

CITY OF MUSKEGON

CITY COMMISSION MEETING

JULY 9, 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. Liquor License Transfer Request, 2390 W. Sherman (Super Stop Food Store). CITY CLERK
 - c. Appointment to the District Library Board. COMMUNITY RELATIONS COMMITTEE
 - d. Surf Rake Purchas DPW
 - e. Reese Field Restroom Bids. LEISURE SERVICES
 - f. Sale of Non-buildable Lot at 715 E. Isabella Ave. PLANNING & ECONOMIC DEVELOPMENT
 - g. Sale of Non-buildable Lot at 1220 Langeland Ave. PLANNING & ECONOMIC DEVELOPMENT
 - h. Consideration of Bids, Division Street from Southern to Western Ave. ENGINEERING
 - I. Designation of Voting Delegate and Alternate Voting Delegate at the MML Convention held September 11-13 2002 CITY CLERK
 - j. Approval of Resolution Authorizing the Sale of the Structure at 1706 Jarman. COMMUNITY AND NEIGHBORHOOD SERVICES
- ☐ **PUBLIC HEARINGS:**
 - a. Create a Special Assessment District for Black Creek Road, Sherman North to Latimer. ENGINEERING
- ☐ **COMMUNICATIONS:**

☐ **CITY MANAGER'S REPORT:**

☐ **UNFINISHED BUSINESS:**

☐ **NEW BUSINESS:**

a. Designation of City Attorney and Assistant City Attorney. CITY
MANAGER

b. 911 Ballot Proposal Regarding Muskegon Central Dispatch CITY
MANAGER

c. Consideration of Bids, Black Creek Road from Sherman to Latimer.
ENGINEERING

d. Waiving the Requirements of Article IV (Soil Stripping & Dumping).
ENGINEERING

☐ **ANY OTHER BUSINESS:**

☐ **PUBLIC PARTICIPATION:**

☐ **CLOSED SESSION:**

- *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: July 2, 2002
To: Honorable Mayor and City Commission
From: City Clerk Gail Kunding
RE: Minutes

SUMMARY OF REQUEST: To approve the minutes of the June 25, 2002 City Commission meeting as submitted.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

JULY 9, 2002

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City of Muskegon was held at the City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30pm, Tuesday July 9, 2002.

Mayor Warmington opened the meeting with a prayer from Pastor Fred Halde of First Presbyterian Church, 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, Clara Shepherd and Lawrence Spataro; City Manager Bryon Mazade, City Attorney John Schrier and City Clerk Gail Kundinger. Commissioner Robert Schweifler excused(until Zoning Meeting completed).

2002-81 CONSENT AGENDA:

a. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the June 25, 2002 City Commission meeting as submitted.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the minutes.

b. Liquor License Transfer Request, 2390 W. Sherman (Super Stop Food Store). CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission seeks local recommendation on a request from Karamsar Corporation to transfer ownership of the existing 2001 SDM and SDD license from the current owner Jeffery T Daugherty.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: All Departments are recommending approval.

c. Appointment to the District Library Board. COMMUNITY RELATIONS COMMITTEE

SUMMARY OF REQUEST: To appoint Rachel McAfee to the District Library Board to fill the unexpired term of Jim Austin.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To appoint Rachel McAfee to the District Library Board.

COMMITTEE RECOMMENDATION: To recommend appointment of Rachel McAfee.

d. Surf Rake Purchase. DEPARTMENT OF PUBLIC WORKS

SUMMARY OF REQUEST: Approval to purchase one Model 600 HD Surf Rake from H. Barber & Sons for \$43,550.00

FINANCIAL IMPACT: Total Cost \$43,3550.00

BUDGET ACTION REQUIRED: None. Although the Surf Rake was scheduled for replacement in 2003, our current unit is in need of extensive repair so we decided to move this purchase up to 2002 and delay the purchase of some equipment we had scheduled for this year.

STAFF RECOMMENDATION: Approval to purchase one Model 600 HD Surf Rake.

f. Sale of Non-buildable Lot at 715 E. Isabella Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of a vacant non-buildable lot (Parcel #24-205-074-0002-10) on E. Isabella Avenue to Sunset Global Investment Group, LLC, of P.O. Box 4110, Muskegon, MI 49444 (owners of 720 E. Isabella Avenue) and Latricia Aikens of 711 E. Isabella Avenue, Muskegon, MI 49442. Approval of this sale will allow these two adjacent property owners to expand their current yards (see map). As is required by City policy, the subject parcel is being offered for \$100, and the lot will be split between Sunset Global Investment Group and Ms. Aikens who will also split the cost of the lot.

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. Sale of Non-buildable Lot at 1220 Langeland Avenue.
PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of a vacant non-buildable lot (Parcel #24-685-006-0006-00) at 1220 Langeland Avenue to Monica Szczerbinski, 1214 Langeland 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 subject parcel is being offered for \$100 to Ms. Szczerbinski.

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.

h. Consideration of Bids, Division Street from Southern to Western Avenue. ENGINEERING

SUMMARY OF REQUEST: The contract for the mill, resurface and watermain construction on Division between Southern & Western be awarded to Diversified Contractors out of Grand Haven since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$173,117.40.

FINANCIAL IMPACT: The construction cost of \$173,117.40 plus associated engineering cost which is estimated at an additoinal 15%.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Award the contract to Diversified Contractors.

i. Designation of Voting Delegate and Alternate Voting Delegate at the MML Convention held September 11 – 13, 2002. CITY CLERK

SUMMARY OF REQUEST: To appoint Mayor Steve Warmington as the Voting Delegate for the City of Muskegon at the September Michigan Municipal League Conference. Also to appoint Vice Mayor Karen Buie as the Alternate Voting Delegate for the Convention.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To appoint the Mayor and Vice Mayor as Voting Delegate and Alternate Voting Delegate at the MML Convention.

COMMITTEE RECOMMENDATION: To appoint Mayor Warmington and Vice Mayor Buie as voting delegate.

j. Approval of Resolution authorizing the sale of the structure at 1706 Jarman. COMMUNITY AND NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community and Neighborhood Services Department to complete the sale of the structure located at 1706 Jarman to Bridget Willis to be used as an owner-occupied single family residence.

FINANCIAL IMPACT: The HOME fund will receive \$74,000 in program income.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution.

COMMITTEE RECOMMENDATION: The Land Reutilization Committee approved the project.

Motion by Commissioner Larson, second by Commissioner Shepherd to approve the Consent Agenda with item e removed.

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

Nays: None

Absent: Schweifler

MOTION PASSED

2002-82 ITEMS REMOVED FROM AGENDA:

e. Reese Field Restroom Bids. LEISURE SERVICES

SUMMARY OF REQUEST: To award the contract to Wolffis Construction for the Reese Field Restroom/Maintenance Building.

FINANCIAL IMPACT: \$119,285.

BUDGET ACTION REQUIRED: None, \$140,000 is budgeted for this project.

STAFF RECOMMENDATION: Approve.

Motion by Commissioner Larson, second by Vice Mayor Buie to not award the contract to Wolffis Construction but to award it to Muskegon Quality Builders for \$119,600.00.

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

Nays: None

Absent: Schweifler

MOTION PASSED

2002-83 PUBLIC HEARINGS:

a. Create a Special Assessment District for Black Creek Road, Sherman North to Latimer. ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the Black Creek Rd., Sherman to Latimer, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To create the special assessment and assign two City Commissioners to the Board of Assessors by adopting the resolution.

The Public Hearing opened at 5:56pm to hear and consider any comments from the public. No comments were heard from the public at this time.

Motion by Vice Mayor Buie, second by Commissioner Spataro to close the Public Hearing at 5:59pm and to create the special assessment by adopting the resolution and assign Mayor Warmington and Commissioner Schweifler to the Board of Assessors.

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

Nays: None

Absent: Schweifler

MOTION PASSED

2002-84 NEW BUSINESS:

a. Designation of City Attorney and Assistant City Attorney. CITY MANAGER

SUMMARY OF REQUEST: To approve a resolution designating John Schrier as the City Attorney and Elizabeth White and James Scheuerle as Assistant City Attorneys. This is necessitated by the retirement of G. Thomas Johnson.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution.

Motion by Commissioner Shepherd, second by Vice Mayor Buie to approve the resolution, designating John Schrier as the City Attorney and Elizabeth White and James Scheuerle as Assistant City Attorneys.

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

Nays: None

MOTION PASSED

b. 911 Ballot Proposal Regarding Muskegon Central Dispatch.
CITY MANAGER

SUMMARY OF REQUEST: To approve a resolution in support of the 911 telephone surcharge proposal on the August 6, 2002 ballot. This proposal would provide a more stable funding source for Central Dispatch Services.

FINANCIAL IMPACT: Passage of the proposal would ease the financial burden for municipalities.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution.

Motion by commissioner Spataro, second by Commissioner Larson to approve the resolution in support of the 911 telephone surcharge proposal on the August 6, 2002 ballot.

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

Nays: None

MOTION PASSED

c. Consideration of Bids, Black Creek Road from Sherman to Latimer. ENGINEERING

SUMMARY OF REQUEST: The contract to mill and resurface Black Creek Rd, from Sherman to Latimer be awarded to Asphalt Paving since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$117,565.88.

FINANCIAL IMPACT: The construction cost of \$117,565.88 plus associated engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Award the contract to Asphalt Paving if the special assessment district is created.

Motion by Commissioner Gawron, second by Commissioner Schweifler to award the contract to Asphalt Paving since they were the lowest, responsible bidder with a bid price of \$117,565.88.

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

Nays: None

MOTION PASSED

d. Waiving the Requirements of Article IV (Soil Stripping & Dumping). ENGINEERING

SUMMARY OF REQUEST: After consultation with the City Attorney, I respectfully request your permission to waive requirements for a public hearing under as outlined in Sec. 26-187 of Article IV. This request is due to the fact that the proposed work, a nominal fill of 7" over the entire area, does not appear to of any significant impact.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Waive the requirements for a public hearing.

Motion by Commissioner Schweifler, second by Commissioner Larson to deny the request to waive the requirements for a public hearing under as outlined in Sec. 26-187 of Article IV.

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

Nays: None

MOTION PASSED

2002-85 CLOSED SESSION: To Discuss Pending Litigation

Motion by Commissioner Larson, second by Vice Mayor Buie to go to closed Session at 6:39pm and discuss Pending Litigation.

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

Nays: None

MOTION PASSED

Motion by Vice Mayor Buie, second by Commissioner Schweifler to go to open session at 6:59pm.

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

Nays: None

MOTION PASSED

Motion by Commissioner Gawron, second by Commissioner Shepherd to direct staff to eliminate left turn lane on Jefferson St. onto Laketon St..

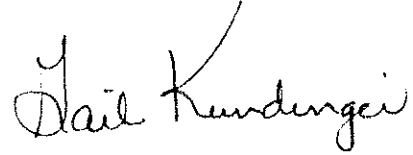
ROLL VOTE: Ayes: Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron, Larson

Nays: None

MOTION PASSED

ADJOURNMENT: The Regular Commission Meeting for the City of Muskegon was adjourned at 7:01 pm.

Respectfully submitted,

A handwritten signature in cursive script, reading "Gail Kunding". The signature is written in dark ink and is positioned above the printed name and title.

Gail Kunding, CMC/AAE
City Clerk

Date: July 9, 2002
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Liquor License Request
Super Stop Food Store
2390 W. Sherman

SUMMARY OF REQUEST: The Liquor Control Commission seeks local recommendation on a request from Karamsar Corporation to transfer ownership of the existing 2001 SDM and SDD license from the current owner Jeffery T. Daugherty.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All Departments are recommending approval.

Affirmative Action
724-6703

Assessor
724-6708

Cemetery
724-6783

Civil Service
724-6716

Clerk
724-6705

June 3, 2002

Engineering
724-6707

To: The City Commission through the City Manager

Finance
724-6713

From: *Anthony L. Kleibecker*
Anthony L. Kleibecker, Chief of Police

Fire Dept.
724-6792

Re: Transfer of ownership for liquor license at 2390 W. Sherman Ave,
Muskegon, MI

C.N. Services
724-6717

The Muskegon Police Department has received a request from the Michigan Liquor Control Commission for an investigation from applicant Karamjit Singh. S and R Kado, L.L.C Karamjit Singh are requesting to transfer ownership of the existing 2001 SDM and SDD license from the current owner, Jeffery T. Daugherty.

Inspections
724-6715

Leisure Service
724-6704

Our department has spoken with Jeffery Daugherty. He stated that he is selling the business to Mr. Singh. On 5-30-02 I spoke with Mr. Karamjit (Tony) Singh who advised me that he is buying the business and is requesting the liquor license to be transferred into his name. Mr. Singh currently resides at 519 Donna St., Building #2, Sparta, Michigan, 49345.

Manager's Office
724-6724

We have searched MPD records and conducted a Criminal History Check and find no reason to deny this request.

Mayor's Office
724-6701

Planning/Zoning
724-6702

TK/cmw

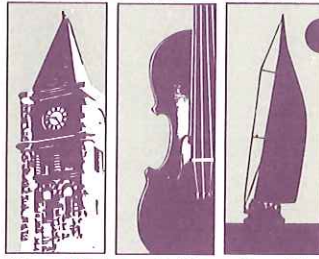
Police Dept.
724-6750

Public Works
726-4786

Treasurer
724-6720

Water Dept.
724-6718

MUSKEGON



West Michigan's Shoreline City



State of Michigan
John Engler, Governor

Department of Consumer & Industry Services
Kathleen M. Wilbur, Director

Liquor Control Commissi
7150 Harris Dri
P.O. Box 300
Lansing, Michigan 48909-75
(517) 322-13
Fax: (517) 322-61

POLICE INVESTIGATION REQUEST
[Authorized by 436.1201(4)]

KAR
5-14-02

DATE: 4-22-02
REQ ID#: 177997

Chief of Police
Muskegon Police Department
980 Jefferson Street
Muskegon Mi 49440

Chief Law Enforcement Officer

Applicant: Karamsar Corporation request to transfer ownership of 2001 SDD-SDM licensed business located at 2390 Sherman, Muskegon, MI 49441, Muskegon County, from Jeffrey T. Daugherty

Please make an investigation of the application. If you find that the applicants are not qualified for licensing, please advise of your reasons in detail. Complete the Police Inspection Report on Liquor License Request, LC-1800, or for Detroit police, the Detroit Police Investigation of License Request, LC-1802. If additional space is needed for your comments, please use the back of the form.

Forward your report and recommendations of the applicant to the Licensing Division.

NO FINGERPRINTS NECESSARY

If you have any questions, contact the Licensing Division at (517) 322-1400.

nll

2002-81 (6)

02-1477

POLICE INSPECTION REPORT ON LIQUOR LICENSE REQUEST

(Authorized by MCL 436.7a)

Michigan Department of Consumer & Industry Services

LIQUOR CONTROL COMMISSION

7150 Harris Drive

P.O. Box 30005

Lansing, Michigan 48909-7505

Important: Please conduct your investigation as soon as possible and complete all four sections of this report.
Return the completed report and fingerprint cards to the Commission.

177997

BUSINESS NAME AND ADDRESS: (include zip code)

KARAMSAR CORPORATION

2390 SHERMAN, MUSKEGON, MI 49441, MUSKEGON COUNTY

REQUEST FOR:

TRANSFER OWNERSHIP OF 2001 SDD-SDM LICENSE FROM JEFFREY T. DAUGHERTY

Section 1.**APPLICANT INFORMATION**

APPLICANT #1:

KARAMJIT SINGH

APPLICANT #2:

HOME ADDRESS AND AREA CODE/PHONE NUMBER:

519 DONNA ST. BLDG. 2

SPARTA, MI 49345 616 887 8381

HOME ADDRESS AND AREA CODE/PHONE NUMBER:

DATE OF BIRTH: 11-4-59

If the applicant is not a U.S. Citizen:

o Does the applicant have permanent Resident Alien status?

☐ Yes ☐ No

o Does the applicant have a Visa? Enter status:

Date fingerprinted:

NO FINGER PRINT NECESSARY

DATE OF BIRTH:

If the applicant is not a U.S. Citizen:

o Does the applicant have permanent Resident Alien status?

☐ Yes ☐ No

o Does the applicant have a Visa? Enter status:

Date fingerprinted:

Attach the fingerprint card and \$15.00 for each card and mail to the Liquor Control Commission.ARREST RECORD: ☐ Felony ☐ Misdemeanor

Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

ARREST RECORD: ☐ Felony ☐ Misdemeanor

Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

Section 2.**Investigation of Business and Address to be Licensed**Can living quarters be reached from the inside of the establishment without going outside? ☐ Yes ☒ No

Does applicant intend to have dancing or entertainment?

☐ No ☐ Yes, complete LC-693N, Police Investigation Report: Dance/Entertainment PermitAre gas pumps on the premises or directly adjacent? ☒ No ☐ Yes, explain relationship:**Section 3.****Local and State Codes and Ordinances, and General Recommendations**Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? ☒ Yes ☐ No

If you are recommending approval subject to certain conditions, list the conditions: (Attach a signed and dated report if more space is needed)

Section 4.**Recommendation**

From your investigation:

1. Is this applicant qualified to conduct this business if licensed?

☒ Yes ☐ No

2. Is the proposed location satisfactory for this business?

☒ Yes ☐ No

3. Should this request be granted by the Commission?

☒ Yes ☐ No

4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police)

Date

JAGRAJ ATHWAL
JENNIFER TABOR
2560 MAPLE WOOD DR.
GRAND RAPIDS, MI 49506

9-91-743
720-743
689588819

7678

DATE 5/30/02

Q DELIVER WALLET OR DUPLICATE

PAY TO THE ORDER OF CITY OF MUSKOGEE \$ 250.00
Two Hundred Fifty dollars DOLLARS

National City.
www.nationalcity.com
National City Bank of Michigan/Illinois
Kalamazoo, Michigan

MEMO KARAMSAR Corp 19m Jorgny An
1390 SHERMAN ST
⑆072000915⑆ 689588819⑆ 7678

Master Visa

MEMO

To: Chief Tony Kleibecker

From: Detective Kurt Dykman

Date: 5-30-02

Re: Transfer of ownership for liquor license at 2390 W. Sherman Ave, Muskegon, MI

Chief Kleibecker,

The Muskegon Police Department has received a request from the Michigan Liquor Control Commission for an investigation from applicant Karamjit Singh.

S and R Kado, L.L.C Karamjit Singh is requesting to transfer ownership of the existing 2001 SDM and SDD license from the currant owner, Jeffery T. Daugherty.

I have spoken with Jeffery Daugherty who stated that he is selling the business to Mr. Singh. On 5-30-02 I spoke with Mr. Karamjit (Tony) Singh who advised me that he is buying the business and is requesting the liquor license to be transferred into his name. Mr. Singh currently resides at 519 Donna St., Building #2, Sparta, Mi. 49345.

I have searched MPD records and conducted a Criminal History Check and find no reason to deny this transfer.

Respectfully submitted,



Det. Kurt Dykman

data/common/Ksingh

LIQUOR LICENSE REVIEW FORM

Business Name: Super Stop Food Store

AKA Business Name (if applicable): _____

Operator/Manager's Name: ^{tony}Karamjit SinghBusiness Address: 2390 Sherman

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐Drop/Add Name on License ☐ Transfer Location ☐Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: 5-21-02Police Department Approved ☒ Denied ☐ No Action Needed ☐Income Tax Approved ☐ Owing ☐ Amount: _____Treasurer Approved ☐ Owing ☐ Amount: _____Zoning Approved ☐ Denied ☐ Pending ZBA ☐Clerk's Approved ☐ Owing ☐ Amount: _____Fire/Inspection Services Compliance ☐ Remaining Defects _____

_____Department Signature R. L. Shellen 6-4-02Gail A. Kundinger, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

Business Name: Super Stop Food Store

AKA Business Name (if applicable): _____

Operator/Manager's Name: Karamjit Singh

Business Address: 2390 Sherman

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: 5-21-02

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☒ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☐ Remaining Defects _____

Department Signature James D. D. 5/14/02

Gail A. Kundinger, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

Business Name: Super Stop Food Store

AKA Business Name (if applicable): _____

Operator/Manager's Name: Karamjit Singh

Business Address: 2390 Sherman

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: 5-21-02

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☒ Owing ☒ Amount: \$ 37.05 - water Bill *pd*

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☐ Remaining Defects _____

Department Signature _____

Gail A. Kundinger, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

Business Name: Super Stop Food Store

AKA Business Name (if applicable): _____

Operator/Manager's Name: Karamjit Singh

Business Address: 2390 Sherman

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: 5-21-02

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☒ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☐ Remaining Defects _____

Department Signature Milo Carter

Gail A. Kundering, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

Business Name: Super Stop Food Store

AKA Business Name (if applicable): _____

Operator/Manager's Name: Karamjit Singh

Business Address: 2390 Sherman

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: 5-21-02

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

Clerk's Approved ☒ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☐ Remaining Defects _____

Department Signature Allen TerBunt

Gail A. Kundinger, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

Business Name: Super Stop Food Store

AKA Business Name (if applicable): _____

Operator/Manager's Name: Karamjit Singh

Business Address: 2390 Sherman

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: 5-21-02

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☒ Remaining Defects _____

Need to call Fire Dept
for Inspection

*ok per Mayor
6-24-02*

Department Signature Gail A. Kundinger

Gail A. Kundinger, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

Business Name: Super Stop Food Store

AKA Business Name (if applicable): _____

Operator/Manager's Name: Karamjit Singh

Business Address: 2390 Sherman

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: 5-21-02

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☒ Remaining Defects _____

RECEIVED

MAY 02 2002

Department Signature

Robert B. Dabinski 5/6/02

Gail A. Kundering, City Clerk
Liquor License Coordinator

Inspector Dept.

Date: July 2, 2002
To: Honorable Mayor and City Commission
From: Community Relations Committee
RE: Appointment to the District Library Board

SUMMARY OF REQUEST: To appoint Rachel McAfee to the District Library Board to fill the unexpired term of Jim Austin.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To appoint Rachel McAfee to the District Library Board

COMMITTEE RECOMMENDATION: To recommend appointment of Rachel McAfee.

CITY OF MUSKEGON
TALENT BANK APPLICATION

Please Type or Print. Applications will be kept on file for one year. All applicants subject to a background check.

NAME: Rachel McAfee DATE: 5/24/02

HOME ADDRESS: 1125 Kampenga Muskegon, MI 49442
(Street, City, State, Zip)

HOME PHONE #: (231) 773-3040 WORK PHONE: (231) 726-4735

OCCUPATION: Family First Therapist
(If retired, give former occupation)

EDUCATION: Sociology and Interdisciplinary degree received from M.S.U.
1997 2000 B.A.

PERSONAL & COMMUNITY ACTIVITIES: Participant in Angels Neighborhood Project 1999

INTEREST IN SERVING: Representation of the young adult population regarding their perspectives for the use and benefits of the library

PERSONAL REFERENCES: (Please list the name and phone numbers of three personal references)

- | | |
|--------------------------------------|---|
| 1. <u>Lois Williams</u>
(Name) | <u>(231) 733-9672 (WK)</u>
(Phone Number) |
| 2. <u>Gilda Wilson</u>
(Name) | <u>(231) 728-8176 (WK) 720-2400</u>
(Phone Number) |
| 3. <u>Shuryvonne Dixon</u>
(Name) | <u>(231) 744-6565</u>
(Phone Number) |

PLEASE INDICATE BOARDS/COMMISSIONS/COMMITTEES INTERESTED IN SERVING ON - MARKING #1 AS YOUR FIRST PREFERENCE:

- | | |
|--|--|
| ☐ Board of Canvassers | ☐ Housing Commission |
| ☐ Board of Review | ☐ Housing Stock Review Committee |
| ☐ Cemetery Committee | ☐ Image Committee |
| ☐ Citizen's Police Review Board | ☐ Income Tax Board of Review |
| ☐ City Employees Pension Board | ☐ Land Reutilization Committee |
| ☐ Civil Service Commission | ☐ Leisure Services Board |
| ☐ CPDB - Citizen's District Council | ☐ Loan Fund Advisory Committee |
| ☒ District Library Board | ☐ Local Develop. Finance Authority |
| ☐ Downtown Development Authority/Brownfield Board | ☐ Local Officer's Compensation Com. |
| ☐ Election Commission | ☐ Mechanical Board of Examiners |
| ☐ Electrical Board of Appeals | ☐ Planning Commission |
| ☐ Enterprise Community Citizen Council | ☐ Plumbing Board of Appeals |
| ☐ Equal Opportunity Committee | ☐ Police/Fireman's Pension Board |
| ☐ Historic District Commission | ☐ Tax Increment Finance Authority |
| ☐ Hospital Finance Authority | ☐ Zoning Board of Appeals |
| ☐ Housing/Building Code Board of Appeals | ☐ Other _____ |

* Attach Additional Sheets or Resume if Desired.

Return this form to:

City Clerk's Office, 933 Terrace St., P. O. Box 536, Muskegon, MI 49443-0536

Date: 6/25/02
To: Honorable Mayor and City Commission
From: Brett Kraley, Equipment Supervisor
RE: Surf Rake Purchase

SUMMARY OF REQUEST: Approval to purchase one Model 600 HD Surf Rake from H. Barber & Sons for \$43,550.00

FINANCIAL IMPACT: Total Cost \$43,550.00

BUDGET ACTION REQUIRED: None. Although the Surf Rake was scheduled for replacement in 2003, our current unit is in need of extensive repair so we decided to move this purchase up to 2002 and delay the purchase of some equipment we had scheduled for this year.

STAFF RECOMMENDATION: Approval to purchase one Model 600 HD Surf Rake.

Memorandum

Date: 6/28/02

To: Robert Kuhn

From: Brett Kraley

RE: Purchase Request

The Surf Rake that we are currently using is eleven years old and has fallen into disrepair. The cost of repairing this unit is \$7000-8000. It was our plan to replace this unit in our 2003 budget.

Due to the critical nature of this piece of equipment we feel that we need to replace it this year. We will need to delay the purchases of some equipment this year to cover this cost so that a budget amendment will not be required.

We have been trying out new models in anticipation of replacing this unit next year and we have had several demonstrations. In conjunction with the Parks Department we have chosen the Barber Greene unit as the unanimous choice for replacing our current model. The cost of this new unit is \$43,550.

Although scheduled for replacement next year, this unit is critical for beach operations and is of higher importance than other scheduled replacements. Therefore, I am requesting that we purchase the Surf Rake this year and use the funds already budgeted for this unit next year to stay on our current replacement schedule.

Commission Meeting Date: July 9, 2002

Date: June 24, 2002
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *CBC*
RE: Sale of Non-buildable Lot at 715 E. Isabella Avenue

SUMMARY OF REQUEST:

To approve the sale of a vacant non-buildable lot (Parcel #24-205-074-0002-10) on E. Isabella Avenue to Sunset Global Investment Group, LLC, of P.O. Box 4119, Muskegon, MI 49444 (owners of 720 E. Isabella Avenue) and Latricia Aikens of 711 E. Isabella Avenue, Muskegon, MI 49442. Approval of this sale will allow these two adjacent property owners to expand their current yards (see attached map). As is required by City policy, the subject parcel is being offered for \$100, and the lot will be split between Sunset Global Investment Group and Ms. Aikens who will also split the cost of the lot.

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 #2002-81(f)

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

WHEREAS, the City of Muskegon has received \$50 each from Sunset Global Investment Group, LLC, P.O. Box 4119, Muskegon, MI 49444 and Latricia Aikens, 711 E. Isabella Avenue, Muskegon, MI 49442 for the purchase of a vacant, City-owned lot located adjacent to their properties at 715 E. Isabella Avenue (parcel #24-205-074-0002-10);

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 E 16 FT LOT 2 BLK 74; and the W 17 FT OF THE E ½ LOT 2 BLK 74 be sold to Sunset Global Investment Group, LLC, and Latricia L. Aikens for \$100.

Resolution adopted this 9th day of July, 2002.

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

Nays: None

Absent: Schweifler (excused)

By: _____

Stephen J. Warmington, Mayor

Attest: _____

Gail A. Kunderinger, Clerk

CERTIFICATION

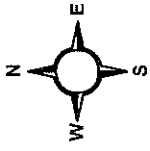
This resolution was adopted at a regular meeting of the City Commission, held on July 9, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

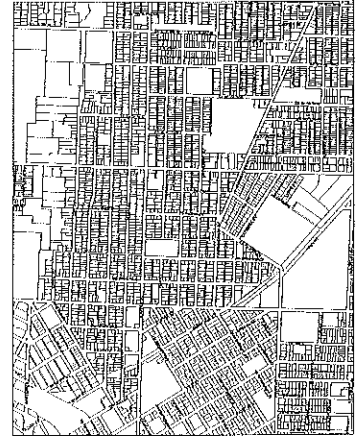
By


Gail A. Kunding, Clerk

**Vacant Unbuildable City-Owned Lot
715 E. Isabella Avenue**



☆= Subject Property(ies)
to be sold



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

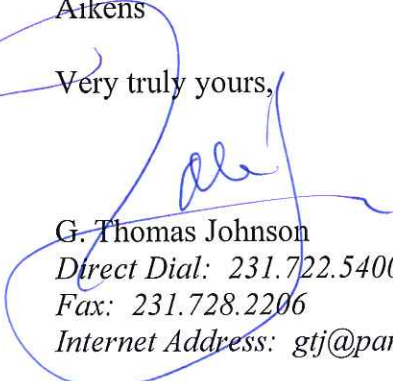
June 27, 2002

Ms. Lonna Anguilm
Planning Department
City Hall
Muskegon, MI

Dear Lonna:

Pursuant to your request, enclosed are Quit-Claim Deeds for signature by the Mayor and Clerk to Sunset Global Investment Group, LLC, and to Latricia L. Aikens

Very truly yours,



G. Thomas Johnson
Direct Dial: 231.722.5400
Fax: 231.728.2206
Internet Address: gtj@parmenterlaw.com

GTJ/mh

Enclosures

QUIT-CLAIM DEED

2002-81(f)

KNOW ALL MEN BY THESE PRESENTS: That the CITY OF MUSKEGON, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to SUNSET GLOBAL INVESTMENT GROUP, LLC, a Michigan limited liability company, of 900 Third Street, Ste. 115, Muskegon, MI 49440,

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

The East 16 feet of Lot 2, Block 74;

for the sum of Fifty (\$50) Dollars.

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 9th day of July, 2002.

Signed in the presence of:

CITY OF MUSKEGON

By [Signature]
Stephen J. Warmington, Its Mayor

and [Signature]
Gail A. Kunderinger, Its Clerk

[Signature]
Linda Potter

[Signature]
Margaret M. Platt

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 15th day of July, 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.

PREPARED BY:

G. Thomas Johnson, Parmenter O'Toole
175 W. Apple Ave., Muskegon, MI 49443-0786
Telephone: 231.722.1621

[Signature]
Linda S. Potter

Notary Public, Muskegon County, Michigan

My commission expires: 9-25-02

WHEN RECORDED RETURN TO: Grantee

SEND SUBSEQUENT TAX BILLS TO: Grantee

QUIT-CLAIM DEED

2002-81(f)

KNOW ALL MEN BY THESE PRESENTS: That the CITY OF MUSKEGON, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to LATRICIA L. AIKENS, of 711 E. Isabella, Muskegon, MI 49442,

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

The West 17 feet of the East 1/2 of Lot 2, Block 74;

for the sum of Fifty (\$50) Dollars.

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 9th day of July, 2002.

Signed in the presence of:

CITY OF MUSKEGON

By Stephen J. Warmington, Its Mayor

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

Linda Potter
Linda Potter
Margaret M. Platt
Margaret M. Platt

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 15th day of July, 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.

PREPARED BY:

G. Thomas Johnson, Parmenter O'Toole
175 W. Apple Ave., Muskegon, MI 49443-0786
Telephone: 231.722.1621

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

WHEN RECORDED RETURN TO: Grantee

SEND SUBSEQUENT TAX BILLS TO: Grantee

QUIT-CLAIM DEED

2002-81(f)

KNOW ALL MEN BY THESE PRESENTS: That the CITY OF MUSKEGON, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to LATRICIA L. AIKENS, of 711 E. Isabella, Muskegon, MI 49442,

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

The West 17 feet of the East 1/2 of Lot 2, Block 74;

for the sum of Fifty (\$50) Dollars.

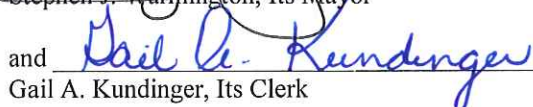
This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

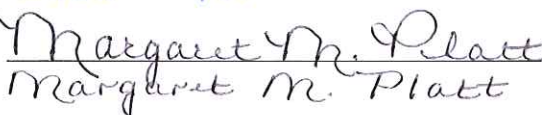
Dated this 9th day of July, 2002.

Signed in the presence of:

CITY OF MUSKEGON

By 
Stephen J. Warmington, Its Mayor

and 
Gail A. Kunderinger, Its Clerk


Linda Potter

Margaret M. Platt

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 24th day of July, 2002, by STEPHEN J. WARMINGTON and GAIL A. KUNDERINGER, Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY:

G. Thomas Johnson, Parmenter O'Toole
175 W. Apple Ave., Muskegon, MI 49443-0786
Telephone: 231.722.1621


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

WHEN RECORDED RETURN TO: Grantee

SEND SUBSEQUENT TAX BILLS TO: Grantee

QUIT-CLAIM DEED

2002-81(f)

KNOW ALL MEN BY THESE PRESENTS: That the CITY OF MUSKEGON, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to SUNSET GLOBAL INVESTMENT GROUP, LLC, a Michigan limited liability company, of 900 Third Street, Ste. 115, Muskegon, MI 49440,

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

The East 16 feet of Lot 2, Block 74;

for the sum of Fifty (\$50) Dollars.

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 9th day of July, 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. Kunding
Gail A. Kunding, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 24th day of July, 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.

PREPARED BY:

G. Thomas Johnson, Parmenter O'Toole
175 W. Apple Ave., Muskegon, MI 49443-0786
Telephone: 231.722.1621

Linda S. Potter
Linda S. Potter

Notary Public, Muskegon County, Michigan
My commission expires: 9-25-02

WHEN RECORDED RETURN TO: Grantee

SEND SUBSEQUENT TAX BILLS TO: Grantee

Commission Meeting Date: July 9, 2002

Date: June 24, 2002
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *abc*
RE: Sale of Non-buildable Lot at 1220 Langeland Avenue

SUMMARY OF REQUEST:

To approve the sale of a vacant non-buildable lot (Parcel #24-685-006-0006-00) at 1220 Langeland Avenue to Monica Szczerbinski, 1214 Langeland 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 subject parcel is being offered for \$100 to Ms. Szczerbinski.

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 #2002-81(g)

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

WHEREAS, the City of Muskegon has received \$100 from Monica Szczerbinski, 1214 Langland Avenue, Muskegon, MI 49442 for the purchase of a vacant, City-owned lot located adjacent to her property at 1220 Langland Avenue (parcel #24-685-006-0006-00);

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 LOT 6 OF BLOCK 6 OF POMONA PARK ADDITION TO THE CITY OF MUSKEGON be sold to Monica Szezerbinski for \$100.

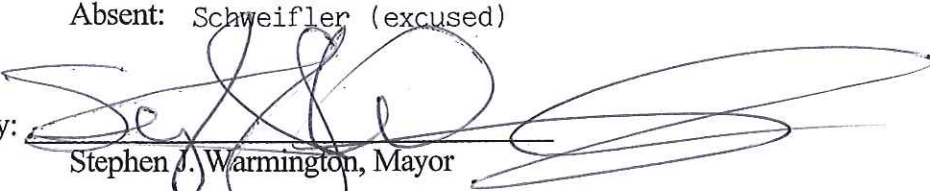
Resolution adopted this 9th day of July, 2002.

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

Nays: None

Absent: Schweifler (excused)

By:


Stephen J. Warmington, Mayor

Attest:


Gail A. Kunderger, Clerk

CERTIFICATION

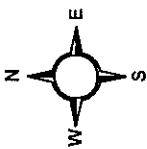
This resolution was adopted at a regular meeting of the City Commission, held on July 9, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

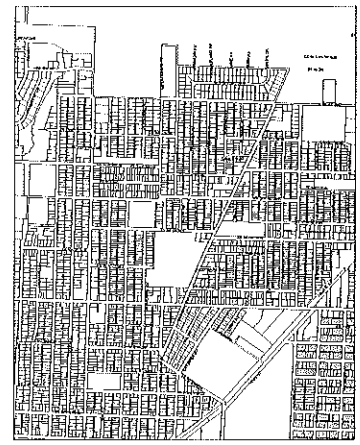
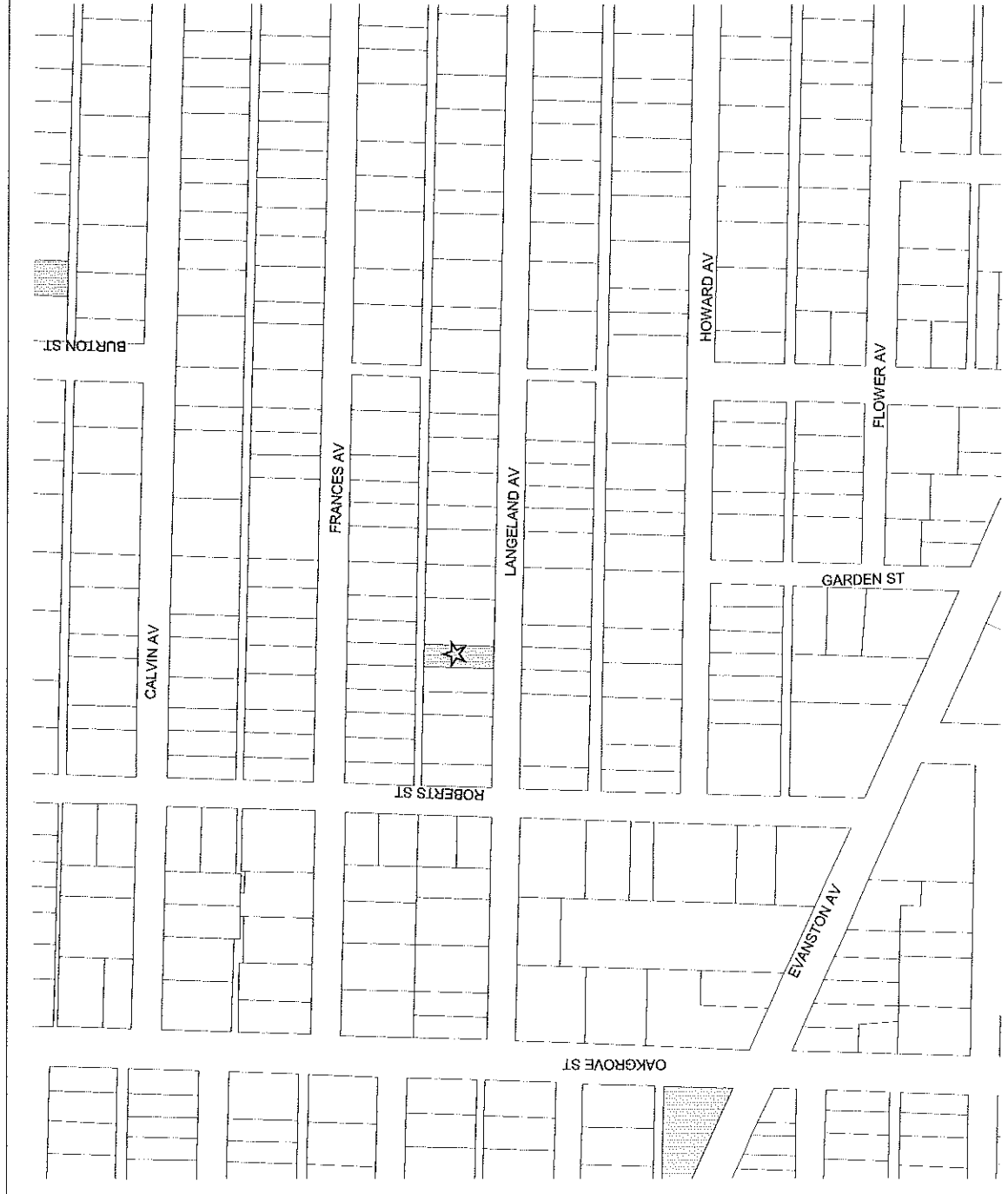
By


Gail A. Kunding, Clerk

Vacant Unbuildable City-Owner Lot to be Sold
1220 Langeland Avenue



☆ = Subject Property(ies)
to be sold



QUIT-CLAIM DEED

2002-81(g)

KNOW ALL MEN BY THESE PRESENTS that The CITY OF MUSKEGON, a municipal corporation, of 933 Terrace Street, Muskegon, MI 49440,

QUIT CLAIMS to MONICA SZCZERBINSKI, of 1214 Langeland Avenue, Muskegon, MI 49442,

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

Lot 6 of Block 6 of POMONA PARK ADDITION to the City of Muskegon;

for the sum of One Hundred (\$100) Dollars.

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 9th day of July, 2002.

Signed in the presence of:

CITY OF MUSKEGON

By 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 31st day of July, 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:

G. Thomas Johnson, Parmenter O'Toole
175 W. Apple Avenue, Muskegon, MI 49443-0786
Telephone: 231.722.1621

Linda S. Potter
Linda S. Potter

Notary Public, Muskegon County, MI

My commission expires: 9-25-02

WHEN RECORDED RETURN TO: Grantee

SEND SUBSEQUENT TAX BILLS TO: Grantee

Date: July 9, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
Division St. from Southern to Western Ave.

SUMMARY OF REQUEST:

The contract for the mill, resurface and watermain construction on Division between Southern & Western be awarded to Diversified Contractors out of Grand Haven since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$173,117.40

FINANCIAL IMPACT:

The construction cost of \$173,117.40 plus associated engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract to Diversified Contractors

COMMITTEE RECOMMENDATION:

DIVISION ST., SOUTHERN AVE. TO WESTERN AVE.

BID TABULATION

04-Jun-02

Contractor Address		Contractors		Diversified Contractors		Jackson-Marrkey		Lakeside					
City State		Muskegon MI		Grand Rapids MI		Muskegon MI		Grand Haven MI					
874 Pulaski Ave.		3435 Broadmoor Ave., S.E.		41 Washington St Ste 268		555 E. Western Ave.		13840 172nd Ave.					
QTY.	UNIT	PRICE	TOTAL	UNIT	PRICE	TOTAL	UNIT	PRICE	TOTAL				
1	ADJUST CATCH BASIN CASTING	5	EACH	\$490.00	\$2,450.00	\$525.00	\$2,625.00	\$175.00	\$875.00	\$475.00	\$2,375.00	\$325.00	\$1,625.00
2	ADJUST MANHOLE CASTING	12	EACH	\$490.00	\$5,880.00	\$525.00	\$6,300.00	\$175.00	\$2,100.00	\$520.00	\$6,240.00	\$325.00	\$3,900.00
3	ADJUST WATER VALVE CASTING	1	EACH	\$400.00	\$400.00	\$375.00	\$375.00	\$150.00	\$150.00	\$460.00	\$460.00	\$125.00	\$125.00
4	AGGREGATE BASE COURSE 22A @ AS NEEDED	50	SQ.YD.	\$9.15	\$457.50	\$9.90	\$495.00	\$10.00	\$500.00	\$7.75	\$387.50	\$10.00	\$500.00
5	BENDS D.C.I. 8" 45° M.J.	2	EACH	\$280.00	\$560.00	\$385.00	\$770.00	\$150.00	\$300.00	\$350.00	\$700.00	\$250.00	\$500.00
6	BENDS D.C.I. 8" 45° M.J.	3	EACH	\$300.00	\$900.00	\$400.00	\$1,200.00	\$175.00	\$350.00	\$475.00	\$1,425.00	\$275.00	\$825.00
7	BIT. WEDGING MIX 3C @ TWO LIFTS	55	TON	\$115.00	\$6,325.00	\$66.90	\$3,679.50	\$70.00	\$3,850.00	\$73.60	\$4,048.00	\$67.00	\$3,685.00
8	BIT. LEVELING MIX 3C @ 165#/S Y.	435	TON	\$21,315.00	\$9,276,750	\$44.28	\$19,261.80	\$48.00	\$20,880.00	\$48.70	\$21,184.50	\$44.50	\$19,357.50
9	BIT. TOP MIX 4C MOD. POLYMER ASPHALT @ 165#/S	435	TON	\$58.00	\$25,230.00	\$57.28	\$24,916.80	\$62.00	\$26,970.00	\$63.00	\$27,405.00	\$57.50	\$25,012.50
10	BORROW FILL	110	CY.YD.	\$7.15	\$786.50	\$7.15	\$786.50	\$8.00	\$880.00	\$8.50	\$935.00	\$12.00	\$1,320.00
11	CATCH BASIN CASTING E.J.#5105 OR EQUAL	1	EACH	\$600.00	\$600.00	\$800.00	\$800.00	\$300.00	\$300.00	\$595.00	\$595.00	\$500.00	\$500.00
12	CATCH BASIN CASTING E.J.#7045 OR EQUAL	7	EACH	\$600.00	\$4,200.00	\$815.00	\$5,705.00	\$400.00	\$2,800.00	\$615.00	\$4,305.00	\$500.00	\$3,500.00
13	CATCH BASIN FLAT TOP	3	EACH	\$1,500.00	\$4,500.00	\$1,500.00	\$4,500.00	\$350.00	\$1,050.00	\$1,590.00	\$4,770.00	\$1,000.00	\$3,000.00
14	CEMENT	6	TON	\$150.00	\$900.00	\$150.00	\$900.00	\$100.00	\$600.00	\$170.00	\$1,020.00	\$156.00	\$936.00
15	CONC. BASE COURSE 8"	488	SQ.YD.	\$39.00	\$19,032.00	\$44.00	\$21,472.00	\$20.00	\$9,760.00	\$36.00	\$17,568.00	\$33.00	\$16,104.00
16	CONC. CURB & GUTTER F-4 MOD.	850	LIN. FT.	\$12.00	\$10,200.00	\$16.00	\$13,600.00	\$16.00	\$13,600.00	\$8.50	\$7,225.00	\$8.50	\$7,225.00
17	CONC. CURB 6"x14"	60	LIN. FT.	\$24.00	\$1,440.00	\$19.50	\$1,170.00	\$12.00	\$720.00	\$10.00	\$600.00	\$11.00	\$660.00
18	CONC. CURB REPAIR	50	LIN. FT.	\$32.00	\$1,600.00	\$58.00	\$2,900.00	\$25.00	\$1,250.00	\$13.00	\$650.00	\$12.00	\$600.00
19	CONC. DRIVE APPROACH 6" STD.	167	SQ.YD.	\$28.00	\$4,676.00	\$29.00	\$4,843.00	\$22.00	\$3,674.00	\$25.75	\$4,300.25	\$25.50	\$4,258.50
20	CONC. SIDEWALK 4"	560	SQ.FT.	\$3.15	\$1,764.00	\$3.00	\$1,680.00	\$4.00	\$2,240.00	\$2.25	\$1,260.00	\$2.15	\$1,204.00
21	CONC. SIDEWALK 6"	921	SQ.FT.	\$3.99	\$3,674.79	\$3.50	\$3,223.50	\$6.00	\$5,526.00	\$3.00	\$2,763.00	\$3.00	\$2,763.00
22	CURB STOP 2" W/ BOX FORD B44-777M OR EQUAL	2	EACH	\$580.00	\$1,160.00	\$350.00	\$700.00	\$300.00	\$600.00	\$260.00	\$520.00	\$500.00	\$1,000.00
23	HYDRANT STD.	2	EACH	\$2,100.00	\$4,200.00	\$1,200.00	\$2,400.00	\$1,500.00	\$3,000.00	\$1,380.00	\$2,760.00	\$1,750.00	\$3,500.00
24	MANHOLE CASTING E.J.#1000 OR EQUAL	2	EACH	\$580.00	\$1,160.00	\$225.00	\$450.00	\$350.00	\$700.00	\$650.00	\$1,300.00	\$400.00	\$800.00
25	MEMBRANE REINFORCEMENT	4510	SQ.YD.	\$3.00	\$13,530.00	\$2.00	\$9,020.00	\$2.00	\$9,020.00	\$2.20	\$9,922.00	\$1.50	\$6,765.00
26	PAVEMENT WARKING WATERBORNE 4" YELLOW	375	LIN. FT.	\$3.90	\$1,462.50	\$2.50	\$937.50	\$3.00	\$1,125.00	\$1.00	\$375.00	\$2.50	\$937.50
27	PAVEMENT PREPARATORY WORK	1388	STA.	\$400.00	\$5,552.00	\$450.00	\$6,246.00	\$480.00	\$6,662.40	\$495.00	\$6,870.60	\$750.00	\$10,410.00
28	PLUGS 8" D.C.I. M.J. W/2" TAP	1	EACH	\$250.00	\$250.00	\$325.00	\$325.00	\$150.00	\$150.00	\$130.00	\$130.00	\$175.00	\$175.00
29	PREPARED SOIL & SEED CLASS A	612	SQ.YD.	\$6.50	\$3,978.00	\$3.00	\$1,836.00	\$2.00	\$1,224.00	\$3.60	\$2,203.20	\$9.00	\$5,508.00
30	RECONSTRUCTING MANHOLE	4	V.F.T.	\$280.00	\$1,120.00	\$350.00	\$1,400.00	\$150.00	\$600.00	\$480.00	\$1,920.00	\$375.00	\$1,500.00
31	REDUCERS 2" TO 1" BRASS	1	EACH	\$115.00	\$115.00	\$200.00	\$200.00	\$100.00	\$100.00	\$50.00	\$50.00	\$75.00	\$75.00
32	REDUCERS 6" TO 4" D.C.I. M.J.	1	EACH	\$225.00	\$225.00	\$325.00	\$325.00	\$250.00	\$250.00	\$185.00	\$185.00	\$250.00	\$250.00
33	REMOVING BIT. SURFACE 0" TO 3" BY COLD MILLING	3925	SQ.YD.	\$2.90	\$11,382.50	\$2.50	\$9,812.50	\$2.60	\$10,205.00	\$2.80	\$10,990.00	\$3.40	\$13,345.00
34	REMOVING CATCH BASIN	44	EACH	\$590.00	\$26,200.00	\$275.00	\$12,100.00	\$300.00	\$12,000.00	\$535.00	\$23,540.00	\$200.00	\$800.00
35	REMOVING CONC. DRIVE APPROACH	224	SQ.YD.	\$11.00	\$2,464.00	\$9.75	\$2,184.00	\$3.00	\$672.00	\$9.75	\$2,184.00	\$5.00	\$1,120.00
36	REMOVING CONC. CURB	42	LIN.FT.	\$12.00	\$504.00	\$7.00	\$294.00	\$10.00	\$420.00	\$14.00	\$588.00	\$5.00	\$210.00
37	REMOVING CONC. SIDEWALK	790	SQ.FT.	\$3.67	\$2,899.30	\$0.85	\$671.50	\$1.00	\$790.00	\$1.45	\$1,145.50	\$4.00	\$3,160.00
38	REMOVING MANHOLES	2	EACH	\$1,200.00	\$2,400.00	\$275.00	\$550.00	\$500.00	\$1,000.00	\$645.00	\$1,290.00	\$200.00	\$400.00
39	REMOVING PAVEMENT 3" BIT. OVER 6" CONC. W/ C	692	SQ.YD.	\$19.00	\$13,148.00	\$25.00	\$17,300.00	\$3.00	\$2,076.00	\$16.80	\$11,625.60	\$9.00	\$6,228.00
40	SLEEVES LONG 6" D.C.I. M.J.	1	EACH	\$400.00	\$400.00	\$900.00	\$900.00	\$150.00	\$150.00	\$450.00	\$450.00	\$250.00	\$250.00
41	SLEEVES LONG 8" D.C.I. M.J.	2	EACH	\$500.00	\$1,000.00	\$1,100.00	\$2,200.00	\$175.00	\$350.00	\$575.00	\$1,150.00	\$300.00	\$600.00
42	STORM SEWER 6" SDR 35 PVC W/ FITTINGS	10	LIN. FT.	\$39.00	\$390.00	\$44.00	\$440.00	\$30.00	\$300.00	\$65.00	\$650.00	\$45.00	\$450.00
43	STORM SEWER 10" SDR 35	74	LIN. FT.	\$44.00	\$3,256.00	\$48.00	\$3,552.00	\$22.00	\$1,628.00	\$23.00	\$1,702.00	\$40.00	\$2,960.00
44	TEE D.C.I. 8" x 8" x 6" M.J.	3	EACH	\$615.00	\$1,845.00	\$450.00	\$1,350.00	\$175.00	\$525.00	\$270.00	\$810.00	\$325.00	\$975.00
45	TEE D.C.I. 8" x 8" x 8" M.J.	1	EACH	\$625.00	\$625.00	\$485.00	\$485.00	\$200.00	\$200.00	\$340.00	\$340.00	\$350.00	\$350.00
46	TRAFFIC CONTROL	1	LUMP	\$5,000.00	\$5,000.00	\$21,595.00	\$21,595.00	\$8,500.00	\$8,500.00	\$12,935.00	\$12,935.00	\$5,500.00	\$5,500.00
47	VALVE 6" GATE M.J. W/BOX	3	EACH	\$750.00	\$2,250.00	\$550.00	\$1,650.00	\$750.00	\$2,250.00	\$660.00	\$1,980.00	\$600.00	\$1,800.00
48	VALVE 8" GATE M.J. W/BOX	1	EACH	\$890.00	\$890.00	\$750.00	\$750.00	\$800.00	\$800.00	\$890.00	\$890.00	\$750.00	\$750.00
49	WATER MAIN TAP 2" W/ CORP. STOP PER DETAIL	2	EACH	\$625.00	\$1,250.00	\$450.00	\$900.00	\$200.00	\$400.00	\$300.00	\$600.00	\$500.00	\$1,000.00
50	WATERMAIN 6" D.C.I. CL. 52	69	LIN. FT.	\$29.00	\$2,001.00	\$38.00	\$2,622.00	\$35.00	\$2,415.00	\$32.00	\$2,208.00	\$26.00	\$1,794.00
51	WATERMAIN 8" D.C.I. CL. 52	659	LIN. FT.	\$38.00	\$25,042.00	\$40.00	\$26,360.00	\$25.00	\$16,475.00	\$43.75	\$28,831.25	\$29.00	\$19,110.00
52	WATER SERVICE 1" TYPE "K" COPPER	2	LIN. FT.	\$22.00	\$44.00	\$37.00	\$74.00	\$50.00	\$100.00	\$22.00	\$44.00	\$25.00	\$50.00
53	WATER SERVICE 2" TYPE "K" COPPER	68	LIN. FT.	\$32.00	\$2,176.00	\$39.00	\$2,652.00	\$10.00	\$680.00	\$24.50	\$1,666.00	\$25.00	\$1,700.00
DIVISION TOTAL					\$230,970.09		\$243,881.60		\$173,117.40		\$221,031.40		\$191,074.00

H-1540 & W-620 DIVISION ST. SOUTHERN to WESTERN

STREET & WATERMAIN IMPROVEMENTS

ENGINEER'S ESTIMATE MAY 03, 2002

	DESCRIPTION	QUANTITY	UNIT	PRICE	PRICE
1	ADJUST CATCH BASIN CASTING	5	EACH	\$425.00	\$2,125.00
2	ADJUST MANHOLE CASTING	12	EACH	\$425.00	\$5,100.00
3	ADJUST WATER VALVE CASTING	1	EACH	\$425.00	\$425.00
4	AGGREGATE BASE COURSE 22A @ AS NEEDED	50	SQ.YD.	\$20.00	\$1,000.00
5	BENDS D.C.I. 6" 45° M.J.	2	EACH	\$200.00	\$400.00
6	BENDS D.C.I. 8" 45° M.J.	3	EACH	\$250.00	\$750.00
7	BIT. WEDGEING MIX 3C @ TWO LIFTS	55	TON	\$65.00	\$3,575.00
8	BIT. LEVELING MIX 3C @ 165#/S.Y.	435	TON	\$50.00	\$21,750.00
9	BIT. TOP MIX 4C MOD. POLYMER ASPHALT @ 165#/S.Y.	435	TON	\$55.00	\$23,925.00
10	BORROW FILL	110	CU.YD.	\$20.00	\$2,200.00
11	CATCH BASIN CASTING E.J.#5105 OR EQUAL	1	EACH	\$550.00	\$550.00
12	CATCH BASIN CASTING E.J.#7045 OR EQUAL	7	EACH	\$550.00	\$3,850.00
13	CATCH BASIN FLAT TOP	3	EACH	\$1,300.00	\$3,900.00
14	CEMENT	6	TON	\$200.00	\$1,200.00
15	CONC. BASE COURSE 8"	488	SQ.YD.	\$30.00	\$14,640.00
16	CONC. CURB & GUTTER F-4 MOD.	850	LIN. FT.	\$10.00	\$8,500.00
17	CONC. CURB 6"x 14"	60	LIN. FT.	\$15.00	\$900.00
18	CONC. CURB REPAIR	50	LIN. FT.	\$20.00	\$1,000.00
19	CONC. DRIVE APPROACH 6" STD.	167	SQ.YD.	\$35.00	\$5,845.00
20	CONC. SIDEWALK 4"	560	SQ.FT.	\$3.00	\$1,680.00
21	CONC. SIDEWALK 6"	921	SQ.FT.	\$4.00	\$3,684.00
22	CURB STOP 2" W/ BOX FORD B44-777M OR EQUAL	2	EACH	\$750.00	\$1,500.00
23	HYDRANT STD.	2	EACH	\$1,500.00	\$3,000.00
24	MANHOLE CASTING E.J.#1000 OR EQUAL	2	EACH	\$550.00	\$1,100.00
25	MEMBRANE REINFORCEMENT	4510	SQ.YD.	\$2.70	\$12,177.00
26	PAVEMENT MARKING WATERBORNE 4" YELLOW	375	LIN. FT.	\$1.50	\$562.50
27	PAVEMENT PREPARATORY WORK	13.88	STA.	\$300.00	\$4,164.00
28	PLUGS 8" D.C.I. M.J. W/ 2" TAP	1	EACH	\$120.00	\$120.00
29	PREPARED SOIL & SEED CLASS A	612	SQ.YD.	\$10.00	\$6,120.00
30	RECONSTRUCTING MANHOLE	4	V.FT.	\$150.00	\$600.00
31	REDUCERS 2" TO 1" BRASS	1	EACH	\$50.00	\$50.00
32	REDUCERS 6" TO 4" D.C.I. M.J.	1	EACH	\$260.00	\$260.00
33	REMOVING BIT. SURFACE 0" TO 3" BY COLD MILLING	3925	SQ.YD.	\$2.00	\$7,850.00
34	REMOVING CATCH BASIN	4	EACH	\$500.00	\$2,000.00
35	REMOVING CONC. DRIVE APPROACH	224	SQ.YD.	\$5.00	\$1,120.00
36	REMOVING CONC. CURB	42	LIN.FT.	\$10.00	\$420.00
37	REMOVING CONC. SIDEWALK	790	SQ.FT.	\$2.50	\$1,975.00
38	REMOVING MANHOLES	2	EACH	\$300.00	\$600.00
39	REMOVING PAVEMENT 3" BIT. OVER 8" CONC. W/ CURB	692	SQ.YD.	\$12.00	\$8,304.00
40	SLEEVES LONG 6" D.C.I. M.J.	1	EACH	\$300.00	\$300.00
41	SLEEVES LONG 8" D.C.I. M.J.	2	EACH	\$350.00	\$700.00
42	STORM SEWER 6" SDR 35 PVC W/ FITTINGS	10	LIN. FT.	\$40.00	\$400.00
43	STORM SEWER 10" SDR 35	74	LIN. FT.	\$35.00	\$2,590.00
44	TEE D.C.I. 8" x 8" x 6" M.J.	3	EACH	\$350.00	\$1,050.00
45	TEE D.C.I. 8" x 8" x 8" M.J.	1	EACH	\$400.00	\$400.00
46	TRAFFIC CONTROL	1	LUMP	\$10,000.00	\$10,000.00
47	VALVE 6" GATE M.J. W/BOX	3	EACH	\$650.00	\$1,950.00
48	VALVE 8" GATE M.J. W/BOX	1	EACH	\$800.00	\$800.00
49	WATER MAIN TAP 2" W/ CORP. STOP PER DETAIL	2	EACH	\$750.00	\$1,500.00
50	WATERMAIN 6" D.C.I. CL. 52	69	LIN. FT.	\$25.00	\$1,725.00
51	WATERMAIN 8" D.C.I. CL. 52	659	LIN. FT.	\$30.00	\$19,770.00
52	WATER SERVICE 1" TYPE "K" COPPER	2	LIN. FT.	\$25.00	\$50.00
53	WATER SERVICE 2" TYPE "K" COPPER	68	LIN. FT.	\$30.00	\$2,040.00
SUBTOTAL					\$202,196.50
15% ENGINEERING					\$30,329.48
TOTAL					\$232,525.98

Date: July 2, 2002
To: Honorable Mayor and City Commission
From: CITY CLERK
RE: Appoint Voting Delegates for the MML Convention

SUMMARY OF REQUEST: To appoint Mayor Steve Warmington as the Voting Delegate for the City of Muskegon at the September Michigan Municipal League Conference. Also to appoint Vice Mayor Karen Buie and the Alternate Voting Delegate for the Convention.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To appoint the Mayor and Vice Mayor as Voting Delegate and Alternate Voting Delegate at the MML Convention.

COMMITTEE RECOMMENDATION: To appoint Mayor Warmington and Vice Mayor Buie as voting delegates.

PLEASE RETURN BY AUGUST 21, 2002

Our official representative at the Annual Business Meeting of the Michigan Municipal League will be:

Name Stephen J. Warmington

Title Mayor

Our alternate official representative will be:

Name Karen D. Buie

Title Vice Mayor

Official action of governing body on July 9, 2002

(date)

Submitted by Gail A. Kunding

Municipality City of Muskegon



June 26, 2002

OFFICIAL NOTICE TO MEMBER CITIES AND VILLAGES
OF THE MICHIGAN MUNICIPAL LEAGUE

(Please present at the next Council or Commission Meeting)

President

ROBERT SLATTERY, JR.
Mayor, Mount Morris

Vice President

FRANKLIN L. CAMPBELL
Mayor, Hastings

Trustees

MARGARET "PEGGY" ARNOLD
Mayor, Manistique

KENNETH BABICH
Mayor, Marlette

C. D. "AL" CAPPUCILLI
Mayor, Monroe

SHEILA COCKREL
Councilmember, Detroit

GRETCHEN DRISKELL
Mayor, Saline

MYRON FRASIER
Council President, Southfield

PATRICIA KILLINGBECK
City Manager, Au Gres

KURT KIMBALL
City Manager, Grand Rapids

KATE LAWRENCE
Mayor, Brighton

JAMES LEIDLEIN
City Manager, Harper Woods

THOMAS MARKUS
City Manager, Birmingham

SPENCER NEBEL
City Manager, Sault Ste. Marie

CAROL SHEETS
Mayor Pro Tem, Wyoming

JAMES SINCLAIR
Councilmember, Rogers City

JOEL THOMPSON
Mayor, Otsego

JOSEPH YUCHASZ
Village President, Elk Rapids

Executive Director

GEORGE D. GOODMAN

Dear Official:

The annual meeting of the members of the Michigan Municipal League will be held in Dearborn, September 11-13, 2002. The business session is scheduled for 10:45 a.m. on Wednesday, September 11, at the Hyatt Regency. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each.
2. Policy. To vote on statements of policy and resolutions properly brought before the annual meeting.
3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the annual meeting, and, if possible, to designate one other official to serve as alternate. After taking this action, please return the enclosed reply card no later than August 21, 2002.

In connection with the designation of an official representative of the member to the annual meeting, your attention is invited to the following provisions of the Bylaws of the Michigan Municipal League:

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

A member of the National League of Cities

Web Address
www.mml.org

Headquarters Office
1675 Green Road, P.O. Box 1487
Ann Arbor, MI 48106-1487
Phone: 734-662-3246
Fax: 734-662-8083

Lansing Office
320 N. Washington Square, Suite 110
Lansing, MI 48933-1288
Phone: 517-485-1314
Fax: 517-372-7476

Northern Field Office
200 Minneapolis Avenue
Gladstone, MI 49837-1931
Phone: 906-428-0100
Fax: 906-428-0101

Commission Meeting Date: July 9, 2002

Date: July 2, 2002
To: Honorable Mayor & City Commission
From: Community and Neighborhood Services
Department W.G.
RE: Approval of Resolution to sale 1706 Jarman

SUMMARY OF REQUEST: To approve the attached resolution and instruct the Community and Neighborhood Services department to complete the sale of the structure located at 1706 Jarman to Bridget Willis to be used as an owner-occupied single family residence.

FINANCIAL IMPACT: The HOME fund will receive \$74,000 in program income.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution

COMMITTEE RECOMMENDATION: the Land Reutilization Committee approved the project.

MUSKEGON CITY COMMISSION

2002-81(j)

RESOLUTION TO APPROVE THE SALE OF
CITY-OWNED PROPERTY AT 1706 JARMAN

WHEREAS, the City of Muskegon is dedicated to the redevelopment of its neighborhoods and;

WHEREAS, the City of Muskegon is dedicated to promoting high quality affordable single-family housing in the community and;

WHEREAS, the City of Muskegon is dedicated to promoting homeownership throughout its neighborhoods;

NOW THEREFORE, BE IT RESOLVED that the City Commission hereby approved the sale of the new constructed home on a former tax-reverted site located at 1706 Jarman to be used as a single family home to Bridget Willis for the price of \$74,000 in its current rehabilitated condition.

Adopted this 2nd day of July, 2002

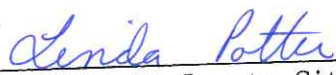
Ayes: Buie, Gawron, Larson, Shepherd, Spataro, Warmington

Nays: None

By


Steve J. Warmington, Mayor

By


Linda Potter, Deputy City Clerk



CERTIFICATION
2002-81(j)

This resolution was adopted at a regular meeting of the City Commission, held on July 9, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Linda Potter
Linda Potter, Deputy City Clerk

Date: July 1, 2002
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: Reese Field Restroom Bids

SUMMARY OF REQUEST:

To award the contract to Wolffis Construction for the
Reese Field Restroom/Maintenance Building

FINANCIAL IMPACT:

\$119,285

BUDGET ACTION REQUIRED:

None, \$140,000 is budgeted for this project

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

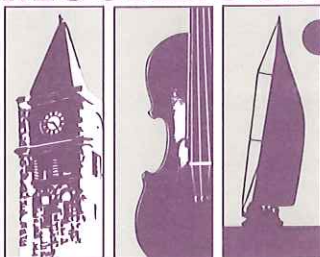
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

Date: July 1, 2002
To: Honorable Mayor and City Commissioners
From: Ric Scott *[Signature]*
Re: Reese Field Restroom Building Bids

On Tuesday, June 25, 2002, five bids were received for the construction of the restroom/maintenance building at Reese Field. The bids received were as follows:

Company	Base bid	Add Alt.
Wolffis Construction	\$119,285	\$8,600
Tridonn Construction	\$129,750	\$7,850
Winberg Construction	\$122,901	\$5,291
Alstrom Construction	\$135,319	\$4,760
Muskegon Quality Blds.	\$119,600	\$5,850

The Add Alt. is to replace the backstop on Reese #1.

\$140,000 is budgeted in this year's Capital Improvement Budget for this project. We have committed approximately \$11,000 for the architects. With a low bid of approximately \$119,000, the total project cost to date is About \$130,000. I would expect there to be some change orders for unforeseen issues, including the city's cost to hook up the water and sewer. The Backstop was not apart of the original project, but Bernadette requested we add it if we could afford it. I cannot recommend we go with the Add Alt at this time.

Therefore, I am recommending the low bid of Wolffis Construction be approved and the contract awarded to them for \$119,285. The Architects are also recommending Wolffis Construction. They have an 84-day project schedule versus a 160-day project schedule for Quality Builders.

I do need to disclose that the President of Wolffis Construction is my stepson.

Thank you for your consideration.

Bidders Addresses

Wolffis Construction Rapids, MI 49548	6505 S. Division	Grand
Alstrom Construction MI 49441	1021 Airport Rd.	Muskegon,
Winberg Construction MI 49437	8868 Water St.	Montague,
Tridonn Construction MI 49442	1461 Evanston	Muskegon,
Muskegon Quality Blds. MI 49444	2837 Peck St.	Muskegon,

Date: July 9, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Public Hearing
Create Special Assessment District for:
Black Creek Rd. Sherman to Latimer

SUMMARY OF REQUEST:

To hold a public hearing on the proposed special assessment of the **Black Creek Rd., Sherman to Latimer**, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project

FINANCIAL IMPACT:

None at this time.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To create the special assessment and assign two City Commissioners to the Board of Assessors by adopting the attached resolution

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2002-83(a)

Resolution At First Hearing Creating Special Assessment District
For **Black Creek Rd. from 563' S. of the CL. Of Olthoff to Latimer.**

Location and Description of Properties to be Assessed:

See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **July 9, 2002** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **July 9, 2002**, there were 37.68% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

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

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.
2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.
3. The City Commission hereby appoints a Board of Assessors consisting of City

Commissioners Warmington and Schweifler
and the City Assessor who are hereby directed to prepare an assessment roll.
Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **45%** of the cost of the street improvement will be paid by special assessments.
5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

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

Nays None

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **July 9, 2002**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

EXHIBIT A

BLACK CREEK FROM SHERMAN BLVD. TO LATIMER

SPECIAL ASSESSMENT DISTRICT

**All properties abutting that section of Black Creek Rd. from 563' S. of the Centerline of
Olthoff to Latimer**

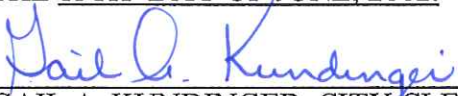
AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

H-1536 BLACK CREEK ROAD, SHERMAN NORTH TO LATIMER

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 13TH DAY OF JUNE, 2002.



GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
15th DAY OF July, 2002.



NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 9-25-02

ENGINEERING FEASIBILITY STUDY

For

BLACK CREEK RD. BETWEEN SHERMAN TO LATIMER

The proposed Milling & resurfacing of Black Creek Rd. between Sherman & Latimer was initiated by the City due to its conditions. The proposed resurfacing, we feel, is necessary to prevent this section of roadway from further deterioration where resurfacing would no longer be a valid option and a complete reconstruction would then be necessary, and subsequently increasing the cost to the property owners as well as to the City.

Facts;

- The section of Black Creek between the Creek & Latimer was constructed in 1989, since then, it has not received any surface improvements
- The section between Sherman and the Creek was constructed back in 1977, since that time, no improvements was performed
- The overall "Pavement Condition Index" (PCI) of the section proposed for improvement is 65 on a scale of 0-100 according to our Pavement Management System.
- That area has seen a considerable increase in commercial/industrial developments in the last 10-15 years which in terns generated additional commercial traffic and a considerable number of patches due to extension of public utilities (water, sewer, gas & telephone services).
- A memorandum from the Assessor's office, which addresses appraisal and benefits to abutting properties, is attached.

The preliminary cost estimate for the work associated with paving is approximately \$300,000 with the length of the project being approximately 2,830 lineal feet or 4,566.75 of assessable footage. This translates into an estimated improvement cost of \$65.69 per assessable foot. The assessment figure will be at a cost not to exceed \$18.00 per assessable foot as established in the 2002 Special Assessment for this type of improvement.

MUSKEGON COUNTY

M I C H I G A N

173 E. APPLE AVE., BUILDING C, MUSKEGON, MICHIGAN 49442
(231) 724-6386
FAX (231) 724-1129

EQUALIZATION DEPARTMENT

BOARD OF COMMISSIONERS

Kenneth J. Hulka, Chair
Bill Gill, Vice Chair
Paul Baade
Douglas Bennett
Nancy G. Frye
James J. Kobza
Louis McMurray
Tony Moulatsiotis
Clarence Start

January 11, 2002

Mohammed Al-Shatel, City Engineer
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

Mr. Al-Shatel:

In accordance with your request, I have examined the proposed special assessment district entailing the milling and resurfacing of Black Creek Drive from Sherman Boulevard to Latimer Drive. The purpose of this analysis is to document the reasonableness of this special assessment district by identifying and quantifying any accrued benefits. It is subject to the normal governmental restrictions of escheat, taxation, police power and eminent domain. The effective date is January 11, 2002. The scope of this assignment entails only those properties located in the City Of Muskegon and listed in Table A. Possible benefits, if any, resulting to Muskegon Township properties are not addressed.

In conclusion, it is my opinion that the special assessment amounts justly and reasonably represents the accrued benefits to the properties encompassed by this project. The amounts reflect the sum of the immediate estimated value enhancement and the intrinsic value that will accrue from an overall increase in property values due to an improved quality of life created by the proposed project. As previously presented, the proposed special assessment district encompasses a mixture of properties, but the front foot rate of \$18.00 appears reasonable in light of analysis that indicates a possible enhancement of \$18.34. The conclusions are based upon the data presented within this limited analysis in restricted format, and on supporting information in my files.

Sincerely,



Jerry A. Groeneveld, CMAE 3
Senior Appraiser

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

June 12th, 2002

OWNER
OWNER ADDRESS
OWNER CITY, STATE ZIPCODE

Parcel Number: at 24-XXX-XXX-XXXX-XX @ XXXX BLACK CREEK RD
NOTICE OF HEARING ON SPECIAL ASSESSMENT

Dear Property Owner:

The Muskegon City Commission is considering whether or not to create a special assessment district which would assess your property for the following paving project:

MILLING & RESURFACING, Black Creek, S of Olthoff to Latimer

The proposed special assessment district will be located as follows:

All parcels abutting Black Creek from 563' South of Olthoff to Latimer

It is proposed that a portion of the above improvement will be paid by special assessment against properties in the aforementioned district. Following are condition of the proposed special assessment which are important to you.

Public Hearings

An initial public hearing to consider the creation of a special assessment district will be held at the City of Muskegon City Commission Chambers on July 9th, 2002 at 5:30 P. You are encouraged to appear at this hearing, either in person, by agent or in writing express your opinion, approval, or objection concerning the proposed special assessment. We are enclosing a Hearing Response Card for you to indicate your agreement or opposition to the special assessment. This card includes the property identification and description, assessable footage per City policy, and the estimated cost of the assessment. You may also appear, as above, in lieu of, or in addition to mailing your response card to the City Clerk. Written objections or appearances must be made at or prior to the hearing. NOTE: THE SPECIAL ASSESSMENT WILL BE CREATED OR NULLIFIED AT THIS HEARING. IT IS IMPORTANT FOR YOU TO COMMENT AT THIS HEARING IF YOU WANT YOUR OPINION COUNTED FOR THE SPECIAL ASSESSMENT.

A second public hearing will be held, if the district is created, to confirm the special assessment roll after the project is completed. You will be mailed a separate notice for the second hearing. At this second hearing the special assessment costs will be spread on the affected properties accordingly. YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT AMOUNT AGAINST YOUR PARCEL EITHER IN WRITING OR IN PERSON AT THIS HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED AT THE SECOND HEARING, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THE INITIAL HEARING OR AT THE SECOND HEARING CONFIRMING THE ROLL, EITHER IN PERSON, BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

By City Charter, if the owners of more than one-half of the properties to be assessed shall object to the assessment in writing at or before the hearing, the improvement shall not be made unless the City Commission determines by affirmative vote of all its members that the safety or health of the public necessitates the improvement.

Estimated Costs

The total estimated cost of the street portion of the project is \$140,000 of which approximately 45% (\$63,021.15) will be paid by special assessment to property owners. Your property's estimated share of the special assessment is shown on the attached hearing response card. The remaining costs will be paid by the City.

The street assessment, which covers improvements to the roadway, may be paid in installments over a period of up to ten (10) years. Any work on drive approaches or sidewalks will be assessed to the property at actual contract prices and these costs may also be paid in installments over ten (10) years. Please note this work is in addition to the street special assessment.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and financial assistance programs available.

I urge you to return the enclosed hearing response card indicating your preference and to attend the scheduled public hearing. Your views are important to the City and to your neighbors. Additional information, including preliminary project plans and cost estimates is available in the Engineering Department located on the second floor of City Hall. Regular business hours are from 8:00 A.M. to 5:00 P.M. Monday through Friday except holidays.

Sincerely,

Mohammed Al-Shatel, P.E.
City Engineer

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT. To have your vote count, please

Return This Card By July 9th, 2002

Project Title: Milling & Resurfacing-Black Creek, Sherman N to Latimer

Project Description: All parcels abutting Black Creek from 563' S of Olthoff N to Latimer

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing. IF YOU DO NOT SEND IN THIS FORM, YOUR VOTE AUTOMATICALLY COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: 2330 BLACK CREEK RD

Parcel Number 24-134-400-0003-10

Assessable Frontage: 0 Feet

Estimated Front Foot Cost: \$13.80 per Foot

ESTIMATED TOTAL COST \$0.00

Property Description

CITY OF MUSKEGON
THAT PART OF NE 1/4 OF SE 1/4 OF SEC 34 T10N R16W
DESC AS FOL
COM AT E 1/4 COR OF SD SEC
TH N 89D 43M 20S W ALG E & W 1/4 LINE 1335.10 FT

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR

☐

I AM OPPOSED

☐

Owner _____	CoOwner/Spouse _____
Signature _____	Signature _____
Address _____	Address _____

Thank you for taking the time to vote on this important issue.

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
SPECIAL ASSESSMENT DISTRICTS

PLEASE TAKE NOTICE that a special assessment district is proposed to be created by the Muskegon City Commission for the following project:

Milling & Resurfacing-Black Creek, Sherman N to Latimer

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

All parcels abutting Black Creek from 563' South of Olthoff to Latimer

It is proposed that a percentage of the cost of the improvement will be paid through special assessments. Preliminary plans and cost estimates are on file in the City Hall in the Engineering Department and may be examined during regular business hours at the Engineering Department between 8:00 A.M. and 5:00 P.M. on weekdays, except holidays.

THE HEARING WILL BE HELD IN THE MUSKEGON CITY COMMISSION CHAMBERS ON July 9th, 2002 at 5:30 P.M.

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

By City Charter, if the owners of more than one-half of the property to be assessed shall object to the assessment in writing at or before the hearing, the improvement shall not be made unless the City Commission determines by affirmative vote of all its members that the safety or health of the public necessitates the improvement.

PUBLISH: JUNE 22, 2002

Gail Kunding, City Clerk
ADA POLICY

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

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

Special Assessment Payment Options

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

I. Lump Sum Payment in Full

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

II. Installment Payments

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

Street and Alley Assessments – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is \$850.00, you will be billed \$85.00 per year plus applicable interest as described below.

Driveway, Sidewalk, and Approach Assessments – Ten (10) years equal annual principal payments plus applicable interest as described below.

Interest – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged your assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

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

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

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

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

IV. Further Information About the Above Programs

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

V. Additional Special Assessment Payment Assistance

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

SPECIAL ASSESSMENT

HEARING DATE July 9th, 2002 H-1536

Milling & Resurfacing-Black Creek, Sherman N to Latimer

24-134-400-0001-00	CONSUMERS ENERGY 4000 CLAY AVE SW	ASSESSABLE FEET:	142.23
@ 2200	BLACK CREEK GRAND RAPIDS MI 49501-020	COST PER FOOT:	\$13.80
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,962.77</u>
24-134-400-0002-00	CITY OF MUSKEGON 933 TERRACE ST	ASSESSABLE FEET:	61.2
@ 2285	BLACK CREEK MUSKEGON MI 49443	COST PER FOOT:	\$13.80
		<u>ESTIMATED P.O. COST:</u>	<u>\$844.56</u>
24-134-400-0002-10	SIGN CRAFTERS 2325 BLACK CREEK	ASSESSABLE FEET:	300
@ 2325	BLACK CREEK MUSKEGON MI 49442-000	COST PER FOOT:	\$13.80
		<u>ESTIMATED P.O. COST:</u>	<u>\$4,140.00</u>
24-134-400-0002-20	TRACE ENVIRONMENTAL SER 2241 BLACK CREEK	ASSESSABLE FEET:	396.33
@ 2241	BLACK CREEK MUSKEGON MI 49442-000	COST PER FOOT:	\$13.80
		<u>ESTIMATED P.O. COST:</u>	<u>\$5,469.35</u>
24-134-400-0002-30	CITY OF MUSKEGON 933 TERRACE ST	ASSESSABLE FEET:	124.35
@ 2400	BLACK CREEK MUSKEGON MI 49443	COST PER FOOT:	\$13.80
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,716.03</u>
24-134-400-0003-00	SOUTH SHORE PROPERTIES 2300 BLACK CREEK	ASSESSABLE FEET:	658.3
@ 2300	BLACK CREEK MUSKEGON MI 49444-000	COST PER FOOT:	\$13.80
		<u>ESTIMATED P.O. COST:</u>	<u>\$9,084.54</u>

HEARING DATE

July 9th, 2002 H-1536

Milling & Resurfacing-Black Creek, Sherman N to Latimer

24-134-400-0003-10	CITY OF MUSKEGON 933 TERRACE ST @ 2330 BLACK CREEK MUSKEGON MI 49443	ASSESSABLE FEET: 0 COST PER FOOT: \$13.80 <u>ESTIMATED P.O. COST:</u> \$0.00
24-134-400-0006-00	BJE L L C 1985 E LAKETON AVE @ 2350 BLACK CREEK MUSKEGON MI 49442-000	ASSESSABLE FEET: 285 COST PER FOOT: \$13.80 <u>ESTIMATED P.O. COST:</u> \$3,933.00
24-693-000-0036-00	BEKAERT STEEL WIRE CORP 2121 LATIMER DR @ 2121 LATIMER DR MUSKEGON MI 49442	ASSESSABLE FEET: 598.45 COST PER FOOT: \$13.80 <u>ESTIMATED P.O. COST:</u> \$8,258.61
24-694-000-0038-00	R S B PROPERTY L L C 2265 BLACK CREEK RD. @ 2265 BLACK CREEK MUSKEGON MI 49444	ASSESSABLE FEET: 1045.56 COST PER FOOT: \$13.80 <u>ESTIMATED P.O. COST:</u> \$14,428.73
24-694-000-0039-00	REID TOOL SUPPLY CO 2265 BLACK CREEK RD @ 2246 OLTHOFF ST MUSKEGON MI 49444	ASSESSABLE FEET: 366 COST PER FOOT: \$13.80 <u>ESTIMATED P.O. COST:</u> \$5,050.80
24-694-000-0053-00	STATE OF MICHIGAN PO BOX 30050 @ 2225 OLTHOFF ST LANSING MI 48909	ASSESSABLE FEET: 0 COST PER FOOT: \$13.80 <u>ESTIMATED P.O. COST:</u> \$0.00
24-695-000-0055-00	WESTSHORE ENG & SURVEY 2534 BLACK CREEK ROAD @ 2534 BLACK CREEK MUSKEGON MI 49442-000	ASSESSABLE FEET: 280 COST PER FOOT: \$13.80 <u>ESTIMATED P.O. COST:</u> \$3,864.00

HEARING DATE July 9th, 2002 H-1536

Milling & Resurfacing-Black Creek, Sherman N to Latimer

24-695-000-0056-00	MUNN PROPERTIES LLC	ASSESSABLE FEET:	309.33
	1489 US31 NORTH	COST PER FOOT:	\$13.80
@ 2541	BLACK CREEK TRAVERSE CITY MI 49686	<u>ESTIMATED P.O. COST:</u>	<u>\$4,268.75</u>

SUM OF ASSESSABLE FOOTAGE:	<u>4566.75</u>	<u>SUM OF ESTIMATED P.O. COST:</u>	<u>\$63,021.15</u>
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TOTAL NUMBER OF ASSESSABLE PARCELS 14

PARCEL WITH \$0.00 TOTAL ARE EXEMPT

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT. To have your vote count, please

Return This Card By July 9th, 2002

Project Title: Milling & Resurfacing-Black Creek, Sherman N to Latimer

Project Description: All parcels abutting Black Creek from 563' S of Olthoff N to Latimer

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing. IF YOU DO NOT SEND IN THIS FORM, YOUR VOTE AUTOMATICALLY COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: 2541 BLACK CREEK RD

Parcel Number 24-695-000-0056-00

Assessable Frontage: 309.33 Feet

Estimated Front Foot Cost: \$13.80 per Foot

ESTIMATED TOTAL COST \$4,268.75

RECEIVED

JUN 26 2002

City Clerks Office

Property Description

PORT CITY INDUSTRIAL CENTER NO 5 LOT 56

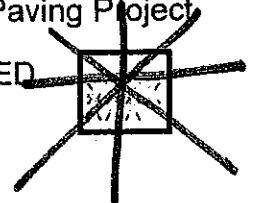
Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR

☐

I AM OPPOSED



Owner

ROBERT MUNN SR

Owner/Spouse

ROBERT MUNN JR

Signature

Robert J. Munn

Signature

[Signature]

Address

1489 U.S. 31 NO
TRAVERSE CITY, MI 49686

Address

SAME

Thank you for taking the time to vote on this important issue.

MUNN PROPERTY

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT. To have your vote count, please

Return This Card By July 9th, 2002

Project Title: Milling & Resurfacing-Black Creek, Sherman N to Latimer

Project Description: All parcels abutting Black Creek from 563' S of Olthoff N to Latimer

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing. IF YOU DO NOT SEND IN THIS FORM, YOUR VOTE AUTOMATICALLY COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: 2246 OLTHOFF ST

Parcel Number 24-694-000-0039-00

Assessable Frontage: 366 Feet

Estimated Front Foot Cost: \$13.80 per Foot

ESTIMATED TOTAL COST \$5,050.80

RECEIVED

JUN 24 2002

City Clerks Office

Property Description

CITY OF MUSKEGON
PORT CITY INDUSTRIAL CENTER #4
LOTS 39 AND 40

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner Rapid Tool Supply Co CoOwner/Spouse _____

Signature [Signature] Signature _____

Address 2246 BLACK CREEK Address _____

Thank you for taking the time to vote on this important issue.

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT. To have your vote count, please

Return This Card By July 9th, 2002

Project Title: Milling & Resurfacing-Black Creek, Sherman N to Latimer

Project Description: All parcels abutting Black Creek from 563' S of Olthoff N to Latimer

INSTRUCTIONS

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Assessment Information

Property Address: 2241 BLACK CREEK RD

Parcel Number 24-134-400-0002-20

Assessable Frontage: 396.33 Feet

Estimated Front Foot Cost: \$13.80 per Foot

ESTIMATED TOTAL COST \$5,469.35

RECEIVED

JUN 24 2002

City Clerks Office

Property Description

THAT PT OF NW 1/4 OF SE 1/4 SEC 34, T10N, R16W DESC AS FOL: COM AT E 1/4 COR SD SEC TH N 89 DEG 43 MIN 20 SEC W ALG E & W 1/4 LINE SD SEC 1401.10 FT TO SE COR OF LOT 37 PORT CITY INDUSTRIAL CENTER NO 3 TH S 00 DEG 36 MIN 10 SEC W ALG W LINE OF BLACK CREEK RD 69.67 FT TO S LINE OF CONSUMERS POWER CO PROP AS DESC IN A DEED RECORDED LIBER 1006 PAGE 153, FOR POB, TH N 87 DEG 13 MIN 22 SEC W ALG SD S LINE 84.22 FT TO A PT WHICH IS 66 FT S OF SD E & W 1/4 LINE, TH N 89 DEG 43 MIN 20 SEC W PAR TO SD E & W 1/4 LINE 80.84 FT, TH S 00 DEG 36 MIN 10 SEC W 400 FT

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR



I AM OPPOSED



Owner

R. Bruce Pelletier

CoOwner/Spouse

Signature

R. Bruce Pelletier

Signature

Address

2241 Black Creek Rd

Address

Thank you for taking the time to vote on this important issue.

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT. To have your vote count, please

Return This Card By July 9th, 2002

Project Title: Milling & Resurfacing-Black Creek, Sherman N to Latimer

Project Description: All parcels abutting Black Creek from 563' ~~St. Olmstead N to Latimer~~

RECEIVED

JUN 20 2002

INSTRUCTIONS

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City Clerks Office

Assessment Information

Property Address: 2265 BLACK CREEK RD

Parcel Number 24-694-000-0038-00

Assessable Frontage: 1045.56 Feet

Estimated Front Foot Cost: \$13.80 per Foot

ESTIMATED TOTAL COST \$14,428.73

Property Description

LOT 38 PORT CITY IND CTR #4 ALSO INCL THAT PART OF NW 1/4 OF SE 1/4 SEC 34 T10N R16W LYING S OF C/L OF LITTLE BLACK CREEK AND N OF LOT 38 PORT CITY IND CTR #4

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner RSB PROPERTY LLC Owner/Spouse _____

Signature John L. Bennett

Signature _____

Address 2265 Black Creek

Address _____

Thank you for taking the time to vote on this important issue.

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT. To have your vote count, please

Return This Card By July 9th, 2002

Project Title: Milling & Resurfacing-Black Creek, Sherman N to Latimer

Project Description: All parcels abutting Black Creek from 563' S of Olthoff N to Latimer

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing. IF YOU DO NOT SEND IN THIS FORM, YOUR VOTE AUTOMATICALLY COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: 2325 BLACK CREEK RD

Parcel Number 24-134-400-0002-10

Assessable Frontage: 300 Feet

Estimated Front Foot Cost: \$13.80 per Foot

ESTIMATED TOTAL COST \$4,140.00

Property Description

THAT PT OF NW 1/4 OF SE 1/4 SEC 34, T10N, R16W DESC AS FOL: COM AT E 1/4 COR OF SD SEC, TH N 89 DEG 43 MIN 20 SEC W ALG E & W 1/4 LINE OF SD SEC 1401.10 FT TO SE COR OF LOT 37 PORT CITY IND CENTER NO 3, TH S 00 DEG 36 MIN 10 SEC W ALG W LINE OF BLACK CREEK RD 530 FT FOR POB, TH N 89 DEG 43 MIN 20 SEC W 140 FT, TH S 00 DEG 36 MIN 10 SEC W 300 FT, TH S 89 DEG 43 MIN 20 SEC E 140 FT TO W LINE OF SD BLACK CREEK RD, TH N 00 DEG 36 MIN 10 SEC E ALG SD W LINE 300 FT TO POB. CONT 0.96 ACRES. E 10 FT THEREOF RESERVED FOR A PRIVATE EASEMENT FOR PUBLIC UTILITIES.

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR



RECEIVED

I AM OPPOSED



JUN 19 2002

City Clerks Office

Owner

Lignacrafters Inc

CoOwner/Spouse

Signature

Stephen M. Anderson

Signature

Address

2325 BLACK CREEK RD

Address

Thank you for taking the time to vote on this important issue.

H-1536 BLACK CREEK, SHERMAN TO LATIMER

2ND PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

FEET	PERCENTAGE	TOTAL NUMBER OF PARCELS - 14									
		FOR					OPPOSE				
		LETTER#	ST#	ST NAME	PARCEL#	FEET	LETTER#	ST#	ST NAME	PARCEL#	FEET
TOTAL ASSESSABLE FRONT FOOTAGE	4566.750 ***	5	2325	BLACK CREEK	24-134-400-0002-10	300.00	6	2285	BLACK CREEK	24-694-000-0038-00	1045.56
FRONT FEET OPPOSED	1720.89	3	2241	BLACK CREEK	24-134-400-0002-20	396.33	10	2246	OLTHOFF	24-694-000-0039-00	366.00
RESPONDING FRONT FEET IN FAVOR	696.330						7	2541	BLACK CREEK	24-695-000-0056-00	309.33
NOT RESPONDING - FRONT FEET IN FAVOR	2149.530										
TOTAL FRONT FEET IN FAVOR	2845.860										

TOTALS

696.33

1720.89

TABULATED AS OF: 07/09/02 04:58 PM

AGENDA ITEM NO. _____

CITY COMMISSION MEETING 6/25/02

TO: Honorable Mayor and City Commissioners
FROM: Bryon L. Mazade, City Manager
DATE: June 24, 2002
RE: Designation of City Attorney and Assistant City Attorney

SUMMARY OF REQUEST:

To approve a resolution designating John Schrier as the City Attorney and Elizabeth White and James Scheuerle as Assistant City Attorneys. This is necessitated by the retirement of G. Thomas Johnson.

FINANCIAL IMPACT:

None.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the attached resolution.

COMMITTEE RECOMMENDATION:

None.

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

July 18, 2002

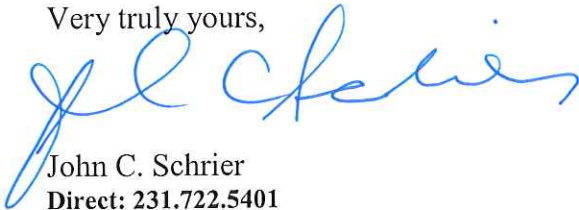
Ms. Gail A. Kunding
City Clerk
City of Muskegon
P.O. Box 536
Muskegon, MI 49443-0536

Re: Legal Services

Dear Ms. Kunding:

Enclosed please find two original contracts between the City of Muskegon and Parmenter O'Toole.

Very truly yours,



John C. Schrier

Direct: 231.722.5401

Fax: 231.728.2206

E-Mail Address: jcs@parmenterlaw.com

Enclosures

FIRST AMENDMENT TO AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT is made between the CITY OF MUSKEGON, hereinafter called "the City," and PARMENTER O'TOOLE, P.C., hereinafter known as "the Law Firm," JOHN C. SCHRIER, ELIZABETH R. WHITE and JAMES R. SCHEUERLE, the law firm and the said persons being sometimes referred to collectively as "the attorneys."

1. The City of Muskegon and Law Firm have executed an Agreement for Legal Services, being effective from January 1, 2001 through December 31, 2003, which provides for the office of City Attorney and the naming the City Attorney and the Assistant City Attorneys.

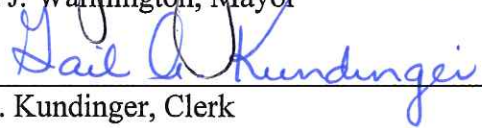
2. Due to the retirement of G. Thomas Johnson, the Agreement for Legal Services is amended to name John C. Schrier as City Attorney, and Elizabeth R. White and James R. Scheuerle as Assistant City Attorneys, pursuant to charter.

3. In all other respects the Agreement for Legal Services remains as originally executed on March 2, 2001

IN WITNESS WHEREOF, the parties execute this agreement this 9th day of July, 2002.

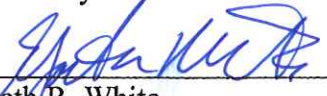
CITY OF MUSKEGON

By 
Steven J. Warrington, Mayor

And 
Gail A. Kunderger, Clerk

PARMENTER O'TOOLE

By 
John C. Schrier
City Attorney

By 
Elizabeth R. White
Assistant City Attorney

By 
James R. Scheuerle
Assistant City Attorney

AGENDA ITEM NO. _____
CITY COMMISSION MEETING 7/9/02

TO: Honorable Mayor and City Commissioners
FROM: Bryon L. Mazade, City Manager
DATE: June 27, 2002
RE: 9-1-1 Ballot Proposal Regarding Muskegon Central Dispatch

SUMMARY OF REQUEST:

To approve a resolution in support of the 911 telephone surcharge proposal on the August 6, 2002 ballot. This proposal would provide a more stable funding source for central dispatch services.

FINANCIAL IMPACT:

Passage of the proposal would ease the financial burden for municipalities.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the resolution.

COMMITTEE RECOMMENDATION:

Central Operations for Police Services Muskegon Central Dispatch

City of
Montague

City of
Muskegon

City of
Muskegon
Heights

County of
Muskegon

Michigan
State Police

Muskegon
Charter
Township

City of
North
Muskegon

City of
Norton
Shores

City of
Roosevelt
Park

City of
Whitehall

June 13, 2002

TO: All Public Agency Officials

FROM: Dennis Stepke, Chairman
Muskegon Central Dispatch Board of Directors

SUBJECT: 9-1-1 BALLOT PROPOSAL REGARDING MUSKEGON CENTRAL
DISPATCH

As you are aware, the August 6th election will bring a proposal before the people of Muskegon County that is critical for Muskegon 9-1-1 Central Dispatch.

The issue concerns the funding of Central Dispatch capital improvements with a telephone surcharge. In July of 1972 Central Operations for Police Services began operating as one of the first centralized dispatch services in the United States and the only one in the State of Michigan. It was also the first dispatch agency to implement 9-1-1 service in Michigan. Since that time, Muskegon 9-1-1 Central Dispatch has exceeded most of our expectations as a communication center for all police, fire and emergency medical services in Muskegon County.

The purpose of this letter to your board or commission is to seek your support for this proposal. The Central Dispatch Board of Directors has prepared a Resolution for your consideration. What we hope to do is publish this support before the election to indicate that we are solidly behind the passage of this proposal. No public money will be used to promote the passage.

To allow us to get this message out to the residents of the County, we are asking for your action on the Resolution no later than July 12th, 2002. Please return it to:

Muskegon Central Dispatch
P O Box 626
Muskegon Michigan 49443

Thank you for your support!

Resolution

2002-84(b)

WHEREAS, The (Township) (City) of City of Muskegon, Muskegon County, Michigan, hereby recognizes the importance of our emergency services we provide for our citizens, and;

WHEREAS, we understand the importance of the emergency dispatching of our police, fire and ambulance services for our citizens;

WHEREAS, we further appreciate the need of equitably distributing the funding of emergency 9-1-1 services to all members of the Muskegon County Community.

NOW THEREFORE BE IT RESOLVED that the financial support by the residents of Muskegon County for Muskegon 9-1-1 Central Dispatch is a primary concern of this governmental body.

BE IT FURTHER RESOLVED that the City of Muskegon supports the funding of Muskegon 9-1-1 Central Dispatch by the passage of the phone line surcharge request as being offered at the August 6, 2002 election.

Resolution declared adopted on this 9th day of July, 2002.


Stephen J. Warmington, Mayor


Gail A. Kunderger, City Clerk

CERTIFICATION
2002-84(b)

This resolution was adopted at a regular meeting of the City Commission, held on July 9, 2002. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kunding
Gail A. Kunding, City Clerk

Muskegon



DELEGATES

**DELEGATES TO
COUNTY CONVENTION**
(NOTE FOR NOT MORE THAN TEN)

_____	←	■
_____	←	■
_____	←	■
_____	←	■
_____	←	■
_____	←	■
_____	←	■
_____	←	■
_____	←	■
_____	←	■

**PROPOSAL
SECTION**

PROPOSAL 02-2

**A PROPOSAL TO ALLOW
CERTAIN PERMANENT AND
ENDOWMENT FUNDS TO BE
INVESTED AS PROVIDED BY LAW
AND INCREASE ALLOWED
SPENDING FOR STATE PARKS,
LOCAL PARKS AND
OUTDOOR RECREATION**

The proposed constitutional amendment would:

- Allow certain permanent and endowment funds, including Natural Resources Trust Fund, State Parks Endowment Fund and Veterans Trust Fund, to be invested as provided by law, eliminating prior restriction on investing in stocks.
- Increase Natural Resources Trust Fund cap on assets from \$400 million to \$600 million.
- Allow the Natural Resources Trust Fund to continue to annually expend up to 33-1/3% of fund royalties or other revenues, up to a new asset cap of \$500 million.
- Increase allowed State Parks Endowment Fund spending to include interest and earnings and up to 50% of funds received from Natural Resources Trust Fund.

Should this proposal be adopted?

YES ← ■

NO ← ■

**MUSKEGON COUNTY
TELEPHONE SURCHARGE
FOR CENTRAL DISPATCH**

Shall Muskegon County be authorized to assess sixteen percent (16%) of the highest monthly flat rate charged by a telephone service provider for a one-party access line within Muskegon County for a period not to exceed five (5) years, commencing October 1, 2002 and concluding September 30, 2007; said revenues to be distributed by County to "Central Dispatch" pursuant to Agreement for Distribution.

FOR THE TAX LEVY ← ■

AGAINST THE TAX LEVY ← ■

Date: July 9, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
Black Creek Rd. from Sherman to Latimer

SUMMARY OF REQUEST:

The contract to mill and resurface Black Creek Rd. from Sherman to Latimer be awarded to Asphalt Paving since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$117,565.88.

FINANCIAL IMPACT:

The construction cost of \$117,565.88 plus associated engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract to Asphalt Paving if the **special assessment district is created**.

COMMITTEE RECOMMENDATION:

H-1536 Black Creek- Sherman to Latimer

MILLING AND RESURFACING

BID TABULATION

DESCRIPTION	QTY	UNIT	WOODLAND		JACKSON MERKEY		ASPHALT PAVING		C&D HUGHES		FELCO		REITH RILEY	
			UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1 ADJUST MANHOLE CASTING	21	EACH	\$375.00	\$7,875.00	\$425.00	\$8,925.00	\$425.00	\$8,925.00	\$400.00	\$8,400.00	\$350.00	\$7,350.00	\$470.00	\$9,870.00
2 ADJUST WATER VALVE CASTINGS	13	EACH	\$365.00	\$4,745.00	\$330.00	\$4,290.00	\$330.00	\$4,290.00	\$400.00	\$5,200.00	\$300.00	\$3,900.00	\$350.00	\$4,550.00
3 BITUMINOUS BASE COURSE 2C @ 440M/S.YD	12	TON	\$45.00	\$540.00	\$49.50	\$594.00	\$45.00	\$540.00	\$45.00	\$540.00	\$85.00	\$1,020.00	\$80.00	\$960.00
4 BIT. LEVELING MIX 3C @ 165M/S.Y.	927	TON	\$35.15	\$32,584.05	\$38.65	\$35,828.55	\$28.95	\$26,836.65	\$35.15	\$32,584.05	\$36.00	\$33,372.00	\$38.45	\$35,643.15
5 BIT. TOP MIX 4C POLYMER MOD @ 220M/S.Y.	1229	TON	\$33.82	\$41,564.78	\$37.20	\$45,718.80	\$37.80	\$46,458.20	\$33.82	\$41,564.78	\$46.00	\$56,534.00	\$36.50	\$44,858.50
6 CATCH BASIN CASTING E.J.#7045 OR EQUAL	1	EACH	\$400.00	\$400.00	\$550.00	\$550.00	\$550.00	\$550.00	\$475.00	\$475.00	\$500.00	\$500.00	\$550.00	\$550.00
7 CATCH BASIN-2 INLET	1	EACH	\$600.00	\$600.00	\$1,245.00	\$1,245.00	\$1,245.00	\$1,245.00	\$800.00	\$800.00	\$1,400.00	\$1,400.00	\$1,300.00	\$1,300.00
8 CONC. CURB & GUTTER F-4 MODIFIED.	72	LIN. FT.	\$35.00	\$2,520.00	\$18.00	\$1,296.00	\$20.00	\$1,440.00	\$20.00	\$1,440.00	\$29.00	\$2,088.00	\$25.00	\$1,800.00
9 MANHOLE CASTING. E.J.#1000 OR EQUAL	3	EACH	\$300.00	\$900.00	\$575.00	\$1,725.00	\$575.00	\$1,725.00	\$500.00	\$1,500.00	\$320.00	\$960.00	\$575.00	\$1,725.00
20 PAVEMENT PREPARATORY WORK	28.3	STA	\$300.00	\$8,490.00	\$165.00	\$4,668.50	\$150.00	\$4,245.00	\$325.00	\$9,197.50	\$225.00	\$6,367.50	\$87.00	\$2,462.10
11 PAVEMENT MARKING	707.5	LIN. FT.	\$2.00	\$1,415.00	\$2.15	\$1,521.13	\$1.85	\$1,319.63	\$1.25	\$884.38	\$3.40	\$2,405.50	\$2.00	\$1,415.00
12 PREPARED TOP SOIL & SEED, CLASS A	80	S YDS	\$6.00	\$480.00	\$4.25	\$340.00	\$4.25	\$340.00	\$5.00	\$400.00	\$32.00	\$2,560.00	\$4.25	\$340.00
13 RECONSTRUCTING MANHOLES	3	V. FT	\$250.00	\$750.00	\$495.00	\$1,485.00	\$495.00	\$1,485.00	\$400.00	\$1,200.00	\$150.00	\$450.00	\$500.00	\$1,500.00
14 REMOVING BIT. SURFACE (3'-4')	10598	SQ. YD.	\$1.97	\$20,878.06	\$1.30	\$13,777.40	\$0.80	\$8,478.40	\$2.00	\$21,196.00	\$1.85	\$19,606.30	\$0.85	\$9,006.30
15 REMOVING CONC. CURB & GUTTER	80	LIN. FT.	\$10.00	\$800.00	\$5.75	\$460.00	\$5.75	\$460.00	\$6.00	\$480.00	\$23.00	\$1,840.00	\$5.75	\$460.00
16 STORM SEWER 10" CL32 DCI	5	LIN. FT.	\$35.00	\$175.00	\$45.00	\$225.00	\$45.00	\$225.00	\$60.00	\$300.00	\$28.00	\$140.00	\$50.00	\$250.00
17 TRAFFIC CONTROL	1	LUMP	\$11,500.00	\$11,500.00	\$5,445.00	\$5,445.00	\$8,075.00	\$8,075.00	\$4,500.00	\$4,500.00	\$5,800.00	\$5,800.00	\$12,000.00	\$12,000.00
18 WATER VALVE BOX AND COVER COMPLETE	2	EACH	\$250.00	\$500.00	\$435.00	\$870.00	\$435.00	\$870.00	\$400.00	\$800.00	\$550.00	\$1,100.00	\$480.00	\$960.00
TOTALS				\$136,716.89		\$128,965.38		\$117,565.88		\$131,561.71		\$147,168.30		\$129,652.05

ENGINEER'S ESTIMATE

ADJUST MANHOLE CASTING	21	EACH	\$400.00	\$8,400.00
ADJUST WATER VALVE CASTINGS	13	EACH	\$240.00	\$3,120.00
BITUMINOUS BASE COURSE 2C @ 440M/S.YD	12	TON	\$60.00	\$720.00
BIT. LEVELING MIX 3C @ 165M/S.Y.	927	TON	\$42.00	\$38,934.00
BIT. TOP MIX 4C POLYMER MOD @ 220M/S.Y.	1229	TON	\$48.00	\$58,992.00
CATCH BASIN CASTING E.J.#7045 OR EQUAL	1	EACH	\$800.00	\$800.00
CATCH BASIN-2 INLET	1	EACH	\$1,300.00	\$1,300.00
CONC. CURB & GUTTER F-4 MODIFIED.	72	LIN. FT.	\$12.00	\$864.00
MANHOLE CASTING. E.J.#1000 OR EQUAL	3	EACH	\$600.00	\$1,800.00
PAVEMENT PREPARATORY WORK	28.3	STA	\$300.00	\$8,490.00
PAVEMENT MARKING	707.5	LIN. FT.	\$0.50	\$353.75
PREPARED TOP SOIL & SEED, CLASS A	80	S YDS	\$8.00	\$640.00
RECONSTRUCTING MANHOLES	3	V. FT	\$400.00	\$1,200.00
REMOVING BIT. SURFACE (3'-4')	10598	SQ. YD.	\$5.00	\$52,990.00
REMOVING CONC. CURB & GUTTER	80	LIN. FT.	\$8.00	\$640.00
STORM SEWER 10" CL32 DCI	5	LIN. FT.	\$40.00	\$200.00
TRAFFIC CONTROL	1	LUMP	\$15,000.00	\$15,000.00
WATER VALVE BOX AND COVER COMPLETE	2	EACH	\$345.00	\$690.00
TOTAL				\$184,933.75

Date: July 9, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Waiving the Requirements of Article IV (Soil Stripping & Dumping)

SUMMARY OF REQUEST:

After consultation with the City Attorney, I respectfully request your permission to waive requirements for a public hearing under as outlined in Sec. 26-187 of Article IV. This request is due to the fact that the proposed work, a nominal fill of 7" over the entire area, does not appear to of any significant impact.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Waive the requirements for a public hearing

COMMITTEE RECOMMENDATION:



June 18, 2002

Mr. Eric Gielow
Parmenter O'Toole
175 West Apple Avenue
Muskegon, MI 49443

**Re: Fisher Investment Property, Parcel ID: 61-24-205-549-0002-00
BLDI Project No. 020792**

Dear Mr. Gielow:

BLDI has developed a program to place soil in conjunction with the placement of native grasses and wild flowers on this site to enhance the natural condition of the property and to mitigate any historical effects to the property.

To assure that all avenues of this work are addressed, the following information is attached for your review:

- Attachment A summarizes the work and any special work features
- Attachment B features the Erosion Control Features
- Attachment C contains the Operation and Maintenance Program
- Attachment D presents the Legal Description
- Attachment E contains Photographs of the site (3)
- Figure 1 is the Site Grading Plan

As we have discussed, all locations within the work area, as shown on Figure 1, are vertically above the 100-year floodplain. The soil placement will lessen any existing slopes and will be completed within a two-week period. No structures are included in this work nor are any proposed to be placed as a result of this work.

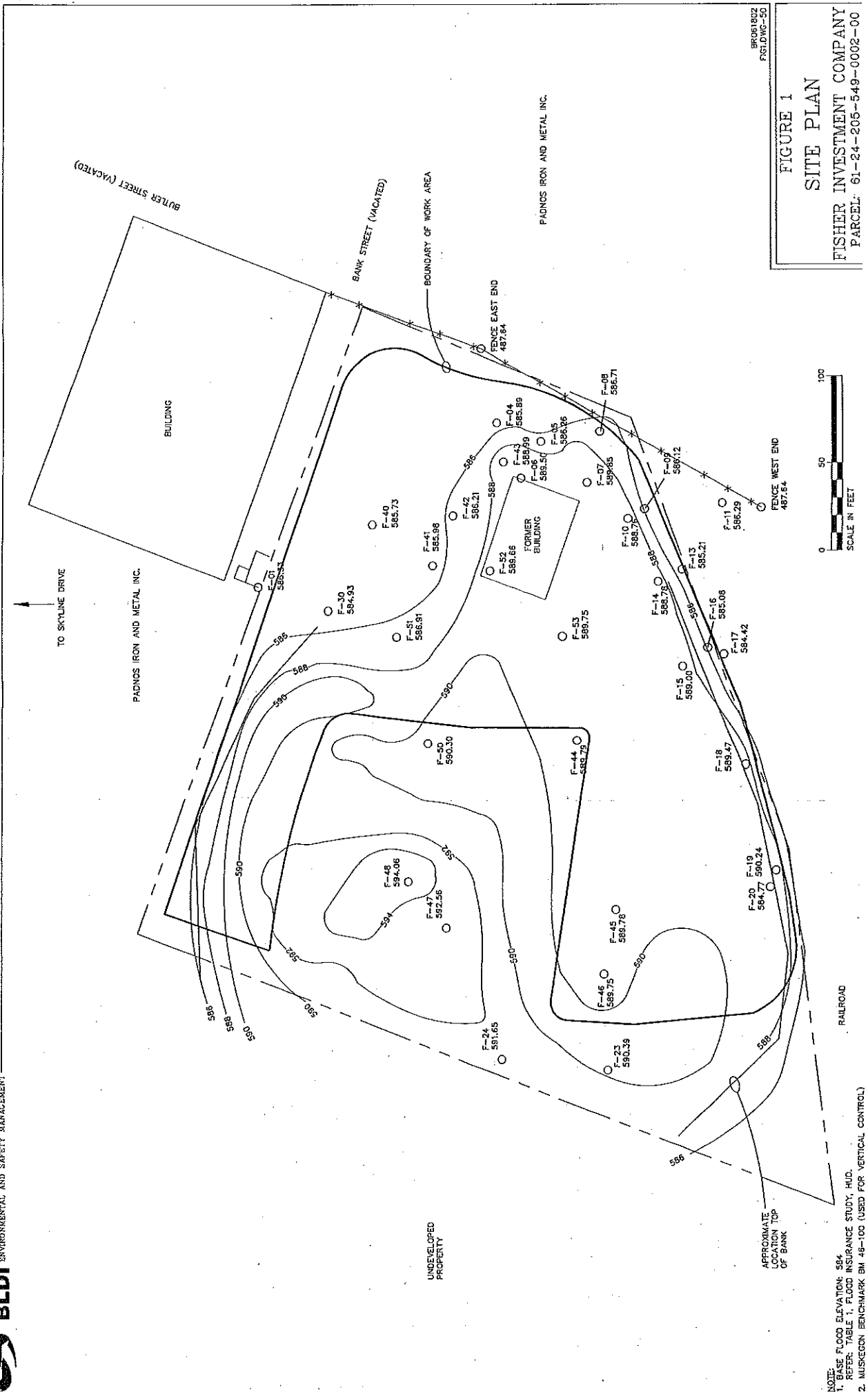
Please let me know if you have any questions or comments.

Sincerely,

Joseph W. Berlin, PE
President

c: Mohammed Al-Shatel, Muskegon City Engineer

FIGURE



NOTE:
 1. BASE FLOOD ELEVATION: 584
 2. REFER: TABLE 1, FLOOD INSURANCE STUDY, HUD.
 3. MUSKOGEE BENCHMARK BM 48-100 (USED FOR VERTICAL CONTROL.)

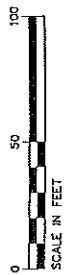


FIGURE 1
SITE PLAN
 FISHER INVESTMENT COMPANY
 PARCEL: 61-24-205-549-0002-00

50061802
 FIG.DWG-3D

ATTACHMENT A
Work Summary

ATTACHMENT A
DESCRIPTION OF SCOPE OF WORK
Parcel ID. 61-24-205-549-0002-00

The work will consist of placing a nominal depth of fill and topsoil over the unvegetated portion of the property in preparation for inoculation with native grasses and wildflowers. The wildflower mix will focus on planting wildflowers to nurture and attract butterflies, especially monarch butterflies, and other wildlife. A butterfly mix, including perennial coreopsis and ironweed, will be handsown to maximize germination.

The fill and topsoil shall be placed in a manner to minimize slopes and to maintain a level and smooth surface. This will allow the site to keep its existing drainage patterns and minimize future potential soil erosion. Surface water overland flow will continue to flow to the south as it currently does. The work does not include any excavation or cuts but simply the placement of a nominal seven (7) inches of soil on the current grade. The property is not serviced by utilities, therefore, the work will not affect any utilities.

The proposed soil placement and grading will be approximately 1.5 acres over the unused property located near Skyline Drive and Bayou Avenue in Muskegon, Michigan. The proposed work area is located at least 400 feet south of the Muskegon River. The work area is vertically located above the 100-year floodplain (refer: Flood Insurance Study, City of Muskegon by U.S. Department of Housing and Urban Development, Federal Insurance Administration). No work will be done within the 100-year floodplain.

The work will generally reduce slopes thereby lessening gradients and the potential for erosion. The proposed work will not impact the runoff from the site and will in fact reduce overland flow by flattening existing slopes and the placement of native grasses and wildflowers.

Interim soil erosion mitigation (ISEM) methods will include the placement of silt fences and hay bales to mitigate the potential effects of precipitation events during the ten-day project. A total of \$4,500 is allocated for ISEM methods and a total of \$9,800 is allocated for permanent soil erosion out of a total estimated completion cost of \$59,000.

Furthermore, contractor transport vehicles shall unload soil in the unloading area only and not into the work area. A loader will transport material from the unloading area to mitigate any tracking of material onto public streets. Soil brought to the site shall be placed by the end of each work day. A grader will smooth soil placed by the loader to a nominal depth of seven (7) inches. Any soil tracked outside of the work area will be immediately cleaned up by the contractor.

Upon full germination of the grasses, the interim soil erosion appurtenances will be removed. To assure that the natural improvements are maintained, an annual operation and maintenance program has been developed. As stipulated in the Contractor's contract, the Contractor is responsible for maintenance for the period through June 30, 2003.

A geotechnical soil analysis has not been undertaken since there are no plans to place a structure on the subject property.

Proposed Schedule:

Task	Schedule
Pre-construction meeting	June 26
Place erosion control appurtenances	June 27
Place fill, topsoil	June 28 – July 12
Seed, mulch	Within two weeks of completion of fill placement
Plant wildflowers	September

ATTACHMENT B
Erosion Control Features

SECTION 02951

SITE AND SURFACE RESTORATION

PART 1: GENERAL

1.1 WORK INCLUDED

- A. Repair and replace any public and access roads damaged by the Contractor.
- B. Restore all surface areas after construction is complete.

1.2 REFERENCES

The following publication listed below forms a part of this specification to the extent referenced. The publication is referred to in the text by basic designation only.

Michigan Department of Transportation (MDOT) Standard Specifications for Construction, 1996 Edition.

PART 2: PRODUCTS

2.1 MATERIALS

A. Turf

The required topsoil, seed, fertilizer and mulch shall be in accordance with the MDOT Standard Specifications for Construction, Division 8, "MISCELLANEOUS CONSTRUCTION," Section 816 "Turf Establishment." Seeding classification shall be Roadside (100#/acre) for all slopes or erosion prone areas and Cereal Rye Seeding (56#/acre) for other areas, unless otherwise directed.

B. Erosion Control

As necessary, on side slopes, to minimize erosion as required in soil and sedimentation permit and MDOT Standard Specification 2.13 Soil Erosion and Sedimentation Control.

PART 3: EXECUTION

3.1 ROADWAY, SIDEWALKS, AND PARKING AREA RESTORATION

A. Roadway and Parking Areas Repairs

The Contractor is required to repair, in-kind or better, any areas in the Contractor's access road or any parking areas on the site disturbed as a result of the Contractor's work or access. Where roadway and parking pavements are required to be removed to accomplish required work, the Contractor shall square cut all edges of the existing pavement at the removed section.

B. Asphalt Surfaces

Asphalt pavement shall be replaced to the same thickness as that which existed prior to removal, or 3 inches, whichever is greater. The placed asphalt material shall be properly compacted and the surface made flush with the existing pavement. The construction work shall be performed in accordance with Division 5 "BITUMINOUS CONSTRUCTION PRACTICES" of the MDOT Standard Specifications for Construction.

3.2 GROUND SURFACE RESTORATION

The Contractor shall restore all ground areas disturbed as a result of the work and access, excavation, and filling activities as indicated on the plans, using topsoil, seed, mulch, and fertilizer. Hydroseeding may be used for surface restoration. All ground surfaces shall be rough graded as to leave no ruts, pits, piles, or ridges and sloped as level to adjacent undisturbed areas. A minimum of six inches of topsoil shall be placed over all disturbed areas and clay cap.

3.3 DISPOSAL

The material to be removed and disposed of includes, all waste, excess, and unsatisfactory materials resulting from work required and shall be removed from the site and disposed of at an approved Type II/Type III disposal facility. The disposal cost under this Section is incidental to the project.

END OF SECTION

directed by the Engineer, new subbase material shall be placed and compacted as specified above.

Subbase shall not be placed on a frozen subgrade unless approved by the Engineer. If subbase is placed on a frozen subgrade, the subbase shall be tested for density in the Spring. Any damage to the subgrade or subbase caused by equipment operation on the subbase shall be corrected.

MEASUREMENT AND PAYMENT

2.11.04 Measurement and Payment.—The completed work as measured for SUBBASE will be paid for at the contract unit prices for the following contract items (pay items).

Pay Item	Pay Unit
Subbase (LM)	Cubic Yard
Subbase (CIP)	Cubic Yard

Subbase (LM) will be measured by volume in cubic yards, loose measure. The contract price paid is payment in full for furnishing, hauling, placing, and compacting the material at the required locations.

Subbase (CIP) will be measured by volume in cubic yards by the staked-section method as described for Roadway Earthwork under Subsection 2.08.17. When Subbase (CIP) is placed on an earthgrade completed under the same contract, the earth grade elevations used in computing Roadway Earthwork will be used as the original cross sections for computing Subbase (CIP) quantities.

When natural material meeting subbase requirements is left in place, it will not be paid for except payment for the grading and the compactive work required will be paid for as Grading and Compacting Existing Material in accordance with Section 2.08.

Payment for preparation of the subgrade and for water used for compaction of the subbase will be considered as having been included in the contract unit prices bid for other contract items.

Corrections required to the subbase or subgrade which were made necessary by the Contractor's operations shall be corrected at the Contractor's expense.

2.12 OBLITERATING OLD ROAD

2.12.01 Description.—This work shall consist of obliterating portions of the old road or temporary road that are shown on the plans or designated by the Engineer for obliteration.

Obliterating old road shall apply only on those portions of the old roadway or portions of temporary roadway, outside of the limits of the new roadway.

2.12.02 Construction Methods.—After the portions of the old road and the temporary road which are to be obliterated are no longer

needed for traffic, the ditches shall be filled and the roadway graded, either to approximately restore the original contour of the ground or to produce a pleasing appearance by forming natural, rounded slopes. Natural appearing obstructions shall be built or left in the old roadway to prevent its use by traffic. When directed by the Engineer, earth shall be taken from fills on the old road, and waste material from the new roadway may be placed in cuts on the discontinued road. Old structures shall be broken down and buried, or removed. After the rough grading is completed, the surface of the discontinued road shall be scarified to effectively mix any remaining surfacing materials with earth, and left in reasonably smooth condition. When approved by the Engineer, obliteration may be accomplished by breaking the pavement surface and covering the roadway to a depth of at least one foot with waste material or earth furnished by the Contractor.

Obliterated areas shall be topsoiled, seeded, and mulched as specified under Section 6.53.

2.12.03 Measurement and Payment.—The completed work as measured for OBLITERATING OLD ROAD will be paid for at the contract unit price for the following contract item (pay item).

Pay Item	Pay Unit
Obliterating Old Road	Station, Acre

Obliterating Old Road will be measured along the discontinued road centerline in stations, or by area in acres, as provided, outside of the limits of the new roadway.

Seeding, Chemical Fertilizer, Topsoil Surface and Mulching will be measured separately.

Materials salvaged from the discontinued road and used in the construction of the new road will be paid for at the contract unit price for the applicable item.

2.13 SOIL EROSION AND SEDIMENTATION CONTROL

2.13.01 Description.—This work shall consist of the construction and maintenance of erosion controls and the timing limitations required to minimize the erosion of soil and the sedimentation of watercourses.

The Contractor shall conduct the work in a manner such that all soil, fuels, oils, bituminous materials, chemicals, sanitary sewage, and other harmful materials, resulting from the construction of the project, are confined within project limits and prevented from entering watercourses, rivers, lakes, reservoirs, or ground water.

The Engineer will advise the Department of Natural Resources of the proposed work.

2.13.02 Materials.—Materials used for permanent erosion and sedimentation controls shall meet the requirements as set forth on

the plans or in the proposal. Materials used for temporary erosion and sedimentation controls shall be approved by the Engineer.

Filter bags shall be constructed of geotextile blanket meeting the requirements of Subsection 8.09.07.

Sand bags shall have a minimum unfilled size of 16 by 26 inches.

Silt fence shall meet the requirements of Subsection 8.09.06.

CONSTRUCTION METHODS

2.13.03 Timing, Maintenance, and Removal of Soil Erosion and Sedimentation Controls:

a. **General Requirements.**—Construction operations shall be conducted in such manner to reduce erosion and sedimentation to a practical minimum. Temporary or permanent sedimentation controls shall be constructed, to the extent possible, prior to commencing grubbing operations. Grubbing operations shall follow immediately after grubbing operations; otherwise temporary erosion and sedimentation controls may be required between successive construction stages.

Temporary erosion and sedimentation controls, as directed by the Engineer, shall be used to minimize potential problems or correct conditions which develop during construction.

b. **Time Limitations.**—All grading sections shall be brought to final grade immediately as the grading progresses. Permanent soil erosion controls for all slopes, channels, ditches, or any disturbed land areas shall be completed within 15 calendar days after final grading of the section or any portion thereof. Where it is not possible to permanently stabilize a disturbed area, appropriate temporary erosion controls shall be implemented within 15 calendar days after cessation of grading activity or as directed by the Engineer, whether or not the area has been brought to final grade. All temporary soil erosion controls shall be maintained until permanent soil erosion controls are completed.

c. **Area Limitations.**—The surface area of erodible earth material exposed at any one time will be limited to 50 stations of dual roadways (100 stations of single roadway) for grubbing operations and a like amount for excavation and embankment operations, except that the Engineer may reduce or increase the limits of exposed surface area dependent on grading progress and application of permanent and/or temporary erosion controls.

The area of excavation, borrow, embankment, or other exposed areas shall be limited commensurate with the Contractor's capability and progress in keeping the finish grading, mulching, seeding, and other such permanent erosion controls current.

When the Contractor has completed the permanent control on a cut slope or embankment slope, or portions thereof, the completed slope will be approved by the Engineer. Each cut or embankment slope, or

portions thereof, on each side of the roadway will be considered for approval separately.

The Contractor shall not cause disturbance to lands and waters outside the grading limits unless such work is found necessary and approved by the Engineer.

Where work is conducted outside the right-of-way, such as borrow operations, waste or disposal areas, haul roads, and storage sites, temporary and permanent erosion and sedimentation controls shall be provided by the Contractor in accordance with Act 347 of P.A. 1973, or as amended, and approved by the Engineer. The areas of erodible land exposed by grading operations at these sites will be subject to the approval of the Engineer.

d. **Construction of Erosion and Sedimentation Controls.**—Construction of permanent erosion and sedimentation controls shall meet the requirements as specified. Construction of temporary erosion and sedimentation controls shall meet the requirements specified on the plans or as directed by the Engineer.

1. **Filter Bag.**—This work shall consist of furnishing, placing, and disposing of a minimum 250 square foot filter bag constructed of geotextile blanket. Water pumped from construction operations shall be pumped into and allowed to filter through the filter bag before entering the stream. The filter bag shall be disposed of by the Contractor at an upland site.

The location of the filter bag in the flood plain will be determined by the Engineer.

2. **Silt Fence.**—This work shall consist of erecting, maintaining, removing, and disposing of, when no longer required, an erosion/sediment barrier, consisting of a post or pole supported geotextile, in accordance with the plans and the proposal or as directed by the Engineer.

Installation shall be accomplished as described on the plans or, with the approval of the Engineer, in accordance with the manufacturer's published recommended practice.

Sections which are damaged due to the Contractor's operations or negligence during erection or during the contract time shall, to the satisfaction of the Engineer, be immediately mended, patched, or replaced at the Contractor's expense.

e. **Maintenance of Erosion and Sedimentation Controls.**—The Contractor shall maintain all temporary erosion and sedimentation controls during the period that the temporary controls are required and all permanent erosion controls until the contract has been completed and accepted. Such maintenance shall consist of the repair of all damaged areas, replacement of lost facilities, and periodic removal of sediment.

f. **Removal of Erosion Control Facilities.**—Temporary erosion

and sedimentation controls shall be removed or obliterated when the permanent controls are in place unless ordered to be left in place by the Engineer. Mulch placed for temporary erosion control shall be incorporated into the slope, or removed, prior to placement of topsoil and/or permanent seeding and fertilizing operations.

Care shall be exercised during such removal to minimize erosion or sedimentation of watercourses.

MEASUREMENT AND PAYMENT

2.13.04 Measurement and Payment.—The completed work as measured for SOIL EROSION AND SEDIMENTATION CONTROL will be paid for at the contract unit prices for the following contract items (pay items).

Pay Item	Pay Unit
Check Dams	Linear Foot
Sediment Trap	Each
Filter Bag	Each
Sand Bag	Each
Erosion Control Fence	Linear Foot
Silt Fence	Linear Foot
Pipe Spillway	Linear Foot
Temporary Pipe	Linear Foot
Energy Dissipator	Linear Foot
Plastic Sheet	Square Yard
Streambed Protection (LM)	Square Yard
Stone or Gravel Filter at Inlet	Cubic Yard
Weirs	Each
Sediment Basin Excavation	Linear Foot
Sediment Excavation—Maintenance	Cubic yard
	Cubic Yard

The pay item Filter Bag includes furnishing, placing, and disposing of the bag.

Silt Fence will be measured in place by length in linear feet. The pay item Silt Fence includes furnishing, erecting, maintaining, removing, and disposing of the fence and posts or poles. No allowance will be made for overlaps, or repairs or replacement due to damage caused by the Contractor's operation or negligence.

Fence replaced due to reasons other than the Contractor's operations or negligence will be measured and paid for as Silt Fence.

Removal of accumulated sediment or debris will be measured and paid for as Sediment Excavation—Maintenance.

Sediment Basin Excavation will be measured by volume in cubic yards of excavated material.

Sediment Excavation—Maintenance will be measured by volume in cubic yards of excavated material. The work includes cleaning out sediment traps and sediment basins.

Payment for the soil erosion and sedimentation control items will include furnishing, placing, maintaining other than Sediment Excavation—Maintenance, and removing as required, the soil erosion or sedimentation controls in accordance with the details shown on the plans or as specified.

The quantities provided for temporary erosion and sedimentation control work may be increased or decreased without an adjustment in the contract unit price.

Permanent erosion control work that has been completed and approved but becomes damaged through no fault of the Contractor shall be repaired by the Contractor before the project is accepted and such repair work will be paid for as provided in Subsection 1.04.02.

Any permanent or temporary erosion and sedimentation controls that are damaged due to the Contractor's operations or where work required is attributed to the Contractor's negligence, carelessness, or failure to install permanent or temporary controls at the proper time, shall be repaired without additional cost to the Department.

When quantities are provided in the proposal for Intercepting Ditch, Earth Excavation, Channel Excavation, Steel Sheet Piling, Pipe Culverts, Riprap, Slope Protection, Paved Ditches, Sodding, Seeding, or Mulching, they will be paid for as specified in their respective section of the Standard Specifications.

The cost of erosion and sedimentation controls at sites of Contractor operations outside of the right-of-way will be borne by the Contractor.

2.14 PROJECT CLEANUP

2.14.01 Description.—This work shall consist of cleaning up the project, including roadsides, prior to final acceptance. This work shall also consist of the cleanup of all culverts, sewers, and drainage structures, installed on the project.

2.14.02 General.—Project cleanup shall apply to the area within the right-of-way not in excess of fifty feet beyond the grading limits.

Within this area all debris, including old fences, fallen timber, logs, and rubbish shall be removed and disposed of as specified under Subsection 2.01.08.

All holes resulting from the construction operations shall be filled with earth.

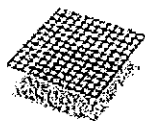
2.14.03 Measurement and Payment.—The completed work as measured for PROJECT CLEANUP will be paid for at the contract unit price for the following contract item (pay item).

Pay Item	Pay Unit
Project Cleanup	Lump Sum
Partial payments will be made in accordance with the following Partial Payment Schedule.	



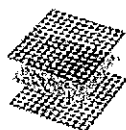
Erosion Control Systems

Excelsior Blankets



Standard Excelsior Mat:

A wood fiber mat produced of wood excelsior of 80% eight-inch or longer fiber lengths. The blanket is of consistent thickness with one side covered with a photodegradable plastic mesh and stitched on 3" centers. Recommended Use: Slopes 3:1 - 2:1, Channels to 5 fps



High Impact Excelsior Mat:

A wood fiber mat produced of wood excelsior of 80% eight-inch or longer fiber lengths. The blanket is of consistent thickness with each side covered with a photodegradable plastic mesh and stitched on 3" centers. Recommended Use: Slopes 2:1 - 1:1, Channels to 7 fps

Heavy High Impact Excelsior Mat:

The excelsior blanket consists of a heavyweight construction of wood fibers produced in a mat form and stitched on 3" centers. Each side covered with a photodegradable plastic net. Recommended Use: Slopes 1-1/2:1, Channels-High Flow

PRODUCT DESCRIPTIONS

	1010-04 Standard Excelsior Mat 3/4" (1.9cm) photodegradable netting stitched on 3" (7.6cm) centers on one side only	1020-02 Heavy High Impact Excelsior Mat 3/4" (1.9cm) photodegradable netting stitched on 3" (7.6cm) centers on both sides	1020-03 High Impact Excelsior Mat 3/4" (1.9cm) photodegradable netting stitched on 3" (7.6cm) centers on both sides
Width:	7.5 (2.3m)	7.5 (2.3m)	7.5 (2.3m)
Length:	Approx. 120 ft. (36.6m)	Approx. 60 ft. (18.3m)	Approx. 96 ft. (29.3m)
Weight:	85 lbs/roll +or-10% (38.6 kilograms)	80 lbs/roll +or-10% (36.3 kilograms)	80 lbs/roll +or-10% (36.3 kilograms)
Area:	100 sq. yds (83.6 sq. m.)	50 sq. yds (41.8 sq. m.)	80 sq. yds (66.9 sq. m.)
Packaging:	Vented plastic Bag - White	Vented plastic Bag - Red	Vented plastic Bag - Blue

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Civil Engineering & Architectural Products

.....

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- Woven
- Heavy Woven
- Non-Woven

■ SOIL & EMBANKMENT STABILIZATION

- Geogrids (Mirafi)
- Cellular Confinement Systems (Tenax)

■ DRAINAGE

- Polyethelene Corrugated Pipe
- Galvanized Corrugated Pipe
- Prefabricated Drains
- Drainage Nets

■ EROSION CONTROL

- Revegetation Systems
- Curlex Excelsior Blanket
- Concrete Bags (grout bags)
- Fabric Formed Concrete
- Gabions
- Geotubes
- Revetment Systems

■ GEOMEMBRANES

- Bentonite
- HDPE Liner
- PVC Liner
- Moisture Barriers

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Phone 713-466-0104
FAX 713-466-1652

E-mail: Sales & Customer Service geociv@prodigy.net

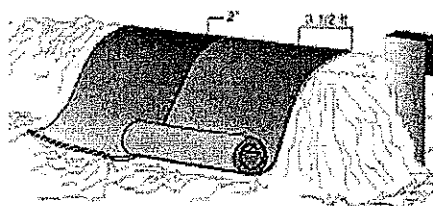
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Created & Maintained by: Doyle Peeks





Installation Instructions & Water Velocities Chart
For more detailed installation instructions, please
contact us at info@erosioncontrolsystems.com

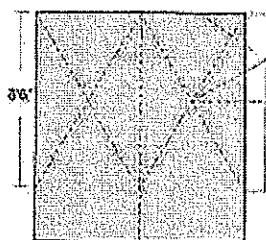
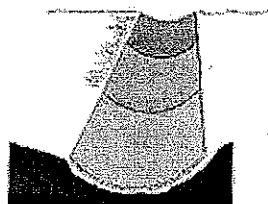


Slope Application

Overlay the sides snugly together (overlapping max 2") if possible extend 3 1/2 feet over the crest.

Ditch Line Application

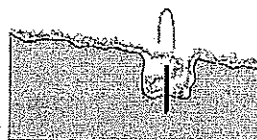
Roll out mat with the flow. Overlap the ends by 3" in the flow direction and anchor with a common row of staples not more than 1 1/2 feet apart. On wide ditches, overlapping of mat joints should not be in center of ditch.



Stapling Procedures

At the ends anchor with a row of staples not more than 1 1/2 feet apart. Staple or wooden stakes on 3 foot centers.

Earth Lock Closed Check Slot



Earth Lock Downstream Terminals

Water Velocities For Various Soil Conditions			
	Clay, Clay Loam Silty Clay	Loam, Silty Clay Sandy Clay Loam	Very Fine Sandy Loam Fine Sandy Loam Silty Loam
Standard Excelsior Single net stitched blanket with avg. shear stress of 2.0 lbs/ft.	6.0 fps	6.0 fps	3.9 fps
Standard Straw Single net stitched blanket with avg. shear stress of 2.0 lbs/ft.	6.0 fps	6.0 fps	3.9 fps
High Impact Excelsior Double net stitched blanket with avg. shear stress of 2.25 lbs/ft.	11.0 fps	9.8 fps	8.6 fps
High Velocity Straw Double net stitched blanket with avg. shear stress of 2.25 lbs/ft.	11.0 fps	9.8 fps	8.6 fps
Heavy High Impact Excelsior Double net stitched blanket with avg. shear stress of 2.25 lbs/ft. with added wood excelsior.	11.0 fps	9.8 fps	8.6 fps
Coconut Straw Double net stitched blanket w/Coconut Fiber, avg. shear stress of 2.25 lbs/ft.	11.0 fps	9.8 fps	8.6 fps
Coconut Blanket Double net blanket w/Coconut Fill, avg. shear stress of 2.25 lbs/ft.	11.0 fps	9.8 fps	8.6 fps
Earth-Lock Double net with Geomatrix stitched blanket with avg. shear stress of 8.0 lbs/ft.	18.0 fps	15.0 fps	11.0 fps
NOTES: These figures are based on ditch lining at over 3% grade and up to 11% - 13%. On slope protection, the determining factor would be the grade of the slope, berms above and sheeting effect of water velocity, etc. Design should be based on the limitation of vegetation under various soil conditions and water velocities.			

[Back to Index](#)

ATTACHMENT C

Operation and Maintenance Program

Attachment C
Operation and Maintenance Procedures

There are currently no operations on the subject property and none are anticipated. A soil cover being a nominal seven (7) inches thick will be constructed over the work area of the property and a visual documented inspection of the cover will be conducted annually to ensure that the cover is intact and supports the vegetative mass. In the event of erosion, the erosional area will be repaired as necessary.

Written records documenting inspections of the cover will be maintained by Fisher Investment Company. Refer to the Maintenance Log included as Exhibit A.



BLDI ENVIRONMENTAL MANAGEMENT

150 Fountain St. NE
Grand Rapids, MI 49503
Ph: 616.459.3737

EXHIBIT A
Operation and Maintenance Log
Parcel ID: 61-24-205-549-0002-00

Site: 259 OTTAWA STREET
MUSKEGON, MICHIGAN

MAINTENANCE LOG

Inspected By: _____

Date of Inspection: _____

1. Observed Erosion: No Yes (If yes, complete No. 3.)

2. Vegetative Cover Condition:

- ☐ Bare soil or erosion areas present (Complete No. 3.)
- ☐ Grass and vegetation covers entire fill area.
- ☐ Wildflowers present

3. Repairs made to cap or vegetative cover:

4. Date of repairs (if any):

Signature _____

Organization: _____ Date: _____

ATTACHMENT D
Legal Description

PART OF BLOCK 549, VACATED BANK STREET OF THE REVISED PLAT (OF 1903) OF THE CITY OF MUSKEGON, MUSKEGON COUNTY, MICHIGAN, AS RECORDED IN LIBER 3 OF PLATS, ON PAGE 71, MUSKEGON COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 1, BLOCK 123 OF SAID PLAT; THENCE NORTH 67°47'00" WEST 12.26 FEET ALONG THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF SAID BLOCK 123 TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE SOUTH 22°19'14" WEST 378.36 FEET; THENCE NORTH 67°40'46" WEST 169.44 FEET; THENCE NORTH 20°15'00" WEST 262.35 FEET; THENCE NORTH 03°10'00" WEST 204.25 FEET; THENCE SOUTH 67°47'00" EAST 434.81 FEET ALONG THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF SAID BLOCK 123 TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION



Fishbeck, Thompson, Carr & Huber
Engineers • Scientists • Architects
Grand Rapids, Michigan

fish

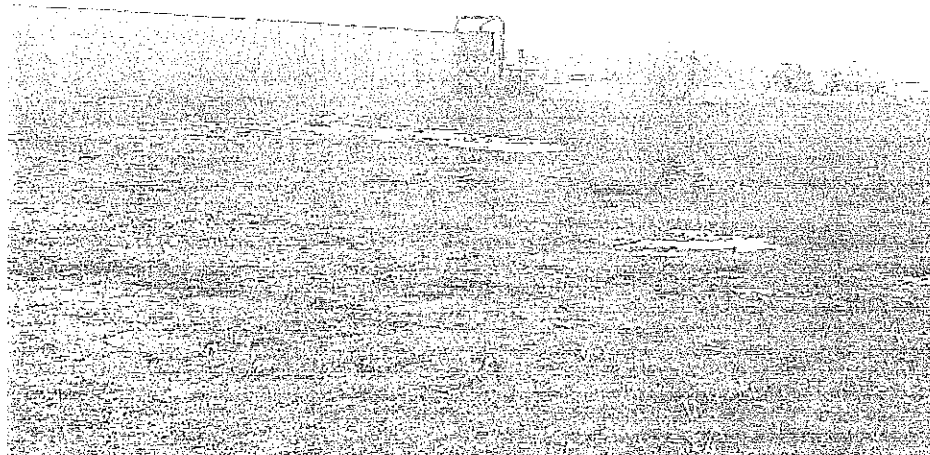
FORMER FISHER STEEL FILL AREA
MUSKEGON, MICHIGAN

DUE CARE PLAN

PROJECT NO.
98403
EXHIBIT

A

ATTACHMENT E
Photographs



1. North central portion of property, looking to southeast.



2. Northeast portion of property looking to the south.



BLDI ENVIRONMENTAL MANAGEMENT

Phase I Environmental Site Assessment – Site Photographs
Fisher Investment Company
Parcel ID No. 61-24-205-549-0002-00

Project Number:
020792

June 2002



3. Northeast portion of the property looking to the south.



BLDI ENVIRONMENTAL MANAGEMENT

Phase I Environmental Site Assessment – Site Photographs
Fisher Investment Company
Parcel ID No. 61-24-205-549-0002-00

Project Number:
020792

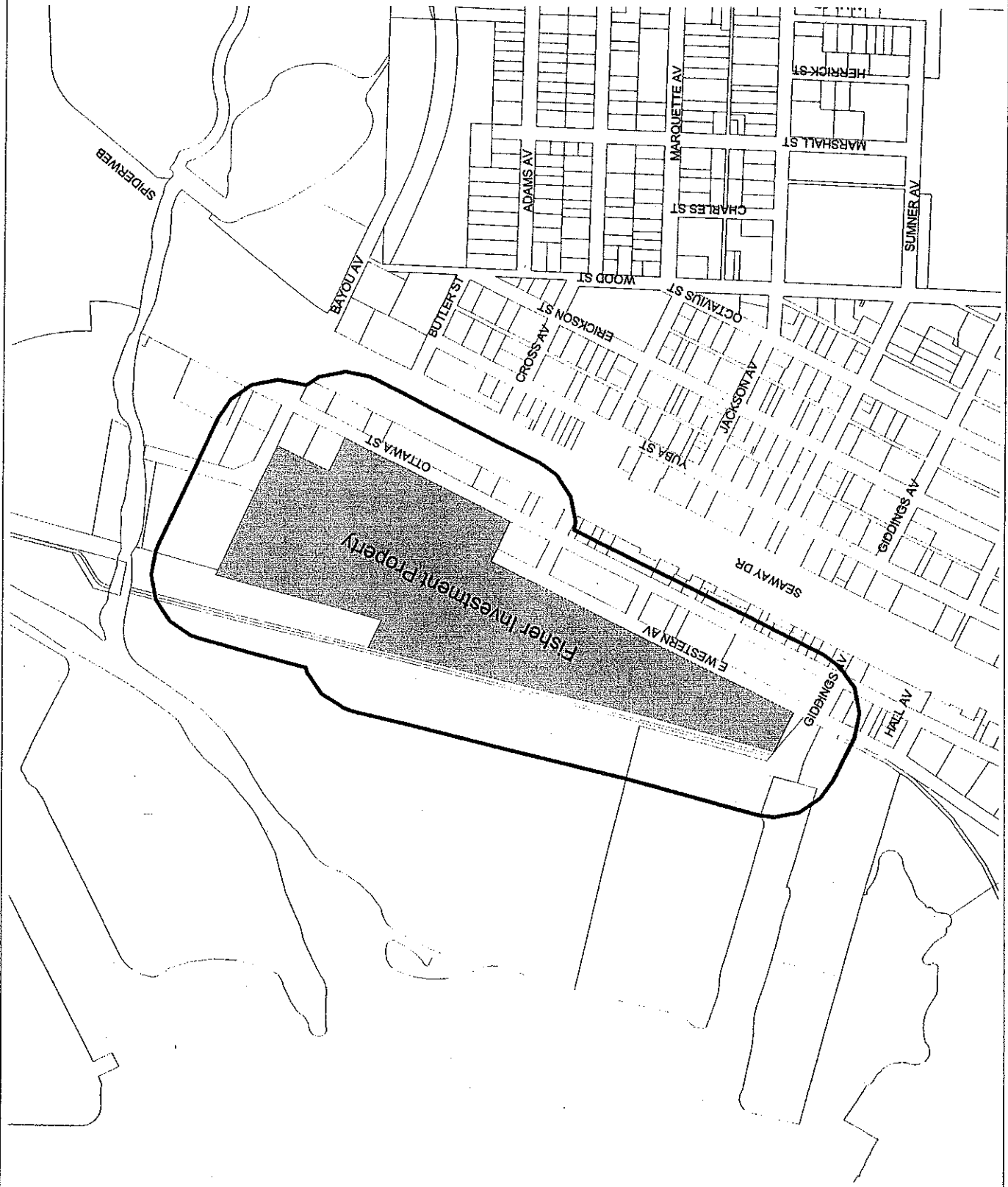
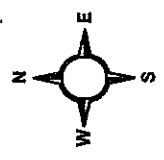
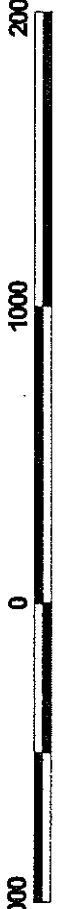
June 2002

2000 Feet

1000

0

1000



P_NUM	OWNRS_NAM	OWNRS_ADDR	OWNRS_CITY	OWNRS_STRT_NSTR	STREET
24-205-125-0006-00	2002 C/W 24-205-125-0003-00			49442	196.0 OTTAWA ST
24-117-300-0005-00	ABONMARCHE DEVELOPMENT	2108 SHAWNEE RD	BARODA	MI 49101	55.0 OTTAWA ST
24-205-125-0001-00	AGARD KENNETH	150 OTTAWA ST	MUSKEGON	MI 49440	150.0 OTTAWA ST
24-205-549-0001-00	C & O RAILROAD CO	1101 1ST NATIONAL BAN	RICHMOND	VA 23232	425.0 E WESTERN AVE
24-205-156-0003-00	CITY OF MUSKEGON	933 TERRACE ST	MUSKEGON	MI 49443	468.0 OTTAWA ST
24-205-145-0001-00	COFESCO PROPERTIES LLC	411 OTTAWA	MUSKEGON	MI 49440	411.0 OTTAWA ST
24-205-158-0001-00	CORDO DOMINIC	1822 RUDDIMAN	N. MUSKEGO	MI 49445	535.0 E WESTERN AVE
24-205-134-0004-00	CSX TRANSP TAX DEPT	500 WATER STREET	JACKSONVILL	FL 32202-	313.0 OTTAWA ST
24-205-125-0003-00	CSX TRANSPORTATION	500 WATER ST	JACKSONVILL	FL 32202	180.0 OTTAWA ST
24-205-145-0004-00	DENDRINOS GEORGE	1633 RUDDIMAN	N. MUSKEGO	MI 49445	435.0 OTTAWA ST
24-205-146-0010-00	DENDRINOS GEORGE C	1633 RUDDIMAN	N MUSKEGO	MI 49445	444.0 OTTAWA ST
24-205-124-0001-00	ELKS CHARITY LODGE	149 OTTAWA	MUSKEGON	MI 49442	149.0 OTTAWA ST
24-205-549-0002-00	FISHER INVESTMENT CO	259 OTTAWA ST	MUSKEGON	MI 49442	215.0 E WESTERN AVE
24-205-135-0005-00	FORTON RICHARD A/RODNEY M	3567 ROOD	MUSKEGON	MI 49441	318.0 OTTAWA ST
24-205-146-0007-00	HANNA MINNIE LEE	428 OTTAWA ST	MUSKEGON	MI 49442	428.0 OTTAWA ST
24-205-156-0001-00	HARVEY MAJOR DENZAL	12716 BROADSTREET BL	DETROIT	MI 48238	452.0 OTTAWA ST
24-205-121-0018-10	HATHAWAY FRANK II	1973 FOREST GLEN CT	MUSKEGON	MI 49441-	135.0 OTTAWA ST
24-205-122-0001-00	HATHAWAY FRANK III	P O BOX 4023	MUSKEGON	MI 49444-	316.0 BAYOU AVE
24-205-135-0002-00	HUNTINGTON BANK	7575 HUNTINGTON PAR	COLUMBUS	OH 43235	280.0 OTTAWA ST
24-205-156-0004-00	JOHNSON VERA B	1525 BROCKTON LN E	MOBILE	AL 36695	486.0 OTTAWA ST
24-205-146-0005-00	KITCHEN PAUL W/PAMELA J	476 BEAR LAKE RD	MUSKEGON	MI 49445-	426.0 OTTAWA ST
24-205-144-0001-00	LAKE WELDING SUPPLY CO	363 OTTAWA ST	MUSKEGON	MI 49442	387.0 OTTAWA ST
24-205-159-0002-00	LAMAR ADVERTISING COMPANY	BOX 66338	BATON ROUG	LA 70896	538.0 OTTAWA ST
24-205-135-0004-00	LOSETH RICHARD G	993 BEHLER ROAD	RAVENNA	MI 49451	307.0 OTTAWA ST
24-885-000-0000-00	MERCY HOSPITAL SMHC	1560 E SHERMAN BLVD	MUSKEGON	MI 49444	1560.0 E SHERMAN BLVD
24-205-156-0007-00	MEYER HAROLD II	510 OTTAWA ST	MUSKEGON	MI 49440	492.0 OTTAWA ST
24-205-135-0001-00	MITCHELL DONALD B/MARION J	3865 AUTOMOBILE RD	MUSKEGON	MI 49445	276.0 OTTAWA ST
24-205-158-0002-00	SCHARMER FRED A	545 OTTAWA ST	MUSKEGON	MI 49442	545.0 OTTAWA ST
24-205-131-0001-00	SHORELINE RECYCLING & SUPPLY	PO BOX 1979	HOLLAND	MI 49422	208.0 OTTAWA ST
24-205-143-0003-10	SIETSEMA DAVID LNANCY L	354 OTTAWA	MUSKEGON	MI 49440	354.0 OTTAWA ST
24-205-145-0003-00	VAANDERING JAMES	423 OTTAWA	MUSKEGON	MI 49442	423.0 OTTAWA ST
24-205-552-0001-00	VERPLANK DOCK CO	705 2ND ST	FERRYSBUR	MI 49409	559.0 E WESTERN AVE
24-205-157-0001-00	WEBER LUMBER COMPANY	465 OTTAWA ST	MUSKEGON	MI 49440	465.0 OTTAWA ST