

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 9 2002

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ **CALL TO ORDER:**
- ❑ **PRAYER:**
- ❑ **PLEDGE OF ALLEGIANCE:**
- ❑ **ROLL CALL:**
- ❑ **HONORS AND AWARDS:** a. **Resolution Recognizing Volunteer Week** COMMUNITY RELATIONS COMMITTEE
b. **Resolution Recognizing National Telecommunicator Week** COMMUNITY RELATIONS COMMITTEE
- ❑ **PRESENTATIONS:**
- ❑ **CONSENT AGENDA:**
 - a. **Approval of Minutes.** CITY CLERK
 - b. **Community Relations Committee Recommendations.** COMMUNITY RELATIONS COMMITTEE
 - c. **Second Reading Groundwater Ordinance Amendment (Admiral)** PLANNING & ECONOMIC DEVELOPMENT
 - d. **Second Reading Groundwater Ordinance Amendment (West Michigan Dock & Market)** PLANNING & ECONOMIC DEVELOPMENT
 - e. **Second Reading Amendment to PILOT Ordinance** PLANNING & ECONOMIC DEVELOPMENT
 - f. **Traffic Department Materials and Services 2002.** PLANNING & ECONOMIC DEVELOPMENT
 - g. **Budget Vehicle Purchases** DPW
 - h. **2002 Water Treatment Chemical Bids.** FILTRATION PLANT
 - i. **Consideration of Bids, Sherin Street, Lakeshore to Miner.** ENGINEERING
 - j. **Consideration of Bids, Washington, Franklin to Division.** ENGINEERING

- k. Transmittal of 2001 Comprehensive Annual Financial Report. FINANCE
- l. Recognizing "The Greater Muskegon Service League" as a Non-Profit Organization. CITY CLERK

❑ PUBLIC HEARINGS:

- a. Create Special Assessment District For Harvey, Keating to South End. ENGINEERING
- b. Confirm the Special Assessment Roll for Laketon, Peck to Wood Street. ENGINEERING

❑ COMMUNICATIONS:

❑ CITY MANAGER'S REPORT:

❑ UNFINISHED BUSINESS:

- a. 2002-2003 CDBG/HOME Recommendations and City Commission Final decisions COMMUNITY AND NEIGHBORHOOD SERVICES

❑ NEW BUSINESS:

- a. Selection of Health Insurance Program to Replace PHP. FINANCE
- b. Sewer and Water RTS Rate Adjustments. FINANCE
- c. First Reading, Expansion of Clay-Western Historic District. PLANNING & ECONOMIC DEVELOPMENT
- d. City Commission Goals, 2002 and Beyond. ASSISTANT CITY MANAGER
- e. Concurrence With the Housing Board of Appeals Notice and Order to Demolish the Following:
 - 1. 1362 Getty
 - 2. 431 Wood
 - 3. 509 Octavius
 - 4. 1850 Elwood
 - 5. 1525 Huizenga
- f. Seaway Industrial Park. CITY MANAGER

❑ ANY OTHER BUSINESS:

❑ PUBLIC PARTICIPATION:

❑ CLOSED SESSION: To discuss pending litigation

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

❑ ADJOURNMENT:

Date: April 9, 2002
To: Honorable Mayor and City Commission
From: Community Relations Committee
RE: Resolution – Volunteer Week

SUMMARY OF REQUEST: To adopt a resolution recognizing the week of April 21, 2002 as Volunteer Week.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION:.. To adopt the resolution proclaiming the week of April 21, 2002 as Volunteer Week.



City of
Muskegon
 State of Michigan

WHEREAS, each individual has some special contribution to offer for the benefit of others, and his services are urgently needed by the agencies and organizations that work to solve community problems and meet human needs; and

WHEREAS, volunteer service frees trained personnel to devote time to increasing the effectiveness of an agency program, creates good public relations and understanding, and enriches the volunteer's own life as he gives of himself in serving others, and

WHEREAS, our local Volunteer Muskegon brings together those who are willing to serve and the agencies with the appropriate job to be filled, serves as a source of information for those needing help, and stimulates and coordinates the work of various organizations on community projects; and

WHEREAS, Volunteer Muskegon works to find volunteers for large community events such as Parties in the Park and the Air Fair. The Muskegon Avenue a'Bloom project enables companies and businesses to "Adopt a Block" of Muskegon Avenue for the planting of flowers in the Spring. During the year 2000 over 1490 youth volunteers and 250 adult volunteers contributed more than 23,000 hours of service in the Muskegon area.

NOW THEREFORE BE IT RESOLVED, that I, Steve Warmington, Mayor of the City of Muskegon, and speaking on behalf of the City Commission and our residents, do hereby proclaim the week of April 21, 2002 as Volunteer Week, urging all citizens to join with me and this City Commission in recognizing the valuable contributions made by volunteers toward achieving the physical well-being and spiritual enrichment of all members of our community.

IN WITNESS WHEREOF, we hereunto set our hands and cause the seal of the City of Muskegon to be affixed this ____ day of _____, 2002.

 Steve Warmington, Mayor

 Stephen J. Gawron, Commissioner

 Rob Schweifler, Commissioner

 Karen Buie, Vice Mayor

 Bill Larson, Commissioner

 Clara Shepherd, Commissioner

 Lawrence Spataro, Commissioner

Date: April 9, 2002
To: Honorable Mayor and City Commission
From: Community Relations Committee
RE: Resolution – National Telecommunicator Week

SUMMARY OF REQUEST: To adopt a resolution in recognition of National Telecommunicator Week (April 14th through April 20th, 2002), and honor the telecommunicators and dispatch supervisors at Muskegon Central Dispatch.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To adopt the resolution.

CENTRAL
cd **DISPATCH**

P.O. Box 626, Muskegon, Michigan 49443 • Ph. (231) 722-3524 • Fax (231) 755-1238

Dawn M. Adams
Director

Call someone to receive

March 15, 2002

Bryon Mazade, City Manager
City of Muskegon
993 Terrace Street
Muskegon, MI 49442

Dear Mr. Mazade,

Enclosed please find a resolution in recognition of National Telecommunicator Week April 14th through April 20th, 2002. The telecommunicators and dispatch supervisors at Muskegon Central Dispatch epitomize the content of this resolution. They are a dedicated, caring group of men and women who conduct their business in a professional and efficient manner each and every day helping those in need. Often their good efforts go unrecognized. Consequently, I request you to take a moment with your City Commission to formally acknowledge this group of true 'first responders'.

Sincerely,



Dawn M. Adams, Executive Director
Central Operations for Police Services (COPS)
Muskegon Central Dispatch



A Resolution Proclaiming April 14 – 20 as
Public Safety Telecommunicators Week in the City of Muskegon

WHEREAS, emergencies that require police, fire or emergency medical services can occur at anytime; and

WHEREAS, when these emergencies occur the public dials 9-1-1 for assistance; and

WHEREAS, the telecommunicators at Muskegon Central Dispatch answer calls for assistance and serve as the first and most critical contact our citizens have with emergency services; and

WHEREAS, the safety of the police officers, firefighters and emergency medical services that serve our citizens is dependent on the quality and accuracy of information obtained from citizens who use the 9-1-1 system, and

WHEREAS, our 9-1-1 Telecommunicators provide the single most vital link for our police officers, firefighters, and emergency medical services by monitoring their activities by radio, providing them with information, and insuring their safety, and

WHEREAS, the telecommunicators of Muskegon Central Dispatch are responsible for the saving of numerous lives, the apprehension of many criminals, and prevention of considerable property loss each year, and

WHEREAS, all Muskegon Central Dispatch 9-1-1 telecommunicators has exhibited compassion, understanding and professionalism during the performance of their job in the past year, and

WHEREAS, on October 9, 1991, the Congress of the United States proclaimed the second week in April as 'National Public Safety Telecommunicators Week,' and

NOW THEREFORE BE IT RESOLVED that the Muskegon City Commission hereby proclaims the week of April 14 – 20, 2002 as Public Safety Telecommunicators Week in Muskegon, in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

BE IT FURTHER RESOLVED that the Muskegon City Commission urges City residents to join us in honoring the public safety telecommunicators who answer our 9-1-1 calls for police, fire, and emergency medical services.

PASSED AND ADOPTED at a regular meeting of the Muskegon City Commission held this _____ day of _____ 2002.

Muskegon City Commission

Steve Warmington, Mayor

Date: April 9, 2002
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve the minutes of the Special Commission Meeting that was held on Monday, March 4, 2002, and the Regular Commission Meeting that was held on Tuesday, March 26, 2002.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 9, 2002

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

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

Mayor Warmington opened the meeting with a prayer from Pastor Paul Erban of the Olivet Evangelical Free Church, after which members of the City Commission and members of the public joined in reciting the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

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

2002-44 HONORS AND AWARDS

a. Resolution recognizing Volunteer Week. COMMUNITY RELATIONS COMMITTEE

SUMMARY OF REQUEST: To adopt a resolution recognizing the week of April 21, 2002 as Volunteer Week.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To adopt the resolution proclaiming the week of April 21, 2002 as Volunteer Week.

Commissioner Lawrence Spataro presented the Resolution to Volunteer Martha Bottomly.

b. Resolution recognizing National Telecommunicator Week. COMMUNITY RELATIONS COMMITTEE

SUMMARY OF REQUEST: to adopt a resolution in recognition of National Telecommunicator Week (April 14th through April 20th, 2002), and honor the telecommunicators and dispatch supervisors at Muskegon Central Dispatch.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To adopt the resolution.

Mayor Stephen Wamington presented the Resolution to Dawn Adam's, Executive Director from Muskegon Central Dispatch.

2002-45 CONSENT AGENDA:

a. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Special Commission Meeting that was held on Monday, March 4, 2002, and the Regular Commission meeting that was held on Tuesday, March 26, 2002.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

b. Community Relations Committee Recommendations.

COMMUNITY RELATIONS COMMITTEE

SUMMARY OF REQUEST: To concur with the recommendations from the Community Relations Committee regarding the following:

Board of Review - Removal of William Brookshire

Appointment of Don Haas to filled unexpired term
(1/31/03)

Historic District Commission - Appointment of Tom Russo term expires 1/31/04

Hospital Finance Authority - Change the number of Citizen appointments to five(5) as spelled out in Articles of Incorporation.

Adopt a resolution honoring the 1st anniversary of Rev. Calvin McDaniel at Jackson Hill Baptist Church to be presented at the Church on May 26, 2002.

Adopt a resolution creating a Public Relations Committee for the City of Muskegon.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve the recommendations from Community Relation Committee.

COMMITTEE RECOMMENDATION: Approve the recommendations

c. Second Reading Groundwater Ordinance Amendment (Admiral). PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve an amendment to the City Groundwater Ordinance to include properties that have been identified as "affected" premises as defined in the Groundwater Ordinance. An "affected" premises shall mean a parcel of property any part of which is located within an appendix map made part of this ordinance, as originally enacted or amended, which map shows the parcel to have contaminated groundwater under any part of the parcel. Mr. Dennis Lemmen of Admiral Petroleum, property owner of this "affected" premise, was also notified by mail of the amendment herein.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the amendment.

COMMITTEE RECOMMENDATION: None

d. Second Reading Groundwater Ordinance Amendment
(West Michigan Dock & Market) PLANNING & ECONOMIC
DEVELOPMENT

SUMMARY OF REQUEST: To approve an amendment to the city Groundwater Ordinance to include properties that have been identified as "affected" premises as defined in the Groundwater Ordinance. An "affected" premises shall mean a parcel of property any part of which is located within an appendix map made part of this ordinance, as originally enacted or amended, which map shows the parcel to have contaminated groundwater under any part of the parcel.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the amendment.

COMMITTEE RECOMMENDATION: None

e. Second Reading Amendment to PILOT Ordinance.
PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the ordinance amendment to clarify the definition of "elderly persons" to be the same definition as the Michigan State Housing Development Authority ("Authority") definition. MSHDA interprets "elderly persons" as being 55-years-of-age or older. The former City interpretation was 62-years-of-age or older.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the Ordinance amending Ordinance

No. 757 and authorize the Clerk to sign.

COMMITTEE RECOMMENDATION:

g. Budgeted Vehicle Purchases. DPW

SUMMARY OF REQUEST: Approval to purchase vehicle replacements for 2002: 1, ¾ ton pick-up; 1, ¾ ton 4X4 pick-up; and 6 mini pick-up trucks.

FINANCIAL IMPACT: Total Cost \$124,991.24 for all units. \$130,000 is budgeted for these purchases.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve purchase of budgeted replacements for a total cost of \$124,991.24 using the Michigan State Purchasing Contract.

h. 2002 Water Treatment Chemical Bids. FILTRATION PLANT

SUMMARY OF REQUEST: Recommend endorsement of lowest responsible bidders to supply aluminum sulfate, sodium hypochlorite, and fluoride for the water filtration plant.

FINANCIAL IMPACT: Annual cost of \$70,786.00 (based on average annual water pumped to mains).

BUDGET ACTION REQUIRED: None at this time. These chemicals are budgeted annually.

STAFF RECOMMENDATION: Staff recommends the Mayor and City Commissioners endorse the low bids received and the contract renewal and enter into contracts with General Chemical, Alexander Chemical, and Lucier Chemical for aluminum sulfate, sodium hypochlorite, and fluoride respectively.

j. Consideration of Bids, Washington, Franklin to Division.
ENGINEERING

SUMMARY OF REQUEST: The Washington Street contract (H-1538) be awarded to Jackson Merkey Contractors out of Muskegon since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$447,701.70.

FINANCIAL IMPACT: The construction cost of \$447,701.70 plus associated engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Award the contract to Jackson Merkey Contractors.

COMMITTEE RECOMMENDATION:

k. Transmittal of 2001 Comprehensive Annual Financial Report. FINANCE

SUMMARY OF REQUEST: The City's 2001 Comprehensive Annual Financial Report (CAFR) has previously been distributed to City Commissioners in accordance with state law.

FINANCIAL IMPACT: None. The CAFR report summarizes the City's financial activities for 2001 and includes the independent auditor's unqualified opinion on the City's financial statements.

BUGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Acceptance of the 2001 CAFR.

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

I. Recognizing The Greater Muskegon Service League as a Non-Profit Organization.

SUMMARY OF REQUEST: To adopt the resolution recognizing The Greater Muskegon Service League as a non-profit organization operating in the city for the purpose of obtaining a charitable gaming license. They want to hold a raffle to raise funds so they may give out grants in our community.

STAFF RECOMMENDATION: To adopt the resolution recognizing The Greater Muskegon Service League as a non-profit organization operating in the city.

Motion by Vice-Mayor Buie, second by Commissioner Larson to approve the Consent Agenda except for items i and f.

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

Nays: None

MOTION PASSED

2002-46 ITEMS REMOVED FROM CONSENT AGENDA:

I. Consideration of Bids, Sherin Street, Lakeshore to Miner.
ENGINEERING

SUMMARY OF REQUEST: The Sherin Street Contract (H-1522) be awarded to Wadel Stabilization Inc, out of Hart since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$100,081.22.

FINANCIAL IMPACT: The construction cost of \$100,081.22 plus associated engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Award the contract to Wadel Stabilization Inc.

COMMITTEE RECOMMENDATION:

Motion by Commissioner Larson, second by Commissioner Schweifler to

award the contract to the second lowest bidder, Felco for \$101,811.60.

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

Nays: None

MOTION PASSED

f. Traffic Department Materials and Services 2002. DPW

SUMMARY OF REQUEST: Contract with the Muskegon County Road Commission for the joint purchase of various Traffic Department materials and services. We have bid out these items with MCRC for the past thirteen years. By bidding together with MCRC and other municipalities we are able to get better unit prices because of larger quantity purchases.

FINANCIAL IMPACT: Sign materials and services to be jointly bid:

Sign blanks	\$2,000.00 approx.
Sign posts	\$3,000.00 approx.
Sign sheeting	\$5,100.00 approx.
Centerline painting	\$11,000.00 approx.

BUDGET ACTION REQUIRED: None, this item is requested each year in the appropriate Highway budgets.

STAFF RECOMMENDATION: Approve the continued joint purchasing with the Muskegon County Road Commission for sign materials and services.

Motion by Commissioner Schweifler, second by Commissioner Larson to approve the continued joint purchasing with the Muskegon County Road Commission for sign materials and services.

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

Nays: None

MOTION PASSED

2002-47 PUBLIC HEARINGS:

a. Create Special Assessment District For Harvey, Keating to South End. ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the Harvey Street, Keating to S. End, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None at this time.

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

COMMITTEE RECOMMENDATION:

The public hearing opened at 6:03pm to hear and consider any comments from the public. No comments were heard from the public.

Motion by Commissioner Spataro, second by Vice-Mayor Buie to close the public hearing at 6:06pm and to approve to create the special assessment and assign two City Commissioners to the Board of Assessors by adopting the resolution.

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

Nays: None

MOTION PASSED

b. Confirm the Special Assessment Roll for Laketon, Peck to Wood Street. ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the special assessment roll for Laketon Ave., Peck to Wood, and to adopt the resolution confirming the special assessment roll.

FIANCIAL IMPACT: A total of \$27,842.57 would be spread against the twelve (12) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

COMMITTEE RECOMMENDATION:

The public hearing opened at 6:08pm to hear and consider any comments from the public. No comments were heard from the public.

Motion by Commissioner Schweifler, second by Commissioner Shepherd to close the public hearing at 6:09pm and to approve the special assessment roll and adopt the resolution.

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

Nays: None

MOTION PASSED

2002-48 UNFINISHED BUSINESS:

a. 2002-2003 CDBG/HOME Recommendations and City Commission Final decisions. COMMUNITY AND NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To make final determination for fiscal year 2002-2003 CDBG/HOME funding and to direct staff to continue the CDBG/HOME process. In order to request release of funds from the U.S. Department of Housing and Urban Development Department at the proper time.

FINANCIAL IMPACT: Will determine what is funded during 2002-2003 CDBG/HOME fiscal year (June 1, 2002 through May 31, 2003).

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To make your final determination.

COMMITTEE RECOMMENDATION: The Citizen District Council, the administration and the Commissions preliminary recommendations are attached.

Motion by Commissioner Schweifler, second by Commissioner Shepherd to approve staff to continue the CDBG/HOME process in order to request release of funds from the US Department of Housing and Urban Development at the proper time.

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

Nays: None

MOTION PASSED

2002-49 NEW BUSINESS:

a. Selection of Health Insurance Program to Replace PHP.
FINANCE

SUMMARY OF REQUEST: As you know, the PHP healthcare program (which has been the city's primary health service provider for several years) will soon cease operations in the Muskegon area. The City's benefit year begins June 1 and a replacement program must be in place before that time. For the last several months staff has worked with Julie Balgooyen (agent of record) to search for a suitable replacement program. Three objectives guided this search: 1) match current program benefit levels as closely as possible, 2) minimize employee disruption (i.e. required doctor changes) and 3) minimize the financial impact on the City in an era of rapidly escalating healthcare costs.

After careful review of proposals submitted by the various healthcare providers operating in the Muskegon area, it is staff's recommendation the Priority Health HMO be selected to replace PHP. Following are the reasons

for this recommendation: 1) Although there are some differences in benefits, the Priority Health benefits match up better than the other programs when compared to PHP (see comparison), 2) Disruption is limited to 35 employees and dependents which is less than all but one of the other proposals, and 3) Cost increases, although substantial, are within the City's expectations and, when adjusted for benefit differences, the Priority Health proposal is the lowest cost proposal.

FINANCIAL IMPACT: The Priority Health program premiums will be \$526.33 per employee per month. This represents an 9.3% increase over the current rate of \$481.63.

BUDGET ACTION REQUIRED: None. The quoted rates fall within the City's 2002 budget projections.

Staff Recommendation: Selection of Priority Health HMO.

COMMITTEE RECOMMENDATION: The City's Labor-Management Committee has been involved in the selection process and concurs with staff's recommendation. This item will also be discussed at the April 8th Committee of the Whole meeting.

Motion by Commissioner Shepherd, second Commissioner Gawron to approve staff's recommendation to select Priority Health HMO to replace PHP as the city's primary health service provider.

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

Nays: None

MOTION PASSED

b. Sewer and Water RTS Rate Adjustments. FINANCE

SUMMARY OF REQUEST: As explained more fully in the accompanying memos, staff recommends the following sewer and water rate increases to take effect June 1, 2002.

1. An 18% increase in fees charged for residential, commercial and industrial sewer use;
2. A \$.50 increase (from \$7.50 to \$8.00) in the sewer administrative fee;
3. Changes in the water readiness to serve charge (minimum bill) to bring city charges in alignment with AWWA recommended standards.

FINANCIAL IMPACT: The sewer rate adjustments will bring in an estimated \$575,000 additional full year revenue for the city's sewer fund. The revenue impact for 2002 will be less due to the mid-year implementation. The Change in water RTS fees will generate an additional \$52,000 annual revenue for the city's water fund.

BUDGET ACTION REQUIRED: None at this time. Adoption of these fee adjustments will help the city attain its 2002 budgeted revenue estimates.

STAFF RECOMMENDATION: Adoption of the fee adjustment resolution.

COMMITTEE RECOMMENDATION: The Committee of the Whole will discuss this issue at the April 8th meeting.

Motion by Commissione Schweifler, second by Commissioner Larson to adopt the fee adjustment resolution.

ROLL VOTE: Ayes: Gawron, Larson, Schweifler, Shepherd, Spataro, Warrington, Bule

Nays: None

MOTION PASSED

c. First Reading , Expansion of Clay-Western Historic District.
PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the proposed expansion of the Clay-Western Historic District to include the Boiler Works.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the expansion of Clay-Western Historic District.

COMMITTEE RECOMMENDATION: None

Motion by Commissioner Schweifler, second by Commissioner Spataro to table the proposal of the expansion of Clay-Western Historic District to the May 14, 2002 Regular Commission Meeting.

ROLL VOTE: Ayes: Larson, Schweifler, Shepherd, Spataro, Warrington, Bule, Gawron

Nays: None

MOTION PASSED

d. City Commission Goals, 2002 and Beyond. ASSISTANT CITY
MANAGER

SUMMARY OF REQUEST: On March 15, 2002, the City Commission and staff participated in their annual goal setting session. The Vision, Value and Mission statements, along with a set of prioritized projects/programs are the result of that undertaking. Staff is requesting approval of both documents.

FINANCIAL IMPACT: None

STAFF RECOMMENDATION: Staff recommends approval.

COMMITTEE RECOMMENDATION: This issue was reviewed and discussed at the Commission Work Session on Monday, April 8, 2002.

Motion by Commissioner Larson, second by Commissioner Schweifler to approve both documents.

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

Nays: None

MOTION PASSED

e. Concurrence with the Housing Board of Appeals Notice and Order to Demolish for the following:

- 1) 1362 Getty**
- 2) 431 Monroe**
- 3) 509 Octavius**
- 4) 1850 Elwood**
- 5) 1525 Huizenga**

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 1362 Getty, 431 Monroe, 509 Octavius, 1850 Elwood and 1525 Huizenga are unsafe, substandard, a public nuisance and that they be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of these structures and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: General Funds except for 431 Monroe, 509 Octavius, and 1850 Elwood, which are CDGB.

BUDGET ACTION REQUIRED: None except for except for 1525 Huizenga which is General Funds.

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

COMMITTEE RECOMMENDATION: The Commission will consider these items at it's meeting Tuesday, April 9, 2002.

Motion by Gawron, second by Commissioner Schweifler to concur with the Housing Board of Appeals decision to demolish the said houses.

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

Nays: None

MOTION PASSED

f. Seaway Industrial Park. CITY MANAGER

City Manager Bryon Mazade gave an overview.

Motion by Commissioner Shepherd, second by Commissioner Larson to authorize staff to continue working with Grooter's Development regarding an agreement (subject to satisfaction of City Manager and City Attorney) by April 12th.

ROLL VOTE: Ayes: None

Nays: Spataro, Warmington, Buie, Gawron, Larson, Schweifler, Shepherd.

MOTION FAILED

Mayor Warmington requested a special meeting for discussion regarding Grooter's Development to be held on April 12, 2002 at 5:30pm.

2002-50 PUBLIC PARTICIPATION:

John Vanderstelt of Van's Car Wash and Quick Lube, 1230 West Sherman Blvd. was concerned with the amount he was being charged for use of sewer.

Motion by Commissioner Spataro, second by Commissioner Schweifler to have staff look into Mr. Vanderstelt's concern and report in two weeks to Commission.

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

Nays: None

MOTION PASSED

Various comments were heard from the public.

ADJOURNMENT: The Regular Commission Meeting for the City of Muskegon was adjourned at 6:50pm.

Respectfully submitted,



Gail Kunderinger, CMC/AAE
City Clerk

Date: April 9, 2002
To: Honorable Mayor and City Commission
From: Community Relations Committee
RE: Appointments to Various Committees/Boards

SUMMARY OF REQUEST: To concur with the recommendations from the Community Relations Committee regarding the following:

Board of Review - Removal of William Brookshire

- Appointment of Don Haas to filled unexpired term (1/31/03)

Historic District Commission - Appointment of Tom Russo (D) term expires 1/31/04

Hospital Finance Authority – Change the number of Citizen appointments to five (5) as spelled out in Articles of Incorporation.

Adopt a resolution honoring the 1st anniversary of Rev.. Calvin McDaniel at Jackson Hill Baptist Church to be presented at the church on May 26, 2002.

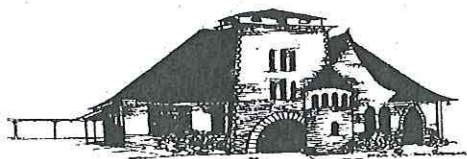
Adopt a resolution creating a Public Relations Committee for the City of Muskegon.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

COMMITTEE RECOMMENDATION: Approve the recommendations.

STAFF RECOMMENDATION: Approve the recommendations from Community Relations Committee.



Memorandum

Quit - we need to address this soon
T/K
Tr

Muskegon County

Equalization Department

616-724-6386 (Fax #724-1129)

173 E. Apple Ave Muskegon, Mi. 49442

DATE: MARCH 13, 2002

TO: Tim Paul, Finance Director

FROM: Dennis W. Burns, Assessment Administration Supervisor *DWB*

RE: City of Muskegon Board of Review Member Replacement

Recently we have experienced difficulty contacting Board of Review member William Brookshire. Mr. Brookshire did not appear for the December Board of Review and has not yet attended any of the March meetings either. This office has tried to contact him on several occasions both by letter and phone but with no success. It has become apparent he is no longer interested in serving on the Board.

In the past Mr. Brookshire has been a valuable asset on the Board of Review, so it is with deep regret I ask that a new member be appointed in his place. Mr. Donald Haas has voiced interest in serving as a regular board member rather than in his present position as "alternate". If this change were to be made, we would then need to fill the alternate position.

If you have any questions or suggestions, please call me at 6153.

*send letter to
Mr. Brookshire
re: removal*

BOARD OF REVIEW

PURPOSE

Review of the Assessment Rolls.

MECHANICS

ENABLING LAW: City Charter (Ch. XI - Sec. 2) – Oath not required.
APPOINTED BY: City Commission
MEETING: Tuesday following first Monday in March, Tuesday following the third Monday in July and Tuesday following the second Monday in December
City Hall/1st Floor Conference Room
TERM: 2 Years

COMPOSITION

<u>TYPE</u>	<u>DESCRIPTION</u>
A	6 Citizens
B	City Assessor
C	Deputy Assessor
D	Citizen Alternate

CURRENT MEMBERS

(Staff Liaison – Cliff Turner)

<u>TYPE</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>ZIP</u>	<u>PHONE</u>	<u>TERM EXP.</u>
A	Jack Rottman	1171 Creekview Dr.	1	755-4054	1/31/04
A	Lawrence DeVoogd *	3176 Boltwood Dr.	1	759-8323	1/31/04
A	William Brookshire	169 Iona Ave.	2	726-5538	1/31/03
A	Georgia Strube	1397 Palmer	1	755-3541	1/31/03
A	Randy Mackie	1533 Peck	1	725-1355	1/31/03
A	Luther Dease	1379 Lawrence	2	777-2048	1/31/04
B	Cliff Turner	933 Terrace St.	3	724-6708	Assessor
C	Larry Millard	933 Terrace St.	3	724-6708	Dep. Assess
D	Donald Haas	3087 Knollwood Ct.	1	755-6629	1/31/04

HISTORIC DISTRICT COMMISSION

PURPOSE

Identify and evaluate structures or sites worthy of preservation, and be involved in projects or programs to this end. Disseminate public information concerning these structures and sites, and consider ideas regarding them with groups of individuals interested in historic preservation. Make appropriate recommendations to the City Commission for encouraging and achieving historic preservation.

MECHANICS

ENABLING LAW: City Ordinance (Sec. 11-20 – 11-36) – Oath not required.
APPOINTED BY: City Commission
MEETING: First Tuesday of each month @ 4:00 P.M.
City Hall / Commission Chambers
TERM: 3 Years

COMPOSITION

<u>TYPE</u>	<u>DESCRIPTION</u>
A	1 City Commissioner
B	1 Registered Architect
C	2 Members from local preservation societies (at least one of whom is a member of the Muskegon Heritage Association)
D	2 Persons who reside or have occupational or financial interest in one or more of the historic districts.
E	1 Citizen or more to complete the membership to seven (7) people.

change ordinance

CURRENT MEMBERS

(Staff Liaison – Michael Wee)

<u>TYPE</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>ZIP</u>	<u>PHONE</u>	<u>TERM EXP.</u>
A	Lawrence Spataro	1567 Sixth St.	1	725-9384	Commission
B	Tim Bosma	557 W. Western Ave.	0	728-9519-W	1/31/04
C	Jackie Hilt	1627 Jefferson St.	1	722-2538	1/31/03
C	Bill Seeback *	475 W. Western	0	722-4362	1/31/03
D	Daniel Chambers	458 W. Webster Ave.	1	722-1980	1/31/05
D	<i>Tom Russo</i>	<i>574 W. Webster</i>			
E	Wanda Matsey	1291 Fourth St..	1	727-8496	1/31/05

city resident?

HOSPITAL FINANCE AUTHORITY

PURPOSE

To construct, acquire, reconstruct, remodel, improve, add to, enlarge, repair, own and lease hospital facilities within the boundaries of the City of Muskegon for the use of any non-profit hospital; lend money to a hospital for those purposes; refund or refund in advance obligations of the Authority or the Michigan State Hospital Finance Authority; or refinance the indebtedness of a hospital.

MECHANICS

ENABLING LAW: Public Act No. 38 of 1969 – Oath not required.
APPOINTED BY: Mayor/City Commission
MEETING: Upon Demand
TERM: 5 Years

Articles of Incorporation

COMPOSITION

TYPE

DESCRIPTION

A

5 / Citizens (a majority shall be residents of the City of Muskegon)

CURRENT MEMBERS

(Staff Liaison - Bryon Mazade)

<u>TYPE</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>ZIP</u>	<u>PHONE</u>	<u>TERM EXP.</u>
A	George Sculley *	3086 Knollwood Ct.	1	755-4565	1/31/07
A					1/31/02
A	Bess Commodore	1917 Carriage	2	773-8858	1/31/07
A	David Medendorp	1718 Beach	1	755-6880	1/31/03
A					1/31/03
A	Thomas O'Toole	2462 Winchester Rd.	1	755-2432	1/31/03
A	William Tardani	657 Jackson	2	722-2867	1/31/04

PARMENTER O'TOOLE

Attorneys at Law

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

March 20, 2002

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

Re: City of Muskegon –
Hospital Finance Authority

Dear Ms. Kunding:

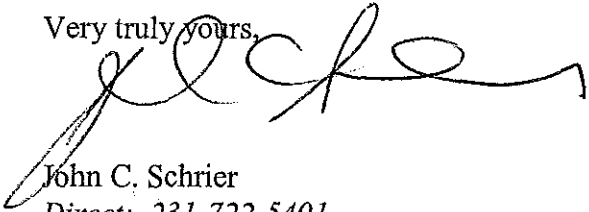
Enclosed is the Hospital Finance Authority, MCLA. Section 331.31 through 331.84.

The purpose of the Hospital Finance Authority is to allow hospitals an appropriate means for reasonable cost financing for purposes of maintenance, expansion, enlargement, and establishment of health care, hospitals, nursing care, certain retirement housing, and other related facilities. Notwithstanding that the Hospital Finance Authority does not meet on a regular basis, we would not recommend termination of the Authority.

The nominal effort that is required to maintain the Authority, versus termination of the Authority and re-establishment by way of filing Articles of Incorporation, etc., clearly warrant maintenance of the Authority. Further, any discussion of elimination of the Authority should be undertaken only after an assessment is made as to whether there are any outstanding bonds. If there are, again, we would not recommend elimination of the Authority.

If you have any questions or concerns, please feel free to contact me.

Very truly yours,



John C. Schrier

Direct: 231-722-5401

Fax: 231-728-2206

E-mail Address: jcs@parmenterlaw.com

JCS/jey

Enclosure

ARTICLES OF INCORPORATION

CITY OF MUSKEGON HOSPITAL FINANCE AUTHORITY

These Articles of Incorporation of the City of Muskegon Hospital Finance Authority are adopted by the City of Muskegon, Michigan, for the purpose of creating a local authority (the "Authority") under the provisions of Act No. 38 of the Public Acts of Michigan of 1969, as amended (the "Act").

ARTICLE I

NAME

The name of this corporation and authority is the "City of Muskegon Hospital Finance Authority".

ARTICLE II

INCORPORATING UNIT

The incorporating unit creating the Authority is the City of Muskegon, County of Muskegon, Michigan.

ARTICLE III

PURPOSE

The Authority is incorporated for the purpose of constructing, acquiring, reconstructing, remodeling, improving, adding to, enlarging, repairing, owning and leasing hospital facilities within the boundaries of the City of Muskegon, for the use of any non-profit hospital; lending money to a hospital for those purposes; refunding or refunding in advance obligations of the Authority or the Michigan State Hospital Finance Authority; or refinancing the indebtedness of a hospital.

ARTICLE IV

POWERS AND DUTIES

Section 1. The Authority shall be a public body corporate with power to sue and be sued in its own name in any court of the State of Michigan.

Section 2. The Authority may adopt and amend by-laws for the regulation of its affairs and the conduct of its business.

Section 3. The Authority may adopt an official seal and alter its official seal at its discretion.

Section 4. The Authority may maintain offices at such places as its Commission may hereafter designate.

Section 5. The Authority shall have power to construct, acquire by gift, purchase, lease, reconstruct, remodel, improve, add to, enlarge, repair, own and lease hospital facilities and to acquire a site or sites therefor. The Authority shall not have the power of condemnation.

Section 6. The Authority shall have power to issue revenue bonds to finance all or any part of the project costs of any hospital facilities or to refinance any outstanding indebtedness of a hospital if the Authority determines that the refinancing is necessary to realize the objectives and purposes of the Act.

Section 7. The Authority shall have power to enter into lease or lease-purchase agreements with any hospital for the use of the hospital facilities. Any such agreement shall provide that the rents to be charged for such use shall be fixed and revised from time to time so as to produce income and revenues sufficient to pay promptly, when due, the interest upon and the principal of all bonds issued payable therefrom after provision has been made for the payment of operation and maintenance costs.

Section 8. The Authority shall have the power to mortgage the hospital facilities in favor of the holders of the bonds issued therefor.

Section 9. The Authority shall have the power to sell and convey the hospital facilities and its site, or any part thereof, including, without limitation, the sale and conveyance thereof, subject to a mortgage, for such price and at such time as the Authority may determine. No sale or conveyance shall be made in any manner as to impair the rights or interests of the holders of any bonds.

Section 10. The Authority shall have the power to make loans; participate in the making of loans; undertake commitments; make loans and mortgages; sell loans and mortgages at public or private sale; modify or alter loans and mortgages; discharge loans and mortgages; foreclose on a mortgage or commence an action to protect or enforce a right conferred upon it by law, mortgage, loan, contract, or other agreement; bid for and purchase property which was the subject of a mortgage at a foreclosure or other sale and acquire or take possession of the property and in that event complete, administer, pay the principal and interest on any obligations incurred in connection with the property; and dispose of and otherwise deal with the property in any manner necessary or desirable to protect the interests of the Authority in the property. The loans made by the Authority may be secured by mortgages or not, as the local authority determines.

Section 11. The Authority shall have the power to loan money to hospitals for the purpose of refinancing outstanding indebtedness of a hospital if the local authority determines that the refinancing is necessary to realize the objectives and purposes of the Act.

Section 12. The Authority shall have the power to employ consulting engineers, architects, attorneys, accountants, construction and financial experts, superintendents, managers and such other employees and agents as may be necessary in its judgment and fix their compensation.

Section 13. The Authority shall have power to receive and accept from any public or private agency loans or grants for or in aid of any project undertaken, or any portion thereof, and receive and accept loans, grants, aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such loans, grants, aid and contributions are made.

Section 14. The Authority shall have power to charge and collect fees and charges from the lessees of the hospital facilities sufficient to meet operation and maintenance expenses of the Authority.

Section 15. The Authority shall have the power and authority to borrow money and issue its negotiable obligations for the purpose of defraying the project costs of hospital facilities or to refinance outstanding indebtedness of a hospital. The principal of and interest on such bonds shall be payable solely from the net revenues derived from the hospital facilities, from gifts or grants, or from amounts derived from the disposition of hospital facilities mortgaged or otherwise pledged as security for payment of the bonds. No bond or coupon issued by the Authority shall be a general obligation of or constitute a debt of the City of Muskegon.

Section 16. The Authority shall have all the powers necessary to carry out the purposes of its incorporation and the incidental powers thereto and no enumeration of the powers of the Authority in these Articles of Incorporation shall in any way limit or restrict the power of the Authority.

ARTICLE V

GOVERNING BODY OFFICERS

Section 1. The Authority shall be directed and governed by a Board of Commissioners (the "Commission") of five (5) members, each to be appointed by the Mayor of the City of Muskegon (but such appointment shall not be effective until it is confirmed by a majority vote of the City Council of the City of Muskegon). No member of the legislative or executive body of the City of Muskegon, and no member of the governing body or officer of a lessee hospital, shall be eligible for membership or appointment to the Authority. A majority of the members shall be residents of the City of Muskegon.

Section 2. The terms of the Commissioners constituting the first Commission shall be: For the first Commissioner, _____, one (1) year; the second

Commissioner, _____, two (2) years; the third Commissioner, _____, three (3) years; the fourth Commissioner, _____, four (4) years, and the fifth Commissioner, _____, five (5) years. The terms of succeeding commissioners shall be for five (5) years. The initial terms of each commissioner shall commence upon acceptance of appointment and shall terminate on the 30th day of June following the specified term, and terms of succeeding commissioners shall commence on July 1st.

Section 3. The Commission shall designate one of its members as chairman, one of its members as secretary, and one of its members as treasurer, each to be designated for such term in office as may be fixed by its by-laws.

Section 4. The Commission shall adopt and may amend by-laws and rules of procedure in accordance with the provisions of the Act.

Section 5. The Commission shall adopt a corporate seal.

Section 6. The chairman shall preside at meetings of the Commission and shall sign and execute all authorized bonds, contracts, checks and other obligations in the name of the Authority when so authorized by the Commission. He shall do and perform such other duties as may be fixed by the by-laws and from time to time assigned to him by the Commission.

Section 7. The secretary shall keep the minutes of all meetings of the Commission, and all committees thereof, in books provided for that purpose. The secretary shall attend to the giving, serving and receiving of all notices or process of or against the Authority. The secretary may sign with the chairman in the name of the Authority all contracts and bonds authorized by the Commission, and when so ordered, the secretary shall affix the seal of the Authority thereto. The secretary shall have charge of all books and records of the Authority, which shall at all reasonable times be open to inspection and examination by the Commission, or any member thereof, the incorporating unit and any lessee hospital, and in general perform all the duties incident to the office of secretary. The secretary shall preside at meetings of the Commission in the absence of the chairman.

Section 8. The treasurer shall have custody of all the funds and securities of the Authority which may come into possession of the Authority. When necessary or proper, the treasurer shall endorse, on behalf of the Authority for collection, checks, notes and other obligations which shall be deposited to the credit of the Authority in a designated bank or depository. The treasurer shall sign all receipts and vouchers for payments made to the Authority. The treasurer shall jointly, with such other officer as may be designated by the Commission, sign all checks, promissory notes, or other obligations of the Authority, when so ordered by the Commission.

The treasurer shall enter regularly in the books of the Authority to be kept by the treasurer for this purpose full and accurate accounts of all moneys received and paid by the treasurer on account of the Authority, and shall at all reasonable times exhibit such books and accounts to the Commission, or any member thereof, the incorporating unit, and any lessee hospital, when so required. The treasurer shall perform all acts incidental to the position of treasurer fixed by the by-laws and as assigned to the treasurer from time to time by the Commission. The treasurer shall be bonded for the faithful discharge of his duties as treasurer, the premium to be paid by the Authority.

Section 9. Annual compensation, if any, for the members of the Commission shall be fixed by the Commission when approved by the governing body of the incorporating unit.

Section 10. Vacancies occurring in the office of the Commission shall be filled in the same way that the original appointment is made, and shall be filled for the period of the unexpired term.

Section 11. By an affirmative vote of a majority of Council members, the City Council of the City of Muskegon may remove any or all of the members of the Board of Commissioners of the Authority for malfeasance, misfeasance, removal from Muskegon County, mental incompetency, physical disability or other good cause.

Section 12. The books and records of the Authority and of the Commission, officers and agents thereof, shall be open to inspection and audit by the City of Muskegon at all reasonable times. The Authority shall submit an annual report to the City of Muskegon, the lessee of any hospital facilities with respect to facilities leased, and the trustee under any indenture for the benefit of bondholders.

ARTICLE VI

PUBLICATION

Section 1. The County Clerk for the County of Muskegon, Michigan, shall cause a copy of these Articles of Incorporation to be published once in the Muskegon Chronicle, being a newspaper of general circulation within the County of Muskegon, and to be filed as provided by the Act.

ARTICLE VII

AMENDMENTS

Section 1. Amendments may be made to these Articles of Incorporation as provided in Section 25 of Act No. 38 of the Michigan Public Acts of 1969, as now existing or hereafter amended.

ARTICLE VIII

LOCATION OF OFFICE

The location of the initial office for the conduct of the business of the Authority and the post office address of the Authority is: 400 Terrace Plaza, Muskegon, Michigan 49443.

ARTICLE IX

EFFECTIVE DATE

Section 1. These Articles of Incorporation shall become effective and be in full force and effect on their publication and filing as required by the Act.

ARTICLE X

TERM

The term of the Authority shall be perpetual.

ARTICLE XI

MEANING OF WORDS AND TERMS

Unless the context or use indicates another meaning or intent, the words and terms defined in the Act and used in these Articles of Incorporation shall have the same meaning as defined in the Act.

IN WITNESS WHEREOF, the City of Muskegon has adopted and authorized to be executed these Articles of Incorporation on behalf of the City of Muskegon, a public corporation of the State of Michigan, by the Mayor and its City Clerk.

CITY OF MUSKEGON,
A Public Corporation.

By _____
Mayor

By _____
City Clerk

The foregoing Articles of Incorporation were adopted by the City Council of the City of Muskegon, County of Muskegon, State of Michigan, at a meeting duly held on the 12th day of December, 1978.

City Clerk

Dated: _____

CITY OF MUSKEGON

Resolution

BE IT HEREBY RESOLVED, that the proposed Amendments to the Articles of Incorporation of the City of Muskegon Hospital Finance Authority be adopted.

The full text of said Amendments are attached, and made a part of this Resolution.

This Resolution proposed by Commissioner Johnson, supported by Commissioner VanLente.

Adopted:	Yeas	Commissioners:	<u>MacAllister, Freye,</u>
			<u>VanLente, Geyer, Holcomb,</u>
			<u>Walcott, and Johnson</u>
	Nays		<u>None</u>

AMENDMENTS
to
ARTICLES OF INCORPORATION

CITY OF MUSKEGON HOSPITAL FINANCE AUTHORITY

These Amendments to the Articles of Incorporation of the City of Muskegon Hospital Finance Authority are adopted by the City of Muskegon, Michigan, under the provisions of Act 38 of the Public Acts of the State of Michigan of 1969, as amended.

The Articles of Incorporation of the City of Muskegon Hospital Finance Authority are amended in the following respects only:

1. Section 8 of Article IV is amended to read in its entirety as follows:

Section 8. The Authority shall have the power to mortgage the hospital facilities in favor of the holders of the bonds issued for those facilities, and may pledge and create a lien in favor of the bondholders on all or part of the funds which are available for payment of principal and interest on the bonds.

2. Section 14 of Article IV is amended to read in its entirety as follows:

Section 14. The Authority shall have the power to charge, impose, and collect fees and charges in connection with its loans, commitments, and servicing, including reimbursement of costs of financing by the local authority, service charges, insurance premiums, and an allocable share of the operating expenses of the local authority; make provision for increasing the fees and charges, if necessary, as the local authority shall determine to be reasonable and as approved by the local authority; and collect fees and charges from the lessees of the hospital facilities sufficient to meet operation and maintenance expenses of the authority.

3. Section 15 of Article IV is amended to read in its entirety as follows:

Section 15. The Authority shall have the power and authority to borrow money and issue its negotiable bonds and obligations for the purpose of defraying the project costs of hospital facilities, making hospital loans, refinancing indebtedness of a hospital, or refunding or refunding in advance obligations of any authority created or incorporated under the Act.

4. Section 16 of Article IV is amended to read in its entirety as follows:

Section 16. The Authority shall have any and all powers which local authorities are allowed to have under the Act, and without limiting the foregoing the Authority shall have all the powers necessary to carry out the purposes of its incorporation and the incidental powers thereto, and no enumeration of the powers of the Authority in these Articles of Incorporation shall in any way limit or restrict the power of the Authority.

5. New section 17 is added to Article IV, to read in its entirety as follows:

Section 17. The Authority may exercise its powers and undertake a project for the benefit of a single hospital or the joint benefit of a group or association of one or more hospitals.

6. New Section 18 is added to Article IV, to read in its entirety as follows:

Section 18. The Authority shall have the power to invest funds not required for immediate use or disbursement, at its discretion, in obligations of the state or the United States, in obligations the principal and interest of which are guaranteed by the state or the United States, or in certificates of deposit of a bank which is a member of the Federal Reserve System.

7. Article VIII is amended to read as follows:

The location of the office for the conduct of the business of the Authority and the post office address of the Authority is 933 Terrace Street, Muskegon, Michigan, 49440. Any change in the location of the said office may be made by the Authority designating same, pursuant to Section 26 of Public Act 38 of the Public Acts of 1969, as amended.

These amendments shall be published in The Muskegon Chronicle, a newspaper circulated within Muskegon County.

IN WITNESS WHEREOF, the City of Muskegon has adopted and authorized to be executed these Amendments by the Mayor and City Clerk.

CITY OF MUSKEGON

By: Marguerite Holcomb
Marguerite Holcomb, Mayor

By: Marva Vasquez
Marva Vasquez, City Clerk

The foregoing Amendments to the Articles of Incorporation of the City of Muskegon Hospital Finance Authority were adopted by the City Commission of the City of Muskegon, State of Michigan, at a meeting duly held on August 25, 1981. The

meeting was held in accordance with Act 267 of the Public Acts of 1976 of the State of Michigan.

Present: Mayor Holcomb
Commissioner Johnson
Commissioner MacAllister
Commissioner VanLente
Commissioner Walcott
Commissioner Freye
Commissioner Geyer

Absent: None

VOTES: 7 Aye, 0 No

Marva A. Vasquez
Marva A. Vasquez, City Clerk



City of
Muskegon
 State of Michigan

WHEREAS, May 26, 2002 marks the first anniversary of Rev. Calvin McDaniel as pastor of Jackson Hill Baptist Church, a church that is dedicated to the service of God and humanity; and

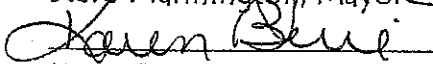
WHEREAS, we give pause, honor and praise this day for the deep and abiding Christian commitment of Rev. Calvin McDaniel, who in faith began this work, and for all those who have given so unselfishly during this past year to help the work grow and thrive, and provide valuable human services where the need was great; and

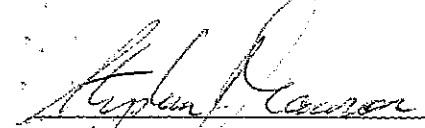
WHEREAS, it is a pleasure to extend this expression of our esteem and best wishes to Rev. Calvin McDaniel and the members of this congregation on the memorable occasion of this first anniversary;

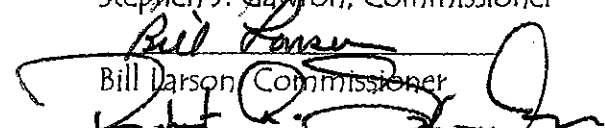
NOW THEREFORE BE IT RESOLVED, that I, Steve Warmington, Mayor of the City of Muskegon and speaking on behalf of the City Commission, do hereby deem it an honor and pleasure to present this resolution, on the occasion of his 1st Year Anniversary, to Rev. Calvin McDaniel, with sincere congratulations and best wishes for many more happy, productive years in the future.

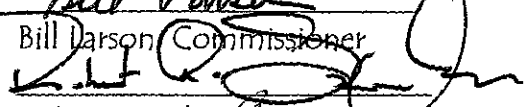
IN WITNESS WHEREOF, we do hereby set our hands, and cause the seal of the City to be affixed, this 26th day of May, 2002.

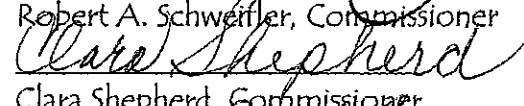

 Steve Warmington, Mayor


 Karen Buie, Vice Mayor

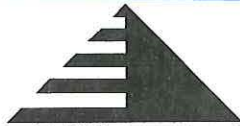

 Stephen J. Gawron, Commissioner


 Bill Larson, Commissioner


 Robert A. Schweifler, Commissioner


 Clara Shepherd, Commissioner


 Lawrence Spataro, Commissioner



**Jackson Hill Baptist Church
560 Wood Street
Muskegon, Michigan 49442
Rev. Calvin McDaniel, Pastor**

rec. approval.

March 22, 2002

To: Muskegon City Hall
Att: City Clerks Office/Linda Potter
993 Terrace Street
Muskegon, Michigan 49442
Re: Pastors 1st Anniversary

Greetings in the name of our Lord and Savior Jesus Christ. On behalf of the Jackson Hill Baptist Church family and the Pastor's Aid Committee, we are pleased to announce our Pastors 1st Anniversary in the City of Muskegon. If at all possible our Church family would like the Mayor of Muskegon to present to him a resolution from the City of Muskegon.

We have planned to have his 1st Anniversary Celebration on Sunday, May 26, 2002 and would love to have a resolution to present to him from the City of Muskegon if at all possible. Our Pastor is a very dedicated and hard working Pastor as well as a Husband, Father and roll model to the younger generation in our church as well as the community.

The following activities has also been set aside to honor our Pastors 1st Anniversary. We also invite the City Officials to come out and join us as we not only uplift our Pastor but also up lift our Lord and Savior Jesus Christ.

Saturday, April 20th, 2002 – Pre Pastor's Anniversary Breakfast , the breakfast will be at the Jackson Hill Baptist Church located at 560 Wood Street, Muskegon Michigan. See attached flyer for more information.

Thursday, May 23, 2002 – Pre Pastor's Anniversary Celebration , 7pm

Friday, May 24, 2002 – Pre Pastor's Anniversary Celebration, 7pm

Climax of the Pastors Anniversary - Sunday, May 26th, 2002 at 11 am and 4 pm

Thank you in advance for your cooperation and I ask that if you have any questions please feel free to contact me at 231/726-6242 and ask for Renita Layton.

Prayerfully Submitted,

Renita Layton
Rev. Calvin McDaniel, Pastor
Pastors Aid Committee



City of
Muskegon
 State of Michigan

WHEREAS, The City of Muskegon City Commission recognizes the importance of creating a positive City image; and

WHEREAS, the City Commission believes that promoting the City of Muskegon will require public relations methods that include but are not limited to the following:

1. Identify positive changes.
2. Recognize contributions of individuals, groups and businesses within the City.
3. Explore positive marketing strategies.
4. Promote city services, programs and benefits to the community.
5. Develop links with media network, and

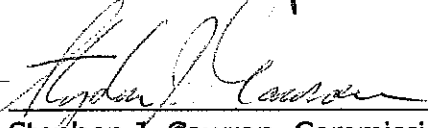
WHEREAS, The Community Relations Committee Index will include an outline of Purpose, Mechanics and Composition;

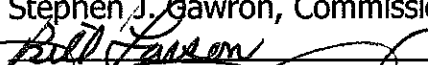
NOW, THEREFORE, BE IT RESOLVED, that the City Commission establishes a Public Relations Committee as outlined, and encourages citizens to serve and work for the betterment of our community.

IN WITNESS WHEREOF, we hereunto set our hands and cause the seal of the City of Muskegon to be affixed this 22nd day of April, 2002.

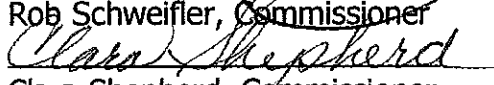

 Steve Warmington, Mayor


 Karen Buie, Vice Mayor


 Stephen J. Gawron, Commissioner


 Bill Larson, Commissioner


 Rob Schweifler, Commissioner


 Clara Shepherd, Commissioner


 Lawrence Spataro, Commissioner

Commission Meeting Date: March 26, 2002

2nd Reading

Date: March 18, 2002
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *CB*
RE: Groundwater Ordinance Amendment

SUMMARY OF REQUEST:

To approve an amendment to the City Groundwater Ordinance to include properties that have been identified as "affected" premises as defined in the Groundwater Ordinance. An "affected" premises shall mean a parcel of property any part of which is located within an appendix map made part of this ordinance, as originally enacted or amended, which map shows the parcel to have contaminated groundwater under any part of the parcel. Mr. Dennis Lemmen of Admiral Petroleum, property owner of this "affected" premise, was also notified by mail of the amendment herein.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the amendment.

COMMITTEE RECOMMENDATION:

None



RECEIVED

FEB 7 2002

CITY OF MUSKEGON
PLANNING DEPARTMENT

NOTICE TO LOCAL UNIT(S) OF GOVERNMENT OF LAND USE RESTRICTIONS

This information and form is required under Sections 21310a(5) and 21316 of Part 213, Leaking Underground Storage Tanks (LUST), of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Failure to comply with the provisions of this Act may result in civil fines not to exceed \$10,000 for each day the violation continues or failure to comply continues.

Instructions: (1) Use this form to provide notice of land use restrictions that are part of the corrective action plan to the Local Unit(s) of Government (LUG). (2) If corrective action is based on the use of institutional controls regarding off-site migration of regulated substances, submit a draft copy of this notification with the corrective action plan and wait for Storage Tank Division (STD) approval before providing notice to the LUG. If the institutional controls are for on-site contamination, the owner/operator may proceed with providing notice to the LUG. (3) Send the notice to the city, village or township clerk. Provide a copy to the County/District Health Department if groundwater exceeds Tier 1 residential criteria. (4) Submit a copy of the notice and proof of providing the notice with the Closure Report (EQP 3843) to the appropriate STD District Office listed on the back of the Closure Report Cover Sheet. This notice does not constitute a warranty or representation of any kind by the State of Michigan that the corrective actions performed in accordance with this notice will result in the achievement of the remedial criteria established by Law, or that the property is suitable for any particular use.

City of Muskegon, Muskegon County Health Department

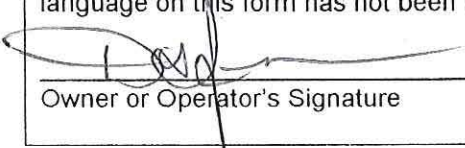
Name of Local Unit of Government s

Notice to the Local Unit of Government Receiving this Form:

A corrective action plan for the site named below has been developed as a result of a release from an underground storage tank. This form and the attachments are to provide the local unit(s) of government notice of the land use restrictions that are part of the corrective action plan. A copy of the institutional control mechanism(s) in the form of a Corrective Action Notice to Register of Deeds, and/or Restrictive Covenant, and/or alternate mechanism is/are attached. The attached institutional control mechanism(s) describe the land use restrictions and the land where the restrictions apply.

Owner or Operator: Admiral PetroleumSite Name: AdmiralSite Address: 531 E. Laketon City: Muskegon State: MI Zip: 49444Contact Person: Dennis Lemmen Phone Number: (616) 837-6218Mailing Address: 13 Randall Street City: Coopersville State: MI Zip: 49404Qualified Underground Storage Tank Consultant: Hopp EnvironmentalAddress: 3522 Sleepy Creek Trail City: Efland State: NC Zip: 27243Contact Person: Dave Hopp Phone Number: (919) 304-6564

I hereby attest to the accuracy of the statements in this document and all attachments. I further certify that the language on this form has not been modified.


Owner or Operator's Signature1-12-02
Date

2002 JAN 23 AM 11:45

Mark Fairchild
REGISTER OF DEEDS**RESTRICTIVE COVENANT**

The below listed owner/operator has implemented a corrective action plan requiring institutional controls in the form of a restrictive covenant. The corrective action plan was developed as a result of a release from a Leaking Underground Storage Tank(s) (LUST) and was prepared pursuant to the provisions in Section 21310a(2) of Part 213. Regulated substances were discovered during the investigation and/or removal of Underground Storage Tanks (USTs). The corrective action plan cited above will be maintained on file at the STD District Office located at

Grand Rapids Office, 350 Ottawa NW Grand Rapids, MI 495035 (616) 356-0500

This restrictive covenant is filed with the County Register of Deeds and covers the land identified in the following, and more fully described in Attachment A, attached. *(Attach a legal property description as Attachment A for the land where the restrictive covenant would apply, and a survey map of the areas addressed by this restrictive covenant.)* The restrictive covenant defines the areas addressed by the corrective action plan and the scope of any land use or resources limitations. The survey defining the areas addressed by the corrective action plan is attached. *(Describe the scope of any land use or resource use limitations.)*

531 E. Laketon, Muskegon, MI 49444, Muskegon County

Soil Removal Restriction, Water Well Restriction, Use Restrictitons (see Attachment A)

The restrictive covenant is being filed by the below listed legal titleholder or with the express written permission of the legal titleholder. *(Attach permission statement from the legal titleholder if he/she is not signing this document.)*

Owner/Operator implementing the corrective action plan: Admiral Petroleum

Release Date(s): March 26, 1996

County where deed is registered: Muskegon

Common description of land, township/city, County: 531 E. Laketon, Muskegon, Muskegon County, MI

Tax ID#: 24-255-001-0029-00 Legal Survey: see attachment A

*Return to Admiral Petroleum
13 Randall Street
PO Box 198
Coopersville MI 49404*

Now Therefore (Legal Titleholder Name and Address) Admiral Petroleum, 13 Randall Street, Coopersville, MI 49404 (hereinafter referred to as the "titleholder"), hereby imposes restriction on the property and covenants and agrees that:

1. The Titleholder shall restrict activities on the property that may interfere with corrective action, operation and maintenance, monitoring, or other measures necessary to assure the effectiveness and integrity of the corrective action.
2. The Titleholder shall restrict activities that may result in exposure to regulated substances above levels established in the corrective action plan.
3. The Titleholder shall prevent a conveyance of title, an easement, or any other interest in the property from being consummated without adequate and complete provision for compliance with the corrective action plan and prevention of exposure to regulated substances described in item 2 above.
4. The Titleholder shall grant to the Department of Environmental Quality (Department) and its designated representatives the right to enter the property at reasonable times for the purpose of determining and monitoring compliance with the corrective action plan, including but not limited to the right to take samples, inspect the operation of the corrective action measures, and inspect records.
5. Soil shall not be removed from the property described herein, unless it is characterized to determine if it can be relocated without posing a threat to the public health, safety, welfare or environment in the new location.
6. The state may enforce the restrictions set forth in the covenant by legal action in a court of appropriate jurisdiction.

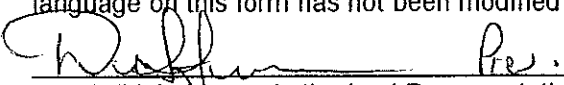
The restrictions and other requirements described in this Restrictive Covenant shall run with the land and be binding to the titleholder's successors, assigns, and lessees or their authorized agents, employees or persons acting under their direction or control. The restrictions shall apply until the Department determines that regulated substances no longer present an unacceptable risk to the public health, safety or welfare or to the environment. A copy of this Restrictive Covenant shall be provided to all heirs, successors, assigns, and transferees.

This Restrictive Covenant shall not be amended, modified or terminated except by a written instrument executed by and between the Titleholder at the time of the proposed amendment, modification, or termination, and the Department. Within five (5) days of executing an amendment, modification or termination of the Restrictive Covenant, the Titleholder shall record such amendment, modification or termination with the County Register of Deeds, previously named, and within five (5) days thereafter, the Titleholder shall provide a true copy of the recorded amendment, modification or termination to the Department.

If any provision of this Restrictive Covenant is also the subject of any laws or regulations established by any federal, state or local government, the stricter of the two standards shall prevail.

The undersigned person, if executing this Restrictive Covenant on behalf of the Titleholder, represents and certifies that they are duly authorized and have been fully empowered to execute and deliver this Restrictive Covenant.

I hereby attest to the accuracy of the statements in this document and all attachments. I further certify that the language on this form has not been modified in any way.

 Per. _____
Legal Titleholder or Authorized Representative's Signature

1-22-02
Date

Dennis E. Lemmer
Print Legal Titleholder or Authorized Representative's Name

IN WITNESS WHEREOF, the said Titleholder of the above described property has caused the Restrictive Covenant to be executed on the 22nd day of January, 2002.
(month) (year)

Signed in the presence of:

Doreen Woodman
WitnessDoreen Woodman
Print Witness' Name*Cathy Widling
WitnessAmly Widling
Print Witness' Name*

* The notary shall not also serve as a witness.

The foregoing instrument was acknowledged before me this 22 day of JANUARY, 2002
(month) (year)by ILENE J. PierantoniIlene Pierantoni
, Notary PublicOTAWA County, MICHIGAN
(Insert County) (Insert State)My Commission Expires: 10/28/03

Drafted by:

Hopp Environmental
Company NameDave Hopp
Print Name of Drafter3522 Sleepy Creek Trail, Efland, NC 27243
Company Address

ATTACHMENT A

The restrictive covenant is to include the lot as described.

Property:

531 E. Laketon

Muskegon, Muskegon County, MI

Property ID#: 24-255-001-0029-00

Legal Description:

Land in the City of Muskegon, Muskegon County, Michigan described as:
Lots 28, 29 and 30, Block 1, East Lawn Subdivision of Blocks 3, 4 and 5 of
R. P. Easton's Second Subdivision of part of Section 32, Town 10 North,
Range 16 West, Muskegon County, Michigan, as recorded in Liber 6 of
Plats, Page 13.

The lot has been identified to contain soil and groundwater contaminants as a result of a gasoline release from an underground storage tank system. Soil, water well and use restrictions are placed on the property to eliminate the potential for exposure to remaining contaminants.

Soil is not to be removed from the property without proper testing to ensure that it can be relocated without posing a threat to the public health, safety, welfare or environment in the new location. Testing must be completed in accordance with Michigan Department of Environmental Quality-Storage Tank Division (MDEQ STD) current analytical criteria for a gasoline release.

Water wells are not to be installed on the property.

New building construction is to be completed using slab construction and vapor barriers unless sampling is conducted in accordance with current MDEQ criteria for a gasoline release to demonstrate that contaminant concentrations are below Tier I residential volatilization to indoor air criteria or by establishing a Tier II/III volatilization to indoor air site specific target level for planned property use.

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. 2070

An ordinance amending the City Code by adding to Ordinance No. 2039 (Muskegon City Code Sections 24-46 through 24-52.5) certain identifying "Appendix Maps" and descriptions of properties determined to be "affected premises" on which groundwater wells for the delivery of water for human consumption and irrigation, and the use of such wells which may influence the movement of contaminated groundwater, are prohibited by the said Ordinance No. 2039. The said Ordinance No. 2039 is amended by this Ordinance.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

1. The properties identified in this amending ordinance are determined to be affected premises within the meaning of, and regulated in accordance with, Ordinance 2039 or any successor ordinance prohibiting wells on such premises. The property is located at 531 E. Laketon Ave.

Owner of Parcel

Property Tax Number

Admiral Petroleum

24-255-001-0029-00

2. Attached to this ordinance and incorporated herein are Appendix Maps locating the affected premises and their legal descriptions.

3. This ordinance shall be effective ten (10) days after publication. In the event any part of this ordinance is finally determined to be invalid or unenforceable by a court having jurisdiction, then said determination shall not affect the validity of the remaining provisions.

This ordinance adopted:

Ayes: Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington, Buie
Nays: None

Adoption Date: April 9, 2002

Effective Date: April 29, 2002

First Reading: March 26, 2002

Second Reading: April 9, 2002

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, City Clerk

CERTIFICATE

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

CITY OF MUSKEGON

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

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

APPENDIX NO. 1

Affected Premises Contaminated or Subject to Contamination
at 531 E. Laketon Ave.

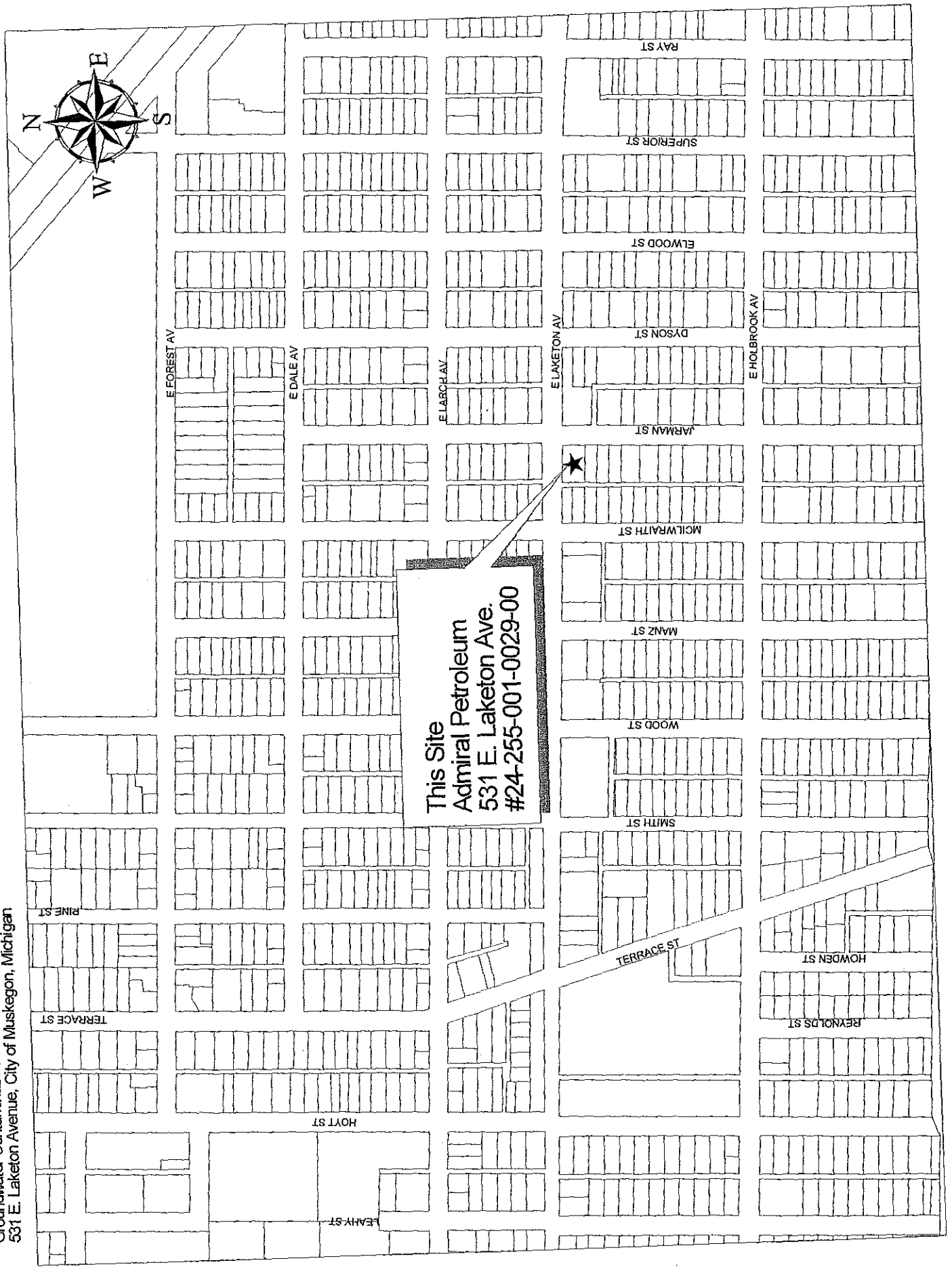
Real Property Tax Assessment Parcel Number and Legal Description

Parcel No. 24 – 255 – 001 - 0029 – 00

Lots 28, 29 and 30, Block 1 of Eastlawn Subdivision pf Blocks 3, 4 and 5 of R.P.
Easton's Second Subdivision of part of Section 32, Town 10 North, Range 16
West, as recorded in Liber 3 of Plats, Page 13, City of Muskegon, County of
Muskegon, State of Michigan

Appendix Map of the Property

Groundwater Contamination Site
531 E. Laketon Avenue, City of Muskegon, Michigan



**CITY OF MUSKEGON
NOTICE OF ADOPTION**

TO: ALL INTERESTED PARTIES

Please take notice that on April 9, 2002, the City Commission of the City of Muskegon adopted an ordinance to amend the Muskegon City Code limiting and regulating groundwater wells for the delivery of water for human consumption and irrigation.

The amending ordinance identifies the following affected properties upon which groundwater wells for the delivery of water for human consumption and irrigation are prohibited. The properties are listed by their street address and property tax identification numbers. The full ordinance, available at the City Hall, contains the legal descriptions of the properties affected:

Property Address

Property ID Numbers

531 E. Laketon Ave.
Muskegon, MI 49442

24-255-001-0029-00

Legal descriptions of the above properties, and a map showing the location of contaminated properties and sources of contamination, are attached to the full ordinance and may be inspected and copied in connection with any inspection of the ordinance.

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

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

CITY OF MUSKEGON

Published: April 19, 2002

By _____
Gail A. Kunding, Its Clerk

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

acct # 101-80400-5354

Commission Meeting Date: March 26, 2002

2nd Reading

Date: March 20, 2002
To: Honorable Mayor and City Commissioners *CBC*
From: Planning & Economic Development
RE: Groundwater Ordinance Amendment

SUMMARY OF REQUEST:

To approve an amendment to the City Groundwater Ordinance to include properties that have been identified as "affected" premises as defined in the Groundwater Ordinance. An "affected" premises shall mean a parcel of property any part of which is located within an appendix map made part of this ordinance, as originally enacted or amended, which map shows the parcel to have contaminated groundwater under any part of the parcel.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the amendment.

COMMITTEE RECOMMENDATION:

None

CITY OF MUSKEGON
GROUNDWATER ORDINANCE AMENDMENT
March 26, 2002

AFFECTED PREMISES LIST

Parcel Number	Property Owner	Property Address
See Legal Description as Attachment 2	West Michigan Dock & Market	See Attachment 2
24-205-563-0010-00	City of Muskegon	350 Shoreline Dr. See Attachment 3
24-205-563-0008-10	Muskegon Properties Co., Inc.	372 Morris St. See Attachment 4
24-205-563-0008-10	Muskegon Properties Co., Inc.	See Attachment 5
24-205-563-0004-00	Muskegon Properties Co., Inc.	See Attachment 6
24-205-563-0008-10	Muskegon Properties Co., Inc.	See Attachment 7

An appendix map (indicated as Exhibit B) is also attached for reference. The information in this map has been provided and prepared by the private property owners and/or their consultants. The City does not actively seek groundwater contamination sites and will only request an ordinance amendment when information were supplied by private property owners for their own protection.

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. 2071

An ordinance amending the City Code by adding to Ordinance No. 2039 (Muskegon City Code Sections 24-46 through 24-52.5) certain identifying "Appendix Maps" and descriptions of properties determined to be "affected premises" on which groundwater wells for the delivery of water for human consumption and irrigation, and the use of such wells which may influence the movement of contaminated groundwater, are prohibited by the said Ordinance No. 2039. The said Ordinance No. 2039 is amended by this Ordinance.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

1. The properties identified in this amending ordinance are determined to be affected premises within the meaning of, and regulated in accordance with, Ordinance 2039 or any successor ordinance prohibiting wells on such premises. The said affected premises constitute the MichCon/Lakey Facility and are located in the vicinity of Terrace Point Drive, Shoreline Drive and Morris Street:

Owner of Parcel	Property Tax Number
<u>West Michigan Dock & Mkt.</u>	<u>See Legal Description, Attch. 2</u>
<u>City of Muskegon</u>	<u>24-205-563-0010-11 (Attch. 3)</u>
<u>Muskegon Properties Co.</u>	<u>24-205-563-0008-10 (Attch. 4)</u>
<u>Muskegon Properties Co.,</u>	<u>24-205-563-0008-10 (Attch 5)</u>
<u>Muskegon Properties Co.</u>	<u>24-205-563-0004-00 (Attch 6)</u>
<u>Muskegon Properties Co.</u>	<u>24-205-563-0008-10 (Attch 7)</u>

2. Attached to this ordinance and incorporated herein are Appendix Maps locating the affected premises and their legal descriptions.

3. This ordinance shall be effective ten (10) days after publication. In the event any part of this ordinance is finally determined to be invalid or unenforceable by a court having jurisdiction, then said determination shall not affect the validity of the remaining provisions.

This ordinance adopted:

Ayes: Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington, Buie
Nays: None

Adoption Date: April 9, 2002

Effective Date: May 7, 2002

First Reading: March 26, 2002

Second Reading: April 9, 2002

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, City Clerk

CERTIFICATE

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

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, City Clerk

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

APPENDIX NO. ____

Affected Premises Contaminated or Subject to Contamination
by the Groundwater from the MichCon /Lakey Facility

[Insert Maps]

[Insert Real Property Tax Assessment Parcel Numbers and Legal Description]

EXHIBIT A

LEGAL DESCRIPTION

That part of Lot 9, Block 563 of the Revised Plat of the City of Muskegon lying northerly of the Northerly line of the following described premises, if said line were extended from the Easterly line to the Westerly line of said Lot 9:

That part of Lot 9, Block 563 of the Revised Plat of 1903 of the City of Muskegon, Muskegon County, Michigan, described as follows: Commencing at the South most corner of said Block 563, thence North 42 °18' West along the Northeasterly line of Third Street 461.33 feet to the Southeasterly line of said Lot 9 for point of beginning, thence North 32 °57' East along said Southeasterly line 480.60 feet to the Northeasterly line of said Lot 9, thence North 52 °41' West along said Northeasterly line 107.10 feet, thence South 26 °49' West 515.30 feet to a point which is 30.00 feet Northeasterly measured at right angles from the Southwesterly line of said Lot 9, thence South 42 °18' East 53.49 feet, thence North 32 °57' East 37.22 feet to point of beginning.

SUBJECT TO THE FOLLOWING EASEMENT That part of Lot 9, Block 563 of the Revised Plat of 1903 of the City of Muskegon, Muskegon County, Michigan, described as follows: Commencing at the South most corner of said Block 563, thence North 42 °18' West along the Northeasterly line of Third Street 461.33 feet to the Southeasterly line of said Lot 9; thence South 32 °57' West along said Southeasterly line 68.24 feet to the Southwesterly line of said Lot 9; thence North 42 °18' West along said Southwesterly line 49.94 feet to POINT OF BEGINNING; thence North 26 °49' East along the Northwesterly line of Terrace Street 547.40 feet to the Northeasterly line of said Lot 9; thence North 52 °41' West along said Northeasterly line 341.72 feet; thence South 26 °49' West 481.48 feet to said Southwesterly line of Lot 9; thence South 42 °18' East along said Southwesterly line 359.62 feet to Point of Beginning.

Name of Owner: West Michigan Dock & Market Co.

Tax Parcel ID No. See Legal Description

ATTACHMENT A

Legal Description of the Property

That part of Lot 10 of Block 563 of the Revised Plat of 1903 of the City of Muskegon, as recorded in Liber 3 of Plats, Page 71, Muskegon County, Michigan, described as follows: Commencing at the intersection of the Northeasterly line of Terrace Street, being the Southwesterly line of Block 557 of said Revised Plat, extended to the centerline of vacated Water Street; thence North 62 degrees 44 minutes 00 seconds West along the Northeasterly line of Terrace Street extended 381.45 feet; thence westerly along the Northerly line of said Terrace Street along the arc of 302.48 foot radius curve to the left a distance of 269.86 feet to the Northeasterly line of Lot 5 of Block 558 of said Revised Plat of 1903 (the long chord of said curve bears North 88 degrees 17 minutes 30 seconds West 261.00 feet, the central angel of said curve is 51 degrees 07 minutes 00 seconds); thence continue Westerly along the Northerly line of said Terrace Street along the arc of said 302.48 foot radius curve to the left a distance of 207.65 feet (the long chord of said curve bears South 46 degrees 29 minutes 00 seconds West 203.60 feet, the central angle of said curve is 39 degrees 20 minutes 00 seconds); thence South 26 degrees 49 minutes 00 seconds West along the Northerly line of said Terrace Street 328.10 feet to POINT OF BEGINNING of this description; thence continue South 26 degrees 49 minutes 00 seconds West along the Northerly line of Terrace Street 205.00 feet to the Southwesterly line of said Lot 10 of Block 563; thence North 52 degrees 44 minutes 35 seconds West along said Southwesterly line 872.00 feet; thence North 43 degrees 27 minutes 45 seconds West along said Southwesterly line 109.50 feet; thence North 83 degrees 23 minutes 50 seconds East 271.44 feet; thence South 63 degrees 11 minutes 00 seconds East 435.00 feet, thence South 38 degrees 11 minutes 00 seconds East 330.00 feet to point of beginning. Containing 4.75 acres.

Name of Owner: City of Muskegon

Tax Parcel ID No. 24-205-563-0010-00

ATTACHMENT A

Legal Description of the Property

(CSX/City Property)

That part of Lots 8 and 10 of Block 563 of the Revised Plat of 1903, City of Muskegon, Muskegon County, Michigan described as follows: Commence at the South most corner of said Block 563, being the Northeast corner of Morris Avenue and Third Street; thence North $41^{\circ}27'00''$ West along the Northeasterly line of said Third Street 383.70 feet to the Southeasterly line of Shoreline Drive (formerly Terrace Street Extension); thence North $27^{\circ}38'19''$ East along said Southeasterly line 359.39 feet for POINT OF BEGINNING; thence continue North $27^{\circ}38'19''$ East along said Southeasterly line 399.53 feet to a point which is 36.00 feet, measured at right angles, Southwesterly of the Southwesterly line of Block 562 of said Revised Plat (extended); thence South $61^{\circ}44'00''$ East, parallel to said Southwesterly line, 84.56 feet to the Easterly line of said Lot 10; thence South $11^{\circ}57'20''$ West along said Easterly line and the Easterly line of said Lot 8 a distance of 501.37 feet to the Southeasterly line of said Lot 8; thence North $41^{\circ}27'00''$ West 235.60 feet to Point of Beginning. Containing 1.47 acres.

Name of Owner: Muskegon Properties Co., Inc.

Tax Parcel ID No. 24-205-563-0008-10

ATTACHMENT A

Legal Description of the Property

(Corrected)

That part of Lot 4 of Block 563 of the Revised Plat of 1903, City of Muskegon, Muskegon County, Michigan described as follows: Commencing at the Southeast corner of Lot 2 of said Block 563; thence North 39°01'00" West (recorded as North 39°47' West) along the Southwesterly line of First Street 226.60 feet for POINT OF BEGINNING, said point being 70.00 feet Northwesterly of the Southeast corner of said Lot 1; thence continue North 39°01'00" West 18.26 feet; thence North 61°44'00" West along a line which is 36.00 feet, measured at right angles, Southerly of and parallel to the Northeasterly line of said Block 563 (also being 66.00 feet, measured at right angles, Southerly of and parallel to the South most line Terrace Plaza Condominium as recorded in Liber 1124, Page 179 to 222 inclusive, Muskegon County Records) a distance of 389.87 feet to the Easterly line of Lot 10 of said Block 563; thence South 27°38'19" West along said Easterly line 25.00 feet, thence South 61°44'00" East 282.72 feet (recorded as South 62°30' East 268.5 feet); thence South 69°58'30" East 118.16 feet to Point of Beginning, EXCEPT that part above described located in Lot 1 of Block 563.

Name of Owner: Muskegon Properties Co., Inc.

Tax Parcel ID No. 24-205-563-0008-10

ATTACHMENT A

Legal Description of the Property

(Morris Center/City)

Parts of Lots 4 and 5 , Block 563 of the Revised Plat of 1903 of the City of Muskegon recorded in Liber 3, Page 71, described as follows: Beginning at the Southeasterly corner of said Lot 4, thence South 50°16'33" West, 325.71 feet along the Northerly line of Morris Avenue, thence North 39°54'53" West, 125.00 feet, thence North 50°16'33" East, 232.30 feet, thence North 39°43'27" West, 32.00 feet, thence North 50°16'33" East, 93.71 feet, thence South 39°47'00" East, 157.00 feet along the Northeasterly line of said Lot 4 and property line to the point of beginning.

Name of Owner: Muskegon Properties Co., Inc.,

Tax Parcel ID No. 24-205-563-0004-00

Parcel "A" Legal Description

Lot 4 and the Easterly 128 feet of Lot 5 and part of Lot 1 of Block 563 of the Revised Plat (of 1903) of the City of Muskegon, recorded in Liber 3, Page 71, Section 19, T10N, R16W, East part of Muskegon Township, Muskegon County, Michigan: That Part of Lot 1 described as follows: Commencing at the Northeasterly corner of said Lot 1, being the corner at the intersection of Water and North First Streets, running thence Southeasterly along North First Street 120 feet; Thence Southwesterly across said Lot 1, a line parallel to Morris Street to the Westerly side of said Lot; thence along said Westerly side of said Lot Northwesterly to the rear of said Lot, being the Northwesterly corner thereof; thence Northeasterly along the Northwesterly end of said Lot to the Place of Beginning, having a frontage on North First Street of 120 feet.

Except beginning at the Southeasterly corner of said Lot 4. Thence S50° 16'33"W, 325.71 feet along the Northerly line of Morris Street. Thence N39° 54' 53"W 125.00 feet along the Northeasterly edge of an existing armory building and Property Line, thence N50° 16' 33"E 232.30 feet, thence N39° 43' 27"W 32.00 feet, thence N50° 16' 33"E 93.71 feet, thence S39° 47' 00"E 157.00 feet along the Northeasterly line of said Lot 4 and Property Line to the Place of Beginning.

Also Except Commencing at an iron stake on the Westerly line of North First Street which is 338.1 feet N39° 47'W of the SE corner of Lot 2 of Block 563, thence N62° 30'W 298 feet, thence S13° 06'W 61.95 feet. Thence S62° 30'E 268.5 feet, thence N40° 43' E 61.63 feet to the Place of Beginning.

Also Except commencing at a point on the Northerly line of Morris Street 134 feet in a Northeasterly direction from the Southeasterly corner of Lot 6 of Block 563, thence in a Northwesterly direction at right angles to said Morris Street 155.5 feet, thence at right angles in a Northeasterly direction and parallel to the Northerly line of Morris Street 1.5 feet, thence Southeasterly 155.51 feet to the Place of Beginning.

More Particularly describe as: Commencing at a Point, as shown in Block survey of 562 & 563 for City of Michigan 1995 by Ralph Van Riper, Professional Surveyor # 16946; thence South 41° 29' 00" West 61.63' to the Point of Beginning (P.O.B.); thence South 39 ° 01'00" East a distance of 111.50 to a Point; thence South 50 ° 52'38" West a distance of 66.00 to a Point; thence South 39 ° 01'00" East a distance of 69.63 to a Point; thence South 50 ° 52'38" West a distance of 225.71 to a Point; thence South 39 ° 01'00" East a distance of 32.00 to a Point; thence South 50 ° 52'38" West a distance of 231.52 to a Point; thence North 38 ° 34'12" West a distance of 30.50 to a Point; thence South 50 ° 52'38" West a distance of 1.50 to a Point; thence North 39 ° 07'22" West a distance of 139.30 to a Point; thence South 32 ° 41'25" West a distance of 16.09 to a Point; thence North 11 ° 57'20" East a distance of 476.37 to a Point; thence South 61 ° 44'00" East a distance of 282.72 to a the Point of Beginning (P.O.B.) Said parcel containing 3.41 acres of land, more or less, Subject to easements and restrictions of record, if any.

Name of Owner: Muskegon Properties Co., Inc.

Tax Parcel ID No. 24-205-563-0008-10

LEGEND		NOVA Surveying & Mapping L.L.C.			
●	Survey Iron (Existing)	21580 Novi Road, Suite 300, Novi, Michigan 48375			
○	Survey Iron (Set)	Client: Michcon			
Job #: 00-08-295		Drawn: FZ	Checked: GJ	Date: Sept 28, 00	Sheet 2 of 2

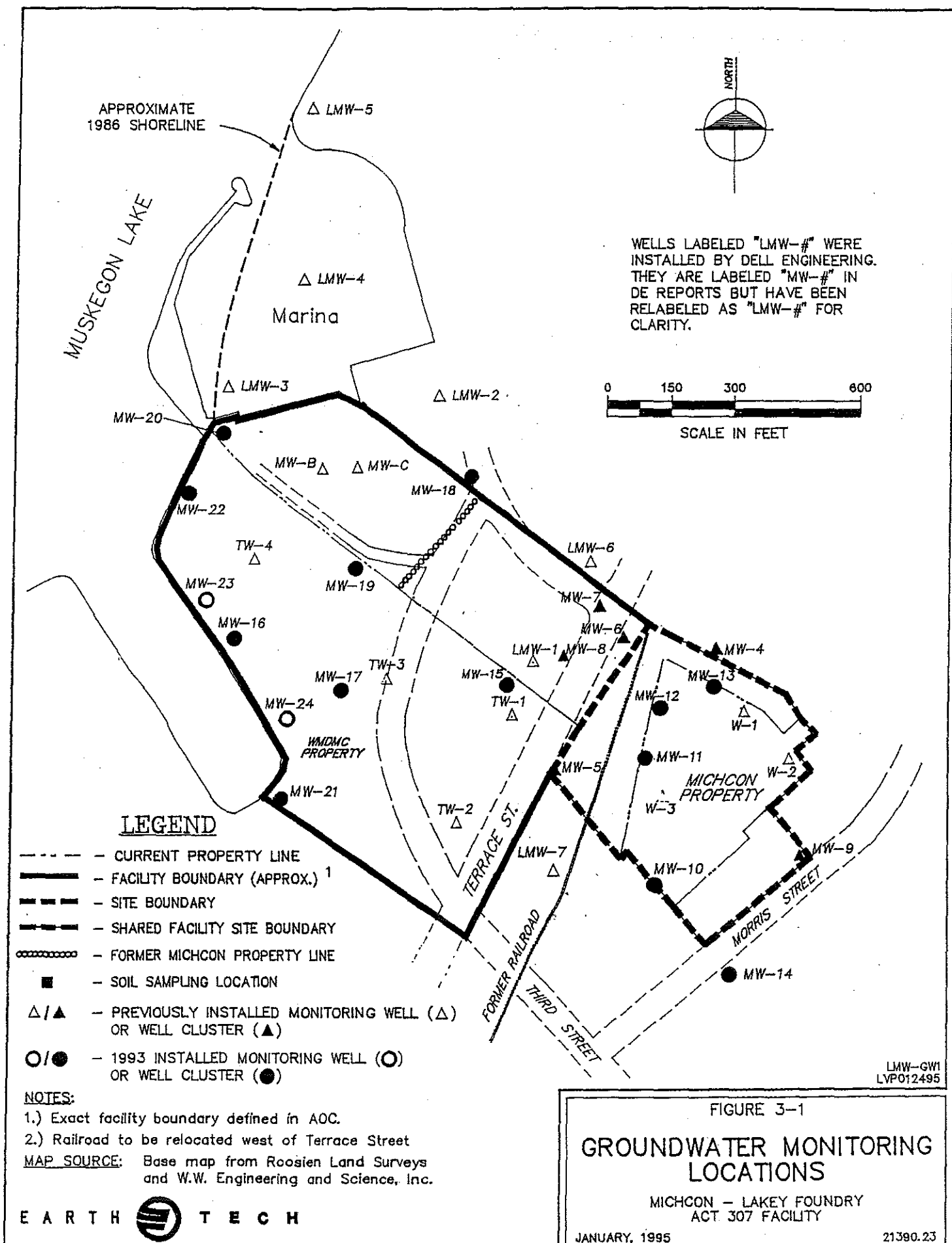


EXHIBIT "B"

PROPERTY / EASEMENT SKETCH OF PART OF BLOCK 563 OF THE REVISED PLAT (OF 1903) CITY OF MUSKEGON, MUSKEGON COUNTY, MICHIGAN

DESCRIPTIONS OF PARCELS INCLUDED IN THE MICHCON - LAKEY FOUNDRY ACT 307 FACILITY

Parcel 1:

That part of Lot 1 of the revised plat (1903) of the City of Muskegon, Muskegon County, Michigan, described as follows: Commence at the Northeast corner of Lot 1, thence S 39° 30' 18" E 120 feet along the Southwesterly line of North First Street; thence S 50° 07' 44" W, 67.30 feet parallel to Maria Street, to the Southwesterly line of Lot 1; thence Northwesterly along the Southwesterly line of Lot 1 to the Northwesterly line of Lot 1; thence Northwesterly along the Northwesterly line of Lot 1 to the Point of Beginning.

Parcel 2:

Lot 4 of Block 563 of the revised plat (1903) of the City of Muskegon, Muskegon County, Michigan.

Parcel 3:

The Easterly 128 feet of Lot 5 of the revised plat (1903) of the City of Muskegon, Muskegon County, Michigan.

Parcel 4:

Lot 8 of Block 563 of the revised plat (1903) of the City of Muskegon, Muskegon County, Michigan, described for the following described portions: Commence at the South most corner of said Block 563; thence N 42° 18' 00" W, approximately 231 feet along the Northeast line of Third Street to the Point of Beginning; thence continue N 42° 18' 00" W, 202.38 feet along the Northerly line of Third Street to the Southeast line of Shoreline Drive (formerly Terrace Street); thence N 26° 49' 00" E, 358.74 feet along the Southeast line of Shoreline Drive; thence S 40° 08' 16" E, 237.78 feet to the Southeast line of Lot 8; thence S 31° 56' 17" W, 338.95 feet along the Southeast line of Lot 8 to the Point of Beginning.

Parcel 5:

Lot 9 of Block 563 of the revised plat (1903) of the City of Muskegon, Muskegon County, Michigan.

Parcel 6:

That part of Lot 10 of block 563 of the revised plat (1903) of the City of Muskegon, Muskegon County, Michigan, described as follows: Commence at the South most corner of said Block 563; thence N 42° 18' 00" W, 461.33 feet along the Northeast line of Third Street to the Southeast line of Lot 9; thence N 32° 57' E, 480.60 feet along the Southeast line of Lot 9 to the Southwest corner of Lot 10 and the Point of Beginning; thence continue N 32° 57' E, approximately 291.5 feet along the Southeast line of Lot 10 to the Northeast line of Lot 10; thence N 52° 41' 00" W, 148.35 feet along the Northeast line of Lot 10 to the Northwest line of Shoreline Drive (formerly Terrace Street); thence S 26° 49' 00" W, 91.37 feet along the Northwest line of Shoreline Drive; thence N 38° 11' 00" W, 329.77 feet thence N 63° 11' 00" W, 435.00 feet thence S 83° 23' 50" W, 271.44 feet to the Southeast line of Lot 10; thence S 43° 53' 17" E, 109.16 feet along the Southeast line of Lot 10; thence S 52° 41' 00" E, 976.83 feet along the Southeast line of Lot 10 to the Southeast corner of Lot 10 and the Point of Beginning.

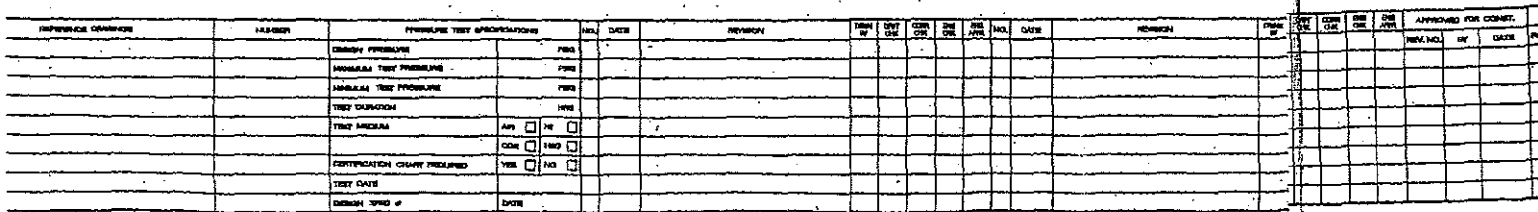
Parcel 7:

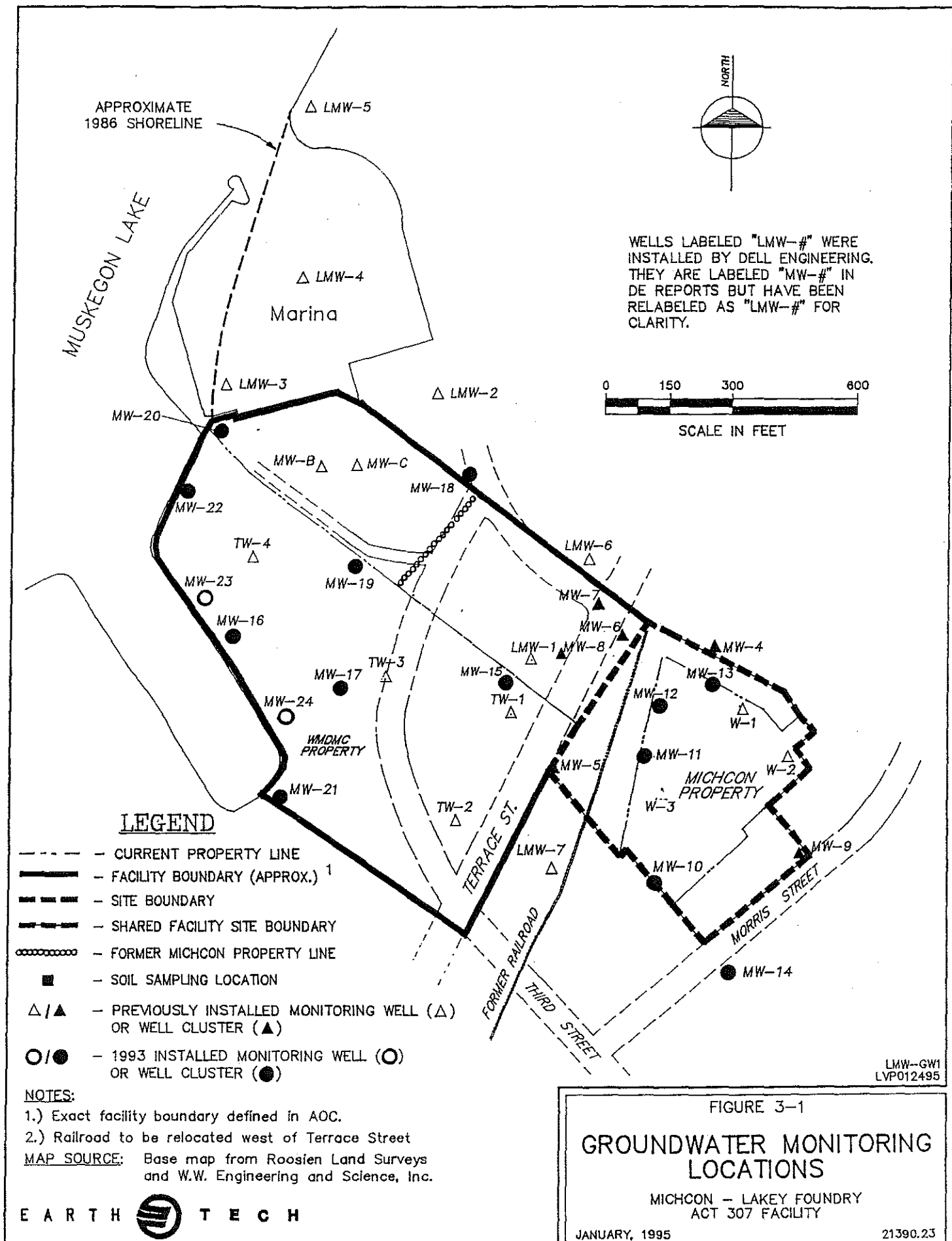
That part of Third Street bounded on the North by the Southeast line of Lot 9 and on the South by the Southeast line of Shoreline Drive (formerly Terrace Street).

Notes:

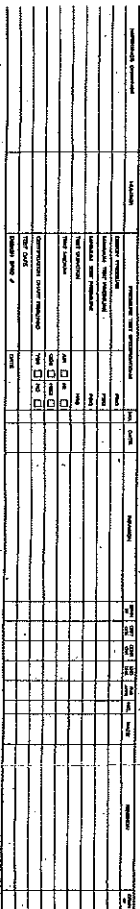
Descriptions were prepared using a variety of source documents. Individual parcels were not surveyed to verify the exact bearings and distances.

REV FOR RECORD		DATE		DRAWN BY		DATE		CHECKED BY		DATE		CORR. CHG.		BY CHG.		BAG APPR.		DO NOT SCALE THIS DRAWING. USE DIMENSIONS ONLY.	
DATE		DATE		DATE		DATE		DATE		DATE		DATE		DATE		DATE		DATE	
 MICHCON-LAKEY FOUNDRY ACT 307 FACILITY																			
ENGINEERING SERVICES, DETROIT, MI: (313) 965-2430										72 HOURS BEFORE YOU DIG DIAL-TOLL FREE MISS DIG 1-800-482-7171									
72 HOURS BEFORE YOU DIG DIAL-TOLL FREE MISS DIG 1-800-482-7171										MUSKEGON, SHD									
1 OF 1										1" = 100'									





PROPERTY / EASEMENT SKETCH OF
PART OF BLOCK 563 OF THE REVISED PLAT
(OF 1903) CITY OF MUSKEGON , MUSKEGON
COUNTY , MICHIGAN

[illegible]

		22 MILLERS RD. NEWTON, MA 02459 (617) 552-7777	
BRIDGEVIEW SQUARE, OFFICE 10, 1000 BOULVARD		MICHCONE-LAKEY FOUNDRY ACT 307 FACILITY	
MICHCONE, INC.		MICHCONE, INC. 1000 BOULVARD BRIDGEVIEW SQUARE, OFFICE 10 NEWTON, MA 02459 (617) 552-7777	

Note: Individual items were not
descriptions were prepared using a variety of source documents.
surveyed to verify the exact drawings and dimensions.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

TO: ALL INTERESTED PARTIES:

Please take notice that on April 9, 2002, the City Commission for the City of Muskegon adopted an amendment to the Ordinance regulating the use of wells in the city on contaminated property, applying to the following properties:

<u>Property Tax Number</u>	<u>Property Owners</u>
<u>24-205-567-0002-00</u>	<u>West Michigan Dock & Market Co.</u>
<u>24-205-563-0010-11</u>	<u>City of Muskegon</u>
<u>24-205-563-0008-10</u>	<u>Muskegon Properties Co.</u>
<u>24-205-563-0008-10</u>	<u>Muskegon Properties Co.</u>
<u>24-205-563-0004-00</u>	<u>Muskegon Properties Co.</u>
<u>24-205-563-0008-10</u>	<u>Muskegon Properties Co.</u>

Appendix maps showing contaminated properties are part of the ordinance amendment. By including these properties in the ordinance by amendment, use of groundwater wells on these sites is prohibited by the Well ordinance from use for human consumption, irrigation and other uses set out in the Ordinance.

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

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

CITY OF MUSKEGON

Published: April 27, 2002

By _____
Gail A. Kunding, City Clerk

acct # 101- 80400- 5354

Commission Meeting Date: March 26, 2002

2nd Reading

Date: March 19, 2002

To: Honorable Mayor & City Commission

From: Planning & Economic Development Department *CBC*

RE: Ordinance No. 757 Amendment

SUMMARY OF REQUEST: To approve the attached ordinance amendment to clarify the definition of "elderly persons" to be the same definition as the Michigan State Housing Development Authority ("Authority") definition. MSHDA interprets "elderly persons" as being 55-years-of-age or older. The former City interpretation was 62-years-of-age or older.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the attached Ordinance amending Ordinance No. 757 and authorize the Clerk to sign.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. 2072

An ordinance to amend Ordinance No. 757, being Code Section 2-6, last amended by ordinance No. 1107, to change the definition of "elderly persons," found at Code Section 2-6(c).

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

Section 2-6(c) of the code of ordinances is amended to change the definition therein of "elderly persons," the said definition paragraph to completely rewritten and to read as follows:

Elderly persons: Persons determined by Authority Guidelines, Rules and practices to have attained the age and have the status to constitute them as elderly persons.

In all other respects, section 2-6 of the code of Ordinances as presently enacted and amended shall remain in full force and effect.

This ordinance adopted:

Ayes: Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington, Buie
Nays: None

Adoption Date: April 9, 2002

Effective Date: April 29, 2002

First Reading: March 26, 2002

Second Reading: April 9, 2002

CITY OF MUSKEGON

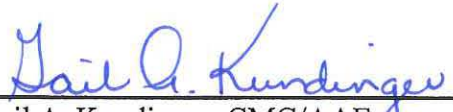
By: Gail A. Kunderger
Gail A. Kunderger, Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 9th day of April, 2002, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the

records of the City of Muskegon. I further certify that the meeting was conducted, and public notice was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Dated: April 9, 2002



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

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

NOTICE OF ADOPTION
CITY OF MUSKEGON

MUSKEGON COUNTY, MICHIGAN

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In all other respects, section 2-6 of the code of Ordinances as presently enacted and amended shall remain in full force and effect.

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

CITY OF MUSKEGON

By: _____
Gail A. Kunding, Clerk

Published: April 19, 2002.

Date: 4/02/02
To: Honorable Mayor and City Commission
From: Brett Kraley, Equipment Supervisor DPW
RE: Budgeted Vehicle Purchases

SUMMARY OF REQUEST: Approval to purchase vehicle replacements for 2002. 1 ¾ ton pick-up, 1 ¾ ton pick-up 4X4, and 6 mini pick-up trucks.

FINANCIAL IMPACT: Total Cost \$124,991.24 for all units. \$130,000 is budgeted for these purchases.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve purchase of budgeted replacements for a total cost of \$124,991.24 using The Michigan State Purchasing Contract.

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Robert H. Kuhn, Director of Public Works
DATE: April 3, 2002

For 2002, we are proposing to purchase six min-pickups with extended cabs (Dodge Dakota), one full size ¾ ton pickup 2WD, and one full size ¾ ton pickup 4 WD.

If we order by April 12th, we can lock in 2001 prices at a substantial savings; since the State Purchasing Contract was a two-year bid, the Oakland County winning vendor for 2002 refused to bid because he could not meet the 2001 concessions.

Four of the small pickups will be replacing sedans, and the remainder of the pickups will be replacing older pickup units, which are listed on the attached spreadsheet.

As a rule of thumb, pickups and sedans are kept seven or eight years before being replaced. The better of these replaced vehicles are put in the reserve fleet for use by seasonal workers.

The City of Muskegon maintains about 40 sedans (not including cruisers) and about 85 pickups (20 of which are seasonal). Using our general rule of thumb of an eight-year life, we should plan on replacing five sedans and eight pickup trucks each year. This number varies significantly depending upon the condition of the replaced vehicle and other equipment needs in that year.

In the past, we have made extensive use of statewide group purchase contracts to maximize the City's purchasing power. This year, we have also invited local vendors to submit a bid as well.

The bid summary is attached.

RHK/rsh

<u>Type of Vehicle</u>	<u>Oakland County</u> <u>Pricing</u>	<u>Local</u> <u>Pricing</u>	<u>Michigan State</u> <u>Contract</u>	<u>Totals</u>	<u>Vehicle being Replaced</u>
1 3/4 ton Dodge Pick-up	No Bid	\$18,466.00	<u>\$16,870.78</u>	\$16,870.78	30499 1988 Pick-up
1 3/4 ton Dodge Pick-up 4X4	No Bid	\$21,995.00	<u>\$20,437.78</u>	\$20,437.78	30107 1993 Pick-up
6 Dodge Dakotas	No Bid	\$15,999.00	<u>\$14,613.78</u>	\$87,682.68	20190,20192,20193,20194 1993 Sunbirds 30542,30543 1996 Dakotas
		\$136,455	Total Cost	\$124,991.24	
			Budgeted	\$130,000.00	

Date: March 20, 2002
To: Honorable Mayor and City Commission
From: Water Filtration Plant
RE: 2002 Water Treatment Chemical Bids

SUMMARY OF REQUEST:

Recommend endorsement of lowest responsible bidders to supply aluminum sulfate, sodium hypochlorite, and fluoride for the water filtration plant

FINANCIAL IMPACT:

Annual cost of \$70,786.00 (based on average annual water pumped to mains).

BUDGET ACTION REQUIRED:

None at this time. These chemicals are budgeted annually.

STAFF RECOMMENDATION:

Staff recommends the Mayor and City Commission endorse the low bids received and the contract renewal and enter into contracts with General Chemical, Alexander Chemical, and Lucier Chemical for aluminum sulfate, sodium hypochlorite, and fluoride respectively.

MEMORANDUM

3/20/02

TO: R. KUHN, DPW
FROM: R. VENEKLASSEN, WFP
RE: CHEMICAL BIDS – WATER FILTRATION PLANT

BACKGROUND

In 1996 the Water Filtration Plant began the process of competitively bidding water treatment chemicals jointly with the Cities of Grand Haven, Grand Rapids, Wyoming and Holland. The original bids (1996) allowed for mutually agreed upon annual contract renewal. Subsequent bids have also allowed for contract renewal in two or three year intervals.

HISTORICAL CHEMICAL COSTS

This process worked in the City's favor as the costs for treatment chemicals over the past four years have remained low. This is best indicated in the following table:

YEAR	ALUMINUM SULFATE	CHLORINE	FLUORIDE
1990	141.79	460.00	160.00
1991	144.65	330.00	152.72
1992	143.00	235.00	150.88
1993	138.92	375.00	153.00
1994	136.89	375.00	165.00
1995	136.80	360.00	153.50
1996	136.29 (6 mos.)	395.00	138.80
1997	125.00	332.00	129.00
1998	125.00	332.00 (7 months)	129.00
1999	125.00	107.67	141.50
2000	136.50	107.67	141.50
2001	136.50	107.20	145.00

NOTE: Began use of Sodium Hypochlorite as disinfectant in 1998.

In January of 1998 joint bids were released for Sodium Hypochlorite with the Cities of Wyoming and Holland. Again the process was successful and a favorable cost was obtained for the Hypochlorite.

The historical annual average chemical usage in tons, based on average pumpage is:

CHEMICAL	TONS
Aluminum Sulfate	210
Sodium Hypochlorite	300
Fluoride	70

CHEMICAL BIDDING FOR 2001

2000 was the first year, of three years possible, for bids for Sodium Hypochlorite. Aluminum Sulfate and Fluoride were bid this year due to contract expiration.

The Sodium Hypochlorite supplier, Alexander Chemical, Inc. will hold the current price of \$107.20 per ton as allowed in the contract extension. Aluminum Sulfate and Fluoride were jointly bid for 2002, with the following results:

HYDROFLUOROSILICIC ACID (FLUORIDE)			
SUPPLIER	YEAR	G. RAPIDS	WM COOP
Lucier (LCI)	2002	\$142.30	\$142.30
	2003	142.30	142.30
	2004	146.30	146.30
Pescod	2002	\$148.00	\$148.00
	2003	149.50	149.50
	2004	151.00	151.00
Solvay	2002	\$160.00	\$160.00
	2003	160.00	160.00
	2004	160.00	160.00
ALUMINUM SULFATE			
SUPPLIER	YEAR	G. RAPIDS	WM COOP
General Chemical	2002	\$136.50	\$136.50
	2003	136.50	136.50
	2004	3% max. cap.	3% max. cap.
US Aluminate Co. Inc.	2002	\$145.50	\$145.50
	2003	145.50	145.50
	2004	145.50	145.50

The results display that Lucier Chemical is the low fluoride bidder for the cooperative joint purchasing group at a cost of \$142.30 per Ton for year one of the three-year period. The results also display that General Chemical is the low aluminum sulfate bidder at a cost of \$136.50 per Ton for year one of the three-year period.

SUMMARY

The joint cooperative chemical bids for 2002 are as follows:

CHEMICAL	SUPPLIER	COST
Aluminum Sulfate	General Chemical	\$136.50
Sodium Hypochlorite	Alexander Chemical	\$107.20
Fluoride	Lucier Chemical	\$142.30

*The prices are "per ton" FOB each location.

RECOMMENDATION

It is my recommendation that the Mayor and City Commission endorse the low bids received, with the joint purchase approach, for aluminum sulfate and fluorosilicic acid; and extension of the sodium hypochlorite contract.

Date: April 9, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
Washington Ave., Franklin to Division

SUMMARY OF REQUEST:

The Washington Street contract (H-1538) be awarded to Jackson Merkey Contractors out of Muskegon since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$447,701.70 (see attached bid tabulation).

FINANCIAL IMPACT:

The construction cost of \$447,701.70 plus associated engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract to Jackson Merkey Contractors.

COMMITTEE RECOMMENDATION:

BID PROPOSAL TABULATION APRIL 2, 2002

				WADEL		MILBOCKER		JACKSON-MERKEY		LODESTAR		LAKESIDE/PRINCE		
ITEM DESCRIPTION			QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	ADJUST CATCH BASIN CASTING		2	EACH	\$275.00	\$550.00	\$275.00	\$550.00	\$300.00	\$600.00	\$250.00	\$500.00	\$325.00	\$650.00
2	ADJUST MANHOLE CASTING		7	EACH	\$275.00	\$1,925.00	\$300.00	\$2,100.00	\$420.00	\$2,940.00	\$250.00	\$1,750.00	\$325.00	\$2,275.00
3	AGGREGATE BASE COURSE 22A @ 8" COMPACTED		3990	S YD	\$5.85	\$23,341.50	\$7.20	\$28,728.00	\$5.35	\$21,346.50	\$6.00	\$23,940.00	\$6.50	\$25,935.00
4	BENDS 8" 45 DEG DCI MJ		10	EACH	\$250.00	\$2,500.00	\$310.00	\$3,100.00	\$275.00	\$2,750.00	\$225.00	\$2,250.00	\$250.00	\$2,500.00
5	BENDS 12" 45 DEG DCI MJ		4	EACH	\$350.00	\$1,400.00	\$400.00	\$1,600.00	\$415.00	\$1,660.00	\$300.00	\$1,200.00	\$350.00	\$1,400.00
6	BITUMINOUS LEVELING MIXTURE 3C @ 165# S YD		347	TON	\$41.65	\$14,452.55	\$39.34	\$13,650.98	\$41.65	\$14,452.55	\$40.00	\$13,880.00	\$39.34	\$13,650.98
7	BITUMINOUS TOP MIXTURE 4C @ 165# S YD		347	TON	\$43.75	\$15,181.25	\$41.37	\$14,355.39	\$43.75	\$15,181.25	\$42.25	\$14,660.75	\$41.37	\$14,355.39
8	CATCH BASIN CASTING E.J. 7045 OR EQUAL		11	EACH	\$550.00	\$6,050.00	\$460.00	\$5,060.00	\$495.00	\$5,445.00	\$400.00	\$4,400.00	\$500.00	\$5,500.00
9	CATCH BASIN CASTIN E.J. 5105 OR EQUAL		1	EACH	\$500.00	\$500.00	\$600.00	\$600.00	\$495.00	\$495.00	\$375.00	\$375.00	\$475.00	\$475.00
10	CATCH BASIN, FLAT TOP SPECIAL DETAIL		12	EACH	\$1,200.00	\$14,400.00	\$1,200.00	\$14,400.00	\$1,370.00	\$16,440.00	\$750.00	\$9,000.00	\$1,200.00	\$14,400.00
11	CEMENT		15	TON	\$170.00	\$2,550.00	\$170.00	\$2,550.00	\$165.00	\$2,475.00	\$130.00	\$1,950.00	\$170.00	\$2,550.00
12	CONCRETE CURB AND GUTTER, F-4 MODIFIED		2505	L FT	\$10.00	\$25,050.00	\$7.76	\$19,438.80	\$8.55	\$21,417.75	\$9.30	\$23,296.50	\$8.35	\$20,916.75
13	CONCRETE DRIVE APPROACH, 6" STD		573	S YD	\$30.00	\$17,190.00	\$24.75	\$14,181.75	\$22.30	\$12,777.90	\$27.50	\$15,757.50	\$27.00	\$15,471.00
14	CONCRETE DRIVE APPROACH, 8" STD		94	S YD	\$41.00	\$3,854.00	\$35.00	\$3,290.00	\$27.50	\$2,585.00	\$31.25	\$2,937.50	\$37.00	\$3,478.00
15	CONCRETE SIDEWALK, 4"		5290	S FT	\$2.35	\$12,431.50	\$1.88	\$9,945.20	\$2.25	\$11,902.50	\$2.25	\$11,902.50	\$2.20	\$11,638.00
16	CONCRETE SIDEWALK, 6"		1450	S FT	\$3.50	\$5,075.00	\$2.80	\$4,060.00	\$2.50	\$3,625.00	\$2.65	\$3,842.50	\$3.20	\$4,640.00
17	CORPORATION STOP, 1" MUELLER # 15000 OR EQUAL		20	EACH	\$450.00	\$9,000.00	\$100.00	\$2,000.00	\$215.00	\$4,300.00	\$200.00	\$4,000.00	\$300.00	\$6,000.00
18	CROSS 8" X 8" DCI MJ		1	EACH	\$475.00	\$475.00	\$850.00	\$850.00	\$420.00	\$420.00	\$300.00	\$300.00	\$550.00	\$550.00
19	CROSS 12" X 8" DCI MJ		1	EACH	\$610.00	\$610.00	\$1,000.00	\$1,000.00	\$545.00	\$545.00	\$450.00	\$450.00	\$750.00	\$750.00
20	CURB STOP W/BOX, 1" MUELLER # 15150 OR EQUAL		12	EACH	\$450.00	\$5,400.00	\$125.00	\$1,500.00	\$240.00	\$2,880.00	\$225.00	\$2,700.00	\$350.00	\$4,200.00
21	HYDRANT, STANDARD		3	EACH	\$1,550.00	\$4,650.00	\$1,750.00	\$5,250.00	\$1,375.00	\$4,125.00	\$1,275.00	\$3,825.00	\$1,500.00	\$4,500.00
22	MACHINE GRADING MODIFIED		12.29	STA	\$1,750.00	\$21,507.50	\$3,300.00	\$40,557.00	\$760.00	\$9,340.40	\$5,000.00	\$61,450.00	\$1,250.00	\$15,362.50
23	MANHOLE CASTING E.J. # 1000 OR EQUAL		14	EACH	\$450.00	\$6,300.00	\$500.00	\$7,000.00	\$490.00	\$6,860.00	\$325.00	\$4,550.00	\$400.00	\$5,600.00
24	MANHOLE, STANDARD, 4' I.D., 0-10' DEEP		8	EACH	\$1,750.00	\$14,000.00	\$1,400.00	\$11,200.00	\$1,370.00	\$10,960.00	\$800.00	\$6,400.00	\$1,350.00	\$10,800.00
25	METER PIT, COMPLETE		8	EACH	\$750.00	\$6,000.00	\$535.00	\$4,280.00	\$690.00	\$5,520.00	\$575.00	\$4,600.00	\$900.00	\$7,200.00
26	RECONSTRUCTING MANHOLES		5	V FT	\$375.00	\$1,875.00	\$510.00	\$2,550.00	\$450.00	\$2,250.00	\$100.00	\$500.00	\$425.00	\$2,125.00
27	REDUCER 8" X 4" DCI MJ		1	EACH	\$250.00	\$250.00	\$335.00	\$335.00	\$190.00	\$190.00	\$220.00	\$220.00	\$225.00	\$225.00
28	REDUCER 8" X 6" DCI MJ		3	EACH	\$250.00	\$750.00	\$375.00	\$1,125.00	\$195.00	\$585.00	\$250.00	\$750.00	\$225.00	\$675.00
29	REMOVING CATCH BASIN		12	EACH	\$300.00	\$3,600.00	\$205.00	\$2,460.00	\$510.00	\$6,120.00	\$400.00	\$4,800.00	\$200.00	\$2,400.00
30	REMOVING CONCRETE CURB AND GUTTER		30	L FT	\$6.00	\$180.00	\$10.80	\$318.00	\$7.50	\$225.00	\$10.00	\$300.00	\$7.00	\$210.00
31	REMOVING CONCRETE DRIVE APPROACH		667	S YD	\$6.00	\$4,002.00	\$5.00	\$3,335.00	\$8.75	\$5,836.25	\$9.25	\$6,169.75	\$6.00	\$4,002.00

TRANSFER SUBTOTAL TO TOP OF NEXT PAGE (12B)

H-1538 WASHINGTON- FRANKLIN TO DIVISION

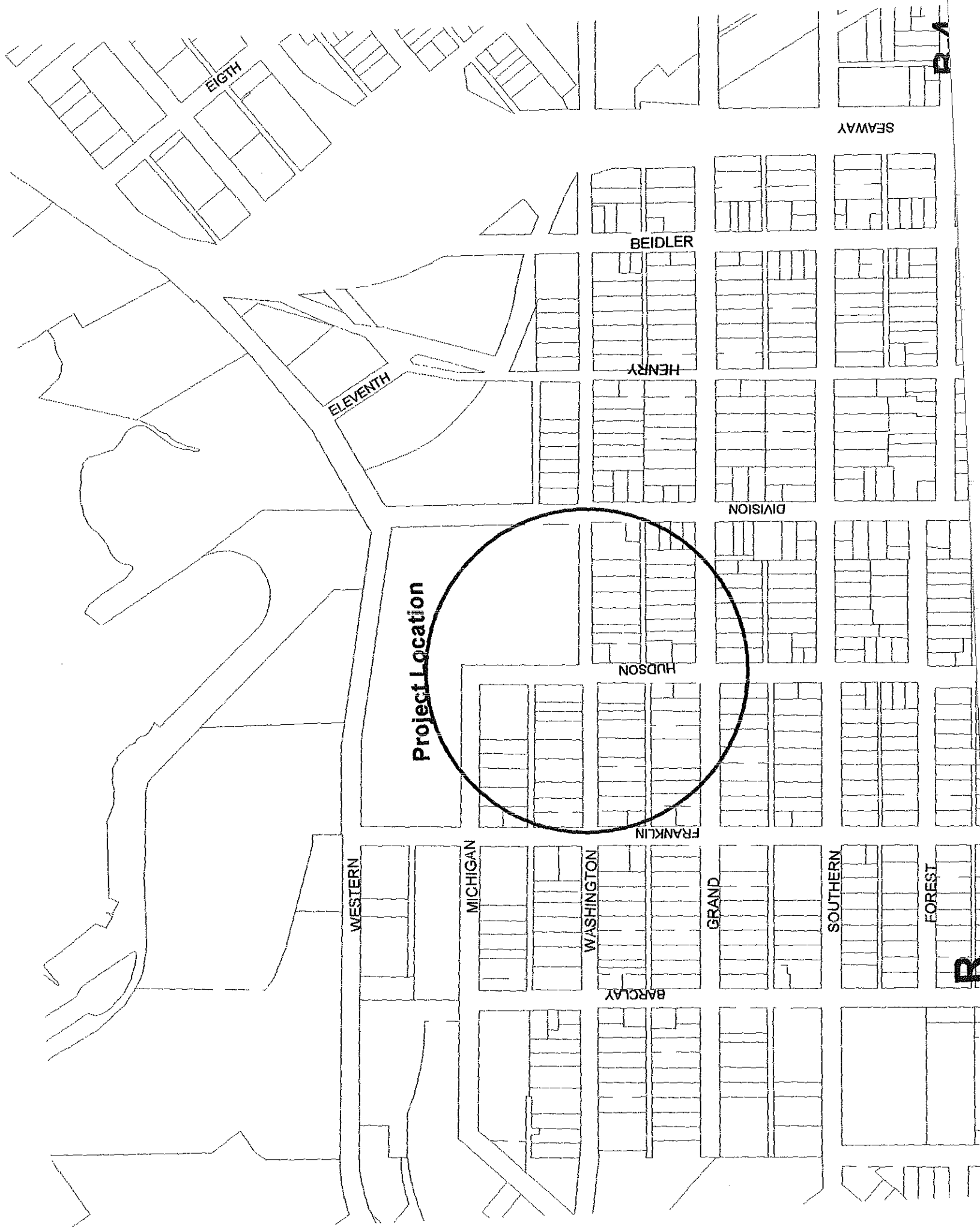
BID TABULATION APRIL 2, 2002

ITEM DESCRIPTION		QUANTITY	UNIT	WADEL		MILBOCKER		JACKSON-MERKEY		LODESTAR		LAKESIDE/PRINCE	
				UNIT PRICE	TOTAL PRICE	NIT PRIC	TOTAL PRICE	NIT PRIC	TOTAL PRICE	NIT PRIC	TOTAL PRICE	NIT PRIC	TOTAL PRICE
SUBTOTAL FROM 12A					\$225,050.30		\$221,370.12		\$196,250.10		\$232,657.00		\$204,434.62
32	REMOVING CONCRETE SIDEWALK	7640	S FT	\$0.75	\$5,730.00	\$0.45	\$3,438.00	\$1.10	\$8,404.00	\$1.00	\$7,640.00	\$0.75	\$5,730.00
33	REMOVING MANHOLE	7	EACH	\$500.00	\$3,500.00	\$225.00	\$1,575.00	\$630.00	\$4,410.00	\$450.00	\$3,150.00	\$200.00	\$1,400.00
34	REMOVING PAVEMENT INCLUDING CURB AND GUTTER	4725	S YD	\$3.50	\$16,537.50	\$5.75	\$27,168.75	\$3.20	\$15,120.00	\$7.50	\$35,437.50	\$6.00	\$28,350.00
35	REMOVING TREES 13-24" DIA	2	EACH	\$750.00	\$1,500.00	\$150.00	\$300.00	\$425.00	\$850.00	\$150.00	\$300.00	\$250.00	\$500.00
36	REMOVING TREES 25-36" DIA	1	EACH	\$1,250.00	\$1,250.00	\$425.00	\$425.00	\$675.00	\$675.00	\$425.00	\$425.00	\$450.00	\$450.00
37	REMOVING TREES 37" DIA OR LARGER	2	EACH	\$1,500.00	\$3,000.00	\$710.00	\$1,420.00	\$990.00	\$1,980.00	\$725.00	\$1,450.00	\$650.00	\$1,300.00
38	SAND REFILL	500	C YD	\$9.50	\$4,750.00	\$9.00	\$4,500.00	\$6.75	\$3,375.00	\$8.75	\$4,375.00	\$12.00	\$6,000.00
39	SANITARY SEWER SERVICE 6" PVC SDR 35	858	L FT	\$26.00	\$22,308.00	\$32.00	\$27,456.00	\$29.00	\$24,882.00	\$27.50	\$23,595.00	\$30.00	\$25,740.00
40	SANITARY SEWER 12" PVC SDR 35	1073	L FT	\$32.00	\$34,336.00	\$25.00	\$26,825.00	\$37.65	\$40,398.45	\$30.00	\$32,190.00	\$45.00	\$48,285.00
41	SANITARY SEWER WYE 12" X 6" PVC SDR 35	26	EACH	\$175.00	\$4,550.00	\$130.00	\$3,380.00	\$120.00	\$3,120.00	\$250.00	\$6,500.00	\$225.00	\$5,850.00
42	SLEEVE 4" LONG DCI MJ	1	EACH	\$1,500.00	\$1,500.00	\$225.00	\$225.00	\$390.00	\$390.00	\$270.00	\$270.00	\$250.00	\$250.00
43	SLEEVE 6" LONG DCI MJ	3	EACH	\$1,500.00	\$4,500.00	\$275.00	\$825.00	\$510.00	\$1,530.00	\$300.00	\$900.00	\$275.00	\$825.00
44	SLEEVE 12" LONG DCI MJ	2	EACH	\$1,750.00	\$3,500.00	\$415.00	\$830.00	\$675.00	\$1,350.00	\$550.00	\$1,100.00	\$400.00	\$800.00
45	STORM SEWER, 12" C-76 CL V	173	L FT	\$29.50	\$5,103.50	\$24.00	\$4,152.00	\$24.00	\$4,152.00	\$30.00	\$5,190.00	\$26.00	\$4,498.00
46	STORM SEWER, 12' DCI CL 52	273	L FT	\$44.00	\$12,012.00	\$36.00	\$9,828.00	\$32.00	\$8,736.00	\$35.00	\$9,555.00	\$34.00	\$9,282.00
47	STORM SEWER 18" PVC SDR 35	515	L FT	\$38.00	\$19,570.00	\$32.00	\$16,480.00	\$44.50	\$22,917.50	\$30.00	\$15,450.00	\$36.00	\$18,540.00
48	STORM SEWER 18" C76 CL V	36	L FT	\$55.00	\$1,980.00	\$36.00	\$1,296.00	\$48.00	\$1,728.00	\$45.00	\$1,620.00	\$35.00	\$1,260.00
49	SUBGRADE UNDERCUTTING, TYPE II, MODIFIED	1100	C YD	\$10.00	\$11,000.00	\$10.00	\$11,000.00	\$4.80	\$5,280.00	\$15.00	\$16,500.00	\$15.00	\$16,500.00
50	TAPPING CROSS 12" X 8" WITH 8" VALVES W/BOXES	1	EACH	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$3,235.00	\$3,235.00	\$4,400.00	\$4,400.00	\$6,500.00	\$6,500.00
51	TEE 6" X 6" DCI MJ	3	EACH	\$350.00	\$1,050.00	\$380.00	\$1,140.00	\$260.00	\$780.00	\$255.00	\$765.00	\$400.00	\$1,200.00
52	TERRACE GRADING	1229	L FT	\$15.00	\$18,435.00	\$13.50	\$16,591.50	\$7.90	\$9,709.10	\$15.25	\$18,742.25	\$9.00	\$11,061.00
53	VALVE 6" GATE MJ/BOX	3	EACH	\$700.00	\$2,100.00	\$900.00	\$2,700.00	\$580.00	\$1,740.00	\$500.00	\$1,500.00	\$600.00	\$1,800.00
54	VALVE 8" GATE MJ/BOX	6	EACH	\$900.00	\$5,400.00	\$1,200.00	\$7,200.00	\$990.00	\$5,340.00	\$600.00	\$3,600.00	\$725.00	\$4,350.00
55	VALVE 12" GATE MJ W/BOX	2	EACH	\$1,550.00	\$3,100.00	\$2,000.00	\$4,000.00	\$1,445.00	\$2,890.00	\$1,075.00	\$2,150.00	\$1,175.00	\$2,350.00
56	WATERMAIN 4" DCI MJ CL 52	10	L FT	\$55.00	\$550.00	\$35.00	\$350.00	\$28.00	\$280.00	\$30.00	\$300.00	\$40.00	\$400.00
57	WATERMAIN 6" DCI MJ CL 52	68	L FT	\$55.00	\$3,740.00	\$38.00	\$2,584.00	\$29.00	\$1,972.00	\$30.00	\$2,040.00	\$30.00	\$2,040.00
58	WATERMAIN 8" DCI MJ CL 52	1245	L FT	\$28.00	\$34,860.00	\$45.00	\$56,025.00	\$39.20	\$48,804.00	\$20.00	\$24,900.00	\$32.00	\$39,840.00
59	WATERMAIN 12" DCI MJ CL 52	20	L FT	\$55.00	\$1,100.00	\$60.00	\$1,200.00	\$49.00	\$980.00	\$40.00	\$800.00	\$50.00	\$1,000.00
60	TRAFFIC CONTROL	1	LUMP	\$12,500.00	\$12,500.00	\$5,500.00	\$5,500.00	\$10,875.00	\$10,875.00	\$6,000.00	\$6,000.00	\$7,500.00	\$7,500.00
61	WATER SERVICE, 1" TYPE "K" COPPER	807	L FT	\$4.00	\$3,228.00	\$18.00	\$14,526.00	\$17.65	\$14,243.55	\$20.00	\$16,140.00	\$15.00	\$12,105.00
62	WATER VALVE BOX, COMPLETE	3	EACH	\$300.00	\$900.00	\$310.00	\$930.00	\$435.00	\$1,305.00	\$225.00	\$675.00	\$150.00	\$450.00
	GRAND TOTAL				\$473,640.30		\$480,240.37		\$447,701.70		\$480,316.75		\$470,590.62

H-1538 WASHINGTON- FRANKLIN TO DIVISION ENGINEER'S ESTIMATE 3/07/02 REVISED

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1 ADJUST CATCH BASIN CASTING	2	EACH	\$400.00	\$800.00
2 ADJUST MANHOLE CASTING	7	EACH	\$400.00	\$2,800.00
3 AGGREGATE BASE COURSE 22A @ 8" COMPACTED	3990	S YD	\$7.00	\$27,930.00
4 BENDS 8" 45 DEG DCI MJ	10	EACH	\$260.00	\$2,600.00
5 BENDS 12" 45 DEG DCI MJ	4	EACH	\$300.00	\$1,200.00
6 BITUMINOUS LEVELING MIXTURE 3C @ 165#/ S YD	347	TON	\$38.00	\$13,186.00
7 BITUMINOUS TOP MIXTURE 4C @ 165#/ S YD	347	TON	\$42.00	\$14,574.00
8 CATCH BASIN CASTING E.J. 7045 OR EQUAL	11	EACH	\$400.00	\$4,400.00
9 CATCH BASIN CASTING E.J. 5105 OR EQUAL	1	EACH	\$400.00	\$400.00
10 CATCH BASIN, FLAT TOP SPECIAL DETAIL	12	EACH	\$1,300.00	\$15,600.00
11 CEMENT	15	TON	\$150.00	\$2,250.00
12 CONCRETE CURB AND GUTTER, F-4 MODIFIED	2505	L FT	\$10.00	\$25,050.00
13 CONCRETE DRIVE APPROACH, 6" STD	573	S YD	\$28.00	\$16,044.00
14 CONCRETE DRIVE APPROACH, 8" STD	94	S YD	\$30.00	\$2,820.00
15 CONCRETE SIDEWALK, 4"	5290	S FT	\$3.00	\$15,870.00
16 CONCRETE SIDEWALK, 6"	1450	S FT	\$3.75	\$5,437.50
17 CORPORATION STOP, 1" MUELLER # 15000 OR EQUAL	20	EACH	\$250.00	\$5,000.00
18 CROSS 8" X 8" DCI MJ	1	EACH	\$450.00	\$450.00
19 CROSS 12" X 8" DCI MJ	1	EACH	\$500.00	\$500.00
20 CURB STOP W/BOX, 1" MUELLER # 15150 OR EQUAL	12	EACH	\$220.00	\$2,640.00
21 HYDRANT, STANDARD	3	EACH	\$1,300.00	\$3,900.00
22 MACHINE GRADING MODIFIED	12.29	STA	\$500.00	\$6,145.00
23 MANHOLE CASTING E.J. # 1000 OR EQUAL	14	EACH	\$400.00	\$5,600.00
24 MANHOLE, STANDARD, 4' I.D., 0-10' DEEP	8	EACH	\$1,500.00	\$12,000.00
25 METER PIT, COMPLETE	8	EACH	\$750.00	\$6,000.00
26 RECONSTRUCTING MANHOLES	5	V FT	\$350.00	\$1,750.00
27 REDUCER 8" X 4" DCI MJ	1	EACH	\$250.00	\$250.00
28 REDUCER 8" X 6" DCI MJ	3	EACH	\$275.00	\$825.00
29 REMOVING CATCH BASIN	12	EACH	\$500.00	\$6,000.00
30 REMOVING CONCRETE CURB AND GUTTER	30	L FT	\$12.00	\$360.00
31 REMOVING CONCRETE DRIVE APPROACH	667	S YD	\$6.00	\$4,002.00
32 REMOVING CONCRETE SIDEWALK	7640	S FT	\$2.00	\$15,280.00
33 REMOVING MANHOLE	7	EACH	\$500.00	\$3,500.00
34 REMOVING PAVEMENT INCLUDING CURB AND GUTTER	4725	S YD	\$13.50	\$63,787.50
35 REMOVING TREES 13-24" DIA	2	EACH	\$500.00	\$1,000.00
36 REMOVING TREES 25-36" DIA	1	EACH	\$750.00	\$750.00
37 REMOVING TREES 37" DIA OR LARGER	2	EACH	\$1,000.00	\$2,000.00
38 SAND REFILL	500	C YD	\$10.00	\$5,000.00
39 SANITARY SEWER SERVICE 6" PVC SDR 35	858	L FT	\$40.00	\$34,320.00
40 SANITARY SEWER 12" PVC SDR 35	1073	L FT	\$50.00	\$53,650.00
41 SANITARY SEWER WYE 12" X 6" PVC SDR 35	26	EACH	\$225.00	\$5,850.00
42 SLEEVE 4" LONG DCI MJ	1	EACH	\$225.00	\$225.00
43 SLEEVE 6" LONG DCI MJ	3	EACH	\$250.00	\$750.00
44 SLEEVE 12" LONG DCI MJ	2	EACH	\$300.00	\$600.00
45 STORM SEWER, 12" C-76 CL V	173	L FT	\$28.00	\$4,844.00
46 STORM SEWER, 12" DCI CL 52	273	L FT	\$27.00	\$7,371.00
47 STORM SEWER 18" PVC SDR 35	515	L FT	\$35.00	\$18,025.00
48 STORM SEWER 18" C76 CL V	36	L FT	\$40.00	\$1,440.00
49 SUBGRADE UNDERCUTTING, TYPE II, MODIFIED	1100	C YD	\$10.00	\$11,000.00
50 TAPPING CROSS 12" X 8" WITH 8" VALVES W/BOXES	1	EACH	\$6,000.00	\$6,000.00
51 TEE 8" X 6" DCI MJ	3	EACH	\$400.00	\$1,200.00
52 TERRACE GRADING	1229	L FT	\$8.00	\$9,832.00
53 VALVE 6" GATE MJ/BOX	3	EACH	\$600.00	\$1,800.00
54 VALVE 8" GATE MJ/BOX	6	EACH	\$700.00	\$4,200.00
55 VALVE 12" GATE MJ W/BOX	2	EACH	\$800.00	\$1,600.00
56 WATERMAIN 4" DCI MJ CL 52	10	L FT	\$25.00	\$250.00
57 WATERMAIN 6" DCI MJ CL 52	68	L FT	\$30.00	\$2,040.00
58 WATERMAIN 8" DCI MJ CL 52	1245	L FT	\$35.00	\$43,575.00
59 WATERMAIN 12" DCI MJ CL 52	20	L FT	\$40.00	\$800.00
60 TRAFFIC CONTROL	1	LUMP	\$15,000.00	\$15,000.00
61 WATER SERVICE, 1" TYPE "K" COPPER	807	L FT	\$25.00	\$20,175.00
62 WATER VALVE BOX, COMPLETE	3	EACH	\$350.00	\$1,050.00

SUB-TOTAL	\$543,298.00
15% ENGINEERING	\$81,494.70
TOTAL	\$624,792.70



EIGHTH

SEAWAY

BEIDLER

HENRY

ELEVENTH

DIVISION

Project Location

HUDSON

FRANKLIN

WESTERN

MICHIGAN

WASHINGTON

BARCLAY

GRAND

SOUTHERN

FOREST

Date: April 9, 2002

To: Honorable Mayor and City Commissioners

From: Finance Director

RE: Transmittal of 2001 *Comprehensive Annual Financial Report*

SUMMARY OF REQUEST: The City's 2001 *Comprehensive Annual Financial Report* (CAFR) has previously been distributed to City Commissioners. At this time the CAFR is being formally transmitted to the Commission in accordance with state law.

FINANCIAL IMPACT: None. The CAFR report summarizes the City's financial activities for 2001 and includes the independent auditor's unqualified opinion on the City's financial statements.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Acceptance of the 2001 CAFR.

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

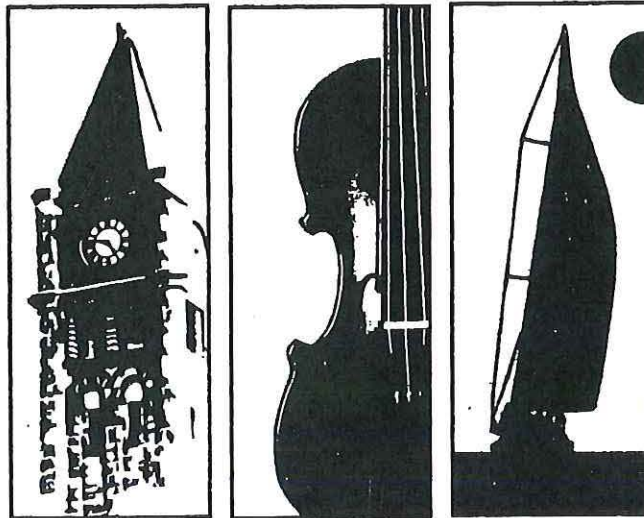
**City of Muskegon,
Michigan**

*See packet for full
copy*

Comprehensive Annual Financial Report

For The Year Ended December 31, 2001

MUSKEGON



West Michigan's Shoreline City

**BYLAWS
OF
THE GREATER MUSKEGON SERVICE LEAGUE FOUNDATION, INC.**

ARTICLE I - NAME AND PURPOSE

The name of this corporation is: The Greater Muskegon Service League Foundation, Inc.

The purpose of this corporation, as set forth in the Articles of Incorporation, is to administer funds and property for charitable purposes within the County of Muskegon in the State of Michigan, and in furtherance thereof to engage in such civic activities and enterprises as will provide funds and/or services for such purposes: **Provided that none of the gain or profit of the corporation shall accrue to the benefit of any member of the corporation.**

In pursuance of its purpose the corporation may: Acquire by grant, gift, purchase, devise, or bequest such property, real and personal, as the purpose of the corporation shall require, and may administer funds and convey, lease, and donate such property for the carrying on of the objects of the corporation, and may loan monies and make such advancements in the furtherance of the purpose of the corporation, but only at reasonable rates of interest, and to secure the repayment thereof by taking or accepting adequate collateral and security and as the Executive Board or Board of Directors deem proper, and may engage in such enterprises and ventures as are deemed necessary for effectuation of the corporate purpose.

ARTICLE II - CONTRIBUTIONS

The corporation may receive contributions of cash or other property, real and personal, from individuals and organizations sympathetic with its purposes and program, subject to any and all conditions that may be imposed by the donor if not consistent with the purposes of the organization.

ARTICLE III - MEMBERSHIP

1. Membership in this corporation shall consist of the present members in good standing of the Service League, an unincorporated association, which consists of a Senior Group and other numerically designated groups.

2. Additional numerically designated groups may be added to the membership from time to time as the Board of Directors shall specify.

3. Each member shall pay annual dues to the corporation as a condition of membership. Dues are payable on September 1st and delinquent on December 1st, at which time any member who has not paid dues will automatically be charged a \$5.00 late fee. If such member does not pay dues and penalty by February 1st of the following year, the membership of

that person will be forfeited. The amount of dues shall be recommended by the Board of Directors and approved by a majority vote of the membership.

4. Future members of the corporation shall be accepted by the Board of Directors, from names submitted by the Membership Committee or by a member of the corporation.

5. Membership in this corporation shall consist of active, inactive, honorary, and life members.

a. **Active Membership:** Active membership shall consist of those members in good standing in the corporation. They shall attend meetings, pay established dues, and have the right to vote. They shall work on such projects as the Board of Directors shall specify in order to carry out the purpose of the corporation. Each group will determine their own attendance policies.

b. **Inactive Membership:** Inactive membership shall consist of those members who, because of illness or physical disability, or like circumstances, are unable to work actively on the corporation's projects. They may attend meetings, will pay established dues and have the right to vote. They may choose this leave of absence option for a period of up to two years.

c. **Honorary Membership:** Any member, after 25 years of service in the aggregate in this corporation, may request honorary membership. An honorary member may attend all meetings, will pay established dues, will have the right to vote and shall have the option of participating actively in a specific group.

d. **Life Membership:** Those members maintaining life memberships as of January 1, 1997 may continue that status for the duration of their lives. A life member may attend and meetings and may vote on all issues.

6. All active members of the corporation shall be required to actively participate in all fund raising events, if possible.

ARTICLE IV - MANAGEMENT

The Executive Board shall file such annual reports as may be required by law.

No part of the property or net earnings of the corporation shall inure to the benefit of a contributor, member, officer, or any other individuals, except that reasonable compensation for actual services rendered may be paid to non-members employed by the corporation for the

purpose of enabling said corporation to effectuate its purpose. The Board of Directors shall not loan money to, or invest in, any enterprise in which any contributor, member, board member, or officer is engaged.

The net income shall not be accumulated unless in the judgment of the Board of Directors accumulation is necessary in order to finance an anticipated or current project.

No part of the assets of the corporation may be loaned to any contributor, member, board member, or officer, or to a member of that person's family, or to a corporation controlled by that person.

ARTICLE V - DISSOLUTION

Should the corporation cease to operate or should it become unable to serve usefully the purpose of its organization, its affairs shall be wound up, and after payment or satisfaction of claims and any lawful demands against it, its remaining property shall be disposed of as directed by the last Board of Directors, in a manner not inconsistent with the purpose of the corporation. Such remaining assets upon vote of the Board shall be turned over to a group, groups, person, or persons they deem may best use such assets to effectuate and continue charitable purposes.

ARTICLE VI - INVESTMENTS

The corporation may invest and reinvest the funds of the corporation in either real and/or personal property, including securities of domestic corporations and investment trusts and bonds. Investments by the corporation shall be made to carry out its purpose. Such investments shall not be made in such manner as to entail the risk that the funds will be lost and thus not available for the purpose of the organization: Provided, nothing herein shall be construed to prevent the corporation from securing real and personal property to carry on enterprises to secure funds for the effectuation of the corporate purpose.

The corporation shall have the power to acquire property returning income or no income as they may deem appropriate and to retain such property so long as it appears advisable.

The corporation shall have the power to improve any real estate comprised in the corporation's properties, whether obtained by grant, lease, devise, gift, or purchase. All such property shall be kept in the name of the corporation.

ARTICLE VII - MEETINGS OF MEMBERS

The annual general meeting of members shall be held on the first Tuesday of October each year at such place and time as the Board of Directors specifies.

At least five days' notice of such meetings shall be given to each member, informing each member of the date, time, and place of holding such meeting.

One-third of the membership present at any annual meeting or adjourned meeting thereof shall constitute a quorum.

Special meetings may be called by the president or any group chairperson upon written application of eight members. The call shall state the time and place of meeting and the object thereof, and the secretary shall notify each member at least three days before such meeting. One-third of the membership shall constitute a quorum at such special meeting, and no business shall be transacted beyond that stated in the call except with the consent of all of the members present at such special meeting.

ARTICLE VIII - EXECUTIVE BOARD

The Executive Board shall consist of the officers of the corporation and the immediate past president of the corporation. All officers elected at the general election in October shall become members of the Executive Board without further certification. The immediate past president shall, by virtue of such position, become a member without further certification.

Meetings of the Executive Board shall be held at such time and place as may be designated by the president.

A majority shall constitute a quorum at any meeting of the Executive Board.

The Executive Board shall have the general management and control of the affairs of the corporation and shall exercise all the powers that may be exercised by the corporation under the law and Articles of Incorporation and these Bylaws. They shall consult with and obtain the advice of the Board of Directors on all matters. The act of a majority of the Executive Board present at a meeting at which a quorum is present shall constitute the act of the Board. The Executive Board may by resolution designate an executive committee within the intent of Section 124 (3) (e) of the Michigan General Corporation Act, as amended.

The Executive Board shall have power to employ accountants, attorneys, or other agents and employees necessary in the conduct of the affairs of the corporation, and pay reasonable compensation for the services thereof.

The Executive Board, except as otherwise provided in these Bylaws, may authorize any Officer or agent to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to a specific instance; and unless so authorized by the Executive Board, no Officer, agent or employee shall have any power or authority to bind the corporation by any contract or engagement, or to pledge its credit, or render it liable pecuniarily for any purpose or to any amount.

No member of the Executive Board shall receive compensation for services as a member of the Board.

Members of the Executive Board shall not be held responsible for any losses that may occur unless it can be shown in a proper action in court that the losses were due to deliberate and willful negligence.

ARTICLE IX - BOARD OF DIRECTORS

There shall be a Board of Directors subordinate to the Executive Board.

The Board of Directors shall consist of the elected officers and immediate past president of the corporation, the chairpersons of each group, and the chairpersons of the standing committees.

The number of members of the Board of Directors may be increased or diminished by the adding or deleting of groups. If a group is deleted, the chairperson of such dissolved group shall no longer remain a member of said Board of Directors. The chairperson of each added group shall become a member of said Board of Directors upon certification by the secretary.

The method of selection of members of the said Board of Directors shall be as follows:

In May of each year preceding the general election to be held in October, the groups shall meet and elect a new chairperson. Immediately following the general election in October, the chairpersons of the groups shall hold office as members of the Board of Directors upon certification by the secretary that they are the duly elected chairpersons of their respective groups.

Each member of said Board of Directors shall hold office for a period of one year or until a successor is duly elected or appointed.

All members of the Board of Directors shall attend all regular board meetings. A majority shall constitute a quorum. The Board of Directors shall advise the members of the corporation on all matters of policy and operation. If a board member is unable to attend any meeting, such member must select an alternate group member to attend such meeting. The alternate shall be included in determining the presence of a quorum.

ARTICLE X - OFFICERS

The officers of this corporation shall consist of a president, immediate past president, vice president, 2nd vice president, secretary and treasurer. All officers shall be chosen from among the members of the corporation at an election to be held at the October general meeting,

except that the outgoing president shall hold the office as immediate past president upon the election of the succeeding president.

The president shall preside at all meetings of the Executive Board and the Board of Directors, and general meetings of the members of the corporation, and shall have general charge of and control over the affairs of the corporation, subject to the Executive Board and Board of Directors.

1. The president shall appoint an auditor whose duty it shall be to review the books and records of the treasurer and assistant treasurer before the end of the fiscal year, and to certify that such books and records are correct and in good order.
2. The president shall appoint an historian whose duty it shall be to preserve any records of the activities of the corporation and its members as may be relevant to the history of the corporation.

The immediate past president shall act as adviser to the president and the boards and shall act as chairperson of the Nominating Committee.

The vice president shall perform such duties as may be assigned by the Board of Directors. In case of the death, disability, or absence of the president, the vice president shall succeed to that position and shall perform the duties of such office. The vice president shall be Membership Chairperson.

The 2nd vice-president shall preside over and fulfill all duties of the Financial Development Committee Chairperson as provided in Article XI Number 5. The 2nd vice president shall appoint all necessary assistants as seen fit. The 2nd vice president shall also report monthly at all board meetings.

The secretary shall keep a record of the minutes of the proceedings of the meetings of the Executive Board and the Board of Directors, and of the general meetings of the members of the corporation, and shall give notice as required in these Bylaws of all such meetings. The secretary shall also certify the qualifications of members of the Board of Directors as provided in Article VIII of these Bylaws.

The treasurer shall receive and keep accounts of all monies of the corporation received and disbursed, and shall pay out such monies only on order of the Board of Directors. The treasurer shall deposit all monies and valuables in the name and to the credit of the corporation in such banks and depositories as the Board of Directors shall designate. The treasurer shall file such annual reports as may be required by law.

The assistant treasurer shall assist the treasurer in any manner that the treasurer and/or the Board of Directors shall specify.

All officers shall serve as such without compensation.

Each of the officers shall serve for the term of one year and may serve for an additional year, and shall serve until a successor is duly elected and qualified.

ARTICLE XI - CONTRACTS

The Directors and Officers of the corporation may be interested directly or indirectly in any contract relating to or incidental to the operations conducted by the corporation, and may freely make contracts, enter transactions, or otherwise act for and on behalf of the corporation, notwithstanding that they may also be acting as individuals, or as Directors of trusts, or as agent for other persons or corporations, or may be interested in the same matters as stockholder, Directors or otherwise; provided however, that any contract, transaction, or act on behalf of the corporation in a matter in which the Directors or Officers are personally interested as stockholders, Directors, or otherwise, shall be at arm's length and not violative of the proscriptions in the certificate of incorporation against the corporation's use or application of its funds for private benefit.

A contract or other transaction between a corporation and one or more of its Directors or Officers, or between a corporation and a domestic or foreign corporation, domestic or foreign business corporation, firm, or association of any type or kind, in which one or more of its Directors or Officers are Directors or Officers, or are otherwise interested, is not void or voidable solely because of such common directorship, officership, or interest, or solely because such Directors are present at the meeting of the Board or Committee thereof which authorizes or approves the contract or transaction, or solely because their votes are counted for such purpose if any of the following conditions is satisfied:

1. The contract or other transaction is fair and reasonable to the corporation when it is authorized, approved, or ratified.
2. The material facts as to the Director's or Officer's relationship or interest and as to the contract or transaction are disclosed or known to the Board or Committee, and the Board or Committee authorizes, approves, or ratifies the contract or transaction by a vote sufficient for the purpose without counting the vote of any common or interested Director.

ARTICLE XII - INDEMNIFICATION

The corporation shall indemnify and save harmless any and all of its Directors or Officers or former Directors or Officers or any person who may have served at its request as a Director or Officer of another corporation in which it owns shares of capital stock or of which it is a creditor

against expenses actually and necessarily incurred by them in connection with the defense of any action, suit or proceeding in which they, or any of them, are made parties, or a party, by reason of being or having been Directors or a Director or an officer of the corporation or of such other corporation. This indemnification shall extend to all reasonable expenses including reasonable attorney's fees, judgments, fines, and amounts paid in settlement which costs are actually and reasonably incurred by said Director or Officer so long as said Director or Officer acted in good faith and in a manner believed to be in or not opposed to the best interests of the corporation. Expenses incurred in defending any such action, suit or proceeding may be paid by the corporation in advance of the final disposition of said action, suit or proceeding upon receipt of an undertaking by or on behalf of the Director or Officer to repay such amount unless it shall be ultimately determined that said person is entitled to be indemnified by the corporation. The foregoing right of indemnification shall not be exclusive of any other rights to which a Director or Officer may be entitled.

ARTICLE XIII - COMMITTEES

1. **Nominating Committee:** The Nominating Committee shall consist of a chairperson, who shall be the immediate past president, and adequate assistants, whose function shall be to present candidates for the offices to be filled at the election held at the October general meeting.
2. **Membership Committee:** The Membership Committee shall consist of a chairperson, who shall be the vice president, and adequate assistants, whose function shall be to keep accurate records of the members of the corporation and to provide suggestions for prospective members.
3. **Investigating Committee:** The Investigating Committee shall consist of a chairperson, appointed by the president, subject to approval by the Board of Directors, and adequate assistants, whose function shall be to investigate requests for contributions, and to make appropriate distribution of funds recommended by the Board of Directors.
4. **Social Committee:** The Social Committee shall consist of a chairperson, appointed by the president, subject to approval by the Board of Directors, and adequate assistants, whose function shall be to make arrangements for the annual general meeting in October, and for any other general meetings which the Board of Directors shall specify.
5. **Ways and Means Committee:** The Ways and Means Committee shall consist of a chairperson, appointed by the president, subject to approval by the Board of Directors, and adequate assistants, whose function shall be to designate such project or projects for the raising of funds which shall be used to effectuate the corporate purpose.

6. **Financial Development Committee:** The Financial Development Committee shall consist of the 2nd vice president as chairperson, and adequate assistants, whose function shall be to designate and coordinate such project or projects for the raising of funds and community volunteer organization which shall be used to effectuate the corporate purpose.

7. **Special Committees:** Special committees shall consist of a chairperson(s), appointed by the president, subject to approval by the Board of Directors, and adequate assistants. The function of these committees shall be to make arrangements for carrying out the fund-raising projects designated by the Ways and Means Committee and such service projects as shall be recommended by the Board of Directors, which projects shall be used to effectuate the corporate purpose.

ARTICLE XIV - ARTICLE OF INCORPORATION

1. The corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Internal Revenue Code of 1954, or the corresponding provisions of any subsequent Federal tax laws.

2. The corporation shall not engage in any act of self-dealing as defined in Section 4941 (d) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent Federal tax laws.

3. The corporation shall not retain any excess business holdings as defined in Section 4943 (c) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent Federal tax laws.

4. The corporation shall not make any investments in such manner as to subject it to tax under Section 4944 of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent Federal tax laws.

5. The corporation shall not make any taxable expenditures as defined in Section 4945 (d) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent Federal tax laws.

ARTICLE XV - MISCELLANEOUS

All written contracts and conveyances made by the corporation, except as otherwise provided herein, or by law, shall be executed by the president and secretary, except that ordinary contracts made in the regular course of the corporation's business shall be effectual if executed in the name of the corporation by such officer as may be designated by the Board of Directors from time to time.

ARTICLE XVI - AMENDMENTS

These Bylaws may be amended at any annual or special meeting of the members by a two-thirds vote, a quorum being present.

GREATER MUSKEGON SERVICE LEAGUE
PRESIDENT'S REPORT
OCTOBER 2, 2001

I'm writing this in the midst of the worst crisis America has ever experienced. And things will never be the same!

When we witness the support of people and dollars amassed so quickly for disaster relief, it may seem that our day-to-day efforts are small by comparison. I believe that all volunteer organizations are important and fill a very specific need. Greater Muskegon Service League is just that kind of an organization.

Often times the impact we make is felt silently and goes unmentioned, with our community completely unaware of our actions. Is it always necessary to get recognition for our efforts? Is that what we are all about? I believe we all take personal pride in what we have accomplished in our individual groups and as a whole group collectively over the years! I suggest that with over 250 strong we have much to be proud of as members of one of the largest women's volunteer organizations in Western Michigan. In 71 years we have given back to "people in need" well over a million dollars and thousands of man-hours of volunteer work by members dedicated to help their fellow man. It is becoming abundantly clear that the strength of our nation is in the sincere desire to volunteer and help where and when needed, brother to brother and sister to sister. This national tragedy has renewed that spirit of volunteerism.

Congratulations Volunteers! Our accomplishments this year are many! I pray I haven't overlooked any, as each effort however small is as important as the largest. It takes many people to keep an organization moving forward and each person is equally important to the success of all the projects.

We have had a very ambitious schedule this year and owe our success to the planning, commitment and dedication of the Financial Development Committee and leadership of Michelle Pridnia and each event Chairperson/Co-Chairs. These events include: Party in the Park~ Luminary Sales~Annual Christmas Tea~Poinsettia Sale~Spring General Meeting~Flower Sale~ Golf Scramble ~Jazz Concert~Annual Meeting and 3-area Garage Sales.

Barb Grennan announced her retirement from the newsletter and handed over the responsibility to the equally capable Sue Bergmans. Barb, answering the need, promptly agreed to become the new Service League Historian! I encourage any members having Service League memorabilia to please pass along to Barb.

We clarified and adopted a standard for "Chairperson Responsibilities" and "Member Goals".

We formed the Child Care Investigating Committee to further evaluate how Service League can help in volunteering in one or more facilities and in what capacity.

Several groups have adopted new projects this year in the form of a family for a year; dollars for a lower elementary grade mini-economy and providing on-going supplies for individual child care facilities

Our Greater Muskegon Women and Children's Fund for year 2000 dispersed \$4500 to two needy organizations to continue providing quality services for women and children in our community.

A "Wine & Cheese" hosted by Teri Fansler resulted in a new group (Number One) and we welcome all of our new members and say a sad farewell to those leaving.

Many thanks to our Service League Investigating Committee in evaluating requests and making the difficult decisions for disbursement.

We are so very grateful for the kindness of Baker College and President Rick Amidon for providing us with a "home base" and a room each month for our Board Meetings.

A thousand thanks to my superb Board and all of you! You've made the last year exciting and challenging and I truly appreciate your support.

To date, Service League members have generously contributed over \$2000 to go to the Red Cross Disaster Relief Fund. This is in addition to the many dollars we annually pledge to help out those in need in our own community. We can all feel proud to be a part of Greater Muskegon Service League!

Lastly, please pray for all those directly affected by the tragedy in New York and Washington and pray for our country and its leaders. God bless.

Respectfully submitted,
Barbara Hermanson, President

GREATER MUSKEGON SERVICE LEAGUE FOUNDATION
Annual Treasurer's Report 2000-2001
October 1, 2001

September 15, 2001

BALANCE \$28,902.25
Comerica 24,853.14
UBS P. Webber 4,049.11

Dues Collected 2000-2001 \$8,000

EARNINGS 2000-2001

Gp.7 Donation (In lieu Of Card Party)	700.00
Christmas Tea	1699.64
Luminaria Sales	2590.00
Plant Sale	100.00
Party in the Park	12785.57
Jazz Concert	800.00
Garage Sales	1265.00
TOTAL	<u>\$19,940.21</u>

GIFTS Given 9/22/01 \$21,000.00

Harriet J. Oliver, Treasurer

PROPOSED BUDGET 2001-2002

Postage	600.00
Ads	900.00
Printing	1000.00
Gifts	500.00
Accountant	1000.00
Insurance	600.00
Membership Open House	200.00
Coffee Board Meetings	100.00
Wm.& Children,s Supplies	250.00
Historian	250.00
Miscellaneous	500.00
	<u>\$6,000.00</u>

Estimated Income From Dues 255 members
x 35
\$8,825.00

MAR. 19. 2002 4:35PM



CHARITABLE GAMING DIVISION
101 E. HILLSDALE, BOX 30023
LANSING, MICHIGAN 48909
(517) 336-6780
www.state.mi.us/mlottery

2002-45(1)

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(9))

At a Regular meeting of the Muskegon City Commission
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by Mayor Stephen Warmington on April 9, 2002
DATE

at 5:30 pm a.m./p.m. the following resolution was offered:
TIME

Moved by Vice-Mayor Karen Buie and supported by Commissioner Bill Larson

that the request from Greater Muskegon Service League of Muskegon
NAME OF ORGANIZATION CITY

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

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

gaming license, be considered for Approval
APPROVAL/DISAPPROVAL

APPROVAL

Yeas: 7

Nays: 0

Absent: 0

DISAPPROVAL

Yeas:

Nays:

Absent:

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

adopted by the Muskegon City Commission at a Regular
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on April 9, 2002
DATE

SIGNED: Gail A. Kunderger
TOWNSHIP, CITY, OR VILLAGE CLERK

Gail Kunderger, City Clerk
PRINTED NAME AND TITLE

933 Terrace St., Muskegon MI 49441
ADDRESS



March 22, 2002

Attn: Ms. Gail Kunderinger
City Hall
933 Terrace
Muskegon, MI 49440

Dear Ms. Kunderinger:

The Greater Muskegon Service League is a non-profit service organization committed to raising funds each year and giving it back to our community in the form of grants. Last year we gave back \$21,000.00.

Our organization was established in 1930 with 14 charter members. We currently have 263 members. We believe that we have the obligation to support the community by providing volunteer services and charitable gifts. We further believe that in doing so we support each other through friendship and that we become more capable women and role models.

We would like to apply for a Charitable Gaming License, but understand that we must first be recognized as a non-profit organization in our community. I am submitting this letter and the attached Local Governing Body Resolution For Charitable Gaming Licenses Form for review at the City Board meeting scheduled for April 9, 2002.

We would like to hold a raffle at our Spring Luncheon to be held at the new GVSU Lake Michigan Center, June 13, 2002. First place is a wheelbarrow filled with gardening items, 2nd place is a Butterfly Bush & 3rd place is a gift certificate to a local greenhouse. Each ticket will be sold for \$1.00.

Should any additional information be needed prior to the April 9 meeting, please contact me at 780-1442. Could you please mail your response to my home located at 4010 Treeline Dr., Muskegon, MI 49441. Thank you in advance for your consideration.

Respectfully,

Michelle A. Pridnia
2nd Vice President/Financial Development
Greater Muskegon Service League

April 8, 2002

To: Gail Kunder, City Clerk
Fax: 724-4178

From: Michelle Pridnia, Greater Muskegon Service League
Fax: 780-1442 (Same as telephone number)

Dear Gail:

Following please find a letter from the IRS stating our non-profit status. I believe this is the last of the info needed in order to be recognized by our local government that we are a non-profit organization.

If there is anyway that you could get us on the agenda for tomorrow evenings meeting, we would greatly appreciate it. We are already under the gun at this late date. We can not apply for the Charitable Gaming License (which could take up to 4 weeks) until we have the approval from your office regarding our non-profit status.

Could you please contact me at my home 780-1442 for further discussion? I would really appreciate it.

Thank you very much.

Michelle A. Pridnia
Financial Development
Greater Muskegon Service League

Internal Revenue Service**Department of the Treasury****Date:** March 22, 2002**Greater Muskegon Service
League Foundation
1903 Marquette
Muskegon, MI 49442-1453****P. O. Box 2508
Cincinnati, OH 45201****Person to Contact:**
Miss Henley 31-03888
Customer Service Specialist
Toll Free Telephone Number:
8:00 a.m. to 6:30 p.m. EST
877-829-5500
Fax Number:
513-263-3756
Federal Identification Number:
38-5072774**Dear Sir or Madam:**

This letter is in response to your request for a copy of your organization's determination letter. This letter will take the place of the copy you requested.

Our records indicate that a determination letter issued in June 1950 granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 508(a) of the Code because it is an organization described in section 508(a)(2).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, those organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

-2-

Greater Muskegon Service League Foundation
38-6072774

Your organization is not required to file federal income tax returns unless it is subject to the tax on unrelated business income under section 511 of the Code. If your organization is subject to this tax, it must file an income tax return on the Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your organization's present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

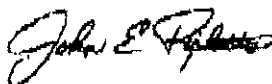
The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. If your organization had a copy of its application for recognition of exemption on July 15, 1987, it is also required to make available for public inspection a copy of the exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of \$10,000 in the case of an annual return).

Because this letter could help resolve any questions about your organization's exempt status and foundation status, you should keep it with the organization's permanent records.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

This letter affirms your organization's exempt status.

Sincerely,



John E. Ricketts, Director, TE/GE
Customer Account Services

Date: April 9, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
Sherin Street, Lakeshore Dr. to Miner

SUMMARY OF REQUEST:

The Sherin Street Contract (H-1522) be awarded to Wadel Stabilization Inc. out of Hart since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$100,081.22.

FINANCIAL IMPACT:

The construction cost of \$100,081.22 plus associated engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract to Wadel Stabilization inc.

COMMITTEE RECOMMENDATION:

H-1522, W-626 SHERIN ST. MINER AVE. to LAKESHORE DR.

BID TABULATION APRIL 2, 2002

				WADEL		DIVERSIFIED		FELCO		JACKSON-MERKEY	
DESCRIPTION		QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	ADJUST CATCH BASIN CASTING	1	EACH	\$250.00	\$250.00	\$450.00	\$450.00	\$400.00	\$400.00	\$300.00	\$300.00
2	ADJUST MANHOLE CASTING	4	EACH	\$250.00	\$1,000.00	\$425.00	\$1,700.00	\$400.00	\$1,600.00	\$420.00	\$1,680.00
3	AGGREGATE BASE COURSE 22A @ 6" C.I.P.	1425	SQ.YD.	\$4.25	\$6,056.25	\$7.50	\$10,687.50	\$5.75	\$8,193.75	\$5.65	\$8,051.25
4	BENDS D.C.I. 8" 11 1/4" M.J.	1	EACH	\$225.00	\$225.00	\$200.00	\$200.00	\$110.00	\$110.00	\$280.00	\$280.00
5	BIT. LEVELING MIX 3C @ 165#/S.Y.	130	TON	\$47.08	\$6,120.40	\$55.00	\$7,150.00	\$48.00	\$6,240.00	\$47.10	\$6,123.00
6	BIT. TOP MIX 4C @ 165#/S.Y.	130	TON	\$53.39	\$6,940.70	\$58.00	\$7,540.00	\$56.00	\$7,280.00	\$53.40	\$6,942.00
7	CAP D.C.I. 6" M.J.	2	EACH	\$500.00	\$1,000.00	\$125.00	\$250.00	\$100.00	\$200.00	\$120.00	\$240.00
8	CATCH BASIN CASTING E.J.#7045 OR EQUAL	2	EACH	\$500.00	\$1,000.00	\$750.00	\$1,500.00	\$600.00	\$1,200.00	\$515.00	\$1,030.00
9	CATCH BASIN SPECIAL DETAIL.	1	EACH	\$900.00	\$900.00	\$1,600.00	\$1,600.00	\$1,500.00	\$1,500.00	\$1,120.00	\$1,120.00
10	CEMENT	3	TON	\$130.00	\$390.00	\$110.00	\$330.00	\$130.00	\$390.00	\$185.00	\$555.00
11	CONC. CURB & GUTTER STD. DETAIL I	1116	LIN. FT.	\$9.32	\$10,401.12	\$22.00	\$24,552.00	\$9.00	\$10,044.00	\$8.05	\$8,983.80
12	CONC. DRIVE APPROACH 6" PER DETAIL	115	SQ.YD.	\$31.00	\$3,565.00	\$20.00	\$2,300.00	\$30.00	\$3,450.00	\$29.00	\$3,335.00
13	CONC. SIDEWALK 4"	71	SQ.FT.	\$3.50	\$248.50	\$10.00	\$710.00	\$3.00	\$213.00	\$3.20	\$227.20
14	CORP. STOP 1" MUELLER #15000 OR EQUAL	8	EACH	\$400.00	\$3,200.00	\$175.00	\$1,400.00	\$170.00	\$1,360.00	\$250.00	\$2,000.00
15	CURB STOP 1" W / BOX MUELLER #15150 OR EQUAL	6	EACH	\$400.00	\$2,400.00	\$250.00	\$1,500.00	\$280.00	\$1,680.00	\$260.00	\$1,560.00
16	EXCAVATION	576	CU.YD.	\$7.00	\$4,032.00	\$8.00	\$4,608.00	\$6.00	\$3,456.00	\$12.75	\$7,344.00
17	HYDRANT STD.	2	EACH	\$1,550.00	\$3,100.00	\$1,750.00	\$3,500.00	\$1,600.00	\$3,200.00	\$1,475.00	\$2,950.00
18	MANHOLE CASTING E.J.#1000 OR EQUAL	3	EACH	\$450.00	\$1,350.00	\$425.00	\$1,275.00	\$490.00	\$1,470.00	\$520.00	\$1,560.00
19	REDUCERS 8" TO 6" D.C.I. M.J.	1	EACH	\$200.00	\$200.00	\$400.00	\$400.00	\$200.00	\$200.00	\$195.00	\$195.00
20	REMOVING CONC. SIDEWALK	107	SQ.FT.	\$0.75	\$80.25	\$5.00	\$535.00	\$2.00	\$214.00	\$1.75	\$187.25
21	REMOVING PAVEMENT INCLUDING CONC.C.& G.	133	SQ.YD.	\$6.00	\$798.00	\$12.00	\$1,596.00	\$9.10	\$1,210.30	\$14.50	\$1,928.50
22	SLEEVES LONG 8" D.C.I. M.J.	2	EACH	\$1,500.00	\$3,000.00	\$300.00	\$600.00	\$250.00	\$500.00	\$875.00	\$1,750.00
23	STORM SEWER 10" SDR 35	8	LIN. FT.	\$75.00	\$600.00	\$55.00	\$440.00	\$65.00	\$520.00	\$27.00	\$216.00
24	TEE D.C.I. 8" x 8" x 6" M.J.	2	EACH	\$350.00	\$700.00	\$300.00	\$600.00	\$190.00	\$380.00	\$280.00	\$560.00
25	TAPPING SLEEVE & VALVE 6"x 6" W / BOX	1	EACH	\$2,600.00	\$2,600.00	\$2,000.00	\$2,000.00	\$2,300.00	\$2,300.00	\$1,890.00	\$1,890.00
26	TAPPING SLEEVE & VALVE 24"x 8" W / BOX	1	EACH	\$3,800.00	\$3,800.00	\$3,000.00	\$3,000.00	\$2,900.00	\$2,900.00	\$3,075.00	\$3,075.00
27	TERRACE GRADING	691	LIN. FT.	\$12.00	\$8,292.00	\$5.00	\$3,455.00	\$4.05	\$2,798.55	\$11.80	\$8,153.80
28	TRENCH REPAIR LOCAL STREET TYPE III	30	LIN. FT.	\$75.00	\$2,250.00	\$65.00	\$1,950.00	\$110.00	\$3,300.00	\$73.00	\$2,190.00
29	TRENCH REPAIR MAJOR STREET TYPE IV	30	LIN. FT.	\$160.00	\$4,800.00	\$110.00	\$3,300.00	\$200.00	\$6,000.00	\$128.00	\$3,840.00
30	TRAFFIC CONTROL	1	LUMP	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00	\$4,475.00	\$4,475.00
31	VALVE 6" GATE M.J. W/BOX	2	EACH	\$700.00	\$1,400.00	\$500.00	\$1,000.00	\$690.00	\$1,380.00	\$585.00	\$1,170.00
32	WATERMAIN 6" D.C.I. CL. 52	21	LIN. FT.	\$28.00	\$588.00	\$25.00	\$525.00	\$36.00	\$756.00	\$28.00	\$588.00
33	WATERMAIN 8" D.C.I. CL. 52	606	LIN. FT.	\$27.00	\$16,362.00	\$26.00	\$15,756.00	\$37.00	\$22,422.00	\$34.80	\$21,088.80
34	WATER SERVICE 1" TYPE "K" COPPER	108	LIN. FT.	\$4.00	\$432.00	\$10.00	\$1,080.00	\$18.00	\$1,944.00	\$19.75	\$2,133.00
	SHERIN TOTAL				\$101,081.22		\$108,989.50		\$101,811.60		\$107,721.60

**H-1522, W-626 SHERIN ST. MINER AVE. to LAKESHORE DR.
 BID TABULATION APRIL 2, 2002**

	DESCRIPTION	QUANTITY	UNIT	LINK		LODESTAR		LAKESIDE/PRINCE		THOMPSON BROS	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	ADJUST CATCH BASIN CASTING	1	EACH	\$228.00	\$228.00	\$250.00	\$250.00	\$375.00	\$375.00	\$300.00	\$300.00
2	ADJUST MANHOLE CASTING	4	EACH	\$228.00	\$912.00	\$250.00	\$1,000.00	\$425.00	\$1,700.00	\$200.00	\$800.00
3	AGGREGATE BASE COURSE 22A @ 6" C.I.P.	1425	SQ.YD.	\$9.60	\$13,680.00	\$5.00	\$7,125.00	\$7.00	\$9,975.00	\$4.00	\$5,700.00
4	BENDS D.C.I. 8" 11 1/4" M.J.	1	EACH	\$238.00	\$238.00	\$250.00	\$250.00	\$250.00	\$250.00	\$135.00	\$135.00
5	BIT. LEVELING MIX 3C @ 165#/S.Y.	130	TON	\$52.75	\$6,857.50	\$48.00	\$6,240.00	\$50.00	\$6,500.00	\$60.00	\$7,800.00
6	BIT. TOP MIX 4C @ 165#/S.Y.	130	TON	\$59.80	\$7,774.00	\$54.50	\$7,085.00	\$55.00	\$7,150.00	\$62.00	\$8,060.00
7	CAP D.C.I. 6" M.J.	2	EACH	\$78.00	\$156.00	\$200.00	\$400.00	\$175.00	\$350.00	\$120.00	\$240.00
8	CATCH BASIN CASTING E.J.#7045 OR EQUAL	2	EACH	\$425.00	\$850.00	\$350.00	\$700.00	\$500.00	\$1,000.00	\$564.00	\$1,128.00
9	CATCH BASIN SPECIAL DETAIL.	1	EACH	\$305.00	\$305.00	\$750.00	\$750.00	\$1,200.00	\$1,200.00	\$1,400.00	\$1,400.00
10	CEMENT	3	TON	\$114.00	\$342.00	\$130.00	\$390.00	\$150.00	\$450.00	\$300.00	\$900.00
11	CONC. CURB & GUTTER STD. DETAIL I	1116	LIN. FT.	\$20.00	\$22,320.00	\$7.75	\$8,649.00	\$8.50	\$9,486.00	\$12.00	\$13,392.00
12	CONC. DRIVE APPROACH 6" PER DETAIL	115	SQ.YD.	\$2.25	\$258.75	\$27.75	\$3,191.25	\$28.00	\$3,220.00	\$27.00	\$3,105.00
13	CONC. SIDEWALK 4"	71	SQ.FT.	\$2.00	\$142.00	\$3.05	\$216.55	\$3.50	\$248.50	\$3.00	\$213.00
14	CORP. STOP 1" MUELLER #15000 OR EQUAL	8	EACH	\$165.00	\$1,320.00	\$200.00	\$1,600.00	\$250.00	\$2,000.00	\$175.00	\$1,400.00
15	CURB STOP 1" W / BOX MUELLER #15150 OR EQUAL	6	EACH	\$120.00	\$720.00	\$225.00	\$1,350.00	\$300.00	\$1,800.00	\$300.00	\$1,800.00
16	EXCAVATION	576	CU.YD.	\$12.40	\$7,142.40	\$25.00	\$14,400.00	\$14.00	\$8,064.00	\$12.65	\$7,286.40
17	HYDRANT STD.	2	EACH	\$1,270.00	\$2,540.00	\$1,300.00	\$2,600.00	\$1,400.00	\$2,800.00	\$1,870.00	\$3,740.00
18	MANHOLE CASTING E.J.#1000 OR EQUAL	3	EACH	\$375.00	\$1,125.00	\$325.00	\$975.00	\$400.00	\$1,200.00	\$400.00	\$1,200.00
19	REDUCERS 8" TO 6" D.C.I. M.J.	1	EACH	\$155.00	\$155.00	\$375.00	\$375.00	\$225.00	\$225.00	\$200.00	\$200.00
20	REMOVING CONC. SIDEWALK	107	SQ.FT.	\$0.75	\$80.25	\$1.00	\$107.00	\$2.00	\$214.00	\$1.00	\$107.00
21	REMOVING PAVEMENT INCLUDING CONC.C & G.	133	SQ.YD.	\$4.00	\$532.00	\$10.00	\$1,330.00	\$8.00	\$1,064.00	\$20.00	\$2,660.00
22	SLEEVES LONG 8" D.C.I. M.J.	2	EACH	\$485.00	\$970.00	\$250.00	\$500.00	\$250.00	\$500.00	\$240.00	\$480.00
23	STORM SEWER 10" SDR 35	8	LIN. FT.	\$20.40	\$163.20	\$50.00	\$400.00	\$65.00	\$520.00	\$30.00	\$240.00
24	TEE D.C.I. 8" x 8" x 6" M.J.	2	EACH	\$235.00	\$470.00	\$275.00	\$550.00	\$300.00	\$600.00	\$300.00	\$600.00
25	TAPPING SLEEVE & VALVE 6"x 6" W / BOX	1	EACH	\$1,190.00	\$1,190.00	\$1,500.00	\$1,500.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
26	TAPPING SLEEVE & VALVE 24"x 8" W / BOX	1	EACH	\$2,863.00	\$2,863.00	\$3,000.00	\$3,000.00	\$4,500.00	\$4,500.00	\$3,500.00	\$3,500.00
27	TERRACE GRADING	691	LIN. FT.	\$5.75	\$3,973.25	\$15.50	\$10,710.50	\$12.00	\$8,292.00	\$5.00	\$3,455.00
28	TRENCH REPAIR LOCAL STREET TYPE III	30	LIN. FT.	\$50.00	\$1,500.00	\$100.00	\$3,000.00	\$70.00	\$2,100.00	\$120.00	\$3,600.00
29	TRENCH REPAIR MAJOR STREET TYPE IV	30	LIN. FT.	\$60.00	\$1,800.00	\$200.00	\$6,000.00	\$110.00	\$3,300.00	\$132.00	\$3,960.00
30	TRAFFIC CONTROL	1	LUMP	\$2,840.00	\$2,840.00	\$3,000.00	\$3,000.00	\$3,500.00	\$3,500.00	\$2,000.00	\$2,000.00
31	VALVE 6" GATE M.J. W/BOX	2	EACH	\$550.00	\$1,100.00	\$500.00	\$1,000.00	\$650.00	\$1,300.00	\$900.00	\$1,800.00
32	WATERMAIN 6" D.C.I. CL. 52	21	LIN. FT.	\$25.00	\$525.00	\$30.00	\$630.00	\$30.00	\$630.00	\$26.00	\$546.00
33	WATERMAIN 8" D.C.I. CL. 52	606	LIN. FT.	\$30.00	\$18,180.00	\$30.00	\$18,180.00	\$28.00	\$16,968.00	\$28.00	\$16,968.00
34	WATER SERVICE 1" TYPE "K" COPPER	108	LIN. FT.	\$10.00	\$1,080.00	\$25.00	\$2,700.00	\$18.00	\$1,944.00	\$15.00	\$1,620.00
	SHERIN TOTAL				\$104,332.35		\$110,154.30		\$105,925.50		\$102,335.40

344

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HARDING

MORTON

MINER

CLIFFORD

LARUE

SHERIN

Project Location



Agenda Item No. _____
City Commission Meeting _____

Date: March 14, 2002
To: Honorable Mayor and City Commission
From: Department of Public Works
Re: Traffic Department materials and services 2002

SUMMARY OF REQUEST:

Contract with the Muskegon County Road Commission for the joint purchase of various Traffic Department materials and services. We have bid out these items with MCRC for the past thirteen years. By bidding together with MCRC and other municipalities we are able to get better unit prices because of larger quantity purchases.

FINANCIAL IMPACT:

Sign materials and services to be jointly bid:

Sign blanks	\$2,000.00 approx.
Sign posts	\$3,000.00 approx.
Sign sheeting	\$5,100.00 approx.
Centerline painting	\$11,000.00 approx.

Total \$21,100.00 (23,700.00 in 2001)

BUDGET ACTION REQUIRED:

None, this item is requested each year in the appropriate Highway budgets.

STAFF RECOMMENDATION:

Approve the continued joint purchasing with the Muskegon County Road Commission for sign materials and services.

Memo

To: Bob Kuhn
From: Staff
Date: 03/19/02
Re: Sign Materials & Services: Annual Contract

Again this year we are requesting permission to bid jointly for our sign materials and services with the Muskegon County Road Commission as we have done for the past twelve years. They are getting ready to go out for bids on these items and thus we do not have any actual quotes for 2002.

For sign blanks: (the cost varies with the price of aluminum)

	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>
sign blanks →	\$1.48/sq. ft.	\$1.37/sq. ft.	\$1.29/sq. ft.	\$1.50/sq. ft.	\$1.47/sq. ft.

For sign posts: (this may be the only commodity that has gone down each of the last five years!)

	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>
2# x 11' posts →	\$6.29/ea	\$5.91/ea	\$5.60/ea	\$5.45/ea.	\$5.76/ea.
3# x 12' posts →	\$10.30/ea	\$9.66/ea	\$9.22/ea	\$8.92/ea.	\$9.42/ea.

For sheeting: Our standard has always been 3M sheeting, they are the only bid usually received by MCRC, they like us, use 3M sheeting exclusively. 3M also has supplied us with a sheeting roller at no cost and to maintain the warranty on their sheeting they also supply us with inks at no cost. The cost of sheeting has risen only very slightly over the last few years, this year most items will rise from anywhere from 2% to 5%.

Centerline painting: Before 1997, we contracted with the MCRC for this work. In 1997 they sold their equipment and we jointly bid with all other cities and townships in the County. In 1997 M&M Pavement Marking, Inc. was awarded the bid and has since been extended the contract every year since at the same unit prices. Our overall cost in 1999, 2000 and 2001 was higher because we painted over significant amounts of faded permanent pavement marking.

	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>
	\$7,024 (M&M)	\$7,815 (M&M)	\$10,041 (M&M)	\$10,082 (M&M)	\$10,060 (M&M)

Date: April 9, 2002
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Public Hearing
Create Special Assessment District for:
Harvey Street, Keating to S. End

SUMMARY OF REQUEST:

To hold a public hearing on the proposed special assessment of the **Harvey Street, Keating to S. End**, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project

FINANCIAL IMPACT:

None at this time.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2002-47(a)

Resolution At First Hearing Creating Special Assessment District
For **Harvey Street from Keating Ave. to the South End**

Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **April 9, 2002** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **April 9, 2002**, there were 26.56% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

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

THEREFORE, BE IT RESOLVED:

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

3. The City Commission hereby appoints a Board of Assessors consisting of City Commissioners Buie and Warmington and the City Assessor who are hereby directed to prepare an assessment roll. Assessments shall be made upon front foot basis.
4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **33.3%** of the cost of the street improvement will be paid by special assessments.
5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

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

Nays None

CITY OF MUSKEGON

By Gail A. Kunding
Gail A. Kunding, Clerk

ACKNOWLEDGMENT

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

CITY OF MUSKEGON

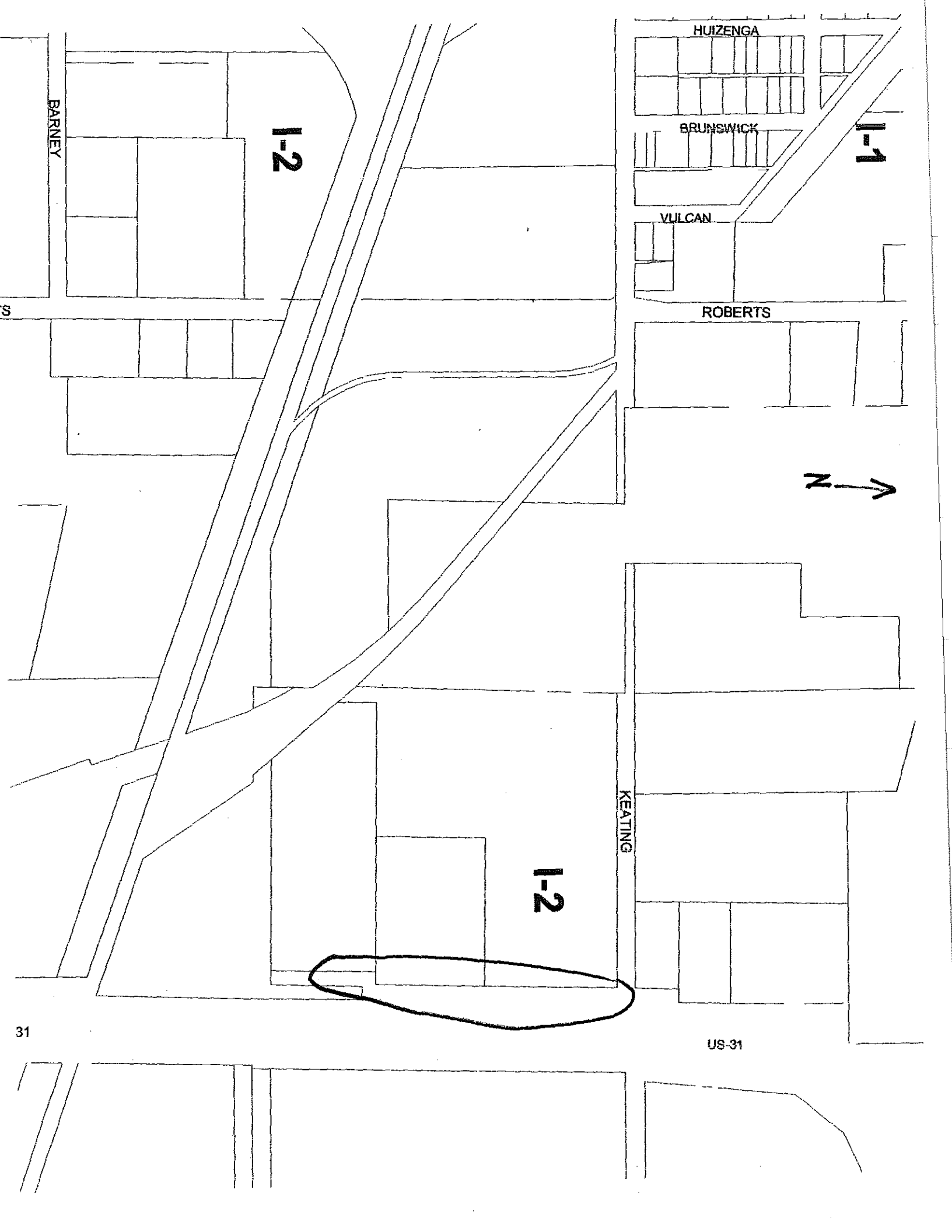
By Gail A. Kunding
Gail A. Kunding, Clerk

EXHIBIT A

Harvey Street from Keating to South End

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Harvey from Keating to South End.



HUIZENGA

BRUNSWICK

VULCAN

ROBERTS

N →

KEATING

US-31

I-2

I-2

I-1

BARNEY

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

H-1545, HARVEY, KEATING TO SOUTH END

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 29TH DAY OF MARCH, 2002.

Gail A. Kunderger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
16th DAY OF April, 2002.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 9-25-02

ENGINEERING FEASIBILITY STUDY

For

Harvey Street from Keating to South End

The proposed new construction on **Harvey from Keating to the South end**, see attached location map, was initiated by the City. The proposal was initiated by the City due to two factors;

1. Most of Harvey is gravel
2. Need for public sanitary sewer line.

At the present time, more than 900' of Harvey, south of Keating, is gravel, therefore, in keeping with the City's goal to eliminate all gravel roads and in conjunction with the need for a sewer line made this road a leading candidate for roadway construction. I believe that the proposed improvements which consists of paving the gravel section, resurfacing the exiting paved section and constructing a new sanitary sewer line in that area will have a tremendous positive impact on the area. Such as the advantages are; no dust, less septic tanks in the City, less maintenance all of which will lead to improvement to the immediate area as well as the City as a whole.

A memorandum from the Assessor's office, which addresses appraisal and benefits to abutting properties, is attached.

The preliminary cost estimate for the work associated with paving is approximately \$100,000 with the length of the project being approximately 1750 lineal feet or 1469 of assessable front footage. This translates into an estimated improvement cost of \$68 per assessable foot. The assessment figures will be at a cost not to exceed \$36.35 per assessable foot for the gravel (new construction rates) section & \$10.75 for area to be resurfaced as established in the 2002 Special Assessment for this type of improvement.

MUSKEGON COUNTY

M I C H I G A N

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

EQUALIZATION DEPARTMENT

BOARD OF COMMISSIONERS

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

March 27, 2002

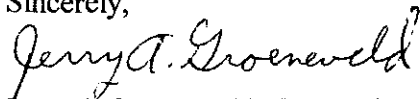
Mohammed Al-Shatel, City Engineer
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

Mr. Al-Shatel:

In accordance with your request, I have examined the proposed special assessment district entailing the paving of approximately 1,789 linear feet of Harvey Street from Keating Avenue south to the east boundary line of 2431 Harvey Street. The northerly 784 linear feet requires the existing paving to be milled and resurfaced, and the remaining 1,005 linear feet of gravel road will receive new construction. The purpose of this analysis is to document the reasonableness of this special assessment district by identifying and quantifying any accrued benefits. It is subject to the normal governmental restrictions of escheat, taxation, police power and eminent domain. The effective date is March 27, 2002.

In conclusion, it is my opinion that the special assessment amounts justly and reasonably represents the accrued benefits to the properties encompassed by this project. The amounts reflect the sum of the immediate estimated value enhancement and the intrinsic value that will accrue from an overall increase in property values due to an improved quality of life created by the proposed project. As previously presented, the proposed special assessment district encompasses primarily industrial properties. The front foot rate of \$18.00 for the milling and resurfacing of the 784 linear feet of paving appears reasonable in light of analysis that indicates a possible enhancement of \$19.81. Additionally, the front foot rate of \$36.35 for the remaining 1,005 linear feet of the new construction appears reasonable in light of analysis that indicates a possible enhancement of \$39.32. The conclusions are based upon the data presented within this limited analysis in restricted format, and on supporting information in my files.

Sincerely,


Jerry A Groeneveld, CMAE 3

Senior Appraiser

MARCH 29th, 2002

HARVEY TWO CO
PO BOX 1208
MUSKEGON, MI 49443-1208

1

Parcel Number 24-133-200-0021-00: at 2051 S HARVEY ST

NOTICE OF HEARING ON SPECIAL ASSESSMENT

Dear Property Owner:

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

Harvey, Keating to S end.

The proposed special assessment district will be located as follows:

All parcels abutting Harvey from Keating to S end of Harvey

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

Public Hearings

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

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

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

Estimated Costs

The total estimated cost of the street portion of the project is \$100,000.00 of which approximately 33.3% (\$33,327.75) will be paid by special assessment to property owners. Your property's estimated share of the special assessment is shown on the attached hearing response card. The remaining costs will be paid by the City.

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Mohammed Al-Shatel".

Mohammed Al-Shatel, P.E.
City Engineer

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

To have your vote count, please
Return This Card By April 9th, 2002

Project Title: Harvey, Keating to S end.
Project Description: All parcels abutting Harvey from Keating to S end of Harvey

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:	2051 S HARVEY ST
Parcel Number	24-133-200-0021-00
Assessable Frontage:	460.88 Feet
Estimated Front Foot Cost:	\$10.75 per Foot
ESTIMATED TOTAL COST	\$4,954.46

Property Description

CITY OF MUSKEGON SEC 33 T10N R16W PART OF SE 1/4 OF NE 1/4 SEC 33 T10N R16W COM AT SE COR LOT 24 OF OAK GROVE SUB DIV TH N 1 DEG 28 MIN E 37.39 FT FOR PT OF BEG TH N 1 DEG 28 MIN E 849.86 FT TH E 1035.53 FT TH S 1 DEG 14 MIN 45 SEC W 851.53 FT TH N 89 DEG 54 MIN 30 SEC W 988.81 FT TH S 1 DEG 28 MIN W 78.81 FT TO N LINE C & O R/W TH NWLY ALONG R/W 72.07 FT TO BEG EXC THAT PART DESC AS FOLL: PART OF SE 1/4 OF NE 1/4 LYING W OF STATE TRUNKLINE US-31 IN SEC 33 T10N R16W DESC AS: COMM AT E 1/4 COR SD SEC TH S 89D 27M 42S W ALG E/W 1/4 LINE 293.42 FT TH N 00D

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☐

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

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

Special Assessment Payment Options

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

I. Lump Sum Payment in Full

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

II. Installment Payments

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

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

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

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

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

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

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

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

IV. Further Information About the Above Programs

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

V. Additional Special Assessment Payment Assistance

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

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARING
SPECIAL ASSESSMENT DISTRICT

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

Harvey Street, Keating to S. End

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

- **All parcels abutting Harvey Street from Keating to the South End**

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

THE HEARING WILL BE HELD IN THE MUSKEGON CITY COMMISSION CHAMBERS ON **April 9, 2002 AT 5:30 O'CLOCK P.M.**

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

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

PUBLISH: **March 30, 2002**

Gail Kundering, City Clerk

ADA POLICY

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

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

SPECIAL ASSESSMENT

H-1545

NEW CONSTRUCTION

HEARING DATE

April 9th, 2002

Harvey, Keating to S end.

24-133-200-0021-00	HARVEY TWO CO	ASSESSABLE FEET:	460.88 ✓
	PO BOX 1208	COST PER FOOT:	\$10.75
@ 2051 S HARVEY ST	MUSKEGON MI 49443-120	ESTIMATED P.O. COST:	\$4,954.46

24-133-200-0021-10	ELJON REALTY LLC	ASSESSABLE FEET:	67 ✓
	5203 S DIVISION AVE	COST PER FOOT:	\$36.35
@ 2121 S HARVEY ST	GRAND RAPIDS MI 48548	ESTIMATED P.O. COST:	\$2,435.45

24-133-200-0021-10	ELJON REALTY LLC	ASSESSABLE FEET:	323.12 ✓
	5203 S DIVISION AVE	COST PER FOOT:	\$10.75
@ 2121 S HARVEY ST	GRAND RAPIDS MI 48548	ESTIMATED P.O. COST:	\$3,473.54

24-133-200-0022-00	PREMIER PARTNERS	ASSESSABLE FEET:	372 ✓
	2151 S HARVEY ST	COST PER FOOT:	\$36.35
@ 2151 S HARVEY ST	MUSKEGON MI 49442	ESTIMATED P.O. COST:	\$13,522.20

24-133-200-0024-00	CONSUMERS ENERGY	ASSESSABLE FEET:	66 ✓
	4000 CLAY AVE SW PO BOX 201	COST PER FOOT:	\$36.35
@ 2195 S HARVEY ST	GRAND RAPIDS MI 49501-020	ESTIMATED P.O. COST:	\$2,399.10

24-133-400-0008-00	DOBB LARRY J/JANICE K TRUST	ASSESSABLE FEET:	180 ✓
	3884 MONTEVIEW DR	COST PER FOOT:	\$36.35
@ 2431 S HARVEY ST	MUSKEGON MI 49441	ESTIMATED P.O. COST:	\$6,543.00

SUM OF ASSESSABLE FOOTAGE:	<u>1469.00</u>	SUM OF ESTIMATED P.O. COST:	<u>\$33,327.75</u>
----------------------------	----------------	-----------------------------	---------------------------

TOTAL NUMBER OF ASSESSABLE PARCELS 5

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

To have your vote count, please

Return This Card By April 9th, 2002

Project Title: Harvey, Keating to S end.

Project Description: All parcels abutting Harvey from Keating to S end of Harvey

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address: 2121 S HARVEY ST

Parcel Number 24-133-200-0021-10

Assessable Frontage: 323.12 Feet

Estimated Front Foot Cost: \$10.75 per Foot

ESTIMATED TOTAL COST \$3,473.54

RECEIVED

APR 05 2002

City Clerks Office

Property Description

CITY OF MUSKEGO SEC 33 T10N R16W PART OF SE 1/4 OF NE 1/4 LYING W OF STATE TRUNKLINE US-31 IN SEC 33 T10N R16W DESC AS: COMM AT E 1/4 COR SD SEC TH S 89D 27M 42S W ALG EW 1/4 LINE 293.42 FT TH N 00D 36M 01S E ALG WLY ROW LINE HARVEY ST 438.32 FT TO POB TH S 89D 25M 51S W ALG N LINE OF S 438 FT A DIST OF 475.29 FT TH N 00D 42M 34S W PAR WITH AND 5 FT E OF EXIST FENCE A DISTANCE OF 388.15 FT TH N 89D 12M 03S E PAR WITH AND 25 FT S OF EXIST ASPHALT DRIVE A DIST OF 484.21 FT TH S 00D 36M 01S W ALG SD ROW HARVEY ST 390.17 FT TO POB (SPLIT 11/30/99 FOR

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

JOHN ELLIS

CoOwner/Spouse

Signature

JOHN ELLIS

Signature

Address

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

To have your vote count, please

Return This Card By April 9th, 2002

Project Title: Harvey, Keating to S end.

Project Description: All parcels abutting Harvey from Keating to S end of Harvey

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address: 2121 S HARVEY ST

Parcel Number 24-133-200-0021-10

Assessable Frontage: 67 Feet

Estimated Front Foot Cost: \$36.35 per Foot

ESTIMATED TOTAL COST \$2,435.45

RECEIVED

APR 05 2002

Property Description

City Clerks Office

CITY OF MUSKEGON SEC 33 T10N R16W PART OF SE 1/4 OF NE 1/4 LYING W OF STATE TRUNKLINE US-31 IN SEC 33 T10N R16W DESC AS: COMM AT E 1/4 COR SD SEC TH S 89D 27M 42S W ALG E/W 1/4 LINE 293.42 FT TH N 00D 36M 01S E ALG WLY ROW LINE HARVEY ST 438.32 FT TO POB TH S 89D 25M 51S W ALG N LINE OF S 438 FT A DIST OF 475.29 FT TH N 00D 42M 34S W PAR WITH AND 5 FT E OF EXIST FENCE A DISTANCE OF 388.15 FT TH N 89D 12M 03S E PAR WITH AND 25 FT S OF EXIST ASPHALT DRIVE A DIST OF 484.21 FT TH S 00D 36M 01S W ALG SD ROW HARVEY ST 390.17 FT TO POB (SPLIT 11/30/99 FOR

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

GRANT ELLIS

CoOwner/Spouse

Signature

[Signature]

Signature

Address

Address

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

ELIJAH REALTY LLC

H-1545 HARVEY, KEATING TO SOUTH END (900' OF GRAVEL ROAD)

PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

	FEET	PERCENTAGE	TOTAL NUMBER OF PARCELS - 5									
			FOR					OPPOSE				
			LETTE	PARCEL#	ST#	ST NAME	FEET	LETTER#	PARCEL#	ST#	ST NAME	FEET
TOTAL ASSESSABLE FRONT FOOTAGE	1469.000 ***							2	24-133-200-0021-10	2121	HARVEY	323.12
FRONT FEET OPPOSED	390.120	26.56%						6	24-133-200-0021-10	2121	HARVEY	67.00
RESPONDING FRONT FEET IN FAVOR		0.00%										
NOT RESPONDING - FRONT FEET IN FAVOR	1078.880	73.44%										
TOTAL FRONT FEET IN FAVOR	1078.880	73.44%										
TOTALS							0.00					390.12

TABULATED AS OF: 04/09/02 04:27 PM

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: April 9, 2002

RE: Public Hearing
Spreading of the Special Assessment Roll on:
Laketon Ave., Peck to Wood

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment roll for **Laketon Ave., Peck to Wood**, and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of \$27,842.57 would be spread against the twelve (12) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2002-47(b)

Resolution Confirming Special Assessment Roll

For Laketon from Peck Street to 350' west of the centerline of Hoyt Street & from 680' east of the centerline of Hoyt Street to 147' west of the westerly ROW of Wood Street

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **March 13, 2001**, at the first hearing.
2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.
3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.
4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.
2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment that is paid in installments shall carry interest at the rate of five (5) percent per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR Laketon from Peck Street to 350' west of the centerline of Hoyt Street & from 680' east of the centerline of Hoyt Street to 147' west of the westerly ROW of Wood Street
Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

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

Nays: None

City of Muskegon

By

Gail A. Kunderger

Gail A. Kunderger, City Clerk

CERTIFICATE

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

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **April 9, 2002**.

City of Muskegon

By

Gail A. Kunderger

Gail A. Kunderger, City Clerk

MAYOR'S ENDORSEMENT AND WARRANT

Laketon from Peck Street to 350' west of the centerline of Hoyt Street & from 680' east of the centerline of Hoyt Street to 147' west of the westerly ROW of Wood Street

I, STEPHEN J. WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON

BY

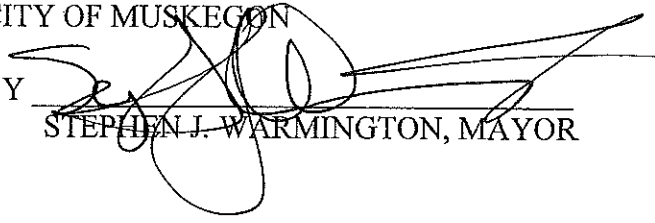
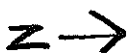

STEPHEN J. WARMINGTON, MAYOR

EXHIBIT A

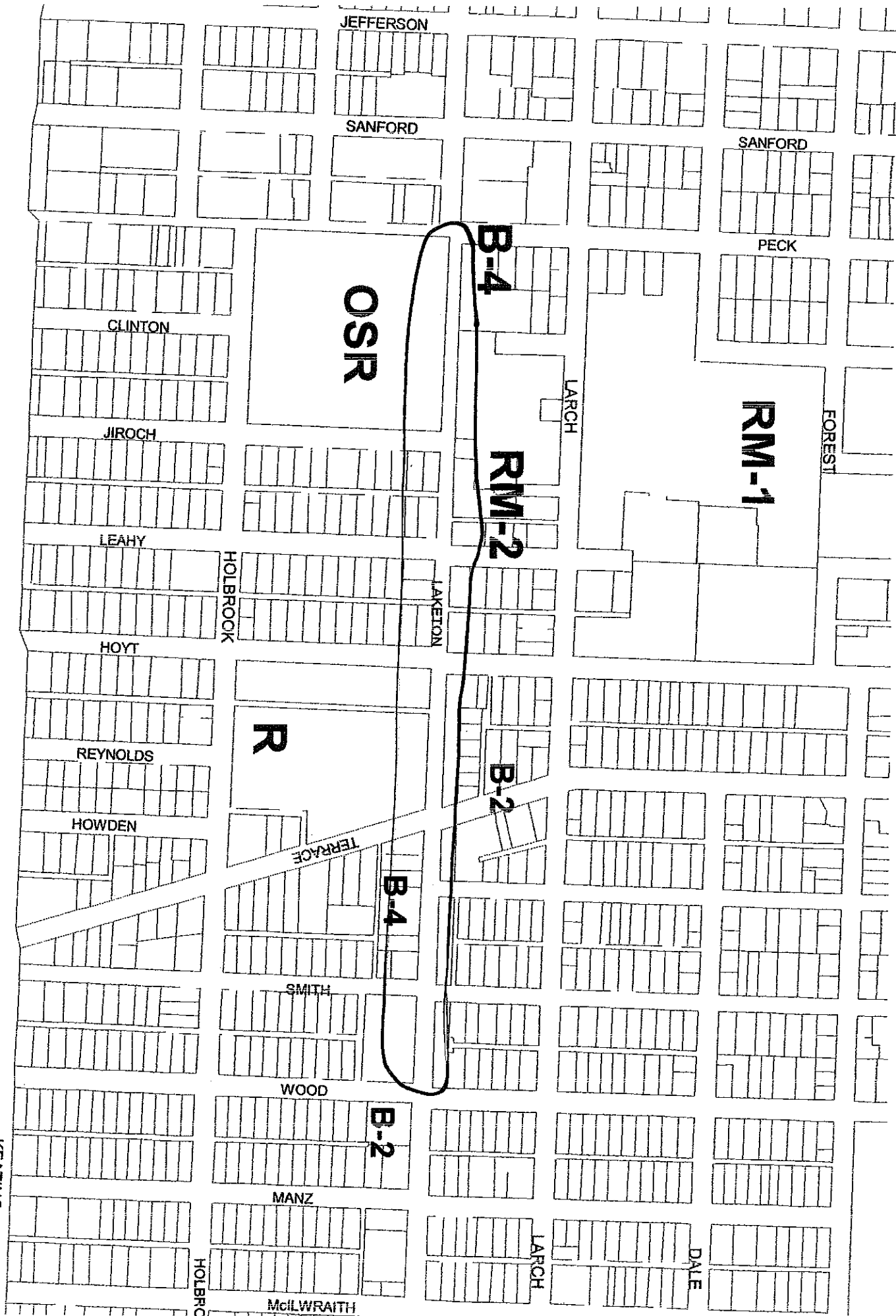
LAKETON AVENUE from PECK TO WOOD

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of **All properties abutting Laketon from Peck Street to 350' west of the centerline of Hoyt Street & from 680' east of the centerline of Hoyt Street to 147' west of the westerly ROW of Wood Street**



KEATING



AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT ROLL FOR :

H-1442 LAKETON AVE, PECK TO WOOD ST

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 29TH DAY OF MARCH, 2002.

Gail A. Kunding
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS

15th DAY OF April, 2002.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 9-25-02

March 29th, 2002

ALLISON LARRY S
293 E LAKETON AVE
MUSKEGON, MI 49442

Property Parcel Number: 24-810-000-0001-00 at 287 E LAKETON AVE

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

LAKETON, PECK TO WOOD ST

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, April 9th, 2002 at 5:30 P.M. You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED *April 9th, 2002* YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

The final projected cost of the street improvement portion of the project is \$445,000.00 of which \$27,841.57 (6.3%) will be paid by special assessment to property owners. If the special assessment is confirmed, your property will be assessed \$1,145.19 based on 64.7 feet assessable front footage at \$17.70 per assessable foot for the street improvements. In addition, you will be assessed \$0.00 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of \$1,145.19. Following are the terms of the special assessment:

***Assessment Period: Ten (10) Years
Interest Rate: 5% per year
First Installment: \$114.52
Due Date: June 7th, 2002***

The total assessment may be paid in full any time prior to the due date shown above without interest being charged. After this date, interest will be charged at the rate shown above on the outstanding balance. Assessments also may be paid over a ten year period in ten equal principal installments. If you pay your assessment in installments, your annual installment (including interest) will be included as a separate item on your property tax bill each year. Therefore, if you pay your property taxes through a mortgage escrow agent, you should notify them of this change. Early payments may be made at any time and are encouraged.

PLEASE NOTE THAT IF THE ASSESSMENT IS NOT CONFIRMED AT THE PUBLIC HEARING YOU WILL BE NOTIFIED. IF THE ASSESSMENT IS CONFIRMED, THIS LETTER WILL REPRESENT YOUR INITIAL BILLING IF YOU WISH TO PAY IN FULL PRIOR TO THE DUE DATE AND AVOID INTEREST COSTS. OTHERWISE, YOU WILL AUTOMATICALLY BE BILLED ON AN INSTALLMENT BASIS WITH THE FIRST INSTALLMENT SHOWN ON YOUR NEXT PROPERTY TAX BILL

If you have any specific questions about the work done please call the Engineering Department at 231- 724-6707 before the hearing date.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and Application for Waiver of Special Assesment for financial assistance .

Sincerely,

A handwritten signature in black ink, reading "Mohammed Al-Shatel". The signature is fluid and cursive, with the first name "Mohammed" and last name "Al-Shatel" clearly distinguishable.

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

**CITY OF MUSKEGON – H-1442
LAKETON, WOOD TO PECK
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT**

HOUSEHOLD INFORMATION

Name: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Spouse: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Address: _____ Phone: _____ Race: _____
Parcel # _____ Owner/Spouse Legally Handicapped Or Disabled? () Yes () No

(Please refer to your assessment letter for this information)

Number Living in Household: _____ List information for household members besides owner/spouse here.

Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____

INCOME INFORMATION

ANNUAL Household Income: \$ _____ Wage earner: _____
(Must include all household income)

_____ Wage earner: _____
_____ Wage earner: _____
_____ Wage earner: _____

Total: \$ _____

PROPERTY INFORMATION

Proof Of Ownership: () Deed () Mortgage () Land Contract

Homeowner's Insurance Co: _____ **Expiration Date:** _____

Property Taxes: () Current () Delinquent Year(s) Due _____
(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

Owner's Signature: _____ **Date:** _____

By signing this application, the applicant verifies he/she owns and occupies the dwelling. The Applicant/Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant/Owner's knowledge and belief. The property owner's signature will be required prior to the application being processed.

FOR OFFICE USE ONLY

APPROVED () DENIED () DATE _____ CENSUS TRACT NO. _____

SIGNATURE _____ TITLE _____

COMMENTS/REMARKS _____

****ATTENTION APPLICANT****

Please see reverse side for instructions on providing proof of income, ownership, and property insurance.

Special Assessment Payment Options

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

I. Lump Sum Payment in Full

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

II. Installment Payments

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

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

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

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

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

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

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

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

IV. Further Information About the Above Programs

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

V. Additional Special Assessment Payment Assistance

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

**CITY OF MUSKEGON
NOTICE OF PUBLIC HEARING
CONFIRMATION OF SPECIAL ASSESSMENT ROLL**

**SPECIAL ASSESSMENT DISTRICT:
LAKETON AVE., PECK TO WOOD (H-1442)**

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

- **All parcels abutting LAKETON AVE., FROM PECK TO WOOD**

PLEASE TAKE NOTICE that a hearing to confirm the special assessment district will be held at the City of Muskegon Commission Chambers on **APRIL 9, 2002 at 5:30 p.m.**

At the time set for the hearing the City Commission will examine and determine whether to approve the special assessment roll that has been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment roll is on file and may be examined during regular business hours at the City Engineer's office between 8:00 a.m. and 5:00 p.m. on weekdays, except holidays.

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

You are further notified that at the first hearing the City Commission determined that the special assessment district should be created, the improvement made, and the assessment levied. The purpose of this hearing is to hear objections to the assessment roll and to approve, reject, or correct the said roll.

Gail A. Kundering, City Clerk

Publish: **March 30, 2002**

ADA POLICY

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

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

CITY OF MUSKEGON

Resolution No. 2001-28(e)

RECEIVED
CITY OF MUSKEGON

MAR 23 2001

ENGINEERING DEPT.

Resolution At First Hearing Creating Special Assessment District
For **Laketon from Peck Street to 350' west of the centerline of Hoyt Street & from 680' east
of the centerline of Hoyt Street to 147' west of the westerly ROW of Wood Street**

Location and Description of Properties to be Assessed:

See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **March 13, 2001** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **March 13, 2001**, there were 0.0 % objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

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

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.
2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance

- Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.
3. The City Commission hereby appoints a Board of Assessors consisting of City Commissioners Shepherd and Spataro and the City Assessor who are hereby directed to prepare an assessment roll. Assessments shall be made upon front foot basis.
 4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **7.74%** of the cost of the street improvement will be paid by special assessments.
 5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Aslakson, Nielsen, Schweifler, Shepherd, Sieardzki, Spataro

Nays Benedict

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **March 13, 2001**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

EXHIBIT A

LAKETON AVENUE from PECK TO WOOD

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of **All properties abutting Laketon from Peck Street to 350' west of the centerline of Hoyt Street & from 680' east of the centerline of Hoyt Street to 147' west of the westerly ROW of Wood Street**

AFFIDAVIT OF MAILING BY CITY CLERK

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

GAIL A. KUNDINGER, BEING FIRST DULY SWORN, DEPOSES AND SAYS THAT SHE IS THE CITY CLERK OF THE CITY OF MUSKEGON; THAT AT A HEARING HELD ON THE 13 TH DAY OF MARCH, 2001 THE CITY COMMISSION ADOPTED A RESOLUTION CREATING THE FOLLOWING SPECIAL ASSESSMENT DISTRICT:

All parcels abutting Laketon Avenue, from Peck Street to 170' west of the centerline of Leahy Street & from 233.5' east of the centerline of Hoyt Street to 147' west of the westerly ROW of Wood Street.

A NOTICE OF THE SAID HEARING WAS DULY PUBLISHED IN THE MUSKEGON CHRONICLE, A DAILY NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF MUSKEGON, ON MARCH 3, 2001.

DEPONENT FURTHER SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 2ND DAY OF MARCH, 2001.

Gail A. Kunderger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
15th DAY OF March, 2001.

Anda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 9-25-02

H-1442

HEARING DATE APRIL 9TH, 2002

LAKETON, PECK TO WOOD ST

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS		PAYING	DR APP / SW	TOTAL		
24-205-306-0010-00	300	LAKETON AVE	CITY OF MUSKEGON	933 TERRACE ST	MUSKEGON	MI 49443	\$1,601.85	\$0.00	\$1,601.85
24-205-307-0010-10	350	LAKETON AVE	CITY OF MUSKEGON	933 TERRACE ST	MUSKEGON	MI 49443	\$1,610.70	\$0.00	\$1,610.70
24-205-308-0010-10	390	LAKETON AVE	CITY OF MUSKEGON	933 TERRACE ST	MUSKEGON	MI 49443	\$1,062.00	\$0.00	\$1,062.00
24-810-000-0001-00	287	LAKETON AVE	ALLISON LARRY S	293 E LAKETON AVE	MUSKEGON	MI 49442	\$1,145.19	\$0.00	\$1,145.19
24-810-000-0002-00	293	LAKETON AVE	ALLISON LARRY S	293 E LAKETON AVE	MUSKEGON	MI 49442	\$885.00	\$0.00	\$885.00
24-810-000-0003-00	301	LAKETON AVE	2002 C/W 24-810-000-0	4059 W. RIVER ROAD	MUSKEGON	MI 49445-9	\$885.00	\$0.00	\$885.00
24-810-000-0004-00	309	LAKETON AVE	WARNER-SCHUITTEMA	327 E LAKETON	MUSKEGON	MI 49442	\$2,655.00	\$0.00	\$2,655.00
24-810-000-0007-00	327	LAKETON AVE	SCHUITTEMA HENRY L	1433 BEARDSLEY AV	MUSKEGON	MI 49441	\$885.00	\$0.00	\$885.00
24-810-000-0008-00	329	LAKETON AVE	WARNER-SCHUITTEMA	327 E LAKETON AVE	MUSKEGON	MI 49442	\$1,506.27	\$0.00	\$1,506.27
24-205-302-0001-00	81	LARCH AVE	HACKLEY HOSPITAL	1700 CLINTON	MUSKEGON	MI 49442	\$4,584.30	\$0.00	\$4,584.30
24-129-300-0003-00	226	LAKETON AVE	CITY OF MUSKEGON	933 TERRACE ST	MUSKEGON	MI 49443	\$1,764.16	\$0.00	\$1,764.16
24-675-005-0001-00	1800	PECK	MARSH FIELD	933 TERRACE ST	MUSKEGON	MI 49443	\$9,257.10	\$0.00	\$9,257.10

Clark

H-1442

HEARING DATE APRIL 9TH, 2002

LAKETON, PECK TO WOOD ST

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
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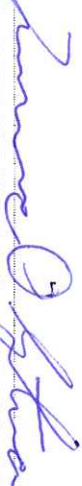
TOTALS				\$27,841.57	\$0.00	\$27,841.57
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PLEASE NOTE: PARCELS SHOWING \$0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS

 4/23/02
CLIFF TURNER, DIRECTOR, COUNTY EQUALIZATION DATE

 4-23-02
CLARA SHEPHERD CITY COMMISSIONER DATE

 4-15-02
LAWRENCE SPATARO CITY COMMISSIONER DATE

Commission Meeting Date: April 9, 2002

Date: April 3, 2002
To: Honorable Mayor & City Commission
From: Community and Neighborhood Services
Department
RE: Final determination for CDBG /HOME Funding
2002-2003 Program

SUMMARY OF REQUEST: To make final determination for fiscal year 2002-2003 CDBG/HOME funding and to direct staff to continue the CDBG/ HOME process. In order to request release of funds from the U. S. Department of Housing and Urban Development department at the proper time.

FINANCIAL IMPACT: Will determine what is funded during 2002-2003 CDBG/HOME fiscal year (June 1,2002 thru May 31,2003)

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To make your final determination.

COMMITTEE RECOMMENDATION: The Citizen District Council, the administration and the Commissions preliminary recommendations are attached.

<u>Organization Name/Program Title</u>	<u>Amount Requested</u>	<u>Administration</u>	<u>Citizen District Council</u>	<u>City Commission</u>	<u>City Commission</u>
	<u>\$</u>	<u>Recommendation</u>	<u>Recommendation</u>	<u>Recommendation</u>	<u>Final Decision</u>
14 Community and Neighborhood Services	180,000.00	\$ 152,000.00	\$ 155,000.00	\$ 155,000.00	\$ 155,000.00
Paint/Siding Program					
15 Fire/Inspection	155,000.00	80,000.00	90,000.00	90,000.00	90,000.00
Dangerous Building/Demolition					
16 Leisure Services	60,000.00 *	0.00	0.00	0.00	0.00
Playground equipment at McCrea Park					
17 Community and Neighborhood Services	200,000.00	175,000.00	175,000.00	175,000.00	175,000.00
Emergency Rehabilitation					
18 Community and Economic Development	30,000.00	20,000.00	10,000.00	10,000.00	10,000.00
Facade Improvement					
19 Community and Neighborhood Services	189,028.00	175,000.00	175,000.00	175,000.00	175,000.00
CDBG Administration					
20 Community and Neighborhood Services	120,463.00	112,000.00	115,000.00	115,000.00	115,000.00
Rehab Service Delivery					
21 Leisure Services	200,000.00	0.00	0.00	0.00	0.00
Renovation Ryerson Field					
22 Engineering / CNS	50,000.00	45,000.00	45,000.00	45,000.00	45,000.00
Sidewalk Assessment Relief					
23 Engineering / CNS	100,000.00	95,000.00	95,000.00	95,000.00	95,000.00
Street Assessment Relief					
24 Leisure Services	90,000.00 *	70,000.00	70,000.00	70,000.00	70,000.00
Youth recreation					
25 Leisure Services	100,000.00	0.00	0.00	0.00	0.00
Reesfield Parking Lot					
26 Cemetery	75,000.00	0.00	0.00	0.00	0.00
Restlawn Paving					
27 Finance Dept	245,000.00	245,000.00	245,000.00	245,000.00	245,000.00
Repayment of Shoreline Dr. Bond					
28 MuskegonCommunity Development Alliance	25,000.00	14,000.00	20,000.00	20,000.00	14,000.00
Grocery Store Site Improvements					
29 City Lot Clean-up	80,000.00	40,000.00	20,000.00	20,000.00	20,000.00
30 Code Enforcement	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00

31 DPW Senior Transit	Organization Name/Program Title	Amount Requested	Administration Recommendation	Citizen District Council Recommendation	City Commission	
					Preliminary Recommendation	Final Decision
		\$ 54,937.00 *	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00
	Total CDBG Request	2,184,412.83				
	Total CDBG Allocated	1,376,000.00	1,376,000.00	1,376,000.00	1,376,000.00	\$ 1,376,000.00
	Recommendations		1,376,000.00	1,369,453.00	1,369,453.00	\$ 1,375,453.00
	Allocated/Request Difference	\$ 808,412.83	0.00	6,547.00	\$ 6,547.00	\$ 547.00
	Total Amt of Public Service*	375,220.62	183,000.00	184,453.00	184,453.00	\$ 196,453.00
	Public Service-mandated Amt < or = to 15% Difference	206,400.00	206,400.00	206,400.00	206,400.00	\$ 206,400.00
		(168,820.62)	\$ 23,400.00	\$ 21,947.00	\$ 21,947.00	\$ 9,947.00
	Total Amt of City Administration Request	189,028.00	175,000.00	175,000.00	175,000.00	\$ 175,000.00
	Administrative mandated Amt < 20% Difference	275,200.00	275,000.00	275,000.00	275,000.00	\$ 275,000.00
		\$ 86,172.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00

HOME	Organization Name/Program Title	Amount Requested	Administration Recommendation	Citizen District Council Recommendation	City Commission	
					Preliminary Recommendation	Final Decision
1	Community and Neighborhood Services Tax-reverted Infill	\$ 125,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00
2	Community and Neighborhood Services Tax-reverted Rehabilitation	120,000.00	35,000.00	35,000.00	35,000.00	35,000.00
3	Community and Neighborhood Services HOME Rental Rehabilitation	100,000.00	0.00	0.00	0.00	0.00
4	Community and Neighborhood Services HOME Infill Program	150,000.00	50,000.00	50,000.00	50,000.00	\$ 50,000.00
5	Community and Neighborhood Services Demolition	25,000.00	10,000.00	10,000.00	10,000.00	\$ 10,000.00
6	Community and Neighborhood Services HOME Administration	57,100.00 ***	57,100.00	57,100.00	57,100.00	57,100.00

HOME	Organization Name/Program Title	Amount Requested	Administration Recommendation	Citizen District Council Recommendation	City Commission	
					Preliminary Recommendation	Final Decision
7	Neighborhood Investment Corp Housing Rehab, Neighborhood Imp.	\$ 123,750.00 ****	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00
8	Bethany Housing Ministries, Inc Housing Rehabilitation	120,000.00 ****	60,000.00	60,000.00	60,000.00	60,000.00
9	Trinity Village Non-Profit Housing Corp Single-Family Acquisition	50,300.00 ****	30,000.00	30,000.00	30,000.00	30,000.00
Total Amt of HOME Request						
	HOME Allocation	\$ 871,150.00	\$ 392,100.00	\$ 392,100.00	\$ 392,100.00	\$ 392,100.00
	Reprogram Funds	137,000.00 !				
	Total Amt Home Available	256,000.00				
	Total Amt Difference	\$ 393,000.00	\$ 393,000.00	\$ 393,000.00	\$ 393,000.00	\$ 393,000.00
		\$ (478,150.00)	\$ 900.00	900.00	900.00	900.00
Total Amt of HOME Administration *****						
	Total Amt mandated = 10% Difference	\$ 57,100.00	\$ 57,100.00	\$ 57,100.00	\$ 57,100.00	\$ 57,100.00
		\$ 39,300.00	\$ 39,300.00	\$ 39,300.00	\$ 39,300.00	\$ 39,300.00
		\$ (17,800.00)	\$ (17,800.00)	\$ (17,800.00)	\$ (17,800.00)	\$ (17,800.00)
Total amt of HOME CHDO request *****						
	Total Amt mandated 15% Difference	\$ 294,050.00	\$ 165,000.00	\$ 165,000.00	\$ 165,000.00	\$ 165,000.00
		\$ 58,950.00	\$ 58,950.00	\$ 58,950.00	\$ 58,950.00	\$ 58,950.00
		\$ (235,100.00)	\$ (106,050.00)	\$ (106,050.00)	\$ (106,050.00)	\$ (106,050.00)

NOTE

*Public Service, **City CDBG Administration, ***HOME Administration, ****CHDO Request

Q:\CNS\Comm\Excel\02.03_Act

! The City was to originally receive \$571,000 for this fiscal year HOME allocation, but was later informed by HUD that \$434,000 is to be recaptured by HUD because the City failed to meet its commitment obligation concerning fiscal year 1998 funds.

***** Mandated amounts are not applicable because of recapture

2002 - 2003 CDBG / HOME ACTIVITY

Community Development Block Grant		Administration		Citizen District Council		City Commission	
Organization Name/Program Title	Amount Requested	Recommendation	Recommendation	Recommendation	Recommendation	Preliminary	Final Decision
1 Muskegon Community Health Project "Miles for Smile Dental Services"	\$ 5,000.00 *	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
2 West Michigan Veterans Veterans Assistance	5,000.00 *	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
3 Child Abuse Council Waiting Room Renovation	6,000.00 *	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
4 HealthCare Health screening to low-income	6,453.00 *	5,000.00	6,453.00	6,453.00	6,453.00	6,453.00	6,453.00
5 American Red Cross Senior Transportation	5,000.00 *	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
6 Volunteer Muskegon Youth Survey/Mapping	5,000.00 *	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
7 Volunteer Muskegon Keep Kids in School Truancy	5,000.00 *	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
8 Legal Aid of Western Michigan Counseling/Legal Education	38,504.00 *	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
9 Family Services Center, Inc DAD'S	21,717.21 *	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
10 Oakview Neighborhood Association Repairing of Community Center Roof	4,910.62 *	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
11 Higher Achievement Learning Center At Risk Respite Care	25,000.00 *	0.00	0.00	0.00	0.00	0.00	12,000.00
12 Heritage Association Boardwalk	40,000.00 *	0.00	0.00	0.00	0.00	0.00	0.00
13 Muskegon Retirement Apartment Inc Fire Code Compliance	22,400.00 *	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00

Date: April 9, 2002
To: Honorable Mayor and City Commissioners
From: Finance Director
RE: Selection of Health Insurance Program to Replace PHP

SUMMARY OF REQUEST: As you know, the PHP healthcare program (which has been the city's primary health service provider for several years) will soon cease operations in the Muskegon area. The City's benefit year begins June 1 and a replacement program must be in place before that time. For the last several months staff has worked with Julie Balgooyen (agent of record) to search for a suitable replacement program. Three objectives guided this search: 1) match current program benefit levels as closely as possible, 2) minimize employee disruption (i.e. required doctor changes) and, 3) minimize the financial impact on the City in an era of rapidly escalating healthcare costs.

After careful review of proposals submitted by the various healthcare providers operating in the Muskegon area, it is staff's recommendation that Priority Health HMO be selected to replace PHP. Following are the reasons for this recommendation:

- Although there are some differences in benefits, the Priority Health benefits match up better than the other programs when compared to PHP (see attached comparison);
- Disruption is limited to 35 employees and dependents which is less than all but one of the other proposals;
- Cost increases, although substantial, are within the City's expectations and, when adjusted for benefit differences, the Priority Health proposal is the lowest cost proposal.

FINANCIAL IMPACT: The Priority Health program premiums will be \$526.33 per employee per month. This represents an 9.3% increase over the current rate of \$481.63.

BUDGET ACTION REQUIRED: None. The quoted rates fall within the City's 2002 budget projections.

STAFF RECOMMENDATION: Selection of Priority Health HMO.

COMMITTEE RECOMMENDATION: The City's Labor-Management Committee has been involved in the selection process and concurs with staff's recommendation. This item will also be discussed at the April 8th Committee of the Whole meeting.

City of Muskegon
Fully Insured Healthcare Analysis
Effective June 1, 2002

Enrollment



Single	48	Current PHP HMO	Priority Health HMO	Priority Health HMO	Care Choices HMO	Care Choices HMO	Blue Choice POS	Blue Choice PPO	ASR Physician Care
Double	62								
Family	151								
TOTAL	261								

Premium

Single	\$	481.63	\$	526.33
Double	\$	481.63	\$	526.33
Family	\$	481.63	\$	526.33

MONTHLY TOTAL	\$	125,705.43	\$	137,372.13	\$	131,183.35	\$	137,900.96	\$	139,356.11	\$	124,696.77	\$	123,956.74	\$	183,831.32
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ClaimsPro Rx	n/a	n/a	n/a	n/a	n/a	n/a	\$	136,718.37	\$	136,718.37	n/a
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ANNUAL TOTAL		\$1,508,465.16	\$1,648,465.56	\$1,574,200.20	\$1,654,811.52	\$1,672,273.32	\$1,633,079.61	\$1,624,199.25	\$2,205,975.84
		1.093	1.044	1.097	1.109	1.083	1.077	1.462	

BENEFITS

Office Visit	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10
Prescription	\$10	\$10	\$10/\$20	\$10/\$20	\$10/\$20	\$10/\$20	\$10/\$20	\$10/\$20	\$10/\$20	\$10/\$20	\$10/\$20	\$10/\$20
	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order	w/Birth Control w/Mail Order
Hospital - Inpt.	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Hospital - Outpt.	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ER	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25
Urgent Care	\$15	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10
Vision	Exam only	Exam Only	Exam Only	Exam & Hdwr	Exam & Hdwr	Exam & Hdwr	Exam & Hdwr	Exam & Hdwr	Exam & Hdwr	Exam & Hdwr	Exam & Hdwr	Exam & Hdwr
Chiro	No	No	No	Yes	No	No	Yes	No	Yes	Yes	Yes	Yes
Out of Network	No	No	No	No	No	No	No	No	No	No	No	No

Disruption Analysis	0	35	35	86	86	67	134	9
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Benefit	PUP HMO #1	Priority Health HMO #1	Priority Health HMO #1	Care Choices #3 HMO	Care Choices #3 HMO	Blue Choice In-Network	Blue Choice Out-of-Network	Comm. Blue PPO (In)	Comm. Blue PPO (Out)	ASR/POS In-Network	ASR/POS Out-of-Network
Skilled nursing facility	100%/103 days	100% up to 45 days	100% up to 45 days	730 days/100%	730 days/100%	100%/120 days	50% of R&C combined 120 days	100%/120 days	100%/120 days	100% ¹	80% of R&C
Short-term therapy (speech hearing, physical, occupational)	\$10 copay per visit 60 visits per cal. Yr.	\$10 copay per visit 60 visits per year	\$10 copay per visit 60 visits per year	\$10 copay per visit 60 visits	\$10 copay per visit 60 visits	100%	50% of R&C 60 visits per cal. Yr.	100%	50% 60 visits per cal. Yr.	100% 30 visits per person/year	80% of R&C (30 visits person/year)
Annual Deductible	None	None	None	None	None	None	\$1000/person \$2000/family per cal. Yr. 50% up to \$2,500/ind. \$5,000/fam.	None	\$250/person \$500/family per cal. Yr. 50% up to \$3,000/ind. \$8,000/fam.	None	\$250/person \$500/family calendar year 80% \$1,750/per. \$3,500/fam.
Coinurance	None	None	None	None	None	None	\$1,000,000	None	Ind. \$800,000/fam.	None	\$3,500/fam.
Lifetime Maximum	Unlimited	None	None	None	None	None	\$1,000,000	None	\$1,000,000 combined in and out of network	\$2,000,000/person	In & out of network

** Requires pre-determination

** Requires pre-determination

Includes Chiropractic

Abortion services are not covered

Abortion services are not covered

* Bone Marrow, Kidney, Cornea, Skin covered out of network

* Bone Marrow, Kidney, Cornea, Skin covered out of network

Vision Hardware included

Vision Hardware included

Chiropractic services covered in network with \$10 copay and out of network at 50% - max of 20 visits per cal. Yr.

Chiropractic services covered in network at 100% copay and out of network at 50% - max of 24 visits per cal. Yr.

***Not to exceed 120 days per lifetime

* \$250 max paid per covered person per benefit year for all routine preventive care.
 ** \$1,000 max paid per covered person per benefit year for allergy testing
 *** 100% if delivered to an in-network facility
 **** limited to \$500 lifetime max paid per covered person
 ***** \$2,500 max paid per covered person per benefit year
 ^Must have prior approval
 ^Coverage only for employees and spouse, midwives are not covered

City of Muskegon

Benefit	PHP-HMO	Priority Health-HMO #1	Priority Health-HMO #2	Care Choices-HMO #1	Care Choices-HMO #2	BlueChoice-In-Network	BlueChoice-Out-of-Network	Comm. Blue-PPO (In)	Comm. Blue-PPO (Out)	ASRPOS-In-Network	ASRPOS-Out-of-Network
Office visits for illness or injury	\$10 copay	\$10 copay	\$10 copay	\$10 copay	\$10 copay	\$10 copay	50% + \$10 copay	\$10 copay	50%	\$10 copay	80% of R&C
Physical exams	\$10 copay	\$10 copay	\$10 copay	\$10 copay	\$10 copay	\$10 copay	Not covered	100%	Not covered	\$10 copay	80% of R&C
Well baby care	\$10 copay	\$10 copay	\$10 copay	\$10 copay	\$10 copay	\$10 copay	Not covered	100%	Not covered	\$10 copay	80% of R&C
Immunizations	100%	100%	100%	Included in OY copay	Included in OY copay	100%	Not covered	100%	Not covered	100%	80% of R&C
Vision Exams	\$10 copay	\$10 copay	\$10 copay	\$10 copay exam & new	\$10 copay exam & new	Discount	Discount	Discount	Discount	Not covered	Not covered
Maternity care - (pre and postnatal services)	100%	Max 360 copay	Max 360 copay	\$10 copay	\$10 copay	100%	50% of R&C	100%	50%	\$10 copay	80% of R&C
Allergy testing, injections, and extracts	\$10 copay	Included in office visit copay	Included in office visit copay	\$10 copay	\$10 copay	\$10 copay	50% + \$10 copay	100%	50%	100%	80% of R&C
Unlimited days in a semi-private room	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Special care units	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Necessary ancillary hospital svcs.	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Physician services including consultation	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Surgery and related services	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Anesthesia and its administration	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Transplant services	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Maternity care (hospital)	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Surgery and related services	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Diagnostic X-ray and laboratory	100%	100%	100%	100%	100%	100%	50% of R&C	100%	50%	100%	80% of R&C
Voluntary sterilization	100%	100% criteria apply	100% criteria apply	Not covered	Not covered	100%	50% of R&C	100%	50%	100%	80% of R&C

Benefit	PFP-HMO	Priority Health HMO #1	Priority Health HMO #2	Care Choices #3-HMO	Care Choices #4-HMO	BlueChoice In-Network	BlueChoice Out-of-Network	Comm-Blue PPO (In)	Comm-Blue PPO (Out)	ASRPOS In-Network	ASRPOS Out-of-Network
(must be a true medical emergency)											
At in-area hospital emergency room	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$50 copay	80% of R&C
At out-of-area hospital emergency room	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	\$25 copay	Not covered	80% of R&C
At participating urgent care facility (after-hour services)	\$15 copay	\$10 copay	\$10 copay	\$10 copay	\$10 copay	\$10 copay	plus \$10 copay	\$10 copay	50%	\$10 copay	80% of R&C
INPATIENT/INTERMEDIATE MENTAL HEALTH											
Inpatient/intermediate mental health	30 days @ 80% 20 visits \$30 copay	100% for 20 days \$20 copay/20 visits	100% for 20 days \$20 copay/20 visits	45 visits @ 100% 20 visits \$10 copay	45 visits @ 100% 20 visits \$10 copay	100% for 45 days 100%	50% for 45 days 50%	50% for 60 days 50%	50% for 60 days 50%	100% 21 day lifetime \$10 copay / 24 visits	50% of R&C 50% of R&C
Outpatient mental health	80% (max. apply)	80% up to state max	80% up to state max	30 days/year covered at 100% to state max. 30 days/year covered at 100% to state max.	30 days/year covered at 100% to state max. 30 days/year covered at 100% to state max.	100% for 45 days	50% for 45 days	50% for 60 days	50% for 60 days	100% max apply	50% of R&C
Intermediate care services for alcoholism, substance abuse	Not covered	20% up to state max	20% up to state max	35 visits 50%	35 visits 50%	100% to state max	50% to state max	50% to state max	50% to state max	\$10 copay/ max app	50% of R&C
Inpatient substance abuse svcs.	\$20 copay per visit maximums apply	20% up to state max	20% up to state max	35 visits 50%	35 visits 50%	100% to state max	50% to state max	50% to state max	50% to state max	\$10 copay/ max app	50% of R&C
Outpatient services for alcoholism, substance abuse	\$10 copay	\$10 copay	\$10/\$20 copay	\$10/\$20 copay	\$10/\$20 copay	100%	100%	100%	100%	\$10/\$20 copay	80% of R&C
Prescription drugs	80%	80% limitations apply	80% limitations apply	100%	100%	100%	100%	100%	100%	100%	80% of R&C
Interventive services	80%	80% limitations apply	80% limitations apply	100%	100%	100%	100%	100%	100%	100%	80% of R&C
Durable medical equipment and prosthetics	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	80% of R&C
Home health care	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	80% of R&C
Hospice care	100% up to 180 days	100% up to 45 days	100% up to 45 days	100%	100%	100% max apply	50% of R&C max apply	100% max apply	100% max apply	100% \$10,000 lifetime max	80% of R&C (max. apply)

Date: April 9, 2002

To: Honorable Mayor and City Commissioners

From: Finance Director

RE: Sewer and Water RTS Rate Adjustments

SUMMARY OF REQUEST: As explained more fully in the accompanying memos, staff recommends the following sewer and water rate increases to take effect June 1, 2002:

1. An 18% increase in fees charged for residential, commercial and industrial sewer use;
2. A \$0.50 increase (from \$7.50 to \$8.00) in the sewer administrative fee;
3. Changes in the water readiness to serve charge (minimum bill) to bring city charges in alignment with AWWA recommended standards.

FINANCIAL IMPACT: The sewer rate adjustments will bring in an estimated \$575,000 additional full year revenue for the city's sewer fund. The revenue impact for 2002 will be less due to the mid-year implementation. The change in water RTS fees will generate an additional \$52,000 annual revenue for the city's water fund.

BUDGET ACTION REQUIRED: None at this time. Adoption of these fee adjustments will help the city attain its 2002 budgeted revenue estimates.

STAFF RECOMMENDATION: Adoption of the attached fee adjustment resolution.

COMMITTEE RECOMMENDATION: The Committee of the Whole will discuss this issue at the April 8th meeting.

Memo

To: City Commission
From: Finance Director
CC: City Manager
Date: April 3, 2002
Re: Proposed Sewer Rate Increase

At the time the City's 2002 budget was adopted, staff indicated that a sewer rate increase would likely be needed to offset increased costs, particularly those resulting from the County's issuance of additional sewer debt. This memo outlines the specifics of the proposed sewer rate increase.

Sewer Rate History

Following is a table showing the history of the last several sewer rate adjustments (including the proposed increase):

Date Adopted	Date Effective	Residential Rate Per 100 Cu. Ft.	Commercial Rate Per 100 Cu. Ft.	Industrial Rate Per 100 Cu. Ft.
May, 2002	June, 2002	\$1.320	\$1.660	\$1.660
May, 1998	June, 1998	\$1.120	\$1.405	\$1.405
November, 1992	January, 1993	\$0.933	\$1.171	\$1.171
January, 1992	January, 1992	\$1.140	\$1.100	\$1.070
March, 1983	March, 1983	\$0.920	\$0.890	\$0.870

The Need For A Sewer Rate Increase

There are several factors driving the need for sewer rate increase:

- *Increased County Sewage Treatment Charges* – The sewer fund's single largest operating cost item are the charges paid to Muskegon County for raw sewage treatment. In 2001, this item totaled \$1,268,000 and accounted for 48% of total operating costs (excluding depreciation). Since the City's last sewer rate increase in 1998, *regular* county treatment charges have increased 11.97% from \$576.83 per million gallons (MG) to \$645.86/MG. Additionally, the County recently issued substantial new debt that is to be repaid from a surcharge on sewer use. For 2002, this surcharge is set at \$109.91/MG, which equates to another 17.02% rate increase. The City now pays \$755.77/MG for sewage treatment services that cost \$576.83 in 1998 – a 31% overall increase.
- *Capital Outlays* – As the attached cashflow analysis shows, outlays for "acquisition and construction of capital assets" have been low in each of the last two years (averaging just \$242,000). There are a number of reasons for this including street project delays and cancellations, but it is certain that this trend will not continue. In a typical year it would be expected that sewer capital outlays would be about \$600,000. Had capital outlays occurred at this level the last two years, the 12/31/01 available cash balance of \$1,027,062 would have been largely exhausted.
- *Township Sewer Settlement* – As you are aware, the City recently settled the dispute with Muskegon Township regarding payment for sewage from the two prisons that flows through the Township's lines. The retroactive part of this settlement was booked as paid in 2001; the cost of paying the Township for future prison flows (estimated to be about \$70,000/year) is a new item impacting the sewer fund budget and rates.
- *General Cost Increases* – Although general inflationary pressures have remained moderate in recent years, the overall change in the Consumer Price Index (CPI) since the last sewer rate increase went into effect is still a substantial 8.95%.

The attached *Sewer Fund Cashflow Analysis* summarizes the cashflows of the sewer fund over the last several years and also provides a three-year projection that assumes a sewer rate increase is approved effective June 1, 2002.

Proposed Rate Increase

Staff recommends that sewer user rates be increased as follows effective June 1, 2002:

	Current	Proposed	% Increase
Residential Consumption	\$1.120	\$1.320	18%
Commercial/Industrial Consumption	\$1.405	\$1.660	18%
Quarterly Fixed Charge	\$7.500	\$8.000	7%

Consumption fees are recommended to increase eighteen percent for both residential and commercial/industrial users. The quarterly fixed charge is recommended to increase 7% from \$7.50 to \$8.00. Attached are tables indicating how the City of Muskegon's sewer charges for typical residential households compare to other area local units as well as to cities throughout Michigan before and after the proposed increase.

Please let me know if you have any questions. Thank you

**City of Muskegon
Sewer Fund Cashflow Analysis**

1991-2001

	ACTUAL 12/31/1992	ACTUAL 12/31/1993	ACTUAL 12/31/1994	ACTUAL 12/31/1995	ACTUAL 12/31/1996	ACTUAL 12/31/1997	ACTUAL 12/31/1998	ACTUAL 12/31/1999	ACTUAL 12/31/2000	ACTUAL 12/31/2001	PROJECTED W/RATE INCREASE 12/31/2002	PROJECTED W/RATE INCREASE 12/31/2003	PROJECTED W/RATE INCREASE 12/31/2004
Cash flows from operating activities													
Operating revenues	\$ 3,675,218	\$ 3,244,647	\$ 3,437,382	\$ 3,606,373	\$ 2,908,068	\$ 3,283,312	\$ 3,784,245	\$ 3,712,495	\$ 4,035,019	\$ 3,921,694	\$ 4,215,821	\$ 4,509,948	\$ 4,509,948
Operating expenses	2,822,164	3,824,639	3,465,825	3,330,448	3,123,382	3,050,580	2,978,781	3,030,921	2,844,394	3,174,271	3,424,271	3,526,999	3,832,809
Operating income (loss)	853,054	(579,992)	(58,443)	275,925	(215,314)	242,732	805,464	681,574	1,190,625	747,423	791,550	982,949	877,139
Adjustments to reconcile operating profit (loss) to net cash provided by (used for) operating activities													
Depreciation and amortization													
Other net adjustments													
Net cash provided by (used for) operating activities	1,286,203	82,367	114,478	1,029,404	640,762	803,083	1,304,633	1,598,768	1,497,435	793,273	1,159,438	1,350,937	1,245,027
Cash flows from noncapital financing activities													
Operating transfers in	195,877	142,038	71,063	-	-	353,272	320,086	87,474	-	-	-	-	-
Operating transfers out	-	(72,279)	-	-	(276,087)	-	-	-	-	(454,812)	-	-	-
Equity transfer in	-	-	23,903	-	-	-	-	-	-	-	-	-	-
Collections (payments) on advances to other funds	-	-	43,708	-	256,292	-	-	-	-	-	-	-	-
Net cash used for noncapital financing activities	195,877	69,757	138,674	-	(19,795)	353,272	320,086	87,474	-	(454,812)	-	-	-
Cash flows from capital and related financing activities													
Acquisition and construction of capital assets	(759,083)	(440,862)	(1,187,808)	(311,246)	(612,228)	(505,468)	(523,191)	(598,830)	(255,232)	(229,619)	(805,000)	(800,000)	(600,000)
Principal paid on bonds	(136,067)	(335,840)	(432,082)	(578,161)	(578,161)	(458,291)	(1,136,187)	(1,089,893)	(1,004,794)	(972,867)	(1,116,046)	(1,107,283)	(1,101,442)
Interest paid on bonds	(377,983)	(419,963)	(422,928)	(412,038)	(385,367)	(343,261)	(261,692)	(237,636)	(216,776)	(197,169)	(176,043)	(152,987)	(129,559)
Net cash used for capital and related financing activities	(1,273,133)	(1,196,765)	(2,022,818)	(1,301,445)	(1,575,757)	(1,307,020)	(1,921,070)	(1,926,359)	(1,476,802)	(1,399,675)	(2,097,089)	(1,960,270)	(1,831,001)
Cash flows from investing activities													
Interest and dividends on investments	133,314	123,939	85,384	45,234	32,636	2,642	6,658	27,684	54,362	69,801	30,000	30,000	30,000
Collections on contract receivable (SD Warren Payments)	86,025	197,825	206,458	292,495	292,495	221,666	621,130	593,601	563,278	572,954	657,128	651,968	648,529
Net cash provided by investing activities	219,339	321,764	291,850	337,729	325,131	224,308	627,788	621,285	637,640	642,555	687,128	681,968	678,529
NET INCREASE (DECREASE) IN CASH AND TEMPORARY INVESTMENTS	428,286	(722,877)	(1,477,816)	65,688	(629,659)	73,843	331,437	392,168	658,273	(418,659)	(250,523)	172,535	92,555
Cash and temporary investments at January 1	2,336,378	2,764,664	2,041,787	583,971	629,659	-	73,843	405,280	787,448	1,445,721	1,027,062	776,539	949,075
Cash and temporary investments at December 31	\$ 2,764,664	\$ 2,041,787	\$ 583,971	\$ 629,659	\$ -	\$ 73,843	\$ 405,280	\$ 787,448	\$ 1,445,721	\$ 1,027,062	\$ 776,539	\$ 949,075	\$ 1,041,629

A Capital outlays for 2000 and 2001 were at the lowest levels out of the last 10 years. This cannot be expected to continue.

Typical Monthly Water and Wastewater Bills
Ranked from Lowest (1) to Highest (60)
Residential Customers - 7,500 Gallons Usage
(Bold Type Indicates Local Area Communities)

Community	Water	Rank	Sewer	Rank	Combined	Rank
Sterling Heights	\$ 7.94	4	\$ 9.17	2	\$ 17.12	1
Wyandotte	7.68	3	11.40	11	19.08	2
Troy	11.06	21	9.11	1	20.17	3
Detroit	9.72	11	11.50	13	21.22	4
Rochester Hills	10.10	14	11.40	11	21.50	5
Warren	11.03	20	10.71	7	21.74	6
Allen Park	10.78	17	11.58	14	22.36	7
Muskegon (Current)	9.20	7	13.69	20	22.89	8
Muskegon Township*	13.60	33	9.33	3	22.93	9
Taylor	9.97	12	13.00	16	22.97	10
Muskegon Heights	13.12	30	10.73	8	23.85	11
Clinton Township	9.43	9	14.97	23	24.40	12
Wyoming	14.17	37	10.50	6	24.67	13
Muskegon (Proposed)	9.20	7	15.86	26	25.06	14
Waterford	12.82	28	12.46	15	25.28	15
West Bloomfield Township	16.00	43	10.00	5	26.00	16
Livonia	12.80	27	13.47	19	26.27	17
Dearborn	10.05	13	16.87	28	26.91	18
Holland	8.82	6	18.20	34	27.02	19
Waterford Township	7.33	2	20.02	44	27.36	20
Novi	16.69	46	10.80	9	27.49	21
Southgate	10.64	16	17.03	31	27.67	22
Saginaw	6.86	1	21.00	49	27.86	23
Kalamazoo	13.04	29	14.88	22	27.91	24
Kentwood	10.92	19	17.00	30	27.92	25
Farmington Hills	13.32	32	15.12	24	28.44	26
Lincoln Park	12.43	25	16.87	29	29.30	27
Southfield	10.86	18	19.02	37	29.88	28
Portage	11.09	22	19.14	38	30.23	29
Norton Shores	19.47	53	10.96	10	30.43	30
Whitehall	14.18	38	17.55	32	31.73	31
Canton	13.95	35	18.00	33	31.95	32
Shelby Township	17.02	48	15.16	25	32.18	33
Jackson	22.52	57	9.95	4	32.47	34
Midland	16.50	44	16.48	27	32.98	35
Garden City	14.07	36	18.98	36	33.05	36
Redford Township	14.40	40	18.70	35	33.10	37
Eastpointe	9.56	10	23.59	53	33.15	38
Westland	13.80	34	19.65	41	33.45	39
Oak Park	14.34	39	19.18	40	33.52	40
Grand Haven	11.93	24	21.83	50	33.76	41
Royal Oak	13.15	31	20.80	47	33.95	42
Ferndale	8.64	5	25.93	57	34.57	43
Battle Creek	12.78	26	22.75	52	35.53	44
North Muskegon	21.17	55	14.43	21	35.60	45
Roosevelt Park	15.18	42	20.53	45	35.71	46
St Clair Shores	16.82	47	19.16	39	35.98	47
Fruitport Township	23.72	59	13.33	17	37.05	48
Inkster	11.85	23	25.20	56	37.05	48
Port Huron	10.63	15	26.43	58	37.06	50
East Lansing	16.57	45	20.54	46	37.12	51
Ann Arbor	17.50	49	19.70	42	37.20	52
Burton	24.50	60	13.33	17	37.83	53
Bloomfield Township	14.93	41	24.04	54	38.97	54
Montague	18.89	52	22.00	51	40.89	55
Grand Rapids	20.06	54	20.84	48	40.90	56
Pontiac	21.30	56	19.93	43	41.23	57
Bay City	18.60	51	24.79	55	43.39	58
Flint	23.29	58	30.73	59	54.02	59
Lansing	17.88	50	37.56	60	55.44	60
Average	\$ 13.83		\$ 17.28		\$ 31.11	
Median	\$ 13.14		\$ 17.02		\$ 31.08	

Note: Assumes 7,500 gallons (or 1,000 cubic feet) monthly usage and a 5/8" (or nearest equivalent) meter size.

* Muskegon Township also levies a millage for sewer service.

Source: April 2000 Michigan Water/Wastewater Rate Survey conducted by Black & Veatch Corporation, Management Consulting Division and supplemented by local area survey.

Typical Monthly Water and Wastewater Bills
Ranked from Lowest (1) to Highest (60)
Residential Customers - 15,000 Gallons Usage
(Bold Type Indicates Local Area Communities)

Community	Water	Rank	Sewer	Rank	Combined	Rank
Sterling Heights	\$14.91	5	\$17.89	2	\$32.81	1
Muskegon Township*	24.70	32	9.33	1	34.03	2
Wyandotte	14.35	3	22.80	14	37.15	3
Waterford Township	13.33	2	26.52	23	39.86	4
Detroit	18.62	13	21.34	10	39.96	5
Troy	22.12	25	18.22	3	40.34	6
Muskegon (Current)	15.90	6	24.88	19	40.78	7
Wyoming	22.67	28	19.00	6	41.67	8
Warren	21.64	22	20.66	9	42.30	9
Muskegon Heights	22.49	27	19.98	7	42.47	10
Rochester Hills	20.20	16	22.80	14	43.00	11
Kalamazoo	19.98	15	23.42	18	43.40	12
Taylor	18.26	10	25.50	21	43.76	13
Allen Park	21.06	19	22.83	16	43.89	14
Muskegon (Proposed)	15.90	6	29.06	27	44.96	15
Clinton Township	18.53	12	29.97	29	48.50	16
Dearborn	17.96	9	30.79	30	48.75	17
Midland	24.00	30	25.85	22	49.85	18
Waterford	25.64	34	24.92	20	50.56	19
Holland	14.42	4	36.40	38	50.82	20
Livonia	24.10	31	26.94	24	51.04	21
West Bloomfield Township	32.00	47	20.00	8	52.00	22
Novi	30.64	45	21.60	11	52.24	23
Kentwood	20.42	17	32.20	32	52.62	24
Saginaw	12.95	1	40.33	49	53.28	25
Lincoln Park	22.01	24	31.74	31	53.75	26
Farmington Hills	26.29	36	28.92	26	55.21	27
Southgate	21.28	20	34.06	35	55.34	28
Jackson	37.94	56	18.69	5	56.63	29
Portage	20.95	18	36.92	40	57.87	30
Bloomfield Township	29.85	43	28.52	25	58.37	31
North Muskegon	35.67	55	23.03	17	58.70	32
Norton Shores	40.40	57	18.47	4	58.87	33
Roosevelt Park	25.15	33	33.88	34	59.03	34
Southfield	21.44	21	38.04	44	59.48	35
Eastpointe	18.46	11	43.60	53	62.06	36
Shelby Township	33.21	49	29.77	28	62.98	37
Burton	41.00	58	22.33	12	63.33	38
Whitehall	28.35	42	35.10	36	63.45	39
Canton	27.90	40	36.00	37	63.90	40
Fruitport Township	41.59	59	22.33	12	63.92	41
Grand Haven	22.35	26	42.15	52	64.50	42
Redford Township	28.12	41	36.80	39	64.92	43
Garden City	27.05	37	37.96	43	65.01	44
Oak Park	27.42	38	38.36	46	65.78	45
Battle Creek	21.88	23	44.05	54	65.93	46
Port Huron	19.10	14	47.52	56	66.62	47
Royal Oak	25.86	35	40.90	50	66.76	48
Westland	27.60	39	39.30	47	66.90	49
Montague	30.14	44	37.00	41	67.14	50
Pontiac	35.10	53	33.23	33	68.33	51
Grand Rapids	31.26	46	37.14	42	68.40	52
Ferndale	17.28	8	51.86	58	69.14	53
St Clair Shores	33.64	50	38.32	45	71.96	54
Inkster	23.35	29	50.40	57	73.75	55
East Lansing	33.15	48	41.09	51	74.24	56
Ann Arbor	35.00	52	39.40	48	74.40	57
Bay City	35.20	54	44.67	55	79.87	58
Flint	45.17	60	54.08	59	99.25	59
Lansing	34.01	51	68.26	60	102.27	60
Average	\$ 25.52		\$ 31.95		\$ 57.47	
Median	\$ 24.05		\$ 31.27		\$ 58.12	

Note: Assumes 15,000 gallons (or 1,000 cubic feet) monthly usage and a 5/8" (or nearest equivalent) meter size.

* Muskegon Township also levies a millage for sewer service.

Source: April 2000 Michigan Water/Wastewater Rate Survey conducted by Black & Veatch Corporation, Management Consulting Division and supplemented by local area survey.

Memo

To: City Commission

From: Finance Director 

CC: City Manager

Date: April 1, 2002

Re: Proposed Increase – Water Ready to Serve Charges

In preparation for legal proceedings related to the lawsuit with Muskegon Township over water issues, the City hired a consulting engineer to review proposed rates for Township customers. In the course of this review the engineer noted that the City's current "readiness to serve" multipliers (and charges) were not in alignment with American Water Works Association (AWWA) standards. Staff believes that the AWWA standards provide a better basis and justification for RTS charges and recommends that the City adopt these standard multipliers. Staff estimates the change will result in \$52,000 additional revenue for the water system.

Please let me know if you have any questions. Thank you.

TU: Bob K...

Township as well. The differential that would be applied to account for this is \$0.23/ccf (= \$.090-\$0.67).

5. A replacement reserve must be retained by the City of Muskegon to provide for emergency replacement of water mains for this portion of the system. Since the City does not possess taxing powers for this portion of the water system, this means that this revenue be available upon reserve for use by the City to maintain the Muskegon Township system. The interest cost of maintaining this reserve fund would be an allowable expense to be carried as a differential cost for the Muskegon Township system. The American Water Works Association (AWWA) Water Industry DataBase (WIDB) recommends that a total of 0.50% of the system cost be maintained. In order to calculate this cost, the average amount of infrastructure per house can be calculated and then an average differential cost per ccf can be computed as follows:

200 LF 8 inch pipe @ \$40/LF x 0.005 = \$40/year/user
@ interest rate of 7.0% = \$2.80/year/user
@ 152.3 ccf/year = \$0.02/ccf

SUMMARY

In summary, the following differential costs have been quantified. The costs are related to an equivalent charge per hundred cubic feet (ccf) so that a differential rate can be established.

1. \$ 0.077/ccf
2. \$ 0.095/ccf
3. \$ 0.019/ccf
4. \$ 0.230/ccf
5. \$ 0.020/ccf

Total Differential \$0.44/ccf

Required Rate = \$0.67(City rate)+\$0.44(differential)=\$1.11/ccf

In the interest of simplicity, it may be preferable to agree on a specific rate percentage differential that will realize the above rate. Based on the above differential rate, the required percentage difference would be 65%.

READINESS TO SERVE CHARGES

No changes in Readiness-To-Serve (RTS) charges are anticipated as these are uniform between City, Township and wholesale customers. However, it should be noted that the RTS multipliers (ratios between the RTS charges for a given size meter versus a 5/8 inch meter) differ slightly from current AWWA Standards. If the City changed the multipliers applied to determine the RTS charges for larger meters (which are related to the meter's relative hydraulic capacity), RTS charges for meters larger than 5/8 inch would be affected for all customers

(Inside City, Township and Wholesale). A summary of the difference in multipliers and quarterly RTS charges would be as follows:

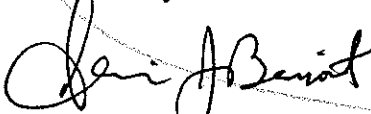
Meter Size	Existing Multiplier	AWWA Recommended Multiplier	Existing Quarterly RTS Charge	Recommended Quarterly RTS Charge
5/8"	1.00	1.00	\$ 7.50	\$ 7.50
3/4"	1.36	1.50	\$ 10.25	\$ 11.25
1"	2.10	2.50	\$ 15.75	\$ 18.75
1-1/2"	3.93	5.00	\$ 29.50	\$ 37.50
2"	6.13	8.00	\$ 46.00	\$ 60.00
3"	11.27	15.00	\$ 84.50	\$ 112.50
4"	18.60	25.00	\$ 139.50	\$ 187.50
6"	36.93	50.00	\$ 277.00	\$ 377.00
8"	66.27	80.00	\$ 497.00	\$ 600.00

In addition, the recommended multiplier for 10, 12 and 16 inch meters would be 115, 215 and 300 respectively. It is not known whether these size meters currently exist in the Muskegon system.

The above charges would generate an additional \$4,136 annually from Township charges (1.5% increase) and would result in a comparable percentage of increased revenue from City and wholesale accounts as well, if all multipliers are adjusted.

We appreciate this opportunity to be of continued service to the City of Muskegon. Please feel free to call if you have any additional questions after reviewing this information.

Sincerely,



Dennis J. Benoit, P.E.
Senior Vice President

/jbc
P:\MPS\0482\02001\MUSKTWP_Water Rate.doc

"Multiplier" refers to the % difference in RTS charges over the base 5/8" meter size. Under AWWA standards the RTS fee for a 1" meter should be 2.50 x the charge for a 5/8" meter; under current rates the differential is only 2.10 x

CITY OF MUSKEGON
RESOLUTION NO. 2002-49(b)

At a regular meeting of the City Commission of Muskegon, Michigan, held at the City Commission Chambers on April 9, 2002.

RECITALS

A review of the rates for water and sewer service has been accomplished by the City's staff, recommendations received, and the City Commission has determined that the following rate changes are justified. Accordingly, this resolution is made for the purpose of maintaining the financial viability of the City's water and sewer systems.

THEREFORE, THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY RESOLVES:

1. Charges for residential sewer service shall be changed from \$1.12 per 100 cubic feet to \$1.320 per 100 cubic feet;
2. Charges for commercial/industrial sewer service shall be changed from \$1.405 per 100 cubic feet to \$1.660 per 100 cubic feet;
3. Water ready to serve charges shall be changed as follows:

FOR CUSTOMERS BILLED QUARTERLY

	<u>METER SIZE</u>	<u>FROM</u>	<u>TO</u>
RS1	READY TO SERVE 5/8" METER	\$ 7.50	\$ 7.50
RS2	READY TO SERVE 3/4" METER	10.25	11.25
RS3	READY TO SERVE 1" METER	15.75	18.75
RS4	READY TO SERVE 1 1/4" METER	22.63	28.25
RS5	READY TO SERVE 1 1/2" METER	29.50	37.50
RS6	READY TO SERVE 2" METER	46.00	60.00
RS7	READY TO SERVE 3" METER	84.50	112.50
RS8	READY TO SERVE 4" METER	139.50	187.50
RS9	READY TO SERVE 6" METER	277.00	377.00
RS10	READY TO SERVE 8" METER	497.00	600.00
RS11	READY TO SERVE 10" METER	799.50	862.50
RS12	READY TO SERVE 12" METER	1,184.50	1,612.50
RS16	READY TO SERVE 16" METER	N/A	2,250.00

FOR CUSTOMERS BILLED MONTHLY

MRS1	MONTHLY READY TO SERVE 5/8 MTR	2.50	2.50
MRS2	MONTHLY READY TO SERVE 3/4 MTR	3.42	3.75
MRS3	MONTHLY READY TO SERVE 1" MTR	5.25	6.25
MRS4	MONTHLY READY TO SERVE 1 1/4 MTR	7.54	9.42
MRS5	MONTHLY READY TO SERVE 1 1/2 MTR	9.83	12.50
MRS6	MONTHLY READY TO SERVE 2" MTR	15.33	20.00
MRS7	MONTHLY READY TO SERVE 3" MTR	28.17	37.50
MRS8	MONTHLY READY TO SERVE 4" MTR	46.50	62.50
MRS9	MONTHLY READY TO SERVE 6" MTR	92.33	125.67
MRS0	MONTHLY READY TO SERVE 8" MTR	165.67	200.00
MR11	MONTHLY READY TO SERVE 10" MTR	266.33	287.50
MR12	MONTHLY READY TO SERVE 12" MTR	394.83	537.50
MR16	MONTHLY READY TO SERVE 16" MTR	N/A	750.00

4. Sewer fixed administrative charge shall be changed from \$7.50 to \$8.00.

This resolution adopted.

YEAS Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington, Buie

NAYS None

CITY OF MUSKEGON

By Gail A. Kunding
Gail A. Kunding, 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 Board of Commissioners of the City of Muskegon, Michigan, held on the 9th day of April, 2002 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 an in compliance with Act 267, Public Acts of Michigan, 1976.

Gail A. Kunding
Gail A. Kunding, Clerk

Commission Meeting Date: April 9, 2002

*CBC / developer
request
table until
May 14th*

Date: March 26, 2002
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *CBE*
RE: Expansion of Clay-Western Historic District

SUMMARY OF REQUEST:

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the expansion of Clay-Western Historic District

COMMITTEE RECOMMENDATION:

None

MEMORANDUM

TO: Mayor and City Commission
FROM: Lee J. Slaughter, Assistant City Manager
DATE: April 3, 2002
RE: City Commission Goals – 2002 and Beyond

SUMMARY

On March 15, 2002, the City Commission and staff participated in their annual goal setting session. The attached Vision, Value and Mission statements, along with a set of prioritized projects/programs are the result of that undertaking. Staff is requesting approval of both documents.

FINANCIAL IMPACT:

None

STAFF RECOMMENDATION:

Staff recommends approval

COMMITTEE RECOMMENDATION:

This issue was reviewed and discussed at the Commission Work-session on Monday, April 8, 2002.

VISION

**MUSKEGON, THE PREMIER SHORELINE CITY OF
WEST MICHIGAN.**

VALUE

**PROVIDE ALL SERVICES IN A PROFESSIONAL,
ETHICAL, AND COST-EFFECTIVE MANNER.**

MISSION

**TO IMPROVE THE QUALITY OF LIFE FOR THE CITIZENS
OF MUSKEGON THROUGH STEWARDSHIP OF RESOURCES,
EXCELLENT SERVICE AND LEADERSHIP FOR THE
GREATER COMMUNITY.**

- **Take Leadership Responsibility for Improving Race Relations and Diversity.**
- **Foster Opportunities for City Youth.**
- **Promote Economic Stability, diverse Economic Growth, and Redevelopment.**
- **Sustain the Natural, Cultural, and Recreational Resources of the Community.**
- **Foster Strong Ties Among Governments & Community Agencies.**
- **Develop and Maintain City Infrastructure and Facilities.**
- **Maintain and Enhance the Neighborhoods of the City.**

**NINE MAJOR PROJECTS
PRIORITIZED BY THE COMMISSION**

- **BLIGHT FIGHT (1)**
- **USER-FRIENDLY CITY HALL & SERVICES
(FRONT LINE STAFF DEVELOPMENT) (2)**
- **FISHERMAN'S LANDING SWAP (2)**
- **SMARTZONE/MUSKEGON LAKEFRONT
LLC (3)**
- **CROSS LAKE FERRY (3)**
- **DOWNTOWN DEVELOPMENT (4)**
- **WATER MAINS/SEWERS/STREETS (4)**
- **IMAGE (PERCEIVED) (5)**
- **YOUTH ISSUES (5)**

MAJOR PROJECTS/PROGRAMS PRIORITIZED LIST

(KEY: ORANGE = COMMISSION & NAVY = DEPARTMENT HEADS)

- **IMAGE (PERCEIVED)** (5 ORANGE; 15 NAVY)
- **BLIGHT FIGHT** (5 ORANGE; 13 NAVY)
- **SMARTZONE/MUSKEGON LAKEFRONT LLC** (5 ORANGE; 9 NAVY)
- **CROSS LAKE FERRY** (4 ORANGE; 10 NAVY)
- **DOWNTOWN DEVELOPMENT** (4 ORANGE; 9 NAVY)
- **WATER MAINS/SEWERS/STREETS** (3 ORANGE; 16 NAVY)
- **YOUTH ISSUES** (3 ORANGE; 9 NAVY)
- **USER-FRIENDLY CITY HALL & SERVICES
(FRONT LINE STAFF DEVELOPMENT)** (3 ORANGE; 8 NAVY)
- **CONSUMERS ENERGY PROPERTY
DEVELOPMENT- SPORTS COMPLEX** (3 ORANGE; 7 NAVY)
- **FISHERMAN'S LANDING SWAP** (3 ORANGE; 5 NAVY)
- **MALL REDEVELOPMENT** (2 ORANGE; 8 NAVY)
- **LABOR RELATIONS** (2 ORANGE; 7 NAVY)
- **SINGLE-FAMILY HOUSING DEVELOPMENT –
QUALITY HOUSING** (2 ORANGE; 6 NAVY)
- **SEAWAY INDUSTRIAL PARK** (2 ORANGE; 3 NAVY)
- **GIS IMAGING – INFORMATION SYSTEMS** (1 ORANGE; 9 NAVY)
- **SHORELINE DRIVE** (1 ORANGE; 2 NAVY)
- **GETTY STREET DEVELOPMENT** (3 NAVY)
- **HARTSHORN MARINA IMPROVEMNT** (3 NAVY)
- **COMMUNITY RELATIONS/PUBLIC RELATIONS** (3 NAVY)
- **NEW CENTRAL FIRE STATION** (3 NAVY)

- COMMUNITY CENTER(S) (1 NAVY)
- REGIONAL COOPERATION (1 NAVY)
- STREET/SPECIAL ASSESSMENT (1 NAVY)
- STORM WATER UTILITY SYSTEM (1 NAVY)
- LAKESHORE PATHWAY (1 NAVY)
- WESTERN AVENUE REDEVELOPMENT
- PARKING RAMP
- FARMER'S MARKET (RELOCATION)
- HISTORICAL RESTORATION PRESERVATION
- MUSKEGON AREA PLAN

DATE: April 3, 2002
TO: Honorable Mayor and Commissioners
FROM: Robert B. Grabinski, Director of Inspection Services
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #:00-35 Address: 1362 Getty

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 **1362 Getty** 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: #00-35, 1362 Getty St.

Location and ownership: This structure is located on Getty Street between Evanston and Catawba in the Marquette Neighborhood. It is owned by Bank One NA, San Diego, California.

Staff Correspondence: A dangerous building inspection was conducted 2/1/00. A notice and order to repair or remove was issued 2/11/00. A notice of hearing before the Housing Board of Appeals was issued 6/1/00 and 1/3/02. An order to demolish was issued 12/21/01. The structure was once a 2 unit rental, but the owner before the bank took it back turned it into a single family home. He intended on repairing the house, but did not.

Owner Contact: A representative from the Bank was present at the January 2002 HBA hearing and they scheduled an interior inspection which was conducted in January. They have been faxed copies of the inspection reports.

Financial Impact: General Funds

Budget action required: None

State Equalized value: \$19,800

Estimated cost to repair: \$20,000

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

City Commission Recommendation: The commission will consider this item at it's meeting Tuesday, April 9, 2002.

DATE: April 4, 2002
TO: Honorable Mayor and Commissioners
FROM: Robert B. Grabinski, Director of Inspection Services
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #:00-35 Address: 1362 Getty

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 1362 Getty 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.

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Financial Impact: General Funds

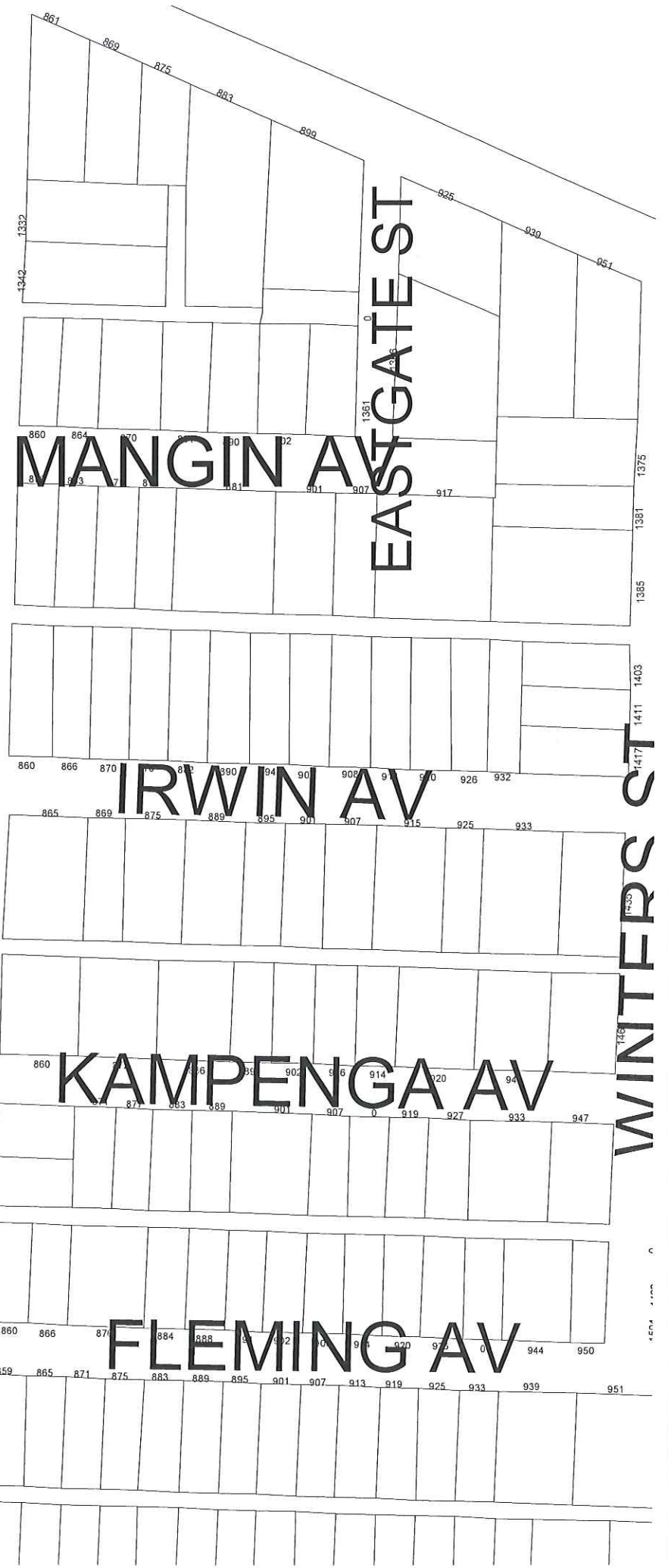
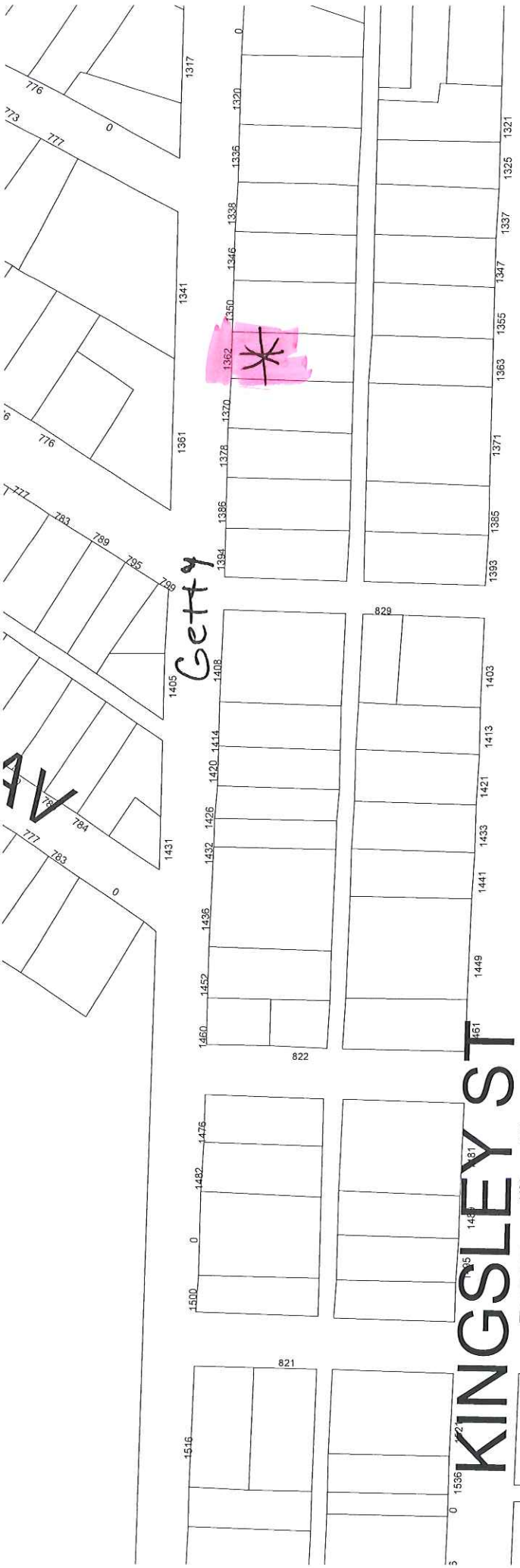
Budget action required: None

State Equalized value: \$19,800

Estimated cost to repair: \$ 20,000

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

City Commission Recommendation: The commission will consider this item at it's meeting Tuesday, April 9, 2002.





1362 Getty
census # 4



Harbor Title

955 West Broadway
Muskegon, MI 49441

Title Search

Case No.: 100122377

November 21, 2001

1. Beginning Date: 9/21/2001, at 8:00 A.M.

Please See Attached Liber 3274, Page 346, Muskegon County Records, for Legal Description:

2. We have searched the records in the office of the Register of Deeds for Muskegon County, Michigan covering the subject property, and find the following conveyances and undischarged encumbrances, from said beginning date to 10/26/2001, at 8:00 A.M.

Documents

Deeds:

Liber 3274, Page 346

Mortgages:

NONE

Taxes:

Proof of payment of the Invoice Fees, due and payable to the City of Muskegon in the amount of \$534.87, if paid by November 30, 2001. (Invoice #'s 9816216; 9819373; 9819632 and 9820652)

Payment of the 1999 delinquent taxes, due and payable to the Muskegon County Treasurer in the amount of \$809.61, if paid by November 30, 2001.

Payment of the 2000 delinquent taxes, due and payable to the Muskegon County Treasurer in the amount of \$1,004.92, if paid by November 30, 2001.
(Base amount - \$562.34) **

Note:

No 2001 Summer taxes were assessed.
Permanent Parcel No.: 61-24-725-002-0009-00.
2001 State Equalized Value: \$19,800.00.
2001 Taxable Value: \$16,116.00.
Non-Homestead Property.

**NOTE: The 2000 Winter tax bill included a delinquent water/sewer usage bill in the amount of \$313.70.

- 3 We find no United States Internal Revenue Liens recorded in the office of the Register of Deeds of Muskegon County, Michigan, against:

Bank One, National Association, as Trustee

DANGEROUS BUILDING INSPECTION

1362 Getty (house and garage)

02/09/2000

1. An interior inspection is required by all trade inspectors (plumbing, mechanical, electrical, and building) before any permits or certificates of occupancy will be issued.
2. Garage has collapsed, several roof rafters and partial walls are still in state of collapse.
3. Garage side of home in need of repair – siding.
4. Chimney in need of repair.

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

Monaine Arabinshi for
Henry Faltinowski 2-11-00
HENRY FALTINOWSKI, BUILDING INSPECTOR DATE

Monaine Arabinshi for
CONCURRED IN: Jerry McIntyre
JERRY MCINTYRE, BUILDING OFFICIAL

CITY OF MUSKEGON
DANGEROUS BUILDING INSPECTION REPORT

1362 Getty St.
(INTERIOR INSPECTION)

Inspection noted:

1. Floor system in home structurally unsound. Rotted, notched, missing floor joists. Floor decking rotted – need to strip floor decking, rebuild floor system to code – proper spans.
2. Walls and ceilings damaged by vandalism and water. Replace all damaged upper and lower apartments.
3. All mechanicals and plumbing systems need to be certified to code by plumbing and mechanical inspectors.
4. Roof system on home needs to be reviewed after singles are taken off home. Need to check sheathing and rafters.
5. Attached garage is falling off home.
6. Chimney is collapsing.
7. Stairs and stairways are to meet 2000 Michigan Residential Code.
8. All doors, siding, windows need to be repaired or replaced.

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


HENRY FALTINOWSKI, BUILDING INSPECTOR

1/31/2002
DATE

CITY OF MUSKEGON

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

DATE: November 27, 2001

Address of the Property: 1362 Getty St., Muskegon, Michigan

TO: Bank One National Assoc. 9275 Sky Park Court, 3rd Floor, San Diego, CA 92123
[Name & Address of Owner]

None
(Interested Parties)

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

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

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

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

FAILURE TO COMPLY

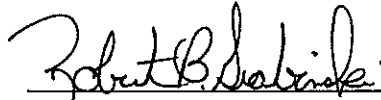
After 30 days from mailing this notice, if you have not complied with this notice, a hearing will be scheduled before the City of Muskegon Housing Board of Appeals for the purpose of enforcing this notice and order and instituting City action to remove the structure. You will receive notice of that hearing.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

SCHEDULE OF CONDITIONS

The following conditions are present at the structure at 1362 Getty, Muskegon, Michigan, and cause said structure to be a dangerous or substandard building and a public nuisance.

Please see the attached inspection report

CITY OF MUSKEGON INSPECTION DEPARTMENT



Robert B. Grabinski, Director of Inspections

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

NOTICE OF HEARING

Date: December 21, 2001

Address of the Property: 1362 Getty St, Muskegon MI

Description of the Structure: Revised Plat of Holbrook Addition Lot 9, Block 2

TO: Bank One NA, 9275 Sky Park Ct, 3rd Floor, San Diego, CA 92123
[Name & Address of Owner]

None

Names & Addresses of Other Interested Parties]

Please take notice that on **Thursday, January 3, 2002**, the City of Muskegon Housing Board of Appeals will hold a hearing at 933 Terrace, Muskegon, MI at 5:30 o'clock p.m., and at the said hearing consider whether or not the following structure should be determined to be dangerous, substandard and a nuisance, and demolished, or repaired.

The reason for this hearing is that you have not complied with the notice and order to repair issued 11/27/01.

At the hearing on Thursday, January 3, 2002, at 5:30 o'clock p.m., at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, you may appear and present any relevant evidence to the Housing Board of Appeals and have counsel of your choice present, if you desire, to show cause why the structure should not be allowed or ordered demolished.

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

By Robert B. Grabinski
Robert B. Grabinski, Director of Inspections

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

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

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

January 7, 2002

Bank One NA
9275 Sky Park Ct 3rd Floor
San Diego, CA 92123

Larry Simonson
Trott & Trott PC
1787 Grand Ridge Ct. NE
Grand Rapids, MI 49525

Mario Stevenson
2913 Reynolds
Muskegon, MI 49444

Re: 1362 Getty St.

Dear Mr. Simonson:

On January 3, 2002 the Housing Board of Appeals heard your case on the above structure.

The board's determination on this case was to table the case until the February meeting to allow you time to call for interior inspections that are necessary.

If you have any questions, please contact this office at (231) 724-6715.

Sincerely,

Handwritten signature of Robert B. Grabinski in cursive script.

Robert B. Grabinski
Director of Inspections
RBG/lg

CITY OF MUSKEGON
DANGEROUS BUILDING INSPECTION REPORT

1362 Getty St.
(INTERIOR INSPECTION)

Inspection noted:

1. Floor system in home structurally unsound. Rotted, notched, missing floor joists. Floor decking rotted – need to strip floor decking, rebuild floor system to code – proper spans.
2. Walls and ceilings damaged by vandalism and water. Replace all damaged upper and lower apartments.
3. All mechanicals and plumbing systems need to be certified to code by plumbing and mechanical inspectors.
4. Roof system on home needs to be reviewed after singles are taken off home. Need to check sheathing and rafters.
5. Attached garage is falling off home.
6. Chimney is collapsing.
7. Stairs and stairways are to meet 2000 Michigan Residential Code.
8. All doors, siding, windows need to be repaired or replaced.
9. Electrical wiring in state of disrepair – must be repaired or replaced.
10. Install smoke detectors.

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



1-31-02

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

NOTICE OF HEARING

Date: January 28, 2002

Address of the Property: 1362 Getty, Muskegon MI

Description of the Structure: Revised Plat of Holbrook Addition Lot 9, Blk 2

TO: Bank One NA, 9275 Sky Park Ct. 3rd Floor, San Diego, CA 92123
[Name & Address of Owner]

Larry Simonson, Trott & Trott PC, 1787 Grand Ridge Ct. NE, Grand Rapids, MI 49525
Names & Addresses of Other Interested Parties]

Mario Stevenson, 2913 Reynolds, Muskegon, MI 49444

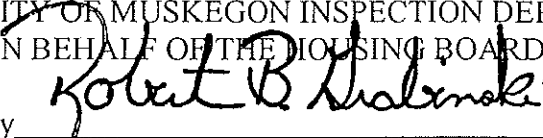
Please take notice that on Thursday, February 7, 2002, the City of Muskegon Housing Board of Appeals will hold a hearing at 933 Terrace, Muskegon, MI at 5:30 o'clock p.m., and at the said hearing consider whether or not the following structure should be determined to be dangerous, substandard and a nuisance, and demolished, or repaired.

The reason for this hearing is to review this case, which was heard on January 3, 2002.

At the hearing on Thursday, February 7, 2002, at 5:30 o'clock p.m., at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, you may appear and present any relevant evidence to the Housing Board of Appeals and have counsel of your choice present, if you desire, to show cause why the structure should not be allowed or ordered demolished.

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

By


Robert B. Grabinski, Director of Inspections

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

Date: February 11, 2002

To: Bank One NA, 9275 Sky Park Ct. 3rd Floor, San Diego, CA 92123
Owners Name & Address

Larry Simonson, Trott & Trott PC, 1787 Grand Ridge Ct. NE, Grand Rapids, MI 49525

Names & Addresses of Other Interested Parties

Mario Stevenson, 2913 Reynolds, Muskegon, MI 49444

ORDER TO DEMOLISH STRUCTURE

The Housing Board of Appeals, having received evidence at a scheduled and noticed meeting held on Thursday, February 7, 2002 does hereby order that the following structure(s) located at 1362 Getty, Muskegon, Michigan, shall be demolished for the reason that the said structure or structures are found, based upon the evidence before the Board of Appeals, to be dangerous, substandard and a public nuisance.

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

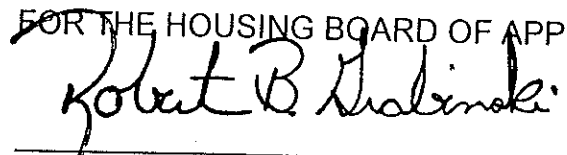
The director of inspections is ordered to place before the Muskegon City Commission this order and the record in this case to seek concurrence by the City Commission with the decision of this board, and further to give notice to the owner and interested parties of the date and time when this matter shall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

NOTICE TO OWNER AND INTERESTED PARTIES

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

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

FOR THE HOUSING BOARD OF APPEALS:



Robert B. Grabinski, Director of Inspections

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

Date: February 11, 2002

To: Bank One NA, 9275 Sky Park Ct. 3rd Floor, San Diego, CA 92123
Owners Name & Address

Larry Simonson, Trott & Trott PC, 1787 Grand Ridge Ct. NE, Grand Rapids, MI 49525

Names & Addresses of Other Interested Parties

Mario Stevenson, 2913 Reynolds, Muskegon, MI 49444

ORDER TO DEMOLISH STRUCTURE

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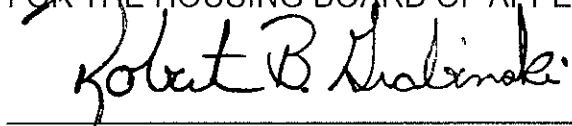
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NOTICE TO OWNER AND INTERESTED PARTIES

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

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

FOR THE HOUSING BOARD OF APPEALS:

A handwritten signature in black ink, reading "Robert B. Grabinski". The signature is written in a cursive style with a large, stylized initial "R".

Robert B. Grabinski, Director of Inspections

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: March 29, 2002

1362 Getty

(Address of Property)

TO: All owners and interested parties:

Bank One NA, 9275 Sky Park Ct. 3rd Floor, San Diego, CA 92123

(Name of Owner)

Larry Simonson, Trott & Trott PC, 1787 Grand Ridge Ct. NE, Grand Rapids, MI 49525

(Other interested parties)

Mario Stevenson, 2913 Reynolds, Muskegon, MI 49444

On February 7, 2002, the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on April 9, 2002, to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on April 9, 2002, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

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

By


Robert B. Grabinski, Director of Inspections

Larry Simonson, attorney from Trott & Trott, was present to represent the bank in this case.

Mr. Grabinski gave a history on this case. It was before the board 2 years ago for the garage. The garage is definitely in need of being demolished and the house structure has now been looked at. Because of the time lapse, a new title search was done and we found out it is now bank owned. Therefore, notice was sent to Bank One.

Mr. Simonson stated the redemption period for the previous owner is not over. He requested the case be tabled for 30 days to get an appraisal and paperwork finished. The bank will come into possession in March. He also stated that he didn't know if Mr. Stevenson would take the property back before then.

Mr. Grabinski stated that Mr. Stevenson made the statement to the board previously to do what we had to do because he was not going to do anything. He has no interest in the property.

Staff Recommendation: Table this case until the February meeting. He also asked Mr. Simonson to schedule an interior inspection to give him a better idea of what needs to be done to the structure.

Motion made by John Warner, supported by Randy Mackie to support staff's recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
John Warner
Jerry Bever
Nick Kroes

NAYES:

EXCUSED:

ABSENT:

The motion carried.

~~Case #01-045 – 1757 McIlwraith – Joey and Carey Hebert, 1830 Waverly, Grand Haven, MI~~

~~Mr. and Mrs. Hebert were present to represent this case.~~

~~Mr. Grabinski gave a brief history of the case. Staff talked to Mrs. Hebert today. Part of the problem we have is that permits have been pulled, but there is no timeline as to when the repairs will be completed. Also, what they are going to do with the property has not been established yet. If the property is going to be a~~

Case #00-08 – 1129 Peck St. – Robert Cooper/Peck Properties, P.O. Box 3316, Grand Rapids, MI

No one was present to represent this case. Mr. Grabinski clarified exactly which house on Peck St. this one is. A letter was received today via fax from Mr. Cooper stating he has a potential buyer, no signed agreement yet. Mr. Grabinski stated the city has had to board the property 3 times and this is the first communication we have had with Mr. Cooper.

Staff Recommendation:.. Declare substandard, a public nuisance, and a dangerous building, and forward to City Commission for their concurrence. This will be taken to HDC before forwarding.

Officer Stier also stated that the MPD receives numerous letters in reference to this property. (junk vehicles, truancy, etc.)

Motion made by John Warner, supported by Randy Mackie to support staff's recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
John Warner
Jerry Bever
Jon Rolewicz
Clara Shepherd

NAYES:

EXCUSED:

Nick Kroes

ABSENT:

The motion carried.

Case #00-35A – 1362 Getty – Bank One NA, 9275 Sky Park Ct. 3rd Floor, San Diego, CA 92123

No one was present to represent this case. An interior inspection was conducted, pictures were passed to the board. The home is very deteriorated.

Staff Recommendation:.. Declare substandard, a public nuisance, and a dangerous building, and forward to City Commission for their concurrence.

Motion made by Jerry Bever, seconded by John Warner, to support staff's recommendation.

A roll call vote was taken:

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman
Randy Mackie
John Warner
Jerry Bever
Jon Rolewicz
Clara Shepherd

Nick Kroes

The motion carried.

Case #00-55 – 1698 Dyson – Express Investments, 21 Arthur St. Marne, MI

No one was present to represent this case. The city has had it boarded a couple times. It is back before the board because back in October it was declared, but it was owned by Sterling Bank & Trust at the time. Since then Express has bought it.

Staff Recommendation:.. Declare substandard, a public nuisance, and a dangerous building, and forward to City Commission for their concurrence.

Motion made by Clara Shepherd, seconded by Randy Mackie, to support staff's recommendation.

A roll call vote was taken.

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman
Randy Mackie
John Warner
Jerry Bever
Jon Rolewicz
Clara Shepherd

Nick Kroes

The motion carried.

Case #01-032 – 246 Laketon (Garage) – John Markovitch, Muskegon

No one was present to represent this case. The owner did call the office late this afternoon. He said he cannot attend the meeting and he can finish repairs in 30 days. Mr. Grabinski stated that the case was previously brought before the board and an extension was granted for him to repair the garage. When Mr. Markovitch called today he stated the rafters and roof are repaired. Mr.

DATE: April 3, 2002

TO: Honorable Mayor and Commissioners

FROM: Robert B. Grabinski, Director of Inspection Services

RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: 01-055 Address: 431 Monroe

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 **431 Monroe** 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: #01-55, 431 Monroe, Muskegon, MI

Location and ownership: This structure is located on Monroe Avenue between Sixth and Seventh Streets. It is owned by Bennie Chambers, 1090 Langeland, Muskegon.

Staff Correspondence: A dangerous building inspection was conducted on 12/12/01 and a notice and order to repair was issued 1/2/02. A board up letter was issued to the owner on 2/11/02 (previously 9/12/01) and the city had it boarded 2/21/02. A notice of the HBA meeting on 2/7/02 was issued 1/28/02 and the owner did not appear at the meeting. The HBA declared it dangerous and substandard on that date.

Owner Contact: There has been no contact from owner.

Financial Impact: CDBG

Budget action required: None

State Equalized value: \$13,100

Estimated cost to repair: \$8,000 plus costs for interior repairs

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

City Commission Recommendation: The commission will consider this item at it's meeting Tuesday, April 9, 2002.

MUSKEGON AV

HOUSTON AV

MONROE AV

MERRILL AV

MASON AV





431 MONROE

Census #6.02



Harbor Title

955 West Broadway
Muskegon, MI 49441

Title Search

Case No.: 100122651
December 13, 2001

1. Beginning Date: 6/6/77, at 8:00 A.M.

Please See Attached Liber 1108, Page 703, Muskegon County Records, for Legal Description:

2. We have searched the records in the office of the Register of Deeds for Muskegon County, Michigan covering the subject property, and find the following conveyances and undischarged encumbrances, from said beginning date to 11/14/2001, at 8:00 A.M.

Deeds:	Documents	Mortgages:
Liber 1108, Page 703	Liber 1989, Page 747 Liber 2029, Page 186 Liber 3157, Page 392 Liber 3268, Page 104	NONE

Taxes:

Proof of payment of invoice fees, due and payable in the amount of \$21.26 (Invoice #9806583).

1997 Taxes were SOLD STATE. Amount necessary to redeem to the Muskegon County Treasurer in December 2001 - \$1,287.22**.

Payment of the 1998 delinquent taxes, due and payable to the Muskegon County Treasurer in the amount of \$3,613.30, if paid by December 31, 2001.

Payment of the 1999 delinquent taxes, due and payable to the Muskegon County Treasurer in the amount of \$863.11, if paid by December 31, 2001.

Payment of the 2000 delinquent taxes, due and payable to the Muskegon County Treasurer in the amount of \$382.11, if paid by December 31, 2001.

Payment of the 2001 Winter taxes, due and payable to the City of Muskegon Treasurer in the amount of \$340.45, if paid by February 14, 2002.

Note:

No 2001 Summer taxes were assessed.

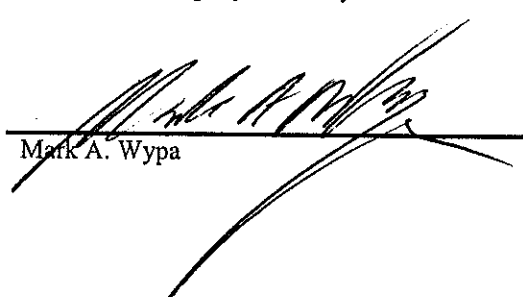
Permanent Parcel No.: 61-24-205-376-0006-10.

2001 State Equalized Value: \$13,100.00.

2001 Taxable Value: \$6,133.00.
Non-Homestead Property.

****NOTE:** Reconveyance - must pay all taxes.

- 3 We find no United States Internal Revenue Liens recorded in the office of the Register of Deeds of Muskegon County, Michigan, against:
~~Bennie Chambers~~
4. No search has been made for any instrument, however designated, which has been filed as a financing statement pursuant to the Uniform Commercial Code.
5. No search has been made of the records of the Circuit, Probate or other Courts, or of any record other than those in the office of the Register of Deeds.
6. Under this form of search this company is not an insurer of above title, nor does it guarantee the title or any evidence of title thereto.
7. Note: In consideration of the fact that the above information is to be used for reference purposes only and not relied upon as evidence of title, it is furnished at a reduced rate and this Company's liability is limited to the amount paid for this information.


Mark A. Wypa

CITY OF MUSKEGON
DANGEROUS BUILDING INSPECTION REPORT

431 Monroe Ave.

12/12/01

Inspection noted:

1. An interior inspection is required by all trade inspectors (plumbing, mechanical, electrical and building) before any permits or certificates of occupancy will be issued.
2. Roof covering deteriorating. Rotting, missing shingles. Back shed roof damaged; sheathing, soffit and fascia.
3. Broken lattice on front porch.
4. Broken out windows.
5. Window frames in need of weather protection.
6. Siding in need of repair – paint.
7. Unlicensed vehicle in back yard.

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


HENRY FALTINOWSKI, BUILDING INSPECTOR

12/12/2001
DATE

CITY OF MUSKEGON

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

DATE: January 2, 2002

Address of the Property: 431 Monroe, Muskegon, Michigan

TO: Bennie Chambers, 1090 Langeland, Muskegon, MI 49441
[Name & Address of Owner]

Mercy Hospital C/O Professional Business Service 4880 36th St. SE Suite 201 Grand Rapids, MI, 49512

(Interested Parties)

Muskegon County Treasurer, P.O. Box 177, Muskegon, MI 49443

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

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

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

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

FAILURE TO COMPLY

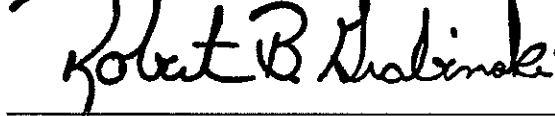
After 30 days from mailing this notice, if you have not complied with this notice, a hearing will be scheduled before the City of Muskegon Housing Board of Appeals for the purpose of enforcing this notice and order and instituting City action to remove the structure. You will receive notice of that hearing.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

SCHEDULE OF CONDITIONS

The following conditions are present at the structure at 431 Monroe, Muskegon, Michigan, and cause said structure to be a dangerous or substandard building and a public nuisance.

Please see the attached inspection report

CITY OF MUSKEGON INSPECTION DEPARTMENT

A handwritten signature in black ink, reading "Robert B. Grabinski". The signature is written in a cursive style with a large, stylized "R" at the beginning.

Robert B. Grabinski, Director of Inspections

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

NOTICE OF HEARING

Date: January 28, 2002

Address of the Property: 431 Monroe, Muskegon MI

Description of the Structure: Nely ½ Lot 6 & Nely ½ of Wly 33 ft. of Swly 66 ft. of Lot 7 Blk 376

TO: Bennie Chambers 1090 Langeland, Muskegon, MI 49441
[Name & Address of Owner]

Mercy Hospital, Dave Osborn, Plant Eng. 1500 E. Sherman Blvd. Muskegon, MI 49444
Names & Addresses of Other Interested Parties]

Muskegon County Treasurer, P.O. Box 177, Muskegon, MI 49443

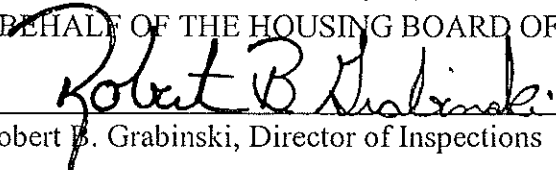
Please take notice that on **Thursday, February 7, 2002**, the City of Muskegon Housing Board of Appeals will hold a hearing at 933 Terrace, Muskegon, MI at 5:30 o'clock p.m, and at the said hearing consider whether or not the following structure should be determined to be dangerous, substandard and a nuisance, and demolished, or repaired.

The reason for this hearing is that you have not complied with the notice and order to repair issued 1/2/02.

At the hearing on Thursday, February 7, 2002, at 5:30 o'clock p.m., at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, you may appear and present any relevant evidence to the Housing Board of Appeals and have counsel of your choice present, if you desire, to show cause why the structure should not be allowed or ordered demolished.

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

By _____


Robert B. Grabinski, Director of Inspections

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

Planning/Zoning
231/724-6702
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Police Dept.
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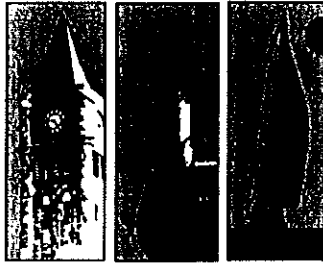
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

February 11, 2002

Bennie Chambers
1090 Langeland
Muskegon, MI 49441

Dear Property Owner:

Subject: Board-up: 431 Monroe Ave, Muskegon MI

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

To combat this, City building regulations require that windows, doors, or other openings on vacant structures be kept intact and securely locked or neatly boarded up in order to prevent entrance by unauthorized persons. Please board up/secure all doors and first floor windows of all structures. **Boarding must be done with exterior grade plywood at least 1/2 inch thick which is painted to blend with the colors of the building so as to be as inconspicuous as possible.**

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

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Bennie Chambers
1090 Langeland
Muskegon, MI 49441

2. Article Number
(Transfer from service label) **7000 0520 0013 9692 4640**

PS Form 3811, March 2001

Domestic Return Receipt

City of Muskegon, 933 Terrace Street

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) **BENNIE CHAMBERS** B. Date of Delivery **2/14/02**

C. Signature **Bennie Chambers**

D. Is delivery address different from item 1? ☐ Yes ☐ No

If YES, enter delivery address below:

3. Service Type

☒ Certified Mail ☐ Express Mail

☐ Registered ☐ Return Receipt for Merchandise

☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

102595-01-M-1424

See Reverse for Instructions

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

Date: February 11, 2002

To: Bennie Chambers, 1090 Langeland, Muskegon, MI 49441
Owners Name & Address

Mercy Hospital, Dave Osborn, Plant Eng, 1500 E. Sherman, Muskegon,
MI 49444

Names & Addresses of Other Interested Parties

Muskegon County Treasurer, P.O. Box 177, Muskegon, MI 49443

ORDER TO DEMOLISH STRUCTURE

The Housing Board of Appeals, having received evidence at a scheduled and noticed meeting held on Thursday, February 7, 2002 does hereby order that the following structure(s) located at **431 Monroe**, Muskegon, Michigan, shall be demolished for the reason that the said structure or structures are found, based upon the evidence before the Board of Appeals, to be dangerous, substandard and a public nuisance.

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

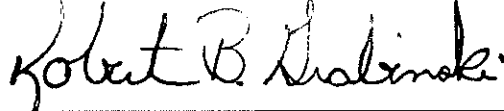
The director of inspections is ordered to place before the Muskegon City Commission this order and the record in this case to seek concurrence by the City Commission with the decision of this board, and further to give notice to the owner and interested parties of the date and time when this matter shall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

NOTICE TO OWNER AND INTERESTED PARTIES

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

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

FOR THE HOUSING BOARD OF APPEALS:

A handwritten signature in black ink, reading "Robert B. Grabinski". The signature is written in a cursive style with a horizontal line underneath the name.

Robert B. Grabinski, Director of Inspections

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: March 29, 2002

431 Monroe

(Address of Property)

TO: All owners and interested parties:

Bennie Chambers 1090 Langeland, Muskegon, MI 49441

(Name of Owner)

Mercy Hospital, Dave Osborn, Plant Eng. 1500 E. Sherman, Muskegon, MI 49444

(Other interested parties)

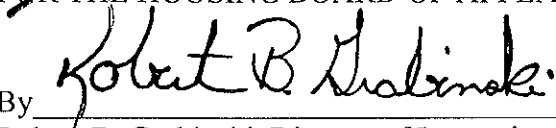
Muskegon County Treasurer, P.O. Box 177, Muskegon, MI 49443

On February 7, 2002, the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on April 9, 2002, to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on April 9, 2002, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

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

By


Robert B. Grabinski, Director of Inspections

~~Jerry Bever
Jon Rolewicz
Clara Shepherd~~

The motion carried.

**Case #01—55 – 431 Monroe – Bennie Chambers, 1090 Langeland,
Muskegon**

No one was present to represent this case. There has been no contact with the owner. There has been no interior inspection. Ms. Shepherd stated the home has been vacant for 5-6 years.

Staff Recommendation:. Declare substandard, a public nuisance, and a dangerous building, and forward to City Commission for their concurrence.

Motion made by Jerry Bever and seconded by John Warner to support staff's recommendation.

A roll call vote was taken:

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman
Randy Mackie
John Warner
Jerry Bever
Jon Rolewicz
Clara Shepherd

Nick Kroes

The motion carried.

**Case #01-053 – 1458 Sixth St. – Daniel Herrema, 455 Buckshot Dr.
Grandville, MI**

No one was present to represent this case. Mr. Grabinski gave a history on the case. Mr. Herrema did a nice job fixing the house. It was then left vacant and vandals ruined it. There have also been squatters.

Staff Recommendation:. Declare substandard, a public nuisance, and a dangerous building, and forward to City Commission for their concurrence.

Motion made by Clara Shepherd and seconded by Randy Mackie to support staff's recommendation.

A roll call vote was taken:

DATE: April 3, 2002

TO: Honorable Mayor and Commissioners

FROM: Robert B. Grabinski, Director of Inspection Services

RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: 01-057 Address: 509 Octavius

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 **509 Octavius** 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: #01-057, 509 Octavius

Location and ownership: This structure is located in the Jackson Hill Neighborhood on Octavius between Sumner and Jackson. It is owned by Rich and Jaime Young, 2643 Duck Lake Rd, Whitehall, MI.

Staff Correspondence: A dangerous building inspection was conducted 12/5/01. A board up letter was issued 12/10/01. The city had it boarded at the end of December, 2001. A notice and order to repair or demolish was issued 12/11/01. An interior inspection was conducted January 16, 2002. A notice of HBA hearing was issued 2/26/02 for the 2/7/02 meeting. The owners did not attend that meeting and the board declared the structured a dangerous building. An order to demolish was issued to owners 3/12/02. A notice of the City Commission meeting was issued 3/29/02.

Owner Contact: The owner was in the inspection department on 1/24/02 to talk to CNS and at that time requested a copy of the interior inspection report.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$10,200

Estimated cost to repair: \$15,000

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

City Commission Recommendation: The commission will consider this item at it's meeting Tuesday, April 9, 200**2**.

YUBA ST

ERICKSON S

OCTAVIUS ST

SUMNER AV

DDINGS AV

WOOD ST





509 Octavious
Census # 2



Harbor Title

955 West Broadway
Muskegon, MI 49441

Title Search

Case No.: 100222828
January 8, 2002

1. Beginning Date: 6/7/96, at 8:00 A.M.

Please See Attached Liber 1908, Page 915, Muskegon County Records, for Legal Description:

2. We have searched the records in the office of the Register of Deeds for Muskegon County, Michigan covering the subject property, and find the following conveyances and undischarged encumbrances, from said beginning date to 12/12/2001, at 8:00 A.M.

Deeds:	Documents	Mortgages:
Liber 1908, Page 915	Miscellaneous: Liber 3000, Page 511 Liber 3156, Page 185 Liber 3282, Page 869	None

Taxes:

Proof of payment for Delinquent Water and Sewer bill, due and payable to the City of Muskegon in the amount of \$32.63, if paid by January 31, 2001.

Proof of payment for Invoice Fees, due and payable to the City of Muskegon in the amount of \$345.81. (Invoice #9820630, 9821177 and 9821991)

1998 taxes were SOLD STATE. Amount necessary to redeem to the Muskegon County Treasurer in January \$393.34

Payment of the 1999 delinquent taxes, due and payable to the Muskegon County Treasurer in the amount of \$832.20, if paid by January 31, 2002.

Payment of the 2000 delinquent taxes, due and payable to the Muskegon County Treasurer in the amount of \$624.17, if paid by January 31, 2000.

Payment of the 2001 Winter taxes, due and payable to the City of Muskegon Treasurer in the amount of \$775.77**, if paid by February 14, 2002. (Base Amount-\$566.24)

Note:

No 2001 Summer taxes were assessed.

Permanent Parcel No.: 61-24-205-149-0008-00.

2001 State Equalized Value: \$10,200.00.

2001 Taxable Value: \$10,200.00.

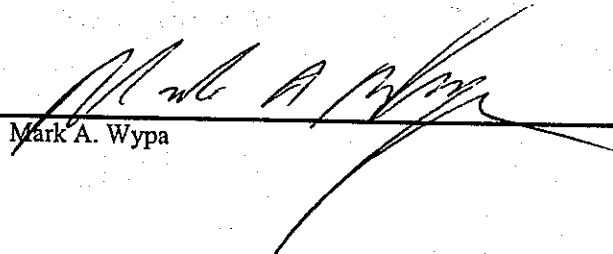
Non-Homestead Property.

****Sidewalk assessment installment in the amount of
\$209.53 is included in the 2001 Winter tax bill.****

We find no United States Internal Revenue Liens recorded in the office of the Register of Deeds of Muskegon County, Michigan, against:

Rich Young and Jamie Young, husband and wife

4. No search has been made for any instrument, however designated, which has been filed as a financing statement pursuant to the Uniform Commercial Code.
5. No search has been made of the records of the Circuit, Probate or other Courts, or of any record other than those in the office of the Register of Deeds.
6. Under this form of search this company is not an insurer of above title, nor does it guarantee the title or any evidence of title thereto.
7. Note: In consideration of the fact that the above information is to be used for reference purposes only and not relied upon as evidence of title, it is furnished at a reduced rate and this Company's liability is limited to the amount paid for this information.


Mark A. Wypa

CITY OF MUSKEGON
DANGEROUS BUILDING INSPECTION REPORT

509 Octavious

December 5, 2001

Inspection noted:

1. An interior inspection is required by all trade inspectors (plumbing, mechanical, electrical and building).
2. No progress made on home.
3. Deteriorating, missing siding.
4. Missing, deteriorating shingles.
5. Peeling paint.
6. Improper egress windows installed in upper bedrooms.
7. Floor joists have temporary supports holding floor system in areas of home.
8. Exposed plastics insulation board. Flame spread problem.
9. Open lath in walls.
10. Incomplete tuck pointing of foundation block.

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


HENRY FALTINOWSKI, BUILDING INSPECTOR

12/6/2001
DATE

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

Police Dept.
231/724-6750
FAX/722-5148

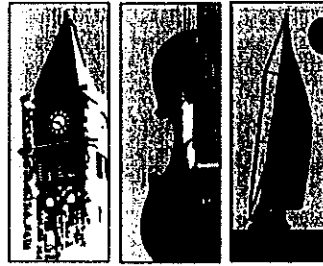
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

December 10, 2001

Richard & Jaime Young
2643 Duck Lake Rd.
Whitehall, MI 49461

Dear Property Owner:

Subject: Board-up: 509 Octavious

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

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

Please note, however, that under City ordinance a property may not remain boarded up for longer than 180 consecutive days.

As a dangerous building, your structure(s) must be secured within ten (10) days of the date of this notice. If the building is not secured within this time frame, the City of Muskegon will take action to have it secured and the cost assessed against the property. Any unpaid invoices could be sent to a collection agency and may affect your credit rating if not paid.

If you have any questions concerning this matter, please call 231-724-6715.

Sincerely,

Robert B. Grabinski
Robert B. Grabinski
Fire Marshal/Inspections Dept.

4456 2696 E700 0250 0002

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
B1u 509 Octavious - per P.D.	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Recipient's Name (Please Print Clearly) (To be completed by mailer) Richard & Jaime Young	
Street, Apt. No., or PO Box No. 2643 Duck Lake Rd	
City, State, ZIP+4 Whitehall, MI 49461	

PS Form 3800, February 2000 See Reverse for Instructions

CITY OF MUSKEGON

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

DATE: December 11, 2001

Address of the Property: 509 Octavious, Muskegon, Michigan

TO: Richard & Jaime Young, 2643 Duck Lake Rd. Whitehall, MI 49461
[Name & Address of Owner]

None
(Interested Parties)

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

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

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

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

FAILURE TO COMPLY

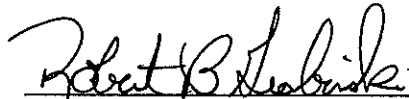
After 30 days from mailing this notice, if you have not complied with this notice, a hearing will be scheduled before the City of Muskegon Housing Board of Appeals for the purpose of enforcing this notice and order and instituting City action to remove the structure. You will receive notice of that hearing.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

SCHEDULE OF CONDITIONS

The following conditions are present at the structure at 509 Octavious, Muskegon, Michigan, and cause said structure to be a dangerous or substandard building and a public nuisance.

Please see the attached inspection report

CITY OF MUSKEGON INSPECTION DEPARTMENT

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

Robert B. Grabinski, Director of Inspections

CITY OF MUSKEGON
DANGEROUS BUILDING INSPECTION REPORT
1-1602
509 Octavius
(INTERIOR INSPECTION)

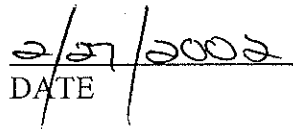
Inspection noted:

1. Electrical wiring incomplete.
2. Range circuit incomplete.
3. Circuits not in panel.
4. Exposed romex.
5. Light fixtures missing.
6. Fittings missing in boxes.
7. Smoke detectors missing.
8. Outlets missing at kitchen counters.
9. Exterior light missing.
10. Building needs complete heating system to code.
11. Bath exhaust must be terminated to outside.
12. Gas pipe needs to be tested.
13. Water service checked for flow.
14. Main sewer cleaned.
15. Water heater inspected.
16. Need lavatory installed.
17. Kitchen sink needs strainer and cleaned out.
18. Laundry, lavatory, kitchen and bath tub drains replaced and vented.

19. Vacuum breakers on hose bibs.
20. Large hump in living room must be corrected.
21. All bedrooms to meet all egress requirements and have smoke detectors.
22. All interior wall coverings must meet R702.5 – Sec R319 flame spread and smoke density requirements – Michigan Residential Code 2000.

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


HENRY FALTINOWSKI, BUILDING INSPECTOR


DATE

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

NOTICE OF HEARING

Date: February 26, 2002

Address of the Property: 509 Octavius, Muskegon MI

Description of the Structure: N ½ Lot 8 S ½ Lot 9 Blk 149

TO: Rich/Jaime Young, 2643 Duck Lake Rd. Whitehall, MI 49461
[Name & Address of Owner]

None

Names & Addresses of Other Interested Parties]

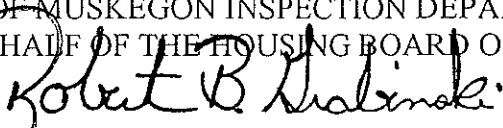
Please take notice that on Thursday, March 7, 2002, the City of Muskegon Housing Board of Appeals will hold a hearing at 933 Terrace, Muskegon, MI at 5:30 o'clock p.m., and at the said hearing consider whether or not the following structure should be determined to be dangerous, substandard and a nuisance, and demolished, or repaired.

The reason for this hearing is that you have not complied with the Notice and Order issued 12/11/01.

At the hearing on Thursday, March 7, 2002, at 5:30 o'clock p.m., at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, you may appear and present any relevant evidence to the Housing Board of Appeals and have counsel of your choice present, if you desire, to show cause why the structure should not be allowed or ordered demolished.

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

By


Robert B. Grabinski, Director of Inspections

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

Date: March 12, 2002

To: Rich/Jaime Young, 2643 Duck Lake Rd. Whitehall, MI 49461
Owners Name & Address

None
Names & Addresses of Other Interested Parties

ORDER TO DEMOLISH STRUCTURE

The Housing Board of Appeals, having received evidence at a scheduled and noticed meeting held on Thursday, March 7, 2002 does hereby order that the following structure(s) located at 509 Octavius, Muskegon, Michigan, shall be demolished for the reason that the said structure or structures are found, based upon the evidence before the Board of Appeals, to be dangerous, substandard and a public nuisance.

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

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

NOTICE TO OWNER AND INTERESTED PARTIES

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

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

FOR THE HOUSING BOARD OF APPEALS:



Robert B. Grabinski, Director of Inspections

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: March 29, 2002

509 Octavius
(Address of Property)

TO: All owners and interested parties:

Rich/Jaime Young, 2643 Duck Lake Rd. Whitehall, MI 49461
(Name of Owner)

Muskegon County Treasurer, P.O. Box 177, Muskegon, MI 49443
(Other interested parties)

On February 7, 2002, the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on April 9, 2002, to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on April 9, 2002, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

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



By _____
Robert B. Grabinski, Director of Inspections

~~The motion carried.~~

**Case #01-057 – 509 Octavius – Rich/Jaime Young, 2643 Duck Lake Rd.
Whitehall, MI 49461**

No one was present to represent this case. The Youngs have a habit of taking this house and selling on a land contract. When the buyer finds the amount of work needed, they leave and it sits vacant for a while. Then the Youngs sell on a land contract again. After the third time it was declared a dangerous building. The owner did come in to talk to CNS about a loan to rehab, but they did not come to an agreement. The electrical is cobbled, the stairway leading to the second floor is in terrible shape.

Staff Recommendation:. Declare substandard, a public nuisance, and a dangerous building, and forward to City Commission for their concurrence.

Motion made by Clara Shepherd, seconded by Randy Mackie, to support staff's recommendation.

A roll call vote was taken:

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman
Randy Mackie
John Warner
Jerry Bever
Jon Rolewicz
Clara Shepherd
Nick Kroes

The motion carried.

Case #02-01 – 1715 Superior – Amy Bradley, 4920 S. Brooks, Fruitport, MI

~~No one was present to represent this case. Mr. Grabinski gave a history. The city boarded it on February 11, 2002. There has been no contact from owner. It is in foreclosure. It is also on the 1999 tax sale. Ms. Shepherd inquired about the garage. Mr. Grabinski stated all structures are included.~~

~~Staff Recommendation:. Declare substandard, a public nuisance, and a dangerous building, and forward to City Commission for their concurrence.~~

~~Motion made by Nick Kroes and seconded by Clara Shepherd to support staff's recommendation.~~

DATE: April 3, 2002
TO: Honorable Mayor and Commissioners
FROM: Robert B. Grabinski, Director of Inspection Services
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: 02-02 Address: 1850 Elwood

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 1850 Elwood is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: 02-02 , 1850 Elwood

Location and ownership: This home is located in the McLaughlin Neighborhood on Elwood between Holbrook and Laketon and is owned by Sterling Bank and Trust.

Staff Correspondence: A dangerous building inspection was conducted on 1/22/02. A notice and order to repair or demolish was issued 1/30/02. On 3/7/02 the HBA declared the structure substandard and a dangerous building.

Owner Contact: There has been no contact from Sterling Bank.

Financial Impact: CDBG Funds

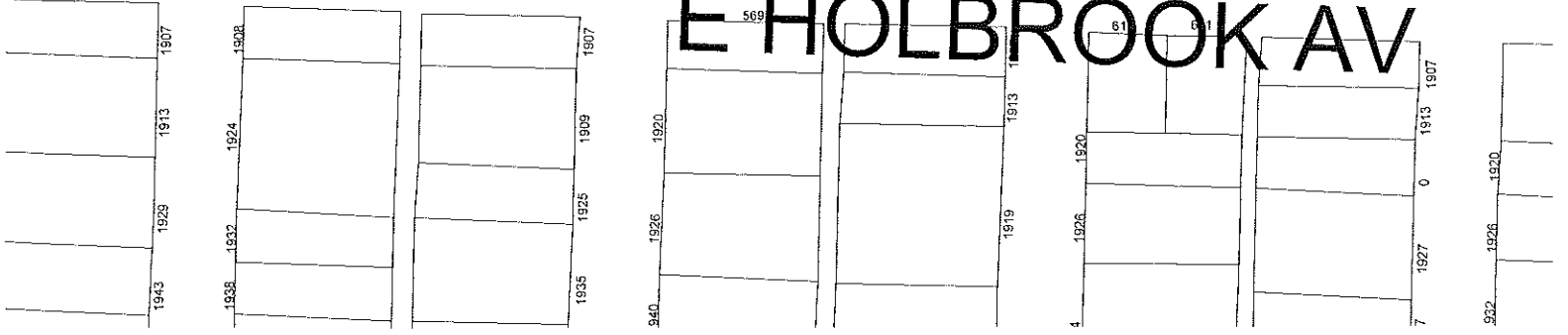
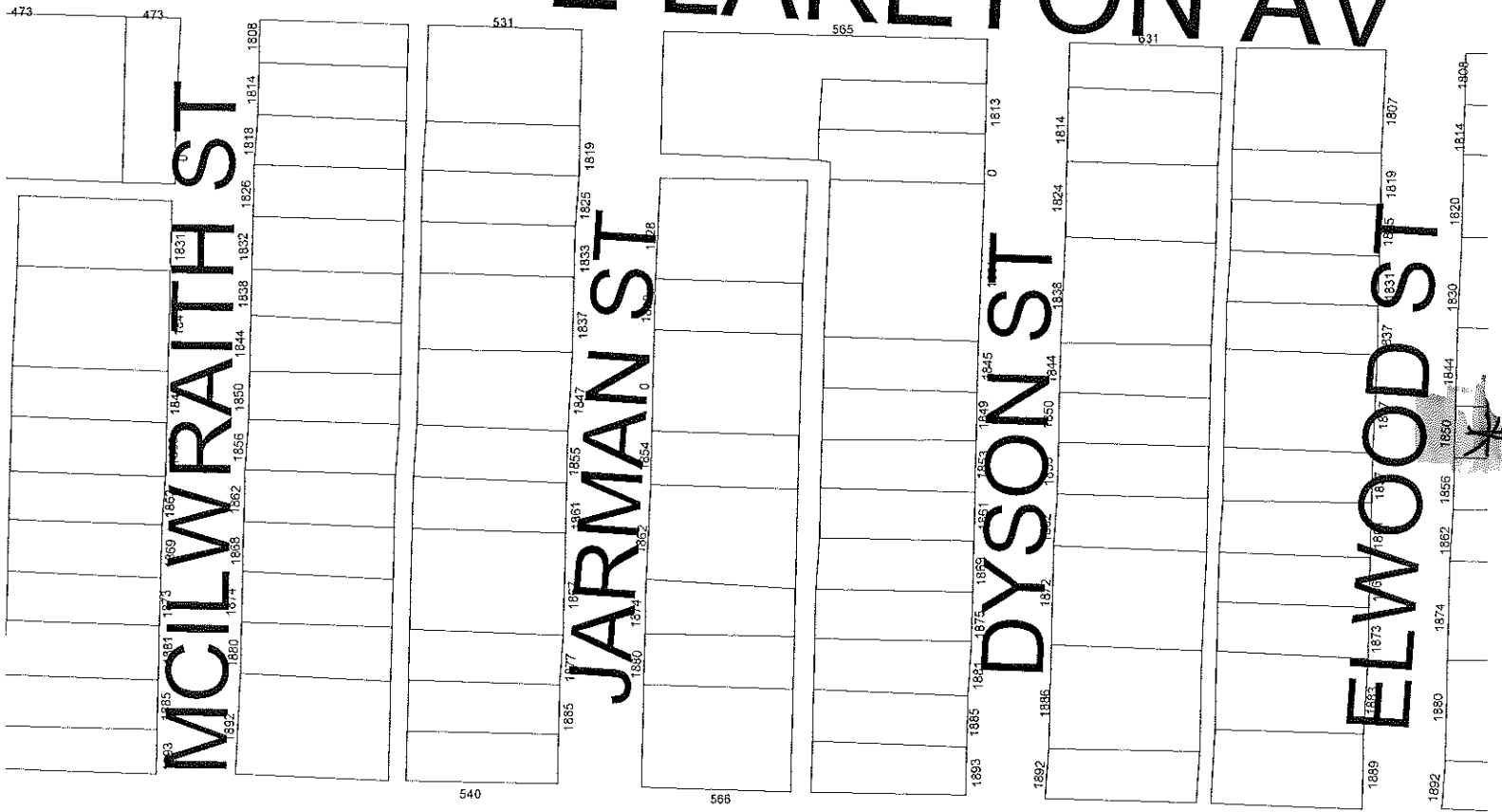
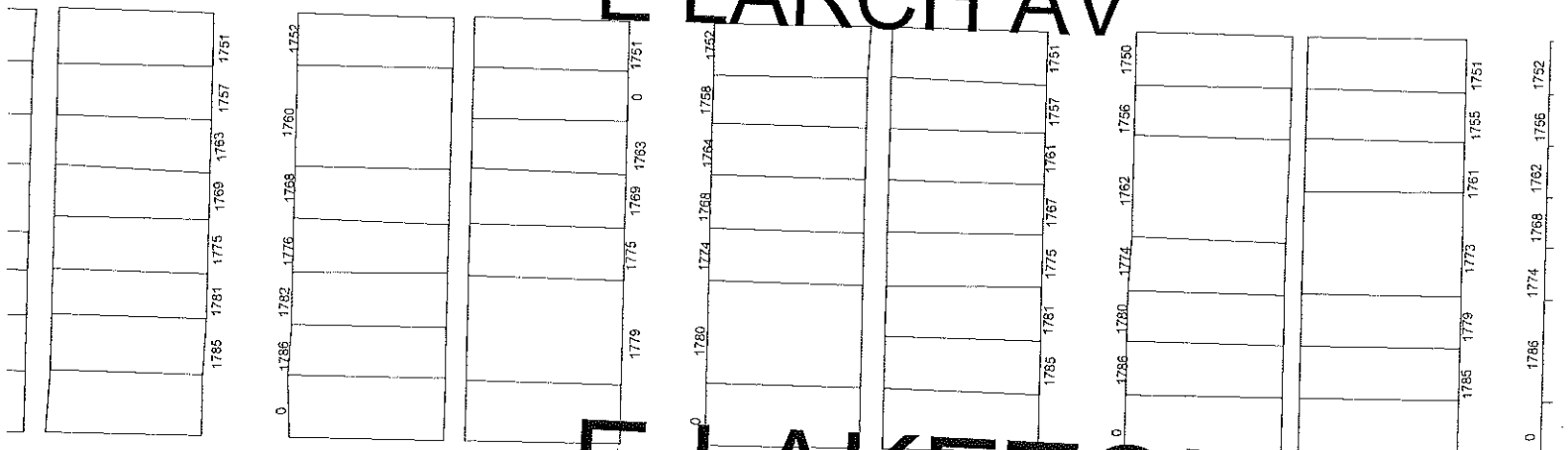
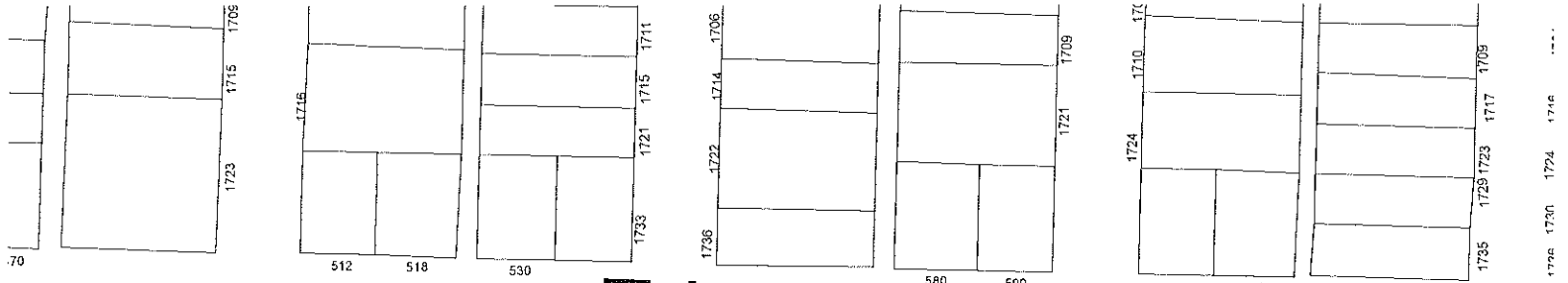
Budget action required: None

State Equalized value: \$13,900

Estimated cost to repair: \$8,000 plus cost of interior repairs

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

City Commission Recommendation: The commission will consider this item at it's meeting Tuesday, April 9, 2002.



E LARCH AV

E LAKETON AV

MCILWRAITH ST

JARMAN ST

DYSON ST

ELWOOD ST

E HOLBROOK AV



1850 Elwood
Census # 5



Harbor Title

955 West Broadway
Muskegon, MI 49441

Title Search

Case No.: 100223003
January 25, 2002

1. Beginning Date: 4/24/98, at 8:00 A.M.

Please See Attached Liber 2093, Page 58, Muskegon County Records, for Legal Description:

2. We have searched the records in the office of the Register of Deeds for Muskegon County, Michigan covering the subject property, and find the following conveyances and undischarged encumbrances, from said beginning date to 1/4/2002, at 8:00 A.M.

Documents

Deeds:

Liber 2093, Page 58.

Mortgages:

Taxes:

Invoices due and payable to the City of Muskegon in the amount of \$928.54.

Payment of the 2000 delinquent taxes, due and payable to the Muskegon County Treasurer in the amount of \$915.20, if paid by February 28, 2002.

Payment of the 2001 Winter taxes, due and payable to the City of Muskegon Treasurer in the amount of \$610.82, if paid by February 14, 2002.

Note:

No 2001 Summer taxes were assessed.

Permanent Parcel No.: 61-24-255-008-0008-00.

2001 State Equalized Value: \$13,900.00.

2001 Taxable Value: \$11,003.00.

Non-Homestead Property.

3. We find no United States Internal Revenue Liens recorded in the office of the Register of Deeds of Muskegon County, Michigan, against:

Sterling Bank and Trust

4. No search has been made for any instrument, however designated, which has been filed as a financing statement pursuant to the Uniform Commercial Code.
5. No search has been made of the records of the Circuit, Probate or other Courts, or of any record other than those in the office of the Register of Deeds.
6. Under this form of search this company is not an insurer of above title, nor does it guarantee the title or any evidence of title thereto.
7. Note: In consideration of the fact that the above information is to be used for reference purposes only and not

CITY OF MUSKEGON
DANGEROUS BUILDING INSPECTION REPORT

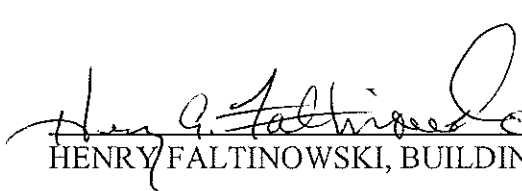
1850 Elwood

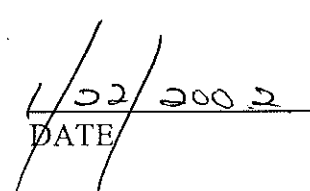
1/22/02

Inspection noted:

1. An interior inspection is required by all trade inspectors (plumbing, mechanical, electrical and building) before any permits or certificates of occupancy will be issued.
2. Home is boarded up.
3. Deteriorated roof system, roof covering failing. Rotted, missing rafter tails.
4. Back porch stairs and landing deteriorated in need of structural repair. Toilet bowl left on back porch.
5. Front steps, guardrail in need of repair.

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


HENRY FALTINOWSKI, BUILDING INSPECTOR


DATE

CITY OF MUSKEGON

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

DATE: January 30, 2002

Address of the Property: 1850 Elwood, Muskegon, Michigan

TO: Sterling Bank and Trust, One Towne Square 17th Floor, Southfield, MI 48076
[Name & Address of Owner]

None
(Interested Parties)

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

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

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

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

FAILURE TO COMPLY

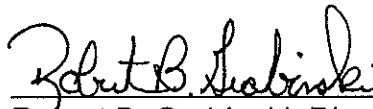
After 30 days from mailing this notice, if you have not complied with this notice, a hearing will be scheduled before the City of Muskegon Housing Board of Appeals for the purpose of enforcing this notice and order and instituting City action to remove the structure. You will receive notice of that hearing.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

SCHEDULE OF CONDITIONS

The following conditions are present at the structure at 1850 Elwood, Muskegon, Michigan, and cause said structure to be a dangerous or substandard building and a public nuisance.

Please see the attached inspection report

CITY OF MUSKEGON INSPECTION DEPARTMENT

A handwritten signature in cursive script, reading "Robert B. Grabinski".

Robert B. Grabinski, Director of Inspections

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

NOTICE OF HEARING

Date: February 26, 2002

Address of the Property: 1850 Elwood, Muskegon MI

Description of the Structure: Eastlawn Sub Div of Blks 3-4 & 5 RP Easton 2nd Sub Div Lot 8
Blk 8

TO: Sterling Bank & Trust, One Towne Sq. 17th Floor, Southfield, MI 48076
[Name & Address of Owner]

None

Names & Addresses of Other Interested Parties]

Please take notice that on **Thursday, March 7, 2002**, the City of Muskegon Housing Board of Appeals will hold a hearing at 933 Terrace, Muskegon, MI at 5:30 o'clock p.m., and at the said hearing consider whether or not the following structure should be determined to be dangerous, substandard and a nuisance, and demolished, or repaired.

The reason for this hearing is that you have not complied with the Notice and Order issued 1/30/02.

At the hearing on Thursday, March 7, 2002, at 5:30 o'clock p.m., at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, you may appear and present any relevant evidence to the Housing Board of Appeals and have counsel of your choice present, if you desire, to show cause why the structure should not be allowed or ordered demolished.

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

By

Robert B. Grabinski
Robert B. Grabinski, Director of Inspections

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

Date: March 12, 2002

To: Sterling Bank & Trust, One Towne Sq. 17th Floor, Southfield, MI 48076
Owners Name & Address

None
Names & Addresses of Other Interested Parties

ORDER TO DEMOLISH STRUCTURE

The Housing Board of Appeals, having received evidence at a scheduled and noticed meeting held on Thursday, March 7, 2002 does hereby order that the following structure(s) located at 1850 Elwood, Muskegon, Michigan, shall be demolished for the reason that the said structure or structures are found, based upon the evidence before the Board of Appeals, to be dangerous, substandard and a public nuisance.

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

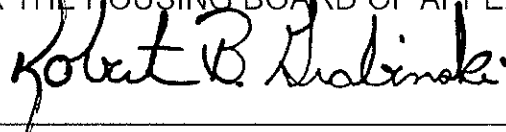
The director of inspections is ordered to place before the Muskegon City Commission this order and the record in this case to seek concurrence by the City Commission with the decision of this board, and further to give notice to the owner and interested parties of the date and time when this matter shall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

NOTICE TO OWNER AND INTERESTED PARTIES

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

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

FOR THE HOUSING BOARD OF APPEALS:

A handwritten signature in black ink, reading "Robert B. Grabinski". The signature is written in a cursive style with a large, stylized initial "R".

Robert B. Grabinski, Director of Inspections

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: March 29, 2002

1850 Elwood
(Address of Property)

TO: All owners and interested parties:

Sterling Bank & Trust, One Towne Sq. 17th Floor, Southfield, MI 48076
(Name of Owner)

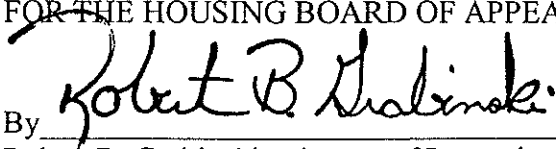
None
(Other interested parties)

On March 7, 2002, the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on April 9, 2002, to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on April 9, 2002, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

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

By


Robert B. Grabinski, Director of Inspections

The motion carried.

DANGEROUS BUILDING NEW CASES:

**Case #02-02 – 1850 Elwood – Sterling Bank & Trust, One Towne Sq.
Southfield, MI**

No one was present to represent this case. Mr. Grabinski gave a history. It has been boarded since July. There has been no contact from owner.

Staff Recommendation: Declare substandard, a public nuisance, and a dangerous building, and forward to City Commission for their concurrence.

Motion made by Clara Shepherd, supported by John Warner to support staff's recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
John Warner
Jerry Bever
Jon Rolewicz
Clara Shepherd
Nick Kroes

NAYES:

EXCUSED:

ABSENT:

The motion carried.

Case #01-059 – 1710 Madison – Agapito Suarez Jr. – 1710 Madison

Mr. Suarez was present to represent this case. Mr. Grabinski gave a history of the case. It began as a property maintenance case because of complaints, but repairs were not being done and it was added to the dangerous building list. An interior inspection was done in December.

Mr. Suarez stated that he needs some time to complete repairs. He had money to use on the house, but had to pay his taxes with it. Mr. Borgman inquired on how much time he needed and he stated he would like 120 days. He has had the house for about 3 years. His wife is not working full time anymore and he doesn't have a lot of money. He bought the house as is.

Mr. Grabinski asked if he owned any other houses in the city. He stated that he has no other houses, no rentals. His father has some, he is Agapito also. Mr. Grabinski asked if he had read the inspection report and if he agreed with it. Mr. Suarez said he has read it and he is in agreement with it. He said he will try to

DATE: April 4, 2002
TO: Honorable Mayor and Commissioners
FROM: Robert B. Grabinski, Director of Inspection Services
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: 01-058 Address: 1525 Huizenga

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 **1525 Huizenga** 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: 01-1525 Huizenga

Location and ownership: This structure is located on Huizenga between Emerson and Fleming. It is owned by Brian Miller.

Staff Correspondence: This structure was damaged by a fire that occurred when the owner was sniffing propane while smoking inside his home. A dangerous building inspection was conducted 12/13/01. A notice and order to repair or demolish was issued 12/28/01. A notice of HBA hearing was issued 1/28/02 for the 2/7/02 meeting. No one was present at the meeting and the board declared it substandard and dangerous.

Owner Contact: There has been no contact from Mr. Miller.

Financial Impact: None

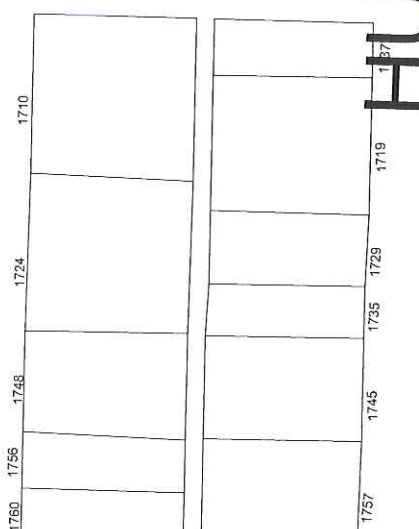
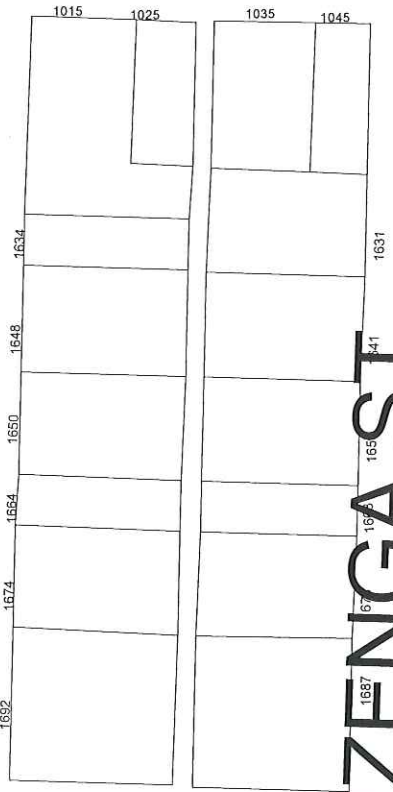
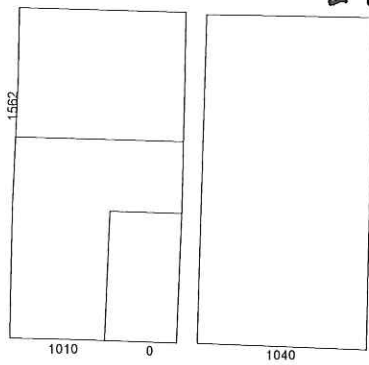
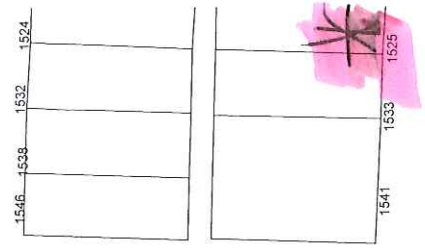
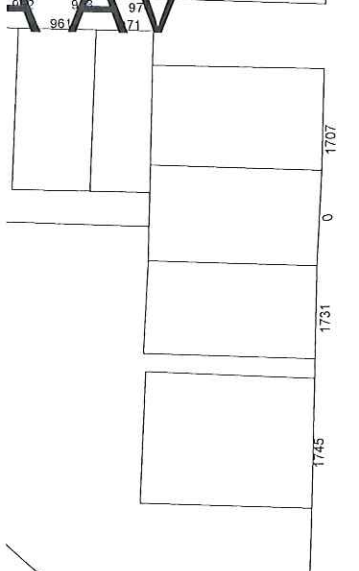
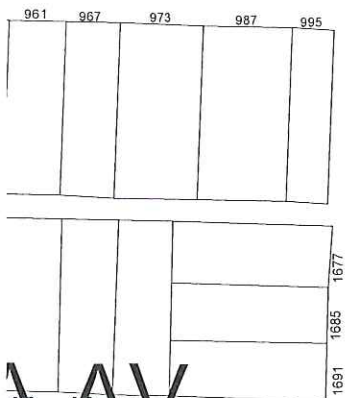
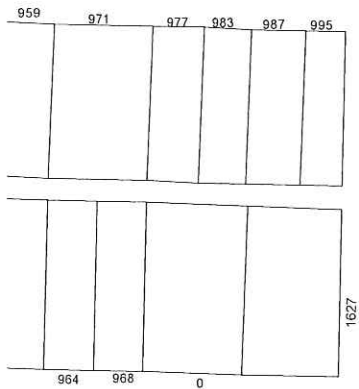
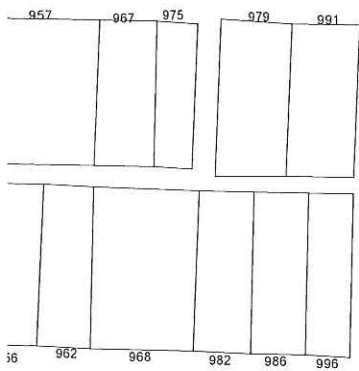
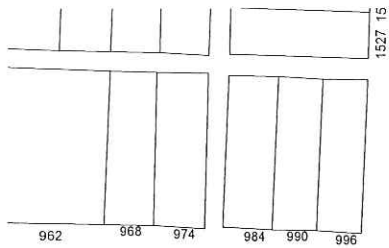
Budget action required: General Funds

State Equalized value: \$21,600

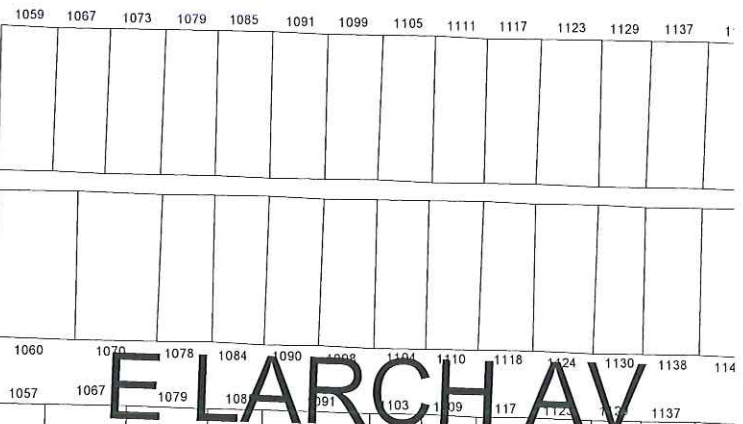
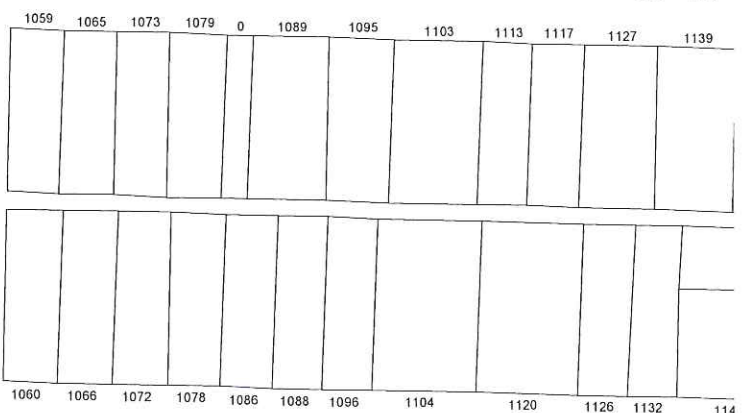
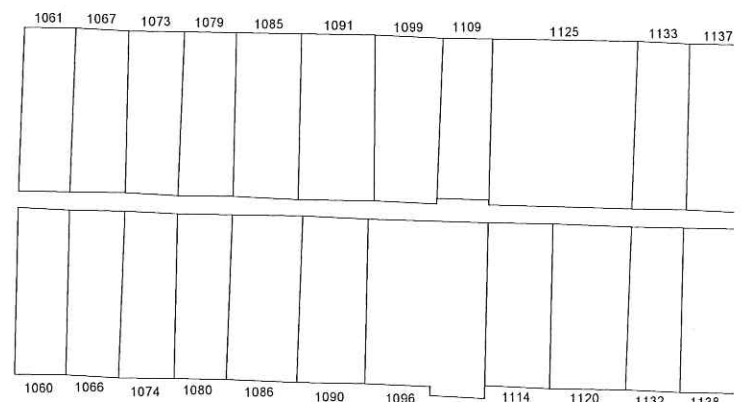
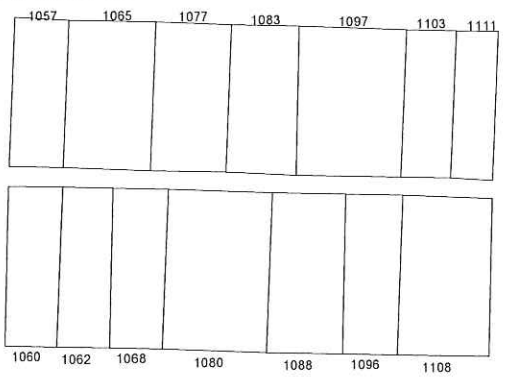
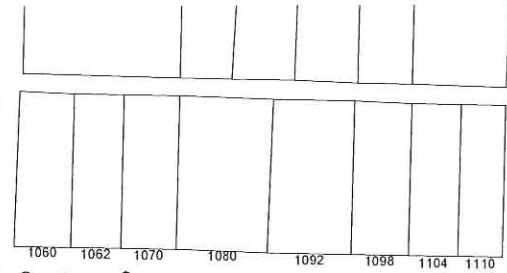
Estimated cost to repair: \$30,000

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

City Commission Recommendation: The commission will consider this item at it's meeting Tuesday, April 9, 2002.



EMERSON



E LARCH AV



1525 Huizenga

Census #4



Harbor Title

955 West Broadway
Muskegon, MI 49441

Title Search

Case No.: 100122698

December 19, 2001

1. Beginning Date: 4/10/2000, at 8:00 A.M.

Please See Attached Liber 3032, Page 92, Muskegon County Records, for Legal Description:

2. We have searched the records in the office of the Register of Deeds for Muskegon County, Michigan covering the subject property, and find the following conveyances and undischarged encumbrances, from said beginning date to 11/19/2001, at 8:00 A.M.

Documents

Deeds:

Liber 3032, Page 92.
Liber 3239, Page 919.

Mortgages:

Liber 3032, Page 93.

Taxes:

Payment of the 2001 Winter taxes, due and payable to the City of Muskegon Treasurer in the amount of \$806.45, if paid by February 14, 2002.

Note:

No 2001 Summer taxes were assessed.

Permanent Parcel No.: 61-24-655-003-0005-00.

2001 State Equalized Value: \$21,600.00.

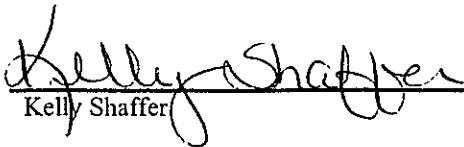
2001 Taxable Value: \$21,600.00.

Homestead Property.

3. We find no United States Internal Revenue Liens recorded in the office of the Register of Deeds of Muskegon County, Michigan, against:

Brian Miller

4. No search has been made for any instrument, however designated, which has been filed as a financing statement pursuant to the Uniform Commercial Code.
5. No search has been made of the records of the Circuit, Probate or other Courts, or of any record other than those in the office of the Register of Deeds.
6. Under this form of search this company is not an insurer of above title, nor does it guarantee the title or any evidence of title thereto.
7. Note: In consideration of the fact that the above information is to be used for reference purposes only and not relied upon as evidence of title, it is furnished at a reduced rate and this Company's liability is limited to the amount paid for this information.


Kelly Shaffer

CITY OF MUSKEGON
DANGEROUS BUILDING INSPECTION REPORT

1525 Huizenga (Fire)

12/13/01

Inspection noted:

1. An interior inspection is required by all trade inspectors (plumbing, mechanical, electrical and building).
2. Home has been damaged by fire. No repairs or removal of debris have taken place.

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


HENRY FALTINOWSKI, BUILDING INSPECTOR

12/14/2001
DATE

CITY OF MUSKEGON

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

DATE: December 28, 2001

Address of the Property: 1525 Huizenga, Muskegon, Michigan

TO: Brian Miller, 1525 Huizenga, Muskegon, MI 49442
[Name & Address of Owner]

Old Kent Mortgage Corp, P.O. Box 204, Grand Rapids, MI 49502-0476
(Interested Parties)

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

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

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

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

FAILURE TO COMPLY

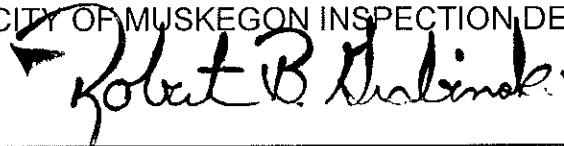
After 30 days from mailing this notice, if you have not complied with this notice, a hearing will be scheduled before the City of Muskegon Housing Board of Appeals for the purpose of enforcing this notice and order and instituting City action to remove the structure. You will receive notice of that hearing.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

SCHEDULE OF CONDITIONS

The following conditions are present at the structure at 1525 Huizenga, Muskegon, Michigan, and cause said structure to be a dangerous or substandard building and a public nuisance.

Please see the attached inspection report

CITY OF MUSKEGON INSPECTION DEPARTMENT

A handwritten signature in black ink, reading "Robert B. Grabinski". The signature is written in a cursive style with a large, stylized "R" at the beginning.

Robert B. Grabinski, Director of Inspections

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

NOTICE OF HEARING

Date: January 28, 2002

Address of the Property: 1525 Huizenga, Muskegon MI

Description of the Structure: Oakview Addition Lot 5, Blk 3 & the E 23 ft. of fac Alexander St.
Adj. Exc. E 27.5 ft. used for Huizenga St.

TO: Brian Miller, 1525 Huizenga, Muskegon, MI 49442
[Name & Address of Owner]

None

Names & Addresses of Other Interested Parties]

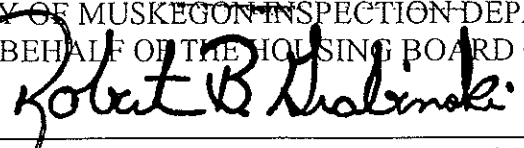
Please take notice that on Thursday, February 7, 2002, the City of Muskegon Housing Board of Appeals will hold a hearing at 933 Terrace, Muskegon, MI at 5:30 o'clock p.m., and at the said hearing consider whether or not the following structure should be determined to be dangerous, substandard and a nuisance, and demolished, or repaired.

The reason for this hearing is that you have not complied with the notice and order to repair issued 12/28/01.

At the hearing on Thursday, February 7, 2002, at 5:30 o'clock p.m., at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, you may appear and present any relevant evidence to the Housing Board of Appeals and have counsel of your choice present, if you desire, to show cause why the structure should not be allowed or ordered demolished.

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

By


Robert B. Grabinski, Director of Inspections

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

Date: February 11, 2002

To: Brian Miller, 1525 Huizenga, Muskegon, MI 49442
Owners Name & Address

None
Names & Addresses of Other Interested Parties

ORDER TO DEMOLISH STRUCTURE

The Housing Board of Appeals, having received evidence at a scheduled and noticed meeting held on Thursday, February 7, 2002 does hereby order that the following structure(s) located at 1525 Huizenga, Muskegon, Michigan, shall be demolished for the reason that the said structure or structures are found, based upon the evidence before the Board of Appeals, to be dangerous, substandard and a public nuisance.

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

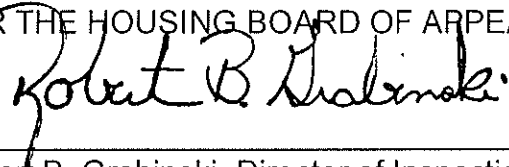
The director of inspections is ordered to place before the Muskegon City Commission this order and the record in this case to seek concurrence by the City Commission with the decision of this board, and further to give notice to the owner and interested parties of the date and time when this matter shall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

NOTICE TO OWNER AND INTERESTED PARTIES

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

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

FOR THE HOUSING BOARD OF APPEALS:



Robert B. Grabinski, Director of Inspections

NOTICE OF HEARING BEFORE THE CITY COMMISSION

DATE: March 29, 2002

1525 Huizenga
(Address of Property)

TO: All owners and interested parties:

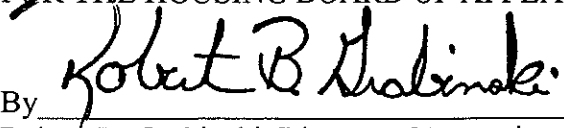
Brian Miller, 1525 Huizenga, Muskegon, MI 49442
(Name of Owner)

None
(Other interested parties)

On February 7, 2002, the Muskegon Housing Board of Appeals made a determination that the subject property is sub-standard, a public nuisance and a dangerous building under the City Code and ordered that it be repaired or demolished.

The City Commission will hold a hearing on April 9, 2002, to consider the above decision of the Housing Board of Appeals. You may appear at this hearing at 5:30 p.m. on April 9, 2002, at the Muskegon City Hall, 933 Terrace Street, Muskegon, Michigan, with counsel, if you desire, to present any relevant evidence and arguments concerning the decision to demolish the above structures.

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

By 
Robert B. Grabinski, Director of Inspections

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman
Randy Mackie
John Warner
Jerry Bever
Jon Rolewicz
Clara Shepherd

Nick Kroes

The motion carried.

Case #01-058 – 1525 Huizenga – Brian Miller, 1525 Huizenga, Muskegon

Mr. Grabinski gave a history of the case. It had a devastating fire. It is known as the "huff and puff" case. The owner is serving a year in jail because of the charges against him in this case. The back of the structure completely collapsed. The owner was huffing propane and smoking and blew the walls out. There has been no contact with the owner in regard to his house.

Staff Recommendation:. Declare substandard, a public nuisance, and a dangerous building, and forward to City Commission for their concurrence.

Motion made by Clara Shepherd and seconded by Randy Mackie to support staff's recommendation.

A roll cal vote was taken:

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman
Randy Mackie
John Warner
Jerry Bever
Jon Rolewicz
Clara Shepherd

Nick Kroes

The motion carried.

Case #01-056 – 503 Octavius – Clayton National Inc. 4 Corporate Dr. 3rd Floor, Shelton, CT 06484

No one was present to represent this case. A board up request came from the MPD. There have been other issues. Inspections got in, the house was open. The city did do a rehab on this house for the former owners, but they are no longer involved. There has been no contact from Mortgage Company.