

CITY OF MUSKEGON

CITY COMMISSION MEETING

JUNE 26, 2012

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ **CALL TO ORDER:**
- ❑ **PRAYER:**
- ❑ **PLEDGE OF ALLEGIANCE:**
- ❑ **ROLL CALL:**
- ❑ **HONORS AND AWARDS:**
 - A. Recognition of Norma Horan for her Contributions to Hackley Park.
- ❑ **INTRODUCTIONS/PRESENTATION:**
- ❑ **CONSENT AGENDA:**
 - A. Approval of Minutes. CITY CLERK
 - B. Human Resources Agreement. CITY MANAGER
 - C. Approval of Realtor for Community & Neighborhood Services.
COMMUNITY & NEIGHBORHOOD SERVICES
 - D. Liquor License Request from Muskegon Country Club. CITY CLERK
 - E. Mueller CL-12 Watermain Tapping Machine Repair. PUBLIC WORKS
 - F. Purchase of GPS Units. PUBLIC WORKS
 - G. Consideration of Bids for S-661 Evanston Lift Station Rehabilitation.
ENGINEERING
 - H. Gaming License Request from Red's Youth Center/Restoration Restore a Generation. CITY CLERK
 - I. Consideration of Bids for Hackley Avenue, Glen to Hudson Water Main Replacement (W-734). ENGINEERING
- ❑ **PUBLIC HEARINGS:**
- ❑ **COMMUNICATIONS:**
- ❑ **CITY MANAGER'S REPORT:**
- ❑ **UNFINISHED BUSINESS:**

❑ **NEW BUSINESS:**

- A. **Request for Final Planned Unit Development Approval for 372 Morris Avenue.** PLANNING & ECONOMIC DEVELOPMENT
- B. **Charter Amendments Regarding Millage Cap and Senior Transit Millage.** CITY MANAGER
- C. **Senior Transit Funding.** CITY MANAGER
- D. **DDA On-Premise Liquor License for Nemesis, Inc.** PLANNING & ECONOMIC DEVELOPMENT
- E. **Concur with the Housing Board of Appeals Notice and Order to Demolish the Following:** PUBLIC SAFETY
 - 230 Myrtle (Area 11)
 - 510 Ottawa (Area 11)
 - 450 W. Southern (Area 11)
 - 1290 Wood (Area 11)
- F. **Filling the Mayor's Vacancy.** CITY MANAGER

❑ **ANY OTHER BUSINESS:**

❑ **PUBLIC PARTICIPATION:**

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

❑ **CLOSED SESSION: To Discuss Property Acquisition.**

❑ **ADJOURNMENT:**

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

Date: June 26, 2012
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the June 11th Commission Worksession Meeting and the June 12th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

City of Muskegon
City Commission Worksession
June 11, 2012
City Commission Chambers
5:30 PM

MINUTES

2012-44

Present: Commissioners Warmington, Gawron, Hood, Wierengo, German, Turnquist, and Spataro.

Absent: None.

Proposed 2012/2013 Budget.

City Manager, Bryon Mazade, gave a brief overview and explained the timeline in which the budget must be adopted.

Mr. Mazade gave a powerpoint presentation with a detailed review of the General Fund. The total budget is \$56,737,416. The fund balance is \$4,576,273.

City employees will be reduced from 241 employees to 233 employees through attrition.

Mayor Warmington suggested the Commission consider a 1/10th mill to retain the senior transit program. The City should retain flexibility by partnering with other organizations. He suggested the program be funded for six months until voters decide the 1/10th mill question.

Staff should consider a plan with reduced days or hours that the service may be available until the end of the year.

Any Other Business.

Public comments were received.

Adjournment.

Motion by Commissioner Hood, seconded by Commissioner Spataro to adjourn the meeting at 7:34 p.m.

MOTION PASSES

**Ann Marie Cummings, MMC
City Clerk**

CITY OF MUSKEGON

CITY COMMISSION MEETING

JUNE 12, 2012

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, June 12, 2012.

Mayor Warmington opened the meeting with a prayer from Pastor Josh Dear from the Lakeside Baptist Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Vice Mayor Stephen Gawron, Commissioners Eric Hood, Lawrence Spataro, Willie German, Sue Wierengo, and Byron Turnquist, and City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

2012-45 HONORS AND AWARDS:

A. Recognition of Spring 2012 Citizen's Academy Graduates. PUBLIC SAFETY

Public Safety Director Jeff Lewis read the resolution and thanked the 2012 Citizen's Police Academy for their faithful attendance, completion and graduation from the ten week academy.

2012-46 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the May 22nd City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Environmental Program Mowing and Trash Clean-up Contract. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The contract for mowing of lots and trash clean up of public and private properties previously held by Freelance Enterprises Inc. had

expired on March 31, 2012. A request for bids was advertised and four companies placed bids. Freelance Enterprises of Muskegon Township is the low bidder for a three-year agreement.

FINANCIAL IMPACT: None, funds budgeted for this activity.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve a three-year contract with Freelance Enterprises Inc. and to authorize the Mayor and City Clerk to sign the agreements, for the mowing of lots and trash removal on properties located within the City.

C. City – MDOT Agreement for the Reconstruction of Sherman Blvd. from Lincoln to Estes. ENGINEERING

SUMMARY OF REQUEST: Approve the contract with MDOT for the reconstruction of Sherman Blvd. from Lincoln to Estes, and approve the resolution authorizing the Mayor and the City Clerk to sign the contract.

FINANCIAL IMPACT: MDOT's participation is limited to the approved federal funds of \$481,000. The estimated total construction cost is \$1,110,500 plus engineering cost.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the contract and resolution authorizing the Mayor and Clerk to sign both.

D. Approval of Contractor for New Construction of House at 605 Jackson. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the contract with DeRose Builders Inc, 7786 Wiczer Drive, Whitehall, for the new construction of a house located at 605 Jackson for the cost of \$117,446.

The property was purchased with Neighborhood Stabilization funds from the Michigan State Housing Development Authority, and HOME funds from HUD will be used for the construction. After the new construction is completed, the home will be marketed to sell to an eligible homebuyer with an annual income less than 80 percent of the area median income. The City received six bids.

FINANCIAL IMPACT: Funding for the project has been approved in our current budget (2011-2012) from the HOME Investment Partnership funds.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval for the Community and Neighborhood Services office to prepare an agreement with DeRose Builders and direct the Mayor and Clerk to sign the contract.

E. Liquor License Request from Top Spin, Inc., 2536 Henry. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request from Top Spin, Inc., of 2536 Henry Street to transfer ownership of Escrowed 2011 Class C-SDM Licensed Business with Sunday Sales Permit (PM), Dance-Entertainment Permit, Outdoor Service (1 Area) and Specific Purpose Permit (Food) from Team Red Dawn, LLC.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

F. Fireworks Display Permit for Muskegon Country Club. CITY CLERK

SUMMARY OF REQUEST: Melrose Pyrotechnics, Inc. is requesting approval of a fireworks display permit for July 4, 2012, at the Muskegon Country Club, 2801 Lakeshore Drive. Fire Marshall Metcalf will inspect the fireworks on the day of the event.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks and approval of insurance.

G. Polling Sites Relocation. CITY CLERK

SUMMARY OF REQUEST: Building closures, redistricting, and ADA compliance have forced the City to move polling locations. Staff proposes to move the following:

- Bluffton School (closure) to Great Lakes Naval Museum
- McLaughlin School (closure) to City Hall
- Hackley Administration Building (ADA Compliance) to City Hall
- Nelson School (redistricting) to Department of Public Works

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: To approve the polling location changes as outlined above.

STAFF RECOMMENDATION: To approve the polling location changes as outlined above.

COMMITTEE RECOMMENDATION: The Election Commission approved the changes as stated at their June 7th meeting.

H. Approval of Title Company for Community and Neighborhood Services.
COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve Lighthouse Title, Inc., to be used by the

City of Muskegon for the title work and closing agency for the CNS Housing program.

FINANCIAL IMPACT: Fees paid from proceeds of sale or project budgets.

BUDGET ACTION REQUIRED: None.

STAFF RECOMEDATION: To approve Lighthouse Title, Inc., for Community and Neighborhood Services Title Agency needs.

Motion by Vice Mayor Gawron, second by Commissioner Wierengo to approve the Consent Agenda as presented.

ROLL VOTE: Ayes: Spataro, German, Gawron, Wierengo, Turnquist, Warmington, and Hood

Nays: None

MOTION PASSES

2012-47 PUBLIC HEARINGS:

A. 2012-13 Budget. FINANCE

SUMMARY OF REQUEST: The City Commission may take action to adopt the 2012-13 budget with whatever changes or adjustments it deems necessary. City ordinance requires the budget be adopted by the second regular City Commission meeting in June.

FINANCIAL IMPACT: The budget sets forth the priorities and overall financial plan for operations in the year 2012-13.

BUDGET ACTION REQUIRED: Adoption of the budget resolution provides the legal appropriation authority necessary for City departments to conduct operations in 2012-13.

STAFF RECOMMENDATION: Receive public comments. Upon closing the public hearing, the City Commission may decide to adopt the budget.

The Public Hearing opened to hear and consider any comments from the public. Comments were heard from Joshua Eldenbrady, 1336 Spring Street; Margaret Roles, 1350 W. Hackley; Dorothy Davidge, 1350 W. Hackley; Roger Nye, 1495 Westwood Circle; Marion Oleocarchek, 690 W. Southern; Dan Mills, 1817 Mills; Kay Windget, 1350 W. Hackley; Mark Evans, 1899 Barnes Road; Phyllis Hallberg, 1350 W. Hackley; and Gail Funk, 1350 W. Hackley

Motion by Commissioner Spataro, second by Commissioner German to close the Public Hearing.

ROLL VOTE: Ayes: German, Gawron, Wierengo, Turnquist, Warmington, Hood, and Spataro

Nays: None

MOTION PASSES

Motion by Commissioner Spataro, second by Vice Mayor Gawron to adopt the 2012-2013 Budget as presented.

ROLL VOTE: Ayes: Gawron, Wierengo, Turnquist, Warmington, Hood, Spataro, and German

Nays: None

MOTION PASSES

Motion by Commissioner Spataro, second by Commissioner Wierengo to direct staff to provide for the June 26th Commission Meeting a proposal for funding the Senior Transit to the end of the year and ballot proposal language to bring to the citizens of the City of Muskegon the opportunity to vote to fund this as a regularly operated program.

ROLL VOTE: Ayes: Wierengo, Turnquist, Warmington, Hood, Spataro, German, and Gawron

Nays: None

MOTION PASSES

2012-48 NEW BUSINESS:

A. Proposed Betten Development Agreement Changes/Promissory Note with BRA. CITY MANAGER

SUMMARY OF REQUEST: The City's Brownfield Redevelopment Authority (BRA) is obligated to reimburse Betten Automotive Group for eligible costs incurred in the redevelopment of their Henry Street project plus 6.5% interest. Total reimbursable costs (plus interest to date) amount to \$1,681,590. Under terms of the original development agreement, these costs would be paid by the BRA over several years as tax increment revenues were collected. Interest would continue to accrue on the unpaid balance.

As described more fully, this proposal is for the City to loan the BRA \$1.66 million to pay off Betten now. The benefits are as follows:

- Benefit to BRA: reduce interest costs from 6.5% to 3.25% payable to City instead of developer
- Benefit to City: rate of return higher than can be achieved on investments like CD's or US Treasuries
- Benefit to Developer: cash received up front to help facilitate further development of Henry Street corridor (also benefits the City and BRA)

The City would be repaid over thirteen years (or sooner) at a rate of 3.25% from BRA tax increment proceeds.

FINANCIAL IMPACT: The City's loan to the BRA would be carried equally by the following City funds having adequate cash reserves: General Insurance Fund, Equipment Fund and Cemetery Perpetual Care Fund. The 3.25% interest is much better than can be earned on CD's, US Treasuries or other investment instruments.

BUDGET ACTION REQUIRED: The BRA budget will be amended to reflect loan payments to the City instead of reimbursements to developer.

STAFF RECOMMENDATION: 1.) Approval of proposed development agreement changes and, 2.) execution of the related promissory note between the City and the BRA.

COMMITTEE RECOMMENDATION: The BRA met on May 29th and approved the proposed development agreement changes and promissory note.

Motion by Vice Mayor Gawron, second by Commissioner Hood to approve the proposed development agreement changes with Betten Development and execute the related promissory note between the City and the BRA.

ROLL VOTE: Ayes: Turnquist, Warmington, Hood, Spataro, German, Gawron, and Wierengo

Nays: None

MOTION PASSES

B. Engineering Services Agreement for Williams Street Storm Outlet.
ENGINEERING

SUMMARY OF REQUEST: Authorize staff to enter into an engineering services agreement with Flies & Vandenbrink Engineering out of Muskegon to perform an emergency survey, design and permitting project to replace/repair a 54" storm sewer outlet at the northerly end of Williams Street just north of White Street for an estimated cost of \$9,800.

FINANCIAL IMPACT: The engineering cost of \$9,800 at this time.

BUDGET ACTION REQUIRED: This project will have to be added to the 2012-2013 budget.

STAFF RECOMMENDATION: Authorize staff to enter into an agreement with F&V engineering. This recommendation was arrived at due to the urgency of the current condition of the storm sewer outlet and complexity of the project.

Motion by Commissioner Turnquist, second by Vice Mayor Gawron to authorize staff to enter into an agreement with Flies & Vandenbrink Engineering.

ROLL VOTE: Ayes: Warmington, Hood, Spataro, German, Gawron, Wierengo, and Turnquist

Nays: None

MOTION PASSES

C. Fireworks Display Permit for Community 4th of July Celebration. CITY CLERK

SUMMARY OF REQUEST: Fruitport Lions Charities Group is requesting approval of a fireworks display permit for July 4th at Heritage Landing. Fire Marshall Metcalf has reviewed the request and recommends approval contingent on inspection of the fireworks.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on all requirements being met. We also request that the late fees for the fireworks permit and special event be waived.

Motion by Vice Mayor Gawron, second by Commissioner German to approve the fireworks display permit for the community on the 4th of July contingent on all requirements being met and that the late fees for the fireworks permit and special event fee be waived.

ROLL VOTE: Ayes: Hood, Spataro, German, Gawron, Wierengo, Turnquist, and Warmington

Nays: None

MOTION PASSES

D. Accept the Resignation of Mayor Warmington.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to accept the resignation from Mayor Warmington effective June 30.

ROLL VOTE: Ayes: Spataro, German, Gawron, Wierengo, Turnquist, and Hood

Nays: None

Abstain: Warmington

MOTION PASSES

PUBLIC PARTICIPATION: Public comments received.

2012-49 CLOSED SESSION: Attorney/Client Communication and Pending Litigation.

Motion by Commissioner Spataro, second by Commissioner Wierengo to go into Closed Session to discuss attorney/client communication and pending litigation.

Ayes: All Ayes

Nays: None

MOTION PASSES

Motion by Commissioner Spataro, second by Vice Mayor Gawron to come out of Closed Session.

Ayes: All Ayes

Nays: None

MOTION PASSES

ADJOURNMENT: The City Commission Meeting adjourned at 7:35 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk

AGENDA ITEM NO. _____

CITY COMMISSION MEETING June 26, 2012

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: June 14, 2012

RE: Human Resources Agreement

SUMMARY OF REQUEST:

To renew the agreement with County of Muskegon to provide human resource services to the city from July 1, 2012 through June 30, 2013.

FINANCIAL IMPACT:

\$75,000 plus incidental costs.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the agreement and authorize the mayor and clerk to sign it.

COMMITTEE RECOMMENDATION:

AGREEMENT BETWEEN THE CITY OF MUSKEGON
AND THE
MUSKEGON COUNTY BOARD OF COMMISSIONERS

THIS AGREEMENT, entered into as of the 1st of July, 2012, between the City of Muskegon, a municipal corporation, by its City Commission, ("City"), the City of Muskegon Civil Service Commission ("CSC"), and the County of Muskegon, by its Board of Commissioners, ("County"), is as follows:

PURPOSE

The purpose of this Agreement is to provide for human resources services to be administered by the County Human Resources Department ("Human Resources Department"), which will provide a wide range of Human Resources services which will be described in detail in the following agreement.

I. **RELATIONSHIP OF THE PARTIES** - The County Department of Human Resources Department and Deborah Groeneveld shall perform all of the services under this Agreement as an Independent Contractor and not as an employee of the City of Muskegon. This Agreement does not create a partnership, joint venture, or any other relationship.

II. **TERM** - The agreement shall commence July 1, 2012 and terminate June 30, 2013, provided that either party may terminate the Agreement with six (6) months notice. The notice shall be sent by certified mail to the County Human Resources Director and the Chair of the CSC if terminated by the City. The notice shall be sent by certified mail to the City Manager and the Chair of the CSC if terminated by the County. The notice shall be sent by certified mail to the County Human Resources Director and the City Manager if the CSC terminates the appointment of Deborah Groeneveld as Personnel Director or terminates the Agreement.

III. **SCOPE OF SERVICE FOR THE CITY** - The Human Resources Department will provide recruitment, advertising, pre-employment physicals and orientation services for new city employees under the guidelines of the City of Muskegon Charter, Civil Service Rules and Regulations, and appropriate collective bargaining agreements. The Human Resources Department will also provide class and pay administration, benefit administration and maintain a complete set of personnel records for the City. The County will also assist City departments with the Employee Assistance Program (EAP), CDL drug testing, and unemployment. The County will also assist City departments and the CSC with disciplines, layoffs, recalls, and terminations.

IV. **SCOPE OF SERVICE FOR THE CSC** - The Human Relations Department will provide recommendations to the CSC as to rules relating to the examination and selection process in the classified service of the City. The Human Resources Department will provide assistance to the CSC in classifying positions, enforcing the administration of the Civil Service Rules, holding examinations for the filling of positions in the classified service, preparing and maintaining an eligibility list of persons passing examinations for positions, and certifying names of person to appointing officers for appointment to a classified position. The Human Resources Department will provide assistance to the CSC in the processing of requests for a leave of absence, temporary appointments, layoffs and recall of personnel, appeals of employees to the CSC relating to a discharge, reduction in rank or compensation, pursuant to the City Charter and Civil Service Rules, as modified by any applicable collective bargaining agreement.

V. COUNTY HUMAN RESOURCES DEPARTMENT OBLIGATIONS - The County agrees to perform the services and provide the materials set forth herein:

A. QUALIFIED STAFF - All County employees engaged in the performance of this Agreement shall be professional in manner and appearance and be trained in Human Resources Administration policies and procedures. The County Human Resources Director shall be responsible to ensure all duties are performed adequately.

B. EQUIPMENT AND SUPPLIES - The County will provide all equipment and supplies needed for the routine performance of its duties without additional expenses, except as otherwise set forth herein.

C. MANUALS - The current City of Muskegon Civil Service Charter and collective bargaining agreements shall be the documents followed for all recruitment activities. All other manuals needed to perform all functions will be provided by the County. (ex: ADA, Fair Labor Standards, FMLA Manuals).

D. PERSONNEL RECORDS - The County will maintain the master personnel files in the Muskegon County Human Resources Department. The personnel files shall be the property of the City.

E. PUBLIC RELATIONS - Good public relations are vital to the success of the Human Resources administration program. During the terms of this Agreement, County employees shall endeavor to promote understanding and amicable relations with City Departments and members of the public.

F. RECRUITMENT AND CERTIFICATION OF APPLICANTS - The County at the direction of the City and/or CSC shall advertise and compile applications for job openings. Qualified applicants will be tested and certified for employment selection. The City shall be responsible for any costs incurred for any testing material designated by the City and/or CSC. The City shall also be responsible for any advertising costs incurred over five hundred (\$500) dollars per agreement year.

G. PHYSICALS AND ORIENTATIONS - The County shall direct selected applicants through the physical and orientation process prior to starting employment. Selected applicants will be given orientations on employment procedures, policies and benefits at the direction of the City. The City shall be responsible for any costs incurred for the physical, back screen and drug test of selected applicants.

H. CLASS AND PAY ADMINISTRATION - County staff will maintain, modify or develop at the direction of the City class specifications for classes of work at the City.

I. BENEFIT ADMINISTRATION - The County shall provide assistance to the City and/or CSC with issues pertaining to FMLA (Family Medical Leave Act), UI (Unemployment Insurance), and the City's EAP (Employee Assistance Program). The City shall designate and provide the legal services for any contested unemployment proceeding filed during the existence of this agreement. Any counsel retained to handle a proceeding shall work under the direction of the

Human Resources Director. The City shall be responsible for any costs incurred for unemployment claims and the City EAP program.

J. COMPUTERIZED INFORMATION TECHNOLOGY – The County will provide staff, equipment, and software to maintain electronic records of recruitment activities using an applicant tracking system (SIGMA/NEOGOV) and testing software (OPAC), and human resources forms processing for current employees.

K. LABOR RELATIONS RELATED ISSUES - The County will provide services to the City and/or CSC on issues of discipline, layoff, recall and termination hearings. The City shall designate and provide the legal services for any labor related issue during the existence of this agreement. Any counsel retained to handle a proceeding shall work under the direction of the Human Resources Director.

L. RECORDS MAINTENANCE AND ACCESS – The County agrees to maintain personnel records with the most current information the Municipality makes available.

1. All changes of employee status, wages, trainings and certifications will be kept in the personnel file of the employee.
2. City staff and CSC Commissioners will be afforded access to personnel files per a policy or procedure designated by the City and CSC.
3. Personnel files are to be maintained at the County Human Resources Department during the term of this agreement, unless mutually agreed that these records may be maintained at another location.

VI. CITY AND CSC OBLIGATIONS - The City and CSC shall undertake the following:

A. CSC FILES AND RECORDS - The CSC shall provide Chapter XV of the City of Muskegon Charter, current Civil Service Rules, policies and procedures, personnel records, recruitment procedures, and all other documents maintained by the City of Muskegon Personnel Director to the Human Relations Department.

B. CITY FILES AND RECORDS - The City shall provide policies and procedures concerning class and pay administration, benefit administration or any Human Resources function presently performed by City employees, except as otherwise provided above, to the Human Relations Department.

C. CIVIL SERVICE DIRECTOR - The CSC shall appoint Deborah Groeneveld as the City of Muskegon Personnel Director, whom shall serve at the pleasure of the CSC. Deborah Groeneveld shall receive no additional compensation for serving as the City's Personnel Director and shall not be an employee of the City. Deborah Groeneveld shall be responsible, subject to delegation, to satisfying the obligations to be provided to the CSC.

VII. FEES AND PAYMENTS - The County will perform all the above services for the Municipality, subject to fees and expenses set forth and under the terms and conditions herein:

A. FEES - The fee for the agreement year, which is from July 1, 2012 to June 30, 2013, shall be \$75,000, in addition to UI (unemployment insurance), pre-employment physical, testing and advertising costs as otherwise set forth herein.

B. PAYMENTS - The Municipality shall remit the annual fee in equal quarterly payments of \$18,750 each. The payment is owed regardless of whether Deborah Groeneveld is appointed by the CSC as the City's Personnel Director.

VIII. MISCELLANEOUS

A. SECTION HEADINGS - The headings of the several sections, and any Table of Contents appended hereto, shall be solely for convenience of reference and shall not affect the meaning, construction or effect hereof.

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

C. ENTIRE AGREEMENT AND AMENDMENT - In conjunction with matters considered herein, this Agreement contains the entire understanding and agreement of the parties and there have been no promises, representations, agreements, warranties, or undertakings by any of the parties, either oral or written, of any character or nature hereafter binding except as set forth herein. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the parties to this Agreement and by no other means. Each party waives their future right to claim, contest or assert that this Agreement was modified, canceled, superseded or changed by any oral agreements, course of conduct, waiver or estoppel. This agreement is subject to obligations, if any, provided for in collective bargaining agreements involving the City, the City of Muskegon Charter and the City of Muskegon Civil Service Rules and Regulations.

D. SUCCESSORS AND ASSIGNS - All representations, covenants, and warranties set forth in the Agreement by or on behalf of, or for the benefit of any or all of the parties hereto, shall be binding upon and inure to the benefit of such party, its successors and assigns.

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

F. EXECUTION OF COUNTERPARTS - This Agreement may be executed in any number of counterparts and each such counterparts shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the parties shall preserve undestroyed, shall together constitute one and the same instrument.

ACKNOWLEDGEMENTS

City of Muskegon

By: _____
Steve Warmington
Mayor

By: _____
Ann Marie Cummings
City Clerk

County of Muskegon:

By: _____
Kenneth Mahoney
Chairman Board of Commissioners

By: _____
Nancy A. Waters
County Clerk

City of Muskegon
Civil Service Commission

By: _____
David George Newsome
Chair

Commission Meeting Date: June 26, 2012

Date: June 14, 2012

To: Honorable Mayor & City Commission

From: Community and Neighborhood Services Department

RE: Approval of Realtor for CNS

SUMMARY OF REQUEST: To approve Greenridge Realty to be used by the City of Muskegon in the sale of CNS properties.

CNS received three bids as listed on the attached spreadsheet.

FINANCIAL IMPACT: The funding for any projects the realtor would be used for would come out of the funds the house was originally established under: CDBG, HOME or NSP1.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve Greenridge Realty for the Community and Neighborhood Services office.

COMMITTEE RECOMMENDATION: None required.

REAL ESTATE BID RESULTS
June 12, 2012

COMPANY	Closing Costs
Greenridge Realty 3145 Henry St Muskegon 49441 Gary Langlois 231-830-3054	6% 1% discount if Greenridge represents buyer
Nexes Realty 880 Broadway Muskegon 49441 David Spyke 231-759-3610	6% but minimum commission is \$2,700
Re/Max Muskegon 5969 Harvey St Muskegon 49441 Diana Cain 231-733-1236	7%

Date: June 26, 2012
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Liquor License Request
Muskegon Country Club
2801 Lakeshore Drive

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request from Muskegon Country Club, 2801 Lakeshore Drive to transfer ownership of a Class C license from Carbon Nite, LLC, 760 W. Broadway, Norton Shores to the Muskegon Country Club.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.



Muskegon Police Department

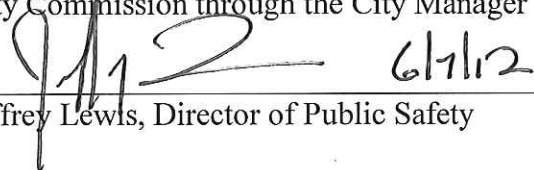
Jeffrey Lewis
Director of Public Safety

980 Jefferson
Muskegon, Michigan
49443-0536

www.muskegonpolice.com

Phone: 231-724-6750
FAX: 231-722-5140

June 7, 2012

To: City Commission through the City Manager
From:  6/7/12
Jeffrey Lewis, Director of Public Safety
Re: Liquor License Investigation – 2801 Lakeshore Drive
Transfer of Class C License

The Muskegon Police Department has received a request from the Michigan Liquor Control Commission for a preliminary investigation from applicant Muskegon Country Club of 2801 Lakeshore Drive, Muskegon, MI. 49441.

Muskegon Country Club is requesting to transfer ownership of Class C license from Carbon Nite, LLC, 760-766-768 W. Broadway, Norton Shores 49441 to the Muskegon Country Club. Upon completion of the transfer the Muskegon Country Club will have a Class C License, Sunday Sales Permit (AM/PM), Catering Permit, Outdoors Service, Entertainment/Dance Permit, Banquet Facility Permit and New Additional Bar Permit (2).

Management advised the Muskegon Police Department that their main purpose in obtaining this license is to increase revenue so that they can include public attendance at their events.

A check of Muskegon Police Department records and criminal history showed no reason to deny this request.

JL/kd



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____

Request ID: _____

(For MLCC use only)

Local Government Approval

(Authorized by MCL 436.1501)

Instructions for Applicants:

- Provide a copy of your Application for New Licenses, Permits, or Transfer of Ownership or Interest in License (form LCC-3011 for Retail or form LCC-3015 for Manufacturers and Wholesalers) to the local unit of government.

Instructions for Local Legislative Body:

- Complete this resolution, or provide a resolution, a letter of certification from the clerk, or minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (township, city, village)
called to order by _____ on _____ at _____
the following resolution was offered: (date) (time)

Moved by _____ and supported by _____
that the application from Muskegon Country Club
(name of applicant)

for the following license(s): Class C
(e.g. Class C, Tavern, B-Hotel, Micro Brewer)

and the following permits, if applied for: ☒ Dance Permit ☒ Entertainment Permit ☐ Topless Activity Permit

☐ Extended Hours Dance Permit Hours Required: _____

☐ Extended Hours Entertainment Permit Hours Required: _____

to be located at 2801 Lakeshore Drive, Muskegon MI 49441

be considered for _____
(approval or disapproval)

Approval

Yeas: _____

Nays: _____

Absent: _____

Disapproval

Yeas: _____

Nays: _____

Absent: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
council/board at a _____ meeting held on _____ (township, city, village)
(regular or special) (date)

Name and title of authorized officer (please print): _____

Signature and date of authorized clerk: _____

Phone number and e-mail of authorized officer: _____



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Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
Request ID: _____
(For MLCC use only)

Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

PLEASE READ! A copy of this completed application should be submitted to the local legislative body and local law enforcement agency where the license is/will be held so your request can be processed correctly.

Part 1 - Please answer both questions below (if you are requesting a license as a part of your application)

Are you requesting a new license as a part of your application? ☐ Yes ☒ No (If yes, cashier is instructed to use fee code 4012)

Are you transferring an existing license as a part of your application? ☒ Yes ☐ No (If yes, cashier is instructed to use fee code 4034)

If you answer **yes** to **both** questions, which type of license is to be transferred? _____

Part 2 - Definitions

Off-premise licenses - Licenses that are issued for the type of business where alcoholic beverages are sold for consumption elsewhere, and where consumption on the premises is not allowed. There are two main types; SDD (spirits and mixed drink spirits) and SDM (beer and wine). Please check the appropriate box for your request. Note: Any additional transfer or license fees may be calculated and collected at a later date.

On-premise licenses - Licenses that are issued to allow alcoholic beverages to be sold, served and consumed on the premises. Note: Any additional transfer or license fees may be calculated and collected at a later date.

Part 3 - Inspection Fees (Check box applicable to your application)

☒ Inspection fee - 1 license (4036) \$70.00 ☐ Inspection fee - 2 licenses (4036) \$140.00 ☐ Inspection fee - 3 licenses (4036) \$210.00

Part 4 - Transaction Information (Check boxes applicable to your application)

☐ New license ☐ Transfer stock/interest ☐ Add/Drop space ☒ Transfer location ☒ Transfer classification ☐ Change status (self incorporation)
☐ New permit ☐ Transfer ownership ☐ Transfer limited partnership interest

Name(s) of current licensee: Carbon Nite, LLC

Current licensed address: 760-766-768 W Broadway, Norton Shores 49441

Part 5 - License Types and Permits (Check boxes applicable to your application)

MCL 436.1525(1) provides that license fees shall be paid at the time of filing applications. (All checks/money orders should be made payable to the State of Michigan)

Off Premise License Type:	Base Fee:	Off Premise Permits:	Base Fee:
☐ SDM License	\$100.00	☒ Sunday Sales Permit (AM)	\$160.00
☐ SDD License	\$150.00	☐ Sunday Sales Permit (PM)	\$22.50
☐ Resort SDD License	Upon Licensure	(Held with SDD license)	
☐ Transfer Resort SDD license	\$150.00	☐ Catering Permit	\$100.00
		☐ Beer and Wine Sampling	No charge *
		☐ Living Quarters	No charge *

*Note: MCL 436.1529(5)(b) provides that an inspection fee shall not be required for the issuance of a new permit, or the transfer of an existing permit, if the permit is issued or transferred simultaneously with the issuance or transfer of a license or an interest in a license.

Off Premise Permission(s):	Base Fee:
☐ Off-premise Storage	No charge
☐ Direct Connection(s)	No charge
☐ Gas Pumps	No charge



Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

Part 5 Continued - License Types and Permits (Check boxes applicable to your application)

On Premise License Type:	Base Fee:	On Premise Permits:	Base Fee:
☐ B-Hotel License	\$600.00	☐ New Banquet Facility Permit	\$600.00
☐ A-Hotel License	\$250.00	☒ Sunday Sales Permit (AM)	\$160.00
☐ Brewpub license	\$100.00	☒ Sunday Sales Permit (PM)	15% of license fee
☒ Class C License	\$600.00	☒ Catering Permit	\$100.00
☐ Club License	\$300.00	☒ Outdoor Service	No charge *
☐ Resort License	Upon Licensure	☒ Entertainment Permit	No charge *
☐ Redevelopment License	Upon Licensure	☒ Dance Permit	No charge *
☐ Tavern License	\$250.00	☐ Topless Activity Permit	No charge *
☐ G-1 License	\$1,000.00	☒ Banquet Facility Permit	No charge *
☐ G-2 License	\$500.00	☐ Living Quarters	No charge*
☐ Aircraft License	\$600.00	☐ Specific Purpose Permit (list activity below):	No charge *
☐ Watercraft License	\$100.00	Hours requested: _____	
☐ Train	\$100.00	☐ Extended Hours Permit (check type below):	No charge *
☐ Continuing Care License	\$600.00	☐ Dance ☐ Entertainment	
		Hours requested: _____	
		☒ New Additional Bar Permit (s)** Indicate #: 2	\$350.00
On Premise Permission(s):	Base Fee:	*Note: MCL 436.1529(5)(b) provides that an inspection fee shall not be required for the issuance of a new permit, or the transfer of an existing permit, if the permit is issued or transferred simultaneously with the issuance or transfer of a license or an interest in a license.	
☐ Off-premise Storage	No charge	**Note: \$350.00 is due for <u>each</u> additional bar requested. This fee must also be included when calculating the total amount due for Sunday Sales Permit (PM).	
☐ Direct Connection(s)	No charge		
☐ Gas Pumps	No charge		

Part 6 - Applicant Information

Name of entity/person that will hold the license: Muskegon Country Club

- Corporations/Limited Liability Company(s) - State the name as it is filed with the State of Michigan Corporation Division and provide a copy of your articles.
- Corporations/Limited Liability Company(s) must provide a list of stockholders/members in Part 8 of this form.
- If your company has not filed with the State of Michigan, you must submit a copy of a filed certificate of authority to transact business in Michigan along with your application.

Street address of proposed licensed establishment: 2801 Lakeshore Drive Zip Code: 49441

City, Village: Muskegon Township: _____ County: Muskegon

Contact person for your company: Charles E Johnson, Board President

Business Phone: 231-755-3737 Cell Phone: 231-557-7055 E-mail address: _____

Do you have an attorney that you would like us to contact? ☐ Yes - See below ☒ No

Attorney name and address: _____

Office Phone: _____ Cell Phone: _____ E-mail address: _____



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Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____

Request ID: _____

(For MLCC use only)

Application for New License, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

Part 7a - Name and Address

- Each stockholder/member/partner must complete Part 7b of the application.
(For companies with multiple stockholders/members/partners, please make copies of this section for each individual to complete)
- Administrative rule R 436.1115 provides that an applicant for a license shall submit fingerprints and undergo investigation by the Commission. Fingerprints are not required for an applicant previously fingerprinted for a license with the Commission. If your local police agency does not have paper fingerprint cards, please contact the MLCC today at (866) 813-0011 and we will send them to you right away.
- Please attach the the fingerprint card and \$30.00 fee payable (for each card) to the State of Michigan and return them to the Lansing office of the Michigan Liquor Control Commission.

Name: Charles E. Johnson III
Home address: 740 Lake Drive, N. Muskegon, MI 49445
Business Phone: 231-755-3737 Cell Phone: 231-557-7055 E-mail address: _____

Part 7b - Personal Information (Individuals)

Date of Birth: 06-22-1964 Social Security Number: 373-86-9058

Are you a citizen of the United States of America? ☒ Yes ☐ No (If you answered "no", you will be asked to provide documentation to verify citizenship)
Have you ever legally changed your name? ☐ Yes ☒ No (If you are/were married remember to list your prior name(s) or during naturalization or court process.)

If you answered yes, please state your prior name(s) (including maiden): _____

Have you ever been arrested? ☐ Yes ☒ No If yes, list below (attach additional pages if necessary)

Date	City/State	Charge	Disposition
_____	_____	_____	_____

If you are currently married, what is your **spouse's** full name? Nina F. Johnson

Spouse's date of birth: 9-30-1962 (first, middle, last)

Is your **spouse** a citizen of the United States of America? ☒ Yes ☐ No (If you answered "no", you will be asked to provide documentation to verify your spouse's citizenship)

Has your **spouse** ever been arrested? ☐ Yes ☒ No If yes, list below (attach additional pages if necessary)

Date	City/State	Charge	Disposition
_____	_____	_____	_____

Do you or your spouse hold any position, either by appointment or election, which involves the duty to enforce any penal law of the United States of America, or the penal laws of the State of Michigan, or any penal ordinance or resolution of any municipal subdivisions of the State of Michigan (civil defense volunteer policeman, mayors, village presidents, and members of city councils are not considered to be law enforcement officers).

☐ Yes ☒ No

Do you or your spouse hold any class of license for the manufacture or sale of alcoholic beverages at wholesale in Michigan?

☐ Yes ☒ No

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

05-11-2012

Charles E Johnson III

Date

Individual, print name

Individual signature



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Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
Request ID: _____
(For MLCC use only)

Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

Part 8 - Report of Stockholders/Members/Limited Partners

Corporations - Please complete this section and attach more copies of this page if more room is needed.

Name and Address of all Stockholders:

Total Number of Shares Held:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Name and address of Corporate Officers and Directors, pursuant to administrative rule R 436.1109

Charles E Johnson, President

Steve Bliss, Vice President/Treasurer

Paul Chovas, Secretary

What is the total number of shares that the corporation has issued to its stockholders? _____

Limited Liability Companies - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all members:

Total Percent (%) of interest held

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Name and address of Managers and Assignees, pursuant to administrative rule R 436.1110



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Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
Request ID: _____
(For MLCC use only)

Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

Part 8 Continued - Report of Stockholders/Members/Limited Partners

Limited Partnerships - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all partners: _____ Total Percent (%) of interest held _____

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Name and address of Managers, pursuant to administrative rule R 436.1111

Signature of Applicant:

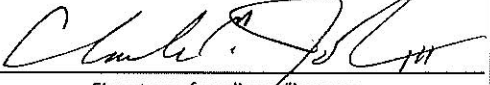
I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

5-11-2012

Date

Charles E. Johnson III

Print name of applicant/licensee and title


Signature of applicant/licensee

To check the status of your request, visit www.michigan.gov/lcc and click on "Online Services." Scroll down to Liquor Control Commission and click on "Online Status Check." Enter your request id number (RID) to check on your application 24 hours a day.

Date: 06/26/12
To: Honorable Mayor and City Commission
From: Department of Public Works
RE: Mueller CL-12 Watermain Tapping Machine
Repair

SUMMARY OF REQUEST: Authorize Staff to purchase repair services from the original equipment manufacturer, Mueller Co. of Decatur Illinois, to rebuild and recondition our Mueller CL-12 Watermain Tapping Machine.

FINANCIAL IMPACT: Total Cost \$ 10,500

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve purchase

MEMORANDUM

To: Mohammed AL-Shatel, Director of Public Works
From: Kelly DeFrench, Public Utility Superintendent
Date: 6/19/2012
Re: Mueller CL-12 Tapping Machine Equipment Repair Purchase

Mohammed,

We've been experiencing mechanical problems with our Mueller CL- 12 tapping machine. Recently we have noticed that the carbide teeth on the shell cutters have been breaking off prematurely, this could be the result of a problem with the Automatic travel / the feed rate, a gear, or possibly a worn boring bar.

The Mueller CL- 12 tapping machine is used exclusively to make large watermain taps from 4" thru 12 " The CL-12 is a specialized piece of equipment and must be sent to the original equipment manufacturer, Mueller Co of Decatur Ill, for repairs. The Muller Co. has estimated reconditioning and a rebuild will be around \$10,500.00. The rebuild will include new internal parts and a new boring bar.

A new machine would cost around \$23,500.00, which is essentially what we will have when ours is completed. Experts in the field who I have spoken to recommended rebuilding our machine as opposed to purchasing a new one.

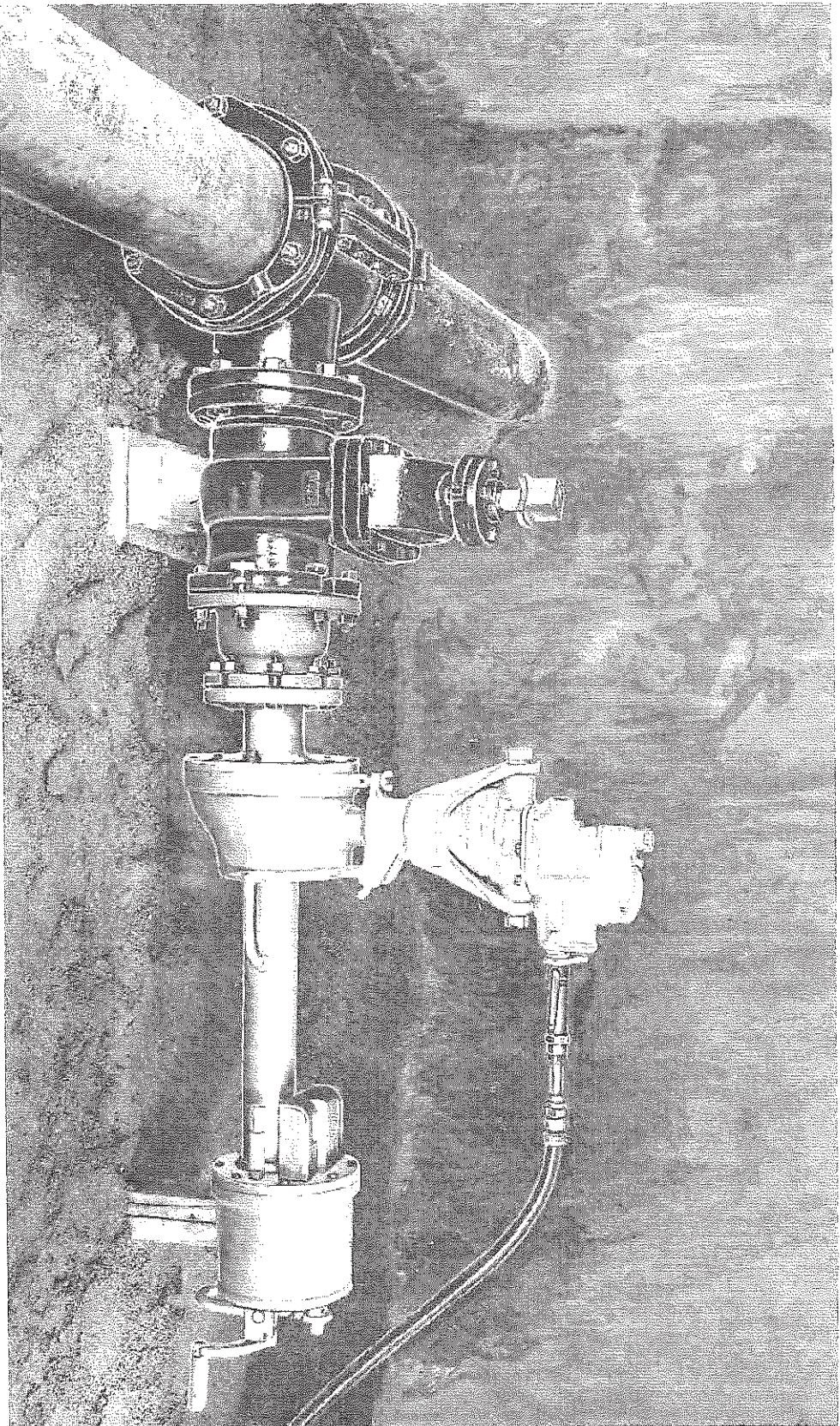


FIGURE 18

Date: June 26, 2012

To: Honorable Mayor and City Commissioners

From: DPW/Equipment

RE: Purchase of GPS Units

SUMMARY OF REQUEST:

Authorize staff to purchase between forty and fifty GPS units from networkfleet to be installed on a number of city owned vehicle/trucks operated by DPW and other departments.

The proposal calls for the city to trade in the Shadowtracker units the city owns at this time and invest up to \$26,000 (budgeted in the 2012/2013 CIP) for the proposed units which would be used, at minimum, to track trips, idling and required vehicle maintenance. The recommendation to purchase from networkfleet is the result of evaluating various other products (fleetmatics) and having networkfleet's product for the last six month and found them to be exactly what we need in addition to submitting the lowest price.

FINANCIAL IMPACT:

Invest between \$24,000 & \$26,000 the first year which includes the purchase of the units and an annual investment of \$25.95/month/unit after the first year.

BUDGET ACTION REQUIRED:

None at this time, however, future budget will include a \$25.95/month/unit for maintenance and technical support.

STAFF RECOMMENDATION:

Authorize staff to enter into an agreement with networkfleet to purchase the GPS units and the annual subscription fee for an additional two years.

COMMITTEE RECOMMENDATION:

C:\Documents and Settings\Potter\Local Settings\Temporary Internet Files\OLK8\Comm agenda item to purchase gps units 6-26-2012.doc

Sales Quote



Pricing based on 36 month agreement. Offer good until 06/30/2012. Monthly Services charges will not start until October 1, 2012 (First 3 months for free)

Networkfleet Contact Information

Sales Representative	Brian Miles		
Mailing Address	6363 Greenwich Dr.	City	San Diego
State	CA	Zip	92122
Email Address	bmiles@networkfleet.com	Phone Number	810-714-2766

Customer

Company Name	City of Muskegon		
Contact Name	Muhammad Al-Shatel		
Mailing Address	1350 E. Keating Avenue	City	Muskegon
State	MI	Zip	49441
Email Address	mo@postman.org	Phone Number	231-724-4100

Networkfleet Hardware and Software Pricing

Quantity	Item	Description	Unit Price	Total
Hardware - All hardware comes with a 3 year warranty				
50	5500	Hardware: GPS and Diagnostics included. (harness is sold separately)	\$315.00	\$ 15,750.00
50	Trade-in units	Trade-in allowance for 50 Shadow Tracker units. (Note: units must be received at Networkfleet before August 1,2012 or Networkfleet will charge back \$100 per unit that it doesn't receive.	(\$100.00)	\$ (5,000.00)
Accessories				
50	Harnesses	Light Duty or Heavy Duty Harness for 5500	\$35.00	\$ 1,750.00
0	Antenna	Optional window mount antenna	\$35.00	\$ -
0	Harnesses	Sensor Input Harness: To connect PTO for monitoring	\$10.00	\$ -
Monthly Service Fees				
50	5500 Service	Monthly software charges for 5500 hardware (with diagnostics) . Includes data plan, web access, application updates and Roadside Assistance. (Note: this calculation is based on 9 months of service for first year. 2nd and 3rd years cost would be for 12 months)	\$25.95	\$ 1,297.50

Upfront Costs Subtotal	\$ 12,500.00
Shipping (approximate)	\$ 100.00
Total Upfront Costs*	\$ 12,600.00
Total Monthly Recurring Costs*	\$ 1,297.50
Yearly Costs for Monthly Recurring (July 2012 through June 2013)	\$ 11,677.50
Total costs for 1st year. (July 2012 through June 2013)	\$ 24,277.50

*Taxes may apply

Date: June 26, 2012
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids for:
S-661 Evanston Lift Station Rehabilitation

SUMMARY OF REQUEST:

Award the Evanston Lift Station Rehabilitation project – S-661 to Jackson Merkey out of Muskegon, MI since they were the lowest responsible bidder with a total bid price of \$193,585, see attached bid tabulation.

FINANCIAL IMPACT:

The construction cost of \$193,585 plus engineering

BUDGET ACTION REQUIRED:

None since this project is on the 2012/2013 CIP's list.

STAFF RECOMMENDATION:

Award the contract to Jackson Merkey.

COMMITTEE RECOMMENDATION:

S-661 EVANSTON AVE. LIFT STATION REHABILITATION

BID TABULATION 06/12/12

CONTRACTOR	AMOUNT
JACKSON MERKEY 555 E. WESTERN AVE. MUSKEGON, MI 49442	\$193,585.00
GRAND RIVER CONSTRUCTION INC. 5025 40th Ave./ PO Box 323 Hudsonville, MI 49426	\$242,950.00

Date: June 26, 2012
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Gaming License Request from Red's Youth
Center/Restoration Restore a Generation

SUMMARY OF REQUEST: Red's Youth Center/Restoration Restore a Generation, 1855 Peck Street, Muskegon, MI 49441, is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a Gaming License.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Denial until 501(c)3 is shown.

Dear City Commissioners of Muskegon



I am writing on the behalf of Red's Youth Center/Restoration Restore A Generation for support and your vote to help the center receive charitable bingo gaming funds. Red's Youth Center gives the opportunity for all local youth to have a safe haven that offers homework help, activities, snack, and dinner daily; community outreach activities on the weekend days. I stepped out of faith about a year ago, and have fully funded the program out of my pocket thus far, but need help to continue opening the doors to the one and only community center in Muskegon of its kind. We ask before you today for your vote to enhance what is being offered at the community center. With the new finances being donated from the local charitable bingo gaming will offer the local youth the opportunity to receive free tutoring from license teachers, catered meals, educational field trips, ongoing learning activities, and beautification of the community; more in-depth of how the money will be spent(rent, utilities, meals, snack, stipend for staff, activities, supplies, transportation, small scholarships, tutoring supplies, computers, and technology supplies to enhance the youth mind sets toward a positive future) . I have partner with a local couple that have been affiliated with charitable bingo gaming for the past 13 year and will be the workers and of our games each day. Select Auditorium has offered us a year contract with their hall, the state has accepted my application for process with the approval of the board that sets in front of me today. This is an important choice for our community. Please vote in favor for our community youth centers opportunity for change in a positive way.

Sincerely,

Red's Youth Center/Restoration Restore A Generation

1855 Peck Street Muskegon, MI 49441

231-571-4540



Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(K)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION CITY

county of _____, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL

Yeas: _____

Nays: _____

Absent: _____

DISAPPROVAL

Yeas: _____

Nays: _____

Absent: _____

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

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.
BSL-CG-1153(R6/09)

Date: June 26, 2012

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Consideration of Bids
Hackley Ave. Glen to Hudson WM
Replacement (W-734)

SUMMARY OF REQUEST:

Award the above referenced project to Jackson-Merkey who submitted the preliminary bid of \$642,662.45.

FINANCIAL IMPACT:

The construction cost of \$642,662.45 plus engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED:

None at this time, this project is in the 2012/2013 CIP budget.

STAFF RECOMMENDATION:

Award the contract to Jackson-Merkey.

COMMITTEE RECOMMENDATION:

H-1682, W-734,
S-660
HACKLEY AVE., GLEN ST. TO HUDSON ST.
BID TABULATIONS

CONTRACTOR			ENGINEER'S			Jackson-Merkey Const.		Diversco Constr. Co.		McCormick Sand Inc.		Jack Dykstra Etc.	
ADDRESS			ESTIMATE			555 E. Western Ave.		PO Box 409		5430 Russell Rd.		3677 3 Mile Rd. NW	
CITY/ST/ZIP						Muskegon, MI 49442		Grandville, MI 49418		Twin Lake, MI 49457		Grand Rapids, MI 49534	
LINE		UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization, Man	Ls		\$ 25,000.00	\$ 25,000.00	\$ 6,860.00	\$ 6,860.00	\$ 40,275.00	\$ 40,275.00	\$ 44,750.00	\$ 44,750.00	\$ 70,000.00	\$ 70,000.00
2	Sidewalk, Rem	Syd	260.00	\$ 5.00	\$ 1,300.00	\$ 5.50	\$ 1,430.00	\$ 4.00	\$ 1,040.00	\$ 3.00	\$ 780.00	\$ 2,080.00	\$ 2,080.00
3	Curb and Gutter, Rem	Ft	600.00	\$ 10.00	\$ 6,000.00	\$ 7.00	\$ 4,200.00	\$ 6.00	\$ 3,600.00	\$ 6.00	\$ 3,600.00	\$ 7.00	\$ 4,200.00
4	Pavt, Rem, Modified	Syd	12880.00	\$ 5.00	\$ 64,400.00	\$ 1.95	\$ 25,116.00	\$ 1.95	\$ 25,116.00	\$ 1.00	\$ 12,880.00	\$ 2.30	\$ 29,624.00
5	Erosion Control, Inlet Protection, Fabric Drop	Ea	24.00	\$ 100.00	\$ 2,400.00	\$ 110.00	\$ 2,640.00	\$ 125.00	\$ 3,000.00	\$ 75.00	\$ 1,800.00	\$ 100.00	\$ 2,400.00
6	Aggregate Base, Conditioning	Syd	12800.00	\$ 3.00	\$ 38,400.00	\$ 4.25	\$ 54,400.00	\$ 3.45	\$ 44,160.00	\$ 2.20	\$ 28,160.00	\$ 5.25	\$ 67,200.00
7	Maintenance Gravel, LM	Cyd	250.00	\$ 20.00	\$ 5,000.00	\$ 4.75	\$ 1,187.50	\$ 25.00	\$ 6,250.00	\$ 20.00	\$ 5,000.00	\$ 30.00	\$ 7,500.00
8	Dr Structure, Adj, Add Depth	Ft	8.00	\$ 200.00	\$ 1,600.00	\$ 230.00	\$ 1,840.00	\$ 105.00	\$ 840.00	\$ 300.00	\$ 2,400.00	\$ 200.00	\$ 1,600.00
9	Dr Structure Cover, Modified	Ea	13.00	\$ 500.00	\$ 6,500.00	\$ 340.00	\$ 4,420.00	\$ 445.00	\$ 5,785.00	\$ 380.00	\$ 4,940.00	\$ 350.00	\$ 4,550.00
10	Dr Structure Cover, Adj, Case 1, Modified	Ea	13.00	\$ 550.00	\$ 7,150.00	\$ 465.00	\$ 6,045.00	\$ 404.00	\$ 5,252.00	\$ 450.00	\$ 5,850.00	\$ 375.00	\$ 4,875.00
11	HMA, 3C	Ton	1600.00	\$ 65.00	\$ 104,000.00	\$ 60.00	\$ 96,000.00	\$ 59.00	\$ 94,400.00	\$ 58.79	\$ 94,064.00	\$ 58.00	\$ 94,400.00
12	HMA, 4C	Ton	1700.00	\$ 65.00	\$ 110,500.00	\$ 72.00	\$ 122,400.00	\$ 70.00	\$ 119,000.00	\$ 70.29	\$ 119,493.00	\$ 71.00	\$ 120,700.00
13	Driveway, Nonreinf Conc, 8 inch, Modified	Syd	200.00	\$ 35.00	\$ 7,000.00	\$ 28.00	\$ 5,600.00	\$ 27.10	\$ 5,420.00	\$ 30.00	\$ 6,000.00	\$ 30.10	\$ 6,020.00
14	Curb and Gutter, Conc, Det F4, Modified	Ft	600.00	\$ 14.00	\$ 8,400.00	\$ 15.00	\$ 9,000.00	\$ 14.20	\$ 8,520.00	\$ 16.00	\$ 9,600.00	\$ 15.20	\$ 9,120.00
15	Sidewalk Ramp	Sft	1125.00	\$ 6.00	\$ 6,750.00	\$ 3.50	\$ 3,937.50	\$ 3.25	\$ 3,656.25	\$ 3.80	\$ 4,275.00	\$ 3.60	\$ 4,050.00
16	Detactable Warning Surface	Ft	100.00	\$ 10.00	\$ 1,000.00	\$ 37.00	\$ 3,700.00	\$ 36.00	\$ 3,600.00	\$ 36.00	\$ 3,600.00	\$ 37.00	\$ 3,700.00
17	Pavt Mrkg, Ovlv Cold Plastic, 6 inch, Crosswalk	Ft	200.00	\$ 2.00	\$ 400.00	\$ 2.60	\$ 520.00	\$ 2.50	\$ 500.00	\$ 3.00	\$ 600.00	\$ 2.50	\$ 500.00
18	Pavt Mrkg, Ovlv Cold Plastic, 18 inch, Stop Bar	Ft	80.00	\$ 6.00	\$ 480.00	\$ 6.50	\$ 520.00	\$ 7.50	\$ 600.00	\$ 8.00	\$ 640.00	\$ 7.50	\$ 600.00
19	Pavt Mrkg, Ovlv Cold Plastic, Lt Turn Arrow Sym	Ft	2.00	\$ 95.00	\$ 190.00	\$ 105.00	\$ 210.00	\$ 90.00	\$ 180.00	\$ 300.00	\$ 600.00	\$ 90.00	\$ 180.00
20	Pavt Mrkg, Ovlv Cold Plastic, Lt Turn Only	Ea	4.00	\$ 115.00	\$ 460.00	\$ 210.00	\$ 840.00	\$ 283.00	\$ 1,132.00	\$ 500.00	\$ 2,000.00	\$ 285.00	\$ 1,140.00
21	Pavt Mrkg, Waterborne, 4 inch, White	Ft	800.00	\$ 0.50	\$ 400.00	\$ 0.52	\$ 416.00	\$ 0.47	\$ 376.00	\$ 0.30	\$ 240.00	\$ 0.50	\$ 400.00
22	Pavt Mrkg, Waterborne, 4 inch, Yellow	Ft	6295.00	\$ 0.25	\$ 1,573.75	\$ 0.16	\$ 1,007.20	\$ 0.47	\$ 2,958.65	\$ 0.30	\$ 1,888.50	\$ 0.50	\$ 3,147.50
23	Barricade, Type III, High Intensity, Lighted, Furn	Ea	12.00	\$ 17.00	\$ 204.00	\$ 105.00	\$ 1,260.00	\$ 95.00	\$ 1,140.00	\$ 85.00	\$ 1,020.00	\$ 95.00	\$ 1,140.00
24	Barricade, Type III, High Intensity, Lighted, Oper	Ea	12.00	\$ 3.00	\$ 36.00	\$ 5.00	\$ 60.00	\$ 5.00	\$ 60.00	\$ 1.00	\$ 12.00	\$ 5.00	\$ 60.00
25	Dust Pillative, Applied	Ton	15.00	\$ 100.00	\$ 1,500.00	\$ 10.00	\$ 150.00	\$ 395.00	\$ 5,925.00	\$ 1.00	\$ 15.00	\$ 300.00	\$ 4,500.00
26	Plastic Drum, High Intensity, Furn	Ea	100.00	\$ 17.00	\$ 1,700.00	\$ 23.00	\$ 2,300.00	\$ 21.00	\$ 2,100.00	\$ 16.00	\$ 1,600.00	\$ 21.00	\$ 2,100.00
27	Plastic Drum, High Intensity, Oper	Ea	100.00	\$ 3.00	\$ 300.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00
28	Sign, Type B, Temp, Furn	Sft	480.00	\$ 3.00	\$ 1,440.00	\$ 3.00	\$ 1,440.00	\$ 3.00	\$ 1,440.00	\$ 2.50	\$ 1,200.00	\$ 3.00	\$ 1,440.00
29	Sign, Type B, Temp, Oper	Sft	480.00	\$ 1.00	\$ 480.00	\$ 1.00	\$ 480.00	\$ 1.00	\$ 480.00	\$ 1.00	\$ 480.00	\$ 1.00	\$ 480.00
30	Hyrosseeding	Syd	1350.00	\$ 0.50	\$ 675.00	\$ 0.50	\$ 675.00	\$ 0.90	\$ 1,215.00	\$ 1.00	\$ 1,350.00	\$ 1.00	\$ 1,350.00
31	Topsoil Surface, Furn, 4 inch	Syd	1350.00	\$ 3.00	\$ 4,050.00	\$ 3.90	\$ 5,265.00	\$ 2.80	\$ 3,780.00	\$ 2.50	\$ 3,375.00	\$ 4.00	\$ 5,400.00
32	Sand Refill	Cyd	6685.00	\$ 9.00	\$ 60,165.00	\$ 1.00	\$ 6,685.00	\$ 3.25	\$ 21,726.25	\$ 3.30	\$ 22,065.00	\$ 7.50	\$ 50,137.50
33	Underdrain 6 inch Pipe	Ft	1180.00	\$ 4.00	\$ 4,740.00	\$ 4.00	\$ 4,740.00	\$ 3.25	\$ 3,770.00	\$ 3.50	\$ 4,060.00	\$ 2.50	\$ 2,900.00
34	Sidewalk, Conc, 4 inch	Sft	850.00	\$ 3.00	\$ 2,550.00	\$ 2.20	\$ 1,870.00	\$ 2.10	\$ 1,785.00	\$ 2.40	\$ 2,040.00	\$ 2.45	\$ 2,082.50
35	Sidewalk, Conc, 6 inch	Sft	400.00	\$ 4.00	\$ 1,600.00	\$ 2.90	\$ 1,160.00	\$ 2.75	\$ 1,100.00	\$ 3.00	\$ 1,200.00	\$ 3.10	\$ 1,240.00
36	Watermain, DI, 6 Inch, Tr Det G, Modified	Ft	265.00	\$ 35.00	\$ 9,275.00	\$ 41.80	\$ 11,077.00	\$ 52.20	\$ 13,833.00	\$ 35.00	\$ 9,275.00	\$ 41.75	\$ 11,063.75
37	Watermain, DI, 8 Inch, Tr Det G, Modified	Ft	3627.00	\$ 30.00	\$ 108,810.00	\$ 44.50	\$ 161,401.50	\$ 53.60	\$ 194,407.20	\$ 40.40	\$ 146,530.80	\$ 48.20	\$ 174,821.40
38	Watermain, DI, 12 inch, Tr Det G, Modified	Ft	65.00	\$ 50.00	\$ 3,250.00	\$ 86.75	\$ 5,638.75	\$ 86.85	\$ 5,645.25	\$ 58.00	\$ 3,835.00	\$ 67.05	\$ 4,358.25
39	Water Service, 1 inch, Copper Type K	Ft	251.00	\$ 25.00	\$ 6,275.00	\$ 19.00	\$ 4,769.00	\$ 28.20	\$ 7,078.20	\$ 14.00	\$ 3,514.00	\$ 25.00	\$ 6,275.00
40	Water Service, 2 inch, Copper Type K	Ft	30.00	\$ 50.00	\$ 1,500.00	\$ 34.00	\$ 1,020.00	\$ 43.60	\$ 1,308.00	\$ 25.00	\$ 750.00	\$ 33.80	\$ 1,014.00
41	Corporation Stop, 1 inch	Ea	7.00	\$ 250.00	\$ 1,750.00	\$ 235.00	\$ 1,645.00	\$ 114.00	\$ 798.00	\$ 280.00	\$ 1,960.00	\$ 125.00	\$ 875.00
42	Corporation Stop, 2 inch	Ea	1.00	\$ 350.00	\$ 350.00	\$ 455.00	\$ 455.00	\$ 359.00	\$ 359.00	\$ 900.00	\$ 900.00	\$ 270.00	\$ 270.00
43	Meter Pit Complete	Ea	2.00	\$ 750.00	\$ 1,500.00	\$ 815.00	\$ 1,630.00	\$ 1,037.00	\$ 2,074.00	\$ 835.00	\$ 1,670.00	\$ 785.00	\$ 1,570.00
44	Cross, 12 inch x 8 inch, DI MJ	Ea	1.00	\$ 600.00	\$ 600.00	\$ 935.00	\$ 935.00	\$ 967.00	\$ 967.00	\$ 830.00	\$ 830.00	\$ 630.00	\$ 630.00
45	Cross, 8 inch x 8 inch, DI MJ	Ea	1.00	\$ 500.00	\$ 500.00	\$ 740.00	\$ 740.00	\$ 539.00	\$ 539.00	\$ 610.00	\$ 610.00	\$ 420.00	\$ 420.00
46	Hydrant, 6 inch, Standard	Ea	8.00	\$ 1,500.00	\$ 12,000.00	\$ 2,195.00	\$ 17,560.00	\$ 2,270.00	\$ 18,160.00	\$ 2,270.00	\$ 18,160.00	\$ 2,100.00	\$ 16,800.00
47	Sleeve, 6 inch, Long, DI MJ	Ea	6.00	\$ 400.00	\$ 2,400.00	\$ 275.00	\$ 1,650.00	\$ 435.00	\$ 2,610.00	\$ 550.00	\$ 3,300.00	\$ 330.00	\$ 1,980.00
48	Sleeve, 12 inch, long, DI MJ	Ea	2.00	\$ 400.00	\$ 800.00	\$ 565.00	\$ 1,130.00	\$ 1,271.00	\$ 2,542.00	\$ 650.00	\$ 1,300.00	\$ 635.00	\$ 1,270.00
49	Sleeve, 8 inch, Long, DI MJ	Ea	7.00	\$ 400.00	\$ 2,800.00	\$ 325.00	\$ 2,275.00	\$ 623.00	\$ 4,361.00	\$ 600.00	\$ 4,200.00	\$ 485.00	\$ 3,395.00
50	Curb Stop and Box, 2 inch	Ea	1.00	\$ 350.00	\$ 350.00	\$ 470.00	\$ 470.00	\$ 441.00	\$ 441.00	\$ 425.00	\$ 425.00	\$ 485.00	\$ 485.00
51	Valve, 6 inch, Gate, with Box	Ea	11.00	\$ 700.00	\$ 7,700.00	\$ 930.00	\$ 10,230.00	\$ 790.00	\$ 8,690.00	\$ 1,200.00	\$ 13,200.00	\$ 710.00	\$ 7,810.00
52	Valve, 8 inch, Gate, With Box	Ea	14.00	\$ 800.00	\$ 11,200.00	\$ 1,205.00	\$ 16,870.00	\$ 1,118.00	\$ 15,652.00	\$ 1,465.00	\$ 20,510.00	\$ 965.00	\$ 13,510.00
53	Bend, 8 inch, 45 Degree, DI MJ	Ea	26.00	\$ 350.00	\$ 9,100.00	\$ 360.00	\$ 9,360.00	\$ 272.00	\$ 7,072.00	\$ 310.00	\$ 8,060.00	\$ 230.00	\$ 5,980.00
54	Bend, 6 inch, 45 Degree, DI MJ	Ea	6.00	\$ 350.00	\$ 2,100.00	\$ 270.00	\$ 1,620.00	\$ 223.00	\$ 1,338.00	\$ 280.00	\$ 1,680.00	\$ 205.00	\$ 1,230.00
55	Reducer, 8 inch, x 6 inch, DI MJ	Ea	4.00	\$ 350.00	\$ 1,400.00	\$ 375.00	\$ 1,500.00	\$ 196.50	\$ 786.00	\$ 280.00	\$ 1,120.00	\$ 225.00	\$ 900.00
56	Cut and Cap, 6 inch Watermain	Ea	2.00	\$ 400.00	\$ 800.00	\$ 575.00	\$ 1,150.00	\$ 280.00	\$ 560.00	\$ 500.00	\$ 1,000.00	\$ 260.00	\$ 520.00
57	Tee, 8 inch x 8 inch, DI MJ	Ea	6.00	\$ 400.00	\$ 2,400.00	\$ 510.00	\$ 3,060.00	\$ 473.00	\$ 2,838.00	\$ 560.00	\$ 3,360.00	\$ 360.00	\$ 2,160.00
58	Tee, 8 inch x 6 inch, DI MJ	Ea	11.00	\$ 400.00	\$ 4,400.00	\$ 460.00	\$ 5,060.00	\$ 426.00	\$ 4,686.00	\$ 500.00	\$ 5,500.00	\$ 310.00	\$ 3,410.00
59	Water Valve Box and Cover, Complete	Ea	4.00	\$ 350.00	\$ 1,400.00	\$ 425.00	\$ 1,700.00	\$ 301.00	\$ 1,204.00	\$ 550.00	\$ 2,200.00	\$ 370.00	\$ 1,480.00
60	Curb Stop and Box, 1 inch	Ea	5.00	\$ 250.00	\$ 1,250.00	\$ 270.00	\$ 1,350.00	\$ 267.00	\$ 1,335.00	\$ 320.00	\$ 1,600.00	\$ 200.00	\$ 1,000.00

ORIGINAL ESTIMATE AMOUNT

\$ 668,653.75

DIFFERENCE \$ (3,500.00)

Commission Meeting Date: June 26, 2012

Date: June 19, 2012
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Request for Preliminary and Final Planned Unit Development approval for 372 Morris Ave

SUMMARY OF REQUEST:

The request for Preliminary and Final Planned Unit Development (PUD) approval at 372 Morris Ave for a mixed use development. The request is by Bob Dykstra, Urban Renaissance Group, LLC.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends final approval of the PUD provided that the conditions listed in the attached resolution are met.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the Preliminary PUD and the final PUD, with the conditions listed on the attached resolution, at their June 14, 2012 meeting. The vote was unanimous, with T. Michalski and W. Parked absent.

CITY OF MUSKEGON

RESOLUTION #2012-

RESOLUTION FOR PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT APPROVAL FOR 372 MORRIS AVE.

WHEREAS, a petition for a planned unit development was received from Bob Dykstra, Urban Renaissance Group, LLC; and,

WHEREAS, a planned unit development will allow a mixed use development; and,

WHEREAS, proper notice was given by mail and publication and public hearings were held by the City Planning Commission and by the City Commission to consider said petition, during which all interested persons were given an opportunity to be heard in accordance with provisions of the Zoning Ordinance and State Law; and

WHEREAS, the Planning Commission and staff have recommended approval of the Preliminary and Final Planned Unit Development and associated site plan, with conditions as follows:

1. Each phase of the PUD come back to the Planning Commission for approval of the site plan and PUD amendment

NOW, THEREFORE, BE IT RESOLVED that the recommendation by staff and the City Planning Commission be accepted and the preliminary and final planned unit development is hereby approved.

Adopted this 26th day of June, 2012

Ayes:

Nays:

Absent:

By: _____
Stephen J. Warmington
Mayor

Attest: _____
Ann Marie Cummings
Clerk, City of Muskegon

CERTIFICATE (Preliminary and Final PUD 372 Morris Ave.)

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 26th day of June, 2012, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2012.

Ann Marie Cummings
Clerk, City of Muskegon

MEETING EXCERPTS

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
June 14, 2012

Hearing, Case 2012-15: Request for preliminary Planned Unit Development approval for a mixed use project for the property at 372 Morris St, by Urban Renaissance Group, LLC.

BACKGROUND

<u>Applicant:</u>	Bob Dykstra, Urban Renaissance Group, LLC
<u>Property Address/Location:</u>	372 Morris St
<u>Request:</u>	Preliminary Planned Unit Development (PUD)
<u>Present Land Use:</u>	Parking
<u>Zoning:</u>	B-3, General Business District

STAFF OBSERVATIONS

1. This property is owned by the Community Foundation for Muskegon County and is currently used as a parking lot.
2. The property measures 8.34 acres.
3. The request for the PUD is for development of "The Shoreline Market," which will be a mixed use development of retail, fresh food, artisans, office, market rate apartments and condos. The retail market (Phase 1) will be constructed out of recycled shipping containers. The rest of the development will use traditional building materials.
4. The Downtown and Lakeshore Redevelopment Plan of 2008 identifies this property as a high development priority, with a target date within the next five years. It had been identified as a possible location for the relocation of the farmers market along with the possibility of a pedestrian bridge over Shoreline Drive to connect downtown to the waterfront. However, However, the plan does mention that other beneficial uses to this property include a conference center and general mixed-use development.
5. The site plan will be discussed along with the final PUD request in the next case.
6. Notice was sent to all properties within 300 feet of this property. Staff has received no comments regarding this request.

372 Morris St, looking north from Morris St.



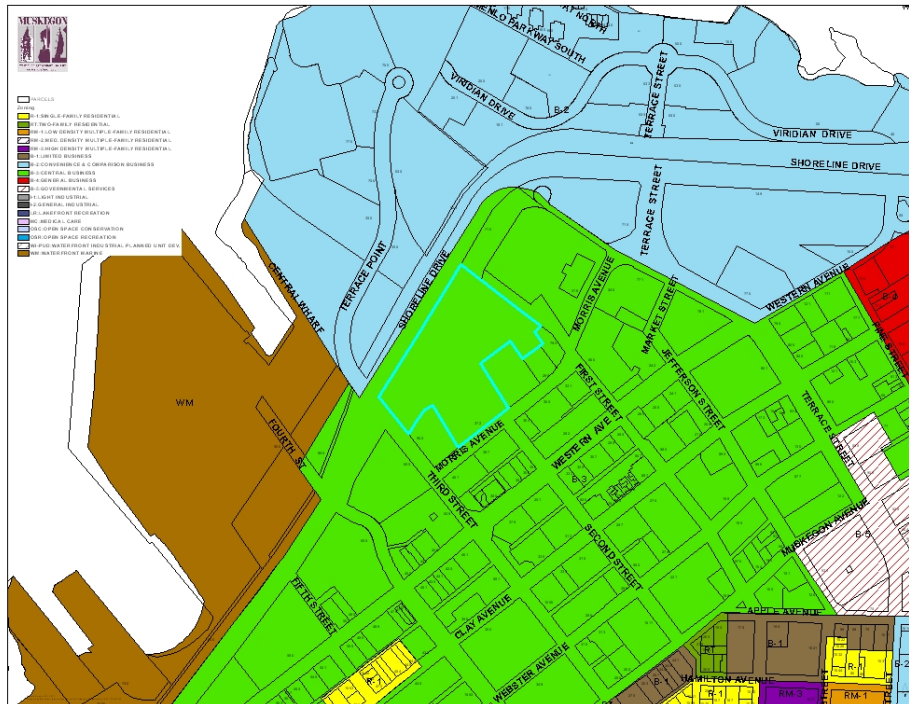
372 Morris St, looking northwest from Morris St. The new Social Security building is pictured to the right.



Aerial Photo



Zoning Map



Ordinance Excerpt:

Planned Unit Developments

Excerpted from Section 2101: Development Options

Planned Unit Development (PUD) Purpose

The purpose of this option is to permit flexibility in the regulation of land development; encourage innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, natural resources and utilities; encourage provision of useful open space; provide adequate housing, employment, and shopping opportunities particularly suited to the needs of the residents of the City of Muskegon and encourage the use, reuse, and improvement of existing sites and buildings when the uniform regulations contained in zoning districts do not provide adequate protection and safeguards for the site or surrounding area.

This option is intended to accommodate developments with mixed or varied uses, to allow some degree of flexibility in the application of standards and regulations in this Ordinance to achieve innovation to development on sites with unusual topography or unique settings within the community, or on land which exhibits difficult or costly development problems, and shall not be allowed where this option is sought primarily to avoid the imposition of standards and requirements of zoning classifications rather than to achieve the stated purposes above.

a. Planned Unit Development Regulations, Standards and Requirements

- 1) The entire parcel for which application is made must be under one ownership or the application must be made with the written authorization of all property owners.
- 2) The application shall meet the criteria established in each specified zoning district.

b. PUD Review Procedures

- 1) A petition for a PUD approval shall be submitted in accordance with Section 2332 of this ordinance.
- 2) The review shall be in two phases:
- 3) The preliminary phase shall involve a review of a conceptual PUD plan to determine its suitability.
- 4) The final phase shall require a detailed development plan for any part of the approved conceptual PUD plan.

c. Standards for Approval of PUD Plans

The Planning Commission shall approve, deny or modify preliminary PUD plans, based upon the following standards. Likewise, the City Commission shall approve, deny, or modify final PUD plans (after review and recommendation by the Planning Commission) based upon the following standards.

- 1) The uses proposed will have a beneficial effect, in terms of public health, safety, welfare, or convenience of any combination thereof, on present and potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation systems, surrounding properties, or the environment.
- 2) The uses proposed should be consistent with the land use plans adopted by the City.
- 3) The amount of open space provided, which the Planning Commission or City Commission may modify even though such modifications do not conform to that required in other sections of this ordinance.
- 4) The amount of off-street parking areas, which the Planning Commission or City Commission may modify even though such modifications do not conform to that required in other sections of this ordinance.
- 5) The amount of landscaping and buffering areas, which the Planning Commission or City Commission may modify even though such modifications do not conform to that required in other sections of this ordinance.
- 6) The protection or enhancement of significant natural, historical, or architectural features within the proposed development area.
- 7) The uses proposed will result in safe, convenient, uncongested and well defined vehicular and pedestrian circulation systems.

Preliminary PUD Plan Submission

The applicant shall submit together with the application for PUD preliminary phase approval:

- a. A general development plan depicting the proposed locations of streets, parking areas, open spaces, buildings and structures, and their spatial relationships, the relationship to off-site improvements and infrastructure and any unusual topographic features.
 - 1) Approval by the Planning Commission of the PUD Preliminary Plan shall remain in effect for a period not to exceed three (3) years from the date of approval.

Final PUD Plan Submission

The applicant shall submit together with the application for PUD final phase approval, development plans in sufficient detail and in so far as possible the specific locations and dimensions of:

- a. all streets, sidewalks, public and private utilities, parking areas, truck docks and service drives;
- b. all buildings and structures, elevations and spacial relationships;
- c. landscaping, buffers, fences, and protective walls;
- a. open space areas and other significant environmental features;
- b. existing and final topographic changes;
- c. identification and directional signage;
- d. a property survey prepared and certified by a licensed land surveyor;

Amendments to an Approved Final PUD Plan

- a. Incidental or minor changes may be approved by the Planning Commission if the proposed modifications do not alter the basic design or land uses of the plan.

- b. If the Planning Commission determines that the proposed modifications are significant or major, a public notice and public hearing in accordance with Section 2332 must be conducted prior to approval or denial.

PUD Development Time Limits

- a. Construction of the improvements shown on the approved final PUD plan with all proposed buildings, parking areas, landscaping and infrastructure must commence within one year of approval by the City Commission.
- b. Construction must be continued in a reasonable, diligent manner and be completed within five (5) years.
- a. Said five (5) year period may be extended if applied for in writing by the petitioner and granted by the City Commission following public notice and public hearing in accordance with Section 2332 of this ordinance. Failure to secure an extension shall result in a stoppage of all construction.

DELIBERATION

Standards for discretionary uses: (emphasis provided)

1. Give due regard to the nature of all adjacent uses and structures and the consistency with the adjacent use and development.
2. Find that the proposed use or activity would not be offensive, or a nuisance, by reason of increased traffic, noise, vibration, or light.
3. Adequate water and sewer infrastructure exists or will be constructed to service the activity.
4. The proposed site plan complies with section 2331 of the ordinance and has:
 - a. proper ingress and egress
 - b. sufficient parking areas, streets, roads and alleys
 - c. screening walls and/or fences
 - d. adequate fire and police protection
 - e. provisions for disposal of surface water run-off, sanitary sewage
 - f. adequate traffic control and maintenance services
 - g. preserves property values to related or adjoining properties.

MOTION FOR CONSIDERATION

I move that the Preliminary PUD for a mixed-use development at 372 Morris Ave be (approved/denied) pursuant to the determination of (compliance/lack of compliance) with the intent of the City Zoning Ordinance and City Master Land Use Plan.

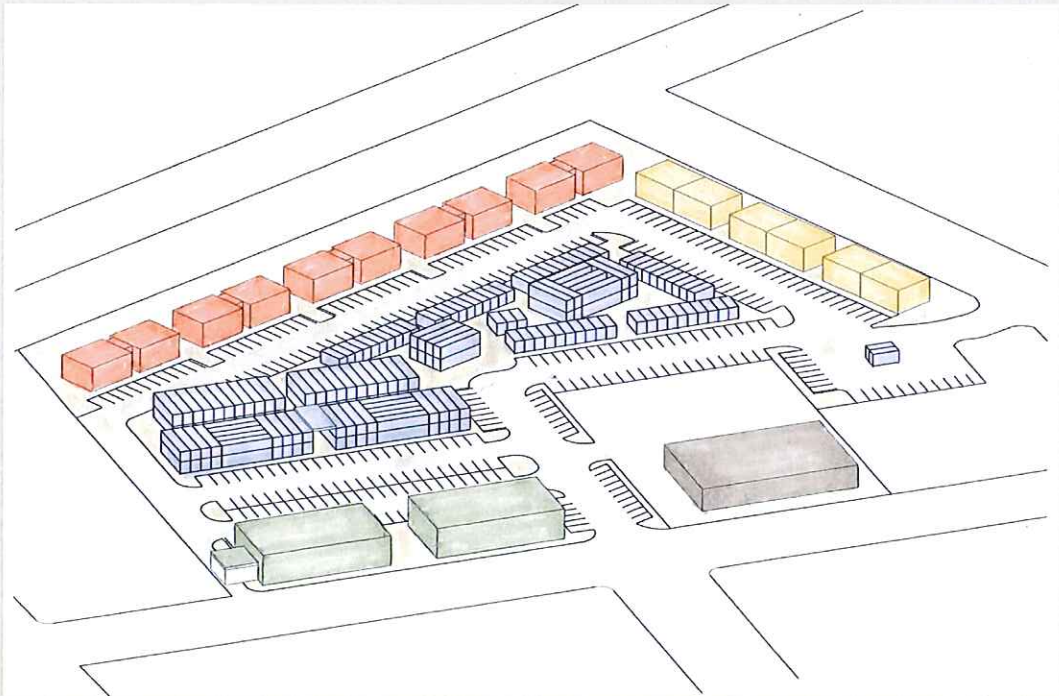
SHORELINE MARKET

Muskegon, Michigan

*"A Rebirth of
Food, Art
& Culture"*

Uses	Market, shops, offices, residential, event space
Area	86,000 square feet
Jobs Created	80+
Investment	\$12,000,000
Daily Visitors	2,000 - 2,500

- This concept is inspired by European style markets, built from a combination of re-purposed shipping containers and traditional construction that aims to create a centralized, ever-changing experience in the heart of downtown Muskegon.
- It transforms a vacant lot into a curated collection of eateries, artisan shops, retail, events, residential and art installations that generates a progression of food, art, retail, and cultural activity.



The Urban Renaissance Group

1 Project Overview

2 Phase One

3 Phase Two

4 Phase Three

5 Phase Four

I Project Overview

Tenants

of the **SHORELINE MARKET**

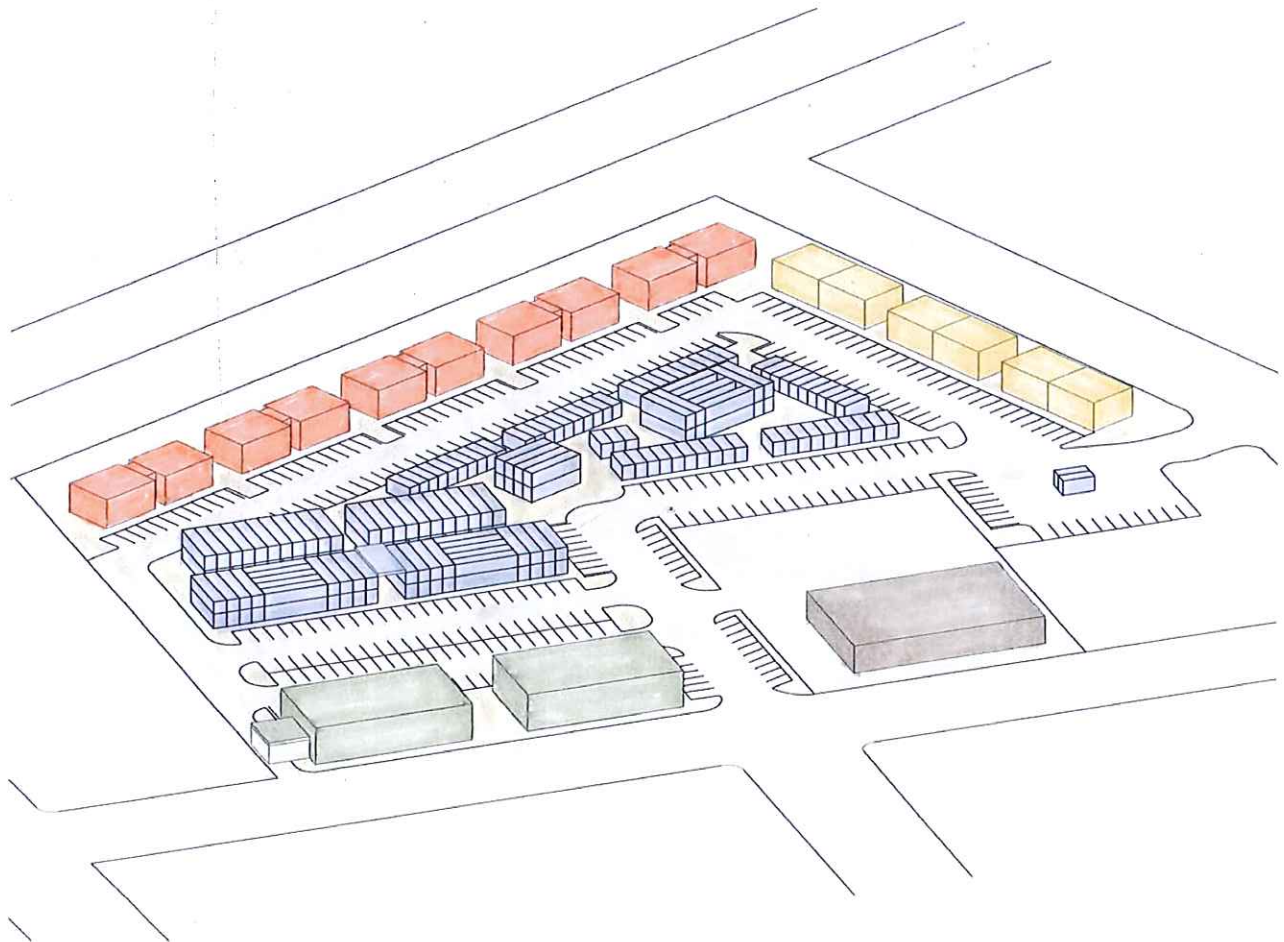
- Bakery
- Sandwich Shop
- Fish Monger
- Butchery
- Local Farmer
- Creperie
- Pizzeria
- Brewery
- Sushi
- Wine Bar
- Florist
- Ice Cream
- Artisan Street Food
- Artisan Shops
- Bank
- NextWork Innovation Center
- Clothing
- Gallery
- National Retail Brands

Site Plan

This site could be the absolute key to creating a new spark to the downtown and overall community because of its location between the loop, the former site of the mall and associated evolving activity. In the last ten years, housing in most downtowns underwent extraordinary growth, including those with lake fronts on the west side of Michigan. While there has been some growth in Muskegon's downtown housing stock; it has not been to the extent of smaller, same size and larger areas even in the western lake front communities in Michigan. "The Chesapeake Group Study".



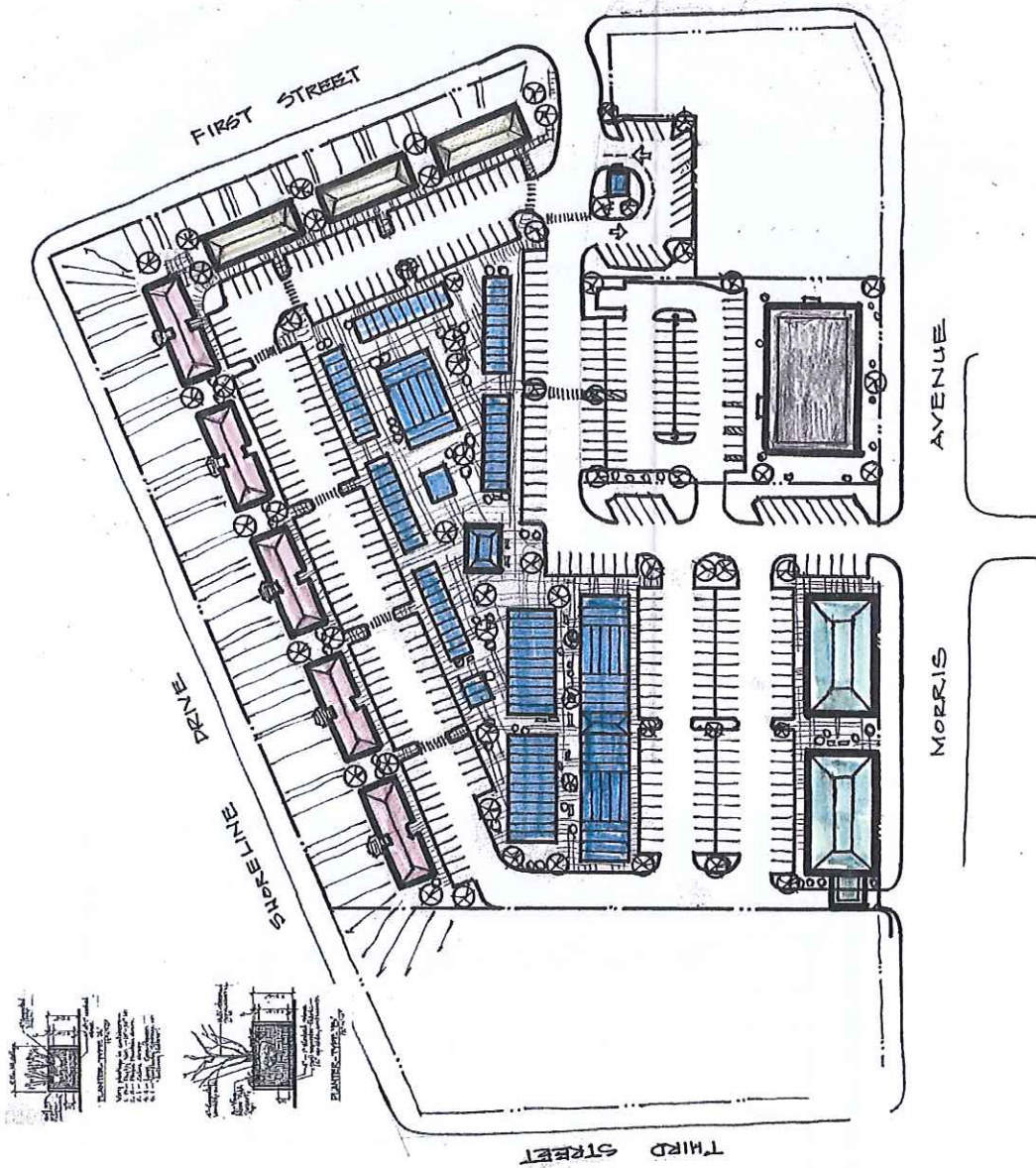
Phased Plan



-  Phase One • Market Space
-  Phase Two • Townhouses
-  Phase Three • Office & Retail
-  Phase Four • Apartments

Landscape Plan

FLEIS & VANDENBRINK
ENGINEERING, INC.
 316 North Avenue, Suite 200, Muskegon, MI 49440
 Office (231) 726-1000 Fax (231) 726-2200



2 Phase One

Phasing Plan

of the **SHORELINE MARKET**

■ 28,000 Square feet of Market Space

- Year around fresh food
- Year around artisan space
- Rent incentives to attract tenants
- Consistent with the Chesapeake Group's study that recommended 25,000 sq. ft. space operations that would attract a young educated adult population while still appealing to empty nesters.

■ Project Cost

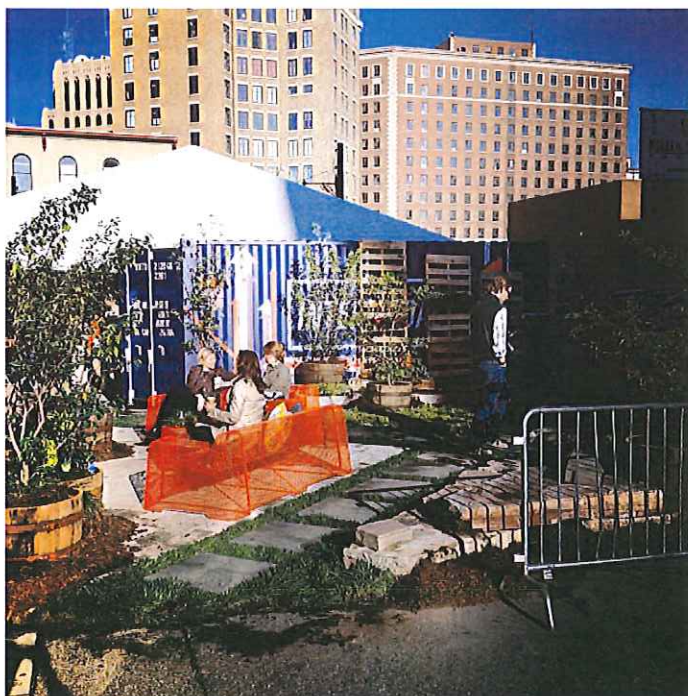
- Building	\$2,100,000
- Soft costs	\$ 725,000
- Equipment	\$ 675,000
Total Project Cost	\$3,500,000

■ Time Line

- Submit application to MEDC	June 15
- Submit to City for Tax Abatement	June 20
- Final site plan complete	May 30
- Planning Commission	June 10
- City Commission	June 20
- Working drawings completed	July 30
- Start of construction	August 30
- Completion	
Temporary model open	September 2012
Full completion	March 30, 2013
Grand opening promotion	May 1, 2013



■ Intermodal 8x10 container was placed in downtown Grand Rapids, Michigan and used to serve refreshments to the attendees of the May 2012 TedX conference.





DeKalb Market in Brooklyn



Music Store

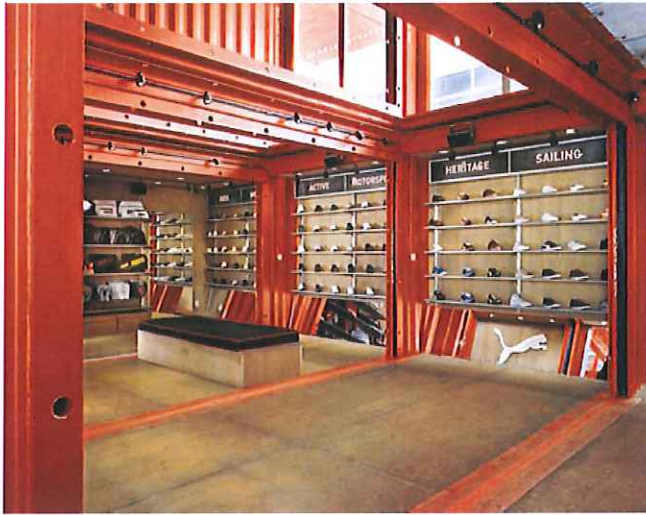


Cafe



Starbucks





Puma



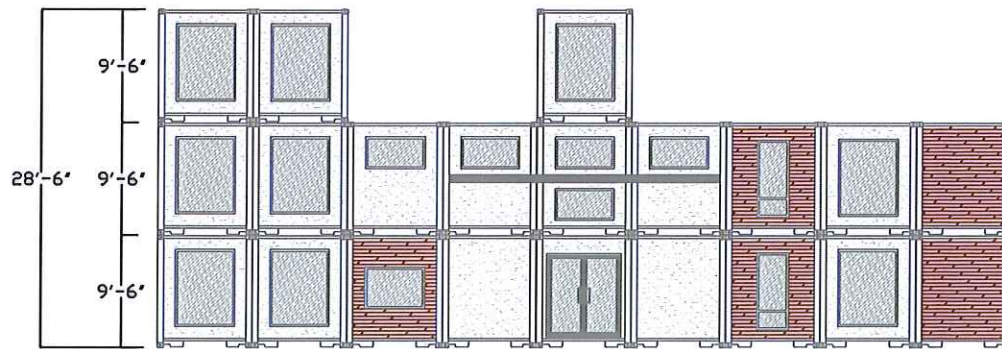
Vending



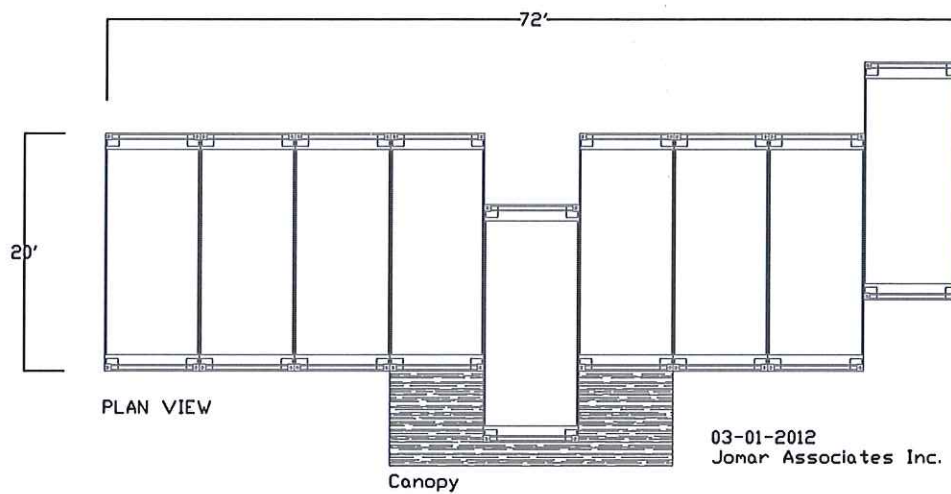
Signage



Stage



FRONT ELEVATION

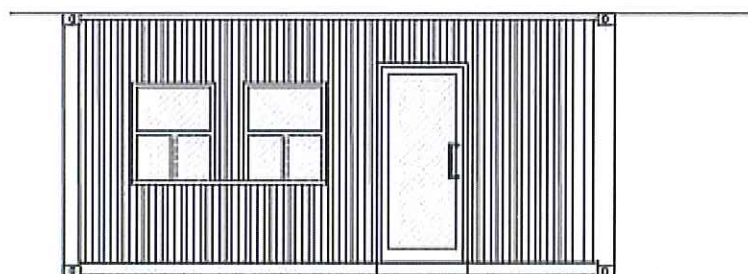
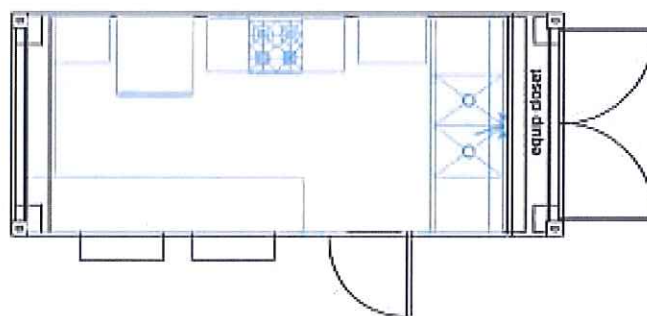


PLAN VIEW

Canopy

03-01-2012
Jonar Associates Inc.

Conceptual Prototypes



3 Phase Two

Phasing Plan

of the **SHORELINE MARKET**

■ Twelve Two Story Townhouse

- 14,080 square feet
- One, two and three bedroom units
- Consistent with the Chesapeake Group's study that states historically, Muskegon has captured about one-third of the larger multi-family housing units. Assuming that trend continues, this would result in a capture of about 69 to 70 units through 2022. The site represents a strategic quality location for the development of a share of these units.

■ Project Cost

- Building	\$1,300,000
- Soft costs	\$ 525,000
Total Project Cost	\$1,825,000

■ Time Line

- Working drawings completed	June 30
- Start of construction	March 2013
- Completion	September 2013



Townhouse Options



4 Phase Three

Phasing Plan

of the **SHORELINE MARKET**

■ Two Story Office & Retail

- 24,000 square feet
- Coffee shop
- Fitness center
- Collaborative workspace
- Below market rent with equipment financed
- Consistent with the Chesapeake Group's study that states it is estimated that the site could capture about 31,000 sq. ft. of office space, beyond any planned government related space, if developed with a unique character, taking advantage of vistas, and offering amenities that support small independent operations.

■ Project Cost

- Building	\$2,400,000
- Soft costs	\$ 350,000
- Equipment	\$ 600,000
Total Project Cost	\$3,350,000

■ Time Line

- Working drawings completed	June 30
- Start of construction	September 2013
- Completion	April 2014



Office

© VISBEEN ASSOCIATES, INC.

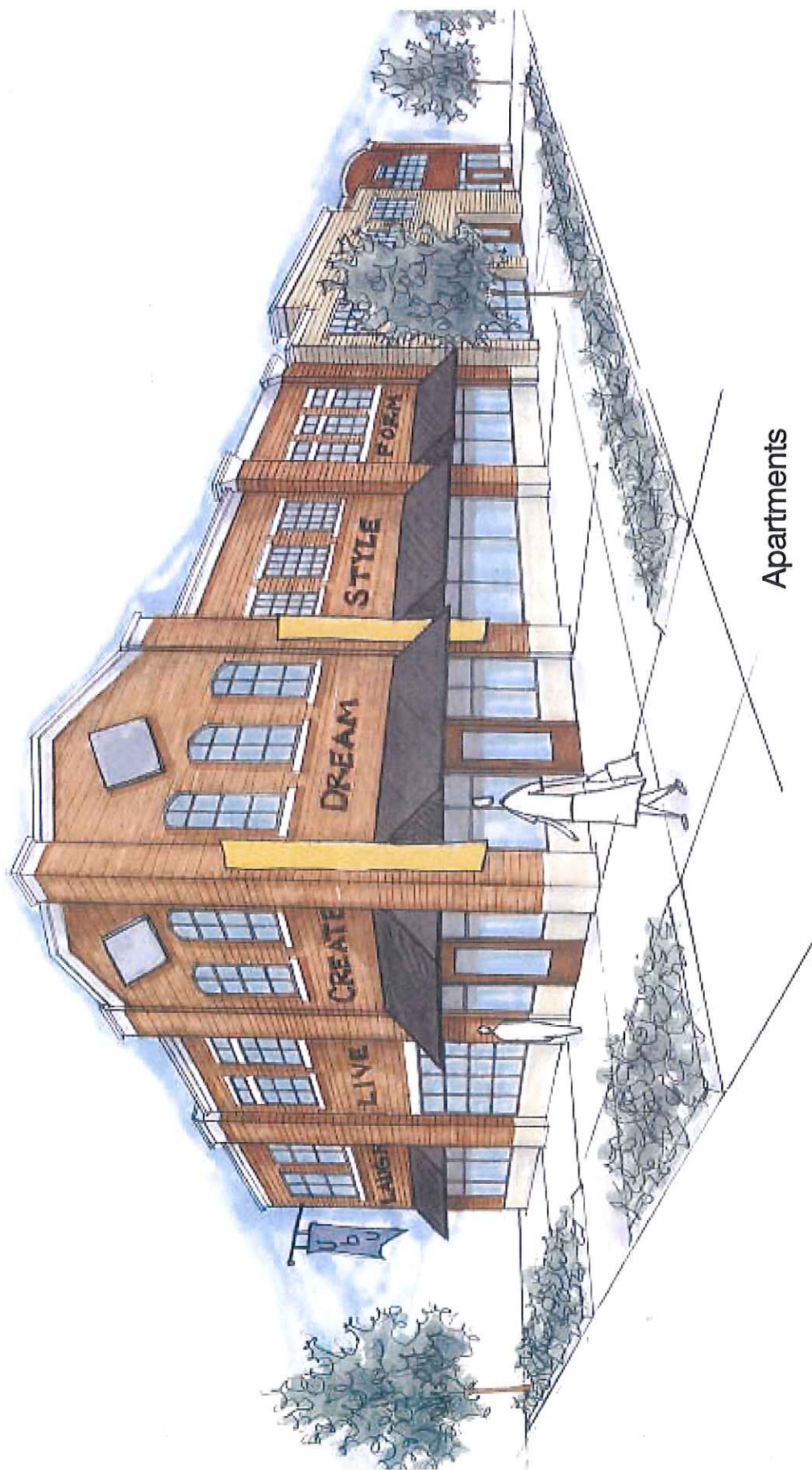
Phasing Plan

of the **SHORELINE MARKET**

- 40 Apartments
 - 25,600 square feet
 - Market rate rents
 - Also short term rentals for out of town professionals

■ Project Cost	
- Building	\$2,325,000
- Soft costs	\$ 725,000
Total Project Cost	\$3,050,000

- | | |
|------------------------------|----------------|
| ■ Time Line | |
| - Working drawings completed | July 30 |
| - Start of construction | April 2014 |
| - Completion | September 2014 |



Apartments

AGENDA ITEM NO. _____

CITY COMMISSION MEETING June 26, 2012

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: June 15, 2012

RE: Charter Amendments regarding Millage Cap and Senior Transit Millage

SUMMARY OF REQUEST:

To approve a charter amendment to set a specific millage rate limit and a charter amendment for a Senior Transit millage.

FINANCIAL IMPACT:

A Senior Transit millage would generate funds to support the Senior Transit program.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

These amendments are provided pursuant to direction from the City Commission at their meeting on June 12, 2012.

COMMITTEE RECOMMENDATION:

None.

CITY OF MUSKEGON

RESOLUTION NO. _____

A Resolution of the City of Muskegon City Commission to propose for adoption by the voters of the City of Muskegon an Amendment to the City Charter concerning an additional millage for transportation for low to moderate income citizens over the age of 62.

The City Commission of the City of Muskegon resolves the following amendment to the City Charter shall, upon approval of the Governor, be submitted to the Electors of the City in accordance with the Home Rule Cities Act of the State of Michigan

Proposed Charter Amendment

City of Muskegon

Amend Article XI, by adding Section 8 to read as follows:

ARTICLE XI. TAXATION

Section 8. Taxation; Transit for Low to Moderate Income Citizens over the age of 62.

In addition to the limitation established in Article XI, Section 7, the City shall have the power to levy an ad valorem tax in an amount not to exceed 0.1 mill of the taxable valuation of all such real and personal property from December 1, 2012, for the purpose of providing transportation services for low to moderate income citizens over the age of 62 who reside in the City of Muskegon.

BE IT FURTHER RESOLVED that the proposed addition of Section 8 would be applicable only if the proposed Charter Amendments adding Sections 7 and 8 are adopted by the electorate.

BE IT FURTHER RESOLVED that the following language be placed upon the ballot at the next election in accordance with the Home Rule Cities Act:

CHARTER AMENDMENT

Shall Section 8 of Article XI of the City Charter be adopted to authorize the levy of 0.1 mills on real and personal property situated in the City for the purpose of providing transportation services for low to moderate income citizens over the age of 62 who reside in the City of Muskegon, commencing with the December 1, 2012 levy, in addition to the current tax limitation, and that these provisions be

made an express part of the City Charter? (This Charter amendment is contingent upon adoption of the Charter amendment adding Section 7 to Article XI.)

BE IT FURTHER RESOLVED that the proposed charter amendment, as adopted by the city commission on _____, _____, be published in the Muskegon Chronicle, and a reasonable number of copies made available to the public before the said election.

This resolution adopted:

AYES: _____

NAYES: _____

ABSENT: _____

CITY OF MUSKEGON

By _____
Ann Marie Cummings, City Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a meeting of the city commission members of the City of Muskegon, Michigan, held on the _____ day of _____, 2012, and that the minutes of the meeting are on file in the office of the City Clerk and are available to the public. Public notice of the meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976.

Ann Marie Cummings, City Clerk

CITY OF MUSKEGON

RESOLUTION NO. _____

A Resolution of the City of Muskegon City Commission to propose for adoption by the voters of the City of Muskegon an Amendment to the City Charter concerning an additional millage for street improvements and street maintenance.

The City Commission of the City of Muskegon resolves the following amendment to the City Charter shall, upon approval of the Governor, be submitted to the Electors of the City in accordance with the Home Rule Cities Act of the State of Michigan

Proposed Charter Amendment

City of Muskegon

Amend Article XI, by adding Section 7 to read as follows:

ARTICLE XI. TAXATION

Section 7 Taxation; General Powers.

The City shall have the power to assess taxes and levy and collect rents, tolls and excises. The annual ad valorem tax levy shall not exceed ten (10) mills of the assessed valuation of all real and personal property subject to taxation in the City as equalized by the State, exclusive of any levy required for the payment of principal and interest on City indebtedness or on outstanding bonds of the City and exclusive of any levy authorized by statute to be made beyond the Charter tax rate limitation.

BE IT FURTHER RESOLVED that the following language be placed upon the ballot at the next election in accordance with the Home Rule Cities Act:

CHARTER AMENDMENT

Shall Section 7 of Article XI of the City Charter be adopted to authorize the levy of 10 mills on real and personal property situated in the City, which is the current limitation, commencing with the December 1, 2012 levy, and that these provisions be made an express part of the City Charter?

BE IT FURTHER RESOLVED that the proposed charter amendment, as adopted by the City Commission on _____, _____, be published in the Muskegon Chronicle, and a reasonable number of copies made available to the public before the said election.

This resolution adopted:

AYES: _____

NAYES: _____

ABSENT: _____

CITY OF MUSKEGON

By _____
Ann Marie Cummings, City Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a meeting of the city commission members of the City of Muskegon, Michigan, held on the ____ day of _____, 2012, and that the minutes of the meeting are on file in the office of the City Clerk and are available to the public. Public notice of the meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976.

Ann Marie Cummings, City Clerk

AGENDA ITEM NO. _____
CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners
FROM: Bryon L. Mazade, City Manager
DATE: June 19, 2012
RE: Senior Transit Funding

SUMMARY OF REQUEST

To continue the Senior Transit Program from July 1, 2012, through December 31, 2012, under the following terms and funding requirements:

1. Raise the rate per ride from \$1.50 to \$3.00;
2. Fill the remaining funding gap by utilizing unanticipated savings in the Streets/Lighting budget;
3. Continue the 5-day per week operation.

FINANCIAL IMPACT

Approximately \$24,120 cost to the city's General Fund.

BUDGET ACTION REQUIRED

The 2012-2013 budget will need to be amended during the first quarter.

STAFF RECOMMENDATION

To approve the proposed terms and funding for the Senior Transit Program for July 1, 2012, through December 31, 2012.

COMMITTEE RECOMMENDATION

None.

Commission Meeting Date: June 26, 2012

Date: June 19, 2012

To: Honorable Mayor & City Commission

From: Planning & Economic Development Department

RE: DDA On-Premise Liquor License for Nemesis, Inc.

SUMMARY OF REQUEST: To approve the attached Resolution approving a Downtown Development Authority On-Premise Liquor License for Nemesis, Inc at 333 W. Western Ave. The Liquor Control Code allows for additional liquor licenses within Downtown Development Authority Districts under certain conditions.

FINANCIAL IMPACT: Approval of the Liquor License will allow for a new restaurant in the downtown area which should result in increased revenue for the City.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the attached resolution.

COMMITTEE RECOMMENDATION: None.

**CITY OF MUSKEGON
MUSKEGON COUNTY MICHIGAN**

RESOLUTION NO. 2012 - _____

A resolution concerning the issuance of a Downtown Development Authority District On Premises Liquor License pursuant to 436.1521a(1)9b) of the Michigan Compiled Laws

The City Commission of the City of Muskegon hereby REOLVES:

Recitals

1. Nemesis, Inc. has applied for a Downtown Development Authority District On-Premises Liquor License for the premises at 333 W. Western Avenue, Muskegon MI 49440 which is located within an area established by the City Commission as a redevelopment project area pursuant to 436.1521A(1)(b) of the Michigan Compiled Laws.
2. It is required that the City Commissioners approve the specific applicant, at a specific location "ABOVE ALL OTHERS".
3. This resolution was approved at the regular meeting of the City Commission on June 26th 2012.

City Commission Findings

The City Commissions Satisfied that:

1. That the applicant has sufficiently demonstrated a commitment for a capital investment of not less than \$75,000 for the purchase, build out, equipment and improvements of the building that will house the licensed premises, which amounts shall be expended before the issuance of the license.
2. That the licensed business shall be engaged in dining, entertainment, or recreation, that is open to the general public, with a seating capacity of more than 50 persons.

NOW< THEREFORE< THE CITY COMMISSION RESOLVES

3. The City Commission deems it to be in the best interest of the City of Muskegon to approve the application of Nemesis, Inc., for a Downtown Development Authority District On Premises Liquor License for the premises at 333 W. Western Avenue pursuant to 436.1521A(1)(b) of the Michigan Compiled Laws and recommends the Michigan Liquor Control Commission the issuance of said license "ABOVE ALL OTHERS"

Adopted the 26th day of June 20212.

AYES: _____

Nays: _____

Absent: _____

By: _____
Stephen J. Warmington
Its Mayor

By: _____
Ann Cummings, MMC
Its Clerk

DATE: 06/19/2012
TO: Honorable Mayor and Commissioners
FROM: Jeffrey Lewis, Director of Public Safety
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN120015

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **230 MYRTLE AVE Area 11** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN120015 - 230 MYRTLE AVE

Location and ownership: This structure is located on Myrtle Ave. between Rathborne and Murphy Streets and is owned by CLARK WALTER G/PAMELA.

Staff Correspondence: A dangerous building inspection was conducted on 1/27/12 based on fire report. The Notice and Order to Repair was issued on 02/14/12. On 04/05/12 the HBA declared the structure substandard and dangerous.

Owner Contact: Mr. & Mrs. Walter and Pamela Clark were present for HBA meeting dated 04/05/12. Mr. Clark stated there was no insurance on home and that Habitat of Humanity had approached him about demolishing the home to acquire land but no definite contract/agreement had been established.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$7,000 (Entire property)

Estimated cost to repair: \$100,000

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

City of Muskegon
933 Terrace St., P.O. Box 536, Muskegon, MI 49443 (231) 724-6715

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: 06/15/2012

Address of Property **230 MYRTLE AVE**

TO: All owners and interested parties:

CLARK WALTER G/PAMELA, 3835 ELLIS RD, MUSKEGON, MI 49444
Owner

Muskegon Commerce Bank, 281 Seminole Rd., Muskegon, MI 49444
{Other interested parties}_

On April 5, 2012 the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on **Tuesday, June 26, 2012** to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on **Tuesday, June 26, 2012**, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

CITY OF MUSKEGON INSPECTIONS DEPT.
FOR THE HOUSING BOARD OF APPEALS



By _____
Jeffrey Lewis, Director of Public Safety

CITY OF MUSKEGON

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

DANGEROUS BUILDING INSPECTION REPORT

Monday, January 30, 2012

Enforcement # EN120015

Property Address 230 MYRTLE AVE

Parcel #24-205-200-0007-00

Owner CLARK WALTER G/PAMELA

Inspector: Henry Faltinowski

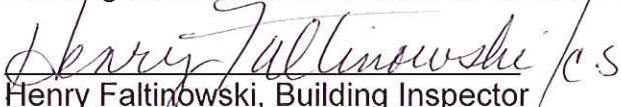
Date completed: 01/27/2012

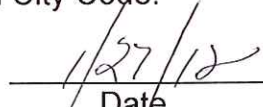
DEFICIENCIES:

1. Home has been severely damaged by fire.
2. Structural damage to roof system, wall system, ceiling joists, floor joist.
3. Home roof system is ready to collapse.

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

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

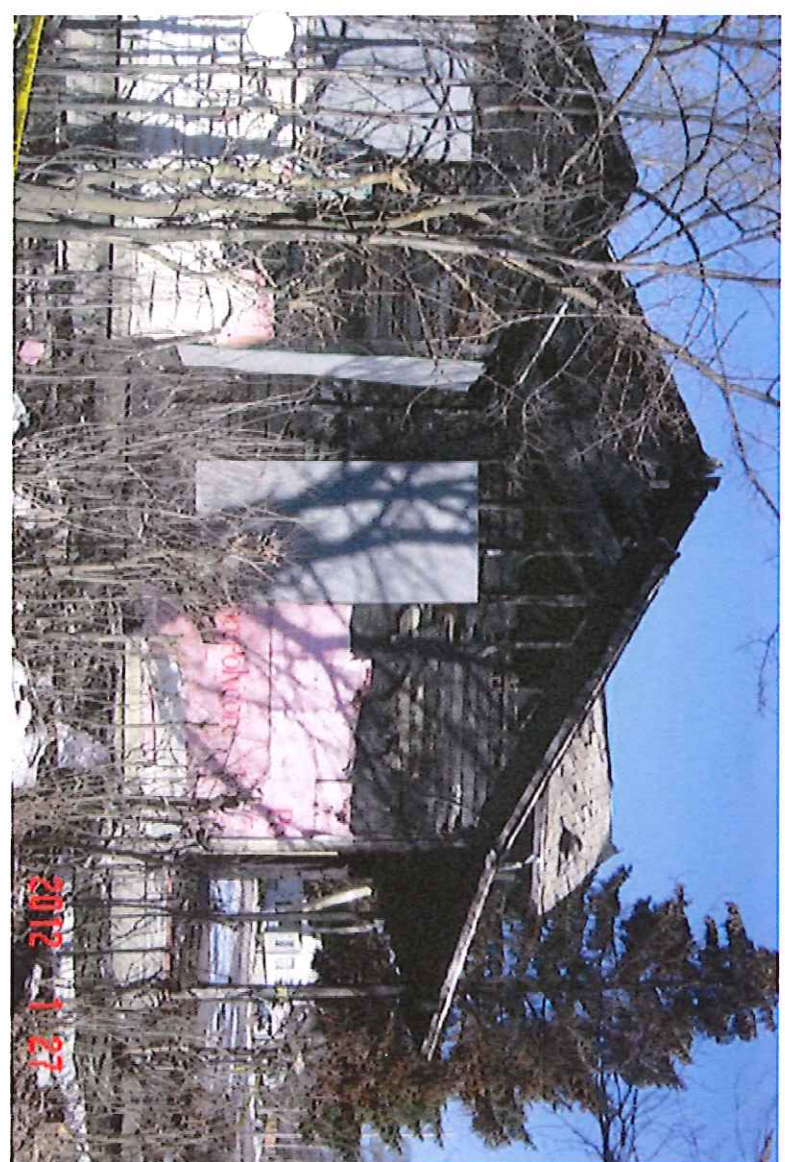

Henry Faltinowski, Building Inspector


Date





2012 1 27



2012 1 27



2012 1 27

DATE: 06/19/2012

TO: Honorable Mayor and Commissioners

FROM: Jeffrey Lewis, Director of Public Safety

RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN120019

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **510 OTTAWA ST Area 11** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN120019 - 510 OTTAWA ST

Location and ownership: This structure is located on Ottawa between Kenneth and Holt Streets and is owned by URBAN STREAM LLC.

Staff Correspondence: A dangerous building inspection was conducted on 02/07/12. The Notice and Order to Repair was issued on 02/14/12. On 04/05/12 the HBA declared the structure substandard and dangerous.

Owner Contact: David Medendorp was present for HBA meeting stating a lot of properties was purchased thru County auction and didn't realize building existed on parcel. Owner had no plan to repair. Inspections Department staff noted several complaints and police reports received regarding loose bricks and openings unsecured allowing kids to enter.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$7,000 (Entire property)

Estimated cost to repair: (over) \$100,000

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

City of Muskegon
933 Terrace St., P.O. Box 536, Muskegon, MI 49443 (231) 724-6715

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: 06/14/2012

Address of Property **510 OTTAWA ST**

TO: All owners and interested parties:

URBAN STREAM LLC, 4265 GRAND HAVEN RD., MUSKEGON, MI
49441
Owner

{Other interested parties}_

On April 5, 2012 the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on **Tuesday, June 26, 2012** to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on **Tuesday, June 26, 2012**, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

CITY OF MUSKEGON INSPECTIONS DEPT.
FOR THE HOUSING BOARD OF APPEALS



By _____
Jeffrey Lewis, Director of Public Safety

CITY OF MUSKEGON

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

DANGEROUS BUILDING INSPECTION REPORT

Wednesday, February 8, 2012

Enforcement # EN120019 **Property Address** 510 OTTAWA ST
Parcel #24-205-156-0011-00 **Owner** URBAN STREAM LLC

Inspector: Henry Faltinowski

Date completed: 02/07/2012

DEFICIENCIES:

1. Building severely damaged by fire with severe damage to roof, walls, ceiling, and floor systems.
2. Areas of building damage heading toward collapse.
3. Provide a plan to remove damaged sections of this building to prevent hazards to public way, and highway.
4. Retain design professional M.B.C 2009 sec 107 107.1 submit for review by Inspection Department.

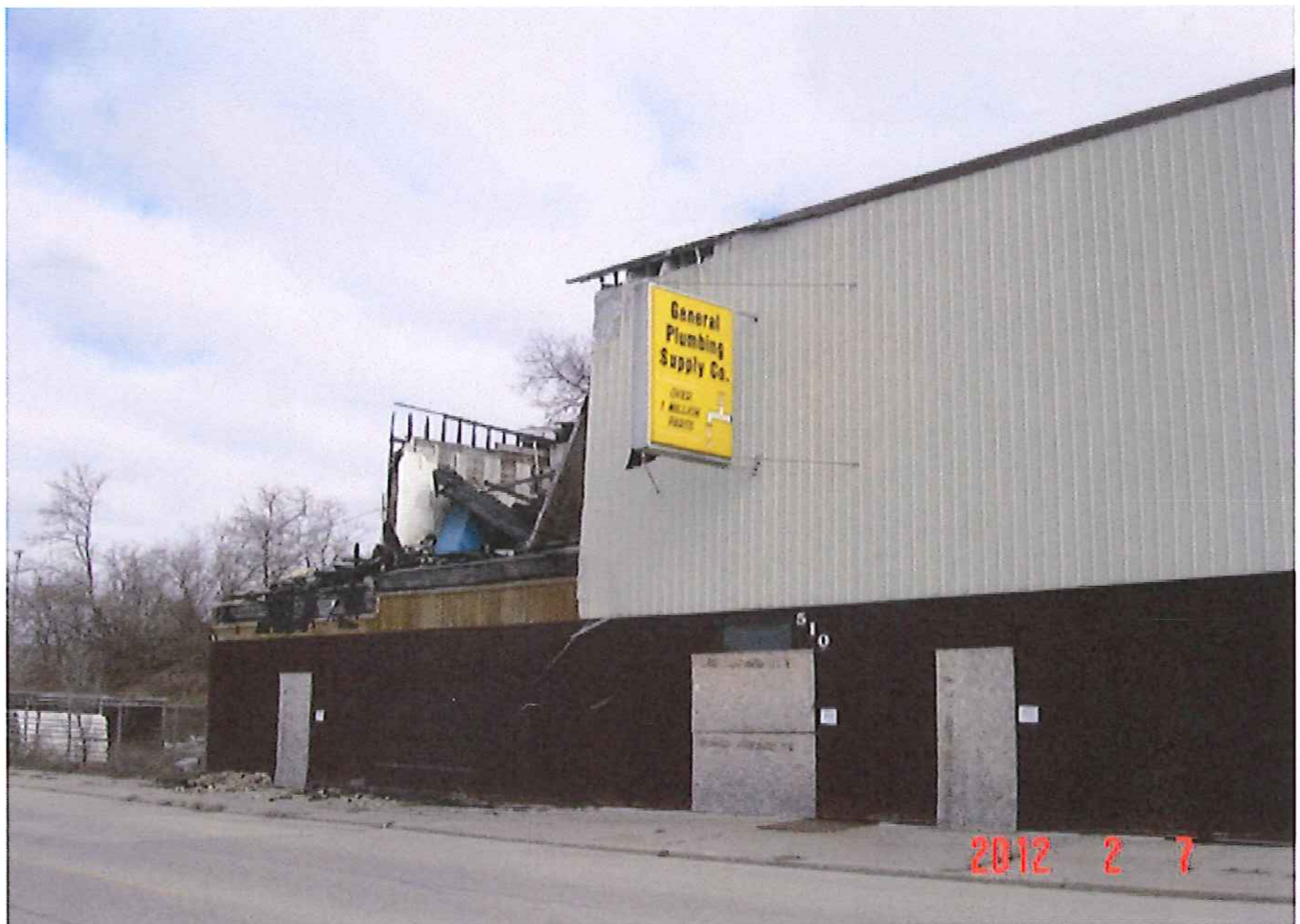
Request interior inspection by all trades, electrical, mechanical and plumbing. Please contact Inspection Services with any questions or to schedule an inspection at 933 Terrace St., Muskegon, MI 49440 (231) 724 6758.

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


Henry Faltinowski, Building Inspector


Date

510 OTTAWA FIRE AND D.B 2/7/2012.





DATE: 06/15/2012

TO: Honorable Mayor and Commissioners

FROM: Jeffrey Lewis, Director of Public Safety

RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN120007

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **450 W SOUTHERN AVE Area 11** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN120007 - 450 W SOUTHERN AVE

Location and ownership: This structure is located on Southern Ave. between 8th and Park Streets is owned by BRYANT SELMA.

Staff Correspondence: A dangerous building inspection was conducted on 01/10/12 based on fire report. The Notice and Order to Repair was issued on 01/30/12. On 04/05/12 the HBA declared the structure substandard and dangerous. Property is in foreclosure status with County of Muskegon.

Owner Contact: No one was present for the HBA meeting dated 04/05/12. Owner called stating there was no fire insurance and property was deeded to her by mother and she doesn't have funds to repair.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$6,100 (Entire property)

Estimated cost to repair: \$50,000

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

City of Muskegon
933 Terrace St., P.O. Box 536, Muskegon, MI 49443 (231) 724-6715

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: 06/14/2012

Address of Property **450 W SOUTHERN AVE**

TO: All owners and interested parties:

BRYANT SELMA, 1614 DYSON, MUSKEGON, MI 49442
Owner

Muskegon County Treasurer, 173 E. Apple Ave., Muskegon, MI 49442
{Other interested parties}_

On April 5, 2012 the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on **Tuesday, June 26, 2012** to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on **Tuesday, June 26, 2012**, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

CITY OF MUSKEGON INSPECTIONS DEPT.
FOR THE HOUSING BOARD OF APPEALS

By 
Jeffrey Lewis, Director of Public Safety

CITY OF MUSKEGON
933 Terrace St., P.O. Box 536, Muskegon, MI 49443 (231)724-6715
FIRE INSPECTION REPORT
09/30/2011
450 W SOUTHERN AVE

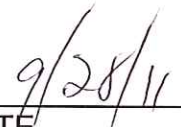
Inspection Completed 09/28/2011

Inspection noted:

1. Replace all damaged structural roofing & shingles-sheathing rafters.
 2. Replace chimney.
 3. Replace all damaged ceiling joists, floor joists.
 4. Remove all smoke fire damaged wall coverings. Replace damaged wall studs.
 5. Replace all damaged floor coverings.
 6. Encapsulate all smoke damage.
 7. Remove all smoke affected insulation - replace.
 8. Rebuild stair case
 9. Smoke alarms per code.
 10. Egress windows to code
 11. Rewire entire dwelling to code Michigan Residential Code 2009
 12. New plumbing thru out
 13. Inspect & certify complete HVAC system thru out.
 14. Inspect & certify water heater, dryer vent and chimney.
 15. Pressure test gas line.
- All work performed to conform with Michigan Mechanical & Michigan Plumbing Code 2009

Please contact Inspection Services with any questions at 231-724-6715.


HENRY FALTINOWSKI, BUILDING INSPECTOR


DATE

CITY OF MUSKEGON

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

DANGEROUS BUILDING INSPECTION REPORT

Monday, January 30, 2012

Enforcement # EN120007
Parcel #24-205-417-0007-00

Property Address 450 W SOUTHERN AVE
Owner BRYANT SELMA

Inspector: Don LaBrenz II

Date completed: 01/10/2012

DEFICIENCIES:

1. Replace all damaged structural roofing & shingles-sheathing rafters.
2. Replace chimney.
3. Replace all damaged ceiling joists, floor joists.
4. Remove all smoke fire damaged wall coverings. Replace damaged wall studs.
5. Replace all damaged floor coverings.
6. Encapsulate all smoke damage.
7. Remove all smoke affected insulation - replace.
8. Rebuild stair case
9. Smoke alarms per code.
10. Egress windows to code
11. Rewire entire dwelling to code Michigan Residential Code 2009
12. New plumbing thru out
13. Inspect & certify complete HVAC system thru out.
14. Inspect & certify water heater, dryer vent and chimney.
15. Pressure test gas line.

All work performed to conform with Michigan Mechanical & Michigan Plumbing Code 2009

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

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

Don LaBrenz II
Don LaBrenz II, Building Inspector

1/10/12
Date



DATE: 06/19/2012
TO: Honorable Mayor and Commissioners
FROM: Jeffery Lewis, Director of Public Safety
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN110079

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **1290 WOOD ST Area 11** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN110079 - 1290 WOOD ST

Location and ownership: This structure is located on Wood between Catawba and Nims Streets and is owned by HOPE LIGHTHOUSE CHURCH.

Staff Correspondence: A dangerous building inspection was conducted on 04/13/2011. The Notice and Order to Repair was issued on 05/26/11. On 08/04/11 the HBA declared the structure substandard and dangerous.

Owner Contact: Mr. Doug Malear was present for the HBA meeting dated 08/04/11. Mr. Malear stated he purchased property on land contract and recognized need to demolish but was trying to pay off property taxes and was limited on funds to demolish.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$23,000(Entire property)

Estimated cost to repair: \$40,000(Exterior Only)

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

City of Muskegon
933 Terrace St., P.O. Box 536, Muskegon, MI 49443 (231) 724-6715

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: 06/14/2012

Address of Property **1290 WOOD ST**

TO: All owners and interested parties:

HOPE LIGHTHOUSE CHURCH, 444 IRWIN AVE, MUSKEGON, MI
49442
Owner

MARTIN-MONROE LAND CO LLC, 1832 CROZIER AVE.,
MUSKEGON, MI 49441
{Other interested parties}_

On August 4, 2011 the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on **Tuesday, June 26, 2012** to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on **Tuesday, June 26, 2012**, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

CITY OF MUSKEGON INSPECTIONS DEPT.
FOR THE HOUSING BOARD OF APPEALS

By 
Jeffrey Lewis, Director of Public Safety

CITY OF MUSKEGON

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

DANGEROUS BUILDING INSPECTION REPORT

Wednesday, May 25, 2011

Enforcement # EN110079

Parcel # 24-205-095-0001-50

Property Address 1290 WOOD ST

Owner HOPE LIGHTHOUSE CHURCH

Inspector: Henry Faltinowski

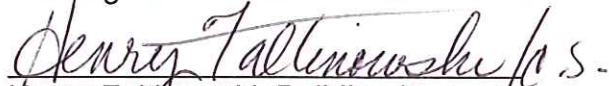
Date completed: 04/13/2011

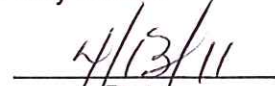
DEFICIENCIES:

1. Roof is collapsing around entire perimeter of building. Provide detailed repair for roof system.
2. Chimneys collapsing repair or replace.
3. Scrape and paint exterior back of building.
4. Repair rotted rim beams.
5. Must paint boarded up sections per city ordinance on board up sections.

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

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


Henry Faltinowski, Building Inspector


Date

1290 Wood St. D.B. 4/13/2001



