

CITY OF MUSKEGON
CITY COMMISSION WORKSESSION

Monday, January 11, 2016
5:30 p.m.
City Commission Chambers

AGENDA

1. 285 West Western Update
2. B.I.D.
3. LED sign at Farmer's Market
4. Any Other Business
5. Adjournment

CRC will meet immediately following the Worksession meeting.

AGENDA ITEM NO. _____
CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners
FROM: Frank Peterson, City Manager
DATE: January 12, 2016
RE: 285 West Western Preconstruction Expenses

SUMMARY OF REQUEST:

As part of the potential redevelopment of 285 West Western Ave, the City of Muskegon will be required to submit a new/updated application to the Michigan Economic Development Corporation. To accomplish this, a number of items need to be completed, including updated architectural drawings, updated cost estimates, and updated project proformas. Further, there are a number of safety and security improvements needed at the vacant building, including boarding broken windows and addressing roof drainage issues. City staff is requesting permission to expend up to \$45,000 in pre-construction expenses at 285 West Western to prepare the MEDC application, bid the project, and address a number of pressing security and safety items.

FINANCIAL IMPACT:

Up to \$45,000

BUDGET ACTION REQUIRED:

This change will be reflected in the Second Quarter Budget Status Report.

STAFF RECOMMENDATION:

To authorize staff to expend up to \$45,000 in pre-construction expenses related to the redevelopment of 285 West Western.

COMMITTEE

RECOMMENDATION: None.

Commission Meeting Date: January 12, 2016

Date: December 16, 2015
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department
**RE: BID Special Assessment- Resolution Confirming
Special Assessment Roll**

SUMMARY OF REQUEST: The City Commission approved the creation of a BID special assessment district at the November 24, 2015 meeting and the Special Assessment Roll is now ready to be confirmed. The assessments will go towards various downtown expenditures, including snow removal on sidewalks, spring/fall cleanup and landscaping, holiday decorating, banners & directional signs, marketing/advertising and art. The BID assessment includes both a "Class A" and a "Class B" district (see attached list). Since the November 24 Commission meeting, the maximum amount to be assessed for Class B properties is \$750, rather than the \$3,000 that is the maximum assessed for Class A properties.

FINANCIAL IMPACT: The total estimated cost of services within the BID is \$128,467.36 of which approximately 90% (\$115,942.02) will be paid by the special assessment to property owners, with the remaining cost being paid by the City.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the attached resolution approving the confirmation of the special assessment roll and authorize the Mayor and Clerk to sign.

CITY OF MUSKEGON

Resolution No. _____

Resolution Confirming Special Assessment Roll
For DOWNTOWN MUSKEGON BUSINESS IMPROVEMENT DISTRICT (BID)

Properties Assessed: See Exhibit A attached to this resolution

RECITALS:

1. The City Commission determined to create a special assessment district covering the properties set forth in Exhibit A attached to this resolution on November 24, 2015, at the first hearing.
2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district levying on "Class A" Properties, as defined in the BID Bylaws, shall be assessed an annual assessment of \$0.08/sf with no assessment to exceed \$3,000 and "Class B" Properties, as defined in the BID Bylaws, shall be assessed an annual assessment of \$0.02/sf with no assessment to exceed \$750.
3. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.
2. That the assessments levied will be billed in January 2016 and those assessments not paid by October 2016 will be placed on the Winter 2016 tax bill.
3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution adopted.

Ayes _____

Nays _____

CITY OF MUSKEGON

By _____
Ann Marie Meisch, Clerk

CERTIFICATION

This resolution was adopted at a meeting of the City Commission, held on January 12, 2016. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public acts of 1976.

Further I hereby certify that the special assessment roll referred to in the above resolution was confirmed on the date being January 16, 2016.

CITY OF MUSKEGON

By _____
Ann Marie Meisch, Clerk

Exhibit A

Properties Assessed

PARCEL NO.	PROPERTY ADDRESS	OWNER	SF_of_Lot	ASSESSMENT A	%_of_Assessed_Property	ass'mt based on sq ftage	CLASS	Card ret'd?	Signed by
24-138-000-0101-00	297 W. Clay #101	Corwin Law and Conculting PLC	1018.98	\$81.52	0.034813042	0.002785043	A	opposed	Stephen Corwin
24-204-000-0000-00	333 W Western	New Trend Investment LLC	9280.54	\$742.44	0.31706592	0.025365274	A	opposed	Brad VanBergen
24-205-117-0007-00	820 Pine	NW Mill Real Estate LLC	26136	\$522.72	0.892925939	0.017858519	B	opposed	Dennis Lohman
24-205-174-0004-00	750 Pine	David L. Bolen	19140	\$1,531.20	0.65391041	0.052312833	A	opposed	David Bolen
24-205-174-0008-00	772 Pine	Lee A. Witt Trust	4224	\$84.48	0.144311263	0.002886225	B	opposed	Jan Witt
24-205-175-0020-00	98 W Clay	James Searer	1881	\$150.48	0.064263609	0.005141089	A	opposed	James Searer
24-205-175-0021-00	777 Pine	William & Denise McDermott	15576	\$311.52	0.532147782	0.010642956	B	opposed	William McDermott
24-205-176-0003-00	103 W Clay	William Noordyk Trust	5874	\$469.92	0.20068285	0.016054628	A	opposed	Bill Noordyk
24-205-176-0005-00	121 W Clay	Jillian & Jordan LLC	4884	\$390.72	0.166859898	0.013348792	A	opposed	Lewis Pitsch
24-205-176-0012-00	66 W Webster	NW American Real Estate LLC	5676	\$113.52	0.193918259	0.003878365	B	opposed	Dennis Lohman
24-205-176-0013-00	821 Pine	NW American Real Estate LLC	1386	\$27.72	0.047352133	0.000947043	B	opposed	Dennis Lohman
24-205-176-0015-00	813 Pine	NW American Real Estate LLC	4554	\$91.08	0.15558558	0.003111712	B	opposed	Dennis Lohman
24-205-177-0005-00	794 Pine	Core Park Investments LLC	22235	\$1,778.80	0.759649841	0.060771987	A	opposed	B. John Essex
24-205-187-0001-00	833 Pine	Jerviss-Fethke Insurance Agency Inc	3960	\$316.80	0.135291809	0.010823345	A	opposed	Eugene Fethke
24-205-188-0011-00	944 Terrace	Doom Investments LLC	4620	\$369.60	0.157840444	0.012627235	A	opposed	Jeff Doom
24-205-188-0012-00	952 Terrace	Swiatek Trust	13860	\$277.20	0.473521331	0.009470427	B	opposed	Frank Swiatek
24-205-310-0016-00	216 W Clay	Hennessey's Properties LLC	14828.26	\$1,186.26	0.506601545	0.040528124	A	opposed	Michael Hennessy
24-205-313-0006-00	451 W Western	Corepark Investments LLC	9240	\$739.20	0.315680887	0.025254471	A	opposed	B. John Essex
24-205-315-0001-00	521 W Western	Babbitt E C/P R Trust	13860	\$1,108.80	0.473521331	0.037881706	A	opposed	Edward Babbitt
24-205-315-0005-00	561 W Western	Musk. Heritage Assoc	5487	\$438.96	0.18746115	0.014996892	A	opposed	Robert Harvey
24-205-315-0006-00	563 W Western	3M Investments LLC	9235	\$738.80	0.315510064	0.025240805	A	opposed	Mike Johnson
24-205-317-0007-00	1208 8th St	Michael Jacobson Trust	24222	\$484.44	0.827534898	0.016550698	B	opposed	John Albright
24-205-317-0009-10	600 W Clay	Mill Street Group LLC	2464	\$197.12	0.08418157	0.006734526	A	opposed	John Albright
24-205-321-0001-00	665 W Clay	WWG Holdings LLC	27720	\$554.40	0.947042662	0.018940853	B	opposed	Wilma Ginman
24-205-321-0004-00	699 W Clay	WWG Holdings LLC	27580	\$195.60	0.942259619	0.018845192	B	opposed	Wilma Ginman
24-205-321-0007-00	1288 9th	Reliable Towing INC	41758	\$750.00	1.426645292	0.028532906	B	opposed	Thomas M Olsen
24-205-321-0012-00	1237 8th	WWG Holdings LLC	13400	\$268.00	0.457805616	0.009156112	B	opposed	Wilma Ginman
24-205-328-0001-00	275 W Clay	Press Development LLC	59400	\$3,000.00	2.029377134	0.162350171	A	opposed	Tammy Jager
24-205-329-0001-00	885 Jefferson	Hennessy Holdings LLC	17325.6	\$1,386.05	0.591922163	0.047353773	A	opposed	Michael Hennessy
24-205-330-0004-00	173 W Clay	Doom Investments LLC	6864	\$549.12	0.234505802	0.018760464	A	opposed	Jeff Doom
24-205-330-0008-00	896 Jefferson	896 Jefferson LLC	8976	\$718.08	0.306661434	0.024532915	A	opposed	Chris Nass
24-205-332-0008-00	935 Jefferson	Hairitage Properties LLC	4183	\$334.64	0.142910514	0.011432841	A	opposed	Marjorie Carlston
24-205-367-0011-10	1147 3rd	1145 3rd Street LLC	6228	\$498.24	0.212777118	0.017022169	A	opposed	Chris Nass
24-205-367-0012-00	1137 3rd	Delores Lemke & Kim A. Lemke	4536	\$362.88	0.154970617	0.012397649	A	opposed	Delores & Kim Lemke
24-205-379-0011-00	1185 3rd	International Auto Group LLC	17820	\$1,425.60	0.60881314	0.048705051	A	opposed	Ed Pierce
24-205-555-0001-00	100 W Western	Thebo Joyce M Revocable Living Trust	16103	\$1,288.24	0.550152525	0.044012202	A	opposed	Joyce Thebo
24-205-567-0001-10	450 W Western	450 W Western LLC	7858.22	\$628.66	0.268472929	0.021477834	A	opposed	Tom Harris
24-432-000-0000-00	380 W Western	Muskegon Chamber Building LLC	15289.9	\$1,223.19	0.52237329	0.041789863	A	opposed	David TenCate
24-205-567-0001-40	500 W Western	500 W. Western Ave. LLC	9448.16	\$755.85	0.32279259	0.025823407	A	opposed	Michael Kordecki
24-205-330-0002-00	165 W Clay	165 Clay LLC	4997	\$399.76	0.170720497	0.01365764	A	opposed	Michael Kordecki
24-205-330-0008-00	896 Jefferson	896 Jefferson LLC	8976	\$718.08	0.306661434	0.024532915	A	opposed	Michael Kordecki
24-205-316-0004-00	591 W Western	NEBA LLC	3360	\$268.80	0.11479305	0.009183444	A	opposed at Comm. meeting	
24-205-323-0006-00	585 W Clay	J&J Corner Properties LCC	5247	\$419.76	0.179261647	0.014340932	A	opposed at Comm. meeting	
24-205-367-0015-00	1125 3rd	Brad Link	5805	\$464.40	0.198325493	0.015866039	A	opposed at Comm. meeting	
24-205-367-0016-00	1121 3rd	Brad Link	1584	\$126.72	0.054116724	0.004329338	A	opposed at Comm. meeting	
PORTION OF ASSESSMENT THAT WAS OPPOSED:				\$28,489.37				24.57209	PERCENT OPPOSED

COLOR KEY:

Gray highlighted:	Opposed
Green highlighted:	Mail ret'd by Post Ofc
Plain:	No cards received back = in favor

this property is contiguous to 699 W Clay
ass'mt cap lowered to \$750 after Comm. meeting
ass'mt cap lowered to \$750 after Comm. meeting

BOARD OF ASSESSORS:


Donna B. VanderVries, Assessor


Dan Rinsema-Sybenga, City Commissioner


Ken Johnson, City Commissioner

PARCEL NO.	PROPERTY ADDRESS	OWNER	SF_of_Lot	ASSESSMENT A	%_of_Assessed_Property	ass'mt based on sq ftage	CLASS	NOTES	
24-205-186-0006-00	830 Pine	Easter Jones Gill	1452	\$116.16	0.049606997	0.00396856	A	Mail returned by post office	
24-205-186-0007-00	840 Pine	Easter Jones Gill	2904	\$232.32	0.099213993	0.007937119	A	Mail returned by post office	
24-205-187-0003-00	839 Pine	Easter Jones Gill	3960	\$316.80	0.135291809	0.010823345	A	Mail returned by post office	
24-205-187-0005-00	845 Pine	Easter Jones Gill	3168	\$253.44	0.108233447	0.008658676	A	Mail returned by post office	
24-205-187-0006-00	849 Pine	Easter Jones Gill	2436	\$194.88	0.083224961	0.006657997	A	Mail returned by post office	
24-205-556-0001-00	149 Shoreline	Hot Rod Harley Davidson	296454.83	\$750.00	10.12826015	0.202565203	B	changed to "in favor", per F.Peterson	
24-138-000-0104-00	297 W. Clay #104	Janski LLC	1261.26	\$100.90	0.043090441	0.003447235	A		
24-205-118-0013-00	8 W Walton	8 W Walton LLC	9240	\$739.20	0.315680887	0.025254471	A		
24-205-175-0001-00	111 W Western	J E Real Estate Co. LLC	27142	\$2,171.36	0.927295525	0.074183642	A		
24-205-175-0006-00	121 W Western	First General Credit Union	16005	\$1,280.40	0.546804394	0.043744352	A		
24-205-175-0010-00	790 Terrace	Jack Disselkoen	13719	\$1,097.52	0.468704123	0.03749633	A		
24-205-175-0015-00	806 Terrace	Riegler Properties LCC	3780	\$302.40	0.129142181	0.010331374	A		
24-205-175-0016-00	820 Terrace	CZM Properties LCC	11616	\$929.28	0.396855973	0.031748478	A		
24-205-175-0018-00	118 W Clay	Verizon INC	17424	\$348.48	0.595283959	0.011905679	B		
24-205-176-0001-00	860 Terrace	Frontier	82148.22	\$3,000.00	2.80656093	0.224524874	A		
24-205-186-0009-00	860 Pine	J&K Properties of W MI INC	16045	\$320.90	0.548170978	0.01096342	B		
24-205-187-0007-00	71 W Webster	Karen J. Fethke Trust	14700	\$1,176.00	0.502219594	0.040177567	A		
24-205-187-0016-00	908 Terrace	Authority Base Value	1320	\$105.60	0.04509727	0.003607782	A		
24-205-188-0004-00	928 Terrace	BK Muskegon Properties LCC	46264	\$3,000.00	1.580590971	0.126447278	A		
24-205-189-0010-00	896 Pine	Eudora B Wilson JR	3480	\$278.40	0.118892802	0.009511424	A		
24-205-310-0012-00	880 1st	AKNO Enterprises Michigan Muskegon	24831	\$1,986.48	0.848341138	0.067867291	A		
24-205-313-0005-10	435/441 W Western	PH Holding LLC	12904	\$1,032.32	0.440859975	0.035268798	A		
24-205-314-0001-10	477 W Western	475 W Western Ave. LLC	1500	\$120.00	0.051246897	0.004099752	A		
24-205-315-0003-00	545 W Western	Babbitt E C/P R Trust	13860	\$1,108.80	0.473521331	0.037881706	A	opposition card rec'd 11/25/15	
24-205-315-0004-00	555 W Western	Ingalls Real Estate Acquisition LLC	11823	\$945.84	0.403928045	0.032314244	A		
24-205-315-0005-10	557 W Western	CBT Enterprises LLC	1185	\$94.80	0.040485049	0.003238804	A		
24-205-316-0001-00	587 W Western	EBEE Properties LLC	12320	\$985.60	0.42090785	0.033672628	A		
24-205-316-0005-00	593 W Western	Muskegon Lakeview Condos LLC	10920	\$873.60	0.373077412	0.029846193	A	card ret'd IN	Murray Swiftney
24-205-316-0007-00	605 W Western	Western Ave LLC	3354	\$268.32	0.114588062	0.009167045	A		
24-205-316-0008-00	607 W Western	Western Ave LLC	4486	\$358.88	0.153262388	0.012260991	A		
24-205-316-0009-10	609 W Western	EMP LLC	2744	\$219.52	0.093747657	0.007499813	A		
24-205-318-0001-00	664 W Clay	MJ Downtown Properties LLC	77614	\$750.00	2.651651125	0.053033023	B		
24-205-318-0001-10	683 W Western	Grand Trunk LLC	2254	\$180.32	0.077007004	0.00616056	A		
24-205-318-0003-00	1250 9th	Linda & Leigh Strong (Port City Paint)	21120	\$422.40	0.721556314	0.014431126	B		
24-205-318-0008-00	650 W Clay	MJ Downtown Properties LLC	4800	\$96.00	0.163990071	0.003279801	B		
24-205-322-0002-00	611 W Clay	BRIMO LLC	9147.6	\$731.81	0.312524079	0.025001926	A		
24-205-322-0003-00	623 W Clay	L&K Company LLC	18388	\$1,471.04	0.628218632	0.050257491	A		
24-205-322-0005-00	639 W Clay	L&K Company LLC	17424	\$1,393.92	0.595283959	0.047622717	A		
24-205-322-0007-00	1236 8th	CMN Enterprises LLC	17424	\$348.48	0.595283959	0.011905679	B		
24-205-330-0001-00	835 Terrace	Linda & Charles Cihak	8392	\$671.36	0.286709308	0.022936745	A		
24-205-330-0010-00	136 W Webster	Nick Leisenring & Tim Updyke	17424	\$1,393.92	0.595283959	0.047622717	A		
24-205-331-0001-00	122 W Muskegon	McDonalds Corp	42125	\$3,000.00	1.4391837	0.115134696	A		
24-205-331-0001-10	877 Terrace	Fifth Third Bank	58695	\$3,000.00	2.005291092	0.160423287	A		
24-205-332-0007-20	943 Jefferson	Manuel Morales	4841	\$387.28	0.16539082	0.013231266	A		
24-205-333-0001-00	221 W Webster	Huntington Bank	92696	\$3,000.00	3.166921595	0.253353728	A		
24-205-351-0005-00	275 W Muskegon	Lemmen Pontiac & FM EQ	17424	\$1,393.92	0.595283959	0.047622717	A		

PARCEL NO.	PROPERTY ADDRESS	OWNER	SF_of_Lot	ASSESSMENT A	%_of_Assessed_Property	ass'mt based on sq ftage	CLASS		
24-205-351-0007-00	1100 3rd	Venture One Management LLC	8712	\$696.96	0.29764198	0.023811358	A		
24-205-365-0001-00	1144 3rd	Bayview Loan Servicing LLC	117612	\$3,000.00	4.018166724	0.321453338	A		
24-205-367-0001-00	1115 3rd	Pioneer Resources INC	4356	\$348.48	0.14882099	0.011905679	A		
24-205-367-0011-00	1141 3rd	Christian Aguilar	2352	\$188.16	0.080355135	0.006428411	A		
24-205-367-0013-00	1133 3rd	J&J Place LLC	4176	\$334.08	0.142671362	0.011413709	A		
24-205-367-0014-00	1129 3rd	Michael A. & Mary J. Burling	1386	\$110.88	0.047352133	0.003788171	A		
24-205-379-0001-00	1157 3rd	S&R KADO LLC	17424	\$1,393.92	0.595283959	0.047622717	A		
24-205-562-0001-00	715 Terrace	MOKA Corporation	93218.4	\$3,000.00	3.184769182	0.254781535	A		
24-205-563-0006-00	902 3rd	Hume Properties LLC	56437.31	\$3,000.00	1.92815802	0.154252642	A		
24-205-563-0008-10	372 Morris	Morris STLLC	313632	\$3,000.00	10.71511127	0.857208901	A		
24-205-563-0008-11	340 Morris	Muskegon GSA LLC	47579.91	\$3,000.00	1.625548508	0.130043881	A		
24-205-566-0009-00	428 W Western	Parkland Hudsonville LLC	11648	\$931.84	0.39794924	0.031835939	A		
24-205-566-0013-00	442 W Western	G&Z Properties LLC	2741.2	\$219.30	0.093651997	0.00749216	A		
24-205-566-0014-00	446 W Western	446 W Western Ave. LLC	4168.6	\$333.49	0.142418544	0.011393484	A		
24-205-567-0001-20	490 W Western	Port City CIO BLDG	7195.14	\$575.61	0.245819067	0.019665525	A		
24-205-567-0001-50	955 3rd	Parkland Acquisition LLC (Holiday Inn)	69696	0.00*	2.381135837	0.190490867	A	*adjacent parcel w/939; cap has been met	
24-233-000-0001-00	387 Morris Ave	Downtown Muskegon Dev Corp.	24572	\$1,965.76	0.839492507	0.067159401	A		
24-233-000-0002-00	401 Morris Ave	Downtown Muskegon Dev Corp.	24571.79	\$1,965.74	0.839485333	0.067158827	A		
24-233-000-0004-00	360 W Western	Russell Block Dev LLC	7805.11	\$624.41	0.266658447	0.021332676	A		
24-233-000-0005-00	356 W Western	Century Club Development LLC	5581.67	\$446.53	0.190695513	0.015255641	A		
24-233-000-0006-00	350 W. Western	Western Ave. Properties LLC	4889.49	\$391.16	0.167047461	0.013363797	A		
24-233-000-0007-00	351 W. Western	Downtown Muskegon Dev Corp.	21714	\$1,737.12	0.741850085	0.059348007	A		
24-233-000-0008-00	379 W Western	Sidock Properties LLC	22542	\$1,803.36	0.770138373	0.06161107	A		
24-233-000-0012-00	325 W Western	Downtown Muskegon Dev Corp.	7945.21	\$635.62	0.271444907	0.021715593	A		
24-233-000-0013-00	307 W Western	Downtown Muskegon Dev Corp.	16477.87	\$1,318.23	0.562959808	0.045036785	A		
24-233-000-0014-00	299 W Western	Downtown Muskegon Dev Corp.	8223.06	\$657.84	0.280937541	0.022475003	A		
24-233-000-0015-00	295 W Western	Downtown Muskegon Dev Corp.	8213.94	\$657.12	0.28062596	0.022450077	A		
24-233-000-0024-00	292 W Western	Downtown Muskegon Dev Corp.	42503.25	\$3,000.00	1.452106459	0.116168517	A		
24-233-000-0025-00	376 W Western	Russell Block Dev LLC	3172.95	\$253.84	0.108402562	0.008672205	A		
24-485-000-0000-00	878 Jefferson	Jefferson Professional Condominium	36432	\$2,914.56	1.244684642	0.099574771	A		
24-605-000-0001-00	939 3rd	Parkland Acquisition LLC (Holiday Inn)	67884	\$3,000.00	2.319229585	0.185538367	A		
24-792-000-0001-00	316 Morris	Hinman Lake LLC	239828	\$3,000.00	8.193627259	0.655490181	A		

TOTALS:2927006.47\$115,942.02

TOTAL ASSESSMENT

(contiguous property = 1 assessment)

0.08
0.02

Total estimated costs for BID district:	\$128,467.36
Total to be paid by assessments:	\$115,942.02
Remainder to be paid by City:	\$12,525.34

PROMISSORY NOTE

\$45,000

Muskegon, Michigan
_____, 2016

FOR VALUE RECEIVED, the undersigned (the "Maker") promises to pay to the order of City of Muskegon (the "Holder"), at 933 Terrace Street, Muskegon, Michigan 49443, or at such other place as directed in writing by the Holder, the principal sum of Forty Five Thousand Dollars (\$45,000), together without interest, except that interest shall accrue from the date of this Promissory Note if payment is not made as provided below at the rate of three percent (3%) per annum on the unpaid principal balance remaining due from time to time. No provision of this Note shall require or be construed to require a payment or permit or be construed to permit the collection of interest in violation of law. If any excessive interest in violation of law is adjudicated to be provided herein, the provisions of this paragraph shall govern and the Maker shall not be obligated to pay the amount of such interest to the extent that it is in violation of the law. Instead, interest shall be the maximum allowed by law and this Note shall be deemed to be automatically modified in accordance with the terms of this paragraph. If it is adjudicated that any fee or other charge provided for herein are interest, it is agreed that to the extent of such adjudication, such interest shall be considered as interest for the life of the Note, commencing on the date of the Note and extending to the due date of the Note or any extension of such due date.

This Note shall be payable as follows: \$15,000 on June 30, 2016, \$15,000 on January 30, 2017 and \$15,000 on June 30, 2017, provided, however, that the entire balance of principal and interest shall be payable on or before June 30, 2017.

The Maker may prepay without penalty all or any portion of the principal at any time. Any prepayment shall not eliminate the obligation of the Maker to pay all subsequent installments on their normal due dates. All payments of any nature shall be applied first to accrued interest and the balance to principal.

This Note is given in conjunction with the establishment of the Business Improvement District, an entity of the City of Muskegon and in anticipation of monies being received through a special assessment being levied by the City of Muskegon. The loan will allow the Business Improvement District to begin providing services prior to receipt of monies from property owners in the Business Improvement District.

Upon any default for a failure to make any payment when due, the Holder shall provide fifteen (15) days' written notice to the Maker of such default. If any such default remains uncured at the end of such notice period following receipt of such written notice by the Maker as described above, the Holder may declare the entire remaining balance of principal and interest to be immediately due and payable. No delay by the Holder in exercising any right hereunder shall be considered a waiver of such right.

The Maker and every endorser or guarantor hereunder (i) waive protest, presentment, demand for payment and notice of dishonor; (ii) agree that any extension of the time for any payment, reduction of any payments, acceptance by the Holder of a renewal note, or release or nonenforcement of any security, whether with or without notice, shall not release or off-set the obligations of the Maker or any guarantor or endorser.

In the event either party exercises its rights, remedies, or defenses hereunder in order to collect or attempt to collect the principal and interest due under this Note or to enforce its rights under any provision of this Note, or to defend against such an action, the non-prevailing party shall pay to the prevailing party on demand all reasonable expenses, including attorney fees and legal expenses, paid or incurred by the prevailing party with regard to such action.

CITY OF MUSKEGON BUSINESS
IMPROVEMENT DISTRICT

By:_____

Its:_____

Date: January 12, 2016

To: Honorable Mayor and City Commissioners

From: Engineering

RE: LED Sign @ the Farmers Market

SUMMARY OF REQUEST:

Authorize staff to enter into an agreement with Allsigns LLC out of Muskegon to purchase & install an LED digital sign at the farmers Market using a 16mm lighting system to enhance visibility for a cost of \$29,550.00.

Allsigns is being recommended as a result of the attached bid tabulation.

FINANCIAL IMPACT:

Cost of purchase & installation of \$29,550.

BUDGET ACTION REQUIRED:

None at this time, however, future budget reforecasts might have to be revised to account for this expense.

STAFF RECOMMENDATION:

Authorize staff to enter into an agreement with Allsigns LLC.

COMMITTEE RECOMMENDATION: