

CITY OF MUSKEGON

CITY COMMISSION MEETING

FEBRUARY 11, 2003

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

ROLL CALL:

HONORS AND AWARDS: Marcia Aslakson

CONSENT AGENDA:

- a. Approval of Minutes. CITY CLERK
- b. Appointments to Various Committees/Boards COMMUNITY RELATIONS COMMITTEE
- c. Fireworks Display – L. C. Walker Arena CITY CLERK
- d. DNR Grant Application LEISURE SERVICES
- e. Second Reading: Zoning Ordinance Amendment to add a Medical Care (MC) District to the Ordinance PLANNING AND ECONOMIC
- f. Second Reading: Zoning Ordinance Amendment for Downtown Parking PLANNING AND ECONOMIC DEVELOPMENT
- g. Write-off of Uncollectible Accounts Receivable CITY TREASURER
- h. Resolution for Charitable Gaming License CITY CLERK

PUBLIC HEARINGS:

- a. Create a Special Assessment District for Creston, Evanston to Apple
- b. Create a Special Assessment District for Lincoln, Sherman to Lakeshore Dr. ENGINEERING
- c. Spreading the Special Assessment Roll for Laketon, Peck to Park Street ENGINEERING

2003-13 NEW BUSINESS:

- a. Final Amendments to 2002 Budget FINANCE DIRECTOR
- b. Resolutions for Sale of Water Revenue Bonds FINANCE DIRECTOR
- c. Summer Celebration Request LEISURE SERVICES
- d. Able to Play Grant Application LEISURE SERVICES

- e. Dollar Lot Program PLANNING AND ECONOMIC DEVELOPMENT
- f. Historic Home In-Fill Program PLANNING AND ECONOMIC DEVELOPMENT
- g. Grant Application – Juvenile Delinquency Prevention Service Program POLICE DEPARTMENT
- h. Consideration of Bids – 2003 Sidewalk Replacement Program ENGINEERING
- i. Consideration of Bids – Shoreline Dr. East ENGINEERING
- j. City – CSX Agreement for Temp. RR Crossing ENGINEERING
- k. Engineering Proposal – Drinking Water Revolving Loan Fund Application PUBLIC WORKS

CLOSED SESSION: Property acquisition

City of Muskegon Certificate of Recognition

WHEREAS, *Marcia A. Aslakson has served the community well for many years in many capacities that include Community Affairs Director for Planned Parenthood, the first Director of Head Start Social Services Department, and four years as Executive Director for Muskegon Area Fair Housing; and*

WHEREAS, *Marcia has participated in many functions in the community that have earned her the respect of a host of community residents; and*

WHEREAS, *She has served faithfully as a member of the Civil Service Commission for over sixteen years, served as President of the Commission for ten years, and has played a vital role in the important work of the Civil Service Commission; and*

WHEREAS, *Marcia has many other personal interests that include participation in the White Lake Chorale singers led by Truman Forest. Marcia is also a collector, a mother of two wonderful children and a proud grandmother of two.*

NOW, THEREFORE, BE IT RESOLVED, *that I, Stephen J. Warmington, by virtue of the authority vested in me as Mayor and speaking on behalf of the entire City Commission and all our citizens, do hereby tender to Marcia A. Aslakson this Certificate of Recognition, extending our deep appreciation for her distinguished service on the Civil Service Commission. We wish Marcia success in all future endeavors, and are grateful that the community shall still benefit from her participation in many areas of community service.*

IN WITNESS WHEREOF, *we have hereunto set our hands and cause the seal of the City of Muskegon to be affixed this 11th day of February, 2003.*

Stephen J. Warmington, Mayor

Karen Buie, Vice Mayor

Stephen J. Gawron, Commissioner

Bill Larson, Commissioner

Robert A. Schweifler, Commissioner

Clara Shepherd, Commissioner

Lawrence Spataro, Commissioner

2003 - 14 b)

Date: February 4, 2003
To: Honorable Mayor and City Commission
From: Community Relations Committee
RE: Appointments to Various Committees/Boards

SUMMARY OF REQUEST: To concur with the recommendation from the Community Relations Committee to appoint Paula Butler to the Board of Canvassers.

In addition, to appoint Ralph Burr to the Board of Review.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

COMMITTEE RECOMMENDATION: Approve the recommendation.

STAFF RECOMMENDATION: Approve the recommendation from the Community Relations Committee.

2003 13 a)

Date: February 11, 2003
To: Honorable Mayor and City Commissioners
From: City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve the minutes of the Commission Meeting held on Tuesday, January 28, 2003.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

FEBRUARY 11, 2003

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30pm, Tuesday, February 11, 2003.

Mayor Warmington opened the meeting with a prayer from Pastor Bob Rodgers of Oak Crest Church of God, after which members of the City Commission and members of the public joined in reciting the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

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

2003-13 HONORS AND AWARDS: Marcia Aslakson

Mayor Warmington presented Marcia Aslakson with a Certificate of Recognition and a gift.

2003-14 CONSENT AGENDA:

a. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Commission Meeting held on Tuesday, January 28, 2003.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

b. Appointments to Various Committees/Boards COMMUNITY RELATIONS COMMITTEE

SUMMARY OF REQUEST: To concur with the recommendation from the Community Relations Committee to appoint Paula Butler to the Board of Canvassers. In addition to appoint Ralph Burr to the Board of Review.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve the recommendation from the Community Relations Committee.

COMMITTEE RECOMMENDATION: Approve the recommendation.

c. Fireworks Display - L. C. Walker Arena CITY CLERK

SUMMARY OF REQUEST: Jordan Productions, Inc. is requesting approval of a fireworks display permit for February 28 and March 1, at the L.C. Walker Arena for the Shrine Circus. Fire Marshall Metcalf has reviewed the request and recommends approval contingent on inspection of the fireworks and approval of the insurance.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

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

d. DNR Grant Application LEISURE SERVICES

SUMMARY OF REQUEST: To authorize staff to submit grant applications to the DNR Trust Fund for the purchase of the Consumers Energy Property and to construct phase I of the Lakeshore Trail.

FINANCIAL IMPACT: Consumers Energy Purchase - None

Lakeshore Trail Construction - \$375,000

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve.

COMMITTEE RECOMMENDATION: Leisure Services Board Recommends Approval.

e. Second Reading: Zoning Ordinance Amendment to add a Medical Care (MC) District to the Ordinance PLANNING AND ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend the zoning ordinance to create a Medical Care District that more adequately accommodates hospital campuses in the city.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends amendment of the Zoning Ordinance described above.

COMMITTEE RECOMMENDATION: After Planning Commission and Hospital staff review and some modification, the Planning Commission recommended approval of the request at their meeting on 1/16/03. The vote was unanimous with Veltkamp and Warmington absent.

f. Second Reading: Zoning Ordinance Amendment for Downtown Parking PLANNING AND ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend the parking standards of the Zoning Ordinance in order to create an overlay district, which permits more flexibility in parking requirements for the downtown and lakeshore.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends amendment of the Zoning Ordinance as described above.

COMMITTEE RECOMMENDATION: After some modifications to the originally proposed

language, the Planning Commission recommended approval of the request at their meeting on 12/12/02. The vote was unanimous.

g. Write-off of Uncollectible Accounts Receivable CITY TREASURER

SUMMARY OF REQUEST: Periodically it is necessary to purge from the City's general accounts receivable records, items that are deemed uncollectable. In most cases these items have gone through the entire collection process without success. In some other cases, further collections efforts may be made by using an outside collection agency. However, at this time, it is requested that the City Commission authorize staff to write-off these receivables from the City's books.

FINANCIAL IMPACT: Reduce the City's accounts receivable by \$18,185.07. The impact would be a decrease in the fund balance/retained earnings of several City funds as follows:

101	General Fund	\$9,347.90
472	CDBG Fund	5,805.00
590 & 591		
	Sewer Fund & Water Fund	<u>3,032.17</u>
	Total	<u>\$18,185.07</u>

BUDGET ACTION REQUIRED: For the General, Sewer and Water Funds, there are sufficient funds for bad debt expense included in the 2002 budget, so no further action is required.

STAFF RECOMMENDATION: Approval of the 2002 write-offs effective for the fiscal year ended December 31, 2002 for the various funds as shown above.

h. Resolution for Charitable Gaming License CITY CLERK

SUMMARY OF REQUEST: The West Michigan Community Help Network, 880 First Street, is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a gaming license.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Spataro, second by Vice Mayor Buie to approve the Consent Agenda as read.

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

Nays: None

MOTION PASSES

2003-15 PUBLIC HEARINGS:

**a. Create a Special Assessment District for Creston, Evanston to Apple
ENGINEERING**

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the Creston, Evanston to Apple, and to create the special assessment district and

appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None at this time.

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

The Public Hearing opened at 5:41pm to hear and consider any comments from the public. Comments were heard from Pastor Victor Chandley of Crestwood United Church at 1220 Creston, George Grayer of 1461 Creston, and Marvin Pike of 1390 Evanston. All were opposed.

Moved by Commissioner Spataro, second by Commissioner Schweifler to close the Public Hearing at 5:53pm and to approve to create the special assessment district for Creston, Evanston to Apple and appoint two Commissioners to the Board of Assessors. The two Commissioners are Vice Mayor Buie, and Commissioner Schweifler.

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

Nays: None

MOTION PASSES

b. Create a Special Assessment District for Lincoln, Sherman to Lakeshore Dr. ENGINEERING

SUMMARY OR REQUEST: To hold a public hearing on the proposed special assessment of the Lincoln St., Sherman to Lakeshore Dr., and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None at this time.

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

The Public Hearing opened at 6:06pm to hear and consider any comments from the public. Comments were heard from Mark Harris of 2310 Lincoln, Linda Balkema of 2393 Crozier, Joe Gaul of 2280 Lincoln and Tempe Buckner of 2371 Lincoln. All were opposed.

Motion by Commissioner Spataro, second by Commissioner Schweifler to close the Public Hearing at 6:23pm.

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

Nays: None

MOTION PASSES

Motion by Commissioner Spataro, second by Vice Mayor Buie to approve to create the special assessment district of Lincoln St., Sherman to Lakeshore Dr. and appoint

two Commissioners to the Board of Assessors. The two Commissioners are Commissioner Schweifler and Mayor Warmington.

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

Nays: None

MOTION PASSES

There was discussion by the public on the amount of heavy truck and speeding vehicles travelling on Lincoln and Creston.

Motion by Commissioner Schweifler, second by Commissioner Larson to direct the City Police Chief to follow-up on complaints of speeding vehicles and heavy trucks for Lincoln and Creston.

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

Nays: None

MOTION PASSES

c. Spreading the Special Assessment Roll for Laketon, Peck to Park Street ENGINEERING

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

FINANCIAL IMPACT: A total of \$62,810.64 would be spread against the twenty-four (24) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

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

The Public Hearing opened at 6:41pm to hear and consider any comments from the public. Comments were heard from Mark Harris of 2310 Lincoln Ave.

Motion by Commissioner Schweifler, second by Commissioner Shepherd to close the Public Hearing at 6:47pm and to approve the special assessment roll for Laketon Ave., Peck to Park and adopt the resolution.

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

Nays: None

MOTION PASSES

2003-16 NEW BUSINESS:

a. Final Amendments to 2002 Budget FINANCE DIRECTOR

SUMMARY OF REQUEST: Adoption of the year-end amendments to the City's 2002 Budget to assure compliance with the State Uniform Budget Act. This act requires that budgets for "governmental-type" funds (i.e. general fund and special revenue funds) be amended so that expenditures are not reported in the City's audit as exceeding legal appropriations.

FINANCIAL IMPACT: These budget amendments establish the final 2002 authorized revenue estimates and spending limits for the various City departments and funds. The resolution schedule shows how the amended budget varies from the original budget (and subsequent budget reforecasts) previously approved by the City Commission.

BUDGET ACTION REQUIRED: Self-explanatory

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Schweifler, second by Commissioner Gawron to adopt the year-end amendments to the City's 2002 Budget to assure compliance with the State Uniform Budget Act.

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

Nays: None

MOTION PASSES

b. Resolutions for Sale of Water Revenue Bonds FINANCE DIRECTOR

SUMMARY OF REQUEST: Later this year (or, more likely, early next year) it is expected the City will sell water system revenue bonds to finance further improvements at the water filtration plant. The size of the bond issue will likely be in the \$12 million range but we are submitting documents with a "not to exceed" limit of \$16 million to provide maximum flexibility. The first step in the bonding process is adoption of the two attached resolutions. The first ("Notice of Intent Resolution") notifies the public of the City's intent to issue bonds. Upon adoption of this resolution public notice will be placed in the Muskegon Chronicle advising citizens that water revenue bonds will be issued without referendum unless a petition requesting an election is filed with the City Clerk within forty-five (45) days. The petition must be signed by at least ten percent of the City's registered voters. The second resolution ("Resolution Declaring Intent to Reimburse") allows the City to reimburse itself for project costs incurred prior to the time bonds are sold.

FINANCIAL IMPACT: The only immediate cost associated with this action is the cost of publication in the Chronicle.

BUDGET ACTION REQUIRED: None at this time. The cost of the newspaper publication can be covered within the current water system budget. Once bonds are sold, debt service costs will be included in the water system budget for the life of the bonds (20-30 years).

STAFF RECOMMENDATION: Approval of the resolutions.

Motion by Commissioner Gawron, second by Vice Mayor Buie to approve the "Notice of Intent" resolution and the "Declaring Intent to Reimburse" resolution.

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

Nays: None

MOTION PASSES

c. Summer Celebration Request LEISURE SERVICES

SUMMARY OF REQUEST: To allow Summer Celebration to use various city facilities and to provide staffing to assist the festival.

FINANCIAL IMPACT: City Services costs about \$60,000 in 2002.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve.

COMMITTEE RECOMMENDATION: Leisure Services Board Recommended approval.

Motion by Commissioner Schweifler, second by Commissioner Shepherd to allow Summer Celebration to use various city facilities and to provide staffing to assist the festival.

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

Nays: None

MOTION PASSES

d. Able to Play Grant Application LEISURE SERVICES

SUMMARY OF REQUEST: Staff is requesting authorization to submit a grant application to the Kellogg Foundation for the Able to Play program.

FINANCIAL IMPACT: Not known.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve.

COMMITTEE RECOMMENDATION: Leisure Services Board Recommends approval.

Motion by Commissioner Shepherd, second by Commissioner Schweifler to authorize staff to submit a grant application to the Kellogg Foundation for the "Able to Play" program.

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

Nays: None

MOTION PASSES

e. Dollar Lot Program PLANNING AND ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request that the City Commission sell unbuildable lots in a focus area bound by Washington Avenue, Ninth Street, Muskegon Avenue, Peck Street and Apple Avenue for \$1.00.

FINANCIAL IMPACT: The reduction of public maintenance liability.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval of the sales under the conditions outlined by the resolution.

Motion by Commissioner Gawron, second by Commissioner Shepherd to approve the sale of unbuildable lots in a focus area bound by Washington Ave., Ninth St., Muskegon Ave., Peck St., and Apple Ave. for \$1.00.

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

Nays: None

MOTION PASSES

f. Historic Home In-Fill Program PLANNING AND ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request that the City Commission reserve five lots for historic home relocations, and sell said lots for \$1,000 dollars each for a home in-fill program.

FINANCIAL IMPACT: The City may be forgoing approximately \$3,000-\$4,000 per lot in this incentive program.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval of the sales under the conditions outlined by the policy.

Motion by Commissioner Spataro, second by Vice Mayor Buie to approve the reserving of five (5) lots for historic home relocations and sell said lots for \$1,000 each for a home in-fill program.

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

Nays: None

MOTION PASSES

g. Grant Application - Juvenile Delinquency Prevention Service Program POLICE DEPARTMENT

SUMMARY OF REQUEST: Police Department staff requests that the Commission approve a grant application for funding to explore the development of a delinquency prevention project. The maximum amount of the grant is \$25,000. The grant period is for a period not to exceed twelve months. The grant money will be used to hire a project manager who will direct the planning process. The city will serve as the fiduciary for the grant. The grant process is being coordinated through the Family Independence Agency and the Office of Juvenile Justice.

The purpose of this grant is to explore the possible expansion of juvenile delinquency initiatives that are already underway within the city. Such initiatives include the current truancy program and other programs that are affiliated with the countywide Comprehensive Youth Strategy.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the request.

Motion by Vice Mayor Buie, second by Commissioner Gawron to approve a grant application for funding to explore the development of a delinquency prevention project.

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

Nays: None

MOTION PASSES

h. Consideration of Bids - 2003 Sidewalk Replacement Program ENGINEERING

SUMMARY OF REQUEST: The 2003 Sidewalk Replacement contract be awarded to North River Excavating out of Newaygo. North River was the lowest, see attached bid tabulation, responsible bidder with a bid price of \$511,569.25.

FINANCIAL IMPACT: The construction cost of \$511,569.25 plus related engineering expenses.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Award the contract to North River Excavation.

Commissioner Spataro asked to be excused from vote due to conflict of interest.

Motion by Commissioner Larson, second by Commissioner Schweifler to award the 2003 Sidewalk Replacement contract to North River Excavating, Newaygo for \$511,569.25.

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

Nays: None

Excused: Spataro

MOTION PASSES

i. Consideration of Bids - Shoreline Dr. East ENGINEERING

SUMMARY OF REQUEST: The contract for the construction of the long anticipated Shoreline Dr. East be awarded to Milbocker & Sons Inc. since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$7,480,924.66 which includes alternate one.

FINANCIAL IMPACT: The construction cost of \$7,480,924.66.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Award the contract with Alternative 1 for a total cost of \$7,480,924.66 to Milbocker & Sons Inc.

Motion by Commissioner Larson, second by Commissioner Gawron to award the construction contract for Shoreline Dr. East to Milbocker & Sons Inc., for \$7,480,924.66.

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

Nays: None

MOTION PASSES

j. City - CSX Agreement for Temp. RR Crossing ENGINEERING

SUMMARY OF REQUEST: Authorize the Mayor and Clerk to sign the agreement with CSX

Transportation for the construction of a temporary at grade crossing into the Lakefront Development. This crossing is necessary to provide an alternate entrance/exit points during the construction of the Shoreline Dr. and the interior infrastructure for an estimated cost of \$10,192. This fee will cover the actual construction of the crossing by CSXT personnel.

The location of this proposed crossing is expected to be in line with the realigned Terrace St.

FINANCIAL IMPACT: The estimate cost of \$10,192.

BUDGET ACTION REQUIRED: None at this time. This item was determined to be a CMI grant eligible cost.

STAFF RECOMMENDATION: The agreement be executed by the Mayor & City Clerk.

Motion by Commissioner Spataro, second by Commissioner Schweifler to approve the agreement with CSX Transpiration for the construction of a temporary at grade crossing into the Lakefront Development for an estimated cost of \$10,192.

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

Nays: None

MOTION PASSES

k. Engineering Proposal - Drinking Water Revolving Loan Fund Application PUBLIC WORKS

SUMMARY OF REQUEST: Tetra Tech MPS has provided an engineering proposal to prepare a Project Plan report ,which is a requirement to participate in the State Drinking Water Revolving Loan Fund Program. Construction of Water Filtration improvements under this program will result in significant cost savings.

FINANCIAL IMPACT: \$22,000 from Water Funds.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Recommend approval.

Motion by Commissioner Schweifler, second by Commissioner Spataro to approve the engineering proposal for the Drinking Water Revolving Loan Fund Application.

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

Nays: None

MOTION PASSES

2003-17 CLOSED SESSION: Property acquisition

Motion by Commissioner Schweifler, second by Vice Mayor Buie to close the Regular Meeting at 7:37pm and go into close session to discuss Property Acquisition and Pending Litigation.

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

Nays: None

MOTION PASSES

Motion by Commissioner Schweifler, second by Vice Mayor Buie to go into open session at 9:00pm.

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

Nays: None

MOTION PASSES

Motion by Commissioner Spataro, second by Commissioner Schweifler to concur with the City Attorney regarding City versus Wilson.

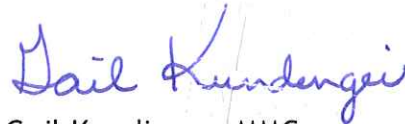
ROLL VOTE: Ayes: Buie, Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington

Nays: None

MOTION PASSES

The Regular Commission Meeting for the City of Muskegon was adjourned at 9:02pm.

Respectfully submitted,



Gail Kunderger, MMC

Date: February 11, 2003
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Fireworks Display – L. C. Walker Arena

SUMMARY OF REQUEST: Jordan Productions, Inc., is requesting approval of a fireworks display permit for February 28 and March 1, at the L. C. Walker Arena for the Shrine Circus. Fire Marshall Metcalf has reviewed the request and recommends approval contingent on inspection of the fireworks and approval of the insurance.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

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

FM-32(12-88)

APPLICATION
FOR FIREWORKS DISPLAY PERMIT
Act 358, P.A. 1968

DATE OF APPLICATION

1/15/03

1. TYPE OF DISPLAY:



Public Display



Agricultural Pest Control

2. APPLICANT

NAME OF PERSON

Jody Jordan

ADDRESS

4040 S. Pearl, Las Vegas, NV 89121

AGE: Must be 21 or over

35

IF A CORPORATION, Name of President

Jordan Productions Inc.

ADDRESS

Same

3. PYROTECHNIC OPERATOR

NAME

Jody Jordan

ADDRESS

AGE: Must be 21 or over

EXPERIENCE:

NUMBER OF YEARS

9 yrs.

NUMBER OF DISPLAYS

100-150 Shows

WHERE

on tour w/ Shrine Circus.

NAMES OF ASSISTANTS:

NAME

ADDRESS

AGE

NAME

ADDRESS

AGE

4. NON-RESIDENT APPLICANT

NAME

Jody Jordan

ADDRESS

4040 S. Pearl, Las Vegas NV 89121

Name of Michigan Attorney or Resident Agent

Saladin Shrine Temple

ADDRESS

4200 Saladin Dr. S.E. Grand Rapids

TELEPHONE NUMBER

mi. 49546

5. EXACT LOCATION OF PROPOSED DISPLAY

Walker Arena 955 4th St. Muskegon mi. 49440

DATE

2/28 + 3/1 2003

TIME

As scheduled

6. NUMBER AND KINDS OF FIREWORKS TO BE DISPLAYED

Indoor Fireworks: 3 Displays over Circus Rings

2 slow Sparkle

2 Fast Sparkle

2 Concussion

2 Aerial

MANNER & PLACE OF STORAGE PRIOR TO DISPLAY

Pyro Specialty Box w/ Lock

(Subject to Approval of Local Fire Authorities)

7. FINANCIAL RESPONSIBILITY

A. AMOUNT OF BOND OR INSURANCE

(to be set by municipality)

3

B. BONDING CORPORATION OF INSURANCE COMPANY: NAME

Brooks + Associates - Rich Brooks

ADDRESS

1338 Park Ave. River Forest IL 60305

ACORD CERTIFICATE OF INSURANCE

DATE (MM/DD/YY)

1-15-03

PRODUCER

RICHARD A. BROOKS AND ASSOCIATES, LTD.
1338 PARK AVE.
RIVER FOREST, IL. 60305
708 771 3553

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

COMPANY A UNDERWRITERS, LLOYDS OF LONDON
COMPANY B FIRE AND CASUALTY INSURANCE COMPANY
COMPANY C
COMPANY D

INSURED

JORDAN PRODUCTIONS, INC.
4040 S. PEARL STREET
LAS VEGAS, NV 89121

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING 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.

CO 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	D3000CP00003116-1	10-15-02	10-15-03	GENERAL AGGREGATE \$ 2,000,000. PRODUCTS - COMP/OP AGG \$ 1,000,000. PERSONAL & ADV INJURY \$ 1,000,000. EACH OCCURRENCE \$ 1,000,000. FIRE DAMAGE (Any one fire) \$ 50,000. MED EXP (Any one person) \$
B	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☒ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS	ASR 001399-3	5-3-02	5-3-03	COMBINED SINGLE LIMIT \$ 1,000,000. BODILY INJURY (Per person) \$ 1,000,000. BODILY INJURY (Per accident) \$ 1,000,000. PROPERTY DAMAGE \$ 1,000,000.
	GARAGE LIABILITY ☐ ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$
	EXCESS LIABILITY ☐ UMBRELLA FORM ☐ OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: ☐ INCL ☐ EXCL				STATUTORY LIMITS EACH ACCIDENT \$ DISEASE - POLICY LIMIT \$ DISEASE - EACH EMPLOYEE \$
	OTHER SHOW DATES: Feb. 28-Mar, 1, 03	LOCATION: Muskegon, Mi.			

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

ADDITIONAL INSURED IN REGARD TO THE OPERATIONS OF THE NAMED INSURED:

Arena Mangement Group, LLC, : City of Muskegon, Mi.; plus those entitys listed on the attatched addendum.

CERTIFICATE HOLDER

City of Muskegon, Mi.
933 Terrace Street
Muskegon, Mi. 49440

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

JORDAN PRODUCTIONS, INC.

ADDENDUM TO CERTIFICATE OF INSURANCE

In consideration of the agreements by and between the parties, the undersigned;

JORDAN PRODUCTIONS, INC.

according to the terms of the attached insurance certificate, hereby agree to indemnify:

SALADIN SHRINE TEMPLE, A.A.O.N.M.S.;
THE IMPERIAL COUNCIL, A.A.O.N.M.S. AN IOWA CORPORATION, AND ALL
OF THEIR AFFILIATED CORPORATIONS
SHRINERS HOSPITALS FOR CHILDREN, A COLORADO CORPORATION; AND
ALL OF THEIR AFFILIATED CORPORATIONS
ARENA MANAGEMENT GROUP, L.L.C.
CITY AND COUNTY OF MUSKEGON, ALL ELECTED OFFICIALS; ALL
EMPLOYEES AND VOLUNTEERS; ALL BOARD, COMMISSIONS AND
AUTHORITIES AND VOLUNTEERS THEREOF.

from any and all claim, demands and suits, including death, to any person(s) or damage to the property of any person(s) arising out of and in the course of operations connected with the circus show to be held February 28 - March 1, 2003.

Above said operations include animal rides, moonbounce, concessions, and any and all circus activities.

933 Terrace Street
Muskegon, MI 49440

OFFICE 231-724-6705
FAX 231-724-4178

CITY OF MUSKEGON CLERK'S OFFICE

FAX COVER SHEET

To: Tim McClorey From: Linda

Fax: _____ Pages(including cover) 3

Phone: _____ Date: 2-7-03

Re: _____ CC: _____

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Hi,
Here is the up dated proof
of insurance showing the City
listed as additional insured.

Thanks,
Linda

OK per Tim

2003-14(c)

PERMIT

FOR FIREWORKS DISPLAY

Act 358, P.A. 1968

This permit is not transferable. Possession of this permit by the herein named person will authorize him to possess, transport and display fireworks in the amounts, for the purpose, and at the place listed below only.

TYPE OF DISPLAY: ☒ PUBLIC DISPLAY ☐ AGRICULTURAL PEST CONTROL

ISSUED TO:

NAME Jordan Productions Inc./ Jody Jordan President

ADDRESS 4040 S. Pearl, Las Vegas, NV 89121 AGE 35 yrs.

REPRESENTING

NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION

Saladin Shrine Temple/Muskegon Shrine Club

ADDRESS 4200 Saladin Dr. S.E., Grand Rapids, MI 49546

NUMBER & TYPES OF FIREWORKS:

Lunatic Slow Sparkle 2 per performance

Fast Sparkle 2 per performance/Concussion 2 per performance

Aerial Burst 2 per performance

DISPLAY: Walker Arena, 955 4th Street, Muskegon, MI 49440

EXACT LOCATION

Walker Arena Floor Area

CITY, VILLAGE, TOWNSHIP

Muskegon, MI

DATE

February 28, 2003 and March 1, 2003

TIME

BOND OR INSURANCE FILED: ☒ YES ☐ NO AMOUNT \$2,000,000.

ISSUED BY:

Issued by action of the MUSKEGON CITY COMMISSION

(council, commission, board)

of the CITY
(city, village, township)

of MUSKEGON
(name of city, village, township)

on the 11th day of February, 2003

Steve Warmington, Mayor

(signature & position of council, commission or board representative)

2003-14 d)

Date: January 29, 2003
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: DNR Grant Application

SUMMARY OF REQUEST:

To authorize staff to submit grant applications to the DNR Trust Fund for the purchase of the Consumers Energy Property and to construct phase I of the Lakeshore Trail

FINANCIAL IMPACT:

Consumers Energy Purchase - None

Lakeshore Trail construction - \$375,000

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Leisure Services Board Recommends Approval

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

Assessor
231/724-6798
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

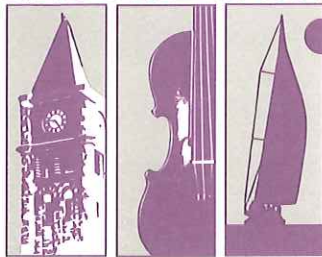
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

Date: January 29, 2003
To: Honorable Mayor and City Commissioners
From: Ric Scott *[Signature]*
Re: DNR Grant Applications

I am requesting authorization to submit two grant applications to the DNR Trust Fund. The application due date is April 1. Both of these applications were sent in last year, but were turned down.

The purchase of the Consumers Energy property for a sports complex has been discussed thoroughly recently. The grant application would be for \$900,000 with \$670,000 coming from the Trust Fund and the \$230,000 local match coming from Consumers Energy.

The construction of phase I of the Lakeshore Trail will cost approximately \$1,700,000. We have requested funding for \$1,000,000 from MDOT. The maximum amount of funding through DNR is \$375,000. Therefore I am requesting that we apply for \$375,000 from the DNR. The city will need to provide the remaining \$375,000. Much of this can come from the Golf Course fund, but there will need to be an additional \$150,000 or so needed beyond the golf course fund. This funding will not be needed until 2005.

I would ask that you authorize the submittal of both grant applications, and adopt the attached resolutions.

Thank you for your consideration.

RESOLUTION NO. 2003-14 (d)
MUSKEGON CITY COMMISSION

RESOLUTION APPROVING SUBMISSION OF GRANT APPLICATION FOR
THE PURCHASE OF THE CONSUMER'S ENERGY PROPERTY UNDER THE
MNRTF.

WHEREAS, the City of Muskegon wishes to purchase approximately 56 acres of
property from Consumer's Energy for the development of a sports
complex; and

WHEREAS, the property has been appraised at \$900,000,

WHEREAS, grant applications are now being received by the Michigan
Department of Natural Resources for Michigan Natural Resources
Trust Fund (MNRTF), which will provide up to 75% funding for the
project;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of
Muskegon approve the submission of the grant application to the
MNRTF for \$900,000 for the purchase of the Consumer's
Energy property,

BE IT FURTHER RESOLVED, that the City's \$230,000 match will be provided,
and the City hereby commits itself to complete this purchase if the
grant application is approved.

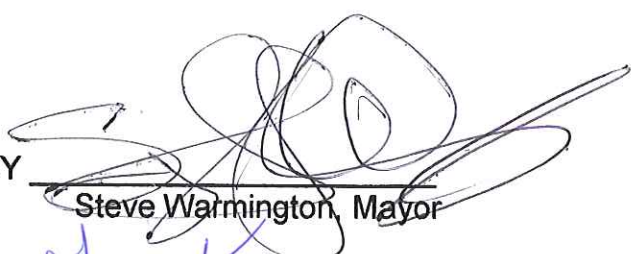
Adopted this 11th day of February, 2003

AYES: Larson, Schweifler, Shepberd, Spataro, Warmington, Buie, Gawron

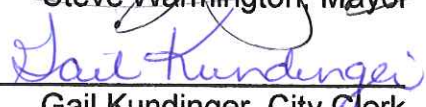
NAYS: None

ABSENT: None

BY


Steve Warmington, Mayor

ATTEST


Gail Kunding, City Clerk

CERTIFICATION
2003-14(d)

This resolution was adopted at a regular meeting of the City Commission, held on February 11, 2003. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By


Gail A. Kunderinger, City Clerk

2003-14 e)

Commission Meeting Date: January 28, 2003

Date: January 17, 2003
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *B*
RE: Zoning Ordinance Amendment to add a Medical Care (MC) District to the ordinance.

SUMMARY OF REQUEST:

Request to amend the ordinance to amend the zoning ordinance to create a Medical Care District the more adequately accommodates hospital campuses in the city.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends amendment of the Zoning Ordinance as described above.

COMMITTEE RECOMMENDATION:

After Planning Commission and Hospital staff review and some modification, the Planning Commission recommended approval of the request at their meeting on 1/16/03. The vote was unanimous with Veltkamp and Warmington absent.



Personalized healthcare, close to home

1700 Clinton St.
Muskegon, MI
49443-3302

231.726.3511 phone
800.825.4677 toll-free
www.hackley.org

January 23, 2003

Ms. Brenda Moore, Assistant Director
Department of Community Development
City of Muskegon
933 Terrace Street
Muskegon, MI 49443-0536

Dear Ms. Moore:

Please accept this correspondence as an indication of our strong support for the proposed Health Care Zone District. We believe the new district offers important recognition and responsiveness to the ongoing site development needs and challenges of health care institutions, such as Hackley Hospital. It also reflects the progressive nature of our community leaders. We are truly appreciative of the time and effort devoted to this matter.

Sincerely

Gayle R. Miller
Chief Operating Officer

GRM



A Member of Spectrum Health

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. 2097

An ordinance to amend the Zoning Ordinance of the City to amend:

Delete #4 of Article VI, Section 601, RT, Two-Family Residential (Special Use Permit)

Delete # 4 & 5 of Article VII, Section 701, Existing in RM-1, Low Density Multiple-Family Residential (Special Use Permit).

Delete #2 of Article VIII, Section 801, Existing in RM-2, Medium Density Multiple-Family Residential (Special Use Permit)

Delete #1 of Existing in RM-3, High Density Multiple-Family Residential (Special Use Permit)

Article XXIII, SECTION 2322: DAY CARE/CHILD CARE FACILITIES

Foster Family Homes, Foster Family Group Homes, Family Day Care Homes, and Group Day Care Homes shall be allowed as Principal Uses in the "R", "RT", "RM-1", "RM-2", "HC", and "H" districts subject to the following provisions:

Child Care Centers and Day Care Centers shall be allowed as Special Uses, subject to the provisions of Section 2332 in the "R", "RT", "RM-1", "RM-2", "RM-3", "B-1", "OSR", "LR", "WM", and "H". They shall also be allowed as Principal Uses separately or as part of a building in the "MC", "B-2", "B-3", "B-4", "I-1", and "I-2" districts. Child Care Centers and Day Care Centers, whether they fall under the Special Use or Principal Use category shall be subject to the following provisions:

Add in Article IV (following RM-3, High Density Multiple-Family Residential)

MC MEDICAL CARE DISTRICTS

PREAMBLE

The MC Health Care districts are established to accommodate and direct the development of hospitals to serve as the nucleus of health care campuses. The uses permitted within these districts are intended to provide a convenient and efficient health care delivery system for the City and surrounding region. In addition to hospitals, MC districts permit development of closely related services such as medical offices, housing for the elderly and special needs groups; and, limited retail and various types of health care related services ancillary to principal district uses. It is the further intent of MC districts to assist

and encourage the development of medical institutional land uses in a campus setting which includes not only the primary buildings and structures, but also, campus support systems involving pedestrian and vehicular circulation, parking, signs, exterior lighting, loading and materials handling, support facilities, interconnecting systems of above and below ground corridors, and related facilities. The districts are intended to support uses providing human care.

SECTION 904: PRINCIPAL USES PERMITTED

In an MC Medical Care District no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance:

1. General medical, surgical hospitals and specialty hospitals, but not including animal hospitals.
2. Outpatient diagnostic and treatment centers, day surgery centers, rehabilitation clinics, and urgent care facilities.
3. Professional medical offices intended primarily for health care related professions or activities or hospital support services.
4. Offices for non-profit organizations related to or providing health care services.
5. Diagnostic and medical laboratories or research facilities.
6. Pharmacies without drive-up window service.
7. Medical appliance sales and servicing.
8. Educational facilities for the training of interns, nurses, and allied health care personnel.
9. Specialized congregate housing for the disabled and senior housing for the elderly at a density not to exceed the density standards of the RM-3, High Density Multiple Family Zone District. The density to be based on the area encompassed by the housing structure(s) and parking and open spaces specifically assigned to the specialized housing.
10. Conference facilities for events and activities related to the permitted MC district uses.
11. Ambulance services and associated maintenance facilities.
12. Parking decks (associated with uses permitted in the MC district) of up to two (2) levels above grade (roof parking is not counted as a deck) provided the setbacks for principal buildings are met.
13. Private, indoor, recreational facilities and fitness centers located within a hospital, provided such facilities are for employees and patients and not available to the general

public.

14. Chapels, churches, places of worship, and related facilities, when located within a hospital building.
15. Accessory mobile medical technology units which will be stationed on the grounds of a hospital campus.
16. Establishments engaged in providing diagnostic services, extensive medical treatment (including surgical services) and other hospital services, as well as continuous nursing service.
17. Establishments primarily engaged in providing intermediate or long term nursing and health related care to individuals, typically classified as nursing homes, elder care facilities, and other such operations.
18. Dwellings affiliated with a hospital providing shelter and services for the elderly, which may include meals, housekeeping, personal care assistance and medical services.
19. Accessory buildings and accessory uses customarily incidental to the above Principal Permitted Uses.
20. Uses similar to the above Principal Permitted Uses.

SECTION : SPECIAL LAND USES PERMITTED

The following uses, and their accessory buildings and accessory uses, shall be permitted under the purview of Section 2332 after review and approval of the use (and a site plan, if required) by the Planning Commission, after Public Hearing, subject to the applicable conditions, and any other reasonable conditions imposed by the Planning Commission:

1. Any permitted use, which includes provision for drive-up window services.
2. Pharmacies with drive-up window service.
3. Parking decks (associated with uses permitted in the HC district) exceeding two (2) levels above grade (roof parking is not counted as a deck) provided the setbacks for principal buildings are met.
4. Specialized lodging facilities, including those with accessory conference centers and restaurants used for visitors and patients of hospitals.
5. Accessory mobile medical technology units which will be stationed outside the grounds of a hospital campus.
6. Interconnected systems of above and below ground corridors when traversing a public right-of-way.

7. Helipads, heliports, and helistops, under the following conditions:
 - a. Helicopter access must be used for emergency transportation only.
 - b. All helipads must be located within the boundaries of the hospital campus and shall be isolated from residential uses and screened from the street or adjoining residential uses.
 - c. A specific hospital campus shall have only one primary functioning helipad, however, a back-up or secondary helipad may exist subject to Planning Commission approval.
 - d. There must be demonstrated compliance with the standards of the Michigan Bureau of Aeronautics and the Federal Aviation Administration.
 - e. All landing and take-off sites (pads) shall be located not less than 100 feet from all property lines, unless a lesser distance is approved by the Planning Commission.
 - f. The landing and take-off site shall contain perimeter landscape, fencing, and/or other facilities or structures, or combinations thereof.
 - g. The site shall be designed to ensure adequate separation between pedestrian circulation routes and the landing pad.
8. Power Plants – for hospital or medical facilities provided they are screened from off-site view of residential areas by use of walls, berms, landscaping, and/or other approved structures. Plants shall blend with the overall architectural character of attached and surrounding structures and the hospital campus as a whole.
9. Accessory buildings and accessory uses customarily incidental to the above Special Land Uses Permitted.

SECTION: PLANNED UNIT DEVELOPMENTS

Planned developments may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the MC Health Care Districts is to allow mixed land uses, which are compatible to each other, while prohibiting nonresidential uses which would not be compatible or harmonious with residential dwellings.

SECTION: AREA AND BULK REQUIREMENTS

1. Minimum lot size: 10,890 sq. feet.
2. Maximum lot coverage:
Buildings: 70 %
Pavement: 25 %
3. Lot width: 100 feet (shall be measured at road frontage unless a cul-de-sac, then measured

from setback).

4. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.

5. Height Limit:

Maximum height: 3 stores or 100 feet, provided, however, buildings of greater height may be approved by the Planning Commission subject to a Special Use Permit.

Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

6. Front Setbacks:

Minimum:

Expressway, Arterial Street or Major Street: 30 feet

Collector Street: 20 feet

Minor Street or campus access drive: 10 feet

Maximum:

Expressway, Arterial Street or Major Street: 50 feet

Collector Street: 40 feet

Minor Street or campus access drive: 30 feet

7. Rear setback: 10 feet

8. Setback from the ordinary high water mark or wetland: 75 feet (principal structures only).

9. Side setbacks:

1-story: 8 feet and 12 feet

2-story: 10 feet and 14 feet

Note, setback measurement: The required front yard shall be measured from the right-of-way line to the nearest foundation or building wall of the building or structure. The required rear yard shall be measured from the property line to the nearest foundation or building wall of the building or structure. Side yard setbacks shall be measured from the property line to the determined drip line of buildings.

10. Zero lot line option: New principal buildings may be erected on the rear lot line and/or one side yard line provided:

- a. The building has an approved fire rating for zero-lot line development under the building code.

- b. The building has adequate fire access preserved pursuant to fire code requirements.

- c. The zero lot line side is not adjacent to a street.
 - d. A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.
 - e. It is not adjacent to wetlands, or waterfront.
11. All required side and rear setbacks shall be landscaped, greenbelt buffers, unless zero-lot-line is employed for a structure or fire access. At least fifty percent of the required front yard setback shall be landscaped and adjacent to the road right-of-way. An average minimum greenbelt of 10 feet shall be maintained.
12. Pedestrian Circulation:
- a. Pedestrian systems connecting visitor and employee parking to building entrances shall be provided.
 - b. Whenever a hospital campus, or portion thereof, is located adjacent to public sidewalks or non-motorized pathways under the control of the City, the hospital's pedestrian and vehicular circulation systems shall be designed to link with these public systems in a safe and efficient manner.

Add to Landscaping Standards (Section 2331)

- 1. Campus Landscape - For campus settings, the landscape shall be designed as a unifying factor. While this does not preclude the use of a variety of materials and plant types, the overall landscape scheme shall link site buildings and grounds; soften the visual impact of parking lots and structures; and, help reduce the off-site impacts of sound and light.
- 2. Ground Mounted Signs - Landscape shall be provided around the base of all ground mounted signs. The landscape shall consist of high quality materials capable of sustaining seasonal weather extremes.

Add to Article II, definitions:

Campus: The grounds of a school, college, university, hospital, or governmental entity, when said grounds contain more than one principal building and drive entrances (or access) onto more than one road.

Add to Signs (Section 2334)

- 4. Campus Signage:

- a. Scope: Signs shall pertain exclusively to the business(es) carried on within the campus area. These regulations shall apply to any campus situation in any zoning district.
- b. Lighting: Signs may be illuminated, but no flashing or moving illumination shall be permitted.
- c. Number: One (1) monument, or pole sign is permitted per campus, to be located in a prominent location (not at a drive entrance) on the campus property in order to identify the major point of presence for the campus in accordance with Table II. In addition, one (1) monument, or pole sign is permitted per entrance/exit to the campus proper not to exceed thirty-two (32) square feet. In addition, one (1) campus "map" sign is permitted per parking area of ten thousand (10,000) square feet or more, interior to the campus itself not to exceed twenty-four (24) square feet. One (1) free-standing sign is permitted, for identification purposes only, for each building located on the campus, not to exceed twenty-four (24) square feet.
- d. Wall, Awning or Braquet Signs, Size: Signs shall not exceed ten (10) percent of the surface area of the commercial portion of the front building face for any building located on the campus and may be placed on any wall. If a free-standing building identification sign is to be used for a particular building, the size of such sign will be subtracted from the total amount of wall signage allowed for the building.
- e. Wall, Awning or Braquet Signs, Placement: Signs shall be placed against the principal building or on a canopy. Signs shall not project above the roof line or cornice. No wall sign shall interrupt or conceal the architectural details of a building. A sign attached to a mansard shall be considered a wall sign.
- f. Changeable copy or electronic message boards: Shall be permitted provided:
 - i. One changeable or electronic message board shall be permitted per campus.
 - ii. Changeable copy boards shall be part of a fixed, permanent sign and shall have rigid letters.
 - iii. Electronic message boards shall be dimmed at dusk.
 - iv. Electronic message board supports shall be at least seventy-five (75) feet from any residential use.
- g. Free-standing signs:
 - i. Setback: The leading edge of the sign must be out of the public right-of-way. Signs must be a minimum of 10 feet from a neighboring sign.

- ii. Ground clearance: Ground clearance shall accommodate clear vision needs of the site.
- iii. Area and Height: Signs identifying the major point of presence of the campus may not be larger than forty-eight square feet (48) and must be no higher than fifteen (15) feet. Free-standing signs located at campus entranceways and campus map signs may not be larger than thirty-two (32) square feet, and must be no higher than fifteen (15) feet. Free-standing building identification signs may not be larger than fifteen (15) square feet and must be ground-mounted, monument signs only.

This ordinance adopted:

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

Adoption Date: February 11, 2003
Effective Date: February 25, 2003
First Reading: January 28, 2003
Second Reading: February 11, 2003

CITY OF MUSKEGON

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

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 11th day of February, 2003, 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 6, 2003.

Gail A. Kunderger
Gail Kunderger, MMC
Clerk, City of Muskegon

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

Please take notice that on ~~February 11~~, 2003, the City Commission of the City of Muskegon adopted an ordinance amending the City's zoning ordinance.

The amendments eliminate certain medical facilities from residential districts and creates a separate Medical Care District to more adequately address hospital campuses. The amendments add sign and landscaping standards for campus developments.

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 days from the date of this publication.

Published February 15, , 2003

CITY OF MUSKEGON

By _____
Gail A. Kunding, MMC
Its Clerk

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

Account No. 101-80400-5354

2003-14 (8)

Commission Meeting Date: January 28, 2003

Date: January 9, 2003
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development (B)
RE: Zoning Ordinance Amendments for Downtown Parking

SUMMARY OF REQUEST:

Request to amend the parking standards of the Zoning Ordinance in order to create an overlay district, which permits more flexibility in parking requirements for the downtown and lakeshore.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends amendment of the Zoning Ordinance as described above.

COMMITTEE RECOMMENDATION:

After some modifications to the originally proposed language, the Planning Commission recommended approval of the request at their meeting on 12/12/02. The vote was unanimous.

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. 2098

An ordinance to amend the Zoning Ordinance of the City to amend Section 2326 (Off-Street Parking) of Article XXIII (General Provisions).

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

Article 2326 of the Zoning Ordinance of the City of Muskegon is hereby amended to add the following:

13. A downtown parking overlay district is hereby created as outlined in Figure 23-2. Said overlay area is permitted the following:

- a. In the downtown parking overlay district only, all land uses, except residential, may use on-street parking for up to 30% (thirty percent) of their required parking area.
- b. In the downtown parking overlay district, shared parking agreements are encouraged. Parking areas for other than single or two-family residential uses may be located up to 1,000 feet from the building they are intended to serve and may be provided in any zoning district except the R-1 district.

14. In all areas except for the downtown parking overlay district, off-street parking for nonresidential uses shall be either on the same property or on a property zoned to permit parking areas. The parking area shall be within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot.

This ordinance adopted: February 1, 2003

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

Nayes: None

Adoption Date: February 11, 2003

Effective Date: February 25, 2003

First Reading: January 28, 2003

Second Reading: February 11, 2003

CITY OF MUSKEGON

By:

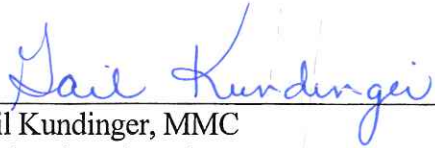
Gail A. Kunding

Gail A. Kunding, MMC, City Clerk

CERTIFICATE

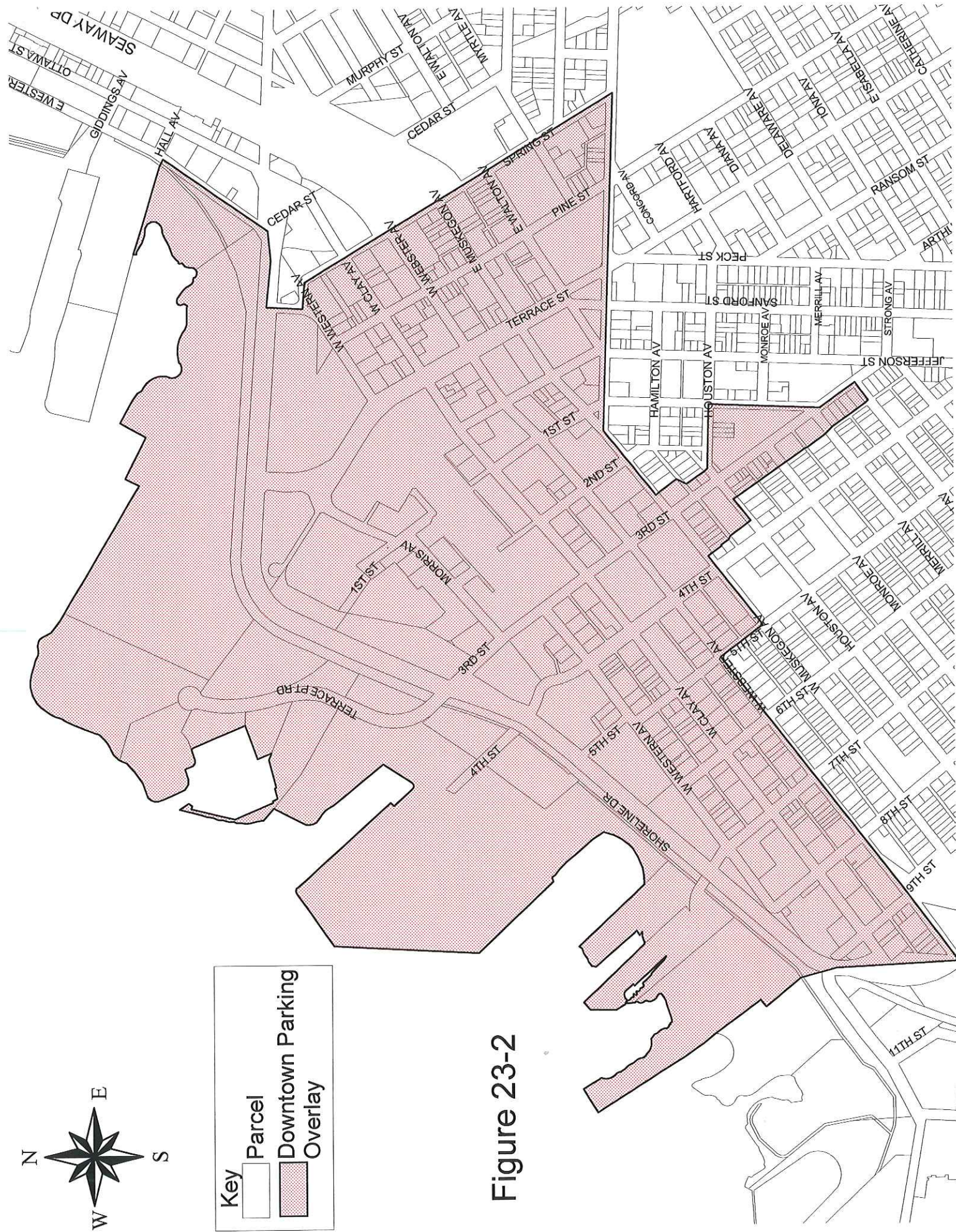
The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 11th day of Feb. 2003, 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: February 11, 2003.



Gail Kunderger, MMC
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**

Please take notice that on ~~Feb 11~~ Feb 14, 2003, the City Commission of the City of Muskegon adopted an ordinance amending Article XXIII (General Provisions), section 2326 (parking) of the Zoning Ordinance.

The amendment creates a parking overlay district in the downtown and near the lakeshore, which permits greater flexibility in providing required parking.

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 days from the date of this publication.

Published February 15, 2003

CITY OF MUSKEGON

By _____
Gail A. Kunding, MMC
Its Clerk

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

Account No. 101-80400-5354

2003 - 149)

Date: February 4, 2003
To: The Honorable Mayor and City Commissioners
From: City Treasurer
RE: Write-off of Uncollectible Accounts Receivable

SUMMARY OF REQUEST:

Periodically it is necessary to purge from the City's general accounts receivable records items that are deemed uncollectible. In most cases these items have gone through the entire collection process without success. In some other cases, further collections efforts may be made by using an outside collection agency. However, at this time, it is requested that the City Commission authorize staff to write-off these receivables from the City's books.

FINANCIAL IMPACT:

Reduce the City's accounts receivable by \$18,185.07. The impact would be a decrease in the fund balance/retained earnings of several City funds as follows:

101	General Fund	\$ 9,347.90
472	CDBG Fund	5,805.00
590 & 591	Sewer Fund & Water Fund	3,032.17
Total		<u>\$ 18,185.07</u>

BUDGET ACTION REQUIRED:

For the General, Sewer and Water Funds, there are sufficient funds for bad debt expense included in the 2002 budget, so no further action is required.

STAFF RECOMMENDATION:

Approval of the 2002 write-offs effective for the fiscal year ended December 31, 2002 for the various funds as shown above.

COMMITTEE RECOMMENDATION

N/A

2002 Write-off of Uncollectible Accounts

Invoices Submitted For Write Off				Reason for Write Off		Amount
Invoice No.	Date of Service/Invoice	Invoiced To				
9819436	5/25/2001	Mortgage Corp of America		Uncollectable, bankrupt company dissolved		\$ 93.73
9820292	7/13/2001	Mortgage Corp of America		Uncollectable, bankrupt company dissolved		\$ 122.00
9819594	6/8/2001	Mortgage Corp of America		Uncollectable, bankrupt company dissolved		\$ 38.64
9820400	7/13/2001	Mortgage Corp of America		Uncollectable, bankrupt company dissolved		\$ 86.00
9819843	6/15/2001	Mortgage Corp of America		Uncollectable, bankrupt company dissolved		\$ 86.00
9819850	6/15/2001	Mortgage Corp of America		Uncollectable, bankrupt company dissolved		\$ 122.00
9808850	1/22/1999	Michael Jasick		Legal Settlement		\$ 1,715.00
9808277	11/30/1998	Thaddeuss J Theodore III		Negotiated Settlement		\$ 37.66
9820430	7/13/2001	Jamilah Braford		Chapter 7 Bankruptcy Discharge		\$ 111.18
9823624	2/22/2002	Daniel Gentz		Chapter 7 Bankruptcy Discharge		\$ 105.00
9812285	10/15/1999	Hazel Roberson		Chapter 7 Bankruptcy Discharge		\$ 30.00
9812714	11/19/1999	Hazel Roberson		Chapter 7 Bankruptcy Discharge		\$ 145.00
9815512	7/14/2000	Hazel Roberson		Chapter 7 Bankruptcy Discharge		\$ 30.00
9816156	8/16/2000	Hazel Roberson		Chapter 7 Bankruptcy Discharge		\$ 142.00
9816490	9/8/2000	Hazel Roberson		Chapter 7 Bankruptcy Discharge		\$ 86.00
9816570	9/15/2000	Hazel Roberson		Chapter 7 Bankruptcy Discharge		\$ 30.00
9816796	9/22/2000	Roger A & Denise K Dhuse		Uncollectable, bankrupt No Assets		\$ 50.00
9812536	11/5/1999	Spring Sporting Goods		Uncollectable, Assets foreclosed on, Out of Business		\$ 55.00
9821620	9/14/2001	Neils Hansen		Deceased		\$ 122.00
9825419	7/12/2002	Neils Hansen		Deceased		\$ 92.00
9825113	6/28/2002	Neils Hansen		Deceased		\$ 88.00
9820529	7/27/2001	Neils Hansen		Deceased		\$ 122.00
9819691	6/8/2001	Neils Hansen		Deceased		\$ 86.00
9824796	6/7/2002	Neils Hansen		Deceased		\$ 122.00
9821562	9/14/2001	Neils Hansen		Deceased		\$ 100.66
9818605	3/9/2001	Neils Hansen		Deceased		\$ 5,805.00
9825422	7/12/2002	Alice G Lepley		Deceased		\$ 86.00
9824824	6/7/2002	Alice G Lepley		Deceased		\$ 86.00
9823844	3/15/2002	Alice G Lepley		Deceased		\$ 40.00
9816371	8/25/2000	Ruth I Harvey		Deceased		\$ 86.00

2002 Write-off of Uncollectible Accounts

9816721	9/22/2000	Ruth I Harvey	Deceased	\$	122.00
9818942	4/13/2001	Ruth I Harvey	Deceased	\$	180.66
9822599	11/21/2001	Ruth I Harvey	Deceased	\$	122.00
9823078	12/31/2001	Ruth I Harvey	Deceased	\$	75.00
9824705	6/7/2002	Ruth I Harvey	Deceased	\$	122.00
9819740	6/15/2001	Ruth I Harvey	Deceased	\$	86.00
9820360	7/13/2001	Ruth I Harvey	Deceased	\$	86.00
9821979	10/12/2001	Ruth I Harvey	Deceased	\$	104.00
9824312	5/3/2002	Ruth I Harvey	Deceased	\$	100.88
9825276	7/5/2002	Ruth I Harvey	Deceased	\$	86.00
9826263	8/16/2002	Ruth I Harvey	Deceased	\$	122.00
9827643	10/25/2002	Ruth I Harvey	Deceased	\$	140.00
9811142	7/30/1999	Kanya Pollard/K. Bailey	Chapter 7 Bankruptcy Discharge	\$	30.00
9819794	6/15/2001	Kanya Pollard/K. Bailey	Chapter 7 Bankruptcy Discharge	\$	98.07
9824942	6/14/2002	Kanya Pollard/K. Bailey	Chapter 7 Bankruptcy Discharge	\$	149.20
9810874	7/16/1999	Roger Nielsen	Court Settlement/Tax Foreclosure	\$	2,740.22
9815773	7/21/2000	Roger Nielsen	Court Settlement/Tax Foreclosure	\$	122.00
9820280	7/13/2001	Roger Nielsen	Court Settlement/Tax Foreclosure	\$	92.00
9820263	7/13/2001	Roger Nielsen	Court Settlement/Tax Foreclosure	\$	92.00
9821312	9/7/2001	Roger Nielsen	Court Settlement/Tax Foreclosure	\$	122.00
9815914	8/11/2000	Roger Nielsen	Court Settlement/Tax Foreclosure	\$	92.00
9816979	10/13/2000	Roger Nielsen	Court Settlement/Tax Foreclosure	\$	164.00
9816225	8/25/2000	Roger Nielsen	Court Settlement/Tax Foreclosure	\$	92.00
9814947	6/23/2000	Roger Nielsen	Court Settlement/Tax Foreclosure	\$	92.00
Total				\$	15,152.90

2002 Write-off of Uncollectible Accounts

Water/Sewer Items Submitted for Write Off				Reason for Write Off	Amount
Account #	Service Address	Customer Name			
227265003	444 Houston Ave	Jamilah Braford		Chapter 7 Bankruptcy Discharge	\$ 17.89
109257501	684 Oak Avenue	Cornelius McCrae		State Tax Foreclosure	\$ 1,604.84
206180102	259 Delaware Avenue	Martha Treichel		State Tax Foreclosure	\$ 146.73
207145101	219 Ionia Avenue	Louise Bowie		State Tax Foreclosure	\$ 37.49
226102501	12 W. Muskegon Avenue	Nadine Cunningham		State Tax Foreclosure	\$ 188.50
306047602	1321 8th Street	Prince Charles Aleem		State Tax Foreclosure	\$ 325.08
227337601	1314 7th Street	Richard Johnson		State Tax Foreclosure	\$ 20.00
121005002	860 Fleming Ave	Daniel Gentz		Chapter 7 Bankruptcy Discharge	\$ 45.01
207122501	1123 Spring St	Robert Thomas		Chapter 7 Bankruptcy Discharge	\$ 143.33
109487502	704 Orchard Ave	Hazel Roberson		Chapter 7 Bankruptcy Discharge	\$ 146.15
405339301	2345 Wesley St	Carmen Hladki		Chapter 7 Bankruptcy Discharge	\$ 160.12
101380002	515 Marquette Ave	Charles/Jeanette Darnell		Chapter 7 Bankruptcy Discharge	\$ 112.83
125250102	590 E Dale Ave	Kanya Pollard		Chapter 7 Bankruptcy Discharge	\$ 84.20
Total					\$ 3,032.17

2003-14 (h)

Date: February 11, 2003
To: Honorable Mayor and City Commissioners
From: Gail Kunding, City Clerk
RE: Resolution for Charitable Gaming License

SUMMARY OF REQUEST: The West Michigan Community Help Network, 880 First Street, is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a gaming license.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: None

Kundinger, Gail

From: pa@1037thebeat.com
Sent: Tuesday, February 04, 2003 1:26 PM
To: Kundinger, Gail
Subject: Request to be on Agenda for next week

To: City of Muskegon/ City Clerk

From: Paul Allen Billings/ President

The West Michigan Community Help Network

C/O "WUVS 103.7 The Beat"

880 First Street, #502

Muskegon, Mi. 49440

Phone (231) 727-5007 Fax (231) 725-0027

Date: February 4, 2003

Subject: Non-Profit Organization

I am writing to you in regards to my non-profit organization applying for bingo license with the State of Michigan lottery commission. However before the application can be approve, I need a resolution from the City of Muskegon acknowledging The West Michigan Community Help Network as a non-profit organization.

For the past 3 years my non-profit has given over 200,000 pounds of food to the needy families of Muskegon, we have promoted health fairs, social events and utilized our radio airwaves to educate the urban community about issues that effect their well being.

We will use the proceeds from The Bingo games to fund the above programs.

If you have any questions please call me at the above number.

Thank You

Paul Allen Billings

Paul Allen Billings/ WUVS 103.7FM
880 First Street, Suite 502
Muskegon, MI. 49440
phone: 231-727-5007

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: AUG 01 2000

WEST MICHIGAN COMMUNITY HELP
NETWORK
C/O J SCOTT TIMMER
PO BOX 389 600 TERRACE PLAZA
MUSKEGON, MI 49443

Employer Identification Number:
38-3537291
DIN:
17053172040030
Contact Person:
NANCY L STUBERENBERG ID# 31426
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Foundation Status Classification:
509(a)(1)
Advance Ruling Period Begins:
June 2, 2000
Advance Ruling Period Ends:
December 31, 2004
Addendum Applies:
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make

Letter 1045 (DO/CG)

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WEST MICHIGAN COMMUNITY HELP

a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

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

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return. Because you will be treated as a public charity for return filing purposes during your entire advance ruling period, you should file Form 990 for each year in your advance ruling period.

Letter 1045 (DO/CG)

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WEST MICHIGAN COMMUNITY HELP

that you exceed the \$25,000 filing threshold even if your sources of support do not satisfy the public support test specified in the heading of this letter.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete. So, please be sure your return is complete before you file it.

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

You are required to make your annual information return, Form 990 or Form 990-BZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Letter 1045 (DO/CG)

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WEST MICHIGAN COMMUNITY HELP

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

Steven T. Miller

Steven T. Miller
Director, Exempt Organizations

Enclosure(s):
Form 872-C

Letter 1045 (DO/CG)



MICHIGAN LOTTERY
CHARITABLE GAMING DIVISION
101 E. HILLSDALE, BOX 30023
LANSING, MICHIGAN 48908
(517) 336-5760
www.state.mi.us/mlottery

2003-14 (h)

LOCAL GOVERNING BODY RESOLUTION FOR GAMING LICENSES ISSUED BY THE MICHIGAN LOTTERY

(Authorized by MCL 432.101 et seq)

At a Regular meeting of the Commission
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD
called to order by Mayor Stephen Warmington on February 11/03 at 5:30
DATE

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

Moved by Commissioner Spataro and supported by Vice Mayor Buie

that the request from West Michigan Community Help Network of Muskegon
NAME OF ORGANIZATION CITY

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

organization operating in the community for the purpose of obtaining a gaming license or

registration be considered for Approval
APPROVAL/DISAPPROVAL

APPROVAL

Yeas: 7

Nays: 0

Absent: 0

DISAPPROVAL

Yeas:

Nays:

Absent:

State of Michigan) SS
County of Muskegon)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted
by the City of Muskegon at a Regular Commission meeting held on
February 11, 2003

*** SEAL OR NOTARY ***

SIGNED: Gail Kunderger
TOWNSHIP, CITY, OR VILLAGE CLERK

Gail Kunderger City Clerk
PRINTED NAME AND TITLE

933 Terrace St., Muskegon 49440
ADDRESS

NOT VALID UNLESS MARKED WITH GOVERNING
BODY SEAL OR NOTARIZED

The Michigan Lottery will not discriminate against any individual or group because
of race, sex, religion, age, national origin, color, marital status, qualified disability or
political belief in its activities or in its hiring or employment practices.

COMPLETION: Required
PENALTY: Possible denial of application
BSL-CG-1193(R3/08)

2003-15(a)

Date: February 11, 2003
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Public Hearing
Create Special Assessment District for:
Creston, Evanston to Apple

SUMMARY OF REQUEST:

To hold a public hearing on the proposed special assessment of the **Creston, Evanston to Apple**, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project

FINANCIAL IMPACT:

None at this time.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

ENGINEERING FEASIBILITY STUDY

For

CRESTON, EVANSTON TO APPLE

The proposed Milling & resurfacing of Creston between Evanston & Apple was initiated by the City due to the conditions its in. The proposed resurfacing, we feel, is necessary to prevent this section of roadway from deteriorating to a point where resurfacing would no longer be a valid option and a complete reconstruction would then be necessary, resulting in a higher cost to the property owners as well as to the City.

Facts;

- The last major work on this section of Creston appears to have taken place back in the mid sixties.
- This section of Lincoln has an average pavement condition index (PCI) of 52 out of a 100.
- A memorandum from the Assessor's office, which addresses appraisal and benefits to abutting properties, is attached.

The preliminary cost estimate for the work associated with paving is approximately \$320,000 with the length of the project being approximately 3410 lineal feet or 3444 of assessable footage. This translates into an estimated improvement cost of \$93 per assessable foot. The assessment figure will be at a cost not to exceed \$17.85 per assessable foot as established in the 2003 Special Assessment for this type of improvement.

MUSKEGON COUNTY

M I C H I G A N

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

EQUALIZATION DEPARTMENT

BOARD OF COMMISSIONERS

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

January 28, 2003

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

Mr. Al-Shatel:

In accordance with your request, I have examined the proposed special assessment district entailing the milling and resurfacing of Creston St located between Evanston Ave and Apple Ave. The purpose of this analysis is to document the reasonableness of this special assessment district by identifying and quantifying any accrued benefits. It is subject to the normal governmental restrictions of escheat, taxation, police power and eminent domain. The effective date is January 28, 2003. The scope of this assignment entails only those properties located in the City Of Muskegon and listed in Table A. Possible benefits, if any, resulting to Muskegon Township properties are not addressed.

In conclusion, it is my opinion that the special assessment amounts justly and reasonably represents the accrued benefits to the properties encompassed by this project. The amounts reflect the sum of the immediate estimated value enhancement and the intrinsic value that will accrue from an overall increase in property values due to an improved quality of life created by the proposed project. As previously presented, the proposed special assessment district encompasses a mixture of properties, but the front foot rate of \$ 17.85 appears reasonable in light of our analysis that indicates a probable enhancement of \$18.43. The conclusions are based upon the data presented within this limited analysis in restricted format, and on supporting information in my files.

Sincerely,



Dan VanderKooi, CMAE 3
Senior Appraiser

H-1530 CRESTON, EVANSTON TO APPLE

PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

	FEET	PERCENTAGE	TOTAL NUMBER OF PARCELS - 47					FOR		OPPOSE		FEET	
			LETTER#	ST#	ST NAME	PARCEL#	FEET	LETTER#	ST#	ST NAME	PARCEL#		
TOTAL ASSESSABLE FRONT FOOTAGE	3444.480 ***		1	1390	EVANSTON	24-750-000-0205-00						69.60	
FRONT FEET OPPOSED	1552.60	45.08%	3	1467	CRESTON	24-750-000-0178-00						87.50	
			4	1461	CRESTON	24-750-000-0176-00						80.00	
			4	1461	CRESTON	24-750-000-0176-00						80.00	
RESPONDING FRONT FEET IN FAVOR	0.000	0.00%	8	1500	CRESTON	24-475-000-0081-00						78.00	
			11	1460	CRESTON	24-475-000-0084-00						78.00	
			12	1450	CRESTON	24-475-000-0085-00						78.00	
NOT RESPONDING - FRONT FEET IN FAVOR	1891.880	54.92%	13	1440	CRESTON	24-475-000-0086-00						78.00	
TOTAL FRONT FEET IN FAVOR	1891.880	54.92%	17	1390	HOWARD	24-750-000-0113-00							60.00
			27	1135	CRESTON	24-226-000-0044-00							68.00
			31	1395	APPLE	24-226-000-0033-00							177.00
			33	1390	CRESTON	24-475-000-0090-00							78.00
			35	1366	CRESTON	24-475-000-0092-00							78.00
			38	1330	CRESTON	24-475-000-0095-00							78.00
			40	1415	FRANCES	24-475-000-0050-00							65.00
	41	1280	CRESTON	24-475-000-0049-00							63.80		
	43	1220	CRESTON	24-128-200-0024-00							255.70		

JANUARY 31,2003

OWNERS NAME
OWNERS ADDRESS
MUSKEGON, MI 49442

Parcel Number 24-XXX-XXX-XXXX-XX: at PARCEL ADDRESS

NOTICE OF HEARING ON SPECIAL ASSESSMENT

Dear Property Owner:

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

CRESTON, EVANSTON TO APPLE

The proposed special assessment district will be located as follows:

All parcels abutting Creston, Evanston to Apple

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

Public Hearings

An initial public hearing to consider the creation of a special assessment district will be held at the City of Muskegon City Commission Chambers on February 11, 2003 at 5:30 P.M. You are encouraged to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the proposed special assessment. We are enclosing a Hearing Response Card for you to indicate your agreement or opposition to the special assessment. This card includes the property identification and description, assessable footage per City policy, and the estimated cost of the assessment. You may also appear, as above, in lieu of, or in addition to mailing your response card to the City Clerk. Written objections or appearances must be made at or prior to the hearing. NOTE: THE SPECIAL ASSESSMENT WILL BE CREATED OR NULLIFIED AT THIS HEARING. IT IS IMPORTANT FOR YOU TO COMMENT AT THIS HEARING IF YOU WANT YOUR OPINION COUNTED FOR THE SPECIAL ASSESSMENT.

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

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

Estimated Costs

The total estimated cost of the street portion of the project is \$320,000.00 of which approximately 19.21% (\$61,483.97) will be paid by special assessment to property owners. Your property's estimated share of the special assessment is shown on the attached hearing response card. The remaining costs will be paid by the City.

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

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

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

Sincerely,

Mohammed Al-Shatel, P.E.
City Engineer

Special Assessment Payment Options

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

I. Lump Sum Payment in Full

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

II. Installment Payments

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

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

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

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

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

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

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

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

IV. Further Information About the Above Programs

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

V. Additional Special Assessment Payment Assistance

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

STREET H-1530
CRESTON, EVANSTON TO APPLE
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT

HOUSEHOLD INFORMATION

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

(Please refer to your assessment letter for this information)

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

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

INCOME INFORMATION

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

Wage earner: _____

Wage earner: _____

Wage earner: _____
Total: \$ _____

PROPERTY INFORMATION

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

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

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

OWNER'S SIGNATURE

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

By signing this application, the applicant verifies he/she owns and occupies the dwelling. The Applicant/Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant/Owner's knowledge and belief. The property owner's signature will be required prior to the application being processed. **NO APPLICATION WILL BE ACCEPTED AFTER MAY 31, 2003**

FOR OFFICE USE ONLY

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

SIGNATURE _____ TITLE _____

COMMENTS/REMARKS _____

****ATTENTION APPLICANT****

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **CRESTON, EVANSTON TO APPLE**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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

Assessment Information

Property Address: **STREET**
Parcel Number **24-XXX-XXX-XXXX-XX**
Assessable Frontage: **69.6** Feet
Estimated Front Foot Cost: **\$17.85** per Foot

ESTIMATED TOTAL COST \$1,242.36

Property Description

CITY OF MUSKEGON•
SAMBURT PARK ADDITION•
LOT 205

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☐

Owner _____

CoOwner/Spouse _____

Signature _____

Signature _____

Address _____

Address _____

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

PCITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
SPECIAL ASSESSMENT DISTRICTS

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

**Lincoln St., Sherman Blvd., to Lakeshore Dr.
and
Creston St., Evanston Ave. to Apple Ave.**

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

- **All parcels abutting Lincoln St. from Sherman Blvd. to Lakeshore Dr.
and**
- **All parcels abutting Creston St. from Evanston Ave. to Apple Ave.**

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

THE HEARING WILL BE HELD IN THE MUSKEGON CITY COMMISSION CHAMBERS ON
FEBRUARY 11, 2003 AT 5:30 O'CLOCK P.M.

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

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

PUBLISH: **February 1, 2003**

Gail Kunderinger, City Clerk

ADA POLICY

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

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

SPECIAL ASSESSMENT

MILLING AND RESURFACING

HEARING DATE

FEBRUARY 11, 2003

CRESTON, EVANSTON TO APPLE

24-750-000-0205-00 PIKE MARVIN T ET AL
1390 EVANSTON AVE
@ 1390.0 EVANSTON A MUSKEGON MI

ASSESSABLE FEET: 69.6
COST PER FOOT: \$17.85
ESTIMATED P.O. COST: \$1,242.36

24-750-000-0180-00 HEJKA HELEN
1481 CRESTON ST
@ 1481.0 CRESTON ST MUSKEGON MI

ASSESSABLE FEET: 87.5
COST PER FOOT: \$17.85
ESTIMATED P.O. COST: \$1,561.88

24-750-000-0178-00 JOHNSON MICHAEL A
1467 CRESTON ST
@ 1467.0 CRESTON ST MUSKEGON MI

ASSESSABLE FEET: 87.5
COST PER FOOT: \$17.85
ESTIMATED P.O. COST: \$1,561.88

24-750-000-0176-00 GRAYER GEORGE L
1461 CRESTON ST
@ 1461.0 CRESTON ST MUSKEGON MI

ASSESSABLE FEET: 80
COST PER FOOT: \$17.85
ESTIMATED P.O. COST: \$1,428.00

24-750-000-0173-00 OLSON WAYNE JR
1387 FLOWER AVE
@ 1387.0 FLOWER AVE MUSKEGON MI

ASSESSABLE FEET: 120
COST PER FOOT: \$17.85
ESTIMATED P.O. COST: \$2,142.00

24-750-000-0145-00 HEIKKINEN HAROLD
1392 FLOWER
@ 1392.0 FLOWER AVE MUSKEGON MI

ASSESSABLE FEET: 60
COST PER FOOT: \$17.85
ESTIMATED P.O. COST: \$1,071.00

CRESTON, EVANSTON TO APPLE

24-475-000-0080-00	BELMONTE FRANK 1516 CRESTON ST @ 1516.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 53 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$946.05
24-475-000-0081-00	WELLS RANDY A 1500 CRESTON ST @ 1500.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0082-00	BLAKE SHARON R 1490 CRESTON ST @ 1490.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0083-00	JORDAN LAMAR S/VERMILYEA 1470 CRESTON ST @ 1470.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0084-00	BURGESS CARL H/ET AL 1460 CRESTON ST @ 1460.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0085-00	AUBREY NINA 1450 CRESTON ST @ 1450.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0086-00	JOHNSON JEWELENE 1440 CRESTON ST @ 1440.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30

CRESTON, EVANSTON TO APPLE

24-475-000-0087-00	DAILEY KENNETH G/SONYA	ASSESSABLE FEET:	78
	1420 CRESTON ST	COST PER FOOT:	\$17.85
@ 1420.0	CRESTON ST MUSKEGON MI	ESTIMATED P.O. COST:	\$1,392.30
24-475-000-0088-00	HOOD ERIC J	ASSESSABLE FEET:	78
	1410 CRESTON ST	COST PER FOOT:	\$17.85
@ 1410.0	CRESTON ST MUSKEGON MI	ESTIMATED P.O. COST:	\$1,392.30
24-750-000-0143-00	MYERS MAX E	ASSESSABLE FEET:	60
	1391 HOWARD AVE	COST PER FOOT:	\$17.85
@ 1391.0	HOWARD AV MUSKEGON MI	ESTIMATED P.O. COST:	\$1,071.00
24-750-000-0113-00	FERRIS RICHARD	ASSESSABLE FEET:	60
	1390 HOWARD AVE	COST PER FOOT:	\$17.85
@ 1390.0	HOWARD AV MUSKEGON MI	ESTIMATED P.O. COST:	\$1,071.00
24-750-000-0111-00	FLOWERS MARVIN F	ASSESSABLE FEET:	60
	35 W FOREST AVE	COST PER FOOT:	\$17.85
@ 1391.0	LANGELAND MUSKEGON MI	ESTIMATED P.O. COST:	\$1,071.00
24-750-000-0081-00	NGUYEN NGA T	ASSESSABLE FEET:	60
	1325 CRESTON ST	COST PER FOOT:	\$17.85
@ 1325.0	CRESTON ST MUSKEGON MI	ESTIMATED P.O. COST:	\$1,071.00
24-750-000-0079-00	BREWER PAUL E/DEBBIE L	ASSESSABLE FEET:	60
	1391 FRANCES AVE	COST PER FOOT:	\$17.85
@ 1391.0	FRANCES AV MUSKEGON MI	ESTIMATED P.O. COST:	\$1,071.00

CRESTON, EVANSTON TO APPLE

24-750-000-0049-00	HENRY EDWARD P/ET AL 1275 CRESTON ST @ 1275.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 60 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,071.00
24-750-000-0048-00	MURDAUGH RAYMOND D 1255 CRESTON ST @ 1255.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 60 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,071.00
24-750-000-0017-00	VANHEMERT KENNETH A 1229 CRESTON ST @ 1229.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 60 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,071.00
24-750-000-0016-00	ATKINSON WALTER L/ANNETTE 1213 CRESTON ST @ 1213.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 60 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,071.00
24-226-000-0048-00	HARDERMAN BYRD 1189 CRESTON ST @ 1189.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 69.07 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,232.90
24-226-000-0045-00	MCDANIEL CHARLIE 1161 CRESTON ST @ 1161.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 69.07 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,232.90
24-226-000-0044-00	WOODS BRIAN K/BARBARA A 1135 CRESTON ST @ 1135.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 68 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,213.80

CRESTON, EVANSTON TO APPLE

24-226-000-0041-00	LAYTON CORA 1397 E ISABELLA AVE @ 1397.0 E ISABELLA AV MUSKEGON MI	ASSESSABLE FEET: 68 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,213.80
24-226-000-0040-00	ASHLEY MCLAIN LARHONDA 1397 ADA AVE @ 1392.0 E ISABELLA AV MUSKEGON MI	ASSESSABLE FEET: 66.5 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,187.03
24-226-000-0037-00	ASHLEY LARHONDA MCLAIN 1397 ADA AVE @ 1397.0 ADA AVE MUSKEGON MI	ASSESSABLE FEET: 132.94 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$2,372.98
24-226-000-0033-00	BESSINGER ROLAND H 15460 WISTERIA LN @ 1395.0 E APPLE AVE SPRING LAKE MI	ASSESSABLE FEET: 177 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$3,159.45
24-475-000-0089-00	SCOTT LORETTA REVOCABLE T 1400 CRESTON ST @ 1400.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0090-00	JACKSON JEFFERY L 1390 CRESTON ST @ 1390.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0091-00	HUGHES RICHARD/TARA L 1380 CRESTON ST @ 1380.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30

CRESTON, EVANSTON TO APPLE

24-475-000-0092-00	BARRETT JONNIE L 1366 CRESTON ST @ 1366.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0093-00	HAMMERLE CLINT F 1354 CRESTON ST @ 1354.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0094-00	BOLEMA LUMBER & SUPPLY 1230 E LAKETON AVE @ 1344.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0095-00	JACKSON TELISA 1330 CRESTON ST @ 1330.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0096-00	SHERROD ROOSEVELT 1310 CRESTON ST @ 1310.0 CRESTON ST MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-475-000-0050-00	CHEATHAM CAL/COZETTA 1415 FRANCES AVE @ 1415.0 FRANCES AV MUSKEGON MI	ASSESSABLE FEET: 65 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,160.25
24-475-000-0049-00	NEWVILLE DONALD C/JANE TR 6380 RADIO RD LOT 22 @ 1280.0 CRESTON ST NAPLES FL	ASSESSABLE FEET: 63.8 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,138.83

CRESTON, EVANSTON TO APPLE

24-475-000-0001-00	MOSER NATHAN	ASSESSABLE FEET:	63.8
	1260 CRESTON ST	COST PER FOOT:	\$17.85
@ 1260.0	CRESTON ST MUSKEGON MI	ESTIMATED P.O. COST:	\$1,138.83

24-128-200-0024-00	CRESTWOOD UNITED METHODIST	ASSESSABLE FEET:	255.7
	1220 CRESTON ST	COST PER FOOT:	\$17.85
@ 1220.0	CRESTON ST MUSKEGON MI	ESTIMATED P.O. COST:	\$4,564.25

SUM OF ASSESSABLE FOOTAGE:	<u>3444.48</u>	SUM OF ESTIMATED P.O. COST:	<u>\$61,483.97</u>
TOTAL NUMBER OF ASSESSABLE PARCELS	43.00		

19.21%

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

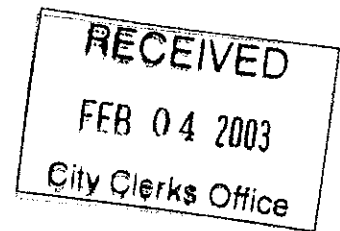
Project Description: MILLING & RESURFACING

INSTRUCTIONS

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

Assessment Information

Property Address:	APPLE AVE
Parcel Number	24-226-000-0033-00
Assessable Frontage:	177 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$3,159.45



Property Description

CITY OF MUSKEGON •
CRESTWOOD GARDENS NO 1 •
LOTS 33 TO 36 INCL •
EX N 17 FT THEREOF •
ALSO EX E 10' OF LOTS 33 & 36

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner Roland H. Bessinger CoOwner/Spouse Loretta D. Bessinger

Signature ROLAND H. BESSINGER Signature Loretta D. Bessinger

Address 15460 WISTERIA LN., Address 15460 Wisteria Ln., Sp Lake, MI 49456

SPRING LAKE, MI.

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

31

NOTE: CRESTON STREET WAS REPAVED ABOUT TEN YEARS AGO
WHEN THE CITY PUT A TOWN LAINE ON CRESTON STREET.
I FEEL A REPAVING ON THIS BLOCK UNNECESSARY.

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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

Assessment Information

Property Address: CRESTON ST
Parcel Number 24-475-000-0084-00
Assessable Frontage: 78 Feet
Estimated Front Foot Cost: \$17.85 per Foot
ESTIMATED TOTAL COST \$1,392.30



Property Description

CITY OF MUSKEGON
JACQUELYN WOODS SUB DIV •
LOT 84

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner Carl H Burgess
Signature Carl H Burgess
Address 1460 Creston

CoOwner/Spouse Audrey L Burgess
Signature Audrey L Burgess
Address 1460 Creston

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

1

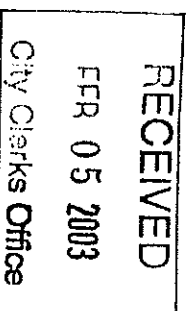
SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

Project Description: MILLING & RESURFACING



INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerks Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By **FEBRUARY 11, 2003**

Project Title: **CRESTON, EVANSTON TO APPLE**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

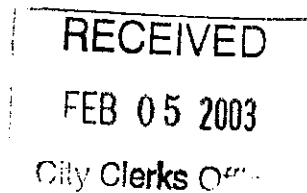
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Assessment Information

Property Address: **CRESTON ST**
Parcel Number **24-475-000-0085-00**
Assessable Frontage: **78** Feet
Estimated Front Foot Cost: **\$17.85** per Foot
ESTIMATED TOTAL COST \$1,392.30

Property Description

CITY OF MUSKEGON •
JACQUELYN WOODS SUB DIV •
LOT 85



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner Nina (Aubrey) Davis CoOwner/Spouse _____

Signature Nina Aubrey Davis Signature _____

Address 1450 Creston Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **CRESTON, EVANSTON TO APPLE**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

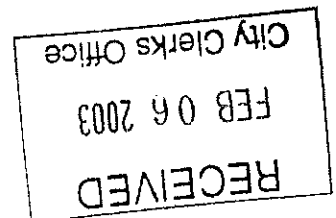
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Assessment Information

Property Address: **HOWARD AVE**
Parcel Number **24-750-000-0113-00**
Assessable Frontage: **60** Feet
Estimated Front Foot Cost: **\$17.85** per Foot
ESTIMATED TOTAL COST \$1,071.00

Property Description

CITY OF MUSKEGON •
SAMBURT PARK ADDITION •
LOTS 113 & 114



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner Richard N. Ferris

CoOwner/Spouse Jacklyn J. Ferris

Signature Richard N. Ferris

Signature Jacklyn J. Ferris

Address 1390 Howard ave.

Address 1390 Howard ave.

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

Project Description: MILLING & RESURFACING

INSTRUCTIONS

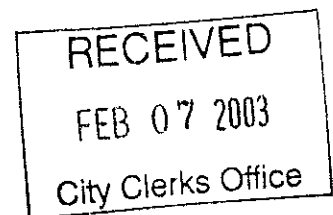
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Assessment Information

Property Address:	CRESTON ST
Parcel Number	24-475-000-0081-00
Assessable Frontage:	78 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,392.30

Property Description

CITY OF MUSKEGON •
JACQUELYN WOODS SUB DIV •
LOT 81



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Randall Wells

CoOwner/Spouse

Deborah Wells

Signature

[Signature]

Signature

[Signature]

Address

1500 Creston

Address

1500 Creston

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

Project Description: MILLING & RESURFACING

INSTRUCTIONS

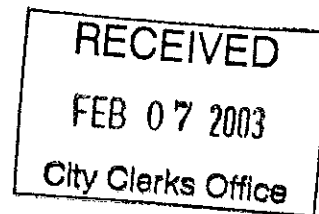
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Assessment Information

Property Address: FRANCES AVE
Parcel Number 24-475-000-0050-00
Assessable Frontage: 65 Feet
Estimated Front Foot Cost: \$17.85 per Foot
ESTIMATED TOTAL COST \$1,160.25

Property Description

CITY OF MUSKEGON •
JACQUELYN WOODS SUB DIV •
LOT 50



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Cal Cheatham

CoOwner/Spouse

Coretta M. Cheatham

Signature

[Signature]

Signature

Coretta M. Cheatham

Address

1415 Frances Ave

Address

1415 Frances

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

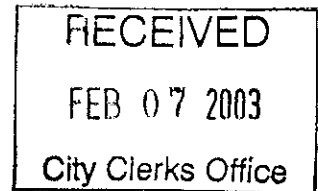
Project Description: MILLING & RESURFACING

INSTRUCTIONS

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/ Assessment Information

Property Address: CRESTON ST
Parcel Number 24-750-000-0178-00
Assessable Frontage: 87.5 Feet
Estimated Front Foot Cost: \$17.85 per Foot
ESTIMATED TOTAL COST \$1,561.88



Property Description

CITY OF MUSKEGON •
SAMBURT PARK ADDITION •
LOTS 178 & 179 •
& N 1/2 VAC ALLEY ABUTTING S SIDE OF LOT 179 •
ALSO ELY HALF OF VAC ADJ ALLEY

Your vote COUNTS!

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

I AM IN FAVOR



I AM OPPOSED



Owner

Michael J. Johnson

CoOwner/Spouse

Emily S. Johnson

Signature

Michael J. Johnson

Signature

Emily S. Johnson

Address

1467 Creston St.

Address

1467 Creston St.

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

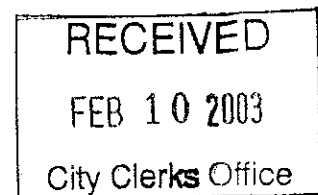
Project Description: MILLING & RESURFACING

INSTRUCTIONS

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Assessment Information

Property Address: CRESTON ST
Parcel Number 24-475-000-0092-00
Assessable Frontage: 78 Feet
Estimated Front Foot Cost: \$17.85 per Foot
ESTIMATED TOTAL COST \$1,392.30



Property Description

CITY OF MUSKEGON •
JACQUELYN WOODS SUB DIV •
LOT 92

Your vote COUNTS!

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

I AM IN FAVOR



of the project, but

I AM OPPOSED



for having to pay for it.

Owner

John L. Barrett

CoOwner/Spouse

Marietta

Signature

John L. Barrett

Signature

Marietta

Address

1366 Creston St.

Address

1366 Creston

What are property taxes for?

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

What are city taxes for?

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

Project Description: MILLING & RESURFACING

INSTRUCTIONS

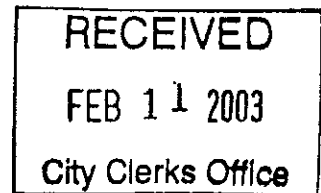
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Assessment Information

Property Address:	CRESTON ST
Parcel Number	24-475-000-0090-00
Assessable Frontage:	78 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,392.30

Property Description

CITY OF MUSKEGON •
JACQUELYN WOODS SUB DIV •
LOT 90



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner SCOTT R. JACKSON CoOwner/Spouse _____

Signature [Signature] Signature _____

Address 1390 Creston St. Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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Assessment Information

Property Address:	CRESTON ST
Parcel Number	24-750-000-0176-00
Assessable Frontage:	80 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,428.00



Property Description

CITY OF MUSKEGON •
SAMBURT PARK ADDITION •
LOTS 176 & 177 •
ALSO ELY HALF OF VAC ADJ ALLEY TO LOTS 176 AND 177

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

GEORGE GRAYEN

CoOwner/Spouse

LILLIE GRAYEN

Signature

George J. Grayen

Signature

Lillie Grayen

Address

1461 CRESTON

Address

1461 CRESTON

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **CRESTON, EVANSTON TO APPLE**

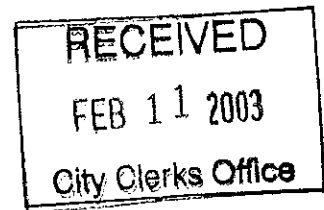
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INSTRUCTIONS

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Assessment Information

Property Address:	CRESTON ST
Parcel Number	24-475-000-0086-00
Assessable Frontage:	78 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,392.30



Property Description

CITY OF MUSKEGON •
JACQUELYN WOODS SUB DIV •
LOT 86

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Signature

Address

CoOwner/Spouse

Signature

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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Assessment Information

Property Address: CRESTON ST
Parcel Number 24-226-000-0044-00
Assessable Frontage: 68 Feet
Estimated Front Foot Cost: \$17.85 per Foot
ESTIMATED TOTAL COST \$1,213.80



Property Description

CITY OF MUSKEGON •
CRESTWOOD GARDENS # 1 •
LOT 44

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Brian K. Woods

CoOwner/Spouse

Barbara Woods

Signature

Brian K. Woods

Signature

Barbara Woods

Address

1135 Creston

Address

1135 Creston

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Project Title: **CRESTON, EVANSTON TO APPLE**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:	CRESTON ST
Parcel Number	24-475-000-0095-00
Assessable Frontage:	78 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,392.30

Property Description

CITY OF MUSKEGON •
JACQUELYN WOODS SUB DIV •
LOT 95



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Teresa A. Stachura

CoOwner/Spouse

Signature

Teresa A. Stachura

Signature

Address

1330 Creston St

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: CRESTON, EVANSTON TO APPLE

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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Assessment Information

Property Address: CRESTON ST
Parcel Number 24-475-000-0049-00
Assessable Frontage: 63.8 Feet
Estimated Front Foot Cost: \$17.85 per Foot

ESTIMATED TOTAL COST \$1,138.83

Property Description

CITY OF MUSKEGON •
JACQUELYN WOODS SUB DIV •
LOT 49



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner Donald J. Pennington
Signature Donald J. Pennington
Address 1280 Creston St.

CoOwner/Spouse Donald J. Pennington
Signature Jane J. Pennington
Address 1280 Creston St.

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

H-1530 CRESTON, EVANSTON TO APPLE

PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

FEET	PERCENTAGE	TOTAL NUMBER OF PARCELS - 47				FEET
		LETTER#	ST#	ST NAME	OPPOSE	
TOTAL ASSESSABLE FRONT FOOTAGE	3444.480 ***					
FRONT FEET OPPOSED	1216.90	31	1395	APPLE	24-226-000-0033-00	177.00
		27	1135	CRESTON	24-226-000-0044-00	68.00
		41	1280	CRESTON	24-475-000-0049-00	63.80
RESPONDING FRONT FEET IN FAVOR	0.000	40	1415	FRANCES	24-475-000-0050-00	65.00
		8	1500	CRESTON	24-475-000-0081-00	78.00
		11	1460	CRESTON	24-475-000-0084-00	78.00
NOT RESPONDING - FRONT FEET IN FAVOR	2227.580	12	1450	CRESTON	24-475-000-0085-00	78.00
	64.67%	13	1440	CRESTON	24-475-000-0086-00	78.00
		33	1390	CRESTON	24-475-000-0090-00	78.00
		35	1366	CRESTON	24-475-000-0092-00	78.00
TOTAL FRONT FEET IN FAVOR	2227.580	38	1330	CRESTON	24-475-000-0095-00	78.00
	64.67%	17	1390	HOWARD	24-750-000-0113-00	60.00
		4	1461	CRESTON	24-750-000-0176-00	80.00
		3	1467	CRESTON	24-750-000-0178-00	87.50
		1	1390	EVANSTON	24-750-000-0205-00	69.60

TOTALS

0.00

1216.90

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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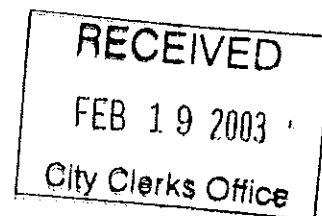
Project Description: MILLING & RESURFACING

INSTRUCTIONS

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Assessment Information

Property Address:	CRESTON ST
Parcel Number	24-226-000-0045-00
Assessable Frontage:	69.07 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,232.90



Property Description

CITY OF MUSKEGON •
CRESTWOOD GARDENS # 1 •
LOT 45

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Yvonne McDaniel

CoOwner/Spouse

Signature

1161 Creston

Signature

Address

Address

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

CITY OF MUSKEGON

Resolution No. 2003-15 (a)

Resolution At First Hearing Creating Special Assessment District
For **Creston, Evanston to Apple**

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

RECITALS:

1. A hearing has been held on **February 11, 2003** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **February 11, 2003**, there were 45.08% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

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

THEREFORE, BE IT RESOLVED:

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

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

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **19.21%** of the cost of the street improvement will be paid by special assessments.
5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

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

Nays None

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **February 11, 2003**.
The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

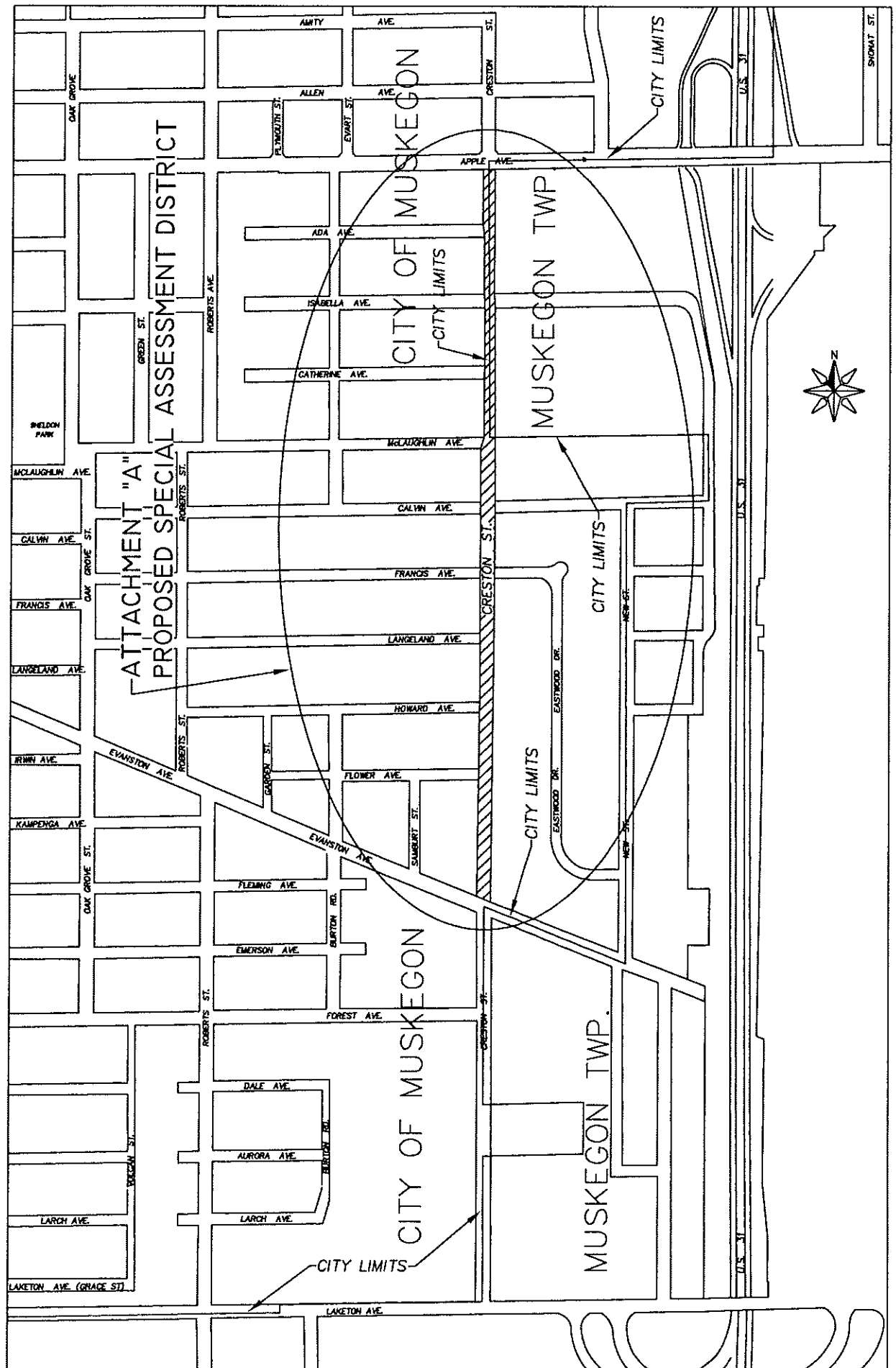
By Gail A. Kunderger
Gail A. Kunderger, Clerk

EXHIBIT A

Creston, Evanston to Apple

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Creston from Evanston to Apple



AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

Creston, Evanston to Apple

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 31ST DAY OF JANUARY, 2003.

Gail A. Kunderger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
19th DAY OF February, 2003.

Linda S. Potter

NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

• Linda S. Potter

MY COMMISSION EXPIRES 9-25-06

2003-15 b)

Date: February 11, 2003
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Public Hearing
Create Special Assessment District for:
Lincoln St. Sherman to Lakeshore Dr.

SUMMARY OF REQUEST:

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

FINANCIAL IMPACT:

None at this time.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2003-15 (b)

Resolution At First Hearing Creating Special Assessment District
For **Lincoln St. from Sherman Blvd. to Lakeshore Dr.**
Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **February 11, 2003** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **February 11, 2003**, there were 55.42% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

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

THEREFORE, BE IT RESOLVED:

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

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

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **14.50%** of the cost of the street improvement will be paid by special assessments.
5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

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

Nays None

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **February 11, 2003**.
The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

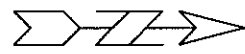
EXHIBIT A

Lincoln St. from Sherman Blvd. to Lakeshore Dr.

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Lincoln St. from Sherman Blvd. to Lakeshore Dr.

ATTACHMENT "A"
PROPOSED SPECIAL ASSESSMENT DISTRICT



ENGINEERING FEASIBILITY STUDY

For

LINCOLN, SHERMAN TO LAKESHORE DR.

The proposed Milling & resurfacing of Lincoln St. between Sherman & Lakeshore Dr. was initiated by the City due to the conditions its in. The proposed resurfacing, we feel, is necessary to prevent this section of roadway from deteriorating to a point where resurfacing would no longer be a valid option and a complete reconstruction would then be necessary, resulting in a higher cost to the property owners as well as to the City.

Facts;

- The last major work on this section of Lincoln was done back in 1958
- This section of Lincoln has an average pavement condition index of 42 out of a 100.
- A memorandum from the Assessor's office, which addresses appraisal and benefits to abutting properties, is attached.

The preliminary cost estimate for the work associated with paving is approximately \$450,000 with the length of the project being approximately 2920 lineal feet or 3655.47 of assessable footage. This translates into an estimated improvement cost of \$123 per assessable foot. The assessment figure will be at a cost not to exceed \$117.85 per assessable foot as established in the 2003 Special Assessment for this type of improvement.

MUSKEGON COUNTY

M I C H I G A N

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

EQUALIZATION DEPARTMENT

BOARD OF COMMISSIONERS

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

January 27, 2003

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

Mr. Al-Shatel:

In accordance with your request, I have examined the proposed special assessment district entailing the milling and resurfacing of Lincoln Street between W. Sherman Boulevard and Lakeshore Drive. The purpose of this analysis is to document the reasonableness of this special assessment district by identifying and quantifying any accrued benefits. It is subject to the normal governmental restrictions of escheat, taxation, police power and eminent domain. The effective date is January 27, 2003.

In conclusion, it is my opinion that the special assessment amounts justly and reasonably represents the accrued benefits to the properties encompassed by this project. The amounts reflect the sum of the immediate estimated value enhancement and the intrinsic value that will accrue from an overall increase in property values due to an improved quality of life created by the proposed project. As previously presented, the proposed special assessment district encompasses primarily residential properties. The front foot rate of \$17.85 for the milling and resurfacing of the above mentioned project area appears reasonable in light of an analysis that indicates a possible enhancement of \$18.64. The conclusions are based upon the data presented within this limited analysis in restricted format, and on supporting information in my files.

Sincerely,

Vicki A. Emery
Vicki A Emery, CMAE 3

Senior Appraiser

January 31th, 2003

OWNERS NAME
OWNERS ADDRESS
MUSKEGON, MI 49441

Parcel Number: at 24-XXX-XXX-XXXX-XX @ PARCEL ADDRESS

NOTICE OF HEARING ON SPECIAL ASSESSMENT

Dear Property Owner:

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

Milling & Resurfacing Lincoln, Sherman to LSD

The proposed special assessment district will be located as follows:

DESCRIPTION

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

Public Hearings

An initial public hearing to consider the creation of a special assessment district will be held at the City of Muskegon City Commission Chambers on FEBRUARY 11th, 2003 at 5:30 P.M. You are encouraged to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the proposed special assessment. We are enclosing a Hearing Response Card for you to indicate your agreement or opposition to the special assessment. This card includes the property identification and description, assessable footage per City policy, and the estimated cost of the assessment. You may also appear, as above, in lieu of, or in addition to mailing your response card to the City Clerk. Written objections or appearances must be made at or prior to the hearing. NOTE: THE SPECIAL ASSESSMENT WILL BE CREATED OR NULLIFIED AT THIS HEARING. IT IS IMPORTANT FOR YOU COMMENT AT THIS HEARING IF YOU WANT YOUR OPINION COUNTED FOR THE SPECIAL ASSESSMENT.

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

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

Estimated Costs

The total estimated cost of the street portion of the project is \$450,000.00 of which approximately 14.50% (\$65,250.14) will be paid by special assessment to property owners. Your property's estimated share of the special assessment is shown on the attached hearing response card. The remaining costs will be paid by the City.

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

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

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

Sincerely,

Mohammed Al-Shatel, P.E.
City Engineer

Special Assessment Payment Options

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

I. Lump Sum Payment in Full

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

II. Installment Payments

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

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

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

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

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

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

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

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

IV. Further Information About the Above Programs

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

V. Additional Special Assessment Payment Assistance

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

**CITY OF MUSKEGON
STREET H-1556
LINCOLN, SHERMAN TO LAKESHORE DR.
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT**

HOUSEHOLD INFORMATION

Name: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Spouse: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Address: _____ Phone: _____ Race: _____
Parcel # _____ Owner/Spouse Legally Handicapped Or Disabled? () Yes () No
(Please refer to your assessment letter for this information)

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

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

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

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

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

INCOME INFORMATION

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

PROPERTY INFORMATION

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

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

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

OWNER'S SIGNATURE

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

By signing this application, the applicant verifies he/she owns and occupies the dwelling. The Applicant/Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant/Owner's knowledge and belief. The property owner's signature will be required prior to the application being processed. **NO APPLICATION WILL BE ACCEPTED AFTER MAY 31, 2003**

FOR OFFICE USE ONLY

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

SIGNATURE _____ TITLE _____

COMMENTS/REMARKS _____

****ATTENTION APPLICANT****

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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

Assessment Information

Property Address:	STREET
Parcel Number	24-XXX-XXX-XXXX-XX
Assessable Frontage:	130.33 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$2,326.39

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
LOT 10 11 & 12 BLK 670 & S 1/2 OF OF VACATED ALLEY ABUTTING SAID LOTS

Your vote COUNTS!

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

I AM IN FAVOR ☐

I AM OPPOSED ☐

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

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

PCITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
SPECIAL ASSESSMENT DISTRICTS

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

**Lincoln St., Sherman Blvd., to Lakeshore Dr.
and
Creston St., Evanston Ave. to Apple Ave.**

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

- **All parcels abutting Lincoln St. from Sherman Blvd. to Lakeshore Dr.
and**
- **All parcels abutting Creston St. from Evanston Ave. to Apple Ave.**

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

THE HEARING WILL BE HELD IN THE MUSKEGON CITY COMMISSION CHAMBERS ON
FEBRUARY 11, 2003 AT 5:30 O'CLOCK P.M.

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

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

PUBLISH: **February 1, 2003**

Gail Kunding, City Clerk

ADA POLICY

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

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

SPECIAL ASSESSMENT

MILLING AND RESURFACING

HEARING DATE

FEBRUARY 11, 2003

LINCOLN, SHERMAN TO LAKESHORE DR.

24-205-664-0020-00	SAPPI PAPER PRODUCTS	ASSESSABLE FEET:	100
	2400 LAKESHORE DR	COST PER FOOT:	\$17.85
@ 2371.	LAKESHORE MUSKEGON MI	ESTIMATED P.O. COST:	\$1,785.00

24-205-664-0028-00	JOHNSON DANIEL A	ASSESSABLE FEET:	74
	2392 HARRISON AVE	COST PER FOOT:	\$17.85
@ 2392.	HARRISON MUSKEGON MI	ESTIMATED P.O. COST:	\$1,320.90

24-205-665-0011-00	HERBERT SCOTT/CHRISTY	ASSESSABLE FEET:	56
	2212 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2212.	LINCOLN ST MUSKEGON MI	ESTIMATED P.O. COST:	\$999.60

24-205-665-0011-10	PUFFER LYLE/LINDA	ASSESSABLE FEET:	56
	2220 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2220.	LINCOLN ST MUSKEGON MI	ESTIMATED P.O. COST:	\$999.60

24-205-665-0013-00	CARSON ALAN/ELIABETH	ASSESSABLE FEET:	56
	2230 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2230.	LINCOLN ST MUSKEGON MI	ESTIMATED P.O. COST:	\$999.60

24-205-665-0013-10	DAVIS ARTHUR A/ARLENE M TR	ASSESSABLE FEET:	56
	2238 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2238.	LINCOLN ST MUSKEGON MI	ESTIMATED P.O. COST:	\$999.60

24-205-666-0011-00	SKARRY PEGGY E	ASSESSABLE FEET:	62.5
	1347 W WINONA ST	COST PER FOOT:	\$17.85
@ 2258.	LINCOLN ST CHICAGO IL	ESTIMATED P.O. COST:	\$1,115.63

LINCOLN, SHERMAN TO LAKESHORE DR.

24-205-666-0011-10	RENKENBERGER JON W	ASSESSABLE FEET:	72.5
	2268 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2268.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,294.13</u>

24-205-666-0013-00	GAUL JOSEPH W	ASSESSABLE FEET:	72.5
	2280 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2280.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,294.13</u>

24-205-666-0013-10	HAZELBROOK REV TRUST	ASSESSABLE FEET:	62.5
	2288 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2288.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,115.63</u>

24-205-667-0011-00	KAHLO STEVEN D	ASSESSABLE FEET:	67.5
	2387 MORTON AVE	COST PER FOOT:	\$17.85
@ 2387.	MORTON AV MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,204.88</u>

24-205-667-0011-10	HARRIS MARK A	ASSESSABLE FEET:	67.5
	2310 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2310.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,204.88</u>

24-205-667-0013-00	THOMPSON DANIEL D/TAMMY J	ASSESSABLE FEET:	68
	2328 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2328.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,213.80</u>

24-205-667-0013-10	SHARNOWSKI MARCELLA A	ASSESSABLE FEET:	68
	2390 HARDING AVE	COST PER FOOT:	\$17.85
@ 2390.	HARDING A MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,213.80</u>

LINCOLN, SHERMAN TO LAKESHORE DR.

24-205-668-0010-00	BUNKER SARAH L	ASSESSABLE FEET:	66
	2358 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2358.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,178.10</u>

24-205-668-0010-10	SCHNEIDER C/LORRAINE	ASSESSABLE FEET:	66
	2370 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2370.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,178.10</u>

24-205-668-0013-00	TARDANI DAN	ASSESSABLE FEET:	66
	3879 APPLEWOOD LN	COST PER FOOT:	\$17.85
@ 2392.	CROZIER AV MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,178.10</u>

24-205-670-0001-00	OGLE JOHN L	ASSESSABLE FEET:	65.17
	2565 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2565.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,163.28</u>

24-205-670-0010-00	MOAT JOSEPH B	ASSESSABLE FEET:	130.33
	836 DYKSTRA RD	COST PER FOOT:	\$17.85
@ 2414.	W SHERMAN B MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$2,326.39</u>

24-205-671-0001-00	ZIMMER JUDY	ASSESSABLE FEET:	65.17
	2984 LAKESHORE	COST PER FOOT:	\$17.85
@ 2407.	PHILO AVE MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,163.28</u>

24-205-671-0012-00	MCBRIDE SHERWIN C	ASSESSABLE FEET:	65.17
	2408 LETART AVE	COST PER FOOT:	\$17.85
@ 2408.	LETART AVE MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,163.28</u>

LINCOLN, SHERMAN TO LAKESHORE DR.

24-205-672-0001-00	JOHNSON GUNNARD	ASSESSABLE FEET:	90.33
	2473 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2473.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,612.39</u>
24-205-672-0001-10	DARE EUGENE	ASSESSABLE FEET:	40
	2411 CUTLER AVE	COST PER FOOT:	\$17.85
@ 2411.	CUTLER AV MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$714.00</u>
24-205-672-0011-00	SARDINHA STANLEY/AMANDA	ASSESSABLE FEET:	50.33
	2483 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2483.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$898.39</u>
24-205-672-0011-10	TERBORG CYNTHIA A	ASSESSABLE FEET:	40
	2489 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2489.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$714.00</u>
24-205-672-0011-20	JONES RICHARD J	ASSESSABLE FEET:	40
	2495 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2495.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$714.00</u>
24-205-673-0001-00	BARTELS LESTER	ASSESSABLE FEET:	74.6
	2255 SOUTHWOOD AVE	COST PER FOOT:	\$17.85
@ 2409.	CROZIER AV MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,331.61</u>
24-205-673-0012-00	KNOWLES MACK A	ASSESSABLE FEET:	60.17
	2441 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2441.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,074.03</u>

LINCOLN, SHERMAN TO LAKESHORE DR.

24-205-674-0001-00	HOCK ROBERT L 1949 S MILL IRON RD	ASSESSABLE FEET:	72
@ 2355.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,285.20</u>
24-205-674-0001-10	BUCKNER TEMPIE 2371 LINCOLN ST	ASSESSABLE FEET:	60
@ 2371.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,071.00</u>
24-205-674-0011-00	BUIKEMA DONALD W 2385 LINCOLN ST	ASSESSABLE FEET:	66
@ 2385.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,178.10</u>
24-205-674-0011-10	SCHNEIDER THOMAS C 2393 LINCOLN ST	ASSESSABLE FEET:	66
@ 2393.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,178.10</u>
24-205-675-0001-00	KROMM RICHARD G/JACQUELIN 85 MILLRISE SQ SW	ASSESSABLE FEET:	62.5
@ 2339.	LINCOLN ST CALGARY AB	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,115.63</u>
24-205-676-0001-00	JESPERSEN RICHARD F 2215 LINCOLN ST	ASSESSABLE FEET:	66
@ 2215.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,178.10</u>
24-205-676-0004-00	ABDELKADER SUSIE V/FAISEL J 2229 LINCOLN ST	ASSESSABLE FEET:	69.75
@ 2229.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,245.04</u>

LINCOLN, SHERMAN TO LAKESHORE DR.

24-205-676-0004-10	ERPENBECK PAUL J 2239 LINCOLN ST	ASSESSABLE FEET:	69.25
@ 2239.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,236.11</u>
24-205-676-0005-00	WELSH DAVID H 2257 LINCOLN ST	ASSESSABLE FEET:	59.25
@ 2257.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,057.61</u>
24-205-676-0006-20	HERSHEY JOSEPH F 2265 LINCOLN ST	ASSESSABLE FEET:	38
@ 2265.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$678.30</u>
24-205-676-0006-30	SMITH MICHAEL L 1611 MULDER DR	ASSESSABLE FEET:	40
@ 2269.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$714.00</u>
24-205-676-0006-40	DUPLISSIS MATTHEW J/POWER 2271 LINCOLN ST	ASSESSABLE FEET:	40
@ 2271.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$714.00</u>
24-205-676-0007-10	STASUNAS FRANK J 2277 LINCOLN ST	ASSESSABLE FEET:	40
@ 2277.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$714.00</u>
24-205-676-0007-20	BECK REAL PROPERTIES LLC 16777 BRIDLEPATH	ASSESSABLE FEET:	40
@ 2287.	LINCOLN ST SPRING LAKE MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$714.00</u>

LINCOLN, SHERMAN TO LAKESHORE DR.

24-205-676-0008-40	LOSS MAX/JUDITH 2311 LINCOLN ST	ASSESSABLE FEET:	87
@ 2311.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,552.95</u>
24-205-676-0008-50	NORRIS JAMES 2317 LINCOLN ST	ASSESSABLE FEET:	45
@ 2317.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$803.25</u>
24-205-677-0001-00	SAPPI PAPER PRODUCTS 2400 LAKESHORE DR	ASSESSABLE FEET:	132
@ 2425.	LAKESHORE MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$2,356.20</u>
24-205-677-0007-00	BRANCH LOUIS JR 2187 LINCOLN ST	ASSESSABLE FEET:	76.2
@ 2187.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,360.17</u>
24-205-677-0007-10	FREDRICKS GAR 1740 RANDOLPH AVE	ASSESSABLE FEET:	46.3
@ 2197.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$826.46</u>
24-205-677-0008-00	HARRIS CLAYTON E/DAWN S 2207 LINCOLN ST	ASSESSABLE FEET:	66
@ 2207.	LINCOLN ST MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,178.10</u>
24-545-001-0001-00	BALKEMA LINDA J/HICKEY ANN 2393 CROZIER AVE	ASSESSABLE FEET:	74.6
@ 2393.	CROZIER AV MUSKEGON MI	COST PER FOOT:	\$17.85
		<u>ESTIMATED P.O. COST:</u>	<u>\$1,331.61</u>

LINCOLN, SHERMAN TO LAKESHORE DR.

24-545-001-0030-00	DAVIGNON CHRISTOPHER G	ASSESSABLE FEET:	60.17
	2440 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2440.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,074.03</u>

24-545-002-0001-00	MURPHY DALE JR	ASSESSABLE FEET:	60.17
	2468 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2468.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,074.03</u>

24-545-002-0028-00	ALVESTEFFER MICHAEL	ASSESSABLE FEET:	40.11
	2484 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2484.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$715.96</u>

24-545-002-0028-10	GUE KIMBERLY/ARLENE	ASSESSABLE FEET:	40.11
	2490 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2490.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$715.96</u>

24-545-002-0028-20	LAIRD JAMES J	ASSESSABLE FEET:	40.11
	2494 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2494.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$715.96</u>

24-545-003-0001-00	SERVER MILDRED ET AL	ASSESSABLE FEET:	60.17
	2393 PHILO AVE	COST PER FOOT:	\$17.85
@ 2393.	PHILO AVE MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,074.03</u>

24-545-003-0029-00	SIDOCK NICHOLAS J	ASSESSABLE FEET:	60.17
	2540 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2540.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,074.03</u>

LINCOLN, SHERMAN TO LAKESHORE DR.

24-545-004-0001-00	JONES LEONARD	ASSESSABLE FEET:	60.17
	2564 LINCOLN ST	COST PER FOOT:	\$17.85
@ 2564.	LINCOLN ST MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,074.03</u>

24-545-004-0029-00	KARAMSAR CORP	ASSESSABLE FEET:	60.17
	2390 W SHERMAN BLVD	COST PER FOOT:	\$17.85
@ 2390.	W SHERMAN B MUSKEGON MI	<u>ESTIMATED P.O. COST:</u>	<u>\$1,074.03</u>

SUM OF ASSESSABLE FOOTAGE:	<u>3655.47</u>	<u>SUM OF ESTIMATED P.O. COST:</u>	<u>\$65,250.14</u>
TOTAL NUMBER OF ASSESSABLE PARCELS	58.00		

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

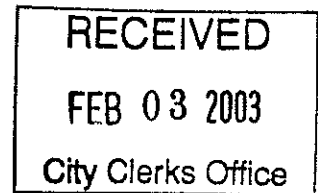
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Assessment Information

Property Address: **LINCOLN ST**
Parcel Number **24-205-676-0006-30**
Assessable Frontage: **40** Feet
Estimated Front Foot Cost: **\$17.85** per Foot
ESTIMATED TOTAL COST \$714.00

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
S 40 FT OF N 78 FT OF E 148 1/2 FT LOT 6•
BLK 676



Your vote COUNTS!

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

I AM IN FAVOR



I AM OPPOSED



Owner	<u>MICHAEL L SMITH</u>	CoOwner/Spouse	_____
Signature	<u>M L Smith</u>	Signature	_____
Address	<u>2269 LINCOLN</u>	Address	_____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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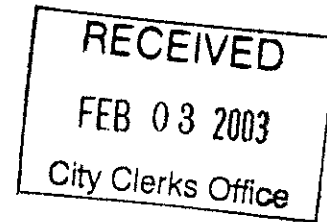
Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-666-0013-00
Assessable Frontage:	72.5 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,294.13



Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
N 1/2 LOTS 13-14 •
BLK 666 •
& S 10 FT OF ALLEY •

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner	<u>Joseph Wilson Gaul</u>	CoOwner/Spouse	_____
Signature	<u>Joseph Wilson Gaul</u>	Signature	_____
Address	<u>2280 Lincoln Street</u>	Address	_____

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

SPECIAL ASSESSMENT
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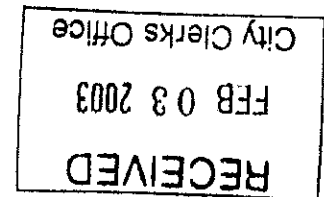
Project Description: MILLING & RESURFACING

INSTRUCTIONS

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Assessment Information

Property Address:	HARRISON AVE
Parcel Number	24-205-664-0028-00
Assessable Frontage:	74 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,320.90



Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
BLK 664•
LOT 28 •
& W 47 FT LOT 29 •

~~JAN 03 2003~~

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED



Owner	<u>Daniel A Johnson</u>	CoOwner/Spouse	<u>Till Johnson</u>
Signature	<u>Daniel A Johnson</u>	Signature	<u>Till P. Johnson</u>
Address	<u>2392 Harrison Ave</u>	Address	<u>2392 Harrison Ave</u>

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

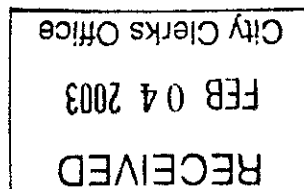
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Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-672-0011-20
Assessable Frontage:	40 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$714.00

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
S 40 FT LOTS 11-12 BLK 672



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED



Owner Richard Jones
Signature Richard Jones
Address 2495 Lincoln

CoOwner/Spouse _____
Signature _____
Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

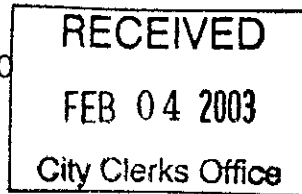
Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address: **MORTON AVE**
Parcel Number **24-205-667-0011-00**
Assessable Frontage: **67.5** Feet
Estimated Front Foot Cost: **\$17.85** per Foot



ESTIMATED TOTAL COST \$1,204.88

Property Description

CITY OF MUSKEGON •
REVISED PLAT OF 1903 •
N 67 1/2 FT LOTS 11-12 •
BLK 667

Your vote COUNTS!

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

I AM IN FAVOR



I AM OPPOSED



Owner

STEVEN D. KAHLA
Shawn D. Kahl

CoOwner/Spouse

Kathryn A. Kahla

Signature

Shawn D. Kahl 2/2/03

Signature

Kathy A. Kahla 2/2/03

Address

2387 MORTON AVE

Address

2387 Morton Avenue

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

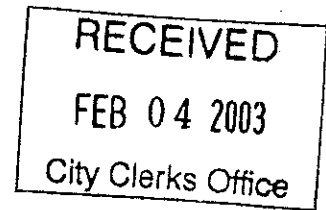
Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-665-0013-10
Assessable Frontage:	56 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$999.60



Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
BLK 665•
S 1/2 LOTS 13-14•

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Arthur J. Davis

CoOwner/Spouse

Wilma

Signature

Arthur J. Davis

Signature

Wilma

Address

3238 Lincoln

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

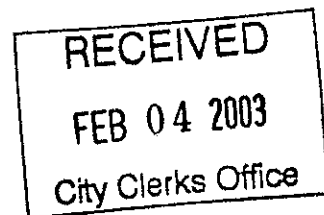
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INSTRUCTIONS

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Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-665-0013-00
Assessable Frontage:	56 Feet
Estimated Front Foot Cost:	\$17.85 per Foot



ESTIMATED TOTAL COST \$999.60

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
BLK 665•
N 1/2 LOTS 13-14•

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED



Owner Alan Carson

CoOwner/Spouse Elizabeth Carson

Signature Alan Carson

Signature Elizabeth Carson

Address 2230 Lincoln St, Muskegon, MI 49791

Address 2230 Lincoln St, Muskegon

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

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Issa Abdel Rader

CoOwner/Spouse

Signature

Signature

Address

2229 Lincoln St

Address

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

RECEIVED

FEB 04 2003

City Clerks Office

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

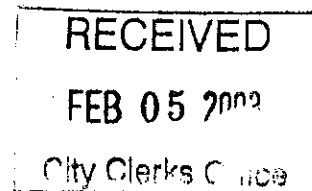
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Assessment Information

Property Address:	CROZIER AVE
Parcel Number	24-545-001-0001-00
Assessable Frontage:	74.6 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,331.61

Property Description

CITY OF MUSKEGON •
LIBERTY SUB DIV OF PART OF BLK 669 •
LOT 1 & W 20 FT LOT 2 •
BLK 1



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

LINDA JO BALKEMA

CoOwner/Spouse

ANN E. HICKEY

Signature

Linda J. Balkema

Signature

Ann E. Hickey

Address

2393 Crozier

Address

14451 160th GRAND PAVEN

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

FEBRUARY 4, 2003

MUHAMMED AL-SHATEL, P.E.
CITY OF MUSKEGON
P.O. BOX 536 CITY HALL
933 TERRACE STREET
MUSKEGON, MI 49443-0536

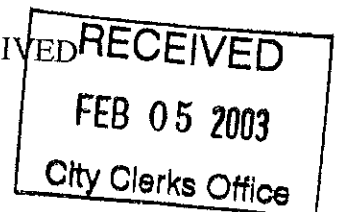
RE: LINCOLN, SHERMAN TO LAKESHORE DR.

DEAR MUHAMMED:

I RECEIVED A "SPECIAL ASSESSMENT" IN THE MAIL THE OTHER DAY AND AFTER READING THIS I WAS SURPRISED TO SEE THE CITY WOULD EVER CONSIDER CHARGING THE PEOPLE WHO LIVE ALONG THIS STREET TO PAY FOR ANY RESURFACING.

REASON: FOR THE LAST 5 YEARS I HAVE LIVED ON THE CORNER OF CROZIER AND LINCOLN, THERE HAS BEEN AN INCREASE OF TRAFFIC AND HEAVY, HEAVY, TRUCKS. MYSELF, I HAVE CALLED MANY TIMES TO HAVE THE CITY TO SLOW DOWN, AND ELIMINATE THE TRUCK TRAFFIC, HOWEVER, THE CITY SEEMS TO NOT CARE AND SO THE TRAFFIC OF HEAVY TRUCKS CONTINUES. I HAVE SPOKE WITH THE STATE POLICE, AND THEY, LAST SUMMER, PATROLLED THE AREA AND DID TALK TO THE NUGENT SAND AND OTHER TRUCKING COMPANIES TO STOP THE FLOW OF THIS TYPE OF TRAFFIC. HOWEVER, ONCE THE STATE POLICE STOPPED AND TURNED IT OVER TO THE LOCAL POLICE, THE TRAFFIC HAS PICKED UP CONSIDERABLY. I EVEN HAD AN OFFICER FROM THE CITY CALL ME AT MY OFFICE AND TOLD ME THAT WHAT I TOLD THE STATE POLICE ABOUT THE TRUCKS WAS NOT TRUE. I THEREFORE FOUND OUT THROUGH A FRIEND, THAT IF I SPOKE TO YOU, YOU WOULD BE ABLE TO HANDLE THIS, AS THE LOCAL POLICE WERE UNABLE TO STOP THEM.

MUHAMMED, I BELIEVE THAT THIS PROJECT FOR THE PEOPLE ON LINCOLN STREET TO HAVE TO PAY FOR ANY TYPE OF REPAIR TO THIS STREET IS TOTALLY AND COMPLETELY UNFAIR. WE HAVE HAD TO PUT UP WITH THE TOTAL LACK OF ENFORCING HEAVY TRUCKS FROM THEIR HEAVY LOADS OF DRIVING 24 HOURS A DAY ON OUR STREET, AND NOW YOU AND THE CITY ARE TELLING US WE HAVE TO PAY FOR THE RESURFACING? GIVE ME A BREAK. THIS IS UNJUSTIFIED. IF YOU LIVED



ON THIS STREET AND HAD ALL OF THIS TRAFFIC, NOT JUST THE TRUCKS
BUT THE CONSTANT SPEEDING OF VEHICLES YOU WOULD BE UPSET AS
WELL AS THE REST OF US.

I HAVE TALKED TO A FEW NEIGHBORS AND THEY ARE ALSO UPSET
AND THEY ALSO HAVE CALLED AND COMPLAINED TO THE CITY ABOUT
THE TRUCKS AND TRAFFIC.

I CANNOT SEE HOW YOU CAN JUSTIFY THE RESIDENCES PAYING FOR
SOMETHING WE HAVE NOT DAMAGED. SHOW ME.

I WILL SEE YOU ON TUESDAY, GOD WILLING AT 5:30 ON 2-11-03.

THANK YOU

LINDA JO BALKEMA
2393 CROZIER
MUSKEGON, MI 49441

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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

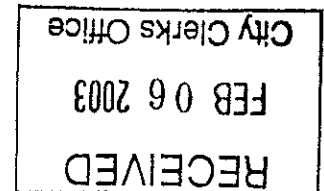
Assessment Information

Property Address: LINCOLN ST
Parcel Number 24-205-673-0012-00
Assessable Frontage: 60.17 Feet
Estimated Front Foot Cost: \$17.85 per Foot

ESTIMATED TOTAL COST \$1,074.03

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
LOT 12 BLK 673



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED



Owner

CoOwner/Spouse

Marna J. K. (Spouse)

Signature

[Signature]

Signature

Marna J. Knowles

Address

Address

2441 Lincoln St.

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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

Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-674-0001-10
Assessable Frontage:	60 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,071.00

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
SLY 60 FT LOTS 1 & 2 BLK 674

RECEIVED

FEB 06 2003

City Clerks Office

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

CoOwner/Spouse

Signature

Signature

Address

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

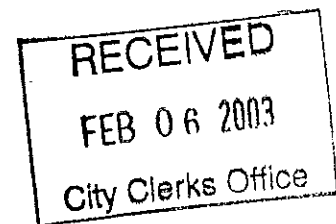
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Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-672-0011-00
Assessable Frontage:	50.33 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$898.39

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
N 40 FT LOTS 11 & 12•
ALSO S 1/2 VAC ALLEY ADJ BLK 672



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Amanda Sardinha

CoOwner/Spouse

Amanda Sardinha

Signature

[Signature]

Signature

Amanda Sardinha

Address

2483 Lincoln St

Address

2483 Lincoln St.

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

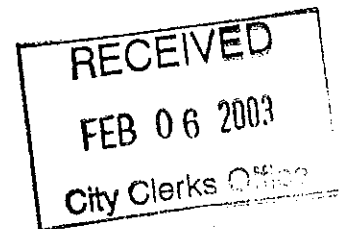
Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:	CROZIER AVE
Parcel Number	24-205-668-0013-00
Assessable Frontage:	66 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,178.10



Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
LOT 13•
BLK 668

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Dan M. Tardani

CoOwner/Spouse

Kathleen Tardani

Signature

Dan Tardani

Signature

Kathleen Tardani

Address

3879 Applewood

Address

3879 Applewood

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

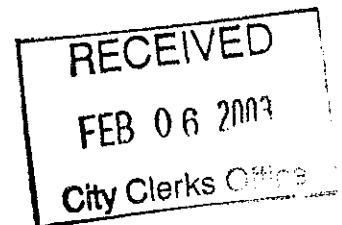
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Assessment Information

Property Address: **LINCOLN ST**
Parcel Number **24-205-672-0001-00**
Assessable Frontage: **90.33** Feet
Estimated Front Foot Cost: **\$17.85** per Foot
ESTIMATED TOTAL COST \$1,612.39

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
S 80 FT OF LOTS 1 & 2 ALSO N 1/2 VAC ALLEY ADJ BLK 672



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner	<u>GUNNARD C JOHNSON</u>	CoOwner/Spouse	<u>GRACE L. JOHNSON</u>
Signature	<u>Gunnard Johnson</u>	Signature	<u>Grace L. Johnson</u>
Address	<u>2473 LINCOLN</u>	Address	<u>2473 Lincoln</u>

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

10

*Why should the ^{real} payers pay when Regent sand
tumbles down Lincoln until 10:00 at night-?*

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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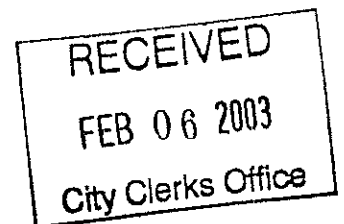
Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-545-001-0030-00
Assessable Frontage:	60.17 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,074.03

** If anything
speed bumps should
be put in to slow
traffic down!!*

Property Description

CITY OF MUSKEGON •
LIBERTY SUB DIV OF PART OF BLK 669 •
LOT 30 BLK 1



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner Christopher D'Amico Co-Owner/Spouse _____

Signature Christopher D'Amico Signature _____

Address 2440 Lincoln Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

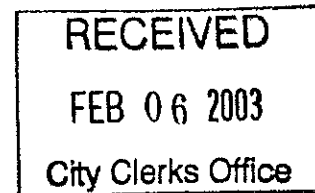
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Assessment Information

Property Address: **LINCOLN ST**
Parcel Number **24-205-665-0011-00**
Assessable Frontage: **56** Feet
Estimated Front Foot Cost: **\$17.85** per Foot
ESTIMATED TOTAL COST \$999.60

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
BLK 665•
N 1/2 LOTS 11-12•



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner <u>Scott Herbert</u> Signature <u>[Signature]</u> Address <u>2212 Lincoln</u>	CoOwner/Spouse <u>Christy Herbert</u> Signature <u>[Signature]</u> Address <u>2212 Lincoln</u>
---	--

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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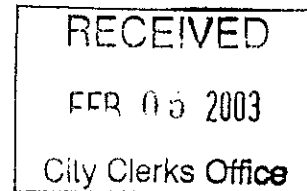
Assessment Information

Property Address: **LINCOLN ST**
Parcel Number **24-205-677-0007-00**
Assessable Frontage: **76.2** Feet
Estimated Front Foot Cost: **\$17.85** per Foot

ESTIMATED TOTAL COST **\$1,360.17**

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
N 76.2 FT LOT 7 BLK 677



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

LOUIS BRANCH

CoOwner/Spouse

SANDRA BRANCH

Signature

Louis Branch

Signature

Sandra Branch

Address

2187 LINCOLN

Address

2187 Lincoln St

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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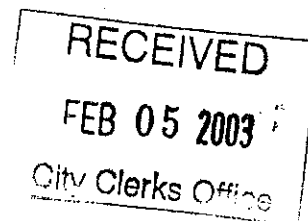
Assessment Information

Property Address: PHILO AVE
Parcel Number 24-205-671-0001-00
Assessable Frontage: 65.17 Feet
Estimated Front Foot Cost: \$17.85 per Foot

ESTIMATED TOTAL COST \$1,163.28

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
LOT 1 BLK 671 N 1/2 VACATED ALLEY ABUTTING



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner Judy Zimmer CoOwner/Spouse

Signature Judy Zimmer Signature _____

Address 2407 Philo Ave Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

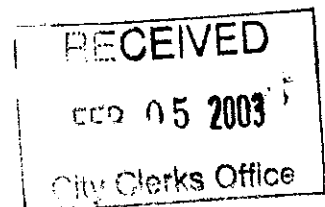
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Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-676-0001-00
Assessable Frontage:	66 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,178.10

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
LOT 1 BLK 676



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner	<u>Richard F. Jespersen</u>	CoOwner/Spouse	<u>Emilie B. Jespersen</u>
Signature	<u>Richard F. Jespersen</u>	Signature	<u>Emilie B. Jespersen</u>
Address	<u>2215 Lincoln</u>	Address	<u>2215 Lincoln</u>

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

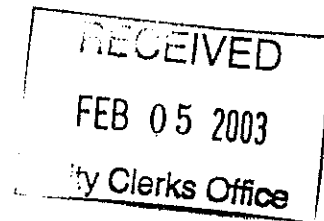
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Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-674-0011-10
Assessable Frontage:	66 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,178.10

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
S 1/2 LOTS 11 & 12 BLK 674



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner Thomas C. Schneider CoOwner/Spouse _____

Signature Thomas C. Schneider Signature _____

Address 2393 Lincoln Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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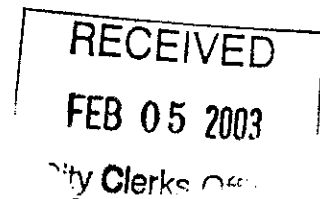
Assessment Information

Property Address: LETART AVE
Parcel Number 24-205-671-0012-00
Assessable Frontage: 65.17 Feet
Estimated Front Foot Cost: \$17.85 per Foot

ESTIMATED TOTAL COST \$1,163.28

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
LOT 12 BLK 671 & S 1/2 VACATED ALLEY ABUTTING



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner	<u>Sharon C. McBride</u>	CoOwner/Spouse	<u>Marjorie A. McBride</u>
Signature	<u>Sharon C. McBride</u>	Signature	<u>Marjorie A. McBride</u>
Address	<u>2408 Le Tart</u>	Address	<u>2408 Le Tart</u>

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

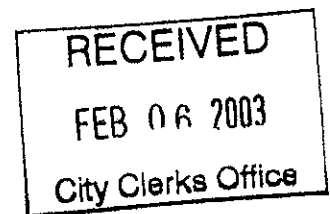
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Assessment Information

Property Address: **LINCOLN ST**
Parcel Number **24-205-666-0011-00**
Assessable Frontage: **62.5** Feet
Estimated Front Foot Cost: **\$17.85** per Foot
ESTIMATED TOTAL COST \$1,115.63

Property Description

• OF MUSKEGON •
• ED PLAT OF 1903 •
• TS 11-12 •



Your vote COUNTS!

I am either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner **PEGGY E. SKARAY** CoOwner/Spouse _____

Signature **Peggy E. Skaray** Signature _____

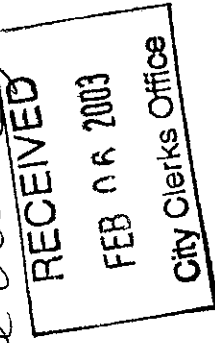
Address **1307 W. Wanda** Address _____

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

City Clerk's Office

To Whom It May Concern:

Regarding the enclosed
hearing response card -
the fact that I live in Chicago,
am 68 yrs old, and am
sole care giver for my husband
who is totally bed-ridden and
incapacitated (getting over
income by more than half) -
and further, since the last
time I was in Muskegon (2 yrs.
ago) haven't seen him
perfectly safe and drivable and
insured. I cannot afford
an assessment such as this
in addition to taxes and
up-keep - (lawn-cutting and
emergencies that occur).



SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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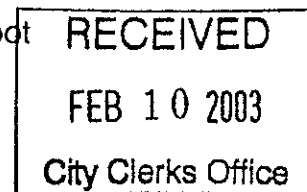
Assessment Information

Property Address: LINCOLN ST
Parcel Number 24-205-666-0011-10
Assessable Frontage: 72.5 Feet
Estimated Front Foot Cost: \$17.85 per Foot

ESTIMATED TOTAL COST \$1,294.13

Property Description

CITY OF MUSKEGON •
REVISED PLAT OF 1903 •
S 1/2 LOTS 11-12 •
BLK 666 •
& N 10 FT OF ALLEY •



Your vote COUNTS!

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

I AM IN FAVOR



I AM OPPOSED



Owner Jon Renkenberger
Signature [Signature]
Address 2268 Lincoln

CoOwner/Spouse _____
Signature _____
Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

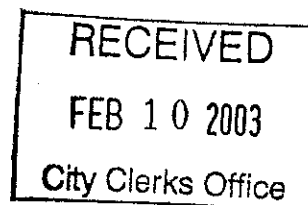
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Assessment Information

Property Address: LINCOLN ST
Parcel Number 24-205-676-0008-50
Assessable Frontage: 45 Feet
Estimated Front Foot Cost: \$17.85 per Foot
ESTIMATED TOTAL COST \$803.25

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
S 45 FT OF E 100 FT LOT 8 BLK 676



Your vote COUNTS!

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

I AM IN FAVOR



I AM OPPOSED



Owner JAMES MORRIS
Signature James Morris
Address 2317 Lincoln St

CoOwner/Spouse _____
Signature _____
Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

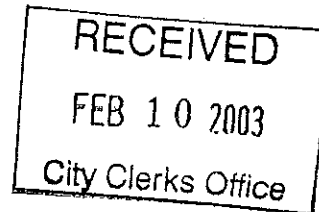
Project Description: MILLING & RESURFACING

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Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-676-0008-40
Assessable Frontage:	87 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,552.95



Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
N 87 FT OF E 100 FT LOT 8 BLK 676

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner	<u>MAX C. LOSS</u>	CoOwner/Spouse	<u>JUDITH A. LOSS</u>
Signature	<u>Max C. Loss</u>	Signature	<u>Judith A. Loss</u>
Address	<u>2311 Lincoln St.</u>	Address	<u>2311 LINCOLN ST.</u>

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

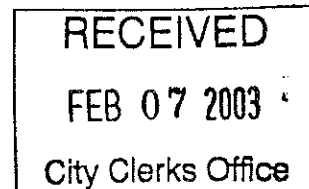
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Assessment Information

Property Address: CUTLER AVE
Parcel Number 24-205-672-0001-10
Assessable Frontage: 40 Feet
Estimated Front Foot Cost: \$17.85 per Foot
ESTIMATED TOTAL COST \$714.00

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
N 40 FT LOTS 1-2 BLK 672



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner EUGENE S. DARE

CoOwner/Spouse DECEASE

Signature Eugene S. Dare

Signature _____

Address 2411 Cutler Ave

Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

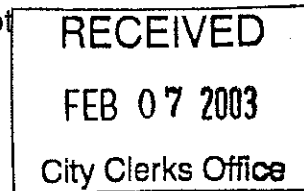
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Assessment Information

Property Address: LINCOLN ST
Parcel Number 24-205-665-0011-10
Assessable Frontage: 56 Feet
Estimated Front Foot Cost: \$17.85 per Foot
ESTIMATED TOTAL COST \$999.60

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
BLK 665•
S 1/2 LOTS 11-12•



Your vote COUNTS!

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

I AM IN FAVOR



I AM OPPOSED



Owner Lyle J. Puffer
Signature Lyle J. Puffer
Address 2220 Lincoln St.

CoOwner/Spouse Linda N. Puffer
Signature Linda N. Puffer
Address 2220 Lincoln St.

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

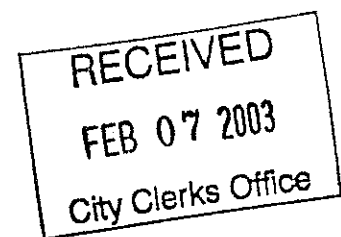
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Assessment Information

Property Address:	PHILO AVE
Parcel Number	24-545-003-0001-00
Assessable Frontage:	60.17 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$1,074.03

Property Description

CITY OF MUSKEGON •
LIBERTY SUB DIV OF PART OF BLK 669 •
LOT 1 BLK 3



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner	<u>Mildred SERVER</u>	CoOwner/Spouse	_____
Signature	<u>Mildred Server</u>	Signature	_____
Address	<u>2393 Philo ave,</u>	Address	_____

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

February 6, 2003

RECEIVED

FEB 10 2003

MUSKEGON
CITY MANAGER'S OFFICE

Mayor Stephen Warmington
City of Muskegon
933 Terrace St.
PO Box 536
Muskegon, MI 49443-0536

Re: Proposed special assessment district abutting Lincoln and Sherman to Lakeshore Dr.

Dear Mayor Warmington:

Since I will be unable to attend the February 11, 2003 council meeting and since this meeting is the one and only meeting where comments will be heard regarding the proposed special assessment district of all parcels abutting Lincoln and Sherman to Lakeshore Dr., I would like to record some comments. I am sending copies of this letter to the Commission and Council members for their information and consideration.

I cannot and do not attempt to speak for all the citizens that live on Lincoln St. To begin, I feel this request for a special assessment district by the City of Muskegon is quite a bold move on the City's part. For years we have had to put up with sand trucks, many times double bottom sand trucks, speeding up and down Lincoln St empty and fully loaded. In the warmer months this is almost a 24/7 operation. This is a residential area. Why are those trucks even allowed to run on this street? Why can't these trucks leave town via Sherman Blvd which is a main four lane street? Are there not weight restrictions on residential streets? It does not take an expert, common sense is sufficient, to know the wear and tear these heavy industrial vehicles cause to residential streets. These streets are not meant or designed for truck traffic like this. The traffic situation does not end with trucks. Exceeding the speed limit by cars, vans, motorcycles, etc. is also a major problem on Lincoln St.

Now you may be asking yourselves, why have we not heard any citizen feedback on these problems? The answer to your question is there has been. On several occasions the police department has been contacted by myself or a neighbor. On one occasion when my neighbor contacted the police department, she was met with extreme indifference and belligerence that the person she was talking to actually brought my neighbor to tears. This experience moved my neighbor to pen a letter to the editor in the Muskegon Chronicle. My last contact with the police department was going to the department in person and asking to speak to someone about the above mentioned situations. After explaining my concerns to the girl at the counter in the police station, she informed me that she wished the speed limit on Lincoln St. was raised to 40 or 45 mph. An officer then walked by and claimed there was nothing that could be done and that we would "just have to live with it". I feel as a tax paying citizen of the City of Muskegon, the citizens should not be treated with such indifference by the employees of the City.

A decision now must be made of what is best for "the community". This decision by the City must take into account several fundamental issues that involve more than just the refurbishing of Lincoln St. These immediate issues should be a very strict AND ENFORCED axle weight limit set for Lincoln St. Outside of local delivery truck or refuse vehicle traffic, there should be no truck traffic at all on this street. The issue of vehicles that routinely exceed the residential speed limit needs to be addressed, rectified AND ENFORCED. Perhaps if Lincoln St. were allowed to become full of potholes and allowed to deteriorate, the traffic would then be forced to slow down to 25 mph and the trucks would then have to find an alternate route. This would at least allow children and residents who must cross Lincoln St. possibly safer passage due to vehicles traveling slower. If Lincoln St were to be made "smooth", I believe we all know that the speed of traffic would be the same or faster.

The City of Muskegon has asked us to consider and approve a special assessment district for the refurbishing of Lincoln. In looking at what is best for the community, consideration should NOT be given to this assessment. Perhaps once the above mentioned fundamental issues are addressed, corrected, and the City of Muskegon actually proves they will continue to enforce those issues, more citizens on Lincoln St. in the future would consider repair of Lincoln St. Until all this happens I adamantly oppose the special assessment district.

Sincerely,

Alan Carson

CC: Vice Mayor Karen Buie, Commissioner Clara Shepherd, Commissioner Lawrence Spataro, Commissioner Robert Schweifler, Commissioner William Larson, Commissioner Stephen Gawron, City Manager Bryon Mazade, City Engineer Mohammed Al-Shatel

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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

Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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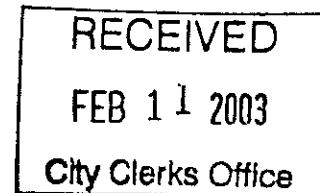
Assessment Information

Property Address: LINCOLN ST
Parcel Number 24-205-674-0001-00
Assessable Frontage: 72 Feet
Estimated Front Foot Cost: \$17.85 per Foot

ESTIMATED TOTAL COST \$1,285.20

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
NLY 72 FT LOTS 1 & 2 BLK 674



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

JOSEPH HECK

CoOwner/Spouse

Signature

JOSEPH HECK

Signature

Address

2355 Lincoln

Address

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

14

*Can't you people think of better things
to do with my money than resurface
the road that is in front of my house?

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By **FEBRUARY 11, 2003**

Project Title: **LINCOLN, SHERMAN TO LAKESHORE DR.**

Project Description: **MILLING & RESURFACING**

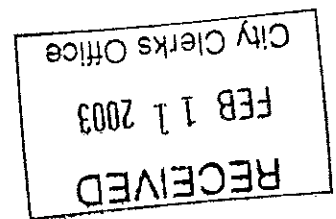
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Assessment Information

Property Address: **LINCOLN ST**
Parcel Number **24-205-670-0001-00**
Assessable Frontage: **65.17** Feet
Estimated Front Foot Cost: **\$17.85** per Foot

ESTIMATED TOTAL COST \$1,163.28



Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
LOT 1 BLK 670•
ALSO•
NLY 1/2 OF VACATED ALLEY

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Sarah L. Ogle

CoOwner/Spouse

Signature

[Signature]

Signature

Address

2565 Lincoln

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

Project Title: LINCOLN, SHERMAN TO LAKESHORE DR.

Project Description: MILLING & RESURFACING

INSTRUCTIONS

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Assessment Information

Property Address:	LINCOLN ST
Parcel Number	24-205-672-0011-10
Assessable Frontage:	40 Feet
Estimated Front Foot Cost:	\$17.85 per Foot
ESTIMATED TOTAL COST	\$714.00

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
S 40 FT OF N 80 FT LOTS 11-12 BLK 672



Your vote COUNTS!

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

I AM IN FAVOR

☒

I AM OPPOSED

☐

Owner

Cynthia Terborg

CoOwner/Spouse

None

Signature

Cynthia Terborg

Signature

Address

2489 Lincoln

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

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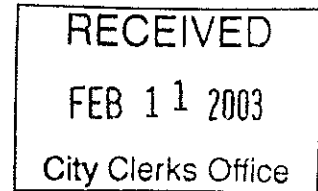
Assessment Information

Property Address: **LINCOLN ST**
Parcel Number **24-205-677-0008-00**
Assessable Frontage: **66** Feet
Estimated Front Foot Cost: **\$17.85** per Foot

ESTIMATED TOTAL COST \$1,178.10

Property Description

CITY OF MUSKEGON•
REVISED PLAT OF 1903•
LOT 8 BLK 677



Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner

Clayton Harris

CoOwner/Spouse

Dawn Harris

Signature

CHH

Signature

Dawn Harris

Address

220 N Lincoln

Address

220 N Lincoln

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

27

Because many large trucks & semi's use this street.
They are the ones that tear up the road. They
should help with the repair.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

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Return This Card By FEBRUARY 11, 2003

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Project Description: MILLING & RESURFACING

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Assessment Information

Property Address: LINCOLN ST
Parcel Number 24-205-677-0007-10
Assessable Frontage: 46.3 Feet
Estimated Front Foot Cost: \$17.85 per Foot
ESTIMATED TOTAL COST \$826.46



Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
S 46.3 FT OF N 122.5 FT LOT 7 BLK 677

Your vote COUNTS!

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

I AM IN FAVOR

☐

I AM OPPOSED

☒

Owner GAR FREDRICKS CoOwner/Spouse JOAN FREDRICKS
Signature Dan Fredrick Signature Joan C Fredricks
Address 1740 Randolph Address 1740 Randolph

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

28

We received this Feb. 8, 2003 - (Saturday). We are in Florida & have the mail forwarded. This evidently was not mailed out soon enough - Joan Fredrick

H-1566 LINCOLN, SHERMAN TO LAKESHORE
PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

	FEET	PERCENTAGE	TOTAL NUMBER OF PARCELS - 47				FOR				OPPOSE			
			LETTER#	ST#	ST NAME	PARCEL#	FEET	LETTER#	ST#	ST NAME	PARCEL#	FEET	ST#	FEET
TOTAL ASSESSABLE FRONT FOOTAGE	3655.470 ***		54	2220	LINCOLN	24-205-665-0011-10	56.00	2	2585	LINCOLN	24-205-670-0001-00	56.17		
FRONT FEET OPPOSED	2025.90	55.42%	16	2317	LINCOLN	24-205-676-0008-50	45.00	3	2408	LETART	24-205-671-0012-00	65.17		
								4	2407	PHILO	24-205-671-0001-00	65.17		
RESPONDING FRONT FEET IN FAVOR	101.000	2.76%						5	2495	LINCOLN	24-205-672-0011-20	40.00		
								6	2489	LINCOLN	24-205-672-0011-10	40.00		
NOT RESPONDING - FRONT FEET IN FAVOR	1528.570	41.82%						7	2483	LINCOLN	24-205-672-0011-00	50.33		
								8	2411	CUTLER	24-205-672-0001-10	40.00		
TOTAL FRONT FEET IN FAVOR	1629.570	44.58%						9	2441	LINCOLN	24-205-673-0012-00	60.17		
								10	2473	LINCOLN	24-205-672-0001-00	90.33		
								11	2393	LINCOLN	24-205-674-0011-10	66.00		
								13	2371	LINCOLN	24-205-674-0001-10	60.00		
								14	2355	LINCOLN	24-205-674-0001-00	72.00		
								17	2311	LINCOLN	24-205-676-0008-40	87.00		
								21	2269	LINCOLN	24-205-676-0006-30	40.00		
								25	2229	LINCOLN	24-205-676-0004-00	69.75		
								26	2215	LINCOLN	24-205-676-0001-00	66.00		
								27	2207	LINCOLN	24-205-677-0008-00	66.00		
								29	2187	LINCOLN	24-205-677-0007-00	76.20		
								34	2393	PHILO	24-545-003-0001-00	60.17		
								38	2488	LINCOLN	24-545-002-0001-00	60.17		
								39	2440	LINCOLN	24-545-001-0030-00	60.17		
								40	2393	CROZIER	24-545-001-0001-00	74.60		
								41	2392	CROZIER	24-205-668-0013-00	66.00		
								46	2310	LINCOLN	24-205-667-0011-10	67.50		
								47	2387	MORTON	24-205-667-0011-00	67.50		
								49	2280	LINCOLN	24-205-668-0013-00	72.50		
								50	2268	LINCOLN	24-205-666-0011-10	72.50		
								51	2258	LINCOLN	24-205-668-0011-00	62.50		
								52	2238	LINCOLN	24-205-665-0013-10	56.00		
								53	2230	LINCOLN	24-205-665-0013-00	56.00		
								55	2212	LINCOLN	24-205-665-0011-00	56.00		
								57	2392	HARRISON	24-205-664-0028-00	74.00		
TOTALS							101.00					2025.90		

* NOTE: MR. FREDRICK OF 2197 LINCOLN CALLED FROM FLORIDA AND VOTES "NO"
HIS RESPONSE CARD IS IN THE MAIL

H-1556 LINCOLN, SHERMAN TO LAKESHORE

PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

	FEET	PERCENTAGE	TOTAL NUMBER OF PARCELS . 47									
			LETTER#	ST#	ST NAME	FOR	PARCEL#	FEET	LETTER#	ST#	ST NAME	OPPOSE
TOTAL ASSESSABLE FRONT FOOTAGE	3655.470 ***		54	2220	LINCOLN		24-205-665-0011-10	96.00	57	2392	HARRISON	24-205-664-0028-00
FRONT FEET OPPOSED	2004.70	54.84%	16	2317	LINCOLN		24-205-676-0008-50	45.00	55	2212	LINCOLN	24-205-665-0011-00
RESPONDING FRONT FEET IN FAVOR	101.000	2.76%							53	2230	LINCOLN	24-205-665-0013-00
NOT RESPONDING - FRONT FEET IN FAVOR	1549.770	42.40%							52	2238	LINCOLN	24-205-665-0013-10
TOTAL FRONT FEET IN FAVOR	1650.770	45.16%							51	2258	LINCOLN	24-205-666-0011-00
									50	2268	LINCOLN	24-205-666-0011-10
									49	2280	LINCOLN	24-205-666-0013-00
									47	2387	MORTON	24-205-667-0011-00
									41	2392	CROZIER	24-205-668-0013-00
									2	2585	LINCOLN	24-205-670-0001-00
									4	2407	PHILO	24-205-671-0001-00
									3	2408	LETART	24-205-671-0012-00
									10	2473	LINCOLN	24-205-672-0001-00
									8	2411	CUTLER	24-205-672-0001-10
									7	2483	LINCOLN	24-205-672-0011-00
									6	2489	LINCOLN	24-205-672-0011-10
									5	2495	LONCOLN	24-205-672-0011-20
									9	2441	LINCOLN	24-205-673-0012-00
									14	2355	LINCOLN	24-205-674-0001-00
									13	2371	LINCOLN	24-205-674-0001-10
									11	2393	LINCOLN	24-205-674-0011-10
									26	2215	LINCOLN	24-205-676-0001-00
									25	2229	LINCOLN	24-205-676-0004-00
									21	2269	LINCOLN	24-205-676-0006-30
									17	2311	LINCOLN	24-205-676-0008-40
									29	2187	LINCOLN	24-205-677-0007-00
									27	2207	LINCOLN	24-205-677-0008-00
									40	2393	CROZIER	24-545-001-0001-00
									39	2440	LINCOLN	24-545-001-0030-00
									38	2468	LINCOLN	24-545-002-0001-00
									34	2393	PHILO	24-545-003-0001-00
									*	2197	LINCOLN	24-205-677-0007-10
TOTALS								101.00				
												2004.70

* NOTE: MR. FREDRICK OF 2197 LINCOLN CALLED FROM FLORIDA AND VOTES "NO"
HIS RESPONSE CARD IS IN THE MAIL

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

H-1556 LINCOLN, SHERMAN to LAKESHORE DR.

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 31ST DAY JANUARY, 2003.

Gail A. Kunding
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
19th DAY OF February, 2003.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
• Linda S. Potter
MY COMMISSION EXPIRES 9-25-06

2003-15(c)

TO: Honorable Mayor and City Commissioners
FROM: Engineering
DATE: February 11, 2003
RE: Public Hearing
Spreading of the Special Assessment Roll
Laketon Ave., Peck to Park

SUMMARY OF REQUEST:

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

FINANCIAL IMPACT:

A total of \$62,810.64 would be spread against the twenty-four-(24) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

January 31st, 2003

PARCEL OWNER
PARCEL OWNER ADDRESS
MUSKEGON, MI 49441

22

Property Parcel Number: 24-XXX-XXX-XXXX-XX at P NUM ADDRESS P NUM STREET

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

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

LAKETON AVE- PECK ST TO PARK ST

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, FEBRUARY 11th, 2003 at 5:30 P.M. You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED FEBRUARY 11th, 2003 YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL (517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

The final projected cost of the street improvement portion of the project is \$465,000.00 of which \$62,810.64 will be paid by special assessment. If the special assessment is confirmed, your property will be assessed \$1,197.00 based on 66.5 feet assessable front footage at \$18.00 per assessable foot for the street improvements. In addition, you will be assessed \$0.00 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of \$1,197.00. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years

Interest Rate: 5% per year

First Installment: \$119.70 PER YEAR

Due Date: April 12th, 2003

CDBG Approved You Owe \$0.00

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

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

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

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

Sincerely,

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

**CITY OF MUSKEGON – H 1537
LAKETON AVE., PECK TO PARK ST.
STREET ASSESSMENT PROGRAM
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT**

HOUSEHOLD INFORMATION

Name: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Spouse: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Address: _____ Phone: _____ Race: _____
Parcel # _____ Owner/Spouse Legally Handicapped Or Disabled? () Yes () No
(Please refer to your assessment letter for this information)

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

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

INCOME INFORMATION

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

PROPERTY INFORMATION

Proof Of Ownership: () Deed () Mortgage () Land Contract
Homeowner's Insurance Co: _____ Expiration Date: _____
Property Taxes: () Current () Delinquent Year(s) Due _____
(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

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

FOR OFFICE USE ONLY

APPROVED () DENIED () DATE _____ CENSUS TRACT NO. _____
SIGNATURE _____ TITLE _____
COMMENTS/REMARKS _____

****ATTENTION APPLICANT****

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

Special Assessment Payment Options

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

I. Lump Sum Payment in Full

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

II. Installment Payments

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

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

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

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

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

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

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

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

IV. Further Information About the Above Programs

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

V. Additional Special Assessment Payment Assistance

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

**CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS**

SPECIAL ASSESSMENT DISTRICTS:

LAKETON AVE. PECK ST. TO PARK ST.

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

- All parcels abutting Laketon Ave from 256' E of Park St to E side of Peck

PLEASE TAKE NOTICE that a hearing to confirm the special assessment roll shall be held in the City of Muskegon Commission Chambers on **February 11, 2003 at 5:30 p.m.**

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

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

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

Gail A. Kunding, City Clerk

Publish: **February 1, 2003**

ADA POLICY

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

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

CITY OF MUSKEGON

Resolution No. 2002-16(c)

Resolution At First Hearing Creating Special Assessment District
For **Laketon Ave. from 256' E. Park to Peck**
Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **February 12, 2002** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **February 12, 2002**, there were 5.55 % objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

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

THEREFORE, BE IT RESOLVED:

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

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

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **11.42%** of the cost of the street improvement will be paid by special assessments.
5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

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

Nays None

CITY OF MUSKEGON

By Gail A. Kunding
Gail A. Kunding, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **February 12, 2002**.
The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kunding
Gail A. Kunding, Clerk

EXHIBIT A

LAKETON AVE. FROM PECK TO PARK

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Laketon Ave. from PECK TO 256' E. PARK

SPECIAL ASSESSMENT DISTRICT
CITY OF MUSKEGON, MI



AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

H-1537, LAKETON AVE-PECK TO PARK STREET

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 1ST DAY OF FEBRUARY, 2002.

Gail A. Kunding
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
18th DAY OF February, 2002.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
Linda S. Potter
MY COMMISSION EXPIRES 9-25-02

LAKETON AVE- PECK ST TO PARK ST

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
24-232-001-0002-00	1801.0 PECK ST	HOAGLAND CHARLES	1022 E ADAMS SPRINGFIELD IL 62703	\$1,129.50	\$0.00	\$1,129.50
24-232-001-0011-00	43.0 LAKETON AVE	HUNTINGTON BANK	221 W WEBSTER AVE MUSKEGON MI 49440	\$2,259.00	\$0.00	\$2,259.00
24-232-006-0001-00	65.0 LAKETON AVE	MUSK GOVT EMPLOY	65 W LAKETON AVE MUSKEGON MI 49441	\$2,394.00	\$0.00	\$2,394.00
24-232-007-0013-10	139.0 LAKETON AVE	2002 C/W 24-232-007-0	185 W LAKETON AVE MUSKEGON MI 49441	\$648.00	\$0.00	\$648.00
24-232-007-0013-00	145.0 LAKETON AVE	BLAIS L & M INC	185 W LAKETON AVE MUSKEGON MI 49441	\$1,602.00	\$0.00	\$1,602.00
24-232-012-0013-00	185.0 LAKETON AVE	2002 C/W 24-232-012-0	185 W LAKETON AVE MUSKEGON MI 49441	\$2,380.50	\$0.00	\$2,380.50
24-232-012-0001-00	185.0 LAKETON AVE	BLAIS KAREN L TRUST	185 W LAKETON AVE MUSKEGON MI 49441	\$2,380.50	\$0.00	\$2,380.50
24-230-003-0020-00	237.0 LAKETON AVE	2002 C/W 24-230-003-0	515 GRANT ST GRAND HAVEN MI 49417	\$1,271.34	\$0.00	\$1,271.34
24-230-003-0001-10	247.0 LAKETON AVE	2002 C/W 24-230-003-0	1840 6TH ST MUSKEGON MI 49441	\$864.00	\$0.00	\$864.00
24-230-003-0001-00	1840.0 6TH ST	1840 CORPORATION	1840 6TH ST MUSKEGON MI 49441	\$1,494.00	\$0.00	\$1,494.00
24-205-462-0005-00	280.0 LAKETON AVE	CITY OF MUSKEGON	933 TERRACE ST MUSKEGON MI 49443	\$7,938.00	\$0.00	\$7,938.00
24-230-002-0018-00	301.0 LAKETON AVE	SHERMAN LEASING LL	301 W LAKETON AVE MUSKEGON MI 49441	\$2,358.00	\$0.00	\$2,358.00
24-230-002-0003-00	307.0 LAKETON AVE	JBE PROPERTIES LLC	313 W LAKETON AVE MUSKEGON MI 49441-0	\$990.00	\$0.00	\$990.00
24-230-002-0001-00	313.0 LAKETON AVE	TIME OUT LOUNGE	313 W LAKETON AVE MUSKEGON MI 49441-0	\$1,368.00	\$0.00	\$1,368.00
24-205-461-0014-00	346.0 LAKETON AVE	KEENE LUMBER CO	346 W LAKETON AVE MUSKEGON MI 49441	\$5,151.60	\$0.00	\$5,151.60
24-205-461-0005-10	366.0 LAKETON AVE	CITY OF MUSKEGON	933 TERRACE ST MUSKEGON MI 49443	\$3,726.00	\$0.00	\$3,726.00

LAKETON AVE- PECK ST TO PARK ST

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
24-205-460-0003-00	400.0 LAKETON AVE	MUSKEGON RESCUE	1691 PECK ST MUSKEGON MI 49441	\$1,100.70	\$0.00	\$1,100.70
24-205-465-0003-00	1778.0 SANFORD ST	HACKLEY HOSPITAL	1700 CLINTON MUSKEGON MI 49442	\$2,412.00	\$0.00	\$2,412.00
24-205-465-0006-10	0.0 PECK ST	CITY OF MUSKEGON	933 TERRACE MUSKEGON MI 49440	\$2,412.00	\$0.00	\$2,412.00
24-205-463-0005-00	1790.0 5TH ST	CITY OF MUSKEGON	933 TERRACE ST MUSKEGON MI 49443	\$5,940.00	\$0.00	\$5,940.00
24-205-464-0005-00	1790.0 JEFFERSON ST	CITY OF MUSKEGON	933 TERRACE ST MUSKEGON MI 49443	\$4,806.00	\$0.00	\$4,806.00
24-232-006-0014-00	1810.0 JEFFERSON ST	WILLIAMS PEGGY A	1810 JEFFERSON ST MUSKEGON MI 49441	\$1,197.00	\$0.00	\$1,197.00
24-232-007-0001-00	1811.0 JEFFERSON ST	BUCKLEY KENNETH	1811 JEFFERSON ST MUSKEGON MI 49441	\$1,125.00	\$0.00	\$1,125.00
24-230-001-0001-00	1839.0 6TH ST	FEDERAL MOGUL PIS	US 31 @ M 45 GRAND HAVENMI 49417	\$5,863.50	\$0.00	\$5,863.50

H-1537

HEARING DATE FEBRUARY 11th, 2003

LAKETON AVE- PECK ST TO PARK ST

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
TOTALS				\$62,810.64	\$0.00	\$62,810.64

PLEASE NOTE: PARCELS SHOWING \$0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS

	2/12/03
CLIFF TURNER, DIRECTOR, COUNTY EQUALIZATION	DATE
	2-12-03
LARRY SPATARO	DATE
	2-18-03
STEVE GAWRON	DATE

CITY OF MUSKEGON

Resolution No. 2003-15 (c)

Resolution Confirming Special Assessment Roll

For Laketon Ave. from 256' E. Park to Peck

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **February 12, 2002**, at the first hearing.
2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.
3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.
4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

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

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR Laketon Ave. from 256' E. Park to Peck

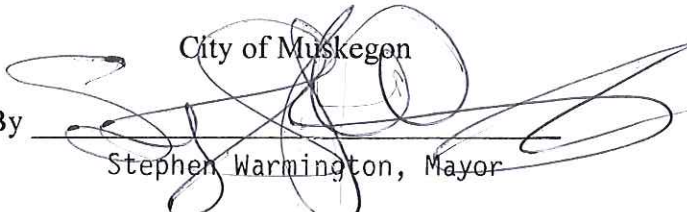
Continued...

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

This resolution passed.

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

Nays: None

City of Muskegon
By 
Stephen Warmington, Mayor

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **February 11, 2003**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **February 11, 2003**.

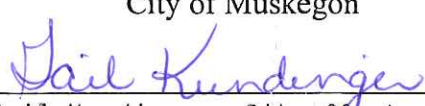
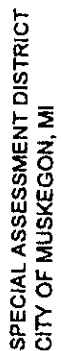
City of Muskegon
By 
Gail Kunderinger, City Clerk

EXHIBIT A

LAKETON AVE. FROM PECK TO PARK

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Laketon Ave. from PECK TO 256' E. PARK



LAKETON AVE. FROM PECK TO PARK

MAYOR'S ENDORSEMENT AND WARRANT

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

CITY OF MUSKEGON

BY

STEPHEN J. WARMINGTON

A large, stylized handwritten signature in black ink is written over the printed name "STEPHEN J. WARMINGTON". The signature is fluid and cursive, with a large loop at the end.

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT DISTRICT FOR :

H-1537, LAKETON, PECK to PARK STREET

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 31ST DAY OF JANUARY, 2003

Gail A. Kunderger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
19th DAY OF February, 2003.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
• Linda S. Potter
MY COMMISSION EXPIRES 9-25-06

Date: February 11, 2003

2003-16 a)

To: Honorable Mayor and City Commissioners

From: Finance Director

RE: Final Amendments to 2002 Budget

SUMMARY OF REQUEST: Adoption of the attached year-end amendments to the City's 2002 Budget to assure compliance with the State *Uniform Budget Act*. This act requires that budgets for "governmental-type" funds (i.e. general fund and special revenue funds) be amended so that expenditures are not reported in the City's audit as exceeding legal appropriations.

FINANCIAL IMPACT: These budget amendments establish the final 2002 authorized revenue estimates and spending limits for the various City departments and funds. The attached schedule shows how the amended budget varies from the original budget (and subsequent budget reforecasts) previously approved by the City Commission.

BUDGET ACTION REQUIRED: Self-explanatory.

STAFF RECOMMENDATION: Approval.

COMMITTEE RECOMMENDATION: The budget will be discussed in detail at the February 10th work session.

** Preliminary **

*An updated version
will be provided to Commissioners
at the 2/10 Worksession*

CITY OF MUSKEGON
GENERAL FUND

HISTORICAL SUMMARY

Year	Revenues & Transfers In	Expenditures & Transfers Out	Fund Balance at Year-End	Year-to-Year FB Change
1992	\$ 11,297,076	\$ 11,282,444	\$ 1,538,372	0
1993	13,990,266	13,231,208	2,297,430	759,058
1994	15,301,973	15,572,689	2,026,714	(270,716)
1995	16,633,179	16,337,586	2,322,307	295,593
1996	17,666,214	18,018,159	1,970,362	(351,945)
1997	20,437,646	20,358,321	2,049,687	79,325
1998	21,643,855	21,634,467	2,059,075	9,388
1999	21,451,681	22,011,881	1,498,875	(560,200)
2000	23,685,516	22,232,657	2,951,734	1,452,859
2001	23,446,611	23,235,978	3,162,367	210,633
2002	23,480,621	23,850,788	2,792,200	(370,167)

Fiscal 2003 Budget Summary

FUND BALANCE AT START OF YEAR **\$ 2,792,200**

MEANS OF FINANCING:

Taxes	13,316,693	56.1%
Licenses and Permits	1,070,283	4.5%
Federal Grants	80,000	0.3%
State Grants	52,635	0.2%
State Shared Revenue	5,550,302	23.4%
Other Charges	2,045,063	8.6%
Interest & Rentals	295,600	1.2%
Fines and Fees	356,200	1.5%
Other Revenue	291,000	1.2%
Other Financing Sources	<u>700,000</u>	<u>2.9%</u>
	23,757,776	100.0%

ESTIMATED REQUIREMENTS:

Customer Value Added Activities	17,457,166	73.2%
Business Value Added Activities	4,214,456	17.7%
Fixed Budget Items	<u>2,172,006</u>	<u>9.1%</u>
	23,843,628	100.0%

ESTIMATED FUND BALANCE AT END OF YEAR **\$ 2,706,348**

OPERATING SURPLUS (DEFICIT)	\$ (85,852)
TARGET FUND BALANCE (10% PRIOR YEAR EXPENDITURES)	\$ 2,385,079
ESTIMATED EXCESS (SHORTFALL) vs. TARGET	\$ 321,269

City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Revenue Summary By Source

Available Fund Balance - BOY									
	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Through December 2002	Final Amended Budget 2002	Change From Latest Reforecast	% Change From Latest Reforecast	
Taxes									
City income tax	\$ 7,078,571	\$ 6,820,171	\$ 6,850,000	\$ 6,650,000	\$ 6,600,000	\$ 6,600,000	\$ (50,000)		-0.75%
Property taxes - general	3,686,780	3,940,343	4,219,038	4,219,038	4,221,258	4,221,200	2,162		0.05%
Property taxes - sanitation	1,630,491	1,670,955	1,808,160	1,808,160	1,788,871	1,788,800	(19,360)		-1.07%
Property taxes - pass-through from LDFA II	-	-	103,000	220,000	270,337	270,300	50,300		22.86%
Industrial facilities taxes	362,676	353,742	367,228	367,228	388,718	388,700	21,472		5.85%
Payments in lieu of taxes	69,148	75,758	80,000	80,000	73,191	73,100	(6,900)		-8.63%
Delinquent chargeback collected	3,769	17,514	10,000	11,000	30,056	30,000	19,000		172.73%
	\$ 12,831,435	\$ 12,878,483	\$ 13,437,426	\$ 13,355,426	\$ 13,372,431	\$ 13,372,100	\$ 16,674		0.12%
Licenses and permits									
Business licenses	\$ 32,363	\$ 31,239	\$ 37,500	\$ 34,850	\$ 31,525	\$ 31,500	\$ (3,350)		-9.61%
Liquor licenses	35,511	36,427	37,500	37,500	35,542	35,500	(2,000)		-5.33%
Cable TV franchise fees	327,004	204,820	250,000	265,000	258,425	258,400	(6,600)		-2.49%
Telecom franchise fees (Act 48)	-	-	-	-	-	-	-		0.00%
Housing licenses	62,965	66,126	75,000	75,000	64,565	64,500	(10,500)		-14.00%
Burial permits	104,160	98,735	100,000	100,000	103,636	103,600	3,600		3.60%
Building permits	368,333	333,798	250,000	300,000	365,561	365,500	65,500		21.83%
Electrical permits	87,692	127,055	75,000	100,000	87,788	87,700	(12,300)		-12.30%
Plumbing permits	45,147	48,863	45,000	45,000	66,741	66,700	21,700		48.22%
Heating permits	62,847	65,495	70,000	70,000	56,222	56,200	(13,800)		-19.71%
Franchise fees	1,100	-	1,000	-	-	-	-		0.00%
Police gun registration	1,879	2,040	-	800	1,230	1,200	400		50.00%
	\$ 1,129,001	\$ 1,014,598	\$ 941,000	\$ 1,028,150	\$ 1,071,235	\$ 1,070,800	\$ 42,650		4.15%
Federal grants									
Federal operational grant	\$ 522,111	\$ 417,925	\$ 208,705	\$ 222,089	\$ 258,318	\$ 258,300	\$ 36,211		16.30%
	\$ 522,111	\$ 417,925	\$ 208,705	\$ 222,089	\$ 258,318	\$ 258,300	\$ 36,211		16.30%
State grants									
Act 302 police training grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		0.00%
State operational grant	-	17,569	73,269	36,635	26,316	26,300	(10,335)		-28.21%
	\$ -	\$ 17,569	\$ 73,269	\$ 36,635	\$ 26,316	\$ 26,300	\$ (10,335)		-28.21%
State shared revenue									
State sales tax	\$ 5,486,712	\$ 5,748,523	\$ 5,750,000	\$ 5,385,471	\$ 5,320,101	\$ 5,320,100	\$ (65,371)		-1.21%
	\$ 5,486,712	\$ 5,748,523	\$ 5,750,000	\$ 5,385,471	\$ 5,320,101	\$ 5,320,100	\$ (65,371)		-1.21%

City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Revenue Summary By Source

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Through December 2002	Final Amended Budget 2002	Change From Latest Reforecast	% Change From Latest Reforecast
Other charges for sales and services								
Tax administration fees	\$ 224,399	\$ 232,349	\$ 250,000	\$ 250,000	\$ 258,323	\$ 258,300	\$ 8,300	3.32%
Utility administration fees	166,032	175,215	174,965	174,965	174,965	174,900	(65)	-0.04%
Reimbursement for elections	30,568	20,534	12,000	20,000	24,455	24,400	4,400	22.00%
Indirect cost reimbursement	925,008	908,256	941,778	941,778	892,080	892,080	(49,778)	-5.29%
Site-plan review fee	1,800	895	1,000	1,000	1,066	1,000	-	0.00%
Sale of cemetery lots	24,269	25,275	18,000	18,000	14,988	14,900	(3,100)	-17.22%
Sale of columbarium niches	1,325	-	1,000	-	-	-	-	0.00%
Police miscellaneous	67,711	48,873	65,000	65,000	74,044	74,000	9,000	13.85%
Police impound fees	38,576	37,781	45,000	40,000	51,225	51,200	11,200	28.00%
Landlord's alert fee	-	1,630	1,800	2,800	2,630	2,600	(200)	-7.14%
Fire protection-state property	83,093	82,087	85,000	85,000	42,052	42,000	(43,000)	-50.59%
Zoning fees	9,325	13,915	10,000	12,000	13,955	13,900	1,900	15.83%
Clerk fees	2,586	1,391	5,000	2,200	2,738	2,700	500	22.73%
Clerk - passport fees	-	-	7,500	3,500	-	(3,500)	-	-100.00%
IFT application fees	9,917	4,944	2,500	1,000	1,423	1,400	400	40.00%
Treasurer fees	26,934	33,708	22,000	25,000	40,635	40,600	15,600	62.40%
False alarm fees	16,439	18,806	10,000	10,000	17,738	17,700	7,700	77.00%
Miscellaneous cemetery income	21,224	24,118	21,000	21,000	25,569	25,500	4,500	21.43%
Housing commission reimbursement	23,503	-	-	-	-	-	-	0.00%
Senior transit program fees	8,261	7,986	8,000	8,000	7,376	7,300	(700)	-8.75%
Fire miscellaneous	25,798	9,012	25,000	15,000	3,858	3,800	(11,200)	-74.67%
Sanitation stickers	43,280	42,355	38,000	42,000	46,024	46,000	4,000	9.52%
Lot cleanup fees	96,998	74,584	70,000	74,000	134,156	134,100	60,100	81.22%
Reimbursements for mowing and demolitions	107,400	75,099	70,000	70,000	129,178	129,100	59,100	84.43%
Recreation program fees	138,866	133,183	130,000	110,000	127,558	127,500	17,500	15.91%
	\$ 2,093,312	\$ 1,971,996	\$ 2,014,543	\$ 1,992,243	\$ 2,086,058	\$ 2,084,900	\$ 92,657	4.65%
Interest and rental income								
Interest	\$ 411,444	\$ 331,923	\$ 400,000	\$ 150,000	\$ 181,931	\$ 181,900	\$ 31,900	21.27%
Flea market	25,269	22,157	27,000	27,000	27,526	27,500	500	1.85%
Farmers market	22,040	26,475	23,000	23,000	27,783	27,700	4,700	20.43%
City right of way rental	6,400	6,400	4,400	6,400	6,400	6,400	-	0.00%
Parking ramp rentals	46,819	22,069	32,000	24,000	24,991	24,900	900	3.75%
McGraft park rentals	55,518	53,758	54,443	54,443	37,897	37,800	(16,843)	-30.94%
Other park rentals	31,919	28,081	32,200	32,200	26,232	26,200	(6,000)	-18.63%
	\$ 599,409	\$ 490,863	\$ 573,043	\$ 317,043	\$ 332,560	\$ 332,200	\$ 15,157	4.78%

City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Revenue Summary By Source

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Through December 2002	Final Amended Budget 2002	Change From Latest Reforecast	% Change From Latest Reforecast
Fines and fees								
Income tax - penalty and interest	\$ 70,290	\$ 95,916	\$ 65,000	\$ 100,000	\$ 166,621	\$ 166,600	\$ 66,600	66.60%
Late fees on current taxes	40,167	27,220	15,000	30,000	18,006	18,000	(12,000)	-40.00%
Interest on late invoices	329	730	1,200	1,200	589	500	(700)	-58.33%
Property transfer affidavit fines	6,400	1,900	1,000	-	-	-	-	0.00%
Parking fines	41,829	74,056	80,000	80,000	61,957	61,900	(18,100)	-22.63%
Court fines	179,662	150,735	160,000	160,000	146,140	146,100	(13,900)	-8.69%
	\$ 338,677	\$ 350,557	\$ 322,200	\$ 371,200	\$ 393,313	\$ 393,100	\$ 21,900	5.90%
Other revenue								
Sale of land and assets	\$ 350	\$ -	\$ 3,000	\$ 3,000	\$ -	\$ -	(3,000)	-100.00%
Police sale and auction proceeds	3,214	3,706	4,000	4,000	3,069	3,000	(1,000)	-25.00%
CDBG program reimbursements	391,573	322,587	280,000	304,633	372,492	372,400	67,767	22.25%
Contributions	68,993	33,592	11,000	20,500	31,619	31,600	11,100	54.15%
Muskegon County Community Foundation	-	-	7,000	8,521	13,521	13,500	4,979	58.43%
Miscellaneous reimbursements	-	-	4,000	1,000	-	-	(1,000)	-100.00%
Miscellaneous and sundry	13,093	17,755	20,000	15,000	18,586	18,500	3,500	23.33%
	\$ 477,223	\$ 377,640	\$ 329,000	\$ 356,654	\$ 439,307	\$ 439,000	\$ 82,346	23.09%
Other financing sources								
Operating transfers in								
Cemetery Perpetual Care	\$ 63,858	\$ 67,373	\$ 70,000	\$ 70,000	\$ 62,120	\$ 62,100	\$ (7,900)	-11.29%
Criminal Forfeitures Fund	75,000	60,000	75,000	75,000	-	-	(75,000)	-100.00%
Police Training Fund	36,286	31,142	15,000	15,000	22,281	22,200	7,200	48.00%
DDA for Administration	30,000	10,000	10,000	10,000	10,000	10,000	-	0.00%
Reese Playfield Fund	1,827	4,333	1,800	77,000	77,000	77,000	-	0.00%
RLF for Administration	-	5,000	5,000	5,000	5,000	5,000	-	0.00%
Budget Stabilization Fund	-	-	-	500,000	-	-	(500,000)	-100.00%
Special Assessment Fund	-	-	-	-	-	-	-	0.00%
Hackley Park Improvement Fund	51	-	-	-	-	-	-	0.00%
Hackley Park Memorial Fund	614	609	600	10,200	4,583	4,500	(5,700)	-55.88%
	\$ 207,636	\$ 178,457	\$ 177,400	\$ 762,200	\$ 180,984	\$ 180,800	\$ (681,400)	-76.28%
Total general fund revenues and other sources								
	\$ 23,685,516	\$ 23,446,611	\$ 23,826,586	\$ 23,827,111	\$ 23,480,621	\$ 23,477,600	\$ (349,511)	-1.47%

City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Expenditure Summary By Function

I. Customer Value Added Activities

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Thru December 2002	Actual As % of Revised Budget 2002	Final Amended Budget 2002	Change From 2002 Original	Change From Latest Reforecast	% Change From Latest Reforecast
40301 Police Department										
Salaries & Benefits	\$ 5,825,308	\$ 5,803,534	\$ 6,213,479	\$ 6,193,479	\$ 5,848,623	100%	\$ 5,849,000	\$ (364,479)	\$ (344,479)	-5.56%
Operating Supplies	159,537	154,660	136,994	165,000	148,091	99%	149,000	12,006	(16,000)	-9.70%
Contractual Services	953,985	951,902	892,201	892,201	981,692	100%	982,000	89,799	89,799	10.06%
Other Expenses	54,242	54,675	31,621	51,621	73,558	99%	74,000	42,379	22,379	43.35%
Capital Outlays	207,553	87,593	68,219	68,219	125,512	100%	126,000	57,781	57,781	84.70%
Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 7,200,625	\$ 7,052,364	\$ 7,342,514	\$ 7,370,520	\$ 7,177,466	100%	\$ 7,180,000	\$ (162,514)	\$ (190,520)	-2.58%
	\$ 7,200,625	\$ 7,052,364	\$ 7,342,514	\$ 7,370,520	\$ 7,177,466	100%	\$ 7,180,000	\$ (162,514)	\$ (190,520)	-2.58%
50336 Fire Department										
Salaries & Benefits	\$ 2,708,005	\$ 2,930,180	\$ 2,942,864	\$ 2,942,864	\$ 2,964,455	100%	\$ 2,965,000	\$ 22,136	\$ 22,136	0.75%
Operating Supplies	97,561	92,307	100,000	100,000	105,122	99%	106,000	6,000	6,000	6.00%
Contractual Services	133,101	149,605	150,000	150,000	165,970	100%	166,000	16,000	16,000	10.67%
Other Expenses	10,051	12,785	20,000	20,000	20,731	99%	21,000	1,000	1,000	5.00%
Capital Outlays	38,636	32,714	31,993	45,000	57,570	99%	58,000	26,007	13,000	28.89%
Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 2,987,354	\$ 3,217,591	\$ 3,244,857	\$ 3,257,864	\$ 3,313,848	100%	\$ 3,316,000	\$ 71,143	\$ 58,136	1.78%
50387 Fire Safety Inspections										
Salaries & Benefits	\$ 623,329	\$ 579,330	\$ 596,927	\$ 685,000	\$ 683,916	100%	\$ 684,000	\$ 97,073	\$ 9,000	1.31%
Operating Supplies	17,135	25,077	32,500	32,500	22,393	97%	23,000	(9,500)	(9,500)	-28.23%
Contractual Services	247,418	232,848	270,111	270,111	266,610	100%	267,000	(3,111)	(3,111)	-1.15%
Other Expenses	11,070	8,109	15,000	10,000	11,903	99%	12,000	(3,000)	2,000	20.00%
Capital Outlays	9,838	15,215	6,500	6,500	11,536	96%	12,000	5,500	5,500	84.62%
Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 908,790	\$ 860,579	\$ 921,038	\$ 1,004,111	\$ 1,006,358	100%	\$ 1,008,000	\$ 86,962	\$ 3,889	0.39%
	\$ 3,896,144	\$ 4,078,170	\$ 4,165,895	\$ 4,261,975	\$ 4,320,206	100%	\$ 4,324,000	\$ 158,105	\$ 62,025	1.46%
60523 General Sanitation										
Salaries & Benefits	\$ 66,335	\$ 67,901	\$ 75,369	\$ 75,369	\$ 67,465	99%	\$ 68,000	\$ (7,369)	\$ (7,369)	-9.78%
Operating Supplies	690	1,006	1,400	1,400	344	34%	1,000	(400)	(400)	-28.57%
Contractual Services	1,308,314	1,351,420	1,432,223	1,388,336	1,406,612	100%	1,407,000	(25,223)	18,664	1.34%
Other Expenses	-	83	5,000	5,000	794	79%	1,000	(4,000)	(4,000)	-80.00%
Capital Outlays	24,360	24,847	50,000	50,000	44,725	99%	45,000	(5,000)	(5,000)	-10.00%
Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 1,398,699	\$ 1,445,257	\$ 1,563,992	\$ 1,520,105	\$ 1,519,940	100%	\$ 1,522,000	\$ (41,992)	\$ 1,895	0.12%
60528 Recycling										
Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	\$ -	0.00%
Operating Supplies	-	-	-	-	-	N/A	-	-	-	0.00%
Contractual Services	263,478	287,926	269,043	260,000	218,067	100%	219,000	(50,043)	(41,000)	-15.77%
Other Expenses	-	-	-	-	-	N/A	-	-	-	0.00%
Capital Outlays	-	3,305	1,500	1,500	-	N/A	-	(1,500)	(1,500)	-100.00%
Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 263,478	\$ 281,231	\$ 270,543	\$ 261,500	\$ 218,067	100%	\$ 219,000	\$ (51,543)	\$ (42,500)	-16.25%

City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Expenditure Summary By Function

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Thru December 2002	Actual As % of Revised Budget 2002	Final Amended Budget 2002	Change From 2002 Original	Change From Latest Reforecast	% Change From Latest Reforecast
60550 Stormwater Management										
5100 Salaries & Benefits	\$ -	\$ -	\$ 64,260	\$ 20,000	\$ 7,372	92%	\$ 8,000	\$ (56,260)	\$ (12,000)	-60.00%
5200 Operating Supplies	-	-	4,000	2,000	-	N/A	-	(4,000)	(2,000)	-100.00%
5300 Contractual Services	-	-	62,865	27,960	16,352	96%	17,000	(45,665)	(10,960)	-39.20%
5400 Other Expenses	-	-	1,000	500	-	N/A	-	(1,000)	(500)	-100.00%
5700 Capital Outlays	-	-	5,000	2,500	-	N/A	-	(5,000)	(2,500)	-100.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ -	\$ -	\$ 136,925	\$ 52,960	\$ 23,724	95%	\$ 25,000	\$ (111,925)	\$ (27,950)	-32.79%
60448 Streetlighting										
5100 Salaries & Benefits	\$ 10,601	\$ 11,387	\$ 8,329	\$ 8,329	\$ 12,983	100%	\$ 13,000	\$ 4,671	\$ 4,671	56.08%
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	-	0.00%
5300 Contractual Services	507,599	504,551	530,450	510,000	505,079	100%	506,000	(24,450)	(4,000)	-0.78%
5400 Other Expenses	-	-	-	-	-	N/A	-	-	-	0.00%
5700 Capital Outlays	-	-	-	-	4,350	87%	5,000	5,000	5,000	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 518,200	\$ 515,938	\$ 538,779	\$ 518,329	\$ 522,412	100%	\$ 524,000	\$ (14,779)	\$ 5,671	1.09%
60707 Senior Citizen Transit										
5100 Salaries & Benefits	\$ 44,554	\$ 44,925	\$ 44,349	\$ 44,349	\$ 44,863	100%	\$ 45,000	\$ 651	\$ 651	1.47%
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	-	0.00%
5300 Contractual Services	5,450	7,100	5,850	5,850	10,140	92%	11,000	5,150	5,150	88.03%
5400 Other Expenses	-	-	-	-	-	N/A	-	-	-	0.00%
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 50,004	\$ 52,025	\$ 50,199	\$ 50,199	\$ 55,003	98%	\$ 56,000	\$ 5,801	\$ 5,801	11.56%
60446 Community Event Support										
5100 Salaries & Benefits	\$ 113,420	\$ 77,841	\$ 82,903	\$ 42,000	\$ 31,192	97%	\$ 32,000	\$ (50,903)	\$ (10,000)	-23.81%
5200 Operating Supplies	14,743	1,971	3,000	1,800	1,524	76%	2,000	(1,000)	200	11.11%
5300 Contractual Services	45,757	31,071	15,000	6,000	11,004	92%	12,000	(3,000)	6,000	100.00%
5400 Other Expenses	-	-	-	-	-	N/A	-	-	-	0.00%
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 173,920	\$ 110,883	\$ 100,903	\$ 49,800	\$ 43,720	95%	\$ 46,000	\$ (54,903)	\$ (3,800)	-7.63%
	\$ 2,405,301	\$ 2,385,334	\$ 2,661,341	\$ 2,452,893	\$ 2,362,866	100%	\$ 2,392,000	\$ (269,341)	\$ (60,893)	-2.48%
70751 Parks Maintenance										
5100 Salaries & Benefits	\$ 410,877	\$ 470,749	\$ 556,037	\$ 525,000	\$ 476,360	100%	\$ 477,000	\$ (79,037)	\$ (48,000)	-9.14%
5200 Operating Supplies	188,503	240,998	180,344	180,344	150,285	100%	151,000	(29,344)	(29,344)	-16.27%
5300 Contractual Services	509,593	596,720	491,277	491,277	601,199	100%	602,000	110,723	110,723	22.54%
5400 Other Expenses	2,939	2,905	5,000	4,000	2,548	85%	3,000	(2,000)	(1,000)	-25.00%
5700 Capital Outlays	53,703	75,959	75,000	129,255	152,224	99%	153,000	78,000	23,745	18.37%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 1,165,615	\$ 1,387,331	\$ 1,307,658	\$ 1,329,876	\$ 1,382,616	100%	\$ 1,386,000	\$ 78,342	\$ 56,124	4.22%

City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Expenditure Summary By Function

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Thru December 2002	Actual As % of Revised Budget 2002	Final Amended Budget 2002	Change From 2002 Original	Change From Latest Reforecast	% Change From Latest Reforecast
70757 Mc Graft Park Maintenance										
5100 Salaries & Benefits	\$ 10,522	\$ 5,030	\$ 15,622	\$ 15,622	\$ 6,059	87%	\$ 7,000	\$ (8,622)	\$ (8,622)	-55.19%
5200 Operating Supplies	3,862	4,918	4,250	4,250	4,135	83%	5,000	750	750	17.65%
5300 Contractual Services	43,985	42,488	23,700	23,700	30,762	99%	31,000	7,300	7,300	30.80%
5400 Other Expenses	210	238	200	200	56	6%	1,000	800	800	400.00%
5700 Capital Outlays	283	65	9,280	9,280	-	N/A	-	(9,280)	(9,280)	-100.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 58,862	\$ 52,739	\$ 53,052	\$ 53,052	\$ 41,012	93%	\$ 44,000	\$ (9,052)	\$ (9,052)	-17.06%
70775 General & Inner City Recreation										
5100 Salaries & Benefits	\$ 252,867	\$ 283,433	\$ 325,598	\$ 300,159	\$ 281,055	100%	\$ 282,000	\$ (43,598)	\$ (18,159)	-6.05%
5200 Operating Supplies	42,693	51,416	51,730	61,018	58,590	99%	59,000	7,270	(2,018)	-3.31%
5300 Contractual Services	145,117	135,564	129,685	147,403	137,912	100%	138,000	8,315	(9,403)	-6.38%
5400 Other Expenses	5,865	9,252	6,786	5,219	10,375	94%	11,000	4,214	5,781	110.77%
5700 Capital Outlays	4,344	383	-	-	-	N/A	-	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 450,886	\$ 480,048	\$ 513,799	\$ 513,799	\$ 457,932	100%	\$ 490,000	\$ (23,799)	\$ (23,799)	-4.63%
70276 Cemeteries Maintenance										
5100 Salaries & Benefits	\$ 184,070	\$ 185,819	\$ 182,578	\$ 182,578	\$ 188,401	100%	\$ 189,000	\$ 6,422	\$ 6,422	3.52%
5200 Operating Supplies	13,440	21,908	25,000	25,000	22,607	98%	23,000	(2,000)	(2,000)	-8.00%
5300 Contractual Services	246,091	263,671	275,000	270,982	258,681	100%	259,000	(16,000)	(11,982)	-4.43%
5400 Other Expenses	568	1,199	1,000	1,000	1,121	56%	2,000	1,000	1,000	100.00%
5700 Capital Outlays	19,930	33,975	24,835	18,008	14,626	98%	15,000	(9,835)	(3,008)	-16.70%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 464,099	\$ 506,572	\$ 508,413	\$ 497,578	\$ 485,436	99%	\$ 488,000	\$ (20,413)	\$ (9,578)	-1.92%
70585 Parking Operations										
5100 Salaries & Benefits	\$ 13,182	\$ 13,439	\$ 13,654	\$ 13,654	\$ 14,831	99%	\$ 15,000	\$ 1,346	\$ 1,346	9.85%
5200 Operating Supplies	2,315	2,476	2,924	2,924	1,032	52%	2,000	(924)	(924)	-31.60%
5300 Contractual Services	27,501	32,854	35,000	71,000	40,972	100%	41,000	5,000	(30,000)	-42.25%
5400 Other Expenses	-	-	-	-	-	N/A	-	-	-	0.00%
5700 Capital Outlays	-	-	-	-	4,503	90%	5,000	5,000	5,000	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 43,999	\$ 48,769	\$ 51,578	\$ 87,578	\$ 61,338	97%	\$ 63,000	\$ 11,422	\$ (24,578)	-28.06%
70771 Forestry										
5100 Salaries & Benefits	\$ 89,755	\$ 86,584	\$ 115,260	\$ 100,000	\$ 84,297	99%	\$ 85,000	\$ (30,260)	\$ (15,000)	-15.00%
5200 Operating Supplies	9,852	9,831	9,800	9,800	6,024	86%	7,000	(2,800)	(2,800)	-28.57%
5300 Contractual Services	16,843	14,244	14,000	13,864	13,864	99%	14,000	-	-	0.00%
5400 Other Expenses	618	1,309	1,700	1,700	394	38%	1,000	(700)	(700)	-41.18%
5700 Capital Outlays	3,207	2,101	3,000	3,000	2,844	95%	3,000	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 120,475	\$ 114,069	\$ 143,760	\$ 128,500	\$ 107,423	98%	\$ 110,000	\$ (33,760)	\$ (18,500)	-14.40%

**City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Expenditure Summary By Function**

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Thru December 2002	Actual As % of Revised	Final Amended Budget 2002	Change From 2002 Original	Change From Latest Rerecast	% Change From Latest Rerecast
70863 Farmers' Market & Flea Market										
5100 Salaries & Benefits	\$ 27,185	\$ 28,023	\$ 32,331	\$ 32,331	\$ 29,241	97%	\$ 30,000	\$ (2,331)	\$ (2,331)	-7.21%
5200 Operating Supplies	591	860	1,000	1,200	1,644	82%	2,000	1,000	800	66.67%
5300 Contractual Services	15,000	19,175	7,931	7,931	14,292	95%	15,000	7,069	7,069	88.13%
5400 Other Expenses	-	-	-	-	-	N/A	-	-	-	0.00%
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 42,776	\$ 48,058	\$ 41,262	\$ 41,462	\$ 45,177	96%	\$ 47,000	\$ 5,738	\$ 5,538	13.35%
	\$ 2,345,712	\$ 2,637,586	\$ 2,619,922	\$ 2,651,845	\$ 2,610,934	99%	\$ 2,628,000	\$ 8,478	\$ (23,845)	-0.90%
80799 Weed and Seed Program										
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	\$ -	0.00%
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	-	0.00%
5300 Contractual Services	112	-	-	-	-	N/A	-	-	-	0.00%
5400 Other Expenses	-	-	-	-	-	N/A	-	-	-	0.00%
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 112	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	\$ -	0.00%
80387 Environmental Services										
5100 Salaries & Benefits	\$ 150,456	\$ 179,865	\$ 182,793	\$ 182,793	\$ 173,926	100%	\$ 174,000	\$ (8,793)	\$ (8,793)	-4.81%
5200 Operating Supplies	9,525	9,023	6,300	9,500	12,389	95%	13,000	6,700	3,500	36.84%
5300 Contractual Services	285,250	244,510	170,000	225,000	300,582	100%	301,000	131,000	76,000	33.78%
5400 Other Expenses	333	1,633	3,000	3,000	1,505	75%	2,000	(1,000)	(1,000)	-33.33%
5700 Capital Outlays	4,135	6,566	12,000	10,000	16,123	95%	17,000	5,000	7,000	70.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 429,699	\$ 441,587	\$ 374,093	\$ 430,293	\$ 504,525	100%	\$ 507,000	\$ 132,907	\$ 76,707	17.83%
	\$ 429,811	\$ 441,587	\$ 374,093	\$ 430,293	\$ 504,525	100%	\$ 507,000	\$ 132,907	\$ 76,707	17.83%
10875 Other - Contributions to Outside Agencies										
Muskegon Area Transit (MATs)	\$ 80,163	\$ 80,163	\$ 80,500	\$ 80,500	\$ 80,163		\$	500	500	0.62%
Neighborhood Association Grants	27,443	34,063	40,000	38,000	35,975		36,000	(4,000)	(2,000)	-5.26%
Muskegon Area First	-	-	45,516	45,516	46,066		47,000	1,484	1,484	3.25%
Veterans Memorial Day Costs	7,324	7,535	8,500	8,070	8,070		9,000	500	930	11.52%
WMSRDC - Muskegon Area Plan (MAP)	-	6,151	6,151	6,151	6,151		7,000	849	849	13.80%
Institute for Healing Racism	-	3,000	4,000	4,000	4,000		4,000	-	-	0.00%
MLK Diversity Program	-	-	-	-	-		-	-	-	0.00%
Muskegon Area Labor Management (MALMC)	1,000	1,000	1,000	1,000	1,000		1,000	-	-	0.00%
Sister Cities' Youth Travel	-	1,000	-	-	-		-	-	-	0.00%
Muskegon County and Humane Society - Feral Cat Control	-	-	6,000	11,000	14,157		15,000	9,000	4,000	36.36%
Other	-	-	4,000	1,000	-		-	(4,000)	(1,000)	-100.00%
Contributions To Outside Agencies	\$ 115,930	\$ 132,912	\$ 195,667	\$ 195,237	\$ 195,582	98%	\$ 200,000	\$ 4,333	\$ 4,763	2.44%
	\$ 115,930	\$ 132,912	\$ 195,667	\$ 195,237	\$ 195,582	98%	\$ 200,000	\$ 4,333	\$ 4,763	2.44%
Total Customer Value Added Activities										
	\$ 16,393,523	\$ 16,727,953	\$ 17,359,032	\$ 17,362,763	\$ 17,191,579	100%	\$ 17,231,000	\$ (128,032)	\$ (131,763)	-0.76%
As a Percent of Total General Fund Expenditures										
	73.7%	72.0%	70.4%	71.6%	72.1%		72.0%			

City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Expenditure Summary By Function

II. Business Value Added Activities

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Thru December 2002	Actual As % of Revised	Final Amended Budget 2002	Change From 2002 Original	Change From Latest Reforecast	% Change From Latest Reforecast
10101 City Commission										
5100 Salaries & Benefits	\$ 56,917	\$ 56,483	\$ 57,889	\$ 57,889	\$ 60,555	99%	\$ 61,000	\$ 3,111	\$ 3,111	5.37%
5200 Operating Supplies	11,861	12,288	17,500	16,000	12,538	96%	13,000	(4,500)	(3,000)	-18.75%
5300 Contractual Services	30,541	36,894	44,000	44,000	48,510	99%	49,000	500	5,000	11.35%
5400 Other Expenses	8,813	7,831	12,000	10,500	9,758	98%	10,000	(2,000)	(500)	-4.76%
5700 Capital Outlays	91	-	-	600	528	53%	1,000	1,000	400	66.67%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 108,223	\$ 113,296	\$ 131,389	\$ 128,989	\$ 131,889	98%	\$ 134,000	\$ 2,611	\$ 5,011	3.88%
10102 City Promotions & Public Relations										
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	\$ -	0.00%
5200 Operating Supplies	-	-	10,000	10,000	-	N/A	-	(10,000)	(10,000)	-100.00%
5300 Contractual Services	14,791	24,563	31,960	31,960	26,499	98%	27,000	(4,960)	(4,960)	-15.52%
5400 Other Expenses	-	-	-	-	8	1%	1,000	1,000	1,000	0.00%
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 14,791	\$ 24,563	\$ 41,960	\$ 41,960	\$ 26,507	95%	\$ 28,000	\$ (13,960)	\$ (13,960)	-33.27%
10172 City Manager										
5100 Salaries & Benefits	\$ 172,284	\$ 168,180	\$ 169,350	\$ 169,350	\$ 173,154	100%	\$ 174,000	\$ 4,650	\$ 4,650	2.75%
5200 Operating Supplies	2,564	1,651	3,500	2,750	1,683	84%	2,000	(1,500)	(750)	-27.27%
5300 Contractual Services	2,962	2,055	5,000	3,000	2,563	85%	3,000	(2,000)	-	0.00%
5400 Other Expenses	4,247	2,149	5,000	3,000	3,037	76%	4,000	(1,000)	1,000	33.33%
5700 Capital Outlays	1,814	-	3,500	1,500	102	10%	1,000	(2,500)	(500)	-33.33%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 183,871	\$ 174,035	\$ 186,350	\$ 179,600	\$ 180,539	98%	\$ 184,000	\$ (2,350)	\$ 4,400	2.45%
10145 City Attorney										
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	\$ -	0.00%
5200 Operating Supplies	480	833	1,000	1,000	869	87%	1,000	-	-	0.00%
5300 Contractual Services	384,201	457,739	382,734	500,000	449,721	100%	450,000	67,266	(50,000)	-10.00%
5400 Other Expenses	-	-	-	-	-	N/A	-	-	-	0.00%
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 384,681	\$ 458,572	\$ 383,734	\$ 501,000	\$ 450,590	100%	\$ 451,000	\$ 67,266	\$ (50,000)	-9.98%
	\$ 691,568	\$ 770,466	\$ 743,433	\$ 851,549	\$ 789,525	99%	\$ 797,000	\$ 53,567	\$ (54,549)	-6.41%
20173 Administration										
5100 Salaries & Benefits	\$ 137,659	\$ 120,324	\$ 122,783	\$ 122,783	\$ 129,504	100%	\$ 130,000	\$ 7,217	\$ 7,217	5.85%
5200 Operating Supplies	2,295	1,784	3,450	3,450	2,050	68%	3,000	(450)	(450)	-13.04%
5300 Contractual Services	15,871	15,794	19,000	20,000	16,255	96%	17,000	(2,000)	(3,000)	-15.00%
5400 Other Expenses	12,278	7,230	13,628	5,000	5,415	90%	6,000	(7,628)	1,000	20.00%
5700 Capital Outlays	581	1,632	3,000	1,500	73	7%	1,000	(2,000)	(500)	-33.33%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 168,684	\$ 146,704	\$ 161,861	\$ 152,733	\$ 153,297	98%	\$ 157,000	\$ (4,861)	\$ 4,267	2.79%

City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Expenditure Summary By Function

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Thru December 2002	Actual As % of Revised Budget 2002	Final Amended Budget 2002	Change From 2002 Original	Change From Latest Reforecast	% Change From Latest Reforecast
20228 Affirmative Action										
5100 Salaries & Benefits	\$ 69,370	\$ 72,256	\$ 81,875	\$ 81,875	\$ 84,810	100%	\$ 85,000	\$ 3,125	\$ 3,125	3.82%
5200 Operating Supplies	506	1,713	2,300	1,800	757	76%	1,000	(1,300)	(800)	-44.44%
5300 Contractual Services	2,334	1,759	1,500	1,500	1,356	68%	2,000	500	500	33.33%
5400 Other Expenses	2,801	2,913	4,431	3,931	4,187	84%	5,000	569	1,069	27.19%
5700 Capital Outlays	118	649	1,000	1,000	723	72%	1,000	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 75,129	\$ 79,290	\$ 91,106	\$ 90,106	\$ 91,833	98%	\$ 94,000	\$ 2,894	\$ 3,894	4.32%
20744 Julia Hackley Internships										
5100 Salaries & Benefits	\$ 7,482	\$ 10,692	\$ 7,000	\$ 7,000	\$ 8,865	99%	\$ 9,000	\$ 2,000	\$ 2,000	28.57%
5200 Operating Supplies	718	-	-	-	-	N/A	-	-	-	0.00%
5300 Contractual Services	711	-	-	-	-	N/A	-	-	-	0.00%
5400 Other Expenses	-	20	-	-	-	N/A	-	-	-	0.00%
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 8,911	\$ 10,712	\$ 7,000	\$ 7,000	\$ 8,865	99%	\$ 9,000	\$ 2,000	\$ 2,000	28.57%
20215 City Clerk & Elections										
5100 Salaries & Benefits	\$ 218,883	\$ 208,602	\$ 226,515	\$ 220,000	\$ 234,459	100%	\$ 235,000	\$ 8,485	\$ 15,000	6.82%
5200 Operating Supplies	32,549	35,327	17,000	24,500	45,977	100%	46,000	29,000	21,500	87.76%
5300 Contractual Services	28,284	31,458	44,530	42,000	62,596	99%	63,000	18,470	21,000	50.00%
5400 Other Expenses	5,420	7,136	6,000	5,000	5,437	91%	6,000	-	1,000	20.00%
5700 Capital Outlays	2,551	5,199	3,450	6,500	5,813	97%	6,000	2,550	(500)	-7.69%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 287,687	\$ 287,722	\$ 297,495	\$ 298,000	\$ 354,282	100%	\$ 356,000	\$ 58,505	\$ 58,000	19.45%
20220 Civil Service										
5100 Salaries & Benefits	\$ 130,015	\$ 132,405	\$ 153,115	\$ 153,115	\$ 160,513	100%	\$ 161,000	\$ 7,885	\$ 7,885	5.15%
5200 Operating Supplies	6,339	17,111	10,750	12,200	15,366	96%	16,000	5,250	3,800	31.15%
5300 Contractual Services	39,839	22,799	26,815	22,280	22,138	96%	23,000	(3,815)	720	3.23%
5400 Other Expenses	42,287	12,336	5,800	10,000	9,108	91%	10,000	4,200	-	0.00%
5700 Capital Outlays	762	8,600	1,000	1,389	1,129	56%	2,000	1,000	611	43.98%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 219,242	\$ 193,251	\$ 197,480	\$ 198,984	\$ 208,284	98%	\$ 212,000	\$ 14,520	\$ 13,016	6.54%
	\$ 759,563	\$ 717,579	\$ 754,942	\$ 746,823	\$ 816,581	99%	\$ 828,000	\$ 73,058	\$ 81,177	10.87%
30202 Finance Administration										
5100 Salaries & Benefits	\$ 259,785	\$ 267,254	\$ 276,780	\$ 276,780	\$ 280,785	100%	\$ 281,000	\$ 4,220	\$ 4,220	1.52%
5200 Operating Supplies	9,334	9,554	9,900	7,435	6,663	95%	7,000	(2,900)	(435)	-5.85%
5300 Contractual Services	64,594	99,977	101,100	107,050	115,025	99%	116,000	14,900	8,950	8.36%
5400 Other Expenses	2,385	2,348	2,700	3,600	3,935	98%	4,000	1,300	400	11.11%
5700 Capital Outlays	4,586	2,085	3,000	1,800	4,730	95%	5,000	2,000	3,200	177.78%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 340,684	\$ 381,218	\$ 393,480	\$ 396,665	\$ 411,138	100%	\$ 413,000	\$ 19,520	\$ 16,335	4.12%
30209 Assessing Services										
5100 Salaries & Benefits	\$ 5,013	\$ 6,759	\$ 7,668	\$ 7,668	\$ 6,093	87%	\$ 7,000	\$ (668)	\$ (668)	-8.71%
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	-	0.00%
5300 Contractual Services	340,213	387,367	396,754	396,754	390,926	100%	391,000	(5,754)	(5,754)	-1.45%
5400 Other Expenses	80	45	100	100	60	6%	1,000	900	900	900.00%
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	-	0.00%
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	-	0.00%
	\$ 345,306	\$ 374,171	\$ 404,522	\$ 404,522	\$ 397,079	100%	\$ 396,000	\$ (5,522)	\$ (5,522)	-1.37%

City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Expenditure Summary By Function

30205 Income Tax Administration

	Actual 2000	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Thru December 2002	Actual As % of Revised	Final Amended Budget 2002	Change 2002 Original	Change From Latest Reforecast	% Change From Latest Reforecast
\$	212,880	213,846	\$ 234,090	\$ 222,000	\$ 194,487	100%	\$ 195,000	\$ (39,090)	\$ (27,000)	-12.16%
Salaries & Benefits	18,875	24,678	25,025	25,025	21,941	100%	22,000	(3,025)	(3,025)	-12.09%
Operating Supplies	34,950	34,092	38,250	38,250	49,928	100%	50,000	11,750	11,750	-10.72%
Contractual Services	1,288	1,648	3,000	2,500	2,500	71%	2,000	(1,000)	(500)	-20.00%
Other Expenses	2,180	206	4,000	4,000	5,807	97%	6,000	2,000	2,000	50.00%
Capital Outlays						N/A				0.00%
Other Financing Uses						99%	\$ 275,000	\$ (29,365)	\$ (16,775)	-5.75%

30253 City Treasurer

\$	251,881	236,759	\$ 272,699	\$ 272,699	\$ 272,839	100%	\$ 273,000	\$ 301	\$ 301	0.11%
Salaries & Benefits	38,165	35,489	38,000	38,000	32,865	100%	33,000	(5,000)	(5,000)	-13.16%
Operating Supplies	55,546	49,210	34,130	34,130	43,750	99%	44,000	9,870	9,870	28.92%
Contractual Services	1,264	900	1,200	2,800	2,933	98%	3,000	1,800	200	7.14%
Other Expenses	7,298	4,281	3,900	12,000	12,653	97%	13,000	9,100	1,000	8.33%
Capital Outlays						N/A				0.00%
Other Financing Uses						100%	\$ 366,000	\$ 16,071	\$ 6,371	1.77%

30248 Information Systems Administration

\$	167,381	182,403	\$ 237,076	\$ 237,076	\$ 235,640	100%	\$ 236,000	\$ (1,076)	\$ (1,076)	-0.45%
Salaries & Benefits	6,695	2,024	5,000	4,740	2,345	78%	3,000	(2,000)	(1,740)	-36.71%
Operating Supplies	38,925	72,769	49,404	48,506	66,905	100%	67,000	17,596	18,494	36.13%
Contractual Services	10,689	12,457	9,268	9,019	8,049	89%	9,000	(268)	(19)	-0.21%
Other Expenses	52,283	53,828	47,195	45,270	37,893	100%	38,000	(9,195)	(7,270)	-16.06%
Capital Outlays						N/A				0.00%
Other Financing Uses						99%	\$ 353,000	\$ 5,057	\$ 8,399	2.43%
\$	1,585,990	1,679,979	\$ 1,800,239	\$ 1,797,202	\$ 1,797,662	100%	\$ 1,806,000	\$ 5,761	\$ 8,798	0.49%

60265 City Hall Maintenance

\$	63,273	64,853	\$ 62,526	\$ 62,526	\$ 66,138	99%	\$ 67,000	\$ 4,474	\$ 4,474	7.16%
Salaries & Benefits	11,926	12,457	14,650	14,650	15,693	98%	16,000	1,350	1,350	9.22%
Operating Supplies	184,471	214,595	190,000	190,000	203,498	100%	204,000	14,000	14,000	7.37%
Contractual Services	395	598	500	500		N/A		(500)	(500)	-100.00%
Other Expenses	3,422	253	12,996	12,996	12,500	96%	13,000	4	4	0.03%
Capital Outlays						N/A				0.00%
Other Financing Uses						99%	\$ 300,000	\$ 19,328	\$ 19,328	6.89%
\$	263,487	292,756	\$ 280,672	\$ 280,672	\$ 297,829	99%	\$ 300,000	\$ 19,328	\$ 19,328	6.89%

80400 Planning, Zoning and Economic Development

\$	395,554	387,005	\$ 427,548	\$ 427,548	\$ 393,435	100%	\$ 394,000	\$ (33,548)	\$ (33,548)	-7.85%
Salaries & Benefits	16,283	19,455	15,700	15,700	12,765	98%	13,000	(2,700)	(2,700)	-17.20%
Operating Supplies	78,924	87,314	50,734	47,000	44,078	98%	45,000	(6,734)	(2,000)	-4.26%
Contractual Services	7,746	9,751	9,000	9,000	10,293	94%	11,000	2,000	2,000	22.22%
Other Expenses	3,018	3,644	3,000	3,400	6,239	89%	7,000	4,000	3,600	105.88%
Capital Outlays						N/A				0.00%
Other Financing Uses						99%	\$ 470,000	\$ (35,982)	\$ (32,648)	-6.50%
\$	501,525	507,169	\$ 505,982	\$ 502,648	\$ 466,810	96%	\$ 470,000	\$ (35,982)	\$ (32,648)	-6.50%

Total Business Value Added Activities

\$	3,802,121	3,968,049	\$ 4,085,268	\$ 4,178,894	\$ 4,168,407	99%	\$ 4,201,000	\$ 115,732	\$ 22,106	0.53%
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As a Percent of Total General Fund Expenditures

	17.1%	17.1%	16.5%	17.2%	17.5%		17.6%			
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**City of Muskegon
2002 Final Amended Budget - General Fund
General Fund Expenditure Summary By Function**

II. Fixed Budget Items

30999	Transfers To Other Funds																		
	Major Street Fund	\$	-	\$	-	\$	820,000	\$	200,000	\$	100,000	\$	100,000	100%	\$	100,000	\$	-	0.00%
	Local Street Fund		620,000				850,000		850,000		850,000		850,000	100%		850,000		-	0.00%
	Budget Stabilization Fund						100,000				-			N/A		-		-	0.00%
	L.C. Walker Arena Fund (Operating Subsidy)		346,000		250,000		271,837		271,837		271,837		271,837	100%		272,000		163	0.06%
	Public Improvement Fund (Fire Equipment Reserve)		220,000		301,000		150,000		150,000		150,000		150,000	100%		150,000		-	0.00%
	State Grants Fund (Grant Matches)				150,000				110,000		105,000		105,000	100%		105,000		(5,000)	0.00%
	MOD State Rehab Loan Fund										-			N/A		-		-	0.00%
	TIFA Debt Service Fund		22,810								-			N/A		-		-	0.00%
	Tree Replacement				2,723						-			N/A		-		-	0.00%
		\$	1,211,533	\$	1,521,000	\$	1,681,837	\$	1,476,837	\$	1,476,837	\$	1,477,000	100%	\$	1,477,000	\$	(204,937)	0.01%
30851	General Insurance	\$	249,757	\$	235,222	\$	242,000	\$	295,000	\$	281,887	\$	282,000	100%	\$	282,000	\$	40,000	-4.41%
30906	Debt Retirement		407,835		375,101		209,406		209,406		216,860		217,000	100%		217,000		7,594	3.63%
10891	Contingency and Bad Debt Expense		142,954		268,110		400,000		400,000		374,805		375,000	100%		375,000		(25,000)	-6.25%
90000	Major Capital Improvements		24,934		135,543		670,000		322,500		140,413		141,000	100%		141,000		(529,000)	-56.28%
	Total Fixed-Budget Items	\$	2,037,013	\$	2,539,976	\$	3,203,243	\$	2,703,743	\$	2,490,802	\$	2,492,000	100%	\$	2,492,000	\$	(711,243)	-7.83%
	As a Percent of Total General Fund Expenditures		9.2%		10.9%		13.0%		11.2%		10.4%		10.4%			10.4%			

Total General Fund	\$ 22,232,667	\$ 23,235,978	\$ 24,647,544	\$ 24,245,400	\$ 23,850,788	100%	\$ 23,924,000	\$ (723,544)	-1.33%
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Recap: Total General Fund By Expenditure Object

[illegible]

**City of Muskegon
2002 Final Amended Budget - Other Budgeted Funds**

	Actual 2001	Original Budget Estimate 2002	Last Budget Reforecast (9/30/2002)	Actual Thru December 2002	Final 2002 Amended Budget	Change From Latest Reforecast
Other Budgeted Funds - Revenues						
Special Revenue Funds:						
202 Motor Vehicle Highway - Major	\$ 6,703,478	\$ 10,046,941	\$ 5,029,829	\$ 9,106,959	\$ 9,106,900	\$ 4,077,071
203 Motor Vehicle Highway - Local	1,623,098	1,751,663	2,021,663	1,847,767	1,847,700	(173,963)
254 LC Walker Arena	862,969	867,337	867,337	895,588	895,500	28,163
211 Police Training Fund	31,142	20,000	20,000	22,281	22,200	2,200
230 Enterprise Community Fund	-	-	-	85,981	85,900	85,900
257 Budget Stabilization Fund	250,000	-	-	-	-	-
260 Land Reutilization Fund	1,116	1,000	1,000	553	500	(500)
285 Tree Replacement Fund	1,104	3,000	3,000	204	200	(2,800)
264 Criminal Forfeitures Fund	76,955	75,000	75,000	97,071	97,000	22,000
	\$ 9,549,862	\$ 12,764,941	\$ 8,017,829	\$ 12,056,404	\$ 12,055,900	\$ 4,038,071

Other Budgeted Funds - Expenditures

202 Motor Vehicle Highway - Major	\$ 7,331,204	\$ 11,187,890	\$ 5,783,890	\$ 4,187,543	\$ 4,188,000	\$ (1,595,890)
203 Motor Vehicle Highway - Local	1,589,317	1,965,131	2,091,131	1,994,814	1,995,000	(96,131)
254 LC Walker Arena	847,697	881,837	850,143	880,246	881,000	30,857
211 Police Training Fund	31,142	20,000	20,000	22,281	23,000	3,000
230 Enterprise Community Fund	-	-	-	85,981	86,000	86,000
257 Budget Stabilization Fund	-	-	500,000	-	-	(500,000)
260 Land Reutilization Fund	-	1,000	1,000	-	-	(1,000)
285 Tree Replacement Fund	-	3,000	3,000	1,075	2,000	(1,000)
264 Criminal Forfeitures Fund	66,216	75,000	75,000	16,478	17,000	(58,000)
	\$ 9,865,576	\$ 14,133,858	\$ 9,324,164	\$ 7,188,418	\$ 7,192,000	\$ (2,132,164)

2003-16 b)

Date: February 11, 2003

To: Honorable Mayor and City Commissioners

From: Finance Director

RE: Resolutions for Sale of Water Revenue Bonds

SUMMARY OF REQUEST: Later this year (or, more likely, early next year) it is expected the City will sell water system revenue bonds to finance further improvements at the water filtration plant. The size of the bond issue will likely be in the \$12 million range but we are submitting documents with a "not to exceed" limit of \$16 million to provide maximum flexibility. The first step in the bonding process is adoption of the two attached resolutions. The first ("Notice of Intent Resolution") notifies the public of the City's intent to issue bonds. Upon adoption of this resolution public notice will be placed in the *Muskegon Chronicle* advising citizens that water revenue bonds will be issued without referendum unless a petition requesting an election is filed with the City Clerk within forty-five (45) days. The petition must be signed by at least ten percent of the City's registered voters. The second resolution ("Resolution Declaring Intent to Reimburse") allows the City to reimburse itself for project costs incurred prior to the time bonds are sold.

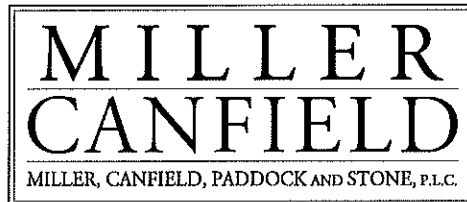
FINANCIAL IMPACT: The only immediate cost associated with this action is the cost of publication in the *Chronicle*.

BUDGET ACTION REQUIRED: None at this time. The cost of the newspaper publication can be covered within the current water system budget. Once bonds are sold, debt service costs will be included in the water system budget for the life of the bonds (20-30 years).

STAFF RECOMMENDATION: Approval of the attached resolutions.

COMMITTEE RECOMMENDATION: None.

Founded in 1852
by Sidney Davy Miller



MICHIGAN: Ann Arbor
Detroit • Grand Rapids
Howell • Kalamazoo
Lansing • Monroe • Troy

New York, NY
Pensacola, FL
Washington, DC

CANADA: Windsor, ON

POLAND: Gdynia
Katowice • Warsaw

JOEL L. PIELL
TEL: (313) 496-7518
FAX: (313) 496-8450
E-MAIL: piell@millercanfield.com

150 West Jefferson, Suite 2500
Detroit, Michigan 48226
TEL: (313) 963-6420
FAX: (313) 496-7500
www.millercanfield.com

January 28, 2003

Mr. Timothy J. Paul
Finance Director
City of Muskegon
933 Terrace St
PO Box 536
Muskegon, MI 49443-0536

Via Email

Dear Tim:

I am sending you both by email and by regular mail copies of a Notice of Intent Resolution and Reimbursement Resolution for the City's proposed not to exceed \$16,000,000 Water Revenue Bonds. Under separate cover I will send you our standard form of engagement letter.

As you will recall, the Notice of Intent Resolution must be published once in the Muskegon Chronicle in large point type as a display ad taking up no less than one-quarter of the page upon which it appears.

Please return to me three certified copies of the Notice of Intent Resolution and three affidavits of its publication. I would also appreciate receiving three certified copies of the Reimbursement Resolution.

Should you have any questions concerning this, please let me know. I look forward to working with you again on this project.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: _____
Joel L. Piell

Enclosures

cc: Warren M. Creamer, III (letter only) *Via Email*

Hard copies via U.S. Mail

DELIB:2385493.1\099999-90001

Founded in 1852
by Sidney Davy Miller



MICHIGAN: Ann Arbor
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150 West Jefferson, Suite 2500
Detroit, Michigan 48226
TEL: (313) 963-6420
FAX: (313) 496-7500
www.millercanfield.com

February 6, 2003

Mr. Timothy J. Paul
Finance Director
City of Muskegon
933 Terrace St
PO Box 536
Muskegon, MI 49443-0536

Via Email

Dear Tim:

I attach herewith a revised Notice of Intent Resolution, which speaks to a \$16,000,000 bond issue, which may be sold to MMBA. I will the revised engagement letter to you by regular post.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: _____
Joel L. Piell

Enclosure

DELIB:2388098.1\063684-00034

2003-16 (b)
NOTICE OF INTENT RESOLUTION
City of Muskegon
County of Muskegon, State of Michigan
Water Supply System Revenue Bonds

Minutes of a regular meeting of the City Commission of the City of Muskegon, County of Muskegon, State of Michigan held on the 11th day of February, 2003, at 5:30 o'clock p.m. Eastern Standard Time.

PRESENT: Members Mayor Warmington, Vice Mayor Buie, Commissioners
Gawron, Larson, Schweifler, Shepherd, Spataro

ABSENT: Members None

The following preamble and resolution were offered by Member
Gawron and supported by Member Buie:

WHEREAS, the City of Muskegon, County of Muskegon, State of Michigan (the "City") intends to issue and sell revenue bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Sixteen Million Dollars (\$16,000,000) for the purpose of paying part of the cost of acquiring and constructing water supply system improvements; and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in the Muskegon Chronicle, a newspaper of general circulation in the City.
2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

NOTICE TO TAXPAYERS AND ELECTORS OF THE
CITY OF MUSKEGON AND TO USERS OF SAID CITY'S
WATER SUPPLY SYSTEM OF INTENT TO ISSUE
BONDS AND THE
RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City Commission of the City of Muskegon, Muskegon County, Michigan, intends to issue and sell Revenue Bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in one or more series, in a total amount not to exceed Sixteen Million Dollars (\$16,000,000), for the purpose of paying part of the cost of acquiring and constructing improvements to the City's water supply system.

SOURCE OF PAYMENT OF
REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON SAID REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the City from the operations of said water supply system except as provided below in the case of bonds sold to the Michigan Municipal Bond Authority. Said revenues will consist of rates and charges billed to the users of the system, a schedule of which is presently on file in the office of the City Clerk. Said rates and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the system, to pay the principal of and interest on said bonds and to pay other obligations of the system.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed Thirty (30) in number and will bear interest at the rate or rates to be determined at public sale but in no event to exceed eight percent (8%) per annum on the balance of the bonds from time to time remaining unpaid.

ALTERNATE SOURCE OF PAYMENTS IN THE EVENT BONDS
ARE SOLD TO MICHIGAN MUNICIPAL BOND AUTHORITY

IN THE EVENT THAT THE CITY COUNCIL DEEMS IT DESIRABLE TO SELL SAID BONDS TO THE MICHIGAN MUNICIPAL BOND AUTHORITY, THE CITY MAY PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. The City may enter into an agreement providing for the payment of taxes, which taxes are collected by the State and returned to the City as provided by law, to the authority or a trustee, and such funds may be pledged for the payment of the bonds. IN ADDITION TO THE FOREGOING, IN CASE OF INSUFFICIENCY OF SAID REVENUES, THE PRINCIPAL OF AND INTEREST ON THE BONDS MAY BE PAYABLE FROM THE GENERAL FUNDS OF THE CITY OR, IF NECESSARY, FROM AD VALOREM TAXES LEVIED UPON ALL

TAXABLE PROPERTY IN THE CITY, SUBJECT TO APPLICABLE CHARTER, STATUTORY AND CONSTITUTIONAL RATE LIMITATIONS.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

Gail Kunding
Clerk, City of Muskegon

3. The City Commission does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the water supply system's users and the City's taxpayers and electors of this City's intent to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Member Larson, Schweifler, Shepherd, Spataro, Warmington, Buie, Gawron

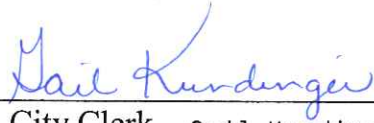
NAYS: Member None

RESOLUTION DECLARED ADOPTED.

Gail A. Kunding
City Clerk Gail Kunding

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, State of Michigan, at a regular meeting held on February 11, 2003, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were

kept and will be or have been made available as required by said Act.



City Clerk Gail Kunderger

DELIB:2385422.1\063684-00034

2003-16 (b)
City of Muskegon
County of Muskegon, State of Michigan

Minutes of a regular meeting of the City Commission of the City of Muskegon, County of Muskegon, State of Michigan held on the 11th day of February, 2003, at 5:30 o'clock p.m. Eastern Standard Time.

PRESENT: Members Mayor Warmington, Vice Mayor Buie, Gawron, Larson
Schweifler, Shepherd, Spataro

ABSENT: Members None

The following preamble and resolution were offered by Member Gawron
and supported by Member Buie:

WHEREAS, the City of Muskegon, County of Muskegon, State of Michigan (the "City") intends to issue and sell bonds or caused to be issued bonds in its behalf, in an amount not to exceed Sixteen Million Dollars (\$16,000,000) for the purpose of paying the cost of acquiring and constructing water improvements (the "Project"); and

WHEREAS, the City intends, at this time to state its intentions to be reimbursed from proceeds of the bonds for any expenditures undertaken by the City for the Project prior to issuance of the bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:
 - (a) As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by or in behalf of the City.
 - (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project together with appurtenances and attachments thereto to serve the City which were or will be paid subsequent to six months prior to the date hereof.
 - (c) The maximum principal amount of debt expected to be issued for the

Project, including issuance costs, is \$16,000,000.

- (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this Resolution.
- (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
- (f) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(b) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (d) above.
- (g) Expenditures for the Project to be reimbursed for the proceeds of the borrowing for purposes of this Resolution do not include costs for the issuance of the debt or an amount not in excess of the lesser of \$100,000 or 5 percent of the proceeds of the borrowing, or preliminary expenditure not exceeding twenty (20) percent of the issue price of the borrowing, within the meaning of Treas. Reg. § 1.150-2(f) (such preliminary expenditures include architectural, engineering, surveying, soil testing and similar costs incurred prior to construction of the Project, but do not include land acquisition, site preparation, and similar costs incident to commencement of construction).

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members Larson, Schweifler, Shepherd, Spataro, Warmington, Buie
Gawron

NAYS: Members None

RESOLUTION DECLARED ADOPTED.

Gail Kunding

City Clerk Gail Kunding

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, State of Michigan, at a regular meeting held on February 11, 2003, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Gail Kunding

City Clerk Gail Kunding

DELIB:2385449.1\000000-00000

2003 16 (c)

Date: January 29, 2003
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: Summer Celebration Request

SUMMARY OF REQUEST:

To allow Summer Celebration to use various city facilities and to provide staffing to assist the festival

FINANCIAL IMPACT:

City Services costs about \$60,000 in 2002

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Leisure Services Board Recommended 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

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

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

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

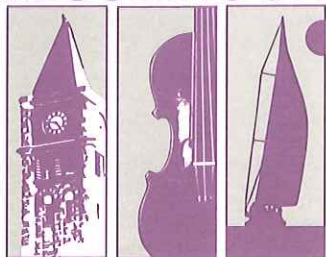
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

Date: January 29, 2003

To: Honorable Mayor and City Commissioners

From: Ric Scott 

Re: Summer Celebration Request

Attached is the annual request from Summer Celebration for the use of various city facilities and staff. There are no significant changes from past years, although Hackley Park will be used more during the week.

Last year, Summer Celebration reimbursed the City \$15,000 for the approximately \$60,000 of staff cost for the event. Last year, Summer Celebration made about \$50,000. This year, they have budgeted \$30,000 for City reimbursement.

At their meeting in January, the Leisure Services Board recommended approval of the request. I would ask that you approve the request from Summer Celebration.

Thank you for your consideration.

MUSKEGON S U M M E R CELEBRATION

January 14, 2003

Ric Scott, Director of Leisure Services
City of Muskegon
PO Box 536
Muskegon, MI 49443-0536

Dear Mr. Scott:

The Muskegon Summer Celebration Committees are preparing for the 2003 festival to be held Thursday, June 26 through Sunday, July 6. We are humbly requesting the following from City of Muskegon for the 2003 festival:

- Fireworks permits for July 4 and July 6.
- Permission for exclusive use of Hackley Park from June 26 through July 6 including the Hackley Park Stage and fencing.
- Permission to use picnic tables, garbage cans, fencing, park benches and other city equipment as necessary at no charge.
- Permission for the exclusive use of Clay Avenue between Third and Sixth Streets, Western Avenue from Fourth to Seventh Streets, and Fourth, Fifth and Sixth Streets between Webster and Western and the city parking lot along Western Avenue across from the LC Walker Arena for Art in the Park/Village Craft Market on July 4, 5, & 6.
- Grant exclusive peddling and selling rights of any article from a stand, stall, vehicle, pack or basket, or in any other manner, on any of the following streets in the City in downtown Muskegon during the festival: Webster, Muskegon, Pine, First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Clay, Western, Shoreline Drive, Morris, Terrace, Thayer, Jefferson, and Division. In addition we would request exclusive peddling and selling rights to all City-owned property in the downtown area.
- That the City notify the Summer Celebration of any request for use of City facilities during the time of the Summer Celebration before granting permission for its use.
- Permission for the exclusive use of Shoreline Drive from Terrace to Fourth and Fourth from Shoreline Drive to Webster on Saturday, June 28 from 9:00 a.m. to 1:30

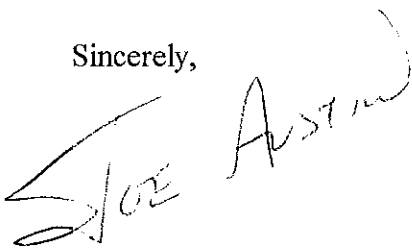
587 West Western Avenue • Muskegon, Michigan 49440
Phone (231) 722-6520 • Fax (231) 722-6112
www.summercelebration.com

p.m. for the parade route. In addition we would like to use Clay from Third to Fourth on Saturday, June 28 from 9:00 a.m. to 2:30 p.m. for bus parking and vehicle parking for parade disbanding. We would also request the use of the Muskegon Mall parking lots from 8:00 AM until 2:00 PM for parade staging.

- Permission for the exclusive use of Western Avenue from Fourth to Seventh Streets on Saturday, June 28 from 6:00 a.m. until 5:00 p.m. for the Street Fair.
- Permission to use Western Avenue between Seventh and Eighth Streets and the adjacent grassy area June 26 – July 6 for other festival activities.
- We would ask that the past policy of the City providing police, fire, DPW, and Leisure Services staff at no cost to the festival be continued. The Summer Celebration is prepared, barring a financial disaster, to provide a partial reimbursement to the City for those costs.

On behalf of the Summer Celebration Committee, I want to thank you and the City for your continued support of the festival. Without that help it would not enjoy the success it does. We look forward to working with you again in 2003.

Sincerely,

A handwritten signature in cursive script that reads "Joe Austin". The signature is written in dark ink and is positioned to the left of the printed name.

Joe Austin, Executive Director

Cc: Tim Achterhoff, Chairperson, Board of Trustees

2003 - 16 d)

Date: January 29, 2003
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: Able to Play Grant Application

SUMMARY OF REQUEST:

Staff is requesting authorization to submit a grant application to the Kellogg Foundation for the Able to Play program.

FINANCIAL IMPACT:

Not known

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Leisure Services Board Recommends 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
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Comm. & Neigh.
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Inspection Services
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Police Dept.
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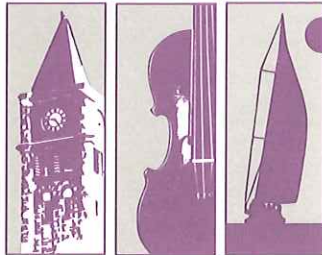
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Water Billing Dept.
231/724-6718
FAX/724-6768

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

MUSKEGON



West Michigan's Shoreline City

Date: January 29, 2003
To: Honorable Mayor and City Commissioners
From: Ric Scott 
Re: Able To Play Grant Application

Staff is requesting authorization to submit a grant application to the Kellogg Foundation to construct an accessible playground structure at McCrea Park under the Able To Play program. Staff is working with MAISD, Volunteer Muskegon, and Pioneer Resources on this project. McCrea Park is the only large park in the city without a large playground structure. The fact that it is in a low-income neighborhood will help reduce the local match requirement.

The Kellogg Foundation will determine the amount of the grant and the match required. Grants will be from \$75,000 to \$375,000 and will require from a 20-50% local match. The local match can be in-kind services. We would work with our local partners to provide the match.

I would ask for your permission to submit the grant application.

Thank you for your consideration.

Commission Work Session – 2/10/03
“Challenge Grant”

Costs - \$250,000 application amount
 \$150,000 for playground structure
 \$100,000 for path, removing softball field, benches, water fountain

A match is required, and can be provided through in-kind services. Worst case scenario there will be a \$1 to \$1 match, best case scenario will be \$0.20 to the \$1. Match is determined by the judges of the grant.

Additional funds could provide – (Cannot be included in the grant)

1. Access to the future state bike path
2. A walk way from the play area to the ball diamond & restrooms
3. Covered pavilion with picnic tables
4. Paved parking lot

Partners

City of Muskegon
Volunteer Muskegon
Wesley School
Pioneer Resources
...more to be added

Process

- *Utilize volunteers for a community build
- *Conduct focus groups w/neighborhood assoc, Wesley School youth & youth from Moon & Angell Schools
- *Procure donations from additional sources & individuals

MISC

- *Application due March 7th, to be written by Kris & Melissa
- *Response will be provided by June 2003
- *Project must be completed by August 2005
- *Need from Commission:
 1. Signing of the “letter of transmittal”
 2. Letter of support by Mayor, stating who owns, will maintain land; granted approval to apply



ABLE TO PLAY

ABLE TO PLAY is an innovative project that provides challenge grants and technical assistance for the development of play environments throughout the state of Michigan. Over the next three years, **ABLE TO PLAY** will work with communities to create play environments that incorporate full integration and universal accessibility with rigorous, challenging, developmentally appropriate and sensory-rich activities to benefit children of all abilities.

All children learn by playing, however physical, sensory or developmental disabilities keep some children from using traditional outdoor playgrounds and indoor play spaces. The goal of **ABLE TO PLAY** is to create uniquely designed play environments where children with and without disabilities will have the opportunity to laugh, play and grow together.

The National Center for Boundless Playgrounds™ is leading **ABLE TO PLAY** in collaboration with Center for Creative PlaySM. The **ABLE TO PLAY** Project was launched with a lead gift from the W.K. Kellogg Foundation of Battle Creek, Michigan.



W.K. KELLOGG FOUNDATION
FROM VISION TO INNOVATIVE IMPACT

ABLE TO PLAY

45 Wintonbury Avenue ★ Bloomfield, CT 06002
(860) 243-8315 ★ Fax (860) 243-5854 ★ www.abletoplay.org

ABLE TO PLAY

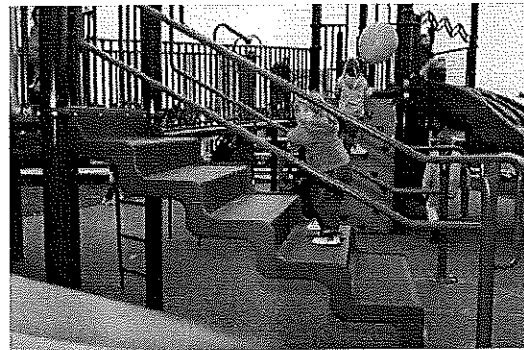
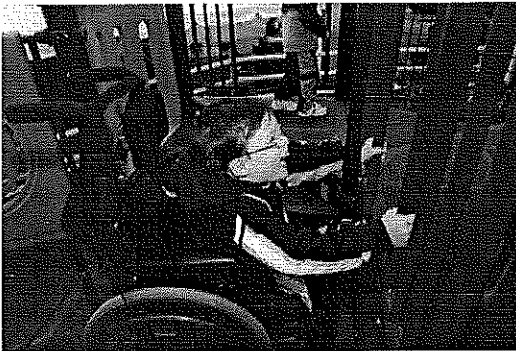
Building On A Legacy



W.K. KELLOGG FOUNDATION
FROM VISION TO INNOVATIVE IMPACT

ABLE TO PLAY was launched with a lead gift from the W.K. Kellogg Foundation of Battle Creek, Michigan to commemorate its 75th Anniversary, which will be celebrated in 2005.

Grants made in preparation for reaching the W.K. Kellogg Foundation's 75th Anniversary milestone are designed to build on the Foundation's current programming interests in health, food systems and rural development, youth and education, philanthropy and volunteerism. Each broadly reflects the Foundation's historical commitment to "help people help themselves". Additionally, the grants demonstrate innovation and the potential to "positively have an impact on society". The Foundation, which currently makes grants in the United States, Latin American and the Caribbean, and six southern African countries, was established in 1930 by W.K. Kellogg, the breakfast cereal pioneer. Mr. Kellogg started the Foundation because he wanted to help children of all abilities "to face the future with confidence, health, and with a strong-rooted security in their trust of this country and its institutions". The **ABLE TO PLAY** Project is designed to continue that important legacy.



"Kids of all abilities are hungry for a chance to play together, including my brother and our classmates who can run, a boy I know who uses a walker and kids like me who use wheelchairs. I want every child in our nation to experience the joy I do in playgrounds where everyone is welcome."

Matthew Cavedon, co-chairman of Boundless Playgrounds Junior Advisory Board

You're Invited to Make Dreams Come True For Children of All Abilities!

Community involvement and partnerships are key elements of the **ABLE TO PLAY** Project. Individuals, service clubs, civic groups, organizations that serve children, student organizations (such as fraternities and sororities), small businesses, corporations, financial institutions, and foundations are invited to participate. Each grantee will need to match the **ABLE TO PLAY** grant award received. Each **ABLE TO PLAY** project will offer a variety of sponsorship opportunities and community involvement activities. Contributions of all sizes are welcome and appreciated. Sponsorship opportunities are available for individual play environment projects. In addition, **ABLE TO PLAY** offers sponsorship opportunities on a statewide level, to support all or some of the play environment projects being developed throughout Michigan. Statewide sponsors will receive prominent recognition, including signage at all **ABLE TO PLAY** projects. For more information on how you can participate on the local and/or statewide level, please visit www.abletoplay.org or call (860) 243-8315.

The National Center for Boundless Playgrounds™ is leading **ABLE TO PLAY** in collaboration with Center for Creative PlaySM. The **ABLE TO PLAY** Project was launched with a lead gift from the W.K. Kellogg Foundation of Battle Creek, Michigan.



A nonprofit organization that provides leadership to foster and create fully integrated, universally accessible play environments for children of all abilities. Boundless Playgrounds™ play environments are uniquely designed to provide for inclusive play and to remove the barriers that limit childhood exploration and development. Its projects give children of all abilities the opportunity to laugh, play and grow together. Boundless Playgrounds was founded in 1997 by a passionate team of parents and professionals. The 501(c)(3) nonprofit organization is celebrating its fifth anniversary this year and has helped more than 50 communities in 18 states develop their own Boundless Playgrounds projects.

45 Wintonbury Avenue ★ Bloomfield, CT 06002
(860) 243-8315 ★ Fax (860) 243-5854
www.boundlessplaygrounds.org



A nonprofit organization that provides an indoor environment for fully engaged play experiences for all children. This parent-supervised play space, started by five families with children who have special needs, provides an atmosphere in which children of different backgrounds and abilities are able to play, learn and grow together. The Center believes in parent voices - all programmatic and design decisions are made with parent input. The Center is expecting more than 35,000 visitors this coming year, 20% with special needs. The Center is recognized as a leader in universally accessible indoor play spaces and consults with other destinations in this domain.

1400 S. Braddock Avenue ★ Pittsburgh, PA 15218
(412) 371-1668 ★ Fax (412) 371-1096
www.cfcp.org

Frequently Asked Questions

Who is eligible to apply?

Communities, entities and nonprofit organizations including municipalities, state parks, children's museums, libraries, hospitals, community foundations, public education funds, voluntary service organizations, elementary and middle schools, advocacy groups, and local and state associations throughout Michigan are invited to submit applications.

What type of financial support is available?

ABLE TO PLAY challenge grant awards will range from \$75,000 to \$350,000. The amount of each grant will be determined by the applications received and guided by a national panel of judges. Grant awards include a matching fund requirement that will be determined during the evaluation process, with a minimum match of \$75,000.

How can we apply for a challenge grant and technical assistance from **ABLE TO PLAY**?

Interested parties must complete the **ABLE TO PLAY** application. Applications must be received by **March 7, 2003**. No faxed or emailed documents may be submitted. Applications are available on the **ABLE TO PLAY** website (www.abletoplay.org) or by calling 860-243-8315.

When do play environments have to be complete and open for use?

Play environments must be completed between April 2004 and August 2005.

What criteria will be used to select grantees?

Only fully completed applications will be read, reviewed and evaluated by a national panel of judges. Judges will consider:

- ★ respondents' goals for alignment with **ABLE TO PLAY** philosophy.
- ★ evidence that the applicant can successfully undertake a project of this size and scope.
- ★ active involvement of people and children with and without disabilities in this project.
- ★ current play opportunities available in the community(ies) the project will serve.
- ★ population of children to be served and opportunities for collaboration.
- ★ community support and level of volunteer commitment for this project.
- ★ statewide geographic and economic diversity.
- ★ suitability of the play environment site.
- ★ ability of the project to be completed between the target dates of April 2004 and August 2005.
- ★ applicants' inspiration and passion for the concept of play for all children.



**ABLE
TO
PLAY**

45 Wintonbury Avenue ★ Bloomfield, CT 06002
(860) 243-8315 ★ Fax (860) 243-5854
www.abletoplay.org



ABLE TO PLAY

Grant Application

"Every child deserves a chance to play"

Matthew Cavedon, age 13, co-chairman of Boundless Playgrounds™ Junior Advisory Board

All children learn by playing; however, physical, sensory or developmental disabilities keep some children from using traditional outdoor playgrounds and indoor play spaces. The goal of the ABLE TO PLAY Project is to create fully integrated, universally accessible play environments where children of all abilities will have the opportunity to laugh, play and grow together. Communities, entities and nonprofit organizations throughout Michigan are invited to apply for ABLE TO PLAY challenge grants of \$75,000 - \$350,000 with technical and design assistance from the National Center for Boundless Playgrounds and Center for Creative Play.

The ABLE TO PLAY Project was launched with a lead gift from the W.K. Kellogg Foundation of Battle Creek, Michigan to commemorate its 75th Anniversary, which will be celebrated in 2005. This grant reflects the Foundation's historical commitment to "help people help themselves." Additionally, it demonstrates innovation and the potential to "positively have an impact on society."

The Foundation was established in 1930 by W.K. Kellogg, the breakfast cereal pioneer. Mr. Kellogg started the Foundation because he wanted to help children of all abilities "to face the future with confidence, health, and with a strong-rooted security in their trust of this country and its institutions." The ABLE TO PLAY Project is designed to continue that important legacy.



W.K. KELLOGG FOUNDATION
FROM VISION TO INNOVATIVE IMPACT

**Deadline for Grant Submission:
Applications must be received by March 7, 2003**



**ABLE
TO
PLAY**

Grant Requirements

Failure to meet any of the listed requirements or to provide appropriate documentation may lead to forfeiture and/or refund of any grant awards.

1. Grant Evaluation Criteria

Only fully completed applications will be read, reviewed and evaluated by a national panel of judges.
Judges will consider:

- a) applicant's goals for alignment with ABLE TO PLAY philosophy.
- b) evidence that the applicant can successfully undertake a project of this size and scope.
- c) active involvement of people and children with and without disabilities in this project.
- d) current play opportunities available in the community(ies) this project will serve.
- e) population of children to be served and opportunities for collaboration.
- f) community support and level of volunteer commitment for this project.
- g) statewide geographic and economic diversity.
- h) suitability of the play environment site.
- i) ability of the project to be completed between the target dates of April 2004 and August 2005.
- j) applicant's inspiration and passion for the concept of play for all children.

2. Grant Awards

ABLE TO PLAY will provide challenge grants of \$75,000 - \$350,000 and the technical design expertise necessary to meet the following ABLE TO PLAY **Design Criteria**:

- ★ Children of all abilities are able to participate in at least 70% of the play events and activities while using their typical means of ambulation. For example, children with physical disabilities do not have to leave their support equipment (such as wheelchairs and walkers) behind.
- ★ The fully integrated play environment design is developmentally appropriate so that it addresses children's intellectual, physical, ethical, social and emotional needs. Additionally, it is designed to support children's predictable play behaviors.
- ★ Dissimilar types of play activities are isolated from one another so that the likelihood of play conflicts and injuries are minimized. To the extent possible, gross motor physical play activities are grouped away from fine motor quiet activities.
- ★ Appropriate signage is included for children of all abilities (for example - Braille and supervisory signage).
- ★ The development of each play environment encourages and incorporates community involvement.
- ★ Each ABLE TO PLAY play environment exceeds ADA requirements and seeks to address foreseeable hazards that may arise when children of diverse abilities play together.

In addition, each outdoor play environment must be built in compliance with the United States Consumer Product Safety Commission (USCPS) guidelines and American Society for Testing and Materials (ASTM) standards for play environment equipment and safety surfacing materials and each indoor play environment must be constructed in compliance with all local and state building and fire codes.

The dollar amount of each challenge grant to be awarded will be based on the scope of the grantee's play environment including size and square footage of the proposed project, the number of children to be served and the grant evaluation criteria listed above.

Grant Requirements

Continued



3. Ability to Generate Matching Funds

Challenge grant awards will range from \$75,000 - \$350,000 and may be used in accordance with the requirements set forth in Exhibit 1, Page 10. The amount of each grant will be determined by the Able to Play Project based on applications received, the grant evaluation criteria described on the previous page and the recommendations of a national panel of judges. Each grantee must match a portion of the grant awarded. The level of required match will be determined during the evaluation process. In determining the match, consideration will be given to factors such as: economic circumstances, size and diversity of the population to be served, ability of grantee to raise matching funds, anticipated in-kind donations, demonstrated level of community support and involvement, and the budget, size and scope of the project.

Coaching on fundraising strategies will be provided by ABLE TO PLAY; however, each applicant must demonstrate the ability and determination needed to raise the required match. National Center for Boundless Playgrounds outdoor play environments are often larger than traditional play environments. A "typical" Boundless Playgrounds project ranges in size from 8,000 to 25,000 square feet and averages \$200,000 to \$450,000 for equipment, surfacing, installation. A Center for Creative Play indoor play environment ranges in size from 3,000 to 15,000 square feet and typically costs in the range of \$150,000 to \$700,000.

4. Service Providers

ABLE TO PLAY will provide technical assistance and facilitation services to coach grantees about managing their play environment projects. This assistance can include committee formation, fundraising, volunteer recruitment, marketing and public relations.

ABLE TO PLAY does not provide project related architect, landscape architect, interior designer, civil engineer, survey or landscape contractor services. The grantee must arrange and pay for these required services with local professional(s). In some cases, local professionals can be recruited to donate their services on a pro bono basis. The value of these contributions can be counted toward the required match.

ABLE TO PLAY will prepare play environment designs and equipment configurations in partnership with each grantee's local design professional(s). Each grantee must require that their local design professional(s) and all other service providers engaged in this project work collaboratively with ABLE TO PLAY to develop and complete their project.

The designated local design professional(s) and project manager (or representative) will be required to attend a 3-day ABLE TO PLAY training workshop. Grantees must be willing to travel to receive project related training. Workshops for outdoor playgrounds will be held in Michigan, while the sessions for indoor play spaces will be held in Pittsburgh, PA. ABLE TO PLAY grant funds can be used to cover the expenses for each grantee's representatives to attend this training.

In addition, each grantee must schedule with ABLE TO PLAY a Values and Outcomes Planning Session® and a Dreaming and Design Party® for their community. See FAQs on Page 9 for additional information.

Contact ABLE TO PLAY at 860-243-8315 for additional information about ABLE TO PLAY services and the responsibilities of each grantee and their local design professional(s).



Grant Requirements

Continued

5. Plan Review

ABLE TO PLAY must review and approve the final production plans/construction documents to be utilized by each grantee's selected vendor(s) and/or local design professional(s) prior to the ordering of any play environment equipment and/or surfacing or starting construction of indoor play environments to assure compliance with ABLE TO PLAY criteria for full integration and universal accessibility.

6. Construction Assessment and Inspection

OUTDOOR play environment grantees must arrange for ABLE TO PLAY to conduct a site assessment of the equipment installation when the project is at 80% – 90% completion. This is to ensure that the installation completed at that point meets ABLE TO PLAY criteria prior to full project completion. A summary report of the installation assessment, including itemization of necessary modifications, if applicable, will be provided to the grantee and installer relative to ABLE TO PLAY's integration and accessibility standards. Upon completion of construction, outdoor play environment grantees must arrange for a safety inspection by a Certified Playground Safety Inspector (CPSI). If applicable, any modifications must be completed prior to the opening of the play environment and release of the final grant funds.

INDOOR play environment grantees must arrange for ABLE TO PLAY to conduct a play environment site assessment before construction starts on the floor, once walls are in place but before case work begins, and when the project is 80% - 90% complete. Upon completion of construction, indoor play environment grantees must arrange for an inspection to meet all occupancy requirements. Any modifications, if applicable, must be completed prior to the opening of the play environment and release of the final grant funds.

7. Required Service Agreement

Grant recipients are required to sign a service agreement with the ABLE TO PLAY grantor. Two signed copies of the service agreement must be submitted with the ABLE TO PLAY application. Applicants are required to contact ABLE TO PLAY at 860-243-8315 for a copy of this agreement and to discuss roles and responsibilities of grantees and their local design professional(s). Applications will not be considered unless the signed copies of the service agreement are attached.

8. Reporting

Grantees must agree to submit monthly progress reports to ABLE TO PLAY in a manner prescribed by ABLE TO PLAY and in accordance with a provided schedule. Periodic financial updates will also be required.

Grantees must agree to submit a final project evaluation/report, including photos, newspaper articles and video. Other documentation may also be requested. Additional status reports must be submitted within 10 business days of request.

9. Media Announcement

Organizations that are awarded a grant are required to be represented at a media announcement to be scheduled in June 2003. Children of all abilities are encouraged to participate in this wonderful celebration.

Contact ABLE TO PLAY at 860-243-8315 if you have questions about the application process.

Grant Application Instructions

Contact ABLE TO PLAY at 860-243-8315
if you have questions about the application process.



1. **Deadline: Applications must be received by March 7, 2003**

All application materials should be mailed to ABLE TO PLAY, c/o the National Center for Boundless Playgrounds, 45 Wintonbury Avenue, Bloomfield, CT 06002. No facsimile or email applications will be accepted. Applications received after March 7, 2003 cannot be accepted.

2. **Internet and Large Print Versions**

Visit www.abletoplay.org, www.boundlessplaygrounds.org or www.cfcp.org to download this application package. Organizations or people who need a large print version of this application should contact ABLE TO PLAY at 860-243-8315.

3. **Accuracy and Completeness**

Be sure to follow all instructions and include all items in the order listed. **Incomplete applications will not be reviewed or considered in the final selection process.**

4. **Authorized Signature**

The application must be signed by a representative authorized to make contractual commitments on behalf of the organization(s), entity(ies) or group(s) submitting the application.

5. **Number of Copies Required**

One original and 15 copies of the complete application must be submitted together with two signed Service Agreements (see page 3, #7). However, applicants are only required to provide one site plan. Applicant may also include photos and/or video (only 1 copy of each).

6. **Format for Application Submission**

The application and all copies should be submitted on 8 1/2" by 11" 3-hole punched white paper held by a binder clip. It is preferred that the text font size be no smaller than 12 points. Do **not** submit in a notebook, binder, etc.

7. **No Return of Application**

Application materials submitted **will not be returned**. They shall remain the sole property of the ABLE TO PLAY grantor. Application materials will not be released to any vendor, the media, other business entities or other applicants (with the exception of the optional photographs which may be used for public relations purposes; described on Page 6 - H).

8. **Final Notification of Awards**

ABLE TO PLAY will notify all applicants of the judges' decision on their application by June 2003.

Grant Application Preparation Assistance is Available

A series of free, two-hour workshops on the project requirements and how to prepare the grant application will be held in January 2003. It is strongly recommended that interested applicants participate in a workshop prior to submitting a grant application.

Although attendance is not required, workshops will provide valuable information.

A videotape of the workshop will be available after February 3, 2003.

For workshop dates and locations, visit www.abletoplay.org or call 860-243-8315.



**ABLE
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Play Environment Grant Application

Outdoor/Indoor Section

Answer all the questions in the order listed. For each response, include the letter (for example A or B) that corresponds with each question.

Please note that items I, J and K vary for outdoor and indoor projects. Complete the appropriate items for your project (Page 7 for outdoor and Page 8 for indoor). If submitting an application for a combination (both indoor and outdoor) project, complete both sets of items.

A. Cover Sheet (1 page)

Complete the attached cover sheet (enclosed with this application).

B. Organization and Project Advisory Committee (1 page)

Describe your organization's history, mission, goals and objectives. Information should include a description of the total number of board or committee members, the annual organization budget, the total number of staff (full and part-time) and the number of volunteers working on behalf of the organization. Describe the Advisory Committee for your play environment project including the involvement of children, youth and people with and without disabilities, in addition to how and when it was started and how it functions.

C. Project Summary (2 - 4 pages maximum)

1. Describe what inspired your organization to apply for ABLE TO PLAY and your vision of how this play environment will help your community.
2. List geographic area(s) to be served by the proposed play environment. Include names of specific communities.
3. Provide demographic information (economics, ethnicity and special needs) for the children and community(ies) to be served. Include the median household income and the approximate number of children who are expected to use your play environment on a weekly basis.
4. Indicate how many play environments exist in the community(ies) to be served by this project and describe how they serve the needs of children with and without disabilities. You may include up to 10 photographs of the existing play environment(s).
5. Describe any play equipment in place on the project site (type, manufacturer, installation date, etc., if available).
6. Indicate who will own and/or operate, safeguard, maintain and insure the play environment upon completion.
7. Include any additional information you feel would help define your project.

D. Project and Community Building Plan (2 - 4 pages maximum)

Play environments for children of all abilities can unite communities as they work together to make a difference in their children's lives. ABLE TO PLAY projects are required to have a plan to incorporate community involvement. This may take many forms, including activities for children and youths, fundraising, community builds, in-kind donations, etc. Strategies for including children and youth as well as adults with a variety of abilities and disabilities in the project are required. The "how" of your plan is very important to the community building aspects of your project.

Detail your proposed project and community building plan for building this play environment with a projected timeline of significant dates for your project, including an estimated fundraising timetable. Indicate if you are planning a professional installation, a community build with volunteers or a combination of the two.

Play Environment Grant Application

Outdoor/Indoor Section Cont'd



E. Authorization

Indicate who has granted approval for this project and attach official supporting documentation of this approval. Include 3 letters of support for this application. Municipalities and school districts must include one letter from the chief executive officer. Attach a letter from the owner of the land or building in which the play environment is to be built, indicating authorization for use of this site for an ABLE TO PLAY project. If you are collaborating with other organizations, include a letter signed by the head of each organization committing them to the project.

F. Letter of Transmittal

Sign and attach ABLE TO PLAY letter of transmittal. (Enclosed with this application).

G. Service Agreement

Grant recipients are required to sign a service agreement with the ABLE TO PLAY grantor. Two signed copies of the service agreement must be submitted with the ABLE TO PLAY application. Applicants are required to contact ABLE TO PLAY at 860-243-8315 for a copy of this agreement and to discuss roles and responsibilities of grantees and their local design professional(s). Applications will not be considered unless the signed copies of the service agreement are attached.

H. Optional Submission

You may include up to 10 pictures of children in the community with captions or quotes by them explaining what the new play environment would mean to them. A signed release form (signed by each person in the photograph or their legal guardian if a child is under the age of 18) allowing the use of the picture for ABLE TO PLAY must accompany each photograph (enclosed with this application). Only one copy of each photo is necessary.

Outdoor application continues on Page 7. Indoor application continues on Page 8.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED



**ABLE
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Play Environment Grant Application

Outdoor Section

Incomplete applications will not be considered.

I. Site Plan – for outdoor play environment projects

Applications for outdoor play environments must include a site plan which should indicate the site boundaries with overall dimensions and total area of the proposed site. It should also show any easements, rights of way, waterways or wetlands, as well as important site features such as roadways, buildings, utilities and significant trees and the location of any existing playground equipment. No more than 10 photographs and/or 5 minutes of video may also be submitted to describe the proposed site. If included, the photos and video should illustrate the general characteristics of the site and include any of the important site features listed above. The submission of photos or videotape may **not** be used as a substitute for the site plan. ABLE TO PLAY grantees will be required to provide an "ALTA/ACSM" land survey prepared by a licensed land surveyor. If currently available, it should be included with this application. **Note:** only one copy of the site plan, photos and video is necessary.

J. Maintenance, Repairs and Ongoing Operations Plan (1 – 2 pages)

Applications must include provisions for maintenance, repair, ongoing operations and liability coverage/insurance.

K. Project Budget Information (3 page maximum)

Projected Expenses Eligible For ABLE TO PLAY (ATP) Grant or Matching Funds*	
Play Equipment & Installation	\$
Surfacing & Installation	\$
Site Preparation	\$
Costs for Local Representatives to attend ATP Training	\$
Professional Services	\$
Approved Site Amenities	\$
Sub-total Grant & Match	\$
Projected Expenses NOT Covered by ABLE TO PLAY Grant or Matching Funds*	
Site Purchase, Rent or Lease	\$
Perimeter Landscaping	\$
Tools, Equipment and Supplies	
Other Site Amenities & Expenses	\$
Total Project Expenses	\$

Projected Income	Projected	Actual to Date
Cash Donations	\$	\$
Corporate Gifts	\$	\$
Individual Gifts	\$	\$
Foundation Grants	\$	\$
Pending Proposals	\$	\$
In-Kind Donations	\$	\$
Special Events	\$	\$
Other Fundraising	\$	\$
Public Funds	\$	\$
Other	\$	\$
Sub-total Income	\$	\$

Requested ABLE TO PLAY Funding	\$	\$
Total Project Income	\$	\$

* Note fund usage requirements set forth in Exhibit 1, Page 10.

1. Indicate the projected budget for your project.
2. For this projected budget:
 - a. How much money is the applicant requesting from ABLE TO PLAY? Note: Grant awards will be guided by a national panel of judges and determined during the evaluation process.
 - b. How much is the applicant expecting to raise in dollars, donated services and labor as a match to the grant? Note: The required grant match will be guided by a national panel of judges and determined during the evaluation process.
 - c. How much has been raised or committed to date (include list of sources and amounts)?
3. List the groups, businesses or charitable organizations that currently support your project.
4. List the names of foundations or sponsors that you plan to approach, or with whom you have a pending proposal.
5. Detail information in the "Other" category of project expenses or project income.
6. Provide your fundraising strategy, being as specific as possible.

Play Environment Grant Application

Indoor Section

Incomplete applications will not be considered.



I. Site Plan for indoor play environment projects

Submit a site drawing(s) indicating the dimensions of the existing site and/or the dimensions of the proposed site. Site plans should include architectural plans with standard architectural scales noted on each drawing. No more than 10 photographs and/or 5 minutes of video may also be submitted to describe the proposed site. If included, the photos and video should illustrate the general characteristics of the site. The submission of photos or videotape may not be used as a substitute for the site drawing. **Note:** Only one copy of the site plan, photos and video is necessary.

J. Maintenance, Repair, Ongoing Operations and Programming Plan (1 – 2 pages)

Explain plans for maintenance, repairs and ongoing operations of the completed play environment, including liability insurance and coverage. Applications must provide for training and sustaining staff for a minimum of 5 years. A minimal admission fee may be charged for indoor play spaces if there is no current facility entrance fee.

K. Project Budget Information (3 page maximum)

Projected Expenses Eligible for ABLE TO PLAY (ATP) Grant and Matching Funds*	
Play/Sensory Equipment	\$
Architect/Interior Designer Fee	\$
Construction/Surfacing Materials	\$
Construction/Installation Fees	\$
Case/mill work: creation of custom play spaces	\$
Furnishings	\$
Costs for Local Representatives to attend ATP Training	\$
Lifts/Elevators	\$
Sub-total Grant & Match	\$
Projected Expenses NOT Covered by ABLE TO PLAY Grant or Matching Funds*	
Site Purchase, Rent or Lease	\$
Outside Enhancements	\$
Staffing and Programming	\$
Operating and Other Expenses	\$
Total Project Expenses	\$

Projected Income	Projected	Actual to Date
Cash Donations	\$	
Corporate Gifts	\$	
Individual Gifts	\$	
Foundation Grants	\$	
Pending Proposals	\$	
In-Kind Donations	\$	
Special Events	\$	
Other Fundraising	\$	
Public Funds	\$	
Other		
Sub-Total Income	\$	

Requested ABLE TO PLAY Funding	\$	\$
Total Project Income	\$	\$

* Note fund usage requirements set forth in Exhibit 1

1. Indicate the projected budget for your project.
2. For this projected budget:
 - a. How much money is the applicant requesting from ABLE TO PLAY? Note: Grant awards will be guided by a national panel of judges and determined during the evaluation process.
 - b. How much is the applicant expecting to raise in dollars, donated services and labor as a match to the grant? Note: The required grant match will be guided by a national panel of judges and determined during the evaluation process.
 - c. How much has been raised or committed to date (include list of sources and amounts)?
3. List the organizations, businesses or charitable organizations that currently support your project.
4. List the names of foundations or sponsors that you plan to approach, or with whom you have a pending proposal.
5. Detail information in the "Other" category of project expenses or project income.
6. Provide the organization's fundraising strategy, being as specific as possible.



Frequently Asked Questions (FAQs)

What Are National Center for Boundless Playgrounds™ and Center for Creative PlaySM?

National Center for Boundless Playgrounds™ is a nonprofit organization that provides leadership to foster and create fully integrated, universally accessible play environments for children of all abilities. Boundless Playgrounds is the lead grantee for ABLE TO PLAY and is working in collaboration with Center for Creative Play on this project. Boundless Playgrounds play environments are uniquely designed to provide for inclusive play and to remove the barriers that limit childhood exploration and development. All of its projects incorporate full integration and universal accessibility with rigorous, challenging, developmentally appropriate and sensory-rich activities to allow children of all abilities – children without disabilities and children with physical, sensory and developmental disabilities – the opportunity to laugh, play and grow together. Boundless Playgrounds was founded in 1997 by a passionate team of parents and professionals. The 501(c)(3) nonprofit organization is celebrating its 5th anniversary this year and has helped more than 50 communities in 18 states develop their own Boundless Playgrounds projects.

Center for Creative PlaySM is a nonprofit organization that provides an indoor environment for fully engaged play experiences for all children. This parent-supervised play space, started by five families with children who have special needs, provides an atmosphere in which children of different backgrounds and abilities are able to play, learn and grow together. The Center believes in parent voices - all programmatic and design decisions are made with parent input. Some of the additional programs the Center offers include parent networks, respite care, assorted camps, concerts, art programs, and parenting classes. The Center is located in Pittsburgh, PA and is expecting more than 35,000 visitors this coming year, 20% with special needs. It is recognized as a national leader in universally accessible indoor play spaces and consults with other destinations in this domain.

What are the sizes and costs for ABLE TO PLAY play environments?

National Center for Boundless Playgrounds outdoor play environments are often larger than traditional play environments. A "typical" Boundless Playgrounds project ranges in size from 8,000 to 25,000 square feet and averages \$200,000 to \$450,000 for equipment, surfacing, installation and professional services. A Center for Creative Play indoor play environment ranges in size from 3,000 to 15,000 square feet and typically costs in the range of \$150,000 to \$700,000.

How do we obtain a site?

There is rarely a need to purchase a site. Most outdoor sites are donated by the community or a private party. Indoor spaces can be existing space (owned, rented or leased), part of an existing facility, part of a current capital campaign or donated space. ABLE TO PLAY grants cannot be used for the purchase, rent or lease of a site.

How will a grantee work with ABLE TO PLAY?

Working with the grantee's designated Project Manager, Advisory Committee and local design professional(s), ABLE TO PLAY will help each grantee's project team identify its priorities. Based on community input, ABLE TO PLAY will work in concert with the local design professional(s) to provide design layouts and criteria for the configuration of play equipment that is universally accessible and fully integrated. ABLE TO PLAY will also provide technical assistance and support for committee/volunteer recruitment, identifying potential funding sources, community relations, publicity and the development process. ABLE TO PLAY will also review and approve final plans produced by the local design professional(s) to ensure adherence to the ABLE TO PLAY Design Criteria (Page 1, #2 of application). For additional information about ABLE TO PLAY services and responsibilities of grantees/local design professional(s), please contact ABLE TO PLAY at 860-243-8315.

ABLE TO PLAY does NOT provide architect, landscape architect, exhibit designer, engineer, survey or construction management services. ABLE TO PLAY does work collaboratively with the grantee's local professional(s) who are needed to provide essential services for the development of each play environment. These services will need to be obtained by grantees. Grantees are also required to have a design professional to coordinate with the construction professionals involved in each project.

What is a Values and Outcomes Planning Session® and Dreaming and Design Party®?

The ABLE TO PLAY design process encourages and requires input from the community and its children through two specific activities. ABLE TO PLAY will provide coaching to grantees on how to plan and implement these activities. **Values and Outcomes Planning Session®** is a group decision making exercise to generate and prioritize goals for the play environment and determine the types of play structures, play activities and/or child-friendly landscaping that will be incorporated into the play environment. This session will be facilitated by ABLE TO PLAY in person or via conference call. **Dreaming and Design Party®** is an event where local children of all abilities share their dreams and ideas for the perfect play environment. Activities include drawing pictures and creating play structures with toy building materials. Children's ideas are then incorporated into the design process.

How Grants May Be Used

Exhibit 1



Outdoor Play Environments

Grant Funds and Matching Funds May ONLY Be Used For:	Grant Funds and Matching Funds May NOT Be Used For:
★ play equipment and installation ★ surfacing and installation ★ site preparation ★ local representatives' costs to attend ATP training ★ professional services provided by: landscape architects, architects, civil engineers, attorneys, surveyors and/or construction managers ★ specifically approved site amenities or items that enhance play value and safety, such as: child-friendly landscaping (within play environment) or playground accessible pathways	★ site purchase, rent or lease ★ perimeter landscaping ★ tools, equipment and supplies ★ other site amenities such as: restrooms, general parking, etc.

Indoor Play Environments

Grant Funds and Matching Funds May ONLY Be Used For:	Grant Funds and Matching Funds May NOT Be Used For:
★ play/sensory equipment ★ architect/interior designer fees ★ construction/surfacing materials ★ construction/installation fees ★ case/mill work: creation of custom play spaces ★ furnishings ★ local representatives' costs to attend ATP training ★ lifts/elevators	★ site purchase, rent or lease ★ outside enhancements ★ staffing and programming ★ operating expenses such as: office equipment/supplies, security, staff offices

**Eligibility for use of grant and matching awards for any items not specifically listed
will be determined by ABLE TO PLAY as necessary.**



W.K. KELLOGG FOUNDATION
FROM VISION TO INNOVATIVE IMPACT

A special thank you to the
W.K. Kellogg Foundation
for their lead gift to launch the
ABLE TO PLAY Project



**ABLE
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45 Wintonbury Avenue ★ Bloomfield, CT 06002
860-243-8315 ★ Fax 860-243-5854 ★ www.abletoplay.org



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Grant Application Letter of Transmittal



W.K. KELLOGG FOUNDATION
FROM VISION TO INNOVATIVE IMPACT

This page will serve as a letter of transmittal to accompany the completed submission that must be received by March 7, 2003.

Your signature on this letter acknowledges that the applicant accepts all the terms and conditions contained in the application materials. Further, it represents the applicant's acknowledgement that:

- a) The ABLE TO PLAY grant and required matching funds will only be used under the terms described in this application.
- b) If awarded an ABLE TO PLAY grant, the applicant agrees to implement and maintain a fully integrated, universally accessible play environment that conforms to the ABLE TO PLAY criteria for play environments where children of all abilities can play together.

Please initial the following, sign and date.

_____ I have read and attest that my organization is willing to comply with the ABLE TO PLAY grant criteria and requirements.
_____ I recognize that compliance with the grant requirements is a prerequisite to receiving grant awards.
_____ I understand that failure to meet the grant requirements or to provide appropriate documentation can lead to a forfeiture and/or refund of grant awards.
_____ After calling the ABLE TO PLAY (ATP) hotline to discuss roles and responsibilities, I understand what grantees and their local design professional(s) are responsible for.
_____ I am enclosing two copies of the required Service Agreement with original signatures.

Signature: _____ Date: _____

Print Name: _____

Title/Position: _____

Organization: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Please mail this letter of transmittal, 1 original and 15 copies of the completed application to:

ABLE TO PLAY
45 Wintonbury Avenue ★ Bloomfield, CT 06002

**ALL APPLICATIONS MUST BE RECEIVED BY MARCH 7, 2003.
NO FAX OR EMAIL SUBMISSIONS WILL BE ACCEPTED.**



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Grant Application Cover Sheet



W.K. KELLOGG FOUNDATION
FROM VISION TO INNOVATIVE IMPACT

Organization Name:		Organization Address:	
Telephone:		Fax:	Federal ID Number:
Project Coordinator:		Title:	
Telephone:		Email:	
Project Name:		Address:	
Location:		Zip code:	Median Household Income:
Alternate Contact:		Title:	
Telephone:		Email:	
Anticipated Budget:	Dollars raised (if any):	This application is submitted for: ☐ Indoor ☐ Outdoor ☐ Combination	
Fiduciary Name:		Address:	
Phone:	Fax:	Email:	

Summary

Describe your play environment project, the need it addresses, the expected outcomes/benefits, how you will involve the community in your project and what inspired you to submit this application.



Grant Application Checklist

Make copies as needed

One original and 15 copies of completed application must be submitted

- ☐ Cover Sheet
- ☐ Organization and Project Advisory Committee Description
- ☐ Project Summary
 - ☐ *Optional:* Pictures of current play environments (only 1 set of photos needed)
- ☐ Project and Community Building Plan
- ☐ Authorization
 - ☐ Approval documentation
 - ☐ Three letters of support (if municipality or school district, one from chief executive officer)
 - ☐ Authorization letter from site owner
 - ☐ Letters from collaborating organizations
- ☐ Letter of Transmittal – signed by authorized party
- ☐ Two copies of the required Service Agreement with original signatures
- ☐ *Optional:* Pictures with captions or quotes from children with required photo release form (1 set)
- ☐ Site Plan (only 1 copy needed)
 - ☐ *Optional:* 10 photographs (one set) and / or 5 minute video (one copy)
- ☐ Maintenance, Repairs and Ongoing Operations Plan
- ☐ Project Budget Information
 - ☐ List of sources and amounts of any funds raised or committed at time of application
 - ☐ List of groups, businesses or organizations supporting the project
 - ☐ List of foundations or sponsors being approached for funding



W.K. KELLOGG FOUNDATION
FROM VISION TO INNOVATIVE IMPACT



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Photo Consent and Release Form

Make copies as needed

One form required for each person in each photograph

I authorize the use of photography picturing:

Please insert name(s) of subjects in photograph

as a means of promoting the goals of the ABLE TO PLAY project. I release *Boundless Playgrounds*, Bloomfield, Connecticut; *Center for Creative Play*, Pittsburgh, PA; *W. K. Kellogg Foundation*, Battle Creek, MI; and their officers, employees, directors and agents from any and all liability connected with the publication or release of these materials. I waive any rights that I may have to inspect and approve said photographs or any copy that may be used in connection therewith or to receive any compensation or additional credit for the use of said photograph(s). Further, I waive any right to bring any claim or cause of action related to these photos.

Place an identifying code on the back of the picture to be matched to the code to the left and the quote/caption:

Code: _____

Picture Quote/Caption: _____

Please print:

Name: _____

Address: _____

Phone (Daytime): _____

Phone (Evening): _____

Fax: _____ Email: _____

Signature: _____

(Parent or guardian must sign if the child is under 18 years of age)

To Be Completed By ABLE TO PLAY:

Print name: _____

Signature: _____ Date: _____

Photo #: _____

2003-16 e)

Commission Meeting Date: February 11, 2003

Date: February 3, 2003
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development (B)
RE: Dollar Lot Program.

SUMMARY OF REQUEST:

Request that the City Commission sell unbuildable lots in a focus area bound by Washington Avenue, Ninth Street, Muskegon Avenue, Peck Street and Apple Avenue for \$1.00.

FINANCIAL IMPACT:

The reduction of public maintenance liability.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the sales under the conditions outlined by the attached resolution.

RESOLUTION # 2003-16 (e)

MUSKEGON CITY COMMISSION

RESOLUTION TO SELL UNBUILDABLE LOTS FOR ONE DOLLAR

WHEREAS, publicly owned, unbuildable lots are a city maintenance liability, and;

WHEREAS, said unbuildable lots can add to the quality of life for City residents adjacent to them if they are merged with their property, and;

WHEREAS, the City wishes to get unbuildable public lots into private ownership;

NOW, THEREFORE, BE IT RESOLVED that the City Commission hereby authorizes staff to sell unbuildable lots in a target area bound by Washington Avenue, Ninth Street, Muskegon Avenue, Peck Street and Apple Avenue for \$1.00 under the following conditions:

Non-Buildable lots are defined as lots that are insufficient in size or configuration for new construction under the Zoning Ordinance. These lots may only be sold to adjacent property owners; neighborhood organizations, or valid non-profit agencies, to expand/improve or beautify existing property. In the event that both adjacent owners seek to purchase a property, the City shall divide the property in the most equitable manner selling the land to each party for \$1.00.

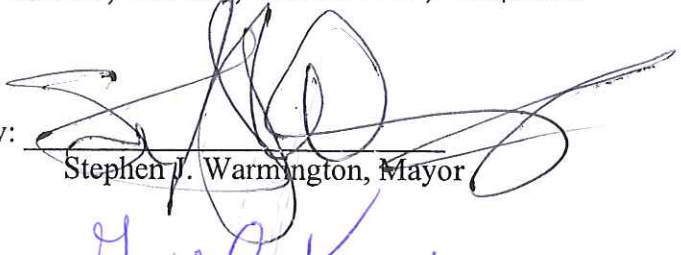
Factors considered before approval of a property sale includes, but is not limited to, the following:

1. Homeowners are given purchase preference.
2. The lot will be sold to the party with the smallest lot or a nonconforming lot.
3. Any sale may be refused if the party does not properly maintain their existing property.
4. Any sale may be refused if the party owes back-taxes or other fees to the City.
5. The party purchasing the lot may not be in violation of any City Code.
6. If the lot is to be used for parking or other improvements, the development shall comply with the standards of the zoning ordinance.
7. Once the lot is purchased, it must be combined in the assessor's office under one parcel number with the buyer's adjacent property.

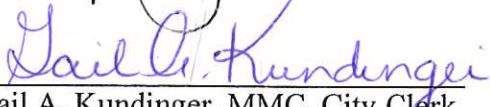
Adopted this 11th day of February, 2003.

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

By:


Stephen J. Warmington, Mayor

Attest:


Gail A. Kunderger, MMC, City Clerk

CERTIFICATE

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 February 11, 2003.


Gail A. Kunderger, MMC
Clerk, City of Muskegon

2003-16 (f)

Commission Meeting Date: February 11, 2003

Date: February 3, 2003
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development (B)
RE: Historic Home in-fill program

SUMMARY OF REQUEST:

Request that the City Commission reserve five lots for historic home relocations, and sell said lots for \$1,000 dollars each for a home in-fill program.

FINANCIAL IMPACT:

The City may be forgoing approximately 3,000-\$4,000 per lot in this incentive program.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the sales under the conditions outlined by the attached policy.



RESOLUTION # 2003-16 (f)

MUSKEGON CITY COMMISSION

RESOLUTION TO CREATE AN HISTORIC HOME INFILL PROGRAM

WHEREAS, the Houston Historic District is an important part of Nelson Neighborhood, and;

WHEREAS, historic homes are a critical component in the character of the community, and;

WHEREAS, the City wishes to build on the neighborhood resources of the area;

NOW, THEREFORE, BE IT RESOLVED that the City Commission hereby sets aside five vacant, City owned lots with approximately 79 feet of frontage each, in the block bound by Muskegon Avenue, Webster Avenue, Fourth and Fifth Streets for the historic home in-fill program. Staff shall administer the historic home in-fill program under the following guidelines:

The lots will be sold for one thousand dollars (\$1,000) to persons wishing to relocate and rehabilitate a historic home on a lot, provided:

1. The home is not being taken from an existing historic district (unless it must be removed for pending development).
2. The removal of the home from its existing site is not a detriment to the area from which it is being moved.
3. The home will be an owner-occupied, single-family residence.
4. The home is sound enough to move and it is feasible to rehabilitate it.
5. The person moving the home provides proof of financial ability and a time schedule for the project.
6. The home must be moved and exterior work completed within 18 months of closing.

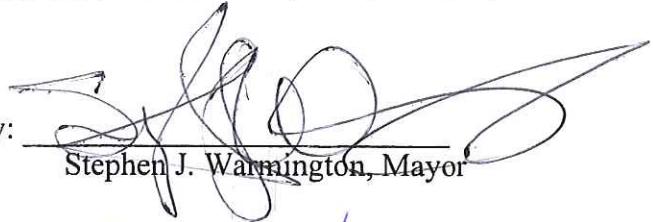
Staff is further directed not to charge for city assistance with tree trimming, traffic control or police escorts when assisting with a house move to this target area. Staff shall also provide information on historic tax credit and Neighborhood Enterprise Zone programs.

Adopted this 11th day of February, 2003.

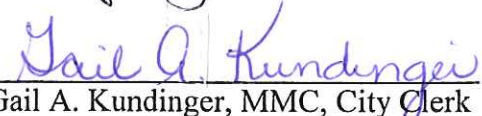
Ayes: Warmington, Buie, Gawron, Larson, Schweifler, Shepherd, Spataro

Nays: None

Absent: None

By: 

Stephen J. Warmington, Mayor

Attest: 

Gail A. Kunderinger, MMC, City Clerk

CERTIFICATE

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 February 11, 2003.



Gail A. Kunderinger, MMC
Clerk, City of Muskegon

CITY COMMISSION MEETING
Tuesday February 11, 2003

2003-16 (g)

TO: Honorable Mayor and City Commissioners
FROM: Anthony L. Kleibecker
Chief of Police
DATE: February 5, 2003
SUBJECT: Grant Application-Juvenile Delinquency Prevention Service Program

SUMMARY OF REQUEST:

Police Department staff requests that the Commission approve a grant application for funding to explore the development of a delinquency prevention project. The maximum amount of the grant is \$25,000. The grant period is for a period not to exceed twelve months. The grant money will be used to hire a project manager who will direct the planning process. The city will serve as the fiduciary for the grant. The grant process is being coordinated through the Family Independence Agency and the Office of Juvenile Justice.

The purpose of this grant is to explore the possible expansion of juvenile delinquency initiatives that are already underway within the city. Such initiatives include the current truancy program and other programs that are affiliated with the countywide Comprehensive Youth Strategy.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

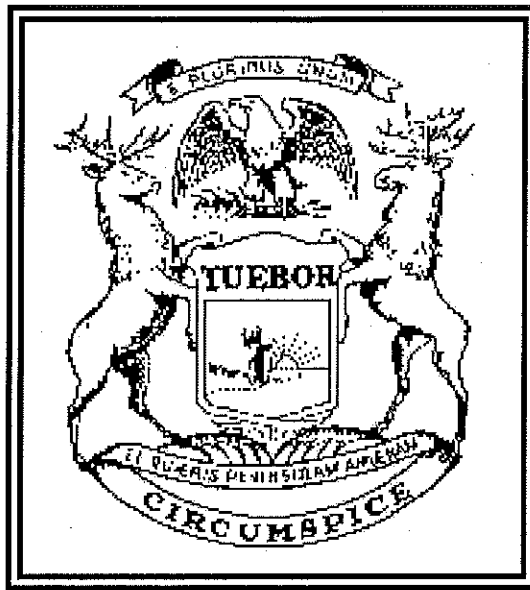
STAFF RECOMMENDATION:

Approval of the request.

GRANT APPLICATION

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

STATE OF MICHIGAN



FAMILY INDEPENDENCE AGENCY
OFFICE OF JUVENILE JUSTICE
FEDERAL GRANTS UNIT
SUITE 404, GRAND TOWER
235 SOUTH GRAND AVE.
LANSING, MICHIGAN 48909

By authority of the Juvenile Justice and Delinquency Prevention Act of 1992. Submission of this application by the due date is required to participate in this program.

Rev. 6/00

FAMILY INDEPENDENCE AGENCY

OFFICE OF JUVENILE JUSTICE-JUSTICE GRANT UNIT JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT (APPLICATION)

1. Applicant Agency City of Muskegon	JJGU Project Number	3. Federal I.D. Number 38-6004522
Address 980 Jefferson	5. Application Status [X] New [] Continuation	5A. [X] First [] Other [] Second [] Third
City Muskegon	Zip 49443	5B. Previous JJGU Project # OCM Number
2. Implementing Agency Volunteer Muskegon	6. Start Date 5-01-03	End Date 4-30-04
4. Project Title (Maximum of 2 lines/30 characters each) Prevention Programming	7. Program Area Delinquency Prevention	
8. Civil Rights Contact Person in Applicant Agency Karen Scholle		Telephone 231 724-6716
Address 980 Jefferson Street Muskegon, MI 49443		

9. Certification: We certify that the program proposed in this application meets applicable requirements of the Juvenile Justice And Delinquency Prevention Act of 1992, that all information presented is correct, and that the applicant agency will comply with the provisions of the Act and all other applicable federal laws.

Project Director (Name and Title) Mary Ann Willoughby E-mail: mwilloughby@cffmc.org	Signature	Date 2/7/03
Address 425 W. Western Avenue, Suite 200	City Muskegon, MI 49440	Telephone 231 722-4538

Financial Director (Name and Title) Tim Paul	Signature	Date 2/13/03
Address 980 Jefferson Street	City Muskegon, MI 49443	Telephone 231 724-6713

Authorized Official (Name and Title) Stephen J. Warmington, Mayor	Signature	Date 3-13-03
Address 980 Jefferson Street	City Muskegon 49443	Telephone 231 724-6701

*The Authorized Official must be duly authorized to sign contracts on behalf of the applicant agency.

By authority of the Federal Juvenile Justice and Delinquency Prevention Act of 1992.
Submission of this application is required to participate in this program

JJGU/201

10. Jurisdiction

10a. County(ies) in which the project will operate Muskegon	
10b. Senate District(s) 32	10c. Representative District(s) 92
10d. U.S. Congressional District(s) 2	10e. Population to be served 40,105

11. Service Impact

If awarded, these funds will ☐ Create a new service or activity ☒ Enhance or expand an on-going service or activity
--

12. Budget Summary

LINE ITEM	FEDERAL AMOUNT	LOCAL SHARE	TOTAL AMOUNT
Personnel	\$15,513.00	\$	\$ 15,513.00
Consultant/Contractual	\$ 5,500.00	\$	\$ 5,500.00
Travel	\$ 894.00	\$	\$ 894.00
Supplies/Operating	\$ 3,093.00	\$	\$ 3,093.00
Equipment	\$ -0-	\$	\$ -0-
TOTAL	\$25,000.00	\$	\$25,000.00

Authorized Official*

Date

*The Authorized Official must be duly authorized to sign contracts on behalf of the applicant agency.

BUDGET DETAIL
(USE WHOLE DOLLARS ONLY)

PERSONNEL

A. Salaries & Wages			
Name and Position Title	Hourly or Daily Salary Rate	Hours or Days Devoted	Amount
Mary Ann Willoughby, Proj Dir	\$11,648.00	416 Hours	\$11,648.00
Angela Sullivan, Proj Asst	2,751.00	260 Hours	2,751.00
Salaries & Wages Subtotal			\$14,399.00

B. Fringe Benefits	
Description and Calculation	Amount
FICA	\$ 1,114.00
Fringe Benefits Subtotal	\$ 1,114.00
Total Personnel	\$15,513.00

CONSULTATION/CONTRACTUAL SERVICES

Name/Affiliation	Hourly or Daily Rate	Hours or Days Devoted	Amount
Mary B. McDonald, PhD			\$3,750.00
City of Muskegon, Fiduciary			\$1,750.00
Total Consultant/Contractual Services			\$5,500.00

BUDGET DETAIL
(USE WHOLE DOLLARS ONLY)

Travel

Travel costs are allowed for project personnel only. List lodging and meals separately. Use rates set by the applicant agency for project personnel.				
Description	Cost Per Mile	Lodging	Meals	Amount
1 Day Workshop in Muskegon	\$	\$	\$150.00	\$150.00
15 People @ \$10.00 ea		\$		\$
2 Workshops in Lansing	\$.32 = \$134.00 Local \$ 50.00	\$ 220.00	\$350.00	\$744.00
Total Travel				\$894.00

Supplies/Operating Expenses

Item	Explanation	Unit Price	Amount
Postage, copies, meeting space, printing and typesetting of final plan, incidentals		\$	\$3,093.00
			\$
			\$
			\$
Total Operating Expenses			\$3,093.00

Equipment

Item	Quantity	Purchase Price	Monthly Lease If Applicable	Amount
	\$	\$	\$	\$
Total Equipment				\$

Federal Share	\$25,000.00
Local Share	\$
TOTAL PROJECT COST	\$25,000.00

Authorized Official _____

Date _____

PROGRAM NARRATIVE

I. PROBLEM STATEMENT. Describe the problem exactly as it exists in your community. Define the nature and magnitude of the problem to be addressed through your proposal. Analyze the causes of the problem. Document statements with valid, current statistical data to clearly demonstrate why the problem exists. Identify the source and date of your information.

The population of the City of Muskegon is 40,105. Of those 11,473 are under the age of 19. As indicated by the 2000 Census, forty-five percent are minority, over 10% have less than a high school diploma and 5% have less than a ninth grade education. The median income is \$18,748 with 72% of the school children being eligible for free and reduced lunch.

The Muskegon County Comprehensive Strategy, Delinquency Prevention and Balanced and Restorative Justice Task Force developed the Comprehensive Strategy Community Report for Muskegon County and also developed a four year grant application offered by the Juvenile Justice Grant Office for Option Two Comprehensive Strategy Initiative.

The following areas have been identified in the Comprehensive Strategy report which require additional funding:

1. Risk Factor: Community laws and norms favoring drug use, firearms, and crime (substance abuse, delinquency and violence).
2. Risk Factor: Extreme economic and social deprivation (substance abuse, delinquency, violence, teenage pregnancy, and school dropout).
3. Risk Factor: Family management problems (substance abuse, delinquency, violence, teenage pregnancy, and school dropout).
4. Risk Factor: Family conflict (substance abuse, delinquency, violence, teen pregnancy, and school dropout).
5. Risk Factor: Individual/Peers

PROGRAM NARRATIVE

II. PROJECT DESCRIPTION. Outline clearly, and in detail, your overall project. Include a chronological plan of your goals (what the project achieve). Include a description of project activities and job description of all positions to be funded by federal funds.

- **COMMUNITY MOBILIZATION AND COLLABORATION:** The success of the Title V Delinquency Prevention Planning Initiative requires that communities mobilize the community and develop successful collaborations. Does your community have a foundation and structure in place to mobilize the community? Are you already involved in collaborations aimed at supporting youth and families? How can you demonstrate your capacity to engage the community in this initiative?

40 points

Project Description

The Family Coordinating Council for Muskegon County is a multi-purpose collaborative body (MPCB) created in 1995 to support human service projects, that includes the Community Foundation, United Way and member agencies, county officers, faith based organizations, law enforcement, hospitals, City of Muskegon neighborhood associations, schools, the courts and other associated entities. This 38-member coordination body assists in the implementation and maintenance of a coordinated system of services for children and their families. It operates in partnership with the Muskegon Area Children's Agenda, which is a community-based effort to develop data, benchmarks and provide community visioning and leadership for services to meet the needs of Muskegon children and their families. Four collaboratives are organized and meet monthly around current issues: Parenting, Substance Abuse, Teen Sexual Behavior, and Youth Violence Prevention.

Muskegon is a community "Of Promise." Muskegon's Promise, the alliance for youth, it is a networking system of youth development organizations that works in harmony with the Family Coordinating Council, with some members serving both. The City of Muskegon is the primary sponsor of "Muskegon's Promise."

Mary Ann Willoughby, the administrative assistant to the Family Coordinating Council, is half time and is located at the Community Foundation office. Her hours will be extended to one additional day a week to become the Executive Director to coordinate the activities for this grant. Mrs. Willoughby coordinated the Comprehensive Strategy for Muskegon County and was responsible for its finished product available at www.muskegonheath.net

Angela Sullivan, is a program assistant at Volunteer Muskegon's Youth Volunteer Corps. As a former employee of the local Y, she has a good background involving youth development. Angela is presently working on a degree in social work.

Past collaboration includes: Asset Mapping of neighborhoods, Muskegon County Father's Initiative, SHOCAP Muskegon, Juvenile Violence Reporting System (JVRS), Restorative Justice, and Michigan Teen Outreach Program (MTO).

PROGRAM NARRATIVE

III. PROJECT OBJECTIVES. Objectives are specific, quantified statements of expected results of the project. The objectives must be described in terms of measurable events that can be realistically expected under time constraints and available resources. Objectives must be related to the problem. Describe who will do what, by when and why.

- DATA COLLECTION AND EVALUATION: The Building Restorative Communities initiative involves significant data collection and analysis, as well as the capacity to develop a local evaluation plan. Does your community have the capacity to gather data and implement surveys? Does your proposal include a realistic plan to involve a local evaluator in developing assessment measures and tools to gauge your progress over time?

20 points

Data Collection and Evaluation

Month 1:

Muskegon's 35 member Juvenile Justice Council will participate in the planning process. A task force of five members, of the Juvenile Justice Council, will be recruited to serve on the Risk and Resource Assessment Workshop for the Title V Planning Prevention initiative.

Month 2 and 3:

- Assess current prevention programs in the City that have experienced budget cuts and if they meet the criteria of Promising Approaches, and have evaluations in place, offer them assistance. Additional information needs to be compiled based on the city's data to make it an integral part of the Comprehensive Strategy.

Month 4:

- Identify programming concepts around gaps identified in the Comprehensive Strategy while implementing the Balanced and Restorative Justice philosophy. Address risk factors, community resources and protective factors and the promising communities prevention planning process that have the highest priority.

Month 5 and 6:

- Gather statistical data for the City of Muskegon to provide assurance that risk factors will be addressed as detailed in the Comprehensive Strategy for Muskegon County.

Month 7 and 8:

- Develop criteria and monitoring tools based on the Logic model, patterned after the United Way agencies, to be used by the partnering organizations and agencies.

Month 9 and 10:

- Submit plan with programming concepts for evaluation to Mary M. McDonald, PhD to determine if we meet the guidelines set for Title V grant.

Month 11 and 12:

- Prepare RFP's to local agencies and organization for appropriate youth programming to fill the gaps as determined by the planning committee based on the data driven, research based information provided in the Comprehensive Strategy for Muskegon Co. in anticipation of receiving Title V funding.

PROGRAM NARRATIVE

IV. PERFORMANCE INDICATORS AND EVALUATION. State exactly how each objective will be measured. Performance indicators (activities which evaluate and document your program's effectiveness), should be matched to your specific objectives. Specify the criteria and procedures to be used. Identify the person responsible for the evaluation of this project.

1. To complete the plan and the grant application.

Did the project director, the plan/grant writer, and the Juvenile Justice council complete the report and submit the application for Title V funding?

2. To have the draft application reviewed by an outside agency with experience in developing the submitting applications in the Title V Area.

Was the draft application submitted for a review by an outside agency/consultant to double check the comprehensive strategy community report as well as the application for consistency with the grant requirements for Title V funding?

3. To attend the three workshops for the training and the application process.

Did representatives of the Juvenile Justice Council attend the three workshops in preparation for the funding application?

4. To attend a workshop on the evaluation which will assist in providing a valid evaluation of the program.

Did representatives of the Juvenile justice Council attend the evaluation workshop? Did the workshop provide direction and information for the evaluation as completed?

PROGRAM NARRATIVE

V. PLANS FOR PROJECT PICK-UP WITH LOCAL FUNDS - Please describe the effort which will be made for local assumption/ retention of the project after federal funding has expired.

- LOCAL SUPPORT: The total grant award for the first year of the Title V Delinquency Prevention Planning Initiative cannot exceed \$25,000; however, the ability of the local jurisdiction to contribute time, talent, and funds adds to the likelihood of success. Does your proposal demonstrate a commitment from the local community to augment and supplement grant funding with in-kind and cash contributions?

20 points

Support will come from the City of Muskegon Police Department and Parks/Recreation Department, Family Coordinating Council, Muskegon Public Schools and the Community Foundation for Muskegon Co.

The Family Coordinating Council has partnered with the City for the past four years in providing summer recreational opportunities for youth. Mentoring services, service learning and literacy day camps have been provided by Volunteer Muskegon, Girl Scouts and others. We anticipate their partnering to continue for this grant also.

**FAMILY INDEPENDENCE AGENCY
OFFICE OF JUVENILE JUSTICE
JUVENILE JUSTICE GRANT UNIT**

CERTIFIED ASSURANCE

The _____ hereby
assures and certifies that Juvenile Justice and Delinquency Prevention Act
Funds will not be used to replace or supplant state, local, and other non-federal
funds that would, in the absence of Juvenile Justice and Delinquency Prevention
Act funds, be made available for law enforcement programs.

Authorizing Official

Date

Address

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER**

Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)

This certification is required by the regulation implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participant's responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON NEXT PAGE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
- (2) Where the prospective lower tier participants is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorizing Official

Signature

Date

Name of Organization

Address of Organization

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter in to any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary exclusion-Lower Tier Covered Transactions," "without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Non-procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

CERTIFICATION REGARDING LOBBYING

Each person shall file the most current edition of this certification and disclosure form, if applicable, with each submission that initiates agency consideration of such person for an award of a federal contract, grant, or cooperative agreement of \$100,000 or more; or Federal loan of \$150,000 or more.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall initial here and complete and submit accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers and that all subrecipients shall certify and disclose accordingly.

Name and Address of Organization

Individual

Name of Authorizing

Signature and Date

Application No.

2003-16(h)

Date: February 11, 2003
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
2003 Sidewalk Replacement Program

SUMMARY OF REQUEST:

The 2003 Sidewalk Replacement contract be awarded to North River Excavating out of Newaygo. North River was the lowest, see attached bid tabulation, responsible bidder with a bid price of \$511,569.25.

FINANCIAL IMPACT:

The construction cost of \$511,569.25 plus related engineering expenses.

BUDGET ACTION REQUIRED:

None.

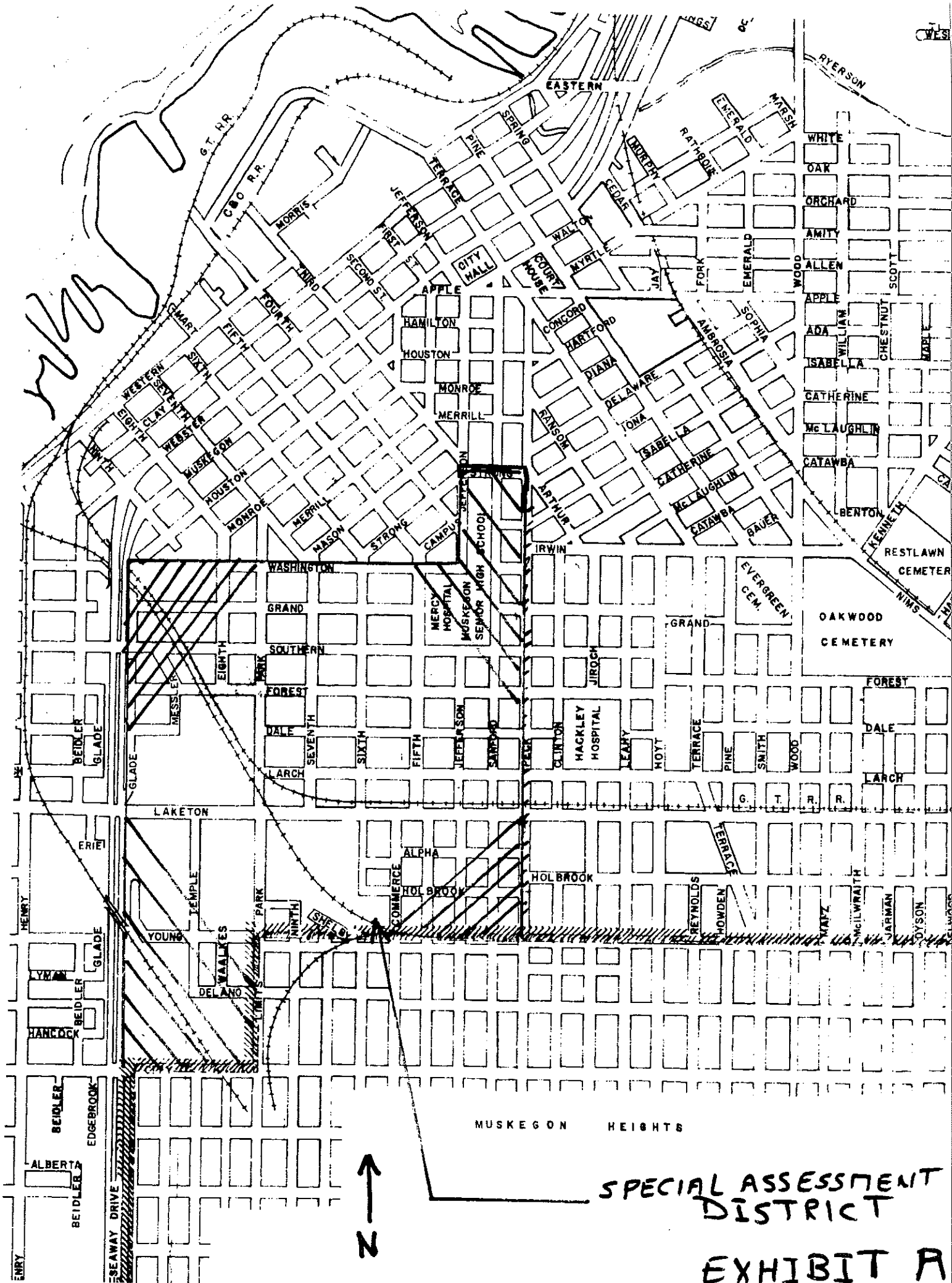
STAFF RECOMMENDATION:

Award the contract to North River Excavation

COMMITTEE RECOMMENDATION:

H-1557

TOTAL	\$620,258.75	\$555,809.25	\$623,342.00	\$511,569.25
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MUSKEGON HEIGHTS

SPECIAL ASSESSMENT DISTRICT

EXHIBIT A

Date: February 11, 2003 2003 - 16 (i)
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids
Shoreline Dr. East

SUMMARY OF REQUEST:

The contract for the construction of the long anticipated Shoreline Dr. East be warded to Milbocker & Sons Inc. since they were the lowest (see bid tabulation) responsible bidder with a bid price of \$7,480,924.66 which includes alternate one.

FINANCIAL IMPACT:

The construction cost of \$7,480,924.66.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Award the contract with Alternative 1 for a total cost of \$7,480,924.66 to Milbocker & Sons Inc.

COMMITTEE RECOMMENDATION:



E A R T H
T E C H



Shoreline Drive East

Al-Shatel, Mohammed

From: Michael Weaver [mweaver@fveng.com]
Sent: Friday, January 31, 2003 10:27 AM
To: Al-Shatel, Mohammed
Cc: Bill Frazier
Subject: Shoreline Drive East Bid Result and Recommendations

Mohammed:

We have reviewed and confirmed the Contractor's Bid numbers for the City of Muskegon Shoreline Drive East project. We recommend award of the Shoreline Drive East project to the "As Read Low Bidder" **Milbocker and Son's, Inc.** for the bid amount of **Seven Million Four Hundred Thirteen Thousand Forty Seven Dollars and Sixteen Cents** (\$7,413,047.16).

Additionally, we highly recommend acceptance of Milbocker and Son's, Inc. price for Bid Alternate 1 which will increase the contract price by \$67,887.50.

We have attached the electronic file containing a tabulation of all the bids and the corrected bid amounts where necessary. If you have any questions, please contact us.

Sincerely,

Michael R. Weaver, PE
Fleis & VandenBrink Engineering, Inc.
2960 Lucerne Drive SE
Grand Rapids, MI 49546
Phone: (616) 977-1000
Fax: (616) 977-1005



Bid Tab (1-30-03).xls

mweaver@fveng.com

[illegible]

[illegible]



LEGEND
 Low Bidder
 Covered Bid (Mathematical Error)
 As Read

BID QUANTITIES									
Line #	Item #	Standard Item Description	Qty	Units	Unit Price	Total Price	Unit Price	Total Price	Unit Price
0450	7060000	Substructure Concrete	307.00	sq yd	\$360.00	\$107,640.00	\$370.00	\$113,510.00	\$370.00
0450	7060000	Reinforcement, Steel, Epoxy Coated	44197.00	lb	\$1.26	\$55,696.26	\$1.26	\$55,696.26	\$1.26
0450	7060001	Reinforcement, Steel, Epoxy Coated	16370.00	lb	\$1.50	\$24,555.00	\$1.60	\$26,192.00	\$1.60
0455	7067102	Precast Three-Sided Culvert, 10.37m x 7.31m x 2.44m	11.00	lin	\$173,300.00	\$1,906,300.00	\$175,120.00	\$1,926,320.00	\$175,120.00
0460	7067102	Substructure Concrete	28.00	sq yd	\$66,000.00	\$1,848,000.00	\$67,000.00	\$1,876,000.00	\$67,000.00
0465	7100001	Joint Waterproving, Bitumastic	18.00	sq yd	\$350.00	\$6,300.00	\$350.00	\$6,300.00	\$350.00
0465	7100002	Joint Waterproving, Bitumastic	11.00	sq yd	\$350.00	\$3,850.00	\$350.00	\$3,850.00	\$350.00
0465	7100003	Joint Waterproving, Bitumastic	5.00	sq yd	\$350.00	\$1,750.00	\$350.00	\$1,750.00	\$350.00
0465	7100004	Joint Waterproving, Bitumastic	2.00	sq yd	\$350.00	\$700.00	\$350.00	\$700.00	\$350.00
0470	8000000	Curb and Gutter, Concrete, 48" x 24"	20.00	lin	\$349.20	\$6,984.00	\$350.00	\$7,000.00	\$350.00
0475	8000000	Curb and Gutter, Concrete, 48" x 24"	47.00	lin	\$349.20	\$16,422.40	\$350.00	\$16,450.00	\$350.00
0480	8000000	Curb and Gutter, Concrete, 48" x 24"	1.00	lin	\$349.20	\$349.20	\$350.00	\$350.00	\$350.00
0485	8000000	Curb and Gutter, Concrete, 48" x 24"	2.00	lin	\$349.20	\$698.40	\$350.00	\$700.00	\$350.00
0490	8000000	Curb and Gutter, Concrete, 48" x 24"	3.00	lin	\$349.20	\$1,047.60	\$350.00	\$1,050.00	\$350.00
0495	8000000	Curb and Gutter, Concrete, 48" x 24"	4.00	lin	\$349.20	\$1,396.80	\$350.00	\$1,400.00	\$350.00
0500	8000000	Curb and Gutter, Concrete, 48" x 24"	5.00	lin	\$349.20	\$1,746.00	\$350.00	\$1,750.00	\$350.00
0505	8000000	Curb and Gutter, Concrete, 48" x 24"	6.00	lin	\$349.20	\$2,095.20	\$350.00	\$2,100.00	\$350.00
0510	8000000	Curb and Gutter, Concrete, 48" x 24"	7.00	lin	\$349.20	\$2,444.40	\$350.00	\$2,450.00	\$350.00
0515	8000000	Curb and Gutter, Concrete, 48" x 24"	8.00	lin	\$349.20	\$2,793.60	\$350.00	\$2,800.00	\$350.00
0520	8000000	Curb and Gutter, Concrete, 48" x 24"	9.00	lin	\$349.20	\$3,142.80	\$350.00	\$3,150.00	\$350.00
0525	8000000	Curb and Gutter, Concrete, 48" x 24"	10.00	lin	\$349.20	\$3,492.00	\$350.00	\$3,500.00	\$350.00
0530	8000000	Curb and Gutter, Concrete, 48" x 24"	11.00	lin	\$349.20	\$3,841.20	\$350.00	\$3,850.00	\$350.00
0535	8000000	Curb and Gutter, Concrete, 48" x 24"	12.00	lin	\$349.20	\$4,190.40	\$350.00	\$4,200.00	\$350.00
0540	8000000	Curb and Gutter, Concrete, 48" x 24"	13.00	lin	\$349.20	\$4,539.60	\$350.00	\$4,550.00	\$350.00
0545	8000000	Curb and Gutter, Concrete, 48" x 24"	14.00	lin	\$349.20	\$4,888.80	\$350.00	\$4,900.00	\$350.00
0550	8000000	Curb and Gutter, Concrete, 48" x 24"	15.00	lin	\$349.20	\$5,238.00	\$350.00	\$5,250.00	\$350.00
0555	8000000	Curb and Gutter, Concrete, 48" x 24"	16.00	lin	\$349.20	\$5,587.20	\$350.00	\$5,600.00	\$350.00
0560	8000000	Curb and Gutter, Concrete, 48" x 24"	17.00	lin	\$349.20	\$5,936.40	\$350.00	\$5,950.00	\$350.00
0565	8000000	Curb and Gutter, Concrete, 48" x 24"	18.00	lin	\$349.20	\$6,285.60	\$350.00	\$6,300.00	\$350.00
0570	8000000	Curb and Gutter, Concrete, 48" x 24"	19.00	lin	\$349.20	\$6,634.80	\$350.00	\$6,650.00	\$350.00
0575	8000000	Curb and Gutter, Concrete, 48" x 24"	20.00	lin	\$349.20	\$6,984.00	\$350.00	\$7,000.00	\$350.00
0580	8000000	Curb and Gutter, Concrete, 48" x 24"	21.00	lin	\$349.20	\$7,333.20	\$350.00	\$7,350.00	\$350.00
0585	8000000	Curb and Gutter, Concrete, 48" x 24"	22.00	lin	\$349.20	\$7,682.40	\$350.00	\$7,700.00	\$350.00
0590	8000000	Curb and Gutter, Concrete, 48" x 24"	23.00	lin	\$349.20	\$8,031.60	\$350.00	\$8,050.00	\$350.00
0595	8000000	Curb and Gutter, Concrete, 48" x 24"	24.00	lin	\$349.20	\$8,380.80	\$350.00	\$8,400.00	\$350.00
0600	8000000	Curb and Gutter, Concrete, 48" x 24"	25.00	lin	\$349.20	\$8,730.00	\$350.00	\$8,750.00	\$350.00
0605	8000000	Curb and Gutter, Concrete, 48" x 24"	26.00	lin	\$349.20	\$9,079.20	\$350.00	\$9,100.00	\$350.00
0610	8000000	Curb and Gutter, Concrete, 48" x 24"	27.00	lin	\$349.20	\$9,428.40	\$350.00	\$9,450.00	\$350.00
0615	8000000	Curb and Gutter, Concrete, 48" x 24"	28.00	lin	\$349.20	\$9,777.60	\$350.00	\$9,800.00	\$350.00
0620	8000000	Curb and Gutter, Concrete, 48" x 24"	29.00	lin	\$349.20	\$10,126.80	\$350.00	\$10,150.00	\$350.00
0625	8000000	Curb and Gutter, Concrete, 48" x 24"	30.00	lin	\$349.20	\$10,476.00	\$350.00	\$10,500.00	\$350.00
0630	8000000	Curb and Gutter, Concrete, 48" x 24"	31.00	lin	\$349.20	\$10,825.20	\$350.00	\$10,850.00	\$350.00
0635	8000000	Curb and Gutter, Concrete, 48" x 24"	32.00	lin	\$349.20	\$11,174.40	\$350.00	\$11,200.00	\$350.00
0640	8000000	Curb and Gutter, Concrete, 48" x 24"	33.00	lin	\$349.20	\$11,523.60	\$350.00	\$11,550.00	\$350.00
0645	8000000	Curb and Gutter, Concrete, 48" x 24"	34.00	lin	\$349.20	\$11,872.80	\$350.00	\$11,900.00	\$350.00
0650	8000000	Curb and Gutter, Concrete, 48" x 24"	35.00	lin	\$349.20	\$12,222.00	\$350.00	\$12,250.00	\$350.00
0655	8000000	Curb and Gutter, Concrete, 48" x 24"	36.00	lin	\$349.20	\$12,571.20	\$350.00	\$12,600.00	\$350.00
0660	8000000	Curb and Gutter, Concrete, 48" x 24"	37.00	lin	\$349.20	\$12,920.40	\$350.00	\$12,950.00	\$350.00
0665	8000000	Curb and Gutter, Concrete, 48" x 24"	38.00	lin	\$349.20	\$13,269.60	\$350.00	\$13,300.00	\$350.00
0670	8000000	Curb and Gutter, Concrete, 48" x 24"	39.00	lin	\$349.20	\$13,618.80	\$350.00	\$13,650.00	\$350.00
0675	8000000	Curb and Gutter, Concrete, 48" x 24"	40.00	lin	\$349.20	\$13,968.00	\$350.00	\$14,000.00	\$350.00
0680	8000000	Curb and Gutter, Concrete, 48" x 24"	41.00	lin	\$349.20	\$14,317.20	\$350.00	\$14,350.00	\$350.00
0685	8000000	Curb and Gutter, Concrete, 48" x 24"	42.00	lin	\$349.20	\$14,666.40	\$350.00	\$14,700.00	\$350.00
0690	8000000	Curb and Gutter, Concrete, 48" x 24"	43.00	lin	\$349.20	\$15,015.60	\$350.00	\$15,050.00	\$350.00
0695	8000000	Curb and Gutter, Concrete, 48" x 24"	44.00	lin	\$349.20	\$15,364.80	\$350.00	\$15,400.00	\$350.00
0700	8000000	Curb and Gutter, Concrete, 48" x 24"	45.00	lin	\$349.20	\$15,714.00	\$350.00	\$15,750.00	\$350.00
0705	8000000	Curb and Gutter, Concrete, 48" x 24"	46.00	lin	\$349.20	\$16,063.20	\$350.00	\$16,100.00	\$350.00
0710	8000000	Curb and Gutter, Concrete, 48" x 24"	47.00	lin	\$349.20	\$16,412.40	\$350.00	\$16,450.00	\$350.00
0715	8000000	Curb and Gutter, Concrete, 48" x 24"	48.00	lin	\$349.20	\$16,761.60	\$350.00	\$16,800.00	\$350.00
0720	8000000	Curb and Gutter, Concrete, 48" x 24"	49.00	lin	\$349.20	\$17,110.80	\$350.00	\$17,150.00	\$350.00
0725	8000000	Curb and Gutter, Concrete, 48" x 24"	50.00	lin	\$349.20	\$17,460.00	\$350.00	\$17,500.00	\$350.00
0730	8000000	Curb and Gutter, Concrete, 48" x 24"	51.00	lin	\$349.20	\$17,809.20	\$350.00	\$17,850.00	\$350.00
0735	8000000	Curb and Gutter, Concrete, 48" x 24"	52.00	lin	\$349.20	\$18,158.40	\$350.00	\$18,200.00	\$350.00
0740	8000000	Curb and Gutter, Concrete, 48" x 24"	53.00	lin	\$349.20	\$18,507.60	\$350.00	\$18,550.00	\$350.00
0745	8000000	Curb and Gutter, Concrete, 48" x 24"	54.00	lin	\$349.20	\$18,856.80	\$350.00	\$18,900.00	\$350.00
0750	8000000	Curb and Gutter, Concrete, 48" x 24"	55.00	lin	\$349.20	\$19,206.00	\$350.00	\$19,250.00	\$350.00
0755	8000000	Curb and Gutter, Concrete, 48" x 24"	56.00	lin	\$349.20	\$19,555.20	\$350.00	\$19,600.00	\$350.00
0760	8000000	Curb and Gutter, Concrete, 48" x 24"	57.00	lin	\$349.20	\$19,904.40	\$350.00	\$19,950.00	\$350.00
0765	8000000	Curb and Gutter, Concrete, 48" x 24"	58.00	lin	\$349.20	\$20,253.60	\$350.00	\$20,300.00	\$350.00
0770	8000000	Curb and Gutter, Concrete, 48" x 24"	59.00	lin	\$349.20	\$20,602.80	\$350.00	\$20,650.00	\$350.00
0775	8000000	Curb and Gutter, Concrete, 48" x 24"	60.00	lin	\$349.20	\$20,952.00	\$350.00	\$21,000.00	\$350.00
0780	8000000	Curb and Gutter, Concrete, 48" x 24"	61.00	lin	\$349.20	\$21,301.20	\$350.00	\$21,350.00	\$350.00
0785	8000000	Curb and Gutter, Concrete, 48" x 24"	62.00	lin	\$349.20	\$21,650.40	\$350.00	\$21,700.00	\$350.00
0790	8000000	Curb and Gutter, Concrete, 48" x 24"	63.00	lin	\$349.20	\$22,000.00	\$350.00	\$22,050.00	\$350.00
0795	8000000	Curb and Gutter, Concrete, 48" x 24"	64.00	lin	\$349.20	\$22,349.20	\$350.00	\$22,400.00	\$350.00
0800	8000000	Curb and Gutter, Concrete, 48" x 24"	65.00	lin	\$349.20	\$22,698.40	\$350.00	\$22,750.00	\$350.00
0805	8000000	Curb and Gutter, Concrete, 48" x 24"	66.00	lin	\$349.20	\$23,047.60	\$350.00	\$23,100.00	\$350.00
0810	8000000	Curb and Gutter, Concrete, 48" x 24"	67.00	lin	\$349.20	\$23,396.80	\$350.00	\$23,450.00	\$350.00
0815	8000000	Curb and Gutter, Concrete, 48" x 24"	68.00	lin	\$349.20	\$23,746.00	\$350.00	\$23,800.00	\$350.00
0820	8000000	Curb and Gutter, Concrete, 48" x 24"	69.00	lin	\$349.20	\$24,095.20	\$350.00	\$24,150.00	\$350.00
0825	8000000	Curb and Gutter, Concrete, 48" x 24"	70.00	lin	\$349.20	\$24,444.40	\$350.00	\$24,500.00	\$350.00
0830	8000000	Curb and Gutter, Concrete, 48" x 24"	71.00	lin	\$349.20	\$24,793.60	\$350.00	\$24,850.00	\$350.00
0835	8000000	Curb and Gutter, Concrete, 48" x 24"	72.00	lin	\$349.20	\$25,142.80	\$350.00	\$25,200.00	\$350.00
0840	8000000	Curb and Gutter, Concrete, 48" x 24"	73.00	lin	\$349.20	\$25,492.00	\$350.00	\$25,550.00	\$350.00
0845	8000000	Curb and Gutter, Concrete, 48" x 24"	74.00	lin	\$349.20	\$25,841.20	\$350.00	\$25,900.00	\$350.00
0850	8000000	Curb and Gutter, Concrete, 48" x 24"	75.00	lin	\$349.20	\$26,190.40	\$350.00	\$26,250.00	\$350.00
0855	8000000	Curb and Gutter, Concrete, 48" x 24"	76.00	lin	\$349.20	\$26,539.60	\$350.00	\$26,600.00	\$350.00
0860	8000000	Curb and Gutter, Concrete, 48" x 24"	77.00	lin	\$349.20	\$26,888.80	\$350.00	\$26,950.00	\$350.00
0865	8000000	Curb and Gutter, Concrete, 48" x 24"	78.00	lin	\$349.20	\$27,238.00	\$350.00		

Printed on: 02/03/2003

Project: Shoreline Drive East
 Project #: 24117
 Bid Date: January 20, 2003
 Client: City of Muskegon

FLEIS & VANDENBRINK
 20700 State Street, Grand Haven, MI 49424
 Tel: 616.836.1800 Fax: 616.836.1813

LEGEND
 Low Bidder
 Corrected Bid (Mathematical Error)
 As Bidd

BID QUANTITIES									
BID QUANTITIES		Milbocker & Stone Inc.		Jackson-Murphy		Karrington & Bookbinder		Negot Construction	
Line #	Item #	Standard Item Description	Qty.	Units	Unit Price	Total Price	Unit Price	Total Price	Unit Price
1580	4627102	Connect to Existing DI, Force Main, 10in. Tapping Line-Stoping and Bypass	1	LS	\$174,000.00	\$174,000.00	\$174,000.00	\$174,000.00	\$174,000.00
		10in. Tapping Line-Stoping and Bypass	1	LS	\$174,000.00	\$174,000.00	\$174,000.00	\$174,000.00	\$174,000.00
ALTERNATE 2 - SEWER									
1585	4627102	Connect to Existing DI, Force Main, 10in. Tapping Line-Stoping and Bypass	1	LS	\$174,000.00	\$174,000.00	\$174,000.00	\$174,000.00	\$174,000.00
		10in. Tapping Line-Stoping and Bypass	1	LS	\$174,000.00	\$174,000.00	\$174,000.00	\$174,000.00	\$174,000.00
BID TOTAL INCLUDING ALTERNATES 1 & 2									
		Total Bid Changes Using Alternates 1 & 2			\$306,477.20	\$306,477.20	\$306,477.20	\$306,477.20	\$306,477.20

Date: February 11, 2003

2003 16(j)

To: Honorable Mayor and City Commissioners

From: Engineering

RE: City – CSX Agreement for Temp. RR Crossing

SUMMARY OF REQUEST:

Authorize the Mayor and Clerk to sign the attached agreement with CSX Transportation for the construction of a temporary at grade crossing into the Lakefront Development. This crossing is necessary to provide an alternate entrance/exit points during the construction of the Shoreline Dr. and the interior infrastructure for an estimated cost of \$10,192. This fee will would cover the actual construction of the crossing by CSXT personnel.

The location of this proposed crossing is expected to be in line with the realigned Terrace St.

FINANCIAL IMPACT:

The estimate cost of \$10,192.

BUDGET ACTION REQUIRED:

None at this time. This item was determined to be a CMI grant eligible cost.

STAFF RECOMMENDATION:

The attached agreement be executed by the Mayor & City Clerk.

COMMITTEE RECOMMENDATION:

2003-16 (j)

PRIVATE ROAD GRADE CROSSING AGREEMENT

THIS AGREEMENT, Made as of January 24, 2003, by and between CSX TRANSPORTATION, INC., a Virginia corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, hereinafter called "Licensor," and CITY OF MUSKEGON, a municipal corporation, political subdivision or state agency, under the laws of the State of Michigan, whose mailing address is 933 Terrace Street, P.O. Box 536, Muskegon, Michigan 49443-0536, hereinafter called "Licensee," WITNESSETH:

Licensor, subject to the limitations herein, for and in consideration of the fee(s) to be paid by Licensee and of the covenants, terms, conditions and agreements herein to be kept and performed by Licensee, hereby grants to Licensee the right or license to construct, use and maintain a private road at grade across the track(s) and property of Licensor, at or near Muskegon, County of Muskegon, State of Michigan, DOT/AAR No. 918670G, hereinafter called "Crossing," said Crossing being twenty four (24) feet wide, the center line of which extends across said right-of-way and intersects the center line of Licensor's one (1) track(s) at Valuation Station 3018+80, Milepost CGC-57.17, Fremont Subdivision, as shown on print of Licensee's Drawing CM-044522, dated September 19, 2002, attached hereto and made a part hereof.

1. DEFINITIONS:

1.1 The term "Licensee" herein shall include the undersigned corporation, association, partnership, governmental body or individual, as the case may be. The term "Licensee" shall also include Licensee's agents, employees, servants, sublicensees and invitees. All words herein referring to Licensee shall be taken to be of such number and gender as the context may require.

1.2 The term "Licensor" herein shall include any other company or companies whose property at the aforesaid location may be leased or operated by the undersigned Licensor, and any parent, subsidiary or affiliated system companies of Licensor and the servants, agents or employees of each.

1.3 The term "satisfactory" or "satisfaction" herein shall mean approval by Licensor's Chief Engineer or his designated representative, usually Licensor's local Chief Regional Engineer.

1.4 The term "Crossing" herein shall include track crossings, approaches, roadways, drainage facilities, warning devices, signal and wire lines, gates, barricades, signs, appliances and ancillary facilities.

1.5 If this Agreement covers more than one crossing or more than one track, the terms "Crossing" and "track" herein shall be construed respectively as including any one or all of said crossings or tracks, as the context may require.

1.6 "Maintenance" shall include keeping all vegetation, to the extent possible, within the area(s) known as "Sight Clearance Area(s)," as shown on attached Exhibit A-40, cut to a height not exceeding two feet (2') above ground level, and keeping said "Sight Clearance Area(s)" free of parked vehicles and other obstructions.

2. USE, LIMITATIONS:

2.1 This license is subject to: (a) all encumbrances, conditions, covenants and easements applicable to Licensor's title to or rights in the subject property; (b) any existing public utilities and other pipe or wireline facilities located in, on, over, under or across the Crossing; (c) all instruments, easements, agreements and rights therefor, recorded or not; and (d) compliance by Licensee with terms and conditions herein.

2.2 The Crossing shall be used solely as a private road for the purpose of vehicular or pedestrian access to/from Licensee's adjacent land for during the road construction of Shoreline Drive, only.

2.3 This Agreement is a personal license to Licensee and, except for Licensee's employees (or family), agents, servants, patrons, and/or invitees, Licensee will not allow any other person(s) to use said Crossing without the prior consent in writing of Licensor.

2.4 Licensee, at its sole cost and expense, shall erect and permanently maintain "PRIVATE ROAD -- NO TRESPASSING RESTRICTED USE" sign(s) or other signs indicating the private nature and limited use of the Crossing, at location(s) adjacent to said Crossing designated by Licensor.

2.5 Without separate written consent of Licensor, Licensee shall not dedicate nor permit Crossing to be used for any purpose or in any manner that might be in any way make said Crossing a public crossing or subject it to any public servitude.

2.6 Licensor reserves and excepts unto itself the paramount right to continue to occupy, possess and use the area of the Crossing(s) for any and all railroad purposes. Licensor shall not be obligated to make cuts in its trains for the Crossing.

2.7 No expressed or implied means of ingress and egress or way of necessity upon, across or over or adjacent lands of Licensor is granted by this Agreement. Licensee, at its own expense, will secure and maintain any necessary means of ingress and egress to the Crossing across lands of others.

3. FEES:

3.1 a. Licensee shall pay Licensor TWO HUNDRED FIFTY AND 00/100 U.S. DOLLARS (\$250.00) per year as base minimum annual license fee ("Fee"). Licensee shall have no right of refund for any cause whatsoever with respect to Fees paid to Licensor, which shall be payable annually in advance commencing as of the effective date. Such Fee shall be subject to periodic review and adjustment by Licensor. If any amount due pursuant to the terms of this Agreement is not paid by the due date, it will be subject to Licensor's standard late charge and will also accrue interest at eighteen percent (18%) per annum, unless limited by local law, and then at the highest rate so permitted.

b. On each anniversary of the Effective Date of this Agreement (until terminated), Licensee shall also pay to Licensor an Annual Replacement Fee, of SIX HUNDRED NINETY FOUR AND 00/100 U.S. DOLLARS (\$694.00). Such Fee(s) shall be subject to periodic review and adjustment by Licensor.

c. Licensor's Fee(s) shall be adjusted on an annual basis by the same percentage of increase as reflected in the "Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) (1982-84=100) specified for All Items - United States compiled by the Bureau of Labor Statistics of the United States Department of Labor" ("CPI"). In no event, however, shall the Fee(s) be less than the Fee(s) payable as of the effective date of this License.

The Fee(s) shall be increased in accordance with the following:

$$\frac{\text{Current Price Index}^*}{\text{Base Price Index}^{**}} \times \text{Fee} = \text{Adjusted Fee}$$

* Effective CPI in the fourth month prior to the anniversary date of the fee.

** Effective CPI at the time of the effective date of the fee.

In the event the CPI is converted to a different standard reference base or otherwise revised or changed, the calculation of the percentage increase shall be made with the use of such conversion factor, formula or table for converting the CPI as may be published by the Bureau of Labor Statistics or, if said Bureau shall not publish the same, then as reasonably determined by Licensor.

3.2 Payment by Licensee of any Annual License Fee or Annual Replacement Fee shall not be held to create an irrevocable license for any period.

3.3 Licensee shall also indemnify Licensor against, and shall pay or reimburse Licensor for, any additional taxes and assessments levied solely on account of the existence of said Crossing.

4. CONSTRUCTION, MAINTENANCE:

4.1 Crossing (including the necessary appurtenances, approaches, roadway, curbs, gutters, shoulders, slopes, fills and cuts and drainage thereof) shall be constructed, and thereafter maintained, at the sole cost and expense of Licensee.

4.2 Because of Licensor's labor agreements, all construction and maintenance work to be performed on that portion of said Crossing between the rails of said track(s) and for two feet (2') on the outside of each rail thereof, and any work on Licensor's signal and communication facilities deemed necessary by Licensor to permit Licensee's use of Crossing, must be performed by Licensor, but at the sole cost and expense of Licensee.

4.3 Before construction, Licensee shall deposit with Licensor the sum of SIX THOUSAND NINE HUNDRED FORTY TWO AND 00/100 U.S. DOLLARS (\$6,942.00), the estimated cost and expense of Licensor's portion of construction work and materials (including signalization). Upon completion of construction, Licensor will refund any portion of the deposit in excess of Licensor's costs and expenses. Should Licensor's costs and expenses exceed said deposit, Licensee shall promptly pay such excess upon receipt from Licensor of bill therefor.

4.4 Licensee shall furnish all other labor and materials required to install the Crossing and do all necessary grading for the approaches.

4.5 Licensee, at its sole cost and expense, shall maintain all approachways, and shall keep the Crossing and designated Sight Clearance Area(s) at all times free and clear of all spilled materials, ice, snow, mud, debris and all obstructions (including parked vehicles) to satisfaction of Licensor.

4.6 Licensee shall perform or cause all Licensee's construction and maintenance under this Agreement to be performed in a prudent and workmanlike manner, in conformity with any applicable statutes, orders, rules, regulations and specifications of any public authority having jurisdiction over the Crossing and under conditions satisfactory to and approved by Licensor. Said construction and maintenance shall be performed at such times and in such manner as not to interfere with the movement of Licensor's trains.

4.7 In the event Licensee contracts for the performance of any Crossing work, Licensee shall require its contractor(s) and/or subcontractor(s) to comply with all the terms of this Agreement.

4.8 In the event Licensee fails, in the judgment of Licensor, to comply with any construction or maintenance requirement of this Agreement, Licensor, without waiving any other provision of this Agreement, may either furnish the labor and materials required to do such work, at the sole cost and expense of Licensee, or terminate this Agreement in accordance with Article 12 hereof.

4.9 Licensee shall be solely responsible for any relocation or protective encasement of any subsurface pipe or wire lines (telephone, electrical power transmission or distribution, fiber optic, cable television, water, sewer, gas or petroleum products, et al.) and for necessary relocation of surface structures or facilities (fences, towers, poles, etc.) incident to Licensee's construction (or reconstruction) of the Crossing.

5. DRAINAGE:

5.1 Licensee shall not interfere with, or permit its contractors to interfere with, the existing drainage facilities within the approachways or underneath said Crossing.

5.2 Licensee shall furnish, install and maintain, at Licensee's sole expense and in a manner satisfactory to Licenser, necessary drainage pipe within the approachways and underneath said Crossing, on each side of said track(s), to accept drainage from the roadbed and keep drainage from the track(s) and right-of-way of Licenser.

6. PERMITS:

6.1 Before any construction hereunder is performed, or before use by Licensee of the Crossing, Licensee, at its sole cost and expense, shall obtain any necessary permits or licenses from all Federal, State or local public authorities having jurisdiction over the Crossing or Licenser's right-of-way and shall thereafter observe and comply with said licenses and permits, with the requirements of such public authorities, and with all applicable laws, rules and regulations and modifications thereof.

6.2 Licenser shall co-operate with Licensee in securing and complying with any Federal, State or local permits relative to Licensee's Crossing.

6.3 Licensee shall defend, protect and hold Licenser harmless for failure to obtain permits and licenses, for any violation thereof, or for costs or expenses of compliance or remediation.

7. BARRICADES, GATES; SIGNALS:

7.1 Licensee, at its sole cost and expense, shall furnish, construct and maintain any gate(s), barricade(s), sign(s), flashing light signals, and/or crossing warning device(s), or provide permanent flaggers or other protective services, as shall from time to time be deemed necessary for public safety purposes by Licenser or by any public authority sharing jurisdiction over rail grade crossings. The design and placement of signs, barriers, gates and any crossing warning devices shall be subject to the approval of Licenser. The cost of installing and maintaining and/or furnishing such additional crossing protection shall be paid solely by Licensee as a condition to keeping the Crossing in place.

7.2 Licensors may elect to furnish materials and install such gates, barricades signs or automatic or other crossing warning devices, or provide such protective services, at the sole cost and expense of Licensee. Licensors may require advance deposit of estimated cost and expense of such work and materials. Upon completion of construction, Licensors will promptly refund any portion of the deposit in excess of Licensors' costs and expenses. Should Licensors' costs and expenses exceed said deposit, Licensee shall promptly pay such excess upon receipt from Licensors of bill therefor.

7.3 The operation of barriers and other warning devices and the performance of said protective services shall be in accordance with the requirements of Licensors and such public authority. Licensee shall keep all such gates and barricades closed and locked when Crossing is not in actual use by authorized parties.

7.4 After any Crossing signals have been placed in service, Licensors will operate and maintain said signals, at the sole expense of Licensee. Costs of such signal maintenance and operation (including electric current) will be reviewed periodically, and the amount billed will be revised accordingly. In addition to said signal maintenance and operation expense, Licensee shall reimburse Licensors, within sixty (60) days after receipt of itemized bill from Licensors, (a) the cost of upgrading said signals to prevent obsolescence and (b) the cost of repairing or replacing said signals as a result of damages thereto, howsoever resulting. If Licensee fails or refuses to maintain and/or provide or pay costs thereof, Licensors may terminate this Agreement as in Article 12.

8. OPERATIONAL SAFETY:

8.1 Licensee shall use and shall cause its agents, employees (family), servants, sublicensees and invitees to use the highest degree of care in the operation and use of said Crossing so as to avoid collisions and/or interference with operations of Licensors.

8.2 Licensors shall erect, and thereafter Licensee shall maintain, all at Licensee's cost, reflectorized 'Railroad Crossing' Crossbuck signs on each side of the Crossing, clearly visible to vehicular traffic approaching the Crossing from either side, and advising of the number of track(s) to be crossed. Licensee shall erect, and thereafter maintain, reflecting standard highway 'STOP' signs on each side of the Crossing, clearly visible to vehicular traffic approaching the Crossing from either side. Licensee shall be solely responsible to periodically inspect such signs to insure that same are in place and visible.

9. FLAGGING, CONSTRUCTION:

9.1 If Licensors deems it advisable during any period of construction, maintenance, repair, renewal, alteration, change, or removal of said Crossing, to place temporary watchmen, flaggers, inspectors or supervisors, for protection of operations of Licensors or others on Licensors' right-of-way at the Crossing, Licensors shall have the right to do so, at the expense of Licensee, but Licensors shall not be liable for its failure to do so.

9.2 Subject to Licensor's consent and to Licensor's railroad operating rules and labor agreements, Licensee may provide flaggers, watchmen, inspectors or supervisors during all times of such construction, re-construction, etc., at Licensee's sole risk and expense; and in such event, Licensor shall not be liable for the failure or neglect of such watchmen, flaggers, inspectors or supervisors.

10. EXPLOSIVES:

10.1 In the construction and/or maintenance of said Crossing, Licensee shall not use explosives of any type or perform or cause any blasting without the separate express prior written consent of Licensor. In the event such consent is extended, a representative will be assigned by Licensor to monitor, and Licensee shall reimburse Licensor for the entire cost and/or expense of furnishing said monitor.

10.2 Neither Licensee nor Licensee's contractor(s), agent(s) or employee(s), may transport, carry or haul any explosive, flammable, combustible or other hazardous or dangerous materials, goods or commodities across track(s) of Licensor without separate prior written consent of Licensor. Such restrictions shall not apply to gasoline or diesel fuel in the vehicular fuel supply tanks of any vehicle passing over Crossing.

11. ALTERATIONS; TRACK CHANGES:

11.1 Whenever any repairs or changes are made to Licensor's right-of-way or track, or if additional track(s) are laid at the site of the Crossing, necessitating repairs to, alteration of, or relocation of the Crossing, Licensee shall pay for or shall furnish labor and materials to make such repairs to, alterations of, or relocation of the Crossing.

11.2 In the event that Licensor's operating and/or maintenance needs or uses require any change (including any raising, lowering, or additions to), relocation or improvement in its right-of-way, track(s), structures, roadbed, rail communication or other facilities (including fiber optic cable), which necessitate any change of location, height or depth of Crossing, Licensee shall make such changes in Crossing and/or the grading, approaches or drainage, within thirty (30) days after notice in writing from Licensor, all at Licensee's sole cost and expense, and upon plans and specifications approved by Licensor.

11.3 If Licensee desires to revise, relocate or change in all or any part of said Crossing, or if Licensee is required to change or alter Crossing, drainage or approachways, plans therefor shall be submitted to Licensor for approval before any such change is made.

11.4 After change or alteration, the terms and conditions of this Agreement shall apply thereto.

12. TERM, TERMINATION, REMOVAL:

12.1 This Agreement shall be and remain in effect, from the date first written above, until terminated by either party giving to the other thirty (30) days' written notice of such termination.

12.2 Upon failure of Licensee to perform or comply with any term, covenant, clause, or condition herein contained, this Agreement may be terminated immediately upon notice by Licenser. After such notice of breach, Licenser may barricade or otherwise block said Crossing until removed by Licensee, at sole risk and expense of Licensee.

12.3 Within thirty (30) days after termination of this Agreement, unless the parties hereto otherwise agree, said Crossing shall be removed, all approaches barricaded, and right-of-way of Licenser restored in a manner satisfactory to Licenser, all at the sole cost and expense of Licensee. All removal and restoration work to be performed on that portion of said Crossing between the rails of said track(s) and for two feet (2') beyond each rail shall be done by Licenser, at Licensee's sole cost and expense.

12.4 If Licensee fails to make removal as in Section 12.3, Licenser may remove same, by Licenser employee or contract forces, at Licensee's sole risk, cost and expense.

12.5 All rights which Licensee may have hereunder shall cease and end upon the termination date so specified; provided, however, that termination of this Agreement shall not in any manner affect any claims and liability which may have arisen or accrued hereunder prior to termination, and which, at the time of termination, have not been satisfied.

13. RAILROAD FORCE ACCOUNT COSTS:

13.1 Licenser's expense for wages of Licenser's employees ("force account" charges) and materials for any work performed at the expense of Licensee pursuant to this Agreement shall be paid by Licensee within thirty (30) days after receipt of bill therefor.

13.2 Such expense shall include, but not be limited to: cost of labor and supervision under "force account" rules, plus current applicable overhead charges (traveling expense, Federal Railroad Retirement and Unemployment Taxes, vacation allowances); the actual cost of materials; and insurance and freight and handling charges on all material used. Equipment rentals, if any, shall be in accordance with Railroad fixed applicable rates.

14. RISK, LIABILITY, INDEMNITY:

14.1 Licensee, recognizing that Licensors operations and any use of Licensors property, tracks and right-of-way involves increased risks, expressly assumes all risk of loss and damage to, and waives any right to ask or demand damages for, Property of Licensee, or any part thereof, at the Crossing, including loss of or interference with the use of service thereof, regardless of cause, including: (A) any fault, failure or negligence of Licensors in the construction, operation or maintenance of the Crossing or in rail operations on or over the Crossing; and/or (B) any fire, regardless of the source or origin thereof. For this Section, the term "Property of Licensee" shall include property of third parties situated or placed upon Licensors right-of-way by Licensee or by such third parties at request of or for the sole benefit of Licensee.

14.2 Licensee, with the recognition above, and as further consideration for the grant of this crossing right, also assumes all liability for, and releases and agrees to defend, indemnify, protect and save Licensors harmless from and against:

- a. all loss of or damage to any other property, including property in the care, custody or control of Licensors and of third parties, now situated or which may be placed at the Crossing or adjacent thereto, and the loss of or interference with any use or services thereof; and
- b. all loss and damage on account of injury to or death of any and all person (including but not limited to employees, invitees and patrons of the parties hereto) on the Crossing; and
- c. all claims and liability for such loss and damage and cost and expenses thereof;

arising out of, resulting from, or connected in any manner with the construction, reconstruction, maintenance, existence, use, condition, repair, change, relocation or subsequent removal of said Crossing, any parts thereof or appurtenant structures, regardless of cause, even if occurring or resulting from the sole or joint fault, failure or negligence of Licensors, including such loss, damage or injury: (i) caused in whole or in part by the fault, failure or negligence of Licensors; or (ii) caused in whole or in part by the fault, failure or negligence of Licensee; or (iii) resulting from the creation of this license and additional hazards that this Crossing imposes upon Licensors operations.

14.3 For the purposes of these Liability and Indemnity provisions only, all persons, including the employees of Licensors (flaggers, watchmen, etc.) and of Licensee, or employees of any independent or subcontracting third parties engaged in any construction or maintenance activities at the Crossing, in any of the work described in this Agreement, shall be deemed to be the sole contractors of Licensee while so engaged.

14.4 All obligations of Licensee under this Agreement to release, indemnify and hold Licensors harmless shall also extend to companies and other legal entities that control, are controlled by, are subsidiaries of, or are affiliated with Licensors, and their respective officers, agents and employees.

14.5 Licensee shall promptly (within thirty (30) days) advise Licenser in writing, by Certified Mail of any claims made against Licensee and/or Licenser under this Agreement or from use of the Crossing.

15. INSURANCE:

15.1 Because Licensee and/or its agents or contractor(s) must perform construction or demolition operations within fifty feet (50') of any operated railroad track(s), or affecting a railroad bridge, trestle, tunnel, track(s), roadbed, overpass or underpass, Licensee shall pay to Licenser the sum of THREE THOUSAND AND 00/100 U.S. DOLLARS (\$3,000.00) to cover the cost of adding this Occupancy (Crossing) to Licenser's existing blanket Railroad Protective Liability (RPL) Policy for the period of actual construction or demolition.

15.2 Prior to commencement of any use of the Crossing, Licensee shall procure and shall thereafter maintain during continuance of this Agreement, at its sole cost and expense, Commercial General Liability (CGL) Insurance covering liability assumed by Licensee under this Agreement naming Licenser as additional insured and covering liability assumed by Licensee under this Agreement. Coverage of not less than THREE MILLION AND 00/100 U.S. DOLLARS (\$3,000,000.00) Combined Single Limit per occurrence, for bodily injury and property damage is required as a prudent minimum to protect Licensee's assumed obligations hereunder. The CGL policy shall be endorsed to provide for thirty (30) days' notice in writing to Licenser's Director-Casualty Insurance J907, at the address shown on Page 1, prior to termination of or change in the coverage provided. Mail CGL certificate, along with agreement, to CSX Transportation, Inc., Speed Code J180, 500 Water Street, Jacksonville, FL 32202. On each successive year, send certificate to Speed Code J907 at the address listed above.

15.3 If said CGL policy is written on a "Claims Made" basis rather than "per occurrence" basis, Licensee shall arrange for adequate time for reporting losses. Failure to arrange adequate reporting time shall be Licensee's sole risk.

15.4 Said Crossing shall not be opened for traffic until said CGL insurance coverage is placed in effect. In the event said CGL insurance is cancelled, or is allowed to lapse, Crossing shall be subject to immediate closure and removal by Licenser upon notice to Licensee, all at Licensee's cost.

15.5 Licenser may at any time request evidence of insurance purchased by Licensee to comply with this Article and may demand that Licensee purchase insurance deemed adequate by Licenser. Failure of Licensee to comply within thirty (30) days of Licenser's demand shall be an event of default subject to termination as in Article 12.

15.6 Furnishing of insurance by Licensee shall not limit Licensee's liability under this Agreement, but shall be additional security therefor.

16. BREACH, WAIVER:

16.1 Any waiver by either party at any time of its rights as to anything herein contained shall not be construed as a permanent waiver of such covenant or condition, or any subsequent breach thereof, unless such covenant or breach is waived in writing by said party.

16.2 Neither the failure of Licensor to object to any work done, material used, or method of construction or maintenance of said Crossing, nor any approval given or supervision exercised by Licensor, shall be construed as an admission of liability or responsibility by Licensor, or as a waiver by Licensor of any of the obligations, liability and/or responsibility of Licensee.

17. NOTICE(S):

17.1 Before doing any work on Licensor's right-of-way, Licensee shall give Licensor's Chief Regional Engineer (Western Region, 1700 West 167th Street, Calumet City, IL 60409) at least five (5) days' written notice, except that in cases of emergency repairs shorter notice may be given to said Chief Regional Engineer.

17.2 All other notices and communications concerning this Agreement shall be addressed to Licensee at the address above, and to Licensor at the address shown on Page 1, c/o CSXT Contract Administration J180; or at such other address as either party may designate in writing to the other.

17.3 Unless otherwise expressly stated herein, all such notices shall be in writing and sent via Certified or Registered Mail, Return Receipt Requested, or by courier, and shall be effective upon (a) actual receipt or (b) addressee's refusal of delivery.

18. TITLE:

18.1 Licensee understands that Licensor occupies, uses and possesses lands, rights-of-way and rail corridors under all forms and qualities of ownership rights or facts, from full fee simple absolute to bare occupation. Accordingly, nothing in this Agreement shall act as or be deemed to act as any warranty, guaranty or representation of the quality of Licensor's title for any particular Right-of-Way in Crossing(s) occupied, used or enjoyed in any manner by Licensee under any rights created in this Agreement. It is expressly understood that Licensor does not warrant title to any Right-of-Way in Crossing(s), and Licensee will accept the grants and privileges contained herein, subject to all lawful outstanding existing liens, mortgages and superior rights in and to the Right-of-Way, and all leases, licenses and easements or other interests previously granted to others herein.

18.2 The term "license," as used herein, shall mean with regard to any portion of the Right-of-Way which is owned by Licenser in fee simple absolute, or where the applicable law of the State where the Crossing is located otherwise permits Licenser to make such grants to Licensee, a "permission to use" the Right-of-Way, with dominion and control over such portion of the Right-of-Way remaining with Licenser, and no interest in or exclusive right to possess being otherwise granted to Licensee. With regard to any other portion of Right-of-Way occupied, used or controlled by Licenser under any other facts or rights, Licenser merely waives its exclusive right to occupy the Right-of-Way and grants no other rights whatsoever under this Agreement, such waiver continuing only so long as Licenser continues its own occupation, use or control. Licenser does not warrant or guarantee that the license granted hereunder provides Licensee with all of the rights necessary to occupy any portion of the Right-of-Way. Licensee further acknowledges that it does not have the right to occupy any portion of the Right-of-Way held by Licenser in less than fee simple absolute without also receiving the consent of the owner(s) of the fee simple absolute estate. Further, Licensee shall not obtain, exercise or claim any interest in the Right-of-Way that would impair Licenser's existing rights therein.

18.3 Licensee agrees it shall not have nor shall it make, and hereby completely and absolutely waives its right, to any claim against Licenser for damages on account of any deficiencies in title to the Right-of-Way in the event of failure or insufficiency of Licenser's title to any portion thereof arising from Licensee's use or occupancy thereof.

18.4 Licensee agrees to fully and completely indemnify and defend all claims or litigation for slander of title, overburden of easement, or similar claims arising out of or based upon Licensee's facilities placement, or the presence of Licensee's facilities in, on or along any Crossing(s), including claims for punitive or special damages.

18.5 Licensee shall not at any time own or claim any right, title or interest in or to Licenser's property occupied by the Crossings(s), nor shall the exercise of this Agreement for any length of time give rise to any right title or interest in License to said property other than the license herein created.

19. GENERAL PROVISIONS:

19.1 Neither this Agreement nor any provision hereof or agreement or provision included herein by reference shall operate or be construed as being for the benefit of any third person.

19.2 This Agreement shall be binding upon and inure to the benefit of the parties hereto and the successors and assigns of Licenser, and the heirs, legal representatives, successors or assigns of Licensee, as the case may be, but, this license is a personal privilege granted to Licensee and therefore no assignment sublease or sublicense hereof or of any rights or obligations hereunder shall be valid for any purpose without the prior written consent of Licenser.

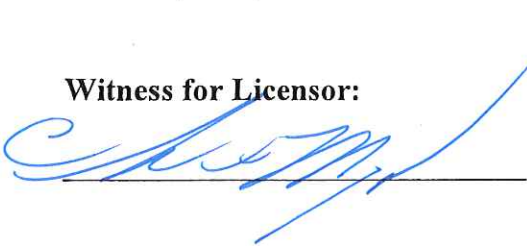
19.3 This Agreement contains the entire understanding between the parties hereto, and cannot be changed, altered, amended or modified, except by written instrument subsequently executed by the parties hereto.

19.4 Neither the form nor any language of this Agreement shall be interpreted or construed in favor of or against either party hereto.

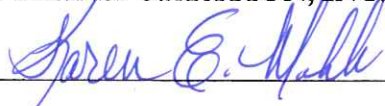
19.5 This Agreement is executed under current interpretation of applicable Federal, State, County, Municipal or other local statute, ordinance or law. Each separate division (paragraph, clause, item, term, condition, covenant or agreement) herein shall have independent and severable status from each other separate division for the determination of legality, so that if any separate division is determined to be void, voidable, invalid or unenforceable for any reason, such determination shall have no effect upon the validity or enforceability of each other separate division herein contained, or any other combination thereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate, each of which shall be evidence of this Agreement but which shall constitute but one agreement, as of the day and year first above written.

Witness for Licensors:



CSX TRANSPORTATION, INC.

By: 

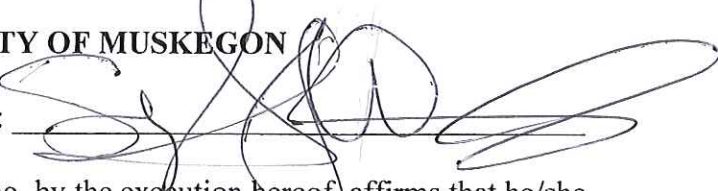
Print/Type Name: Karen E. Mohler

Print/Type Title: Director - Contract Administration

Witness for Licensee:



CITY OF MUSKEGON

By: 

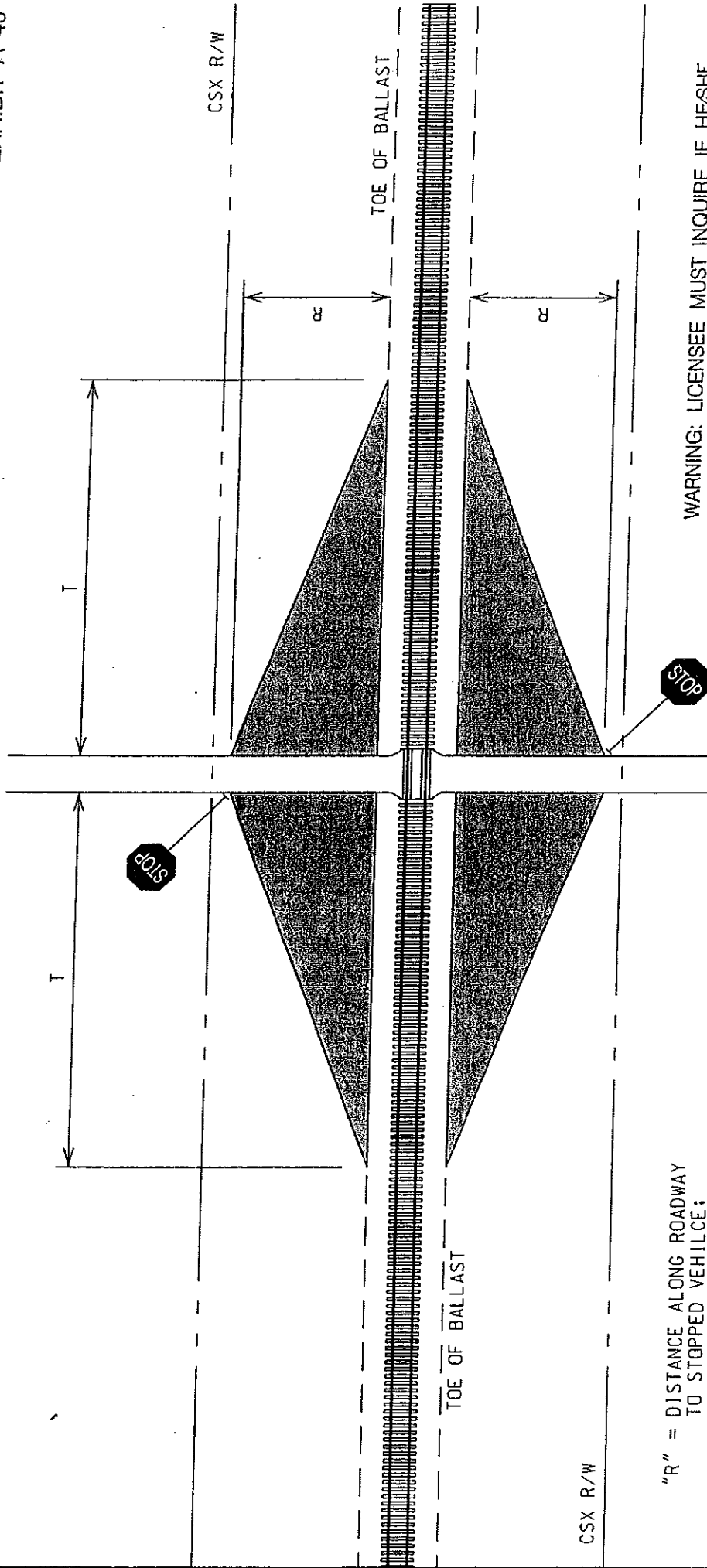
Who, by the execution hereof, affirms that he/she has the authority to do so and to bind the Licensee to the terms and conditions of this Agreement.

Print/Type Name: Stephen Warmington

Print/Type Title: Mayor

Tax Identification Number: _____

Authority under Ordinance or
Resolution No. 2003-16 (j),
dated February 11, 2003.



"R" = DISTANCE ALONG ROADWAY
TO STOPPED VEHICLE;

R = 15ft. (min.) to 26ft. (max.)

"T" = DISTANCE OF CLEAR SIGHT
ALONG TRACK;

T = 600ft. FOR TRAIN SPEEDS
OF 40mph OR LESS

WARNING: LICENSEE MUST INQUIRE IF HESHF
BELIEVES THE TRAIN SPEED IS IN EXCESS OF 40 .ph

LEGEND



REFLECTORIZED STANDARD
HIGHWAY "STOP" SIGN INSTALLED
AND MAINTAINED BY LICENSEE



SIGHT CLEARANCE AREA, CLEARED
AND MAINTAINED BY LICENSEE

CSX
TRANSPORTATION
DESIGN & CONSTRUCTION

PRIVATE ROAD CROSSING
SIGHT CLEARANCE DISTANCES
FOR TRAIN SPEEDS OF 40 mph OR LESS

EXISTING SINGLE TRACK

F WESTERN AVE.

AVE.

(ASPHALT)

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2003-16 (K)

Date: February 11, 2003
To: Mayor and City Commission
From: Robert Kuhn, Director of Public Works
**RE: Engineering Proposal – Drinking Water Revolving
Loan Fund Application**

SUMMARY OF REQUEST: Tetra Tech MPS has provided an engineering proposal to prepare a Project Plan report which is a requirement to participate in the State Drinking Water Revolving Loan Fund Program. Construction of Water Filtration improvements under this program will result in significant cost savings

FINANCIAL IMPACT: \$22,000 from Water Funds

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Recommend approval

COMMITTEE RECOMMENDATION

**TETRA TECH MPS**

February 5, 2003

Mr. Robert Veneklasen
Water Plant Supervisor
City of Muskegon
1900 Beach Street
Muskegon, Michigan 49441

**Re: Proposal for Technical Services
City of Muskegon Water System Improvements
DWRP Project Plan**

Dear Mr. Veneklasen:

Tetra Tech MPS is pleased to provide this proposal for technical services to prepare a Project Plan Report to support a State Drinking Water Revolving Fund (DWRP) loan application.

BACKGROUND

We understand that the City now prefers to pursue funding for construction of improvements at the Water Treatment Plant through the DWRP program. As such, the City must complete a Project Plan Report. In accordance with the funding schedule for FY 2004, the Draft Project Plan Report must be completed by approximately March 15, 2003 and put on public notice at that time. Once the Draft Report has been put on public notice, a public hearing must be held. After the Public Hearing, any comments must be addressed and then the Plan must be endorsed by the City Commission. The Water System Reliability Report has already been submitted to the Michigan Department of Environmental Quality (MDEQ) for review and will be the basis of information that will be used for development of the Project Plan.

SCOPE OF SERVICES

The proposed project and costs presented in the Reliability Study will be used to address the requirements of the DWRP Project Plan, which include the following:

- Compile project background data that describes land use, community economic characteristics, existing facilities, the need for the project, population data, and environmental characteristics of the area.
- Identify potential and selected alternatives as stipulated in the DWRP guidance documents.

3949 Sparks Drive, SE, Ste. 101
Grand Rapids, MI 49546
Tel 616.942.5566 Fax 616.942.5787

Mr. Robert Veneklausen
DWRP Project Plan
February 5, 2003
Page 2

- Prepare a cost analysis of the alternatives.
- Prepare an environmental assessment, which evaluates the anticipated environmental impacts and mitigating measures of each alternative.
- Prepare and submit a draft of the Project Plan Report to the MDEQ for review.
- Assist the City with the public participation requirements, which includes preparation of notices for local publications, conducting one public hearing, and incorporating the results of public participation in the Final Project Plan Report.
- We have anticipated that the City would provide and operate the recording equipment for the Public Hearing.
- Prepare and submit the Final Project Plan Report to the MDEQ.

SCHEDULE

Based on obtaining authorization to proceed on February 7, 2003, the Draft Project Plan Report will be completed by March 14, 2003. A public hearing will be held approximately April 15, 2003, and the final Project Plan will be submitted by May 1, 2003.

COMPENSATION

Compensation for our personnel directly engaged in the work of this proposal will be based on a total amount of \$22,000. This fee will be invoiced on the basis of our hourly rates plus reimbursable expenses.

The preparation of the Reliability Study was originally based on the assumption that DWRP funding would not be pursued by the City. Under the DWRP scenario, it has been our experience, that MDEQ district staff requires more specific detail in the cost effective analysis than what was included in the original study. Whatever detail of documentation required by MDEQ, we feel confident that the recommended project included in the Reliability Study will remain the most cost effective project.

If you concur with our proposal, please sign in the space provided below or provide a Purchase Order referencing this letter and return one signed copy, which will serve as our formal notice to proceed. Our Standard Terms and Conditions are attached and considered a part of this proposal.

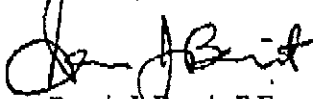
In addition to the costs for production of the Project Plan, the City should be aware that we will need to request an adjustment of our fee for the approximate one year delay in the project due to anticipated labor rate increases, plus the added costs of revising the Contract Documents to address the DWRP bidding requirements once the project does move forward.

Mr. Robert Vaneklasen
DWRP Project Plan
February 5, 2003
Page 3

to bidding. As we discussed, we will be proceeding with the implementation of the drawing revisions agreed to by Mike Bolf and Dave Tumm so that we can obtain the construction permit at this time. This is being completed now so that the permit can be issued once we are ready to proceed with bidding the project. We will be determining the magnitude of any additional costs soon so that the City is informed of the total cost of pursuing this type of funding.

We appreciate this opportunity to be of continued service to the City of Muskegon. Please feel free to contact us if you have questions or concerns. We look forward to assisting you with this endeavor.

Sincerely,



Dennis J. Benoit, P.E.
Senior Vice President

Cc: Bryon Mazade
Bob Kuhn
Tim Paul

/dj'b

P:\0482000\Muskegon DWRP PROPOSAL.DOC

PROPOSAL ACCEPTED BY: _____

TITLE: _____ DATE: _____

Tetra Tech MPS Standard Terms & Conditions

Services Tetra Tech MPS (TTMPS) will perform services for the Project as set forth in Attachment A and in accordance with these Terms & Conditions. TTMPS has developed the Project scope of service, schedule, and compensation based on available information and various assumptions. The Client acknowledges that adjustments to the schedule and compensation may be necessary based on the actual circumstances encountered by TTMPS in performing their services.

Authorized Representatives The officer assigned to the Project by TTMPS is the only authorized representative to make decisions or commitments on behalf of TTMPS. The Client shall designate a representative with similar authority.

Project Requirements The Client shall confirm the objectives, requirements, constraints, and criteria for the Project at its inception. If the Client has established design standards, they shall be furnished to TTMPS at Project inception. TTMPS will review the Client design standards and may recommend alternate standards considering the standard of care provision.

Site Access The Client shall obtain all necessary approvals for TTMPS to access the Project site(s).

Period of Service TTMPS shall perform the services for the Project in a timely manner consistent with sound professional practice. TTMPS will strive to perform its services according to the Project schedule set forth in Attachment A. The services of each task shall be considered complete when deliverables for the task have been presented to the Client. TTMPS shall be entitled to an extension of time and compensation adjustment for any delay beyond TTMPS control.

Compensation In consideration of the services performed by TTMPS, the Client shall pay TTMPS in the manner set forth in Attachment A. The parties acknowledge that terms of compensation are based on an orderly and continuous progress of the Project. Compensation shall be equitably adjusted for delays or extensions of time beyond the control of TTMPS.

Payment Definitions The following definitions shall apply to methods of payment:

Salary cost is defined as the individuals base salary plus customary and statutory benefits. Statutory benefits shall be as prescribed by law and customary benefits shall be as established by TTMPS employment policy.

Cost plus is defined as the individuals base salary plus actual overhead plus professional fee. Overhead shall include customary and statutory

benefits, administrative expense, and non-project operating costs.

Lump sum is defined as a fixed price amount for the scope of services described.

Standard Rates is defined as individual time multiplied by standard billing rates for that individual.

Subcontracted services are defined as Project related services provided by other parties to TTMPS.

Reimbursable expenses are defined as actual expenses incurred in connection with the Project.

Payment Terms TTMPS shall submit monthly invoices for services performed and Client shall pay the full invoice amount within 30 days of the invoice date. Invoices will be considered correct if not questioned in writing within 10 days of the invoice date. TTMPS shall be entitled to a 2% per month administrative charge in the event of payment delay. Client payment to TTMPS is not contingent on arrangement of project financing. Invoice payment delayed beyond 60 days shall give TTMPS the right to stop work until payments are current. Non-payment beyond 70 days shall be just cause for termination by TTMPS.

Additional Services The Client and TTMPS acknowledge that additional services may be necessary for the Project to address issues that may not be known at Project initiation or that may be required to address circumstances that were not foreseen. In that event, TTMPS shall notify the Client of the need for additional services and the Client shall pay for such additional services in an amount and manner as the parties may subsequently agree.

Independent Consultant TTMPS shall serve as an independent consultant for services provided under this agreement. TTMPS shall retain control over the means and methods used in performing their services and may retain subconsultants to perform certain services as determined by TTMPS.

Standard of Care Services provided by TTMPS will be performed with the care and skill ordinarily exercised by members of the same profession practicing under similar circumstances. TTMPS will not be liable for the cost of any omission that adds value to the Project.

Compliance with Laws TTMPS shall perform its services consistent with sound professional practice and endeavor to incorporate laws, regulations, codes, and standards applicable at the time the work is performed. In the event that standards of practice change during the Project, TTMPS shall be entitled to

additional compensation where additional services are needed to conform to the standard of practice.

Permits and Approvals TTMPs will assist the Client in preparing applications and supporting documents for the Client to secure permits and approvals from agencies having jurisdiction over the Project. The Client agrees to pay all application and review fees.

Ownership of Documents Documents prepared by TTMPs for the Project are instruments of service and shall remain the property of TTMPs. Record documents of service shall be based on the printed copy. TTMPs will furnish documents electronically however the Client releases TTMPs from any liability that may result from documents used in this form. TTMPs shall not be held liable for reuse of documents for any purpose other than those intended under the Project.

Insurance TTMPs will maintain the following insurance and coverage limits during the period of service. The Client will be named as an additional insured on the Commercial General Liability and Automobile Liability policies.

<u>Worker's Compensation</u>	As required by applicable state statute
<u>Commercial General Liability</u>	\$1,000,000 per occurrence (bodily injury including death & property damage) \$2,000,000 aggregate
<u>Automobile Liability</u>	\$1,000,000 combined single limit for bodily injury and property damage
<u>Professional Liability</u>	\$1,000,000 each claim and in the aggregate

The Client shall make arrangements for Builder's Risk, Protective Liability, Pollution Prevention, and other specific insurance coverage warranted for the Project in amounts appropriate to the Project value and risks. TTMPs shall be a named insured on those policies where TTMPs may be at risk. The Client shall obtain the counsel of others in setting insurance limits for construction contracts.

Waiver of Subrogation TTMPs shall endeavor to obtain a waiver of subrogation against the Client, if requested in writing by the Client, provided that TTMPs will not increase its exposure to risk and Client will pay the cost associated with any premium increase or special fees.

Indemnification TTMPs shall indemnify the Client from any reasonable damages caused solely by the negligent act, error, or omission of TTMPs in the performance of services under the Project. If such damage results in part by the negligence of another party, TTMPs shall be liable only to the extent of their proportional negligence.

Limitation of Liability In recognition of the relative risks and benefits of the project to both the Client and

TTMPs, the risks have been allocated. The Client agrees to limit the liability of TTMPs for all claims related to the Project at \$50,000 or the net income realized by TTMPs for the Project, whichever is greater.

Third Party Claims The Client will compensate TTMPs for services performed in defense of any third party claim unless the claim resulted from the negligent act, error or omission of TTMPs.

Legal Expense In the event that either party takes legal action against the other that is not prosecuted, is dismissed, or if the decision is rendered for the other party, the party taking legal action agrees to pay the other their attorney fees, court costs, and defense expenses within 30 days of the court action.

Lien Rights TTMPs may file a lien against the Client's property in the event that the Client does not make payment within the time prescribed in this agreement. The Client agrees that services by TTMPs are considered property improvements and the Client waives the right to any legal defense to the contrary.

Consequential Damages Neither the Client nor TTMPs shall be liable to the other for any consequential damages regardless of the nature or fault.

Environmental Matters The Client warrants they have disclosed all potential hazardous materials that may be encountered on the Project. In the event unknown hazardous materials are encountered, TTMPs shall be entitled to additional compensation for appropriate actions to protect the health and safety of its personnel, and for additional services required to comply with applicable laws. The Client shall indemnify TTMPs from any claim related to hazardous materials encountered on the Project except for those events caused by negligent acts of TTMPs.

Cost Opinions TTMPs shall prepare cost opinions for the Project based on historical information that represents the judgment of a qualified professional. The Client and TTMPs acknowledge that actual costs may vary from the cost opinions prepared and that TTMPs offers no guarantee related to the Project cost.

Independent Counsel The Client agrees to obtain independent legal and financial counsel for the Project considering TTMPs does not furnish these services.

Contingency Fund The Client acknowledges the potential for changes in the work during construction and the Client agrees to include a contingency fund in the Project budget appropriate to the potential risks and uncertainties associated with the Project. TTMPs may offer advice concerning the value of the contingency fund; however, TTMPs shall not be liable for additional costs that the Client may incur beyond the contingency fund they select unless such

additional cost results from a negligent act, error, or omission related to services performed by TTMPs.

Contractor Selection TTMPs may make recommendations concerning award of construction contracts and products. The Client acknowledges that the final selection of construction contractors and products is their sole responsibility.

Shop Drawing Review If included in the scope of service, TTMPs shall review shop-drawing submittals from the contractor solely for their conformance with the design intent of and performance criteria specified for the Project. TTMPs shall not be liable for the performance of or consequential damages of any equipment furnished by the contractor under the Project.

Construction Review If included in the scope of service, TTMPs shall observe the progress and content of the work to determine if the work is proceeding in general accordance with the Contract Documents. This construction review is intended to observe, document, and report information concerning the construction process. Observation of work at the Project site shall not make TTMPs responsible for the work performed by another party, the means, methods, techniques, sequences, or procedures selected by another party, nor the safety precautions or programs of another party.

Rejection of Work TTMPs may recommend that the Client reject work by construction contractors that does not conform to the requirements of the Project.

Safety TTMPs shall be responsible solely for the safety precautions or programs of its employees and no other party.

Information from Other Parties The Client and TTMPs acknowledge that TTMPs will rely on information furnished by other parties in performing its services under the Project. TTMPs shall not be liable for any damages that may be incurred by the Client in the use of third party information.

Construction Record Drawings If included in the scope of service, TTMPs will deliver drawings to the Client incorporating information furnished by construction contractors. In that construction record drawings are based on information provided by others, TTMPs cannot and does not warrant their accuracy.

Force Majeure Neither party will hold the other responsible for damages or delay caused by Acts of God, acts of war, strikes, accidents, or other events beyond the other's control.

Dispute Resolution The Client and TTMPs agree that they shall diligently pursue resolution of all disagreements within 45 days of either party's written notice using a mutually acceptable form of mediated dispute resolution prior to exercising their rights under

law. TTMPs shall continue to perform services for the Project and the Client shall pay for such services during the dispute resolution process unless the Client issues a written notice to suspend work.

Suspension of Work The Client may suspend services performed by TTMPs with cause upon fourteen (14) days written notice. TTMPs shall submit an invoice for services performed up to the effective date of the work suspension and the Client shall pay TTMPs all outstanding invoices within fourteen (14) days. If the work suspension exceeds thirty (30) days from the effective work suspension date, TTMPs shall be entitled to renegotiate the Project schedule and the compensation terms for the Project.

Termination The Client or TTMPs may terminate services on the Project upon seven (7) days written notice in the event of substantial failure by the other party to fulfill its obligations of the terms hereunder. TTMPs shall submit an invoice for services performed up to the effective date of termination and the Client shall pay TTMPs all outstanding invoices within fourteen (14) days. The Client may withhold an amount for services that may be in dispute provided that the Client furnishes a written notice of the basis for their dispute and that the amount withheld represents a reasonable value.

Governing Law The terms of agreement shall be governed by the laws of the state where the services are performed provided that nothing contained herein shall be interpreted in such a manner as to render it unenforceable under the laws of the state in which the Project resides.

Assignment Neither party shall assign its rights, interests or obligations under the Project without the express written consent of the other party.

Waiver of Rights The failure of either party to enforce any provision of these terms and conditions shall not constitute a waiver of such provision nor diminish the right of either party to the remedies of such provision.

Warranty TTMPs warrants that they will deliver products under the Project within the standard of care. TTMPs provides no other expressed or implied warranty.

Severability Any provision of these terms later held to violate any law shall be deemed void and all remaining provisions shall continue in force. In such event, the Client and TTMPs will work in good faith to replace an invalid provision with one that is valid with as close to the original meaning as possible.

Survival All provisions of these terms that allocate responsibility or liability between the Client and TTMPs shall survive the completion or termination of services for the Project.

Memo

To: City Commission

From: Finance Director

Date: February 6, 2003

Re: Financing Water Filtration Plant Improvements

As you know, costly improvements to the city's water filtration plant are needed in the next few years. We have been exploring various options for financing these improvements and believe that the Drinking Water Revolving Fund (DWRF) program sponsored by the Michigan DEQ offers the best alternative. Through this program, the city will be able to borrow funds at 2.5%, which is considerably better than the rates currently available via a traditional municipal borrowing. Based on a borrowing of \$12 million, this program could save the city (and its ratepayers) \$3.5 million in interest costs over a 20-year loan life.

There are, however, some additional planning and procedural steps that need to be taken to participate in the program. To meet these DEQ requirements, it is necessary to have our consulting engineers (MPS Tetra-Tech) do some additional work at a cost of \$22,000. We respectfully request your approval for this additional engineering work. Thank you.