

CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 27, 2015

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ☐ **CALL TO ORDER:**
- ☐ **PRAYER:**
- ☐ **PLEDGE OF ALLEGIANCE:**
- ☐ **ROLL CALL:**
- ☐ **HONORS AND AWARDS:**
- ☐ **INTRODUCTIONS/PRESENTATION:**
- ☐ **CITY MANAGER'S REPORT:**
- ☐ **CONSENT AGENDA:**
 - A. Approval of Minutes. CITY CLERK**
 - B. MetroPCS First Amendment to the Tower Lease Agreement. PUBLIC WORKS**
 - C. Amendment to the Zoning Ordinance. PLANNING & ECONOMIC DEVELOPMENT**
- ☐ **PUBLIC HEARINGS:**
- ☐ **COMMUNICATIONS:**
- ☐ **UNFINISHED BUSINESS:**
- ☐ **NEW BUSINESS:**
 - A. Increase Fire Staffing Levels (Fire Fighter). PUBLIC SAFETY**
 - B. Concurrence with the Housing Board of Appeals Notice and Order to Demolish the Following: PUBLIC SAFETY**
 - 1073 Williams Street**
 - 324 W. Larch Avenue**
 - 448 E. Isabella Avenue**
 - 619 Amity Avenue**
- ☐ **ANY OTHER BUSINESS:**

☐ **PUBLIC PARTICIPATION:**

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

☐ **CLOSED SESSION:**

☐ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY-FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE CUMMINGS, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TTY/TDD DIAL 7-1-1- TO REQUEST A REPRESENTATIVE TO DIAL (231) 724-6705.

Date: January 27, 2015
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the January 12th Commission Worksession Meeting, and the January 13th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

City of Muskegon
City Commission Worksession
January 12, 2015
City Commission Chambers
5:30 PM

MINUTES

2015-1

Present: Commissioners German, Hood, Rinsema-Sybenga, Gawron, Johnson, Turnquist, and Spataro.

Absent: None.

Digital Spectrum Enterprises.

Since May 2005, the City has contracted with Digital Spectrum Enterprises (DSE) for management of the City's government access channel. In exchange for these management rights, DSE broadcasts City Commission meetings at no direct cost to the City. The current agreement with DSE dates from January 2012 through December 2014.

Proposed is a three year agreement renewal with DSE. Terms of the agreement are the same as before.

Anne Bratsburg gave an overview of how the programming works. DSE receives no revenues from the City.

This item has been placed on the January 13, 2015 Commission Meeting for consideration by the Commission.

Section 10-351 Registration of Rental Dwellings Ordinance Amendment.

The Director of Public Safety requests the City Commission review and authorize the proposed amendment to Chapter 10 Buildings, Article VI, Division 2, subdivision III "Rental Property", of the City of Muskegon Ordinances as it relates to; subsection (F) Dwelling Fire Insurance 1. Minimum coverage; use of insurance proceeds 2. Property owners to provide city with insurance information.

This amendment requests that property owner(s) who lease for occupancy have fire insurance in order to restore and/or demolish a structure in the event of a fire. Further, the property owner(s) provide information and/or fire insurance policy to the city during the rental registration process. A violation of this amended section shall result in the suspension of the registration certificate.

This will relieve the City of Muskegon from bearing the expense to demolish uninsured rental properties that are damaged during a working fire.

This item has been placed on the January 13, 2015 Commission Meeting for consideration by the Commission.

Adjournment.

Motion by Commissioner Hood, seconded by Vice Mayor Spataro to adjourn at 5:56 p.m.

MOTION PASSES

**Ann Marie Cummings, MMC
City Clerk**

CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 13, 2015

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, January 13, 2015.

Mayor Gawron opened the meeting with prayer from Pastor Tim Cross from the Living Word Church of Muskegon after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Gawron, Vice Mayor Lawrence Spataro, Commissioners Willie German, Dan Rinsema-Sybenga, Byron Turnquist, Ken Johnson, and Eric Hood, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

2015-02 HONORS AND AWARDS:

A. Muskegon Big Reds.

B. Muskegon Catholic Central Crusaders.

Mayor Gawron and Commission presented the Muskegon Big Reds and Muskegon Catholic Central Crusaders with a Certificate of Recognition for their successful football season.

2015-03 INTRODUCTIONS/PRESENTATION:

A. Year-In-Review. CITY MANAGER

City Manager Franklin Peterson highlighted some of the accomplishments from the last 12 months.

2015-04 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the December 8th Commission Worksession Meeting, and the December 9th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Liquor License Request – Racquets, 446 W. Western Avenue. PUBLIC SAFETY

SUMMARY OF REQUEST: The Muskegon Police Department has received an Application for Temporary Authorization from Downtown Pinnacle Properties (dba Racquets Downtown Grill) for a charity volleyball event scheduled for January 30, 2015, to January 31, 2015. The liquor license request is to include the volleyball court area which will be located on Western Avenue between 3rd and 4th Street on January 31, 2015.

The State of Michigan Liquor Control Commission is asking for local commission approval, for use of the city street, before the license is issued. This is a repeat event, and the Muskegon Police Department find no reason to deny this request.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the request.

D. Approval of Extension for Realtor Procurement Contract for CNS. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To extend the Procurement Contract to December 31, 2015, for Greenridge Realty to be used by the City of Muskegon Community and Neighborhood Services office. By granting the extension, the expiration date will coincide with the other procurement contracts.

FINANCIAL IMPACT: The awards for the realtor will be paid through the sale of homes originally established under HOME.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the extension of the Procurement Contracts to Greenridge Realty for the Community and Neighborhood Services office.

E. Rezoning Request for the Property Located at 916 W. Laketon Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone the property at 916 W. Laketon Ave. from R-1, Single Family Residential to B-4, General Business by Lakeshore Animal Hospital.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval of the request at their December 11, 2014, meeting.

G. Low-Boy Trailer. PUBLIC WORKS

SUMMARY OF REQUEST: The Equipment Division has been looking for a gently used trailer for approximately a year now and we have finally found what we need for a price that we find acceptable. Greg Smith Farms has a trailer for \$21,000 in very nice condition and we are requesting permission to proceed with this purchase.

FINANCIAL IMPACT: \$21,000.

BUDGET ACTION REQUIRED: None, this is the amount budgeted for.

STAFF RECOMMENDATION: Authorize staff to purchase one Low-Boy Trailer from Greg Smith Farms of Belding, MI for \$21,000.

H. Agreement – Digital Spectrum Enterprises. FINANCE

SUMMARY OF REQUEST: Since May, 2005, the City has contracted with Digital Spectrum Enterprises (DSE) for management of the City's government access channel. In exchange for these management rights, DSE broadcasts City Commission meetings at no direct cost to the City. The current agreement with DSE dates from January, 2012 through December, 2014.

Proposed is a three-year agreement renewal with DSE. Terms of the agreement are the same as before.

FINANCIAL IMPACT: This contract entails no direct cost to the City. The City benefits by having City Commission meetings broadcast at no cost.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of a three-year contract with DSE for management of the government access channel.

Motion by Vice Mayor Spataro, second by Commissioner Rinsema-Sybenga to approve the Consent Agenda as read with the exception of items C, F, and I.

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Turnquist, Johnson, Gawron, Hood, and Spataro

Nays: None

MOTION PASSES

2015-05 ITEMS REMOVED FROM THE CONSENT AGENDA:

C. Ground Lease for Nims Neighborhood Playground/Park. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City Commission approved a lease with Nims Neighborhood for the property at the former Nims School, on October 28, 2014.

When Transnation Title started work on the Title Commitment, they found that there are some issues with the formerly vacated east west alley abutting Lot 9 of Block 493. To simplify the issue and move the process along as quickly as possible, Nims Neighborhood and City staff agreed to modify the Lease to include language that any improvements placed in this alley may have to be relocated in the future.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the "Ground Lease" and authorize the Vice-Mayor's and City Clerk's signatures.

Motion by Commissioner Johnson, second by Vice Mayor Spataro to approve the Ground Lease and authorize the Vice-Mayor's and City Clerk's signatures.

ROLL VOTE: Ayes: Spataro, German, Rinsema-Sybenga, Turnquist, Johnson, Gawron, and Hood

Nays: None

MOTION PASSES

F. Request for a Permanent Stage at Hackley Park. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Parties in the Park, Inc. has proposed to donate a permanent stage for Hackley Park that will replace the temporary stage. They will be conducting a fundraising campaign to raise the money.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the stage and the resolution.

COMMITTEE RECOMMENDATION: The Historic District Commission unanimously approved the request for the permanent stage at their January 6, 2015, meeting.

Motion by Commissioner Johnson, second by Vice Mayor Spataro to approve the installation of a permanent stage at Hackley Park.

ROLL VOTE: Ayes: Turnquist, Johnson, Gawron, Hood, Spataro, German and Rinsema-Sybenga

Nays: None

MOTION PASSES

I. Community Relations Committee Recommendations for Various City Boards and Committees. CITY CLERK

SUMMARY OF REQUEST: Accept the recommendations from the Community Relations Committee.

Appoint to the **Board of Review**, Bryon Mazade, Ralph Burr, and Sandra Boone-Thomas; to the **Citizen's Police Review Board**, Carlos Flores, Nicholas Archer, Ann Craig, William Muhammad, and Ellouise Hieftje; to the **Citizen's District Council**, Rosalind Yvonne Ford, Addie Sanders-Randall, Kim Burr, Emma Torresen and Chris Carter; to the **Civil Service Commission**, David Wendtland; to the **Construction Code Board of Appeals**, Matt Tighe, Victoria Luthy and Wade Vandenbosch; to the **Downtown Development Authority**, Martha Bottomley, Jay Wallace and Jessica Cook; to the **Election Commission**, John Bronsema; to the **Historic District Commission**, Jackie Hilt and Linda Wood; to the **Housing Code of Appeals** Kirk Kolberg, and Randy Macki; to the **Housing Commission**, Derrick Smith and Jerry Lottie; to the **Income Tax Board of Review**, Dona Bonnette; to the **Local Development Finance Authority**, Faye Redmond; to the **Local Officer's Compensation Commission**, Paul Edbrook; to the **Planning Commission**, Joe Doyle, Timothy Michalski and Bill Larson; and to **Zoning Board of Appeals**, Raymond Hilt and Bill Larson.

Accept the resignation of Katrina Hansen from the Housing Commission.

Accept the reinstatement of the Equal Opportunity Committee to the CRC Index with language amendments.

To permanently move the Community Relations Committee meeting from the first Monday of each month to the Monday preceding the 1st Commission Meeting following the Commission Worksession.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga to approve the recommendations of the Community Relations Committee.

ROLL VOTE: Ayes: Hood, Spataro, German, Rinsema-Sybenga, Turnquist, Johnson, and Gawron

Nays: None

MOTION PASSES

2015-06 NEW BUSINESS:

A. Section 10-351 Registration of Rental Dwellings Ordinance Amendment.
PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the City Commission review and authorize the proposed amendment to Chapter 10 Buildings, Article VI, Division 2, subdivision III "Rental Property", of the City of

Muskegon Ordinance as it relates to; subsection (F.) ***Dwelling Fire Insurance*** 1. Minimum coverage; use of insurance proceeds 2. Property owners to provide City with insurance information.

This amendment requests that property owner(s) who lease for occupancy have fire insurance in order to restore and/or demolish a structure in the event of a fire. Further that the property owner(s) provide information and/or fire insurance policy to the City during the rental registration process. A violation of this amended section shall result in the suspension of the registration certificate.

FINANCIAL IMPACT: Relieve the City of Muskegon from bearing the expense to demolish uninsured rental properties that are damaged during a working fire.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approving this ordinance amendment as written.

Motion by Vice Mayor Spataro, second by Commissioner German to approve the ordinance amendment as written.

ROLL VOTE: Ayes: Johnson, Gawron, Hood, Spataro, German, Rinsema-Sybenga, and Turnquist

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Back corner of the building on the corner of Wood and Marquette has collapsed.

ADJOURNMENT: The City Commission Meeting adjourned at 6:30 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk

Date: January 27, 2015
To: Honorable Mayor and City Commission
From: Department of Public Works
RE: MetroPCS First Amendment to the Tower Lease Agreement

SUMMARY OF REQUEST:

Approve this current staff negotiated amendment to the contract with MetroPCS and rescind approval of the previous amendment (#2014-86D) on November 10, 2014.

This request is the result of language changes requested by MetroPCS after the Commission approval on November 10, 2014. The new language changes have been reviewed and accepted by City staff and by the City Attorney.

FINANCIAL IMPACT:

Monthly rental will increase from \$1,970.77 per month to \$2,045.77 escalating at the rate of 3% annually for the life of the contract.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve this First Amendment to the 2009 Lease Agreement and to authorize the Mayor and Clerk to sign.

FIRST AMENDMENT TO THE COMMUNICATIONS SITE LEASE AGREEMENT

This FIRST AMENDMENT TO COMMUNICATIONS SITE LEASE AGREEMENT ("Amendment") is effective this ____ day of _____, 2014, and is intended to modify that certain Communications Site Lease Agreement dated January 16, 2009, ("Lease") between City of Muskegon, a Michigan municipal corporation ("Lessor") and MetroPCS Michigan, Inc., a Delaware limited liability company ("Lessee").

WHEREAS, Lessor and Lessee entered into the Lease and both desire to amend it as set forth herein.

NOWHEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Lessor and Lessee agree as follows:

1. The parties acknowledge that Lessee is currently paying Rent in the amount of one thousand nine hundred seventy dollars and seventy-seven cents (\$1,970.77) per month which shall increase to two thousand forty-five dollars and seventy-seven cents (\$2,045.77) upon the commencement of the modification of Lessee's Facilities as permitted under this Amendment in Exhibit B-1 below or April 1, 2015 Whichever comes first. Lessee's annual Rent escalation shall remain at three percent (3%).
2. Upon the full execution hereof, Lessee shall have the right to amend its Lessee's Facilities to add three (3) tower mounted amplifiers measuring 6" x 12".
3. Within sixty (60) days from completion of the modification of Lessee's Facilities as permitted herein, Lessee shall have Dixon Engineering perform a post construction analysis at Lessee's cost to confirm no damage was done to the Water Tower and that Lessee's equipment was installed in accordance with the design by Dixon Engineering.
4. Unless otherwise provided herein, all defined terms shall have the same meaning as ascribed to such terms in the Lease.
5. In the event of any conflict or inconsistency between the terms of this Amendment and the Lease, the terms of this Amendment shall govern and control.
6. Except as otherwise provided for in this Amendment, the Lease shall remain in full force and effect in accordance with the original terms of the Lease.
7. The persons who have executed this Amendment represent and warrant that they are duly authorized to execute this Amendment in their individual shall constitute a single instrument.

IN WITNESS WHEREOF, this Amendment is effective and entered into as of the date first written above.

Lessor:
City of Muskegon,
a Michigan municipal corporation

By: _____

Its: _____

Lessee:
MetroPCS Michigan, Inc.,
a Delaware limited liability company

By: _____

Its: _____

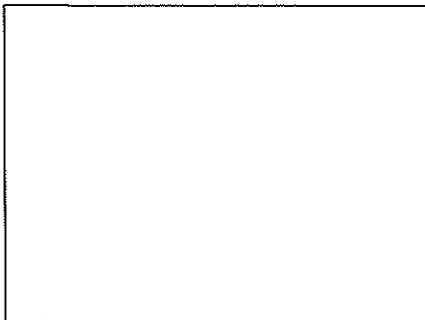
Site Number: MU04514M
Site Name: MUS2815-MU04514M
Market: Michigan

[Notary block for Corporation, Partnership, Limited Liability Company]

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____



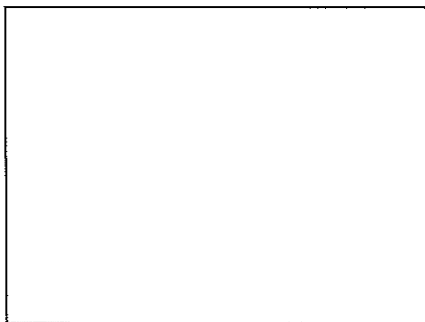
(Use this space for notary stamp/seal)

Notary Public
Print Name _____
My commission expires _____

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____



(Use this space for notary stamp/seal)

Notary Public
Print Name _____
My commission expires _____

Site Number: MU04514M
Site Name: MUS2815-MU04514M
Market: Michigan

Exhibit B-1

Please see attached

Site Number: MU04514M
Site Name: MUS2815-MU04514M
Market: Michigan



700MHz MODERNIZATION

SITE NAME

MUS2815 - MU04514M

SITE NUMBER

MU04514M

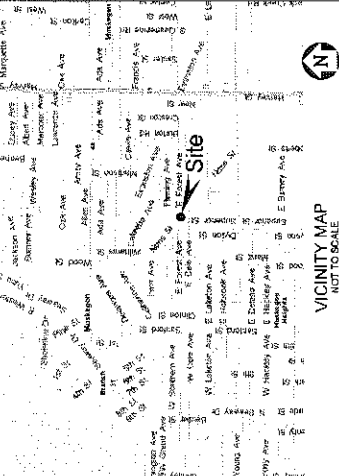
SITE ADDRESS

715 NIMS STREET,

MUSKEGON, MI 49442

DRIVING DIRECTIONS:

FROM I-96 AT EXIT 18, TAKE RAMP RIGHT ONTO US-31 (EAST) IN LUDINGTON AT EXIT 113, KEEP RIGHT ONTO RAMP, TURN WEST ONTO LAKETON AVE, TURN RIGHT ONTO SUPERIOR AVE, TURN EAST ONTO FOREST AVE



VICINITY MAP
NOT TO SCALE

SITE TYPE:
EXISTING WATER TANK WITH EXISTING RELATED UNMANNED
COMMUNICATION EQUIPMENT AT BASE OF TOWER.

TOWER INFORMATION:
(ATTITUDE CORRECTED BASED ON NAVD83)

LONGITUDE: 43.22312

LONGITUDE: -86.2265

T-SQUARE FOOTAGE:

T-MOBILE LEASE AREA: 220 SQ. FT.

LANDOWNER:

CITY OF MUSKEGON

P.O. BOX 538 933 TERRACE STREET

MUSKEGON, MI 49443

APPLICANT
T-MOBILE CENTRAL LLC
28505 SCHOOLCRAFT RD. BLDG#6
LIVONIA, MI 48150
PHONE: (734) 387-7200
FAX: (734) 387-7242

ENGINEER
LANDTECH PROFESSIONAL SURVEYING
AND ENGINEERING

P.O. BOX 193

1275 MCGREGOR WAY

GRAND, MI 49637

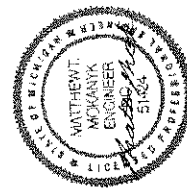
PHONE: (231) 943-0050

OCCUPANT LOAD:

UNOCCUPIED

PARCEL NUMBER (TAX ID):

61-24-128-400-0002-30



T-Mobile
28505 SCHOOLCRAFT RD. BLDG#6
LIVONIA, MICHIGAN 48150
Phone: 734.387.7200
Fax: 734.387.7242
CONTACT: KEN KALOUSEK
(734) 387-7204

NO.	DATE	DESCRIPTION	BY
1	08/21/2014	PRELIMINARY DRAWINGS	AKS
2	09/02/2014	FINAL DRAWINGS	AKS

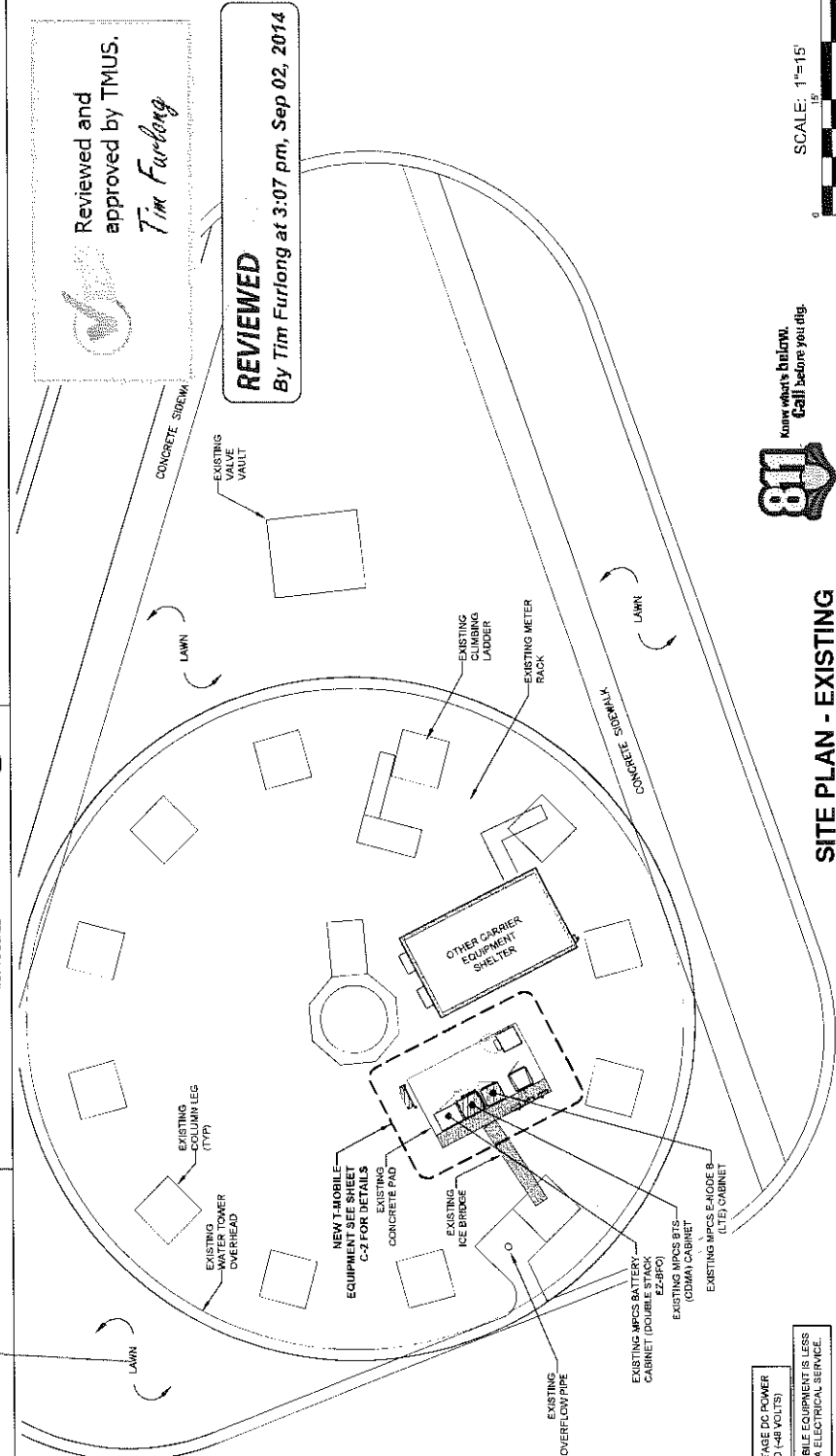
700MHZ

MODERNIZATION
CONSTRUCTION DRAWINGS
NOTE: THESE DRAWINGS ARE TO SCALE
WHEN PLOTTED ON "11x17" SHEETS.
REFER TO GRAPHIC SCALES ON
REPRODUCTIONS.



LANDTECH

Professional Surveying & Engineering
A.L. 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



Reviewed and
approved by TMUS.
Tim Furlong

REVIEWED
By Tim Furlong at 3:07 pm, Sep 02, 2014

LOW VOLTAGE DC POWER
REQUIRED FOR PLOTS

THE T-MOBILE EQUIPMENT IS LESS
THAN 400A ELECTRICAL SERVICE.



NOTE: CM TO VERIFY EQUIPMENT LAYOUT PRIOR TO INSTALLATION.



Know what's below.
Call before you dig.

SITE PLAN - EXISTING

SCALE: 1"=15'



Sheet Number:

C-1

SITE #
MU04514M

SITE NAME:
MUS2815-MU04514M

SITE ADDRESS:
715 NIMS STREET,
MUSKEGON, MI 49442

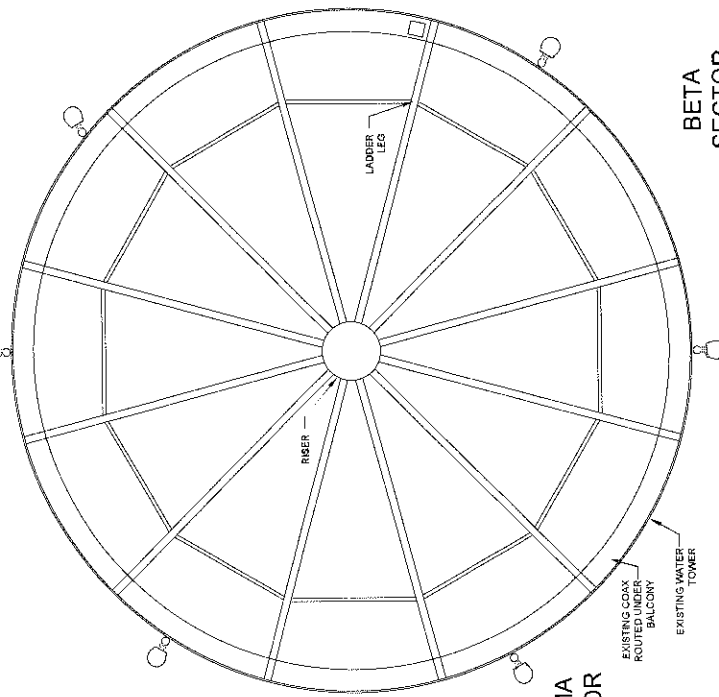
Sheet Title:
SITE PLAN

GENERAL CONTRACTOR TO CHECK WITH
T-MOBILE BEFORE CONSTRUCTION STARTS
TO VERIFY THAT THE RFDS IS CORRECT.

NOTE:
DIXON ENGINEERING
DRAWINGS SUPERSEDE ANY
DETAIL SHOWN HEREON.

ALPHA
SECTOR

(1) DUAL PORT
ANTENNAS TOTAL



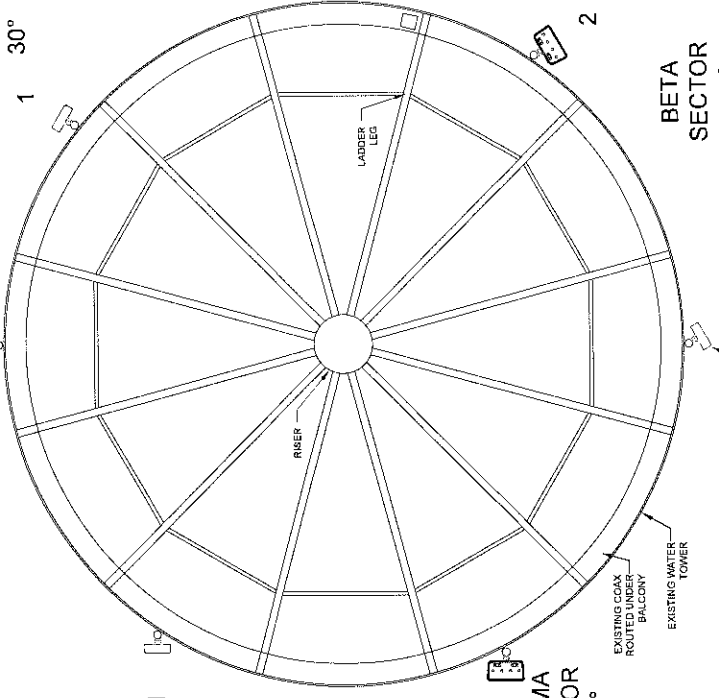
ANTENNA LAYOUT - EXISTING

OTHERS TO CONDUCT STRUCTURAL
ANALYSIS PRIOR TO INSTALLATION.

NOTE:
DIXON ENGINEERING
DRAWINGS SUPERSEDE ANY
DETAIL SHOWN HEREON.

ALPHA
SECTOR

(1) DUAL PORT
ANTENNAS TOTAL



ANTENNA LAYOUT - PROPOSED

T-Mobile
28505 SCHOOLCRAFT RD, BLDG#6
LIVONIA, MICHIGAN 48150
Phone: 734.387.7200
Fax: 734.387.7242
CONTACT: KEN KALOUSEK
(734) 387-7204

REV.	DATE	DESCRIPTION	BY
1	08/01/14	ISSUE FOR PERMITS	AKS
2	08/01/14	ISSUE FOR PERMITS	AKS
3	08/01/14	ISSUE FOR PERMITS	AKS
4	08/01/14	ISSUE FOR PERMITS	AKS
5	08/01/14	ISSUE FOR PERMITS	AKS
6	08/01/14	ISSUE FOR PERMITS	AKS
7	08/01/14	ISSUE FOR PERMITS	AKS
8	08/01/14	ISSUE FOR PERMITS	AKS
9	08/01/14	ISSUE FOR PERMITS	AKS
10	08/01/14	ISSUE FOR PERMITS	AKS
11	08/01/14	ISSUE FOR PERMITS	AKS
12	08/01/14	ISSUE FOR PERMITS	AKS
13	08/01/14	ISSUE FOR PERMITS	AKS
14	08/01/14	ISSUE FOR PERMITS	AKS
15	08/01/14	ISSUE FOR PERMITS	AKS
16	08/01/14	ISSUE FOR PERMITS	AKS
17	08/01/14	ISSUE FOR PERMITS	AKS
18	08/01/14	ISSUE FOR PERMITS	AKS
19	08/01/14	ISSUE FOR PERMITS	AKS
20	08/01/14	ISSUE FOR PERMITS	AKS

700MHZ
MODERNIZATION
CONSTRUCTION DRAWINGS
NOTE: THESE DRAWINGS ARE TO SCALE
WHEN PLOTTED ON 11"x17" SHEETS.
REFER TO GRAPHIC SCALES ON
REPRODUCTIONS.

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Professional Surveying & Engineering
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BY ANY INFORMATION STORAGE
AND RETRIEVAL SYSTEM
WITHOUT PERMISSION IN WRITING
FROM LANDTECH
www.landtechsurveyors.com

SITE # MU04514M
SITE NAME MUS2815-MU04514M
SITE ADDRESS:
715 NIMS STREET,
MUSKEGON, MI 49442

Sheet Title:
ANTENNA PLAN

Sheet Number:
C-3

CITY OF MUSKEGON

CITY COMMISSION MEETING

NOVEMBER 10, 2014

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

2014-85 HONORS AND AWARDS:

- A. Recognition of Fall 2014 Citizen's Academy Graduates. PUBLIC SAFETY

2014-86 CONSENT AGENDA:

- A. Approval of Minutes. CITY CLERK
- B. Moratorium on Fees for 2015 Vacant Buildings. PLANNING & ECONOMIC DEVELOPMENT
- C. Approval of the Housing Development Grant Agreement for Target Market Analysis. COMMUNITY & NEIGHBORHOOD SERVICES
- D. MetroPCS First Amendment to the Tower Lease Agreement. PUBLIC WORKS
- E. New Cingular Wireless Fourth Amended Tower Lease Agreement. PUBLIC WORKS
- F. City Legal Services Contract. CITY MANAGER
- G. Amendment to the City Manager's Employment Agreement. CITY MANAGER

2014-87 NEW BUSINESS:

- A. Transmittal of 6/30/14 Comprehensive Annual Financial Report. FINANCE
- B. Commission Election Dates. CITY CLERK (BRING BACK FOR FURTHER DISCUSSION SOME TIME NEXT YEAR)

2014-88 ANY OTHER BUSINESS:

- A. On-Street Parking. (STAFF TO PREPARE A PLAN AND BRING BACK TO THE NOVEMBER 25TH COMMISSION MEETING)

ADJOURNMENT: 7:32 p.m.

**Commission Meeting
November 10, 2014**

Agenda Item #2014-86D

Date: November 11, 2014
To: Honorable Mayor and City Commission
From: Department of Public Works
RE: MetroPCS First Amendment to the Tower Lease Agreement

SUMMARY OF REQUEST:

Approve the staff negotiated amendment to the contract with MetroPCS for tenant equipment upgrades to Nims Street water tower and authorize the Mayor and Clerk to sign said amendment.

MetroPCS Michigan Inc. a Delaware limited liability company and the Department of Public Works have been in negotiations to amend the 2009 Lease Agreement for the Nims Street water tower.

This First Amendment would allow MetroPCS to change the type of antennas and perform other upgrade to its equipment but will not increase the number of antennas currently installed on the tank.

FINANCIAL IMPACT:

Monthly rental will increase from \$1,970.77 per month to \$2,045.77 escalating at the rate of 3% annually for the life of the contract.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve this First Amendment to the 2009 Lease Agreement and to authorize the Mayor and Clerk to sign.

**APPROVED ON
CONSENT AGENDA**

**FIRST AMENDMENT TO THE
COMMUNICATIONS SITE LEASE AGREEMENT**

This FIRST AMENDMENT TO COMMUNICATIONS SITE LEASE AGREEMENT ("Amendment") is effective this ____ day of _____, 2014, and is intended to modify that certain Communications Site Lease Agreement dated January 16, 2009, ("Lease") between City of Muskegon, a Michigan Municipal Corporation ("Lessor") and MetroPCS Michigan, Inc. a Delaware limited liability company ("Lessee").

WHEREAS, Lessor and Lessee entered into a Lease Agreement (Communications Site License Agreement), dated January 16, 2009, and both desire to amend as follows;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Lessor and Lessee agree as follows:

1. Lessee is currently paying \$1970.77 and shall increase its monthly rent to \$2045.77. Lessee's annual rent escalation shall remain at 3%.
2. Within 60 days from project completion, Lessee shall have Dixon Engineering perform a post construction analysis to confirm no damage was done to the tower and equipment installed in accordance to the design by Dixon Engineering.
3. Unless otherwise provided herein, all defined terms shall have the same meaning as ascribed to such terms in the Lease.
4. In the event of any conflict or inconsistency between the terms of this Amendment and the Lease, the terms of this Amendment shall govern and control.
5. Except as otherwise provided for in this Amendment, the Lease shall remain in full force and effect in accordance with the original terms of the Lease.

IN WITNESS WHEREOF, this Amendment is effective and entered into as of the date first written above.

Lessor:

Lessee:

By: _____

By: _____

Its: _____

Its: _____

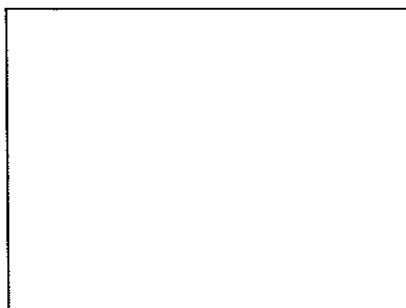
Site Number: MU04514M
Site Name: MUS2815-MU04514M
Market: Michigan

[Notary block for Corporation, Partnership, Limited Liability Company]

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____



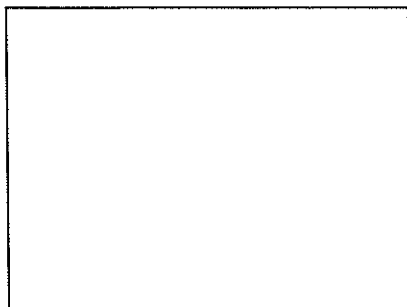
(Use this space for notary stamp/seal)

Notary Public
Print Name _____
My commission expires _____

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____



(Use this space for notary stamp/seal)

Notary Public
Print Name _____
My commission expires _____

Commission Meeting Date: January 27, 2015

Date: January 21, 2015
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Amendment to the Zoning Ordinance

SUMMARY OF REQUEST:

Request to amend the zoning ordinance to allow crematories as a special land use permitted in B-4, General Business districts, by Sytsema Properties, LLC.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION:

The Planning Commission unanimously recommended approval of the request at their January meeting.

Staff Report (EXCERPT)
CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

Hearing, Case 2015-01: Request to amend the zoning ordinance to allow crematories as a special land use permitted in B-4, General Business districts, by Sytsema Properties, LLC.

STAFF OBSERVATIONS

1. Crematories are currently only allowed in I-1, Light Industrial and I-2, General Industrial districts as a use by right.
2. The Sytsema Funeral Home would like to utilize a crematory at their location at 737 E Apple, which is zoned B-4, General Business District.
3. If the ordinance is amended to allow crematories as a special land use in B-4 districts, then all crematory applicants located in B-4 districts would need to apply for a special land use permit and have a public hearing.
4. Staff has researched crematories and found that it has been a somewhat controversial subject in many areas around the county. Cremations are much more common than in the past and the growing demand is causing the need for more crematories. Some cities have allowed them to be located in residential areas and some have denied these types of requests. The main concerns most people have are over the potential for pollutants and odors.
5. There are currently two crematories in the Muskegon area. One at Ever Rest at 1783 E Keating in Muskegon and one at Phoenix Crematory Services at 525 W Hume Ave in Muskegon Heights.
6. All crematories in Michigan are required to get a license from the Michigan Department of Licensing and Regulatory Affairs.

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**:

SECTION 1301: SPECIAL LAND USES PERMITTED

10. Taxi/Limousine Services [amended 5/04]
11. Craft Shops [amended 5/08]
12. **Crematories**
13. Wind Turbine Facilities [amended 10/09].
14. Accessory uses and accessory buildings customarily incidental to the above Special Land Uses Permitted.
15. Uses similar to the above Special Land Uses Permitted.

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Section 1301 of the Zoning Ordinance to allow crematories as a special land use permitted in B-4, General Business districts.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**:

SECTION 1301: SPECIAL LAND USES PERMITTED

10. Taxi/Limousine Services [amended 5/04]
11. Craft Shops [amended 5/08]
12. **Crematories**
13. Wind Turbine Facilities [amended 10/09].
14. Accessory uses and accessory buildings customarily incidental to the above Special Land Uses Permitted.
15. Uses similar to the above Special Land Uses Permitted.

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Cummings, 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 27th day of January, 2015, 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 the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2008, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2015.

Ann Cummings, 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 January 27, 2015, the City Commission of the City of Muskegon adopted an ordinance to amend Section 1301 of the Zoning Ordinance to allow crematories as a special land use permitted in B-4, General Business districts. 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 _____, 2015.

CITY OF MUSKEGON

By _____
Ann Cummings, MMC
City Clerk

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

Account No. 101-80400-5354

Date: January 27th, 2015
To: Honorable Mayor and City Commissioners
From: Director of Public Safety Jeffrey Lewis
RE: Increase Fire Staffing Levels (Fire Fighter)

SUMMARY OF REQUEST:

The Director of Public Safety requests that the City Commission review and authorize the increase of fire staffing from the current level of thirty (30) fire fighters to an authorized strength level of thirty-three (33). This would allow eleven (11) fire fighters per shift which would compliment our career staff and significantly reduce our current over-time cost(s).

The department dissolved the part-time fire fighter program in December 2014, after noting the impact had no real significant impact on the department as many of the part-timers (12) were lost to full time departments after basic field training. The part-time fire fighters were costly to equip & training and did not positively affect the over-time budget as anticipated. Our goal is to replace the eighteen (18) authorized part time staffing levels with nine (9) careers sometime in the future, understanding this must be a cost neutral move with the idea of quality over quantity. The department currently has a hiring list that includes several of the past part-time fire fighters that received field training at the Muskegon Fire Department.

FINANCIAL IMPACT:

This is a cost neutral program, reallocate the “contract service” line item into “salaries & benefit” to compensate for the added staffing. Achieve positive effects on “over-time” line item to offset expenditures now occurring.

BUDGET ACTION REQUIRED:

Reallocate budgeted contract funds – note Union contract adjustments.

STAFF RECOMMENDATION:

Staff recommends approval of the additional staffing positions.

DO NOT USE THIS FORM TO REQUEST A MANPOWER TEMPORARY EMPLOYEE

PERSONNEL REQUISITION

MUSKEGON BOARD OF CIVIL SERVICE COMMISSIONERS

DATE January 14, 2015 DEPARTMENT Public Safety

CLASSIFICATION Firefighter - 3 positions available ADVERTISE LOCALLY? ☒ Yes ☐ No

SCI POSITION NUMBER(S)

VACANCY IS ☒ FULL-TIME
☐ PART-TIME
☐ SEASONAL
☐ INTERN
☐ TEMPORARY (60-day appointment, non-renewable in one fiscal year)
☐ EMERGENCY (30-day appointment)

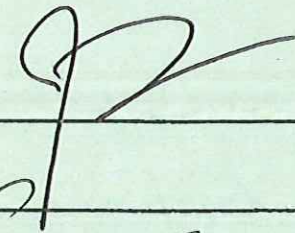
NECESSARY SKILLS see attached job description

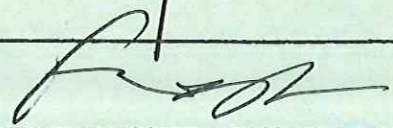
VACANCY RESULTS FROM (CHECK ONE):

☐ TERMINATION OF SERVICES OF increasing staff
☒ OTHER, PLEASE DESCRIBE

PAY RANGE FOR CLASSIFICATION \$31,599 - \$56,332

IMMEDIATE SUPERVISOR Battalion Chiefs

APPROVALS:
DEPARTMENT HEAD  DATE 1/16/15

DIVISION HEAD  DATE

CITY MANAGER  DATE 1/16/15

CIVIL SERVICE PERSONNEL DIRECTOR DATE
(Adopted 2/2000)

City of Muskegon

JOB DESCRIPTION

TITLE: FIREFIGHTER

General Summary:

Under the supervision of a higher classified officer, responds to emergency fire and rescue service requests as part of a firefighting company. Carries out a variety of tasks relating to setting up firefighting apparatus, controlling fires and life saving, using defined procedures and practices. In addition, performs routine maintenance and cleaning of fire equipment and physical facilities of the fire station.

Typical Duties:

1. Receives notification of fires, accidents and medical emergencies and promptly serves as driver or crew member on rescue or fire apparatus, traveling to requested service area.
2. Receives general procedural assignments and carries out supportive tasks such as laying and connecting hose lines, setting water pressure, readying manual equipment, opening hydrants and positioning equipment.
3. With emphasis on life saving, enters burning buildings to rescue trapped or confused individuals. May provide first aid as circumstances dictate.
4. Participates in extinguishing and/or controlling fires by directing water or chemical solution to appropriate areas.
5. Ventilates building areas using axes and other cutting devices. Also uses shovels, wrenches and other manual tools.
6. Participates in post-fire cleanup, shutting down hydrants, returning equipment to apparatus and securing equipment.
7. Cleans equipment and apparatus, washing vehicles, testing and oiling equipment, and cleaning and drying hoses. Performs various building and grounds maintenance activities.
8. Serves as a dispatcher, receiving incoming departmental and emergency calls, dispatching equipment and personnel and notifying other agencies such as utility companies as required by the situation.
9. As assigned, performs assorted housekeeping chores at the fire station.
10. Participates in a variety of fire prevention and fire safety activities, conducting public demonstrations, presentations and talks to schools and other interested groups.
11. Attends in-house and outside formal training sessions, involving the

- methods, techniques and procedures used in firefighting and emergency medical assistance.
12. Checks fire hydrants for working condition and to assure that water will not freeze.
 13. Makes fire inspections of public buildings, factories and commercial establishments.
 14. Responds to calls for emergency medical assistance. Maintains radio contact with medical facilities to receive guidance and direction, operates emergency medical equipment and provides immediate treatment to alleviate symptoms or suffering. Checks vital signs and stabilizes emergency patients prior to reaching professional medical care.
 15. Performs various clerical duties, maintaining records and preparing a variety of related reports, correspondence and memos regarding emergency and non-emergency departmental activities.
 16. Takes blood pressure readings of department employees and members of the public, and participates in physical conditioning exercises in order to maintain satisfactory health and physical condition required for the work.
 17. May perform the work of a higher level employee as dictated by absence or emergencies.

The above statements are intended to describe the general nature and level of work being performed by people assigned this classification. They are not to be construed as an exhaustive list of all job duties performed by personnel so classified.

Employment Qualifications:

Education: Possession of a high school diploma or its equivalent.

Experience: This is an entry level position; no specific prior experience is required. Twelve months break-in period.

Necessary Special Requirements: Successful completion of the 240 hours basic firefighter and emergency medical training, and possession of a valid Michigan motor vehicle operator's license are required.

The qualifications listed above are guidelines. Other combinations of education and experience which could provide the necessary knowledges, skills and abilities to perform the job should be considered.

Adopted: 12/06/82

COMMISSION MEETING DATE: 01/27/2015

TO: Honorable Mayor and Commissioners
FROM: Jeffrey Lewis, Director of Public Safety
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN145739

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **1073 WILLIAMS ST** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days or infraction tickets may be issued. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN145739 -1073 WILLIAMS ST

Location and ownership: This structure is located on Williams Ave. between Ada and E. Isabella Avenues and is owned by TANISHA SNOWDEN.

Staff Correspondence: A dangerous building inspection was conducted on 8/18/2014. The Notice and Order to Repair was issued on 9/12/2014. On 11/6/2014 the HBA declared the structure substandard and dangerous.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$ 19,200

Estimated cost to repair: \$ 37,500

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

Additional Information (History):

Owner Contact: Letters get returned unclaimed & in some cases; with a forwarding order. Ms. Snowden has called and seen the postings on the home when she has been in Muskegon during the dangerous building process. She had also provided staff with her email address to send correspondence to. She has acknowledged receipt of items sent to her email.

Staff emailed her a copy of the notice for the City Commission meeting at her email address she provided. A letter was also sent to her certified and posted on the home.

Permits obtained: None.





If you disagree with the decision of the City Commission, you have the right to file a petition for superintending control in the Circuit Court for the County of Muskegon within 21 days after the City Commission concurs.

SAFEbuilt was unable to perform the interior inspection due to the owner cancelling it on more than one occasion. The last cancellation came on 10/27/14.

CITY OF MUSKEGON
CODE COMPLIANCE DEPARTMENT
933 TERRACE ST STE 202
MUSKEGON, MI 49440
(231) 724-6702 (Office)
(231) 724-6790 (Fax)

DANGEROUS BUILDING REPORT

1073 WILLIAMS ST

Inspection noted (Exterior):

1. Roof has shingles that are deteriorated and need replacing.
2. Roof flashing is missing or incorrectly installed.
3. Handrail is missing or unsecure.
4. Entire exterior has peeling paint and is not protected from the weather by properly applied water-resistant paint or water proof finish. This must be properly scraped prior to fixing.
5. Windows are not weather-tight or in good repair.
6. Foundation wall have peeling paint. This must be properly scraped & painted with weather proof/water –resistant paint or water proof finish.
7. Foundation has missing mortar or open cracks.
8. There is a large hole next to the house that is a possible sewer – must be capped.
9. Exterior light fixtures are broken/loose/or missing.
10. Stairway (exterior) to upstairs is unsafe and needs to be re-built. Please be advised that a building permit must be obtained from SAFEbuilt in order to perform work of this nature and an inspection by the necessary inspector must take place as needed.
11. Eaves are damaged throughout or missing.
12. Wood siding is missing or falling off.
13. There are bushes or trees growing into the siding that needs to be removed.

BASED UPON A RECENT INSPECTION OF THE ABOVE PROPERTY, IT HAS BEEN DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS AND/OR SUBSTANDARD BUILDING AS SET FORTH IN SECTION 10-61 OF THE MUSKEGON CITY CODE.

COMMISSION MEETING DATE: 1/27/2015

TO: Honorable Mayor and Commissioners

FROM: Jeffrey Lewis, Director of Public Safety

RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN145296

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **324 W LARCH AVE** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days or infraction tickets may be issued. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN145296 - 324 W LARCH AVE

Location and ownership: This structure is located on W. Larch Ave. between 6th and 7th Streets and is owned by DUNCAN JAMES.

Staff Correspondence: A dangerous building inspection was conducted on 8/8/2014. The Notice and Order to Repair was issued on 8/18/2014. On 10/2/2014 the HBA tabled the case so the owner could work with SAFEbuilt for a complete inspection and to work out a timeline for the next meeting. On 11/6/2014 the HBA declared the structure substandard and dangerous.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$ 19,600

Estimated cost to repair: \$ 38,000

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

Additional Information (History):

Owner Contact (all letters are mailed certified and a copy of the letter at each level of the process is also posted on the structure):

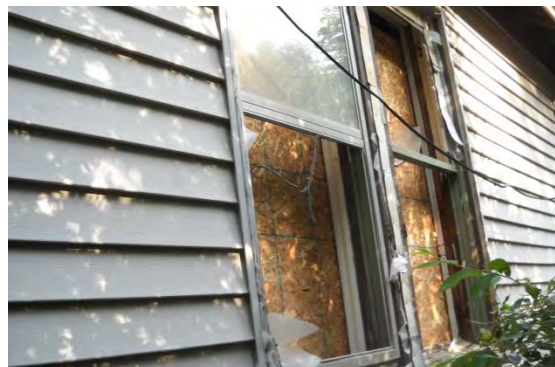
- 1) James Duncan: The only letter signed was for the Notice & Order. The other letters came back unclaimed. Mrs. Duncan did call in regards to the first HBA meeting to see if her husband had to be there or if it could be rescheduled. Staff informed her if he was unavailable; someone else could come and help represent him and his intent of the home. Mrs. Duncan was present for the meeting.
- 2) Brian Boltze (land contract seller): The first 2 letters were returned unclaimed. The rest have been signed by Brian Boltze.

Mrs. Duncan has called and had the post office fax a note stating that they are having problems receiving their mail as Mrs. Duncan has been in the post office on more than one occasion to complain about this.

The HBA did table the case (10/2/2014) the first time so Mrs. Duncan could have an inspection and timeline created with SAFEbuilt to be presented at the next meeting (11/6/2014). The inspection was cancelled and a new one scheduled. The next inspection with SAFEbuilt had also been cancelled.

Permits obtained: PB140914 issued 9/30/2014 – expires 3/29/2015. This permit is to replace 5 windows and 2 exterior windows. No inspections have been completed in regards to this permit as of 1/19/15.

SAFEbuilt had not been in to perform a complete inspection.





If you disagree with the decision of the City Commission, you have the right to file a petition for superintending control in the Circuit Court for the County of Muskegon within 21 days after the City Commission concurs.

CITY OF MUSKEGON
CODE COMPLIANCE DEPARTMENT
933 TERRACE ST STE 202
MUSKEGON, MI 49440
(231) 724-6702 (Office) (231) 724-6790 (Fax)

DANGEROUS BUILDING REPORT

324 W LARCH AVE

Inspection noted: 8/8/14

Exterior:

- 1) There is a broken tree limb on the roof that needs to be removed-may have punctured roof.
- 2) Roof flashing is missing or incorrectly installed.
- 3) Aluminum flashing is loose or missing.
- 4) Has eave boards that are rotted or missing.
- 5) Porch: Steps are deteriorated or missing-when installing new, steps must have 36" landing at the top if entering door.
- 6) Door is broken or missing.
- 7) Door has a hole in it.
- 8) Door hardware is loose.
- 9) Concrete steps are deteriorated.
- 10) Rubbish, garbage, appliances or household furniture stored on open porch.
- 11) Foundation walls have missing mortar or open cracks.
- 12) Eaves: Has aluminum fascia that is loose, falling off or missing.
- 13) Foundation walls have peeling paint. Paint must be properly scraped prior to painting.
- 14) Window(s) has/have broken or cracked glass.

SAFEbuilt will need to perform an interior inspection to determine the extent of the interior.

BASED UPON A RECENT INSPECTION OF THE ABOVE PROPERTY, IT HAS BEEN DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS AND/OR SUBSTANDARD BUILDING AS SET FORTH IN SECTION 10-61 OF THE MUSKEGON CITY CODE.

COMMISSION MEETING DATE: 1/27/2015

TO: Honorable Mayor and Commissioners

FROM: Jeffrey Lewis, Director of Public Safety

RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN146340

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **448 E ISABELLA AVE** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days or infraction tickets may be issued. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN146340 - 448 E ISABELLA AVE

Location and ownership: This structure is located on E. Isabella Ave. between Wood and Williams Streets and is owned by BARNHARD ELIZABETH.

Staff Correspondence: A dangerous building inspection was conducted on 8/27/2014. The Notice and Order to Repair was issued on 9/12/2014. On 11/6/2014 the HBA declared the structure substandard and dangerous.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$ 13,600

Estimated cost to repair: \$ 100,000+ (had a fire)

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

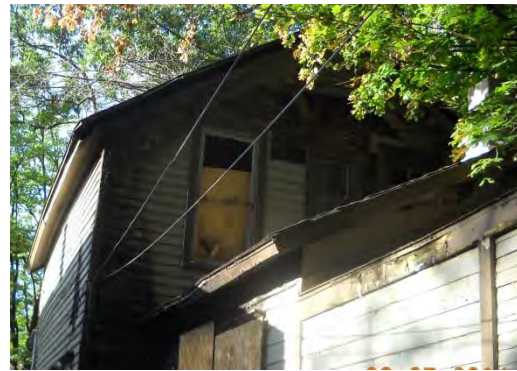
Additional Information (History):

Owner Contact: Certified Mailings (house is also posted with each step):

- 1) Elizabeth Barnhard: Letters were returned unsigned. The Post Office either had stickers on them stating that there was no forwarding order, unclaimed, or not deliverable as addressed (the mailing address hadn't been changed on any of these).
- 2) Joyce Singleton (land contract seller): Letters were returned unsigned with a note stating "unclaimed" for 3 occasions of delivery. There was 1 letter that was signed for the HBA scheduled meeting.
- 3) County Treasurer (this property will be foreclosed on for past due taxes as of April 1, 2015): All certified mailing cards have been returned and signed.

No contact has been made by the property owners.

Permits obtained: None



If you disagree with the decision of the City Commission, you have the right to file a petition for superintending control in the Circuit Court for the County of Muskegon within 21 days after the City Commission concurs.

SAFEbuilt had never been called in to do an interior/fire inspection of this structure.

CITY OF MUSKEGON
CODE COMPLIANCE DEPARTMENT
933 TERRACE ST STE 202
MUSKEGON, MI 49440
(231) 724-6702 (Office)
(231) 724-6790 (Fax)

DANGEROUS BUILDING REPORT

448 E ISABELLA AVE

Inspection noted (exterior only):

- 1) Has eave boards that are rotted or missing.
- 2) Siding has holes in it or is rotted or missing.
- 3) Siding has peeling paint--and is not protected from weather by a properly applied water resistant paint or finish. This must be properly scraped before painting.
- 4) Has trim that has holes in it or is rotted or missing.
- 5) Has peeling paint that needs to be scraped and needs to be protected from weather by properly applied water-resistant paint or waterproof finish.
- 6) Ceiling is deteriorated or missing.
- 7) Rubbish, garbage, appliances or household furniture stored on open porch.
- 8) Trim is rotted.
- 9) Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from weather by properly applied water-resistant paint or waterproof finish.
- 10) Window frame is rotted.
- 11) Window(s) has/have broken or cracked glass.
- 12) Severe fire damage from 7/24/2014 fire.

BASED UPON A RECENT INSPECTION OF THE ABOVE PROPERTY, IT HAS BEEN DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS AND/OR SUBSTANDARD BUILDING AS SET FORTH IN SECTION 10-61 OF THE MUSKEGON CITY CODE.

COMMISSION MEETING DATE: 1/27/2015

TO: Honorable Mayor and Commissioners

FROM: Jeffrey Lewis, Director of Public Safety

RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN090113

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **619 AMITY AVE** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days or infraction tickets may be issued. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN090113 - 619 AMITY AVE

Location and ownership: This structure is located on Amity Ave. between Scott and Kenneth Streets and is owned by SAAHI FARHAD.

Staff Correspondence: A dangerous building inspection was conducted (originally in 2009) and then on 1/15/2014 (for the current owner). A Notice and Order to Repair was not issued as the current owner was aware of what was needed and the work stopped with no contact from the owner. On 11/6/2014 the HBA declared the structure substandard and dangerous.

Financial Impact: General Funds

Budget action required: None

State Equalized value: \$ 19,100

Estimated cost to repair: \$ 23,000

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

Additional Information (History): This had started out as a dangerous building 5/4/2009 with a prior owner. There had been some issues and questions in regards to who had owned the structure, etc.

4/1/2013 = County Treasurer foreclosed for delinquent property taxes.

8/19/2013 = Laketon LLC purchased from the County Treasurer.

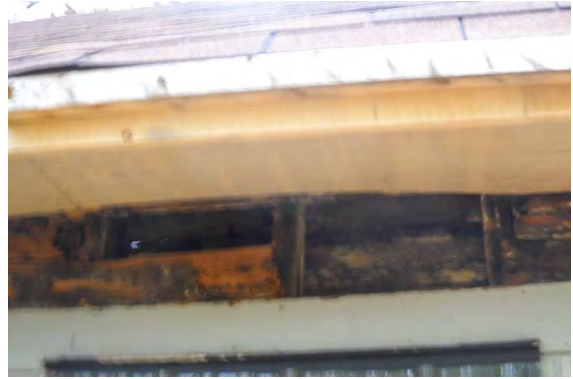
1/10/2014 = Farhad Saahi purchased from Laketon LLC.

Owner Contact: All letters are mailed certified mail for each step of the process. The letters for the current owner have been returned unsigned, stating they are unclaimed.

Permits obtained: These are permits that were obtained during the ownership of the current owner.

- 1) PB140033 – Issued 2/14/2014 – Last Inspected 4/9/2014 – Expired 8/13/2014 = Description: Home to be renovated per DB list – roof, electrical, plumbing; remodel 2 bedrooms & 2 bathrooms. This work was to be completed by the 6/15/14 deadline. Windows were not installed to code.
- 2) PE140089 – Issued 2/14/2014 – No Inspections were scheduled – Expired 8/13/2014 = Description: Repairs per DB list – Rewire Entire House.
- 3) PM140065 – Issued 2/14/2014 – No Inspections were scheduled – Expired 8/13/2014 = Repairs per DB List (mechanical).
- 4) PP140023 – Issued 2/14/2014 – No Inspection were scheduled – Expired 8/13/2014 = Description: Repairs per DB List (plumbing).





If you disagree with the decision of the City Commission, you have the right to file a petition for superintending control in the Circuit Court for the County of Muskegon within 21 days after the City Commission concurs.

CITY OF MUSKEGON/SAFEbuilt
933 Terrace St. Ste 204, P.O. Box 536, Muskegon, MI 49443

DANGEROUS BUILDING INSPECTION REPORT
01/15/2014

Owner Farhad Saahi
6479 Avalon Dr.
Caledonia, MI 49316

Property Address 619 AMITY AVE **Parcel #** 24-205-052-0004-00

Inspector: JACK BYERS

DEFICIENCIES:

Items 1-3 were listed to be completed by 3/30/2014.

- 1) CODE COMPLIANT GUARDRAIL NEEDS TO BE INSTALLED AT TOP OF STAIRS ON 2ND FLOOR ALONG WITH HANDRAIL.
- 2) UPSTAIRS BATHROOM NEEDS TO BE COMPLETELY REDONE.
- 3) BALLOON FRAME CONSTRUCTION NEEDS TO BE FIRE BLOCKED PROPERLY AT WALL/CEILING INTERSECTIONS. ALSO, SISTER STUDS FROM SILL PLATE TO TOP PLATE ALONG STUDS WHICH ARE PIECED TOGETHER TO GET REQUIRED HEIGHT.

Items 4-9 were listed to be completed by 4/19/2014.

- 4) INSULATE TO CODE AND FINISH WALLS.
- 5) NEEDS TO REMOVE ROOFING DOWN TO ROOF BOARDS, REPLACE BOARDS AS NECESSARY AND REROOF TO CODE.
- 6) REMOVE REAR CHIMNEY. CAN BE REPLACED WITH NEW IF WANTED
- 7) ELECTRIC SERVICE REPLACED TO CODE
- 8) TO BE REWIRED TO CODE
- 9) SMOKE ALARMS INSTALLED TO CODE

Items 10-17 were listed to be completed by 5/10/2014.

- 10) INSPECT AND CERTIFY CHIMNEYS
- 11) RESTORE ALL PLUMBING
- 12) CLEAN AND RESTORE DUCTWORK
- 13) PRESSURE TEST GAS LINE
- 14) INSPECT AND CERTIFY BUILDING SEWER AND WATER SERVICE
- 15) RESTORE BATH VENT FANS
- 16) ALL WORK TO CONFORM WITH 2012 MPC & MMC
- 17) PROVIDE ALL PLUMBING WATER DISTRIBUTION, DRAIN AND VENT

There was a note that the entire project will be done by June 15, 2014. The final inspections can be scheduled for no later than June 15, 2014. Signed by Farhad Saahi on 1/29/2014.

JACK BYERS, Building Inspector

Date

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MUSKEGON, MI 49440
(231) 724-6702 (Office)
(231) 724-6790 (Fax)

DANGEROUS BUILDING REPORT

619 AMITY AVE

2009 Inspection-This will need an updated inspection. If there is a reference to a building code no longer in use; then the current building code requirements will take their place.

Inspection noted:

Exterior (5/4/2009):

1. Roof covering is failing. Replace roofing on home & garage.
2. Home has been boarded up over 6 months
3. Repair - replace all damaged windows and doors on home an garage.
4. Replace - repair damaged siding.
5. Replace garage car entry doors.
6. Remove debris from yard.
7. Provide interior inspection by trade inspectors.

Interior (5/15/2009):

1. Rewire house to code.
 2. Install smoke alarms to code.
 3. Replace electric service to code.
 4. Rewire garage to code.
- Service is wrong currently 100 amp panel on 60 amp service.
5. Inspect & certify furnace chimney & water heater.
 6. Pressure test gas line.
 7. Inspect & certify water service & building sewer.
 8. Clean duct work.
 9. Inspect & repair or replace house plumbing.
 10. Need scald free faucet for tub shower.
 11. Establish house plumbing fixtures.
 12. Repair ductwork -insure all piping is supported.

All work to conform with the current MI Plumbing & Mechanical codes.

13. Repair all ceilings, walls & floors.
14. Replace or repair all broken doors and windows.
15. Provide new floor covering in areas being remodeled - bathroom.
16. All work must meet MRC 2009 residential code.

BASED UPON A RECENT INSPECTION OF THE ABOVE PROPERTY, IT HAS BEEN DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS AND/OR SUBSTANDARD BUILDING AS SET FORTH IN SECTION 10-61 OF THE MUSKEGON CITY CODE.