. The house had been moved from the corner of Dale and Forest. He stated that the current garage doors are rotted and can't be repaired.

A motion to approve the request to replace large garage doors was made by T. Bosma, supported by D. Chambers and unanimously approved.

Project 5

Request to replace current driveway and add a small section of concrete adjacent to driveway and side door entryway; replace front walkway. Applicant: Peggy Oliphant Stone; 1752 Jefferson; District: National Register; Class: AA. B. Moore presented the staff report. Applicant requests to replace the existing concrete driveway and front walk. She also wishes to add a 20 x 12 ft. section of concrete between the driveway and side entryway. The applicant will be using in-kind material. Since the present concrete driveway and walkway are badly cracked and deteriorated and are not considered to be constructed of "historically significant sidewalk materials", staff recommends approval.

P. Oliphant Stone stated that she wanted to be able to go with stamp concrete, but was informed by a contractor that it isn't recommended for our climate area.

A motion to approve the request to replace the current driveway and add a small section of concrete adjacent to the driveway and side door entryway and to replace front walkway, was made by D. Chambers, supported by J. Hilt and unanimously approved.

B. Moore inquired if staff could draft some guidelines for cement work similar to what was done for roofs. B. Seebach stated that would be good.

Project 6

Request to replace collapsed porch in front of building. Applicant: Scott Livingston; 1249 Peck; District: McLaughlin; Class: A. B. Moore presented the staff report. The front porch had collapsed. The owner would like to replace what had been there. He is concerned that someone will go out the door to this porch and fall through. Staff recommends approval.

S. Livingston stated that he had just purchased the property a month ago. The structure was built in the early 1930's. He is trying to get the building insured, but can't until the porch is fixed. He didn't realize that this was in a Historic District. He would like to use aluminum soffit instead of wood, but he would get it to match. T. Bosma stated that he would prefer to see wood, but understands why he wants to use aluminum. H. Faltinowski asked that an engineer check the columns for stability.

A motion to approve the request to replace the collapsed porch and soffit (soffit may be aluminum that matches what is currently there) in conformance with the building codes, was made by L. Spataro, supported by W. Matsey and unanimously approved.

OTHER BUSINESS

Oversight in Historic Districts – B. Seeback stated that members should drive around about once a month and see what is going on in the historic areas. This could be done prior to their monthly meetings. He assigned a Historic Area to each member as follows:

- National Register Area – D. Chambers
- Clint/Peck Area – L. Spataro
- Houston Area – T. Russo
- Clay/Western Area – B. Seeback
- Jefferson Area – J. Hilt
- Campus Area – W. Matsey
- McLaughlin Area – T. Bosma

Muskegon Regional Workshop Update – B. Seeback thanked W. Matsey for the cake that she had made for the workshop. D. Chambers stated that they had a great tour of the Frauenthal Theatre and all the Historic Districts. B. Seeback stated that they received an overwhelming amount of material. L. Spataro stated that the workshop was very informative. The "not knowing" that some buildings are in Historic Districts helps get it to the point of demolition. There are many tools that can be used. There can be outreach and educational information pamphlet for Historic District homeowners. Provide information on Enterprise Community benefits and regulations. He knows that the City Commission will support this. Send a newsletter to the Historic District homeowners 1 or 2 times per year suggesting tools that are available to them. Meetings could be held in the different Historic Districts and invite the residents to them. Do more with the state statute to require repair, if the owner doesn't, then repair it and bill the owner. Another item that could be done is to make the owner place the property up for sale at the fair market rate. If forcing the owner to sell properties at fair market rate can be done, the Peck Street homes could have been treated in this manner. He is sure the City Commission will allow for appraisals of these properties for this. If this doesn't work, and everything else is exhausted, then go to the final step of demolition. The HDC should do some goal setting at one of their regular meetings. Other committees set

goals of where they want to be or what should be done. There can also be a contractor list made that specializes in Historic preservation repairs. B. Moore stated that this is being worked on already. L. Spataro stated that Kalamazoo is seen in a positive way and they have an approval rate of 95% for their Historic Applications. B. Seeback inquired if the hearing that is set for Friday in Lansing, could be delayed while they look into being able to force the owner to sell the Peck Street homes for fair market rate. L. Spataro stated that the members of the HDC could withdrawal their objection to demolish the houses on Peck Street and everyone work together. Mr. Cooper would take the importance of the repairs for the houses more seriously. R. Schweifler stated that staff could take this to the Legislative Policy Meeting on July 24 and B. Grabinski could hold off any actions to the properties until then. T. Bosma inquired if this would be something that they would need to adopt. L. Spataro stated that it is a state statute and they may use it. The City Attorney is working with Kalamazoo, who has done this before. B. Seeback stated that if they go along with the HBA recommendation to demolish the homes, Lansing should be notified as there would be no need for a meeting.

A motion to rescind the HDC's recommendation not to demolish the homes on Peck Street, was made by D. Chambers, supported by L. Spataro and unanimously approved.

Ad-Hoc Committee Update – T. Harryman stated that the committee was put together by the mayor. The goal is that the HDC and the government offices can work together. The HDC members made a good decision by rescinding their recommendation for the Peck Street houses. When the decision of demolition goes before the HDC members, they need to look at it on the side of the property owner that doesn't seem to care about their property. He would like to see the Ad-Hoc committee continue eventhough the HDC changed their decision. He added that the Housing Inspectors are the HDC member's eyes and ears. He also agreed that a goal setting session would be a good idea.

A motion to adjourn the meeting was made L. Spataro, supported by T. Bosma and unanimously approved.

The meeting adjourned at 5:45 p.m.

hmg
6/4/02

*"We admire that which is old not because it is old, but because it is beautiful."
Winston Churchill*

DATE: May 14, 2002
TO: Historical District Commission
FROM: Robert B. Grabinski, Director of Inspection Services
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: 99-29 Address: 1096 Third

SUMMARY OF REQUEST: This is to request that the Historical District Commission concur with the findings of the Housing Board of Appeals that the structure located at 1096 Third is unsafe, substandard and a public nuisance.

Case# & Project Address: 99-29 – 1096 Third

Location and ownership: This property is located in the Nelson Neighborhood and is owned by William Uecker of 3352 Peck Street.

Staff Correspondence: A dangerous building inspection was conducted 5/15/98. A notice to repair or demolish was issued 5/21/98. Another inspection report was written on 6/21/99. The case was brought before the HBA 8/5/99 and 8/17/00. The structure was declared substandard, a public nuisance, and forward to the City Commission for their concurrence to demolish. Mr. Uecker submitted a time table for repairs, which was accepted, 9/99. The porch was to be completed by 10/31/99. This work was never completed. On 8/17/00 the HBA again declared the structure a dangerous building. An appeal was filed 9/8/00. Mr. Uecker was notified that he needed to schedule a final inspection, and if approved it would not go before the board again. The case was brought before the HBA again 2/7/02 and declared. The city also boarded the structure 2/6/02.

Owner Contact: At the 2/7/02 HBA meeting Mr. Uecker claimed he did not have the money to complete the repairs.

Financial Impact:

Budget action required: General Funds

State Equalized value: \$7,400

Estimated cost to repair: \$

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

Historical District Recommendation: The HDC will consider this item at it's meeting June 4, 2002.

Invoice Header

Next Screen

Go to Detail

Organization # 900
 Invoice # 9823573
 Customer # 36429
 Name WILLIAM D. UECKER
 Mailing Address # 0
 Operator ***
 Invoice Total 209.86 +
 Invoice Date 22202
 Open Balance 209.86+

Suppress Print

Date/Time of Incident

Collection Agency Date

Lite Screen Option

☐

20602

0

☐

A/R Type LN LIENABLE ITEM

Payment Terms

30 DUE 30 DAYS-1%/MONT

DUE 30 DAYS-1%/MONTH LATE FEE

Description

BOARD UP FEE 1096 THIRD (D/S 2/6/02)

#24205351000700

QUESTIONS? CONTACT LORRAINE @ 724-6715

Add

Chg

Del

Inq

First

Back

Next

Last

OK



SIDING ★ ROOFING ★ REMODELING

Customer's Name City of Muskegon
 Address 933 Terrace
Muskegon, MI.
 Town City Phone No.

REBUILDING TODAY FOR A BETTER TOMORROW
CALL 733-0170

SPECIFICATIONS

1096 Third - Board up

1 - 41 x 82 = \$ 32.61
 1 - 96 x 52 = 48.42
 1 - 72 x 52 = 36.32
 1 - 47 x 78 = 35.56
 1 - 33 x 57 = 18.25
 2 - 35 x 57 = 38.70

\$209.86

RECEIVED
FEB 12 2002
 INSURANCE DEPT

All Correspondence must go through the office

THE UNDERSIGNED, hereinafter called the party of the first part, requests PIONEER RESTORATION, hereinafter called the party of the second part, to make installations in accordance with the above specifications which (he) (they) hereby approve, and for which (he) (they) agree to pay the sum of \$ in accordance with the terms shown to the right of this agreement.

The company guarantees all materials and workmanship and agrees to perform its part of the contract within a reasonable time after acceptance subject only to impossibility, prevention or delay in performance caused by unavoidable accidents, Acts of God, strikes, civil strife or discord or other conditions beyond its control. IT IS EXPRESSLY AGREED THAT NO STATEMENT, ARRANGEMENT OR UNDERSTANDING, ORAL OR WRITTEN, EXPRESSED OR IMPLIED, NOT CONTAINED HEREIN WILL BE RECOGNIZED. It is agreed that the sum of 50% of the contract amount shall be paid to the company as liquidated damages for purchaser's failure or refusal to permit performance of said contract. The purchaser(s) agree(s) to be obligated in addition to the amount of his contract for any and all extras or additions to this contract requested or authorized by the purchaser(s).

BUYERS RIGHT TO CANCEL If this agreement was solicited at your residence and you do not want the goods or services, you may cancel this agreement by mailing a notice to the seller. The notice must say that you do not want the goods or services and must be mailed before midnight on the third business day after you sign this agreement. The notice must be mailed to PIONEER RESTORATION 2621 Getty, Muskegon, Michigan 49444

The purchaser(s) has (have) read and understand(s) the whole of the above agreement and acknowledge(s) that no representation, promise or agreement not expressed herein has been made to induce the execution of this contract.

Cash Price of		
Total Order	\$	209.86
Down Payment	\$	
C.O.D.	\$	

PIONEER RESTORATION

Owner
 Date February 8, 2002 Owner
 Salesman Paul Lisinski
 Accepted by _____

1 1/2% charge per month if not paid as agreed

CITY OF MUSKEGON
CITY OF MUSKEGON HOUSING (BUILDING) BOARD OF APPEALS

Date: February 11, 2002

To: William Uecker, 3352 Peck St. Muskegon, MI 49444
Owners Name & Address

None
Names & Addresses of Other Interested Parties

ORDER TO DEMOLISH STRUCTURE

The Housing Board of Appeals, having received evidence at a scheduled and noticed meeting held on Thursday, February 7, 2002 does hereby order that the following structure(s) located at 1096 Third, Muskegon, Michigan, shall be demolished for the reason that the said structure or structures are found, based upon the evidence before the Board of Appeals, to be dangerous, substandard and a public nuisance.

The owners or persons interested shall apply for the required permits to demolish the structure(s) within 30 days from the final determination to concur and demolish, if it is made by the City Commission. Demolition shall be accomplished no later than 60 days after a concurrence by the City Commission.

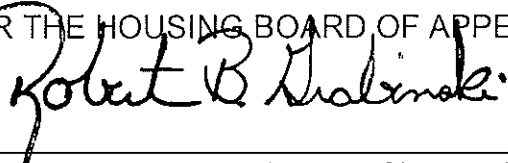
The director of inspections is ordered to place before the Muskegon City Commission this order and the record in this case to seek concurrence by the City Commission with the decision of this board, and further to give notice to the owner and interested parties of the date and time when this matter shall be considered by the City Commission. **This order is not final until concurred with by the City Commission.**

NOTICE TO OWNER AND INTERESTED PARTIES

Please take notice that this decision of the Housing Board of Appeals will be presented to the City Commission of the City of Muskegon on the date and at a time to be noticed to you by the Director of Inspections. You are hereby notified that you will have an opportunity to appear before the said City Commission at that time and to present any and all evidence or matters relevant to the issue of demolition or repair of the said structures. This order of the Housing Board of Appeals is not final, but will become final if and when the City Commission has considered the record and this order, and has concurred.

The City Commission may concur with this order, or disapprove or modify the order.

FOR THE HOUSING BOARD OF APPEALS:

A handwritten signature in black ink, reading "Robert B. Grabinski". The signature is written in a cursive style with a large, looping initial "R".

Robert B. Grabinski, Director of Inspections

**CITY OF MUSKEGON
CITY OF MUSKEGON HOUSING (BUILDING) BOARD OF APPEALS**

NOTICE OF HEARING

Date: January 28, 2002

Address of the Property: 1096 Third, Muskegon MI

Description of the Structure: Lot 7, Ex Sly 66' thereof and Ex Ely 33' thereof Blk 351

TO: William Uecker, 3352 Peck St. Muskegon, MI 49444
[Name & Address of Owner]

None

Names & Addresses of Other Interested Parties]

Please take notice that on Thursday, February 7, 2002, the City of Muskegon Housing Board of Appeals will hold a hearing at 933 Terrace, Muskegon, MI at 5:30 o'clock p.m., and at the said hearing consider whether or not the following structure should be determined to be dangerous, substandard and a nuisance, and demolished, or repaired.

The reason for this hearing is that you have not complied with the notice and order to repair issued 8/17/00.

At the hearing on Thursday, February 7, 2002, at 5:30 o'clock p.m., at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, you may appear and present any relevant evidence to the Housing Board of Appeals and have counsel of your choice present, if you desire, to show cause why the structure should not be allowed or ordered demolished.

CITY OF MUSKEGON INSPECTION DEPARTMENT,
ON BEHALF OF THE HOUSING BOARD OF APPEALS

By

Robert B. Grabinski
Robert B. Grabinski, Director of Inspections

the Action

703

1214

or

24-6708

726-5181

metry

1/724-6783

FAX/726-5617

Civil Service

231/724-6716

FAX/724-4405

Clerk

231/724-6705

FAX/724-4178

Comm. & Neigh.

Services

231/724-6717

FAX/726-2501

Engineering

231/724-6707

FAX/727-6904

Finance

231/724-6713

FAX/724-6768

Fire Dept.

231/724-6792

FAX/724-6985

Income Tax

231/724-6770

FAX/724-6768

Info. Systems

231/724-6744

FAX/722-4301

Leisure Service

231/724-6704

FAX/724-1196

Manager's Office

231/724-6724

FAX/722-1214

Mayor's Office

231/724-6701

FAX/722-1214

Inspection Services

231/724-6715

FAX/726-2501

Planning/Zoning

231/724-6702

FAX/724-6790

Police Dept.

231/724-6750

FAX/722-5140

Public Works

231/724-4100

FAX/722-4188

Treasurer

231/724-6720

FAX/724-6768

Water Billing Dept.

231/724-6718

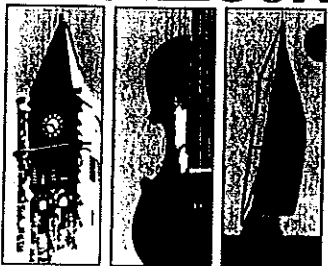
FAX/724-6768

Water Filtration

231/724-4106

FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

January 23, 2002

William Uecker
3352 Peck St.
Muskegon, MI 49444

Dear Property Owner:

Subject: Board-up: 1096 Third, Muskegon MI

The structure owned by you at the subject address has recently been found to be dangerous because it is unsecured. Unsecured structures are not only an invitation to children, but also to vagrants, vandals, and others who would use them for illegal purposes.

To combat this, City building regulations require that windows, doors, or other openings on vacant structures be kept intact and securely locked or neatly boarded up in order to prevent entrance by unauthorized persons. Please board up/secure all doors and first floor windows of all structures. **Boarding must be done with exterior grade plywood at least ½ inch thick which is painted to blend with the colors of the building so as to be as inconspicuous as possible.**

Please note, however, that under City ordinance a property may not remain boarded up for longer than 180 consecutive days. As a dangerous building, your structure(s) must be secured within ten (10) days of the date of this notice. If the building is not secured within this time frame, the City of Muskegon will take action to have it secured and the cost assessed against the property.

Any unpaid invoices could be sent to a collection agency and may affect your credit rating if not paid.

If you have any questions concerning this matter, pl
724-6715.

Sincerely,

Robert B. Grabinski
Robert B. Grabinski
Director of Inspections

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

2824 4282
2696
E100 0250 0002

Blu 1096 3rd

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Recipient's Name (Please Print Clearly) (To be completed by mailer)
William Uecker
Street, Apt. No.; or PO Box No.
3352 Peck
City, State, ZIP+4
49444

PS Form 3800, February 2000 See Reverse for Instructions

City of Muskegon, 933 Terrace Street, P.O. Box 536, Muskegon, MI 49443-0536

ive Action
6703
2-1214
sor
724-6708
X 726-5181
Cemetery
231/724-6783
FAX/726-5617
Civil Service
231/724-6716
FAX/724-4405
Clerk
231/724-6705
FAX/724-4178
Comm. & Neigh.
Services
231/724-6717
FAX/726-2501
Engineering
231/724-6707
FAX/727-6904
Finance
231/724-6713
FAX/724-6768
Fire Dept.
231/724-6792
FAX/724-6985
Income Tax
231/724-6770
FAX/724-6768
Info. Systems
231/724-6744
FAX/722-4301
Leisure Service
231/724-6704
FAX/724-1196
Manager's Office
231/724-6724
FAX/722-1214
Mayor's Office
231/724-6701
FAX/722-1214
Inspection Services
231/724-6715
FAX/726-2501
Planning/Zoning
231/724-6702
FAX/724-6790
Police Dept.
231/724-6750
FAX/722-5140
Public Works
231/724-4100
FAX/722-4188
Treasurer
231/724-6720
FAX/724-6768
Water Billing Dept.
231/724-6718
FAX/724-6768
Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

March 21, 2001

Mr. William Uecker
3352 Peck Street
Muskegon MI 49444

Re Escrow Account for 1096 Third Street, Muskegon MI

Dear Mr. Uecker:

I am in receipt of your letter of your request to disburse to you \$2, 925.00 of the escrow fund for 1096 Third Street. This request is denied.

The purpose of the escrow account is to ensure your compliance with code requirements. Because of your need to put a new roof on the porch and to satisfy other issues that this office has had with the property we are going to hold these funds. Once all work is completed, inspected and approved, I will be happy to approve the release of the escrowed funds held by the City.

If you have any questions, please contact me at (231) 724-6715.

Sincerely,

Robert B. Grabinski
Fire Marshal/Inspection Services

Inspections Department
City of Muskegon
933 Terrace Street
Muskegon, Michigan

March 19, 2001

Dear Sirs:

This letter is to authorize the transfer of \$2,925 from my escrow account of an original \$5,000 to myself to cover costs of materials and labor for construction of a roof for the front porch of 1096 3rd street.

Thank you,

A handwritten signature in black ink that reads "William D. Vecker". The script is cursive and fluid, with the first name "William" and last name "Vecker" clearly legible.

William D. Vecker
3352 Peck St.
Muskegon, MI 49444

DRAFT

DATE: October 16, 2000

TO: Honorable Mayor and City Commissioners

FROM: Robert B. Grabinski, Fire Marshal/Inspection Services Dept.

RE: Concurrence with the Housing Board of Appeals Finding of Facts and Order for 1096 Third St.

SUMMARY OF REQUEST:

This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at **1096 Third St.** 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.

FINANCIAL IMPACT:

The cost of the demolition will be paid with CDBG funds.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

This single-family rental unit is located on Third Street near Clay Ave. The owner of the property is William Uecker.

This property has been going through the dangerous building proceedings since 1998. A dangerous building inspection was conducted on 5/15/98. A progress inspection was conducted on 6/21/99. On 8/10/99 HBA declared unsafe but gave 30 days for Mr. Uecker to submit a \$5,000.00 Certified check for escrow and to submit a timetable for completion of repairs. An escrow check and a timetable was submitted (see letter dated 9/8/99 from the Inspections Dept. to Mr. Uecker). The case was heard again on 8/17/00 where the HBA declared unsafe and delayed forwarding to the Commission for 30 days. On 9/8/00 Mr. Uecker appealed the decision of the board. (see claim of appeal form dated 9/8/00). *No final inspection of exterior work scheduled or completed.*

ESTIMATED COST OF REPAIRS:

Unknown at this time. Owner failed to schedule interior inspection of property as ordered by Housing Board of Appeals.

CITY COMMISSION RECOMMENDATION:

The Commission will consider this item at it's meeting on 10/24/00.

Affirmative Action
231 724-6703
FAX 722-1214

Assessor
231 724-6708
FAX 726-5181

Cemetery
231 724-6783
FAX 726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

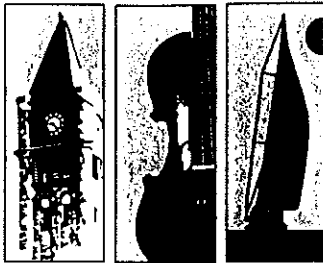
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

FILE COPY

October 20, 2000

William D Uecker
3352 Peck Street
Muskegon MI 49444

Dear Property Owner:

SUBJECT: 1096 Third
Muskegon MI

On 8/17/00 the Muskegon Housing Board of Appeals made a determination that the subject property is unsafe, a public nuisance and a dangerous building under City Code and ordered that it be demolished or repaired by 9/17/00.

Because such action was not taken by that date, the findings of the Board will now be sent to the City Commission as part of a request for concurrence in the Board's determination. The Commission will consider this request at its regularly scheduled legislative meeting on Tuesday, October 24, 2000 at 5:30 p.m. The meeting will be held in the Commission chambers on the first floor of City Hall, 933 Terrace Street.

At this meeting, you or your representative will be given the opportunity to show cause why the building should not be demolished.

If you have any questions concerning this matter, please do not hesitate to contact me at (231) 724-6715.

Sincerely yours,

Robert B. Grabinski
Fire Marshal/Inspection Services

Muskegon
313/724-6703
FAX 724-1214

Assessor
313/724-6708
FAX 726-5181

Cemetery
313/724-6783
FAX 726-5617

Civil Service
231/724-6716
FAX 724-4405

Clerk
231/724-6705
FAX 724-4178

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

Engineering
231/724-6707
FAX 727-6904

Finance
231/724-6713
FAX 724-6768

Fire Dept.
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FAX 724-6985

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FAX 724-6768

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FAX 722-4301

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

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FAX 726-2501

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FAX 724-6790

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

Public Works
231/724-4100
FAX 722-4188

Treasurer
231/724-6720
FAX 724-6768

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

Water Filtration
231/724-4106
FAX 755-5290



West Michigan's Shoreline City

FILE COPY

October 2, 2000

Mr. William D. Uecker
3352 Peck Street
Muskegon MI 49444

RE: Appeal of HBA Findings of Fact and Order.

Dear Mr. Uecker:

I am in receipt of the appeal you filed on 9/8/00. Our records indicate that no final inspections were conducted on the repairs you have made to 1096 Third.

Please call (231) 724-6715 by 10/19/00 to schedule a final inspection for the repairs you have completed. If the repairs are approved, you will not have to come back to the Housing Board of Appeals and we can take your property off the Dangerous Building List.

Sincerely,

Robert B. Grabinski, Fire Marshal
Director, Inspection Services Dept.

CITY OF MUSKEGON, MICHIGAN
NEIGHBORHOOD AND CONSTRUCTION SERVICES DEPARTMENT

HOUSING BOARD OF APPEALS
CLAIM OF APPEAL

RECEIVED
11/10/00
CJS

1. Address of property under appeal: 1096 3rd Street
2. Name of person making appeal: William D. Uecker
(Please Print)
3. Relationship to owner: _____
(If Not Owner)
4. Address of person making appeal: 3352 Peck St
Muskegon Hts. 49444
5. Telephone (daytime): 722 6717
6. How long has the property been owned by the current owner? 19 years
7. Is the property owner-occupied or rental: Neither
8. Reason for appeal (check appropriate line):

- ☐ A City standard causes more hardship for me than others.
☒ The City's order was an incorrect interpretation of the standard.
☐ I have an alternative way to meet the minimum standard.
☒ I need more time to comply with the City's order.

☒ Other (explain): Corrections have been made
according to inspections

9. Date of the inspection I am appealing: _____
10. Date of the repair notice I am appealing: Aug. 24, 2000 FINDING of Facts & Order
of Housing Board
11. Violation numbers being appealed (from repair notice): _____

12. I would agree to correct the violations no later than: October 31, 2000

13. I have already corrected the following violations listed on the repair order (indicate violation number):

Everything listed

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

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

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

MUSKEGON HOUSING BOARD OF APPEALS

DATE: August 24, 2000
CASE: #99-29 - 1096 Third St., Muskegon MI

William Uecker
3352 Peck St.
Muskegon MI 49442

FINDING OF FACTS AND ORDER

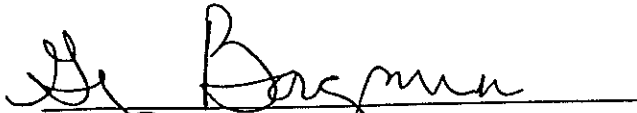
The following action was taken at a session of the Muskegon Housing Board of Appeals held at the Muskegon City Hall, 933 Terrace, Muskegon, Michigan on , August 17, 2000. The Inspections Services Department of the City of Muskegon, having inspected the building structure located upon the property described as **Lot 7, Ex Sly 66' Thereof and Ex Ely 33' There of, Blk 351**, also know as, **1096 Third**, found the conditions listed on the attached pages exist and that these conditions are hazardous as defined in Section 4-23 of the Code of Ordinances.

The Board further found that these conditions exist to the extent of endangering life, safety and the general welfare of the endangering life, safety and the general welfare of the public.

Therefore, in accordance with Section 4-25 of the Code of Ordinances, the structure is declared to be unsafe, substandard and a public nuisance.

It is, further ordered that if the owners or other interested parties fail to repair or remove said structure, or appeal this order, within 20 days of the receipt of this order, the Building Official shall take bids and remove said structure. **However, there will be a 30 day delay in forwarding this case to the City Commission for concurrence of demolition. If repairs are not complete, this case will be heard at the City Commission meeting in October, 2000.**

If you wish to appeal this order you must do so within twenty days. You may obtain the appeal form at the City's Inspection Services Department, City Hall, 933 Terrace Street.

A handwritten signature in black ink, appearing to read "Greg Borgman", written over a horizontal line.

Greg Borgman, Chairman
MUSKEGON HOUSING BOARD OF APPEALS

ROBO RESTORES

Ron Robotham
Lic. #:2101127253
147 W. Norton
Muskegon, MI 49444
(616)733-1193

NAME: Bill Uecker
SITE ADDRESS: 76 3rd St, Musk. TELEPHONE: 739-3549

Original Date: March 17, 1999
Date Revised: December 22, 1999

Job Description: Rebuild front porch on house
Restore as per pictures
Remove most of existing and rebuild from footings
All material and labor included

Job Update as of December 22:

Porch is 80% - 90% complete. Work cannot be completed until
the two missing posts can be remade/restored.

The costs todate:

Material	\$1400
Contracted Labor	\$2000
Total:	<u>\$3400</u> (85% of total job)

Costs to finish the project:

Material	\$ 100
Contracted Labor	\$ 500

Ron Robotham, Contractor

Has pd \$475.00

*Will release
\$ 2925 to Contractor
once Mr. Uecker provides
ltr. authorizing same
RRT
1-31-00*

Affirmative Action
616/724-6703
FAX/722-1214

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
616/724-6716
FAX/724-6790

Clerk
616/724-6705
FAX/724-4178

Comm. & Neigh.
Services
616/724-6717
FAX/726-2501

Engineering
616/724-6707
FAX/727-6904

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6975
FAX/724-6768

Leisure Service
616/724-6704
FAX/724-6790

Manager's Office
616/724-6724
FAX/722-1214

Mayor's Office
616/724-6701
FAX/722-1214

Neigh. & Const.
Services
616/724-6715
FAX/726-2501

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
616/724-6750
FAX/722-5140

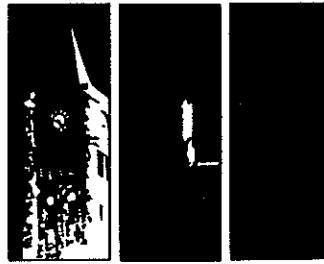
Public Works
616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

September 8, 1999

Mr. William Uecker
3352 Peck
Muskegon Hts., MI 49444

RE: 1096 Third

Dear Mr. Uecker:

I have received a copy of your project time line to restore 1096 Third. I am also informed that you have escrowed the five thousand dollars with the City of Muskegon Treasurer as required by the Housing Board of Appeals.

The timetable is acceptable to this office. You must come into Inspection Services and purchase the required permit to accomplish the work. You also need to check with the Planning Department on any requirements for construction or repair in a designated Historic District.

As directed by the Housing Boards of Appeals, failure to comply with the time schedule will result in the case being forwarded to City Commission for their concurrence on the findings. Demolition proceedings will begin utilizing your escrowed funds. If all work is completed and passes inspection, your escrowed money will be returned.

If you have any questions, please contact me at 724-6765.

Sincerely,

Robert B. Grabinski
Fire Marshal/Inspection Services

c.file

1

A. FRONT PORCH

- 36 feet long

6 feet wide

- ### B. FRONT PORCH ROOF

-
- The diagram illustrates a 2D hexagonal lattice structure. It features a central site, represented by a solid black circle, which is the focus of the study. This central site is surrounded by a hexagonal arrangement of other sites, also represented by solid black circles. The sites are interconnected by dashed lines, representing the bonds between them. The lattice is bounded by a thick black line on the top and bottom, and a thick black line on the left and right. The top and bottom boundaries are labeled 'Top' and 'Bottom' respectively. The left and right boundaries are labeled 'Left' and 'Right' respectively. The central site is labeled 'Central Site'.

- C. FRONT PORCH ROOF

- #### D. FRONT PORCH PAINT

1. Paint porch decking green.
2. Paint trim and pillars white.
3. Paint deep red accent color on pillars and trim.
4. Start week of September 27th.

RESTORING 1096 THIRD STREET

E. FINISHING TOUCHES

1. Install porch light in middle of ceiling of porch.
2. Cut back bushes from base of porch.
3. Put lattace work on bottom of porch deck.
4. Start week of October 6th.

F. COMPLETED PROJECT

1. Have porch project completed by October 31st giving time allowances for rainy weather, out-of-town work, etc.

Affirmative Action
616/724-6703
FAX/722-1214

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
616/724-6716
FAX/724-6790

Clerk
616/724-6705
FAX/724-4178

Comm. & Neigh.
Services
616/724-6717
FAX/726-2501

Engineering
616/724-6707
FAX/727-6904

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6795
FAX/724-6768

Leisure Service
616/724-6704
FAX/724-6790

Manager's Office
616/724-6724
FAX/722-1214

Mayor's Office
616/724-6701
FAX/722-1214

Neigh. & Const.
Services
616/724-6715
FAX/726-2501

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
616/724-6750
FAX/722-5140

Public Works
616/724-4100
FAX/724-4188

Treasurer
616/724-6720
FAX/724-6768

Water Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

MUSKEGON HOUSING BOARD OF APPEALS

DATE: August 10, 1999

CASE: 99-29 - 1096 Third

William D. Uecker
3352 Peck Street
Muskegon Heights, Mi. 49444

FINDING OF FACTS AND ORDER

The following action was taken at a session of the Muskegon Housing Board of Appeals held at the Muskegon City Hall, 933 Terrace, Muskegon, Michigan on the 5th of August 1999.

The Neighborhood and Construction Services Department of the City of Muskegon, having inspected the building structure located upon the property described as Lot 7, Ex Sly 66' thereof and Ex Ely 33' thereof, block 351 also known as 1096 Third found the conditions listed on the attached pages exist and that these conditions are hazardous as defined in Section 4-23 of the Code of Ordinances.

The Board further found that these conditions exist to the extent of endangering life, safety and the general welfare of the public.

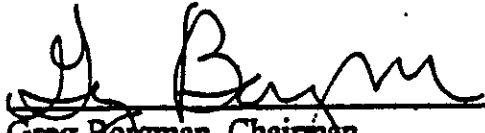
Therefore, in accordance with Section 4-25 of the Code of Ordinances, the structure is declared to be unsafe, substandard and a public nuisance.

It is, therefore, ordered that the owners or other interested parties take such action to repair or remove said structure, or appeal this order within 20 days of the receipt of this order.

It is further ordered that if the owners or other interested parties fail to repair or remove said structure, or appeal this order within 20 days of the receipt of this order, the Building Official shall take bids and remove said structure.

The Housing Board of Appeals agreed to accept a \$5,000 certified check to be placed in escrow and submission of a timetable for completion to be submitted by September 5, 1999 and approved. If you fail to meet the deadline of September 5, 1999 for the escrow check and time table of completion or the deadline for completion, the case will be forwarded to the City Commission for concurrence and the escrow money will be used for the demolition of 1096 Third.

If you wish to appeal this order, you must do so within twenty days. You may obtain the appeal form at the City's Neighborhood and Construction Services Department (Inspections), City Hall, 933 Terrace Street.



Greg Borgman, Chairman
HOUSING ADVISORY BOARD OF APPEALS

Affirmative Action
616/724-6703
FAX/724-6790

Assessor
616/724-6708
FAX/724-6768

Cemetery
616/724-6783
FAX/722-4188

Civil Service
616/724-6716
FAX/724-6790

Clerk
616/724-6705
FAX/724-6768

Comm. & Neigh.
Services
616/724-6717
FAX/724-6790

Engineering
616/724-6707
FAX/724-6790

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6975
FAX/724-6768

Leisure Service
616/724-6704
FAX/724-6790

Manager's Office
616/724-6724
FAX/724-6790

Mayor's Office
616/724-6701
FAX/724-6790

Neigh. & Const.
Services
616/724-6715
FAX/724-6790

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
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FAX/722-5140

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616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

FILE COPY

CITY OF MUSKEGON

NOTICE OF HEARING ON DANGEROUS AND UNSAFE CONDITIONS

August 4, 2000

William D. Uecker
3352 Peck Street
Muskegon MI 49444

Dear Property Owner:

SUBJECT: Dangerous Building Case #: 99-29 – 1096 Third St., Muskegon MI

PLEASE TAKE NOTICE that a hearing before the Housing Board of Appeals for the City of Muskegon will be held on **Thursday, August 17, 2000** at **5:30 P.M.** in the Muskegon City Hall Commission Chambers on the first floor. Said hearing will be for the purpose of determining whether the structure should be demolished or otherwise made safe.

Officials from the Inspection Services Department have inspected the structure and it is alleged that it has defects as listed on the attached page(s).

The defects are violations of Section 4-23 of the Muskegon City Code, which defines dangerous buildings.

At the hearing, the Inspection Services Department will present testimony regarding the alleged defects. You are advised that you or your representative may cross examine the City's witnesses and you may present testimony in your own behalf and call witnesses in your own behalf. We encourage you to attend the meeting since it is always better if someone is available to answer any questions the Board may have.

Inspection Services
City of Muskegon

Affirmative Action
616/724-6703

Assessor
616/724-6708

Cemetery
616/724-6783

Civil Service
616/724-6716

Clerk
616/724-6705

C. N. Services
616/724-6717

Engineering
616/724-6707

Finance
616/724-6713

Fire Dept.
616/724-6792

Income Tax
616/724-6770

Inspections
616/724-6715

Leisure Service
616/724-6704

Manager's Office
616/724-6724

Mayor's Office
616/724-6701

Planning/Zoning
616/724-6702

Police Dept.
616/724-6750

Public Works
616/726-4786

Treasurer
616/724-6720

Water Dept.
616/724-6718

MUSKEGON



West Michigan's Shoreline City

CITY OF MUSKEGON

NOTICE OF HEARING ON DANGEROUS AND UNSAFE CONDITIONS

DATE: July 20, 1999

TO: William D. Uecker

SUBJECT: Dangerous Building Case #99-29 – 1096 Third

PLEASE TAKE NOTICE that a hearing before the Housing Board of Appeals for the City of Muskegon will be held on August 5, 1999 at 5:30 p.m. at the Muskegon City Hall Commission Chambers on the first floor. Said hearing will be for the purpose of determining whether the structure should be demolished or otherwise made safe.

The structure has been inspected by officials from the Neighborhood and Construction Services Department and it is alleged that it has defects as listed on the attached page(s).

The defects are violations of Section 4-23 of the Muskegon City Code which defines dangerous buildings.

At the hearing, the Neighborhood and Construction Services Department will present testimony regarding the alleged defects. You are advised that you or your representative may cross examine the City's witnesses and you may present testimony in your own behalf and call witnesses in your own behalf. We encourage you to attend the meeting since it is always better if someone is available to answer any questions the Board may have.

Neighborhood and Construction Services
City of Muskegon

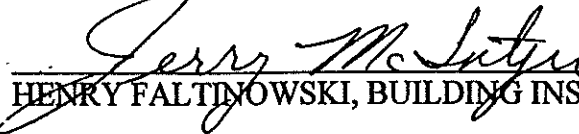
DANGEROUS BUILDING INSPECTION

1096 THIRD

6/21/99

PROGRESS INSPECTION:

1. Front porch rotting structural members, decking unsafe, and rim board rotting.
2. Siding missing and falling off of home.
3. Exposed wood where siding is missing is starting to rot.
4. There have been numerous notices sent to correct problem with no progress attempted.


HENRY FALTINOWSKI, BUILDING INSPECTOR

6-28-99
DATE

Affirmative Action
616/724-6703

Assessor
616/724-6708

Cemetery
616/724-6783

Civil Service
616/724-6716

Clerk
616/724-6705

C. N. Services
616/724-6717

Engineering
616/724-6707

Finance
616/724-6713

Fire Dept.
616/724-6792

Income Tax
616/724-6770

Inspection
616/724-6715

Leisure Service
616/724-6704

Manager's Office
616/724-6724

Mayor's Office
616/724-6701

Planning/Zoning
616/724-6702

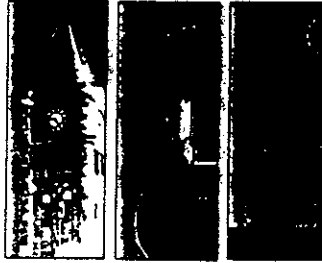
Police Dept.
616/724-6730

Public Works
616/726-4786

Treasurer
616/724-6720

Water Dept.
616/724-6718

MUSKEGON



West Michigan's Shoreline City

NOTICE AND ORDER

May 21, 1998

William D. Uecker
3352 Peck Street
Muskegon Heights, Mi. 49444

Dear Property Owner:

Subject: 1096 Third
Lot 7, Ex Sly 66' thereof and Ex Ely 33' thereof,
Block 351

The City of Muskegon Building Official has recently inspected the subject property and has found the buildings to be dangerous as defined under Section 4-23 of the Muskegon City Code.

As a result of this finding, you are hereby ordered to REPAIR or DEMOLISH the structures within thirty (30) days.

If you elect to repair the structures, you must secure all required permits and physically commence the work within thirty (30) days from the date of this order.

Should you have any questions concerning this matter, please do not hesitate to contact our Building Official, Jerry McIntyre at 724-6715.

Sincerely yours,

Daniel Schmelzinger
Director, Neighborhood and Construction Services

I DANGEROUS BUILDING INSPECTOR

1096 THIRD

5/15/98

TWO-STORY WOOD FRAME HOUSE

1. SIDING MISSING IN FRONT OF HOME.
2. FRONT PORCH FLOOR BOARDS MISSING, LOOSE OR BROKEN.
3. FOUNDATION NEEDS TUCKPOINTING AND CRAWL SPACE NEEDS TO BE SECURED.

BASED UPON MY RECENT INSPECTION OF THE ABOVE PROPERTY, I HAVE DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS BUILDING AS SET FORTH IN SECTION 4-23 OF THE MUSKEGON CITY CODE.


JERRY MCINTYRE, BUILDING OFFICIAL

5-21-98
DATE

Case #99-29 1096 Third St., William Uecker, 3352 Peck St. Muskegon

Mr. Uecker was present to represent this case. He stated that the porch has been repaired. He said he is confused by the letter he received regarding the final inspection on the porch. Mr. Grabinski stated that the final on the porch was approved, but at that same inspection Mr. Uecker was informed that he needed to continue repairs and bring the house up to code and livable conditions. In the past few weeks a board up letter was issued to him. Because of lack of activity and the lack of someone living there, some windows have been broken out. The city had to board the windows because he did not take care of them. Mr. Grabinski spoke of removing blight from neighborhoods. The house has been sitting empty for some time. Mr. Uecker stated that he had asked for some of the \$5000 escrow to use for repairs, but the city would not release it. Mr. Grabinski explained that the escrow money is to pay for the demolition if the house isn't repaired. Mr. Borgman spoke of living nearby and since 1981 when Mr. Uecker took ownership the house has not had gas or been a livable residence. He stated that he has heard everything about this being a historic home, but it has not been treated as one and that 21 years is quite long enough to bring the home up to code. Ms. Shepherd stated that because the house is next to a gas station, it has potential for young people getting in it. She also has a problem when a house sits for years and years and nothing gets done to it. Mr. Uecker stated to Ms. Shepherd that he put storm windows on the home the past Sunday. Mr. Grabinski stated that on Monday there were not any storm windows. There are gray boards because the city had to board the broken windows. Mr. Uecker did not take care of the broken windows and did not call the office about it.

Staff Recommendation: Declare the property substandard, a public nuisance, dangerous building, and forward to the City Commission for their concurrence.

A motion to accept staff recommendation was made by Randy Mackie and seconded by Jerry Bever.

A roll call vote was taken:

AYES:

Greg Borgman

Randy Mackie

John Warner

Jerry Bever

Jon Rolewicz

Clara Shepherd

NAYES:

EXCUSED:

ABSENT:

Nick Kroes

The motion carried.

Date: August 13, 2002

To: Honorable Mayor and City Commissioners

From: Finance Director

RE: Refunding of 1993 MTF Bonds

SUMMARY OF REQUEST: The City issued bonds in 1993 secured by state street funds ("MTF bonds") to finance various street improvement projects. A recent analysis shows that the bonds remaining outstanding (\$2,150,000) can be refunded at today's lower interest rates with present value savings to the City of \$62,188. These savings equate to 2.89% of the outstanding principal. A general rule of thumb is that PV savings should be at least 2% of bond principal in order to proceed with a refunding. Staff requests your indulgence in adding this item to the agenda for August 13.

FINANCIAL IMPACT: Present value savings of \$62,188.

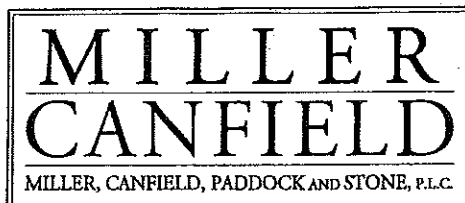
BUDGET ACTION REQUIRED: None at this time. The annual debt service costs will be budgeted in future years until the bonds are retired.

STAFF RECOMMENDATION: Approval of the attached notice of intent resolution authorizing staff to proceed with the proposed bond refunding.

COMMITTEE RECOMMENDATION: None.

Founded in 1852
by Sidney Davy Miller

150
YEARS
1852-2002



MICHIGAN: Ann Arbor
Detroit • Grand Rapids
Howell • Kalamazoo
Lansing • Monroe • Troy

New York, N.Y.
Washington, D.C.
CANADA: Windsor, ON
POLAND: Gdynia
Katowice • Warsaw

AFFILIATED OFFICE:
Pensacola, FL

JOEL L. PIELL
TEL: (313) 496-7518
FAX: (313) 496-8450
E-MAIL: piell@millercanfield.com

150 West Jefferson, Suite 2500
Detroit, Michigan 48226
TEL: (313) 963-6420
FAX: (313) 496-7500
www.millercanfield.com

August 9, 2002

Mr. Timothy J. Paul
Finance Director
City of Muskegon
933 Terrace St
PO Box 536
Muskegon, MI 49443-0536

Via Email

Dear Tim:

Warren tells me that you are desirous of proceeding with an MTF refunding respecting the City's 1993 MTF bonds. I have prepared the attached resolution for the August 13, 2002, City Commission meeting. May I ask you to review same and if it meets with your approval, submit it to the Commission for its consideration.

After adoption of the resolution, it should be published once in its entirety in the Muskegon Chronicle. May I ask that you return three certified copies of the resolution along with three affidavits of its publication to me.

Assuming that the City has filed its Qualifying Statement, this is all that we need do until the Preliminary Official Statement is prepared and circulated and the bond issue is priced. At that time, the City Commission will be asked to consider a sales resolution.

Under separate cover I will send you our customary engagement letter.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: _____
Joel L. Piell

Enclosures (*Hard copies via U.S. Mail*)

cc: Warren M. Creamer, III (*Via Email*)
DELIB:2342473.1\099999-90001

**BOND AUTHORIZING RESOLUTION
MICHIGAN TRANSPORTATION FUND REFUNDING BONDS, SERIES 2002**

City of Muskegon
County of Muskegon, State of Michigan

Minutes of a Regular Meeting of the City Commission of the City of Muskegon, County of Muskegon, State of Michigan (the "City") held on the 13th day of August, 2002, at 5:30 o'clock p.m., Eastern Daylight Savings Time in the City Hall in the City.

PRESENT: Members Shepherd, Spataro, Warmington, Buie, Gawron, Larson,
Schweifler

ABSENT: Members None

The following preamble and resolution were offered by Member Buie and supported by Member Schweifler:

WHEREAS, Act 175, Public Acts of Michigan, 1952, as amended ("Act 175") and Act 34, Public Acts of Michigan, 2001 ("Act 34") permits the City to refund all or part of the bonds issued under Act 175; and

WHEREAS, in order to achieve savings on its debt service payments the City Commission tentatively determines that it is in the best interest of the City to refund its callable 1993 Michigan Transportation Fund Bonds, maturing in the years 2003 to 2008, in the outstanding principal amount of \$2,150,000 (the "Prior Bonds"), previously issued by the City pursuant to Act 175; and

WHEREAS, the cost of refunding the Prior Bonds is presently estimated not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000); and

WHEREAS, to finance the cost of refunding the Prior Bonds the City Commission deems it necessary to borrow the sum of not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000) and issue bonds therefor as authorized by the provisions of Act 175 and Act 34 (the "

Bonds"); and

WHEREAS, the revenues received by the City from the Michigan Transportation Fund pursuant to Act 51 in the year preceding this contemplated borrowing are more than sufficient to comply with all the requirements specified in Section 4 of Act 175; and

WHEREAS, the City has received a proposal from R. W. Baird & Co. Incorporated to negotiate the sale of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The estimate of cost of refunding the Prior Bonds is hereby approved.
2. The City Commission hereby determines to borrow the sum of not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000), or as otherwise finally determined at sale thereof and issue the Bonds of the City therefor pursuant to the provisions of Act 175 and Act 34, for the purpose of providing funds to pay the cost of refunding the Prior Bonds, including all legal, financial and other issuance costs.

3. The Bonds shall be designated MICHIGAN TRANSPORTATION FUND REFUNDING BONDS, Series 2002 and shall consist of bonds fully registered as to principal and interest of the denominations of any multiple of \$5,000 not exceeding for each maturity the maximum principal amount of the Bonds of that maturity and numbered consecutively in order of registration from 1 upwards. The Bonds will be dated as of October 1, 2002 or such other date as determined at sale, and be payable on June 1st in the years 2003 to 2008, in the annual amounts determined at the time of sale.

The Bonds shall bear interest to be determined at the sale thereof but not to exceed six percent (6%) per annum, payable on December 1, 2002, and semiannually thereafter, by check or draft mailed by the transfer agent to the person or entity which is, as of the 15th day of the month preceding the interest payment date, the registered owner at the registered address as shown on the registration books maintained by the transfer agent. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The Bonds shall be sold at a discount of their par value as determined at the

time of sale. The Bonds will be subject to prior redemption as hereinafter provided.

4. The Bonds shall be executed in the name of the City with the facsimile signatures of the Mayor and the City Clerk and shall bear the actual or a facsimile of the City seal. No Bond of this series shall be valid until authenticated by an authorized signature of the transfer agent. The Bonds shall be delivered to the transfer agent for authentication and be delivered by the transfer agent to the purchaser in accordance with instructions from the Finance Director of the City upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the transfer agent for safekeeping. The principal of the Bonds shall be payable at a bank or financial institution qualified to act as a transfer agent and bond registrar which bank or financial institution shall be determined prior to the sale of the bonds.

The Bonds shall be issued in book-entry only form as one fully registered bond per maturity and shall be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Bonds, and purchasers will not receive certificates representing their interest in bonds purchased. If the Bonds are issued in book-entry only form, provisions in this resolution to the contrary shall be of no force nor effect unless and until the suspension of the book-entry only system.

5. Any Bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the transfer agent shall authenticate and deliver a new Bond or Bonds, in like aggregate principal amount. The transfer agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental

charge required to be paid with respect to the transfer. The date of determination of the registered owner for purposes of payment of interest as provided in this resolution may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at the office of the transfer agent designated by the transfer agent.

6. To provide moneys to pay the principal of and interest on the Bonds and in accordance with the provisions of Act 175, there is hereby made an irrevocable appropriation of the amount necessary to pay the principal of and interest on the Bonds from the moneys to be derived from State-collected taxes returned to the City for highway purposes, pursuant to law. The Treasurer of the City is directed, each year that any of the principal of and interest on the Bonds remains unpaid, to set aside in a separate fund, to be designated MICHIGAN TRANSPORTATION FUND BONDS, SERIES 2002 DEBT RETIREMENT FUND, sufficient moneys from revenues received during such year from the Michigan Transportation Fund pursuant to law to pay the principal of and interest on the Bonds next maturing.

7. The proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds and to secure payment of the Prior Bonds as provided in this paragraph. Upon receipt of the proceeds of sale of the Bonds the accrued interest and premium, if any, shall be deposited in the Debt Retirement Fund for the Bonds. From the proceeds of the Bonds there shall next be set aside a sum sufficient to pay the costs of issuance of the Bonds in a fund designated the Refunding Bond Issuance Fund. Moneys in the Refunding Bond Issuance Fund shall be used solely to pay expenses of issuance of the Bonds. Any amounts remaining in the Refunding Bond Issuance Fund after payment of issuance expenses shall be transferred to the Debt Retirement Fund for the Bonds.

The balance of the proceeds of the Bonds together with any moneys transferred by the City at the time of sale of the Bonds from the debt retirement funds for the Prior Bonds and any other available funds of the City, shall be held as cash or invested in direct obligations of or obligations the

principal of and interest on which are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing (the "Escrow Funds") and used to pay principal, interest and redemption premiums on the Prior Bonds. If applicable, the Escrow Funds shall be held by a Trustee (the "Trustee") in trust pursuant to an Escrow (the "Escrow") which shall irrevocably direct the Trustee to take all necessary steps to call any Prior Bonds specified by the City upon sale of the Bonds for redemption, including publication and mailing of redemption notices, on any date specified by the City the respective series of Prior Bonds may be called for redemption. The investment held in the Escrow Funds shall be such that the principal and interest payments received thereon will be sufficient, without reinvestment, to pay the principal, interest and redemption premiums on the Prior Bonds as they become due pursuant to maturity or the call for redemption required by this paragraph. Following establishment of the Escrow Funds, any amounts remaining in the debt retirement fund for the Prior Bonds shall be transferred to the Debt Retirement Fund for the Bonds. The City Finance Director is authorized, subject to final approval of this Commission, to select an Agent to serve under the Escrow.

8. Pursuant to Act 175, and as additional security for the prompt payment of the principal of and interest on the Bonds, there is hereby irrevocably pledged the limited tax full faith and credit of the City, and in the event of insufficiency of funds primarily pledged to the payment thereof, the City covenants and agrees to provide for such insufficiency from such resources as are lawfully available to it.

9. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF MUSKEGON
CITY OF MUSKEGON
MICHIGAN TRANSPORTATION FUND REFUNDING BOND, SERIES 2002

<u>Interest Rate</u>	<u>Maturity</u> <u>Date</u>	<u>Date of</u> <u>Original</u> <u>Issue</u>	<u>CUSIP</u>
	June 1, ____		

Registered Owner:

Principal Amount: _____ Dollars

The City of Muskegon, County of Muskegon, State of Michigan (the "City"), for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on December 1, 2002, and semiannually thereafter. Principal of this bond is payable at the corporate trust office of _____, Michigan or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner hereof not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the payment date as shown on the registration books of the City maintained by the Transfer Agent, by check or draft mailed to the registered owner at the registered address.

This bond is one of a series of bonds of even original issue date and like tenor, aggregating the principal sum of \$_____, issued for the purpose of defraying the costs of refunding part of the City's outstanding 1993 Michigan Transportation Fund Bonds in accordance with a resolution duly and regularly adopted by the City Commission of said City on August 13, 2002, and _____, 2002 adopted pursuant to the provisions of Act 175, Public Acts of Michigan, 1952, as amended and Act 34, Public Acts of Michigan, 2001.

Bonds of this issue maturing in the years 2003 to 200_, inclusive, shall not be subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the years 200_ to 200_, inclusive, shall be subject to redemption prior to maturity, at the option of the City, in such order as the City shall determine, on any interest payment date on or after June 1, 200_, at par and accrued

interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owners of bonds or portions thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. Bonds so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bonds.

This bond and the interest thereon are payable from the proceeds of State-collected taxes returned to the City for highway purposes pursuant to law, or in case of insufficiency of said funds, out of the general funds of the City, including collections of ad valorem taxes on taxable property which the City may be authorized to levy, subject to applicable constitutional, statutory and charter tax rate limitations and the resolution authorizing the bonds contains an irrevocable appropriation of the amount necessary to pay the principal of and interest on the bonds of this issue from moneys derived from such State-collected taxes so returned to the City for highway purposes which have not been theretofore specifically allocated and pledged for the payment of indebtedness. This bond is of equal standing with other bonds issued by the City payable from State-collected taxes and the City has reserved the right to issue additional bonds of equal standing and priority of lien as to said State-collected taxes with the bonds of this issue within the limitations prescribed by law.

This bond is not a general obligation of the State of Michigan.

This bond is transferable only upon the books of the City kept for that purpose at the office of the Transfer Agent by the registered owner hereof in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing the bonds of this issue, and upon the payment of the charges, if any, therein prescribed.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

It is hereby certified and recited that all acts, conditions and things required to be done, exist and happen, precedent to and in the issuance of said series of bonds of which this is one, in order to make them valid and binding obligations of the City, have been done, exist and have happened in regular and due form and time as required by law, and that the total indebtedness of the City, including the series of bonds of which this is one, does not exceed any constitutional, statutory or charter limitation.

IN WITNESS WHEREOF, the City of Muskegon, County of Muskegon, State of Michigan, by its City Commission, has caused this bond to be signed in the name of said City with the facsimile signatures of its Mayor and its City Clerk and a facsimile of the City seal to be imprinted hereon, all as of the Date of Original Issue.

CITY OF MUSKEGON

By _____
Mayor

(Seal)

And:

By _____
City Clerk

[FORM OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION]

Date of Registration:

Certificate of Authentication

This bond is one of the bonds described in the within-mentioned resolution.

Transfer Agent

By _____
Authorized Representative

10. A copy of this resolution shall be published in full in the Muskegon Chronicle, once before this resolution becomes effective.

11. The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exemption of the interest on the Bonds from general federal income taxation (as opposed to any alternative minimum or other indirect taxation) under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds. The City hereby designates the Bonds as "qualified tax exempt obligations" for purposes of interest deduction by financial institutions pursuant to the Code.

12. The Bonds are subject to redemption prior to maturity at the times and prices and in the manner set forth in Section 9 of this Resolution.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the transfer agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers, and in the case of partial redemption, the called amounts of each certificate; the redemption date; the redemption price or premium; the place where Bonds called for redemption are to be surrendered for payment; and that interest on Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the transfer agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

13. The City agrees to enter into an undertaking for the benefit of the holders and beneficial owners of the Bonds pursuant to Rule 15c2-12 of the U.S. Securities and Exchange Commission and the

City Finance Director is hereby designated as the City's Disclosure Representative and is authorized to execute such undertaking prior to delivery of the Bonds.

14. Having been advised by its financial advisor that a negotiated sale will result in the most efficient and expeditious means of selling the Bonds and the lowest interest costs thereon, the City shall retain the services of R. W. Baird & Co. Incorporated, as underwriter (the "Underwriter") for the sale of the Bonds.

15. The City Manager and all other necessary City officials are authorized and directed to assist the Underwriter in the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; if applicable, to procure a policy of municipal bond insurance with respect to the Bonds or cause the qualification of the Bonds therefor if, upon the advice of the financial advisor to the City, the acquisition of such insurance would be of economic benefit to the City; to obtain ratings on the Bonds; and to take all other actions necessary or advisable, and to make such filings with the Michigan Department of Treasury or with other parties, to enable the sale and delivery of the Bonds as contemplated herein.

16. The final details respecting the Bonds, Transfer Agent, and Escrow Agent are subject to ratification and affirmation by the City Commission upon the sale of the Bonds. The Bonds will not be sold unless the sale of the Bonds and the redemption of the Prior Bonds will result in net present value interest savings in accordance with Act 34.

17 All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington,
Buie

NAYS: Members None

RESOLUTION DECLARED ADOPTED.

Gail A. Kundergen
City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, State of Michigan, at a Regular Meeting held on August 13, 2002 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Gail A. Kundergen
City Clerk

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City of Muskegon, Michigan
Refunding of 1993 Michigan Transportation Fund Bonds
Dated: September 1, 2002

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City of Muskegon, Michigan

1993 Michigan Transportation Fund Bonds

Dated: June 1, 1993

Callable: June 1, 1999 @ 101; 02 @ 100.5; 05 @ 100

DEBT SERVICE TO MATURITY AND TO CALL

Date	Refunded Bonds	Premium	D/S To Call	Principal	Coupon	Interest	Refunded D/S
9/01/2002	-	-	-	-	-	-	-
12/01/2002	2,150,000.00	10,750.00	2,211,875.00	-	-	51,125.00	51,125.00
6/01/2003	-	-	-	300,000.00	4.750%	51,125.00	351,125.00
12/01/2003	-	-	-	-	-	44,000.00	44,000.00
6/01/2004	-	-	-	325,000.00	5.000%	44,000.00	369,000.00
12/01/2004	-	-	-	-	-	35,875.00	35,875.00
6/01/2005	-	-	-	350,000.00	5.000%	35,875.00	385,875.00
12/01/2005	-	-	-	-	-	27,125.00	27,125.00
6/01/2006	-	-	-	375,000.00	5.000%	27,125.00	402,125.00
12/01/2006	-	-	-	-	-	17,750.00	17,750.00
6/01/2007	-	-	-	400,000.00	4.625%	17,750.00	417,750.00
12/01/2007	-	-	-	-	-	8,500.00	8,500.00
6/01/2008	-	-	-	400,000.00	4.250%	8,500.00	408,500.00
Total	2,150,000.00	10,750.00	2,211,875.00	2,150,000.00	-	368,750.00	2,518,750.00

YIELD STATISTICS

Average Life..... 3.424 Years
 Weighted Average Maturity (Par Basis)..... 3.424 Years
 Average Coupon..... 4.6612903%

REFUNDING BOND INFORMATION

Refunding Dated Date..... 9/01/2002
 Refunding Delivery Date..... 9/01/2002

Robert W. Baird & Co.
 Public Finance - KAP

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City of Muskegon, Michigan
Refunding of 1993 Michigan Transportation Fund Bonds
Dated: September 1, 2002

CURRENT REFUNDING ESCROW

Date	Principal	Rate	Interest	Receipts	Disbursements	Cash Balance
9/01/2002	-	-	-	0.30	-	0.30
12/01/2002	2,202,813.00	1.650%	9,061.70	2,211,874.70	2,211,875.00	-
Total	2,202,813.00	-	9,061.70	2,211,875.00	2,211,875.00	-

INVESTMENT PARAMETERS

Investment Model [PV, GIC, or Securities].....	Securities
Default investment yield target.....	Bond Yield
Cash Deposit.....	0.30
Cost of Investments Purchased with Bond Proceeds.....	2,202,813.00
Total Cost of Investments.....	\$2,202,813.30
Target Cost of Investments at bond yield.....	\$2,196,876.67
Actual positive or (negative) arbitrage.....	(5,936.63)
Yield to Receipt.....	1.6488623%
Yield for Arbitrage Purposes.....	2.7401682%
State and Local Government Series (SLGS) rates for.....	7/24/2002

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Public Finance - KAP

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City of Muskegon, Michigan
Refunding of 1993 Michigan Transportation Fund Bonds
Dated: September 1, 2002

SOURCES & USES

Dated 09/01/2002

Delivered 09/01/2002

SOURCES OF FUNDS

Par Amount of Bonds..... \$2,250,000.00

TOTAL SOURCES..... \$2,250,000.00

USES OF FUNDS

Deposit to Current Refunding Fund..... 2,202,813.30

Total Underwriter's Discount (0.700%)..... 15,750.00

Estimated Bond Counsel Fee..... 10,000.00

Estimated Financial Advisor Fee..... 7,500.00

Rounding Amount..... 3,686.70

Estimated S&P Rating Fee..... 3,500.00

POS/Official Statement..... 3,500.00

Estimated Verification Agent Fee..... 2,500.00

Estimated Escrow Agent Fee..... 500.00

Estimated Paying Agent Fee..... 250.00

TOTAL USES..... \$2,250,000.00

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City of Muskegon, Michigan
Refunding of 1993 Michigan Transportation Fund Bonds
Dated: September 1, 2002

DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total P+I	FISCAL TOTAL
9/01/2002	-	-	-	-	-
12/01/2002	-	-	13,724.13	13,724.13	-
6/01/2003	350,000.00	1.540%	27,448.25	377,448.25	391,172.38
12/01/2003	-	-	24,753.25	24,753.25	-
6/01/2004	350,000.00	1.780%	24,753.25	374,753.25	399,506.50
12/01/2004	-	-	21,638.25	21,638.25	-
6/01/2005	370,000.00	2.280%	21,638.25	391,638.25	413,276.50
12/01/2005	-	-	17,420.25	17,420.25	-
6/01/2006	385,000.00	2.640%	17,420.25	402,420.25	419,840.50
12/01/2006	-	-	12,338.25	12,338.25	-
6/01/2007	400,000.00	2.940%	12,338.25	412,338.25	424,676.50
12/01/2007	-	-	6,458.25	6,458.25	-
6/01/2008	395,000.00	3.270%	6,458.25	401,458.25	407,916.50
Total	2,250,000.00	-	206,388.88	2,456,388.88	-

YIELD STATISTICS

Bond Year Dollars.....	\$7,507.50
Average Life.....	3.337 Years
Average Coupon.....	2.7491026%
Net Interest Cost (NIC).....	2.9588928%
True Interest Cost (TIC).....	2.9640741%
Bond Yield for Arbitrage Purposes.....	2.7401682%
All Inclusive Cost (AIC).....	3.3641752%

IRS FORM 8038

Net Interest Cost.....	2.7491026%
Weighted Average Maturity.....	3.337 Years

Robert W. Baird & Co.
Public Finance - KAP

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City of Muskegon, Michigan
Refunding of 1993 Michigan Transportation Fund Bonds
Dated: September 1, 2002

DEBT SERVICE COMPARISON

Date	Total P+I	Net New D/S	Old Net D/S	Savings	FISCAL TOTAL
9/01/2002	-	-	-	-	-
12/01/2002	13,724.13	13,724.13	51,125.00	37,400.87	-
6/01/2003	377,448.25	377,448.25	351,125.00	(26,323.25)	11,077.62
12/01/2003	24,753.25	24,753.25	44,000.00	19,246.75	-
6/01/2004	374,753.25	374,753.25	369,000.00	(5,753.25)	13,493.50
12/01/2004	21,638.25	21,638.25	35,875.00	14,236.75	-
6/01/2005	391,638.25	391,638.25	385,875.00	(5,763.25)	8,473.50
12/01/2005	17,420.25	17,420.25	27,125.00	9,704.75	-
6/01/2006	402,420.25	402,420.25	402,125.00	(295.25)	9,409.50
12/01/2006	12,338.25	12,338.25	17,750.00	5,411.75	-
6/01/2007	412,338.25	412,338.25	417,750.00	5,411.75	10,823.50
12/01/2007	6,458.25	6,458.25	8,500.00	2,041.75	-
6/01/2008	401,458.25	401,458.25	408,500.00	7,041.75	9,083.50
Total	2,456,388.88	2,456,388.88	2,518,750.00	62,361.12	-

PRESENT VALUE ANALYSIS SUMMARY (NET TO NET)

Gross PV Debt Service Savings.....	58,500.99
Net PV Cashflow Savings @ 2.740%(Bond Yield).....	58,500.99
Contingency or Rounding Amount.....	3,686.70
NET PRESENT VALUE BENEFIT.....	\$62,187.69
NET PV BENEFIT / \$2,150,000 REFUNDED PRINCIPAL.....	2.892%
Average Annual Cash Flow Savings.....	10,393.52

REFUNDING BOND INFORMATION

Refunding Dated Date.....	9/01/2002
Refunding Delivery Date.....	9/01/2002

Robert W. Baird & Co.
Public Finance - KAP

File = Refund02.sf-Refund MTF 93- SINGLE PURPOSE
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Affirmative Action
(231)724-6703
FAX: (231)722-1214

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



September 12, 2002

Mr. Joel L. Piell
Miller, Canfield, Paddock
& Stone, P.L.C.
150 West Jefferson, Suite 2500
Detroit, MI 48226

Dear Mr. Piell:

Enclosed are three resolutions and affidavits of publication reference the City's MTF Refunding Bonds, Series 2002.

Thank you,

A handwritten signature in cursive script that reads "Linda Potter".

Linda Potter
Deputy City Clerk

Enc.