

CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 28, 2000

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ CALL MEETING TO ORDER:
- ❑ PRAYER:
- ❑ PLEDGE OF ALLEGIANCE:
- ❑ ROLL CALL:
- ❑ HONORS AND AWARDS:

a. Visitors from Sister City.

- ❑ **CONSENT AGENDA:** Items listed under the Consent Agenda have been considered to be routine in nature and will be enacted in one motion. No separate discussion will be held on these items. If discussion of an item is required, it will be removed from the Consent Agenda and be considered separately.

a. Approval of Minutes CITY CLERK

b. Liquor License Request – Transfer ownership at 631 Southern Street.
CITY CLERK

c. Liquor License Request –Add Outdoor Service. CITY CLERK

d. Porta Jon Bids. LEISURE SERVICES

e. Fertilizer Bids. LEISURE SERVICES

f. Resolution of Support for the Muskegon Areawide Plan (MAP) Process. PLANNING & ECONOMIC DEVELOPMENT

g. Rezoning request for property located at the corner of Laketon and Park. PLANNING & ECONOMIC DEVELOPMENT

h. Rezoning request for property located on Holbrook Avenue, between Sixth and Commerce Streets. PLANNING & ECONOMIC DEVELOPMENT

i. Utility Franchise Agreement – DTE Energy. CITY CLERK

- j. Mowing and lot cleaning contract for the environmental program. PLANNING & ECONOMIC DEVELOPMENT
- k. Acquisition of the home at 2018 Waalkes for Seaway Industrial Park. PLANNING & ECONOMIC DEVELOPMENT
- l. Request for Encroachment Agreement. ENGINEERING
- m. Janitorial Services Proposal. ENGINEERING
- n. Consideration of Bids for Nevada, Young to Laketon & Forest, Franklin to Barclay. ENGINEERING

❑ **PUBLIC HEARINGS:**

❑ **COMMUNICATIONS:**

❑ **CITY MANAGER'S REPORT:**

❑ **UNFINISHED BUSINESS:**

- a. Parking Fine/Impound Fee Adjustments. FINANCE (2ND Reading)

❑ **NEW BUSINESS:**

- a. 2000 Comprehensive Economic Development Strategy (CEDS) Project Submissions. PLANNING & ECONOMIC DEVELOPMENT
- b. Zoning Ordinance Amendments to add Port District Language. PLANNING & ECONOMIC DEVELOPMENT
- c. Amendment to Waterfront Redevelopment Plan. PLANNING & ECONOMIC DEVELOPMENT
- d. Zoning Ordinance Amendments to Table I and District Language. PLANNING & ECONOMIC DEVELOPMENT
- e. Seasonal Employment. CITY MANAGER

❑ **ANY OTHER BUSINESS:**

❑ **PUBLIC PARTICIPATION:**

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

❑ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT GAIL A. KUNDINGER, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (616) 724-6705 OR TDD: (616) 724-4172.

INTEROFFICE MEMORANDUM

TO: MAYOR NIELSEN AND CITY COMMISSIONERS
FROM: BOB KUHN, DIRECTOR OF PUBLIC WORKS /HS
SUBJECT: UNVEILING OF NEW LOOK FOR DPW TRUCKS
DATE: 03/23/00
CC: BRYON MAZADE, LEE SLAUGHTER

There will be an unveiling of the new look for the DPW trucks prior to the City Commission Meeting on **Tuesday, March 28 at 4:45 p.m.** in the basement of City Hall. (This will immediately precede the 5:00 reception for the students from Omuta, Japan, which is located upstairs in the lobby).

The first truck in the new series is complete and we thought it would be appropriate to give the Mayor and City Commission the first peek.

Please join us for the unveiling. A press release with more information about the new look is attached.

Thank You.

ive Action

4-6703

722-1214

Assessor

616/724-6708

FAX/724-4178

Cemetery

616/724-6783

FAX/726-5617

Civil Service

616/724-6716

FAX/724-4055

Clerk

616/724-6705

FAX/724-4178

Comm. & Neigh.

Services

616/724-6717

FAX/726-2501

Engineering

616/724-6707

FAX/727-6904

Finance

616/724-6713

FAX/724-6768

Fire Dept.

616/724-6792

FAX/724-6985

Income Tax

616/724-6770

FAX/724-6768

Info. Systems

616/724-6706

FAX/722-4301

Leisure Service

616/724-6704

FAX/724-1196

Manager's Office

616/724-6724

FAX/722-1214

Mayor's Office

616/724-6701

FAX/722-1214

Neigh. & Const.

Services

616/724-6715

FAX/726-2501

Planning/Zoning

616/724-6702

FAX/724-6790

Police Dept.

616/724-6750

FAX/722-5140

Public Works

616/724-4100

FAX/722-4188

Treasurer

616/724-6720

FAX/724-6768

Water Billing Dept.

616/724-6718

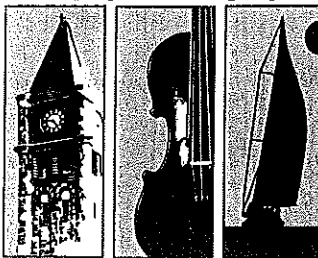
FAX/724-6768

Water Filtration

616/724-4106

FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

For Release on March 28, 2000

March 21, 2000

Contact: Heather Sandberg (231) 724-6700

MUSKEGON, MICHIGAN

CITY OF MUSKEGON DPW TRUCKS GET NEW LOOK

Muskegon, MI. Residents will notice a new look on the City of Muskegon's Public

Works vehicles. The department will be replacing the yellow trucks with white trucks and

also changing the look of the lettering and graphics. The changeover will take several years

to complete, as it will be done as trucks are phased out of service and replaced.

According to Bob Kuhn, Muskegon's Director of Public Works, "One reason for

the change is to exemplify the Department's new motto and image of service." The new

motto 'We Serve' will be displayed underneath the City's logo near the rear of the vehicle.

"Our first priority is providing excellent service to our citizens," stated Kuhn, "We are

committed to excellent public service and it is important that our citizens know that. Our

new vehicles will be a visual commitment to that philosophy."

The City of Muskegon has used the yellow color since 1975 and the look of the

graphics has changed very little since then. Kuhn added, "A new look for the new

millennium seemed the appropriate time to make such a change."

###

TO: MAYOR & CITY COMMISSION
FROM: ADMINISTRATIVE DIVISION
DATE: MARCH 23, 2000
RE: VISITORS FROM OUR SISTER CITY

Visitors from our sister city in Japan will be arriving on Saturday, ^{March} ~~April~~ 25, 2000. Expected are 22 students and 3 chaperones participating in the student exchange program in the Greater Muskegon Area. While they are here the representatives, and possibly their host families will be attending the city commission meeting held on March 28, 2000.

A small reception for the group will be held in the hallway outside the commission chambers at 5:00 PM on the 28th of March. It is very important that you attend this reception to greet our guests.

If you have any questions, please contact Lee or Gail. Thank you in advance for your cooperation.

**correction - Sorry, In my haste to get this out I missed the error.*

Gail


Date: March 28, 2000
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, March 14, 2000.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 28, 2000

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, March 28, 2000.

Mayor Nielsen opened the meeting and introduced Rev. R.W. Burgess of Central United Methodist Church. Rev. Burgess gave the opening prayer after which members of the City Commission and the members of the public joined in reciting the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING

Present: Mayor Fred J. Nielsen; Vice Mayor Scott Sieradzki; Commissioner Lawrence Spataro, John Aslakson, Jone Wortelboer Benedict, Robert Schweifler.

Absent: Commissioner Clara Shepherd (excused)

HONORS AND AWARDS:

- a. Visitors from Sister City. Visitors from our sister City in Japan were present. Ron Gossett was introduced and the students introduced themselves.

2000-35 CONSENT AGENDA:

- a. Approval of Minutes CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, March 14, 2000.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

- c. Liquor License Request –Add Outdoor Service. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission seeks local recommendation on a request from Top Spin, Inc. to add a new outdoor service area, to be held in conjunction with their 1998 Class C-SDM license (with dance and food permit) at the Sardine Room Restaurant.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All Departments are recommending approval.

d. Porta Jon Bids. LEISURE SERVICES

SUMMARY OF REQUEST: To award a contract to Fresh Start to supply Porta Jons for various city facilities in 2000.

FINANCIAL IMPACT: Approximately \$10,000

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve

e. Fertilizer Bids. LEISURE SERVICES

SUMMARY OF REQUEST: To purchase fertilizer for application on various city properties.

FINANCIAL IMPACT: 23,473.20

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve

**f. Resolution of Support for the Muskegon Areawide Plan (MAP) Process.
PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: To approve the resolution supporting the preparation of an areawide comprehensive development plan for Muskegon County.

FINANCIAL IMPACT: There is no direct financial impact. It is anticipated that several utility companies will contribute towards the funding of the initial phase of the project, and the West Michigan Shoreline Regional Development Commission will provide staff for the Steering Committee.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and authorize the Mayor to send a letter of support to the MAP Steering Committee.

**g. Rezoning request for property located at the corner of Laketon and Park.
PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: Request to rezone property located at the corner of Laketon Ave. and Park St., from I-2, General Industrial to B-4, General Business.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends of the request due to compliance with the future land use map and Master Land Use Plan.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request on 3/15/00.

Requires Second Reading.

h. Rezoning request for property located on Holbrook Avenue, between Sixth and Commerce Streets. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone property located on Holbrook Ave., between Sixth and Commerce Streets, from I-2, General Industrial to B-2, Convenience and Comparison Business.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval of the request due to compliance with the future land use map and Master Land Use Plan.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request on 3/15/00.

Requires Second Reading.

i. Utility Franchise Agreement – DTE Energy. CITY CLERK

SUMMARY OF REQUEST: To adopt the ordinance granting a non-exclusive franchise to DTE Energy to use local public ways and do local electrical business.

BUDGET ACTION IMPACT: None

FINANCIAL IMPACT: None

STAFF RECOMMENDATION: Approval of the request.

Requires Second Reading.

j. Mowing and lot cleaning contract for the environmental program. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve a three-year contract with an option for a two-year extension (5-year total) for private and city-owned lot mowing and private and city-owned garbage clean-up with Free Lance Enterprises.

FINANCIAL IMPACT: Two bids were submitted, one was disqualified due to an incomplete bid packet. The qualifying bid was proposed at an hourly rate for a crew of two people and equipment. The two-year bid ranged from \$36.00 to \$42.00 per hour. The three-year bid ranges from \$34.00 to \$40.00 per hour.

Annual costs are driven by demand have been around \$250,000 annually. We will be engaging in several programs aimed at reducing demand for clean-up services. Currently, the City's contractor cleans properties that are not cleaned up by the owner. The cost of mowing and/or removing the junk, trash or debris and disposing of it is then charged to the owner in addition to an administrative fee. If they do not pay, the bill is turned over to the credit bureau.

BUDGET ACTION REQUIRED: None

RECOMMENDATION: Authorize the Clerk and Mayor to sign the contract with Free Lance Enterprises.

k. Acquisition of the home at 2018 Waalkes for Seaway Industrial Park. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to the signed purchase agreement of Mr. & Mrs. Richard Schaub, the Planning Department seeks to purchase the home located at 2018 Waalkes. Purchase of the home brings the City one step closer to the creation of the Seaway Industrial Park. The home was listed with Crystal Anderson Realty Company, and after looking over the appraisal, all parties agreed on a purchase price of \$49,500. Funds used to purchase the home come from an Urban Land Assembly (ULA) grant. Upon approval of the City Commission, a closing will be scheduled for March 31, 2000.

FINANCIAL IMPACT: The City will expend \$49,500 from the ULA grant.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval of the purchase, as well as, authorization for both the Mayor and the Clerk to sign the resolution and purchase agreement.

l. Request for Encroachment Agreement. ENGINEERING

SUMMARY OF REQUEST: Hawkeye Environmental has filed an encroachment agreement form to sample and maintain three ground water monitoring wells. The wells were originally installed by Superior Environmental.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

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

m. Janitorial Services Proposal. ENGINEERING

SUMMARY OF REQUEST: To approve a one-year extension on the current contract with Edwards Janitorial to clean City Hall as well as the Public Service Building for an additional monthly charge of \$126.34 per month for City Hall and \$37.19 per month for DPW. The annual cost for this one-year extension is \$52,054.56 for City Hall and \$15,325.92 for DPW. This extension would expire on May 1st, 2001. Furthermore, the aforementioned proposed numbers are still lower than those submitted in 1997 by the next bidder, Goodwill Industries.

FINANCIAL IMPACT: The annual cost of \$52,054.56 for City Hall & \$15,325.92 for DPW

BUDGET ACTION REQUIRED: None, this adjustment was anticipated and budgeted for.

STAFF RECOMMENDATION: To approve the extension of the contract with Edwards Janitorial to provide cleaning services until May of 2001.

n. Consideration of Bids for Nevada, Young to Laketon & Forest, Franklin to Barclay. ENGINEERING

SUMMARY OF REQUEST: The contract to construct new watermain in Nevada and Forest be awarded to Jackson Merkey Contractors, Inc. since they were the lowest

responsible bidder with a bid price of \$265,994.95.

FINANCIAL IMPACT: The construction cost of \$265,994.95 plus related engineering expenses.

BUDGET ACTION REQUIRED: None, the project was budgeted for a total of \$295,000 out of the Local Street & Water Funds.

STAFF RECOMMENDATION: Award the contract to Jackson Merkey Contractors, Inc.

Motion by Commissioner Spataro, second by Commissioner Schweifler to approve the Consent Agenda with the exception of item b.

ROLL VOTE: Ayes: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Schweifler

Nays: None

ADOPTED

2000-36 ITEM REMOVED FROM THE CONSENT AGENDA:

a. Liquor License Request – Transfer ownership at 631 Southern Street. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission seeks local recommendation on a request from S and R Kado, L.L.C., to transfer ownership of the 1999 SDD and SDM license from Southern Corporation.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: All departments are recommending approval.

Motion by Commissioner Aslakson, second by Vice Mayor Sieradzki to approve the transfer.

ROLL VOTE: Ayes: Spataro, Aslakson, Benedict, Nielsen, Schweifler, Sieradzki

Nays: None

ADOPTED

2000-37 UNFINISHED BUSINESS:

a. Parking Fine/Impound Fee Adjustments. FINANCE (2ND Reading)

SUMMARY OF REQUEST: The Finance Division and Police Department have reviewed current parking fine and vehicle impoundment fee structures and recommend the following changes:

1. Parking Fines – Maintain parking fines at current levels but add a fourth incremental step for fines that remain unpaid after 30 days. Currently parking fines do not increase further after remaining unpaid for 14 days.
2. Boot Removal Fee – Implement a \$65.00 fee for removal of the "Denver Boot" (or alternate) vehicle immobilization device.
3. Impoundment Fees – Implement standard \$50.00 fee for all vehicle impounds requiring Police Department involvement (consistent with fee charged by

County). Also, begin use of vehicle immobilization devices for court-ordered vehicle impounds.

FINANCIAL IMPACT: Additional revenues will be generated and parking tickets collection rate should improve by adding fourth step to parking fine structure.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approval of proposed recommendations, related ordinance amendments and fine/free adjustments.

Motion by Commissioner Aslakson, second by Commissioner Benedict to approve the ordinance amendments and the parking fine/impound fee adjustments.

ROLL VOTE: Ayes: Aslakson, Benedict, Nielsen, Schweifler, Sieradzki, Spataro

Nays: None

ADOPTED

2000-38 NEW BUSINESS:

a. 2000 Comprehensive Economic Development Strategy (CEDS) Project Submissions. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the list of projects for inclusion in the West Michigan Shoreline Regional Development Commission's annual Comprehensive Economic Development Strategy (CEDS). The Comprehensive Strategy is not an application for funds but rather a "wish list" for the economic development within the West Michigan region. These projects are carried forward from previous years.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution submitting projects from the City of Muskegon for inclusion in the 2000 Comprehensive Economic Development Strategy.

COMMITTEE RECOMMENDATION: The City of Muskegon Planning Commission, at its regular meeting on March 15, 2000, recommended approval.

Motion by Commissioner Benedict, second by Commissioner Aslakson to remove Henry Street extension from the list.

ROLL VOTE: Ayes: Benedict, Nielsen, Aslakson

Nays: Schweifler, Sieradzki, Spataro

FAILS

Motion by Commissioner Benedict, second by Commissioner Aslakson to separate the ballpark, away from the waterfront, from the aquarium.

ROLL VOTE: Ayes: Aslakson, Benedict, Nielsen, Schweifler

Nays: Sieradzki, Spataro

ADOPTED

Motion by Commissioner Schweifler, second by Commissioner Aslakson to approve the 2000 Comprehensive Economic Development Strategy project submissions as amended.

ROLL VOTE: Ayes: Schweifler, Sieradzki, Spataro, Aslakson, Benedict, Nielsen

Nays: None

ADOPTED

b. Zoning Ordinance Amendments to add Port District Language. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To amend Article XV of the Zoning Ordinance to create sections 1504 through 1507, to add the language only for a new Waterfront Industrial Planned Unit Development (WI-PUD) Zoning District. Also, to amend Section 2334 (Signs) of Article XXIII to add '#11, Permitted Signs in the WI-PUD District', and to amend Article II (Definitions) to add definitions related to the new WI-PUD district.

FINANICAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends amendment of the Zoning Ordinance to include the proposed language in the articles section above.

COMMITTEE RECOMMENDATION: The Planning Commission recommends approval of the request.

Motion by Commissioner Spataro, second by Commissioner Schweifler to amend the zoning ordinance.

ROLL VOTE: Ayes: Nielsen, Schweifler, Sieradzki, Spataro, Aslakson, Benedict

Nays: None

ADOPTED (Requires Second Reading)

c. Amendment to Waterfront Redevelopment Plan. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The Muskegon Waterfront Redevelopment Plan was adopted by the Planning Commission in December, 1999, and endorsed by the City Commission in January, 2000. The City Commission vote was not unanimous, due to references in the plan to a "Port Authority" or other body with bonding and condemnation powers. The Planning Commission has since amended the plan to remove those references in order to achieve a unanimous endorsement by the City Commission.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends that the City Commission endorse the amended Waterfront Redevelopment Plan.

COMMITTEE RECOMMENDATION: The Planning Commission has adopted the proposed amendments and recommends that the City Commission endorse the

amended plan.

Motion by Commissioner Benedict, second by Commissioner Aslakson to adopt the amended Waterfront Redevelopment Plan.

ROLL VOTE: Ayes: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Schweifler

Nays: None

ADOPTED

d. Zoning Ordinance Amendments to Table I and District Language. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to repeal and reserve Section 2308 (Zero Lot Line) and Section 2310 (Method for Determining Setbacks, Yards and Density) of Article XXIII of the Zoning Ordinance; to amend Table I "District Regulations; Bulk and Setback Requirements" and provide table notes and a preamble; and to add bulk and setback requirements to each zoning district (Articles IV through XX, excepting Article V).

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends amendment of the Zoning Ordinance to include the proposed language in the articles and sections described above.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request.

Motion by Commissioner Spataro, second by Commissioner Aslakson to amend the Zoning Ordinance.

ROLL VOTE: Ayes: Spataro, Aslakson, Benedict, Nielsen, Schweifler, Sieradzki

Nays: None

ADOPTED (Requires Second Reading)

e. Seasonal Employment. CITY MANAGER

SUMMARY OF REQUEST: To approve the use of Manpower for seasonal employment for 2000.

FINANCIAL IMPACT: Savings of \$40,000+ for the General Fund.

BUDGET ACTION REQUIRED: The cost saving will be included in future 2000 budget adjustments.

STAFF RECOMMENDATION: To approve the use of Manpower for seasonal employment, subject to appropriate collective bargaining provisions.

Motion by Commissioner Aslakson, second by Commissioner Spataro to approve the request subject to appropriate collective bargaining provisions for the year 2000.

ROLL VOTE: Ayes: Schweifler, Spataro, Aslakson

Nays: Benedict, Sieradzki

Abstain: Nielsen

FAILS (The affirmative vote of the majority of the members of the City Commission shall be necessary to adopt any measure before it.)

ANY OTHER BUSINESS:

Commissioner Spataro requested information on workers compensation. Tim Paul responded. Commissioner Benedict and Vice Mayor Sieradzki asked about the Civil Service Director's resignation. City Manager will give the Commission a report of what happened. Vice Mayor Sieradzki asked about the wreaths on Western Avenue.

PUBLIC PARTICIPATION:

Peggy White Knight spoke reference the Rainbow Pet Care Center.

ADJOURNMENT:

The Regular Commission Meeting was adjourned at 8:50 p.m.

Respectfully submitted,

A handwritten signature in blue ink, reading "Gail A. Kunding".

Gail A. Kunding, CMC/AAE
City Clerk

Date: March 28, 2000
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Liquor License Request
2536 Henry Street, Muskegon, MI

SUMMARY OF REQUEST: The Liquor Control Commission seeks local recommendation on a request from Top Spin, Inc. to add a new outdoor service area, to be held in conjunction with their 1998 Class C-SDM license (with dance and food permit) at the Sardine Room Restaurant.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All Departments are recommending approval.

2000-35(c)

MICHIGAN DEPARTMENT OF COMMERCE
LIQUOR CONTROL COMMISSION

RESOLUTION

At a Regular meeting of the City Commission
(Regular, or Special) (Township Board, City or Village Council)

called to order by Mayor Nielsen on March 28, 2000 at 5:30 P.M.

the following resolution was offered:

Moved by Commissioner Spataro and Supported by Commissioner Schweifler

That the request from Top Spin, Inc. 2536 Henry, Muskegon, MI 49441 for a new Outdoor Service Permit to be held in conjunction with 1998 Class C-SDM licensed business with dance permit and official permit (food).

be considered for approval
(Approval or Disapproval)

Approval

Yeas: 6

Nays: 0

Absent: 1

Disapproval

Yeas:

Nays:

Absent:

It is the consensus of this legislative body that the application be recommended
(Recommended or
not Recommended) for issuance.

State of Michigan)
County of Muskegon) SS

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

City Commission at a Regular
(Regular or Special)

meeting held on the 28th of March, 2000
(Date)

(Signed)

Gail A. Kunderger
(Township, City, or Village Clerk)

Gail A. Kunderger, City Clerk
933 Terrace, PO Box 536

(Address of Township, City or Village Board)
Muskegon, MI 49443-0536

SEAL

2000-35(c)

MICHIGAN DEPARTMENT OF COMMERCE
LIQUOR CONTROL COMMISSION

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(Date)

(Signed)

Gail A. Kundergei
(Township, City, or Village Clerk)

Gail A. Kundergei, City Clerk
933 Terrace, PO Box 536

(Address of Township, City or Village Board)
Muskegon, MI 49443-0536

SEAL

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Gail A. Kunderger
(Township, City, or Village Clerk)

Gail A. Kunderger, City Clerk
933 Terrace, PO Box 536

(Address of Township, City or Village Board)
Muskegon, MI 49443-0536

SEAL

2000-35(c)
MICHIGAN DEPARTMENT OF COMMERCE
LIQUOR CONTROL COMMISSION

RESOLUTION

At a Regular meeting of the City Commission
(Regular, or Special) (Township Board, City or Village Council)

called to order by Mayor Nielsen on March 28, 2000 at 5:30 P.M.

the following resolution was offered:

Moved by Commissioner Spataro and Supported by Commissioner Schweifler

That the request from Top Spin, Inc. 2536 Henry, Muskegon, MI 49441 for a new Outdoor Service Permit to be held in conjunction with 1998 Class C-SDM licensed business with dance permit and official permit (food).

be considered for approval
(Approval or Disapproval)

Approval

Yeas: 6

Nays: 0

Absent: 1

Disapproval

Yeas:

Nays:

Absent:

It is the consensus of this legislative body that the application be recommended
(Recommended or
not Recommended) for issuance.

State of Michigan)
County of Muskegon) SS

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

City Commission at a Regular
(Regular or Special)

meeting held on the 28th of March, 2000
(Date)

(Signed)

Gail A. Kundergei
(Township, City, or Village Clerk)

Gail A. Kundergei, City Clerk
933 Terrace, PO Box 536

(Address of Township, City or Village Board)
Muskegon, MI 49443-0536

SEAL

J. H.
3/8/99

MICHIGAN DEPARTMENT OF COMMERCE
LIQUOR CONTROL COMMISSION
7150 Harris Drive
P.O. Box 30005
Lansing, MI 48909

LAW ENFORCEMENT RECOMMENDATION
(MCL 436.17)

March 4, 1999
Req ID #18233

TO: Muskegon Police Department
Chief of Police
980 Jefferson Street, PO Box 536
Muskegon, MI 49443-0536

RE: TOP SPIN, INC.
~~2546~~ Henry
Muskegon, MI 49441
Muskegon County

We have received a request from the above licensee for the type of permit indicated below. Will you please make an investigation and submit your report and/or recommendation, as requested below, to the offices of the Liquor Control Commission, P.O. Box 30005, Lansing, MI 48909. If you have any questions, contact the Licensing Division at (517) 322-1400.

☐

OFFICIAL PERMIT FOR
EXTENDED HOURS OF
OPERATION FOR _____

Two copies of Form LC 1112 Rev. will be left with you, the upper portions already executed. Indicate your recommendation and return one copy to the Commission, retaining the other.
(Authorized by MAC R436.1403)

☐

LIVING QUARTERS

Indicate your recommendation on the bottom of this letter and return one copy to the Commission.
(Authorized by MCL 436.7a and 436.1(4))

☒

Request for a new Outdoor Service Permit to be held in conjunction with 1998 Class C-SDM licensed business with Dance Permit and Official Permit (Food), located at the above address.

Recommendation: (Recommended/Not recommended) _____

Signed: Edward E. Griffin, Chief

Signature and Title

Date: 3-30-00

Affirmative Action
616/724-6703
FAX/724-6790

Assessor
616/724-6708
FAX/724-6768

Cemetery
616/724-6783
FAX/722-4188

Civil Service
616/724-6716
FAX/724-6790

Clerk
616/724-6705
FAX/724-6768

C.N. Services
616/724-6717
FAX/724-6790

Engineering
616/724-6707
FAX/724-6790

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6790

Income Tax
616/724-6770
FAX/724-6768

Inspections
616/724-6715
FAX/724-6790

Leisure Service
616/724-6704
FAX/724-6790

Manager's Office
616/724-6724
FAX/724-6790

Mayor's Office
616/724-6701
FAX/724-6790

Planning/Zoning
616/724-6702
FAX/724-6790

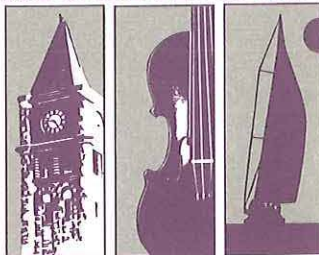
Police Dept.
616/724-6750
FAX/722-5140

Public Works
616/726-4786
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Dept.
616/724-6718
FAX/724-6768

MUSKEGON



West Michigan's Shoreline City

April 30, 1999

To: The City Commission through the City Manager

From: Edward E. Griffin
Edward E. Griffin, Chief of Police

Re: Top Spin, Inc. – Request for Outdoor Service Permit

Top Spin, Inc. has made a request through the Liquor Control Commission for permission to add a new outdoor service area, to be held in conjunction with their 1998 Class C-SDM license (with dance and food permit), at the Sardine Room Restaurant located at 2536 Henry Street.

Our department has talked with Hobie Thrasher in regards to this request. He would like to put a wrought iron railing around the perimeter of an existing "patio" near the front of the business. He will have eight or so tables in this area for patrons to sit and consume refreshments.

We have completed a background reference on the corporation and the business. I find no reason this request should not be granted.

Memorandum

To: Chief Griffin

CC:

From: D/Sgt. Roesler

Date: 04/08/99

Re: Top Spin Inc. request for outdoor service permit.

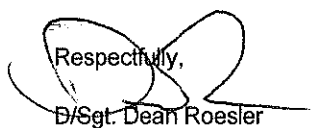
Chief,

Top Spin Inc. has made a request through the Liquor Control Commission for permission to add a new outdoor service area, to be held in conjunction with their 1998 Class C-SDM license (with dance and food permit), at the Sardine Room restaurant located at 2536 Henry Street.

I have talked with HOBIE THRASHER in regards to this request. What he hopes to do is put a wrought iron railing around the perimeter of an existing "patio" near the front of the business. He will have eight or so tables in this area for patrons to sit at and consume refreshments.

I have done a background reference the corporation and business. I find no reason this request should not be granted.

Respectfully,


D/Sgt. Dean Roesler

LIQUOR LICENSE REVIEW FORM

1999

Business Name: Sardine Room Restaurant

AKA Business Name (if applicable): _____

Operator/Manager's Name: Hobie Thrasher

Business Address: 2536 Henry Street
Muskegon, MI

Reason for Review:

New License ☒ Transfer of Ownership ☐ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other to add a new outdoor service area

Deadline for receipt of all information: _____

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☒ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

NCS Compliance ☐ Remaining Defects _____

Fire Department Compliance ☐ Remaining Defects _____

Gail A. Kunderger, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM**Business Name:** Sardine Room Restaurant**AKA Business Name (if applicable):** _____**Operator/Manager's Name:** Hobie Thrasher**Business Address:** 2536 Henry StreetMuskegon, MI**Reason for Review:****New License** ☒ **Transfer of Ownership** ☐ **Dance Permit** ☐**Drop/Add Name on License** ☐ **Transfer Location** ☐**Drop/Add Stockholder Name** ☐ **New Entertainment Permit** ☐**Other** To add a new outdoor service area.**Deadline for receipt of all information:** ASAP**Police Department** **Approved** ☐ **Denied** ☐ **No Action Needed** ☐**Income Tax** **Approved** ☐ **Owing** ☐ **Amount:** _____**Treasurer** **Approved** ☒ **Owing** ☐ **Amount:** _____**Zoning** **Approved** ☐ **Denied** ☐ **Pending ZBA** ☐**Fire/Inspection Services** **Compliance** ☐ **Remaining Defects** _____

_____**Department Signature** _____**Gail A. Kunderger, City Clerk**
Liquor License Coordinator

3-17-00

LIQUOR LICENSE REVIEW FORM

Business Name: Sardine Room Restaurant

AKA Business Name (if applicable): _____

Operator/Manager's Name: Hobie Thrasher

Business Address: 2536 Henry Street

Muskegon, MI

Reason for Review:

New License ☒ Transfer of Ownership ☐ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other To add a new outdoor service area.

Deadline for receipt of all information: ASAP

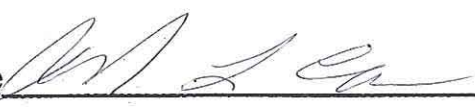
Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☒ Denied ☐ Pending ZBA ☐

Fire/Inspection Services Compliance ☐ Remaining Defects _____

Department Signature  G. Kundering

Gail A. Kundering, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

1999

Business Name: Sardine Room Restaurant

AKA Business Name (if applicable): _____

Operator/Manager's Name: Hobie Thrasher

Business Address: 2536 Henry Street
Muskegon, MI

Reason for Review:

New License ☒ Transfer of Ownership ☐ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other to add a new outdoor service area

Deadline for receipt of all information: _____

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

NCS Compliance ☒ Remaining Defects _____

Fire Department Compliance ☐ Remaining Defects _____

Gail A. Kunderger, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM**Business Name:** Sardine Room Restaurant**AKA Business Name (if applicable):** _____**Operator/Manager's Name:** Hobie Thrasher**Business Address:** 2536 Henry StreetMuskegon, MI**Reason for Review:****New License** ☒ **Transfer of Ownership** ☐ **Dance Permit** ☐**Drop/Add Name on License** ☐ **Transfer Location** ☐**Drop/Add Stockholder Name** ☐ **New Entertainment Permit** ☐**Other** To add a new outdoor service area.**Deadline for receipt of all information:** ASAP**Police Department** **Approved** ☐ **Denied** ☐ **No Action Needed** ☐**Income Tax** **Approved** ☐ **Owing** ☐ **Amount:** _____**Treasurer** **Approved** ☐ **Owing** ☐ **Amount:** _____**Zoning** **Approved** ☐ **Denied** ☐ **Pending ZBA** ☐**Fire/Inspection Services** **Compliance** ☒ **Remaining Defects** _____**Department Signature** _____

Gail A. Kundering, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

1999

Business Name: Sardine Room Restaurant

AKA Business Name (if applicable): _____

Operator/Manager's Name: Hobie Thrasher

Business Address: 2536 Henry Street
Muskegon, MI

Reason for Review:

New License ☒ Transfer of Ownership ☐ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other to add a new outdoor service area

Deadline for receipt of all information: _____

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

NCS Compliance ☐ Remaining Defects _____

Fire Department Compliance ☐ Remaining Defects Need to

see plans for service

Area.

Robert B. Shabinski Fire Marshal

Gail A. Kundering, City Clerk
Liquor License Coordinator

J. H.
3/8/99

MICHIGAN DEPARTMENT OF COMMERCE
LIQUOR CONTROL COMMISSION
7150 Harris Drive
P.O. Box 30005
Lansing, MI 48909

LAW ENFORCEMENT RECOMMENDATION
(MCL 436.17)

March 4, 1999
Req ID #18233

TO: Muskegon Police Department
Chief of Police
980 Jefferson Street, PO Box 536
Muskegon, MI 49443-0536

RE: TOP SPIN, INC.
~~2346~~ Henry
Muskegon, MI 49441
Muskegon County

We have received a request from the above licensee for the type of permit indicated below. Will you please make an investigation and submit your report and/or recommendation, as requested below, to the offices of the Liquor Control Commission, P.O. Box 30005, Lansing, MI 48909. If you have any questions, contact the Licensing Division at (517) 322-1400.

☐

OFFICIAL PERMIT FOR
EXTENDED HOURS OF
OPERATION FOR _____

Two copies of Form LC 1112 Rev. will be left with you, the upper portions already executed. Indicate your recommendation and return one copy to the Commission, retaining the other.
(Authorized by MAC R436.1403)

☐

LIVING QUARTERS

Indicate your recommendation on the bottom of this letter and return one copy to the Commission.
(Authorized by MCL 436.7a and 436.1(4))

☒

Request for a new Outdoor Service Permit to be held in conjunction with 1998 Class C-SDM licensed business with Dance Permit and Official Permit (Food), located at the above address.

Recommendation: (Recommended/Not recommended) _____

Signed: _____

Signature and Title

Date: _____

LIQUOR LICENSE REVIEW FORM

1999

Business Name: Sardine Room Restaurant

AKA Business Name (if applicable): _____

Operator/Manager's Name: Hobie Thrasher

Business Address: 2536 Henry Street
Muskegon, MI

Reason for Review:

New License ☒ Transfer of Ownership ☐ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other to add a new outdoor service area

Deadline for receipt of all information: _____

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

NCS Compliance ☐ Remaining Defects _____

Fire Department Compliance ☐ Remaining Defects Need to

see plans for service

Area.

Robert B. Shabinski Fire Marshal

Gail A. Kundering, City Clerk
Liquor License Coordinator

OR
3-21-00
RBL

Affirmative Action
616/724-6703
FAX/722-1214

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
616/724-6716
FAX/724-4055

Clerk
616/724-6705
FAX/724-4178

Comm. & Neigh.
Services
616/724-6717
FAX/726-2501

Engineering
616/724-6707
FAX/727-6904

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6706
FAX/722-4301

Leisure Service
616/724-6704
FAX/724-1196

Manager's Office
616/724-6724
FAX/722-1214

Mayor's Office
616/724-6701
FAX/722-1214

Neigh. & Const.
Services
616/724-6715
FAX/726-2501

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
616/724-6750
FAX/722-5140

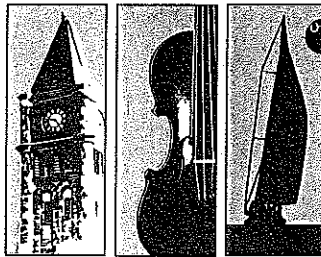
Public Works
616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Billing Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

March 22, 2000

Ms. Ann Smith, President
Campbell Field Neighborhood Association
1874 Crowley
Muskegon, MI 49441

Dear Ms. Smith:

A request has been received from Mr. Hobie Thrasher to add a new outdoor service area to be held in conjunction with his 1998 Class C-SDM license (with dance and food permit) at the Sardine Room Restaurant, 2536 Henry Street. A Class C license permits the sale of beer, wine, or liquor for consumption on the licensed premises. A SDM license permits the sale of beer and wine for consumption off the premises. On Tuesday, March 28, 2000, the City Commission will review this request and determine whether or not it should be recommended for approval.

You are being sent this notice because the City Commission would like to know how the Neighborhood Association feels and would appreciate any comments that they may have. You may send these comments to 933 Terrace, Muskegon, MI 49440 or attend the City Commission Meeting March 28, 2000, at 5:30 p.m. in the Commission Chambers.

If you have any questions, please feel free to contact me at 724-6705.

Sincerely,

Linda Potter

Linda Potter
Deputy Clerk

Affirmative Action
616/724-6703
FAX/722-1214

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
616/724-6716
FAX/724-4055

Clerk
616/724-6705
FAX/724-4178

Comm. & Neigh.
Services
616/724-6717
FAX/726-2501

Engineering
616/724-6707
FAX/727-6904

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6706
FAX/722-4301

Leisure Service
616/724-6704
FAX/724-1196

Manager's Office
616/724-6724
FAX/722-1214

Mayor's Office
616/724-6701
FAX/722-1214

Neigh. & Const.
Services
616/724-6715
FAX/726-2501

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
616/724-6750
FAX/722-5140

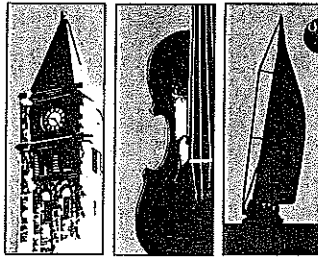
Public Works
616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Billing Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

March 22, 2000

Mr. Hobie Thrasher
2536 Henry Street
Muskegon, MI 49441

Dear Mr. Thrasher:

This letter is to inform you that your request to add a new outdoor service area at 2536 Henry will be presented to the City Commission on March 28, 2000. This meeting begins at 5:30 p.m. and is located in the Commission Chambers, 933 Terrace, Muskegon, MI.

This request has also been sent to the Campbell Neighborhood Association for their comments. It is Commission practice to let the Neighborhood Association know of any liquor license requests that are located within their boundaries. This allows for comments from the people who live there and not just from the owners of the business' who are located there.

If you have any questions, please feel free to contact me at 724-6705.

Sincerely,

Linda Potter

Linda Potter
Deputy Clerk

Date: March 14, 2000
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: Porta Jon Bids

SUMMARY OF REQUEST:

To award a contract to Fresh Start to supply Porta Jons for various city facilities in 2000

FINANCIAL IMPACT:

Approximately \$10,000

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Affirmative Action

231/724-6703
FAX/722-1214

Assessor

231/724-6708
FAX/726-5181

Cemetery

231/724-6783
FAX/726-5617

Civil Service

231/724-6716
FAX/724-4405

Clerk

231/724-6705
FAX/724-4178

Comm. & Neigh.
Services

231/724-6717
FAX/726-2501

Engineering

231/724-6707
FAX/727-6904

Finance

231/724-6713
FAX/724-6768

Fire Dept.

231/724-6792
FAX/724-6985

Income Tax

231/724-6770
FAX/724-6768

Info. Systems

231/724-6744
FAX/722-4301

Leisure Service

231/724-6704
FAX/724-1196

Manager's Office

231/724-6724
FAX/722-1214

Mayor's Office

231/724-6701
FAX/722-1214

Neigh. & Const.
Services

231/724-6715
FAX/726-2501

Planning/Zoning

231/724-6702
FAX/724-6790

Police Dept.

231/724-6750
FAX/722-5140

Public Works

231/724-4100
FAX/722-4188

Treasurer

231/724-6720
FAX/724-6768

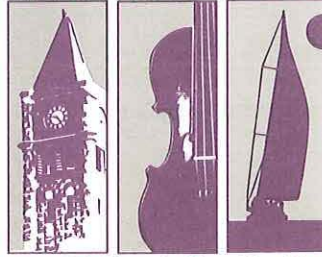
Water Billing Dept.

231/724-6718
FAX/724-6768

Water Filtration

231/724-4106
FAX/755-5290

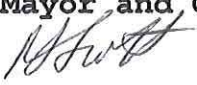
MUSKEGON



West Michigan's Shoreline City

Date: March 14, 2000

To: Honorable Mayor and City Commissioners

From: Ric Scott 

Re: Porta Jon Bids

On Tuesday, March 7, four companies responded to our request for Portable Toilet Bids. Bids were received from the following companies:

West Michigan Portable Restrooms

Fresh Start

Great Lakes Sewer Cleaning

Jon's To Go

Because we don't know exactly how many porta jons we will need each year, we bid them out in four categories:

Once a week service, Twice a week service, Handicapped once a week, and Handicapped twice a week

Fresh Start's bid of \$62/month for regular toilets with an additional \$12 for extra cleaning and \$115/month for handicapped with \$12 for extra cleaning was the low bid.

I am requesting that you authorize staff to use Fresh Start for portable Toilet Service for 2000. We have used them the last several years and have been extremely happy with their service. Total estimated cost is about \$10,000 and is included in the 2000 budgets

Thank you for your consideration.

Date: March 21, 2000
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: Fertilizer Bids

SUMMARY OF REQUEST: To purchase fertilizer for application on various city properties.

FINANCIAL IMPACT:

\$23,473.2

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

Mayor's Office
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FAX/722-1214

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

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

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

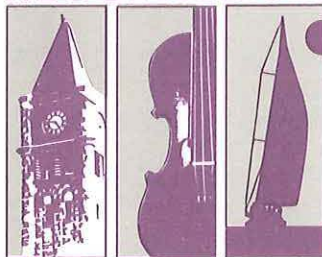
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

Date: March 21, 2000

To: Honorable Mayor and City Commissioners

From: Ric Scott 

Re: Fertilizer Bids

Bids have been received to provide fertilizer to various city properties including parks and cemeteries. In the past, we have contracted out the product and application. This year we propose to purchase the product but spread the product ourselves. Our initial estimates including labor, additional equipment and the product is that we will save the City over \$30,000. Last year we spent over \$64,000 on contractors.

The bids we have received for product were as follows:

Company	15-0-15	19-2-19	29-3-6
Mollema	\$1530	\$12,727.2	\$11,818.4
United Hort.	\$1,081.2	\$10,800	\$12,280
Turfgrass	\$1,530	\$12,432	\$11,592

I would recommend we purchase the low bid for each of the products, which includes United Horticulture for the 15-0-15 and the 19-2-19 and Turfgrass for the 29-3-6.

We also will be purchasing a vicon spreader to and a walk behind spreader to dispense the chemicals. We have two people on staff with licenses to spread the chemicals.

I would ask for your approval on the purchase of the chemicals.

Thank you for your consideration.

Date: March 28, 2000

To: Honorable Mayor & City Commission

From: Planning & Economic Development Department *CBE*

**RE: Resolution of Support for the Muskegon Areawide
Plan (MAP) Process**

SUMMARY OF REQUEST: To approve the attached resolution supporting the preparation of an areawide comprehensive development plan for Muskegon County.

FINANCIAL IMPACT: There is no direct financial impact. It is anticipated that several utility companies will contribute towards the funding of the initial phase of the project, and the West Michigan Shoreline Regional Development Commission will provide staff for the Steering Committee.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the attached resolution and authorize the Mayor to send a letter of support to the MAP Steering Committee.

COMMITTEE RECOMMENDATION: None.

Resolution No. 2000-35(f)

MUSKEGON CITY COMMISSION

RESOLUTION SUPPORTING THE PREPARATION OF AN AREAWIDE
COMPREHENSIVE DEVELOPMENT PLAN FOR MUSKEGON COUNTY

WHEREAS, meetings have been held with local units of government in Muskegon County, with overwhelming support for a multi-jurisdictional plan for our County (Muskegon Areawide Plan- MAP); and,

WHEREAS, those represented at the meetings have decided to proceed with the project; and,

WHEREAS, there is consensus amongst interested parties that, prior to the actual initiation of the planning project, it is advisable to engage the community in a visioning process to ascertain what issues should be included in a comprehensive areawide plan for Muskegon County; and,

WHEREAS, three area utility companies, Consumers Energy, Michigan Consolidated Gas Company, and GTE are considering funding the initial phase of the project, that is the visioning process and West Michigan Shoreline Regional Development Commission (WMSRDC) is preparing an application to the utility companies for funding; and,

WHEREAS, a Steering Committee will be convened to oversee the visioning and planning process, with WMSRDC acting as primary staff to the Committee;

NOW, THEREFORE, Be It Resolved that the City Commission of the City of Muskegon supports the preparation of an areawide comprehensive development plan for Muskegon County, including the initial visioning process.

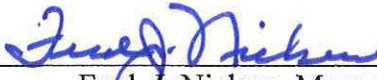
BE IT FURTHER RESOLVED that the Mayor be authorized to sign a letter support and designate representatives to the Steering Committee.

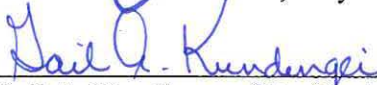
Resolution Adopted this 28th day of March 2000.

Ayes: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Schweifler

Nays: None

Absent: Shepherd

By 
Fred J. Nielsen, Mayor

Attest 
Gail A. Kunderger, City Clerk

CERTIFICATION

This resolution was adopted at a regular meeting of the City Commission, held on March 28, 2000. 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

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

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

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

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

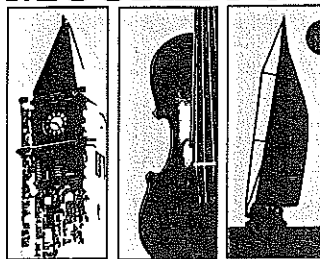
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

Mr. Sandeep Dey, Executive Director
Steering Committee
Muskegon Areawide Plan (MAP)
West Michigan Shoreline
Regional Development Commission
P.O. Box 387
Muskegon, MI 49443-0387

March 29, 2000

Dear Mr. Dey,

The City of Muskegon supports the preparation of an areawide comprehensive development plan for Muskegon County, including the initial visioning process (see Resolution enclosed). We are designating Cathy Brubaker-Clarke, Director of Community & Economic Development as our representative on the Steering Committee and myself, Mayor of the City of Muskegon, as our alternate.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Fred Nielsen'.

Fred Nielsen, Mayor

Enclosure

Commission Meeting Date: March 28, 2000

*Needs
2nd Reading*

Date: March 17, 2000
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development 
RE: Rezoning request for property located at the corner of Laketon Ave. and Park St.

SUMMARY OF REQUEST:

Request to rezone property located at the corner of Laketon Ave. and Park St., from I-2, General Industrial to B-4, General Business.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the request due to compliance with the future land use map and Master Land Use Plan.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request on 3/15/00.

Commission Meeting Date: March 28, 2000

*Needs
2nd Reading*

Date: March 17, 2000
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *(S)*
**RE: Rezoning request for property located on Holbrook Ave.,
between Sixth and Commerce Streets**

SUMMARY OF REQUEST:

Request to rezone property located on Holbrook Ave., between Sixth and Commerce Streets, from I-2, General Industrial to B-2, Convenience and Comparison Business.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the request due to compliance with the future land use map and Master Land Use Plan.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request on 3/15/00.

AGENDA ITEM

**CITY COMMISSION MEETING
March 28, 2000**

*Needs
2nd Reading*

TO: Honorable Mayor and City Commissioners

FROM: Gail Kunding, City Clerk *gk*

DATE: March 22, 2000

SUBJECT: Utility Franchise Ordinance

SUMMARY OF REQUEST: To adopt the ordinance granting a non-exclusive franchise to DTE Energy to use local public ways and do local electrical business.

BUDGET ACTION REQUIRED: None

FINANCIAL IMPACT: None

STAFF RECOMMENDATION: Approval of the request.

COMMITTEE RECOMMENDATION: None.

AGENDA Item No. _____

MUSKEGON CITY COMMISSION MEETING – March 28, 2000

To: Honorable Mayor and City Commissioners
From: Planning Department *B*
Date: March 21, 2000
Subject: Mowing and lot cleaning contract for the environmental program

SUMMARY OF REQUEST

To approve a three-year contract with an option for a two-year extension (5-year total) for private and city-owned lot mowing and private and city-owned garbage clean-up with Free Lance Enterprises.

FINANCIAL IMPACT

Two bids were submitted, one was disqualified due to an incomplete bid packet. The qualifying bid was proposed at an hourly rate for a crew of two people and equipment. The two-year bid ranged from \$36.00 to \$42.00 per hour. The three-year bid ranges from \$34.00 to \$40.00 per hour.

Annual costs are driven by demand have been around \$250,000 annually. We will be engaging in several programs aimed at reducing demand for clean-up services. Currently, the City's contractor cleans properties that are not cleaned up by the owner. The cost of mowing and/or removing the junk, trash or debris and disposing of it is then charged to the owner in addition to an administrative fee. If they do not pay, the bill is turned over to the credit bureau.

BUDGET ACTION REQUIRED

none

RECOMMENDATION

Authorize the clerk and mayor to sign the contract with Free Lance Enterprises. by

BIDS WANTED FOR MOWING AND CLEANING OF INDIVIDUAL LOTS

The City of Muskegon is soliciting proposals for a minimum of two-year and up to five-year contract to: 1) mow lots, and 2) clean refuse from lots throughout the city. The work includes removal of brush and debris prior to cutting, mowing and trimming of lots as required. Refuse clean-up includes pick-up and disposal of refuse, garbage, defunct appliances, or any other items as directed by the city. Disposal of refrigerators includes appropriate freon gas recuperation.

The bidder must provide complete insurance information and all equipment as specified in the bid document that may be obtained in the Planning Department office of City Hall. This invitation to bid is subject to the provisions of the bidding document. The city reserves the right to reject any bid for any reason.

A pre-bid conference will be held on Tuesday, March 7th at 4:00 p.m. in the Planning Department, second floor of City Hall, 933 Terrace Street. All bids must be submitted to the City Clerk's office by Thursday, March 16 at 2:00 p.m.

Publish Thursday, March 2, 2000

Acct #. 101-00000-4614

CITY OF MUSKEGON

REQUEST FOR BIDS
FOR LOT CLEANING AND MOWING SERVICES

Date Advertised:

Bid Submission Deadline:

Bid Submitted by: LINDSEY FAMES (contact)

Representing: FREE LANCE ENT. INC. (company)

Date and Time Submitted: MARCH 16, 2000 1:30 a.m./(p.m.)

INSTRUCTIONS TO BIDDERS

1. BIDS

- a. These Bid Specifications include loose bidding forms which are for the convenience of bidders. Bidding documents to be submitted must remain attached within this Contract Document.
- b. All bids submitted shall be on forms provided without alterations or interlineations and shall be subject to all requirements of these Instructions to Bidders and all the forms and Documents immediately following these Instructions.
- c. All Bid Proposals submitted for consideration shall be enclosed in a sealed envelope which is clearly labeled "Bid Documents" with the Project name and/or number, the name of Bidder, the date and time of Bid Opening written on the envelope to prevent premature opening.

2. ALTERNATIVE BIDS

No Alternative bids will be considered unless alternative bids are specifically requested.

3. INTERPRETATIONS AND/OR ADDENDA

- a. No oral interpretation will be made to any Bidder as to the meaning of the Documents or any part thereof. A request for any interpretation will be in writing to the City of Muskegon, and any such request received seven (7) or more days before the scheduled Bid Opening will be considered.
- b. Every interpretation made will be in writing in the form of an Addendum to the Contract itself and, when issued, will be on file in the City Clerk's office at least five (5) days prior to the Bid Opening for each Bidder's review.

4. BIDDER'S RESPONSIBILITIES

- a. Inspection. Each Bidder will assume the responsibility for fully acquainting himself/herself with the conditions existing there relating to the work, and should fully inform himself/herself as to the facilities involved, the difficulties and restrictions attending the performance of the Contract.
- b. Knowledge of Bid and Contract Documents. The Bidder is responsible for thoroughly examining and familiarizing himself/herself with the Bid and Contract Documents, any Drawings, Specifications and Addenda.
- c. Addenda to Contract Documents. All Bidders will assume the responsibility to make inquiry as to the Addenda issued, knowing that all such Addenda become part of the Contract. All Bidders shall be bound by any Addenda whether or not it was received or reviewed.
- d. Claims on Basis of Failure to Receive or Review Information. A successful Bidder, through the execution of this Contract, shall in no way be relieved of any obligation due to his/her failure to receive or examine any form or legal instrument, or due to the failure to visit the site and acquaint himself/herself with the existing conditions.

The City Commission will be justified in rejecting any claims submitted on the basis of #4, a, b, or c above.

5. EQUAL OPPORTUNITY EMPLOYMENT REQUIREMENT

The attention of Bidders is particularly called to the requirement for ensuring that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin, nor because the employee or applicant is a disabled or Vietnam era veteran or handicapped, as outlined in these Documents.

6. EMPLOYMENT REQUIREMENTS

The City of Muskegon requires that the Contractor must hire local trades and labor employees from the City of Muskegon, County of Muskegon and/or this SMSA (Standard Metropolitan Statistical Area) for the duration of this Project, insofar as these are available to perform the necessary work. Supervisory and/or technical staff officials are exempt from this requirement.

It is therefore the responsibility of the Bidder to inform himself/herself as to local labor conditions, labor supply, overtime compensation, health and welfare contributions, and prospective changes or adjustments of rates.

7. NON-COLLUSION AFFIDAVIT

Each Bidder submitting a bid for work, or any portion thereof, covered by these Documents, shall execute and deliver with the Bid an Affidavit to the effect that he/she has not colluded with any other person, firm or corporation in regard to any Bid submitted, in the same or similar format as provided in these Documents, together with a similar affidavit of any subcontractor.

8. STATEMENT OF BIDDER'S QUALIFICATIONS; ADDITIONAL INFORMATION

- a. Each Bidder shall submit a Statement of Bidder's Qualifications in accordance with the information requested herein and, when specifically requested by the City, shall submit a detailed Financial Statement.
- b. Any Bidders shall furnish any data and information requested by the City Commission in its attempt to determine the ability of the Bidder to perform his/her obligations under the Contract.

9. TIME FOR RECEIVING BIDS

Bids received prior to the advertised hour of opening will be kept securely sealed. The official whose duty it is to open the Bids will decide when the specified time has arrived, and no Bid received thereafter will be considered.

10. WITHDRAWAL OF BIDS

Bids may be withdrawn on written or telegraphic request dispatched by the Bidder in time for delivery in the normal course of business prior to the time fixed for opening; provided that written confirmation of any telegraphic withdrawal over the signature of the Bidder is placed in the mail and postmarked prior to the time set for Bid opening.

11. OPENING OF BIDS; EFFECTIVE PERIOD OF BIDS

At the time and place fixed for the opening of Bids, the City Clerk will cause to be opened and publicly read aloud every Bid received within the time set for receiving Bids, irrespective of any irregularities therein. Bidders and other persons properly interested may be present in person or by representative. All bids shall be effective for 45 days after bid opening.

12. AWARD OF CONTRACT

If the Contract is awarded, it will be awarded to the Bidder having qualifications and presenting the Bid at a reasonable price, which complies with the conditions set forth in these Documents. The City Commission attempts to award all contracts to the lowest bid. However, this policy is not binding and for good reason may be altered. The successful Bidder will be notified at the earliest possible date. The City reserves the right to award a contract to more than one Bidder, in its sole discretion. The City may elect a different length of contract from those proposed by Bidders.

13. REJECTION OF BIDS; CITY'S RIGHTS

- a. The City Commission reserves the right to reject any and all Bids, and to waive any informality in Bids received, whenever such rejection or waiver is in its own best interest.

- b. The City Commission may consider as irregular and reject any Bid on which there is an alteration.
- c. The City Commission shall have the right to take such steps as it deems necessary to determine the ability of the bidder to perform his/her obligations under the Contract.
- d. The right is reserved to reject any Bid where an investigation of the available evidence and/or information provided does not satisfy the City Commission of the Bidder's capacity to carry out the terms of the Contract.

14. EXECUTION OF CONTRACT AGREEMENT

- a. Subsequent to the award, and within ten (10) days after the Documents have been presented for signature, the successful Bidder shall execute the Agreement and deliver the requested number of copies to the City of Muskegon.
- b. Execution of the Agreement will require completion of the work in accordance with the Contract in its entirety.
- c. Failure of the successful Bidder to execute such number of Contract Documents as requested, to supply the required bonds or letters of recommendation with the Bidder's statement, and/or to meet the prescribed time limits, shall constitute a default.
- d. Upon such default, the City Commission may either award the Contract to another responsible bidder or readvertise for bids.
- e. The Commission may further charge against the defaulting Bidder the difference between the amount of his/her Bid and the amount for which a Contract for the work is subsequently executed.

STATEMENT OF BIDDER'S QUALIFICATIONS

Bids will only be accepted from responsible Bidders skilled and regularly engaged in work of this type and magnitude. Each of the following items must be responded to in writing. Additional information may be supplied, you may address these questions under separate cover.

The Statement of Bidder's Qualifications must be signed and notarized.

1. NAME OF BIDDER (Company, individual, etc.)
FREE LANCE ENTERPRISES INC, LINDSEY AMES
2. PERMANENT MAIN OFFICE ADDRESS OF BUSINESS INCLUDING ZIP CODE.
5657 HARDING AVE
MUSKEGON, MI 49442
3. DATE BUSINESS WAS ESTABLISHED. 1986
4. IF A CORPORATION, WHERE WAS IT INCORPORATED? MUSKEGON CO.
5. NUMBER OF YEARS ENGAGED IN CONTRACTING BUSINESS UNDER PRESENT FIRM OR TRADE NAME? 14 UNDER A PREVIOUS NAME?
6. SCHEDULE OF OUTSTANDING CONTRACTS, showing amount of each contract and the anticipated completion date of each.

NONE

(use attachments if necessary)

7. GENERAL CHARACTER OF WORK PERFORMED BY YOUR COMPANY. LAWN MAINTENANCE, IRRIGATION, LANDSCAPING
8. HAS THIS COMPANY EVER FAILED TO COMPLETE ANY WORK AWARDED IT?
NO If so, WHERE AND WHY?

9. HAS THIS COMPANY EVER DEFAULTED ON A CONTRACT? NO If so, WHERE AND WHY? _____

10. LIST THE PROJECTS RECENTLY COMPLETED BY YOUR COMPANY, stating the approximate cost of each and the month/year completed. Indicate which, if any, have provided your company with a Letter of Recommendation.

CITY OF MUSKEGON 12-31-99

ABC WAREHOUSE LANDSCAPING + IRRIGATION 11-30-99 - \$30,000.00

MUNK AREA INTERMEDIATE SCHOOL DISTRICT, LANDSCAPING + IRRIGATION 11-30-99 11,400.00

11. INDICATE EXPERIENCE IN WORK SIMILAR TO THIS PROJECT.

I HAVE WORKED ONLY FOR THE CITY OF MUSKEGON
IN THIS CAPACITY, I HOPE TO CONTINUE

12. LIST ALL YOUR EQUIPMENT AVAILABLE FOR THIS CONTRACT. LIST, IN ADDITION, ALL EQUIPMENT WHICH YOU PROPOSE TO LEASE OR PURCHASE FOR THIS CONTRACT, INDICATING THE TYPE OF EQUIPMENT, QUANTITIES, SIZE AND RELEVANT SPECIFICATIONS APPROPRIATE TO THIS CONTRACT. STATE WHETHER OR NOT A LEASE ARRANGEMENT HAS BEEN NEGOTIATED AND THE NAME OF THE VENDOR AND/OR LESSOR.

I OWN ALL EQUIPMENT

5 TRACTORS WITH BUSH HOS, 2 of THEM ARE 6'

AT LEAST 6 PUSH MOWERS, AT LEAST 15 21" WEED WACKERS

2 FLATBED TRAILERS TO HAUL PICK-UP TRACTORS, 2 TANDEM AXLE TRASH TRAILERS

10 DIFFERENT PICK-UP TRUCKS, INCLUDING 2 DUMP TRUCKS

NUMEROUS CHAIN SAWS, BLOWERS AND HAND TOOLS

13. INDICATE BACKGROUND AND EXPERIENCE OF THE PRINCIPAL MEMBERS OF YOUR ORGANIZATION, INCLUDING OFFICERS.

I HAVE MANY KEY PEOPLE THAT PLAN TO RETURN THE SAME ONES I HAVE USED FOR SEVERAL SEASONS. THEY ALL KNOW THE CITY STREETS AND LOCATIONS AND ARE ABLE TO USE THE PLAT BOOK PROPERLY, AND HAVE A GOOD KNOWLEDGE OF WHAT IS REQUIRED TO DO.

14. INDICATE CREDIT AVAILABLE TO YOUR COMPANY.

\$ 125,000⁰⁰

15. LIST BANK REFERENCES. If a detailed financial statement is available attach it to this Statement.

HUNTINGTON NATIONAL BANK

16. LIST THE NAMES AND ADDRESSES OF AT LEAST THREE GENERAL REFERENCE PERSONS WHO MAY BE CONSULTED CONCERNING YOUR QUALIFICATION.

BRUCE MOORE City of N. MICH. (DPW) 2113 LAKE AVE 744-3022
INTEC INC. 5967 MAPLE STANBORO, NUNCA, DAVE WHITLOW 865-3177
HUGHES BUILDERS, 3279 EAST LAKEVIEW, MUSK, MICH, JOHN HUGHES
773-0077

17. ARE YOU WILLING TO COMPLETE A DETAILED FINANCIAL STATEMENT AND FURNISH ANY OTHER INFORMATION REQUIRED AND REQUESTED BY THE CITY OF MUSKEGON? YES.

18. AUTHORIZATION:

"The undersigned hereby authorizes and requests any person, firm or corporation to furnish any information requested by the City of Muskegon in verification of the recitals comprising this Statement of Bidder's Qualifications."

Representative (print name) LINDSEY AMES
Representing FREE LOCE ENT. INC. Signature [Signature]

Subscribed and sworn before me
this 6th day of MARCH, 2064

[Signature: Sherry R. Waldo]
Muskegon County Notary Public
My commission expires: _____

SHERRY R. WALDO
Notary Public, Muskegon Co. MI
My Comm. Expires April 10, 2008

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER

State of Michigan)

) ss.

County of Muskegon)

LINDSEY AMES, being first duly sworn, deposes and says that:

1. He/She is _____ (owner, partner, officer, representative, agent), PRESIDENT LINDSEY AMES (name) the Bidder that has submitted the attached Bid to the City of Muskegon;
2. He/She is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances thereto;
3. Such Bid is genuine and is not a collusive or sham Bid;
4. Neither said Bidder nor any of his/her officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted, or to refrain from bidding in connection with such Contract; nor has in any manner, directly or indirectly, sought by agreement, collusion, communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or any other bid; nor to fix any overhead, profit or cost element of the Bid price or the bid price of any other bidder; nor to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Muskegon or any person interested in the proposed Contract; and;
5. The price or prices quoted in the attached Bid are fair and proper, and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees or parties in interest, including this affiant.

SIGNED: _____

Printed Name and Title LINDSEY AMES, PRESIDENT

Subscribed and sworn to before me
this 5th day of MARCH, 2002

Sherry R. Waldo

Muskegon County Notary Public SHERRY R. WALDO
Notary Public, Muskegon Co. MI
My commission expires: My Comm. Expires April 10, 2003

AGREEMENT

THIS AGREEMENT, made and entered into this 28th day of March, 2000, by and between the CITY OF MUSKEGON, a municipal corporation, of Muskegon County, Michigan, hereinafter referred to as the CITY, and Freelance, Inc., hereinafter referred to as the CONTRACTOR:

WHEREAS, the CONTRACTOR did on the 16th day of March, 2000, submit a proposal for grass cutting and lot cleaning and to perform such other work as may be incidental thereto, for a period from the 28th day of March, 2000, through the 28th day of March, 2002, with an annual extension option through the 28th day of March, 2005, and all of the expense of every nature and kind incurred in the mowing, collecting, removing, transporting and disposing of waste materials to be paid by the CONTRACTOR;

NOW, THEREFORE, in consideration of the following mutual agreements and covenants, it is understood and agreed by and between the CITY and CONTRACTOR as follows:

1. STATEMENT OF WORK. The CONTRACTOR shall furnish all supervision, technical personnel, labor, materials, (including fuel), machinery, tools, equipment, and services, and perform and complete in a good and workmanlike manner all work required to be performed pursuant to this agreement, NAMELY:
 - a. Grass and Brush Cutting. This Contract is to cover the cleaning and cutting of weeds, brush, and grass on City-owned, State-owned, and private properties that are located within the limits of the City of Muskegon. Other areas to be considered are railroad right-of-ways, terraces, and road right-of-ways. Work will consist of cutting all grass, brush, and weeds, picking up and removing tin cans, bottles, loose papers, and other debris including dead limbs on the ground and mowed grass when directed and other requirements as needed.
 - b. Garbage and Debris Removal. This Contract is to cover the cleaning and removal of debris from the City-owned, State-owned, and private properties that are located within the limits of the City of Muskegon. Other areas to be considered are, railroad right-of-ways, terraces, and road right-of-ways. Work will consist of picking up loose refuse, garbage, appliances, furniture, any other debris and disposing of debris. Work will be under the direction of the City Planning Department.
2. CONTRACT PRICE.

The CITY agrees to pay and the CONTRACTOR agrees to accept, in full consideration for the faithful and complete performance of this CONTRACTOR'S obligations hereunder, the price set forth in the contract documents including the amounts set forth in Contractor's bid proposal.

3. CONTRACT.

The executed contract shall consist of, but not be limited to, this agreement and the following from the bid documents:

- a. Invitations to Bid, Instructions to Bidders and Pre-Bid Conference, with minutes.
- b. All descriptions of services not included in this agreement but used in connection with the bidding process.
- c. The Bid proposal, any proposal requirement included or attached to Bid documents and this agreement.
- d. Any specifications used in connection with this agreement.

This Contract, together with other documents enumerated in this paragraph 3, which said other documents are as fully a part of the Agreement as if attached hereto or repeated herein, form the Contract between the parties hereto.

In the event any provision in any component part of this Contract conflicts with any provision of any other component part, the CONTRACTOR shall contact the CITY immediately in writing for a determination, interpretation and/or clarification of conflicting parts and priority of same. Said determination from the CITY shall be in writing and shall become an Addendum to this Contract.

4. TERM AND CANCELLATION. The term of this agreement is from March 28, 2000 up to March 28, 2002, with an annual extension option through March 28, 2005. This Contract may be cancelled without cause by either party upon 30 days' written notice.

5. DETAILED DESCRIPTION OF THE WORK.

Grass Cutting

- a. Contractor to pick up and remove all rubbish and debris, and broken branches on the lot prior to cutting.
- b. Grass, weeds and brush up to 3" in diameter are to be cut to a maximum height of 3", leaving no ridges of high or uncut grass.
- c. Remove clumps of clippings where they are unsightly or threaten to smother the grass.
- d. Trim around all obstacles to a height of 3" or less.
- e. The Contractor shall furnish all of the supervision, labor, machinery, equipment and services to perform and complete all work required.
- f. The Contractor shall take pictures of the area cut before and after each job for private lot mowing jobs. Contractor shall take pictures of all areas mowed

immediately prior to and after each job. Pictures shall reflect some landmark associated with the particular property in order to establish the identity of the property, the address of the property, as well as the date. All film and processing costs are the responsibility of the contractor.

- g. Contractor may be required to perform other work related to the ordinance enforcement as directed by the Planning Department.
- h. Contractor will haul tractors and mowers to the site unless approved by the City of Muskegon to drive the tractor to the site. All vehicles used in hauling of the trash shall meet police safety inspection.

Cleaning Lots

- a. Contractor to pick and remove all rubbish, trash, garbage and debris, and branches as directed by the Inspectors. Areas of heavy concentration shall be raked of all small debris and leaves.
 - b. The Contractor shall use a truck with trailer and shall separate lawn debris and trash as it is loaded to ensure it is not mixed.
 - c. The Contractor shall ensure that freon gas in abandoned refrigerators is managed according to appropriate state and federal mandates.
 - d. To keep proper records of all work that is performed.
 - e. The Contractor shall take picture of all areas cleaned immediately before and after each job. Pictures shall reflect some landmark associated with the particular property and the property address in order to establish the identity of the property, as well as the date. All film and processing costs are the responsibility of the contractor.
 - f. Contractor may be required to perform other work related to the ordinance enforcement as directed by the Inspection Department.
 - g. Debris must be hauled to a predetermined site for disposal.
6. EQUIPMENT. All equipment and facilities used by the CONTRACTOR shall be subject to inspection for sanitation, safety and appearance and subject to approval or rejection by the Director of Inspections at any time. Rejected equipment must be replaced by the CONTRACTOR as soon as reasonably possible. Specific requirements for equipment are as follows:
- a. Two (2) trucks and trailers of sufficient size to haul debris in large quantities (minimum 10 yd. and 4,000 lb. capacity).
 - b. Four (4) Tractors with a brush hog type mower or flail type mower with mower deck minimum five feet (5') diameter.

- c. Power trimmers for loose work around trees and obstacles.
- d. Chain saws for cutting of large limbs and logs.
- e. Lawn mowers for small lots.
- f. Hand tools as needed, such as, rakes, brooms, shovels, forks.
- g. 35mm cameras with automatic dating capacity, film, and developing.
- h. Lawn edger blowers for each crew to clean sidewalk.
- i. All equipment must meet safety requirements of MIOSHA.

7. ASSIGNMENT OF WORK AND NUMBER OF WORKERS PER CREW

- a. Work will be assigned on an as needed basis by the City.
- b. Work crews will consist of two (2) persons unless prior approval has been obtained from the City.
- c. The City reserves the right to limit the size of work crews.
- d. The City may have one or more on-site representatives. They will schedule and direct Contractor or its crews on what to clean, where to clean, what to remove, and keep records pertaining to time at the site, the dump and to assure the loads are separated as to lawn debris and debris to go to the dump. All work orders completed that day shall be given to the Contractor or his representative at the end of each day by the on-site representative.

8. INSPECTION

- a. Contractor must provide the City with a copy of the work order for completed lots on a daily basis and prior to billing for these lots. All work orders will be done on City approved forms.
- b. The City will verify the completion of site work as submitted by contractor and will determine if additional work is required before the request for payment can be made.

9. SCHEDULE

- a. Scheduling of work will be done by the City on a daily or as needed basis.
- b. Provisions should be made for contacting of the Contractor on short notice by either telephone, cellular phone obtained at contractor's expense, or beeper when

quick response is necessary.

- c. Work orders will be distributed to the contractor each day at the City and the contractor will return a copy of all completed jobs done that day by 8 a.m. the following work day.
- d. All work required by a work order must be completed within five (5) City work days following receipt of the work order. Time extensions will be allowed for inclement weather and similar restricting circumstances. Extensions will be determined by the City.

10. PAYMENT

- a. Requests for payment must be submitted to the City on a monthly basis. Requests for payment for work done not in compliance with item 9d above may be disallowed. Requests shall include a list of job numbers and cost of each. Payment will be made on the second and fourth Friday of each month. If payment is inadvertently made to the contractor for any disallowed costs, these costs will be deducted from a subsequent payment.
- b. Submittals will be on a per-quarter hour basis with time required being agreed to by the City representative and the Contractor. Submittals will be on the prepared form provided by the City of Muskegon completely filled out.
- c. Travel time shall be charged as follows:
 - i. Travel time may be charged for travel from a completed job site to the next job site and shall be shown on the voucher for the destination job site. Providing they are logical and direct routes.
 - ii. Contractor may include time for travel to, from and time at the dump site for full loads. Providing they are logical and direct routes. Said charge shall be included on the dump slip.
 - iii. All bills, dump slips, and pictures pertaining to a job site will be submitted at the same time.
 - iv. Bills that are submitted without proper documentation of dump slips, pictures, or any other items will not be accepted until such time all items are submitted.

11. SPECIFIC RESERVATIONS BY THE CITY ON WORK

- a. The City reserves the right to have Contractor bag or remove debris from the property and place the same on the terrace at the property for the City refuse contractor.

- b. The City reserves the right to send the City refuse contractor to clean up trash left on the terrace when needed.
- c. The City reserves the right to use volunteers or court-ordered public service workers or prisoners in lieu of Contractor's services for any of the work.

12. TIME OF COMMENCEMENT AND LIQUIDATED DAMAGES.

The CONTRACTOR must commence work not later than the time set forth in the Contract Documents and upon failure so to commence said work, the CONTRACTOR shall pay to the CITY as and for liquidated damages, and not as a penalty, the sum of Two Hundred Dollars (\$200.00) for each and every calendar day that the CONTRACTOR shall be in default. Waiver of all or any portion of said liquidated damages may be made by the CITY without prejudicing any of the CITY'S remaining rights hereunder.

Following the CONTRACTOR'S commencement of performance of this Contract, the City shall notify the CONTRACTOR of each violation of the Contract reported to the CITY. It shall be the duty of the CONTRACTOR to take whatever steps may be necessary to remedy the cause of the complaint. Failure to remedy the cause of the Complaint shall be considered a breach of contract and for the purpose of computing damages under the provisions of this section, it is agreed that the CITY may deduct from payments due or to become due to the CONTRACTOR, the CITY'S cost of remedy or substitute performance and the following liquidated damages.

Liquidated damages as aforesaid shall be determined by the CITY and deductions made from the CONTRACTOR'S payment after investigation by the CITY, whose decision in the matter shall be final and binding upon both parties, unless appealed from in writing to the City Manager within ten (10) days after notice, whose decision, after granting an informal hearing to the CONTRACTOR and the relevant Department shall be final and binding and from which there shall be no further appeal within the City's administration.

13. CITY'S OPTION ON CONTRACTOR'S DEFAULT IN PERFORMANCE.

If the CONTRACTOR fails to perform pursuant to the contract documents for a period in excess of three (3) consecutive, scheduled, working days or fails, for a similar period, to perform the work in the manner required to be performed pursuant to these contract documents, and provided such failure is not due to war, insurrection, riots, act of God, or any other cause beyond the CONTRACTOR'S control, the CITY may: (1) at its option, after written notice to the CONTRACTOR, take over and operate any or all of the CONTRACTOR'S equipment used in the performance of this agreement; (2) use and operate same itself until such matter is resolved and the CONTRACTOR is again able to carry out his/her operation under this agreement. Any and all operating expenses incurred by the CITY in so doing may be deducted by it from compensation to the CONTRACTOR hereunder.

During such period, the liability of the CITY to the CONTRACTOR for loss or damage to such equipment so used shall be that of a bailee for hire, ordinary wear and tear being specifically exempt from such liability. The liability of the CONTRACTOR to third persons shall cease and all claims or demands arising out of the operation of the work during any such period shall be directed solely to the CITY.

Provided, however, if the CONTRACTOR is unable for any cause to resume performance at the end of ten (10) calendar days, all liability of the CITY under this agreement to the CONTRACTOR shall cease and the CITY shall be free to negotiate with other contractors for the performance of the work. Any contract thereby entered into with another contractor shall not release CONTRACTOR herein of his/her liability to CITY for such breach of this agreement.

14. HOLD HARMLESS.

To the fullest extent permitted by law, CONTRACTOR agrees to defend, pay in behalf of, indemnify, and hold harmless the CITY its elected and appointed officials, employees and volunteers and others working in behalf of the CITY from, all claims, demands, suits, or loss, including all costs, expenses and legal fees connected therewith, which may be asserted, claimed or recovered against CITY or said persons by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of or are in any way connected to or associated with this contract and the CONTRACTOR'S performance, commission or omissions thereunder.

15. SUBCONTRACTORS.

Any Bidder submitting a bid shall include a list of proposed or actual subcontractors. The Bidder is responsible for the performance of all contractors and subcontractors. Subcontractors shall be required by bid to carry insurance for the protection of the City equivalent to the requirements of the agreement, and to execute a non-collusion affidavit.

16. INSURANCE REQUIREMENTS.

The CONTRACTOR shall provide and maintain in effect certificates acceptable to the CITY showing the following insurance coverages:

- a. Comprehensive General Liability Insurance in the amount of \$1,000,000.
- b. Worker Compensation Insurance must be in effect during the life of the contract for CONTRACTOR'S employees and those of any subcontractors.
- c. Vehicle Liability Insurance in the amount of \$500,000 for each occurrence.

Every insurance certificate shall contain certification by the insurer that 30 days' notice of cancellation shall be given to the CITY. The CITY shall be named as an existing additional insured in each insurance certificate.

17. INCOME TAX WITHHOLDING.

The Contractor shall withhold Muskegon City income taxes from each and every employee who is subject to same, and shall pay contractor's income tax due, in accordance with the Muskegon City Income Tax Ordinance and appropriate laws and regulations in connection with the ordinance. Contractor shall further require the name of each subcontractor, consultant or other party with whom the contractor works or from whom contractor obtains goods or services for the project. Payroll submissions required by this agreement shall include full information showing

said withholding. The City may withhold payments otherwise due to the Contractor to assure compliance with this agreement or cure noncompliance.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in ____ original counterparts on the day and year first written above.

WITNESSES:

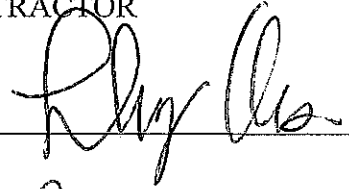


WITNESSES:


JoAnn Krucowski
Linda Potter

CONTRACTOR

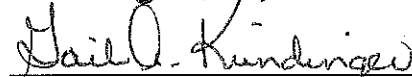
By



Its:



CITY OF MUSKEGON -


Fred J. Nielsen, Mayor
Gail A. Kunding, City Clerk

Schedule 1 of Agreement

CONTRACT PRICE PROPOSAL

This proposal is based on an hourly rate for two (2) person teams. The amount of time that is necessary for the completion of a lot will be agreed upon between the Contractor and the City's representative.

	<u>2-Year Bid</u>	<u>3-Year Bid</u>
1. Pick-up w/operator and large trailer-- minimum 10 cubic yd. capacity	38.00	36.00
2. Tractor w/operator and brush hogs 5' mowing bed	42.00	40.00
3. Lawn mower and trimmer for lots and Operator	36.00	34.00
4. Helping Labor, consisting of 2 persons	—	—

EQUIPMENT LIST

List all of the equipment that you own or have access to for this contract.

TRACTOR Year/Make/Model	Date Owned or Leased	Name of Lessor	Name of Vendor
1. MASSEY FERGUSON 235	April 98	—	—
2. MASSEY FERGUSON 135	April 92	—	—
3. John Deere 301	April 92	—	—
4. FORD 1320	April 98	—	—

MOWER Year/Make/Model	Date Owned or Leased	Name of Lessor	Name of Vendor
1.			
2.			
3.			
4.			

TRUCK W/LARGE TRAILER Year/Make/Model	Date Owned or Leased	Name of Lessor	Name of Vendor
1. 86 Ford F-250 4x4 with tandem trailer (Trailers since 92)			
2. 86 Ford F-250 4x4 with " "			
3. 97 Ford F-350 4x4 Truck (Backup)			
4. 88 Ford F-350 4x4 Truck (Backup)			

SMALL MOWERS Type/Size	Date Owned or Leased	Name of Lessor	Name of Vendor
1. (6) 22" Various Brand push mowers (97)			
2.			
3.			
4.			

POWER TRIMMERS Type/How Many	Date Owned or Leased	Name of Lessor	Name of Vendor
1. Ryobi (15) New every year			
2.			
3.			
4.			

CAMERA Type/How Many	Date Owned or Leased	Name of Lessor	Name of Vendor
1. Ricoh 135(8) April 98, 35mm with DTE			
2.			
3.			
4.			

Commission Meeting Date: March 28, 2000

Date: March 22, 2000
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *cbe*
RE: Acquisition of the home at 2018 Waalkes for Seaway Industrial Park

SUMMARY OF REQUEST:

Pursuant to the signed purchase agreement of Mr. & Mrs. Richard Schaub, the planning department seeks to purchase the home located at 2018 Waalkes. Purchase of the home brings the City one step closer to the creation of the Seaway Industrial Park. The home was listed with Crystal Anderson Realty Company, and after looking over the appraisal, all parties agreed on a purchase price of \$49,500. Funds used to purchase the home come from an Urban Land Assembly (ULA) grant. Upon approval of the City Commission, a closing will be scheduled for March 31, 2000.

FINANCIAL IMPACT:

The City will expend \$49,500 from the ULA grant.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the purchase, as well as, authorization for both the Mayor and the Clerk to sign the attached resolution and purchase agreement.

COMMITTEE RECOMMENDATION:

None.

Resolution No. 2000-35(k)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING THE ACQUISITION OF THE HOME LOCATED AT 2018 WAALKES STREET FOR \$49,500.

WHEREAS, Mr. & Mrs. Richard Schaub have signed a purchase agreement for the City of Muskegon's acquisition of the property;

WHEREAS, the acquisition would enable the City to move closer to the creation of the Seaway Industrial Park;

WHEREAS, funds for the acquisition have been provided by an Urban Land Assembly grant;

NOW THEREFORE BE IT RESOLVED, that the City of Muskegon purchase the home located at 2018 Waalkes.

Adopted this 28th day of March, 2000

Ayes: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Schweifler

Nays: None

Absent Shepherd

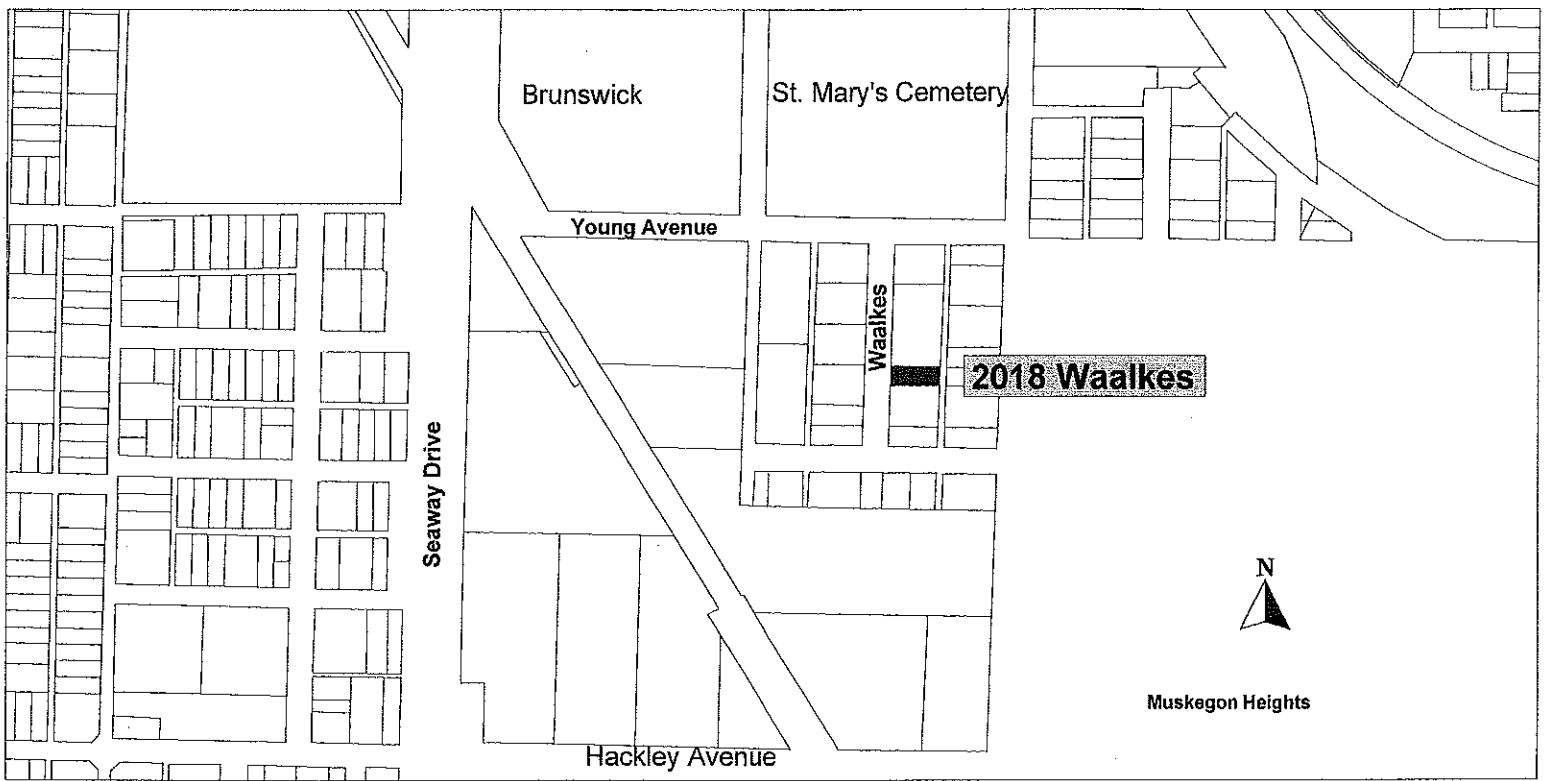
By: Fred J. Nielsen
Fred J. Nielsen, Mayor

Attest: Gail Kunding
Gail Kunding, Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on March 28, 2000.

By: Gail Kunding
Gail Kunding, Clerk



REAL ESTATE PURCHASE AGREEMENT

THIS AGREEMENT is made March 2, 2000, 2000, by and between **F. RICHARD SCHAUB and C. JEAN SCHAUB**, husband and wife, of 2018 Waalkes Street, Muskegon, Michigan 49441 ("Seller"), and the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace, Muskegon, Michigan 49440 ("Buyer").

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

Lot 14 of Block 1 of Young and Williams Addition;

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

2. **Purchase Price and Manner of Payment.** The purchase price for the Premises shall be Forty Nine Thousand, Five Hundred (\$49,500) Dollars, payable in cash or city check to Buyer at Closing.

3. **Partial Waiver of Public Acquisition and Relocation Requirements.** Seller understands that this sale constitutes an acquisition for a public purpose, and that Buyer may be subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as well as the Uniform Condemnation Procedures Act of the State of Michigan. Seller is fully aware of the market value of the property and believes the price and terms of this sale reflect that value. Seller waives any written notice of value or further written offer. Seller and Buyer acknowledge entitlement to relocation assistance payments to Seller and/or Tenants as may be required and appropriate. Seller has received a copy of the publication: "When a Public Agency Acquires Your Property," published by the United States Department of Housing and Urban Development, and Seller and Tenants have received a copy of the publication: "Your Rights and Benefits When Displaced by a Transportation Project," published by the Michigan Department of Transportation, which accurately sets forth the relocation benefits applicable to this project.

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

5. **Title Insurance.** Seller agrees to deliver to Buyer's attorney, ten (10) days prior to closing, a commitment for title insurance, issued by Transnation Title Insurance Company, for an amount not less than the purchase price stated in this Agreement, guaranteeing title on the conditions required herein. In the event the reservations, restrictions or easements of record disclosed by said title commitment is, in the sole discretion of Buyer, deemed unreasonable, the

Seller shall have forty-five (45) days from the date Seller is notified in writing of such unreasonableness of restriction and such unmarketability of title, to remedy such objections. If Seller resolves such restrictions and remedies the title (by obtaining satisfactory title insurance or otherwise) within the time specified, Buyer agrees to complete this sale as herein provided, within ten (10) days of written notification thereof. If the Seller fails to resolve such restrictions or remedy the title within the time above specified or fails to obtain satisfactory title insurance, this Agreement will be terminated at the Buyer's option. The premium for the owners title policy shall be paid by Buyer.

5. **Personal Property and Fixtures.** All personal property and fixtures which the Seller wishes to remove shall be removed on or before Closing. The parties are aware that the Buyer intends to demolish the house. Any personal property which is left on the Premises shall be the property of Buyer who may dispose of same.

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

7. **Environmental Matters.** Seller represents and warrants to Buyer as follows:

a. To the best of Seller's knowledge, the Premises have been used and operated in compliance with all applicable federal, state and local laws and regulations related to air quality, water quality, waste disposal or management, hazardous or toxic substances, and the protection of health and the environment.

b. Seller has not disposed of any hazardous or toxic substances on or in the Premises and, to the best of Seller's knowledge, the Premises and the groundwater beneath the Premises is free from environmental contamination of any kind.

c. The Premises does not include any "underground storage tank," as that term is defined by state or federal law.

Such representations and warranties shall be deemed to have been made again by Seller as of the Closing. Seller agrees to indemnify Buyer and hold it harmless from and against any and all claims, demands, liabilities, costs, expenses, penalties, damages and losses, including, but not limited to, reasonable attorneys' fees, resulting from any misrepresentation or breach of the warranties set forth in this paragraph. The representations, warranties and covenants set forth in this paragraph shall survive the Closing.

8. **Condition of Premises and Examination by Buyer.** NO IMPLIED WARRANTIES OF HABITABILITY, QUALITY, CONDITION, FITNESS FOR A PARTICULAR PURPOSE, OR ANY OTHER IMPLIED WARRANTIES SHALL OPERATE BETWEEN SELLER AND BUYER, AND BUYER EXPRESSLY WAIVES ANY AND ALL SUCH IMPLIED WARRANTIES. BUYER UNDERSTANDS AND AGREES THAT THE PREMISES ARE TAKEN "AS IS," SUBJECT, HOWEVER, TO THE EXPRESS COVENANTS, CONDITIONS AND/OR EXPRESS WARRANTIES CONTAINED IN THIS PURCHASE AGREEMENT; ALSO SUBJECT TO THE WARRANTY OF SELLER THAT NO HAZARDOUS SUBSTANCES HAVE BEEN PLACED ON THE PREMISES. BUYER FURTHER SAYS THAT IT HAS PERSONALLY INSPECTED THE PREMISES AND IS SATISFIED WITH THE CONDITION OF THE LAND, AND THE BUILDINGS AND IMPROVEMENTS THEREON.

9. **Real Estate Commission.** Seller shall be solely responsible for any real estate commission or expenses of a broker or real estate consultant retained, employed, or utilized by Seller. Seller agrees to indemnify and hold the Buyer harmless from any liability, including reasonable attorney fees, occasioned by reason of any person or entity asserting a claim for such real estate commission or expenses arising from this transaction.

11. **Closing.** The closing date of this sale shall be on or before April 1, 2000 ("Closing"). The Closing shall be conducted at Transnation Title Insurance Company, 570 Seminole Road, Ste. 102, Muskegon, MI 49444. The parties shall execute an IRS Closing Report at the Closing.

12. **Delivery of Deed.** Seller shall execute and deliver a warranty deed to Buyer at Closing for the Premises.

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

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

15. **Costs.** Seller shall be responsible to pay the Michigan transfer tax in the amount required by law. Seller shall be responsible to pay for the recording of any instrument which must be recorded to clear title to the extent required by this Agreement. Buyer shall pay for the cost of recording the warranty deed to be delivered at Closing.

16. **General Provisions.**

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

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

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

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

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

f. **Survival of Representations and Warranties.** The representations, warranties, covenants and agreements contained in this Agreement and in any instrument provided for herein shall survive the Closing and continue in full force and effect after the consummation of this purchase and sale and continue until all liabilities of Buyer have been fully satisfied.

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

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

WITNESSES:

Cecilia M. Shoup

Linda Potter
Linda Potter

BUYER: CITY OF MUSKEGON

By Fred J. Nielsen
Fred J. Nielsen, Mayor

By Gail A. Kunderger
Gail A. Kunderger, Clerk

SELLER:

PREPARED BY:

G. Thomas Johnson
Parmenter O'Toole
175 W. Apple Avenue
Muskegon, MI 49443-0786
Telephone: 231/722-1621

F. Richard Schaub
F. Richard Schaub (SS# 353-16-9170)

C. Jean Schaub
C. Jean Schaub (SS# 345-44-8746)

Date: March 28, 2000
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Request for an Encroachment Agreement

SUMMARY OF REQUEST:

Hawkeye Environmental has filed the enclosed encroachment agreement form to sample and maintain three ground water monitoring Wells in the locations indicated on the enclosed map. The Wells were original installed by Superior Environmental.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

ENCROACHMENT AGREEMENT AND PERMIT

THIS AGREEMENT is made and entered into this 2nd day of February 192000, by and between the CITY OF MUSKEGON, a municipal corporation (hereinafter called CITY), and Speedway Super America LLC (hereinafter called LICENSEE).

RECITALS

1. LICENSEE proposes to install, repair or maintain improvements or facilities ("the encroachment"), in or abutting a street, alley, sidewalk, park, terrace or other property controlled or owned by the City of Muskegon, the encroachment being described as

Install Maintain Monitoring wells within the right of way of West Sherman Blvd & Elmside Blvd.

2. The City - owned or controlled property (herein "property") subject to the encroachment is described as:

[please insert a general description, and if required by the city, an accurate legal description]

3. The City is willing to grant such privilege upon the terms and conditions herein. This agreement shall constitute a permit under section 18-19 of the Code of Ordinances, but shall apply to any encroachment on public ways or property.

THEREFORE,

1. CITY does hereby grant unto LICENSEE the privilege of ___constructing, ___installing, Xmaintaining ___repairing ___performing all necessary functions relating to the encroachment, and for that purpose to enter the property, for the term herein stated. This

privilege shall be effective upon the issuance of an encroachment permit, which shall be issued only after approval of this agreement by the City Commission and delivery to the City of the required evidence of insurance coverages.

This grant is subject to the following special conditions: See

Supplemental Conditions

2. That LICENSEE shall pay to the City for the privilege hereby granted the sum of ^{\$}175⁻ One hundred seventy five Dollars (\$175), such payment to be made upon the signing of this agreement to be dated as of the ____ day of _____, 19__, to the City Treasurer of the City of Muskegon, and the privilege hereby granted shall continue for a period to terminate the first day of May, _____, unless sooner terminated as hereinafter provided.

3. INDEMNIFICATION. The LICENSEE shall indemnify and save harmless said GRANTOR of and from any liability for claims, damages, costs, expenses, or fees, including any attorney fees, or fines or awards brought against or charged to the city by any person, firm or corporation on account of or arising from the privilege hereby granted to LICENSEE or the activities of the LICENSEE related to the encroachment or this privilege. This indemnification obligation shall include all liabilities for environmental damage or releases of hazardous substances subject to any governmental or third party action. "Hazardous substance" is defined as any material constituting a prohibited or regulated substance under any governmental law, rule, statute or regulation in force at any time, including future times.

4. INSURANCE. LICENSEE shall at all times carry liability insurance in such amounts as are satisfactory to City, and issued by companies acceptable to the City, licensed in the State of Michigan, naming City as an additional insured on any such policy. LICENSEE will file with

City certificates or policies evidencing such insurance coverage . The insurance policies or certificates shall provide that the City shall be given thirty days written notice before a cancellation or change in coverage may occur. The types of coverage and coverage limits to be required shall be as follows:

a copy of your insurance certificate naming the City as an additional insured. minimum limits of \$500,000

5. BONDING. Before this agreement /permit becomes valid, LICENSEE shall file with the city a bond conforming with the requirements of any ordinance, and shall keep same in force during the entire term of this agreement.

6. The privilege hereby granted may be canceled and revoked by the CITY at any time upon giving said LICENSEE ___ days of written notice of such cancellation and revocation.

7. LICENSEE may surrender up the privilege hereby granted at any time upon giving notice in writing to the City ___ days prior to such surrender; provided, however, that upon the voluntary relinquishment or abandonment of this privilege, or upon cancellation or revocation thereof by the City, the LICENSEE shall remove any structure(s) erected upon, within or overhanging the area of encroachment and restore the property at LICENSEE'S expense and in a manner satisfactory to City and in default thereof shall be liable to City for any cost, damage or expense the City may sustain in such restoration.

8. That should said LICENSEE fail or refuse to conform to any of the conditions on its part to be performed hereunder, the privilege hereby granted shall immediately terminate and become null and void.

9. This agreement shall be binding upon the respective heirs, representatives, successors and assigns of the parties hereto.

Witnesses:

Linda S. Potter
Linda S. Potter

JO ANN KROKOWSKI

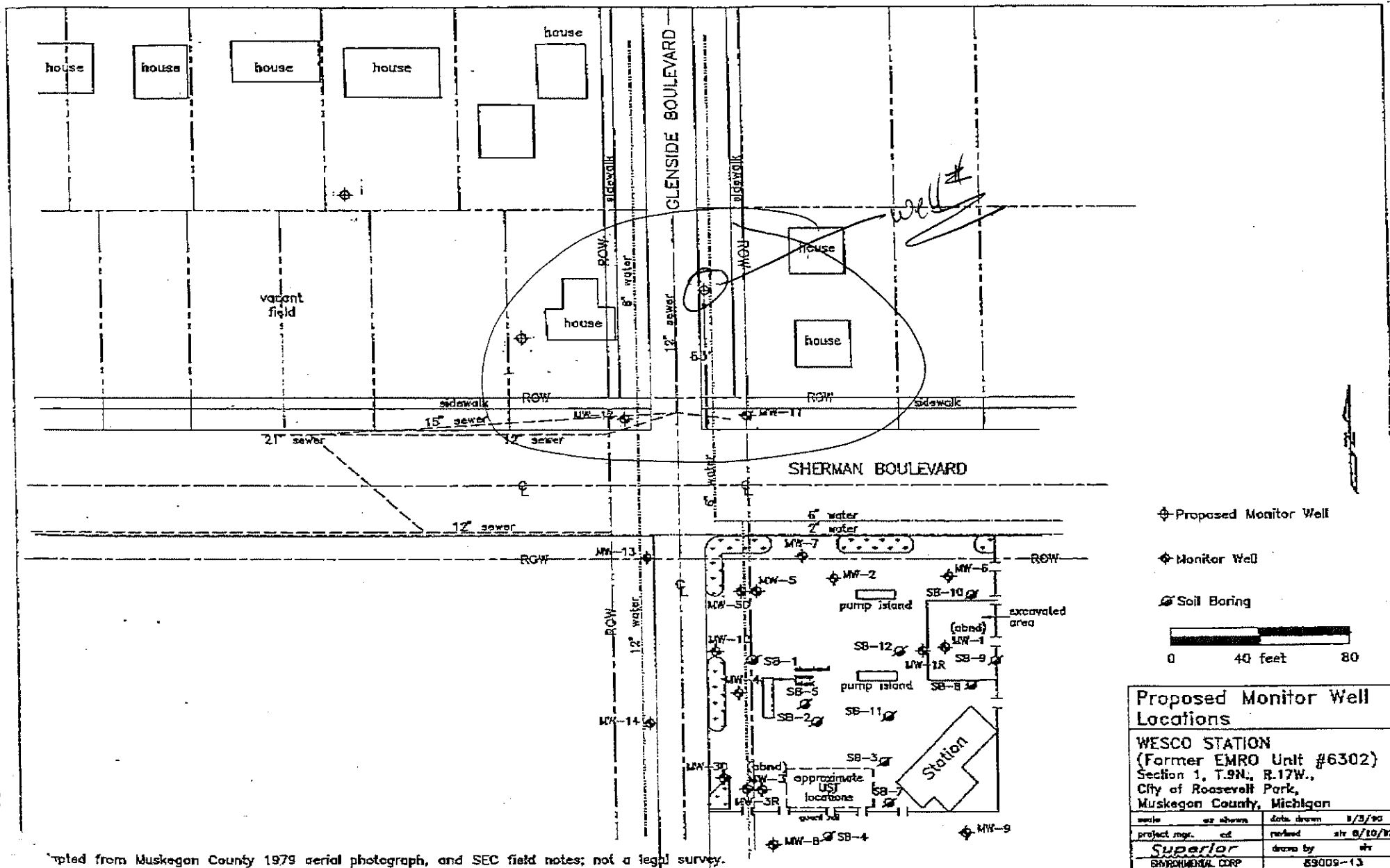
CITY OF MUSKEGON

By Fred J. Nielsen
Fred J. Nielsen, Mayor

And Gail A. Kundiger
Gail A. Kundiger, Clerk

LICENSEE:

John C. Stender, Jr.
John C. Stender, Jr.



SUPPLEMENTAL CONDITIONS

- 1- The grantee shall be fully responsible for the maintenance of the wells and any relocation that becomes necessary to facilitate other improvements within the right of way.
- 2- Grantee will be responsible to maintain and keep, for the duration of this agreement, a valid insurance coverage satisfactory to the City.

HAWKEYE

ENVIRONMENTAL LAND SERVICES, INC.

PROVIDING DUE DILIGENCE SERVICES FOR THE ENVIRONMENTAL INDUSTRY

P.O. Box 726
Owosso, MI 48867-0726

e-mail hawkeye@tir.com

(517)743-4344
Fax (517)743-6450

February 9, 2000

J. Blayne Kirsch
City of Muskegon
P.O. Box 536
Muskegon, MI 49443-0536

RECEIVED
CITY OF MUSKEGON

FEB 10 2000

RE: Encroachment Permit

ENGINEERING DEPT.

Dear Mr. Kirsch:

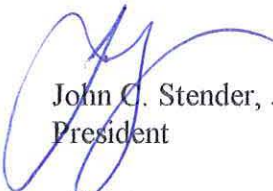
Hawkeye Environmental Land Services, Inc. respectfully wishes to apply for an Encroachment with the City of Muskegon, MI on behalf of Speedway SuperAmerica LLC, 7743 Grand River Avenue, Brighton, MI 48116. This request is for the sampling and maintenance of three groundwater monitoring currently being used under two Encroachment Agreements between the City and Superior Environmental Corporation. These permits are 92-28-T and 92-109 (d).

Superior, by letter attached hereto, wishes to have the bond released for these permits and terminate their name as applicant thereon.

I have enclosed herewith a copy of the site location plat showing the current position of these wells. Also, we have filled out an Encroachment Agreement for your review. Along with the the Encroachment Agreement is our check #4739 in the amount of \$100 to cover the permit review fee.

Should you have any questions please feel free to call our office.

Respectfully,



John C. Stender, Jr. CPL/ESA
President

enclosures

Site Plan
Check #4739
Superior Letter

cc: K. Lepak/SSA
S. Pearson/Superior
File

C:\Corel\Suite8\EMRO\6302\City of Muskegon Request Letter for New Permit.wpd

JOHN C. STENDER JR., PRESIDENT

CERTIFIED PROFESSIONAL LANDMAN/ENVIRONMENTAL SITE ASSESSOR

Date: March 28, 2000
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Janitorial Services Proposal

SUMMARY OF REQUEST:

To approve a one year extension on the current contract with Edwards Janitorial to clean City Hall as well as Public Service Building for an additional monthly charge of \$126.34 per month for City Hall and \$37.19 per month for DPW. The annual cost for this one-year extension is \$52,054.56 for City Hall and \$15,325.92 for DPW. This extension would expire on May 1st 2001. Furthermore, the aforementioned proposed numbers are still lower than those submitted in 1997 by the next bidder, GoodWill Industries, see attached.

FINANCIAL IMPACT:

The annual cost of \$52,054.56 for City Hall & \$15,325.92 for DPW

BUDGET ACTION REQUIRED:

None, this adjustment was anticipated and budgeted for.

STAFF RECOMMENDATION:

To approve the extension of the contract with Edwards Janitorial to provide cleaning services until May of 2001.

COMMITTEE RECOMMENDATION:

JANITORIAL PROPOSALS (MAY 1997 - APRIL 1999)
MARCH 18, 1997

COMPANY	CEMETERY	CITY HALL/POLICE DEPT.	PUBLIC SERVICE BLDG	TOTAL ALL BLDGS
EDWARDS JANITORIAL SERVICE	\$2,470.00	\$48,594.74	\$14,307.36	\$65,372.10
GOODWILL INDUSTRIES *	\$1,476.24	\$59,259.72	\$22,860.36	\$83,596.32
M&K PAINTING AND CLEANING	\$3,288.00	\$40,476.00	\$17,641.00	\$61,405.00
ServiceMASTER **	\$1,980.00	\$34,884.00	\$82,092.00	\$118,956.00

* COST INCREASES EACH YEAR.

** INCLUDES A ONE TIME CHARGE OF \$1440 TO STRIP THE CITY HALL TERRAZZO FLOORS

City of Muskegon
Attn: Mr. Mohammed Al Shatel
933 Terrace St.
Muskegon, Mich. 49443
March 16, 2000

Dear Sir

**This letter outlines our desire to extend our present contract for
for another year beginning on 5/1/2000. We would like to adjust our
contract for each facility at that time by an increase of 3 percent. The
new price for the City Hall would be \$ 52,054.56/yr. or \$ 4,337.88 per
month. The new price for the Public Service building would be \$ 15,325.92
per year or \$ 1277.16 per month.**

Sincerely yours

David L. Edwards

David L. Edwards

Edwards Janitorial Service

ADDENDUM 1

AGREEMENT FOR CLEANING AND JANITORIAL SERVICES

This addendum is created for the sole purpose of extending the "1998 Cleaning and Janitorial Service" agreement between the City of Muskegon and Edwards Janitorial Service for one more year. The effective date of this amendment is May 1st of 2000 and will expire April 31st of 2001. During which time, Edwards Janitorial (Contractor) will provide any and all of the services as outlined in the original agreement. Furthermore, it is agreed upon between the parties (City & Contractor) that all of the conditions, stipulations and any other requirements in the original language as well as the following items will be honored:

- The work will be performed at the rates and locations as shown in exhibit A. (Bid Proposal)
- The contractor shall provide new Bonds & Insurance coverage in the amounts, types & with limits equal to those in the 1998 agreement this extension (May 1st of 2000 until April 31st 2001).

ATTEST:

J.R. Han

CONTRACTOR,

By

David L Edwards

DAVID L EDWARDS

Printed name and title

ATTEST

Linda Potter
Linda Potter

CITY OF MUSKEGON

Fred Nielsen

Fred Nielsen, City Major

Gail Kunding

Gail Kunding, City Clerk

PRODUCER (231) 755-1919 FAX (231) 755-8750

Shoreline Insurance Agency, Inc.
875 W. Broadway Ave.
Muskegon, MI 49441

Attn: Karen Bielinski/Ruth Hansen

Ext 27

INSURED Edwards Janitorial Service
David Edwards
661 Scenic Drive
Muskegon, MI 49445

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

Selective Insurance Co.

**COMPANY
A**

**COMPANY
B**

COMPANY
C

COMPANY
B

COVERAGE

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CD LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☐ OCCUR OWNER'S & CONTRACTOR'S PROT	\$1698519	01/01/2000	01/01/2001	GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 PERSONAL & ADV INJURY \$ 1,000,000 EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ 100,000 MED EXP (Any one person) \$ 5,000
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON-OWNED AUTOS	\$1698519	01/01/2000	01/01/2001	COMBINED SINGLE LIMIT \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	GARAGE LIABILITY ☐ ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT: \$ AGGREGATE: \$
A	EXCESS LIABILITY ☒ UMBRELLA FORM ☐ OTHER THAN UMBRELLA FORM	\$1698519	01/01/2000	01/01/2001	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: ☐ INCL ☐ EXCL OTHER	WC7005776	01/01/2000	01/01/2001	☒ WC STATUTORY LIMITS LTH-ER EL EACH ACCIDENT \$ 100,000 EL DISEASE - POLICY LIMIT \$ 500,000 EL DISEASE - EA EMPLOYEE \$ 100,000

[illegible]

"Additional Insureds" - "The City and all elected and appointed officials, all employees and volunteers all boards, commissions and/or authorities and board members, including employees and volunteers thereof are hereby added as 'Additional Insureds'".

PERSONAL FILE

City of Muskegon
C/O J R Gann
933 Terrace St.
Muskegon, MI 49443-0536

CRIME REACTION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL, BY FIRST CLASS MAIL,

30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT.

AUTHORIZED REPRESENTATIVE

Joseph Chasco

Date: March 28, 2000
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids for
Nevada, Young to Laketon &
Forest, Franklin to Barclay

SUMMARY OF REQUEST:

The contract to construct new watermain in Nevada and Forest be awarded to Jackson Merkey Contractors, Inc. since they were the lowest, see bid tabulation, responsible bidder with a bid price of \$265,994.95

FINANCIAL IMPACT:

The construction cost of \$265,994.95 plus related engineering expenses.

BUDGET ACTION REQUIRED:

None, the project was budgeted for a total of \$295,000 out the Local Street & Water Funds.

STAFF RECOMMENDATION:

Award the contract to Jackson Merkey Contractors, Inc.

COMMITTEE RECOMMENDATION:

SUMMARY OF BIDS SUBMITTED

PROJECT	ENGINEERS ESTIMATE	PRINCE BRIDGE & MARINE	FELCO	JACKSON-MERKEY
FOREST AVE., BARCLAY TO FRANKLIN	\$86,988.00	\$98,981.33	\$94,907.50	\$89,933.70
NEVADA ST., YOUNG to LAKETON	\$172,026.00	\$199,912.95	\$184,952.50	\$176,061.25
TOTAL	\$259,014.00	\$298,894.28	\$279,860.00	\$265,994.95

NEVADA ST., YOUNG to LAKETON

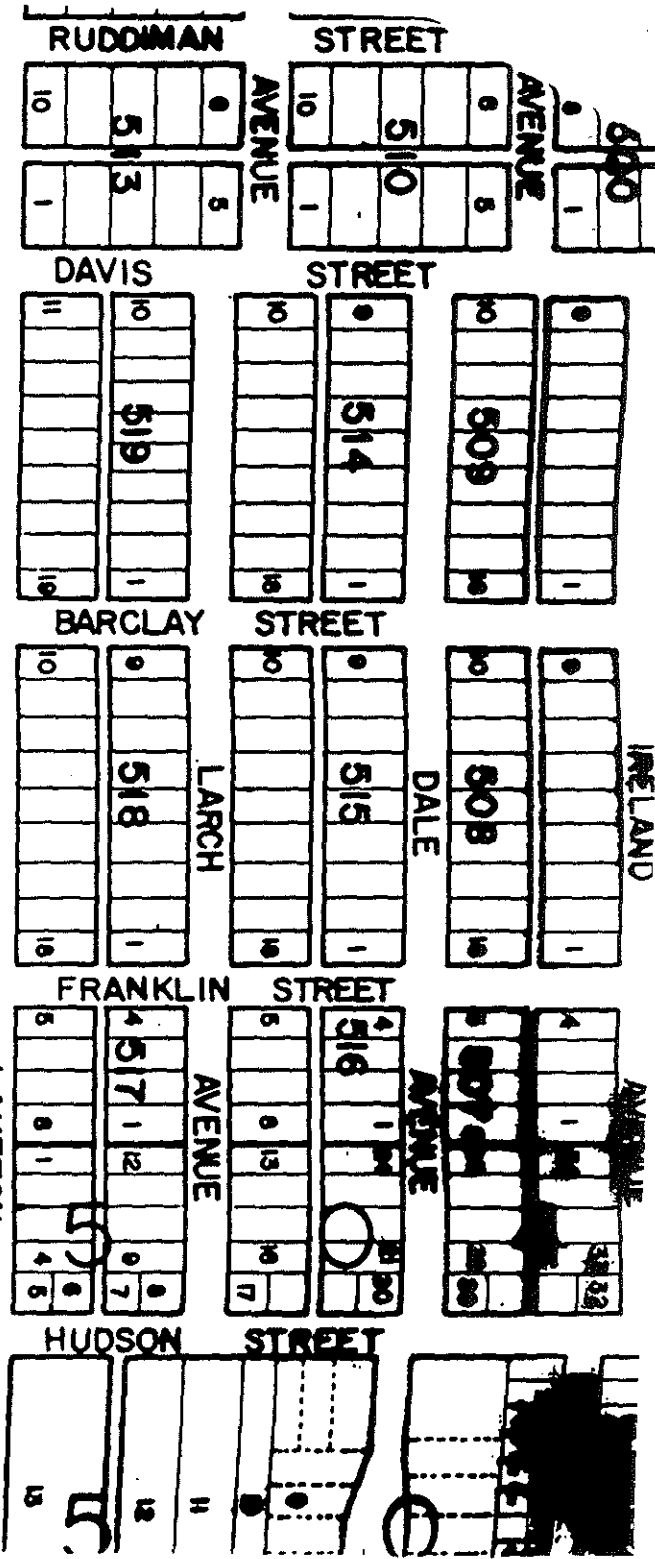
W-602 & H-1511

WATERMAIN REPLACEMENT & STREET REPAVING

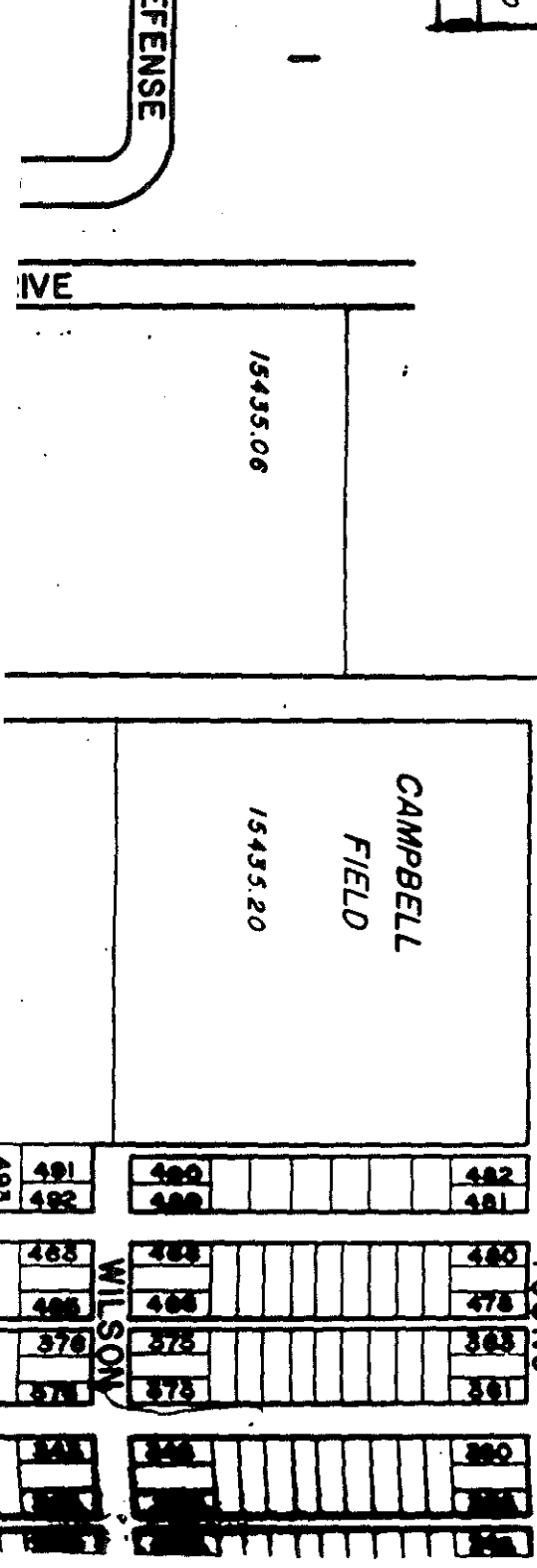
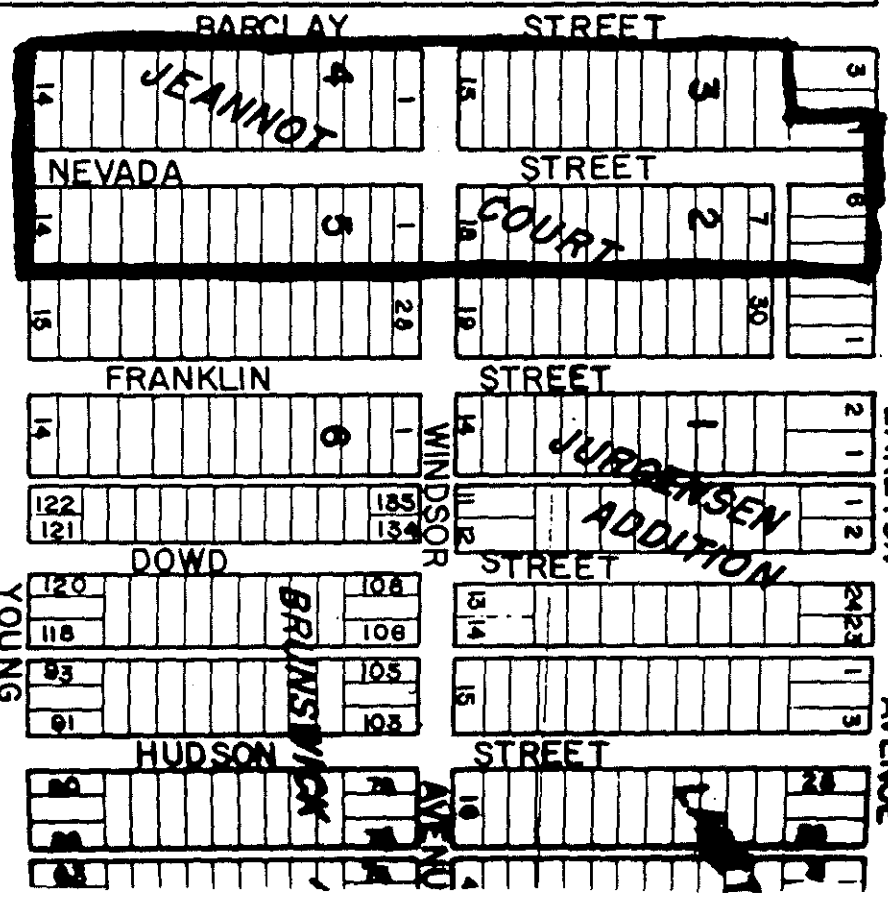
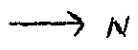
	DESCRIPTION	QUANTITY	UNIT	ENGINEERS ESTIMATE		PRINCE BRIDGE & MARINE		FELCO		JACKSON-MERKEY	
				UNIT COST	EXTENDED COST	UNIT COST	EXTENDED COST	UNIT COST	EXTENDED COST	UNIT COST	EXTENDED COST
1	ADJUST MANHOLE CASTING	4	EACH	\$350.00	\$1,400.00	350	\$1,400.00	350	\$1,400.00	395	\$1,580.00
2	AGGREGATE PREPARATORY WORK	12.8	STA.	\$100.00	\$1,280.00	1150	\$14,720.00	875	\$11,200.00	770	\$9,856.00
3	BENDS D.C.I. 8" 45° M.J.	4	EACH	\$375.00	\$1,500.00	210	\$840.00	275	\$1,100.00	245	\$980.00
4	BIT. LEVELING MIX 3B @ 165#/S.Y.	365	TON	\$40.00	\$14,600.00	35.46	\$12,942.90	41	\$14,965.00	35.5	\$12,957.50
5	BIT. TOP MIX 4C @ 165#/S.Y.	365	TON	\$45.00	\$16,425.00	41.17	\$15,027.05	45	\$16,425.00	37.95	\$13,851.75
6	CONC. CURB & GUTTER STD. DETAIL 1	39	LIN. FT.	\$10.00	\$390.00	11	\$429.00	11	\$429.00	24	\$936.00
7	CONC. GUTTER PAN 8"X 18"	10	LIN. FT.	\$10.00	\$100.00	7	\$70.00	14	\$140.00	22	\$220.00
8	CORP. STOP 3/4" MUELLER #15000	37	EACH	\$175.00	\$6,475.00	75	\$2,775.00	195	\$7,215.00	320	\$11,840.00
9	CORP. STOP 1" MUELLER #15000	6	EACH	\$250.00	\$1,500.00	80	\$480.00	185	\$1,110.00	335	\$2,010.00
10	CROSS D.C.I. 8"x 8" M.J.	1	EACH	\$350.00	\$350.00	386	\$386.00	360	\$360.00	460	\$460.00
11	CURB STOP 1" MUELLER #15150	3	EACH	\$225.00	\$675.00	205	\$615.00	240	\$720.00	325	\$975.00
12	HYDRANT STD.	5	EACH	\$1,300.00	\$6,500.00	1500	\$7,500.00	1500	\$7,500.00	1240	\$6,200.00
13	MANHOLE CASTING E.J.#1000 OR EQUAL	4	EACH	\$400.00	\$1,600.00	350	\$1,400.00	395	\$1,580.00	445	\$1,780.00
14	METER PIT COMPLETE	3	EACH	\$450.00	\$1,350.00	450	\$1,350.00	350	\$1,050.00	660	\$1,980.00
15	PLUG 8" M.J. W/2" TAP	2	EACH	\$175.00	\$350.00	200	\$400.00	145	\$290.00	85	\$170.00
16	REDUCER 8" TO 6" D.C.I. M.J.	1	EACH	\$300.00	\$300.00	190	\$190.00	190	\$190.00	150	\$150.00
17	REMOVING BIT. SURFACE	4195	SQ.YD.	\$3.00	\$12,585.00	5	\$20,975.00	3.9	\$16,360.50	1.7	\$7,131.50
18	REMOVING CONC. CURB & GUTTER	19	LIN. FT.	\$5.00	\$95.00	9	\$171.00	9	\$171.00	9.5	\$180.50
19	REMOVING CONC GUTTER PAN	10	LIN. FT.	\$5.00	\$50.00	8	\$80.00	10	\$100.00	9	\$90.00
20	SAND REFILL	2320	C YD	\$5.00	\$11,600.00	11	\$25,520.00	7.1	\$16,472.00	6.85	\$15,892.00
21	SLEEVES LONG 8" D.C.I. M.J.	2	EACH	\$400.00	\$800.00	220	\$440.00	175	\$350.00	240	\$480.00
22	STORM SEWER SERVICE 6" SDR 35	66	LIN. FT.	\$20.00	\$1,320.00	28	\$1,848.00	28	\$1,848.00	21	\$1,386.00
23	TEE D.C.I. 8" x 8" x 6" M.J.	5	EACH	\$250.00	\$1,250.00	250	\$1,250.00	275	\$1,375.00	250	\$1,250.00
24	TRAFFIC CONTROL	1	LUMP	\$6,000.00	\$6,000.00	2500	\$2,500.00	1500	\$1,500.00	3375	\$3,375.00
25	TRENCH REPAIR LOCAL ST. TYPE V	1357	LIN. FT.	\$8.00	\$10,856.00	12	\$16,284.00	7	\$9,499.00	6.25	\$8,481.25
26	TRENCH REPAIR SPECIAL	213	LIN. FT.	\$50.00	\$10,650.00	20	\$4,260.00	58	\$12,354.00	23.5	\$5,005.50
27	VALVE 6" GATE M.J. W/BOX	5	EACH	\$600.00	\$3,000.00	500	\$2,500.00	515	\$2,575.00	540	\$2,700.00
28	VALVE 8" GATE M.J. W/BOX	4	EACH	\$750.00	\$3,000.00	650	\$2,600.00	700	\$2,800.00	670	\$2,680.00
29	WATERMAIN 6" D.C.I. CL. 52	60	LIN. FT.	\$30.00	\$1,800.00	34	\$2,040.00	37	\$2,220.00	37	\$2,220.00
30	WATERMAIN 8" D.C.I. CL. 52	1347	LIN. FT.	\$35.00	\$47,145.00	40	\$53,880.00	34	\$45,798.00	39.75	\$53,543.25
31	WATER SERVICE 3/4" TYPE "K" COPPER	96	LIN. FT.	\$25.00	\$2,400.00	20	\$1,920.00	22	\$2,112.00	22	\$2,112.00
32	WATER SERVICE 1" TYPE "K" COPPER	156	LIN. FT.	\$30.00	\$4,680.00	20	\$3,120.00	24	\$3,744.00	23	\$3,588.00
				TOTAL	\$172,026.00	TOTAL	\$199,912.95	TOTAL	\$184,952.50	TOTAL	\$176,061.25

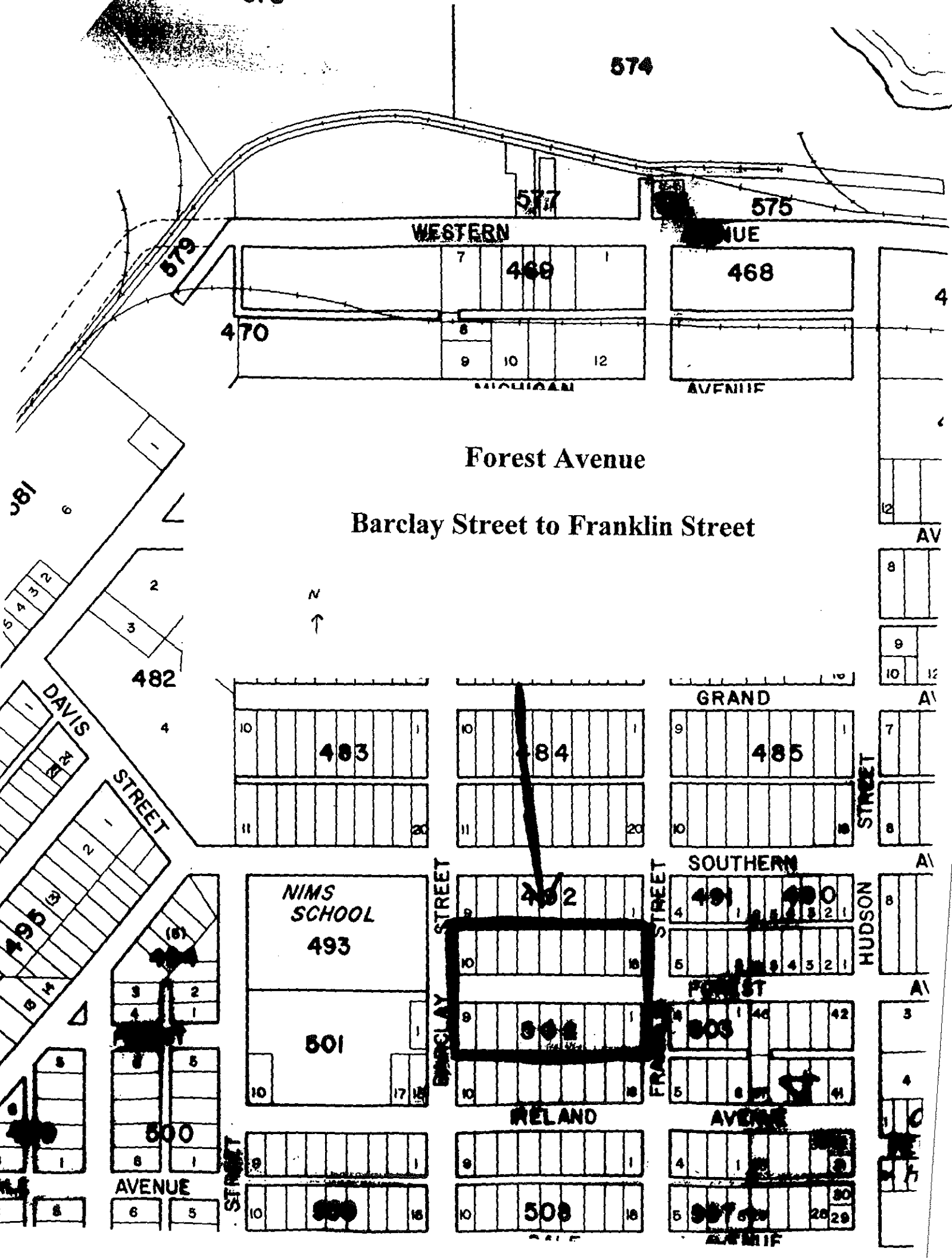
**FOREST AVE., BARCLAY ST. TO FRANKLIN ST.
W-600 & H-1509
WATERMAIN REPLACEMENT AND STREET PAVING**

DESCRIPTION	QUANTITY	UNIT	ENGINEERS ESTIMATE		PRINCE BRIDGE & MARINE		FELCO		JACKSON-MERKEY	
			UNIT COST (\$)	EXTENDED COST (\$)	UNIT COST (\$)	EXTENDED COST (\$)	UNIT COST (\$)	EXTENDED COST (\$)	UNIT COST (\$)	EXTENDED COST (\$)
ADJUST M.H. CASTING	7	EACH	350.00	2,450.00	300	2,100.00	350	2,450.00	395	2,765.00
AGGREGATE PREPARATORY WORK	6.1	STA	100.00	610.00	900	5,490.00	875	5,337.50	850	5,185.00
BENDS D.C.I. 8" 45DEGREE M.J.	6	EACH	375.00	2,250.00	150	900.00	275	1,650.00	245	1,470.00
BIT LEVEL 3B @ 165# S.Y.	191	TON	40.00	7,640.00	35.46	6,772.86	45	8,595.00	38.4	7,334.40
BIT TOP 4C @ 165# S.Y.	191	TON	45.00	8,595.00	41.17	7,863.47	49	9,359.00	41.6	7,945.60
CONC. CURB & GUTTER STD. DETAIL 1	20	LIN FT	10.00	200.00	9	180.00	11	220.00	24	480.00
CONC. DRIVE APPROACH 6"	16	SQYD	28.00	448.00	22	352.00	36	576.00	31.5	504.00
CONC. SIDEWALK 4"	50	SQ FT	3.00	150.00	2.5	125.00	3	150.00	2.9	145.00
CONC. SIDEWALK 6"	50	SQ FT	4.00	200.00	3.5	175.00	4	200.00	3.9	195.00
CORP STOP 3/4 " MUELLER #15000	10	EACH	175.00	1,750.00	75	750.00	195	1,950.00	320	3,200.00
CORP STOP 1" MUELLER #15000	3	EACH	250.00	750.00	85	255.00	185	555.00	335	1,005.00
CURB STOP 1" MUELLER #15150	3	EACH	225.00	675.00	175	525.00	240	720.00	315	945.00
HYDRANT STD.	2	EACH	1300.00	2,600.00	1500	3,000.00	1600	3,200.00	1240	2,480.00
MANHOLE CASTING E.J. #1000	7	EACH	400.00	2,800.00	350	2,450.00	375	2,625.00	445	3,115.00
REDUCER, 8"X6", D.C.I., M.J.	2	EACH	300.00	600.00	160	320.00	190	380.00	150	300.00
REMOVE BIT. SURFACE	2,200	SQ YD	3.00	6,600.00	6.5	14,300.00	3.5	7,700.00	1.8	3,960.00
REMOVING CONC. CURB & GUTTER	20	LIN FT	5.00	100.00	9	180.00	8	160.00	9.5	190.00
REMOVING OF CONC. SIDEWALK	100	SQ FT	1.50	150.00	5	500.00	2	200.00	1.5	150.00
REMOVING TREES 37" OR LARGER	1	EACH	800.00	800.00	250	250.00	1500	1,500.00	965	965.00
REMOVING OF WATER VALVE MANHOLE	2	EACH	300.00	600.00	150	300.00	500	1,000.00	525	1,050.00
SAND REFILL	1,100	C YD	5.00	5,500.00	8	8,800.00	7.1	7,810.00	6.75	7,425.00
SLEEVES LONG 8" D.C.I. M.J.	2	EACH	400.00	800.00	250	500.00	175	350.00	240	480.00
TEE D.C.I. 8" x 8" x 6" M.J.	2	EACH	250.00	500.00	270	540.00	300	600.00	250	500.00
TRAFFIC CONTROL	1	LUMP	4000.00	4,000.00	1500	1,500.00	500	500.00	2850	2,850.00
TRENCH REPAIR LOCAL ST. TYPE V	560	LIN FT	8.00	4,480.00	13	7,280.00	7.65	4,284.00	6.75	3,780.00
TRENCH REPAIR SPECIAL	122	LIN FT	50.00	6,100.00	25	3,050.00	61	7,442.00	25.35	3,092.70
VALVE GATE 6" M.J. W/BOX	2	EACH	750.00	1,500.00	500	1,000.00	515	1,030.00	540	1,080.00
WATERMAIN 8" D.C.I. CL. 52	24	LIN FT	30.00	720.00	50	1,200.00	37	888.00	39	936.00
WATERMAIN 8" D.C.I. CL. 52	540	LIN FT	35.00	18,900.00	\$40.00	21,600.00	36	19,440.00	41.5	22,410.00
WATER SERVICE 3/4" TYPE "K" COPPER	30	LIN FT	25.00	750.00	\$20.00	600.00	22	660.00	23	690.00
WATER SERVICE 1" TYPE "K" COPPER	109	LIN FT	30.00	3,270.00	47	5,123.00	24	2,616.00	24	2,616.00
WATER VALVE BOX & COVER COMP.	2	EACH	250.00	500.00	500	1,000.00	380	760.00	345	690.00
TOTAL				\$86,988.00	TOTAL	\$98,981.33	TOTAL	\$94,907.50	TOTAL	\$89,933.70



Nevada Street
Laketon Avenue to Young Avenue





Date: March 28, 2000
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Liquor License Request
631 W. Southern Street, Muskegon, MI

SUMMARY OF REQUEST: The Liquor Control Commission seeks local recommendation on a request from S and R Kado, L.L.C., to transfer ownership of the 1999 SDD and SDM license from Southern Corporation.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All Departments are recommending approval.

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

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

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

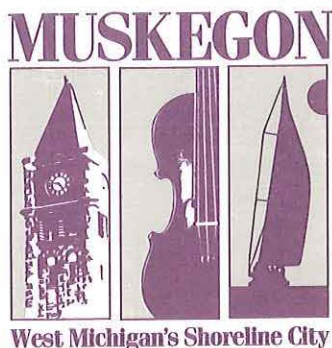
Police Dept.
231/724-6750
FAX/722-5140

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

Treasurer
231/724-6720
FAX/724-6768

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

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



March 9, 2000

To: The City Commission through the City Manager

From: Edward E. Griffin
Edward E. Griffin, Chief of Police

Re: Transfer of ownership for liquor license at 631 W Southern Avenue

The Muskegon Police Department has received a request from the Michigan Liquor Control Commission for an investigation from applicant S and R Kado, L.L.C. They are requesting to transfer ownership of the existing 1999 SDM and SDD license from Southern Corporation located at 631 W. Southern Ave, Muskegon MI.

Our department has talked with both Raad Kado and Saad Kado of 2278 Reneer Ave, Muskegon MI. Both are the proprietors for S and R Kado, LLC. Together, have requested a transfer of ownership of the license.

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

EEG/cmw

POLICE INSPECTION REPORT ON LIQUOR LICENSE REQUEST

(Authorized by MCL 436.7a)

Michigan Department of Consumer & Industry Services

LIQUOR CONTROL COMMISSION

7150 Harris Drive

P.O. Box 30005

Lansing, Michigan 48909-7505

Important: Please conduct your investigation as soon as possible and complete all four sections of this report.

Return the completed report and fingerprint cards to the Commission.

EID# 59334 alf

J. J. H.
2-3-00

BUSINESS NAME AND ADDRESS: (include zip code)

S AND R KADO, L.L.C., 631 W SOUTHERN, MUSKEGON MI 49441, MUSKEGON COUNTY 231-726-6509

REQUEST FOR:

TRANSFER OWNERSHIP OF 1999 SDD AND SDM LICENSED BUSINESS FROM SOUTHERN CORPORATION

Section 1.

APPLICANT INFORMATION

APPLICANT #1:

RAAD KADO

APPLICANT #2:

SAAD KADO

HOME ADDRESS AND AREA CODE/PHONE NUMBER:

2278 RENEER AVENUE
MUSKEGON MI 49441
(231) 728-5259

HOME ADDRESS AND AREA CODE/PHONE NUMBER:

2278 RENEER AVENUE
MUSKEGON MI 49441
(231) 728-5259

DATE OF BIRTH: 1-12-78

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

o Does the applicant have permanent Resident Alien status?

☒ Yes ☐ No

o Does the applicant have a Visa? Enter status: NO

Date fingerprinted: 2-28-00

DATE OF BIRTH: 8-15-75

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

o Does the applicant have permanent Resident Alien status?

☒ Yes ☐ No

o Does the applicant have a Visa? Enter status: NO

Date fingerprinted: 2-9-00

Attach the fingerprint card and \$15.00 for each card and mail to the Liquor Control Commission.

ARREST RECORD: ☐ Felony ☐ Misdemeanor

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

ARREST RECORD: ☐ Felony ☐ Misdemeanor

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

Section 2.

Investigation of Business and Address to be Licensed

Can living quarters be reached from the inside of the establishment without going outside? ☐ Yes ☒ No

Does applicant intend to have dancing or entertainment?

☒ No ☐ Yes, complete LC-693N, Police Investigation Report: Dance/Entertainment Permit

Are gas pumps on the premises or directly adjacent? ☒ No ☐ Yes, explain relationship:

Section 3.

Local and State Codes and Ordinances, and General Recommendations

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? ☒ Yes ☐ No

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

Section 4.

Recommendation

From your investigation:

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

☒ Yes ☐ No

2. Is the proposed location satisfactory for this business?

☒ Yes ☐ No

3. Should this request be granted by the Commission?

☒ Yes ☐ No

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

Signature (Sheriff or Chief of Police)

Date

MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES

LIQUOR CONTROL COMMISSION

7150 Harris Drive

P.O. Box 30005

Lansing, Michigan 48909-7505

LOCAL GOVERNMENT 15-DAY NOTICE

[Authorized by MAC 436.1105 (2d)(3)]

DATE: January 24, 2000

Muskegon City Council
% Clerk
933 Terrace Street
P.O. Box 536
Muskegon MI 49443-0536

REQ ID # 59334

The Liquor Control Commission has received an application from:

S and R Kado, L.L.C., request to transfer ownership of 1999 SDD and SDM licensed business from Southern Corporation, located at 631 W Sourthern, Muskegon MI 49441, Muskegon County.

Members: Raad Kado and Saad Kado, 2278 Reneer Avenue, Muskegon MI 49441; 231-728-5259

Specially Designated Merchant (SDM) licenses permit the sale of beer and wine for consumption off the premises only. Specially Designated Distributor (SDD) licenses permit the sale of alcoholic liquor, other than beer and wine under 21 per cent alcohol by volume, for consumption off the premises only.

For your information, part of the investigation of the application is conducted by the local law enforcement agency and investigative forms will be released to them either in person or by mail.

Although local governing body approval is not required by the Michigan Liquor Control Act for off-premise licenses, the local governing body, or its designee, may notify the Commission within 15 days of receipt of this letter if the applicant location will not be in compliance with all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, or if the applicant is considered ineligible due to other factors.

All conditions of non-compliance must be outlined in detail, indicating the laws and ordinances applicable in this case, with a copy of the law and/or ordinance submitted with notification.

PLEASE RETURN YOUR RESPONSE TO:

Michigan Liquor Control Commission
Licensing Division
P.O. Box 30005
Lansing, Michigan 48909-7505

2000-36(b)
MICHIGAN DEPARTMENT OF COMMERCE
LIQUOR CONTROL COMMISSION

RESOLUTION

At a Regular meeting of the City Commission
(Regular, or Special) (Township Board, City or Village Council)

called to order by Mayor Nielsen on March 28, 2000 at 5:30 P.M.

the following resolution was offered:

Moved by Commissioner Aslakson and Supported by Commissioner Sieradzki

That the request from S and R Kado, L.L.C., 631 Southern, Muskegon, MI 49441, Muskegon County, to transfer ownership of the 1999 SDD and SDM Licensed Business from Southern Corporation

be considered for Approval
(Approval or Disapproval)

Approval

Yeas: 6

Nays: 0

Absent: 1

Disapproval

Yeas:

Nays:

Absent:

It is the consensus of this legislative body that the application be recommended
(Recommended or
not Recommended) for issuance.

State of Michigan)
County of Muskegon) SS

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

City Commission at a Regular
(Regular or Special)

meeting held on the 28th of March, 2000
(Date)

(Signed)

Gail A. Kunderger
(Township, City, or Village Clerk)

Gail A. Kunderger, City Clerk
933 Terrace, PO Box 536

(Address of Township, City or Village Board)

Muskegon, MI 49443-0536

SEAL

MEMO

To: Chief Ed Griffin

CC: Det. Sgt. Dean Roesler

From: Det. Kurt Dykman

Date: 2-29-00

Re: Transfer of ownership for liquor license at 631 W. Southern Ave, Muskegon, MI

Chief Griffin,

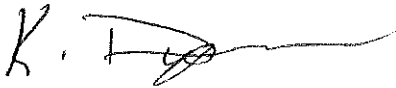
The Muskegon Police Department has received a request from the Michigan Liquor Control Commission for an investigation from applicant S and R Kado, L.L.C.

S and R Kado, L.L.C. is requesting to transfer ownership of the existing 1999 SDM and SDD license from Southern Corporation located at 631 W. Southern Av, Muskegon MI.

I have talked with both Raad Kado and Saad Kado of 2278 Reneer Ave, Muskegon MI. Both are the proprietors for S and R Kado, LLC. They, together, have requested for transfer of ownership of license.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Dykman', with a long horizontal flourish extending to the right.

Det. Kurt Dykman

data/common/kado

LIQUOR LICENSE REVIEW FORM

RECEIVED

FEB 04 2000

Business Name: Frontier Liquor Shop

MUSKEGON POLICE DEPT.
CHIEF OF POLICE

AKA Business Name (if applicable): S and R Kado, L.L.C.

Operator/Manager's Name: Raad Kado and Saad Kado

Business Address: 631 W. Southern Ave.

Muskegon, MI 49441

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: February 15, 2000

Police Department Approved ☒ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

NCS Compliance ☐ Remaining Defects _____

Fire Department Compliance ☐ Remaining Defects _____

Gail A. Kunder, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

2nd Request

Business Name: Frontier Liquor Shop 

AKA Business Name (if applicable): S and R Kado, L.L.C.

Operator/Manager's Name: Raad Kado and Saad Kado

Business Address: 631 W. Southern Ave.
Muskegon, MI 49441

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: February 15, 2000

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☒ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

NCS Compliance ☐ Remaining Defects _____

Fire Department Compliance ☐ Remaining Defects _____

Gail A. Kunderling, City Clerk
Liquor License Coordinator

RECEIVED

LIQUOR LICENSE REVIEW FORM

FEB 3 2000

CITY OF MUSKEGON

Business Name: Frontier Liquor ShopAKA Business Name (if applicable): S and R Kado, L.L.C.Operator/Manager's Name: Raad Kado and Saad KadoBusiness Address: 631 W. Southern Ave.
Muskegon, MI 49441

Reason for Review:

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

Other _____

Deadline for receipt of all information: February 15, 2000Police Department Approved ☐ Denied ☐ No Action Needed ☐Income Tax Approved ☐ Owing ☐ Amount: _____Treasurer *Al Smith 2/4/00* Approved ☒ Owing ☐ Amount: _____Zoning Approved ☐ Denied ☐ Pending ZBA ☐NCS Compliance ☐ Remaining Defects _____Fire Department Compliance ☐ Remaining Defects _____Gail A. Kundering, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

Business Name: Frontier Liquor Shop

AKA Business Name (if applicable): S and R Kado, L.L.C.

Operator/Manager's Name: Raad Kado and Saad Kado

Business Address: 631 W. Southern Ave.

Muskegon, MI 49441

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: February 15, 2000

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☒ Denied ☐ Pending ZBA ☐

NCS Compliance ☐ Remaining Defects _____

Fire Department Compliance ☐ Remaining Defects _____

Gail A. Kunding, City Clerk
Liquor License Coordinator

LIQUOR LICENSE REVIEW FORM

Business Name: Frontier Liquor Shop

AKA Business Name (if applicable): S and R Kado, L.L.C.

Operator/Manager's Name: Raad Kado and Saad Kado

Business Address: 631 W. Southern Ave.

Muskegon, MI 49441

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: February 15, 2000

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

~~NCS~~ Compliance ☒ Remaining Defects _____

Fire Inspection
Services

Fire Department Compliance ☐ Remaining Defects _____

Robert B. Dziabinski 2/7/00

Gail A. Kundering, City Clerk
Liquor License Coordinator

SAAD A. KADO
2278 RENEER
NORTON SHORES, MI 49441

9-91 742
720
6211954299

643

~~Date~~ 2-9-2000

Pay to the order of CIS of Muskegon \$250.00
Two hundred fifty Dollars ~~Amount~~ Security features
Details on back.

 **FIRST OF AMERICA.**
First Of America Bank, N.A.
MICHIGAN 49007

~~Amount~~



⑆072000915⑆

6211954299⑈ 0643

ANTIQUE

Affirmative Action
616/724-6703
FAX/722-1214

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
616/724-6716
FAX/724-4055

Clerk
616/724-6705
FAX/724-4178

Comm. & Neigh.
Services
616/724-6717
FAX/726-2501

Engineering
616/724-6707
FAX/727-6904

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6706
FAX/722-4301

Leisure Service
616/724-6704
FAX/724-1196

Manager's Office
616/724-6724
FAX/722-1214

Mayor's Office
616/724-6701
FAX/722-1214

Neigh. & Const.
Services
616/724-6715
FAX/726-2501

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
616/724-6750
FAX/722-5140

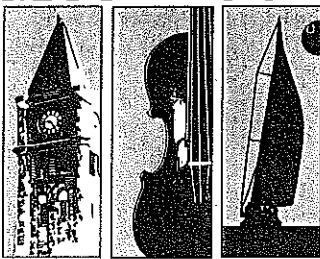
Public Works
616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Billing Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

March 22, 2000

Ms. Mary Jo McCann, President
Nelson Neighborhood Association
461 W. Webster
Muskegon, MI 49441

Dear Ms. McCann:

A request has been received from the Liquor Control Commission to transfer ownership of the existing 1999 SDM and SDD license at 631 W. Southern Ave. from Southern Corporation to S and R Kado, L.L.C. A SDM license permits the sale of beer and wine for consumption off the premises, and a SDD license permits the sale of alcoholic liquor, other than beer and wine for consumption off the premises. On Tuesday, March 28, 2000, the City Commission will review this request and determine whether or not it should be recommended for approval.

You are being sent this notice because the City Commission would like to know how the Neighborhood Association feels and would appreciate any comments that they may have. You may send these comments to 933 Terrace, Muskegon, MI 49440 or attend the City Commission Meeting March 28, 2000, at 5:30 p.m. in the Commission Chambers.

If you have any questions, please feel free to contact me at 724-6705.

Sincerely,

Linda Potter

Linda Potter
Deputy Clerk

Affirmative Action
616/724-6703
FAX/722-1214

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
616/724-6716
FAX/724-4055

Clerk
616/724-6705
FAX/724-4178

Comm. & Neigh.
Services
616/724-6717
FAX/726-2501

Engineering
616/724-6707
FAX/727-6904

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6706
FAX/722-4301

Leisure Service
616/724-6704
FAX/724-1196

Manager's Office
616/724-6724
FAX/722-1214

Mayor's Office
616/724-6701
FAX/722-1214

Neigh. & Const.
Services
616/724-6715
FAX/726-2501

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
616/724-6750
FAX/722-5140

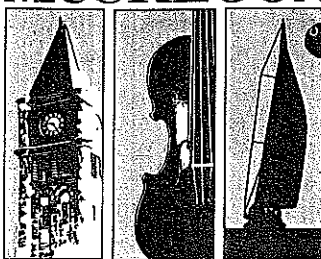
Public Works
616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Billing Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

March 22, 2000

Raad and Saad Kado
2278 Reener Avenue
Muskegon, MI 49441

Dear Raad and Saad Kado:

This letter is to inform you that your request to transfer ownership of the 1999 SDD and SDM licensed business from Southern Corporation will be presented to the City Commission on March 28, 2000. This meeting begins at 5:30 p.m. and is located in the Commission Chambers, 933 Terrace, Muskegon, MI.

This request has also been sent to the Nelson Neighborhood Association for their comments. It is Commission practice to let the Neighborhood Association know of any liquor license requests that are located within their boundaries. This allows for comments from the people who live there and not just from the owners of the business' who are located there.

If you have any questions, please feel free to contact me at 724-6705.

Sincerely,

A handwritten signature in cursive script that reads "Linda Potter".

Linda Potter
Deputy Clerk

SENDER: COMPLETE THIS SECTION

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.

Article Addressed to:

*Liquor Control Commission
7150 Harris
PO Box 30005
Lansing, MI 48909-7505*

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

Restricted Delivery? (Extra Fee) ☐ Yes

Article Number (Copy from service label)

7000 0520 0013 1675 9563

Form 3811, July 1999

Domestic Return Receipt

102585-99-M-1789

FAX/727-6904

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6706
FAX/722-4301

Leisure Service
616/724-6704
FAX/724-1196

Manager's Office
616/724-6724
FAX/722-1214

Mayor's Office
616/724-6701
FAX/722-1214

Neigh. & Const.
Services
616/724-6715
FAX/726-2501

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
616/724-6750
FAX/722-5140

Public Works
616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Billing Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290

**Liquor Control Commission
7150 Harris
PO Box 30005
Lansing, MI 48909-7505**

**REF: ID #59334
631 W. Southern
Muskegon, MI 49441**

To Whom It May Concern:

Enclosed is the resolution and police inspection report (LC-1800) for the request from S and R Kado, L.L.C. to transfer ownership of the 1999 SDD and SDM licensed business from Southern Corporation.

Please do not hesitate to call me at (231) 724-6705 if you have any questions.

Sincerely,

Linda Potter

**Linda Potter
Deputy Clerk**

Enc.

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

Date: March 14, 2000

To: Honorable Mayor and City Commissioners

From: Finance Director

RE: Parking Fine/Impound Fee Adjustments

SUMMARY OF REQUEST: The Finance Division and Police Department have reviewed current parking fine and vehicle impoundment fee structures and recommend the following changes:

1. Parking Fines – Maintain parking fines at current levels but add a fourth incremental step for fines that remain unpaid after 30 days. Currently parking fines do not increase further after remaining unpaid for 14 days.
2. Boot Removal Fee – Implement a \$65.00 fee for removal of the "Denver Boot" (or alternate) vehicle immobilization device
3. Impoundment Fees – Implement standard \$50.00 fee for all vehicle impounds requiring police department involvement (consistent with fee charged by County). Also, begin use of vehicle immobilization devices for court-ordered vehicle impounds.

FINANCIAL IMPACT: Additional revenues will be generated and parking ticket collection rate should improve by adding fourth step to parking fine structure.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approval of proposed recommendations, related ordinance amendments and fine/fee adjustments.

Memo

To: City Commission
From: Finance Director
Cc: City Manager
Date: March 8, 2000
Re: Parking and Impound Fee Revisions

The Finance Division Reengineering Committee has been working with representatives of the Police Department on changes to the current parking fine and vehicle impound fine/fee schedules and procedure. The following changes are recommended:

1. **Parking Fines** – The attached chart summarizes the proposed changes to the parking fine schedule and also provides a comparison with other cities' parking fines. The primary change proposed is to institute a fourth tier of fines that would come into play after tickets are left unpaid for 30 days.
2. **"Boot" Removal Fee** – Implement a \$65.00 fee for removal of the "Denver Boot" (or alternate) vehicle immobilization device. It is proposed that these devices be used in lieu of wrecker service impoundment for a 6-month trial period. Currently the City receives a \$25.00 impound fee and the wrecker service receives \$35.00 plus \$6.00 per day storage fee.
3. **Private Impound Fees** – Institute a \$50.00 fee for requested impoundment of vehicles on private property. Currently the City charges no fee yet significant paperwork and officers' time is involved.
4. **Court-Ordered Impounds** – Utilize vehicle immobilization devices (e.g. "the Club") to impound vehicles on violator's premises and institute \$50.00 fee (for each 30 days) for this service. Presently, these impounds are handled by the wrecker service which

receives a flat fee plus \$6.00 per day. Under the proposed system the vehicle is not towed and the City receives the impound fees.

Thank you

COMPARISON OF PARKING FINE STRUCTURES FOR SELECTED CITIES

	MUSKEGON (CURRENT)	MUSKEGON (PROPOSED)	GRAND RAPIDS	KALAMAZOO	JACKSON	CADILLAC	NORTON SHORES	TRAVERSE CITY	GRAND HAVEN
Overtime Parking Fines	\$5.00 Initial Fine \$10.00 After 7 days \$15.00 After 14 days	\$5.00 Initial Fine \$10.00 After 7 days \$15.00 After 14 days \$25.00 After 30 days	\$7.00 Initial Fine \$14.00 After 10 days \$21.00 After 91 days	\$8.00 Initial Fine \$15.00 After 7 days \$25.00 After 14 days \$35.00 After 30 days	\$5.00 Initial Fine \$10.00 After 3 days \$15.00 After 30 days	\$15.00 Initial Fine SENT TO COLLECTION AGENCY AFTER 14 DAYS	\$5.00 Initial Fine \$10.00 After 10 days	\$5.00 Initial Fine \$10.00 After 15 days \$15.00 After 30 days	\$5.00 Initial Fine \$10.00 After 10 days
Other Level 1 Parking Fines	\$5.00 Initial Fine \$10.00 After 7 days \$15.00 After 14 days	\$5.00 Initial Fine \$10.00 After 7 days \$15.00 After 14 days \$25.00 After 30 days	\$8.00 Initial Fine \$16.00 After 10 days \$24.00 After 91 days	\$8.00 Initial Fine \$15.00 After 7 days \$25.00 After 14 days \$35.00 After 30 days	\$5.00 Initial Fine \$10.00 After 3 days \$15.00 After 30 days	N/A	\$5.00 Initial Fine \$10.00 After 10 days	\$5.00 Initial Fine \$10.00 After 15 days \$15.00 After 30 days	\$5.00 Initial Fine \$10.00 After 10 days
Level 2 Parking Fines	\$10.00 Initial Fine \$20.00 After 7 days \$30.00 After 14 days	\$10.00 Initial Fine \$20.00 After 7 days \$30.00 After 14 days \$45.00 After 30 days	\$15.00 Initial Fine \$30.00 After 10 days \$45.00 After 91 days	\$15.00 Initial Fine \$25.00 After 7 days \$35.00 After 14 days \$45.00 After 30 days	\$10.00 Initial Fine \$15.00 After 3 days \$20.00 After 30 days	\$25.00 Initial Fine SENT TO COLLECTION AGENCY AFTER 14 DAYS	\$10.00 Initial Fine \$20.00 After 10 days	\$15.00 Initial Fine \$30.00 After 30 days \$45.00 After 60 days	\$10.00 Initial Fine \$20.00 After 10 days
Level 3 Parking Fines	\$15.00 Initial Fine \$30.00 After 7 days \$45.00 After 14 days	\$15.00 Initial Fine \$30.00 After 7 days \$45.00 After 14 days \$60.00 After 30 days Fire Lane Violation: \$25.00 Initial Fine \$50.00 After 7 days \$75.00 After 14 days \$100.00 After 30 days	\$25.00 Initial Fine \$50.00 After 10 days \$75.00 After 91 days	N/A N/A N/A	N/A N/A N/A	N/A	\$15.00 Initial Fine \$30.00 After 10 days	Fire Lane Violation: \$25.00 Initial Fine \$50.00 After 10 days	

law offices of

PARMENTER O'TOOLE

175 W. Apple Avenue • P.O. Box 786 • Muskegon, Michigan • 49443-0786
Phone 231.722.1621 • Fax 231.722.7866 or 728.2206

March 9, 2000

Ms. Gail A. Kunding
City Clerk
City Hall
Muskegon, MI 49440

Re: Uniform Traffic Code - Revised Parking Fine Ordinance
Our File 100-182(15)

Dear Gail:

Enclosed is a revision of the parking fine ordinance sent yesterday with the changes Tim requested.

Tim indicated that a minimum \$50 fine for illegal handicapped parking is elsewhere in the ordinance, but I do not find it. It may be in a schedule adopted by resolution, but the statutes require that C.I. and traffic C.I. fines be adopted by ordinance. Therefore, I have added fine language for handicapped parking in this ordinance.

Please call if you have any questions.

Yours truly,



G. Thomas Johnson

Direct Dial: 231.722.5400

Fax: 231.728.2206

Internet Address: gtj@parmenterlaw.com

GTJ/mh

Enclosure

cc: Mr. Bryon L. Mazade
Mr. Timothy Paul

G. Thomas Johnson
George D. Van Epps
John M. Briggs, III
Michael L. Rolf
George W. Johnson
W. Brad Groom

John C. Schrier
Christopher L. Kelly
Linda S. Kaare
Philip M. Stoffan
William J. Meier

James R. Scheuerle
Keith L. McEvoy
Anna K. Urick
Scott R. Sewick
Jennifer L. Hylland
Jeffery A. Jacobson

Of Counsel
Thomas J. O'Toole
Eric J. Fauri

Retired
Robert L. Forsythe
Arthur M. Rude
Harold M. Street

Paul T. Sorensen
1920-1966
George A. Parmenter
1903-1993
Cyrus M. Poppen
1903-1996

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. 2012

An ordinance amending the Uniform Traffic Code in effect on the City of Muskegon regarding fines for illegal parking.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

Subsection 8.29 of Section 20-6 of the Code of Ordinances of the City of Muskegon, being Section 8.29 of the Uniform Traffic Code, as adopted in the City of Muskegon, is amended to state in its entirety as follows:

Section 8.29 Parking Violations Bureau; Minimum Parking Fines.

(1) Pursuant to the provisions of state law, MCL 600.8395, there is hereby established within the City a Parking Violations Bureau to accept pleas of responsible in motor vehicle parking violation cases and to collect and retain fines and costs as prescribed by ordinance.

(2) Upon pleading responsible or being found responsible by a court, the fines for parking violations shall be as follows:

(2.1) Level 1 Parking Violations, under the following sections of the Uniform Traffic Code:

<u>Code Section</u>	<u>Offense</u>
8.1	Failing to park at the curb in the proper direction (facing traffic)
8.2	Parking in one way streets where prohibited
8.3	Violation of angle parking signs or backed into space
8.4	Violation of loading permit
8.5	Obstruction of traffic by parking
8.18	Loading zone
8.18	Passenger zone
8.21	Parking Overtime

The penalties for Level 1 Parking Violations are as follows:

<u>If paid within 7 days</u>	<u>If paid after 7 days but before 14 days</u>	<u>If paid after 14 days but before 30 days</u>	<u>If paid after 30 days</u>
\$5	\$10	\$15	\$25

(2.2) Level 2 Parking Violations, under the following sections of the Uniform Traffic Code:

<u>Code Section</u>	<u>Offense</u>
8.5	Parking so as to obstruct traffic
8.10(a)	Parking on sidewalk
8.10(b)	Blocking driveways
8.10(c)	Within an intersection
8.10(e)	In a crosswalk
8.10(f)	Within 20 feet of a crosswalk or within 15 feet of property lines at intersection
8.10(g)	Too close to a flashing beacon, stop sign, yield sign, traffic control signal, or other traffic sign
8.10(h)	In a safety zone
8.10(i)	Too close to railroad
8.10(j)	Too close to fire station entrance
8.10(k)	Parking along side or opposite of street excavation
8.10(m)	Parking on a bridge or in a tunnel
8.10(n)	Parking within 200 feet of an accident
8.10(o)	Parking in front of a theater
8.10(p)	Blocking emergency exits
8.10(q)	Blocking fire escape
8.10(r)	Posted prohibited parking; parking violation of any posted signs
8.10(t)	Within 500 feet of a fire or fire apparatus (except volunteers and vehicles legally parked before the fire)
8.10(u)	Parking on terrace or parkway
8.13	Alley parking
8.31	2:00 a.m. - 6:00 a.m. parking

The penalties for Level 2 Parking Violations are as follows:

<u>If paid within 7 days</u>	<u>If paid after 7 days but before 14 days</u>	<u>If paid after 14 days but before 30 days</u>	<u>If paid after 30 days</u>
\$10	\$20	\$30	\$45

(2.3) Level 3 Parking Violations, under the following sections of the Uniform Traffic Code:

<u>Code Section</u>	<u>Offense</u>
8.10(d)	Too close to a fire hydrant
8.10(l)	Double parking
8.10(v)	Parking in a public park after 11:00 p.m. and before 7:00 a.m.

The penalties for Level 3 Parking Violations are as follows:

<u>If paid within 7 days</u>	<u>If paid after 7 days but before 14 days</u>	<u>If paid after 14 days but before 30 days</u>	<u>If paid after 30 days</u>
\$15	\$30	\$45	\$60

Any other violation of the Uniform Traffic Code parking provisions which are not listed in the above schedules shall be considered Level 2 Parking Violations and shall carry the penalties set forth above for said Level 2 violations, except that unlawful parking in a space reserved for persons with disabilities as defined in applicable State law, (section 8.10(s)), shall carry a minimum fine of \$50.00, which shall increase to \$60.00 after the first seven days after the violation, \$70.00 from fourteen to thirty days, and \$80.00 after thirty days. .

This ordinance adopted:

Ayes: Aslakson, Benedict, Nielsen, Schweifler, Sieradzki, Spataro
Nays: None

Adoption Date: March 28, 2000

Effective Date: April 15, 2000

First Reading: March 14, 2000

Second Reading: March 28, 2000

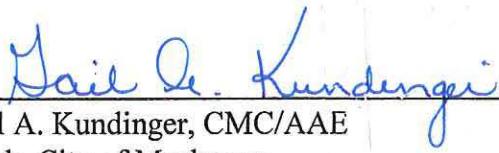
CITY OF MUSKEGON

By: Gail A. Kundinger
Gail A. Kundinger, 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 28th day of March, 2000, 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: March 28, 2000



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

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

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

TO: ALL INTERESTED PARTIES

Please take notice that the City of Muskegon, on March 28, 2000, adopted an ordinance amending the provisions for parking fines in the city. The parking fines changed and in outline form are as follows:

Level 1 parking violations include overtime parking, facing traffic, parking in passenger and bus zones, alleys and loading zones, blocking driveways and terrace parking. The Level 1 fines are as follows:

<u>If paid within 7 days</u>	<u>If paid after 7 days but before 14 days</u>	<u>If paid after 14 days but before 30 days</u>	<u>If paid after 30 days</u>
\$5	\$10	\$15	\$25

Level 2 parking fines are for violations involving posted parking regulations, parking in safety zones, too close to fires, in front of theaters, double parking, parking too close to fire hydrants and crosswalks, and similar violations. The fines are:

<u>If paid within 7 days</u>	<u>If paid after 7 days but before 14 days</u>	<u>If paid after 14 days but before 30 days</u>	<u>If paid after 30 days</u>
\$10	\$20	\$30	\$45

Level 3 parking violations include parking after hours in any city park, double parking and other enumerated parking violations. The fines are:

<u>If paid within 7 days</u>	<u>If paid after 7 days but before 14 days</u>	<u>If paid after 14 days but before 30 days</u>	<u>If paid after 30 days</u>
\$15	\$30	\$45	\$60

Any parking violations not specifically listed in this ordinance amendment are treated as Level 2 violations. Parking in a handicap zone carries a minimum fine of \$50.

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 5, 2000

By _____
Gail A. Kunding, Its Clerk

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

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN
ORDINANCE NO. 2013

An ordinance to amend Section 9.3 of the Uniform Traffic Code which sets forth penalties for civil infractions and misdemeanors, to clarify the maximum penalty for civil infractions.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

Subsection 9.3 of Section 20-6 of the Code of Ordinances, being the Uniform Traffic Codes adopted by the City of Muskegon, is amended to read as follows:

Section 9.3 Penalties; Civil Infraction and Misdemeanor.

(1) *Civil Infraction.* Any violation of the Uniform Traffic Codes adopted or amended by the City of Muskegon, which is designated as a civil infraction, is not a crime and shall not be punishable by imprisonment or a penal fine. A civil infraction shall not be considered a lesser included offense of any criminal offense. Civil infraction fines shall be in any amount, if not specifically set forth, up to \$500, or set forth in a schedule adopted by the District Court pursuant to statute. The said fines shall be exclusive of costs, expenses or fees.

(2) *Misdemeanor.* Unless another penalty is expressly provided by the ordinances of the city, every person who is convicted of a misdemeanor violation of any provision of the Uniform Traffic Code shall be punished by a fine of not more than \$500 or by imprisonment for not more than 90 days, or both.

This ordinance amendment adopted:

Ayes: Aslakson, Benedict, Nielsen, Schweifler, Sieradzki, Spataro
Nays: None

Adoption Date: March 28, 2000
Effective Date: April 15, 2000
First Reading: March 14, 2000
Second Reading: March 28, 2000

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 28th day of March, 2000, 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: March 28, 2000

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

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

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

TO: ALL INTERESTED PARTIES

Please take notice that the City of Muskegon, on March 28, 2000, adopted an ordinance amending the provisions of Section 9.3 of the Uniform Traffic Code, which sets forth penalties for civil infractions and misdemeanors, to clarify the maximum penalty for Traffic Code civil infractions, being \$500, exclusive of costs, expenses or fees.

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 5, 2000

By _____
Gail A. Kunding, Its Clerk

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

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN
ORDINANCE NO. 2014

An ordinance to clarify the fee provisions for immobilization for parking violations.

Recitals

A. Section 20-6, subsection 2.5h(3)(a), provides for certain specific fees for vehicle immobilization in parking cases; and,

B. Subsequent ordinances have made the fee provisions of Section 2.5h(3)(a) unnecessary since the fees for parking immobilization are provided for elsewhere.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF MUSKEGON
HEREBY ORDAINS:

1. Section 2.5h(3)(a) of ordinance 20-6 is hereby amended to read as follows:

(a) Accrued charges to be paid by the owner shall include any previously incurred impounding fees, fines, costs, forfeitures or penalties arising out of the ownership or operation of such vehicle, or any other vehicle owned or operated by such person. They shall also include previously unpaid and current reasonable charges for impound and storage of said vehicle. The owner shall also pay an impound fee determined by City Commission resolution.

Ayes: Aslakson, Benedict, Nielsen, Schweifler, Sieradzki, Spataro
Nays: None

Adoption Date: March 28, 2000
Effective Date: April 15, 2000
First Reading: March 14, 2000
Second Reading: March 28, 2000

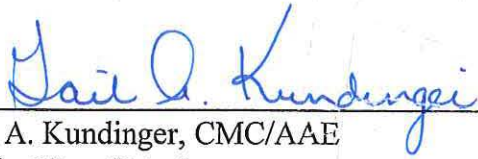
CITY OF MUSKEGON

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 28th day of March, 2000, 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: March 28, 2000



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

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

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

TO: ALL INTERESTED PARTIES

Please take notice that Section 2.5h(3)(a) of Section 20-6 of the Uniform Traffic Code concerning fees for parking violation immobilization has been amended to provide that immobilization fees shall be set by resolution.

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 5, 2000

By _____
Gail A. Kunding, Its Clerk

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

Commission Meeting Date: March 28, 2000

Date: March 22, 2000
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *CBC*
RE: 2000 Comprehensive Economic Development
Strategy (CEDS) Project Submissions

SUMMARY OF REQUEST:

To approve the attached list of projects for inclusion in the West Michigan Shoreline Regional Development Commission's annual Comprehensive Economic Development Strategy (CEDS). The Comprehensive Strategy is not an application for funds but rather a "wish list" for economic development within the West Michigan region. These projects are carried forward from previous years.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the attached resolution submitting projects from the City of Muskegon for inclusion in the 2000 Comprehensive Economic Development Strategy

COMMITTEE RECOMMENDATION:

The City of Muskegon Planning Commission, at its regular meeting on March 15, 2000, recommended approval.

MUSKEGON CITY COMMISSION

RESOLUTION SUPPORTING THE SUBMISSION OF
2000 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PROJECTS

WHEREAS, the City of Muskegon currently and actively supports and participates in the economic development district activities of the West Michigan Shoreline Regional Development Commission (WMSRDC); and

WHEREAS, the City of Muskegon has identified a number of economic development projects that will improve our community.

NOW THEREFORE BE IT RESOLVED, that the City of Muskegon requests that our economic development projects be included in the 2000 Annual Comprehensive Economic Development Strategy (CEDS) Report of the WMSRDC.

BE IT FURTHER RESOLVED, that it is the intent of the City of Muskegon to utilize the CEDS to fulfill the planning requirements of the U.S. Department of Commerce, Economic Development Administration.

Adopted this 28th day of March, 2000.

Ayes: Schweifler, Sieradzki, Spataro, Aslakson, Benedict, Nielsen

Nays: None

Absent: Shepherd


Fred J. Nielsen, Mayor

Gail Kunding, Clerk

I attest that the foregoing constitutes a true and complete copy of a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on March 28, 2000.


Gail Kunding, Clerk

MEMORANDUM

03-00-003

To: Honorable Mayor & City Commissioners

From: Matt Dugener, Business Development Specialist

Date: March 21, 2000

RE: 2000 Comprehensive Economic Development Strategy Project Submissions - City of Muskegon

Please find the enclosed copies of the City of Muskegon projects proposed for inclusion in the 2000 Comprehensive Economic Development Strategy for the West Michigan Shoreline Region. It is important to note that the CEDS process is **not an application for funds** but rather a process of getting our projects on-line for future funding. The process is required by the U.S. Economic Development Administration (EDA) as a way of identifying projects that may receive future funds. Projects that are not included in a CEDS will not be considered for federal funding.

Each year the City is requested to provide a list of projects that require federal assistance in order to complete. By placing these project on the funding list, the City ensures that the projects are, at a minimum , considered for funding.

All of the projects submitted are repeat submissions and there have been no significant changes to any of the projects. The process for including City projects in the CEDS is as follows:

1. Identification of Projects
2. Planning Commission Review of Projects
3. Planning Commission recommendation to City Commission for projects to be included in the CEDS
4. City Commission approval of resolution submitting City projects for inclusion in the CEDS
5. Submission of projects and resolution to the West Michigan Shoreline Regional Development Commission

2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON

Project Title: AQUARIUM/BASEBALL COMPLEX

Contact Person: MATTHEW DUGENIER

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects
West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org

Location of Project: CITY OF MUSKEGON

(City, Village, or Township)

County: MUSKEGON

Project Description: SEE BELOW

☒ New Project
(check one box)

☐ Facility Expansion

DEVELOPMENT OF ENTERTAINMENT COMPLEX COMBINING PROPOSED
AQUARIUM WITH MINOR LEAGUE BASEBALL STADIUM.

!! IMPORTANT !!

Please remember to provide the required
site location map with this form.

Estimated Project Start Date: 2002

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 3,000,000

State: 10,000,000

Local: 5,000,000

Other: 7,000,000

TOTAL: 26,000,000

1. Preliminary Engineering

☐ Complete ☒ In Progress ☐ Lacking

2. Letters of Commitment

☒ Yes ☐ No

3. Matching Funds

☐ Secured ☒ Lacking

4. Potential Job Creation (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☐ 100+ ☒ 10-99 ☐ Less than 10

6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?

☐ No ☒ Yes (identify)

MASTER PLAN, CEDS

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

PROJECT DESCRIPTION

Aquarium/Baseball Complex - Land Assembly and Infrastructure Development

- A. Background - The idea of combining the proposed aquarium and baseball complex came to light during the development of downtown designs by Michigan State University. There is the potential for reducing individual costs by combining the two complexes. The proposed site is the West Michigan Dock and Market. This site had been previously considered as a potential site for both uses. The proposed site is located on the shore of Muskegon Lake and is accessible by Shoreline Drive.
- B. Project Scope - The acquisition and redevelopment of the project area is a priority of the City. A new complex housing both facilities would share a common parking lot and can complement each other by drawing a diversity of patrons.
- C. Project Cost & Timing - In order to complete the property acquisitions and site preparation the estimated cost is \$26,000,000. This amount includes assembly of the necessary properties, environmental remediation, and infrastructure improvements. If funded and there is a desire by both developments to combine resources, the project could be undertaken as soon as the beginning of 2002.
- D. Funding Sources - Federal funding will be combined with funds from the City and State, as well as, private investment. The investment from the private sector may come from individuals or non-profits organizations.
- E. Project Beneficiaries - The City of Muskegon, most notably the downtown would benefit from the improvement of a major property along the waterfront. The property tax base would expand dramatically and hundreds of new employment opportunities will emerge. This type of complex could lead to the development of other services and developments in the downtown. It could have an overall positive impact on the City.

CITY OF MUSKEGON - OEDP

Baseball/Aquarium Complex

Muskegon Lake

Terrace St.

Proposed Baseball/Aquarium Complex



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON

Project Title: DOWNTOWN BUSINESS PARK

Contact Person: MATTHEW DUBINER

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects
West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org

Location of Project: CITY OF MUSKEGON

(City, Village, or Township)

County: MUSKEGON

Project Description: SEE BELOW

☒ New Project
(check one box)

☐ Facility Expansion

PROPERTY ACQUISITION AND INFRASTRUCTURE EXPANSION TO MEET THE NEEDS
OF POTENTIAL BUSINESS PARK TENANTS. THE PROJECT WILL REVITALIZE A BLIGHTED
COMMERCIAL AREA.

!! IMPORTANT !!

Please remember to provide the required
site location map with this form.

Estimated Project Start Date: 2001

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 700,000

State: _____

Local: 300,000

Other: _____

TOTAL: 1,000,000

1. Preliminary Engineering

☒ Complete ☐ In Progress ☐ Lacking

2. Letters of Commitment

☒ Yes ☐ No

3. Matching Funds

☒ Secured ☐ Lacking

4. Potential Job Creation (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

**6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?**

☐ No ☒ Yes (identify)

MASTER PLAN, CEDS

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

PROJECT DESCRIPTION

Downtown Business Technology Park

- A. Background - The idea of a Downtown Business Technology Park has grown from discussion held during the Master Plan process and downtown design with Michigan State University. The proposed site for the technology park is located along and adjacent to the route of the new Shoreline Drive. This location was selected due to its proximity to the waterfront as well as the core business district. The nearness of GTE and its technology infrastructure is also very critical.
- B. Project Scope - The acquisition and redevelopment of the project area is a priority of the City as there is a need for technology based business and availability of requisite infrastructure. The development of a downtown technology park will not only enhance the property tax base but will also improve the image and prosperity of the downtown. The type of employment which will occur at this site is in short supply and will boost the wage and salary levels of the community. Higher paying jobs will, in turn, enhance the potential for retail, restaurant, and other commercial development.
- C. Project Cost & Timing - To complete the property acquisition, install the technology infrastructure and prepare the sites, the estimated cost is \$1,000,000.
- D. Funding Sources - Federal funding will be combined with funds from the City and State, as well as, private investment. The investment from the private sector may come from individuals or non-profits organizations.
- E. Project Beneficiaries - The City of Muskegon, most notably the downtown would benefit from the improvement of a major property along the waterfront. The property tax base would expand dramatically and hundreds of new employment opportunities will emerge. The technology-based businesses would greatly diversify the local economy.

CITY OF MUSKEGON - OEDP Downtown Business Park

Muskegon Lake

Muskegon Mall

Proposed Business Park



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON

Project Title: MEDENDORP INDUSTRIAL CENTER
EXPANSION

Contact Person: MATTHEW DUGENIER

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects

**West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387**

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org

Location of Project: CITY OF MUSKEGON

(City, Village, or Township)

County: MUSKEGON

Project Description: SEE BELOW

☐ New Project
(check one box)

☒ Facility Expansion

PROPERTY ACQUISITION AND INFRASTRUCTURE DEVELOPMENT FOR THE
EXPANSION OF THE MEDENDORP INDUSTRIAL CENTER.

!! IMPORTANT !!

**Please remember to provide the required
site location map with this form.**

Estimated Project Start Date: 2002

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 2,000,000

State: _____

Local: 500,000

Other: _____

TOTAL: 2,500,000

1. Preliminary Engineering

☒ Complete ☐ In Progress ☐ Lacking

2. Letters of Commitment

☒ Yes ☐ No

3. Matching Funds

☒ Secured ☐ Lacking

4. Potential Job Creation (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

**6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?**

☐ No ☒ Yes (identify)

MASTER PLAN, LDFA PLAN, CEDS, CIP

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

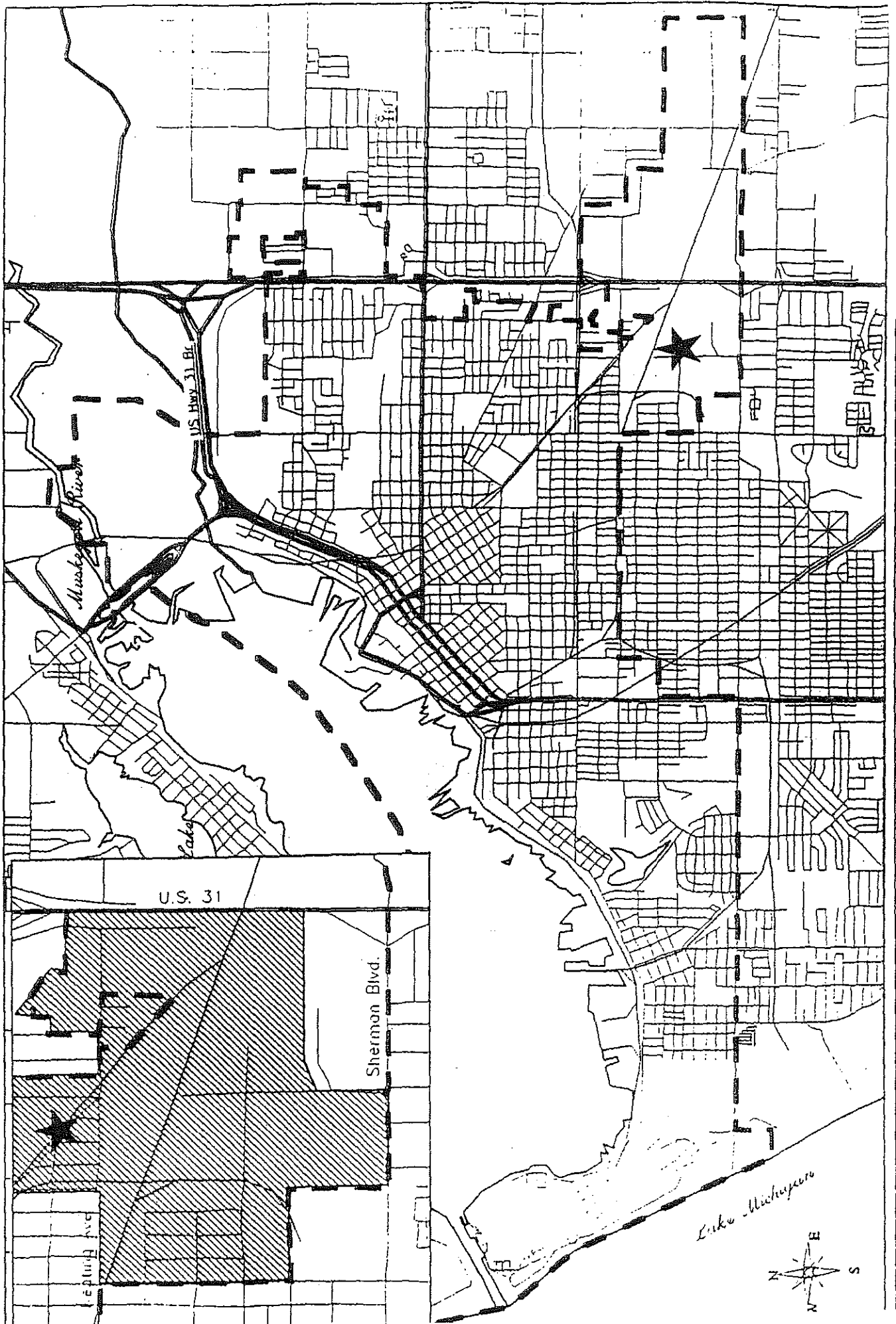
PROJECT DESCRIPTION

Medendorp Industrial Center - Property Acquisition & Site Preparation

- A. Background - The Medendorp Industrial Center is one of the fastest growing industrial districts in Muskegon County. During 1997, the City of Muskegon sold its last three industrial lots in the Center. Given the present economic climate, it is vital for the City of Muskegon to make ready additional industrial property. The current inventory of industrial property in the City of Muskegon is near exhaustion.
- B. Project Scope - The acquisition and development of the project area specified within the Medendorp Industrial Center is a priority for the City as there is a definite need for ready-to-develop industrial land. The total project area is 45 acres. The industrial lots within the project area will range between 2-8 acres, thus creating greater diversity of industrial lots.
- C. Project Cost & Timing - To complete the property acquisition and site preparation, the estimated cost is \$2.5 million. This amount includes acquisition and demolition of 24 houses, relocation and extension of utilities to the area for industrial use. Also included is the cost of paving Madison, Nims, and Brunswick Streets. If funded the project could start in 2002.
- D. Funding Sources - Local match would be available from LDFA funds/bonds, city water and sewer funds, Major Street funds, private contributions, and State funds.
- E. Project Beneficiaries - The City of Muskegon, as a whole, will benefit from an increase in industrial land. If industries in Muskegon are to be encouraged to expand, and new industries are to locate in the City, additional industrial property is a must. With the acquisition of the property described as the project area, within the Medendorp Industrial Center, new industries will increase the tax and employment base while clearing blighted properties.

CITY OF MUSKEGON - OEDP

Medendorp Industrial Center



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON
Project Title: MEDENDORP INDUSTRIAL CENTER
RAIL SPUR
Contact Person: MATTHEW DUGNER
Phone: 231-724-6702

Return this form to:
CEDS Projects
West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387
(231) 722-7878 Fax: (231) 722-9362
E-mail: wmsrde@wmsrde.org

Note: Please use a separate page for each project submitted.

Location of Project: CITY OF MUSKEGON
(City, Village, or Township)
County: MUSKEGON
Project Description: SEE BELOW

!! IMPORTANT !!
Please remember to provide the required
site location map with this form.

☒ New Project ☐ Facility Expansion
(check one box)

PROPERTY ACQUISITION AND INSTALLATION OF RAIL LINE FROM EXISTING
MICHIGAN SHORE LINE WITHIN THE MEDENDORP INDUSTRIAL CENTER

Estimated Project Start Date: 2001

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 500,000

State: _____

Local: 250,000

Other: _____

TOTAL: 750,000

1. Preliminary Engineering

☐ Complete ☐ In Progress ☒ Lacking

2. Letters of Commitment

☒ Yes ☐ No

3. Matching Funds

☒ Secured ☐ Lacking

4. Potential Job Creation (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☐ 100+ ☒ 10-99 ☐ Less than 10

**6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?**

☐ No ☒ Yes (identify)

CEDS, LDFA PLAN

Do not write below this line

7. Creation/Cost Ratio:

9. Distress Level:

8. Retention/Cost Ratio:

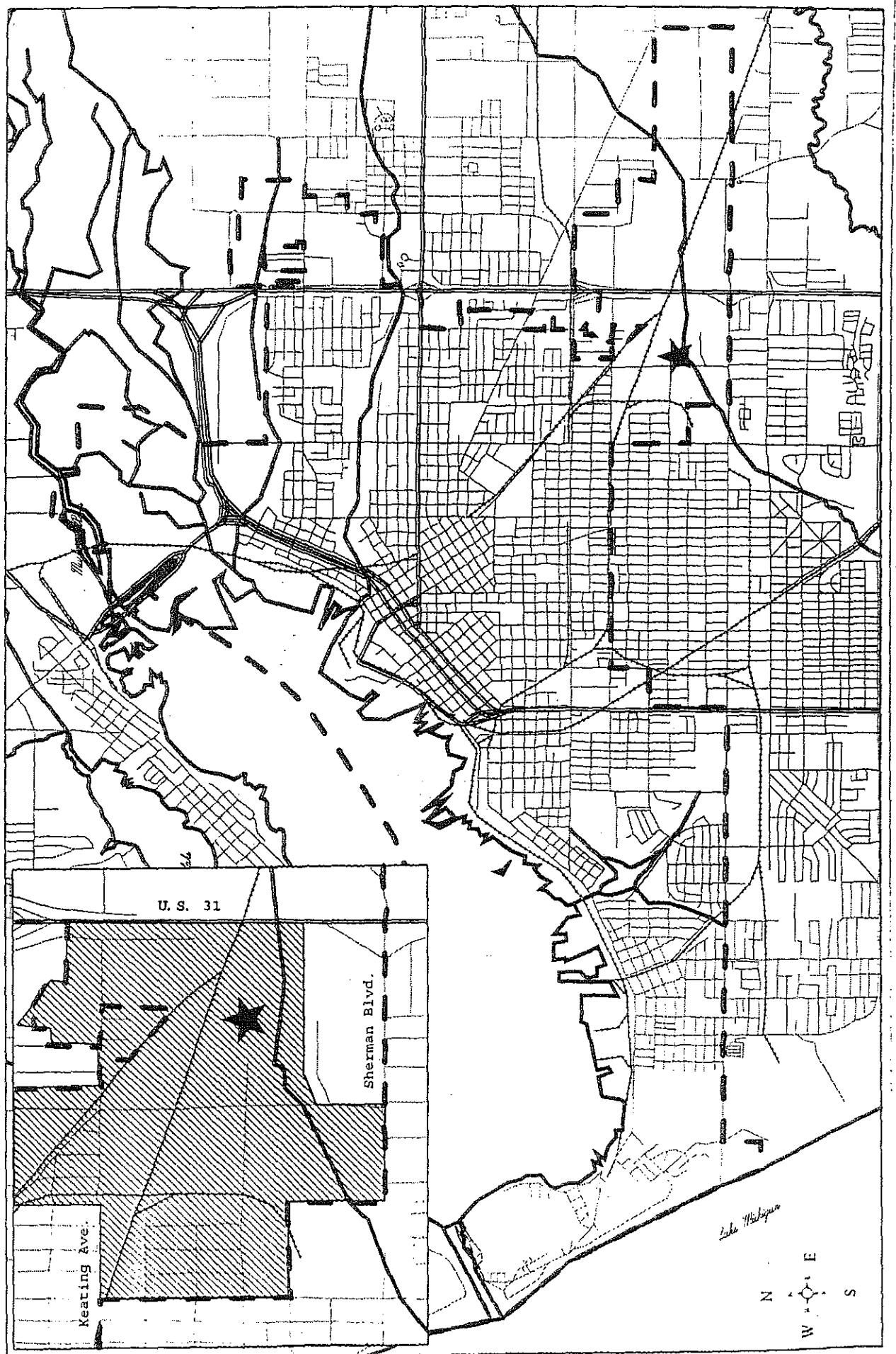
Total Points

PROJECT DESCRIPTION

Medendorp Industrial Center - Rail Spur

- A. Background - Several resident industries of the Medendorp Industrial Center have expressed an interest in utilizing rail services. As part of the Center's development plan, a rail spur would expand the level of services available to both existing and future industries.
- B. Project Scope - To construct industrial grade rail service from the CSX line within the Medendorp Industrial Center. A Master Development Plan exists for the Center.
- C. Project Cost & Timing - Construction and related costs are estimated to be \$750,000. If funded, the project could begin as early as 2001.
- D. Funding Sources - If funding were approved, local match would be provided by the LDFA, the City, or private sources.
- E. Project Beneficiaries - The project will benefit resident industries and retain approximately 150 jobs and help attract new industries to the Center.

CITY OF MUSKEGON - OEDP
Medendorp Industrial Center - Rail Spur



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON

Project Title: PORT CITY INDUSTRIAL
PARK EXPANSION

Contact Person: MATTHEW DUGNER

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects

**West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387**

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org

Location of Project: CITY OF MUSKEGON
(City, Village, or Township)

County: MUSKEGON

Project Description: SEE BELOW

☐ New Project
(check one box)

☒ Facility Expansion

PROPERTY ACQUISITION AND INFRASTRUCTURE DEVELOPMENT FOR THE EXPANSION
OF THE PORT CITY INDUSTRIAL PARK.

Estimated Project Start Date: 2001

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 1,100,000

State: _____

Local: 230,000

Other: _____

TOTAL: 1,330,000

1. Preliminary Engineering

☒ Complete ☐ In Progress ☐ Lacking

2. Letters of Commitment

☒ Yes ☐ No

3. Matching Funds

☒ Secured ☐ Lacking

4. Potential Job Creation (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

**6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?**

☐ No ☒ Yes (identify)

MASTER PLAN, IDFA PLAN, CEDS

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

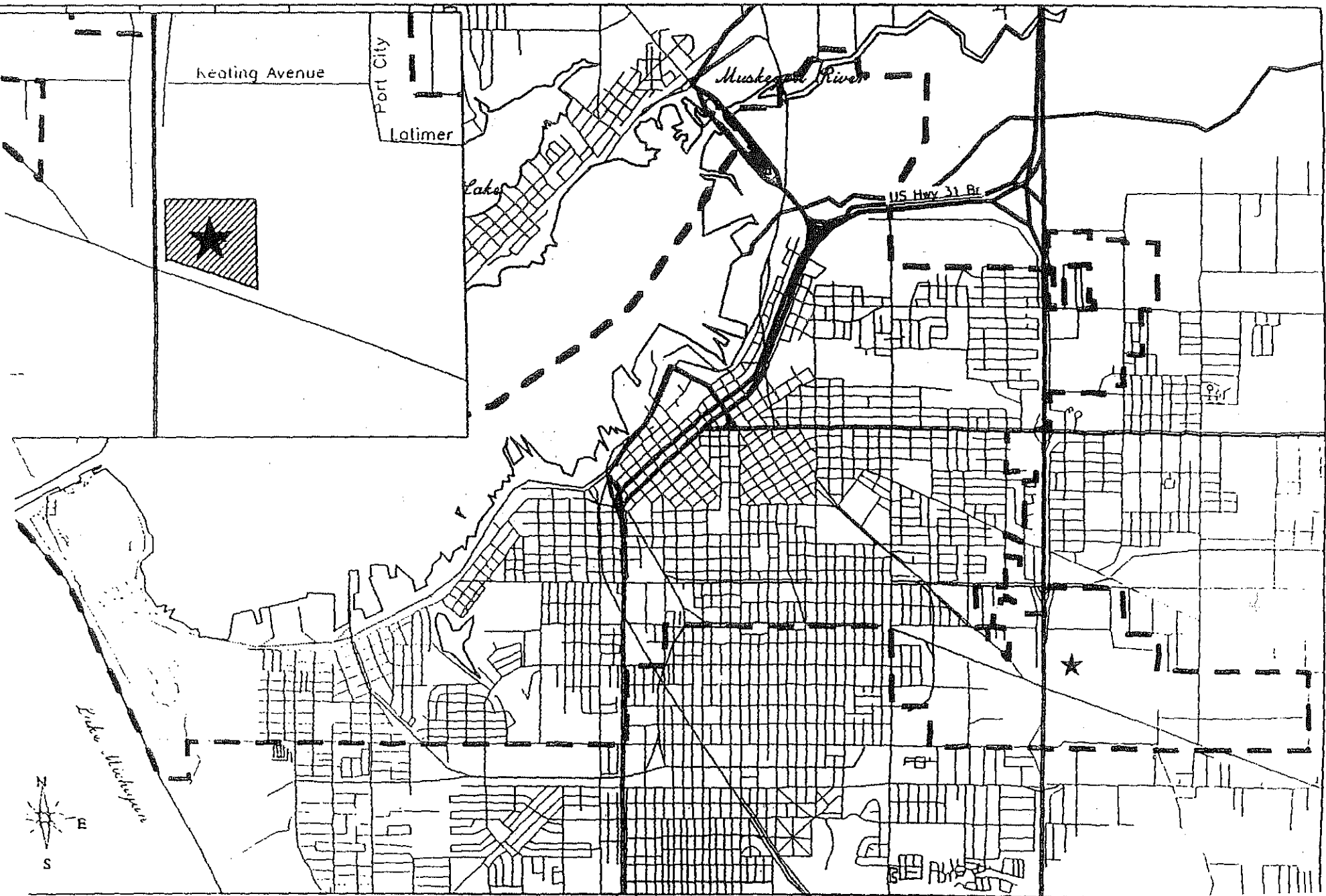
PROJECT DESCRIPTION

Port City Industrial Park - Expansion

- A. Background - The Port City Industrial Park was created in the 1960's and comprises over 400 acres. Additional land became available for development with the extension of Black Creek Drive. Developable industrial land within the park has been exhausted and the need for additional industrial land within the City is very urgent.
- B. Project Scope - The acquisition of a triangular piece of property south the of the Sunrise Memorial Gardens Cemetery, construction of utilities to the property, and the extension of Industrial Boulevard south to the property, which will provide an additional 22 acres for industrial use.
- C. Project Cost & Timing - Staff has estimated the project cost to be approximately \$1.33 million, which includes roadway extension, water and sewer services, and property acquisition. If funding is secured the project could begin as soon as 2001.
- D. Funding Sources - If the City of Muskegon, were the recipient of an EDA grant, local match would be available from the Local Development Finance Authority, water and sewer funds, and State funds.
- E. Project Beneficiaries - By providing infrastructure to an unimproved area, new development will occur that will add to the tax and employment base of the community.

CITY OF MUSKEGON - 1995 OEDP

Port City Industrial Park Expansion



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKIEGON

Project Title: HENRY STREET EXTENSION

Contact Person: MATTHEW DUGENIER

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects
West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387

(231) 722-7878 Fax: (231) 722-9362
E-mail: wmsrde@wmsrde.org

Location of Project: CITY OF MUSKIEGON
(City, Village, or Township)

County: MUSKIEGON

Project Description: SEE BELOW

☒ New Project ☐ Facility Expansion
(check one box)

TO RELOCATE EXISTING RAILROAD TRACKS AND CONSTRUCT A TWO OR THREE
LANE STREET WITH CURB AND GUTTER.

Estimated Project Start Date: 2003

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 1,000,000

State: _____

Local: 500,000

Other: _____

TOTAL: 1,500,000

1. Preliminary Engineering

☐ Complete ☐ In Progress ☒ Lacking

2. Letters of Commitment

☐ Yes ☒ No

3. Matching Funds

☐ Secured ☒ Lacking

4. Potential Job Creation (if implemented)

☐ 100+ ☒ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☐ 100+ ☐ 10-99 ☒ Less than 10

**6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?**

☒ No ☐ Yes (identify)

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

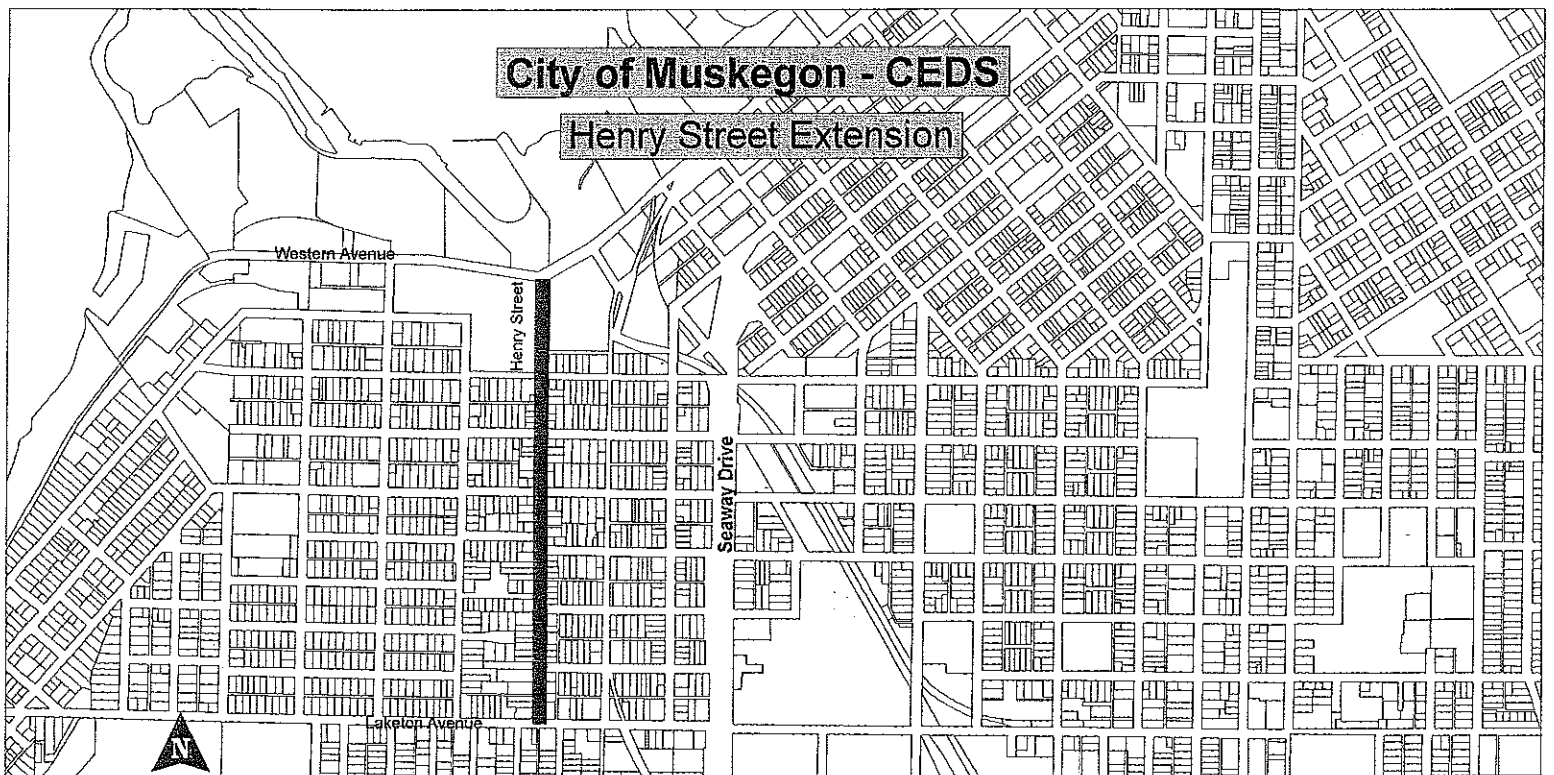
PROJECT DESCRIPTION

Henry Street Extension

- A. Background - The City feels a strong linkage needs to be made between the Henry Street shopping district and downtown Muskegon. This could be accomplished in part by providing direct access north on Henry from Laketon to Western Avenue.
- B. Project Scope - To relocate the existing railroad tracks and to construct a two or three lane street with curb and gutter.
- C. Project Cost & Timing - The preliminary cost is estimated at \$1.5 million and would begin in 2003.
- D. Funding Sources - If funding were approved, local match would be provide from City water/sewer and road funds.
- E. Project Beneficiaries - All residents of Enterprise Community target area by improved access to needed services and opportunities. Reduced congestion and increased marketability of lakefront sites.

City of Muskegon - CEDS

Henry Street Extension



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON

Project Title: NORTH GUTTY INDUSTRIAL CENTER

Contact Person: MATTHEW DUGNER

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects
West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org

Location of Project: CITY OF MUSKEGON
(City, Village, or Township)

County: MUSKEGON

Project Description: SEE BELOW

☒ New Project ☐ Facility Expansion
(check one box)

PROPERTY ACQUISITION AND INFRASTRUCTURE DEVELOPMENT FOR THE CREATION
OF A NEW INDUSTRIAL PARK ALONG NORTH GUTTY STREET.

Estimated Project Start Date: 2001

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 1,500,000

State: _____

Local: 375,000

Other: _____

TOTAL: 1,875,000

1. Preliminary Engineering

☒ Complete ☐ In Progress ☐ Lacking

2. Letters of Commitment

☒ Yes ☐ No

3. Matching Funds

☒ Secured ☐ Lacking

4. Potential Job Creation (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?

☐ No ☒ Yes (identify)

MASTER PLAN, CEDS

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

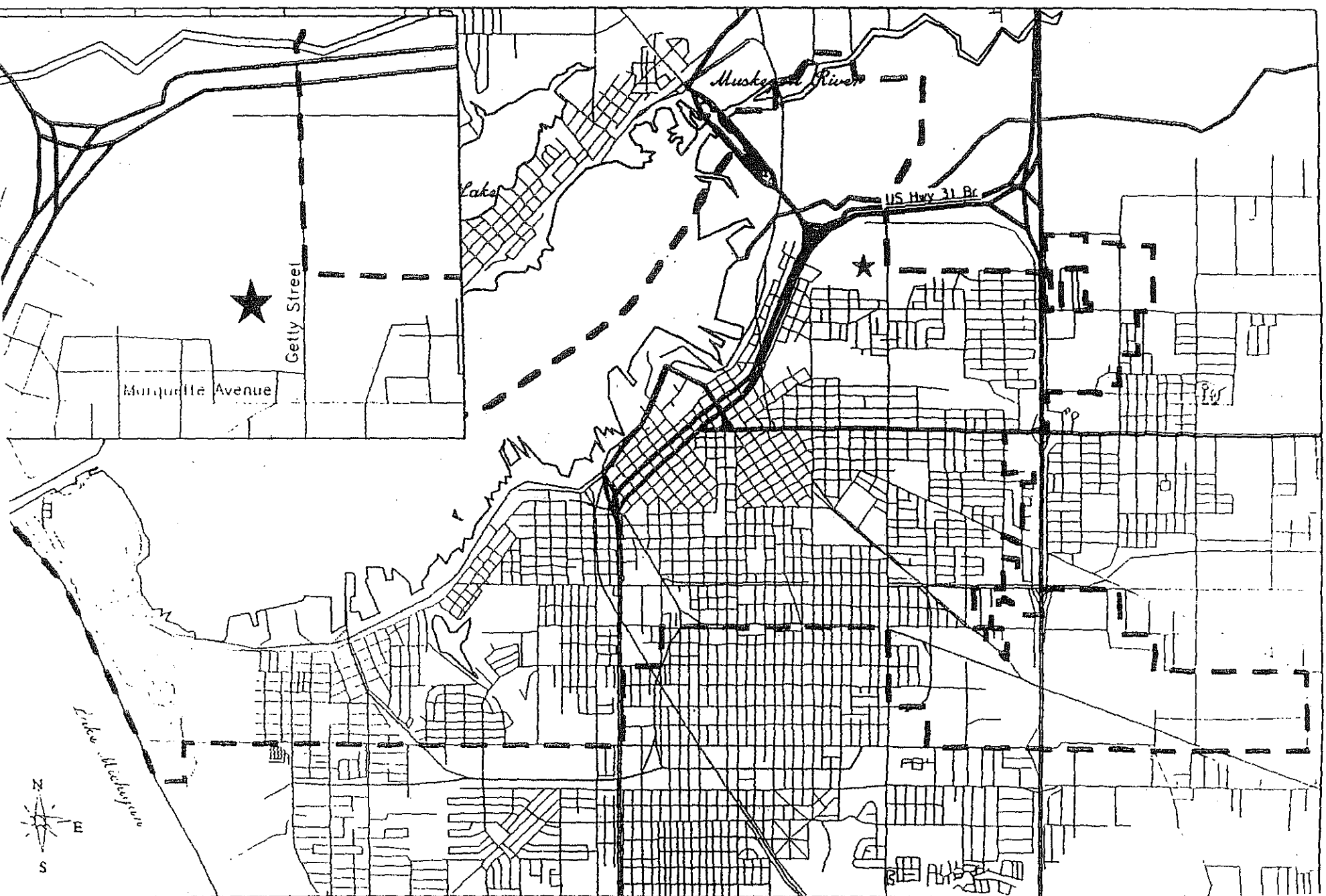
PROJECT DESCRIPTION

North Getty Industrial Center - Land Assembly and Site Preparation

- A. Background - The amount of developable industrial land within the City has become very limited. During the last three years nearly all improved property in the Port City Industrial Park has been sold or committed for sale. In order to provide additional employment opportunities and encourage industrial growth, it is necessary to provide and improve additional sites for development. This project areas has been designated for industrial use for many years, but has been underutilized due to the lack of infrastructure and various site problems.
- B. Project Scope - The area is generally bounded by Getty Street, Business Route 31, the Muskegon River and Four Mile Creek and contains approximately 45 acres of developable land. Acquisition of some of the property in the areas will be needed in order to assemble sites. This may require relocation of existing businesses. A complete study of the infrastructure needs within the area would be given high priority along with site analysis to determine the limitations and conditions of the entire area. Platting and survey work, construction of sewers, water mains, streets, lighting, etc., needed for access and use of the land would complete the project.
- C. Project Cost & Timing - It is estimated that the overall cost of acquiring the property and completing site preparation would total \$1.875 million. If funded, the project could begin as soon as 2001.
- D. Funding Sources - If the City were to receive an EDA grant. Local match would be available from the water and sewer funds, private contributions, and State funds. The area could also be established as a Local Development Finance Authority to provide funds through tax increment financing.
- E. Project Beneficiaries - The City of Muskegon and the entire community will benefit from an increase in improved industrial sites which will encourage new industrial development and provide increased employment opportunities.

CITY OF MUSKEGON - 1995 OEDP

North Getty Street Industrial Area



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON

Project Title: DOWNTOWN MUSKEGON/
LAKEFRONT REDEVELOPMENT

Contact Person: MATTHEW DUGNER

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects
West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org

Location of Project: CITY OF MUSKEGON
(City, Village, or Township)

County: MUSKEGON

Project Description: SEE BELOW

☒ New Project ☐ Facility Expansion
(check one box)

LAND ASSEMBLY AND INFRASTRUCTURE IMPROVEMENTS TO INCREASE SUITABILITY
OF DOWNTOWN/LAKEFRONT PROPERTY FOR REDEVELOPMENT.

Estimated Project Start Date: 2001

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 1,600,000

State: _____

Local: 400,000

Other: _____

TOTAL: 2,000,000

1. Preliminary Engineering

☐ Complete ☐ In Progress ☒ Lacking

2. Letters of Commitment

☐ Yes ☒ No

3. Matching Funds

☒ Secured ☐ Lacking

4. Potential Job Creation (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☐ 100+ ☒ 10-99 ☐ Less than 10

6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?

☐ No ☒ Yes (identify)

MASTER PLAN, CEDS, DDA PLAN

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

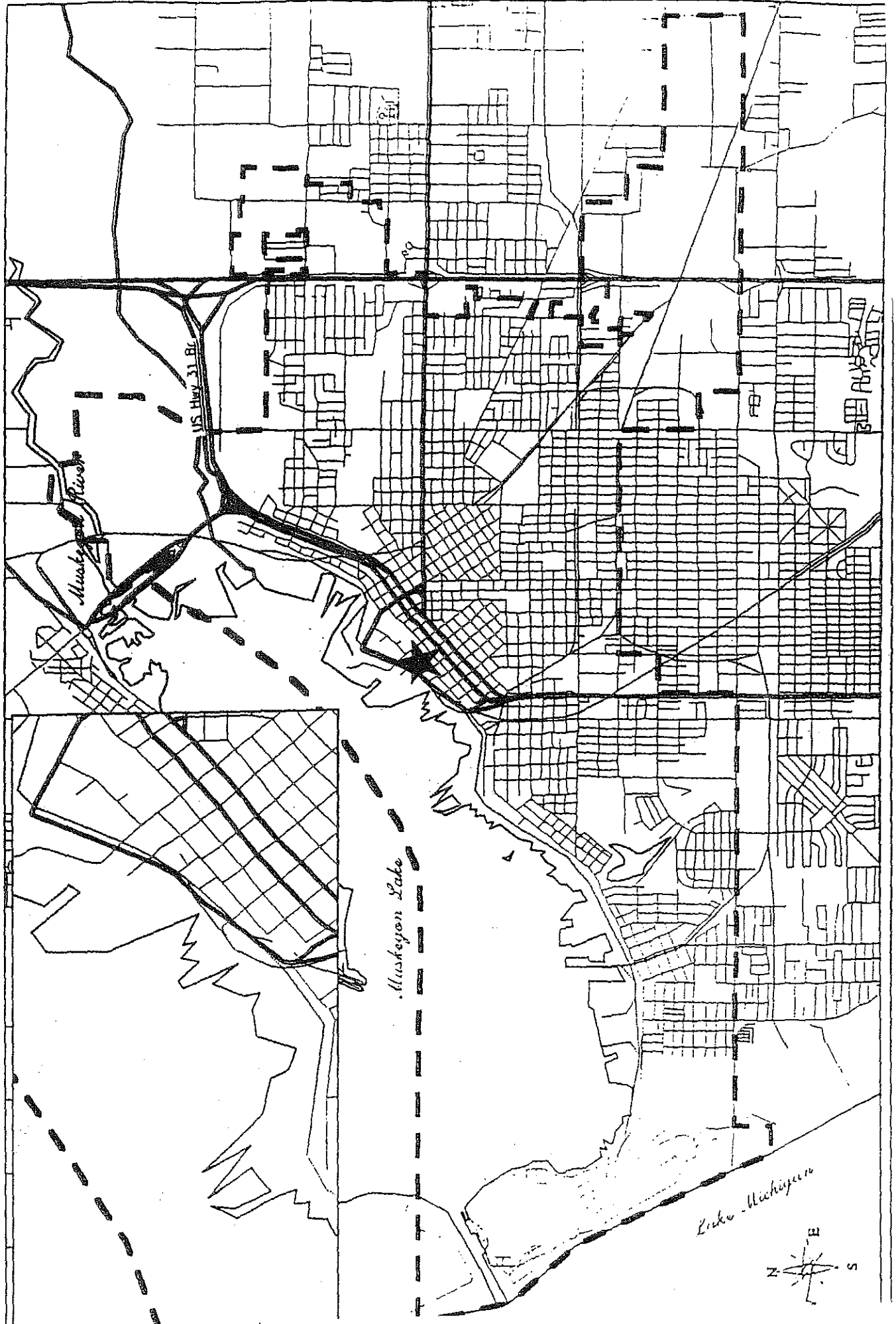
PROJECT DESCRIPTION

Downtown/Lakefront Redevelopment

- A. Background - The City has established a goal to redevelop its Muskegon Lake frontage. The City has a downtown/lakeshore Master Plan and a Waterfront Development Plan to help meet this goal. Other projects funded to implement this goal include: 1) \$1 million MDEQ Site Assessment Grant for determining the marketability of contaminated sites along the lakefront; 2) \$3 million from the federal and state government for the Enterprise Community; and 3) \$500,000 from MDOT for the design of the completion of Shoreline Drive. Specific site development efforts are hampered by the typical brownfield versus greenfield scenarios. Therefore, sites for redevelopment must be prepared to a greater extent than in rural or suburban areas.
- B. Project Scope - Several sites contained within our MDEQ study area are targeted by developers. These sites will require land assembly and infrastructure improvements to make sites suitable for development upon completion of remediation of environmental concerns. Infrastructure improvements will include the relocation of existing and construction of new utilities and access drives.
- C. Project Cost & Timing - Estimated costs are \$2 million for land assembly and infrastructure improvements. If funded, the project could begin as soon as 2001.
- D. Funding Sources - If funding were approved, local match would be provided by the City and/ or private sources.
- E. Project Beneficiaries - The project will benefit the entire community but more specifically downtown residents and property owners. It is estimated that as many as 300 employment opportunities could arise from this project.

CITY OF MUSKEGON - OEDP

Lakefront Development



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON

Project Title: FARMERS/SEAFOOD MARKET

Contact Person: MATTHEW DUGNER

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects
West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org

Location of Project: CITY OF MUSKEGON

(City, Village, or Township)

County: MUSKEGON

Project Description: SEE BELOW

☒ New Project
(check one box)

☐ Facility Expansion

PROPERTY ACQUISITION AND REHABILITATION, ENVIRONMENTAL REMEDIATION
AND INFRASTRUCTURE IMPROVEMENTS FOR A FUTURE FARMERS/SEAFOOD MARKET.

!! IMPORTANT !!

Please remember to provide the required
site location map with this form.

Estimated Project Start Date: 2001

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 2,000,000

State: _____

Local: 4,000,000

Other: _____

TOTAL: 6,000,000

1. Preliminary Engineering

☐ Complete ☐ In Progress ☒ Lacking

2. Letters of Commitment

☐ Yes ☒ No

3. Matching Funds

☐ Secured ☒ Lacking

4. Potential Job Creation (if implemented)

☐ 100+ ☒ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☐ 100+ ☒ 10-99 ☐ Less than 10

6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?

☐ No ☒ Yes (identify)

MASTER PLAN, CEDS

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

PROJECT DESCRIPTION

Farmer's/Seafood Market

- A. Background - The idea of a downtown Farmer's/Seafood Market first surfaced during the Master Plan process. The Muskegon Boilerworks has been identified as the primary location for the complex. The location was chosen for its proximity to the waterfront and the central business district.
- B. Project Scope - The scope of this project includes the acquisition and redevelopment of the Muskegon Boilerworks and adjacent sites. This project will enhance the image of downtown and provide a new outlet for fresh produce.
- C. Project Cost & Timing - To complete the property acquisition and rehabilitation as well as the installation of new utilities, the estimated cost is \$6 million. This amount includes the acquisition of the former Muskegon Boilerworks, as well as several adjacent sites and all requisite environmental assessments.
- D. Funding Sources - If funding were approved, local match would be provided by the City and/ or private sources.
- E. Project Beneficiaries - The project will benefit the entire community but more specifically downtown residents and property owners. Inner-city residents and employees would greatly benefit from the availability of fresh produce. An activity of this sort would also increase the amount of pedestrian activity in the downtown.

CITY OF MUSKEGON - OEDP

Farmers/Seafood Market Complex

Heritage Landing

Western Ave.

Proposed Farmer/Seafood Complex



2000 CEDS PROJECT SUBMITTAL FORM
Public Works Construction ProjectsApplicant Name: CITY OF MUSKEGONProject Title: CITY STREET IMPROVEMENTSContact Person: MATTHEW DUGNERPhone: 231-724-6702**Return this form to:**

CEDS Projects

West Michigan Shoreline Regional

Development Commission

137 Muskegon Mall, PO Box 387

Muskegon, MI 49443-0387

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org*Note: Please use a separate page for each project submitted.*Location of Project: CITY OF MUSKEGON
(City, Village, or Township)County: MUSKEGONProject Description: SEE BELOW☒ New Project ☐ Facility Expansion
(check one box)GENERAL ROADWAY AND INFRASTRUCTURE IMPROVEMENTS AS WELL AS
POSSIBLE AESTHETIC IMPROVEMENTS TO THE PUBLIC RIGHT OF WAY.Estimated Project Start Date: 2000

(check one box per category)

Project Type☐ New Submission ☒ Repeat Submission (20__)**1. Project Costs: (estimated or actual)**Federal: 1,525,000

State: _____

Local: 380,000

Other: _____

TOTAL: 1,905,000**1. Matching Funds**☒ Secured ☐ Lacking**2. Preliminary Engineering**☒ Complete ☐ In Progress ☐ Lacking**3. Is your project in a Comprehensive Plan, Master Plan, TIFA Plan, Financing Plan, or similar document?**☐ No ☒ Yes (identify)

MASTER PLAN, CEDS, CIP

Do not write below this line

4. Low/Mod%

5. Distress Level:

Total Points

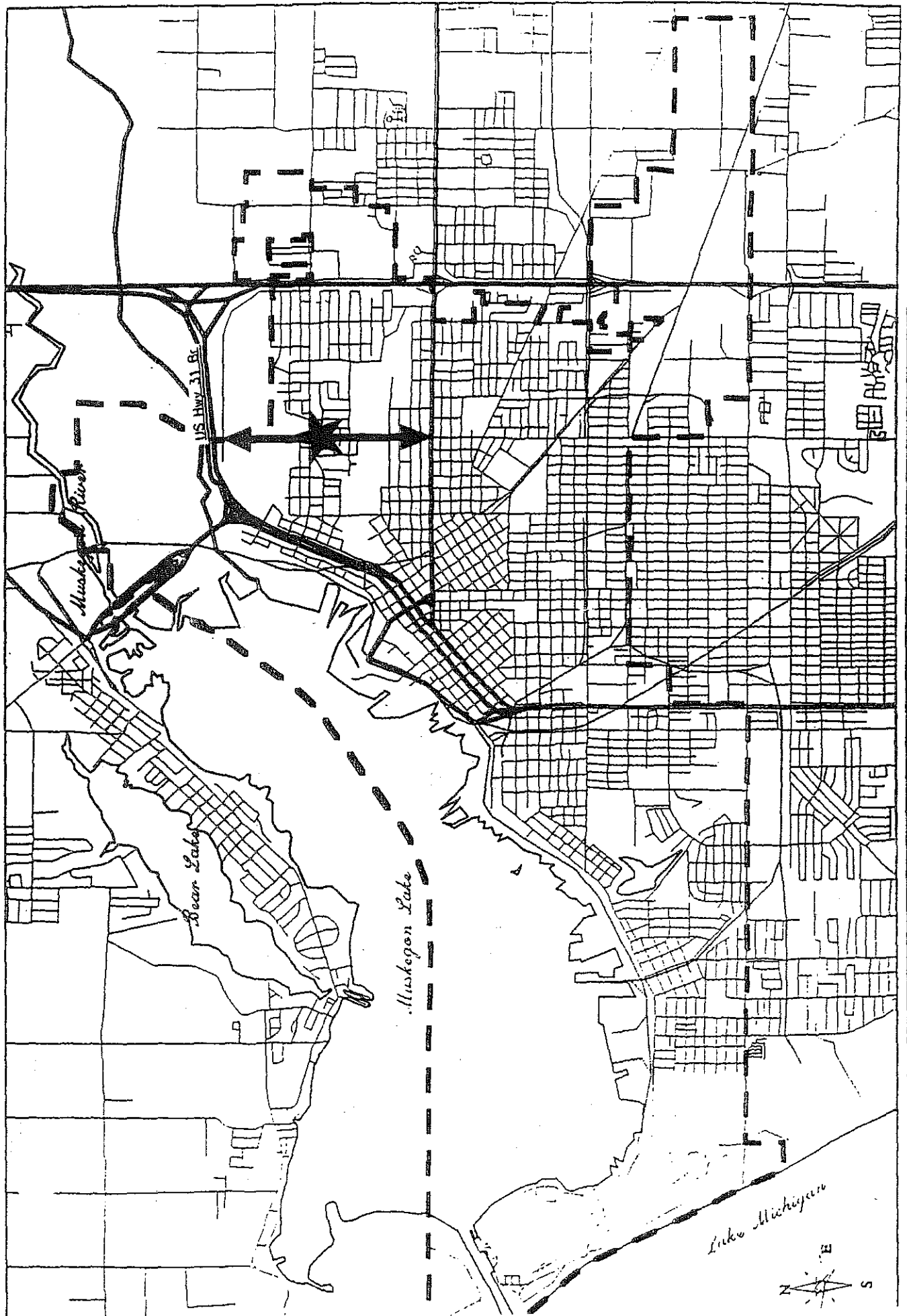
PROJECT DESCRIPTION

Getty Street Improvements

- A. Background - Getty Street is one of the major routes running north and south through the City of Muskegon. A section of Getty Street is a four lane roadway, while other sections are only two lane. Getty Street is a major corridor for both industrial and business traffic.
- B. Project Scope - The project is divided into two phases. The first is construction of Getty to a four lane roadway from Oak Avenue to Wesley Avenue with sidewalk along the west side of the road, raising the grade at two "dips" by 20 feet and resurfacing Getty Street from Wesley to Marquette. The improvements will create better access on Getty Street not only for general industrial and business traffic through the City, but it is anticipated that development will be generated along the Marquette corridor. The second phase includes resurfacing the four lane section of Getty from Allen to Marquette. Currently, the roadway is in desperate need of repair. A great deal of traffic travels along this route, which includes school bus traffic to Wesley and Marquette schools. It is also a collector route for Community College traffic. The expansion of Getty Street from Marquette to Access Highway is a major consideration in the development of the North Getty Industrial Park.
- C. Project Cost & Timing - Estimated costs are \$1,905,00. This includes \$1,352,500 for Phase One, which involves upgrading Getty to four lanes from Oak to Wesley; resurfacing Getty from Wesley to Marquette and installing a sidewalk along the west side of the road; 552,500 for Phase Two, which is the resurfacing of Getty Street from Allen to Marquette. If funding is approved, this project could begin in the year 2000.
- D. Funding Sources - If funding were approved, local match would be provided by the City water and sewer funds, State grants and/ or private sources.
- E. Project Beneficiaries - The businesses and industries located along Getty Street would directly benefit, as they would have improved north-south access. Many existing businesses would be encouraged to expand and new business and industries will consider locating along the Getty Street corridor., due to improved access. The tax and employment base will be expanded as a result.

CITY OF MUSKEGON - OEDP

Getty Street Connector



2000 CEDS PROJECT SUBMITTAL FORM
Public Works Construction ProjectsApplicant Name: CITY OF MUSKEGONProject Title: SENIOR CENTERContact Person: MATTHEW DUGENIERPhone: 231-724-6702**Return this form to:****CEDS Projects**
West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org

*Note: Please use a separate page for each project submitted.*Location of Project: CITY OF MUSKEGON

(City, Village, or Township)

County: MUSKEGONProject Description: SEE BELOW☒ New Project
(check one box)☐ Facility ExpansionPROPERTY ACQUISITION AND SITE DEVELOPMENT FOR THE CONSTRUCTION
OF A PUBLIC SENIOR CENTER.Estimated Project Start Date: 2001

(check one box per category)

Project Type☐ New Submission ☒ Repeat Submission (20__)**1. Project Costs: (estimated or actual)**Federal: 2,000,000

State: _____

Local: 500,000

Other: _____

TOTAL: 2,500,000**1. Matching Funds**☐ Secured ☒ Lacking**2. Preliminary Engineering**☐ Complete ☐ In Progress ☒ Lacking**3. Is your project in a Comprehensive Plan, Master Plan, TIFA Plan, Financing Plan, or similar document?**☐ No ☒ Yes (identify)MASTER PLAN
COMP. HOUSING PLAN.*Do not write below this line*

4. Low/Mod%

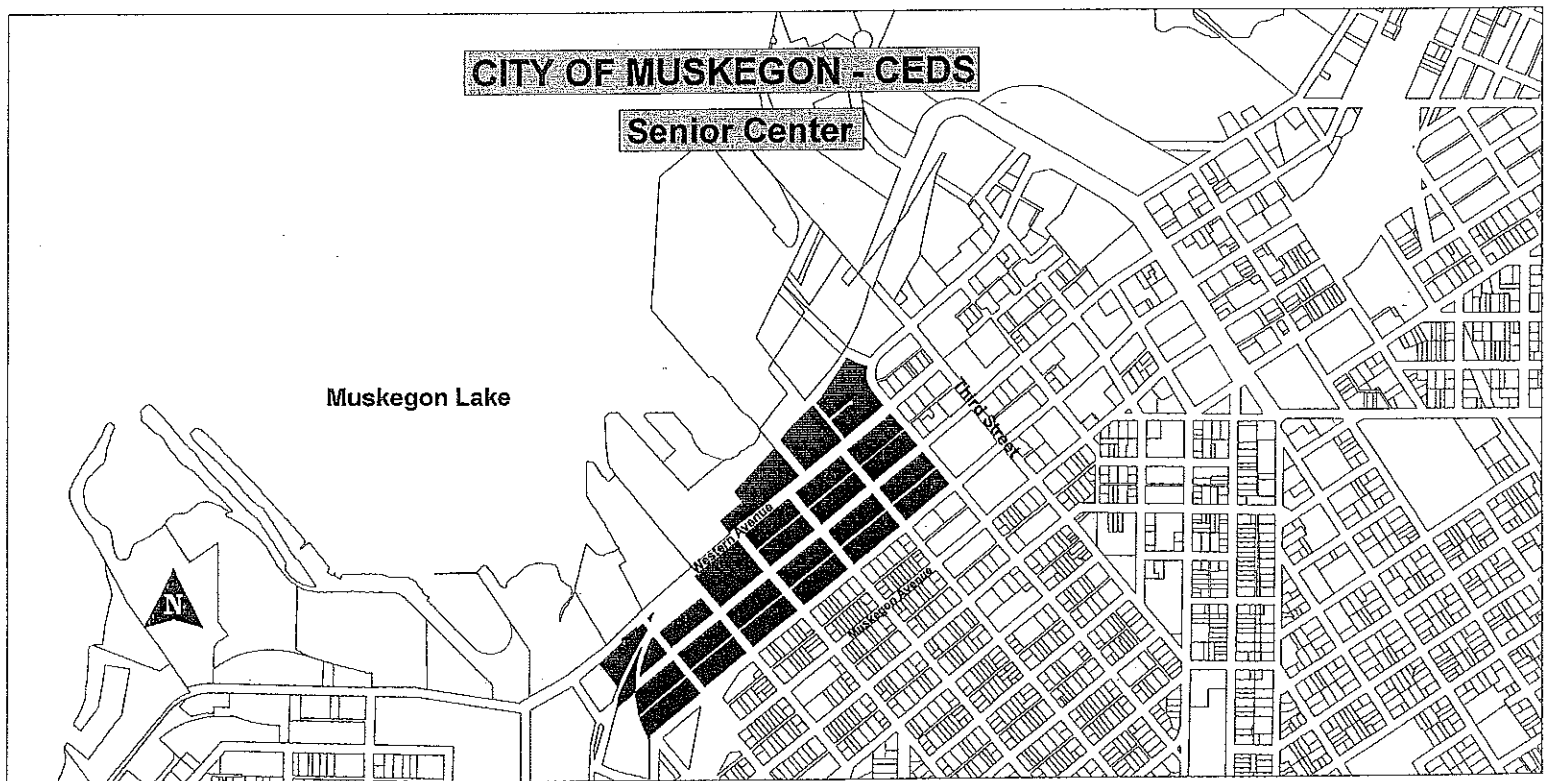
5. Distress Level:

Total Points

PROJECT DESCRIPTION

Senior Citizen's Community Center

- A. Background - The idea of a community center is a recurring need mentioned in the Master Land Use Plan and the Downtown/Lakeshore Redevelopment Plan and the Comprehensive Housing Plan. In general, such a facility would serve as a social meeting place and recreation/activity center. Although a primary concern is to facilitate the needs of Senior Citizens, who are often underrepresented members of the population, a mixed use facility that can lend itself to a variety of users may reduce the cost of duplicating a similar facility for a younger audience. The nature of this project would fit nicely within the proposed Guest & Entertainment District allowing the City to market an additional downtown destination.
- B. Project Scope - Development of this project is a priority of the City as well as residents. With either new construction or renovation approximately 5-75 temporary jobs will be created along with, at least 5-10 permanent positions for day-to-day operations and maintenance. Allowing seniors and youths to assist with construction, landscaping, and/or interior design can generate community ownership.
- C. Project Cost & Timing - Approximately \$2.5 million will be needed to complete this project. It is estimated that preliminary planning such as pedestrian/vehicular access, and other site information can be gathered in 6-8 months, with movement toward construction completion within 2 years.
- D. Funding Sources - Potential funding sources for preliminary planning activities include the State Agency on Aging, the Community Foundation, United Way, and the City's general fund. Funding for land acquisition and actual construction costs can be obtained from local, state and federal agencies.
- E. Project Beneficiaries - The City of Muskegon, specifically the downtown area will benefit from the project. Additionally, senior citizens will have a much needed social facility. If it is decided that the center can be better utilized as a multi-purpose facility, the youth of the city may also benefit. Finally, any traffic that is directed into the downtown area may increase revenues for existing and planned commercial entities.



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON

Project Title: RELOCATION OF WEST MICHIGAN
STEEL

Contact Person: MATTHEW DUGENET

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects

**West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387**

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrde@wmsrde.org

Location of Project: CITY OF MUSKEGON

(City, Village, or Township)

County: MUSKEGON

Project Description: SEE BELOW

☒ New Project
(check one box)

☐ Facility Expansion

RELOCATION OF WEST MICHIGAN STEEL TO MORE APPROPRIATE IN-LAND LOCATION,
INCLUDING RELOCATION OF FACILITIES, ENVIRONMENTAL REMEDIATION, AND INFRASTRUCTURE
IMPROVEMENTS

Estimated Project Start Date: 2001

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 5,000,000

State: 5,000,000

Local: 1,000,000

Other: 4,000,000

TOTAL: 15,000,000

1. Preliminary Engineering

☐ Complete ☐ In Progress ☐ Lacking

2. Letters of Commitment

☐ Yes ☒ No

3. Matching Funds

☐ Secured ☒ Lacking

4. Potential Job Creation (if implemented)

☐ 100+ ☒ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

**6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?**

☐ No ☒ Yes (identify)

MASTER PLAN, CEDS

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

PROJECT DESCRIPTION

West Michigan Steel Relocation

- A. Background - West Michigan Steel is one of the last industrial uses located on the shoreline of Muskegon Lake. In order to completely redevelop the shoreline, West Michigan Steel should be relocated to a more proper location in one of the Industrial Centers in the City of Muskegon.
- B. Project Scope - The project scope would be first to locate a new site for the company, followed by building a new facility and installing new utilities and infrastructure. Secondly, the companies existing assets would need to be relocated to the new facility. The existing facility would then require demolition and environmental remediation to prepare it for new development. New development would be more appropriate for a lakeshore location.
- C. Project Cost & Timing - Total estimated costs are \$16 million. This includes costs for building a new facility, equipment moving costs, environmental remediation, new infrastructure and utilities. If this project were to receive funding, the project could begin in 2001.
- D. Funding Sources - If funding were approved, local match would be provide from State, City, and private sources.
- E. Project Beneficiaries - The general public would benefit from the relocation of the facility both economically and ecologically. The relocation would also benefit West Michigan Steel by placing them in a more proper location with better highway access.

City of Muskegon - CEDS

West Michigan Steel Relocation

Muskegon Lake

Western Avenue

Henry Street

Seaway Drive



2000 CEDS PROJECT SUBMITTAL FORM
Economic Development Infrastructure Construction Projects

Applicant Name: CITY OF MUSKEGON

Project Title: CAR FERRY LANDING

Contact Person: MATTHEW DUGHER

Phone: 231-724-6702

Note: Please use a separate page for each project submitted.

Return this form to:

CEDS Projects
West Michigan Shoreline Regional
Development Commission
137 Muskegon Mall, PO Box 387
Muskegon, MI 49443-0387

(231) 722-7878 Fax: (231) 722-9362

E-mail: wmsrdc@wmsrdc.org

Location of Project: CITY OF MUSKEGON

(City, Village, or Township)

County: MUSKEGON

Project Description: SEE BELOW

☒ New Project
(check one box)

☐ Facility Expansion

PROPERTY ACQUISITION AND SITE DEVELOPMENT INCLUDING CONSTRUCTION
OF DOCKING FACILITIES FOR PROPOSED CROSS LAKE FERRY SERVICE.

!! IMPORTANT !!

Please remember to provide the required
site location map with this form.

Estimated Project Start Date: 2000

(check one box per category)

Project Type

☐ New Submission ☒ Repeat Submission (20__)

Project Costs: (estimated or actual)

Federal: 750,000

State: _____

Local: 250,000

Other: _____

TOTAL: 1,000,000

1. Preliminary Engineering

☒ Complete ☐ In Progress ☐ Lacking

2. Letters of Commitment

☒ Yes ☐ No

3. Matching Funds

☒ Secured ☐ Lacking

4. Potential Job Creation (if implemented)

☒ 100+ ☒ 10-99 ☐ Less than 10

5. Potential Job Retention (if implemented)

☒ 100+ ☐ 10-99 ☐ Less than 10

6. Is your project in a Comprehensive Plan,
Master Plan, TIFA Plan, Financing Plan,
or similar document?

☐ No ☒ Yes (identify)

MASTER PLAN, CEDS

Do not write below this line

7. Creation/Cost Ratio:

8. Retention/Cost Ratio:

9. Distress Level:

Total Points

PROJECT DESCRIPTION

Car Ferry Landing

- A. Background - The proposed car ferry landing would provide high-speed ferry service from Muskegon to Milwaukee, Wisconsin. One of the requirements for designating Muskegon as the Michigan port is the siting of the requisite car ferry landing with adequate parking and access.
- B. Project Scope - The project scope will be acquiring property for the proposed landing. Associated site development will include parking and docking facilities as well as potential landing facilities such as ticket office, restaurant, and other amenities.
- C. Project Cost & Timing - Total estimated costs are \$1 million. This includes costs for property acquisition and site development. If this project were to receive funding, the project could begin in 2000.
- D. Funding Sources - If funding were approved, local match would be provided from State, City, and private sources.
- E. Project Beneficiaries - The general public would benefit from the availability of alternative means of transportation to and from Wisconsin. The project would also provide additional potential customers to the downtown market thereby increasing the marketability of the downtown.

City of Muskegon - CEDS

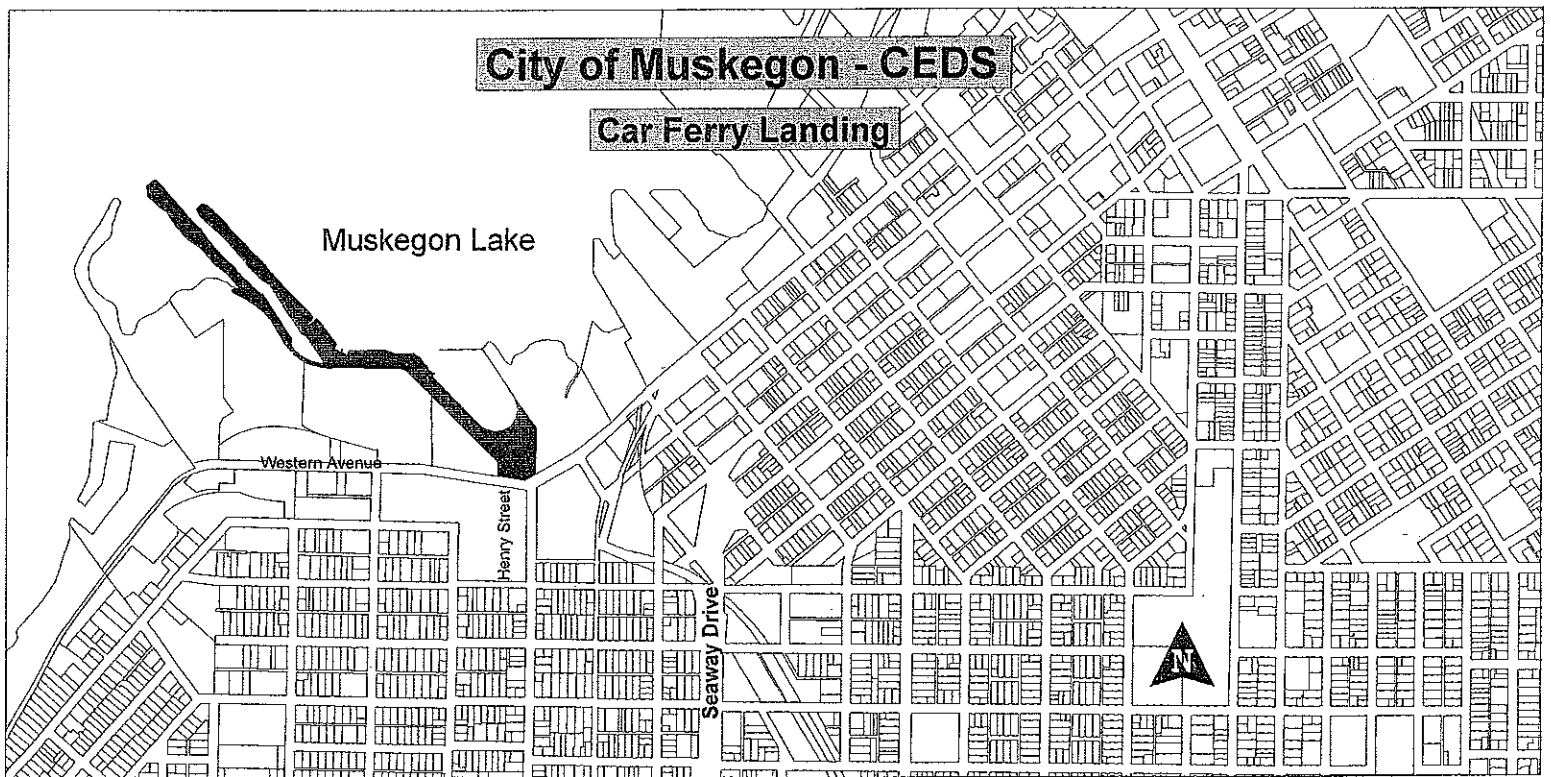
Car Ferry Landing

Muskegon Lake

Western Avenue

Henry Street

Seaway Drive



Commission Meeting Date: March 28, 2000

*Needs
2nd Reading*

Date: March 20, 2000
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development 
RE: Zoning Ordinance Amendment to add Port District Language

SUMMARY OF REQUEST:

Request to amend Article XV of the Zoning Ordinance to create sections 1504 through 1507, to add the language only for a new Waterfront Industrial Planned Unit Development (WI-PUD) Zoning District. Also, to amend Section 2334 (Signs) of Article XXIII to add '#11, Permitted Signs in the WI-PUD District', and to amend Article II (Definitions) to add definitions related to the new WI-PUD district.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends amendment of the Zoning Ordinance to include the proposed language in the articles and sections described above.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request.

Commission Meeting Date: March 28, 2000

Date: March 20, 2000
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development 
RE: Amendment to Waterfront Redevelopment Plan

SUMMARY OF REQUEST:

The Muskegon Waterfront Redevelopment Plan was adopted by the Planning Commission in December, 1999 and endorsed by the City Commission in January, 2000. The City Commission vote was not unanimous, due to references in the plan to a "Port Authority" or other body with bonding and condemnation powers. The Planning Commission has since amended the plan to remove those references in order to achieve a unanimous endorsement by the City Commission.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends that the City Commission endorse the amended Waterfront Redevelopment Plan.

COMMITTEE RECOMMENDATION:

The Planning Commission has adopted the proposed amendments and recommends that the City Commission endorse the amended plan.

CITY OF MUSKEGON

RESOLUTION #2000- 38(c)

**RESOLUTION OF SUPPORT ADOPTING THE AMENDED WATERFRONT
REDEVELOPMENT PLAN**

WHEREAS, a public hearing on the Waterfront Redevelopment Plan was held by the Planning Commission on December 8, 1999, where the Waterfront Redevelopment Plan was subsequently adopted;

WHEREAS, the City Commission voted to adopt the Waterfront Redevelopment Plan on January 11, 2000, but the vote was not unanimous;

WHEREAS, the Planning Commission amended the plan on March 15, 2000 to remove any reference to a 'Port Authority' or other body with bonding and condemnation powers;

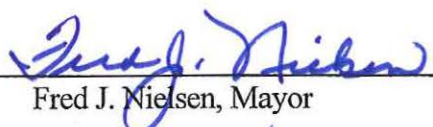
NOW, THEREFORE BE IT RESOLVED, that the City Commission also adopts the amended Waterfront Redevelopment Plan.

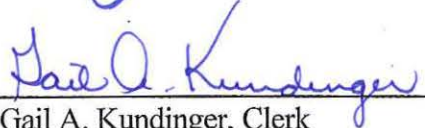
Resolution adopted this 28th day of March, 2000.

Ayes: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Schweifler

Nays: None

Absent: Shepherd

By: 
Fred J. Nielsen, Mayor

Attest: 
Gail A. Kunding, Clerk



(See discussion of Port Facilities Node, Part II below).

With adequate public infrastructure, concentration of such activities in a primary area may eventually encourage the development of more technologically advanced cargo operations (i.e. containerization) which would increase the attractiveness of Muskegon as a cargo port.

Modernized cargo facilities would promote economies-of-scale in the existing break bulk operations found along the lake by allowing existing bulk handlers to share facilities. They may also promote more Foreign Trade Zone (FTZ) designations. These facilities may be best planned and managed under the aegis of a port/ harbor authority (see appendix).

Other Recommendations:

☐ ~~Promote the formation of a Muskegon Port Authority/ Harbor Commission to manage commercial shipping, and ancillary development along the lake.~~

☐ Work with private industry, U.S.

Customs and the Department of Commerce to designate more Foreign Trade Zones along Muskegon Lake.

☐ Provide suitable public infrastructure and access at favored port operation location.

☐ Work with existing industries to help improve or mitigate their physical presence on the lake.

☐ Work with Lakeside businesses to enhance the Lakeside commercial strip.

C. Recreation & Natural Habitat Areas

Existing Conditions

Like the scattered industrial/ bulk handling operations along the lake, public recreational land uses are distributed fairly evenly along the shoreline. While such a distribution is far more desirable than in the case of the former, they are poorly linked, and sometimes difficult to find - a situation likely to be greatly remedied by the pending construction of the

Lakeshore Trail bicycle/ pedestrian path.

Many of these recreational facilities are small, residual lands, or property converted/ adapted from formerly industrial use. The most celebrated of these is Heritage Landing which serves as the City's premier festival park.

Noticeably absent are "active" recreational areas containing ballfields, swimming, playgrounds etc. One of the few remaining natural habitat areas of any size is in the vicinity of Richard's Park, where the tributaries of the Muskegon River flow into Muskegon Lake.

Recommendations

Integration of Recreational Facilities

A fundamental component of a revitalized lakefront is increasing the number and sizes of recreational land uses along the lake. Equally important however, is the goal of creating more

Objective: Establishment of a Muskegon Port Authority or similar entity (with bonding and condemnation powers) to effectuate port related infrastructural improvements and promotional activities.

Objective: Expand/ Increase Foreign Trade Zone (FTZ) designations on Muskegon Lake.

Objective: Mitigation of the environmental concerns associated with lakefront development, and the various planning issues they pose.

Objective: Increase the mixture of land uses (especially housing) along the lake.

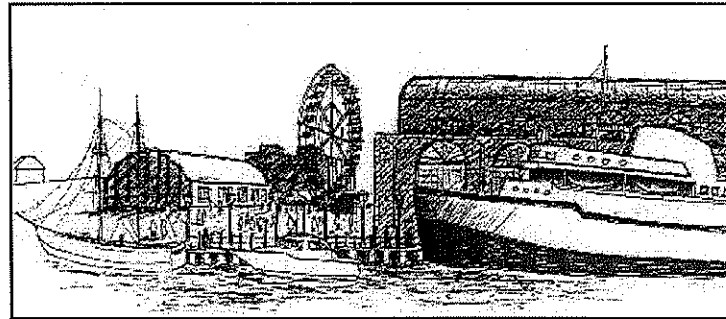
***Goal:** Conservation, protection and enhancement of sensitive waterfront resources.

Objective: Mitigation of the impact of new development on existing view-sheds and natural habitats.

Objective: Relocation and concentration of heavy industrial waterfront uses, and the reduction of the conflicts they pose with less intensive

uses (such as residential and recreational).

Objective: Preservation and adaptive reuse of water related historic resources



Lakefront focal point containing a variety of sites and activities within in walking distance of each other, and downtown.

such as the Mart Dock.

Objective: Increase awareness of natural features and wildlife habitat, and encourage zoning and design criteria for the protection of same.

Objective: Elimination/ mitigation of existing environmental hazards.

***Goal:** Enhance the attractiveness and accessibility (physical and

visual) of the lakefront.

Objective: Accommodation of various forms of passive and active forms of public recreation along the lake.

Objective: Unification of the lakefront through an integrated network of pedestrian/ bicycle pathways, lookouts, public finger piers, and public access easements.

Objective: Application of general design standards for lakefront development which seek to preserve views, insure public access, and promote environmentally sensitive land use.

Objective: Reduction of land use conflicts. Mitigation of land uses that are uncomplimentary or conflicting.

Objective: Buffering lakefront industrial facilities that are the most visually and environmentally obtrusive and/ or "animating" their appearance.

**Staff Report [EXCERPT]
CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING**

March 15, 2000

**Hearing; Case 2000-7: Amendment to the City of Muskegon Waterfront
Redevelopment Plan.**

BACKGROUND

The City of Muskegon Waterfront Redevelopment plan was adopted by the Planning Commission on December 8, 1999. It was taken to the City Commission for their endorsement on January 11, 2000. The City Commission was very supportive of the plan and they did endorse it by a 4-3 vote. The only concern that the 3 dissenting commissioners had was the recommendation to promote the formation of a Port Authority, or a similar agency with bonding and condemnation powers.

Although the motion to endorse the plan did pass on the 4-3 vote, Commissioner Aslakson stated that he would ask the Planning Commission to consider removing the 'Port Authority' wording in order to gain 7-0 support for the plan. The Planning Commission was amenable, so staff is bringing this item back. Please see the attached pages from the Waterfront Redevelopment Plan, and note the strikethroughs, which are the proposed sections to be amended or deleted from the plan.

Commission Meeting Date: March 28, 2000

*Needs
2nd Reading*

Date: March 17, 2000
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Zoning Ordinance Amendments to Table I and District Language

SUMMARY OF REQUEST:

Request to repeal and reserve Section 2308 (Zero Lot Line) and Section 2310 (Method for Determining Setbacks, Yards and Density) of Article XXIII of the Zoning Ordinance; to amend Table I "District Regulations; Bulk and Setback Requirements" and provide table notes and a preamble and; and to add bulk and setback requirements to each zoning district (Articles IV through XX, excepting Article V).

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends amendment of the Zoning Ordinance to include the proposed language in the articles and sections described above.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request.

AGENDA ITEM NO. _____

CITY COMMISSION MEETING 3/28/00

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: March 21, 2000

RE: Seasonal Employment

SUMMARY OF REQUEST:

To approve the use of Manpower for seasonal employment for 2000.

FINANCIAL IMPACT:

Savings of \$40,000+ for the General Fund.

BUDGET ACTION REQUIRED:

The cost savings will be included in future 2000 budget adjustments.

STAFF RECOMMENDATION:

To approve the use of Manpower for seasonal employment, subject to appropriate collective bargaining provisions.

COMMITTEE RECOMMENDATION:

None.

CITY OF MUSKEGON
ANALYSIS OF CONTRACTING FOR SEASONAL LABOR

	Beach Maintenance Worker	LSM Seasonal	Seasonal Laborer	Seasonal Maintenance Worker	Totals	
CITY COSTS (METHOD 1)						
REG. HOURS WORKED (1999)	559.00	5,798.36	8,340.17	29,831.63	44,529.16	
OT HOURS WORKED (1999)	8.00	97.50	22.46	265.57	393.53	
TOTAL HOURS WORKED (1999)	567.00	5,895.86	8,362.63	30,097.20	44,922.69	
ADJ FOR NON-PRODUCTIVE "CLEAN-UP" TIME (1)	(17.47)	(181.20)	(260.63)	(932.24)	(1,391.54)	
	549.53	5,714.66	8,102.00	29,164.96	43,531.15	
DIRECT WAGE & BENEFIT COST	\$ 8,402.24	\$ 60,964.14	\$ 70,469.77	\$ 298,133.97	\$ 437,970.12	
DIRECT HOURLY RATE	\$ 15.29	\$ 10.67	\$ 8.70	\$ 10.22	\$ 10.06	
OTHER COSTS						
CIVIL SERVICE (2)	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234	
FINANCE - PAYROLL PROCESSING (3)	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594	
INDIRECT COSTS AND OVERHEAD - 10% (4)	\$ 1.5873	\$ 1.1051	\$ 0.9081	\$ 1.0605	\$ 1.0444	
	\$ 17.24	\$ 12.16	\$ 9.99	\$ 11.67	\$ 11.49	
TOTAL CITY COSTS	\$ 9,473.86	\$ 69,466.88	\$ 89,928.34	\$ 340,228.15	\$ 500,097.23	SAVINGS \$ 46,273.29
CITY COSTS (METHOD 2)						
REG. HOURS WORKED (1999)	559.00	5,798.36	8,340.17	29,831.63	44,529.16	
OT HOURS WORKED (1999)	8.00	97.50	22.46	265.57	393.53	
TOTAL HOURS WORKED (1999)	567.00	5,895.86	8,362.63	30,097.20	44,922.69	
ADJ FOR NON-PRODUCTIVE "CLEAN-UP" TIME (1)	(17.47)	(181.20)	(260.63)	(932.24)	(1,391.54)	
	549.53	5,714.66	8,102.00	29,164.96	43,531.15	
DIRECT WAGE & BENEFIT COST (LESS WC & UC ALLOCATIONS)	\$ 8,079.89	\$ 58,900.09	\$ 67,641.43	\$ 285,855.44	\$ 420,476.85	
DIRECT HOURLY RATE	\$ 14.70	\$ 10.31	\$ 8.35	\$ 9.80	\$ 9.66	
OTHER COSTS						
ACTUAL 1999 WC COSTS FOR SEASONALS	\$ 0.5492	\$ 0.5492	\$ 0.5492	\$ 0.5492	\$ 0.5492	
ACTUAL 1999 UC COSTS FOR SEASONALS	\$ 1.1100	\$ 1.1100	\$ 1.1100	\$ 1.1100	\$ 1.1100	
CIVIL SERVICE (2)	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234	
FINANCE - PAYROLL PROCESSING (3)	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594	
INDIRECT COSTS AND OVERHEAD - 10% (4)	\$ 1.6745	\$ 1.2349	\$ 1.0391	\$ 1.1843	\$ 1.1701	
	\$ 18.42	\$ 13.58	\$ 11.43	\$ 13.03	\$ 12.87	
TOTAL CITY COSTS	\$ 10,122.24	\$ 77,626.37	\$ 92,604.28	\$ 379,951.32	\$ 560,304.21	SAVINGS \$ 106,480.27
MANPOWER COSTS						
BASE HOURLY RATE RECEIVED BY EMPLOYEE	\$ 13.15	\$ 8.90	\$ 7.00	\$ 7.75		
REGULAR TIME						
MANPOWER BILL RATE (CITY REFERRAL) - 29.5%	\$ 17.03	\$ 11.53	\$ 9.07	\$ 10.04		
MANPOWER BILL RATE (NO CITY REFERRAL) - 35.9%	\$ 17.87	\$ 12.10	\$ 9.51	\$ 10.53		
ESTIMATED REGULAR HOURS (5)	545.53	5,665.91	8,090.77	29,032.18		
TOTAL MANPOWER REGULAR TIME COSTS (6)	\$ 9,519.55	\$ 68,916.11	\$ 75,155.16	\$ 298,574.16	\$ 450,164.88	
OVERTIME						
MANPOWER BILL RATE (CITY REFERRAL) - 28.0%	\$ 25.25	\$ 17.09	\$ 13.44	\$ 14.88		
MANPOWER BILL RATE (NO CITY REFERRAL) - 31.0%	\$ 35.12	\$ 23.77	\$ 18.69	\$ 20.70		
ESTIMATED OT HOURS (5)	4.00	48.75	11.23	132.79		
TOTAL MANPOWER OVERTIME COSTS (6)	\$ 120.73	\$ 995.84	\$ 180.43	\$ 2,361.97	\$ 3,658.96	
TOTAL MANPOWER COSTS	\$ 9,640.28	\$ 67,911.95	\$ 75,335.59	\$ 300,936.13	\$ 453,823.94	

Notes

- (1) Contractual cleanup time is 15 minutes per day or 3.125% of regular hours.
- (2) Civil Service direct costs for physicals, drug tests, advertising were \$18,781.74 or \$0.2234 per hour (using 84,080 hours for all seasonals - not just 586SE).
- (3) In 1999 694 paychecks were issued for the above employees at an estimated cost of \$10.00 per check (\$1.594 per productive hour).
- (4) This includes employee orientation, driving record checks and other indirect Civil service office costs, processing status change forms, processing and monitoring WC and UC claims, and all other indirect costs associated with having workers on city payroll.
- (5) Regular time assumes 1999 "productive hours" plus 1/2 of 1999 OT hours. OT time assumes 1/2 of 1999 OT hours. Staff believes OT can be substantially reduced since under Manpower it is paid after 40 hours per week rather than City's practice of paying after 8 hours per day.
- (6) Assumes 1/2 of total hours are filled by city referrals and 1/2 hours are filled by non-referrals

Other Considerations

- (1) In 1999, seasonal employees were 2.8% of the total city payroll but accounted for 29% (\$25,805.64) of Workers Comp claim costs. The city has had poor WC experience for several years (experience mod factor = 1.57) and staff believes that seasonal labor is a significant contributing factor. These costs are not fully reflected in the numbers above since WC costs are spread over the entire city payroll. Under the Manpower proposal, WC claims for seasonals are not the city's problem.
- (2) The City is currently restricted in its use of low-cost prison labor by a contract provision that provides that prison labor may only be used in months when the city employs the same number of seasonal employees as were used in the same month of the previous year. Going to Manpower in 2000 will allow the city to once again utilize low-cost prison labor in 2001.
- (3) The city costs shown above are based on 1999 wage rates and leave use. 2000 costs would be higher with city-employed seasonals due to higher wage rates and leave benefits such as personal days and sick time that some returning workers would qualify for.
- (4) The city is a "reimbursing" employer for unemployment compensation which means that we are essentially self-insured and pay actual UC claims costs in lieu of paying the unemployment tax. For 1999 laid-off 586 seasonal employees accounted for \$52,130 (68%) of total UC claims paid by the city. These costs are not fully reflected in the numbers above since UC costs are "smoothed" over a 5-year period and spread over the entire city payroll. Under the Manpower proposal, UC claims for seasonals are not the city's problem.
- (5) Employees hired through Manpower would not be required to have union dues deducted from their checks. This equates to \$0.13 per hour and allows the city to pay a lower rate with the employee receiving the same take-home pay.

TIMELINE OF LETTERS FOR THE CONTRACTING OUT OF SEASONAL WORK.

1. **February 21, 2000.** Revised Salary Schedule to reflect negotiations earlier in 2000 and wage concessions made by the Union. No mention of outside contracting of seasonal work.
2. **March 7, 2000.** Letter from Bryon Mazade informing Local 586 of the cities intent to contract with Manpower and asking to meet on March 15, 2000 at 9:00 a.m.
3. **March 13, 2000.** Letter from Local 586 to Lee Slaughter explaining that the union bargaining committee will be unable to discuss the issue and chart a course to follow until March 22, 2000. Local 586 requested a meeting date in April to discuss the issue with management.
4. **March 17, 2000.** Letter from Bryon Mazade expressing his concerns, stating "I was surprised and dismayed that SEIU has chosen not to meet with the City...". Further setting a deadline of March 27, 2000 to meet or "the City will proceed with the subcontracting."
5. **March 23, 2000.** Letter from Local 586 to Bryon Mazade explaining that "The union has meet (sic) on March 22, 2000 we have taken the matter up with great concern." The Union went on to explain that our earliest available date to meet was March 29, 2000 and why we were unavailable prior to that date. We will be meeting without the benefit of our Vice-President even on that date.
6. **March 27, 2000.** received a fax from the Manager's office with an additional set of numbers the Union had not seen before. This fax coming at the last minute with a drastically different set of numbers in "Method 2". Due to such a short notice, two days, this has challenged the Union's ability to respond at the meeting of March 29, 2000, with positive input and meaningful dialog. This will force us to meet with the City without benefit of our bargaining committee meeting and discussing the new figures.

Affirmative Action

616/724-6703
FAX/722-1214

Assessor

616/724-6708
FAX/724-4178

Cemetery

616/724-6783
FAX/726-5617

Civil Service

616/724-6716
FAX/724-4055

Clerk

616/724-6705
FAX/724-4178

**Comm. & Neigh.
Services**

616/724-6717
FAX/726-2501

Engineering

616/724-6707
FAX/727-6904

Finance

616/724-6713
FAX/724-6768

Fire Dept.

616/724-6792
FAX/724-6985

Income Tax

616/724-6770
FAX/724-6768

Info. Systems

616/724-6706
FAX/722-4301

Leisure Service

616/724-6704
FAX/724-1196

Manager's Office

616/724-6724
FAX/722-1214

Mayor's Office

616/724-6701
FAX/722-1214

**Neigh. & Const.
Services**

616/724-6715
FAX/726-2501

Planning/Zoning

616/724-6702
FAX/724-6790

Police Dept.

616/724-6750
FAX/722-5140

Public Works

616/724-4100
FAX/722-4188

Treasurer

616/724-6720
FAX/724-6768

Water Billing Dept.

616/724-6718
FAX/724-6768

Water Filtration

616/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

2.73

MEMORANDUM

TO:

Terry VanEyck, Business Representative ✓
Heidi Weipert, Civil Service Director
Karen Scholle, Personnel Analyst
Donna Mayol, Administrative Secretary
Candy Baker, Finance Clerk
Ric Scott, Director of Leisure Services
Bernadette Young, Parks Supervisor
Theresa Ackerberg, Departmental Secretary
Pat Bice, Administrative Services Supervisor
Bob Veneklasen, Water Plant Supervisor
Larry DeCou, Water Plant Supervisor
Bob Kuhn, DPW Director

FROM:


Lee J. Slaughter, Assistant City Manager

DATE:

February 21, 2000

RE:

Revised 2000 Salary Schedule for Seasonal Laborers & Seasonal Maintenance Workers

In accordance with the current contract for SEIU Local #586, Unit 2, attached is the revised salary schedule for Seasonal Laborers and Seasonal Maintenance Workers for the year 2000. Please incorporate this schedule in your copy of the current contract. It would be greatly appreciated if you would provide a copy of this salary agreement to other individuals within your department if need be.

Attachment

CONTRACT LANGUAGE AGREEMENT
FOR THE POSITIONS OF
SEASONAL MAINTENANCE WORKER AND SEASONAL LABORER
FOR THE YEAR 2000

The City of Muskegon ("City") and Service Employee International Union, Local 586 ("SEIU") seek to enter into an agreement consistent with contract language which calls for both parties to annually negotiate the wage rate for the positions of Seasonal Maintenance Worker and Seasonal Laborer over the term of this contract. The new wage rate negotiated for the year 2000 is as follows:

1. The parties agreed to a new first step that is \$.25 less than in 1999 and that there will now be four steps in the pay scale (for these employees) as follows:

<u>Classification</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>
Seasonal Maint. Wkr.	8.10	8.35	8.60	8.90
Seasonal Laborer	7.00	7.25	7.45	7.65

2. Returning employees will be paid at step 2, which is the same as the 1999 step. There is no wage lost to returning employees.

Dated: 2-18-00, 2000

CITY OF MUSKEGON

By [Signature]
Lee Slaughter, Assistant City Mgr.

Dated: 2-18-00, 2000

By [Signature]
Ric Scott, Leisure Services Dir.

SERVICE EMPLOYEES
INTERNATIONAL UNION,
LOCAL 586

Dated: 2-17, 2000

By [Signature]
James Shelton, Union President

Dated: 2-17, 2000

By [Signature]
Terry Redmon, Unit President

MEMORANDUM

TO: Ric Scott
Terry Redmon
James Shelton

FROM: Lee J. Slaughter

DATE: February 15, 2000

RE: Salary Schedule for Seasonal Maintenance Worker and Seasonal Laborer
for the year 2000

This is a re-send of the signed salary schedule for Seasonal Maintenance Worker and Seasonal Laborer for the year 2000. There's an error with Step 3 and 4 of the salary schedule for the Seasonal Maintenance Worker position. The attached schedule is a corrected version. Please sign and mail back to me as soon as possible. I will send corrected and signed copies to all involved.

Thanks.

Affirmative Action
616/724-6703
FAX/722-1214

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
616/724-6716
FAX/724-4055

Clerk
616/724-6705
FAX/724-4178

Comm. & Neigh.
Services
616/724-6717
FAX/726-2501-

Engineering
616/724-6707
FAX/727-6904

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6706
FAX/722-4301

Leisure Service
616/724-6704
FAX/724-1196

Manager's Office
616/724-6724
FAX/722-1214

Mayor's Office
616/724-6701
FAX/722-1214

Neigh. & Const.
Services
616/724-6715
FAX/726-2501

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
616/724-6750
FAX/722-5140

Public Works
616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Billing Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290



March 7, 2000

Mr. James Shelton
President
SEIU Local #586
Midtown Building
1095 Third Street
Room 107
Muskegon, MI 49441

Dear Mr. Shelton:

It is the City's intention to subcontract the seasonal workers position to Manpower, subject to City Commission approval. This notice is given pursuant to Section 47 of the collective bargaining agreement.

The work for the following positions will be the subject of the subcontract:

- 1) Seasonal Laborer
- 2) Seasonal Maintenance Worker
- 3) Leisure Services Maintenance I - Seasonal
- 4) Beach Maintenance Worker

Enclosed is a spreadsheet that compares the costs for this work under the current collective bargaining agreement and the costs under the proposed subcontract.

Furthermore, the City requests to meet with the union to negotiate the effects of the contract on members of the collective bargaining unit. I propose that a meeting be held on March 15, 2000, at 9:00 AM at Muskegon City Hall, 2nd Floor Conference Room. Please advise me of whether or not this date works for you.

Sincerely,

CITY OF MUSKEGON

Bryon L. Mazade
City Manager

BLM/js

Enclosure

C: Terry VanEyck, Business Representative ✓
Terry Redmon, Unit President

CITY OF MUSKEGON
ANALYSIS OF CONTRACTING FOR SEASONAL LABOR

	Beach Maintenance Worker	LSM I Seasonal	Seasonal Laborer	Seasonal Maintenance Worker	Totals
CITY COSTS					
REG. HOURS WORKED (1999)	559.00	5,796.36	8,340.17	29,631.63	44,529.16
OT HOURS WORKED (1999)	8.00	97.50	22.46	265.57	393.53
TOTAL HOURS WORKED (1999)	567.00	5,895.86	8,362.63	30,097.20	44,922.69
ADJ FOR NON-PRODUCTIVE "CLEAN-UP" TIME (1)	(17.47)	(181.20)	(280.63)	(932.24)	(1,391.54)
	549.53	5,714.66	8,102.00	29,164.96	43,531.15
DIRECT WAGE & BENEFIT COST	\$ 8,402.24	\$ 80,964.14	\$ 70,469.77	\$ 298,133.97	\$ 437,970.12
DIRECT HOURLY RATE	\$ 15.29	\$ 10.67	\$ 8.70	\$ 10.22	\$ 10.06
OTHER COSTS					
CIVIL SERVICE (2)	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234
FINANCE - PAYROLL PROCESSING (3)	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594
INDIRECT COSTS AND OVERHEAD - 10% (4)	\$ 1.5673	\$ 1.1051	\$ 0.9081	\$ 1.0805	\$ 1.0444
	\$ 17.24	\$ 12.16	\$ 9.99	\$ 11.87	\$ 11.49
TOTAL CITY COSTS	\$ 9,473.86	\$ 89,466.88	\$ 80,928.34	\$ 340,228.16	\$ 500,097.23
MANPOWER COSTS					
BASE HOURLY RATE RECEIVED BY EMPLOYEE	\$ 13.15	\$ 8.90	\$ 7.00	\$ 7.76	
REGULAR TIME					
MANPOWER BILL RATE (CITY REFERRAL) - 29.6%	\$ 17.03	\$ 11.53	\$ 9.07	\$ 10.04	
MANPOWER BILL RATE (NO CITY REFERRAL) - 35.8%	\$ 17.87	\$ 12.10	\$ 9.51	\$ 10.53	
ESTIMATED REGULAR HOURS (5)	537.53	5,568.41	8,068.31	28,768.61	
TOTAL MANPOWER REGULAR TIME COSTS (6)	\$ 9,379.95	\$ 65,764.61	\$ 74,948.53	\$ 295,842.97	\$ 445,934.06
OVERTIME					
MANPOWER BILL RATE (CITY REFERRAL) - 28.0%	\$ 25.25	\$ 17.09	\$ 13.44	\$ 14.88	
MANPOWER BILL RATE (NO CITY REFERRAL) - 31.0%	\$ 35.12	\$ 23.77	\$ 18.69	\$ 20.70	
ESTIMATED OT HOURS (5)	4.00	48.75	11.23	132.79	
TOTAL MANPOWER OVERTIME COSTS (6)	\$ 120.73	\$ 895.84	\$ 180.43	\$ 2,381.97	\$ 3,658.96
TOTAL MANPOWER COSTS	\$ 9,500.68	\$ 66,760.44	\$ 75,128.96	\$ 298,204.94	\$ 449,593.02

Notes

- (1) Contractual cleanup time is 15 minutes per day or 3.125% of regular hours.
- (2) Civil Service direct costs for physicals, drug tests, advertising were \$16,781.74 or \$0.2234 per hour (using 84,080 hours for all seasonals - not just 586SE).
- (3) In 1999 694 paychecks were issued for the above employees at an estimated cost of \$10.00 per check (\$1.594 per productive hour).
- (4) This includes employee orientation, driving record checks and other indirect Civil service office costs, processing status change forms, processing and monitoring WC and UC claims, and all other indirect costs associated with having workers on city payroll.
- (5) Regular time assumes 1999 "productive hours" plus 1/2 of 1999 OT hours. OT time assumes 1/2 of 1999 OT hours. Staff believes OT can be substantially reduced since under Manpower it is paid after 40 hours per week rather than City's practice of paying after 8 hours per day.
- (6) Assumes 1/2 of total hours are filled by city referrals and 1/2 hours are filled by non-referrals

Other Considerations

- (1) In 1999, seasonal employees were 2.8% of the total city payroll but accounted for 29% of Workers Comp claim costs. The city has had poor WC experience for several years (experience mod factor = 1.57) and staff believes that seasonal labor is a significant contributing factor. These costs are not fully reflected in the numbers above since WC costs are spread over the entire city payroll. Under the Manpower proposal, WC claims for seasonals are not the city's problem.
- (2) The City is currently restricted in its use of low-cost prison labor by a contract provision that provides that prison labor may only be used in months when the city employs the same number of seasonal employees as were used in the same month of the previous year. Going to Manpower in 2000 will allow the city to once again utilize low-cost prison labor in 2001.
- (3) The city costs shown above are based on 1999 wage rates and leave use. 2000 costs would be higher with city-employed seasonals due to higher wage rates and leave benefits such as personal days and sick time that some returning workers would qualify for.
- (4) The city is a "reimbursing" employer for unemployment compensation which means that we are essentially self-insured and pay actual UC claims costs in lieu of paying the unemployment tax. For 1999 laid-off 586 seasonal employees accounted for \$52,130 (68%) of total UC claims paid by the city. These costs are not fully reflected in the numbers above since UC costs are "smoothed" over a 5-year period and spread over the entire city payroll. Under the Manpower proposal, UC claims for seasonals are not the city's problem.
- (5) Employees hired through Manpower would not be required to have union dues deducted from their checks. This equates to \$0.13 per hour and allows the city to pay a lower rate with the employee receiving the same take-home pay.

LOCAL 586



SEIU

Leading the Way

March 13, 2000

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

Dear Ms. Slaughter

The Union will not be able to meet all together its self until March 22, 2000. We need some time to check out your spreadsheet, and to find out what the effects of said subcontracting will be on our members.

The work for the following positions.

- 1.) Seasonal Laborer
- 2.) Seasonal Maintenance Worker
- 3.) Leisure Services Maintenance 1 - Seasonal
- 4.) Beach Maintenance Worker

In the contract SECTION 13 - SEASONAL EMPLOYEES is subject to negotiation, and these members have the right to vote on all contracts. All of these positions can acquire seasonal seniority and after thirty days shall be subject to Union Security provisions.

The Union is requesting a meeting date be agreed to in the month of April to negotiate the effects of the subcontracting on members of the collective bargaining unit.

Sincerely,

Terry Van Eyck
Business Representative
SEIU Local 586

JAMES SHELTON
President

JAMES MARTIN
Secretary-Treasurer

SERVICE EMPLOYEES
INTERNATIONAL UNION
AFL-CIO, CLC

Main Office
1095 Third Street
Room 107
Midtown Building
Muskegon, MI 49441
616.722.6122
Fax: 616.726.6060

614 Cherokee
Kalamazoo, MI 49006
616.385.5867
Fax: 616.385.3154

local586@novagate.com

Affirmative Action

616/724-6703
FAX/722-1214

Assessor

616/724-6708
FAX/724-4178

Cemetery

616/724-6783
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Treasurer

616/724-6720
FAX/724-6768

Water Billing Dept.

616/724-6718
FAX/724-6768

Water Filtration

616/724-4106
FAX/753-5290**MUSKEGON**

West Michigan's Shoreline City

March 17, 2000

Via Fax and U.S. Mail

Mr. Terry Van Eyck, Business Representative
SEIU Local 586
1095 Third Street
Room 107
Midtown Building
Muskegon, MI 49441

Dear Mr. Van Eyke:

I am in receipt of your letter dated, March 13, 2000, regarding the City's intention to subcontract seasonal work. I was surprised and dismayed that the SEIU has chosen not to meet with the City regarding this matter until April. Frankly, I can't see any legitimate reason why a meeting between the two parties should be delayed.

I continue to believe that the City and the SEIU should meet as soon as practical to bargain the impact of the subcontracting. However, if the SEIU chooses not to meet prior to March 27, 2000, the City will proceed with the subcontracting. The subcontracting would be effective beginning after April 7, 2000.

Please contact my office to arrange for a meeting time if you change your position. I will await your response.

Sincerely,

CITY OF MUSKEGON

Bryon L. Mazade
City Manager

C: Terry Redmon, Unit President



JAMES SHELTON
President

JAMES MARTIN
Secretary-Treasurer

SERVICE EMPLOYEES
INTERNATIONAL UNION
AFL-CIO, CLC

Main Office
1095 Third Street
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616.722.6122
Fax: 616.726.6060

614 Cherokee
Kalamazoo, MI 49006
616.385.5867
Fax: 616.385.3154

local586@novagate.com



March 23, 2000

Via Fax and U.S. Mail

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

Dear Mr. Mazade

The Union has meet on March 22, 2000 we have taken the matter up with great concern. The Union has a counter proposal. The Unions earliest date when it can meet with the city over this matter would be March 29, 2000, on that date we still will not have all of our members there. We know how important this issue is to the city but my schedule and some of my team members will not let us meet with you any earlier. This date by your letter of March 17, 2000 would still be held in time before any subcontracting would happen as you stated no subcontracting would be effective until April 7, 2000. The contract is clear that this meeting must be held and we are looking forward to meeting with you.

Sincerely,

A handwritten signature in cursive script that reads "Terry Van Eyck".

Terry Van Eyck
Business Agent
SEIU Local 586

CITY OF MUSKEGON
ANALYSIS OF CONTRACTING FOR SEASONAL LABOR

	Each Maintenance Worker	LSM Seasonal	Seasonal Laborers	Seasonal Maintenance Worker	Totals	
CITY COSTS (METHOD 1)						
REG. HOURS WORKED (1999)	559.00	5,795.36	8,340.17	29,831.63	44,526.16	
OT HOURS WORKED (1999)	8.00	97.50	22.46	285.57	393.53	
TOTAL HOURS WORKED (1999)	567.00	5,895.86	8,362.63	30,097.20	44,922.69	
ADJ FOR NON-PRODUCTIVE "CLEAN-UP" TIME (1)	(17.47)	(181.20)	(280.63)	(832.24)	(1,391.54)	
	549.53	5,714.66	8,102.00	29,164.96	43,531.15	
DIRECT WAGE & BENEFIT COST	\$ 8,402.24	\$ 80,084.14	\$ 70,460.77	\$ 288,133.97	\$ 437,970.12	
DIRECT HOURLY RATE	\$ 15.29	\$ 10.67	\$ 8.70	\$ 10.22	\$ 10.06	
OTHER COSTS						
CIVIL SERVICE (2)	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234	
FINANCE - PAYROLL PROCESSING (3)	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594	
INDIRECT COSTS AND OVERHEAD - 10% (4)	\$ 1.5673	\$ 1.1051	\$ 0.9081	\$ 1.0805	\$ 1.0444	
	\$ 17.24	\$ 12.10	\$ 9.99	\$ 11.87	\$ 11.49	
TOTAL CITY COSTS	\$ 9,473.66	\$ 89,466.88	\$ 80,528.34	\$ 340,228.16	\$ 500,097.23	SAVINGS 44,273.28
CITY COSTS (METHOD 2)						
REG. HOURS WORKED (1999)	559.00	5,795.36	8,340.17	29,831.63	44,526.16	
OT HOURS WORKED (1999)	8.00	97.50	22.46	285.57	393.53	
TOTAL HOURS WORKED (1999)	567.00	5,895.86	8,362.63	30,097.20	44,922.69	
ADJ FOR NON-PRODUCTIVE "CLEAN-UP" TIME (1)	(17.47)	(181.20)	(280.63)	(832.24)	(1,391.54)	
	549.53	5,714.66	8,102.00	29,164.96	43,531.15	
DIRECT WAGE & BENEFIT COST (LESS WC & UC ALLOCATIONS)	\$ 6,078.09	\$ 58,900.09	\$ 67,641.43	\$ 205,855.44	\$ 420,476.05	
DIRECT HOURLY RATE	\$ 14.70	\$ 10.31	\$ 8.36	\$ 9.80	\$ 9.68	
OTHER COSTS						
ACTUAL 1999 WC COSTS FOR SEASONALS	\$ 0.5492	\$ 0.5492	\$ 0.5492	\$ 0.5492	\$ 0.5492	
ACTUAL 1999 UC COSTS FOR SEASONALS	\$ 1.1100	\$ 1.1100	\$ 1.1100	\$ 1.1100	\$ 1.1100	
CIVIL SERVICE (2)	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234	\$ 0.2234	
FINANCE - PAYROLL PROCESSING (3)	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594	\$ 0.1594	
INDIRECT COSTS AND OVERHEAD - 10% (4)	\$ 1.9745	\$ 1.2349	\$ 1.0381	\$ 1.1843	\$ 1.1701	
	\$ 18.42	\$ 13.38	\$ 11.43	\$ 13.03	\$ 12.87	
TOTAL CITY COSTS	\$ 10,122.24	\$ 77,428.37	\$ 92,604.28	\$ 379,051.32	\$ 560,304.21	SAVINGS 188,440.27
MANPOWER COSTS						
BASE HOURLY RATE RECEIVED BY EMPLOYEE	\$ 13.15	\$ 8.00	\$ 7.00	\$ 7.75		
REGULAR TIME						
MANPOWER BILL RATE (CITY REFERRAL) - 28.0%	\$ 17.03	\$ 11.50	\$ 9.07	\$ 10.04		
MANPOWER BILL RATE (NO CITY REFERRAL) - 35.8%	\$ 17.87	\$ 12.10	\$ 9.51	\$ 10.53		
ESTIMATED REGULAR HOURS (5)	645.63	6,866.01	9,090.77	29,032.18		
TOTAL MANPOWER REGULAR TIME COSTS (6)	\$ 9,810.55	\$ 68,910.11	\$ 75,156.16	\$ 298,574.16	\$ 450,184.98	
OVERTIME						
MANPOWER BILL RATE (CITY REFERRAL) - 28.0%	\$ 25.25	\$ 17.09	\$ 13.44	\$ 14.65		
MANPOWER BILL RATE (NO CITY REFERRAL) - 31.0%	\$ 35.12	\$ 23.77	\$ 18.88	\$ 20.70		
ESTIMATED OT HOURS (5)	4.00	48.75	11.23	132.79		
TOTAL MANPOWER OVERTIME COSTS (6)	\$ 120.73	\$ 966.84	\$ 180.43	\$ 2,361.07	\$ 3,658.06	
TOTAL MANPOWER COSTS	\$ 9,931.28	\$ 69,876.95	\$ 75,336.59	\$ 300,935.23	\$ 453,843.04	

Notes:

(1) Connective cleanup time is 15 minutes per day or 3.125% of regular hours.

(2) Civil Service direct costs for physicals, drug tests, advertising were \$10,781.74 or \$0.2234 per hour (using 64,000 hours for all seasonals - not just 508SE).

(3) In 1999 504 paychecks were issued for the above employees at an estimated cost of \$10.00 per check (\$1.594 per productive hour).

(4) This includes employee orientation, driving record checks and other indirect Civil Service office costs, processing status change forms, processing and monitoring WC and UC claims, and all other indirect costs associated with having workers on city payroll.

(5) Regular time assumes 1999 "productive hours" plus 1/2 of 1999 OT hours. OT time assumes 1/2 of 1999 OT hours. Staff believes OT can be substantially reduced since under Manpower it is paid after 40 hours per week rather than City's practice of paying after 8 hours per day.

(6) Assumes 1/2 of total hours are filled by city referrals and 1/2 hours are filled by non-referrals.

Other Considerations

(1) In 1999, seasonal employees were 2.8% of the total city payroll but accounted for 29% (\$25,805.84) of Workers Comp claim costs. The city has had prior WWC experience for several years (experience mod factor = 1.87) and staff believes that seasonal labor is a significant contributing factor. These costs are not fully reflected in the numbers above since WC costs are spread over the entire city payroll. Under the Manpower proposal, WWC claims for seasonals are not the city's problem.

(2) The City is currently restricted in its use of low-cost prison labor by a contract provision that provides that prison labor may only be used in months when the city employs the same number of seasonal employees as were used in the same month of the previous year. Going to Manpower in 2000 will allow the city to once again utilize low-cost prison labor in 2001.

(3) The city costs shown above are based on 1999 wage rates and leave use. 2000 costs would be higher with city-employed seasonals due to higher wage rates and leave benefits such as personal days and sick time that some returning workers would qualify for.

(4) The city is a "reimbursing" employer for unemployment compensation which means that we are essentially self-insured and pay actual UC claims costs in lieu of paying the unemployment tax. For 1999 (and an 508 seasonal employees accounted for \$97,130 (59%) of total UC claims paid by the city. These costs are not fully reflected in the numbers above since UC costs are "smoothed" over a 5-year period and spread over the entire city payroll. Under the Manpower proposal, UC claims for seasonals are not the city's problem.

(5) Employees hired through Manpower would not be required to have union dues deducted from their checks. This equates to \$0.13 per hour and allows the city to pay a lower rate with the employee receiving the same take-home pay.