CITY OF MUSKEGON

CITY COMMISSION MEETING

FEBRUARY 10, 2004

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 5:30 p.m., Tuesday, February 10, 2004.

Mayor Warmington opened the meeting with a prayer from Pastor Sarah Johnson of the Word of Truth Outreach after which the Commission and Public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Vice Mayor Bill Larson, Commissioners Chris Carter, Kevin Davis, Stephen Gawron, Clara Shepherd, and Lawrence Spataro, City Manager Bryon Mazade, City Attorney John Schrier and City Clerk Gail Kundinger.

2004-17 CONSENT AGENDA:

a. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Special Commission Meeting that was held on Wednesday, January 21, 2004 and the Regular Commission Meeting that was held on Tuesday, January 27, 2004.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

b. Policy Regarding Conflict of Interest and Service Pledge. CITY CLERK

SUMMARY OF REQUEST: To adopt a resolution that requires all appointed members of the various City boards and committees to sign a Conflict of Interest form and a Service Pledge form.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: approval

COMMITTEE RECOMMENDATION: The Legislative Policy Committee met on

January 28, 2004 and recommends approval.

c. **FIRST READING: Amend Chapter 30 of the Code of Ordinances Adopting the 2003 International Fire Code.** INSPECTION SERVICES/FIRE

SUMMARY OF REQUEST: This is to request City Commission adopt the ordinance amending Chapter 30 of the Code of Ordinances. This request is made to adopt the 2003 International Fire Code and retain appendix II-C of the 1997 Uniform Fire Code.

The request to adopt the 2003 edition is made to put the Fire Code in line with the current editions of the construction codes as adopted by the State of Michigan. Retainage of the appendix II-C will allow some code enforcement for fire safety on marina docks.

FINANCIAL IMPACT: None. All code books were budgeted for in anticipation of this change.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To adopt the ordinance as written.

d. **Consumers Energy Easement.** LEISURE SERVICES

SUMMARY OF REQUEST: Consumers Energy is requesting an easement across the bike trail property at Edison Landing to Service the CSX railroad crossing.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve

e. **Janitorial Services, Option Year (2004-2005).** ENGINEERING

SUMMARY OF REQUEST: Exercise the "option year" in the City's 2001-2003 contract with Edwards Janitorial to clean City Hall and the Public Service Building for an additional monthly charge of $151.62 for City Hall and $50.79 for DPW. The total annual cost for this option year is $56,520 for City hall, which is $367.85 more than what was submitted as part of the bids for option year back in February of 2001. Similarly, the proposed annual DPW charges are $17,400 which is $121.35 more than 2001 bids for an option year.

These extra charges are being requested by Edwards due to a significant increase in his workman compensation.

FINANCIAL IMPACT: The total cost of the contract which is $73,920.

BUDGET ACTION REQUIRED: None. The option year cost was anticipated during the budget time and the extras are minor.

STAFF RECOMMENDATION: To approve the extension of the contract with Edwards Janitorial to provide cleaning services until the end of April of 2005.

f. **Traffic Department Materials and Services 2004.** PUBLIC WORKS

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

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

Sign blanks... $1,500.00 approx.

Sign posts.. $4,800.00 approx.

Sign sheeting.. $1,500.00 approx.

Ready made signs................................ $2,000.00 approx.

Centerline painting............................ $12,000.00 approx.

Total $21,800.00 ($21,2000.00 in 2003)

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

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

g. <u>Write-off of Uncollectible Accounts Receivable.</u> CITY TREASURER

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 collection efforts, such as using the outside collection agency, resulted in limited success. However, at this time, it is requested that the City Commisison authorize staff to write-off these receivables from the City's books.

FINANCIAL IMPACT: Reduce the City's accounts receivable by $16,304.90. The impact would be a decrease in the fund balance/retained earnings of several City funds as follows.

101	General Fund	$ 7,068.87
472	CDBG Fund	5,681.30
590 & 591	Sewer Fund & Water Fund	3,554.73
	Total	$16.304.90

BUDGET ACTION REQUIRED: For the General, Sewer and Water Funds, there are sufficient funds for bad debt expense included in the 2003 budget, so no further action is required.

STAFF RECOMMENDATION: Approval of the 2003 write-offs effective for the fiscal year ended December 31, 2003 for the various funds as shown above.

Motion by Commissioner Gawron, second by Commissioner Spataro to approve the Consent Agenda as read.

ROLL VOTE: Ayes: Carter, Davis, Gawron, Larson, Shepherd, Spataro,

Warmington

Nays: None

MOTION PASSES

2004-18 PUBLIC HEARINGS:

a. **Request for the Establishment of an Industrial Development District – Streamline Tooling Systems, Inc.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974 as amended, Streamline Tooling Systems, Inc., 301 W. Laketon Avenue, Muskegon, Michigan, has requested the establishment of an Industrial Development District for property located at 301 W. Laketon Avenue, Muskegon, Michigan.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the resolution establishing the Industrial Development District for Streamline Tooling Systems, Inc.

The Public Hearing opened at 5:39pm to hear comments from the public. There were no comments heard at this time.

Motion by Commissioner Gawron, second by Commissioner Carter to close the Public Hearing at 5:41pm and to approve the resolution establishing the Industrial Development District for Streamline Tooling Systems. Inc.

ROLL VOTE: Ayes: Davis, Gawron, Larson, Shepherd, Spataro, Warmington, Carter

Nays: None

MOTION PASSES

b. **DNR Grant Application Re-submittal.** LEISURE SERVICES

SUMMARY OF REQUEST: To authorize staff to re-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. We have applied for these grants each of the last two years.

FINANCIAL IMPACT: Consumers Energy Purchase – None

Lakeshore Trail Construction - $425,000

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve

The Public Hearing opened at 5:42pm to hear comments from the public. There were no comments heard at this time.

Motion by Commissioner Larson, second by Commissioner Davis to close the Public Hearing at 5:46pm to authorize staff to re-submit applications to the DNR

Trust Fund for the purchase of the Consumers Energy Property and to construct Phase 1 of the Lakeshore Trail.

ROLL VOTE: Ayes: Gawron, Larson, Shepherd, Spataro, Warmington, Carter, Davis

Nays: None

MOTION PASSES

c. **Create Special Assessment District for Beidler Street, Laketon to Southern Avenue.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of Beidler St., Laketon to Southern Ave., 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

BUDGET ACTION REQUIRED: None

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 5:47pm to hear comments from the public. Comments in opposition were heard by David Wotli of 1724 Beidler, Dale Sisson of 1607 Beidler, Debbie Anderson of 1730 Beidler and Marion Olearchek from the Nelson Community Association at 1608 Beidler.

Motion by Commissioner Spataro, second by Commissioner Gawron to close the Public Hearing at 6:03pm and to approve the special assessment district of Beidler St., Laketon to Southern Ave., and assign two Commissioners to the Board of Assessors by adopting the resolution.

ROLL VOTE: Ayes: Spataro, Gawron

Nays: Larson, Shepherd, Warmington, Carter, Davis

MOTION FAILS

d. **Create Special Assessment District for McCracken Street, Sherman Blvd to Lakeshore Drive.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of McCracken St., Sherman Blvd. To Lakeshore Drive., 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

BUDGET ACTION REQUIRED: None

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 6:08pm to hear comments from the public.

Comments in opposition were heard from Dan and Julie Jolman of 2075 Miner and 2223 McCracken, Walter White of 2326 Greenwood, Dave Flickema of 2493 McCracken, Rosemary Kowalski of 2101 Moon and 2272 McCracken, Paul Kurdziel of 2319 Greenwood, Norm Cunningham of 3151 Beach who represented Steve Holdeman of 2011 Letart and Mrs. Hansen. In favor was Ray Theile of 2465 McCracken.

Motion by Commissioner Spataro, second by Vice Mayor Larson to close the Public Hearing at 6:46pm and to approve the special assessment district of McCracken St., Sherman Blvd. To Lakeshore Dr. and to assign Vice Mayor Larson and Commissioner Davis to the Board of Assessors by adopting the resolution.

ROLL VOTE: **Ayes: Shepherd, Spataro, Warmington, Carter, Davis, Larson, Gawron**

Nays: None

MOTION PASSES

e. **Create Special Assessment District for Sherman Blvd., Lincoln Street to Beach Street.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of Sherman Blvd., Lincoln Street to Beach St., 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

BUDGET ACTION REQUIRED: None

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 6:51pm to hear comments from the public. Comments in opposition were heard from Wendell Hallman of 2500 Sherman, Chad Murphy of 2596 Sherman, Jim Harker of 2432 Sherman and Jim Shields of 2586 Fountain who also read a letter from Melvin Onstott of 2442 Sherman who was also in opposition.

Motion by Commissioner Spataro, second Vice Mayor Larson to close the Public Hearing at 7:22pm and approve the special assessment district of Sherman Blvd., Lincoln St. to Beach St. and appoint Vice Mayor Larson and Commissioner Davis to the Board of Assessors by adopting the resolution.

ROLL VOTE: **Ayes: Spataro, Warmington, Carter, Davis, Gawron, Larson, Shepherd**

Nays: None

MOTION PASSES

2004-19 UNFINISHED BUSINESS:

a. **SECOND READING: Rezoning Request for Property Located at 407**

Marquette Avenue (SE Corner of Marquette Avenue and Wood Street).
PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone property located at 407 Marquette Ave., at the SE corner of Marquette Ave. and Wood St., from R-1, Single-Family Residential to B-1, Limited Business.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

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

COMMITTEE RECOMMENDATION: The Planning Commission voted to deny the request at their 1/15 meeting. Spataro, Aslakson, Johnson and Sartorius voted for denial, Michalski and Smith voted against denial, and Mazade and Warmington abstained. T. Harryman was absent.

Motion by Vice Mayor Larson, second by Commissioner Davis to approve the rezoning of 407 Marquette Ave. from R-1 Single-Family Residential to B-1, Limited Business.

ROLL VOTE: Ayes: Davis, Larson

Nays: Warmington, Carter, Gawron, Shepherd, Spataro

MOTION FAILS

2004-20 NEW BUSINESS:

a. City – MDOT Agreement for Sherman Blvd., Lincoln to Beach.
ENGINEERING

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

FINANCIAL IMPACT: MDOT's participation is estimated at $355,830 but not to exceed 81.85% of eligible cost. The estimated total cost of the project, including the none participating items of engineering and watermain, is $550,000.

BUDGET ACTION REQUIRED: None at this time. The City's share of the cost will come out of the Major Street and Water Funds as was budgeted.

STAFF RECOMMENDATION: That the agreement and resolution be approved.

Motion by Vice Mayor Larson, second by Commissioner Gawron to approve the contract with MDOT for the reconstruction of Sherman Blvd., from Lincoln to Beach St. and to approve the resolution authorizing the Mayor and City Clerk to sign the contract.

ROLL VOTE: Ayes: Carter, Davis, Gawron, Larson, Shepherd, Spataro, Warmington

Nays: None

MOTION PASSES

b. Mall Study Committee Final Report. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The Study Committee, which was appointed by the City Commission on April 22, 2003 to study the historic significance of the mall structures has developed a final report. The five buildings researched are commonly known as the Russell Block (Daniels), Century Club, Muskegon Savings Bank, Montgomery Block (National City Bank), and the Hackley Bank Building (Comerica). To finalize its duties, the Study Committee is forwarding on the final report with a recommendation to the City Commission.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To accept the Study Committee report and recommendation.

COMMITTEE RECOMMENDATION: The Study Committee recommended to the City Commission that the compromise of placing the demolition permits for the four buildings in question be placed in escrow so they cannot be demolished until we have final site plans and the closing on the property.

Motion by Commissioner Spataro, second by Commissioner Gawron to accept the Mall Study Committee report and recommendation

ROLL VOTE: Ayes: Davis, Gawron, Larson, Shepherd, Spataro, Warmington, Carter

Nays: None

MOTION PASSES

c. Agreement with the DMDC. CITY MANAGER

SUMMARY OF REQUEST: To approve an agreement with the DMDC regarding the demolition of the buildings with the former Muskegon Mall.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the agreement.

Motion by Commissioner Carter, second by Commissioner Davis to approve an agreement with the Downtown Muskegon Development Corporation regarding the demolition of the buildings associated with the former Muskegon Mall.

ROLL VOTE: Ayes: Gawron, Larson, Shepherd, Spataro, Warmington, Carter, Davis

Nays: None

MOTION PASSES

d. Final Amendments to 2003 Budget. FINANCE

SUMMARY OF REQUEST: Adoption of the year-end amendments to the City's 2003 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 2003 authorized revenue estimates and spending limits for the various City Departments and funds. The 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 Spataro, second by Commissioner Shepherd to approve the adoption of the year-end amendments to the City's 2003 Budget.

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

Nays: None

Davis was out of the room.

MOTION PASSES

e. <u>Laboratory and Employee Facilities Improvements Project.</u> WATER FILTRATION

SUMMARY OF REQUEST: To enlist Muskegon Construction Company to perform the Laboratory and Employee Facilities Improvement project at the Water Filtration Plant.

FINANCIAL IMPACT: $256,800.00.

BUDGET ACTION REQUIRED: The project cost will be funded with Drinking Water Revolving Loan Fund (DWRF) money.

STAFF RECOMMENDATION: Recommend making a change to the Water Filtration Plant Improvements project contract with Muskegon Construction Company, to perform the Laboratory and Employee Facilities Improvement project at an additional cost of $256,800.00.

Motion by Commissioner Carter, second by Commissioner Spataro to make a change to the Water Filtration Plant Improvements project contract with Muskegon Construction to perform the Laboratory and Employee Facilities Improvement project at an additional cost of $256,800.00.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Carter, Davis, Gawron, Larson

Nays: None

MOTION PASSES

f. <u>Concurrence with the Housing Board of Appeals Notice and Order to</u>

Demolish the Following: INSPECTION SERVICES

SUMMARY OF REQUEST: This is to request the City Commission concur with the Housing Board of Appeals that the structures located at the following addresses are unsafe, substandard, public nuisances and that they be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structures and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition at the lowest responsible bidder.

1. 1263 W. Larch

CASE# & PROJECT ADDRESS: #En-030173, 1263 W. Larch

LOCATION AND OWNERSHIP: This structure is located on W. Larch between Ruddiman and McGraft. It is owned by Deutsche Bank Trust in Texas.

STAFF CORRESPONDENCE: A dangerous building inspection was conducted on 11/20/03. A Notice and Order to repair was issued on 12/3/03. On 1/8/04 the HBA declared the structure substandard and dangerous.

OWNER CONTACT: On 1/13/04 a contact for the bank called the Inspection office and stated the home is in foreclosure and they cannot do anything until the redemption period is up, which is 6 months. He was faxed all copies of previous notices.

FINANCIAL IMPACT: General Funds

BUDGET ACTION REQUIRED: None

STATE EQUALIZED VALUE: $33,300

ESTIMATED COST TO REPAIR: $8,000 plus the cost of interior repairs.

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

2. 153 Houston St.

CASE# & PROJECT ADDRESS: #EN030052, 153 Houston, Muskegon, MI

LOCATION AND OWNERSHIP: This structure is located on Houston between First and Jefferson and is owned by Ronald Wells.

STAFF CORRESPONDENCE: This rental house began with a dangerous building inspection on the garage only on 5/29/03 and the residence was added on 10/07/03. An interior inspection was conducted on 10/22/03 and shortly after the house was listed for sale. Ronald Wells applied for a permit to repair the garage on 7/11/03, which expired before any repairs were done. There is also a housing inspection report with 75 violations.

OWNER CONTACT: There has been no contact since the interior inspection and the structure appears vacant now and for sale.

FINANCIAL IMPACT: CDBG

BUDGET ACTION REQUIRED: None

STATE EQUALIZED VALUE: $20,100

ESTIMATED COST TO REPAIR: $30,000

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

3. 1867 Austin

CASE# & PROJECT ADDRESS: #EN030172, 1867 Austin, Muskegon, MI

LOCATION AND OWNERSHIP: This structure is located on Austin, between Laketon and Holbrook. It is owned by John Joseph.

STAFF CORRESPONDENCE: A dangerous building inspection was conducted on 11/20/03. A Notice and Order to Repair was issued 12/2/03. On 1/8/04 Chris Davison appeared before the HBA and stated he was buying the property on a Land Contract from George Puthupppally, who is the same person as John Joseph. He was told if he intends to save the house he needs to bring in prove that he has a financial interest in the property and schedule an interior inspection. When asked about completing repairs, he stated he needs to wait until he gets an income tax refund to pay for any repairs. The HBA declared the house substandard on that date.

OWNER CONTACT: On 2/2/04 Chris Davison called the Inspection office and tried to schedule an interior inspection. He was told we first need proof that he has a financial interest in the property and if he could bring in his paperwork today we can schedule an inspection to be conducted within a couple days.

FINANCIAL IMPACT: General Funds

BUDGET ACTION REQUIRED: None

STATE EQUALIZED VALUE: $15,300

ESTIMATED COST TO REPAIR: $2,500 plus the cost of interior repairs

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

4. 1947 S. Getty

CASE# & PROJECT ADDRESS: #EN030040, 1947 S. Getty, Muskegon, MI

LOCATION AND OWNERSHIP: This commercial structure is located on S. Getty between Laketon and Hackley and is owned by the State of Michigan.

STAFF CORRESPONDENCE: A dangerous building inspection was conducted on 5/29/03 and the Notice and Order to repair or remove was issued 6/13/03. On 8/7/03 the HBA declared the structure dangerous and substandard.

OWNER CONTACT: There has been no contact from the State.

FINANCIAL IMPACT: General Funds

BUDGET ACTION REQUIRED: None

STATE EQUALIZED VALUE: $75,700 – Commercial building and garage

ESTIMATED COST TO REPAIR: $8,000 Exterior only

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

5. 1345 Fifth – Garage Only

CASE# & PROJECT ADDRESS: #EN-030042 Address: 1345 Fifth – Garage only

LOCATION AND OWNERSHIP: This structure is located on Fifth St., between Mason & Strong and is owned by Fannie Jones, Chicago Heights, Illinois.

STAFF CORRESPONDENCE: A dangerous building inspection was conducted on 5/9/03. A notice and Order to repair was issued 6/12/03. On 8/7/03 the HBA declared the garage substandard and dangerous.

OWNER CONTACT: On 7/10/03 a relative of the owner came into the Inspection office and requested an extension on behalf of the owner who lives in Illinois. He stated the property is being sold. An extension was not granted. On 8/13/03 a potential buyer of the property came into the Inspection office and stated she would like to repair the garage after purchasing the property. There has been no contact since that date.

FINANCIAL IMPACT: General Funds

BUDGET ACTION REQUIRED: None

STATE EQUALIZED VALUE: $17,800 (house and garage)

ESTIMATED COST TO REPAIR: $1,500

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

6. 1986 Ninth – Garage Only

CASE# & PROJECT ADDRESS: #EN-030094 Address: 1986 Ninth – Garage only

LOCATION AND OWNERSHIP: This structure is located on ninth Street between Delan and Young and is owned by David Ross.

STAFF CORRESPONDENCE: A dangerous building inspection was conducted on 4/16/03. A Notice and Order to repair was issued 5/12/03. Mr. Ross applied for a permit to demolish the garage on 6/11/03, but never demolished it. On 11/06/03 the HBA declared the garage substandard and dangerous.

OWNER CONTACT: Mr. Ross came in the Inspection office to apply for a demolition permit. On 9/18/03 a letter was sent to him requesting him to contact the office again with his intentions. He did not reply.

FINANCIAL IMPACT: General Funds

BUDGET ACTION REQUIRED: None

STATE EQUALIZED VALUE: $15,500 (house and garage)

ESTIMATED COST TO REPAIR: $2,500

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

Motion by Commissioner Shepherd, second by Vice Mayor Larson to concur with the Housing Board of Appeals decision to demolish 1263 W. Larch, 153 Houston, 1867 Austin, 1947 S. Getty, 1345 Fifth (Garage Only) and 1986 Ninth (Garage only); and direct staff to obtain bids for the demolition of the structures; and that the Mayor and City Clerk be authorized and directed to execute a contract for demolitions at the lowest responsible bidder.

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

Nays: Davis

MOTION PASSES

7. 448 Catherine

CASE# & PROJECT ADDRESS: #EN030029, 448 Catherine, Muskegon, MI

LOCATION AND OWNERSHIP: This structure is located on Catherine between Williams and Wood St. It is owned by Curtis Vines who lives at 1868 McIlwraith.

STAFF CORRESPONDENCE: A dangerous building inspection was conducted on 3/5/03 because the structure had been boarded and vacant for more than 180 days. A Notice and Order to repair was issued 3/5/03. An interior inspection was conducted with the owner on 4/18/03. On 7/3/03 the HBA tabled the case for 60 days to allow the owner time to have an electrical contractor pull a permit and complete the required repairs. Billy Walker Jr. applied for the electrical permit on 7/25/03 and called on 11/06/03 (date of HBA review) to schedule an inspection. The electrical inspector went to the property and found the electricity had been hooked up illegally. The HBA declared the structure on that date.

OWNER CONTACT: Mr. Vines was in contact with Inspection Services to schedule an interior inspection and he stated he wanted to fix the house and live in it. He stated he would not be renting the structure out. There has been no contact since 11/06/03.

FINANCIAL IMPACT: CDBG Funds

BUDGET ACTION REQUIRED: None

STATE EQUALIZED VALUE: $20,200

ESTIMATED COST TO REPAIR: $6,000

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

Motion by Commissioner Spataro, second by Commissioner Shepherd to concur with the Housing Board of Appeals to demolish 448 Catherine and to authorize staff to obtain bids for the demolition and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition at the lowest responsible bidder.

ROLL VOTE: **Ayes: Warmington, Carter, Davis, Gawron, Larson, Shepherd, Spataro**

Nays: None

MOTION PASSES

The Regular Commission meeting for the City of Muskegon was adjourned at 8:18pm.

Respectfully submitted

Gail Kundinger, City Clerk, MMC