

CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 23, 2018 @ 5:30 P.M.

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440**

AGENDA

- ☐ **CALL TO ORDER:**
- ☐ **PRAYER:**
- ☐ **PLEDGE OF ALLEGIANCE:**
- ☐ **ROLL CALL:**
- ☐ **HONORS AND AWARDS:**
- ☐ **INTRODUCTIONS/PRESENTATION:**
 - A. Renae Hesselink – Power of Produce Update**
- ☐ **CITY MANAGER'S REPORT:**
- ☐ **CONSENT AGENDA:**
 - A. Approval of Minutes** City Clerk
 - B. Curry Kitchen Easement** City Manager
 - C. Special Event Liquor License – Farmers Market** City Clerk
- ☐ **PUBLIC HEARINGS:**
- ☐ **COMMUNICATIONS:**
- ☐ **UNFINISHED BUSINESS:**
- ☐ **NEW BUSINESS:**
 - A. Concurrence with the Housing Board of Appeals Notice and Order to Demolish** Public Safety
 - 330 Catawba Avenue (Garage Only)**
 - 910 Turner Avenue**
 - 1838 Jiroch Street**
 - 1934 Hudson Street**

2247 Valley Street

13 Residential structures recently transferred from the Muskegon County Land Bank or Muskegon County Treasurer as tax foreclosed properties to the City of Muskegon.

B. Request to amend the Planned Unit Development (PUD) at 1740 E. Sherman Boulevard Planning & Economic Development

C. Authorization to Engage Fletcher & Sippel City Manager

D. Authorization to Engage Progressive AE City Manager

☐ **ANY OTHER BUSINESS:**

A. Fire Department Staffing Update City Manager

☐ **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 MEISCH, 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.

Memorandum

To: Mayor and Commissioners

From: Frank Peterson

Re: City Commission Meeting

Date: January 17, 2018

Here is a quick outline of the items on our agenda(s):

1. Under Presentations, we will hear from Renae Hesselink about the success of the Power of Produce program at the Muskegon Farmers Market.
2. Under the Consent Agenda, we are asking the Commission to consider the following:
 - a. Approval of meeting minutes from the most-recent City Commission meeting.
 - b. Approval of a temporary easement with Curry Kitchen to accommodate their liquor license needs at their new location. The goal of this easement is to allow restaurants to temporarily operate in both the current location and the former location under one liquor license. We expect the owners to pursue a new liquor license in the near future, as the costs of the renewal periods of the easement will be more expensive than simply buying the second license. The easement will, however, allow the owner to get both restaurants open and operating while he formulates a long-term plan for operating the two restaurants separately.
 - c. Approval of a special event liquor license for the Dining in the Dark event at the Muskegon Farmers Market.
3. Under New Business, we are asking the Commission to consider the following:
 - a. Concurrence with the housing board of appeals on the demolition of five houses. All five houses are related to our current blight grant. All are vacant and owned by the City of Muskegon.
 - b. Approval of a PUD amendment to accommodate new retail ventures at 1740 East Sherman Boulevard. This was already approved by the Planning Commission.
 - c. We are seeking approval to obtain legal representation in order to secure the abandonment of the section of the railroad line that runs through the former Sappi property. We are not currently seeking the abandonment of the entire line at this time because we feel that the stronger argument for “no further use” can be made for this site, while there could be potential for further use in other sections of the track that are currently zoned for industrial uses.

- d. Authorization to enter into an agreement with Progressive AE for architectural and design work associated with the proposed Downtown Convention Center. Progressive AE has been the consultant throughout the entire process – including leading the initial design charrettes in 2016. They have significant experience in designing convention centers (Blue Water Convention Center in Port Huron and Devos Center in Grand Rapids), and have a keen understanding of our construction goals, event needs, and cost constraints. Staff is recommending that the Commission authorize the City Manager to enter into the design agreement with Progressive AE, with the costs for the architectural work being reimbursed by the County of Muskegon's Accommodations Taxes. The plan is unchanged from 2017 when the Commission authorized a letter of intent with Muskegon County.

Let me know if you have any questions/comments/concerns



The Muskegon
Farmers Market
Muskegon, Michigan

2017

Mission of Power of Produce Club

The Power of Produce Club, a program of the Muskegon Farmers Market, was created to empower kids to make healthy food choices, introducing them to where their food comes from and to create future shoppers of the farmers market. This program started in 2011 in a market in Oregon and is now being implemented in Markets across the US and Canada.

The program serves kids between the ages of 3-13 years. When they registered they received a reusable market bag. Each week when they checked in they receive two \$1 tokens to purchase fruit and vegetables at the market. Attendance was kept on their Passport to Health. The Farmers are reimbursed for the tokens spent on fruits and vegetables.

Each week we offered one or more activities that supported the program such as healthy eating and cooking, healthy life styles, safety, environmental education, crafts and community issues.

2017: Year Four

We started registered kids on June 4th this year. The program ran the program through September, for a total of 18 weeks.

Within three weeks we had 500 kids registered for the program. We closed registration after week three and reopened later on in the season.

Thank you Arconic for being a great supporter



Summary of 2017

Here is a snapshot of what was accomplished in 2017:

- Enrolled 666 kids ages 3-13
- 265 of the kids checked-in at least four weeks or more
- 96 kids attended more than 10 weeks
- Forty five kids attended 13 or more weeks out of 18 weeks total
- \$ 6,301 reimbursed to farmers who collected tokens
- 75 - 100 kids participated in the activities each week

Thank You to our Sponsors

Arconic, The Women's Division of the Chamber of Commerce, The Fruitport Lions and The Shoreline Branch of the Fruitport Lions, Fund and the Community Foundation for Muskegon County who all provided financial support.

We held some drop-in cooking lessons this year with Chef Char Morse. We also sponsored a World Cooking Class for North Muskegon High School students. In July we held a Seed to Table Summer camp and had 19 kids and offered scholarships to six kids to attend.

MSU Extension provided an intern for the summer that facilitated activities June through July each Saturday. Thank you!



Participation by School District (this list is not all inclusive)

- Muskegon Public - 17
- Oakridge - 36
- Fruitport - 33
- Mona Shores - 117
- Reeths Puffer - 82
- Orchard View - 21
- North Muskegon - 36
- Whitehall - 13
- West Michigan Christian Schools - 26
- Home School - 50

2018 Power of Produce

We will kick off on June 2, 2018 and run through September 30, 2018

Please help us spread the word

Donations can be made to our Power of Produce Fund at the Community Foundation for Muskegon County

<https://cffmc.org/give/give-now/>

Thank You Volunteers!

Special thanks to the individuals and organizations that gave their time, talent and goods in 2017 – we could not have done it without them:

- **The many members of the Women's Division of the Chamber of Commerce who gave more than 144 hours**
- Michigan State University Extension
- Habian Farms
- Rootdown Yoga
- Fruitport High School Honor Society
- Muskegon Museum of Art
- Lakeshore Museum Center
- Various Farms from the Market who donated ingredients for classes



In June of 2016 we launched the Power of Produce for Senior Citizens on Tuesdays at the Market. With the help of a grant from the Michigan Health Endowment Fund in collaboration with Healthy Muskegon a program of the Community Foundation for Muskegon County which provided the majority of the funding. The Fruitport Lions and the Shoreline Branch of the Lions managed the program and provided funding as well. This was open to seniors 62+ and the results were unbelievable. In 2016 we enrolled 956 seniors and reimbursed farmers for \$11,336. For 2017 we enrolled nearly 600 more seniors in addition to last year's numbers and reimbursed farmers for \$13,152 tokens collected. The program ran from early August through mid-September. Total times seniors checked in over that 7 weeks was 3022, an average of 431 people/week.

Date: January 17, 2018
To: Honorable Mayor and City Commissioners
From: Ann Marie Meisch, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the January 3, 2018 Organizational Meeting, January 8, 2018 Worksession Meeting and the January 9, 2018 Regular Meeting minutes.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

ORGANIZATIONAL MEETING

JANUARY 3, 2018

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The City of Muskegon Organizational Meeting was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Wednesday, January 3, 2018.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Gawron, Commissioners Eric Hood, Willie German, Jr., Dan Rinsema-Sybenga, Byron Turnquist, Ken Johnson, and Debra Warren, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Meisch.

2018-01

- A. Oath of Office Ceremony** Muskegon County Probate Court Judge, The Honorable Brenda E. Sprader, issued the oath of office to Commissioner Mayor Stephen J. Gawron, Commissioner Kenneth Johnson, and Commissioner Daniel Rinsema-Sybenga.

B. Election of Vice-Mayor

Motion by Commissioner Johnson, second by Commissioner Rinsema-Sybenga to appoint Eric Hood as Vice Mayor.

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

MOTION PASSES

- C. Setting Commission Meetings:** 5:30 p.m. – 2nd and 4th Tuesdays each month.

Motion by Commissioner Turnquist, second by Vice Mayor Hood to set the City Commission Meetings for 5:30 p.m. the 2nd and 4th Tuesdays of each month.

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

MOTION PASSES

- D. Setting Worksession Meetings:** 5:30 p.m. – Mondays preceding the 2nd Tuesday each month.

Motion by Commissioner German, second by Commissioner Johnson to set the Worksession Meetings for 5:30 p.m. the Mondays preceding the 2nd Tuesday of each month.

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

MOTION PASSES

- E. Appointment of City Manager:** Franklin J. Peterson.

Motion by Commissioner Johnson, second by Commissioner German to appoint Franklin J. Peterson as City Manager.

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

MOTION PASSES

- F. Appointment of City Clerk:** Ann Marie Meisch.

Motion by Commissioner Turnquist, second by Commissioner Johnson to appoint Ann Marie Meisch as City Clerk.

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

MOTION PASSES

- G. Appointment of City Treasurer:** Sarah Petersen.

Motion by Commissioner Warren, second by Commissioner Johnson to appoint Sarah Petersen as City Treasurer.

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

MOTION PASSES

- H. Appointment of City Auditor:** Elizabeth Lewis.

Motion by Vice Mayor Hood, second by Commissioner German to appoint Elizabeth Lewis as City Auditor.

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

MOTION PASSES

- I. Appointment of City Assessor and Deputy Assessor:**

County Equalization Director Donna VanderVries
Deputy Director Dan VanderKooi

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson to appoint Donna VanderVries and Dan VanderKooi as City Assessor and Deputy Assessor.

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

MOTION PASSES

J. Designation of City Fund Depositories:

Fifth Third Bank (Main Depository)
Huntington Bank
Comerica Bank
PNC Bank

Motion by Vice Mayor Hood, second by Commissioner Rinsema-Sybenga to designate the City Fund Depositories: Fifth Third Bank (Main Depository), Huntington Bank, Comerica Bank, and PNC Bank.

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

MOTION PASSES

K. Designation of Firm to Act as Legal Counsel: Parmenter-O'Toole.

Motion by Commissioner Johnson, second by Commissioner Rinsema-Sybenga to designate Parmenter-O'Toole to act as legal counsel.

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

MOTION PASSES

Meeting Adjourned at 5:56 p.m.

Respectfully submitted,

Ann Marie Meisch, MMC
City Clerk

CITY OF MUSKEGON
CITY COMMISSION WORKSESSION

Monday, January 8, 2018
5:30 p.m.
City Commission Chambers

MINUTES

2018-02

Present: Gawron, Hood, German, Rinsema-Sybenga, Johnson, Warren (arrived at 5:36 p.m.), and Turnquist
Absent: None

Any Other Business

Commissioner Johnson raised concerns regarding winter parking and the use of discretion in issuing citations for violations, considering the amount of snow that we have had.

Commissioner Johnson suggested conducting exit interviews with employees that were leaving the employ of the city and was advised that exit interviews are currently being offered and are conducted by the Human Resources Department for those that participate.

Commissioner Johnson shared his thoughts on the staffing levels for the fire department and a discussion took place regarding the same.

Adjournment The Worksession meeting adjourned at 6:11 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC – City Clerk

CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 9, 2018 @ 5:30 P.M.

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440**

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 9, 2018. Reverend Robert Henderson, First Wesleyan Church, opened the meeting with prayer, after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen J. Gawron, Vice Mayor Eric Hood, Commissioners Ken Johnson, Byron Turnquist, Debra Warren, Willie German, Jr., and Dan Rinsema-Sybenga, City Manager Frank Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

HONORS AND AWARDS:

- A. Recognition of the Muskegon Big Reds Football team as the 2017 Division 3 State Champions** Mayor Gawron presented representatives of the Muskegon High School Big Red Football Team and their coach, Shane Fairfield, with a Certificate of Recognition and a street sign that will be put up naming the Big Reds as the 2017 Division 3 State Champions.
- B. Recognition of La'Darius Jefferson as the 2017 MHSAA High School Football Player of the Year** Mayor Gawron presented La'Darius Jefferson with a Certificate of Recognition and a street sign identifying him as the 2017 MHSAA High School Player of the Year.

INTRODUCTIONS/PRESENTATION:

- A. Dr. Arbulu – Racial Equity Presentation** Commissioner German introduced Dr. Augustin Arbulu, Director of the Michigan Civil Rights Commission and Dr. Arbulu gave a presentation regard racial equity and also advised of programs available to the city to assist in this effort.

2018-02 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve minutes of the December 11, 2017 Worksession and the December 12, 2017 Regular meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

B. Bicycle Ordinance – SECOND READING City Manager

SUMMARY OF REQUEST: To adopt the proposed ordinance containing rules to govern a driver of a motor vehicle overtaking a bicycle proceeding in the same direction.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To adopt the ordinance as presented.

D. Adopt a Resolution Approving the Liquor License Application for EAT1635, LLC for a Class C Liquor License at 1635 Beidler City Clerk

SUMMARY OF REQUEST: To adopt a resolution approving a Class C Liquor License for Eat1635, LLC at 1635 Beidler.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Adopt a resolution approving the request for a Class C Liquor License for EAT1635, LLC at 1635 Beidler.

E. Approval of Neighborhood Enterprise Zone Certificate – 1173 4th Street
Planning & Economic Development

SUMMARY OF REQUEST: An application for a Neighborhood Enterprise Zone (NEZ) certificate has been received from Community enCompass for the rehabilitation of the home at 1173 4th Street. The rehab will include upgrades to the roof, bathroom, paint, flooring and windows and will cost about \$25,000. Community enCompass will hold the NEZ certificate in abeyance until it is transferred to a new owner within two years. The applicant has met local and state requirements for the issuance of the NEZ certificate.

FINANCIAL IMPACT: The property taxes will be frozen at the pre-rehabilitated rate for the duration of the certificate.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the NEZ certificate.

F. Ryerson Creek – Clean-up Efforts and Resolution in Support Department of Public Works

SUMMARY OF REQUEST: The West Michigan Shoreline Regional Development Commission and ATY Metals (Teledyne Continental Motors) are seeking funding from the Environmental Protection Agency and Michigan Department of Environmental Quality to continue cleanup efforts related to contaminated soils in watersheds affecting the Great Lakes with the eventual goal of delisting Muskegon Lake. WMSRDC is gathering support and contributions as match for the federal funding. In an effort to provide in-kind contribution, staff have reviewed sanitary sewer capacity and recommend allowing up to 100,000 gallons of wastewater into our system at no cost to the project. Lost revenue associated with this request amounts to approximately \$200. The project will not restrict future development or dredging. Staff is requesting that a resolution of support for the project be approved.

FINANCIAL IMPACT: \$200

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve resolution of support for the Ryerson Creek Great Lakes Legacy Act contaminated sediment cleanup project.

G. City Hall East Entrance Roof Replacement Department of Public Works

SUMMARY OF REQUEST: The roof over the east entrance to City Hall needs to be replaced due to age and improper drainage. Last spring, the project was advertised and bids were taken with the low bid amount being \$42,000. In order to capitalize on that bid amount, commitment for the work had to be given and materials ordered prior to the end of the calendar year. If delayed, the increased cost of materials and labor would be \$4,200. The Finance Director confirmed that there is available funding for the work, and the City Manager gave approval to move forward with the bid and seek Commission approval at the January 9 meeting since there was no meeting planned for the fourth Tuesday in December.

Staff is requesting that the budget increase be approved to fund the replacement of the roof.

FINANCIAL IMPACT: \$45,000

BUDGET ACTION REQUIRED: Increase City Hall Maintenance budget by \$45,000 in next forecast.

STAFF RECOMMENDATION: Approve budget increase for the roof replacement for the east entrance to City Hall.

H. Community Relations Committee Resignations and Removals City Clerk

SUMMARY OF REQUEST: To accept the following resignations and removals:

Board of Review – Resignation of Sandra Boone-Thomas

Election Commission – Resignation of Louis Spyke

Equal Opportunity Committee – Removal of Steven Santo for lack of attendance

Housing Commission – Resignation of Jerry Lottie

Income Tax Board of Review – Removal of Jason Meekhof – moved from jurisdiction

Local Development Finance Authority – Removal of Jason Meekhof – moved from jurisdiction

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resignations and removals.

I. Community Relations Committee Appointment Recommendations City Clerk

SUMMARY OF REQUEST: To accept reappointments and appointments for various community relations committees, boards, authorities, and commissions, as follows:

Board of Review

Reappoint: Mary Jamieson (Citizen), Don Correll (Citizen), Clinton Todd (Citizen), and Steve Warmington (Alternate)

Appoint: Jane Clingman-Scott (Citizen) and Martha Bottomley (Alternate)

Citizen Police Review Board

Reappoint: David Bukala (Law Enforcement Professional) and Ruby Clark (Neighborhood Association Rep.)

CDBG/CDC

Reappoint: Kim Burr (Citizen from Ward 3) and Jeremy Lenertz (Citizen at Large)

Appoint: Carrie Johnson (Citizen from Ward 1), Scott Banninga (Citizen from Ward 2), and Poppy Sias-Hernandez (Citizen from Ward 4)

Construction Code Board of Appeals

Reappoint: Chad Grinwis (Architect), James Fox (Electrical), Harold Callendar (Plumbing), and Michael McPhall (Fire)

Downtown Development Authority

Reappoint: Heidi Sytsema (Interest in the District), Jeanette Moore (Citizen), and John Riegler (Resident of the District)

Election Commission

Appoint: Betty Roberts (Citizen) and Casey Allard (Citizen)

Equal Opportunity Committee

Reappoint: Rosie Buchanan (Citizen from Ward 3) and Diane Murray-McKinley (Citizen from Ward 1)
Appoint: Alfredo Hernandez-Corsen (Citizen from Ward 4)

Historic District Commission

Reappoint: Jackie Hilt (Member Local Preservation Society) and Linda Wood (Member Local Preservation Society)

Housing Code Board of Appeals

Reappoint: Kirk Kolberg (Citizen) and Randy Mackie (Citizen)

Housing Commission

Reappoint: Maxine Lenear (Citizen)
Appoint: Kimi George (Citizen)

Income Tax Board of Review

Reappoint: Dona Bonette (Resident)
Appoint: Demario Phillips (Resident)

Local Development Finance Authority

Reappoint: Jeffery Burr (Citizen) and Rosie Buchanan (Citizen)
Appoint: Chris Byrnes (Citizen)

Local Officers Compensation Commission

Appoint: Andrew Cirner (Citizen)

Planning Commission

Reappoint: Joe Doyle (Citizen), Timothy Michalski (Citizen), and Bill Larson (Citizen)

Zoning Board of Appeals

Appoint: William Bowman (Resident) and Bryon Mazade (Planning Commission Member)

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To concur with the recommendations of the Community Relations Committee and approve the reappointments and appointments.

Motion by Commissioner Johnson, second by Commissioner German, to approve the consent agenda as presented, except Item C.

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

Nays: None

MOTION PASSES

2018-03 ITEMS REMOVED FROM THE CONSENT AGENDA:

C. Amendment to the Zoning Ordinance – Critical Dunes – SECOND READING

Planning & Economic Development

SUMMARY OF REQUEST: Staff-initiated request to amend Section 2310 of the zoning ordinance to adopt a local critical dune ordinance. Act 451 of 1994, the Natural Resources and Environmental Protection Act, allows municipalities to enact their own critical dune ordinance and enforce it themselves, rather than relying on the Michigan Department of Environmental Quality to do so. Staff anticipates that this will speed up the approval process for projects located in critical dune areas.

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 ordinance amendment at their November 16 meeting.

Motion by Commissioner Warren, second by Commissioner Johnson, to approve the zoning ordinance amendment.

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

Nays: None

MOTION PASSES

ANY OTHER BUSINESS:

Commissioner German received some complaints about the snow that ends up at the end of driveways. Commissioner German also raised the issue of guns being fired in the city on New Year's Eve and everyone was reminded that this is not okay. Fireworks are okay 24 hours before and after a holiday.

Commissioner Johnson raised the issue of discretion being exercised by the police department in issuing citations for winter parking ordinance violations. It has been difficult for some to find anywhere to park, off of the street, due to the amount of snow the city was hit with recently.

PUBLIC PARTICIPATION: No comments were received from the public.

ADJOURNMENT: The City Commission Meeting adjourned at 6:43 p.m.

Respectfully Submitted,

Kimberly Young, Deputy City Clerk

Date: January 23, 2018
To: Honorable Mayor and City Commissioners
From: City Manager
RE: Curry Kitchen Easement

SUMMARY OF REQUEST: Curry Kitchen is requesting a six foot invisible easement from 1141 Third Street to 1133 Third Street so they may use the same liquor license for both establishments. Both locations shall be operated as a restaurant and remain open. If either location closes or does not operate seven days a week from 11 am to 10 pm, this agreement is terminated and the easement will no longer exist.

FINANCIAL IMPACT: Curry Kitchen shall pay the City \$1,500 for the first two years of the easement due and payable on the execution of the agreement. If they elect to exercise the option to extend the agreement, they shall pay an additional \$5,000.

BUDGET ACTION REQUIRED:

STAFF RECOMMENDATION: Approval.

EASEMENT AGREEMENT

This Easement Agreement (this "Agreement") is effective as of January __, 2018 ("Effective Date"), between the **City of Muskegon**, a Michigan municipal corporation ("Grantor"), and **Curry Kitchen Inc.**, a Michigan corporation, of 1141 3rd Street, Muskegon, Michigan 49444 ("Grantee"), on the following terms and conditions:

Recitals

A. Grantor controls and supervises the real property (i.e. city sidewalk) along Third Street in the City of Muskegon, Muskegon County, Michigan, which is depicted on **Exhibit A** (the "Burdened Property").

B. Grantee leases two parcels of property adjacent and to the west of the Burdened Property commonly known as 1141 3rd Street, Muskegon, Michigan 49441 ("Parcel A") and 1133 3rd Street, Muskegon, Michigan ("Parcel B") (Parcel A and Parcel B may collectively be referred to as the "Benefitted Property" and if reference is intended to be made to an individual parcel, to the exclusion of the other parcel, an appropriate reference will be made). Parcel A and Parcel B are legally described on **Exhibit B**.

C. Grantee is the holder of a 2017 Class C DDA liquor license (License #000229378) issued by the Michigan Liquor Control Commission ("MLCC") under the provisions of MCL 436.1521a(1)(b) ("MLCC License"), which is currently used in the operation of a restaurant on Parcel A ("Licensed Premises"). Grantee has a pending application with the MLCC to redefine the Licensed Premises to include both Parcel A and Parcel B. One of the MLCC requirements to permit the Licensed Premises to be redefined is that there be continual access between the current Licensed Premises (Parcel A) and the proposed site (Parcel B).

D. In order to satisfy the continual access requirement, Grantee has requested and Grantor has agreed to grant Grantee an easement on, over, across, and through a six (6) foot wide portion of the Burdened Property between Parcel A and Parcel B, and more particularly described on **Exhibit A** ("Easement Property").

Therefore, for good and valuable consideration, the parties agree as follows:

1. **Grant of Easement.** Grantor grants to Grantee a non-exclusive easement for pedestrian traffic with respect to the Easement Property for the purposes, and on the terms and conditions, set forth herein (the "Easement").

2. **Use.** Grantee shall use the property solely for the purpose of allowing pedestrian traffic between Parcel A and Parcel B, which are each currently being operated as restaurants and shall continue to be operated as restaurants.

3. **Term; Option to Extend.** The term of the Easement shall be for a period of two years. Grantee shall have the option to extend the Easement for one additional two-year term pursuant to the terms of this Agreement ("Option to Extend").
4. **Consideration.** As consideration for use of the Easement, Grantee shall pay Grantor \$1,500 for the first two years of the Easement, which shall be due and payable upon the execution of this Agreement. If Grantee elects to exercise the Option to Extend, Grantee shall pay Grantor an additional \$5,000, which shall be payable upon exercising the Option to Extend.
5. **Maintenance of Easement.** Grantor shall be solely responsible for maintaining the Easement Property; provided, however, Grantee shall be responsible to pay Grantor for any maintenance or repairs made necessary by an act or omission of Grantee.
6. **Termination; Default.** Any breach, violation, or failure by Grantee to comply with the provisions of this Agreement shall constitute a default, which shall permit Grantor to terminate this Agreement. Grantor shall have the right to terminate this Agreement if the businesses on Parcel A or Parcel B are abandoned or no longer open and operating as a restaurant during normal business hours of 11:00 a.m. to 10:00 p.m. seven days a week. This Agreement shall also terminate if the Easement is no longer necessary for the purposes stated in this Agreement. Prior to exercising any remedy available to it upon a default, Grantor shall give Grantee written notice of the default and the opportunity to cure the default within thirty (30) days of the Grantor's notice.
7. **Indemnification.** Grantee shall indemnify the owner of the Easement Property from all claims, judgments, costs, and expenses in connection with any claim based on injury to any person or property occurring on the Easement Property.
8. **Notice.** Any notices sent under this Agreement shall be in writing and shall be sent by first-class mail to the party's address set forth above or such other address as a party may direct.
9. **Warranty.** The parties warrant that they have the right and authority to enter into this Agreement.
10. **Binding Effect.** This Easement Agreement shall bind the parties, and their successors and assigns.
11. **Recording.** The Grantee shall be permitted to record this Easement Agreement with the Muskegon County Register of Deeds at Grantee's sole expense.
12. **Amendment.** This Agreement shall not be amended or modified except in a writing signed by both parties.
13. **Michigan Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Michigan applicable to contracts made and to be performed within the State of Michigan.
14. **Entire Agreement.** This Agreement and the attached exhibits constitute the entire agreement as to this matter between the parties and supersedes all prior agreements and understandings, both written and oral, with respect to the subject matter hereof.

This Easement Agreement was entered into on the date set forth above.

Grantor – CITY OF MUSKEGON

By: _____
Name: Stephen Gawron
Title: Mayor
Date: January __, 2018

By: _____
Name: Anne Marie Meisch
Title: Clerk
Date: January __, 2018

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing was acknowledged before me this _____ day of January, 2018, by Stephen Gawron, Mayor, and Anne Marie Meisch, Clerk, of the City of Muskegon, a Michigan municipal corporation, on behalf of the corporation.

Type/Print Name: _____
Notary Public, Muskegon County, Michigan
Acting in the County of Muskegon
My commission expires: _____

Grantee – Curry Kitchen Inc.

By: _____
Name: Kismat Grewal
Title: President
Date: January __, 2018

STATE OF MICHIGAN
COUNTY OF MUSKEGON

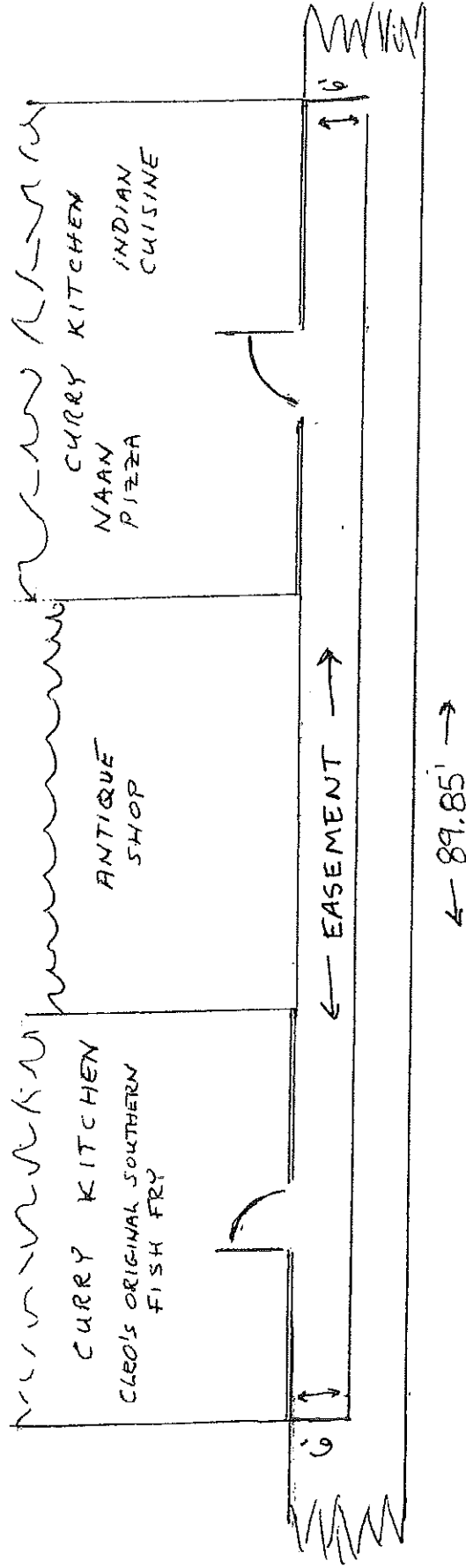
The foregoing was acknowledged before me this _____ day of January, 2018, by Kismat Grewal, President of Curry Kitchen, Inc.

Type/Print Name: _____
Notary Public, Muskegon County, Michigan
Acting in the County of Muskegon
My commission expires: _____

Prepared by and when recorded return to:
John C. Schrier
Parmenter O'Toole
P.O. Box 786
Muskegon, MI 49443-0786

Exhibit A

Easement Property and Burdened Property



The Easterly 6 feet of Lot 12 and Lot 13 AND the Easterly 6 feet of the Northerly 23.85 feet of Lot 11, Block 367 of the Revised Plat of 1903 of the City of Muskegon, as recorded in Liber 3 of Plats, Page 71, Muskegon County Records

Exhibit B

Benefitted Property

Parcel A:

That part of Lot 11, Block 367, Revised Plat of 1903 of the City of Muskegon, according to the recorded plat in Liber 3 of Plats, Page 71, Muskegon County Records, described as follows: Commencing at the Southeast corner of said Lot; thence Northerly along the Westerly line of Third Street, 42.80 feet to the point of beginning; thence continue Northerly along said Westerly line, 23.85 feet to the North line of said Lot 11; thence Westerly along said North line 98.75 feet; thence Southerly parallel to the Westerly line of Third Street, 24.57 feet; thence Easterly 98.75 feet to the point of beginning.

Easement A: The Westerly 8.00 feet of the Easterly 106.75 feet of Lot 11, Block 367 of the Revised Plat of 1903 of the City of Muskegon, according to the recorded plat in Liber 3 of Plats, Page 71, Muskegon County Records.

Easement B: The Northerly 4.00 feet of the Southerly 43.45 feet of the Westerly 31.75 feet of the Easterly 98.75 feet of Lot 11, Block 367 of the Revised Plat of 1903 of the City of Muskegon, according to the recorded plat in Liber 3 of Plats, Page 71, Muskegon County Records.

(commonly known as 1141 3rd Street, Muskegon, Michigan 49441)

Parcel B:

Lot 13 and the East ½ of Lot 10, Block 367, Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan, as recorded in Liber 3 of Plats, Page 71.

(commonly known as 1133 3rd Street, Muskegon, Michigan)

Date: January 17, 2018
To: Honorable Mayor and City Commissioners
From: CITY CLERK'S OFFICE
RE: Special Event Liquor License – Farmers Market

SUMMARY OF REQUEST: The Muskegon Farmers Market will be hosting a Dining in the Dark event on Wednesday, February 14, 2018 at the Farmers Market and we are requesting a liquor license including spirits. Proceeds will benefit the Farmers Market.

FINANCIAL IMPACT: \$50 permit from the State for every date requested and \$75 bond.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request.

COMMISSION MEETING DATE: January 23, 2018

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 #: EN1715069 -330 Catawba Ave (garage only)

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the **Garage** structure located at **330 Catawba Ave** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder or staff may issue infraction tickets to the owner, agent or responsible party if they do not demolish the structure.

Location and ownership: This structure is located on Catawba Ave between Spring Street and Pine Street in the McLaughlin Neighborhood and is owned by Tonya & Vincent Vandergeld, 330 Catawba Ave. Muskegon.

Staff Correspondence: A property maintenance notice to repair was sent on 9-11-2017, with no response. A "final" notice to repair was sent on 9-25-2017, with no response.

The Notice & Order was sent on 11-7-2017. A ten notice was sent on 11-22-2017. On 12-04-2017, the HBA declared the garage structure substandard and dangerous.

Financial Impact: General Funds

Budget action required: None

State Equalized value: \$14,400 (all structures)

Garage Assessed Value: \$5,707

Estimated cost to repair garage: \$2,800

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish the **garage structure only** on the property

Owner Contact:

No contact with the owner(s) throughout the process. Owner(s) did not attend the HBA meeting.

Permits obtained: None

DANGEROUS BUILDING INSPECTION

Enforcement # EN1715069

Property Address: 330 CATAWBA AVE (garage only)

Parcel # 24-205-264-0006-00

Date completed: September 11, 2017

DEFICENCIES:

The garage must be repaired or removed. Repairs to include:

- 1) New roof, to include new decking***
- 2) Siding has peeling paint; scrape & repaint***
- 3) Window is broken or missing; replace window or board up and paint to match garage***
- 4) Overhead door; replace or repair***
- 5) Remove all construction waste material from garage.***

Jay Paulson, Inspector

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

SECTION 116.3 Notice (UNSAFE STRUCTURES AND EQUIPMENT)

If an unsafe condition is found, the *building official* shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *building official* acceptance or rejection of the terms of the order.

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.

Photos of the garage at 330 Catawba Ave





COMMISSION MEETING DATE: January 23, 2018

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 #: EN1714550 – 910 Turner Ave

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 **910 Turner Ave** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder or staff may issue infraction tickets to the owner, agent or responsible party if they do not demolish the structure.

Location and ownership: This structure is located on Turner Ave between Getty Street and the dead end. The property is located in the Nelson Neighborhood. The structure is owned by Cherri Murphy, 910 Turner Ave, Muskegon MI 49444.

Staff Correspondence: The “notice & order to repair” was sent on 12/06/2017. A “10 day notice” was sent on 12/22/2017 for the January 4, 2018 HBA hearing. On January 4, 2018 the HBA declared the structure substandard and dangerous.

Financial Impact: General Funds

Budget action required: None

State Equalized value: \$12,600

Estimated cost to repair: \$45,000

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish all structures on the property

Owner Contact: No contact with the owner since the September 28, 2017 inspection.

Permits obtained: None

DANGEROUS BUILDING INSPECTION

Enforcement # EN1714550

Property Address: 910 TURNER AVE

Parcel # 24-595-000-0019-00

Date completed: September 28, 2017

DEFICIENCIES:

1. Front porch vertical supports are rotted or not attached correctly. Failure of these supports will cause the front porch to collapse.
2. Records indicate the water has been shut off since July of 2014.
3. Owner said furnace was not in operation
4. No working smoke detectors within the home
5. A large amount of animal feces on the floors of the home
6. A large amount of trash, debris and furniture creating a high fire load
7. Drywall/ plaster missing or has holes
8. Windows are broken, missing or boarded. Windows cannot be boarded shut in the bedrooms as to prevent emergency egress
9. Roof shingles are missing and have curled
10. Door have holes and do not fit or shut correctly
11. A large amount trash and debris in the yard
12. Garage is leaning and must be repaired or removed

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

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.

PHOTOS of 910 Turner Ave







COMMISSION MEETING DATE: January 23, 2018

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 #: EN1714727 – 1838 Jiroch St.

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 1838 Jiroch St. is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder or staff may issue infraction tickets to the owner, agent or responsible party if they do not demolish the structure.

Location and ownership: This structure is located on Jiroch St between East Laketon Ave and East Holbrook Ave in the Marsh Field Neighborhood. The property is owned by Tineno J. Ferguson, 5109 Cherry Creek Pkwy N, Columbus, OH 43228.

Staff Correspondence: Fire occurred on July 13, 2017. The first “notice to repair” was sent on 08/08/2017. A “final notice to repair” was sent on 09/08/2017. The first “Notice & Order” was sent on 10/03/2017. The second “Notice & Order” was sent on 12/06/2017 for the January 4, 2018 HBA hearing. On January 4, 2018, the HBA declared the structure substandard and dangerous.

Financial Impact: Fire Escrow Funds

Budget action required: None

State Equalized value: \$19,500

Estimated cost to repair: \$35,000

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish all structures on the property

Owner Contact: The owner made contact with the inspections department on 09/27/2017 and scheduled an interior inspection for 09/29/2017. The inspection report was sent to the owner and on 10/03/2017, the owner called the inspections department and stated she would be repairing the home. The owner was advised a written plan of abatement must be submitted and approved before any permits can be issued and all work must be completed by licensed contractors as this home is a rental unit. Owner's relatives tried to obtain permits to repair but were denied. No contact from owner until January 3, 2018. The owner called and said she hired a contractor to complete the repairs and thought the contractor obtained the necessary permits. Owner was advised the case would be presented at the HBA meeting on January 4, 2018 and she or a representative can testify at the meeting. On January 4, 2018, the HBA declared the home as dangerous. No one testified on the owners behalf. On January 5, 2018, the owner called and wanted to know the outcome of the HBA meeting. The owner was advised the home was declared dangerous. The owner asked if she could hire contractors from Ohio to do the work as she had not hired anyone to complete the work. The owner was advised she could hire an Ohio contractor to act as a "general" contractor but the permits must be obtained by Michigan licensed contractors. The owner advised she will have the contractor contact the inspections department once she hires one. No further contact from owner or any contractor.

Permits obtained: An electrical permit was issued on error and revoked.

FIRE INSPECTION REPORT

Enforcement # EN1714727

Property Address: 1838 JIROCH ST

Parcel # 24-675-004-0020-00

Date completed: September 29, 2017

DEFICIENCIES:

Plumbing and Mechanical:

- 1) Plumbing - Replace plumbing system to code.
- Mechanical - Clean duct and verify furnace condition or replace to code

Electrical:

- 1) House to be rewired to code
- 2) Smoke alarms to be installed to code
- 3) Electric service to be replaced to code

Note: House was recently rewired to without the required permits or inspections; wire is dated 2016

Building:

- 1) Entire main floor area: All rooms, including bath, bedrooms, kitchen, living room, dining area must be gutted
- 2) New Windows - all rooms must have new windows meeting the Energy Code requirements
- 2) All new wiring per electrical inspector's requirement
- 3) All new insulation, drywall, trim and floor coverings
- 4) All new doors
- 5) Exterior: Doors, door trim and window trim must be replaced
- 6) Exterior: Any soffits and fascia that are missing or damaged must be replaced

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

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.

PHOTOS OF 1838 JIROCH ST









COMMISSION MEETING DATE: January 23, 2018

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 #: EN1713225 – 1934 Hudson St

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 **1934 Hudson St** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder or staff may issue infraction tickets to the owner, agent or responsible party if they do not demolish the structure.

Location and ownership: This structure is located on Hudson St between Windsor Ave and Young Ave in the Campbell Neighborhood. The structure is owned by Robert & Diane Dempsey, 310 Vashti Ln, Muskegon, MI 49442.

Staff Correspondence: The “Notice & Order” was sent on 07/05/2017 for the August 3, 2017 HBA meeting. The HBA tabled the case for 30 days.

A “10 day notice” was sent on 08/28/2017 for the second HBA hearing on September 7, 2017. The HBA tabled the case for 30 days.

A “10 day notice” was sent on 09/25/17 for the third HBA hearing on October 5, 2017. The HBA tabled the case for 60 days.

A “10 day notice” was sent on 11/21/17 for the fourth HBA hearing on December 7, 2017. On December 7, 2017 the HBA declared the structure substandard and dangerous.

Financial Impact: General Funds

Budget action required: None

State Equalized value: \$12,100

Estimated cost to repair: \$19,300

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish all structures on the property

Owner Contact:

August 3, 2017 HBA meeting: The owner appeared at the HBA and stated he was going to repair the home and sell the home. The owner explained to the HBA his wife is on a list to have a liver transplant and didn't when the transplant would occur and he needed more time to complete the repairs on the home. The HBA tabled the case for 30 days with the agreement an interior inspection must be completed.

September 5, 2017 HBA meeting: Owner did schedule an interior inspection for August 8, 2017 but canceled due to illness. No further contact with owner. The owner asked the HBA for more time and the HBA granted the owner 30 days with the condition the interior inspection must be completed and all outstanding fee's and fine's with the City must be paid.

October 5, 2017 HBA meeting: On 10-4-17, the owner came into the office and wanted a permit to side the home. The owner was advised he must have an interior inspection and pay the outstanding City fees as required by the HBA. Owner paid for his fees and scheduled the interior inspection for 11am on October 5, 2017, the day of the HBA meeting. The inspection was completed and the owner was informed he must provide a plan of abatement for EACH listed code violations. The owner was provided a complete list of code violations via email shortly after the inspection. Owner advised at the inspection he might not show for the HBA hearing tonight. Just before the HBA meeting, the owner emailed inspector Paulson and stated he would not be at the meeting and he was working on his plan of abatement. The owner requested more time to complete his plan of abatement and wanted to begin work as soon as possible.

The HBA granted the owner 60 days to provide a plan of abatement with a reasonable timetable for completion, obtain the necessary permits to begin the plan of abatement. The owner must report back to the HBA at the December 7, 2017 on his progress.

December 7, 2017 HBA meeting: The owner sent inspector Paulson an email stating he has been in Minnesota with his wife through the entire month of November as his wife received her liver transplant. The owner did not attend the HBA meeting but asked inspector Paulson to read his email to the HBA requesting more time. The HBA declared the home as dangerous. No further contact from the owner.

Additional Information: Neighbors testified at both the November & December HBA meeting's regarding the condition of the home and displeasure with the progress with the repairs.

Permits obtained: None

DANGEROUS BUILDING INSPECTION

Enforcement # EN1713225

Property Address: 1934 HUDSON ST

Parcel # 24-175-000-0080-00

Date completed: July 5, 2017

DEFICIENCIES: Exterior Only

- 1. Siding is rotted, missing and has peeling paint in numerous locations**
- 2. Windows are broken or missing**
- 3. Windows have rotted sills, sashes and peeling paint**
- 4. Roof is deteriorated and must be replaced**
- 5. Soffits and fascia are rotted, have peeling paint or missing**
- 6. Foundation has cracks. Foundation entry door is missing (currently boarded close)**
- 7. Front entry cement steps have large cracks and sections are missing**
- 8. Light globe is missing on rear entry door**
- 9. Gas & electrical meters are currently attached to the home**
- 10. Nine "enforcement" actions for trash, long grass or brush since 2014**
- 11. Vacant since April of 2015**

Date completed: October 5, 2017

DEFICIENCIES: Interior Only

- 1. Electrical panel cover is missing**
- 2. Front and rear entry steps must be replaced with approved handrails**
- 3. Foundation cracks & openings must be sealed**
- 4. Unable to determine the condition of the furnace. Furnace must be inspected by a licensed contractor and certified safe & operational**
- 5. Drywall missing throughout the home and must be replaced. Insulation in the exterior walls and ceiling must be replaced where drywall is missing**
- 6. Hardwired smoke detectors must be installed in locations as prescribed by code**
- 7. Current bedroom windows do not meeting egress size requirements. All new windows must be installed to meet energy, building and fire egress requirements**
- 8. All damaged interior doors must be replaced**
- 9. The stairway to upper bedroom(s) is too steep as this area was not designed to be a sleeping area. Steps must be replaced to code or upper floor and cannot be designated for sleeping**
- 10. The upper stairway will need a handrail**
- 11. Bathroom needs new flooring, drywall, plumbing repairs, sink and shower faucets**

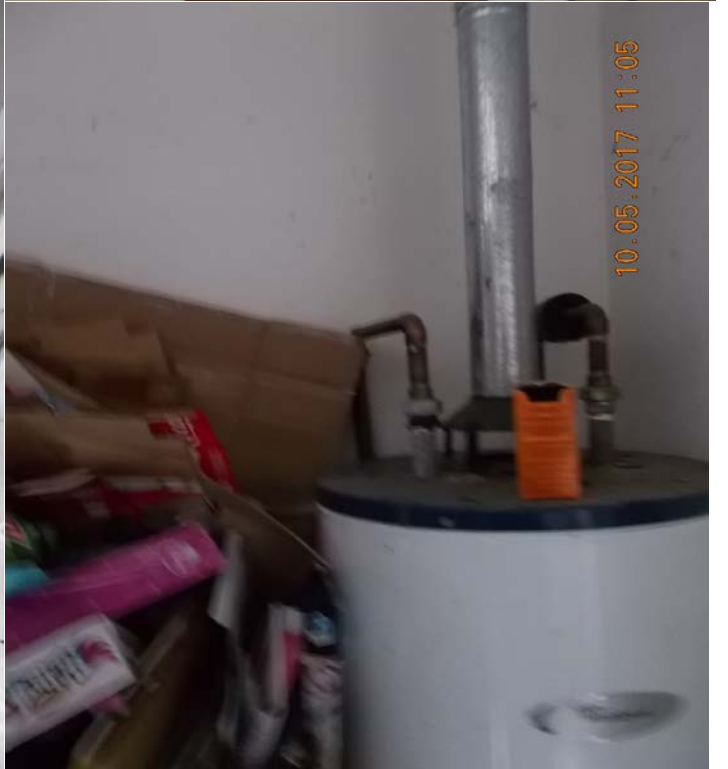
- 12. New paint throughout the interior of the home**
- 13. Kitchen cabinets need repair and paint**
- 14. The floor coverings throughout the interior must be replaced**
- 15. Kitchen plumbing is damaged or missing**

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

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.

PHOTOS of 1934 Hudson St













COMMISSION MEETING DATE: January 23, 2018

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 #: EN1710465 – 2247 Valley St

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 **2247 Valley St** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder or staff may issue infraction tickets to the owner, agent or responsible party if they do not demolish the structure.

Location and ownership: This structure is located on Oak Ave between East Hackley and East Barney in the East Muskegon Neighborhood. The structure is owned by James Duncan, 1019 Moorings Ct, Muskegon MI 49445.

Staff Correspondence: A notice to repair or remove the structure was sent on May 4, 2017. The owner provided information the home was under bankruptcy. A final notice to repair was September 9, 2017. The “notice & order to repair” was sent on November 7, 2017. A “10 day notice” was sent on December 22, 2107 for the January 4, 2018 HBA hearing. On January 4, 2018 the HBA declared the structure substandard and dangerous.

Financial Impact: General Funds

Budget action required: None

State Equalized value: \$10,600

Estimated cost to repair: \$18,600

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish all structures on the property

Owner Contact: On November 11, 2017, Ms. Duncan contacted the inspection department and stated they are going to repair the home and sell it. On December 5, 2017, a written plan was submitted by Ms. Duncan. Ms. Duncan asked for 2 weeks to obtain the building permits due to a death in the family. No permits were obtained or further contact from the owner. The home was placed on the January 4, 2018 HBA agenda.

Permits obtained: None

DANGEROUS BUILDING INSPECTION

Enforcement # EN1710465

Property Address: 2247 VALLEY ST

Parcel # 24-860-000-0159-00

Date completed: October 20, 2017

DEFICENCIES:

1. Front living room window has been removed and now is boarded. Interior wall studs, sheeting, insulation and drywall or plaster has been exposed to the elements.
2. New windows have been installed without weather flashing or trim.
3. Siding is missing or not complete around the entire home
4. Front entry door window is broken out
5. Wood rear entry door is rotted and damaged and must be replaced
6. Electrical service must be upgraded to a minimum of 100 amps. The current electrical service mast is wood and must be replaced with a rigid steel pipe approved for electrical service
7. Soffits and fascia are rotted, not attached, or missing

NOTE: This violation list depicts an exterior only inspection

Jay Paulson, Inspector

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

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.

PHOTOS of 2247 Valley St





COMMISSION MEETING DATE: January 23, 2018

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 Thirteen (13) Residential Structures

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the following structure are unsafe, substandard, a public nuisance and that they be demolished.

Property Address	State Equalized Value
1) 328 E LARCH	\$16,300 (2017)
2) 340 W FOREST	\$22,800 (2017)
3) 355 MCLAUGHLIN	\$9,400 (2017)
4) 441 E ISABELLA	\$16,000 (2017)
5) 589 MCLAUGHLIN	\$16,700 (2017)
6) 776 CATAWBA	\$16,900 (2017)
7) 907 IRELAND	\$23,800 (2017)
8) 974 SPRING	\$22,400 (2017)
9) 1082 SOPHIA	\$6,900 (2017)
10) 1160 AMBROSIA	\$14,700 (2017)
11) 1431 HOYT	\$14,000 (2017)
12) 1518 JIROCH	\$26,800 (2017)
13) 247 Delaware	\$11,800 (2017)

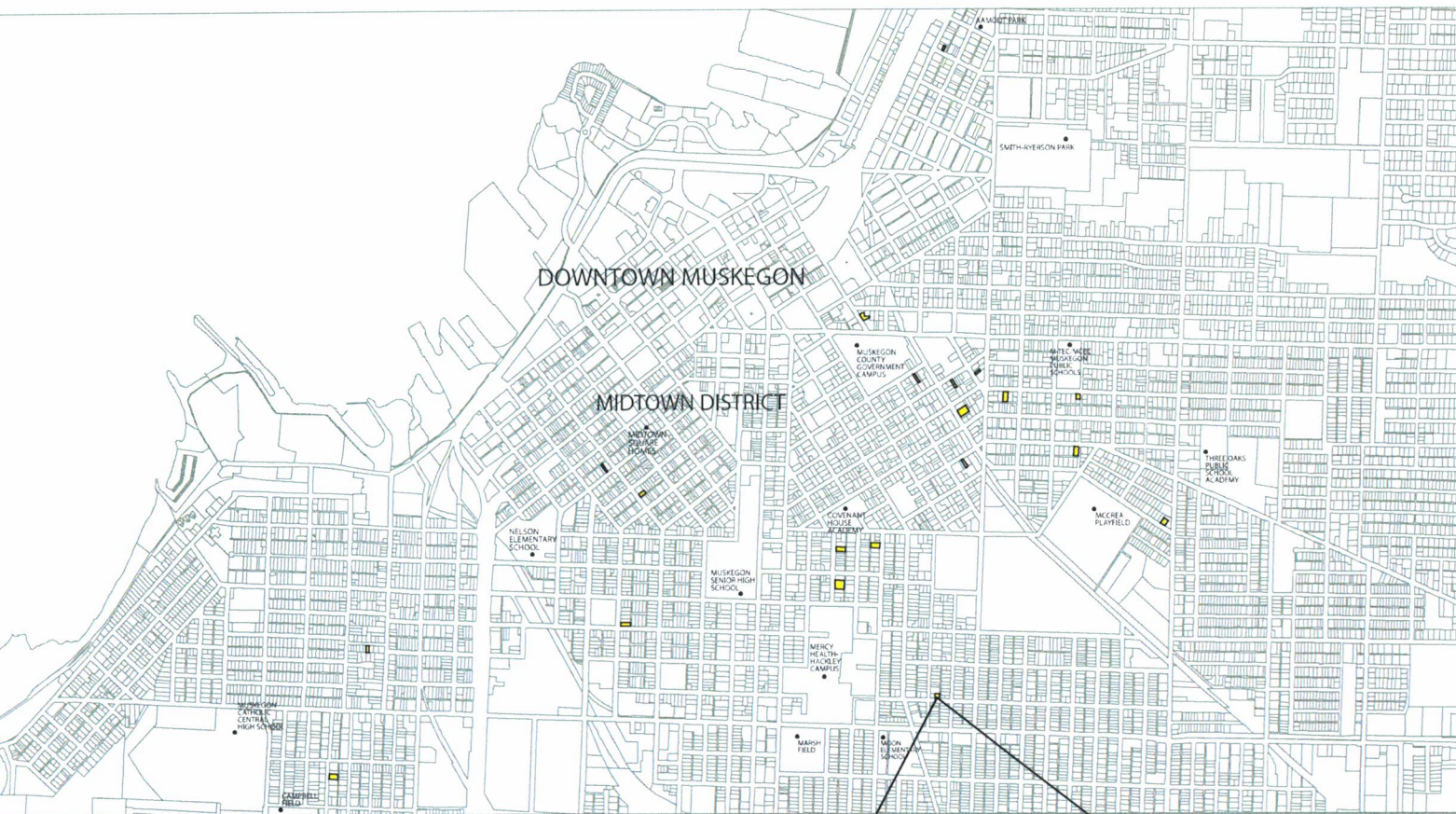
Ownership: Ownership of these properties were recently transferred from the Muskegon County Land Bank or Muskegon County Treasurer as tax foreclosed properties to the City of Muskegon. These properties are slated for demolition using a MSHDA Blight Elimination grant awarded to the City in 2017.

Staff Correspondence: On January 4, 2018, the HBA declared the structures substandard and dangerous.

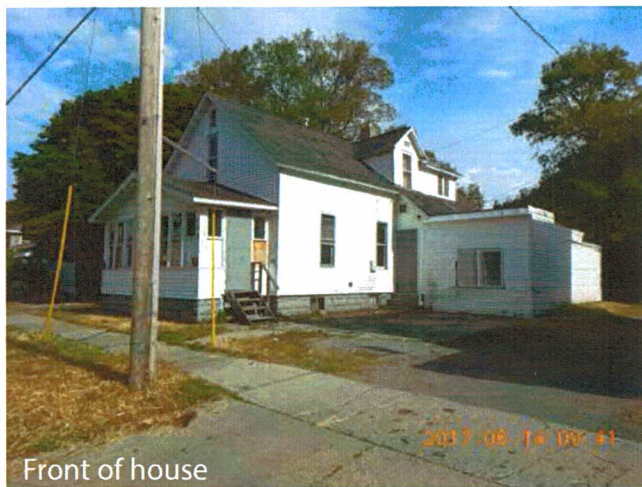
Financial Impact: None

Budget action required: None

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



328 E. LARCH



Front of house



Rear siding deterioration



Neighboring property

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

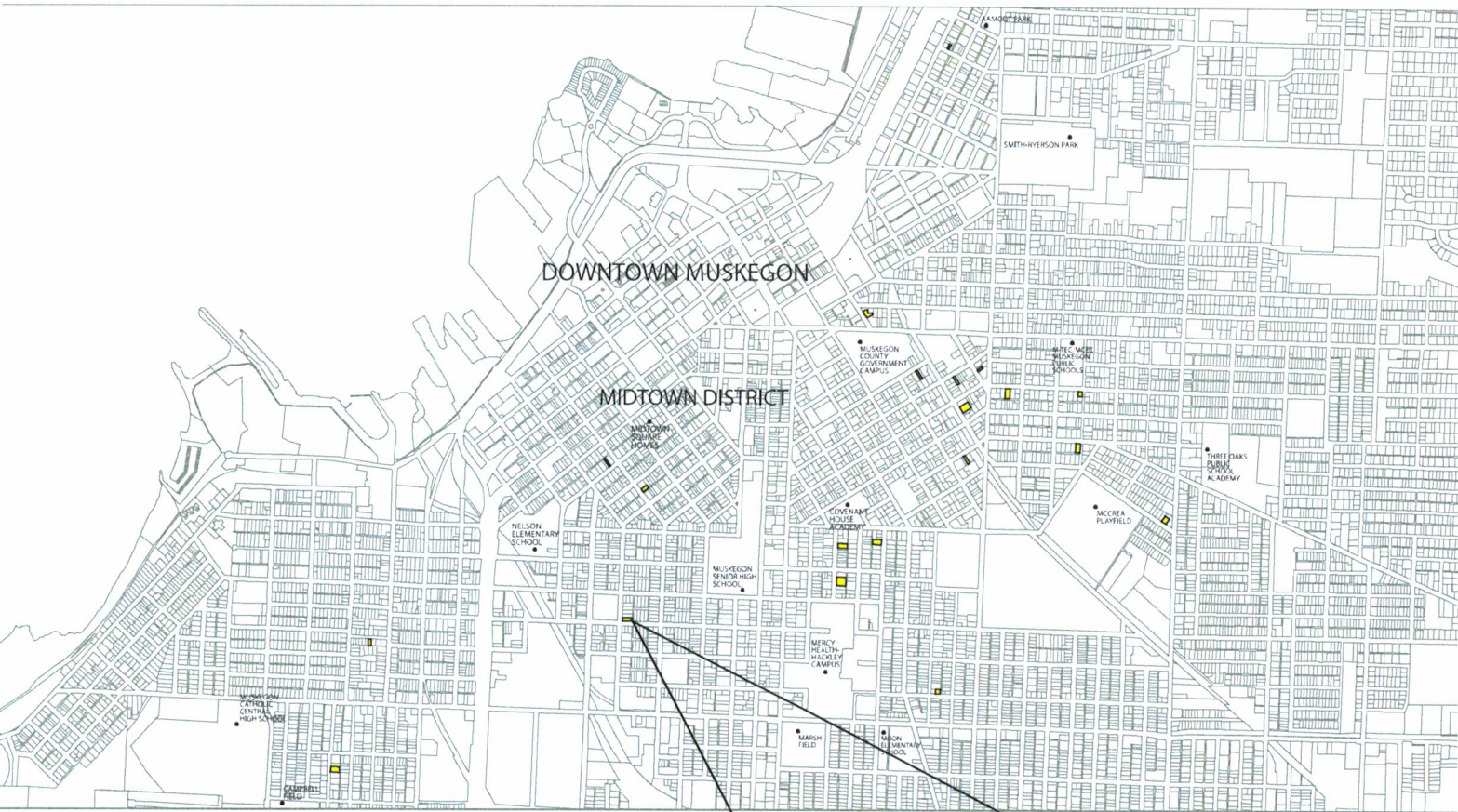
DANGEROUS BUILDING REPORT

328 E Larch

Exterior Inspection noted:

1. Roof is totally deteriorated – must be replaced.
2. Siding has holes in it or is rotted or missing.
3. Siding is loose, broken, or falling off the home.
4. 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.
5. Foundation walls have missing mortar or open cracks.
6. Foundation walls have peeling paint. Paint must be properly scraped prior to painting.
7. Window(s) are not weathertight and in good repair.
8. Windows have broken or cracked glass.
9. Window sills are broken, missing or rotted.
10. Window(s) has/have glazing that is missing or deteriorated.
11. Door(s) and/or window(s) has/have been boarded in order to secure the structure.
12. There had been three electric meters in the past and was then dropped to two. Due to electric theft of both units at this location the other two meters were removed & electricity disconnected.
13. Police have been here 10 closed cases over the past two years for different issues (some criminal and others civil). The Police Department does have one open case at this address for a shooting. Due to open investigation; the report could not be shared.

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.



340 W. FOREST



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

340 W Forest

Exterior Inspection noted:

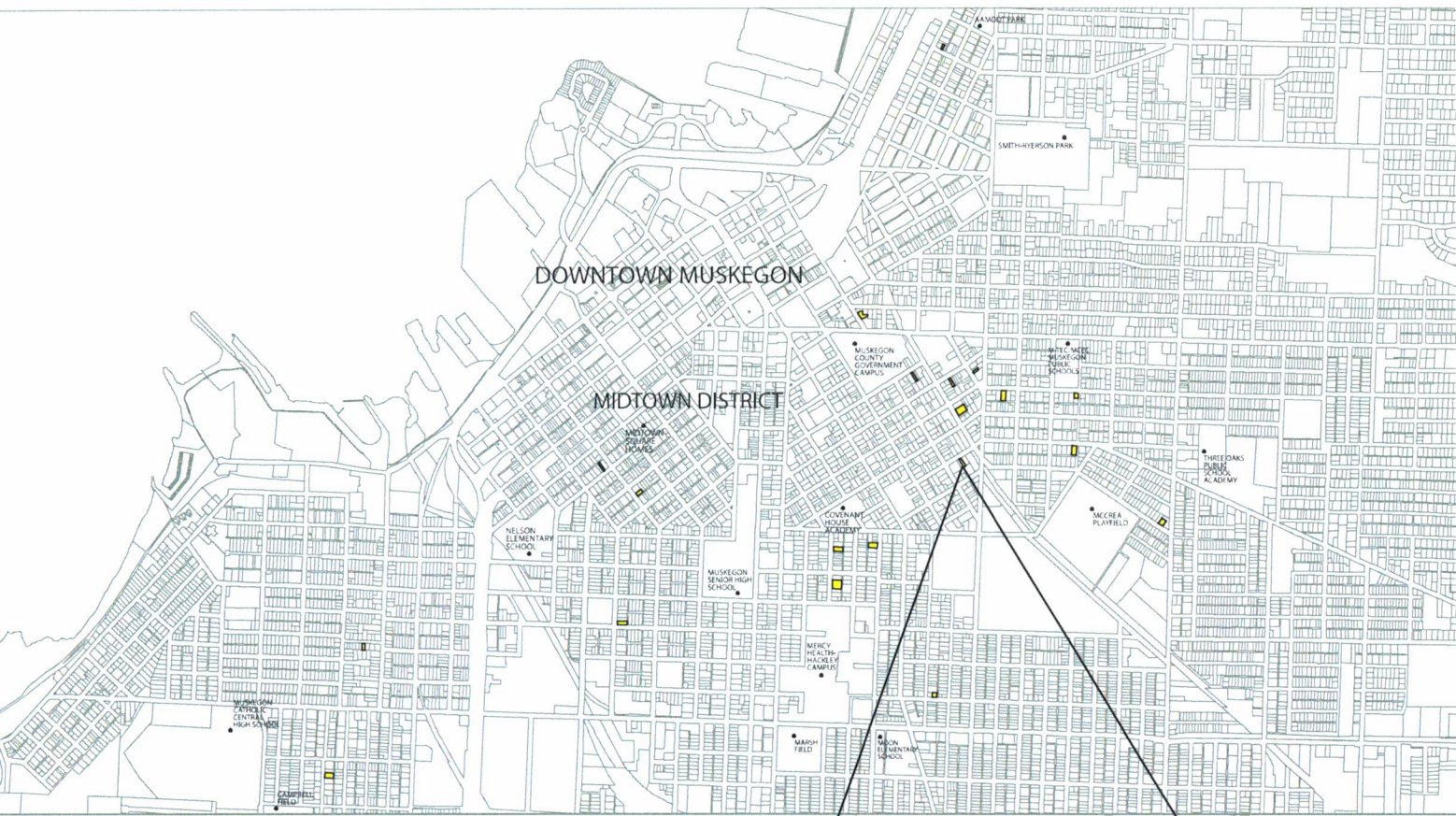
Garage:

1. Has peeling paint that needs to be scraped and needs to be protected from weather by properly applied water-resistant paint or waterproof finish.
2. Overhead, sliding, or swing door is broken, damaged or missing parts so it may not work properly.
3. Roof is totally deteriorated – must be replaced.

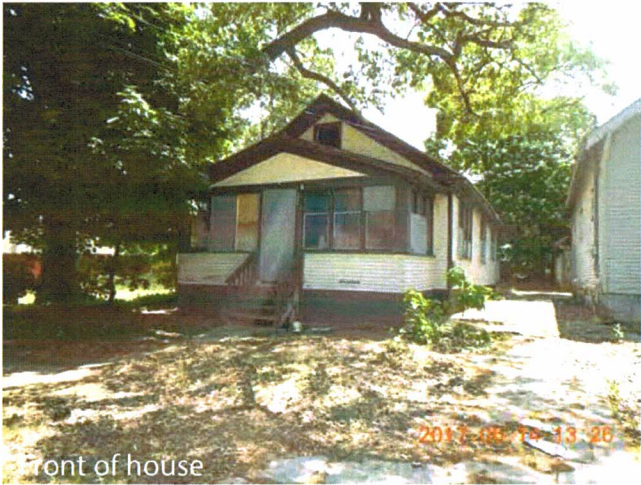
House:

1. Roof is totally deteriorated – must be replaced.
2. Has eave boards that are rotted or missing.
3. Siding has holes, broken, rotted, missing, loose or falling.
4. There are several exterior areas that are not protected from the weather with a properly applied water-resistant paint or waterproof finish. Surface must be properly scraped prior to applying any water-resistant paint or waterproof finish.
5. Porch/steps have flooring, posts, or walls that are deteriorated.
6. Handrail is not in good repair and/or does not go to the top of the steps.
7. Porch ceiling is deteriorated or missing.
8. Foundation walls have missing mortar or open cracks.
9. Trim is broken, missing, loose, rotted or incomplete.
10. Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
11. Window(s) are not weathertight and in good repair.
12. Windows have broken or cracked glass.
13. Window sills are broken, missing or rotted.
14. Window screen(s) are torn, damaged or missing.
15. Door frame is broken or loose.
16. Door trim is broken or incomplete.
17. Door does not fit tight-install weatherseal.
18. Door threshold is broken, rotted or missing.
19. Screen door is missing.

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.



355 McLAUGHLIN



Front of house



Deteriorating roof and siding



Neighboring property

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

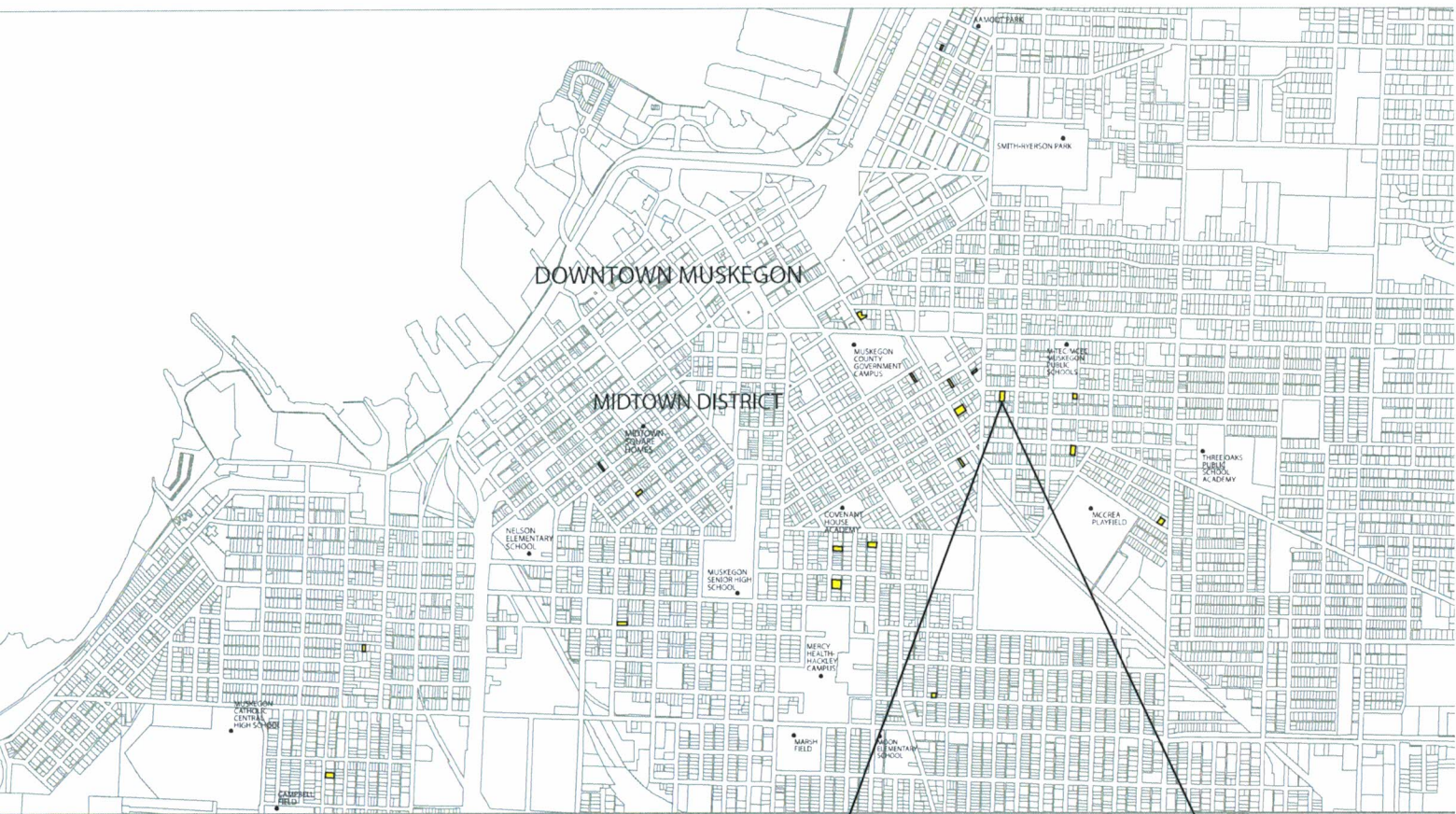
DANGEROUS BUILDING REPORT

355 McLaughlin

Exterior Inspection noted:

1. Roof is totally deteriorated – must be replaced.
2. Chimney has cracks/missing mortar and has slight lean to it.
3. Side of roof has rotted or missing roof boards.
4. Has eave boards that are rotted or missing.
5. There are several exterior areas that are not protected from the weather with a properly applied water-resistant paint or waterproof finish. Surface must be properly scraped prior to applying any water-resistant paint or waterproof finish.
6. Foundation walls have missing mortar or open cracks
7. Foundation walls have peeling paint. Paint must be properly scraped prior to painting.
8. Trim is broken, missing, loose, rotted or incomplete.
9. Trim is bare wood – must be painted, varnished or sealed.
10. Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
11. Window(s) are not weathertight and in good repair.
12. Window sash does not meet and seal at the meeting rail.
13. Windows have broken or cracked glass.
14. Window(s) has/have rotted frames.
15. Window(s) has/have glazing that is missing or deteriorated.
16. Door(s) and/or window(s) has/have been boarded in order to secure the structure.

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.



441 E. ISABELLA



Front of house



Front porch



Side of house

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

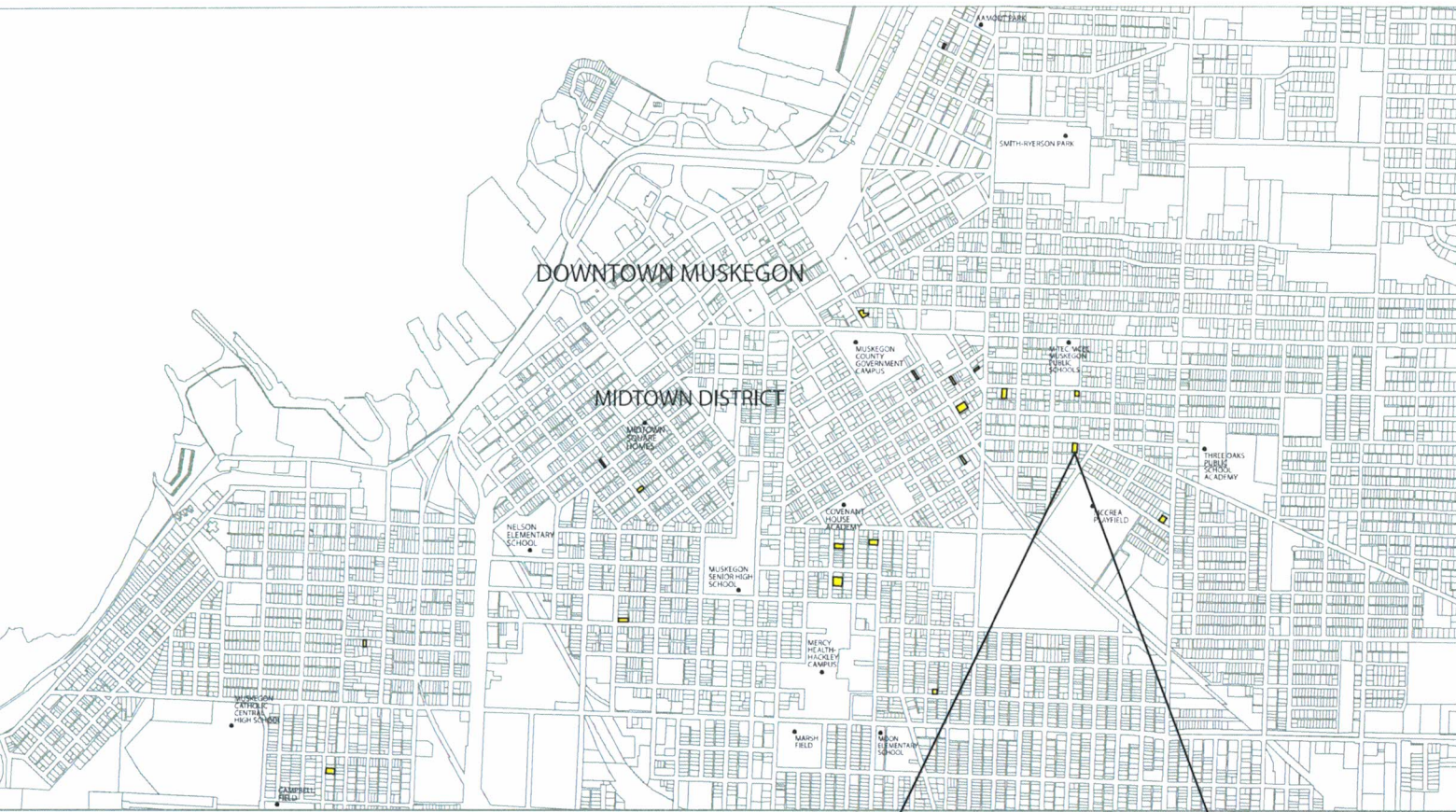
DANGEROUS BUILDING REPORT

441 E. Isabella

Exterior Inspection noted:

1. Siding corners are missing.
2. Siding has holes, broken, rotted, loose, falling off or missing.
3. Porch/steps have flooring, posts, or walls that are deteriorated.
4. Concrete steps are deteriorated.
5. Concrete porch/steps have holes and/or are deteriorated.
6. Porch floor has bare wood and is not protected from the weather by a properly applied water resistant paint or finish.
7. Porch floor, posts, walls are/is deteriorated.
8. Foundation walls have missing mortar or open cracks.
9. Foundation walls have missing brick or block.
10. Door threshold is broken or missing.
11. Storm door does not operate properly.
12. Door glass is cracked, broken or missing.
13. Door(s) and/or window(s) has/have been boarded in order to secure the structure.

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.



589 McLAUGHLIN



Front of house



Garage



Damage to roof

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

589 McLaughlin Ave

Exterior Inspection noted:

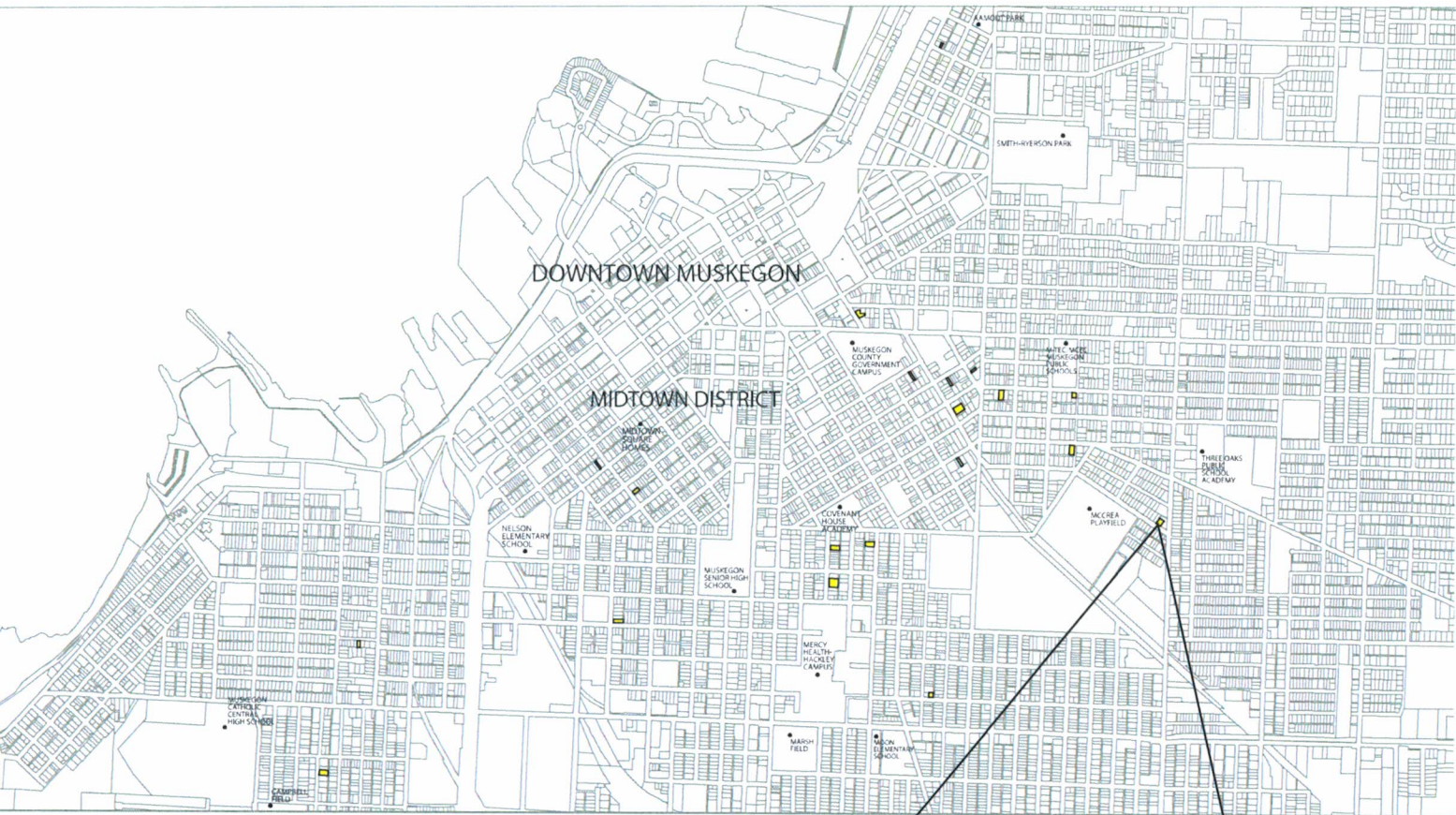
Garages/Sheds:

1. Is open and not secure.
2. Accessory structure is not maintained in good repair.
3. Roof is totally deteriorated – must be replaced.
4. Siding corners are loose.
5. Has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
6. Garage has boarded windows.

House:

1. Where repairs to existing roof are made, materials and color must blend with balance of roof.
2. Roof has some shingles or parts of shingles missing.
3. Roof has shingles that are deteriorated and need replacing.
4. Has eave boards that are rotted or missing.
5. Siding has holes in it or is rotted or missing.
6. Siding is loose, broken or falling off.
7. Siding corners are missing.
8. 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.
9. Has trim that has holes in it or is rotted or missing.
10. Has peeling paint that needs to be scraped and needs to be protected from weather by properly applied water-resistant paint or waterproof finish.
11. Is not protected from weather by a properly applied water-resistant paint or waterproof finish. Surface must be scraped prior to applying any water -resistant paint or waterproof finish.
12. Trim is broken, loose, rotted, missing or incomplete.
13. Trim is bare wood - must be painted, varnished or sealed.
14. 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. Window sash is broken, rotted or missing.
15. Window(s) has/have broken or cracked glass.
16. Window frame is rotted.
17. Door is broken or missing.(Front Porch Door)

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.



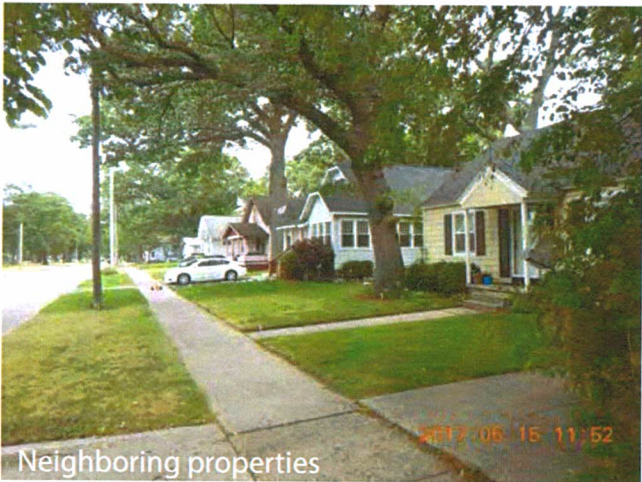
776 CATAWBA



Front of house



Wood rot



Neighboring properties

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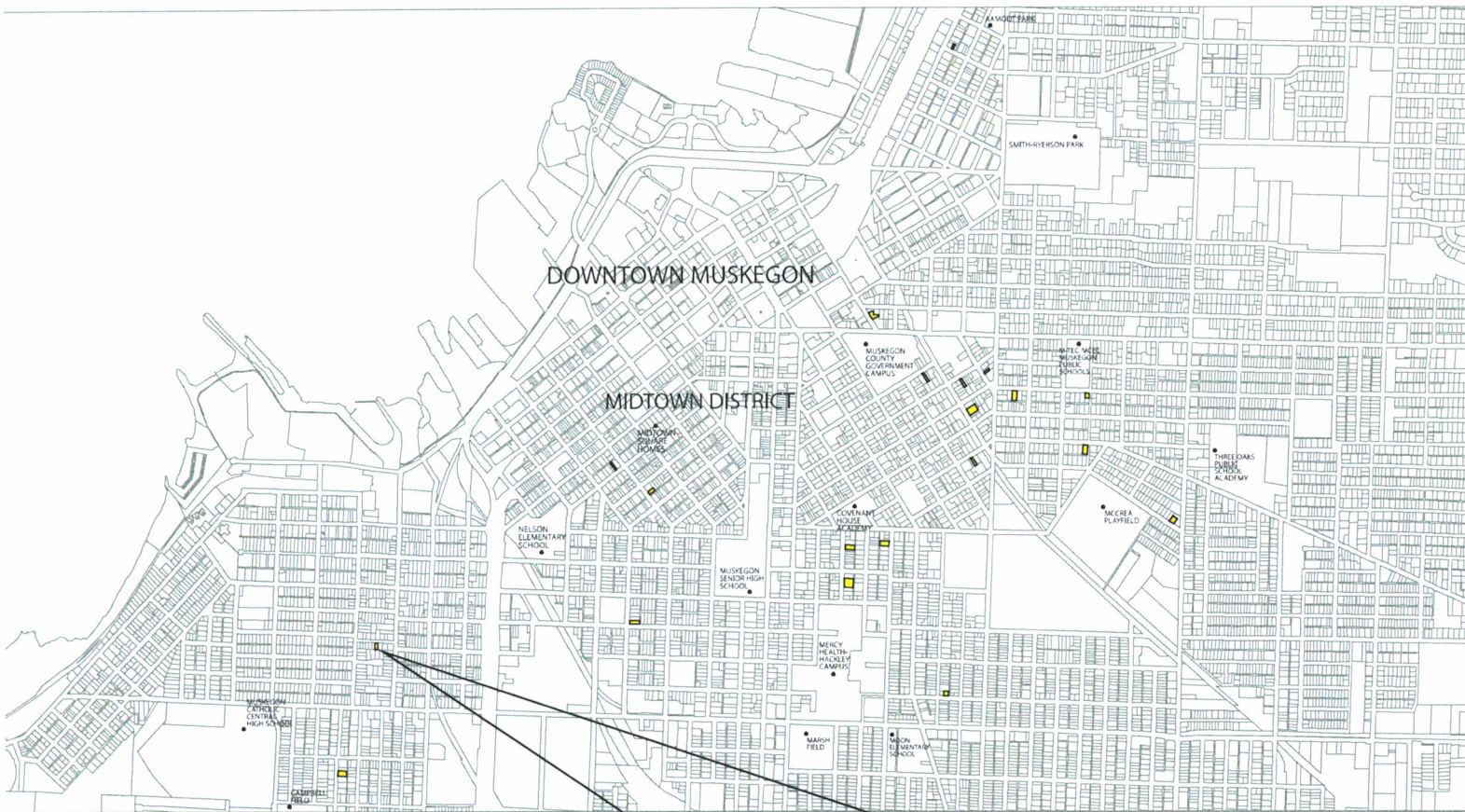
DANGEROUS BUILDING REPORT

776 Catawba

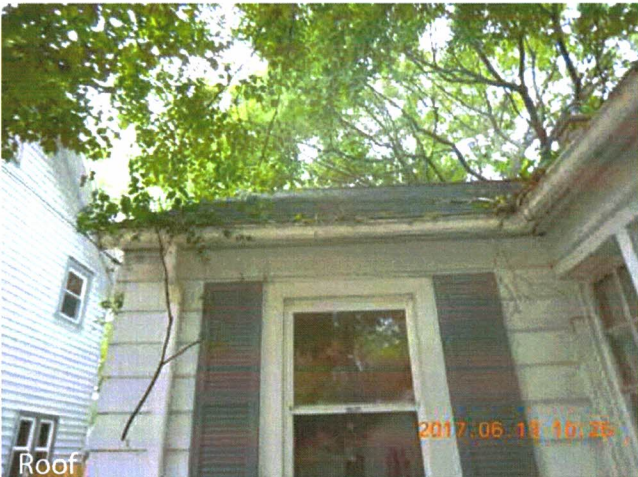
Exterior Inspection noted (home and attached garage):

1. Roof is totally deteriorated – must be replaced.
2. Side of roof has rotted or missing roof boards.
3. Rafters are bowed and the roof is sagging. Roof rafters need bracing in the attic.
4. Has eave boards that are rotted or missing.
5. Has broken siding.
6. There are several exterior areas of the home and attached garage that are not protected from the weather with a properly applied water-resistant paint or waterproof finish. Surface must be properly scraped prior to applying any water-resistant paint or waterproof finish.
7. Home and attached garage have peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
8. Porch/steps have flooring, posts, or walls that are deteriorated.
9. Handrail is missing.
10. Concrete steps are deteriorated.
11. Porch floor has bare wood and is not protected from the weather by a properly applied water resistant paint or finish.
12. Porch ceiling is deteriorated or missing.
13. Foundation walls have missing mortar or open cracks.
14. Foundation walls have peeling paint. Paint must be properly scraped prior to painting.
15. Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
16. Window(s) are not weathertight and in good repair.
17. Windows have broken or cracked glass.
18. Window trim is broken or missing.
19. Window sills are broken, missing or rotted.
20. Window screen(s) are torn, damaged or missing.
21. Window(s) has/have rotted frames.
22. Window(s) has/have glazing that is missing or deteriorated.
23. Overgrown bushes/trees along the structures need to be removed/trimmed and any branches overhanging the roof need to be trimmed.
24. Brush, fallen tree limbs and trash need to be removed.
25. Electric meter has been removed – power lines are still connected.
26. Door(s) and/or window(s) has/have been boarded in order to secure the structure.

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.



907 IRELAND



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

DANGEROUS BUILDING REPORT

907 Ireland

Exterior Inspection noted:

Very large tree in front of the home needs to be removed. It is a danger to this structure and the adjacent structure to the east. The roots are exposed and they are uprooting the adjacent property owner's driveway and starting to lift the City sidewalk.

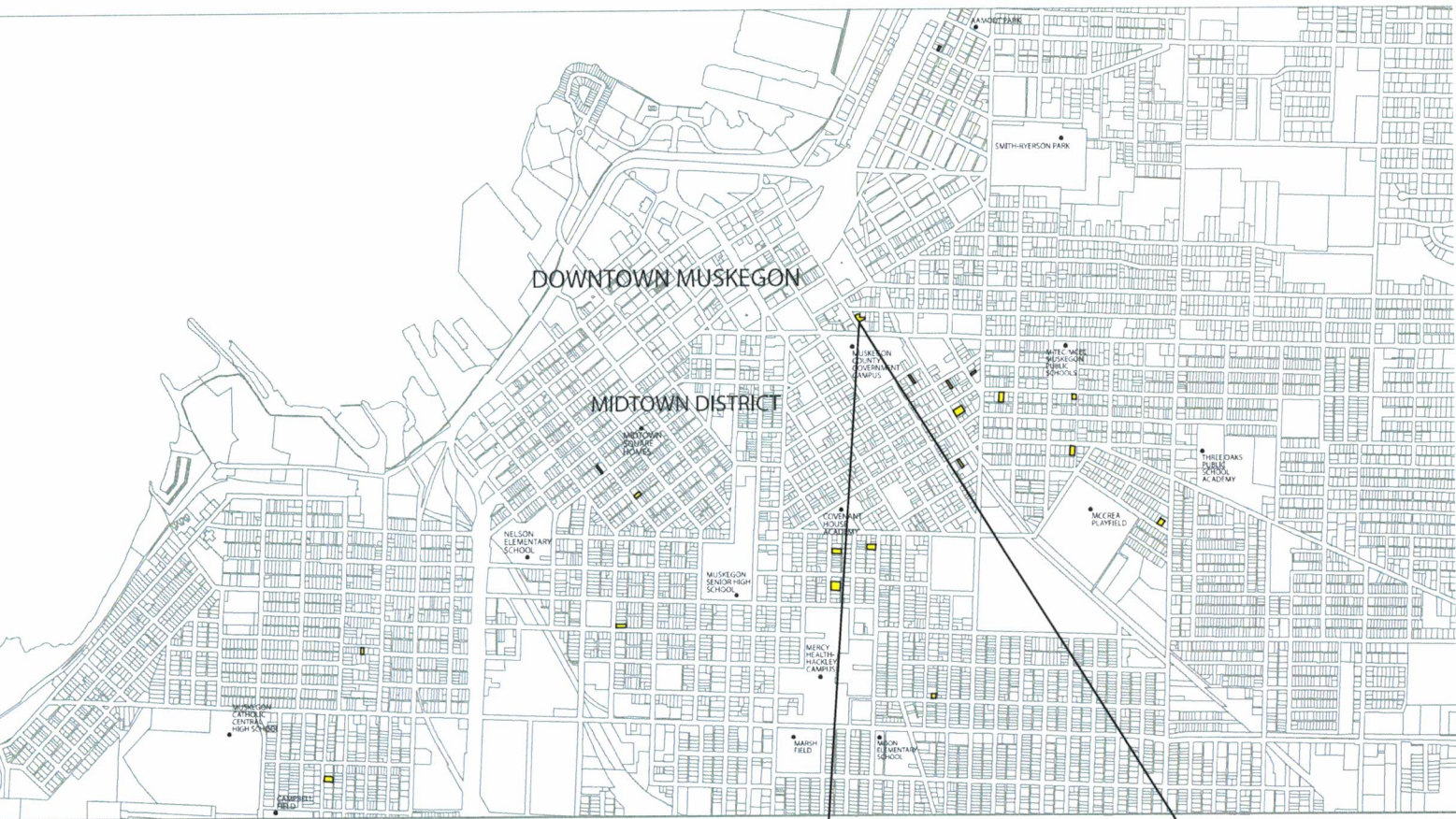
Accessory Structure(s):

1. The accessory structure is not maintained in good repair.
2. 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.

House:

1. Has roofing areas that are deteriorated and need replacing.
2. Has broken siding.
3. Siding corners are missing.
4. Foundation block walls have joints where the mortar is missing.
5. Foundation walls have peeling paint. Paint must be properly scraped prior to painting.
6. Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
7. Window(s) has/have glazing that is missing or deteriorated.
8. Window(s) is/are closed off and the material(s) used do not blend with the siding.
9. Fence is in disrepair and needs to be removed.
10. Door(s) and/or window(s) has/have been boarded in order to secure the structure.
11. Police report 12/2/2016 – unsecured home. Officer could not enter the structure due to the horrible conditions inside.

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.



974 SPRING



Front of house



Roof damage



Side porch

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

DANGEROUS BUILDING REPORT

974 Spring

Exterior Inspection noted:

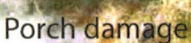
Garage:

1. Exterior 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.
2. Boared/broken windows.
3. Overgrowth of bushes along garage that needs to be removed.
4. Overhanging tree needs to be trimmed so it does not hang/brush over the garage causing damage to the roof.
5. Roof has some shingles or parts of shingles missing or deteriorated and need replacing.

House:

1. Roof is totally deteriorated – must be replaced.
2. Roof has rotted or missing roof boards.
3. Has eave boards that are rotted or missing.
4. Siding has holes, broken, rotted, loose, falling off or missing.
5. There are several exterior areas that are not protected from the weather with a properly applied water-resistant paint or waterproof finish. Surface must be properly scraped prior to applying any water-resistant paint or waterproof finish.
6. Front steps and side ramp/steps have peeling paint or are not properly protected from the weather by a properly applied water resistant paint or finish. Any peeling paint would have to be properly scraped prior to painting.
7. Foundation walls have missing mortar or open cracks.
8. Foundation walls have peeling paint. Paint must be properly scraped prior to painting.
9. Trim is broken, missing, loose, rotted or incomplete.
10. Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
11. Window sills are broken, missing or rotted.
12. Screen door is missing.
13. Overgrown bushes along home needs to be removed/trimmed.
14. Door(s) and/or window(s) has/have been boarded in order to secure the structure.

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.



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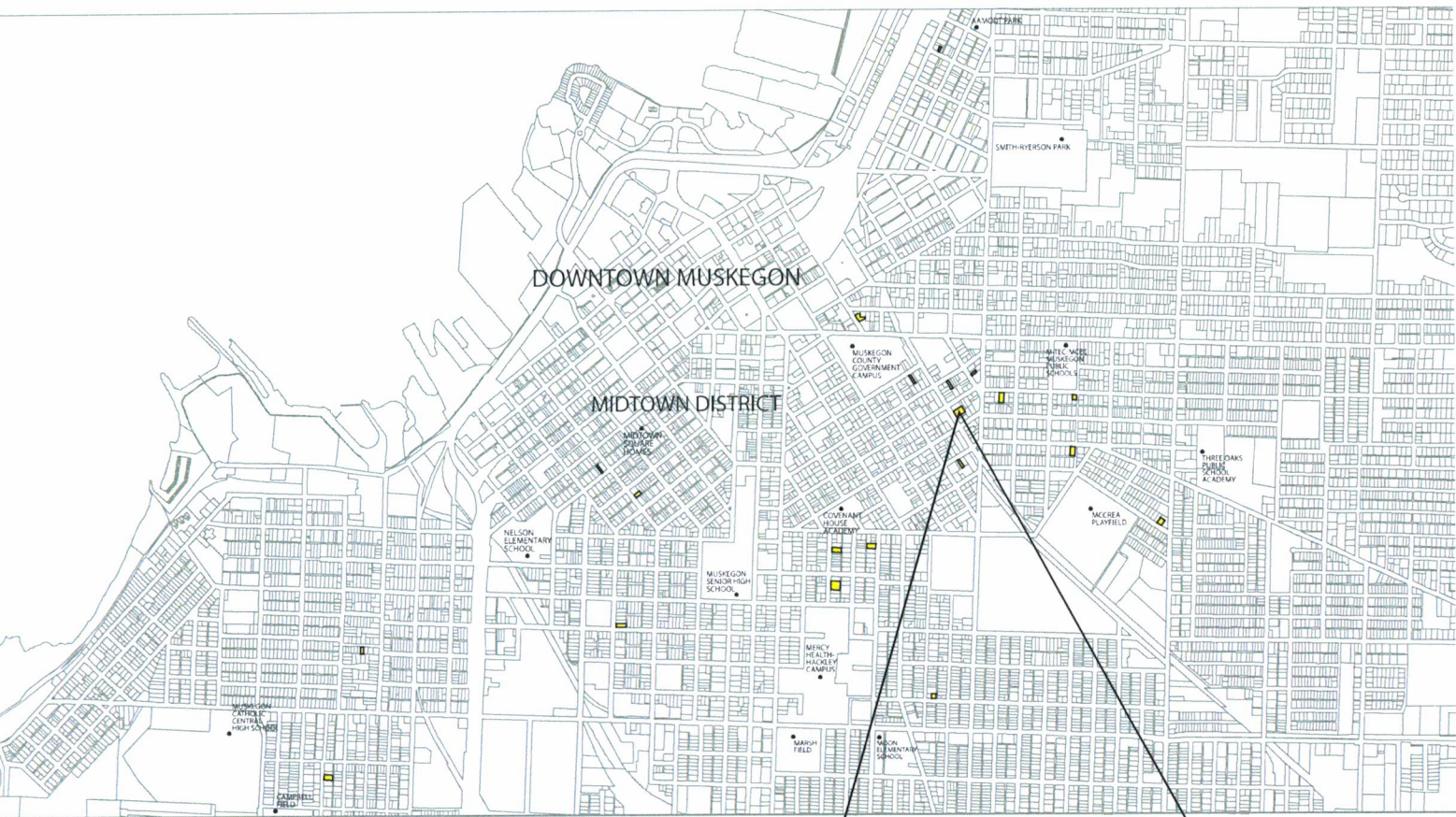
DANGEROUS BUILDING REPORT

1082 Sophia

Exterior Inspection noted:

1. Roof is totally deteriorated – must be replaced.
2. Siding is bubbling in some areas.
3. Siding has holes, broken, rotted, loose, falling off or missing.
4. Porch/steps have flooring, posts, or walls that are deteriorated.
5. Porch floor has bare wood and is not protected from the weather by a properly applied water resistant paint or finish.
6. Porch trim is has peeling paint, rotted and bare wood and is not protected from the weather by a properly applied water resistant paint or finish.
7. Foundation footing is sinking or missing.
8. Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
9. Door(s) and/or window(s) has/have been boarded in order to secure the structure.
10. Electric meter has been removed-power lines are still connected to home.

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.



1160 AMBROSIA



CITY OF MUSKEGON
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933 TERRACE ST STE 202
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(231) 724-6702 (Office) (231) 724-6790 (Fax)

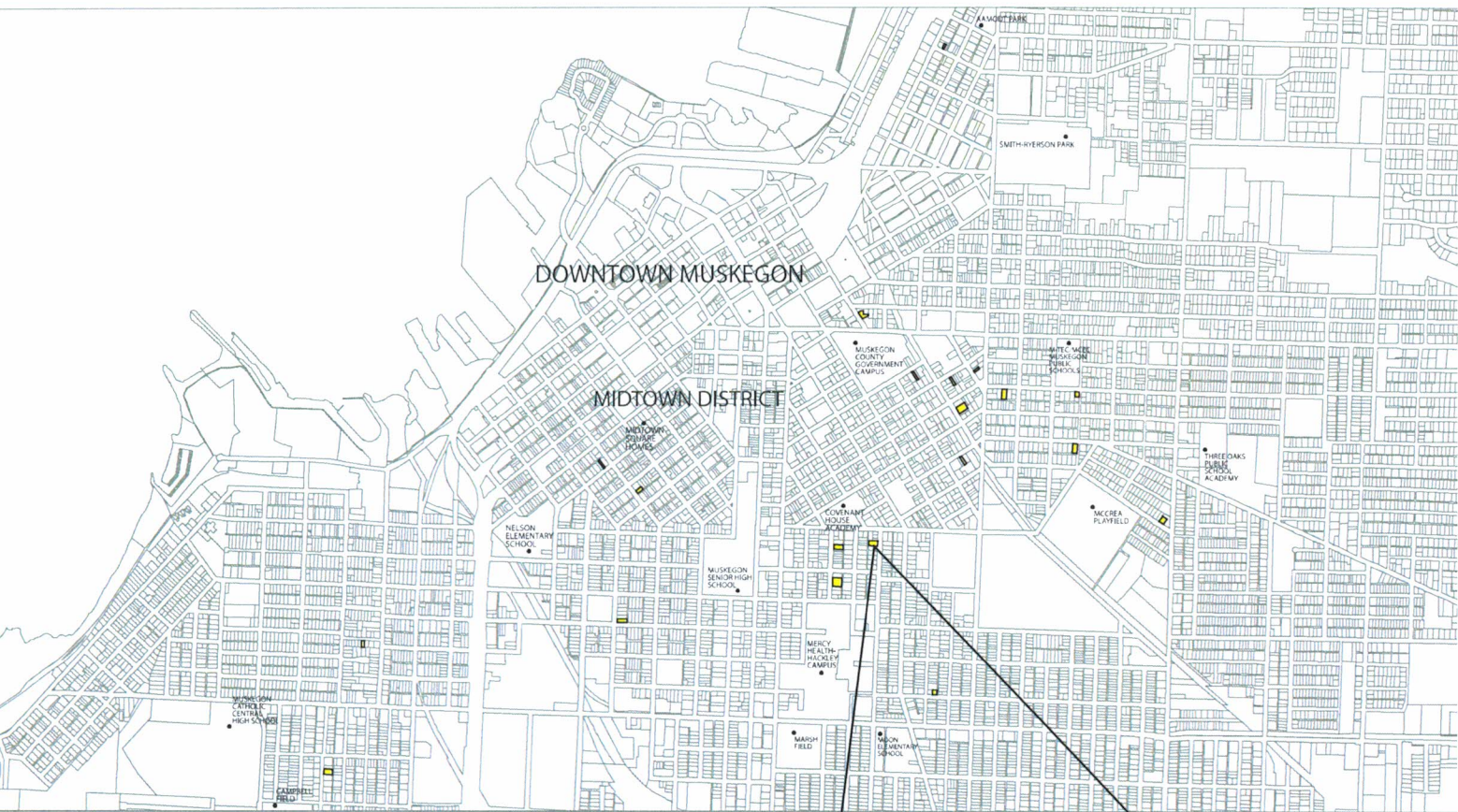
DANGEROUS BUILDING REPORT

1160 Ambrosia

Exterior Inspection noted:

1. Roof is totally deteriorated – must be replaced.
2. Siding has holes, broken, rotted, loose, falling off or missing.
3. Handrail is not in good repair and/or does not go to the top of the steps.
4. Trim is broken, missing, loose, rotted or incomplete.
5. Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
6. Has eave boards that are rotted or missing.
7. Has aluminum fascia that is loose, falling off or missing.
8. Window(s) are not weathertight and in good repair.
9. Window(s) has/have rotted frame(s).
10. Window(s) has/have glazing that is missing or deteriorated.
11. Door frame is broken or loose.
12. Door trim is broken or incomplete.
13. Door stop is broken or missing.
14. Door does not fit tight-needs to be weathertight.
15. Many areas of the home are exposed to the elements due to lack of correct/sufficient coverage.
16. Trash and tarps behind the structure.
17. Overgrown bushes around the structure needs to be removed/trimmed.
18. Water is off.
19. Gas is off to both units. I meter is completely removed with the other only being locked.
20. On 2/21/2017 Fire and Police were dispatched to the home. The occupants were given a cease and desist order and were told they may no longer reside in the home due to lack of utilities, fire hazard and deplorable conditions inside.
21. Police returned to the location on 5/22/2017 due to complaints that the property owners were residing in the home after being told they can no longer live there by the Fire Marshall due to the conditions from 2/21/2017.

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.



1431 HOYT



Front of house



Rear of house



Rear neighbors

CITY OF MUSKEGON
CODE COMPLIANCE DEPARTMENT
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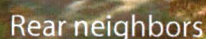
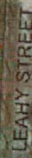
DANGEROUS BUILDING REPORT

1431 Hoyt

Exterior Inspection noted (house and garage):

1. Electric line to the structure has been damaged due to tree branch coming down at the rear of the home. This has also pulled the electric mast from the home. This has been reported to Consumers Electric Co. to have it removed. Electric meter was already removed from the home.
2. Gas meter location shows hook up for two meters with one having been removed the other is locked.
3. Roof is totally deteriorated – must be replaced at the rear of the structure.
4. Has eave boards that are rotted or missing.
5. Chimney is missing bricks or has cracks.
6. Has broken siding.
7. Has missing siding corners.
8. Back porch/steps have flooring, posts, or walls that are deteriorated.
9. Back porch step(s) is/are broken or rotted.
10. Handrail(s) is/are not in good repair.
11. Porch floor has bare wood and is not protected from the weather by a properly applied water resistant paint or finish.
12. Foundation walls have missing mortar or open cracks.
13. Foundation walls have peeling paint. Paint must be properly scraped prior to painting.
14. Trim is broken, missing, rotted or incomplete.
15. Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
16. Structure has boarded windows/doors in order to secure it.

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.



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DANGEROUS BUILDING REPORT

1518 Jiroch

Exterior Inspection noted (house and attached garage):

1. Roof is totally deteriorated – must be replaced.
2. Side of roof has rotted or missing roof boards.
3. Has eave boards that are rotted or missing.
4. There is exposed, rotted wood under some roofing areas with holes or provides exposure to the elements into the structure and/or its wall area.
5. Chimney repairs were not properly done and needs to be properly prepared.
6. Siding has peeling paint – and is not protected from the weather by a properly applied water resistant paint or finish. This must be properly scraped before painting.
7. Brick veneer has missing mortar or large cracks. There are some areas where the bricks are starting to cave in.
8. There are areas where the brick and windows are separating.
9. Has peeling paint on house and attached garage that needs to be properly scraped and needs to be protected from the weather by properly applied water -resistant paint or waterproof finish.
10. Porch/steps have flooring, posts, or walls that are deteriorated.
11. Concrete steps are deteriorated.
12. Concrete porch or steps has holes and/or shows deterioration.
13. Foundation walls have missing mortar or open cracks, with many areas shifting inward.
14. Foundation walls have peeling paint. Paint must be properly scraped prior to painting.
15. Block wall(s) have joints where the mortar is missing.
16. Block wall(s) has/have hole(s) that need to be repaired.
17. Exterior trim has peeling paint that needs to be properly scraped and needs to be protected from the weather by properly applied water-resistant paint or waterproof finish.
18. Window(s) are not weathertight and in good repair.
19. Window trim is broken or missing.
20. Window screen(s) are torn, damaged or missing.
21. Window(s) has/have glazing that is missing or deteriorated.
22. Garage overhead, sliding, or swing door is broken, damaged or missing parts so it may not work properly.
23. Fence is in disrepair and needs to be removed.
24. Both electric meters have been removed with the power lines still going to the structure.
25. Overgrown bushes around the house need to be trimmed or removed.
26. Door(s) and/or window(s) has/have been boarded in order to secure the structure.

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.

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DANGEROUS BUILDING REPORT

247 Delaware

Exterior Inspection noted:

Garage:

1. Has peeling paint that needs to be scraped and needs to be protected from weather by properly applied water-resistant paint or waterproof finish.
2. Has windows that are boarded.
3. Roof has some shingles or parts of shingles missing.

House:

1. Roof has some shingles or parts of shingles missing.
2. Has eave boards that are rotted or missing.
3. Exterior is not protected from weather by a properly applied water-resistant paint or waterproof finish. Surface must be scraped prior to applying any water - resistant paint or waterproof finish.
4. Porch & steps – concrete steps, floor, posts and/or walls are deteriorated.
5. Rubbish, garbage, appliances or household furniture stored on open porch.
6. Foundation walls have missing mortar or open cracks.
7. Trim is broken, missing, loose or incomplete.
8. Interior trim & woodwork has peeling paint that needs to be properly scraped and painted.
9. Windows are not weathertight and in good repair.
10. Window sill is broken, missing or rotted.
11. Window(s) has/have broken or cracked glass.
12. Window frame is rotted.
13. Window has glazing that is missing or deteriorated.
14. Door threshold is broken, rotted or missing.
15. Storm door does not operate properly.
16. Overgrown bushes or trees that are growing against or too closely to the structure(s) need to be properly maintained, trimmed, cut, or removed.
17. Fire Department was there 2/7/17 due to numerous small fires that were set on the 2nd floor & returned due to juveniles breaking into the home.
18. Police Department was there twice on 2/7/17 to assist the Fire Department.

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: January 23, 2018

Date: January 18, 2018
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Request to amend the Planned Unit Development (PUD) at
1740 E Sherman Blvd

SUMMARY OF REQUEST:

Request to amend the PUD at 1740 E Sherman Blvd to allow for the addition of a new 5,600 sf out-building and to increase the signage allotment.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the final PUD.

COMMITTEE RECOMMENDATION:

The request was unanimously recommended for approval at the December 14 Planning Commission meeting.

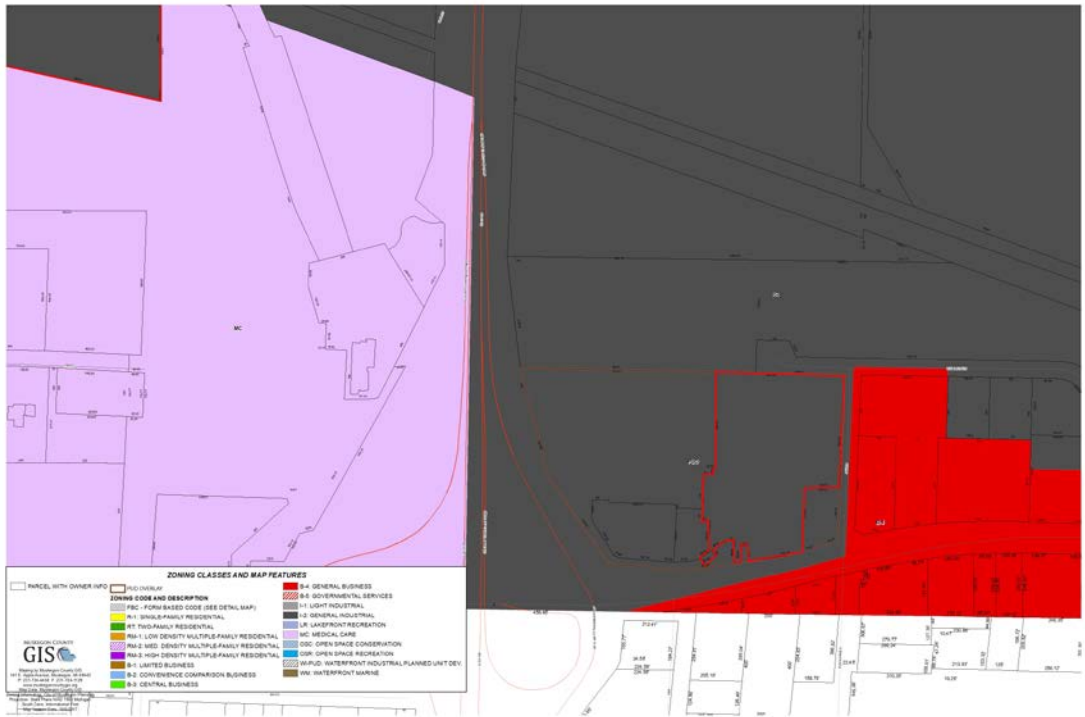
PLANNING COMMISSION STAFF REPORT EXCERPT

Hearing, Case 2017-31: Request to amend the final Planned Unit Development at 1740 E Sherman Blvd to allow construction of a new out-building and to increase the size of the existing pole sign, by Pacifica Companies.

SUMMARY

1. The property at 1740 E Sherman Blvd measures just under seven acres and is owned by Pacifica Muskegon, LLC. It is part of a Planned Unit Development (PUD) that also includes about 10.5 acres of retail development owned by RCG-Muskegon, LLC. CRC Muskegon, LLC also owns about 0.7 acres of property, which is the Fazoli's restaurant. These three property owners are all under the same PUD. Pacifica Muskegon, LLC is proposing to construct a new out-building on its property, which would be located just east of the existing Fazoli's building.
2. The new building will be set up for two separate tenants. The tenant closest to Sherman would have 2,595 sq ft of space and the back tenant would have 2,995 sq ft of space.
3. The parking lot would be reconfigured and four new landscaping islands would be added. The new traffic pattern created will allow for a drive thru window for the new building. Parking spaces would be restriped and there would be 32 parking spaces available for the new building. A landscaping plan has not been included.
4. The applicant also has two sign requests as part of this development. They would like to add a 10 x 10 monument sign in front of the new out-building that both new businesses would share. There are currently three existing out-buildings (Panera Bread, Fazoli's, closed Chinese Buffet) and none of them have a separate monument sign in front of their buildings. This new out-building would be the only out-building with a monument sign in this development. They would also like to increase the size of the existing large freestanding sign facing Sherman Blvd. There are currently two free-standing pole signs on site, one facing Sherman Blvd and one facing the highway. The zoning ordinance allows for both signs and the addition of even more, since there are several parcels and multiple business congregated together. However, both signs are larger than what is normally allowed by the ordinance. An exception was made as part of the original PUD process. They are now looking to increase the size of the Sherman Blvd sign from 33' feet tall and 326 sf total to 35.5' tall and 356 sf total. This will be to accommodate the three new retail suites going in the former Target suite.
5. Please see the enclosed site plan and sign renderings.
6. Notice was sent to all property owners/tenants within 300 feet of this property. At the time of this writing, staff has not received any comments from the public.

Zoning Map



Aerial Map



Area where new out-building will be located at 1740 E Sherman Blvd



Existing sign on Sherman Blvd to be enlarged



Area in front of Fazoli's (no monument signs are currently located in this area)



CITY OF MUSKEGON

RESOLUTION #2018-

RESOLUTION FOR FINAL PLANNED UNIT DEVELOPMENT APPROVAL FOR 1740 E SHERMAN BLVD

WHEREAS, a petition to amend the Planned Unit Development at 1740 E Sherman Blvd was received; and,

WHEREAS, the applicant is requesting to add a 5,600 sf out-building with a drive thru and increase the sign allotment; and,

WHEREAS, any additional requests for modifications to the final PUD will constitute a public hearing and an amendment to the final plan;

WHEREAS, proper notice was given by mail and publication and public hearings were held by the City Planning Commission and by the City Commission to consider said petition, during which all interested persons were given an opportunity to be heard in accordance with provisions of the Zoning Ordinance and State Law; and

WHEREAS, the Planning Commission and staff have recommended approval of the Final Planned Unit Development and associated site plan; and

NOW, THEREFORE, BE IT RESOLVED that the recommendation by staff and the Planning Commission be accepted and the final Planned Unit Development is hereby approved.

Adopted this 23rd day of January, 2018

Ayes:

Nays:

Absent:

By: _____
Stephen J. Gawron
Mayor

Attest: _____
Ann Meisch
Clerk, City of Muskegon

CERTIFICATE (Final PUD 1740 E Sherman Blvd)

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 a resolution adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 23rd day of January, 2018, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2018.

Ann Meisch
Clerk, City of Muskegon



BEFORE



AFTER

CLIENT ARTWORK RENDERING

CLIENT: RCG Ventures

DATE: November 29, 2017

ACCOUNT REP: Paul Kovalak

W.O. # VERSION: Version 6

PROJECT CONTACT: Paul Kovalak

DESIGNER: Jena Tucker

SITE INFORMATION: Sherman Center
1700 E Sherman Blvd
Muskegon, MI 49444

CLIENT APPROVAL

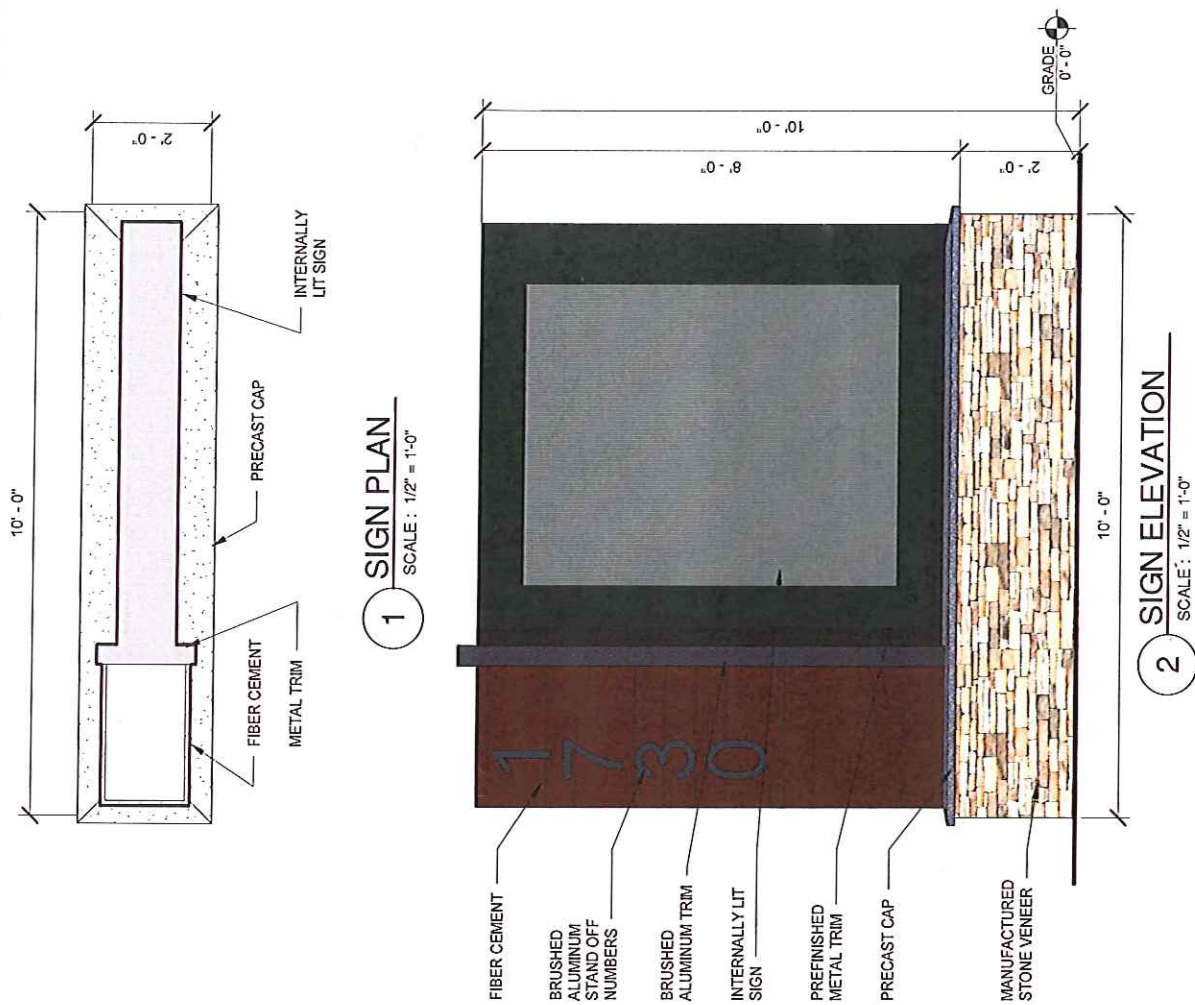
THIS IS A LEGAL ACKNOWLEDGEMENT FOR REPRESENTATION OF ARTWORK PROVIDED BY CITY SIGN ERECTORS. ALL OR ANY PART OF THIS ARTWORK (EXCLUDING REGISTERED TRADEMARKS) ARE THE SOLE PROPERTY OF CITY SIGN ERECTORS. ANY USE WITHOUT DIRECT WRITTEN PERMISSION FROM CITY SIGN ERECTORS IS A VIOLATION. Artwork, rendering, and or designs, details and or plans represented herein are specifically developed for your company's use in connection with a specific project and are not authorized for any other use. Artwork, rendering, and or designs shall not be shown to any one person outside of designated company, nor shall be used, reproduced, exhibited or copied for any other usage. Signature and or email correspondence is considered acceptance of the above terms. Verbal agreements shall not be acceptable or warranted. ©2014 City Sign Erectors of West Michigan, Inc.

CITYSIGNERECTORS.COM

2824 3 MILE Rd. NW., Grand Rapids, MI 49544

Ph 616.791.0016 F 616.791.1011





AGENDA ITEM NO. _____
CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners

FROM: Frank Peterson, City Manager

DATE: January 18, 2018

RE: Authorization Engage Fletcher & Sippel

SUMMARY OF REQUEST:

City staff is requesting authorization to enter into a service agreement with Fletcher & Sippel, LLC in an effort to secure the elimination of the unused railroad track that currently traverses the Windward Pointe parcel. At this time, we are only formally seeking the abandonment of this section of the track, but expect that our success in doing so may positively impact our ability to remove additional sections running from downtown through Lakeside.

FINANCIAL IMPACT:

Not to exceed \$33,000.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the request and authorize the city manager to enter into the service agreement with Fletcher & Sippel.

COMMITTEE RECOMMENDATION:

None.

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

ROBERT A. WIMBISH
(312) 252-1504
rwimbish@fletcher-sippel.com

January 16, 2018

VIA FIRST CLASS AND ELECTRONIC MAIL

Pure Muskegon, LLC
City of Muskegon, Michigan
MCC Partners, LLC
c/o J. Scott Timmer
GIELOW GROOM TERPSTRA & McEVOY
281 Seminole - 2nd Floor
Norton Shores, MI 49444

Re: Fee and Service Agreement

Dear Mr. Timmer:

Fletcher & Sippel LLC ("F&S") appreciates the opportunity to assist Pure Muskegon, LLC ("Pure Muskegon"), the City of Muskegon, Michigan (the "City") and MCC Partners, LLC ("MCC") (collectively, the "Interested Parties") in connection with concerted efforts to – (1) develop a sizable parcel of land in Muskegon, Michigan, that previously had been the site of a paper mill, and (2) as is incidental to such development, to secure the elimination of unused railroad trackage and right-of-way (collectively, the "Line") traversing the subject parcel and adjacent lands via applicable federal regulatory procedures. This undertaking may, among other things, involve efforts to negotiate a mutually-acceptable arrangement among the Interested Parties, the railroad line owner (CSX Transportation, Inc. – "CSXT") and CSXT's railroad operator tenant, Michigan Shore Railroad ("MSR" – a common carrier subsidiary of the railroad holding company Genesee & Wyoming Inc.), and, barring that, the invocation of "adverse" federal processes on behalf of one or more of the Interested Parties to seek the legal abandonment of the Line.

We expect to confer with you as local Michigan counsel and to coordinate on strategy and tactics among the Interested Parties. Beyond assisting with negotiations on behalf of the Interested Parties, F&S will provide advice on, and engage as necessary in, federal procedures before the Surface Transportation Board that would permit the legal abandonment of the Line (thus facilitating Pure Muskegon's development plans).

When accepting new clients, it is the firm's policy to put fee arrangements in writing. My rate for this matter will be \$290 per hour. I expect to be primarily responsible for this matter, but other attorneys may assist and/or act on behalf of the Interested Parties as circumstances warrant. The rate for other attorneys who may contribute to this project would range from \$300/hour to \$175/hour. Paralegal support, if needed, would be billed at \$85/hour.

FLETCHER & SIPPEL LLC

J. Scott Timmer
On Behalf of Pure Muskegon, LLC
City of Muskegon, Michigan
MCC Partners, LLC
January 16, 2018
Page 2

We know that our clients work within budgets, and that controlling costs is important. We do not charge for ordinary office expenses (*i.e.*, on-site copies, faxes, telephone charges, basic computer research, postage and letter-sized FedEx packages). We treat these expenses as normal overhead, and cover them in our hourly rates. Larger copying projects would be handled through an off-site copy service with the cost billed to the client. Similarly, the cost of any FedEx package weighing over one pound and any out-of-pocket or extraordinary expense that we incur (such as travel) would be billed and itemized on our statement. We strive to minimize such expenses, and, where feasible, discuss them with the client in advance.

Normally, we issue our statements monthly. Our statements identify the attorney performing the work, the date and description of the work performed, the amount of time spent (in tenths of an hour), and the hourly rate. Any chargeable expenses are shown separately. Payment on invoices tendered, which would be directed to you (unless you instruct otherwise), would be due within 30 days of the invoice date.

In order to ensure we do not prejudice existing clients, many of whom are railroad common carriers, we ask the Interested Parties to agree that F&S may assert arguments and theories in other cases on behalf of those other clients that may be viewed as adverse to the Interested Parties. As a practical matter, we do not anticipate this becoming an issue here, in that none of our clients are directly implicated in the likely scope of this undertaking. Of course, if a conflict situation were to arise, we would take appropriate steps as required by our ethical obligations to ensure that information acquired pursuant to our representation of the Interested Parties is not used in any way adverse to them.

If you have any questions or concerns regarding these arrangements, please let me know. Otherwise, if the above accurately sets forth our understanding on this matter, please indicate your acceptance by signing on the line provided below and returning this letter to me for my file.

FLETCHER & SIPPEL LLC

J. Scott Timmer
On Behalf of Pure Muskegon, LLC
City of Muskegon, Michigan
MCC Partners, LLC
January 16, 2018
Page 3

We are excited about the opportunity to work with the Interested Parties.

Very truly yours,



Robert A. Wimbish

RAW/flr

ACCEPTED AND AGREED:

Pure Muskegon, LLC

City of Muskegon, Michigan

Name:

Name:

Title:

Title:

Date: _____

Date: _____

MCC Partners, LLC

Name:

Title:

Date: _____

AGENDA ITEM NO. _____
CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners

FROM: Frank Peterson, City Manager

DATE: January 18, 2018

RE: Authorization Progressive AE

SUMMARY OF REQUEST:

City staff is requesting authorization to engage Progressive AE to undertake the architectural design work associated with the planned downtown convention center. Engaging an architectural firm is the next step in making final determinations of the size, location, amenities, and costs associated with the convention center. Total architectural and engineering fees are expected to be \$832,800, plus reimbursable expenses. 100% of related costs will be reimbursed through county accommodations tax receipts.

FINANCIAL IMPACT:

\$832,800, plus reimbursable expenses.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the request and authorize the city manager to enter into the service agreement with Progressive AE.

COMMITTEE RECOMMENDATION:

None.



City of Muskegon

Downtown Muskegon Convention Center

Professional Architectural and Engineering Services Proposal

January 11, 2018

1811 4 Mile Road NE
Grand Rapids, MI 49525
phone 616.361.2664
fax 616.361.1493
progressiveae.com

January 11, 2018

Frank Peterson
City Manager
City of Muskegon
933 Terrace Street
Muskegon, MI 49440

RE: Downtown Muskegon Convention Center
2018 Project Scope

Dear Frank:

Today, we expect our community convention centers to be more than simple meeting spaces. They must also serve as a place to connect, work, play, learn and escape. As a local asset, the Downtown Muskegon Convention Center will support Muskegon area businesses in many ways. Yet, convention and event environments are also economic generators that often have larger financial impacts on the regions they serve, bringing in additional revenue for hotels, restaurants, retailers and more. Understanding your needs, and the needs of community stakeholders, is at the core of the Progressive AE's design process.

Our hope is to continue to excite you and your community throughout the remainder of the design process. We believe in an inclusive process, one where members of the community are encouraged to dream and participate. The results so far have helped set design goals that will challenge each of us to stretch our definitions of convention, education, and socialization. In addition, the following are just a few of the questions we look forward to answering with you.

How do we create environments that both facilitate and inspire?

What events can we help bring to Muskegon?

How can our Performance-based Design process support your community's vision?

How will architecture convey the rich history of the lakeshore community?

It is this journey, and the aim to create memorable and positive experiences, that will frame our collective expectations for a community-based event center in Muskegon. With you we have already actively sought out a deeper understanding of social space design and its impact on personal experience. From our experience on the DeVos Place Convention Center in Grand Rapids through working with anthropologists and social scientists, we asked and answered the question, "How do people connect, share, and learn?" What we found is that the most successful social spaces blend transparency, flexibility, and connection to nature. These principles were also applied to our work on the Blue Water Area Convention Center, in Port Huron, Michigan, which has a very similar program and scale to the project we have outlined with you. We welcome the opportunity to apply our years of research and experience to the process of designing your new convention center.

Thank you again for this opportunity; we are excited and looking forward to working together with you on this important initiative for the City of Muskegon.



James Horman, AIA, RA, LEED AP, NCARB
Principal, Community Practice Leader

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Tab 1 - Project Understanding

Tab 2 - Outline Methodology

Tab 3 - Statement of Experience
and Qualifications

Tab 4 - Comparable Projects

Tab 5 - Supporting Materials

Tab 6 - Estimated Timeline

Tab 7 - Professional Compensation



Downtown Muskegon Convention Center Project Understanding

The following information outlines the project parameters and new construction location for a new convention center in Downtown Muskegon.

Project Parameters

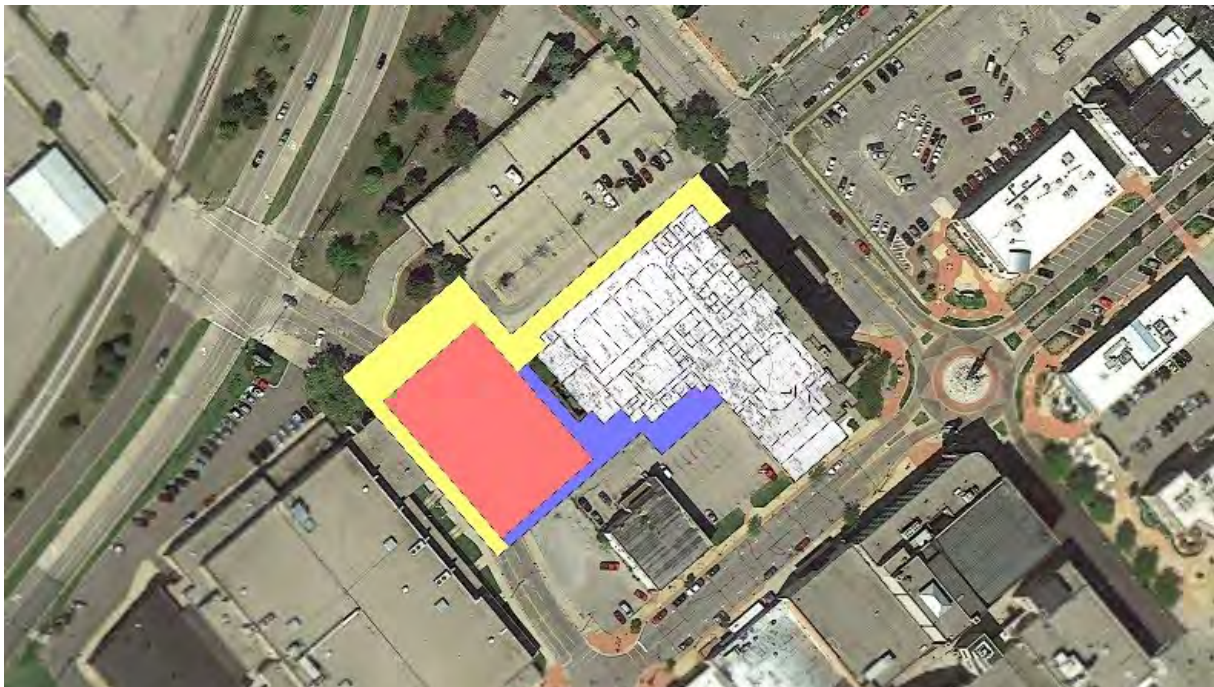
Location:	4th Street between Shoreline Drive and Western Avenue
Construction budget:	\$12,000,000
Size of new construction:	45,500 square feet +/-
Stories:	One
Elevation:	Western Avenue, Holiday Inn 1st floor level
Parking:	895 4th Street and/or 372 Morris Avenue
Finance vehicle:	City of Muskegon sponsored municipal bonds
Operational management:	Parkland Properties of Michigan
Hospitality:	Provided for by Holiday Inn Muskegon-Harbor

Project Timeline

Visioning Community Engagement	2016	January-March
Programming & Conceptual Design		April-September
Project Cost Estimating		October-December
Conceptual design refinement	2017	
Design and documentation	2018	
Construction commencement	2019	

Graphic Plan:

The attached graphic has been created to support further study and design which will inform the design of new construction and renovation of existing hotel meeting rooms, kitchen and back of house operational space.





It's How We Work with You

Our process provides a structured framework that supports everything we do – from the first client meeting to the project's post occupancy review. Behind this framework is a powerful set of tools for producing exceptional work. The process is proven and it's unwavering.

We're curious people obsessed with doing good work today, but also understanding how to do better work tomorrow. Why? Because your success matters to us. We predicate our recommendations on the vision you are working to achieve. We employ certain measures, design and validation checkpoints throughout your project. We assess organizational performance improvements. We believe that a strong focus on helping you plan and making purposeful decisions that support your goals is time well spent.

The central strength of our process is the ability to “build consensus from a diverse group of stakeholders.” Each step supports, builds and informs the next. Below comprehensively represents the steps we go through on every project. On larger projects, these may be organized over weeks. On smaller engagements, we can attack the project in a few hours. What's important is that our team takes a structured approach to understanding the project goals and priorities from initiation and carries them through past project occupancy.



WORK PLAN - Frame, Aspire, Create, Integrate ("Pre-Design - Design Development")

Frame

Identify current conditions.

The foundation of our process is derived from a thorough understanding of an organization's current state, strategy and objectives. We believe it is an essential reference when defining future opportunities. Integral to our planning and design process, we will first "Frame" the project understanding, the team and decision makers, existing conditions, and the program requirements for the project. For a community-oriented convention center this includes understanding how many different groups or functions can all make great use of the space for their specific event.

Key activities:

- Determine with you prior to the beginning of our work for the project its decision makers and those other voices who will need to be engaged. We'll work to understand all the different ways the new facility might be used and be intentional about capturing all stakeholder voices.
- We'll present options for streamlining the project, selecting with you a project delivery method appropriate for your priorities, budget and schedule.
- Assess the American 1 Event Center under consideration to confirm the master planning and project work already complete can be realized, and to discover any potential challenges prior to beginning design.
- Interview stakeholders to gain an in-depth understanding of their needs and their definition of a successful project.

Aspire

Imagine future success.

We will then "Aspire" to what future success means for the City of Muskegon. We will establish design principles that define success for the project and guide future decision making. Through visioning meetings with stakeholders, the "Aspire" phase overlays the technical requirements of the project learned during "Frame" with the needs and goals of the users and how to best align the project with the stakeholders mission and values.

Key activities:

- Align the functional requirements discovered during Frame with the project aspirations of the Fair Board and County Commissioners.
- Engage stakeholders and the community, to understand their needs for the project.
- Create "Design Principles" and prioritize the requirements of the project in light of these principles.

Create

Discover conceptual direction.

Our design team will then work with you to “Create” the design for your project, exploring conceptual options to accomplish the goals and scope of the project envisioned within the established budget and schedule. Typically, the conceptual designs produced during “Create” are developed in an intense, on-site interaction with the project stakeholders. This immersive experience allows a broad range of input from the stakeholders and community and allows us to explore many options quickly and efficiently. During the Create phase we bring value to the project through innovative design solutions and value to the process by achieving early alignment on key design decisions.

Key activities:

- Explore multiple options with project stakeholders for locating the new convention center on the property.
- Develop concept plans for the preferred location of the event center that will be the basis for the development of the design.
- Throughout the Create process, we’ll work with our internal cost estimator to confirm the preferred concepts are aligned with the project budget and schedule.

Integrate

Advance client aspirations.

Our team of designers, architects, and engineers will then “Integrate” the established design concept, detailing the specific design solutions for the projects and producing the documents needed for construction. Throughout the process, the team will consult with the Fair Board and County Commissioners and the Design Principles developed during the “Aspire” phase to ensure that solutions reflect project priorities.

Schematic design initiatives and deliverables:

- Develop a site plan with hard and soft scape directions
- Develop a refined floor plan
- Develop building sections
- Develop interior and exterior elevations and perspective sketches
- Preliminary selection of major building systems
- Estimate reconciliation with designers and engineers
- Present schematic design package to owner
- Owner approval to proceed with design development

Design development initiatives and deliverables:

- Develop the schematic design documents in more detail
- Refine building details and finishes
- Diagrammatic layouts of building systems
- Create an outline specification identifying major materials and systems
- Estimate reconciliation with designers and engineers
- Present design development package to owner
- Owner approval to proceed with construction documents

In accordance with the RFQ, we will pause after the Design Development phase so County Commission can review the package that has been created along with the budget and schedule and confirm it is truly the direction towards success for the project and the community.

WORK PLAN - Integrate *cont.* and Validate ("Construction Documents and Construction Management")

Integrate *cont.*

Construction documents initiatives and deliverables:

- Final detailing and coordination with designers, engineers and construction manager
- Estimate reconciliation with designers, engineers and construction manager
- Present construction documents package to owner
- Owner approval to proceed with bidding and negotiations
- Issue documents for bidding and negotiations
- Submit for building permits

Bidding and negotiations for construction key initiatives:

- Assist the construction manager with pre-bid meetings
- Answer questions from trade contractors
- Assist the construction manager with securing competitive pricing from trade contractors
- Owner approval to proceed with construction
- Construction manager awards trade contracts

Construction key initiatives:

- Periodic site visits to become familiar with progress and quality
- Respond to questions that arise during construction
- Review submittals and shop drawings
- Review and certify certificates for payment for the construction manager
- Review construction manager's punch-list
- Provide substantial and final completion inspections
- The owner takes occupancy of the building

Validate

Measure performance.

Finally, Progressive AE will "Validate" the design following occupancy, to assure the strategic objectives and goals for the project were realized, making adjustments as possible to further improve the building's performance, and program's success.

Key activities:

- Upon project completion, meet to review that Design Principles for the projects have been met and to celebrate the success of the team in bringing meaning and value to these transformational projects.





James Horman, AIA, RA
LEED AP, NCARB

Principal

Community Practice Leader
hormanj@progressiveae.com
616.447.3322

Jim has 26 years of experience and lends his creative talents and thoughtful insight to assist clients in realizing their vision and creating workable solutions. His strong communication skills allow him to express his designs in a manner that is collaborative; the foundation of his ability to build lasting client relationships.

Education

Bachelor of Environmental Design, Architecture, Miami University

Master of Science, Architecture, The University of Michigan

Muskegon County

Muskegon County Convention Center Study

Principal for a concept design study to help the Muskegon community visualize the scope, design, funding, construction, and management/operation of a new convention center. Our convention center concept design study provided the community, hospitality partners, and local municipal planning professionals a vision of how a downtown convention center would be incorporated into development of downtown Muskegon, and how its development would impact the streetscape and current/future retail business in the downtown area.

St. Clair County

Blue Water Area Convention Center

Principal on a new 35,000 square feet convention center. The Blue Water Convention Center features state-of-the-art meeting and event space alongside the beautiful St. Clair River and impressive Blue Water Bridge. The center's design takes advantage of its unique location and spectacular views. Meeting and event rooms feature floor-to-ceiling windows to maximize daylighting and provide for a natural and scenic backdrop. The highlight of the center is a flexible 20,000-square-foot ballroom that can meet the needs of almost any event. An exterior riverside patio provides guests the opportunity to further enjoy the center's unique location and views.

Grand Action Committee

Downtown Market Grand Rapids

Senior architect for a year-round 130,000 square feet mixed-use complex promoting local food products, agriculture industry, independent businesses and healthy lifestyles. Project includes Brownfield Redevelopment of former warehouse structures and site, indoor market with 24 permanent vendor stalls, up to 40 outdoor farmer's market shed stalls, indoor and outdoor fresh food retailing, 5,000 square feet of restaurant and 4,500 square feet of retail space, educational and office space, rooftop greenhouses, demonstration kitchen, 5,000 square feet incubator kitchen, children's kitchen, and banquet and meeting rooms.

Grand Rapids Art Museum (GRAM)

Principal on the new 125,000 square feet LEED GOLD certified museum. The new museum includes a 4,500 square feet lobby/reception area, a 285-seat auditorium, several galleries, totaling 18,000 square feet, for both changing exhibitions and permanent collections, a 2,400 square feet retail shop, a 1,500 square feet café, and 5,000 square feet of educational area (studios and orientation areas), controlled storage and receiving areas, as well as one level of underground parking with space for 40 cars.



Ken Brandsen
LEED AP, CDT

Senior Project Manager

brandsenk@progressiveae.com

616.447.3329

Ken has 30 years of experience in commercial real estate and corporate facilities throughout the country. His expertise is in developing projects in the early stages including site search activities, lease management, project leadership and managing the project through the entire process. He brings a unique understanding of effective workplace for employee engagement, branding for client interactions, and the design process necessary for success.

Education

Bachelor of Business Administration,
Davenport University

Applied Sciences Associates in
Architectural Technology, Ferris State
University

Muskegon County

Muskegon County Convention Center Study

Facilitated client committee and a broad base of community stakeholders/influencers through several working sessions to inform creation of three design solutions. These solutions were presented to the County Commissioners for further consideration and decisions.

West Michigan Regional Airport

New Terminal and Business Center

Led the team's community engagement to develop the resulting design solution for the new facility. This involved multiple working sessions with the committee as well as community stakeholders.

Trendway

Project manager for the proposed master plan/office consolidation project at its corporate headquarters. This involved engagement with the client core team and multiple working sessions with the leadership teams to achieve alignment and determination of next steps.

Hope Network

Project manager for the workplace consolidation feasibility study. This involved site infrastructure planning, site and building entry experience as well as departmental locations and adjacencies.

West

Project manager for the proposed office expansion/renovation project involvement development of a new visitor/client experience as well as functional office space for current and future staffing needs.

ROL | Ergo USA

Project manager for the proposed new US based operations site, including offices, showroom and manufacturing facilities.

Haworth, Inc.

Project manager for several facilities assessments and feasibility analysis including Data Center infrastructure redundancy and office area renovations.



Bryan Koehn, AIA
LEED AP

Principal, Director of Design

koehnb@progressiveae.com
616.447.3435

Bryan has 29 years of experience and serves as the director of design. Bryan applies his experience, expertise and thought leadership to help clients optimize performance. He works collaboratively with clients to frame the overall business needs, goals and objectives in order to create strategic spaces. Bryan earned AIA Michigan's Young Architect of the Year Award, as well as over 25 design awards throughout his architectural career.

Education

Associates of Architectural
Technology, Ferris State University

Bachelor of Architecture,
Magna Cum Laude, Lawrence
Technological University

Master of Architecture, with High
Distinction, University of Michigan

Muskegon County

Muskegon County Convention Center Study

Design architect for a concept design study to help the Muskegon community visualize the scope, design, funding, construction, and management/operation of a new convention center. Our convention center concept design study provided the community, hospitality partners, and local municipal planning professionals a vision of how a downtown convention center would be incorporated into development of downtown Muskegon, and how its development would impact the streetscape and current/future retail business in the downtown area.

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Grand Rapids-Kent County Convention/Arena Authority (CAA)

DeVos Place Convention Center

Design architect for a new welcome center station and master plan and design of the corridor experience connection between DeVos Place Convention Center and Amway Grand Hotel.

Fredrick Meijer Gardens

- Design architect for a master plan to expand this world class garden. The master plan included an update to the welcome center and amphitheater and sculpture park expansion.
- Design architect for design review of a two story addition to Fredrick Meijer Gardens' Education Center

Pete Lazdins, PLA
CLARB

Senior Land Planner

lazdinsp@progressiveae.com
616.365.8570



Pete has more than 30 years of experience and combines the design sensitivity of a landscape architect with the broader perspective of an urban planner. A good deal of his work involves planning in the urban environment on a variety of projects. He is well-versed in campus planning, housing, retail, and public spaces. In addition, many of the projects in Pete's portfolio involve rezoning and site plan approvals

Education

Bachelor of Science, Urban Planning,
Michigan State University

Master of Landscape Architecture,
University of Michigan

Muskegon County

Muskegon County Convention Center Study

Senior land planner for a concept design study to help the Muskegon community visualize the scope, design, funding, construction, and management/operation of a new convention center. Our convention center concept design study provided the community, hospitality partners, and local municipal planning professionals a vision of how a downtown convention center would be incorporated into development of downtown Muskegon, and how its development would impact the streetscape and current/future retail business in the downtown area.

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Grand Action Committee

Downtown Market Grand Rapids

Senior land planner for a year-round 130,000 square feet mixed-use complex promoting local food products, agriculture industry, independent businesses and healthy lifestyles. Project includes Brownfield Redevelopment of former warehouse structures and site, indoor market with 24 permanent vendor stalls, up to 40 outdoor farmer's market shed stalls, indoor and outdoor fresh food retailing, 5,000 square feet of restaurant and 4,500 square feet of retail space, educational and office space, rooftop greenhouses, demonstration kitchen, 5,000 square feet incubator kitchen, children's kitchen, and banquet and meeting rooms.

Ada Village Master Plan

Senior land planner for the study and master plan for the redesign of Ada Village. Assisted in public consensus building, information gathering meetings, preliminary infrastructure design and cost estimating.



Scott Thompson, PE
LEED AP

Electrical Engineering Discipline Leader

thompsons@progressiveae.com
616.447.3431

Scott has more than 20 years of experience and serves as Electrical Engineering Discipline Leader and has extensive experience with project management, as well as electrical power distribution, lighting, fire alarm, security, and communication system design. Scott's background includes performing building assessments, energy studies and EPACT credit reports, and lighting calculation simulations. Projects have included a wide range of building types.

Education

Bachelor of Science, Engineering,
Western Michigan University, 1997

Jackson County Intermediate School District

Provided arc flash study and appropriate stickers for updated code requirements.

St. Clair County

Blue Water Area Convention Center

Electrical engineer for a new 35,000 square feet convention center. The Blue Water Convention Center features state-of-the-art meeting and event space alongside the beautiful St. Clair River and impressive Blue Water Bridge. The center's design takes advantage of its unique location and spectacular views. Meeting and event rooms feature floor-to-ceiling windows to maximize daylighting and provide for a natural and scenic backdrop. The highlight of the center is a flexible 20,000-square-foot ballroom that can meet the needs of almost any event. An exterior riverside patio provides guests the opportunity to further enjoy the center's unique location and views.

John Ball Zoo

Bissell Tree House and Funicular

Electrical engineer for a LEED Gold conference and educational center positioned at the gateway of the upper expansion area. Located within the tree canopy, it has a direct view of the city of Grand Rapids. The Tree House is accessed by a funicular that begins at the entry to the zoo and takes visitors up 80 spectacular feet through the trees. The funicular depot, boardwalk and tree house are designed with seamless floor elevations to accommodate a diverse group of users.

Steelcase

Learning and Exploration Center

Electrical engineer for the creation of Steelcase's Learning and Exploration Center (LEC) located at their global headquarters in Grand Rapids, MI, was driven by the organization's desire to create a physical destination that would foster an innovative culture and exemplify the company's commitment to sustainable design.

Grand Rapids-Kent County Convention/Arena Authority (CAA)

DeVos Performance Hall

Electrical engineer for updates to the orchestra shell rigging equipment and for improvements for Phantom of the Opera show requirements.

Stephen Hamstra, PE

Senior Mechanical Engineer

hamstras@progressiveae.com

616.988.4901



Stephen brings more than 35 years' experience, knowledge and leadership to his projects. With multiple awards, publications and patents to his name, he is a leader in the field of engineering. His specializations include integrated energy systems, thermal energy storage design and control, and renewable energy systems.

Stephen's projects have included master planning, renovations, expansion and new construction. He has extensive experience with large-scale (campus level) geothermal heat pump HVAC technology and has applied this technology to 5+ million square feet.

Education

Bachelor of Science, Mechanical Engineering, Michigan State University

Arts and Entertainment

Steve has more than 35 years of experience in designing high-performance HVAC systems, and many of those projects have included systems to tightly maintain temperature and relative humidity levels for the preservation of documents and artifacts. Steve has completed and is currently engaged in numerous facility assessments for institutional and private-sector clients. Steve also prepared an HVAC system analysis for the American Museum of Natural History in New York City, looking at the potential application of geothermal heat pump technology.

University of Findlay

Davis Science Building

The Davis Science Building served as a showcase for new control technology as well as an on-going R&D facility to improve control algorithms. The project received Global 1st Place in energy technology for new education facilities by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE).

Indiana Tech University

Campus Geothermal System

Retrofit of existing geothermal heat exchanger control system using innovative new technology from Greensleeves, an intellectual property firm. The project helped determine the remaining capacity and if additional buildings could be added to the system.

Fort B

Campus Geothermal System

Large project that included five geothermal borefields to serve two million square feet of facilities. Intelligent controls allowed for the optimization of the geothermal heat exchangers.

City of Kalgoorlie, Australia

Community Rec Facility

Geothermal retrofit project utilizing Greensleeves' intelligent control technology to manage heat transfer with both vertical and shallow horizontal geothermal heat exchangers.



Chris Masacek, PE

Structural Engineering Manager

masacekc@progressiveae.com

616.447.3300

Chris has more than 25 years of experience and serves as Progressive AE's lead structural engineer for projects of varying complexity, providing technical assistance during project construction to resolve varying or unexpected field conditions. He has comprehensive experience in the design and analysis of commercial and industrial building facilities using a variety of materials, including steel, concrete, masonry, and timber.

Education

Bachelor of Science, Civil Engineering, Michigan State University

St. Clair County

Blue Water Area Convention Center

Structural engineer for a new 35,000 square feet convention center. The Blue Water Convention Center features state-of-the-art meeting and event space alongside the beautiful St. Clair River and impressive Blue Water Bridge. The center's design takes advantage of its unique location and spectacular views. Meeting and event rooms feature floor-to-ceiling windows to maximize daylighting and provide for a natural and scenic backdrop. The highlight of the center is a flexible 20,000-square-foot ballroom that can meet the needs of almost any event. An exterior riverside patio provides guests the opportunity to further enjoy the center's unique location and views.

Grand Rapids-Kent County Convention/Arena Authority (CAA)

DeVos Place Convention Center

Structural engineer for a new 1,037,905 square foot convention center expansion and renovation of the Grand Center of DeVos Place Convention Center creating a state-of-the-art convention and exhibition facility that meets the needs of major users, now and into the future. The major components of the project are 160,000 square feet of column-free exhibit hall (360 foot clear-span), a 40,000 square feet sub-divisible ballroom, 35,000 square feet of flexible meeting rooms in a variety of sizes, a full-service banquet kitchen was developed and added and a 675 space parking garage. The key space within DeVos Place Convention Center is the 450 feet long by 80 feet high sky lit Grand Gallery, a pre-function space which links Monroe Avenue to the Grand River.

Grand Rapids-Kent County Convention/Arena Authority (CAA)

DeVos Performance Hall

- Structural engineer for a multi-million dollar renovation transforming the theater experience by enveloping the audience in dramatic, changing, colored light that completely washes the sides of the hall. The renovation includes a new signature lobby, seating, railings, accent lighting, and an infused space with new architectural finishes. Additional features include new balcony fronts and major wood and glass side walls. The project also incorporated barrier-free improvements throughout, including barrier free seating areas at all levels.
- Theatrical renovations, orchestra shell ceiling rigging, catwalk installation, event rigging verifications for shows such as, Phantom of the Opera.

Cheryl Scales, PE
LEED AP

Principal, Senior Civil Engineer

scalesc@progressiveae.com
616.447.3332



Cheryl has more than 30 years of experience in all aspects of engineering projects, project management, real estate site assistance, development of standards for design and construction of site development projects, design, permitting, and construction services. She is familiar with all aspects of site design including sustainable site development, stormwater and soil erosion management, utility systems, pavement management, grading, site plans.

Education

Bachelor of Science in Civil Engineering, Michigan State University

St. Clair County

Blue Water Area Convention Center

Civil engineer for a new 35,000 square feet convention center. The Blue Water Convention Center features state-of-the-art meeting and event space alongside the beautiful St. Clair River and impressive Blue Water Bridge. The center's design takes advantage of its unique location and spectacular views. Meeting and event rooms feature floor-to-ceiling windows to maximize daylighting and provide for a natural and scenic backdrop. The highlight of the center is a flexible 20,000-square-foot ballroom that can meet the needs of almost any event. An exterior riverside patio provides guests the opportunity to further enjoy the center's unique location and views.

Frederik Meijer Gardens

Various Projects

- Project manager and civil engineer for a wide variety of complex projects over the past 18 years.
- Instrumental in seeing the most recent project, the Japanese Garden addition, come to fruition by assisting Kurisu Landscape Design to design the pond and infrastructure, as well as the structural, electrical and mechanical engineering for the Japanese designed structures.
- Other projects included amphitheater expansion, children's garden, sculpture garden, and maintenance facility.
- Currently re-designing parking lots to accommodate building addition and to facilitate better traffic flow.

Mary Free Bed YMCA

New Facility

- Assisted in identifying and developing three potential locations; led the rezoning, site plan approval and design for all locations.
- Final site included fully ADA accessible site to support people of all abilities.
- Maximized the site to include the building, outdoor education center, remote restroom facility, wheel chair softball field, youth baseball fields, tennis courts, and soccer fields.

Ada Village Master Plan

Project engineer for the study and master plan for the redesign of Ada Village. Assisted in public consensus building, information gathering meetings, preliminary infrastructure design and cost estimating. Prepared green infrastructure master plan.

A portrait of Melissa Malburg, a woman with brown hair tied back, wearing a black top and a grey scarf, smiling. The background is a blurred interior space with large windows and structural elements.

Melissa Malburg
IIDA LEED AP

Senior Interior Designer

malburgm@progressiveae.com
616.447.3354

Melissa has more than 12 years of experience on the Progressive AE team designing environments that inspire. Capitalizing on an organization's strategic mission, she works with the project team to provide integrated solutions accommodating client processes and operations, physical comfort and control, corporate culture, and public image. She focuses on human factors that relate to perception, intuitive use, accessibility and wayfinding.

Education

Bachelor of Fine Arts, Interior Design with honors, Kendall College of Art and Design

Kent County

Space Needs Assessment

Review of multiple county-owned facilities for utilization including recommendations provided for maintenance, consolidation or liquidation.

Stryker Instruments Division

Feasibility Studies; Test Labs; Master Plan Programming

- Provided design services and workplace consulting for the Instruments' team over the last three years as they evaluated and planned for future facilities, supporting strategic goals and objectives by focusing on human performance.
- As the design lead, I facilitated research, surveys, workshops and planning sessions through multiple phases of administrative office studies and master plan programming in order to identify key work processes, business drivers, and organizational goals; in addition to quantitative programming data, the sum of this work informed the final 300 page programming synthesis for their R&D facility.
- interior designer for the recent test labs reconfigure and expansion, ensuring durability in architectural finishes and continuity to surrounding areas.

Steelcase

11 WorkLife Centers across North America

- Actively serving as a partner and consultant for ongoing product development and research; immersing in the client's culture to gain a deep understanding of research and insights surrounding workplace drivers and human needs.
- Developed a comprehensive program for interior design, planning, branding integration, architectural and technology coordination, furniture design, layout, and specification to ensure Steelcase was represented effectively throughout multiple locations nationwide.
- Conducted and utilized findings from workplace needs assessments and research to design/implement new workplace strategies for various regional offices and corporate headquarters.

West Michigan Center for Arts and Technology (LEED Silver)

Interior design, planning, signage, and furniture design and selection for renovated urban training center for at-risk teens and adults. Design thinking methodology is used in arts-based after school training programs aimed at increasing student engagement and boosting graduation rates. The adult training programs focus on empowerment and respect for underemployed adults, providing specialized training to meet the needs of local healthcare systems.



Mike Vermeulen

Senior Cost Estimator

vermeulenm@progressiveae.com
616.447.3305

Michael has more than 25 years of experience in the construction industry working as an architectural draftsman, estimator and as a construction project manager. Prior to joining Progressive AE, Michael was a senior estimator at Starwood Vacation Ownership in Orlando, FL. Project types include retail, educational, healthcare, worship, multi-family, and hospitality/resort clients.

Education

Bachelors of Science, Project Management, University of Phoenix

Associates of Science, Architectural Drafting and Design, Ivy Tech Community College

Ferris State University

Senior cost estimator for a 93,000 square feet complete interior renovation and weight room/ reception area addition to Ferris State University's Student Rec Center. Provided cost estimating and analysis and value engineering.

Western Michigan University

Senior cost estimator for a 26,000 square feet interior renovation to Western Michigan University's Kohrman Hall. Provided cost estimating and analysis and value engineering.

Cornerstone University

Senior cost estimator for a new 41,000 square feet science lab facility, which includes classrooms, labs, common areas and offices. Provided cost estimating and analysis, and value engineering

Lake Michigan College

Hanson Technology Center

Senior cost estimator for Lake Michigan College's new 49,000 square feet Hanson Technology Center, which includes classrooms, labs, common areas and offices. Provided cost estimating and analysis, value engineering, review of bid documents, bid document distribution, bid analysis and change order review.

Hope Network Metro Health

Senior cost estimator for facility renovations and upgrades including complete interior remodel for the 19,520 square feet medical and dental clinic. Provided cost estimating and analysis and value engineering.

Allegiance Health Family Medicine

Senior cost estimator for facility renovations and upgrades including complete interior remodel with 4,000 square feet addition and site improvements for the 7,743 square feet clinical facility. Provided cost estimating and analysis and value engineering.

Westin Beach Resort

Senior cost estimator responsible for cost analysis, design review, preparation of bid documents, contractor/CM qualifications, bid procedures and process, bid review and analysis, post-bid interviews, and contractor recommendations for 13-story, 250-unit vacation resort in Aruba.



Muskegon County Convention Center Study

Muskegon County, MI

Size

50,000 square feet

Completion

On-going

Cost

\$15,000,000 - \$17,000,000

Services

Architecture, site planning, cost estimating, economic feasibility

Progressive AE developed a concept design study to help the Muskegon community visualize the scope, design, funding, construction, and management/operation of a new convention center. Our convention center concept design study provided the community, hospitality partners, and local municipal planning professionals with a vision of how a downtown convention center would be incorporated into development of downtown Muskegon, and how its development would impact the streetscape and current/future retail business in the downtown area.



St. Clair County Blue Water Area Convention Center

Port Huron, MI

Size

35,000 square foot

Completion

2015

Cost

\$6,000,000

Services

Architectural, mechanical, electrical, and structural engineering

The Blue Water Convention Center in Port Huron, MI, features state-of-the-art meeting and event space alongside the beautiful St. Clair River and impressive Blue Water Bridge. The center's design takes advantage of its unique location and spectacular views. Meeting and event rooms feature floor-to-ceiling windows to maximize daylighting and provide for a natural and scenic backdrop. The highlight of the center is a flexible 20,000-square-foot ballroom that can meet the needs of almost any event. An exterior riverside patio provides guests the opportunity to further enjoy the center's unique location and views.



Grand Rapids-Kent County Convention/Arena Authority (CAA) DeVos Place Convention Center Expansion and Renovation

Grand Rapids, MI

Size

1,037,905 square feet

Completion

2004

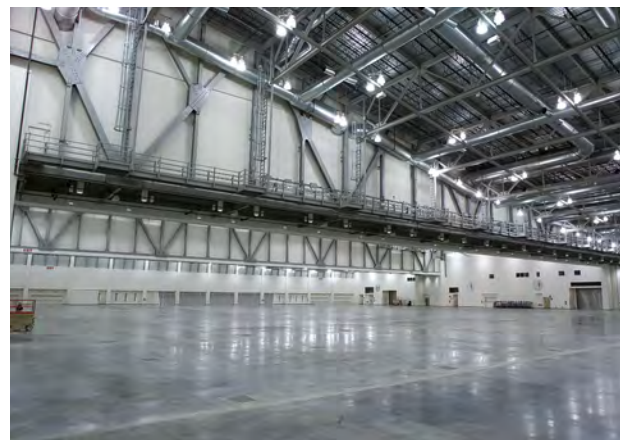
Cost

\$219,500,000

Services

Architecture, mechanical, electrical and structural engineering

The expansion and renovation of the Grand Center into DeVos Place creates a state-of-the-art convention and exhibition facility that will meet the needs of major users, now and into the future. Function spaces are enlarged and reorganized to increase convenience and ease of use for both the public and the exhibitor. The major components of the project are 160,000 square foot column-free Exhibit Hall (360 foot clear-span), a 40,000 square foot sub-divisible Ballroom, 35,000 square feet of flexible meeting rooms in a variety of sizes, a full-service banquet kitchen was developed and added and a 675 space parking garage. The key space within DeVos Place is the 450 feet long by 80 feet high sky lit Grand Gallery, a pre-function space which links Monroe Avenue to the Grand River. Integral within DeVos Place design is DeVos Performance Hall, for which a new signature lobby was made. The one million square foot convention facility integrates the heritage of downtown Grand Rapids with a new and memorable architectural experience sited carefully on a quality urban riverfront. Progressive AE holds the Prime Contract and is Architect/Engineer of Record. We partnered on the design of convention center with Ellerbe Becket of Minneapolis.



Grand Action Downtown Market

Grand Rapids, MI

Size

130,000 square feet

Completion

2013

Cost

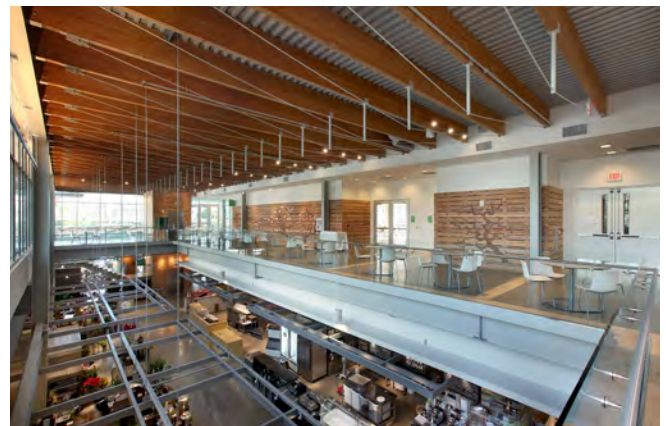
\$21,000,000

Services

Zoning assistance, site master planning, landscape design, architecture, engineering coordination, construction administration

A year-round 130,000 square feet mixed-use complex promoting local food products, agriculture industry, independent businesses and healthy lifestyles. Project includes Brownfield Redevelopment of former warehouse structures and site, indoor market with 24 permanent vendor stalls, up to 40 outdoor farmer's market shed stalls, indoor and outdoor fresh food retailing, 5,000 square feet of restaurant and 4,500 square feet of retail space, educational and office space, rooftop greenhouses, demonstration kitchen, 5,000 square feet incubator kitchen, children's kitchen, and banquet and meeting rooms.

As the Architect of Record, our scope of services on this mixed use development was site master planning, site design, schematic design support, design development, construction documentation, bidding support, permitting and construction administration. Services extended to interior tenant fit-outs for a variety of spaces within the market hall, including restaurant, educational and office spaces.



Frederik Meijer Gardens & Sculpture Park

Overall Site Development

Grand Rapids, MI

Size

Sculpture Park: 125 acres;
Children's Garden: 5 acres;
Amphitheater: 1,800 people

Completion

TBD

Cost

Sculpture Park: \$10,000,000
Children's Garden: \$5,000,000
Amphitheater: \$3,000,000

Services

Site master planning, landscape architecture, architecture, and civil engineering

Progressive AE was engaged by Frederik Meijer Gardens to develop an outdoor environment and settings for specific sculptures within the sculpture park at Frederik Meijer Gardens & Sculpture Park as part of its overall programming. In addition, as part of Frederik Meijer Gardens & Sculpture Park's overall program objectives, we were tasked with creating a highly-interactive fun garden for children that is educational and blends into the natural woodland and wetland setting and an amphitheater for outdoor performances and concerts in a garden-like setting.

Through on-site collaboration with sculptors, such as Mark Di Suvero, Magdalena Abakanowicz, Keith Haring, and Arnaldo Pomodoro; individual sculpture sites were designed and installation was coordinated. The sculpture park is internationally acclaimed. Development of the children's garden included theme gardens, a wetland boardwalk, a bridge, an observation tower, a tree house village, and a butterfly maze. An existing wetland was incorporated into the overall plan. An amphitheater, seating 1,800 people, was created adjacent to the main building and conservatory. Barrier-free access and viewing platforms are integrated into the overall design. The venue has been extremely successful as the home to various summer concert series. The amphitheater stage structure was design by Cox, Medendorp and Olson.







Creative
people thinking
strategically
and strategic
people working
creatively.

OUR STORY: INNOVATION

Our firm has continued to innovate for more than half a century. We have gained considerable wisdom over those years and seen remarkable growth with offices in Michigan and North Carolina and active work in the 48 contiguous states. With 200+ professionals and a full range of expertise, Progressive AE is leading the way in thought leadership and innovative design.

One thing we know is each client faces one-of-a-kind needs that must be met, while keeping the future in mind. This is exciting to us. No challenge is too great, thanks to our comprehensive range of services.

Whatever discipline is required, we have subject matter experts on hand to find the right solution. Our areas of expertise include:

- Architecture
- Design-build
- Engineering
- Interior Design and Procurement
- Landscape Architecture and Urban Planning
- Planning and Consulting
- Water Resources

Full-Service Capabilities

Architecture

- Architectural design
- Programming and space planning
- Master planning
- Site/building evaluation
- Planning and feasibility studies
- Leed and sustainable practices
- Renovation and remodeling
- 3D Building Information Modeling (BIM)

Mechanical Engineering

- HVAC
- Plumbing, including medical gases
- Fire protection
- Energy modeling and studies
- Cogeneration
- Sustainable analysis

Electrical Engineering

- Power
- Lighting
- Emergency generation
- Security
- Fire alarms
- Communications

Existing Building Surveys and Assessments

- Life cycle costing
- Code analysis
- Building controls strategies
- Building commissioning (includes envelope and electrical)
- Electrical, power and lighting
- Communications and technology

Structural Engineering

- Design using steel, wood, masonry, precast, and concrete
- Elevated composite floor systems
- Complex wood structures
- Glu-laminated timber construction
- Renovations and retrofits
- Retaining walls
- Storm retention structures
- Pedestrian bridges
- Boardwalks
- Recreational structures
- Industrial machinery support
- Complex deep or shallow foundations
- Tunnel-formed concrete construction

Interior Design

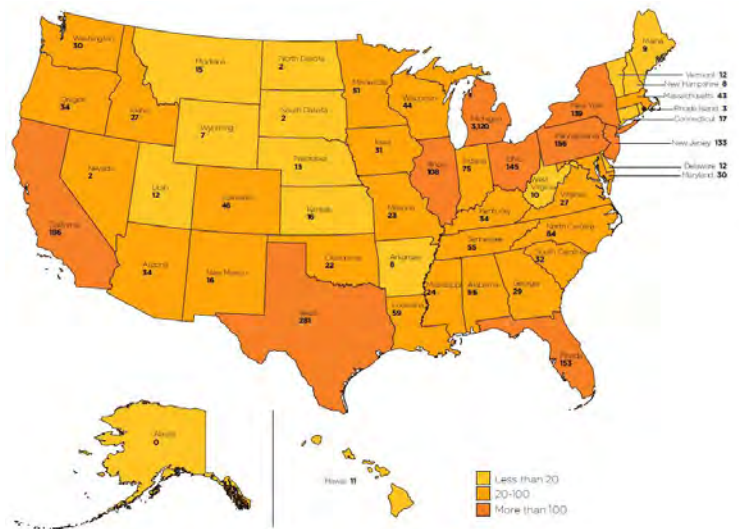
- Programming and space planning
- Interior finish selection and specifications
- Furniture selection/specifications
- Equipment coordination
- Sustainable materials and products
- Interior signage and artwork selection

Civil Engineering

- Site planning
- Landscape architecture
- Land surveying and land development
- Water resource management
- Municipal engineering
- Transportation engineering
- Feasibility studies
- Permitting
- Grant acquisition
- GIS/FIS
- Wetland and watershed management

Construction Services

- Design-build
- Construction administration
- Site supervision
- Owner representation
- Facility evaluation/audits
- Construction inspection services
- Pay application review
- Bid evaluation/recommendation/award
- Cost estimating/Constructability reviews
- Value management
- Project scheduling/Program management
- Project work scope development
- Front end specifications



Environmental Site Conditions Experience

From brownfields to new land uses to ecologically sensitive areas, Progressive AE has worked on projects, across markets, with environmental site conditions that had to be considered during design and project delivery. Our architecture and engineering experts work together closely to mitigate the disturbance and to remediate any environmental issues in order to provide a safe and sustainable solution and adapt the site for its new intended use.

Site Remediation and Constraints

Our experience includes new construction over existing landfills where we designed the building to accommodate methane off-gassing and included passive sub-slab, foundation ventilation systems and methane gas monitoring sensors throughout the facility. We've worked on sites with contaminated soils and underground abandoned gas and oil tanks. In the case of the Blue Water Convention Center in Port Huron, the site presented several challenges. For one, the property is uniquely flanked on all sides by either water, railroad or an international bridge to Canada. In addition, the property was previously used by a cement production facility. Large, subterranean water transfer pipes from the river to the mixing plant were discovered below what is now the main exhibit hall of the convention center. The site required over-excavation, remediation, and a series municipal approvals by the city, county, and bridge authority. The end result was the successful opening of Michigan's newest waterfront convention center.

Ecological Sensitivity

When building on greenfield sites, other environmental considerations emerge. For instance, John Ball Zoo Bissell treehouse was designed to be a place "in the woods" and serve as a catalyst for future development of the zoo's hilltop area. The vision for the Treehouse was to highlight the zoo's commitment to the environment by knitting design into the natural landscape. The building's orientation takes advantage of an existing clearing with views to downtown, saving existing trees and creating a sense of place within the tree canopy. Walking paths and decks were designed to enhance the natural landscape and weave through the treetops. The roofline opens the event space inside the building to broader views of downtown and the natural environment. The roof also collects rain water into a leaching basin, eliminating stormwater run off. The building's natural palette creates a symbiotic relationship with its surroundings. The sloped main façade with its unique glazing pattern seeks to mimic the tree canopy and reduce the number of bird strikes on the glass.



SELECT PROJECT EXPERIENCE:

- Blue Water Area Convention Center
- Camp Anna Behrens
- Campus Creek Apartments
- Duck Lake State Park Boardwalk
- Frederik Meijer Gardens - Kitchen
- Grand Rapids Downtown Market
- John Ball Zoo Bissell Treehouse and Boardwalk
- Lake Michigan College Hanson Technology Center
- Muskegon State Park Boardwalk
- Plainfield Charter Township Versluis Park
- West Michigan Center for Arts & Technology

Experience Working with Public Agencies and Non-profit Organizations on Capital Funding Campaigns

Fundraising has been central to almost every community asset project we've designed, whether it's an arts center, community facility or sports complex. We have extensive experience working with fundraising consultants and engaging multiple stakeholders, as well as managing resources over the course of a less linear project timeline.

We often work with clients to provide the initial architectural concepts that are used to inform project viability. Project scale, magnitude and impact are tested against the economy and giving potential of major donors. Our conceptual drawings and ideas are also used to jumpstart capital campaigns - a tool that translates into several areas of practice for us, from civic clients to faith-based organizations and non-profits. We also design to accommodate phased construction, whether to develop the project on a timeline with fundraising goals or, as important, to look ahead to future growth or new programs.

Establishing a Platform

Capital campaigns are most successful when supported by a central vision or design strategy. In the case of both the Grand Rapids Art Museum (GRAM) and the Peter Martin Wege Theatre at the Meijer-Royce Center for Dance, design concepts served to rally the first round of major donors. From initial concept design, GRAM incorporated features like rainwater harvesting, labyrinth cooling channels, and thermal mass insulating wall systems. The design direction gained the support of the leading donor, a well-known community philanthropist and leader, inspiring in turn the donations of other investors. A similar story led to a successful campaign for the Theatre.

Gaining Community Buy-in and Support

For the West Michigan Sports Commission Art Van Sports Complex, which included plans for a Miracle Field for adaptive sport athletes, our firm provided in-kind and fee-deferred services to support the project until the capital campaign could start. Our conceptual illustrations and write-ups were used by the commission to raise initial private donations, which were used to purchase county-owned property. The board then launched the "Everyone Wins" campaign - a multi-channel initiative that proved successful in large part due to strong support from community leaders who served as honorary chairs for promotions and fundraising. Opportunities to give at all levels offered a chance for everyone in the community to participate, from the lead gift that secured naming rights, to smaller donations made through the campaign website.



SELECT PROJECT EXPERIENCE:

- Frederik Meijer Gardens & Sculpture Park
- Grand Rapids Art Museum
- Grand Rapids Downtown Market
- Mary Free Bed YMCA
- West Michigan Sports Commission Art Van Sports Complex

Sustainable Design Experience

Progressive AE architects and engineers are passionate about designing high-performance buildings that help clients realize economic benefits through higher productivity and lower operating costs; environmental protection by minimizing waste and pollution; and social equity by preserving the natural environment – the sustainable “triple bottom line.” As leaders in our industry, we help clients identify initiatives that position themselves as leaders in their respected industries. Having designed more than 160 LEED® projects from across all certification levels, we have the expertise to meet your organization’s sustainability objectives. However, our commitment to sustainable practices goes beyond counting points. We look for opportunities to implement sustainable processes and materials in all our designs, whether we’re aiming for certification or not.

Sustainability as Fundraising Strategy

Sustainability was leveraged as the capital campaign platform for both the Grand Rapids Art Museum (the first LEED Gold museum in North America) and the Peter Martin Wege Theatre at the Meijer-Royce Center for Dance (certified LEED Silver). Design features like alternative energy sources, vegetated roof gardens, and rainwater harvesting excited donors who helped make those projects possible.

Teachable Moments

Sustainable design provides opportunities for on-site learning opportunities. In the Grand Rapids Ballet teaching studios, digital monitors display real-time solar panel activity. The Downtown Market (certified LEED Gold) incorporates on-site rain harvesting that is used for teaching students year round. The market also promotes local food and farm-to-table practices, which have positive effects for vendors, farmers, and the community.

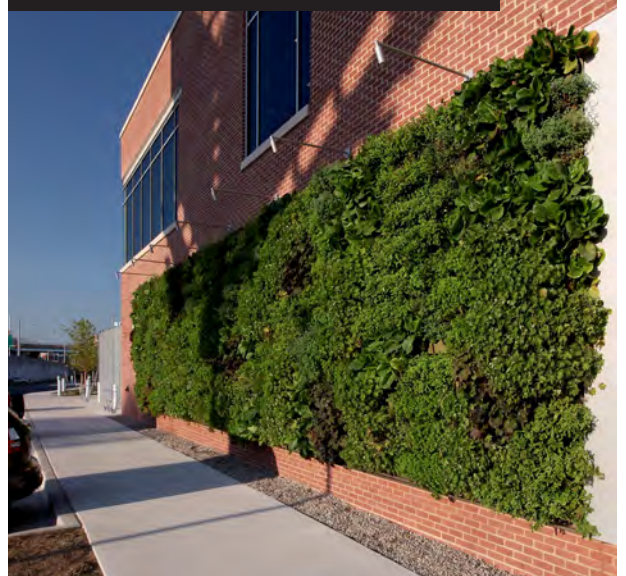
SELECT PROJECT EXPERIENCE:

- 300 South Brevard, Charlotte, NC
- 8740 Research Drive, Charlotte, NC
Camp Anna Behrens
- Frederik Meijer Gardens
- Grand Rapids Community College Warren Hall
- Grand Rapids Downtown Market
- KISD – Pine Grove Learning Center
- MetLife US Retail Headquarters, Charlotte, NC
- Steelcase Innovation Center
- Steelcase Worklab, Grand Rapids, MI
- The Rapid Central Station
- West Michigan Center for Arts & Technology

GRAND RAPIDS DOWNTOWN MARKET



GRAND RAPIDS DOWNTOWN MARKET



Experience Designing Adaptable Spaces

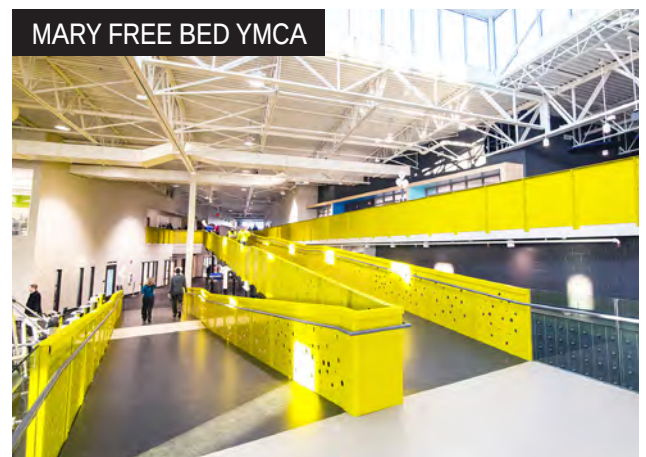
Use of space requires the ability to see all potential purposes, and then design in a way that works for each. For our non-profit clients, this is especially important as space and resources can be limited. We'll work with you to develop solutions that meet the needs of your patrons and staff. Our work with the Grand Rapids Downtown Market and John Ball Zoo Bissell Treehouse required multi-use spaces to accommodate events, visitor needs, and the daily activities of vendors. In fact, our desire to serve everyone has pushed us to create the most accessible facilities possible. The Mary Free Bed YMCA, designed around the principles of Universal Design, was the first building in the world be certified by the Global Universal Design Commission.

Designing Across Demographics

The Byron Township Community Center originally started with programming for a senior center, aspiring to be a communal space for active senior lifestyles. However, community engagement sessions uncovered additional needs from users across all age groups. The completed facility offers recreation space and activities for both older residents and youth, while also providing offices for township parks and recreation staff. A café and lounge greet members and guests at the building entry. Furnished with soft seating and a fireplace and filled with natural light, the café promotes social interaction and informal member meetings. A large, high-volume lobby extends the length of the building and offers art display, pool tables and additional seating. A large community room features moveable partitions that can transform the space into three meeting rooms for smaller group use. Athletic facilities include a 9,500 square foot gymnasium, locker rooms, and equipment storage. An open stair connects the entry level with an upper mezzanine walking track and fitness area. To keep costs within budget, a pre-engineered building system was used, earning the Associated Builders and Contractors Award of Excellence for Pre-Engineered Buildings.

Universal Design

Universal Design is the idea that spaces and buildings can be designed in a way that makes them accessible to everyone – regardless of age, ability or level of understanding. The Mary Free Bed YMCA supports children, adults and families with unbridled ease of access to healthy living. Using the principles of Universal Design, spaces within the YMCA were designed to accommodate all users. From the large ramp which serves as the building's main point of circulation, to the wide aisles and accessible gym equipment, each person's interaction with the space and perception of the environment was factored into the design.



SELECT PROJECT EXPERIENCE:

- Byron Township Community Center
- City Club at Gibson Mill
- DeVos Place Convention Center
- Grand Rapids Downtown Market
- John Ball Zoo Bissell Treehouse
- Mary Free Bed YMCA
- West Michigan Center for Arts & Technology



Estimated Timeline

Schematic Design	Design Development	Construction Documents
- Kick Off - Major Building Systems Integration Charette - Modeling: Site and Building - Narrative Specifications - Development of Design Measures - Opinion of Probable Costs (OPC) - Engage Construction Manager (CM)	- Kick Off - Refine Building Systems Integration Charette - Material Selections 3-D Revit Modeling: Site and Building (LOD 300) - Detailed Specifications - Opinion of Probable Cost (CM Provided) - Approval to Proceed	- Kick Off - Building Documentation Drawings & Specifications (Revit LOD 300) 50% Document Review 95% Document Review - Approval to Proceed - AHJ Submittal - LEED Design Submittal
February - April	May - July	July - September

2018

Construction Documents	Bids	Construction Administration	Occupancy
- Kick Off - Building Documentation Drawings & Specifications (Revit LOD 300) 50% Document Review 95% Document Review - Approval to Proceed - AHJ Submittal - LEED Design Submittal	- Pre Bid Meeting - Respond to RFI's - Post Bid Interview Support	- Submittal Reviews - RFI Responses - Pay Application Review - Punch List Confirmation - LEED Construction Submittal - Closeout Procedures	Validation of Design Measures
July - September	October	TBD	TBD

2018

2019



Professional Compensation:

Professional base architectural and engineering services as outlined in the standard AIA B132 contract will be provided from schematic design through construction administration and project close-out. The State of Michigan assess architectural fees for convention centers within the State of Michigan at a 7.44% value of the assigned \$12M construction budget. The resulting architecture and engineering fee would be a stipulated sum of \$892,800. Progressive AE is prepared to provide these same services for a stipulated sum fee of \$832,800 plus reimbursable expenses. Reimbursable expenses are in addition to the professional compensation and will be invoiced according to the attached Schedule for Invoice Rates. The next phase of the project is the schematic design phase, which would utilize 24% of the fee.

It is our understanding the terms of this proposal defining project understanding, scope, schedule and professional compensation will be incorporated into an AIA agreement between both parties. Progressive AE has prepared this proposal for the City of Muskegon, and we request it be treated as confidential and not copied or distributed for any reason other than evaluation for hire of Progressive AE.

If this proposal meets with your approval, please sign and return the following Letter of Intent. Your signature will be our authorization to begin the work and place the project in the firm's schedule.



LETTER OF INTENT FOR PROFESSIONAL SERVICES

It is the intent of the City of Muskegon to engage Progressive AE for professional architecture and engineering services as described in the proposal from Progressive AE dated January 11, 2018.

Professional Compensation:

Professional base architectural and engineering services as outlined in the standard AIA B132 contract will be provided from schematic design through construction administration and project close-out. The State of Michigan assess architectural fees for convention centers within the State of Michigan at a 7.44% value of the assigned \$12M construction budget. The resulting architecture and engineering fee would be a stipulated sum of \$892,800. Progressive AE is prepared to provide these same services for a stipulated sum fee of \$832,800 plus reimbursable expenses. Reimbursable expenses are in addition to the professional compensation and will be invoiced according to the attached Schedule for Invoice Rates. The next phase of the project is the schematic design phase, which would utilize 24% of the fee.

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Accepted by:

Signature

Print Name

Date

CITY OF MUSKEGON



Schedule of Invoice Rates - 2017

Hourly Staff Charges

Class 9 Personnel:	Principals	\$195/hour
Class 8 Personnel:	Principals and Senior Project Managers	\$180/hour
Class 7 Personnel:	Senior Project Managers, Architects, Engineers, Landscape Architects, Environmental Analysts and Construction Administrators	\$145/hour
Class 6 Personnel:	Senior Project Managers, Architects, Engineers, Landscape Architects, Environmental Analysts and Construction Administrators	\$125/hour
Class 5 Personnel:	Project Managers, Architects, Engineers, Landscape Architects, Environmental Analysts, Construction Administrators, Designers and Surveyors	\$110/hour
Class 4 Personnel:	Project Managers, Intermediate Architects, Engineers, Designers, Landscape Architects, Environmental Analysts, Construction Administrators and Surveyors	\$90/hour
Class 3 Personnel:	Graduate Architects, Engineers, Designers, Environmental Analysts, Construction Administrators, Technicians and Surveyors	\$75/hour
Class 2 Personnel:	Technicians, Project Assistants, Graduate Architects and Surveyors	\$65/hour
Class 1 Personnel:	Project Assistants and Technicians	\$50/hour

Reimbursable Expenses

1. Fees for securing permits and approvals of authorities having jurisdiction over projects at cost.
2. Outside consultants, travel, and lodging at cost plus 10% handling.
3. Copies, telephone, cell phone voice and data charges and office supplies will be charged through a \$25 per month Misc. Office Expense charge. This charge will not be applied to invoices under \$1,000.
4. CAD black/white plotting at 15¢ per square foot; CAD color plotting at 25¢ per square foot; CAD low density color images at 30¢ each; CAD high density color images at 50¢ each; large-format color plotting at \$9 per square foot. Postage, shipping, and lab tests at cost. Files written to CD will be minimum \$100 per drawing or \$500 maximum. Passenger vehicle mileage on projects at the IRS Standard Rate (currently 53.5¢ per mile). Lodging, meals, and airfare at cost. Machine rental GPS at \$250 per day. Traffic Counters at \$60 per count. Surveying supplies at 50¢ per stake.
5. Overtime expenses requiring higher than normal rates if authorized by owner.

Notes:

1. Invoices are due upon receipt. Unpaid invoices shall bear interest at a rate of 1 percent per month if not paid within 30 days of the date of the invoice.
2. Special media requests may be at higher rate.
3. Hourly staff charges and expenses subject to change annually.



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