

CITY OF MUSKEGON

CITY COMMISSION MEETING

April 14, 2026 @ 5:30 PM

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

AGENDA

- CALL TO ORDER:
- PRAYER:
- PLEDGE OF ALLEGIANCE:
- ROLL CALL:
- HONORS, AWARDS, AND PRESENTATIONS:
- PUBLIC HEARINGS:
 - A. **Regional Consolidated Plan 2026-2030** Community & Neighborhood Services
 - B. **Request to establish an Industrial Development District at 331 W. Laketon Ave.** Economic Development
 - C. **PA 198 Industrial Facilities Exemption - 2246 Olthoff Dr.** Economic Development
- FEDERAL/STATE/COUNTY OFFICIALS UPDATE:
- PUBLIC COMMENT ON AGENDA ITEMS:
- CONSENT AGENDA:
 - A. **Approval of Minutes** City Clerk
 - B. **Workforce Housing Restrictive Covenant - Ryskamp Builders** Economic Development
 - C. **Resolution for Workforce Housing Tax Exemption - Ryskamp Builders** Economic Development
 - D. **Resolution to approve the NEZ District at 1937 Lakeshore Drive.** Economic Development
 - E. **Contract Award: Hartshorn Marina Dredging** DPW- Marina

- F. **City Commission Handbook** Manager's Office
- G. **Amendment to the Zoning Ordinance - Removing B-3 and RT Districts.**
Planning
- H. **Amendment to the Zoning Ordinance - Establishing Maximum Lot Widths in R Districts** Planning
- I. **Amendment to the Zoning Ordinance - Establishing Minimum Density Requirements in Multi-Family Districts** Planning
- J. **Fireworks Display Permit for Muskegon Country Club** City Clerk
- K. **Soccer in the Sand** DPW- Parks and Recreation
- L. **Resolution to approve the NEZ District at 2400 Lakeshore Dr** Economic Development
- M. **SOAR Business Partner Agreement Approval** Economic Development
- N. **Henry Corridor Signal Project - Engineering Amendment - Right-of-Way Effort** Public Works
- O. **Extension of Partnership Agreement: Boys & Girls Club of the Muskegon Lakeshore** DPW- Parks
- P. **Concession Application - The Thirsty Mitten (Pere Marquette)** DPW- Parks
- Q. **Health and Dental Care Renewal** Finance
- R. **Contract with MATS for Beach Shuttle Service** Manager's Office
- S. **Approve CRC Recommendations** City Clerk

ITEMS REMOVED FROM THE CONSENT AGENDA:

UNFINISHED BUSINESS:

NEW BUSINESS:

A. **Concurrence with the Housing Board of Appeals Notice and Order to Demolish the following: ITEM REMOVED PER STAFF REQUEST** Public Safety

ANY OTHER BUSINESS:

GENERAL PUBLIC COMMENT:

▶ 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. ▶ Limit of 3 minutes to address the Commission.

CLOSED SESSION:

A. **Attorney Communication** Manager's Office

□ **ADJOURNMENT:**

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY OF MUSKEGON AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

To give comment on a live-streamed meeting the city will provide a call-in telephone number to the public to be able to call and give comment. For a public meeting that is not live-streamed, and which a citizen would like to watch and give comment, they must contact the City Clerk's Office with at least a two-business day notice. The participant will then receive a zoom link which will allow them to watch live and give comment. Contact information is below. For more details, please visit:

www.shorelinecity.com

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting with twenty-four (24) hours' notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or by calling the following:

Ann Marie Meisch, MMC. City Clerk. 933 Terrace St. Muskegon, MI 49440. (231)724-6705.
clerk@shorelinecity.com



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Regional Consolidated Plan 2026-2030				
Submitted by: Sharonda Carson, CNS Director	Department: Community & Neighborhood Services				
<p>Brief Summary: Community and Neighborhood Services to host a public hearing for the Regional Consolidated Plan 2026-2030</p>					
<p>Detailed Summary & Background: Community and Neighborhood Services (CNS) is developing the 2026–2030 Regional Consolidated Plan in partnership with the City of Norton Shores and the City of Muskegon Heights. As entitlement communities, the three jurisdictions collaborate to prepare a shared Regional Consolidated Plan that establishes housing, community development, and economic development priorities for the five-year planning period. The plan will guide the use of Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds and will help ensure that federal resources are directed toward the highest priority needs identified across the region.</p> <p>As part of the planning process, the three communities are conducting a regional needs assessment and community survey to gather input on housing needs, neighborhood conditions, public services, and community development priorities. Outreach efforts have included consultation with municipal staff, local service providers, housing agencies, nonprofit organizations, and residents from each jurisdiction. Public input collected through surveys, meetings, and stakeholder discussions will be used to help establish regional goals, identify priority activities, and ensure that the 2026–2030 Regional Consolidated Plan reflects the most pressing needs of low- and moderate-income residents throughout Muskegon, Muskegon Heights, and Norton Shores.</p>					
<p>Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business</p>					
<p>Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:</p>					
Amount Requested:	<p>Budgeted Item:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Yes	No	N/A	<input checked="" type="checkbox"/>
Yes	No	N/A	<input checked="" type="checkbox"/>		
Fund(s) or Account(s):	<p>Budget Amendment Needed:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Yes	No	N/A	<input checked="" type="checkbox"/>
Yes	No	N/A	<input checked="" type="checkbox"/>		
<p>Recommended Motion: To conduct a public hearing</p>					

Approvals:

Immediate Division Head		
Information Technology		
Other Division Heads		
Communication		
Legal Review		

Name the Policy/Ordinance Followed:

2026-2030

Regional Action Plan

STREETS, PARKS, & HOMES



The City of Muskegon has a plan to use federal money for local projects, and we want your help. We have heard from partner groups, program members, and over 500 community members who took our survey. In this document, you can read a summary of what we heard and see our draft plan. Please review it and tell us what is most important to you.

mkgcity.com/aap

What Can These Funds Be Used For?

To improve housing, support public services, and make neighborhoods and community spaces better for residents.



Community

Build strong neighborhoods and job opportunities



Housing

Safe, stable, and affordable homes for all



Infrastructure

Improve streets, utilities, and public spaces



SCAN QR CODE OR VISIT
mkgcity.com/aap

We Need Your Input

This plan is like a roadmap for the next five years. What do you think is working well? What needs to be improved?

Review the plan summary and give feedback now.

2026–2030 Regional Action Plan

Public Comment Open Now – April 7 through May 7, 2026

Regional Action Plan Overview

The City of Muskegon is accepting public comment on their 2026-2030 Regional Action Plan from now through April 7 through May 7, 2026.

What is a Regional Action Plan? The 2026–2030 Regional Action Plan will serve as a roadmap, explaining the programs which may be funded by the federal government grant dollars over the next five years. This plan is not a budget, and the exact dollar amounts are not guaranteed. The amount of funding can change each year based on a federal formula. The plan simply explains what the funds may be used for if they are awarded.

These federal grants have strict rules. The money can only be used for specific types of projects and programs that benefit the community. The funding is divided into two main programs:

HOME Investment Partnerships Program (HOME)

Federal funding that cities use to build, fix, and improve affordable housing for residents.

Community Development Block Grant (CDBG)

Federal funding that cities use to support public services, neighborhood improvements, and community facilities.

The cities of Muskegon, Norton Shores, and Muskegon Heights work together to plan for and manage these funds. Over the last five years, these grants helped pay for housing, public safety, parks, and other community programs. Altogether, the three communities invested more than \$8.7 million through these programs.

As we plan for the next five years, community feedback is very important. A public survey and community conversations helped us understand what residents think is working well and what needs improvement. Staff members and community partners then created a draft plan. The feedback we received, community information, and the focus areas for the plan are included in this packet. This packet outlining the goals is shared publicly so people can provide comments before it is finalized. After approval, the plan is submitted to the federal government. The new program year is scheduled to begin July 1, 2026.

Funding Overview

For this grant program cities do not apply for a specific dollar amount. Instead, the amount of funding changes each grant cycle and program year based on a federal formula. Based on historical context, the City of Muskegon is anticipating the following funding for the next 5-year cycle:

HOME Investment Partnerships Program (HOME) \$1.5 Million

Federal funding that cities use to build, fix, and improve affordable housing for residents.

Community Development Block Grant (CDBG) \$4.5 Million

Federal funding that cities use to support public services, neighborhood improvements, and community facilities.

Community Engagement Overview

Since 2025, the City of Muskegon has been developing a Regional Action Plan through a comprehensive and community-informed process. This work has included internal planning and data analysis, engagement with the Citizen’s District Council, surveys of frontline public safety personnel and city staff, a public survey with more than 300 responses to date, and ongoing collaboration with a broad network of community partners.

These partners represent a wide range of housing, health, education, and social service organizations, ensuring diverse perspectives and expertise are reflected throughout the planning process. The Citizen’s District Council plays a key advisory role, providing input to the Muskegon City Commission on programs that support income-qualified residents, with meetings open to the public and focused on transparency and community participation.

Staff survey results show strong alignment around the most impactful programs. Both all-staff and Community and Neighborhood Services (CNS) staff identified Emergency Home Repairs and Homebuyer Down Payment Assistance as top priorities. While CNS staff tend to rate indirect or pass-through programs lower due to limited visibility, other staff recognize their broader community impact. This highlights an opportunity to improve internal communication and better share outcomes across departments.

Preliminary public survey results reinforce these findings. Of the 500 plus responses, the highest-ranked programs for continuation include Emergency Home Repair, Parks and Recreation, Fire Department Support, and Kids Power of Produce. Additionally, 87.57 percent of respondent’s support continuing the Down Payment Assistance program. The survey opened February 16, 2026 and will close April 9, 2026 for those who desire to complete the survey.

Overall, the data shows strong community and staff support for direct, resident-focused services, particularly those related to housing stability and homeownership, while also identifying opportunities to strengthen awareness and alignment around the full range of programs.

Top Priorities

- **Housing Stability & Affordability**
Repair existing homes, expand homeownership, improve rental quality
- **Neighborhood Conditions & Blight**
Clean up trash, remove abandoned structures, enforce property maintenance
- **Infrastructure & Accessibility**
Fix roads, add sidewalks, improve lighting and ADA access

Supporting Priorities

- **Public Safety**- Reduce crime through prevention, enforcement, and safer environments
- **Youth & Family Support**- Invest in early childhood, recreation, and basic needs
- **Transportation Access**- Expand public transit and improve regional connectivity

Housing Needs Assessments

The city has been evaluating its housing market and housing continues to be a huge need in the community. The data outlines housing is needed at all price points and points to those who are struggling are at 50% AMI with those who are at 30% or below seeing the greatest struggle. Demand for affordable housing is expected to continue increasing during the 2026–2030 program period due to rising construction costs, limited housing inventory, and increased demand for smaller and accessible housing units.

Housing Market Analysis

The regional housing market is characterized by:

- Low rental vacancy rates.
- Rising construction and development costs.
- Increased investor ownership in certain neighborhoods.
- Limited availability of entry-level homeownership opportunities.

Homeowners below 80% AMI face increased property insurance, maintenance, and utility costs. Renters below 50% AMI experience the highest rates of severe housing cost burden.

Disproportionate Housing Needs

Updated Comprehensive Housing Affordability Strategy (CHAS) and American Community Survey (ACS) data indicate disproportionate housing needs among Black/African American households, particularly below 50% AMI. Disparities exist in severe cost burden, overcrowding, and homeownership rates.

The Regional Community Partners (RCP) will prioritize equitable housing strategies including:

- Expansion of affordable housing in high-opportunity areas.
- Support for first-generation and minority homebuyers.
- Fair housing education and enforcement.

Draft Strategic Plan Goals 2026–2030

Taking in our past five-year plan responses, community input, and housing data around the community the following main focus areas have been outlined for the new 2026-2030 Regional Action Plan:

1. Expand Affordable Housing Production and Preservation.
2. Improve Housing Stability and Prevent Homelessness.
3. Strengthen Neighborhood Conditions and Public Infrastructure.
4. Promote Economic Opportunity and Workforce Development.
5. Advance Fair Housing and Reduce Disparities.

Non-Housing Community Development Needs

Community development priorities include:

- Infrastructure improvements.
- Blight removal and demolition.
- Code enforcement.
- Public facility upgrades.
- Youth and senior services.
- Economic development and workforce programs

Conclusion

The 2026–2030 Regional Consolidated Plan establishes a coordinated, data-driven strategy to address housing affordability, housing stability, racial disparities, and community development needs.

Affordable housing production and preservation remain central to this plan. The RCP partners are committed to leveraging federal, state, local, and private resources to maximize impact and improve quality of life for low- and moderate-income residents.

Anticipated use of funds- Year 1

CDBG	HOME
Kid Power of Produce- \$20,000	Rehab Construction- \$233,631
Priority Home Repair- \$245,380	Admin- \$25,181
Residential Façade- \$148,693	
Service Delivery- \$100,000	
Fire Station Bond- \$180,000	
Homebuyer Education- \$41,575	
Admin- \$183,917	



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Request to establish an Industrial Development District at 331 W. Laketon Ave.				
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development				
Brief Summary: Pursuant to Public Act 198 of 1974, as amended, American Fabricated Products, 16910 148th Ave., Spring Lake, MI has requested the establishment of an Industrial Development District for property located at 331 W. Laketon Ave.					
Detailed Summary & Background: American Fabricated Products (American Fab) has submitted a request to establish an Industrial Development District at 331 W. Laketon Ave, the former Intra City Dispatch facility. American Fab purchased the building in 2025 and plans to move all of their business operations to this location. American Fab plans to make significant capital investments into rehabbing the facility and anticipates adding additional jobs. According to Public Act 198 of 1974, as amended, the creation of an Industrial Development District is a required first step before a business can apply for an Industrial Facilities Tax (IFT) Exemption certificate, which provides a property tax abatement on qualified real property investments.					
Goal/Action Item: 2027 Goal 1: Destination Community & Quality of Life - Reduction of blighted commercial properties					
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:					
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;">█</td> </tr> </table>	Yes	No	N/A	█
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Yes	No	N/A	█		
Recommended Motion: I move to close the public hearing and approve the attached resolution establishing an Industrial Development District at 331 W. Laketon Ave., and authorize the Mayor and City Clerk to sign.					
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Immediate Division</td> <td style="width: 20%; text-align: center;">█</td> </tr> </table>	Immediate Division	█	Name the Policy/Ordinance Followed: Public Act 198 of 1974 as amended		
Immediate Division	█				

Head		
Information Technology		
Other Division Heads		
Communication		
Legal Review		

Resolution No. _____

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING AN INDUSTRIAL DEVELOPMENT DISTRICT AT 331 W. LAKETON AVE, MUSKEGON, MI 49441

WHEREAS, pursuant to PA 198 of 1974, as amended, the City Commission of the City of Muskegon has the authority to establish an Industrial Development District within the City of Muskegon; and

WHEREAS, American Fabricated Products has petitioned the City Commission of the City of Muskegon to establish an Industrial Development District on its property located in the City of Muskegon hereinafter described; and

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Muskegon Chronicle and public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on April 14, 2026, a public hearing was held at which all owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Muskegon were afforded an opportunity to be heard thereon; and

WHEREAS, the City Commission of the City of Muskegon deems it to be in the public interest of the City of Muskegon to establish the Industrial Development District as proposed; and

IT IS HEREBY DETERMINED that the property comprising not less than 50 percent of the state equalized valuation of the property within the proposed Industrial Development District is obsolete; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Muskegon that the following described parcel of land situated in the City of Muskegon, Muskegon County, and State of Michigan, to wit:

CITY OF MUSKEGON LOTS 5-7 & PART OF LOTS 2-4 & 8-9 INC BLK 1 & LOTS 4-7 & LOTS 14-17 & PART OF LOTS 8-9 INC & 13 BLK 2 DENNIS SMITH & CO'S 2ND ADDITION ALSO E 33 FT VAC FAIRVIEW ST AND PART OF VACATED MAY ST ALSO PART OF NW 1/4 OF NE 1/4 SEC 31 T10N R16W LYING ELY OF GTW R/R ROW DESC AS FOLLOWS BEG AT NE COR LOT 7 OF DENNIS SMITH & CO'S 2ND ADDITION BEING POB TH S 00D 14M 00S W ALG WLY ROW LN OF KEATING ST 150.28 FT TH N 89D 31M 05S E 329.11 FT TH S 00D 11M 47S E ALG WLY ROW LN OF 6TH ST 224.34 FT TH S 89D 09M 04S W 149.91 FT TH S 00D 14M 00S W 62.17 FT TH N 89D 21M 25S W 147.89 FT TH N 00D 14M 00S E 194.05 FT TH N 89D 46M 00S W 151.64 FT TH N 34D 34M 28S W 291.58 FT TH S 89D 58M 00S E ALG SLY ROW LN OF LAKETON AVE 285.08 FT TO POB TOGETHER WITH & SUBJ TO A 20 FT WIDE ESMT FOR ACCESS SUBJ TO ESMT L/P 4399/224

is established as an Industrial Development District pursuant to the provisions of PA 198 of 1974, as amended, to be known as 331 W. Laketon Ave. Industrial Development District.

Adopted this 14th Day of April 2026.

Ayes:

Nays:

Absent:

BY: _____
Ken Johnson
Mayor

ATTEST: _____
Ann Meisch
Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on April 14, 2026.

Ann Meisch
Clerk

374.75

331

150

FAIRVIEW

131'

131

301

313

-0001-00

150'

150'

150

-0018-00

131'

328

-0001-10

DENNIS SMITH & CO'S S

1

2

-0001-00

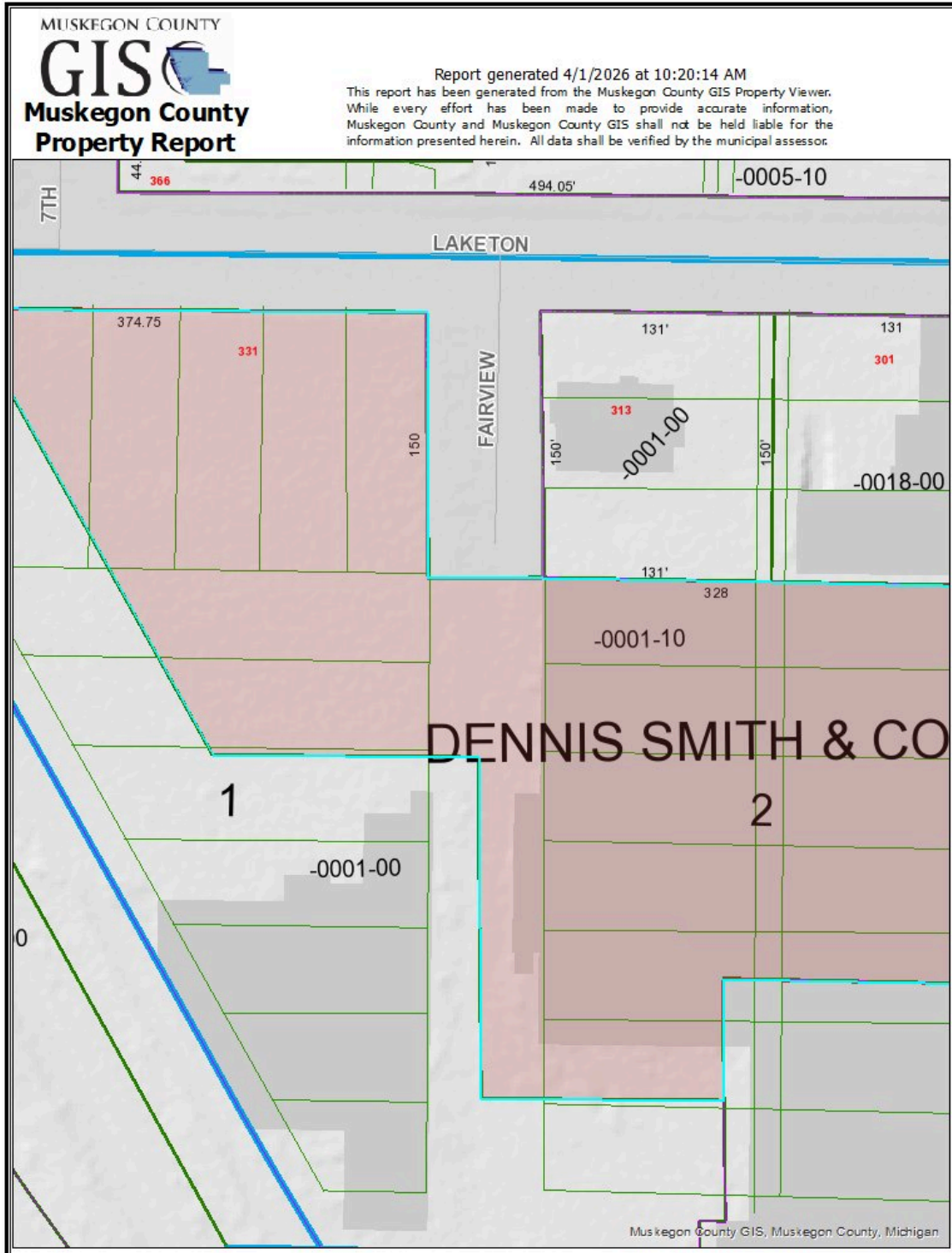


331 W. Laketon Ave Property Report

Area of Interest (AOI) Information

Area : 128,302.28 ft²

Apr 1 2026 10:19:52 Eastern Daylight Time



Summary

Name	Count	Area(ft ²)	Length(ft)
Parcels	1	128,302.28	N/A

Parcels

#	PIN	Municipality Code	Acreage per GIS	Acreage per Assessor	Property Address Number	Property Address Direction	Property Address Combined	Property Address City
1	61-24-230-001-0001-11	24	2.94	2.92	331	W	331 W LAKETON AVE	MUSKEGON

#	Property Address State	Property Address Zip Code	Owner Name 1	Owner Name 2	Owner Care Of	Owner Address	Owner Address City	Owner Address State
1	MI	49441	AFP REAL ESTATE LLC	No Data	No Data	16910 148TH AVE	SPRING LAKE	MI

#	Owner Address Zip Code	Assessed Value	State Equalized Value	Taxable Value	PRE Homestead Pct	Property Class Code	Property Class Description	School District Code
1	49456	No Data	No Data	No Data	No Data	201	Commercial - Improved	61010

#	School District Name	Zoning per Assessor Primary	Tax Description	Area(ft ²)
1	MUSKEGON CITY SCHOOL DIST	<i>No Data</i>	CITY OF MUSKEGON LOTS 5-7 & PART OF LOTS 2-4 & 8-9 INC BLK 1 & LOTS 4-7 & LOTS 14-17 & PART OF LOTS 8-9 INC & 13 BLK 2 DENNIS SMITH & CO'S 2ND ADDITION ALSO E 33 FT VAC FAIRVIEW ST AND PART OF VACATED MAY ST ALSO PART OF NW 1/4 OF NE 1/4 SEC 31 T10N R16W LYING ELY OF GTW R/R ROW DESC AS FOLLOWS BEG AT NE COR LOT 7 OF DENNIS SMITH & CO'S 2ND ADDITION BEING POB TH S 00D 14M 00S W ALG WLY ROW LN OF KEATING ST 150.28 FT TH N 89D 31M 05S E 329.11 FT TH S 00D 11M 47S E ALG WLY ROW LN OF 6TH ST 224.34 FT TH S 89D 09M 04S W 149.91 FT TH S 00D 14M 00S W 62.17 FT TH N 89D 21M 25S W 147.89 FT TH N 00D 14M 00S E 194.05 FT TH N 89D 46M 00S W 151.64 FT TH N 34D 34M 28S W 291.58 FT TH S 89D 58M 00S E ALG SLY ROW LN OF LAKETON AVE 285.08 FT TO POB TOGETHER WITH & SUBJ TO A 20 FT WIDE ESMT FOR ACCESS SUBJ TO ESMT L/P 4399/224	128,302.28

©2020 Muskegon County GIS Data reported herein is believed to be accurate and up to date, however Muskegon County and Muskegon County GIS make no warranty to the accuracy of the data. It is advised that before any decisions are made from this data, that the local assessor or building officials are contacted.



March 17, 2026

Ann Marie Meisch
City of Muskegon Clerk's Office
City Hall, 1st floor
933 Terrace Street
Muskegon, MI 49440

Dear Clerk Ann,

This letter is to request the establishment of an Industrial Development District for property located at 331 West Laketon, Muskegon 49441 on behalf of American Fabricated Products. The property identification number is 61-24-230-001-0001-11.

American Fabricated Products is relocating all business operations to the City of Muskegon from Ottawa County. We have been in business for nearly 20 years, and have grown our business from a small machine shop to needing additional space for expansion.

To the extent possible, we would like to apply for tax abatement incentives for proposed future economic development expansion activities at our location. We anticipate continued growth and additional jobs will be created as a result.

If you have any questions concerning this request, please call me at 616-607-8785 or email me at ablankenship@american-fab.com. Thank you.

Sincerely,

Andrew Blankenship
Operations Manager
American Fabricated Products

cc: Kelsey Rhoda, Greater Muskegon Economic Development



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: PA 198 Industrial Facilities Exemption - 2246 Olthoff Dr.
Submitted by: Isabela Gonzalez, Development Analyst	Department: Economic Development
<p>Brief Summary: Pursuant to Public Act 198 of 1974, as amended, A.B. Electrical Wires, Inc., 2246 Olthoff Dr., has requested the issuance of an Industrial Facilities Exemption Certificate for the property located at 2246 Olthoff Dr.</p>	
<p>Detailed Summary & Background:</p> <p>A.B. Electrical Wires, Inc. is requesting an Industrial Facilities Exemption (IFT) certificate for real property improvements at 2246 Olthoff Dr., located within the Port City Industrial Park, an area designated as an Industrial Development District in 1983. The company is proposing a real property investment of approximately \$3,243,486 to support the expansion of its existing facility, including the construction of an addition totaling approximately 39,750 square feet.</p> <p>A.B. Electrical Wires, Inc. specializes in the design, engineering, and manufacturing of wire and cable harness assemblies and industrial control panel solutions used across a wide range of industries. The proposed expansion will support increased production capacity and continued growth of the company's operations.</p> <p>In addition to the physical expansion, the company anticipates creating over 30 new jobs within the next two years, further contributing to local employment and economic development within the City of Muskegon.</p> <p>The company has also signed the City's Equal Employment Opportunity and Inclusive Workforce Development Letter, affirming its commitment to building a workforce that reflects the diversity of the community. The City's EEO & Employee Relations Director, in collaboration with the Economic Development Department, will monitor the company's progress toward these workforce goals.</p> <p>Following review, the City's Internal Tax Committee recommends approval of a 12-year abatement term for the proposed investment.</p>	
<p>Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Progress toward new and ongoing economic development projects</p>	
<p>Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:</p>	

Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Yes</td> <td style="width: 20%;"></td> <td style="width: 20%;">No</td> <td style="width: 20%;"></td> <td style="width: 20%;">N/A</td> <td style="width: 20%;"></td> </tr> </table>	Yes		No		N/A	
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Yes		No		N/A			

Recommended Motion:
 I move to close the public hearing and approve the Industrial Facilities Exemption Certificate for A.B. Electrical Wires, Inc., 2246 Olthoff Dr., and further authorize the Mayor and City Clerk to execute the resolution and all related agreement documents, as presented.

Approvals: <table border="1" style="width: 100%;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>	Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review			Name the Policy/Ordinance Followed: City of Muskegon Tax Incentives Policy
Immediate Division Head																
Information Technology																
Other Division Heads																
Communication																
Legal Review																

FEB 24 2026

CITY OF MUSKEGON
DEVELOPMENT SERVICES

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. If you have any questions regarding the completion of this form, call 517-335-7491.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	▶ Date Received by Local Unit
STC Use Only	
▶ Application Number	▶ Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) A.B. Electrical Wires, Inc. / RWD Properties, LLC	▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3600	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 2246 Olthoff Drive, Muskegon, MI 49444	▶ 1d. City/Township/Village (indicate which) Muskegon	▶ 1e. County Muskegon
▶ 2. Type of Approval Requested <input type="checkbox"/> New (Sec. 2(5)) <input type="checkbox"/> Transfer <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(6)) <input type="checkbox"/> Research and Development (Sec. 2(10)) <input checked="" type="checkbox"/> Increase/Amendment	▶ 3a. School District where facility is located OV	▶ 3b. School Code 61190
4. Amount of years requested for exemption (1-12 Years) 12		

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Addition of 39,750 sq/ft Adding over 50 plus jobs in assembling, accounting, engineering, customer service, panel build, etc. We build, engineer and manufacturer wire and cable harness assemblies along with industrial control panel solutions that are utilized in almost every industry.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ \$3,243,486.00
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ 468,107.96
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ \$3,711,593.96 Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements ▶	02/27/2026	12/31/2026	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶			▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased

▶ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. 106	▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. 30 Plus
---	---

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	
b. TV of Personal Property (excluding inventory)	
c. Total TV	

▶ 12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

▶ 12b. Date district was established by local government unit (contact local unit) 07/26/1983	▶ 12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	---

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Chris Ritter	13b. Telephone Number (231) 571-0526	13c. Fax Number	13d. E-mail Address chris@abelectricalwires.cor
14a. Name of Contact Person Chris Ritter	14b. Telephone Number (231) 571-0526	14c. Fax Number	14d. E-mail Address chris@abelectricalwires.cor
▶ 15a. Name of Company Officer (No Authorized Agents) A.B. Electrical Wires, Inc. / RWD Properties, LLC			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number	15d. Date 2-20-2026
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 2246 Olthoff Drive, Muskegon, MI 49444		15f. Telephone Number (231) 737-9200	15g. E-mail Address chris@abelectricalwires.cor

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. School Code	
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

For faster service, email the completed application and additional required documentation to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury
State Tax Commission
 PO Box 30471
 Lansing, MI 48909

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal



Letter of Intent: Equal Employment Opportunity and Inclusive Workforce Development

A.B. Electrical Wires, Inc. reaffirms its ongoing commitment to the principles of equal opportunity, diversity, equity, and inclusion. In alignment with the intent of applicable executive orders and the City of Muskegon’s Equity and Inclusion goals, we will continue to partner with the City’s Equal Employment Opportunity (EEO) Director and the Development Services Department to review, maintain, and strengthen our Equal Employment Opportunity policies and practices.

Our Commitment

It remains the policy of A.B. Electrical Wires, Inc. to provide equal employment opportunities based solely on merit, qualifications, and business need—without discrimination based on race, color, religion, sex, national origin, age, disability, weight, height, veteran status, marital status, sexual orientation, or gender identity.

We are committed to advancing workforce diversity and will continue to evaluate our internal metrics as we work toward the City’s goals of achieving 14% minority and 6.9% female representation in our workforce.

A.B. Electrical Wires, Inc. is dedicated to identifying and eliminating systemic barriers that may prevent underrepresented groups from fully participating in our employment processes. We will continue to source, recruit, and engage talent from the greater Muskegon community, and we will prioritize the intentional inclusion of minority and women candidates who meet the minimum qualifications for open positions.

As part of our ongoing efforts, A.B. Electrical Wires, Inc. will follow up in one year to assess progress toward these goals and to identify areas of improvement, ensuring accountability and continued alignment with our commitments.

This policy and our commitment to it are hereby reaffirmed by:

A.B. Electrical Wires, Inc
March 17, 2026

CITY OF MUSKEGON
Industrial Facilities Exemption
SUMMARY SHEET



PROJECT SUMMARY

A.B. Electrical Wires, Inc. , an existing manufacturing company located at 2246 Olthoff Drive , Muskegon, Michigan, is installing new machinery and equipment to expand its present operation. The company is a company that does industrial finishing. Due tot he fact that the company is investing \$ 3,243,486 in real property it is eligible for a 12 year exemption for real property.

EMPLOYMENT INFORMATION

Racial

White	95	American Indian / Alaskan Native	2
Black	4	Other	8
Asian			
Total	109		

Gender

Male	62
Female	47
Other	
Total	109



Total number of anitipated new jobs: 30+

INVESTMENT INFORMATION

Real Property \$ 3,243,486 Personal Property \$ 468,107.96 **Total \$ 3,711,593.96**

ANNUAL PROPERTY TAX INFORMATION


	All Jurisdicitons	City Only
Total New Taxes Generated	\$ 70,370.02	\$ 19,889.71
Value of Abatement	\$ 35,185.01	\$ 9,944.85
Total New Taxes Collected	\$ 35,185.01	\$ 9,944.85

ANNUAL INCOME TAX INFORMATION

Total Additional Income Tax Generated \$ 9840.00

COMPANY REQUIREMENTS

- Adopted Affirmative Action Policy? Yes No
- Meeting with City Affirmative Action Director? Yes No
- Signed Tax Abatement Contract? Yes No
- Taxes Paid In Full? Yes No
- Zoning Conflicts? Yes No


Development Analyst

Date 4-2-2020


EEO & Employee Relations

Date

OF MUSKEGON

ACE

MUSKEGON, MI 49440

United States

WWW.MUSKEGON-MI.GOV



MUSKEGON

Receipt #: 0101062033

Mar/09/2026

Cashier: WENDY WEBSTER

Received of: A.B. ELECTRICAL WIRE INC

2246 OLTHOFF DR

MUSKEGON, MI 49442

Desc: IFT APPLICATION

Planning

The sum of:

\$1,722.00

18-10 IFT APPLICATION

TAX ABATEMENT APPLICATION FEES

101-000-640

1,722.00

Total

1,722.00

TENDERED:

CHECK PAYMENT

35231

1,722.00

A.B Electrical Wires, Inc.

Cognate	Value	Cognate	Value
PA 198	12 year, 50% abatement	PA 210, 255, 146	
Taxable Value	4	Taxable Value	0-5
Job Creation	3	Location	0-2
Resident Hiring	0	New Business	0-1
		Resident Owned/Managed	0-2
TOTAL	7	TOTAL	0-10

PA 255 Tax Abatement Scoring Guide

1-5 Points: 4 Year Abatement

6-8 Points: 8 Year Abatement

9-10 Points: 12 Year Abatement

PA 146 Tax Abatement Scoring Guide

1-5 Points: 4 Years frozen taxable values

6-8 Points: 8 Years frozen taxable values

9-10 Points: 12 Years frozen taxable values

PA 210 Tax Abatement Scoring Guide

1-5 Points: 3 Years frozen taxable values

6-8 Points: 6 Years frozen taxable values

9-10 Points: 10 Years frozen taxable values

**COMMERCIAL REHABILITATION TAX ABATEMENT (PUBLIC ACT 210)
COMMERCIAL REDEVELOPMENT DISTRICT ABATEMENT (PUBLIC ACT 255)
OBSOLETE PROPERTY REHABILITATION ACT (PUBLIC ACT 146)**

TAXABLE VALUE: The City will consider the estimated additional tax base that the development will generate based on plan review, assessor's analysis and permit fees. 1 point awarded for \$150,000 to \$249,999 in taxable value, 2 points awarded for \$250,000 to \$499,999, 3 points awarded for \$500,000 to \$749,999, and 4 points awarded for \$750,000 to \$999,999, and 5 points for taxable value creation over \$1,000,000. Any development creating a taxable value over \$5,000,000 will recommended to receive the full abatement.

LOCATION: An additional two points will be awarded to a development if it is proposed in one of the City's identified Commercial or Residential Redevelopment Areas (map attached).

NEW BUSINESS: An additional point will be awarded if the development is being proposed by a commercial entity or housing developer that is new to the City of Muskegon.

RESIDENT Owned / Managed: An additional point will be awarded if the proposed business or development is owned or managed by a resident.

PA 198 IFEC Scoring Guide

1-7 Points: 9-Year 50% Abatement

7-10 Points: 12 Year 50% Abatement

**INDUSTRIAL FACILITIES EXEMPTION
(PUBLIC ACT 198)**

TAXABLE VALUE: The City will consider the estimated additional tax base that the development will generate based on plan review, assessor's analysis and permit fees. 1 point awarded for \$250,000 - \$499,999 in taxable value, 2 points awarded for \$500,000 to \$749,999, 3 points awarded for \$750,000 to \$999,999, and 4 points awarded for taxable value creation over \$1,000,000. Any improvement resulting in \$5,000,000 or more in new taxable value will be recommended for the full 12 year abatement. Additionally, any construction of a new industrial facility will be recommended for the full 12 year abatement.

JOB CREATION: Up to 3 additional points can be earned by creating new full time jobs in the City Limits. 1 point will be earned for 10 newly created jobs, 2 points for 11-24 jobs, and the full 3 points for 25+ jobs. Any development creating 100 or more jobs in the first three years will be recommended for the full 12 year abatement.

RESIDENT HIRING: An additional point will be awarded if the proposed development will commit to employing 10% of its full time staff from within the city limits, and an additional 2 points will be awarded if the proposed development will commit to employing 20% of its full time staff from within the city limits.

July 26, 1983

83-303. Port City Industrial Park Plant Rehabilitation and Industrial Development District Under Act 198 Established.

This was the time set for Public Hearing on the request to establish a "Plant Rehabilitation District" and an "Industrial Development District" under the provisions of Act No. 198 of the Public Acts of Michigan of 1974, as amended, for Port City Industrial Park.

Proof of Publication of Notice of Hearing as published in the Muskegon Chronicle was filed.

Receipts of Certified Mail Notice to the owners of the property were also filed.

No objections were heard or filed.

The following resolution was offered by Commissioner Holcomb and supported by Commissioner Larson:

WHEREAS, the City of Muskegon for the owners of the following described property, has filed an Application to establish a "Plant Rehabilitation District" and an "Industrial Development District" under the provisions of Act No. 198 of the Public Acts of Michigan of 1974, as amended;

All that area within the City of Muskegon East of the U.S. - 31 Highway right-of-way and South of E. Laketon Avenue, Muskegon, Michigan,

and,

WHEREAS, a Public Hearing was held by the City Commission of the City of Muskegon providing an opportunity for any citizen or taxpayer of the City to be heard; and,

WHEREAS, no objections were heard or filed to the establishment of a "Plant Rehabilitation District" and an "Industrial Development District" for the property described in the Application; and

NOW, THEREFORE, BE IT RESOLVED, that the City Commission does hereby establish a "Plant Rehabilitation District" and an "Industrial Development District" for the property in Fort City Industrial Park,

Dated this 26th day of July, 1983.

ADOPTED: Years, Commissioners Stewart, Holcomb, Jones, Larson, Oglesby, Walcott, and Freye,

Days, None.

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, State of Michigan, at a Regular Meeting held on July 26, 1983, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976.


Marva A. Vasquez,
City Clerk

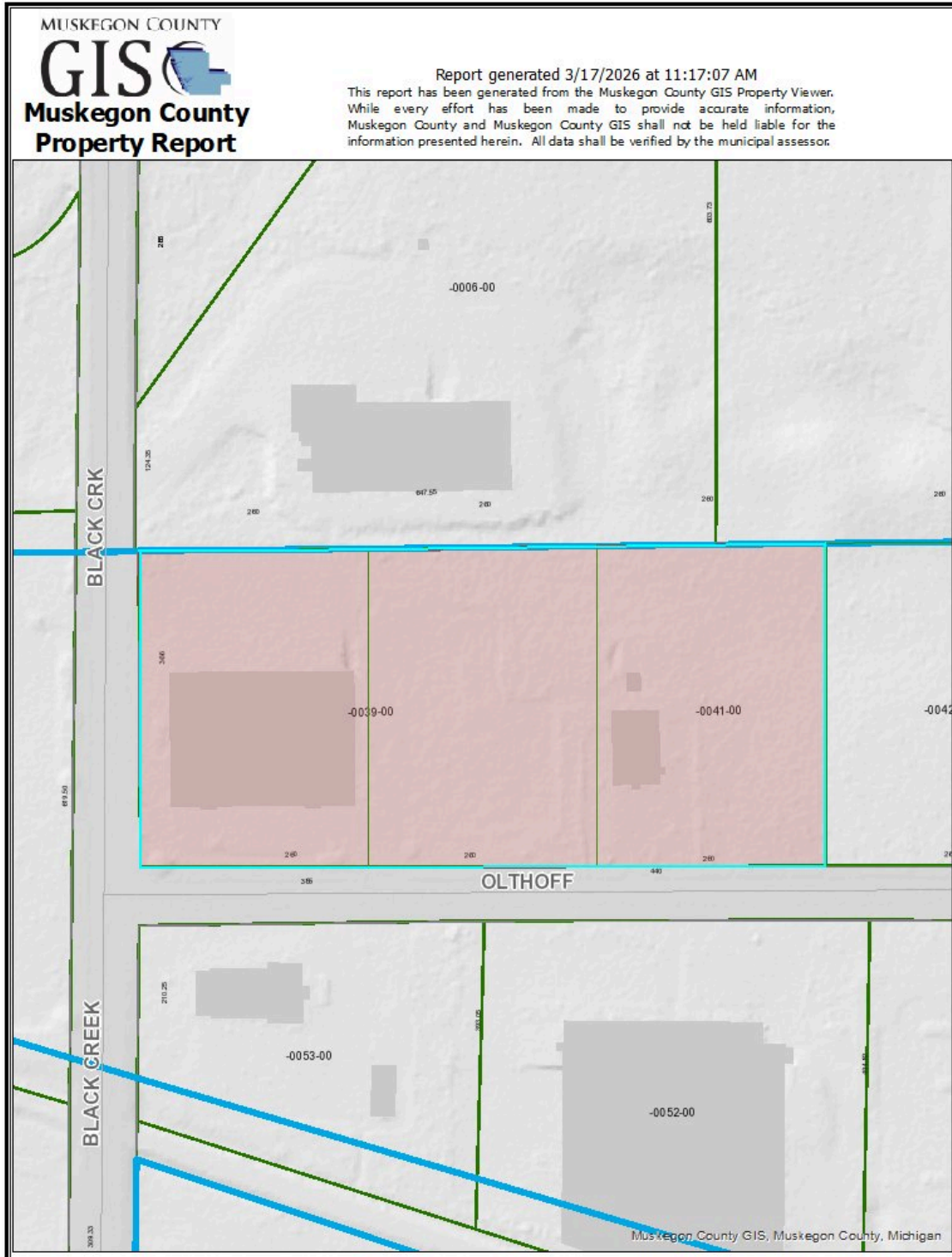


Muskegon County Property Report - 2246 Olthoff

Area of Interest (AOI) Information

Area : 282,520.69 ft²

Mar 17 2026 11:16:30 Eastern Daylight Time



Summary

Name	Count	Area(ft ²)	Length(ft)
Parcels	1	282,520.69	N/A

Parcels

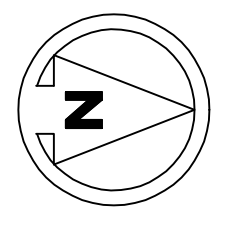
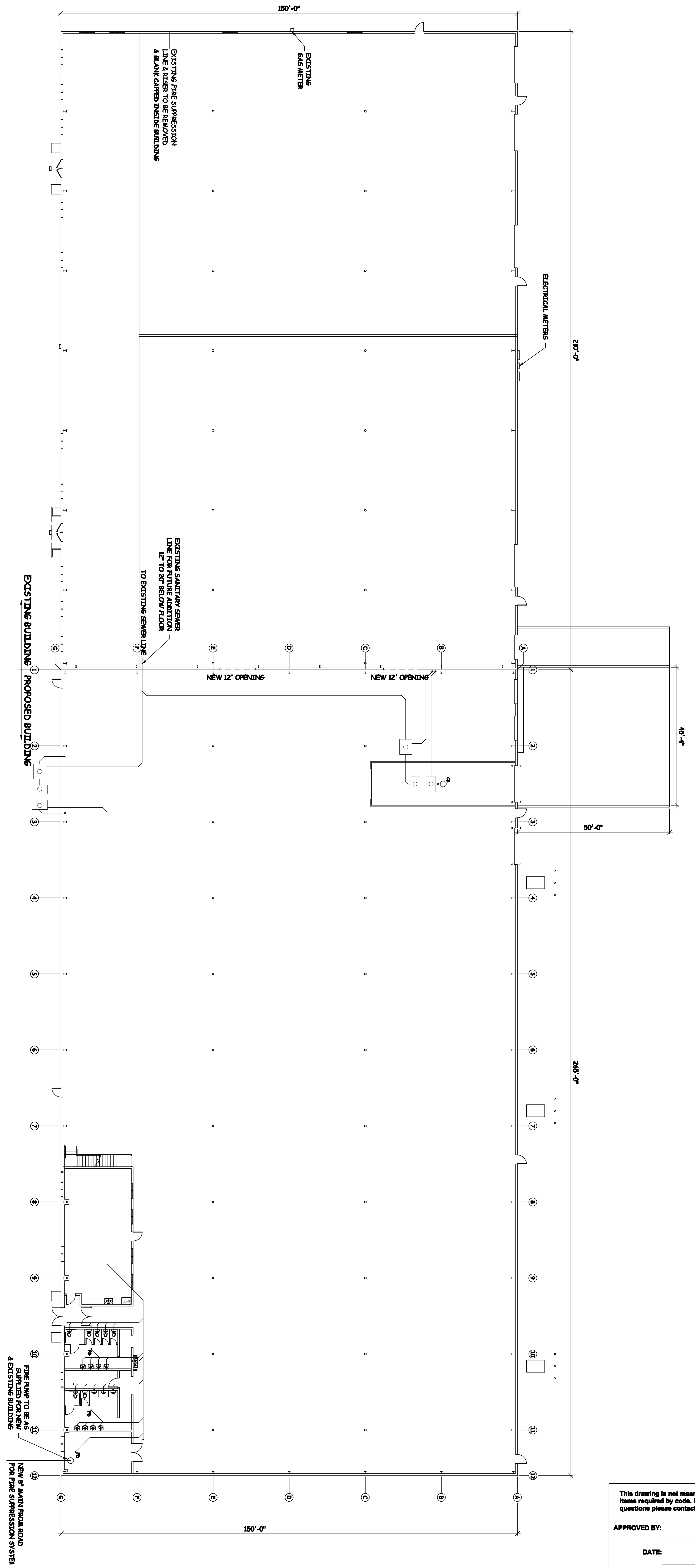
#	PIN	Municipality Code	Acreage per GIS	Acreage per Assessor	Property Address Number	Property Address Direction	Property Address Combined	Property Address City
1	61-24-694-000-0039-01	24	6.48	6.55	2246	No Data	2246 OLTHOFF DR	MUSKEGON

#	Property Address State	Property Address Zip Code	Owner Name 1	Owner Name 2	Owner Care Of	Owner Address	Owner Address City	Owner Address State
1	MI	49444	RWD PROPERTY LLC	No Data	No Data	2246 OLTHOFF DR	MUSKEGON	MI

#	Owner Address Zip Code	Assessed Value	State Equalized Value	Taxable Value	PRE Homestead Pct	Property Class Code	Property Class Description	School District Code
1	49444	No Data	No Data	No Data	No Data	301	Industrial - Improved	61190

#	School District Name	Zoning per Assessor Primary	Tax Description	Area(ft ²)
1	ORCHARD VIEW SCHOOLS	I-2	CITY OF MUSKEGON PORT CITY INDUSTRIAL CENTER #4 LOTS 39, 40 & 41	282,520.69

©2020 Muskegon County GIS Data reported herein is believed to be accurate and up to date, however Muskegon County and Muskegon County GIS make no warranty to the accuracy of the data. It is advised that before any decisions are made from this data, that the local assessor or building officials are contacted.



Master Floor Plan

SCALE: 1/16" = 1'-0"



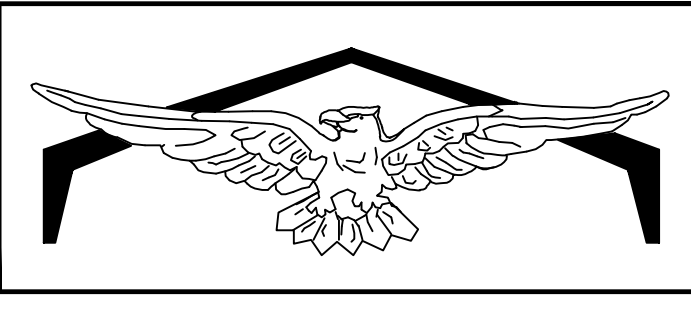
This drawing is not meant to depict all items required by code. If there are any questions please contact the Engineer.

APPROVED BY: _____
DATE: _____

Consulting Engineer
Stephen W. Parker, P.E.
1848 S. Dangi Rd.
Muskegon, Michigan
(231)-773-0077
Steve@HughesBuildersinc.net

SEALED

General Contractor
Hughes Builders, Inc.
1848 S. Dangi Rd.
Muskegon, Michigan
(231)-773-0077



THIS DOCUMENT IS THE PROPERTY OF HUGHES BUILDERS, INC. AND IS CONFIDENTIAL. ANY UNAUTHORIZED USE OR REPRODUCTION HEREOF WITHOUT WRITTEN CONSENT IS PROHIBITED BY LAW.

A. B. Electrical Wires Inc.
2246 Olthoff Dr., Muskegon, MI 49444
Master Floor Plan

DRAWN BY:
S. PARKER

REVIEWED
PLOTTED
10-24-2025
SCALE:
1/16" = 1'-0"
PROJECT NO.:
A25092
DWG. NO.:
1.0

SWORN STATEMENT

OWNER: RWD Property LLC

COMPANY NAME: HUGHES BUILDERS INC

DATE: 11/11/2025

PERSON SUBMITTING: Ron Hughes

DRAW #: 0

ADDRESS OF PROJECT: 2246 Olthoff Dr

STATE: Michigan

COUNTY: Muskegon

Ron Hughes (deponent), being sworn, states:
HUGHES BUILDERS INC is the (contractor, or subcontractor) for an improvement to the
 following real property known as A.B Electric Wires

The following is a statement of each subcontractor and supplier, and laborer, for whom payment of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)(subcontracted) for performance under the contract with the owner of property lessee of the performance under the contract with the owner or lessee of the property, and the amounts due to the persons as of the date of this statement are correctly and fully set forth opposite their names:

The contractor has not procured material from, or subcontracted with any person other than those set forth and owes no money for the improvement other than the sums set forth.

I make this statement as the (contractor) (subcontractor) or as the _____ of the (contractor)(subcontractor) to represent to the owner or lessee of the property his or her agents that the property is free from claims of construction liens, or the possibility of construction liens, except as specifically set forth in this statement and except for claims of construction liens by laborers that may be provided under section 109 of the construction lien act, 1980 PA 497, MCL570.1109.

	Name of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Contract Price	Adjust amount (increase/decrease)	Total Adjusted Amount	Amount Already Paid	Amount Currently Owing	Total Retention Heldback	Balance To Complete
1	American Buildings	Structural Steel	\$494,946.00	-\$25,404.00	\$469,542.00				\$469,542.00
2	HBI	Plans,Permits,Labor	\$1,708,814.50		\$1,708,814.50	\$350,000.00			\$1,358,814.50
3	Thermal	Insulation	\$106,750.00		\$106,750.00				\$106,750.00
4	High Grade Concrete	Foundation Material	\$60,745.00		\$60,745.00				\$60,745.00
5	High Grade Concrete	Sidewalks/Approaches	\$3,315.00		\$3,315.00				\$3,315.00
6	High Grade Concrete	Concrete Floor Material	\$165,000.00		\$165,000.00				\$165,000.00
7	High Grade Concrete	Concrete Dock Material	\$21,962.50		\$21,962.50				\$21,962.50
8	HBI	Site, Fill and Demo	\$83,600.00		\$83,600.00				\$83,600.00
9	Quality Door	Overhead doors	\$20,399.00		\$20,399.00				\$20,399.00
10	Store Fronts	Windows & Glass doors	\$8,800.00		\$8,800.00				\$8,800.00
11	Gypsum Supply	Studs,drywall	\$12,000.00		\$12,000.00				\$12,000.00
12	Arch Hardware	Interior Door Material	\$5,200.00		\$5,200.00				\$5,200.00
13	Gypsum Supply	Drop Ceiling Material	\$8,900.00		\$8,900.00				\$8,900.00
14	River City	Floor Covering	\$13,500.00		\$13,500.00				\$13,500.00
15	Beuschel Sales	Loading Dock Equipment	\$25,500.00		\$25,500.00				\$25,500.00
16	Bush Concrete	Basins	\$9,000.00		\$9,000.00				\$9,000.00
17	API	Asphalt	\$129,092.00		\$129,092.00				\$129,092.00
18	Byron Plumbing	Plumbing	\$29,926.00		\$29,926.00				\$29,926.00
19	Bruecl Electric	Electrical	\$117,160.00		\$117,160.00				\$117,160.00
20	McKellips	HVAC	\$121,390.00		\$121,390.00				\$121,390.00
	SUBTOTALS, CONTINUED ON REVERSE		\$3,146,000.00	-\$25,404.00	\$3,120,596.00	\$350,000.00	\$0.00	\$0.00	\$2,770,596.00

	Name of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Contract Price	Adjust amount (increase/decrease)	Total Adjusted Amount	Amount Already Paid	Amount Currently Owing	Total Retention Heldback	Balance To Comple
21	Dependable Fire	Fire Suppression	\$59,000.00		\$59,000.00				\$59,000.00
22	Novotny	Fire alarm	\$11,000.00		\$11,000.00				\$11,000.00
23	HBI	Hookups	\$40,000.00		\$40,000.00				\$40,000.00
24	Dependable Fire	Fire Suppression upgrade		\$217,900.00	\$217,900.00				\$217,900.00
25	Dependable Fire	Fire Pump upgrade		\$80,000.00	\$80,000.00				\$80,000.00
26	Novotny	Keyless Entry upgrade		\$32,000.00	\$32,000.00				\$32,000.00
27	HBI	10% on upgrades		\$32,990.00	\$32,990.00				\$32,990.00
28					\$0.00				\$0.00
29					\$0.00				\$0.00
30					\$0.00				\$0.00
31					\$0.00				\$0.00
32					\$0.00				\$0.00
33					\$0.00				\$0.00
34					\$0.00				\$0.00
35					\$0.00				\$0.00
36					\$0.00				\$0.00
37					\$0.00				\$0.00
38					\$0.00				\$0.00
39					\$0.00				\$0.00
TOTALS			\$3,256,000.00	\$337,486.00	\$3,593,486.00	\$350,000.00	\$0.00	\$0.00	\$3,243,486.00

WARNING TO OWNER OR LESSEE: AN OWNER OR LESSEE OF THE PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING OR A LABORER WHO MAY PROVIDE A NOTICE OF FURNISHING UNDER SECTION 109 OF THE CONSTRUCTION LIEN ACT, 1980 PA 497, MCL 570.1109, TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

WARNING TO DEPONENT: A PERSON WHO GIVES A FALSE SWORN STATEMENT WITH INTENT TO DEFRAUD IS SUBJECT TO CRIMINAL PENALTIES AS PROVIDED IN SECTION 110 OF THE CONSTRUCTION LIEN ACT, 1980 PA 497, MCL 570.1110.

Deponent

Subscribed and sworn to before me on _____ (Date)

My commission expires:

Notary Public, _____, County, MI

CITY OF MUSKEGON

CONTRACT FOR TAX ABATEMENT

Act 198 Public Acts of 1974

AGREEMENT between CITY OF MUSKEGON, a municipal corporation of 933 Terrace Street, Muskegon, Michigan 49440, ("City") and A.B. Electrical Wires, Inc. ("Company").

Recitals:

- A. The Company has applied to City for the establishment of an industrial development district or Plant rehabilitation district pursuant to the provisions of Act 198 of the Public Acts of 1974, as amended, which act requires a contract between the City and the Company to be agreed and submitted with the Company's subsequent anticipated application for an industrial facilities exemption certificate.
- B. That in addition to the statutory requirement, the City has determined that it is in the best interests of the taxpayers, property owners and residents of the City that this Agreement be approved and executed prior to the establishment of the requested district, and the City deems this Contract, together with the conditions set forth in the said Act to constitute a necessary element in the City's determination whether or not to create the district.
- C. The Company intends to install the project set forth in its application ("project") which it believes qualifies for the process of establishing the district and the application for industrial facilities exemption certificate.
- D. The City, provided this Agreement is executed, will determine whether to create the district based upon the potential for the production of permanent jobs, the continuation, stabilization or increase of economic activity, planning and zoning considerations and the City's general plan and intentions regarding economic development. In addition to the City policy considerations and predictions that the Company's proposed district and certificate benefit the community in those ways, the City has further determined that the contractual commitments made by the Company to thereby assist the community shall be binding on the Company and necessary to continue the tax exemption made possible by the certificate.
- E. This contract shall become effective upon the issuance of an Industrial Facilities Tax Exemption Certificate.

NOW THEREFORE THE PARTIES AGREE:

1. **COMPANY AGREEMENT.** The Company irrevocably commits to the investment, job retention and job creation promises made in its application, a copy of which is attached hereto and incorporated herein. In particular the Company agrees:

1.1 That 100% of the jobs shall be filled and in existence with full-time employees by a date no later than two (2) years from the date of the granting of the certificate by the State Tax Commission, subject to the provisions of section 3.4 of this agreement.

1.2 That the amount of jobs listed on the application, whether new or retained, will be maintained through the life of the abatement, subject to the provisions of section 3.4 of this agreement.

1.3 The Company shall meet the affirmative action goal included in the application or in any documents supplied by the City and utilized by the Company, including any additional representations made to the City Commission on or before the date two (2) years after the granting of the certificate by the State Tax Commission. It shall maintain the said levels of employment diversity during the period of the certificate, subject to the provisions of section 3.4 of this agreement.

1.4 The Company, by the end of two (2) years from the date of the grant of the certificate by the State Tax Commission shall have completed the investment of \$3,243,486 in improvements as shown in the application, subject to the provisions of section 3.4 of this agreement.

1.5 That the improvements and equipment to receive the tax abatement treatment shall be completed on or before the date two (2) years from the date of granting of the certificate by the State Tax Commission.

1.6 The Company shall pay its specific taxes required by the act in a timely manner, and shall not delay payments so as to incur any penalties or interest.

1.7 The Company shall fully cooperate with the City representatives in supplying all requested and required documentation regarding jobs, investment, the meeting of all goals and the timely installation and utilization of equipment and improvements. The City shall be entitled to inspect at reasonable hours the Company's premises where the said improvements and equipment have been installed and where the said jobs are performed.

1.8 The Company shall maintain, during the entire period for which the tax abatement is granted, the level of jobs, affirmative action goals, production and utilization of the improvements and equipment at the site where the district has been created and for which the tax exemption has been granted.

1.9 The Company shall not cause or fail to cure the release of any hazardous substance, or the violation of any environmental law on its premises in the City. It shall report any releases to the appropriate governmental authority in a timely and complete manner, and provide copies of said report documentation to the City. It shall comply with all orders and actions of any governmental agency having authority.

1.10 The Company shall maintain the equipment and improvements so as to minimize physical or functional obsolescence.

1.11 The Company shall continue to operate its business location in the City, containing the same number of and type of jobs, for the term of the certificate.

2. **AGREEMENT BY THE CITY.** Provided this contract has been executed and further provided all applications to create the district and achieve the industrial facility exemption certificate have been properly filed, the City shall, in a timely manner, determine in a public meeting to whether to create the district and whether to receive, process, and approve thereafter the Company's application for an industrial facilities exemption certificate. The City may consider this contract in a meeting separate from and prior to the meeting in which the City considers the creation of the district and/or approval of the application for certificate. Further, the City shall require the submission of this contract signed by the Company together with its applications, before creating the district.

3. **EVENTS OF DEFAULT.** The following actions or failures to comply shall be considered events of default by the Company:

3.1 Failure to meet any of the commitments set forth above.

3.2 The closing of the Company's facilities in the City. Closing shall mean for purpose of this Agreement, the removal, without transfer to another site within the City of substantially all of the production facilities, and the elimination of substantially all the jobs created or retained thereby, which are set forth in the Company's application.

3.3 Failure to afford to the City the documentation and reporting required.

3.4 The failure to create or retain jobs, meet affirmative action goals or expend the funds on equipment and improvements as represented in the application within the times required hereby, unless the company can show that there has been a loss of revenue and employment due to circumstances beyond the control of the company. In order to make that showing the company shall have the burden of supplying, to the City's satisfaction, complete and convincing documentation supporting and justifying reductions in investment, failures to

attain affirmative action goals or job losses, such as, without limitation, written evidence of lost contracts, accounting information showing reduced revenues due to the loss of business, (not due to diversion of production to affiliate companies or divisions of the company), production records showing reduced quantities over significant periods of time, and such other information required by the City to support the Company's claim that the failure to invest, failure to achieve affirmative action goals, or loss of jobs should not form the basis for a finding of default.

3.5 The bankruptcy or insolvency of the Company.

3.6 The failure to pay any and all taxes and assessments levied on the Company's property or any other taxes, local, state or federal, including but not limited to City income taxes and the withholding of said City income taxes from employees as required by the City Income Tax Ordinance.

3.7 The performance or omission of any act which would lead to revocation under MCLA 207.565, being §15 of the Act.

3.8 The violation of any provisions, promises, commitments, considerations or covenants of this Agreement.

4. **REMEDIES ON DEFAULT.** In the event of any of the above defaults the City shall have the following remedies which it may invoke without notice, except as may be reasonably required by the Company's rights to due process:

4.1 In the event of closing as determined after investigation of the facts and a public hearing, the Company shall be immediately liable for penalties to be paid forthwith to the city as determined as follows:

4.1.1 The Company shall pay to the City for pro rata distribution to the taxing units experiencing the abatement, an amount equal to the difference between the industrial facilities tax which it has paid, and the total property taxes to the relevant taxing units which it would have paid, given its installations of improvements and equipment, during the years for which the certificate was in effect.

4.1.2 **Immediate Revocation.** The Company hereby consents to revocation to the IFT certificate before the State Tax Commission, without hearing, and the City shall submit a copy of this Agreement to the State Tax Commission in connection with its revocation procedure, giving notice that the default has occurred and immediate revocation should occur.

4.2 In the event the improvements and equipment have not been installed before the two (2) year period, in addition to the revocation procedures before the State

Tax Commission, the abatement should immediately be reduced by the City proportionately, and any installations which have not been finished at the end of said two (2) year period shall not be eligible for the abatement thereafter and shall be placed on the regular tax roll.

4.3 Failure to Expend the Funds Represented. In the event, (whether or not the installations have been completed), the Company has not expended the funds it has represented on its application that it would invest for the installation of equipment, the abatement shall be reduced pro rata, and any remaining value of equipment shall be placed on the regular tax roll, unless the company can show, through receipts, etc. that the cost of the equipment was actually less than the amount estimated by the company (i.e., the same equipment was purchased as listed in the IFT application, but the bids came in less than expected).

4.4 Job Creation and Retention. In the event the promised number of jobs have not been created or retained at the end of the two (2) years after the grant of the certificate by the State Tax Commission, the abatement shall be proportionately reduced, unless the company can show that the loss of jobs, or inability to hire as many people as expected, is due to circumstances beyond the control of the company (such as an economic downturn).

4.5 Affirmative Action Goals. In the event, after one (1) year from the grant of the certificate by the State Tax Commission, the affirmative action goals of the City for additional jobs have not been met on a pro rata basis, the abatement shall be revoked.

4.6 For other violations of this Agreement or for actions or omissions by the Company amounting to grounds for revocation by statute, the City shall recommend to the State Tax Commission immediate revocation of the certificate.

4.7 Special Assessment. For any amount due to be paid to the City, under this Section 4, the Company consents that the City shall have a personal action against the Company for the said amount, and in addition, cumulatively, and not by election, the City shall have a special assessment lien on all the property of the Company personal and real, located in the City, for the collection of the amounts due as and in the manner of property taxes and in such case the collection of the said special assessment shall be accomplished by addition by the City to the Company's property tax statement regularly rendered.

5. Governing 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.

6. Counterparts. This Agreement may be executed in one or more counterparts. Notwithstanding such execution all such counterparts shall constitute one and the same Agreement.

7. Benefit. This Agreement shall be binding upon and inure to the benefit of the respective parties, their successors and personal representatives.

8. Effective Date. This Agreement shall be effective on the date the State of Michigan Tax Commission grants the company at Industrial Facilities Exemption Certificate.

CITY OF MUSKEGON

By _____
Ken Johnson, Mayor

and _____
Ann Meisch, Clerk

By  _____
Chris Ritter, Owner

and _____

Its _____

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING APPLICATION FOR ISSUANCE OF INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE *A.B. Electrical Wires, Inc*

WHEREAS, pursuant to P.A. 198 of 1974 as amended, A.B. Electrical Wires, Inc., has filed an application for the issuance of an Industrial Facilities Tax Exemption Certificate with respect to the expansion of an existing facility, new machinery and equipment to be installed within said Industrial Development District, located at 2246 Olthoff Drive; and

WHEREAS, A.B. Electrical Wires, Inc. has filed an application for the issuance of an Industrial Facilities Tax Exemption Certificate with respect to the expansion of an existing facility, new machinery and equipment to be installed within said Industrial Development District and

WHEREAS, before acting on said application the Muskegon City Commission held a public hearing on April 14, 2026 at the Muskegon City Hall in Muskegon, Michigan at 5:30 p.m. at which hearing the applicant, the assessor and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the expansion of the existing facility and installation of machinery and equipment is calculated to and will have the reasonable likelihood to retain, create, or prevent the loss of employment in Muskegon, Michigan; and

WHEREAS, the aggregate SEV of real property exempt from ad valorem taxes within the City of Muskegon, will not exceed 5% of an amount equal to the sum of the SEV of the local government unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED by the Muskegon City Commission of the City of Muskegon, Michigan that:

- 1) The Muskegon City Commission finds and determines that the Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Act of 1974 as amended shall not have the effect of substantially impeding the operation of the City of Muskegon or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Muskegon.
- 2) The application of A.B. Electrical Wires, Inc. for the issuance of an Industrial Facilities Tax Exemption Certificate with respect to the expansion, installation of new machinery and equipment on the following described parcel of real property situated within the City of Muskegon to wit:

CITY OF MUSKEGON
PORT CITY INDUSTRIAL CENTER #4
LOTS 39, 40 & 41

3) The Industrial Facilities Tax Exemption Certificate is issued and shall be and remain in force and effect for a period of twelve (12) years on real property.

Adopted this 14 Day of APRIL 2026

Ayes:

Nays:

Absent:

BY: _____
Ken Johnson Mayor

ATTEST: _____
Ann Meisch, City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on April 14, 2026.

Ann Meisch, City Clerk



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Approval of Minutes															
Submitted by: Ann Meisch, City Clerk	Department: City Clerk															
Brief Summary: To approve minutes of the March 24, 2026, City Commission Meeting.																
Detailed Summary & Background:																
<u>Goal/Action Item:</u>																
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:																
Amount Requested:	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"><input type="checkbox"/></td> <td style="width: 15%;">No</td> <td style="width: 15%;"><input type="checkbox"/></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>								
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>										
Fund(s) or Account(s):	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"><input type="checkbox"/></td> <td style="width: 15%;">No</td> <td style="width: 15%;"><input type="checkbox"/></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>								
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>										
Recommended Motion: Approval of the minutes.																
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Communication</td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Legal Review</td> <td><input type="checkbox"/></td> <td></td> </tr> </table>	Immediate Division Head	<input type="checkbox"/>		Information Technology	<input type="checkbox"/>		Other Division Heads	<input type="checkbox"/>		Communication	<input type="checkbox"/>		Legal Review	<input type="checkbox"/>		<u>Name the Policy/Ordinance Followed:</u>
Immediate Division Head	<input type="checkbox"/>															
Information Technology	<input type="checkbox"/>															
Other Division Heads	<input type="checkbox"/>															
Communication	<input type="checkbox"/>															
Legal Review	<input type="checkbox"/>															

CITY OF MUSKEGON

CITY COMMISSION MEETING

March 24, 2026 @ 5:30 PM

**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, Michigan at 5:30 p.m., Tuesday, March 24, 2026. Pastor Jeremy Lenertz from First Wesleyan Church, opened the meeting with prayer, after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Mayor Ken Johnson, Vice Mayor Destinee Keener, Commissioners Willie German, Jr. (left at 6:43 p.m.), Kiley Jackson, Katrina Kochin, Rebecca St.Clair, and Jay Kilgo, City Manager Jonathan Seyferth, City Attorney Brennen Gorman, and City Clerk Ann Marie Meisch

2026-21 PUBLIC HEARINGS

A. Sappi PUD Parcel Acquisition, 2400 and 2850 Lakeshore Drive Manager's Office

The City is seeking authorization to apply for an MDNR Natural Resources Trust Fund grant for the acquisition of ten (10) lakefront parcels on the former Sappi PUD at 2400 and 2850 Lakeshore Drive. The property would be used as a new public parklet with increased Muskegon Lake waterfront access at the end of the Lincoln Street extension into the development. A public hearing is a requirement of the MDNR application process to gather feedback from the public about the project.

The City Commission-approved Sappi Planned Unit Development (PUD), at 2400 and 2850 Lakeshore Dr, includes an Option Agreement between the City and Parkland Properties giving the City the exclusive right to purchase an area encompassing ten (10) lots at a reduced rate. Parkland agreed to a rate of \$148,750 per lot, representing a 15% reduction in the average projected sale price on all waterfront lots in the PUD. This reduced rate was determined based on cost savings from building fewer single-family homes on these parcels and requiring fewer utility installations and other infrastructure to support these lots.

The option commenced on the closing date (12/18/26) between Parkland and Pure Muskegon on the property, and the City would have two (2) years to execute these purchases.

The parcels would be acquired through an application to the MDNR Natural Resources Trust Fund grant program to install a new public park and increase public access to Muskegon Lake. Acquisition of the lakefront parcels will secure public ownership and permanent public access to Muskegon Lake and support long-term redevelopment consistent with adopted City plans.

The total estimated MNRTF-eligible project cost is \$1,580,500, and the City intends to request \$1,106,300 in MNRTF assistance with a local match in the amount of \$474,200 from City funds, representing approximately 30% of the total project cost.

The deadline to submit applications for the MDNR Natural Resources Trust Fund grant program is April 1, 2026.

STAFF RECOMMENDATION: To close the public hearing and authorize staff to apply to the MDNR Natural Resources Trust Fund acquisition grant in the amount of \$1,106,300, with a match commitment of \$474,200, for the acquisition of ten (10) parcels on the former Sappi PUD, subject to final appraisal due in October. The Public Hearing opened to hear and consider any comments from the public. No public comments were made.

Motion by Commissioner St.Clair, second by Commissioner Kilgo, to close the public hearing and authorize staff to apply to the MDNR Natural Resources Trust Fund acquisition grant in the amount of \$1,106,300, with a match commitment of \$474,200, for the acquisition of ten (10) parcels on the former Sappi PUD, subject to final appraisal due in October.

ROLL VOTE: Ayes: German, Jackson, Kochin, St.Clair, Johnson, Kilgo, and Keener
Nays: None

MOTION PASSES

B. Request to Create a New Neighborhood Enterprise Zone District at 2400 Lakeshore Drive Economic Development

Pursuant to Public Act 147 of the Michigan Public Acts of 1992 as amended, staff has received a request to create a new Neighborhood Enterprise Zone (NEZ) district at 2400 Lakeshore Drive.

This public hearing is being held to consider the establishment of the proposed NEZ district. The applicant intends to develop single-family owner-occupied units along 65.46 acres of the Sappi development. Inclusion in a NEZ district would allow eligible property owners to apply for NEZ certificates, which reduce residential property taxes on newly constructed housing.

In accordance with Public Act 147 of 1992, as amended, notice of the proposed NEZ district was mailed to all affected local taxing jurisdictions on February 12, 2026.

Per State requirements:

- A public hearing must be held within 45 days of the notice being sent.
- The resolution establishing the NEZ district may not be adopted until at least 60 days after notice was issued.

The resolution to establish the NEZ district at 2400 Lakeshore Drive is scheduled to return to the City Commission for consideration on April 14, 2026. State law allows up to 15% of a local government's total land area to be designated as NEZ districts. The City of Muskegon is currently at **13.34%**. The addition of the proposed NEZ district would remain within the allowable statutory limit. If approved, staff estimates that the NEZ District's total area will fall under **14.1%** of the City's total acreage.

STAFF RECOMMENDATION: I move to close the public hearing for the NEZ District at 2400 Lakeshore Drive.

The Public Hearing opened to hear and consider any comments from the public. No public comments were made.

Motion by Vice Mayor Keener, second by Commissioner Kilgo, to close the public hearing for the NEZ District at 2400 Lakeshore Drive.

ROLL VOTE: Ayes: Jackson, Kochin, St.Clair, Johnson, Kilgo, Keener, and German
Nays: None

MOTION PASSES

C. Neighborhood Enterprise Zone Certificates - 577 Amity Ave. and 723 Amity Ave. Economic Development

Staff is requesting the approval of Neighborhood Enterprise Zone (NEZ) certificates for 15 years for a new construction home at 577 Amity Ave. and 723 Amity Ave.

Robert Muusse Builders LLC has submitted two applications for Neighborhood Enterprise Zone (NEZ) certificates for the construction of single-family homes at 577 Amity Avenue and 723 Amity Avenue. 577 Amity Ave. will feature three bedrooms and one and a half bathrooms. 723 Amity Ave. will have two bedrooms and one bathroom, with the potential to add an additional bedroom and bathroom. The Neighborhood Enterprise Zone Act provides for the development and rehabilitation of residential housing located within eligible distressed communities. Approval of these applications would grant the future property owners a tax abatement that reduces their property taxes by

approximately 50% for up to 15 years.

STAFF RECOMMENDATION: I move to close the public hearing and approve Neighborhood Enterprise Zone (NEZ) certificates for 15 years at 577 Amity Ave. and 723 Amity Ave. and authorize the City Clerk and Mayor to sign the applications and resolutions.

The Public Hearing opened to hear and consider any comments from the public. Pat Jones asked about the creation of the districts.

Motion by Commissioner Kochin, second by Vice Mayor Keener, to close the public hearing and approve Neighborhood Enterprise Zone (NEZ) certificates for 15 years at 577 Amity Ave. and 723 Amity Ave. and authorize the City Clerk and Mayor to sign the applications and resolutions.

ROLL VOTE: Ayes: Kochin, St.Clair, Johnson, Kilgo, Keener, German, and Jackson
Nays: None

MOTION PASSES

PUBLIC COMMENT ON AGENDA ITEMS

No public comments were made.

2026-22 CONSENT AGENDA

A. Approval of Minutes City Clerk

To approve minutes of the March 9th Worksession Meeting and the March 10th City Commission Meeting.

STAFF RECOMMENDATION: Approval of the minutes.

C. Economic Development Revolving Loan Fund Request – OB’s Southern Brunch House Economic Development

OB’s Southern Brunch House has submitted a request for a \$50,000 loan through the City’s Economic Development Revolving Loan Fund (RLF). The requested funds will provide gap financing between the owners’ equity investment and their commercial loan.

The business will be located at 379 W. Western Avenue, Suite 102, within the Sidock Group building. OB’s Southern Brunch House will offer southern-inspired brunch dishes and craft beverages. The business is expected to create several new job opportunities and serve as a positive addition to the downtown business district.

The owners, Will and Fatima Roberson, are experienced entrepreneurs who have successfully operated other businesses, including a staffing agency. The proposed loan term is five (5) years, with the loan anticipated to conclude in April 2031. Additional details regarding the loan terms are included in the loan

term agreement.

The Ad Hoc Economic Development Loan Fund Advisory Committee met to review the application and supporting materials and recommends approval of the \$50,000 loan.

The Economic Development Revolving Loan Fund has traditionally been used to supplement conventional financing sources and assist with financial gaps for new or expanding businesses that contribute to the City's economic development goals.

STAFF RECOMMENDATION: I move to approve a loan in the amount of \$50,000 to Roberson Entertainment, LLC from the Economic Development Revolving Loan Fund for OB's Southern Brunch House.

D. Goal Setting Facilitation Contract Manager's Office

Staff is seeking approval to enter a contract with Double Haul Solutions for facilitation of goal setting with the City Commission.

Staff interviewed 3 firms capable of facilitating a goal setting session with the Commission and recommends contracting with Double Haul Solutions. DHS is located within Michigan and has worked diligently to form a process based on the needs of our community and organization. They have shown themselves to be flexible and have offered guidance that aligns with our values for engagement, visioning, and teamwork. We feel that they will work as partners who are invested in the success of our community, and their approach is comprehensive and affordable.

The other two companies that were considered are MGT Consulting and LeaderGov both of which gave strong proposals but would work more remotely, and in one case cost much more than the recommended firm.

While the current long term goals don't expire until 2027, staff would like to better align the long term goals with Commission terms. We look forward to beginning the process to create a vision and prioritize the goals to lead Muskegon forward.

STAFF RECOMMENDATION: To approve the contract with Double Haul Solutions and authorize the City Manager to sign.

E. Contract Award: Material Testing - 215733 Lakeshore Dr DPW- Engineering

Staff is requesting authorization to approve a contract with Material Testing Consultants in the amount of \$30,000 for material testing on the Lakeshore Drive road reconstruction project, as outlined within the RFP.

Bids were solicited for material testing for the Lakeshore Drive road reconstruction project, which is required by the State to ensure the contractor is meeting construction standards. Two bids were received:

Material Testing Consultants	\$30,000.00
Soils & Structures	\$67,287.00

This work is budgeted for and included in the street funds associated with the

project.

STAFF RECOMMENDATION: Move to authorize staff to enter into a contract with Material Testing Consultants in the amount of \$30,000.00 for material testing for the Lakeshore Drive road reconstruction project, as defined within the RFP.

H. Invoice for Maintenance of Voting Equipment - REMOVE PER STAFF REQUEST City Clerk

I. Resolution for Charitable Gaming License - Watch Us Go Boating - Muskegon City Clerk

Watch Us Go Boating - Muskegon is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a gaming license. They have been recognized as a 501(c)(3) organization by the State.

STAFF RECOMMENDATION: Approval of the resolution for a Charitable Gaming License.

J. Resolution for Charitable Gaming License - Route 31 Foundation City Clerk

Route 31 Foundation is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a gaming license. They have been recognized as a 501(c)(3) organization by the State.

STAFF RECOMMENDATION: Approval of the resolution for a Charitable Gaming License.

K. Muskegon Farmers Market Vendor Rates City Clerk

To approve the proposed rates for vendors at the Farmers Market in 2026. It is recommended that the City increase rates for seasonal vendors by approximately 3% in 2026. The remaining rates will remain the same. Staff reviewed rates of other farmers market and we are comparable. The Muskegon Farmers Market Advisory Board also reviewed the proposed increase.

STAFF RECOMMENDATION: To approve the rate increases for the Farmers Market as proposed.

Motion by Commissioner German, second by Commissioner Kilgo, to adopt the Consent Agenda as presented minus items B, F, G, and L.

ROLL VOTE: Ayes: St.Clair, Johnson, Kilgo, Keener, German, Jackson, and Kochin
Nays: None

MOTION PASSES

2026-23 ITEMS REMOVED FROM THE CONSENT AGENDA

B. Deficit Elimination Plan-Brownfield Redevelopment Activities Finance

To approve the Deficit Elimination plan and resolution for the Brownfield Redevelopment Authority (combined) and direct staff to submit plan to the State of Michigan.

At June 30, 2025 the Brownfield Redevelopment Authority (combined) had a \$133,849.00 deficit. Act 275 of Public Acts of 1980 requires the City to formulate a deficit elimination plan and submit it to the Michigan Department of Treasury.

STAFF RECOMMENDATION: To approve the Deficit Elimination plan and resolution for the Brownfield Redevelopment Authority (combined) and direct staff to submit plan to the State of Michigan.

Motion by Commissioner Kilgo, second by Commissioner Kochin, to approve the Deficit Elimination plan and resolution for the Brownfield Redevelopment Authority (combined) and direct staff to submit plan to the State of Michigan.

ROLL VOTE: Ayes: Johnson, Kilgo, Keener, German, Jackson, Kochin, and St.Clair

Nays: None

MOTION PASSES

F. Mobile Food Vending Ordinance Update Manager's Office

This action would update Article VIII. Mobile Food Vending Ordinance Section 50-304 Regulations by adding a subsection (p) creating an additional exception to the 1,000 ft. exclusion zone for mobile food vending that events can enforce. Per the direction of the City Commission at our December, 2025, LPC meeting, the staff is presenting an ordinance update related to mobile food vending on private property within 1,000 feet of an approved event. Under our current ordinance, no mobile food vending may exist within 1,000 feet of an approved event unless the event has given permission or it's part of a brick and mortar's ongoing general operations. This update will create an additional exception and is outlined below.

(p) Subsection (j) shall not apply to a mobile food vendor operating on private property when all of the following conditions are met:

1. The property shall not be used as a commercial kitchen permitted for the preparation of food, where such use constitutes more than fifty percent (50%) of the gross revenue generated on the property.
2. Any water supply or electrical service utilized by a mobile food vendor shall be provided only through utility connections that have been installed for use by a mobile food vendor and lawfully installed and maintained in compliance with all applicable building, plumbing, electrical, health, and safety codes.
3. The property owner or occupant in lawful possession of the property has allowed mobile food vendors to operate on the property for no fewer

than ten (10) days during the thirty (30) day period immediately preceding the date the vendor operates on the property pursuant to this subsection; and

4. The vendor operates on the property with the express written permission of the property owner or occupant in lawful possession of the property.

STAFF RECOMMENDATION: I move to update Article VIII, Mobile Food Vending Ordinance, Section 50-304 Regulations, by adding Subsection P as presented.

Motion by Vice Mayor Keener, second by Commissioner Kilgo, to update Article VIII, Mobile Food Vending Ordinance, Section 50-304 Regulations, by adding Subsection P as presented.

ROLL VOTE: Ayes: Kilgo, Keener, German, Jackson, Kochin, St.Clair, and Johnson
Nays: None

MOTION PASSES

G. Street Sweeping Contract Public Works

Staff seeks authorization to enter into a three-year agreement with Tri-Us Services, Inc. to provide street sweeping services in the amount of \$450,645 per year for 2026, 2027, and 2028.

Street sweeping is funded through the City's sanitation budget. Street sweeping is a critical component of street maintenance, drainage best practices, and environmental protection. By collecting and properly disposing of sediment, leaves, chemicals and other debris that collect on our roadways, the City prevents those items from entering the storm sewer system. This reduces drainage problems, helps limit clogs, and prevents the items from ending up polluting our water ways. Sanitation revenues are derived from several sources, including property taxes, the sanitation fee on our utility bills, and various service fees. The portion of the contract expenses related to state trunkline sweeping on Apple Avenue and Seaway Drive are reimbursed by MDOT.

The City's previous contract expired after last season. On February 16, 2026, staff issued an invitation for bids for street sweeping services for 2026, 2027, and 2028.

Two sealed bids were received, and the costs are summarized in the bid tabulation. Bids were submitted by Tri-Us Services, Inc. and SCA of MI, the same two companies that submitted bids for the 2023-2025 contract.

Tri-Us Services, Inc. has been contracted by the City for over two decades to perform street sweeping services. During that time, the company has consistently performed high-quality work, met required deadlines, and maintained strong communication with City staff. Their familiarity with the City's streets and operational needs has allowed them to efficiently complete sweeping operations while working closely with City staff to address potential

issues and accommodate special sweeping requests.

SCA of MI submitted the lowest bid. Of note, the company's 2026 bid is \$173,120.44 per year lower than the company's own 2023 bid. Due to this drastic reduction in their bid amid fuel price increases, labor cost increases, and other cost indicators, staff contacted two large, adjacent local government agencies with prior experience working with SCA of MI as references. Based on those discussions, along with the long-standing and reliable performance of Tri-Us Services, Inc. in providing street sweeping services to the City, staff recommends awarding the contract to Tri-Us Services, Inc. for the 2026-2028 contract period. Notably, both of the references we contacted have since returned to Tri-US for their street sweeping services.

The increased cost of the contract will be incorporated into the sanitation budget for the upcoming fiscal year. It is estimated that an additional \$78,000 will be required this fiscal year, and the sanitation budget will be adjusted accordingly. During upcoming FY26-27 budget discussions, DPW and Finance staff will work together to determine if a sanitation fee increase will be necessary and bring a recommendation to the Commission later this spring if so.

STAFF RECOMMENDATION: Move to authorize staff to enter into a three-year agreement with Tri-Us Services, Inc. to provide street sweeping services in the amount of \$450,645 per year for 2026, 2027, and 2028.

Motion by Vice Mayor Keener, second by Commissioner St.Clair, to authorize staff to enter into a three-year agreement with Tri-Us Services, Inc. to provide street sweeping services in the amount of \$450,645 per year for 2026, 2027, and 2028.

**ROLL VOTE: Ayes: Keener, Jackson, Kochin, St.Clair, and Johnson
Nays: Kilgo**

MOTION PASSES

L. MDNR Natural Resources Trust Fund Grant Application Resolution Manager's Office

The City is seeking to exercise the purchase option in the Sappi site PUD to acquire (10) lakefront parcels at 2400 and 2850 Lakeshore Drive. The parcels would be acquired through application to the MDNR Natural Resources Trust Fund grant program. The property would be used as a new public parklet with increased Muskegon Lake waterfront access at the end of the Lincoln Street extension into the development.

The MDNR requires a resolution of support from the local unit of government to be included as part of the application. Acquisition of the lakefront parcels will secure public ownership and permanent public access to Muskegon Lake and support long-term redevelopment consistent with adopted City plans.

The total estimated MNRTF-eligible project cost is \$1,580,500, and the City intends to request \$1,106,300 in MNRTF assistance with a local match in the amount of \$474,200 from City funds, representing approximately 30% of the total project cost.

STAFF RECOMMENDATION: To approve the Resolution of support as presented and authorize the Mayor and Clerk to sign.

Motion by Commissioner Kochin, second by Commissioner Kilgo, to approve the Resolution of support as presented and authorize the Mayor and Clerk to sign.

**ROLL VOTE: Ayes: Jackson, Kochin, St.Clair, Johnson, Kilgo, and Keener
Nays: None**

MOTION PASSES

ANY OTHER BUSINESS

Deputy City Manager LeighAnn Mikesell gave an update on the summer transit conversation. She explained the changes with the proposal. This will be brought back to Commission.

Commissioner St.Clair wanted to recognize the Muskegon High School Girls Basketball Team as our Division 1 State Champion for the first time ever.

GENERAL PUBLIC COMMENT

Public comments received.

ADJOURNMENT

The City Commission meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC City Clerk



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Workforce Housing Restrictive Covenant - Ryskamp Builders									
Submitted by: Jake Eckholm, Development Services Director	Department: Economic Development									
Brief Summary: Dave Ryskamp is developing workforce housing targeted duplexes and accessory dwelling units in the Jackson Hill Neighborhood and seeks a Workforce PILOT.										
Detailed Summary & Background: Dave Ryskamp has an approved site plan for 4 duplexes, each with rear yard Accessory Dwelling Units (ADU's) on Adams Street in the Jackson Hill Neighborhood. He is targeting rents in the range conducive 80-120% AMI for our community. The units will have an affordability period for 15 years, and the Payment in Lieu of Taxes to the city as well as other taxing jurisdictions will be 10% of shelter rents.										
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business										
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:										
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Yes	No	N/A	<input checked="" type="checkbox"/>					
Yes	No	N/A	<input checked="" type="checkbox"/>							
Fund(s) or Account(s): NA	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Yes	No	N/A	<input checked="" type="checkbox"/>					
Yes	No	N/A	<input checked="" type="checkbox"/>							
Recommended Motion: Motion to approve the Workforce Housing Restrictive Covenant between the City of Muskegon and Ryskamp Properties 4 LLC as presented and authorize the Mayor and Clerk to sign.										
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td style="text-align: center;"><input type="checkbox"/></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td style="text-align: center;"><input type="checkbox"/></td> <td></td> </tr> </table>	Immediate Division Head	<input checked="" type="checkbox"/>		Information Technology	<input type="checkbox"/>		Other Division Heads	<input type="checkbox"/>		Name the Policy/Ordinance Followed: Chapter 82 of the General Code of Ordinances, MSHDA Act (State Statute)
Immediate Division Head	<input checked="" type="checkbox"/>									
Information Technology	<input type="checkbox"/>									
Other Division Heads	<input type="checkbox"/>									

Communication		
Legal Review		

WORKFORCE HOUSING RESTRICTIVE COVENANT

This Workforce Housing Restrictive Covenant (“Restrictive Covenant”) is made by and between the City of Muskegon, Michigan (“Municipality”) and Ryskamp Properties 4, LLC, a Limited Liability Company, presently of 1990 Aberdeen Street NE, Grand Rapids MI 49505 (the “Sponsor”) as of April 14th, 2026.

RECITALS:

A. Sponsor is the owner of certain real property located in the City of Muskegon, County of Muskegon, State of Michigan, and more particularly described on the attached Exhibit A (the “Property”), which is attached hereto and incorporated by reference into this Agreement.

B. Sponsor has offered to provide twelve “Workforce housing” units as defined by MCL 125.1415a(10)(d) on the Property (the “Project”) and has applied to Municipality for a workforce housing exemption from *ad valorem* property taxes under Section 15a of the State Housing Development Authority Act, being Public Act 346 of 1966, as amended (the “Act”).

C. In consideration of Sponsor’s offer to undertake the Project, Municipality has agreed to exempt the Property from all *ad valorem* property taxes imposed by any taxing jurisdiction and to accept in lieu thereof payment of an annual service charge for a period of 15-years as provided by Chapter 82 of the City Code of Ordinances, as amended (the “Ordinance”).

D. Upon completion of the Project, the annual service charge paid in lieu of all *ad valorem* property taxes shall be equal to ten percent (10%) of the annual shelter rents collected from the Project and shall be paid as provided in the Ordinance.

E. Sponsor and Municipality agree that the economic feasibility of the Project depends upon the continuing effect of the annual service charge in lieu of all *ad valorem* taxes approved by Municipality for the 15-year exemption period.

F. Accordingly, upon recording with the Muskegon County Register of Deeds, this Restrictive Covenant will restrict use of the Property to Workforce housing for the 15-year exemption period.

NOW, THEREFORE, in consideration of Municipality’s acceptance of payment of the annual service charge in lieu of all *ad valorem* property taxes and Sponsor’s commitment to construct or rehabilitate the Project, Sponsor and Municipality hereby covenant as follows:

1. **Recitals.** The above recitals are acknowledged as true and correct and are incorporated by reference into this paragraph.

2. **Definitions.** All words and phrases used in this Restrictive Covenant have the same meaning as defined in the Act or the Ordinance.

3. **Workforce Housing Covenant.** The Project will, upon completion of the proposed construction or rehabilitation, constitute workforce housing for households for persons and families whose household income is not greater than 120% of the area median income, as published by the Michigan State Housing Development Authority (“the Authority) for Muskegon County, adjusted for family size. All of the housing units in the Project will be rented, or available for rental, on a continuous basis to members of the general public throughout the term of this Restrictive Covenant.

4. **Term of Exemption.** The exemption from *ad valorem* property taxes approved by Municipality shall remain in effect in accordance with this Restrictive Covenant restricting use of the Project to workforce housing for a period of 15-years, ending on December 31, 2041, or so long as the Project is used as workforce housing, whichever is less.

5. **No Violation.** Sponsor agrees that it will not knowingly take or permit any action that would result in a violation of the requirements of this Restrictive Covenant or the Ordinance, which is incorporated herein as if a part of this Restrictive Covenant. Further, Sponsor agrees to take any required action, including the amendment of this Restrictive Covenant, as may be necessary, in the determination of the Municipality or of the Authority, to comply with the Ordinance. If Municipality determines that the Project is not in compliance with the requirements of this Restrictive Covenant, and Sponsor, after receiving written notice of the non-compliance from Municipality, does not correct such non-compliance within thirty (30) days, Municipality shall be entitled to take such actions as it deems necessary to enforce the provisions of this Restrictive Covenant.

6. **Sponsor to Demonstrate Compliance.** Sponsor will provide Municipality with such certifications, reports and other information as are required by Municipality to demonstrate compliance with the Ordinance. Sponsor will provide Municipality and Authority with an annual verification of compliance with this Restrictive Covenant, in a form specified by the Authority.

7. **Transfer of Ownership.** Sponsor will, prior to a sale or other voluntary transfer of ownership of the Project or any part thereof, notify Municipality in writing, and will enter into any agreements with the purchaser or transferee as may be prescribed by Municipality to ensure such purchaser's or transferee's compliance with this Restrictive Covenant and Michigan law.

8. **Enforceability.** This Restrictive Covenant is enforceable in any court in the State of Michigan having jurisdiction thereof, by Municipality, and to the extent required by the Ordinance, by any individuals who are tenants of the Project.

9. **Covenant Running with the Land; Binding Effect.** The foregoing covenant shall constitute and be enforced as a covenant running with the land under Michigan law and shall be binding on all successors or assigns of Sponsor or Municipality and any future owner or operator of the Project for the full 15-year exemption period.

10. **Miscellaneous.** In the event of any conflict between the terms of this Restrictive Covenant and the requirements of the Ordinance the requirements of the Ordinance shall prevail. This Restrictive Covenant may only be amended or terminated by a writing signed by both Sponsor and Municipality. The invalidity of any clause or provision of this Restrictive Covenant shall not affect the validity of the remaining portions thereof.

IN WITNESS WHEREOF, is this Covenant is effective as of January 27th, 2026.

[Signature Pages Follow]

CITY OF MUSKEGON

By: _____

Its: _____

STATE OF MICHIGAN)
) ss
COUNTY OF MUSKEGON)

The foregoing instrument was acknowledged before me this day of April 14th, 2026 by Kenneth Johnson, as Mayor of the City of Muskegon, a municipal corporation of the State of Michigan.

Notary Public, _____ County, MI
My Commission Expires: _____
Acting in _____ County, MI

SPONSOR
Ryskamp Properties 4, LLC

By: _____

Its:

STATE OF MICHIGAN)
) ss
COUNTY OF MUSKEGON)

The foregoing instrument was acknowledged before me this ____ day of _____, by _____, as the manager/authorized member of the aforementioned Sponsor.

Notary Public, _____ County, MI
My Commission Expires: _____
Acting in _____ County, MI

DRAFTED BY:

WHEN RECORDED RETURN TO:

EXHIBIT A

Legal Description of Property

595 OAK AVENUE - CITY OF MUSKEGON
REVISED PLAT OF 1903
W 60 FT OF E 66 FT LOT 11 BLK 49

617 OAK AVENUE - CITY OF MUSKEGON
REVISED PLAT OF 1903
N 1/2 LOT 7
ALSO E 40 FT OF LOT 8
BLK 49

594 ORCHARD AVENUE - CITY OF MUSKEGON
REVISED PLAT OF 1903
E 66 FT LOT 16 BLK 49
EXC S 2 RODS



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Resolution for Workforce Housing Tax Exemption - Ryskamp Builders									
Submitted by: Jake Eckholm, Development Services Director	Department: Economic Development									
Brief Summary: Dave Ryskamp is developing workforce housing targeted duplexes and accessory dwelling units in the Jackson Hill Neighborhood and seeks a Workforce PILOT.										
Detailed Summary & Background: Dave Ryskamp has an approved site plan for 4 duplexes, each with rear yard Accessory Dwelling Units (ADU's) on Adams Street in the Jackson Hill Neighborhood. He is targeting rents in the range conducive 80-120% AMI for our community. The units will have an affordability period for 15 years, and the Payment in Lieu of Taxes to the city as well as other taxing jurisdictions will be 10% of shelter rents.										
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business										
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:										
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;">█</td> </tr> </table>	Yes	No	N/A	█					
Yes	No	N/A	█							
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;">█</td> </tr> </table>	Yes	No	N/A	█					
Yes	No	N/A	█							
Recommended Motion: Motion to approve the Resolution for Housing Tax Exemption for Ryskamp Properties 4 LLC as presented and authorize the Mayor and clerk to sign.										
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">█</td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td style="text-align: center;">█</td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td style="text-align: center;">█</td> <td></td> </tr> </table>	Immediate Division Head	█		Information Technology	█		Other Division Heads	█		Name the Policy/Ordinance Followed: Chapter 82 of the General Code of Ordinances, MSHDA Act (State Statute)
Immediate Division Head	█									
Information Technology	█									
Other Division Heads	█									

Communication		
Legal Review		

Resolution Setting Annual Service Fee
for the Workforce Housing Development
by Ryskamp Properties 4, LLC

Whereas, Ryskamp Properties 4, LLC (the “Sponsor”), has applied to the City of Muskegon for a determination that a proposed workforce housing project sponsored by it at various properties represented on Exhibit A is entitled to the exemption from taxes authorized by Chapter 82 of the City of Muskegon Code of Ordinances; now therefore, be it

Resolved, that the proposed workforce housing project is within the class of housing developments entitled to an exemption under Chapter 82, if it meets the following contingencies:

- a. Sponsor shall provide documentation to the City substantiating ownership of the subject properties.
- b. Construction of at least 12 units of the proposed workforce housing project shall be commenced within twelve (12) months from the date of the Michigan State Housing Development Authority’s (“MSHDA”) notification of exemption, or this resolution shall be void and of no effect.
- c. For the life of this Workforce Housing Resolution, 100% of the dwelling units in the proposed workforce housing project will be restricted to rental units or other housing options that are reasonably affordable to, and occupied by, a household whose total household income is not greater than 120% of the area median income published by the Michigan Statewide Housing Development Authority.
- d. The Sponsor shall submit an affidavit to MSHDA in the form required by MSHDA for certification that the workforce housing project is eligible for the workforce housing exemption.
- e. Upon receipt of notification from MSHDA that the workforce housing project is eligible for a workforce housing exemption, the Sponsor shall file the certified notification of exemption with the City Assessor before November 1 of the year preceding the tax year in which the exemption is to be effective; and,
- f. Sponsor shall record a restrictive covenant in a form acceptable to the City Attorney. The restrictive covenant shall be recorded in the register of deeds for the county in which the workforce housing project is located and shall comply with the requirements of Chapter 82; and, further be it

Resolved, that in lieu of ad valorem property taxes, the Sponsor shall pay an annual service charge equal to ten percent (10%) of the “Annual Shelter Rents” as defined in Section 82-52 for that portion of the workforce housing project occupied for Workforce Housing; and, further be it

Resolved, that annually, no later than April 29, the Sponsor shall provide the City Assessor the Sponsor's budget for Annual Shelter Rent for the current calendar year and a copy of Sponsor's financial statements for the preceding calendar year, prepared in accordance with generally accepted auditing standards or, if Sponsor is not subject to an audit requirement, Sponsor's compiled financial statements for the preceding calendar year prepared in accordance with generally accepted accounting principles and certified by Sponsor; and, further be it

Resolved, that the tax exempt status granted by this Resolution shall remain in effect for 15 years, unless otherwise terminated pursuant to Chapter 82 or this Resolution; and, further be it

Resolved, that all portions of Chapter 82 are hereby incorporated by reference; and, further be it

Resolved, that this Resolution may be assigned by the Sponsor only to subsequent owners of the workforce housing project who shall agree to abide to its terms. If not assigned, to and accepted by subsequent owners of the workforce housing project, it shall automatically terminate; and further be it

Resolved, that the Mayor and City Clerk execute a contract with the Sponsor providing the tax exemption and acceptance of payments in lieu of taxes as defined within this resolution and its application, such contract subject to approval as to substance by the City Manager and as to form by the City Attorney.

YEAS: _____

NAYS: _____

I hereby certify that the above Resolution was adopted by the City Commission of the City of Muskegon at its regular meeting held on _____, in the Commission Chambers, City Hall, 933 Terrace, Muskegon, Michigan.

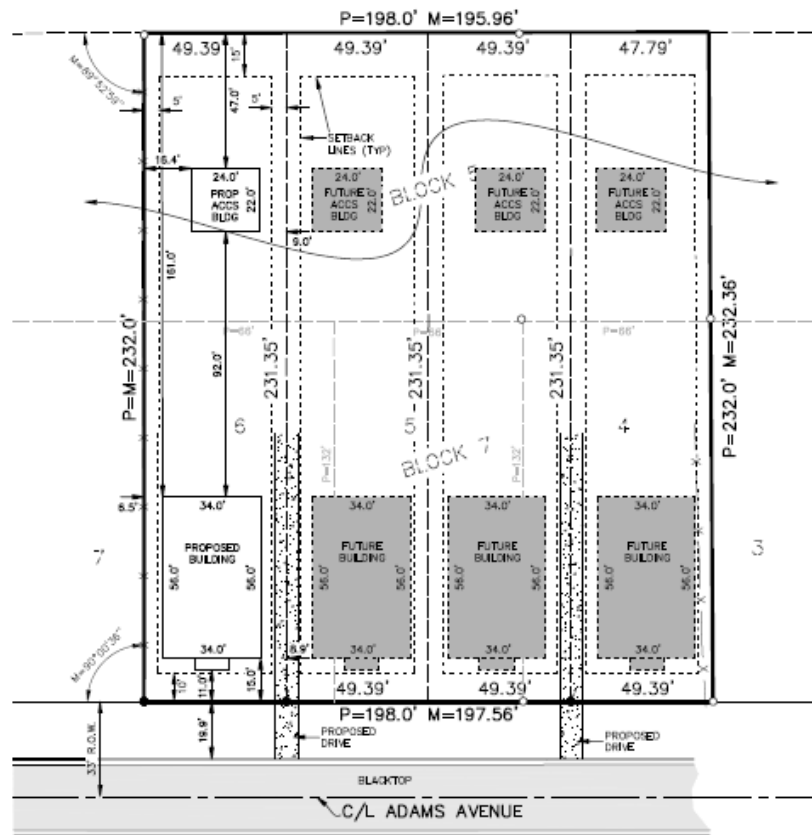
Ann Meisch, City Clerk

EXHIBIT A

Site Plan for: White Birch Homes
 Attn: Dave Ryskamp
 2633 Baldwin
 Jenison, MI 49428

RE: 436, 444, 452 & 460 Adams Ave

Description:
 Lots 4-6, Block 7, ALSO East 66 feet of the West 462 feet of the South 100 feet of Block 5, City of Muskegon Revised Plat of 1903, Muskegon County, Michigan.



NOTE: The location of the proposed building as shown on this map is based on instructions given to Exxel Engineering, Inc. Municipal approval of the proposed location should be obtained prior to construction. **ADD ADU BUILDINGS 10/17/25**

Scale 1" = 40'

- D = Deeded dimension
- M = Measured dimension
- P = Platted dimension
- = Set iron stake
- o = Found iron stake
- ⊙ = Concrete monument
- - - = Fence line



exxel engineering, inc.
 planners • engineers • surveyors
 5252 Clyde Park, S.W. • Grand Rapids, MI 49509
 Phone: (616) 531-3680 www.exxelengineering.com

FILE NO.: 5251372 DATE: 05/05/2025



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Resolution to approve the NEZ District at 1937 Lakeshore Drive.
Submitted by: Isabela Gonzalez, Development Analyst	Department: Economic Development
<p>Brief Summary: Pursuant to Public Act 147 of 1992, as amended, the City of Muskegon has received a request to establish a Neighborhood Enterprise Zone (NEZ) district for the property located at 1937 Lakeshore Drive (the old Harbor Theater).</p>	
<p>Detailed Summary & Background:</p> <p>The proposed NEZ district would support the development of residential condominium units at this location. If established, eligible property owners within the district would be able to apply for NEZ certificates, which provide a reduction in property taxes on newly constructed or rehabilitated residential housing. Only the residential portion of the proposed condominium development would be eligible for NEZ benefits.</p> <p>This property, commonly referred to as the old Harbor Theater, may be familiar to the Commission, as it has been the subject of several prior actions. The Commission has previously considered and approved the revocation of the former OPRA certificate, established a Commercial Redevelopment District, and approved associated tax abatements, all of which included a few required public hearings. The proposed NEZ district represents the next and final step to support the residential portion of the redevelopment project. While no additional actions are required at this time for the NEZ district, the project may return to the Commission in the future for consideration of additional incentives, including a potential transition of the tax abatement structure from the Commercial Redevelopment Act to OPRA, as well as a Brownfield Plan.</p> <p>In accordance with state requirements, notice of the proposed NEZ district was mailed to all affected taxing jurisdictions on January 28, 2025, and a public hearing was held on March 10, 2026. State law also requires that a resolution establishing an NEZ district not be adopted until at least 60 days after notice has been issued.</p> <p>The proposed resolution to establish the NEZ district at 1937 Lakeshore Drive is now being presented for City Commission consideration. State law allows up to 15% of a local government's total land area to be designated as NEZ districts. The City of Muskegon currently utilizes 13.34% of its allowable NEZ designation, and the addition of this district would remain within the statutory limit.</p>	
<p>Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business</p>	

Is this a repeat item?:

Explain what change has been made to justify bringing it back to Commission:

Amount Requested:

N/A

Budgeted Item:

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
-----	--------------------------	----	--------------------------	-----	-------------------------------------

Fund(s) or Account(s):

N/A

Budget Amendment Needed:

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
-----	--------------------------	----	--------------------------	-----	-------------------------------------

Recommended Motion:

I move to approve the resolution establishing the Neighborhood Enterprise Zone district at 1937 Lakeshore Drive, as presented.

Approvals:

Immediate Division Head	<input checked="" type="checkbox"/>	
Information Technology	<input type="checkbox"/>	
Other Division Heads	<input type="checkbox"/>	
Communication	<input type="checkbox"/>	
Legal Review	<input type="checkbox"/>	

Name the Policy/Ordinance Followed:

PA 147 of 1992, as amended

LAKESIDE DEVELOPMENT PROPERTIES, LLC

November 17, 2025

Lakeshore Development Properties, LLC
3597 Henry Street Suite 200
Muskegon, MI 49441
231-780-1200

Muskegon City Clerk's Office
933 Terrace Street
Muskegon, MI 49440

**RE: Request to Establish Neighborhood Enterprise Zone (NEZ) District and Issue NEZ Certificate
1937 Lakeshore Drive Muskegon, MI 49441**

To Whom It May Concern:

We are writing to formally request the establishment of a Neighborhood Enterprise Zone (NEZ) District for the property located at **1937 Lakeshore Drive Muskegon, Michigan**, as well as the issuance of an NEZ Certificate for the redevelopment project planned at this location.

The project involves the redevelopment of the former Harbor Theater property into a mixed-use building consisting of residential condominium units and retail space. The redevelopment aligns with the City's goals of reinvestment, neighborhood revitalization, and increasing housing opportunities within the community. Establishing an NEZ District for this parcel will support the economic feasibility of the project and encourage continued investment in the Lakeside neighborhood.

We respectfully request that the City Commission review and approve the creation of an NEZ District for this property and authorize the issuance of an NEZ Certificate in accordance with the Michigan Public Act 147 of 1992.

Please let us know if any additional documentation, forms, site plans, or application materials are required at this time. We are prepared to provide all necessary information to move this request forward.

Thank you for your time and consideration. We look forward to working with the City on this redevelopment effort.

Sincerely,

Joe Bourdon

Joseph W. Bourdon
Lakeside Development Properties, LLC

Mailing Address:
c/o Randers E&C, Property Manager
3597 Henry Street Suite 200
Norton Shores, MI 49441

PH: 231-780-1200
FX: 231-780-0211
randers@randers.com

Resolution No. _____

MUSKEGON CITY COMMISSION

RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE DISTRICT WITHIN THE CITY OF MUSKEGON

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, Lakeside Development Properties LLC, c/o Randers Engineering and Construction, has requested the creation of a new Neighborhood Enterprise Zone district at a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on January 28, 2026, and;

WHEREAS, a public hearing was held regarding the creation of this new district March 10, 2026; and

WHEREAS, the new district boundaries will include the property known as 1937 Lakeshore Dr. (1937 Lakeshore Dr., property # 61-24-205-627-0002-00),” as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon have been approved.

Adopted this 14 day of April, 2026.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

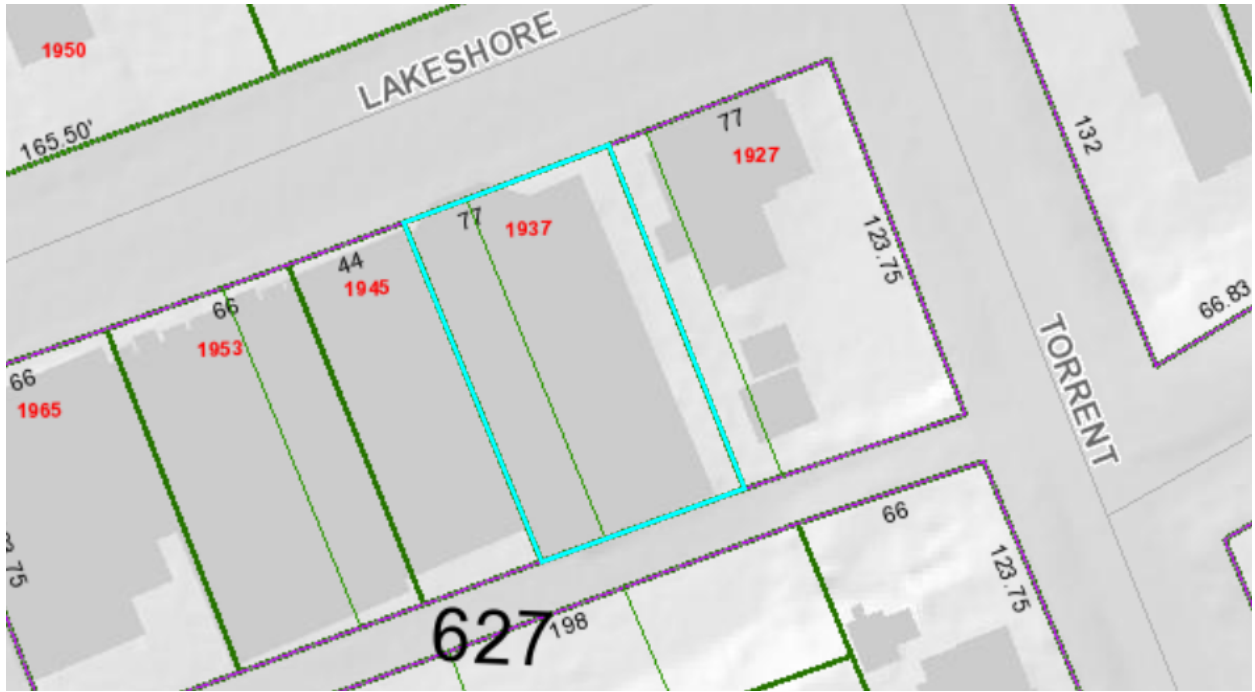
Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on April 14, 2026.

By: _____
Ann Meisch
City Clerk

Attachment A





Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Contract Award: Hartshorn Marina Dredging								
Submitted by: Joel Brookens, Engineer, Kyle Karczewski, Parks and Recreation Director	Department: DPW- Marina								
<p>Brief Summary: Staff requests authorization to enter into a contract with Civil Construction Solutions LLC in the amount of \$427,240.48 for the dredging of Hartshorn Marina.</p>									
<p>Detailed Summary & Background: Hartshorn Marina was last dredged in approximately 2020, and recent seasons have suffered from sediment settling in the entrance to the marina and are making it difficult for some slips to host boats of the size they were designed for due to shallow waters. Staff solicited bids for dredging via an RFP issued February 20, 2026 and an addendum issued March 9, 2026. The bids were as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="padding: 5px;">Civil Construction Solutions, LLC</td> <td style="padding: 5px; text-align: right;">\$427,240.48</td> </tr> <tr> <td style="padding: 5px;">The King Co., Inc.</td> <td style="padding: 5px; text-align: right;">\$519,042.88</td> </tr> <tr> <td style="padding: 5px;">Tucker Marine Construction</td> <td style="padding: 5px; text-align: right;">\$597,296.00</td> </tr> <tr> <td style="padding: 5px;">Sediment Removal Services</td> <td style="padding: 5px; text-align: right;">\$784,938.00</td> </tr> </table> <p>The bids came in higher than anticipated, however the marina fund's unrestricted net position - thanks to previous investments from the general fund - is able to spend down fund balance to cover the cost. The work will happen later in the fall to avoid the 2026 boating season. The expenditure will be included in the FY26-27 budget presented to the Commission later this spring, if approved.</p>		Civil Construction Solutions, LLC	\$427,240.48	The King Co., Inc.	\$519,042.88	Tucker Marine Construction	\$597,296.00	Sediment Removal Services	\$784,938.00
Civil Construction Solutions, LLC	\$427,240.48								
The King Co., Inc.	\$519,042.88								
Tucker Marine Construction	\$597,296.00								
Sediment Removal Services	\$784,938.00								
<p>Goal/Action Item: 2027 Goal 1: Destination Community & Quality of Life - Improved access to waterways</p>									
<p>Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:</p>									
<p>Amount Requested: \$427,240.48</p>	<p>Budgeted Item:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="padding: 2px 5px;">Yes</td> <td style="width: 20px;"></td> <td style="padding: 2px 5px;">No</td> <td style="padding: 2px 5px; text-align: center;">X</td> <td style="padding: 2px 5px;">N/A</td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> </tr> </table>	Yes		No	X	N/A			
Yes		No	X	N/A					
<p>Fund(s) or Account(s): 594-597 (Marina)</p>	<p>Budget Amendment Needed:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="padding: 2px 5px;">Yes</td> <td style="width: 20px; text-align: center;">X</td> <td style="padding: 2px 5px;">No</td> <td style="width: 20px;"></td> <td style="padding: 2px 5px;">N/A</td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> </tr> </table>	Yes	X	No		N/A			
Yes	X	No		N/A					
<p>Recommended Motion:</p>									

Move to authorize staff to enter a contract with Civil Construction Solutions LLC in the amount of \$427,240.48 for the dredging of Hartshorn Marina.

Approvals:

Immediate Division Head	<input checked="" type="checkbox"/>	
Information Technology	<input type="checkbox"/>	
Other Division Heads	<input type="checkbox"/>	
Communication	<input type="checkbox"/>	
Legal Review	<input type="checkbox"/>	

Name the Policy/Ordinance Followed:

Purchasing Policy



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: City Commission Handbook							
Submitted by: LeighAnn Mikesell, Deputy City Manager	Department: Manager's Office							
Brief Summary: Staff is requesting approval of the new commission handbook and the associated policies.								
Detailed Summary & Background: Staff has gathered various rules, procedures, and policies that apply to the commissioners to develop a handbook that can easily be referenced. Some changes have been made to the information gathered to better match current practices or make common sense adjustments. A new attendance policy has been included based on the work of the committee established to set that policy. Travel costs have been updated, and spending limits have been modified in the purchasing policy. Additional revisions have been made after discussion and direction given at the February Legislative Policy Committee meeting. Staff recommends this handbook be reviewed annually to ensure commissioners are aware of the policies included.								
Goal/Action Item: Administrative Action								
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission: revisions made per direction given at LPC meeting								
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">No</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;"><input checked="" type="checkbox"/></td> <td style="width: 25%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">No</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;"><input checked="" type="checkbox"/></td> <td style="width: 25%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Recommended Motion: to approve the City Commission Handbook as presented								
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Immediate Division Head</td> <td style="width: 20%;"><input type="checkbox"/></td> <td style="width: 20%;"></td> </tr> <tr> <td>Information</td> <td><input type="checkbox"/></td> <td></td> </tr> </table>	Immediate Division Head	<input type="checkbox"/>		Information	<input type="checkbox"/>		Name the Policy/Ordinance Followed: 	
Immediate Division Head	<input type="checkbox"/>							
Information	<input type="checkbox"/>							

Technology		
Other Division Heads		
Communication		
Legal Review	X	



CITY COMMISSION HANDBOOK

DATE: NOVEMBER 5, 2025



INTRODUCTION

PURPOSE/OVERVIEW:

This Handbook provides general information about the City Commission's policies, procedures, expectations, and benefits for all city commissioners.

The City Commission of Muskegon maintains this handbook with the objectives of:

- Providing clear information to all commissioners
- Ensuring compliance with the commission's policies, procedures, and expectations

GOALS:

The mutual success of everyone depends on each commissioner's commitment as a team member to do the best job possible.

OPERATIONAL GUIDELINES:

Each commissioner should review the contents carefully and keep the handbook for future reference. The City Commission Handbook is not a contract and does not provide any specific rights or benefits.

AMENDMENTS:

The City Commission reserves the right to alter, add, modify, amend, change, and/or terminate any or all of the information contained in this Handbook at any time. Further, no City Commissioner or employee has the authority to make any agreement that is contrary to the provisions of this Handbook. Amendments to individual policies within the Handbook must be approved by the City Commission.

CONTACTS:

For assistance with the City Commission Handbook, please contact Ann Meisch, City Clerk at 231-724-6721.

Commented [LM1]: New



CONTENTS

Commented [LM2]: Add info on what this is, how changes are made per policy not for whole handbook, etc.

Commented [LM3R2]: See above

RULES

- A. Regular & Special Meetings
- B. Meeting Procedures
- C. Closed Meetings
- D. Voting & Discussion
- E. Citizen Participation
- F. Virtual Public Participation
- G. Agenda
- H. Consent Agenda
- I. Recording of Commission Meeting
- J. Miscellaneous
- K. Committee Assignments
- L. City Manager Evaluation Process
- M. Items Requiring City Commission Approval
- N. Attendance
- O. Travel
- P. Political Signs on City Owned Property
- Q. Proclamations

GUIDELINES FOR CONDUCT

- A. Public Relations
- B. City Commission Relations with City Staff
- C. City Commission Relations with Appointed City Commissions and Committees & Commission Member Representation to other Agencies and Groups
- D. Code of Ethics
- E. Computer Usage
- F. Social Media Use
- G. Communications
- H. Commission Appointment Interview Questions
- I. Potential Candidate Considerations

CITY POLICY INFORMATION

- A. Purchasing Policy
- B. Emergency Procedures

ACRONYMS



RULES OF THE CITY COMMISSION

A. REGULAR AND SPECIAL MEETINGS:

1. REGULAR MEETINGS

Regular meetings of the City Commission will be held on the second and fourth Tuesday of each month beginning at 5:30 p.m., local prevailing time, at the City Hall, 933 Terrace Street, Muskegon. Regular meetings may be rescheduled to other times by a vote of the Commission.

2. LEGISLATIVE POLICY COMMITTEE MEETINGS

Legislative Policy meetings will be held on the fourth Wednesday of February, May, August, and November beginning at 5:30 p.m., local prevailing time, at the City Hall, 933 Terrace Street, Muskegon. Legislative Policy meetings may be rescheduled to other times by a vote of the Commission.

2-3. SPECIAL MEETINGS

A special meeting may be called by the mayor or any of two (2) or more members-of Commission and upon at least eighteen (18) hours-notice to each member.

3-4. BUSINESS AT SPECIAL MEETINGS

No business shall be transacted at any special meeting of the Commission unless the same has been stated in the required notice of such meeting.

4-5. WORK SESSION MEETINGS

The Work Session meetings will be held on the Monday preceding the second Tuesday of each month at 5:30 p.m. in City Hall, 933 Terrace Street.

5-6. REGULAR AND SPECIAL MEETING NOTICE (POSTING) REQUIREMENTS.

- a. For regular meetings of the Commission, the Clerk shall post at the City Hall, within three (3) days after the first meeting of the Commission in each calendar year, a public notice stating the dates, times, and places of its regular meeting for the year.
- b. For a rescheduled regular, Legislative Policy, or a special meeting, of the Commission, a public notice stating the date, time, place and reason of the meeting shall be posted in City Hall at least 18 hours before the meeting.
- c. However, such notice, as described in 5a-6a and b above, is not required for a meeting of the Commission in emergency session in the event of a widespread natural disaster or a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Commission determine that delay would be detrimental to the city's efforts in responding to the threat.
- d. Upon written request, the Clerk shall provide a copy of such notices of meetings to any newspaper published in the City of Muskegon and to any radio and television station located in Muskegon County free of charge.

6-7. SHARING OF MEETING AGENDAS AND PACKETS

Commented [AM4]: Language was updated removing payment to mail agendas because they are available online.

City Clerk shall upload every regular City Commission meeting packet to the city's website at least 84 hours prior to the start of the meeting.

7-8. MINUTES OF REGULAR AND SPECIAL MEETINGS

- a. A journal of the proceedings of each regular, Legislative Policy, and special meeting will be kept in the English language by the Clerk and shall be signed by the City Clerk, upon approval of Commission.
- b. Unapproved minutes of regular or special meetings will be available for public inspection not more than eight business days after such meeting.
- c. Approved minutes will be available for public inspection not later than five business days after the meeting at which the minutes were approved.

B. MEETING PROCEDURES:

1. MEETINGS TO BE PUBLIC

All regular, Legislative Policy, and special meetings of the City Commission shall be open to the public and citizens shall have a reasonable opportunity to be heard under such rules and regulations as the Commission may prescribe.

2. ORDER OF BUSINESS

An agenda for each Regular Commission meeting shall be prepared by the City Manager in conjunction with the City Clerk in accordance with the following order of business:

- a. Call Meeting to Order/Welcome
- b. Prayer
- c. Pledge of Allegiance
- d. Roll Call
- e. Honors, Awards, and Presentations
- f. Public Hearings
- g. Federal/State/County Officials Update
- h. Public Comment on Agenda Items
- i. Consent Agenda
- j. Unfinished Business
- k. New Business
- l. Any Other Business
- m. General Public Comment
- n. Closed Session
- o. Adjournment

3. QUORUM

Four (4) members of the Commission in office at the time shall be a quorum for the transaction of business.

4. PRESIDING OFFICER

The presiding officer shall be responsible for enforcing the Rules of the City Commission, contained herein, as well as the Code of Conduct. The mayor shall be the presiding officer of the Commission. In the absence of or disability of the mayor, the vice-mayor shall be the presiding Officer of the Commission. In the absence or disability of both, the Commission may designate another of its members to serve as presiding officer during such absence

Commented [LM5]: Updated to match our current agenda format

Commented [LM6]: Potentially change to invocation – ad hoc group to discuss and develop



or disability.

c. CLOSED MEETINGS:

1. PURPOSE

The City Commission may only meet in closed session for purposes defined in the Michigan Open meetings Act as follows:

- a. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent, when the named person requests a closed hearing.
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement or related issues when either negotiating party requests a closed herein
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. This does not include the sale, lease or other conveyance of city property to others.
- d. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the Commission.
- e. To review the specific contents of an application for employment or appointment to a public office when the candidate requests that the application remain confidential. All interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.
- f. To consider material exempt from discussion or disclosure by state or federal statute.

2. CALLING CLOSED SESSIONS:

A two-thirds roll call vote of the Commission members elected and serving shall be required, except under Sections (a) and (b) above. The roll call vote shall be taken at an open meeting and the purpose for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.

3. MINUTES OF CLOSED MEETINGS

A separate set of minutes shall be taken by the Clerk or the designated Secretary at the closed session. These minutes will be retained by the Clerk of the Commission, shall not be available to the public, and shall be disclosed if required by a civil action. These minutes shall be kept for a period of one year and one day from the date of the closed meeting.

4. CONFIDENTIALITY OF CLOSED MEETING INFORMATION

A City Commission member shall not divulge to an unauthorized person confidential information discussed in an executive session in advance of the time prescribed for its authorized release to the public by the City Commission. Commission members shall honor the confidentiality of the debate, discussion, and preliminary action taken in executive session, and be aware of the potential financial liability and/or harm to the reputation of the city by premature disclosure.



D. VOTING AND DISCUSSION:

1. ROLL CALL

In all call votes, the names of the members of the Commission shall be called. A vote upon all ordinance enactments, rezoning issues, and liquor license requests shall be taken by a roll call vote and entered upon the records.

2. RESULTS OF VOTING

In all cases where a vote is taken, the Chair or Clerk shall declare the result.

3. DUTY TO VOTE

Whenever a question is put before the Chair, every member shall vote, provided however, that no member shall be required to vote if:

- a. That member shall have a conflict of interest and shall state his/her conflict of interest, or
- b. That member shall state that he/she has inadequate information upon which to base a reasonably informed vote and shall state the particulars of the information desired before a reasonable informed vote can be cast.

Absence from a prior meeting shall not constitute the basis of the lack of information referred to above

If a member is precluded from voting pursuant to a conflict of interest, that member shall refrain from participating in the discussion on the issue.

4. CONDUCT OF DISCUSSION

The maker of the motion shall speak first, and the supporter of the motion shall speak second. During Commission discussion and debate, no member shall speak until recognized for the purpose by the Chair. After such recognition the member shall confine discussion to the question at hand. Personal comments about other individuals should be avoided. When addressing other members of the Commission they should be addressed by title and/or last name but not by first name. No member should request to speak a second time on a motion as long as another is requesting recognition to speak for a first time. After every member of the Commission has had the opportunity to speak on an item for the first time, the mayor may ask if any member of the Commission would like to make a motion to call the question. If a motion is made and seconded, debate shall stop immediately and the mayor will take a vote on the motion to call the question by a roll call vote; if 2/3 of the present Commissioners agree to end the debate, the Clerk shall immediately take a roll call vote on the underlying motion. If the motion to call the question fails to garner the support of 2/3 of the present Commissioners, debate will continue; once every member has had an opportunity to speak on the item for a second time, the mayor may ask if any member of the Commission would like to make a motion to call the question, and the process described above will repeat itself.

Commented [LM7]: Slight change in the way a vote is handled when the question is called – roll call rather than show of hands

5. COMMISSION MEMBER REQUESTS FOR POSTPONEMENTS

Requests for postponements on agenda items from members of Commission requires approval by a majority of Commission present.

6. RULES OF PARLIAMENTARY PROCEDURE



The rules of parliamentary practice as contained in Robert's Rules of Order, most recent edition, shall govern the Commission in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Ordinances and Charter of the City of Muskegon.

7. RECONSIDERATION OF MOTIONS

When a question has been decided, it shall be in order for any Commission member who voted on the prevailing side of the question to move the reconsideration at the same meeting or at the next regularly scheduled meeting provided no action has been taken as a result of the previous vote.

8. GENERAL CONSENSUS

General consent or consensus may be used to give direction and the minutes should indicate that a majority consented.

E. CITIZEN PARTICIPATION:

1. GENERAL

Each Commission meeting agenda shall provide for reserve time for audience participation, as requested,

2. REQUESTS TO SPEAK, LENGTH OF PRESENTATION - PUBLIC HEARINGS AND PARTICIPATION

Members of the public at the meeting shall not speak unless recognized by the chair. Members of the public shall be limited to speaking for a maximum of three (3) minutes during any public hearing or public comment.

Commented [AM8]: As approved previously, group speaking for 10 minutes was removed.

3. PERSONS ADDRESSING THE COMMISSION

Prior to addressing Commission, members of the public shall complete the public comment form including their name and address and submit the form to the Clerk. Once recognized by the chair, members of the public step up to the microphone/podium. The Commission may in its discretion limit public comments to new information or matters not fully addressed at any previous meeting regarding the agenda item at issue.

Commented [LM9]: Included reference to the participation form and a requirement that the member of the public must first be recognized by the chair before going to the podium

4. REQUESTS TO SPEAK ON AN AGENDA ITEM

Prior to the start of the meeting, any member of the public may submit a written request form to the City Clerk requesting to speak ~~on an agenda item~~. All written requests will be honored under either the Item H – Public Comment on Agenda Items or M – General Public Comment. All comments shall be directed to the chair; Commissioners shall not engage in dialogue, debate, or negotiation with commenters.

Commented [AM10]: As approved by Commission, added comment on agenda items and second comment period on general items

Commented [LM11R10]: Fix reference, any public participation related to agenda items are handled at the beginning

5. REQUESTS TO SPEAK DURING PUBLIC PARTICIPATION.

- a. Any person who wishes to speak on a subject not on the printed agenda may speak at this time. All rules of conduct still apply.
- b. Candidates or any person(s) working for a candidate shall not be allowed to use public participation time for campaigning.

6. DISORDERLY CONDUCT AT MEETINGS.

Persons addressing the Commission shall make responsible comments and shall refrain



from ~~making personal, impertinent, slanderous or profane remarks~~ conduct that disrupts, delays, or interferes with the orderly conduct of the meeting. The Chairperson may call to order any person who is being disorderly by (i) speaking when not recognized by the chair; ~~(ii) or~~ otherwise disrupting the proceeding by failing to be germane; ~~(iii) by speaking longer than the allotted time; or (iv) by speaking vulgarities~~ engaging in unprotected speech, including, but not limited to, true threats, fighting words, or legally obscene material. Such persons shall thereupon be seated until the Chair shall have determined whether the person is in order. If a person so engaged in presentation shall be called out of order, he or she shall not be permitted to speak at the same meeting, except upon special leave by the Commission. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the Police Department to remove the person from the meeting.

Commented [LM12]: Check with attorney – can chair stop the person if they are speaking vulgarities?

Commented [LM13R12]: Requested direction from attorney 3-12-26

Commented [LM14R12]: Obscenity is not protected speech so yes, the chair could stop the person. We need to be cautious in applying.

F. VIRTUAL CITIZEN PARTICIPATION:

Commented [AM15]: This is a new addition agreed to by Commission.

1. **GENERAL**

A staff member of the City Clerk’s Office will be at all meetings requiring virtual participation unless staff indicates they do not need assistance.

2. **LIVE MEETINGS**

For live meetings broadcast on television and/or streamed on social media, a telephone number will be assigned to give the ability for the public to call in and provide three minutes of comment.

3. **ALL OTHER MEETINGS**

For all other meetings subject to the Open Meetings Act, a citizen must send a request to the City Clerk’s Office at least two business days in advance of the meeting. Request for virtual participation will be granted for meetings not broadcast on television and/or streamed on social media ~~only be granted in the case of ADA accommodation or active-duty military personnel.~~ The City Clerk will provide a zoom link to each individual who requests it. Those participating by zoom will be muted until the public comment period. Information detailing how a request can be made will be placed on the city’s website, meeting notice, and social media.

Commented [LM16]: Updated to reflect changes after COVID pandemic, specifically that the request to participate virtually is only granted for ADA accommodation or for active-duty military personnel.

Commented [LM17R16]: Needs to be modified. Requests can be made even if not an ADA accommodation.

Commented [LM18R16]: Ann, please update.

Commented [AM19R16]: I did. Please review to make sure it makes sense to you?

G. AGENDA

1. **PREPARATION**

The City Manager and City Clerk shall prepare an agenda for each regular, Legislative Policy Committee, or special meeting of the City Commission. The deadline for submitting items for Commission agenda is 4:00 pm on the Monday eight days prior to the Commission meeting. Agenda items from Commission members should be submitted in writing by this same time to the City Manager. The deadline for submitting items for the LPC meeting is 4:00 pm on the Tuesday eight days prior to the LPC meeting. Items submitted by the Mayor will be included upon request, and items submitted by any other Commissioner will require at least 2 additional Commissioners to support the addition of the item. Requested items will appear on a meeting agenda within three meetings after the request is made as long as all necessary documents are included.

Commented [AM20R16]:

Commented [LM21]: Include section on LPC agenda packets, publish as we do for regular meetings

Commented [LM22]: requests from mayor are included, requests from other members require 3 commissioners in total to support the additional item

2. **DISTRIBUTION**

Agendas, ordinances and all related background material will be delivered to City

Commented [LM23]: added allowance for changes to the schedule for holidays and extenuating circumstances



Commission members, via email, the Tuesday before the scheduled regular meeting, the Thursday before the Legislative Policy meeting, or at least ~~12~~ 18 hours before a scheduled special meeting. Agendas will be made available to the public on the Wednesday before the scheduled regular meeting and the Thursday before the Legislative Policy meeting. Adjustments in this schedule are allowed due to holidays or extenuating circumstances which must be disclosed when schedules are modified.

Commented [LM24]: 18

3. AGENDA MATERIAL

Department Heads, staff, and City Commissioners shall submit written requests for inclusion on the agenda to the City Clerk with a cover sheet and necessary supporting documents. Presentations shall be submitted by noon on the Monday eight days prior to the Commission meeting for circulation with agendas. Agenda requests could be delayed to a later meeting if related information is not received by the City Clerk in a timely manner.

Commented [LM25]: former rules required a different time frame for presentation materials.

H. CONSENT AGENDA:

1. PURPOSE

Consent agenda will be used to allow the City Commission to act on many items at one time.

2. AGENDA ITEMS

A consent agenda will be developed by the City Clerk and/or City Manager prior to the regular meeting items. Any action items not requiring a formal public hearing may be included in the Consent Agenda. Any member of the Commission may request that an item be removed from the consent agenda and placed on the regular agenda for discussion.

I. RECORDING OF COMMISSION MEETINGS:

1. MEETINGS MAY BE RECORDED

All regular or special meetings of the City Commission may be recorded through the use of audio/visual electronic devices. Such recordings will be under the control and supervision of the City Clerk.

Commented [LM26]: Removed requirement to give each commissioner an audio copy

2. RETENTION OF RECORDS

Any recordings from Commission meetings ~~may will~~ be retained by the City Clerk ~~until the meeting minutes are approved in perpetuity~~.

Commented [LM27]: Removed 2 year requirement for work session meeting recordings

Commented [LM28R27]: Keep all in perpetuity.

J. MISCELLANEOUS:

1. AMENDMENTS TO RULES

The rules of the City Commission may be altered or amended by a majority vote of two-thirds of the entire Commission.

2. SUSPENSION OF RULES

The rules of the City Commission may be suspended for good cause for a specified portion of a meeting by a two-thirds majority of the entire Commission.

3. CONTROLLING AUTHORITY

These rules shall control, unless preempted by City Charter, State laws or the Court.



4. REVIEW OF CONSULTANTS

City Commission shall make an annual internal evaluation of consultants at the time of review of the city budget to determine if the services being provided are satisfactory and if judged to be inappropriate, will move to proceed with establishing a more formal review process.

5. RESOLUTIONS OF RECOGNITION

Written requests for resolutions shall be submitted to the City Clerk with necessary supporting data for inclusion on the agenda. The deadline for submitting items for Commission agenda is noon on the Monday preceding the week of the Commission meeting. Resolutions will be acted on at regular Commission meetings, and the mayor will sign resolutions voted on and approved. The mayor has authority to sign any other resolutions.

Commented [LM29]: Updated to reflect current process of approving at commission meetings, not CRC meetings

K. COMMITTEE ASSIGNMENTS:

1. ASSIGNMENTS

The mayor may assign Commission members to any committee as is deemed necessary, with approval of the City Commission.

2. RESPONSIBILITIES

Commission member's responsibilities as committee members will be generally limited to policy and not the administration of a department or appointed organization.

L. CITY MANAGER EVALUATION PROCESS:

The City Manager will be evaluated by the members of the City Commission before July 1st each year. Forms and materials will be sent out by the City Clerk and all completed forms will be returned to the City Clerk for compiling. A report will be generated by the City Clerk with the results of the evaluations. A meeting with the City Manager and City Commissioners will be scheduled to review the evaluations.

M. ITEMS REQUIRING CITY COMMISSION APPROVAL:

The City Commission authorizes the City Clerk, City Manager, and Division/Department Heads to exercise discretion when determining which items require formal City Commission approval and must be included on a City Commission Agenda. Regardless of such discretion, the following items must be presented to the City Commission for formal action:

1. All items in which City Charter, State, or Federal rules/regulations require legislative body approval.
2. The annual operating budget and amendments thereto.
3. All formal City Commission policies and procedures and amendments thereto.
4. All Ordinances and amendments thereto.



5. All purchases over \$25,000 for which an appropriation has been not previously established as part of the adopted or amended annual budget.
6. The purchase or sale of real property.
7. Borrowing of funds.
8. All formal agreements between the city and another party that extend beyond one year in duration or result in expenses to the city in excess of \$25,000 annually.

N. ATTENDANCE:

1. GENERAL

Election to the City Commission is a privilege freely sought by the nominee. It carries with it the responsibility to participate in commission activities and represent the citizens of the city. Attendance at commission meetings is critical to fulfilling this responsibility.

2. COMMISSION MEETINGS

a. Each commissioner is expected to inform the City Manager, ~~and~~ City Clerk, ~~or~~ Mayor by email, text, or phone if they are unable to attend a regular commission meeting. The mayor may excuse absences for cause ~~and may announce the reason for the absence.~~

b. If a commissioner has more than three consecutive absences for regular commission meetings, the Commission, at the motion of any Commissioner, may pass a resolution of reprimand.

c. If the Commissioner's absences continue for more than three additional consecutive regular meetings of the Commission, the Commission, at the motion of any Commissioner, may enact a resolution of censure or request the commissioner's resignation or both.

3. COMMITTEE ASSIGNMENTS

City Commission Committees are intended to enhance communication between City Commission and City Management at early phases of development of significant items affecting public policy. As such, Committee participation is a fundamental duty of City Commissioners.

a. A Commissioner unable to attend a committee meeting must inform the chair by email, text, or phone.

b. The chair may, when deemed appropriate, send a letter to the mayor to report lack of attendance of the assigned Commissioner.

c. If a commissioner misses more than three consecutive monthly Committee meetings, the Committee Chair may request the mayor remove and replace the Commissioner. For committees that meet quarterly or less frequently, the Committee Chair may make the same request if a commissioner misses more than one meeting. For Committees that meet only once per year, the assigned Commissioner must provide sufficient advance notice to the mayor if they are unable to attend so a replacement can be appointed. Should the Mayor decide to remove and replace a commissioner, a motion of removal and a nomination for replacement will be presented to the City

Commented [LM30]: Original policy from 1984

Commented [LM31]: or

Commented [LM32]: Add or mayor

Commented [LM33]: Original requires notification by phone

Commented [LM34R33]: Mayor may announce at the meeting the reason for the absence.

Commented [LM35]: Original allows City Manager to send a letter to a commissioner whose attendance is unsatisfactory. We felt this responsibility should lie with the commission.

Commented [LM36]: In the original policy, the City Manager would add it to a commission agenda at a regular meeting.

Commented [LM37]: Original requires notification by phone.

Commented [LM38]: Original has letter sent to the commissioner whose attendance is unsatisfactory and report to the City Manager.



Commission.

Commented [LM39]: Original requires an agenda item at a regular commission meeting

o. TRAVEL:

1. AUTHORIZED TRAVEL

In the normal course of conducting city business, Commissioners are required to travel for purposes of work-related meetings, training opportunities, professional conferences, or other business purposes. As part of the annual budget process, a dollar amount is set aside for travel purposes for the coming year. In fiscal year 2025/26, the Mayor has \$2,000 budgeted, and each commissioner has \$1,000 budgeted.

Commented [LM40]: From updated financial policies
Approved amounts for lodging, meals, etc. have been updated

2. TRAVEL COSTS

The city recognizes that its commissioners are responsible adults who take the same care in incurring travel expenses while on city business as when traveling on personal business. Accordingly, this policy does not establish rigid cost limits for lodging, meals, or other travel costs. Instead, the following general guidelines are offered while recognizing that special circumstances may dictate that employees incur costs beyond these guidelines:

- a. *Lodging* – Lodging costs should generally range between \$100.00 - \$250.00 per night depending on location (based on single occupancy and including local taxes from which the city is not exempt.

Commented [LM41]: Amounts for commissioners added and updated per LOCC decision on October 23, 2025

Commissioners are relied upon to use their good judgment in selecting safe and economical accommodations.

Two important factors to remember when making hotel reservations: 1) always ask for special "government" rates that are typically deeply discounted from regular rates and, 2) identify the travel as official city business exempt from state sales tax and inquire as to any specific documentation requirements the hotel may have.

Costs for in-room movies, exercise rooms, or other hotel services not included in the basic room rate are not reimbursable by the city.

- b. *Meals* – Meal costs should generally not exceed \$62.00 per person for each full day of travel (including gratuities and taxes). For partial day travel or individual meal reimbursements, the following limits will apply:

Breakfast	\$15.00	Travel Before 8:00 AM
Lunch	\$17.00	Travel Before 12:00 Noon
Dinner	\$30.00	Travel Before 6:00 PM

Individual meal limits will apply regardless of whether or not reimbursement is sought for other meals during the day. For example, it is not permissible to "skip" breakfast and lunch in order to be reimbursed \$62.00 for a dinner; instead, the dinner will only be reimbursed up to the \$30.00 limit specified above. Often lunch or other meals are included in the registration price of a seminar or conference. It is expected that employees attending these functions will partake in these meals. The city will not



reimburse meal costs if the employee chooses to forgo the conference meal and dine elsewhere.

- c. *Transportation* – Vehicle travel may be by either city vehicle or the Commissioner’s private vehicle. If a private vehicle is used, reimbursement will be based on the number of miles traveled times the allowable IRS business mileage rate in effect at that time. Air travel is generally used for destinations more than 300 miles away. Commissioners are encouraged to take advantage of discounted airfares and should utilize the Muskegon County Airport whenever possible.

Commissioners may elect to use private vehicles for travel to destinations more than 300 miles away and will be reimbursed based on the current IRS mileage rate or equivalent round trip coach airfare for that destination, whichever is less. However, no reimbursement will be made for added lodging or meal costs incurred because of the extra travel time.

Commissioners who elect to use their own vehicle should be aware that under the laws of the State of Michigan, every vehicle owner is required purchase insurance that is the primary coverage for that vehicle. While using a private vehicle for city travel, any automobile liability insurance coverage in force for the city is excess coverage only for the Commissioner/vehicle owner.

- d. *Other Costs* – Other incidental costs (such as parking, ground transport, phone calls), should not exceed an average of \$50.00 per day. Rental car costs generally will not be reimbursed by the city as it is expected that Commissioners will utilize lodging in close proximity to the conference or other event. In extraordinary circumstances where the Commissioner deems it necessary to rent a car, reimbursement will only be made with the written authorization of the City Manager.
- e. *Traveling with Spouse* – There is no objection to Commissioners inviting their spouse to travel along on city business. However, the city will pay for none of the spouse’s travel expenses and care should be taken to maintain separate records of the Commissioner’s reimbursable travel costs.

3. PAYING FOR TRAVEL COSTS

Methods available for employees to pay travel costs include the following:

- a. *City Credit Card* – The Executive Assistant in the City Manager’s office is designated to use their card to pay for commissioners’ travel costs that can be readily handled in advance (e.g., airline tickets, conference registration, hotel, etc.).
- b. *Personal Credit Card* – Commissioners who pay travel costs on their own personal credit card will receive cash reimbursement from the city.
- c. *Petty Cash Advance* – Commissioners traveling on city business may receive a petty cash travel advance of up to \$300.00 from the City Treasurer’s Office to be used for travel purposes. The City Manager must approve travel advances. Cash advances of more than \$300.00 are discouraged.

In order to distinguish travel advance requests from expense reporting, while simplifying the process to the extent possible, there is a separate form for that



purpose. Please note that with the *Request for Petty Cash Travel Advance* form, the requesting party must acknowledge that receipts and any money owed the City must be returned within ten days of return from travel. If the money and/or expense documentation is not returned, the Commissioner authorizes the full amount of the travel advance to be deducted from their paycheck along with a \$5.00 processing fee. The *Request for Petty Cash Travel Advance* forms are available through the City Treasurer's Office.

4. **REPORTING REQUIREMENTS FOR TRAVEL EXPENSE REIMBURSEMENT**

Travel expense reporting has been simplified to the greatest extent possible. The following guidelines apply to travel expense reporting:

- a. Reimbursable travel expenses are to be reported on the Travel Expense Reporting Form available from the City Manager's office as soon as possible upon returning from travel.
- b. Only expenses for which cash reimbursement is sought by the commissioner need to be reported. Expenses paid in advance on a city credit card should not be included on the Travel Expense Reporting Form.
- c. Expenses must always be supported by receipts or other documentation.
- d. If total expenses to be reimbursed are \$300.00 or less, commissioners may obtain immediate reimbursement from the City Treasurer's Office.
- e. If total expenses to be reimbursed are more than \$300.00, they will be reimbursed as a separately itemized, non-taxable category on the Commissioner's regular bi-weekly paycheck. Accordingly, travel expense report forms must be submitted to the Finance Office with all necessary approvals no later than 5:00PM on the Thursday in the week prior to payday for reimbursement on that paycheck.

5. **DOUBLE DIPPING**

It should go without saying that city expects honest and ethical behavior from its commissioners in handling travel expense matters. Travel expenses that are partially or fully paid by outside parties (such as federal agencies) are not to also be submitted for reimbursement from the city. Any Commissioner found to be deliberately misreporting travel expenses will be subject to disciplinary action as well as potential prosecution.

6. **LOCAL BUSINESS EXPENSES**

In addition to travel expenses, it is sometimes appropriate for City Commissioners to incur costs on behalf of boards or committees or in the course of entertaining visiting guests. The City Manager has full authority to approve such costs (within budgetary limits) and the same general guidelines as outlined above for Commissioner travel expenses should be followed.

P. POLITICAL SIGNS ON CITY OWNED PROPERTY:

The City of Muskegon maintains a nonbiased status in all matters of political affiliation and strives to prevent accusations of unfair advantage by certain candidates.

1. **CITY EMPLOYEES**

- a. City employees should report any political signs on city property to their supervisors.



- b. City employees are authorized to remove any political signs found on city property.
- c. City employees will inform any person found placing political signs that the signs are not allowed on city property.

2. **CANDIDATES**

When a candidate registers for an elected position, they should be informed that political signs are not allowed on city property and informed of repercussions for signs found on city property. Examples of city property include the grassy area between a curb and sidewalk along a street and city parks.

Commented [LM42]: Old policy mentioned fines of \$10 per sign and allowed the Police Department to ticket individuals violating the policy. Current practice is to alert the candidate, and if the signs are not removed within 10 days, city staff remove them.

q. PROCLAMATIONS:

1. **ACCEPTABLE PROCLAMATIONS**

- a. *Special Days* – Proclamations that originate from the City of Muskegon for express purpose of declaring a special day or week for residents of Muskegon.
- b. *City Involved Events* – Proclamations for activities or events for which the city is directly involved.
- c. *Elected Officials* – Proclamations requested by organizations and ask that an elected official present the proclamation to a group at an event or activity.
- d. *Awareness Activities* – Proclamations requested by organizations that offer to provide awareness activities for the benefit of the local community and attend a City Commission meeting to accept the proclamation.
- e. *Other Local Governments* – Proclamation of support passed in conjunction with other local governmental units.
- f. *Benefactors* – Proclamations honoring a person whose actions have benefited the local community to a significant degree.

2. **PROCESSING PROCLAMATIONS**

- a. *City Commissioners* – City Commissioners should indicate support for a given cause or proclamation and send to the City Clerk and Mayor.
- b. *Lobby* – The city should continue to post in the lobby at City Hall those proclamations that are passed by the commission.

Commented [LM43]: Old policy required commissioners to send to the mayor for review. This language better aligns with current practice.

Commented [LM44R43]: And mayor



GUIDELINES FOR CONDUCT

A. PUBLIC RELATIONS:

Members of Commission should refrain from argument with a member of the public or staff at Commission meetings since these arguments seldom resolve concerns and many times inflame feelings at a public meeting. Any concerns by a member of Commission over the behavior or work of a city employee during a Commission meeting should be directed to the City Manager to ensure the concern is addressed.

B. CITY COMMISSION RELATIONS WITH CITY STAFF:

1. RESPECT

There shall be mutual respect from both Staff and Commissioners of their respective roles and responsibilities when and if expressing criticism in public session.

2. REQUESTS FOR INFORMATION

Requests for information or questions by the City Commission shall be directed to the City Manager or the appropriate Division/Department Head. All non-routine requests should be submitted to the City Manager's office. All complaints shall be submitted to the City Manager.

Commented [LM45]: Added

3. SHARING OF INFORMATION

All written informational material requested by individual Commissioners shall be submitted to the City Manager who will transmit them to all Commissioners.

Commented [LM46]: Removed requirement to share the name of the commissioner requesting the information

4. COMMISSION INFLUENCE

Commission shall not attempt to correct or influence Staff in the selection of employees, recommendations for the awarding of contracts and city benefit programs/grants, the selection of consultants, the processing of development applications, or the granting of city licenses or permits.

Commented [LM47]: Added this language

5. MAIL HANDLING

Incoming mail clearly marked as personal shall not be opened when addressed to individual Commissioners or staff unless requested. Any other mail addressed to city offices for the Mayor or City Commissioners shall be opened by appropriate staff. The City Manager's office will advise City Commissioners if they have received mail which must be acknowledged, in order that commission may timely respond.

6. DIRECTION TO STAFF

A Commissioner shall not direct Staff to initiate any action or prepare any report or initiate any project or study without the approval of a majority of the City Commission. All such requests will be first directed to the City Manager.

Commented [LM48]: Removed "that is significant in nature"

C. CITY COMMISSION RELATIONS WITH APPOINTED CITY COMMISSIONS AND COMMITTEES & COMMISSION MEMBER REPRESENTATION TO OTHER AGENCIES AND GROUPS:



1. COMMISSION INFLUENCE

City Commissioners should not attempt to influence recommendations by City Commission appointed commissions or committees, or to influence or lobby individual appointed commission or committee members on any item under their consideration. It is important for appointed commissions and committees to be able to make objective recommendations to the City Commission on items before them. City Commissioners that attempt to influence appointed commission positions on an item may prejudice or hinder their role in reviewing the appointed commission's or committee's recommendation as a City Commissioner.

2. ATTENDANCE AT UNASSIGNED COMMISSIONS/COMMITTEES

Individual City Commission members who are not members of an appointed commission or committee have the right to attend meetings but are cautioned about becoming involved in the meeting's discussion, except as a member of the public. City Commissioners, however, may answer questions put to them or respond to information being provided. City Commissioners should not act so as to influence an appointed commission or committee by virtue of their holding the office of City Commissioner.

3. REPRESENTATION AT OUTSIDE AGENCY/ORGANIZATION

If a City Commissioner represents the city before another governmental agency or organization, the City Commissioner should first indicate the majority position as an opinion of the City Commission. Personal opinions and comments may be expressed only if the City Commissioner clarifies that these statements do not represent the position of the City Commission.

4. OUT OF STATE BOARDS

~~Before any Commissioner accepts an appointment to any out of state board which may involve out of state travel, they must first bring it before the entire Commission for consideration.~~

Commented [LM49]: Delete

D. CODE OF ETHICS:

1. PUBLIC POLICY

It is hereby declared to be the policy of the City of Muskegon that all officials and employees must avoid conflicts between their private interests and those of the general public they serve. To enhance the faith of the people and the integrity and impartiality of all officials and employees of the city, adequate guidelines must be provided for separating their roles as private individuals from their roles as public servants. Where government is based on the consent of the governed, every constituent is entitled to have complete confidence in the integrity of their government. Each individual official, employee, or advisor of the government must help to earn and honor that trust by their own integrity and conduct in all official duties and actions.

2. DEFINITIONS AS USED IN THIS CODE

a) *City Official/Employee* – means a person elected, appointed or otherwise serving in any capacity with the City of Muskegon in any position established by the City Charter or by city ordinance which involves exercising a public power, trust or duty. The term includes any official or employee of the city, whether or not they receive compensation, including consultants and persons who serve on advisory boards and commissions.



- b) *Decision Making* – means exercising public power to adopt laws, regulations or standards, render quasi-judicial decisions, establish executive policy, or determine questions involving substantial discretion.
 - c) *Substantial* – means anything of significant worth and importance or considerable value as distinguished from something with little value, social tokenism, or merely nominal.
 - d) *Compensation* – means any money, property, and thing of value or benefit conferred upon or received by any person in return for services rendered or to be rendered to themselves or another.
 - e) *Official Duties* or *Official Action* – means a decision, recommendation, approval, disapproval, or other action involving discretionary authority.
3. **GRATUITIES**
No city official/employee of the City of Muskegon shall solicit, accept or receive, directly or indirectly, any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the officials/employee in the performance of their official duties or is intended as a reward for any official action on their part.
4. **PREFERENTIAL TREATMENT**
No city official/employee of the City of Muskegon shall use, or attempt to use, their official position to unreasonably secure, request, or grant any privileges, advantages, contracts, or preferential treatment for themselves or others.
5. **USE OF INFORMATION**
No city official/employee of the City of Muskegon who acquires information in the course of their official duties, which information by law or policy is not available at the time to the general public, shall use such information to further the private economic interests of themselves or anyone else.
6. **FULL DISCLOSURE**
No city official/employee of the City of Muskegon shall participate as an agent or representative of the city in approving, disapproving, voting, abstaining from voting, recommending, or otherwise acting upon any matter in which they have a direct or indirect financial interest without disclosing the full nature and extent of their interest. Such a disclosure must be made before performing their duty or concurrently with that performance. If the officer or employee is a member of a decision-making or advising body, they must disclose to the chair and to other members of the body on the official record. Otherwise, an appointed officer or employee would appropriately address disclosure to the supervisory head of their organization or by an elected officer to the general public.
7. **OUTSIDE BUSINESS DEALINGS**
No city official/employee of the City of Muskegon shall engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the official or employee's official duties or when that employment may tend to impair their independence of judgment or action in



performing official duties.

No city official/employee shall engage in a business transaction in which the public, city official, or employee may profit from his or her official position or authority or benefit financially from confidential information which the public official or employee has obtained or may obtain because of that position or authority.

8. DOING BUSINESS WITH THE CITY

No city official/employee shall engage in business with the city, directly or indirectly, without filing a complete disclosure statement for each business activity and on an annual basis.

9. SUPPRESSION OF PUBLIC INFORMATION

No city official/employee of the City of Muskegon shall suppress any public city report, document, or other information available to the general public because it might tend to affect unfavorably their private financial or political interest.

10. USE OF CITY PROPERTY

No city official/employee of the City of Muskegon shall directly or indirectly use or permit others to use city property of any kind for purely personal gain. City officials/employees should protect and conserve all city property, including equipment and supplies entrusted or issued to them.

All city business conducted by email shall be done on a city-issued email account.

11. INTENTION OF CODE

It is the intention of the code that city officials and employees avoid any action, whether or not specifically prohibited above, which might result in or create the appearance of:

- a) Using public employment or office for private gain.
- b) Giving or accepting preferential treatment to or from any organization or person
- c) Impeding city efficiency or economy
- d) Choosing complete independence or impartiality of action
- e) Making a city decision outside official channels
- f) Affecting adversely the confidence of the public or integrity of the city government or
- g) Giving or accepting preferential treatment in the use of city property

The Conflict of Interest and Ethical Code is intended to be preventative and punitive. It should not be construed to interfere or abrogate in any way the provisions of any Michigan Statutes, the Muskegon City Charter, and/or City of Muskegon Ordinances.

This policy declaration is not intended to prevent any official/employee of the City of Muskegon from receiving compensation for work performed on his or her own time as a private individual and not involving city business.



This declaration of policy is not intended to apply to contributions to political campaigns which State Law governs.

Appointed staff should be mindful of how political activities on their part could be perceived by the general public. Appointed staff should maintain a reputation of serving all members of the Muskegon City Commission equally and impartially. To this end, appointed staff should not participate in an election campaign on behalf of or in opposition to candidates for the City Commission.

12. VIOLATION, ENFORCEMENT, AND ADVISORY OPTIONS

- a. All matters concerning the Conflict of Interest and Ethical Code shall be directed to one of the two following controlling authorities depending upon the employment status of the City of Muskegon official/employee involved or the group concerned and the nature of the action requested.
 - i. Elected officials of the City of Muskegon to the Mayor, City Commission, and City Attorney
 - ii. Appointed employees, full and part-time, of the City of Muskegon to the City Manager and City Attorney
- b. The above-listed authorities, when requested, shall take appropriate action upon any complaint, request for information, or otherwise resolve matters concerning Conflict of Interest and the Ethical Code policy of the City of Muskegon. The appropriate action to be taken in any individual case shall be at the discretion of the controlling authority involved, which may include but is not limited to any of the following:
 - i. Referral of the matter to a higher authority.
 - ii. Pursuing further investigation by the controlling authority.
 - iii. Taking appropriate disciplinary action, including removal from office, appointed position or employment, in accordance with the Muskegon City Charter, City Code, State law, or the regulations or policies of the City of Muskegon.
 - iv. Deeming no action to be required.
 - v. Pursuing such other courses of action which is reasonable, just and appropriate under the circumstances.
- c. When deemed appropriate, the abovementioned controlling authorities may render written advisory opinions interpreting the Conflict of Interest and Ethical Code of Conduct outlined in Section 3. Any city official/employee may seek guidance from the controlling authority upon written request on questions directly relating to the propriety of their conduct as officials and employees. Each written request and advisory opinion shall be confidential unless released by the requestor.
 - i. Request for opinions shall be in writing.
 - ii. Advisory opinions may include guidance to any employee on questions as to:
 - Whether an identifiable conflict exists between their personal interests or



- obligations and their official duties
- Whether their participation in their official capacity would involve discretionary judgment with significant effect on the disposition of the matter in conflict
- What degree their personal interest exceeds that of other persons who belong to the same economic group or class
- Whether the result of the potential conflict is substantial or constitutes a real threat to the independence of their judgment
- Whether they possess certain knowledge or know-how that the city will require to achieve a sound decision
- The effect their participation under the circumstances would have on the people's confidence in the impartiality of their city officials and employees
- Whether a disclosure of one's personal interests would be advisable, and, if so, how such disclosure should be made to safeguard the public interest
- Whether it would operate in the people's best interest for them to withdraw or abstain from participation or to direct or pursue a particular course of action in the matter

13. INTEGRITY AND THE CITY

Given time to think about it, each of us could fashion our own working definition of integrity, and all of these might be surprisingly similar. That's because people generally have a good sense of ethics.

Most of us tend to think of integrity in these terms:

- a. Integrity is fairness, honesty, evenhandedness and sincerity. It's a way of acting and behaving. More importantly, it's a way of thinking and of making judgments.
- b. Integrity is a system of values that is constant. Integrity doesn't change, even in the face of shifting social standards.
- c. Integrity is a positive force. It's a proactive attitude that makes good things happen: it's not just a checklist of prohibited behavior.
- d. Mostly, though, integrity is doing what we know in our hearts is the proper thing to do.

Integrity is not achieved simply through obedience to laws and regulations. The city, like any organization, has responsibilities which go far beyond matters of law.

To the City of Muskegon integrity means a special kind of fairness, honesty, evenhandedness and sincerity, a kind that transcends both the law and the values of individuals. It's achieved by observing an overriding set of ethical standards and by recognizing that the city's actions and decisions impact a diversity of groups, including residents, business owners, contractors, suppliers, the general public, and, of course, all city officials and employees.

Integrity on the part of our officials and employees is important for several reasons.

- a. First, integrity is a significant standard because it ensures that the city's many obligations will be set by the people who are, in effect, working for the city.



- b. Integrity is also important because we have an obligation to our residents as their representatives and to our fellow officials or employees.
- c. Integrity is important because it gives us pride in our work, city, and ourselves.
- d. Integrity is also important because it can help the city and its representatives comply with the law; it may help avoid costly litigation.
- e. Integrity also affects the quality and the effectiveness of our relationships with residents, businesses, contractors, suppliers, government agencies and other members of the public.
- f. And integrity is important because it's the core ingredient of a reputation. Both our personal reputations and the city's reputation are crucial to our success.

14. PERSONAL REPUTATIONS

Each of us has a personal and professional reputation. All of those who do business with you, whether they work for the city or represent some other organization, form opinions about your integrity. They decide if you can be trusted and if you can be relied upon to conduct yourself according to proper ethical standards. That they decide about you frequently is translated into their opinions of the entire community.

Trust is, after all, the key to good interpersonal relationships. It's why people work efficiently together: It's why they can make things happen quickly and smoothly.

A breach of ethics, therefore, does more than violate a legal or moral code. It creates a very difficult practical problem because it destroys trust. Officials and employees who can't be trusted can't be effective. They can't, in other words, do their job very well. And they can't hide this fact very long, either.

15. THE CITY'S REPUTATION

A city's reputation and its overall success are always securely linked. To succeed in its mission, any organization must have the confidence of the people and the organizations it deals with, even if the relationship is indirect.

The City of Muskegon's reputation, obviously, is based on more than the collective reputations of its employees and officials. To a large extent, it depends on how many people perceive the community as to whether they believe, whatever the issues or the circumstances, that the city will act with integrity.

So, trust is also the key element. Trust is the cornerstone of all city relationships. Everyone who plays a role in our business relationships must have faith in our actions and statements.

That confidence is especially important in today's highly complex and fast-paced society

16. STANDARDS OF CONDUCT

The city's integrity rests solidly on the foundation of several general rules of ethical behavior. These rules need to be fully understood by all of us.



- a. Fundamental values must always be honored. The city expects us to be honest, to tell the truth, and to play by the rules. Our relations with everyone must be based on mutual trust and the highest principles of respect for the individual.
- b. This means using some obvious examples, such as that we don't misrepresent situations, don't steal city property, don't falsify city records, or misuse city assets for personal use.
- c. It means that we must treat our fellow employees, committee members, residents, contractors, and suppliers in an evenhanded, fair way.
- d. It means, too, that we must be aware of the perceptions we create because they can be as important as our actions. We should diligently avoid doing or saying anything that leaves the impression of questionable motives. It won't really matter if the impression is wrong: the perception of dishonesty or favoritism has all the harmful consequences of the real thing.
- e. Consequently, if we believe someone misunderstood what we've said or done, we should clarify the matter quickly. If we misspoke or promise something beyond our authority, we should also correct that situation.
- f. As city officials/employees, we're expected to honor the spirit and the letter of the law.
- g. We must not, of course, give or receive a bribe, kickback, or payoff. Beyond that, we must avoid any act that might make it seem we're involved in a bribe, kickback, or payoff (again, that matter of perception).
- h. No improper action is ever made proper simply because someone considers it "customary" or because others do it.
- i. And no improper action is made proper because our supervisor or a fellow employee might have suggested it.
- j. Finally, the city's standards of conduct apply equally to all.

Integrity is not something we put on and take off depending on the people we happen to be dealing with at the moment. You're expected to act with complete integrity all the time.

17. THE GRAY AREAS

It's been said that ethical standards, even at their strongest, are always a little gray around the edges. Any code of ethics, in other words, must sometimes deal with situations where there are two or more legitimate points of view, and where there is no clear right or wrong answer.

Indeed, ideals do not always fit perfectly with reality, and ethical standards do not always provide automatic solutions to difficult questions.

But this doesn't mean that dilemmas must be accepted. It only means that "gray area" issues require careful examination and thought. All the competing interests must be clearly identified and evaluated, and the relevant city standards must be understood and applied. When in doubt, consult with someone of higher authority. Reasonable and ethical answers are always available.

18. RELATIONSHIPS WITH OTHERS

The city places great importance on its officials and employees' relationships with all citizens. The term "citizens" is used here in the broadest possible sense.

Three general principles deserve particular emphasis.

- a. You not only must avoid favoritism or unethical practices, you must avoid contact



that could be misinterpreted to suggest questionable behavior (once again, the perception issue).

- b. Don't be drawn into a compromising relationship. When you're dealing with another person the first "small" step you take that undermines your integrity is likely to be followed by another and then another. In a short time, without having done anything that could be considered major, your integrity will have been compromised.
- c. Trust is critical in all relations. You can build trust by positive actions, by caring, by meeting deadlines, and by helping to solve problems. You should recognize those situations where you can appropriately do something to help, and then you should do it.

19. SOLICITING GIFTS OR FAVORS

Gifts or favors, should not be solicited from an individual or an organization that does business with the city or seeks to do so. The size of the gift or favor is immaterial. Soliciting gifts or favors, either directly or indirectly, is strictly prohibited.

- a. You should not, for example, suggest to a supplier that you have personal use for a service or equipment.
- b. And any suggestion that you would appreciate tickets to a social or sporting event is soliciting. Don't do it.

20. ACCEPTING GIFTS OR FAVORS

Accepting a gift or favor that is freely offered is a little different situation. In some cases, if the gifts are of nominal value and they enhance the city's business purposes, they may be accepted— with caution.

- a. Employees of the city are prohibited from accepting gifts of value, favors, or preferential treatment such as discounts from vendors, firms, or individuals regulated by or doing business with the city. Employees violating this policy will be subject to disciplinary action, up to and including dismissal.
- b. The application of this regulation is a matter of reasonable and mature judgment. The following guidelines may be used in interpreting the regulation.
- c. The city gift policy is in effect for all gifts whether received at work or home.
- d. The acceptance of inexpensive advertising gifts, such as pens, pencils, keyrings, calendars, coffee cups, etc., or other small items, such as boxes of candy, nuts, plants, etc., shared by an entire office and/or enjoyed by the public are not considered gifts of value and can be accepted.
- e. Allowing someone to buy your lunch or dinner occasionally or attending a reception is not out of order. On the other hand, frequent payment for an employee's meal should be avoided. A good policy is to try to stay even by picking up the check an appropriate number of times or splitting the bill. These same guidelines can be applied to refreshments and entertainment.
- f. Any gifts of cash, including gift booklets and gift certificates, are strictly prohibited.
- g. Any unusual gift or expensive items, the return of which would be costly or cause



embarrassment, or any situation that is clearly defined should be reported to and reviewed by an appropriate supervisor or authority.

21. CITY SPONSORED EVENTS AND ACTIVITIES

Strict standards also cover city social, athletic, or recreational activities, such as Christmas parties or athletic banquets. No employee or city organization should solicit or accept any support for these events from individuals or firms that do business with us or want to.

22. REPORTING CERTAIN FINANCIAL AND OTHER INTERESTS

City officials and employees are required to report, for information purposes, certain financial interests held by them or by their family members. If you have a financial interest in an organization that does business with the city you must report it. You also must report if a family member or relative has such an interest.

In the great majority of cases these interests present no problem and you or your family members may retain them. However, officials or employees who have a financial interest in a firm that does business with the city must always be especially judicious in their conduct.

23. SPECIAL ROLE OF THE INDIVIDUAL

The city's commitment to integrity has real substance only when city employees have their own personal commitment to integrity. Our organizational integrity always begins and ends with the individual.

- a. It depends on the conscience of each person, not just on the city's written policies to preserve its integrity and the perceptions people have of us.
- b. Each of us is a trusted representative of the City of Muskegon. Each of us, therefore, has a direct and singular responsibility to conduct our job-related activities in a manner that protects and enhances our reputation.
- c. Integrity is more than a matter of dos and don'ts. It's always a matter of individual awareness, honesty, determination, and commitment.
- d. Integrity is each employee stepping up to an obligation. It's each of us deciding that we will live and act to make our city an even better place to live and work.

24. A FORMAL STATEMENT OF ETHICS

The preceding discussion has emphasized how and why the actions of individuals can transcend the written law or policy.

However, a formal system is essential to establish a basis of ethical conduct. With the understanding that no set of rules can cover all contingencies, the City of Muskegon, has formally adopted the attached "Code of Ethics".

E. COMPUTER USAGE:

While this policy references city employees, it also applies to Commissioners. Each commissioner is entitled to \$1,500 toward a new computer device in each term they serve and can be reimbursed for internet service up to \$19.99 per month. The City's Information Technology Department provides support to City supplied equipment and services as well.

Commented [LM50]: Clarified application to commissioners and included approved amounts for equipment and services



1. OVERVIEW

The Information Technology (“IT”) Department’s intentions for publishing a Computer Usage Policy/Acceptable Use Policy are not to impose restrictions that are contrary to City of Muskegon’s established culture of openness, trust and integrity. IT is committed to protecting City of Muskegon’s employees, partners and the company from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP, are the property of City of Muskegon. These systems are to be used for business purposes in serving the interests of the organization, and of our citizens and customers in the course of normal operations.

Effective security is a team effort involving the participation and support of every City of Muskegon employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

This policy covers all Departments and entities of the City of Muskegon and replaces any other computer usage policies.

2. PURPOSE

The purpose of this policy is to outline the acceptable use of computer equipment at City of Muskegon. These rules are in place to protect the employee and City of Muskegon. Inappropriate use exposes City of Muskegon to risks including virus attacks, compromise of network systems and services, and legal issues.

This policy also advises employees as to the nature of appropriate and inappropriate use of social media (“blogging”) that may affect the public, Employer, or other employees.

This policy must be read in conjunction with other applicable policies and requirements. Employees who are uncertain about the scope or applicability of this policy should contact the Director of Information Technology for guidance. Nothing herein is intended to interfere with employees’ rights under the First Amendment to the United States Constitution or the National Labor Relations Act.

3. SCOPE

This policy applies to the use of information, electronic and computing devices, and network resources to conduct City of Muskegon business or interact with internal networks and business systems, whether owned or leased by City of Muskegon, the employee, or a third party. This also includes private cell phones and any other devices that use city resources to communicate (e.g., personal cell phone using internet provided by the City of Muskegon). All employees, contractors, consultants, temporary, and other workers at City of Muskegon and its subsidiaries are responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with City of Muskegon policies and standards, and local laws and regulation.

This policy applies to all internet communication and use of social media done in one’s official capacity, in a public capacity or privately. This policy applies to employees, contractors, consultants, temporaries, and other workers at City of Muskegon, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by City of Muskegon. If any clause, provision or portion of any clause or



provision is deemed invalid, unlawful or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions of this Contract shall not in any way be impaired or affected.

4. POLICY

a. General Use and Ownership

- i. City of Muskegon proprietary information stored on electronic and computing devices whether owned or leased by City of Muskegon, the employee or a third party, remains the sole property of City of Muskegon.
- ii. You have a responsibility to promptly report the theft, loss or unauthorized disclosure of City of Muskegon proprietary information. Do so by immediately notifying your supervisor and the IT Department.
- iii. You may access, use or share City of Muskegon proprietary information only to the extent it is authorized and necessary to fulfill your assigned job duties.
- iv. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments may have additional guidelines concerning personal use of Internet/Intranet/Extranet systems. In the absence of such policies, employees should be guided by departmental policies on personal use, and if there is any uncertainty, employees should consult their supervisor or manager.
- v. For security and network maintenance purposes, authorized individuals within City of Muskegon may monitor equipment, systems and network traffic at any time, including the city Voice Over IP phone system (VOIP).
- vi. The Information Technology Department reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

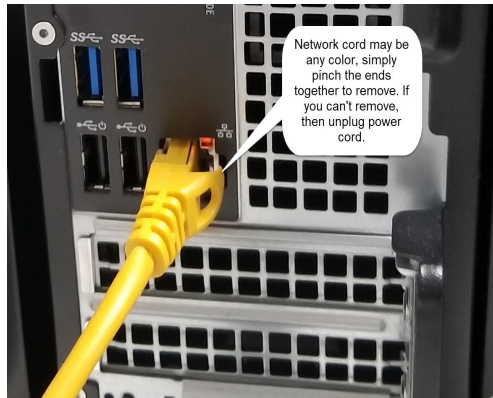
b. Security and Proprietary Information

- i. All mobile and computing devices that connect to the internal network must first be approved by the IT Department.
- ii. System level and user level passwords must meet or exceed those of our Windows Network requirements. Providing access to another individual, either deliberately or through failure to secure its access, is prohibited.
- iii. All computing devices with proprietary, confidential, or otherwise sensitive information, or any device connected to the internal network must be secured with a password-protected screensaver with the automatic activation feature set to 10 minutes or less. You must lock the screen or log off when the device is unattended.
- iv. Postings by employees from a City of Muskegon email address to internet groups, if allowed, must contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of City of Muskegon, unless posting is in the course of business duties.



- v. Employees must use extreme caution when opening e-mail attachments, especially when they are received from unknown senders. If in doubt, contact the IT Department before taking any action.
- vi. Employees may only use authorized City of Muskegon removable media in their work computers or devices. City of Muskegon removable media may not be connected to or used in computers that are not owned or leased by the City of Muskegon without explicit permission of the IT Department. Confidential or sensitive information should be stored on removable media only when required in the performance of your assigned duties or when providing information required by other state or federal agencies.
[note: a common ploy by hackers is to drop a USB Stick in the employee parking lot at the beginning of the day in hopes the employee will pick it up and insert the device into their work computer thereby introducing a malware/virus into the network]
- vii. All wireless infrastructure devices, including Bluetooth and other technologies, that are used at a City of Muskegon site must be approved by the IT Department and:
 - Be installed, supported, and maintained by IT Department. Under no circumstances is an employee or third party allowed to initiate, install or maintain a wireless network without first receiving written approval from the IT Department.
 - Use City of Muskegon approved authentication protocols and infrastructure.
 - Use City of Muskegon approved encryption protocols.
 - Maintain a hardware address (MAC address) that can be registered and tracked.
 - Not interfere with wireless access deployments maintained by other support organizations.
- viii. Any security breach or vulnerability, be it real, suspected, or tip, requires that the employee immediately call the IT Department at (231) 724-4126 and talk with staff. If you cannot reach a person from the IT Department, you must immediately remove the network cord from the back of the computer, leave a message for IT Staff, and immediately notify your supervisor. See picture below for further detail.





c. Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services).

Under no circumstances is an employee of City of Muskegon authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing City of Muskegon-owned resources or points of presence.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

i. System and Network Activities

The following activities are strictly prohibited, with no exceptions:

- Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by City of Muskegon.
- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which City of Muskegon or the end user does not have an active license is strictly prohibited.
- Accessing data, a server or an account for any purpose other than conducting City of Muskegon business, even if you have authorized access, is prohibited.
- Installation or removal of any software without prior approval of the IT Department. Exceptions would be updates on software previously installed by the City of Muskegon.



- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The IT Department should be consulted prior to export of any material that is in question.
- Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
- Revealing your account password to others or allowing use of your account by any individual. This includes co-workers, family, and other household members when work is being done at home.
- Using a City of Muskegon computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
- Making fraudulent offers of products, items, or services originating from any City of Muskegon account.
- Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
- Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
- Port scanning or security scanning is expressly prohibited unless authorized by the IT Department.
- Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is authorized by the IT Department.
- Circumventing user authentication or security of any host, network or account.
- Introducing honeypots, honeynets, or similar technology on the City of Muskegon network.
- Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
- Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.



- Circumventing the Open Meetings Act.
- Providing information about, or lists of, City of Muskegon employees to parties outside City of Muskegon.

ii. Email and Communication Activities

When using company resources to access and use the Internet, users must realize they represent the organization. Whenever employees state an affiliation to the organization, they must also clearly indicate that "the opinions expressed are my own and not necessarily those of the City of Muskegon". Questions may be addressed to the IT Department.

- Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
- Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages.
- Unauthorized use, or forging, of email header information.
- Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
- Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
- Use of unsolicited email originating from within City of Muskegon's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by City of Muskegon or connected via City of Muskegon's network.
- Posting the same or similar non-business-related messages to large numbers of groups (spam).
- Electronic communication using the city email system should not be considered "personal." All communication is logged, archived and may be available to anyone under the Freedom of Information Act (FOIA).

d. Compliance Measurement

The IT Department team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and monitoring.

e. Exceptions

Any exception to the policy must be approved by the City Manager or Information Technology Department in advance and in writing

f. Non-Compliance

An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment



5. **DEFINITIONS AND TERMS**

Blogging: In a broad sense and means all use of online communication and conducts, use of social media by employees, including comments made to or by a public employee, whether made by e-mail, contribution to a weblog, or posting on a website or other social media (public or personal), e.g., Facebook, Twitter, YouTube, Wix, chat rooms, message boards, etc.

Social Media: forms of electronic communication through which users create online communities to share information, ideas, personal messages and other content such as Facebook, Twitter, Instagram, Snapchat, YouTube, Wix, etc.

Internet Posting – posting of any information on the internet in any form.

Honeypot: an information system resource whose value lies in unauthorized or illicit use of that resource.

F. SOCIAL MEDIA USE:

1. **PURPOSE/OVERVIEW**

This document outlines the Social Networking and Social Media Use Policy for the City of Muskegon (“the City”). In response to the fast-evolving landscape of digital communication and the increasing role of social media in how residents access information and engage with local government, this Policy establishes clear guidelines for the City’s presence and activity on social platforms.

The purpose of this Social Media Use Policy and Guidelines (“the Policy”) is to define standards for the responsible and effective use of social media by City officials and employees. It ensures that all communications made on behalf of the city are authorized, professional, legally compliant, and aligned with public expectations. This includes adherence to relevant court rulings—such as *Lindke v. Freed*, 601 U.S. 187 (2024)—and compliance with applicable local, state, and federal regulations, including Michigan’s Freedom of Information Act (FOIA).

2. **SCOPE**

This Policy applies to all social media use by or on behalf of the City of Muskegon, including but not limited to staff, elected officials, appointed officials, committees, and departments. Employees of the Muskegon Police Department shall adhere to their department-specific social media policies. In areas where those policies do not address City specific issues, or for cross-departmental matters, this City policy shall apply.

3. **TYPES OF SOCIAL MEDIA USE**

a. **PERSONAL PAGES**

All staff, elected officials, appointed officials and board and committee members may have personal social media sites. These sites shall remain personal in nature and be used to share personal opinions or non-work-related information. Following this principle helps ensure a distinction between sharing personal and City views. Personal pages shall not use City e-mail accounts or passwords in conjunction with a personal social media site. Campaign social media sites fall under this category, however, if a campaign social media page is converted/renamed into an elected official social media page it would be reclassified as an Elected Official Page.



The following guidance is for City employees who decide to have a personal social media account and who decide to comment on or share posts about City business:

- i. Use a disclaimer such as: “This is the personal (or campaign) page of [official/employee]” or “the views expressed are strictly my own and do not reflect or represent the views of my employer.”
- ii. Employees shall not use or disclose any information, photographs, video, or other recording obtained or accessible as a result of employment or appointment with the City without the express authorization of the City Manager and/or their authorized designee.
- iii. Employees may share or repost City information, such as updates on leaf pickup, City events, public meetings, emergency notices, and other relevant announcements, to help keep the community informed.

b. PROFESSIONAL PAGES

The city recognizes two types of professional social media accounts used for City-related communication: City-controlled Pages and Elected Official Pages. By law, both are considered tools for public engagement and must reflect the values, transparency, and professionalism expected of public service. These pages are distinct from personal or campaign accounts.

City-controlled Pages are social media accounts created, owned, and managed by the city. These accounts represent the City as a whole, its departments, specific leadership positions, or specific initiatives, and are used to provide public information, communicate City services, and promote community events.

All City-related communication through these social media pages shall remain professional in nature and should always be conducted in accordance with this Policy and the City’s Community Engagement Handbook. All content must maintain neutrality, and comply with legal standards for public communication, including accessibility, records retention, and privacy policies. All City-controlled pages must be registered as outlined below.

City-controlled Pages shall not be used for political purposes, to conduct private transactions, or to engage in private business activities. Inappropriate use of City-controlled social media can be grounds for disciplinary action.

Only individuals authorized by the city may publish content to a city website or City social media account.

Examples of these accounts include: City of Muskegon Government on Facebook, Muskegon City Parks & Recreation on Instagram, and the Muskegon Farmers Market on Facebook.

Elected Official Pages are social media accounts created and managed by elected officials (e.g., Mayor, City Commissioners) in their formal, public roles. Among other purposes, these accounts are used to share information and engage with the public on topics related to their duties within the city.



Although Elected Official Pages are not subject to internal City oversight, elected officials are individually responsible for managing these accounts in accordance with applicable laws. Content that involves the discussion or facilitation of City business may be considered public record and subject to the Freedom of Information Act (FOIA) or the Open Meetings Act (OMA).

Improper use—such as blocking constituents, deleting comments based on viewpoint, or mixing political campaigning with public duties—can create legal liability for both the official and the City.

Elected officials are encouraged to clearly distinguish these pages from personal pages, and to understand the legal risks and responsibilities that come with using social media in an official capacity.

c. REGISTERED CITY PAGES

All City-controlled social media sites shall be listed on one page on the City's website. The link to that webpage is: <https://muskegon-mi.gov/social-media-accounts/>

REGISTERING A NEW PAGE

All City-controlled social media sites shall be (1) approved by the City Manager and/or designee, (2) published using approved social networking platforms and tools, and (3) be administered by the approved staff member(s).

The City Manager and/or their designee, and the IT department, will be granted administrative access to all City-controlled social media pages.

DEREGISTERING AN EXISTING PAGE

If a City-controlled social media page is no longer of use, (1) notify the City Manager and/or designee. (2) Ensure records have been archived according to City guidelines. (3) Set a timeline for deactivating the account. (4) Develop a farewell message to post on the account that includes when the account will be closed and where followers can go for information in the future. (5) Consult with the Community Engagement Manager to determine whether to protect the account name by keeping it active to prevent use of the City's name for improper purposes. If a decision is made to protect the account name, take all necessary action to do so. (6) Unpublish or delete the page. (7) Update the list of official social media accounts listed online on <https://muskegon-mi.gov/social-media-accounts/>.

Considerations for Deregistering:

Considerations for deciding whether to deregister a city social media account may include, but are not limited to:

- Merging an account into another City social media account.
- It is no longer needed to accomplish a department's goals.
- It does not align with the City's mission, vision, or values.
- It does not comply with these procedures.



- It is not currently being used or is being underutilized with no original posts for at least 60 days.
- It is not being monitored.

4. OVERSIGHT AND ENFORCEMENT

City-controlled social media outlets or participating in social media features on City websites shall maintain a high level of ethical conduct and professional decorum. Failure to do so is grounds for revoking the privilege to participate in City social media sites or other social media features.

Information shall be presented following professional standards for good grammar, spelling, brevity, clarity and accuracy, and avoid jargon, obscure terminology, or acronyms. City-controlled sites shall be clear and precise and follow industry best practices for posting updates. All content posted to City-controlled social media should be:

- Relevant – Information that engages residents and pertains to their daily lives
- Timely – Pertains to deadlines, upcoming events, or current news
- Actionable – Prompts residents to take action
- Informative – Posts should encourage residents to visit a specific City webpage for additional details, resources, or updates related to the content shared.

Social media shall not be used to circumvent other City communication policies, including news media policy requirements. City-controlled pages shall not publish information on any social media sites that include:

- Confidential information
- Copyright violations
- Profanity, racist, sexist, or derogatory content or comments
- Partisan political views
- Commercial endorsements or SPAM

Time of Use: City-controlled social media accounts are not monitored 24/7, and as such, posts and responses should not be immediately expected. Accounts are traditionally monitored during normal business hours, designated as Monday-Thursday from 7:30 a.m. to 5:30 p.m., excluding holidays.

COMMENT AND PRIVATE MESSAGE GUIDELINES

City-controlled pages shall decide and be consistent with their commenting and private message guidelines. Whether comments or private messages are allowed or not, the pages shall remain consistent.

If comments are turned off on one post, they shall always be turned off on all posts when possible. Acknowledging that the “comment off function” is manual, and happens after the post is made, there is potential for a comment or two to be posted before the comment



function is turned off. If that happens and a few comments are made, continue to turn the comments off and comment as the page to notify of the comment guidelines outlined in this policy. If the comment function is accidentally not turned off and many comments are made, leave the commenting feature on for that post.

City-Controlled pages that allow comments may reply to comments or questions as long as it's following archiving rules and this policy. It's encouraged that comments link back to information on an official City website. Refer to the "Moderation of Third-Party Content" section for commenting removal guidelines.

SOCIAL MEDIA ACCOUNT AUDITS

Annual audits of City-controlled account activity and the effectiveness of the content being posted will be performed by the Community Engagement Manager in collaboration with the staff managing the page(s).

The Department Director, or their designee, should confirm that City social media content moderation is regularly occurring to ensure that sites are active, that content is engaging, and that content posted in violation of this policy is handled appropriately.

For purposes of this policy, "active" refers to a page having been posted to at least once weekly; and "engaging" refers to views, reach, and interaction with the posts.

5. RETENTION

Social media sites are subject to local, state, and federal laws, including Michigan's Freedom of Information Act (FOIA). Any content produced or maintained on social media sites, including communication posted by the city and communication received from citizens, is a public record.

The Information Technology Department shall preserve records under the relevant records retention schedule in a format that preserves the integrity of the original record and is easily producible. Furthermore, the retention of social media records shall fulfill the following requirements:

- a. Social media records are captured in a continuous, automated fashion throughout the day to minimize the potential loss of data due to deletion and/or changes on the social networking site.
- b. Social media records are maintained in an authentic format (i.e., ideally the native technical format provided by the social network, such as XML or JSON) along with complete metadata.
- c. Social media records are archived in a system that preserves the context of communications, including conversation threads and rich media, to ensure completeness and availability of relevant information when records are accessed.
- d. Social media records are indexed based on specific criteria such as date, content type, and keywords to ensure that records can be quickly located and produced in an appropriate format for distribution (e.g., PDF).
- e. Each employee who administers one or more social networking sites on behalf of the



City has self-service, read-only access to search and produce relevant social media records to fulfill public information and legal discovery requests as needed.

The city utilizes an automated archiving solution for all City-controlled social media sites to comply with applicable public records law and fulfill the above record retention requirements. The City's archive is available through the Information Technology Department.

6. EXTERNAL POLICY

The following guidelines shall be displayed to users on all social media sites or made available on the City's website and be linked on social media pages.

Time of Use: City-controlled social media accounts are not monitored 24/7, and as such, posts and responses should not be immediately expected. Accounts are traditionally monitored during normal business hours, designated as Monday-Thursday from 7:30 a.m. to 5:30 p.m., excluding holidays.

MODERATION OF THIRD-PARTY CONTENT

City-controlled social media sites serve as a limited public forum and all content published is subject to monitoring. The City-controlled social media platforms are intended primarily for one-way communication of City information. Two-way communication should be discouraged where possible.

Social media is not to be used for emergency communications with the City, such as reporting crimes or hazardous conditions. Such reports shall be made through designated official channels such as 911.

Under no circumstance should users be blocked from City-controlled social media accounts. If suspicious activity is noted, staff should report it directly to the social media platform.

User-generated posts (comments) will be rejected or removed (if possible) when the content:

- a. Contains obscenity or material that appeals to the prurient interest
- b. Contains personal identifying information or sensitive personal information
- c. Is threatening, harassing, defamatory, fraudulent, or discriminatory
- d. Incites or promotes violence or illegal activities
- e. Contains information that reasonably could compromise individual or public safety
- f. False or misleading commercial speech or spam

PUBLIC RECORDS LAW

Social media sites are subject to applicable public records laws. Any content maintained in a social media format related to City business, including communication posted by the city and communication received from citizens, is a public record. The Department maintaining the site is responsible for responding completely and accurately to any public records request for social media content.



G. COMMUNICATIONS:

1. PURPOSE

The purpose of this policy is to ensure the City Commission receives regular and transparent communication from the City Manager.

2. POLICY

Communication to Commissioners

The City Manager informs the Commission about significant matters such as personnel matters that are likely to provoke public interest as well as negotiations and developments requiring action. Important announcements, media releases, and press conferences are shared with the Commission in advance. All requests to the City Commission are routed through the City Manager's office.

3. PROCEDURES

- a) When emailing information to Commissioners, all Commissioners must be blind copied to reduce risk of violating the Open Meetings Act.
- b) Requests for information from Commissioners must be routed through the City Manager's office.
- c) Communications will be made in a professional, respectful, and timely manner.
- d) Any communications to the Commissioners will be provided without change or alteration.
- e) Requests from Commissioners to the City Manager will be handled on a priority basis. Clear time tables will be provided as appropriate.

4. REFERENCES

City of Muskegon Charter, Chapter IV, Sections 1 and 2, Chapter V, Sections 5 through 8, Chapter VIII, Section 1

H. COMMISSION APPOINTMENT INTERVIEW QUESTIONS

In the case where a commission seat becomes vacant during the regular term, the commissioners will appoint a new member to the vacant seat. The questions below are suggested for use when interviewing potential candidates.

H.

1. How has your experience prepared you to be a City Commissioner? Give examples from your professional or personal life and share any community involvement in Muskegon's neighborhoods, city boards and committees, local service organizations, City Commission meetings, and such.
2. Describe the role and qualities of an effective City Commissioner.
3. What is your vision for the City of Muskegon?

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Commented [LM52R51]: Provide explanations for these sections
Include a question asking what they see as positive in a recent action the city has taken.



4. What, in your opinion, are the most important issues facing the City of Muskegon?
5. What ideas do you have to encourage and support neighborhood revitalization?
6. Describe your understanding of the council city manager form of government. What is your role in relation to the City Manager and other city staff?
7. How would you address differences of opinion with other Commissioners, staff, other local leaders, and the public?
8. What steps should the city take to improve relations within the Greater Muskegon community? What ideas do you have for ensuring people from all walks of life feel welcome and free to share their input?

9. What qualities do you possess that make you best suited for this appointment?

9-10. Please share an example of a positive action the city has taken in the recent past.

I. POTENTIAL CANDIDATE CONSIDERATIONS

When residents request the necessary paperwork to run for office, the Clerk's office will provide them with the below list of items they should consider before deciding to run.

1. What experiences have prepared you to be a City Commissioner? Consider your professional and personal life, community involvement in Muskegon's neighborhoods, city boards and committees, local service organizations, City Commission meetings, and such.
2. What qualities allow a commissioner to be effective? Which of those qualities do you possess, and which require more effort for you?
3. What is your vision for the City of Muskegon? Can you articulate that to the public?
4. What, in your opinion, are the most important issues facing the City of Muskegon? In the City Commissioner role, how will you be able to address those?
5. How can you support neighborhood revitalization across the city?
6. Do you understand the commission-manager form of government? Do you understand the role of a commissioner in relation to the City Manager and other city staff? Consider the limitations of the City Commissioner role.
7. How do you currently relate to others in the greater Muskegon community? What are your thoughts on the need and methods to collaborate with other local governments?
8. How do you handle differences of opinion with others? There are many opportunities to work with other commissioners, city staff, other local leaders, and the public.
9. How will you ensure people from all walks of life feel welcome and free to share their input with you?
10. What qualities do you possess that make you best suited for this office?

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CITY POLICY INFORMATION

A. PURCHASING POLICY

1. PURPOSE

This policy is established to ensure purchasing activities that are fair and equitable, maximize purchasing value for public funds, and to maintain a procurement system of quality and integrity throughout the procurement process. These policies and procedures are intended to ensure that all city funds are expended in accordance with sound business practices, recorded in compliance with acceptable accounting procedures, and meet the requirements of federal and state agencies that may assist in the financing activities of the City of Muskegon.

2. GOALS

The City of Muskegon maintains this policy with the goals of:

- Establishing clear specifications that meet city objectives.
- Providing for the greatest competition among potential suppliers while limiting cost to meet the quality of the product or services specified.
- Awarding where possible to local bidders who meet specifications within the context of lowest qualified bidder.
- Ensuring adequate monitoring and reporting of purchasing.

3. OPERATIONAL GUIDELINES

This policy applies to the procurement of supplies, goods, equipment, and services by the City of Muskegon.

- The purchasing policy applies to all city departments and to other agencies, authorities, commissions, boards, and joint-ventures.
- All purchases over \$25,000 require approval by the City Commission. Purchases over \$25,000 must be established either through the annual budget or City Commission approval of additional appropriations. It is the sole responsibility of the Division/Department Head to maintain control of their individual budgets.
- Some purchases are unique in nature and do not require the process of competitive bidding. These items are excluded from the bidding and purchase order requirements. Examples include but are not limited to debt service payments and ongoing expenses for utilities or services.
- The city will not be responsible or liable for any expenditure or agreement for expenditure made by a city employee or city official who fails to follow this purchasing policy and its procedures. Contracts negotiated outside of this policy will be considered invalid and non-binding. Any breaches of this policy shall be reported directly to the Finance Director and City Manager.
- Contracts or purchases shall not be artificially divided to circumvent the purchasing procedures in the policy. Aggregate, recurring purchases such as gasoline, paper products, cleaning supplies, ammunition, etc. must be determined on an annual basis.



4. LOCAL PREFERENCE

The City Commission may give preference to local vendors as follows.

- Vendors located in the City of Muskegon may be awarded purchases or contracts when the lowest qualified local bid/price is within 2% or less of the lowest qualified non-local bid.
- An additional 0.5% difference in bid amount (for a total of 2.5%) will be considered for those qualified vendors located in the City of Muskegon which are not-for-profit and provide social services to City of Muskegon residents.
- Vendors located in Muskegon County may be awarded purchases or contracts when the lowest qualified local bid/price is within 1% or less of the lowest non-local bid.
- For purchases under \$1,000, local vendors shall be solicited unless valid reasons determine this is not in the best interest of the city.

5. DISADVANTAGED CONTRACTOR GOALS

The City Commission establishes goals for disadvantaged contractor participation in each trade as follows.

- 14% minority owned businesses
- 7% female owned businesses

A Disadvantaged Contractor Affidavit listing all disadvantaged contractors that were contacted to participate on the project as sub-contractors must be submitted by each bidder. The affidavit must clearly state why each potential subcontractor was not considered for inclusion in the project. A disadvantaged contractor refers to businesses that are owned and controlled by minorities, women, and other socially and economically disadvantaged persons.

6. PURCHASING AUTHORITY

The City Manager's Office shall be responsible for the administration of the purchasing system of the city. The procurement procedure to be used is determined by the dollar amount of the procurement. Contracts or purchases shall not be artificially divided to circumvent the purchasing procedures in the policy. Aggregate, recurring purchases such as gasoline, paper products, cleaning supplies, ammunition, etc. must be determined on an annual basis. The requirements for each level of spending are outlined below.

Amount	Requirements
Below \$2,000	Purchases are made by the Department/Division Head and do not have to be competitively bid. Vendor selection and pricing should be reviewed annually for adequate and reasonable competition.
\$2,000 to \$4,999.99	A minimum of three written quotes are required. Award shall be made to the qualified vendor offering the best value in the opinion of the



	Department/Division Head.
\$5,000 to \$9,999	A minimum of three written quotes are required. Award shall be made to the qualified vendor offering the best value in the opinion of the Division Head.
\$10,000 to \$24,999.99	A minimum of three written quotes are required. Award shall be made to the qualified vendor offering the best value in the opinion of the Division Head and City Manager.
\$25,000 and above	Formal competitive bids shall be solicited through Competitive Sealed Bid or Request for Proposals and are subject to negotiation after bid award.

Commented [LM55]: New

With City Manager or Division Head approval, any products and services that are available only through a single source can be procured without bidding. Where possible, a state or regional bid contract (such as MiDeal) will be used for single source procurement. In the event no bids were received, the City Manager or Division Head can approve the purchase of products or services through a single source. Division Heads may set purchasing thresholds for their staff as long as the threshold does not exceed that for the Division Head.

7. PROCUREMENT PROCEDURES

Competitive Sealed Bidding

- a. An invitation for bids shall be issued and shall include specifications and all contractual terms and conditions applicable to the procurement.
- b. Public notice of the invitation for bids shall be made available two weeks in advance of the bid submission date set forth. Notices may include publication in a newspaper of general circulation and/or online media. Professional/technical services need not be publicly advertised, but competition must be ensured.
- c. Bids shall be opened publicly by the City Clerk’s office in the presence of one or more witnesses following the deadline set for the submission of bids at the time and place designated in the invitation for bids. The amount of each bid and such other relevant information as the Division Head deems appropriate, together with the name of each bidder, shall be recorded; the record and each bid shall be open to public inspection.
- d. Bids will be evaluated based on the requirements determined in the invitation for bids. These requirements may include inspection, testing, quality, workmanship, experience, delivery, warranty, and suitability for a particular purpose. Bids that do not comply with all criteria set forth in the invitation to bid may be subject to disqualification by City Commission.
- e. Withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the city



or fair competition shall be permitted. Except as otherwise provided, all decisions to permit the withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the Division Head, endorsed by the City Manager and approved by the City Commission.

- f. Award shall be made to the qualified bidder whose bid is determined to be the most advantageous to the city, taking into consideration price and the evaluation criteria set forth in the invitation for bids, as determined by City Commission.

Request for Proposals (RFP)

- a. When a Division Head determines that the use of competitive sealed bidding is not practical, not advantageous to the city, and/or when a selection should be based on the most qualified vendor, a contract may be entered by use of competitive sealed request for proposals.
- b. Public notice shall be the same as for the competitive sealed bidding process.
- c. The identity of each vendor and the content of any competing vendors shall not be disclosed until the time of the public opening of proposals.
- d. Proposals shall be opened publicly by the City Clerk's office in the presence of one or more witnesses following the deadline set for the submission of proposals at the time and place designated in the request for proposals. A register of the proposals shall be prepared containing the name of each vendor, the number of modifications received, if any, and a description sufficient to identify the item offered.
- e. As provided in the RFP, discussions may be conducted with qualified vendors to assure understanding of and conformance to the solicitation requirements. Qualified vendors shall be accorded fair and equal treatment with respect to any opportunity for discussion to clarify information in the proposal which impacts city staff's ability to make fair comparisons between proposals.
- f. Award shall be made to the qualified vendor whose proposal is determined to be the most advantageous to the city, taking into consideration the evaluation criteria set forth in the request for proposals, by the City Commission.

Cancelation of Bids or Requests for Proposals

A bid, request for proposal, or other solicitation may be canceled, and any or all bids or proposals may be rejected in whole or in part when it is in the best interest of the city, as determined by the Division Head and supported by the City Manager. Each solicitation issued by the city shall include this notification.

Cooperative Purchasing

The city may join in cooperative purchasing arrangements with the State of Michigan or any other government units or non-profit agencies. Any cooperative agreements set forth by the City of Muskegon must follow the guidelines of this policy.

Emergency Procurements

When there is an immediate threat to the public health, safety, or welfare of the city or its citizens, the City Manager may authorize the award of a contract utilizing competition as may be practical and reasonable under the circumstances, for the emergency purchase of



supplies, materials, equipment, services or construction. Such purchase must be reported to the City Commissioners as soon as possible.

Recycled Products

The city shall make every effort to purchase recycled products whenever possible.

Insurance Requirements

Vendors and contractors will be required to carry adequate insurance coverage.

8. CONSTRUCTION PROJECTS

Construction projects are subject to the provisions of this policy and the requirements that follow.

- **Prevailing Wages** – The City will continue to comply with any local, state, or federal policies as required by the funding source for a particular project. For example, Public Works projects which include federal transportation, drinking water, or sanitary sewer funding require prevailing wages be paid to contractors. The City Commission may also give preference to vendors paying Davis Bacon wages on other projects by awarding contracts when the lowest qualified prevailing wage bid/price is within 1% or less of the lowest qualified non-prevailing wage bid. When applicable, the 1% preference can be added to the local preference up to a 3% or \$100,000 differential, whichever is less.
- **Change Orders** – The Department Head in charge of the construction project shall have the authority to approve individual change orders up to 10% of the cost of the construction but not more than \$30,000, unless the approved budget includes a contingency amount that covers the amount of the change order. The City Manager is authorized to approve change orders and contract expenditures between 10% and 20% but not more than \$30,000, unless the approved budget includes a contingency amount that covers the amount of the change order. The City Commission must approve (retroactively if urgent) any change order or combination exceeding the above parameters. All final payments of construction projects shall require signatures from the Department Head, the Finance Director, and the Division Head.
- **Bid Bond** – All construction projects shall require a bid bond from each bidder in the amount of five percent (5%) of their bid. The bond will secure the bid. The bond will be released upon award of the contract by the City Commission for unsuccessful bidders and upon execution of the contract for the successful bidder. (Lesser amounts than 5% may be permitted by exception for good cause upon approval by the City Commission.)
- **Performance Bond** – All construction projects shall require a performance bond from the successful bidder for the full amount of the contract or as specified by bid document. This bond will be written in such a manner to ensure satisfactory completion of the project. The bond shall be in effect for one full year after completion of the project. The bond will be released only after the Department Head in charge of the project and the Division Head are satisfied that the project was properly completed and one year has elapsed.

9. STANDARDS OF CONDUCT

Recognizing that city purchases involve the use of public funds, the following standards shall apply to all purchases made.



- All vendors, current and prospective, shall be treated equitably. Purchasing decisions shall be based upon price, quality, delivery, written standards, previous service, and other relevant factors promoting the best interest of the city.
- Employees shall be prohibited from furnishing to any prospective bidder information that would give any vendor an unfair advantage over other prospective vendors.
- Purchasing records shall be retained by the Finance Division for public review.
- Employees shall not utilize the city's purchasing system to purchase items for personal use.
- Employees shall be prohibited from accepting rebates, gifts, gratuities, or favors from vendors. Any extra option or alternative providing benefit to the city shall be explained in the bid.
- Employees shall have no financial or beneficial interest in any contract or purchase order for goods and services used by the city. The city's charter shall govern conflicts of interest.
- Vendors must be businesses in good standings with the city.

10. VIOLATIONS TO PURCHASING POLICY

In the event that staff do not follow the purchasing policy, decisions will be made per the following guidelines.

For any single expenditure under \$25,000, the City Manager and Finance Director review the purchase.

For any single expenditure of or over \$25,000, the City Manager and Finance Director review the purchase with the City Commission.

For any single expenditure of or over \$25,000, where the City Manager or Finance Director have not followed the policy, the Division Head who most recently served as interim City Manager reviews the purchase with the City Commission.

11. AMENDMENTS TO PURCHASING POLICY

Any amendments to this Purchasing Policy will be submitted to the City Commission by the City Manager and shall require City Commission approval by resolution.

B. EMERGENCY PROCEDURES

The City of Muskegon is committed to providing a safe workplace for all employees and visitors. In the event of an emergency, employees are expected to remain calm, follow the directions of supervisors or emergency personnel, and report to supervisors once safe to do so.

The following procedures apply to common emergencies that may occur in the workplace:

1. GENERAL SECURITY CONCERNS

Report suspicious persons or activities to supervisors or directly to the Muskegon Police Department.

- During business hours: 231-724-6750
- After business hours: 911 (Muskegon Central Dispatch)

Ensure exterior doors remain secured after hours.

Commented [LM56]: New – also included in employee handbook



2. INCLEMENT WEATHER

The City of Muskegon will always make every attempt to be open for business. In situations in which some employees are concerned about their safety, management may advise supervisors to notify their departments that the office is not officially closed, but employees may choose to leave the office if they feel uncomfortable.

If the office is officially closed during the course of the day to permit employees to leave early, nonexempt employees who are working on-site as of the time of the closing will be paid for a full day. If employees leave earlier than the official closing time, they will be paid only for actual hours worked, or they can take personal or vacation time. Exempt employees will be paid for a normal full day but are expected to complete their work at another time.

3. SEVERE WEATHER/TORNADO

In general, move to the lowest interior area away from windows. Remain sheltered until an "all clear" is issued by management or emergency personnel.

- At City Hall, report to the basement storage area or break room.
- At Public Works, shelter in the interior locker rooms.
- At the Filtration Plant, use the locker room outside the lab. Staff should notify the Maintenance Operator, Chief Operator, or Superintendent and bring the following to their shelter location.
 - o Policy and procedure binder
 - o Surface laptop
 - o Cell phone, if available
 - o Notes related to current operations of the plant

Severe Weather Watch

Filtration staff are directed to monitor surrounding conditions and take action when the situation worsens.

Severe Weather Warning

Filtration staff should notify all staff working in the plant and at remote sites. Tank levels, remote site conditions, and treatment processing should be noted until the storm has passed. High winds or heavy snow require opening in locking out the front gate for access to emergency personnel.

4. FIRE/EVACUATION

Leave the building immediately when alarms sound or when instructed by a supervisor. Use the nearest safe exit referring to fire route maps posted throughout city facilities.

Use stairs only – elevators will be out of service during a fire.

Gather at designated assembly areas:

- o City Hall employees: Employee parking lot behind Anchor Insurance
- o DPW employees: south employee lot at 1350 E Keating Avenue
- o Filtration: Beach parking lot across from Gate 1.

5. MEDICAL EMERGENCY

The first step is to call 911 and provide the building address.

- City Hall: 933 Terrace Street
- DPW: 1350 E Keating Avenue
- Filtration: 1900 Beach St



Ensure responders know which gate to use

- o Gate 1 – Beach Street – front gate
- o Gate 2 – Beach Street – high service gate
- o Gate 3 – Beach Street – auxiliary gate
- o Gate 4 – Beach Street – area 51
- o Gate 5 – Keaton Court – back gate

Notify the nearest supervisor.

Once emergency personnel are on site, guide them to the location of the emergency.

Staff should be aware of AED and first aid kit locations.

- City Hall AED's and first aid kits
 - o Second floor – main hallway
 - o First floor – intersection of hallways near Commission Chambers
 - o Basement – main hallway
- Filtration Plant AED's and First Aid Kits
 - o Headworks lobby – next to plant map between stairs and pretreatment hallway
 - o Lab – first aid kit only
- Public Works AED's and first aid kits
 - o Hallway outside the Water Department break room
 - o Mechanics area break room

6. VIOLENT INTRUDER/ACTIVE SHOOTER

In the event of a violent intruder or active shooter, employees ~~should~~ shall take immediate action using the principles of Run, Hide, Fight: follow the instructions of the Muskegon Police Department and any training provided by the city. Additional training opportunities and resources are available.

- RUN (Evacuate)
 - o If a safe escape path is available, immediately leave the building.
 - o Leave belongings behind and assist others if possible.
 - o Prevent others from entering the danger area if it is safe to do so.
 - o Call 911 once in a safe location.
- HIDE (Shelter in Place)

If evacuation is not safe, secure yourself in a room:

 - o Lock and/or barricade doors using available furniture.
 - o Turn off lights, silence phones, and remain quiet.
 - o Stay out of sight and behind cover if possible.
 - o Do not open the door for anyone unless directed by law enforcement.
- FIGHT (Last Resort)

If confronted and in immediate danger, employees may defend themselves using reasonable force to stop the threat.

E-Panic Button Activation:

If it is safe to do so, activate the E-Panic button immediately upon recognizing a violent intruder or active shooter.

Activation will:

- Notify other staff.
- Initiate internal alerts and share location data.

Employees should not delay protective actions (Run/Hide/Fight) in order to activate the E-Panic button.

Additional Direction:

Commented [LM57]: Provide more specific direction on 6-10

Commented [LM58R57]:



Employees should not wait for police arrival before taking protective action.
Supervisors, if present, should assist with coordination, but individuals are responsible for their own immediate safety decisions.
Follow all commands from law enforcement upon arrival.

7. BOMB THREAT/SUSPICIOUS PACKAGE

If a suspicious package is located:

- Do not touch, move, or open the item.
- Immediately notify 911 and a supervisor.
- Clear the immediate area and prevent others from approaching.

Evacuation Guidance:

- Supervisors or the senior employee on site should initiate evacuation if there is a credible threat or uncertainty about the hazard.
- When in doubt, err on the side of evacuation, provided it can be done safely and without moving past the suspicious item.
- Do NOT activate the fire alarm system unless directed by emergency responders, as this may move occupants toward a hazardous area.

During Evacuation:

- Move to a safe distance.
- Avoid using radios or cell phones near the suspicious item.
- Prevent re-entry until cleared by law enforcement or fire personnel.

Additional Guidance:

- If a bomb threat is received by phone, attempt to document details (time, voice characteristics, exact wording) if safe to do so.
- Await further instructions from responding emergency personnel.

Do not touch or move the object.

Call 911 and notify a supervisor.

Evacuate the building if instructed.

8. HAZARDOUS MATERIALS/UTILITY FAILURE

In case of gas leak, chemical spill, or power outage, notify your supervisor.

For gas leaks, appearance of smoke, or chemical spills, evacuation is required. In these instances, supervisors shall activate the fire alarm system to signal the evacuation and alert emergency service response. Evacuate the building if directed.

Muskegon Fire and Department of Public Works maintain specialized spill kits and response equipment.

9. ELEVATOR EMERGENCY

If trapped in an elevator, press the emergency button to request help.

Do not attempt to force doors open or exit without assistance.

Remain calm and wait for emergency personnel to arrive. The Fire Department has tools and keys to open elevators within the city facilities.

10. CHEMICAL RELEASE/AIR QUALITY CONCERN

Any chemical release will trigger Muskegon County Emergency Services to send an emergency message through cell phones instructing what to do and where to go.

If instructed to shelter-in-place, remaining inside the building until instructed otherwise.

Close doors and windows, and stay away from exterior openings.



Await further instructions from supervisors or emergency personnel.



ACRONYMS

ACFR	Annual Comprehensive Financial Report
ACT51	Transportation Funding Act
ADA	Americans with Disabilities
AMI	Area Median Income
AMP	Average Median Purchase Price
BEA	Baseline Environmental Assessment
BID	Business Improvement District
BRA	Brownfield Redevelopment Authority
BRI	Brownfield Revitalization Initiatives
CAPER	Consolidated Annual Performance Evaluation Report
CDBG	Community Development Block Grant
CFT	Commercial Facilities Tax Abatement
CHDO	Community Housing Development Organization
CIP	Capital Improvement Plan
CNS	Community and Neighborhood Services
CP	Consolidated Plan
CPRB	Citizens Police Review Board
DDA	Downtown Development Authority
DPW	Department of Public Works
EC	Enterprise Community
EDA	US Economic Development Administration
EDC	Economic Development Corporation
EOC	Equal Opportunity Committee



EIA	Environmental Impact Assessment
EPA	US Environmental Protection Agency
ER	Environmental Review
FAR	Floor Area Ratio
FLSA	Fair Labor Standards Act
FMLA	Family and Medical Leave Act
FOIA	Freedom of Information Act
GASB	Government Accounting Standards Board
GIS/GPS	Geographic Information System/Global Positioning System
HAZMAT	Hazardous Material Management
HBA	Housing Board of Appeals
HDC	Historic District Commission
HOME	Home Investment Partnership
HRC	Home Rule City
HUD	US Department of Housing and Urban Development
IFT	Industrial Facilities Tax Abatement
LDDFA	Local Development Financing Authority
LRC	Land Reutilization Committee
MBWE	Minority Business Women Enterprise
MCL	Michigan Compiled Laws
MDEGLE	Michigan Department of Environment, Great Lakes, and Energy
MDNR	Michigan Department of Natural Resources
MDOT	Michigan Department of Transportation
MEDC	Michigan Economic Development Corporation
MHPN	Michigan Historic Preservation Network



MIOSHA	Michigan Occupational Safety and Health Act
MML	Michigan Municipal League
MZEA	Michigan Zoning Enabling Act
NAM	Neighborhood Association of Muskegon
NIMBY	Not in My Back Yard
NPS	National Parks Service
NPU	Neighborhood Policing Unit
NTHP	National Trust for Historic Preservation
OMA	Open Meetings Act
PSD	Principal Shopping District
PC	Planning Commission
PILOT	Payment in Lieu of Taxes
PJ	Participating Jurisdiction
PUD	Planned Unit Development
QBS	Qualifications Based Selection
RFP	Request for Proposals
RLF	Revolving Loan Fund
RRP	Rental Rehabilitation Program
SEV	State Equalized Value
SHPO	State Historic Preservation Office
SHPRB	State Historic Preservation Review Board
SPR	Site Plan Review
SUP	Special Use Permit
TDR	Transfer of Development Rights
TEDF	Transportation Economic Development Fund



TIFA Tax Increment Finance Authority
 ULA Urban Land Assembly
 USGS United States Geologic Survey
 WEMET West Michigan Enforcement Team
 WMSRDC West Michigan Shoreline Regional Development Commission
 ZBA Zoning Board of Appeals

Document edit notes

Action	Person	Date	Change
New	L. Mikesell, A. Meisch		New handbook





Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Amendment to the Zoning Ordinance - Removing B-3 and RT Districts.							
Submitted by: Mike Franzak, Planning Director	Department: Planning							
Brief Summary: Staff-initiated request to amend the zoning ordinance by eliminating B-3, Central Business, and RT, Two-Family Residential districts, and all other references to these districts in the zoning ordinance.								
Detailed Summary & Background: <p>The B-3, Central Business District has been replaced by the Form Based Code (FBC). All properties that were zoned B-3 were rezoned to FBC in 2015 and there would be no reason to rezone any new parcels to B-3. Once removed, Section 1200 (B-3) will be reserved for future use in the zoning ordinance.</p> <p>In 2025, all properties zoned RT, Two-Family residential were rezoned to R, Residential. The RT district is no longer needed since zoning reform was passed in 2024. Duplexes may now be built in R districts. Section 600 (RT) will be reserved for future use in the zoning ordinance.</p> <p>Please see the attached files that show the removal of these references throughout the zoning ordinance.</p>								
Goal/Focus Area/Action Item Addressed: <u>Key Focus Areas:</u> Zoning Ordinance <u>Goal/Action Item:</u> 2027 Goal 2: Economic Development Housing and Business								
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 12.5%;">Yes</td> <td style="width: 12.5%;"><input type="checkbox"/></td> <td style="width: 12.5%;">No</td> <td style="width: 12.5%;"><input type="checkbox"/></td> <td style="width: 12.5%;">N/A</td> <td style="width: 12.5%;"><input checked="" type="checkbox"/></td> <td style="width: 12.5%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 12.5%;">Yes</td> <td style="width: 12.5%;"><input type="checkbox"/></td> <td style="width: 12.5%;">No</td> <td style="width: 12.5%;"><input type="checkbox"/></td> <td style="width: 12.5%;">N/A</td> <td style="width: 12.5%;"><input checked="" type="checkbox"/></td> <td style="width: 12.5%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Recommended Motion: I move the request to amend the zoning ordinance by eliminating B-3, Central Business, and RT, Two-Family Residential districts, and all other references to these districts be approved.								
Approvals:	Guest(s) Invited / Presenting:							

Immediate Division Head	X		No
Information Technology			
Other Division Heads			
Communication			
Legal Review			

approval of WCSF in the past, current FCC license holders, and any other entities requesting to be included on the list. Copies of the notice letters shall be provided to the City at the time the application is filed. If, during a period of 30 days after the notice letters are sent to potential users, a user or users request, in writing, to co-locate on the new WCSF, the applicant shall accommodate the request(s), unless co-location is not reasonably possible based on the criteria of this subsection.

Removal of Abandoned WCSFs:

All providers owning a wireless telecommunications support facility shall notify the zoning administrator when the use of said tower located in the municipality will be discontinued and the date it will cease. Any WCSF which is abandoned shall be removed or demolished within 90 days of abandonment. For the purposes of this section, abandoned shall mean that no WCA or other commercial antenna has been operational and located on the WCSF for 180 days or more.

Where a WCSF is abandoned but not removed or demolished as required, the City may remove or secure the removal of the facility or required portions thereof, with its actual cost and reasonable administrative charge to be placed on the property. A lien on the property shall be superior to all other liens except taxes.

SECTION 2322: DAY CARE/CHILD CARE FACILITIES

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

1. Such uses shall be duly licensed or registered by the State Department of Consumer and Industry Services.
2. Buildings and lots so used shall conform to all State and local code requirements.
3. A minimum of 400 square feet of outdoor play area is available on the premises or within 500 feet of the property.

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

1. Such uses shall be duly licensed by the State Department of Consumer and Industry Services.
2. Buildings and lots so used shall conform to all State and local code requirements.
3. A minimum of 35 square feet of indoor play area shall be provided for each child. Play area shall be computed exclusively of hallways, bathrooms, reception and office areas, kitchens, storage areas and closets, and areas used exclusively for rest or sleep.
4. A minimum area of 1,200 square feet of outdoor play area shall be provided either on the premises or at parks or other outdoor facilities that are easily accessible by walking or by transportation. Play area shall not be hard-surfaced.

SECTION 2332: SPECIAL LAND USES AND PLANNED UNIT DEVELOPMENTS

1. The Planning Commission shall have the power to review and in some cases approve applications as authorized by State law or the following sections of this ordinance: Sections 401, 403, 515, ~~601, 602,~~ 701, 702, 801, 802, 901, 902, 1001, 1002, 1101, 1102, ~~1201, 1202,~~ 1301, 1302, 1401, 1402, 1501, 1502, 1601, 1602, 1701, 1702, 1801, 1802, 1901, 1902, 2001, 2002, 2101, 2317. A best faith effort shall be made by the Planning Commission to process petitions for Special Uses and preliminary Planned Unit Developments within 60 days. In the case of final Planned Unit Development plans, the City Commission, after receiving a recommendation from the Planning Commission, shall approve, deny or approve with conditions the petition within 60 days.

2. Applications, Filing Procedures, Fees

An application shall be filed with the Zoning Administrator who shall, in the case of Planned Unit Developments, contain a statement of the cost thereof, who shall transmit the same, together with plans, specification and other papers pertaining to the application to the Planning Commission.

Such application shall be heard within a reasonable time as prescribed by the rules and regulations of the Planning Commission and State law.

The Zoning Administrator shall not receive any application without payment by the applicant to the City Treasurer of the applicable fees as specified in the City's Master Fee Schedule as adopted by a resolution of the City Commission and in effect at the time of applications.

3. Hearings and Notices

After receipt of an application for a Special Land Use or PUD, a notice shall be published in a newspaper of general circulation. In addition to such notice, a notice shall also be served personally or by mail to all owners of real property of all structures within three hundred (300) feet of the property in question. Such notice shall be given fifteen days prior to the hearing. If the owner is not known, the term occupant may be used in making notification. The notice shall include:

- a. The nature of the Special Land Use request.
- b. A description of the property which is the subject of the Special Land Use request.
- c. The location and date of the hearing.
- d. Where and when written comments will be received.

Any party may appear at such hearing in person or by agent or attorney.

4. Discretionary decisions, standards, and conditions

Consistent with the City or Village Zoning Enabling Act (PA, 207, 1921, and amended), the Planning Commission shall approve, deny or approve with conditions applications for Special Use or activities. The standards upon which decisions are made shall be consistent with, and promote the intent and purpose of the Zoning Ordinance, and insure that the land use or activity authorized shall be compatible with

- e. Changeable copy or message boards shall be part of a fixed, permanent sign and shall have rigid letters.
- f. Electronic message boards shall be permitted for all churches and businesses granted a special use permit to operate in a residential district, provided:
 - i. One electronic message board shall be permitted per premise.
 - ii. Electronic message boards shall be dimmed at dusk.
 - iii. Electronic message boards shall not be permitted for home businesses.

7. Permitted signs in the MC, B-2, ~~B-3~~, B-4, B-5, I-1, and I-2 zones:

- a. Scope: Signs shall pertain exclusively to the business carried on within the building.
- b. Lighting: Signs may be illuminated, but no flashing or moving illumination shall be permitted.
- c. Number: One monument, or pole sign is permitted per property, regardless of the number of businesses there, except that one additional freestanding sign may be erected per road frontage when the development has parallel frontage on at least one major street or corner frontages on at least one major street, totaling over 500 linear feet. Properties with frontage on Muskegon Lake are permitted an additional monument or pole sign on the water frontage only.
- d. Wall, Awning or Braquet Signs, Size: Signs shall not exceed ten (10) percent of the surface area of the commercial portion of the front building face and may be placed on any wall. In the case where the building is over one hundred feet (100') from the road, this allotment may be 15% of the front face of the storefront. In the case where the building is over 300 feet from the road, this allotment may be 20% of the front face of the storefront. In the case where the property has parallel frontage on at least one major street or corner frontage on at least one major street, this allotment may be 15% of the front face of the storefront.
- e. Wall, Awning or Braquet Signs, Placement: Signs shall be placed against the principal building or on a canopy. Signs shall not project above the roof line or cornice. No wall sign shall interrupt or conceal the architectural details of a building. A sign attached to a mansard shall be considered a wall sign.
- f. Changeable copy or electronic message boards: Shall be permitted provided:
 - i. One changeable or electronic message board shall be permitted per premise.
 - ii. Changeable copy boards shall be part of a fixed, permanent sign and shall have rigid letters.
 - iii. Electronic message boards shall be dimmed at dusk.
 - iv. Electronic message board supports shall be at least seventy-five (75) feet from any residential use or zone.

TABLE IB: PARKING STANDARDS	
USE	NUMBER OF MINIMUM PARKING SPACES PER UNIT OF MEASURE
RESIDENTIAL & RELATED USES	
Bed and breakfast operations	One (1) space for each sleeping room, plus two (2) spaces for permanent residents.
Boarding houses, fraternities, sororities	One (1) space for each bedroom or each two (2) occupants of the structure, whichever is greater.
Community residential care facilities < 6 persons	Four (4) spaces.
Convalescent homes, convents or similar uses	One (1) space for each four (4) beds, plus one (1) space for every three (3) employees.
Mobile home parks	Two (2) spaces for each mobile home site, plus one (1) space for each mobile home park employee.
Multiple family Residential dwellings	One (1) space for each dwelling unit.
Single and two family dwellings	One (1) space for each dwelling unit.
CIVIC, NONPROFIT, INSTITUTIONAL, PUBLIC & PRIVATE RECREATION & RELATED USES	
Educational and social institutions:	
<ul style="list-style-type: none"> Auditoriums and gyms (incidental to) schools, churches, & institutional buildings of similar use with fixed seats 	One (1) space for each six (6) seats, plus one (1) space for every two (2) employees.
<ul style="list-style-type: none"> Auditoriums (other than incidental to schools and churches), lodge halls, fraternal organizations, private clubs, public meeting halls, community centers, or buildings of similar use without fixed seats 	One (1) space for every six (6) persons of legal capacity as established by fire, building or health codes.
<ul style="list-style-type: none"> Charitable or philanthropic organizations 	One (1) space for each four hundred (400) sq. ft. of usable floor area.
<ul style="list-style-type: none"> Elementary and junior high schools 	Two (2) per classroom, plus separate parking where the school contains an auditorium and/or stadium or gym.
<ul style="list-style-type: none"> High schools and colleges 	One (1) space for every employee, plus one (1) space for each five (5) students.
<ul style="list-style-type: none"> Hospitals, sanitariums 	One (1) space for each three (3) patient beds, plus one (1) space for each three (3) employees.
<ul style="list-style-type: none"> Orphanages 	One (1) per employee and one (1) per six (6) beds.
Libraries, museums, post offices	One (1) space for every eight hundred (800) sq. ft. of usable floor area, plus one (1) space for every four (4) employees.
Nursery school, home day care or child care centers	One (1) space for each four hundred (400) sq. ft. of usable floor area.
Private golf clubs, swimming pool clubs, tennis clubs, lodges or other similar uses	One (1) space for every two (2) member families or individuals, plus spaces required for each accessory use, such as a restaurant or bar.

ARTICLE VI – ~~RT TWO-FAMILY RESIDENTIAL DISTRICTS~~[RESERVED]

PREAMBLE

~~The RT Two-Family Residential Districts are designed to be compatible with one (1) family residential densities, and to be located along major thoroughfares so as to provide transition between the thoroughfare and one (1) family district. The RT zones of transition between higher density RM and MHP Districts, or nonresidential districts, and low density one (1) family residential districts.~~

SECTION 600: PRINCIPAL USES PERMITTED

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

- ~~1. One and two family detached dwellings.~~
- ~~2. Municipal, county, state, or federal buildings or properties of public service types, not including storage yards, warehouses, or garages, provided that no such building shall be located less than thirty (30) feet from any other lot in a residential district.~~
- ~~3. Cemeteries adjacent to, or an extension of, existing cemeteries.~~
- ~~4. Home occupations of a non-industrial nature may be permitted. Permissible home occupations include, but are not limited to the following:~~
 - ~~a. Art and craft studios, lessons may be given to one client at a time~~
 - ~~b. Hair and nail salons, limited to one client at a time~~
 - ~~c. Dressmaking and tailoring~~
 - ~~d. Tutoring, limited to one student at a time~~
 - ~~e. Typing or clerical services~~
 - ~~f. Teaching of music or dancing or similar instruction, limited to one client at a time~~
 - ~~g. Offices located within the dwelling for a writer, consultant, member of the clergy, lawyer, physician, architect, engineer or accountant, limited to one client/family at a time.~~
 - ~~h. All home occupations are subject to the following:~~
 - ~~i. The businessperson operating the home occupation shall reside in the dwelling and only members of the immediate family residing on the premises may be employed.~~
 - ~~ii. The business shall have a local business license and any other appropriate licensing or registrations required by local, state or federal law.~~

- ~~iii. No equipment or process shall be used in home occupations which creates noise, vibration, glare, fumes, odor, or electrical interference detectable to the normal senses of persons off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference with any radio or television receivers off the premises or causes fluctuations in the line voltage off the premises.~~
- ~~iv. Explosives, flammable liquids or combustible liquids shall only be used in compliance with the applicable fire and building codes.~~
- ~~v. Activities involving kilns or welding equipment shall comply with the applicable fire and building codes.~~
- ~~vi. The outside appearance of the premises shall have no visible evidence of the conduct of a home occupation.~~
- ~~vii. Home occupations may not serve as headquarters or dispatch centers where employees come to the site and are dispatched to other locations.~~
- ~~viii. All activity must be conducted within a preexisting structure. The home occupation shall not require internal or external alterations or involve construction features not customarily found in dwellings.~~
- ~~ix. There shall be no exterior display or signage other than that signage allowed for home occupations under the sign requirements of this ordinance.~~
- ~~x. No goods shall be kept, or sold which are made or assembled off-site, except as incidental to services rendered.~~
- ~~xi. The primary function of the premises shall be that of the residence of the family, and the occupation shall not exceed twenty five (25) percent of the principal building.~~
- ~~xii. There shall be no outside storage or processing.~~
- ~~xiii. The home occupation shall not involve the routine use of commercial vehicles for delivery of materials to and from the premises. There shall be no commercial vehicles associated with the home occupation, nor parking of more than one (1) business car, pickup truck or small van on the premises.~~
- ~~xiv. Activities specifically prohibited (but not limited to) include:
 - ~~(1) A service or repair of motor vehicles, appliances and other large equipment~~
 - ~~(2) A service or manufacturing process which would normally require industrial zoning~~
 - ~~(3) A commercial food service requiring a license~~
 - ~~(4) A limousine service~~~~

~~(5) A lodging service including but not limited to, a tourist home, motel or hotel~~

~~(6) A tattoo parlor~~

~~(7) An animal hospital or kennel~~

~~(8) A lawn service~~

~~xv. No activity legally excluded by any deed restriction or other tenant or owner restrictions shall be permitted.~~

~~5. Adult Foster Care Family Homes, provided that such facility shall be at least one thousand five hundred (1,500) feet from any other similar facility.~~

~~6. Accessory buildings and accessory uses customarily incidental to the above Principal Uses Permitted.~~

~~7. Uses similar to the above Principal Uses Permitted.~~

SECTION 601: SPECIAL LAND USES PERMITTED

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

~~1. Accredited fraternity or sorority houses, when located not less than twenty (20) feet from any other lot in any R District.~~

~~2. Access driveway or walk connecting premises in a B or I District with one or more public streets provided no part of such driveway shall be located at a distance greater than thirty (30) feet from any boundary line of any said districts nor at a distance less than ten (10) feet of the side lot line of an adjoining lot, which lot is in any residential district, and provided that between such driveway and any such side lot line, but not within ten (10) feet of the front lot line, there shall be maintained a solid wall or front fence, or a compact evergreen hedge not less than five (5) feet high.~~

~~3. Tourist homes having not more than two (2) guest rooms, provided the premises front on a street which is officially designated as a major thoroughfare or collector thoroughfare.~~

~~4. Schools and colleges for academic instruction, provided that no principal building shall be located less than thirty (30) feet from any other lot in an R District.~~

~~5. Private noncommercial recreation areas, institutional or community recreation centers provided that any principal building used therefor shall be located not less than thirty (30) feet from any other lot in any R District, subject to provisions of Section 401-1 (a through f).~~

~~6. Churches and other facilities normally incidental thereto subject to the following conditions:~~

~~a. The site shall be so located as to provide for ingress and egress from said site directly onto a major or secondary thoroughfare.~~

ARTICLE VI – ~~RT TWO-FAMILY RESIDENTIAL DISTRICTS~~ [RESERVED]

- ~~b. The principal buildings on the site shall be set back from abutting properties zoned for residential use not less than thirty (30) feet.~~
- ~~c. Buildings of greater than the maximum height allowed in Section 2100, may be allowed provided front, side, and rear yards are increased above the minimum requirements by one (1) foot for each foot of building that exceeds the maximum height allowed.~~
- ~~7. Adult Foster Care Small Group Homes, provided that such facility shall be at least one thousand five hundred (1,500) feet from any other similar facility.~~
- ~~8. Previously existing or established commercial uses not already converted to a residential use may be authorized under Special Use Permit for the following:~~
 - ~~a. Retail and/or service establishments meeting the intent of the neighborhood Limited Business Zone (B-1) dealing directly with consumers including:
 - ~~i. Any generally recognized retail business which supplies new commodities on the premises for persons residing in adjacent residential areas such as: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, and notions or hardware.~~
 - ~~ii. Any personal service establishment which performs services on the premises for persons residing in adjacent residential areas, such as: shoe repair, drop-off dry cleaning shops, tailor shops, beauty parlors, barber shops, dressmaker, tailor, pharmacist, or an establishment doing radio, television, or home appliance repair, and similar establishments that require a retail character no more objectionable than the aforementioned, subject to the provision that no more than five (5) persons shall be employed at any time in the sale, repair, or other processing of goods.~~
 - ~~iii. Professional offices of doctors, lawyers, dentists, chiropractors, osteopaths, architects, engineers, accountants, and similar or allied professions.~~
 - ~~iv. Restaurants, or other places serving food, except drive in or drive through restaurants.~~~~
 - ~~b. Prohibited uses: Activities specifically prohibited include repair or service of motor vehicles and other large equipment; manufacturing processes which would normally require industrial zoning; any activity which may become a nuisance due to noise, unsightliness or odor; and any activity which may adversely affect surrounding property.~~
 - ~~c. Conditions:
 - ~~i. Outdoor storage is prohibited.~~
 - ~~ii. The area devoted to approved uses shall not exceed 2,500 square feet.~~
 - ~~iii. All goods produced on the premises shall be sold at retail on the premises where produced.~~~~

ARTICLE VI – ~~RT TWO-FAMILY RESIDENTIAL DISTRICTS~~ [RESERVED]

- ~~iv. All business, servicing, or processing shall be conducted within a completely enclosed building, or in an area specifically approved by the Planning Commission.~~
- ~~v. Parking shall be accommodated on site or with limited street parking.~~
- ~~vi. Hours of operation may be limited by the Planning Commission.~~
- ~~vii. Signs must comply with those set forth for the residential zoning district.~~
- ~~viii. The Planning Commission may allow a use to sell alcohol, however the Commission may limit the type of license applied for or obtained for the sale of alcohol to an SDM, hours of operation, and any other restrictions intended to stabilize, protect, and encourage the residential character of the area. The use must gain approval from the Michigan Liquor Control Commission before alcohol can be sold.~~

- ~~9. Accessory buildings and accessory uses customarily incidental to the above Special Land Uses Permitted.~~
- ~~10. Uses similar to the above Special Land Uses Permitted.~~

SECTION 602: PLANNED UNIT DEVELOPMENTS

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

SECTION 603: AREA AND BULK REQUIREMENTS

- ~~1. Minimum lot size: 8,712 sq. feet.~~
- ~~2. Density (see definition in Article II): 10 dwelling units per buildable acre.~~
- ~~3. Maximum lot coverage:
Buildings: 50%
Pavement 10%~~
- ~~4. Lot width: 75 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).~~
- ~~5. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.~~
- ~~6. Height limit: 2 stories or 35 feet.~~

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

~~7. Front Setbacks:~~

~~Minimum:~~

- ~~_____ Expressway or Arterial Street: 30 feet~~
- ~~_____ Collector or Major Street: 25 feet~~
- ~~_____ Minor Street: 15 feet~~

~~Note: For minimum front setbacks new principal structures on minor streets may align with existing principal structures in the immediate area even if the setback is below the minimum required.~~

~~8. Rear setback: 30 feet~~

~~9. Setback from the ordinary high water mark or wetland: 40 feet (principal structures only).~~

~~10. Side setbacks:~~

- ~~1 story: 8 feet and 12 feet~~
- ~~2 story: 10 feet and 14 feet~~

~~Note, setback measurement: All required setbacks shall be measured from the right-of-way line to the nearest point of the determined drip line of buildings.~~

~~11. Zero lot line option: New principal buildings may be erected on the rear lot line and/or one side lot line provided:~~

- ~~a. The building has an approved fire rating for zero lot line development under the building code.~~
- ~~b. The building has adequate fire access preserved pursuant to fire code requirements.~~
- ~~c. The zero lot line side is not adjacent to a street.~~
- ~~d. A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.~~
- ~~e. It is not adjacent to wetlands, or waterfront.~~

~~12.1. _____ The dwelling shall have a storage area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to at least ten percent (10%) of the square footage of the dwelling or one hundred (100) square feet, whichever shall be more, exclusive of storage space for automobiles.~~

ARTICLE VII – RM-1 LOW-DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICTS

PREAMBLE

The RM-1 Low-Density Multiple-Family Residential Districts are designed to provide sites for multiple family dwelling structures, and related uses, which will generally serve as zones of transition between the nonresidential districts and the lower density Neighborhood Residential ~~and Two-Family Residential Districts,~~ and MHP Mobile Home Park Districts.

SECTION 700: PRINCIPAL USES PERMITTED

In an RM-1 Low-Density Multiple-Family Residential District no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance:

1. All Principal Uses Permitted in the R Neighborhood Residential ~~and RT Two-Family Residential Districts~~ with the lot area, yard, and floor area requirements ~~for one (1) and two (2) family dwellings~~ equal to at least the requirements of the immediately abutting residential district.
2. Multiple dwellings and row houses for any number of families.
3. Accredited fraternity and sorority houses when located not less than twenty (20) feet from any other lot in any residential district.
4. Bed & Breakfast facilities, under the following conditions:
 - a. The owner or operator of the tourist home shall live full-time on the premises.
 - b. No structural additions or enlargements shall be made to accommodate the tourist home use and no exterior alterations to the structure shall be made which will change the residential appearance of the structure.
 - c. Breakfast may be served on the premises, only for guests of the facility, and no other meals shall be provided to guests.
 - d. No long-term rental of rooms for more than fourteen (14) consecutive days shall be permitted. No guest may stay for more than twenty-eight (28) nights in any given year.
 - e. There shall be a maximum of five (5) guestrooms. No more than two (2) adults are permitted to stay in any guestroom.
 - f. Signage shall conform to that which is permitted for home occupation businesses only.
 - g. Rental of the tourist home for special gatherings such as wedding receptions and parties shall be prohibited.
 - h. The property shall meet all local and state code requirements regarding bed and breakfast facilities.

ARTICLE VIII – RM-2 MEDIUM-DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICTS

PREAMBLE

The RM-2 Medium-Density Multiple-Family Residential Districts are intended to be selectively planned at locations in the city so as to provide transition between nonresidential areas and ~~One and Two Family~~R Neighborhood Residential Districts, and between nonresidential areas and RM-1 Low-Density Multiple-Family Residential Districts.

SECTION 800: PRINCIPAL USES PERMITTED

In an RM-2 Medium-Density Multiple-Family Residential District no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance:

1. All Principal Uses Permitted in the R Neighborhood Residential Districts, ~~RT Two Family Residential Districts~~, and RM-1 Low-Density Multiple-Family Residential Districts, subject to the applicable regulations of this District.
2. Accessory buildings and accessory uses customarily incidental to the above Principal Uses Permitted.
3. Adult Foster Care Large Group Homes.
4. Uses similar to the above Principal Uses Permitted.

SECTION 801: SPECIAL LAND USES PERMITTED

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

1. All Section ~~601-401~~ and 701 Special Land Uses Permitted in the ~~RT Two Family~~R Neighborhood Residential Districts and RM-1 Low-Density Multiple Family Residential Districts, subject to the applicable regulations of this District.
2. Adult Foster Care Congregate Facilities, provided that such facility shall be at least one thousand five hundred (1,500) feet from any other similar facility.
3. Previously existing or established commercial uses not already converted to a residential use may be authorized under Special Use Permit for the following:
 - a. Retail and/or service establishments meeting the intent of the neighborhood Limited Business Zone (B-1) dealing directly with consumers including:
 - i. Any generally recognized retail business which supplies new commodities on the premises for persons residing in adjacent residential areas such as: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, and notions or hardware.

ARTICLE X – B-1 LIMITED BUSINESS DISTRICTS

PREAMBLE

The B-1 Limited Business Districts are designed primarily for the convenience of persons residing in adjacent residential areas or neighborhoods, and to permit only such uses as are necessary to satisfy those limited basic, daily shopping and/or service needs, which by their very nature are not similar to the shopping patterns of the B-2 convenience and Comparison, ~~B-3 Central Business District~~, and B-4 General Business Districts. B-1 Districts are also intended to be utilized at planned locations in the city as zones of transition between major thoroughfares and residential areas, and between intensive nonresidential areas and residential areas. In the B-1 District all business establishments shall be retail and/or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced. All business, servicing or processing, except off-street parking or loading, shall be conducted within a completely enclosed building, or in an area specifically approved by the City.

SECTION 1000: PRINCIPAL USES PERMITTED

In a B-1 Limited Business District no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance:

1. Any generally recognized retail business which supplies new commodities on the premises for persons residing in adjacent residential areas such as: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, and notions or hardware. No individual uses, either freestanding or in a group of uses, shall exceed two thousand five hundred (2,500) square feet in area.
2. Any personal service establishment which performs services on the premises for persons residing in adjacent residential areas, such as: Shoe repair, dry cleaning shops, tailor shops, beauty parlors, barber shops, dressmaker, tailor, pharmacist, or an establishment doing radio, television, or home appliance repair, and similar establishments that require a retail character no more objectionable than the aforementioned, subject to the provision that no more than five (5) persons shall be employed at any time in the sale, repair, or other processing of goods.
3. Professional offices of doctors, lawyers, dentists, chiropractors, osteopaths, architects, engineers, accountants, and similar or allied professions. No individual use shall exceed two thousand five hundred (2,500) square feet in area.
4. Office buildings for any of the following types of occupations: executive, administrative and professional. No individual use shall exceed two thousand five hundred (2,500) square feet in area.
5. Residential uses as part of a building in this zone shall be allowed upon issuance of a Certificate of Occupancy from the Department of Inspections, provided that the minimum lot area requirements of the RM-1 District are met.
6. Accessory buildings and accessory uses customarily incidental to the above Principal Uses Permitted.
7. Uses similar to the above Principal Uses Permitted.

ARTICLE XII – ~~B-3 CENTRAL BUSINESS DISTRICT~~[RESERVED]

PREAMBLE

~~The City of Muskegon B-3 Central Business District is designed and intended to provide for and regulate land and building uses so as to continue to create a shopping, living, cultural, governmental, office, heritage, and institutional focal point for the City of Muskegon and the Muskegon Area. The District is designed to provide flexibility to encourage a diversity of uses, yet provide regulatory standards to create and maintain a safe and aesthetic environment.~~

SECTION 1200: PRINCIPAL USES PERMITTED

~~In the B-3 Central Business District, no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one (1) or more of the following specified uses, unless otherwise provided in this Ordinance.~~

- ~~1. Retail sales of new merchandise and commodities provided that all sales are made from a completely enclosed building except that this section shall not prohibit the sales of antique collector items, this section shall prohibit the operation of a store whose primary sales are previously used products, except as further regulated.~~
- ~~2. Professional and personal services of any type where any repair work done on the premises is incidental to the service rendered.~~
- ~~3. Banks, including those with drive-in windows, and other financial institutions.~~
- ~~4. Restaurants, cocktail lounges and brewpubs.~~
- ~~5. Business schools, or private schools operated for profit. Examples of private schools permitted herein include, but are not limited to, the following: dance schools, music and voice schools, and art studios.~~
- ~~6. Offices of business, government, and the professions.~~
- ~~7. Hotels and motels.~~
- ~~8. Indoor theaters.~~
- ~~9. Microbreweries, small wineries and small distilleries, as long as the brewing area is less than 2,500 square feet.~~
- ~~10. Residential uses as part of a building in this business zone shall be allowed upon issuance of Certificate of Occupancy from the Department of Inspections.~~
- ~~11. Medical marijuana caregiver facilities to the extent licensed pursuant to City Code Sections 34-101 through 34-107.~~
- ~~12. Accessory buildings and accessory uses customarily incidental to the above Principal Uses Permitted.~~
- ~~13. Uses similar to the above Principal Uses Permitted.~~

SECTION 1201: SPECIAL LAND USES PERMITTED

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

- ~~1. Automobile service stations for the sale of gasoline, oil, and minor repair, not including major repair such as engine rebuilding, undercoating, and similar industrially oriented activities and subject further to the following:
 - ~~a. The curb cuts for ingress and egress to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty five (25) feet from a street intersection (measured from the roadway) or from adjacent residential property, and subject to other Ordinances of the City.~~
 - ~~b. The minimum lot area shall be ten thousand (10,000) square feet, and so arranged that ample space is available for motor vehicles which are required to wait.~~
 - ~~c. There shall be provided, on those sides abutting or adjacent to a residential district or residential uses a four foot (4') completely obscuring wall or fence. The height of the wall or fence shall be measured from the surface of the ground.~~
 - ~~d. All lighting shall be shielded from adjacent residential districts and from abutting streets.~~~~
- ~~2. Amusements and recreational facilities, including bowling alleys and skating rinks.~~
- ~~3. Commercial parking lots and parking structures.~~
- ~~4. Churches and other facilities normally incidental thereto subject to the following conditions:
 - ~~a. The site shall be so located as to provide for ingress and egress from said site directly onto a major or secondary thoroughfare.~~
 - ~~b. The principal buildings on the site shall be set back from abutting properties zoned for residential use not less than thirty (30) feet.~~
 - ~~c. Buildings of greater than the maximum height allowed in Section 2100 may be allowed provided front, side, and rear yards are increased above the minimum requirements by one (1) foot of building that exceeds the maximum height allowed.~~~~
- ~~5. Specialized adult educational programs, under the following conditions:
 - ~~a. The program must be associated with a school district.~~
 - ~~b. No residency will be permitted in the facility.~~
 - ~~c. The hours of operation will be limited to the regular school hours of the associated school district.~~~~

ARTICLE XII – ~~B-3 CENTRAL BUSINESS DISTRICT~~ [RESERVED]

- ~~d. The facility must be located either on a major street or within two (2) blocks of regular bus service.~~
- ~~e. No more than 75 students can be associated with the program.~~
- ~~6. Live music concert halls, under the following conditions:~~
 - ~~a. The business will operate in such a manner as to comply with the Noise Ordinance enacted by the City of Muskegon. No music (either live or piped) will be permitted outside the building.~~
 - ~~b. The business will maintain security staff, both inside and outside the building, at all times when open to customers. Loitering will not be permitted on or around the site.~~
 - ~~c. The business will not operate between the hours of 3:00am and 8:00am. No person of 16 years of age or younger will be permitted within the business after midnight and must directly exit the premises after that time.~~
 - ~~d. The site and general vicinity will be maintained and litter free, and will be checked for litter every day before opening.~~
 - ~~e. Security lighting will be provided for the site.~~
- ~~7. Multiple family residential uses of various types and densities. Any new multiple family construction shall be compatible and/or complementary to the character of the surrounding area as determined by the Planning Commission.~~
- ~~8. Private clubs, lodge halls, social and similar organizations, including assembly or rental halls.~~
- ~~9. Galleries and museums.~~
- ~~10. Antique shops.~~
- ~~11. Wind Turbine Facilities.~~
- ~~12. Microbreweries, small wineries and small distilleries with brewing areas larger than 2,500 square feet.~~
- ~~13. Accessory buildings and accessory uses customarily incidental to the above Special Land Uses Permitted.~~
- ~~14. Uses similar to the above Special Land Uses Permitted.~~

SECTION 1202: PLANNED UNIT DEVELOPMENTS

~~Planned developments may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the B-3 Central Business District is to allow mixed land uses, which are compatible to each other, while prohibiting nonresidential uses which would not be compatible or harmonious with residential dwellings or other commercial uses.~~

SECTION 1203: AREA AND BULK REQUIREMENTS

~~1. Minimum lot size: 4,000 sq. feet.~~

~~2. Maximum lot coverage:~~

~~Buildings: 100%~~

~~Pavement: 25%~~

~~3. Lot width: 30 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).~~

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

~~5. Height Limit:~~

~~Maximum height: 6 stories or 90 feet~~

~~Minimum height: 2 stories or 35 feet~~

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

~~6. Front Setbacks:~~

~~Minimum:~~

~~——— Expressway or Arterial Street: 30 feet~~

~~——— Collector or Major Street: 20 feet~~

~~——— Minor Street: 10 feet~~

~~Maximum:~~

~~——— Expressway, Arterial Street or Major Street: 50 feet~~

~~——— Collector Street: 40 feet~~

~~——— Minor Street: 30 feet~~

~~Note: For minimum front setbacks new principal structures on minor streets may align with existing principal structures in the immediate area even if the setback is below the minimum required.~~

~~7. Rear setback: 10 feet~~

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

~~9. Side setbacks: no requirement~~

~~Note, setback measurement: All required setbacks shall be measured from the right-of-way line to the nearest point of the determined drip line of buildings.~~

~~10. Zero lot line option: New principal buildings may be erected on the rear lot line provided:~~

- ~~a. The building has an approved fire rating for zero lot line development under the building code.~~
- ~~b. The building has adequate fire access preserved pursuant to fire code requirements.~~
- ~~c. The zero lot line side is not adjacent to a street.~~
- ~~d. A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.~~
- ~~e. It is not adjacent to wetlands, or waterfront.~~

~~11. All required side and rear setbacks shall be landscaped, greenbelt buffers, unless zero lot line is employed for a structure or fire access. At least fifty percent of all required front setbacks shall be landscaped and adjacent to the road right of way. An average minimum greenbelt of 10 feet shall be maintained along each street frontage.~~

ARTICLE XIII – B-4 GENERAL BUSINESS DISTRICTS

PREAMBLE

The B-4 General Business District is designed to provide for a wide variety of business activities including automotive services and goods, and is generally incompatible with the uses in the B-1, ~~and B-2, and B-3~~ Business Districts. Placement along presently developed major traffic arteries prevents the conflict of traffic and pedestrian movement since the General Business District is characterized by a minimum of pedestrian flow. The B-4 General Business Districts have been located in areas designated on the adopted Land Use Plan.

SECTION 1300: PRINCIPAL USES PERMITTED

In the B-4 General Business District, no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one (1) or more of the following specified uses, unless otherwise providing in this Ordinance:

1. Veterinarian clinics, without outdoor kennels.
2. Bus passenger stations.
3. Stores selling second hand merchandise.
4. Funeral homes.
5. Automobile car wash, when completely enclosed in a building.
6. Auto service stations for the sale of gasoline, oil, and accessories, subject to the following:
 - a. The curb for ingress and egress to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.
 - b. The minimum lot area shall be ten thousand (10,000) square feet, and so arranged that ample space is available for motor vehicles which are required to wait.
 - c. Major automobile repair, engine and body repair, steam cleaning and undercoating may be allowed when conducted on the site, and said uses shall be within a completely enclosed building. The storage of wrecked automobiles on the site shall be obscured from public view. No automobile or vehicle of any kind shall be stored in the open for a period exceeding one (1) week.
 - d. All rest rooms doors shall be shielded from adjacent streets and residential districts.
 - e. Dispensing pumps shall be set back twenty (20) feet from the right-of-way line.
7. Self-service laundry and dry cleaning establishments.
8. Amusement, entertainment, and recreational, including bowling alleys and skating rinks.

ARTICLE III – ZONING DISTRICTS AND MAP

SECTION 300: DISTRICTS

For the purposes of this Ordinance, the City of Muskegon is hereby delineated in the following Districts:

R	Neighborhood Residential
MHP	Mobile Home Park
RT	Two Family Residential
RM-1	Low Density Multiple Family Residential
RM-2	Medium Density Multiple Family Residential
RM-3	High Density Multiple Family Residential
MC	Medical Care
B-1	Limited Business
B-2	Convenience and Comparison Business
B-3	Central Business
B-4	General Business
B-5	Central Governmental Service
I-1	Light Industrial
I-2	General Industrial
WI-PUD	Waterfront Industrial Planned Unit Development
OSC	Open Space Conservation
OSR	Open Space Recreation
LR	Lakefront Recreation
WM	Waterfront Marine
FBC	Form Based Code

SECTION 301: BOUNDARIES

The boundaries of these Districts are hereby established as shown on the Official Zoning Map which accompanies this Ordinance, and which map with all notations, references, and other information shown thereon shall be as much a part of this Ordinance as if fully described herein.

1. Unless shown otherwise, the boundaries of the Districts are lot lines, section lines, the centerlines of streets, alleys, roads, or such lines extended, and the Corporate Limits of the City of Muskegon.
2. Where, due to the scale, lack of detail, or illegibility of the Zoning Map accompanying this Ordinance, if there is any uncertainty, contradiction or conflict as to the intended location of any District boundaries, shown thereon, interpretation concerning the exact location of District boundary lines shall be determined by the Board of Appeals, upon written application.

SECTION 302: ZONING OF VACATED AREAS

Whenever any street, alley or other public way within the City of Muskegon shall have been vacated by official government action, and when the lands within the boundaries thereof attach to and become a part of the land formerly abutting such vacated street, alley or public way shall automatically, and without further governmental actions, thenceforth acquire and be subject to the same zoning regulations as are applicable to the lands to

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to remove RT, Two-Family Residential and B-3, Central Business districts from the zoning ordinance.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

Sections 600, 601, 602, 603, 1200, 1201, 1202, and 1203 are removed from the ordinance and will be reserved for future ordinances.

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Meisch, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 14th day of April 2026, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2026.

Ann Meisch, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

Please take notice that on April 14, 2026, the City Commission of the City of Muskegon adopted an ordinance to remove RT and B-3 districts from the zoning ordinance.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2026.

CITY OF MUSKEGON

By _____

Ann Meisch, MMC

City Clerk

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

Account No. 101-80400-5354



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Amendment to the Zoning Ordinance - Establishing Maximum Lot Widths in R Districts							
Submitted by: Mike Franzak, Planning Director	Department: Planning							
Brief Summary: Staff-initiated request to amend Section 404 of the zoning ordinance to establish maximum lot widths in R, Neighborhood Residential districts.								
Detailed Summary & Background: Currently, the zoning ordinance requires a <u>minimum</u> width of 30 feet for residential lots. In the Form Based Code, there is also <u>maximum</u> lot widths, which is 60 feet. This request is to make this same standard a requirement in all R, Residential districts, not just Form Based Code districts. Minimum lot widths for single-family (30), duplexes (40) and triplexes (50) will remain the same. The master plan references the need for zoning restrictions that would eliminate the possibility of combining several lots, which reduces housing development. See Goal 2 and Recommendation 2 in the master plan attachment.								
Goal/Focus Area/Action Item Addressed: <u>Key Focus Areas:</u> Master Plan <u>Goal/Action Item:</u> 2027 Goal 2: Economic Development Housing and Business								
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">No</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;"><input checked="" type="checkbox"/></td> <td style="width: 25%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">No</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;"><input checked="" type="checkbox"/></td> <td style="width: 25%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Recommended Motion: I move the request to amend Section 404 of the zoning ordinance to establish maximum lot widths in R, Neighborhood Residential districts be approved.								
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">X</td> <td style="width: 20%;"></td> </tr> </table>	Immediate Division Head	X		Guest(s) Invited / Presenting: No				
Immediate Division Head	X							

Information Technology		
Other Division Heads		
Communication		
Legal Review		

ARTICLE IV – R NEIGHBORHOOD RESIDENTIAL DISTRICTS

5. Spacing: The distance between buildings shall not be less than 10 feet and front setbacks shall not be less than 10 feet.
6. Waterfront: Where a cluster development abuts a body of water, at least 50% of the shoreline, as well as reasonable access to it, shall be a part of the common open space land.
7. Utility of common open space: Common open space in any one residential cluster shall be laid out, to the maximum extent feasible, to connect with other open space existing or proposed.
8. Size: Minimum parent parcel size is 21,780 square feet (one-half acre).
9. Bonus units: Where the developer provides additional open space or amenities within the development, additional density may be granted. A maximum of a 10% unit bonus may be granted to the development for additional amenities such as: public trail easements, additional open space, additional common waterfront area, and additional landscaping.

SECTION 404: AREA AND BULK REQUIREMENTS

1. Minimum lot size: 3,000 sq. feet.
2. Maximum lot coverage:

Buildings: 70%
Pavement 20%

*When a lot is covered over 80% by the combination of buildings and pavement, the remaining amount of pavement allowed must be pervious.

3. Lot width: ~~30 feet~~

Minimum: 30 feet
Maximum: 60 feet

~~(*Shall be measured at road frontage unless a cul-de-sac, then measured from setback).~~

4. Height limit: 2 stories or 35 feet. Exception: Homes located in an established Historic District may be up to 3 stories or 45 feet, if found to be compatible with other homes within 600 feet.

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

5. Front Setbacks:

Minimum: 10 feet
Maximum: 30 feet

Goal 2: Infill vacant residential lots with new housing options.

Discussion

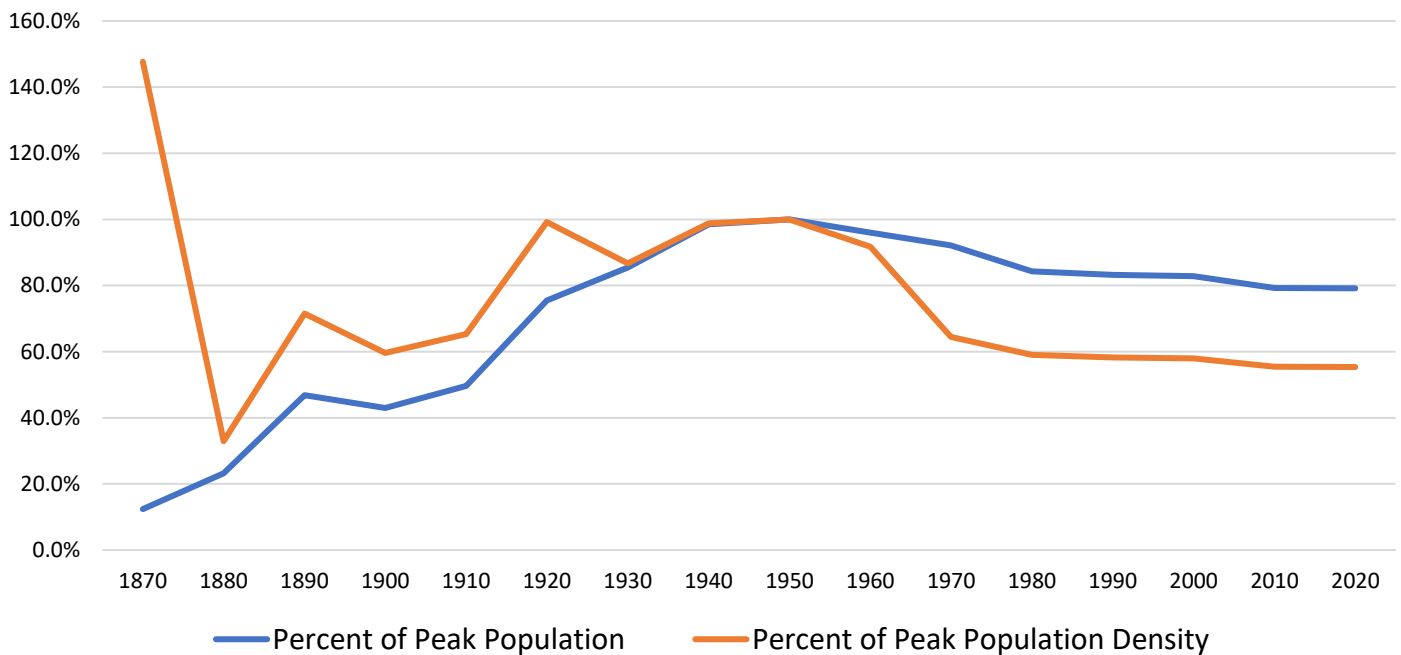
Like any developed city, Muskegon has a limited supply of developable land and few opportunities for greenfield housing development. While this plan touches on interim measures for managing the city’s significant supply of publicly- and privately-owned vacant residential lots, the long-term strategy is to return these properties to productive use through the construction of infill housing. This is easier said than done, and a multifaceted approach to efficient use of available land is needed to achieve the many other interrelated goals of this plan.

As discussed in Goal 1, a reduction in Muskegon’s housing stock can be partially attributed to housing demolitions outpacing construction of new housing. As the hundreds of vacant residential lots throughout the city once contained houses, their redevelopment will be critical in addressing the current housing shortage.

When considering how to efficiently develop the city’s remaining available land it is worth revisiting Muskegon’s historic population statistics. The city’s peak population was reported in the 1950 census at nearly 50,000; in the decades since, the population has steadily declined, but what is often overlooked is the substantial growth in the city’s total land area in that same timespan.

While Muskegon’s total population has declined to just under 80% of its 1950 peak, the gross population density has declined at an even greater rate. It is estimated that current population density – about 4.23 people per acre – is about 55% of Muskegon’s population density in 1950.

“Density” is a term that can be unclear in its definition. When used in this plan, density typically refers to the number of dwelling units – i.e. houses or apartments – per acre of land developed. One house on a lot that is an acre in size has a density of one dwelling unit per acre (often written 1 DU/Acre). One house on a lot that is 1/10th of an acre in size has a density of ten dwelling units per acre (10 DU/Acre) as does a ten-unit apartment building on a lot that is one acre in area. The more dwelling units existing or planned within a given area of land, the higher the residential density.



With such a drastic reduction in population and population density, it is critical that Muskegon better utilize existing infrastructure. Having been built out for a far larger population, the vacant land found in many areas does not contribute to the expenses associated with existing infrastructure and services, and instead shifts those costs onto the remaining residents.

Requests from property owners to purchase adjacent vacant lots for larger yards may sound reasonable, but it is imperative that the cost of the services and infrastructure for those properties be considered. Additional yard space generates little additional property taxes, whereas building a new house would replenish the property taxes lost when the previous house was demolished. This loss can be significant for an individual lot, so it is critical to calculate the cost when the same situation happens many times over.



A residential lot containing a single house that has grown to be nearly 1.5 acres through acquisition of surrounding vacant lots that formerly contained houses. This property does not contribute nearly enough in property taxes to pay for the infrastructure serving it – in this case, 475 total feet of street. The community as a whole is subsidizing the private, almost rural, quality afforded to this lot.

Recommendations

- H2.1** Track vacant property in the city and utilize the information in marketing pieces and sale policies.

Maintain maps of vacant residential properties and develop marketing initiatives to educate and inform potential developers and homebuilders on development opportunities. Maintain a lot sale policy that incentivizes projects that meet the City's current housing goals.

- H2.2** Educate and partner with other groups or individuals that own large quantities of vacant land in the city (Muskegon County, State of Michigan, private property owners) to create additional opportunities for infill housing construction on vacant lots, regardless of ownership.

The City, State, and County have separate lot sale policies and differing reasons to dispose of property, which complicates redevelopment efforts. Improved communication efforts between governmental agencies should help make each aware of the others' goals.

Establish an intergovernmental policy addressing the sale of vacant property that ensures appropriate redevelopment and responsible use of the city's limited supply of land.

Land use regulations and lot sale policies should prohibit combining multiple properties without appropriate development. The City of Muskegon Policy for the Use & Sale of City-Owned Residential Property serves as a step in the right direction, but codifying this policy would need to come in the form of maximum lot size regulations incorporated into the zoning ordinance.

- H2.3** Partner with developers to construct infill housing. Explore unique development agreements that utilize the City's resources that pair with a developer's strengths to construct new housing in established residential areas.

Structure development agreements to enable new housing that addresses the range of needs and price points seen in the community (affordability, accommodating various family sizes, etc.).

- H2.4** Involve a wide range of developers to ensure variety in housing products and to provide architectural diversity. Require individual developers to provide multiple floorplans and interior layouts that draw from the needs and architectural styles of the immediate neighborhood.

Create Request for Proposals that seek developers that provide Infill housing in neighborhoods that contribute to the diverse architectural history of the city's neighborhoods and avoid creating repetitious floorplans and/or designs.

When building new housing in concentrated areas, it is important to encourage diversity in architecture. While home styles should fit in with the rest of the neighborhood, it will be best to avoid duplicated designs within close proximity to one another.

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Section 404 of the zoning ordinance to set maximum lot widths in R, Residential districts.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

Amendment to Section 404: Area and Bulk Requirements

3. Lot width:
Minimum: 30 feet
Maximum: 60 feet

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Meisch, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 14th day of April 2026, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2026.

Ann Meisch, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

Please take notice that on April 14, 2026, the City Commission of the City of Muskegon adopted an ordinance to amend Section 404 of the zoning ordinance to establish maximum lot widths in R districts.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2026.

CITY OF MUSKEGON

By _____

Ann Meisch, MMC

City Clerk

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

Account No. 101-80400-5354



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Amendment to the Zoning Ordinance - Establishing Minimum Density Requirements in Multi-Family Districts				
Submitted by: Mike Franzak, Planning Director	Department: Planning				
Brief Summary: Staff-initiated request to amend Sections 703, 803, and 903 to set minimum density requirements for multi-family housing districts.					
Detailed Summary & Background: The zoning ordinance sets <u>maximum</u> density requirements for multi-family housing. These standards can be viewed in the RM-1 (Low-Density Multiple-Family), RM-2 (Medium-Density Multiple-Family), and RM-3 (High-Density Multiple-Family) sections of the zoning ordinance. Staff is proposing to set a <u>minimum</u> density requirement in these districts as well, to ensure the proper amount of housing in each development. Currently, a property zoned RM-3, designated for the highest density, could use the development standards of the RM-1 districts, which would allow for the development of a lone, single-family house.					
Goal/Focus Area/Action Item Addressed: Key Focus Areas: Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business					
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;">No</td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">X</td> </tr> </table>	Yes	No	N/A	X
Yes	No	N/A	X		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;">No</td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">X</td> </tr> </table>	Yes	No	N/A	X
Yes	No	N/A	X		
Recommended Motion: I move the request to amend Sections 703, 803, and 903 to set minimum density requirements for multi-family housing districts be approved.					
Approvals: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 70%;">Immediate Division</td> <td style="width: 10%;">X</td> <td style="width: 20%;"></td> </tr> </table>	Immediate Division	X		Guest(s) Invited / Presenting: No	
Immediate Division	X				

Head		
Information Technology		
Other Division Heads		
Communication		
Legal Review		

Planned developments may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Development in the RM-1 Low-Density Multiple-Family Residential District is to allow mixed land uses, which are compatible to each other, while prohibiting nonresidential uses which would not be compatible or harmonious with residential dwellings.

SECTION 703: AREA AND BULK REQUIREMENTS

1. Minimum lot size: 10,890 sq. feet.
2. Density (see definition in Article II): ~~16 dwelling units per buildable acre.~~
Minimum: 14 dwelling units per buildable acre.
Maximum: 16 dwelling units per buildable acre.
3. Dedicated open space requirement: 15%
4. Maximum lot coverage:
Buildings: 60%
Pavement: 20%
5. Lot width: 100 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).
6. Maximum building width: 50% (as a portion of the lot width).
7. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.
8. Height limit: 3 stories or 50 feet.

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

Minimum:

Expressway or Arterial Street: 30 feet
Collector or Major Street: 25 feet
Minor Street: 20 feet
10. Rear setback: 30 feet
11. Setback from the ordinary high-water mark or wetland: 50 feet (principal structures only).

Planned developments may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the RM-2 Medium Density Multiple Family Residential District is to allow mixed land uses, which are compatible to each other, while prohibiting nonresidential uses which would not be compatible or harmonious with residential dwellings.

SECTION 803: AREA AND BULK REQUIREMENTS

1. Minimum lot size: 14,520 sq. feet.
2. Density (see definition in Article II): ~~24 dwelling units per buildable acre.~~
Minimum: 17 dwelling units per buildable acre.
Maximum: 24 dwelling units per buildable acre.
3. Dedicated open space requirement: 15%
4. Maximum lot coverage:
Buildings: 70%
Pavement: 20%
5. Lot width: 125 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).
6. Maximum building width: 50% (as a portion of the lot width).
7. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.
8. Height limit: 4 stories or 60 feet.

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

Minimum:

Expressway or Arterial Street: 30 feet
Collector or Major Street: 25 feet
Minor Street: 20 feet
10. Rear setback: 30 feet
11. Setback from the ordinary high-water mark or wetland: 50 feet (principal structures only).

ARTICLE IX – RM-3 HIGH-DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICTS

2. Accessory buildings and accessory uses customarily incidental to the above Special Land Uses Permitted.
3. Uses similar to the above Special Land Uses Permitted.

SECTION 902: PLANNED UNIT DEVELOPMENTS

Planned developments may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the RM-3 High Density Multiple Family Residential District is to allow mixed land uses, which are compatible to each other, while prohibiting nonresidential uses which would not be compatible or harmonious with residential dwellings.

SECTION 903: AREA AND BULK REQUIREMENTS

1. Minimum lot size: 21,780 sq. feet.
2. Density (see definition in Article II): ~~48 dwelling units per buildable acre.~~
Minimum: 25 dwelling units per buildable acre.
Maximum: 48 dwelling units per buildable acre.
3. Dedicated open space requirement: 15%
4. Maximum lot coverage:
Buildings: 70%
Pavement: 20%
5. Lot width: 150 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).
6. Maximum building width: 50% (as a portion of the lot width).
7. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.
8. Height limit: 5 stories or 80 feet.

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

9. Front Setbacks:
Minimum:
Expressway or Arterial Street: 30 feet
Collector or Major Street: 25 feet

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Sections 703, 803, and 903 to set minimum density requirements for multi-family housing districts.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

Amendment to Section 703: Area and Bulk Requirements

2. Density

Minimum: 14 dwelling units per acre.

Maximum: 16 dwelling units per acre.

Amendment to Section 903: Area and Bulk Requirements

2. Density

Minimum: 17 dwelling units per acre.

Maximum: 24 dwelling units per acre.

Amendment to Section 903: Area and Bulk Requirements

2. Density

Minimum: 25 dwelling units per acre.

Maximum: 48 dwelling units per acre.

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Meisch, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 14th day of April 2026, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2026.

Ann Meisch, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

Please take notice that on April 14, 2026, the City Commission of the City of Muskegon adopted an ordinance to amend Sections 703, 803, and 903 of the zoning ordinance to establish minimum density requirements in multifamily districts.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2026.

CITY OF MUSKEGON

By _____

Ann Meisch, MMC

City Clerk

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

Account No. 101-80400-5354



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Fireworks Display Permit for Muskegon Country Club															
Submitted by: Ann Meisch, City Clerk	Department: City Clerk															
Brief Summary: Pyrotecnico Fireworks, Inc., is requesting approval of a fireworks display permit for Thursday, July 2, 2026, at Muskegon Country Club, 2801 Lakeshore Drive. The Fire Marshall will inspect the fireworks on the day of the event.																
Detailed Summary & Background:																
<u>Goal/Action Item:</u>																
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:																
Amount Requested:	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;">No</td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">X</td> </tr> </table>	Yes	No	N/A	X											
Yes	No	N/A	X													
Fund(s) or Account(s):	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;">No</td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">X</td> </tr> </table>	Yes	No	N/A	X											
Yes	No	N/A	X													
Recommended Motion: Approve the fireworks display permit for Pyrotecnico Fireworks, Inc., pending site inspection the day of the launch.																
Approvals:	<u>Name the Policy/Ordinance Followed:</u>															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>	Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review			
Immediate Division Head																
Information Technology																
Other Division Heads																
Communication																
Legal Review																

2026 Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY
DATE PERMIT(S) EXPIRE:

Authonly: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
-----------------------	---

TYPE OF PERMIT(S) (Select all applicable boxes)

Agricultural or Wildlife Fireworks
 Articles Pyrotechnic
 Display Fireworks
 Public Display
 Private Display
 Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

NAME OF APPLICANT Pyrotecnico Fireworks, Inc.	ADDRESS OF APPLICANT 299 Wilson Rd, New Castle, PA 16101	AGE OF APPLICANT 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
--	---	---

NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER Stephen Vitale	ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER 299 Wilson Rd, New Castle, PA 16101
--	---

IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT) Michael Falk	ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT) 4369 E Summit Woods Dr NE, Rockford, MI 49341	TELEPHONE NUMBER 616.427.0377
---	---	----------------------------------

NAME OF PYROTECHNIC OPERATOR Brian Loper	ADDRESS OF PYROTECHNIC OPERATOR 4369 E Summit Woods Dr NE, Rockford, MI 49341	AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
---	--	--

NO. YEARS EXPERIENCE 25 years	NO. DISPLAYS 200+ displays	WHERE Michigan
----------------------------------	-------------------------------	-------------------

NAME OF ASSISTANT Matthew Loper	ADDRESS OF ASSISTANT 4369 E Summit Woods Dr NE, Rockford, MI 49341	AGE OF ASSISTANT 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
------------------------------------	---	---

NAME OF OTHER ASSISTANT Randy Loveland	ADDRESS OF OTHER ASSISTANT 4369 E Summit Woods Dr NE, Rockford, MI 49341	AGE OF OTHER ASSISTANT 18 YEARS OR OLDER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
---	---	---

EXACT LOCATION OF PROPOSED DISPLAY
Muskegon Country Club, 2801 Lakeshore Drive, Muskegon MI 49441 – on golf course

DATE OF PROPOSED DISPLAY July 2, 2026	TIME OF PROPOSED DISPLAY Approx 10:25 pm
--	---

MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT

No storage necessary, delivered on date of display

AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT) \$10,000,000.00	NAME OF BONDING CORPORATION OR INSURANCE COMPANY Acrisure Great Lakes Partners Insurance Services
--	--

ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY
223 West Grand River Ave #1, Howell MI 48843

NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)
Approximately 1000	Aerial display shells ranging in size from 1 ¼ inches to 5 inches in diameter

SIGNATURE OF APPLICANT 	DATE March 12, 2026
---	------------------------

Bureau of Fire Services
P.O. Box 30700
Lansing, MI 48909
(517) 241-8847

Authority: 1988 PA 358 Compliance: Voluntary Penalty: Permit will not be issued	The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, material status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the American with Disabilities Act, you may make your needs known to this agency.
--	--

This permit is not transferable. It authorizes the resident wholesale dealer or jobber named below to have in his or her possession fireworks of any type, for sale only to holders of permits for public display or agriculture control.

Issued To Pyrotecnico Fireworks, Inc.		Age (18 or over) Yes
Address 4369 E Summit Woods Dr NE, Rockford, MI 49341		
Name of Organization, Group, Firm, or Corporation Muskegon Country Club		
Address 2801 Lakeshore Drive, Muskegon MI 49441		
Number and Types of Fireworks Approximately 1000 aerial display shells ranging in size from 1 ¼ inches to 5 inches in diameter.		
Exact Location of Display Muskegon Country Club, 2801 Lakeshore Drive, Muskegon MI 49441 – on golf course		
City, Village, Township City of Muskegon, MI	Date July 2, 2026	Time Approx 10:25 pm
Bond or Insurance Filed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Amount \$10,000,000.00

Issued by action of the Legislative Body of the

City Village Township of _____ on the _____ day of _____, 2026
(Name of City, Village, Township)

(Signature and Title of Legislative Body Representative)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/12/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure Great Lakes Partners Insurance Services 223 West Grand River Ave #1 Howell MI 48843	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No): 216-658-7101 E-MAIL ADDRESS: info@brittongallagher.com	
	INSURER(S) AFFORDING COVERAGE NAIC #	
INSURED Pyrotecnico Fireworks Inc. P.O. Box 149 299 Wilson Road New Castle PA 16103	INSURER A: Constitution Insurance Company 32190	
	INSURER B: Texas Insurance Company 16543	
	INSURER C: Continental Indemnity Company 28258	
	INSURER D: Allianz Global Corporate & Specialty SE 7617	
	INSURER E: HDI GLOBAL SPECIALTY SE 1340041	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 980946619 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y	Y	BESGLTPA011501_171145_01	11/28/2025	11/28/2026	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
C	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS	Y	Y	BESCRMNPA011501_171145_01	11/28/2025	11/28/2026	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
D	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y	Y	25ABEX0231	11/28/2025	11/28/2026	EACH OCCURRENCE	\$ 1,000,000
							AGGREGATE	\$ 1,000,000
								\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	82-872096-04-44 (MI)	10/14/2025	10/14/2026	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
E D E	Excess Liability #2			18HX3645 25ABHX0050 18HX3646	11/28/2025 11/28/2025 11/28/2025	11/28/2026 11/28/2026 11/28/2026	Each Occ/ Aggregate	\$3,000,000
							Each Occ/Aggregate	\$1,000,000
							Each Occ/Aggregate	\$4,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 Auto Policy Numbers as Follows: BESCRMPCA011501_171145_01 (CA), BESCRMPLA011501_171145_01 (LA), BESCRMNPA011501_171145_01 (Main)
 Fireworks Display Date: 07/02/26; 07/04/26
 7/4/26 Location: Heritage Landing, Muskegon, MI
 7/2/26 Location: Muskegon Country Club, Muskegon, MI
 Additional Insured: County of Muskegon; City of Muskegon, MI, all elected & appointed officials, all employees & volunteers, all boards, commissions, and/or authorities & board members, including employees and volunteers thereof; The County of Muskegon; Muskegon Country Club; Excess policies are follow form to above listed general and auto liability policies.
 See Attached...

CERTIFICATE HOLDER City of Muskegon, MI Muskegon City Hall 933 Terrace Street Muskegon MI 49440	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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AGENCY CUSTOMER ID: 2299

LOC #: _____



ADDITIONAL REMARKS SCHEDULE

Page 1 of 1

AGENCY Acrisure Great Lakes Partners Insurance Services		NAMED INSURED Pyrotecnico Fireworks Inc. P.O. Box 149 299 Wilson Road New Castle PA 16103	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

Coverage is Primary and Non-Contributory
City of Muskegon shall be notified of cancellation of policy thirty (30) days prior, or ten (10) days if due to non-payment of premium

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

County of Muskegon; City of Muskegon, MI, all elected & appointed officials, all employees & volunteers, all boards, commissions, and/or authorities & board members, including employees and volunteers thereof; The County of Muskegon; Muskegon Country Club

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Muskegon Country Club
2801 Lakeshore Dr., Muskegon, MI

Pyrotechnico Fireworks Inc.
12/5/2024 Michael Falk



Launch Location

Setup area: 40' X 40'

Radius from setup area: 350'



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Soccer in the Sand
Submitted by: Jacqui Erny, Admin	Department: DPW- Parks and Recreation
Brief Summary: Soccer in the Sand and Inside Out's Volleyball Tournament have both applied to hold their events at Pere Marquette on July 25-26, 2026. Per the event policy, two events cannot occur on the same date at Pere Marquette. Soccer in the Sand is seeking an exception to be made.	
Detailed Summary & Background: 2024 event 2025 changes 2026 changes Soccer in the Sand Event Details include: <ul style="list-style-type: none">• Location: Pere Marquette (south of the playground)• Setup: Friday, July 24• Competition Dates: Saturday, July 25 & Sunday, July 26, 9:00 a.m. – 5:00 p.m.• Tear down: Sunday, July 26, at 6 pm• Description: Soccer in the Sand is a 5 v 5 sand soccer tournament held annually at Pere Marquette since 2018. Teams can consist of 5 to 11 players and play against other teams in a similar age group. Games are three 11-minute periods. Each team is guaranteed 3 games with opportunities to advance to the semifinals and finals.• Attendance: In 2025, there were approximately 1,200 participants, with a total attendance estimated at approximately 4,000. Inside Out Volleyball tournament and Soccer in the Sand have been on the same weekend since their inception. With the exponential growth of the Soccer in the Sand tournament in 2024, there were significant issues with traffic at the beach. In 2025, the City's beach shuttle service began, and a total of 86 individuals used the tan line and 110 individuals used the blue line that weekend. Also in 2025, the tournament changed the scheduling structure to morning and afternoon blocks. Staff saw an improvement in traffic flow from the previous year. For the 2026 event, the MATS bus system can start the beach shuttles earlier to cover the tournament's hours.	
Goal/Action Item:	
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission: Staff reviewed options with MATS and Soccer in the Sand at the Commission's request.	

Amount Requested: N/A	Budgeted Item:				
	Yes		No		N/A

Fund(s) or Account(s):	Budget Amendment Needed:				
	Yes		No		N/A

Recommended Motion:
 I move to approve the Soccer in the Sand Tournament to be held on July 25-26, 2026, at Pere Marquette provided that the event works with City staff to cover the costs of additional shuttle hours.

Approvals:	<u>Name the Policy/Ordinance Followed:</u>				
	Immediate Division Head	<input checked="" type="checkbox"/>			
	Information Technology				
	Other Division Heads				
	Communication				
	Legal Review				



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Resolution to approve the NEZ District at 2400 Lakeshore Dr
Submitted by: Isabela Gonzalez, Development Analyst	Department: Economic Development
Brief Summary: Pursuant to Public Act 147 of 1992, as amended, the City of Muskegon has received a request to establish a Neighborhood Enterprise Zone (NEZ) district for the property located at 2400 Lakeshore Drive, commonly known as Windward Pointe and the former Sappi Paper Mill site. .	
Detailed Summary & Background: <p>The proposed NEZ district would support the development of single-family, owner-occupied residential units within the development at 2400 Lakeshore Drive. The attached district request letter includes two outlined areas, with the larger 44-acre area representing Phase 1 of the development and the smaller 21.46-acre area representing Phase 2. If established, eligible property owners within the district would be able to apply for NEZ certificates, which provide a reduction in property taxes on newly constructed residential housing.</p> <p>In accordance with state requirements, notice of the proposed NEZ district was mailed to all affected taxing jurisdictions on February 12, 2026, and a public hearing was held within the required timeframe. A map was included with the notice; however, an incomplete image of the district was inadvertently provided. No comments or requests for clarification were received from any taxing jurisdictions. State law also requires that a resolution establishing an NEZ district not be adopted until at least 60 days after notice has been issued.</p> <p>The proposed resolution to establish the NEZ district at 2400 Lakeshore Drive is now being presented for City Commission consideration. State law allows up to 15% of a local government's total land area to be designated as NEZ districts. The City of Muskegon currently utilizes 13.34% of its allowable NEZ designation. Based on the addition of the proposed district, it is estimated that the City's total NEZ district land area will be approximately 14.1%, remaining within the statutory limit. At the request of the City Commission, staff also evaluated the cumulative NEZ district acreage associated with projects submitted by the same developer, including Terrace Point Landing, the Shaw development, and the proposed Sappi district, which total 85.94 acres and would represent approximately 0.91% of the City's total land area if the Sappi district is approved.</p>	
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business	
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:	

Amount Requested: N/A	Budgeted Item: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Yes		No		N/A	<input checked="" type="checkbox"/>
Yes		No		N/A	<input checked="" type="checkbox"/>		

Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Yes		No		N/A	<input checked="" type="checkbox"/>
Yes		No		N/A	<input checked="" type="checkbox"/>		

Recommended Motion:

I move to approve the resolution establishing the Neighborhood Enterprise Zone district at 2400 Lakeshore Drive, as presented.

Approvals: <table border="1"> <tr> <td>Immediate Division Head</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>	Immediate Division Head	<input checked="" type="checkbox"/>		Information Technology			Other Division Heads			Communication			Legal Review			Name the Policy/Ordinance Followed: PA 147 of 1992, as amended
Immediate Division Head	<input checked="" type="checkbox"/>															
Information Technology																
Other Division Heads																
Communication																
Legal Review																



Warner Norcross + Judd LLP

January 30, 2026

Via Email: ann.meisch@shorelinecity.com

Ms. Ann Meisch
City Clerk
City of Muskegon
933 Terrace St
Muskegon, MI 49440

Re: Amended Neighborhood Enterprise Zone ("NEZ") District Designation Request for the Proposed Parkland Acquisition Six, LLC Project – Windward Pointe

Dear Ms. Meisch:

On behalf of my client, Parkland Acquisition Six, LLC, a Michigan limited liability company ("Parkland"), we request that, pursuant to Act 147 of the Public Acts of Michigan of 1992, as amended, MCL 207.773(1), a NEZ district designation be awarded to the area identified in the attached map for the property located at 2400 Lakeshore Drive. This request amends the prior request dated August 29, 2025 and limits the requested zone designation to the first two phases of the overall project site.

Parkland has since acquired the property from Pure Muskegon, LLC, and is actively working towards redevelopment of the site.

Thank you for your time and consideration of this request. If I can provide any additional information or be of assistance, please do not hesitate to contact me directly at (616) 752-2447.

Very truly yours,

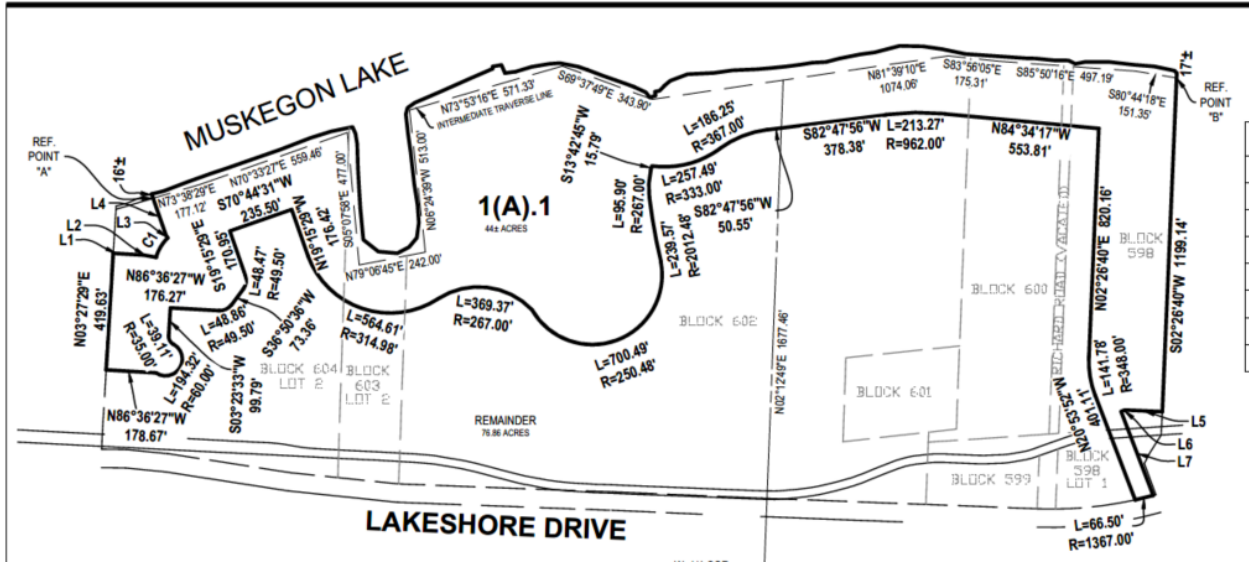
Jared T. Belka

Enclosures

cc: Jon Rooks *via e-mail*
Rory Charron *via e-mail*
George Holmes *via e-mail*

PROPOSED DISTRICT

Property Description:



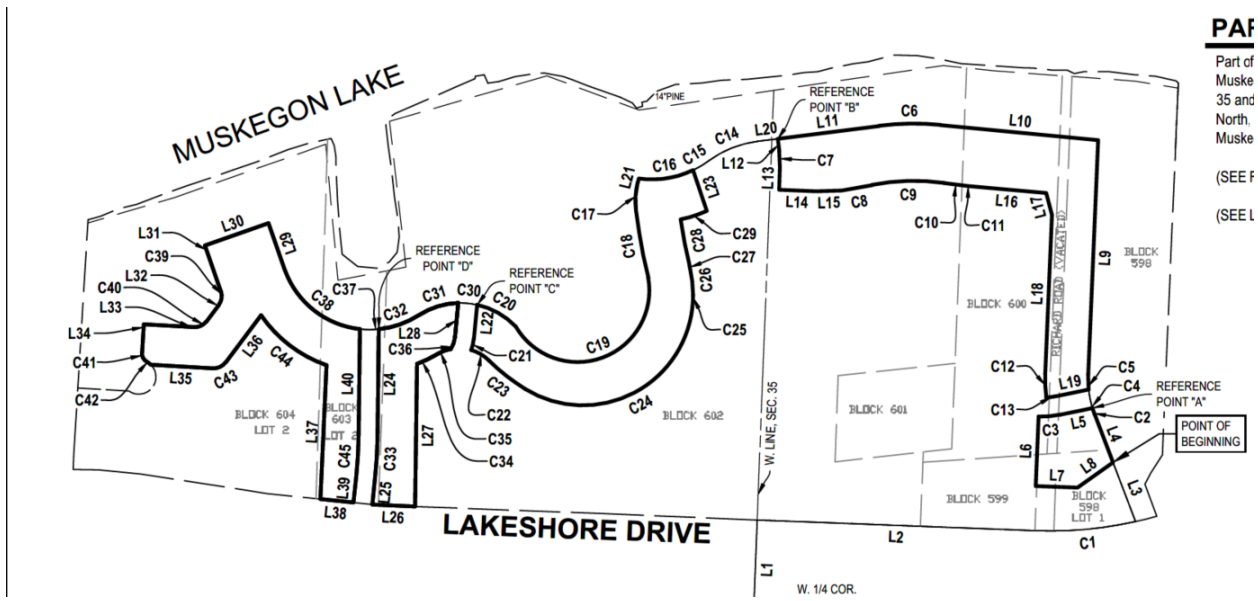
Property Address: LAKESHORE DR, MUSKEGON, MI 49441

Tax Parcel No.: 24-205-598-0001-10

Parcel Size: 44 +/- acres

Legal Description: That part of Blocks 598, 599, 601, 602, 603 and 604 of the Revised Plat (of 1903) of the City of Muskegon, according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 71 and part of the Northwest 1/4 of Section 35 and the Northeast 1/4 of Section 34, Town 10 North, Range 17 West, City of Muskegon, Muskegon County, Michigan, described as: Commencing at the West 1/4 corner of said Section 35; thence N02°12'49"E 1677.46 feet along the West line of said Section to the Point of Beginning; thence S82°47'56"W 50.55 feet; thence Southwesterly 186.25 feet along a 367.00 foot radius curve to the left, said curve having a central angle of 29°04'38", and a chord bearing S68°15'37"W 184.26 feet; thence Southwesterly 257.49 feet along a 333.00 foot radius curve to the right, said curve having a central angle of 44°18'12", and a chord bearing S75°52'24"W 251.12 feet; thence S13°42'45"W 15.79 feet; thence Southwesterly 95.90 feet along a 267.00 foot radius curve to the left, said curve having a central angle of 20°34'23", and a chord bearing S03°25'23"W 95.38 feet; thence Southeasterly 239.57 feet along a 2012.48 foot radius curve to the left, said curve having a central angle of 06°49'14", and a chord bearing S10°16'50"E 239.42 feet; thence Southwesterly 700.49 feet along a 250.48 foot radius curve to the right, said curve having a central angle of 160°13'48", and a chord bearing S69°41'27"W 493.53 feet; thence Northwesterly 369.37 feet along a 267.00 foot radius curve to the left, said curve having a central angle of 79°15'51", and a chord bearing N83°20'11"W 340.61 feet; thence Northwesterly 564.61 feet along a 314.98 foot radius curve to the right, said curve having a central angle of 102°42'11", and a chord

bearing N71°37'01"W 492.00 feet; thence N19°15'29"W 176.42 feet; thence S70°44'31"W 235.50 feet; thence S19°15'29"E 170.95 feet; thence Southwesterly 48.47 feet along a 49.50 foot radius curve to the right, said curve having a central angle of 56°06'05", and a chord bearing S08°47'33"W 46.56 feet; thence S36°50'36"W 73.36 feet; thence Southwesterly 48.86 feet along a 49.50 foot radius curve to the right, said curve having a central angle of 56°32'58", and a chord bearing S65°07'04"W 46.90 feet; thence N86°36'27"W 176.27 feet; thence S03°23'33"W 99.79 feet; thence Southeasterly 39.11 feet along a 35.00 foot radius curve to the left, said curve having a central angle of 64°01'09", and a chord bearing S28°37'01"E 37.10 feet; thence Southwesterly 194.32 feet along a 60.00 foot radius curve to the right, said curve having a central angle of 185°33'57", and a chord bearing S32°09'23"W 119.86 feet; thence N86°36'27"W 178.67 feet; thence N03°27'29"E 419.63 feet; thence S86°36'27"E 110.19 feet; thence S79°07'05"E 44.92 feet; thence Northeasterly 81.82 feet on a 166.00 foot radius curve to the right, said curve having a central angle of 28°14'26" and a chord bearing N30°56'43"E 81.00 feet; thence N33°06'55"W 12.65 feet; thence N19°15'19"W 139.80 feet to Reference Point "A"; thence continuing N19°15'19"W 16 feet, more or less, to the Water's Edge of Muskegon Lake; thence Northeasterly along said Water's Edge to a line bearing N02°26'40"E from Reference Point "B", said Reference Point "B" being N73°38'29"E 177.12 feet; N70°33'27"E 559.46 feet; S05°07'58"E 477.00 feet; N79°06'45"E 242.00 feet; N06°24'39"W 513.00 feet; N73°53'16"E 571.33 feet; S69°37'49"E 343.90 feet; N81°39'10"E 1074.06 feet; S83°56'05"E 175.31 feet; S85°50'16"E 497.19 feet; and S80°44'18"E 151.35 feet from said Reference Point "A", the previous 11 calls being along an Intermediate Traverse Line; thence S02°26'40"W 17 feet, more or less, to said Reference Point "B"; thence continuing S02°26'40"W 1199.14 feet; thence N87°33'20"W 134.58 feet; thence S69°06'08"W 14.26 feet; thence S20°53'52"E 322.75 feet; thence Southwesterly 66.50 feet along a 1367.00 radius curve to the left, said curve having a central angle of 02°47'14", and a chord bearing S76°03'58"W 66.49 feet along the Northerly Right of Way of Lakeshore Drive; thence N20°53'52"W 401.11 feet; thence Northwesterly 141.78 feet along a 348.00 radius curve to the right, said curve having a central angle of 23°20'33", and a chord bearing N09°13'36"W 140.80 feet; thence N02°26'40"E 820.16 feet; thence N84°34'17"W 553.81 feet; thence Southwesterly 213.27 feet along a 962.00 foot radius curve to the left, said curve having a central angle of 12°42'08", and a chord bearing S89°09'00"W 212.83 feet; thence S82°47'56"W 378.38 feet to the Point of Beginning.



Property Address: LAKESHORE DR, MUSKEGON, MI 49441

Tax Parcel No.: 24-205-598-0001-01

Parcel Size: 21.46 acres

Legal Description: That part of Blocks 598, 599, 601, 602, 603 and 604 of the Revised Plat (of 1903) of the City of Muskegon, according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 71 and part of the Northwest 1/4 of Section 35 and the Northeast 1/4 of Section 34, Town 10 North, Range 17 West, City of Muskegon, Muskegon County, Michigan, described as: Commencing at the West 1/4 corner of said Section 35; thence N02°12'49"E 347.07 feet along the West line of said Section; thence S87°48'45"E 973.32 feet; thence Northeasterly 351.39 feet along a 1367.00 foot radius curve to the left, said curve having a central angle of 14°43'41", and a chord bearing N84°49'25"E 350.42 feet, the previous 2 calls being along the Northerly Right-of-Way line of Lakeshore Drive, a 66.00 foot wide public Right-of-Way; thence N20°53'52"W 221.24 feet to the Point of Beginning; thence continuing N20°53'52"W 179.88 feet; thence Northwesterly 23.05 feet along a 348.00 foot radius curve to the right, said curve having a central angle of 03°47'43", and a chord bearing N19°00'01"W 23.05 feet to Reference Point "A"; thence S78°20'19"W 115.14 feet; thence Southwesterly 75.74 feet along a 333.00 foot radius curve to the right, said curve having a central angle of 13°01'53", and a chord bearing S84°51'16"W 75.57 feet; thence S02°26'46"W 242.34 feet; thence S87°50'31"E 146.53 feet; thence N54°35'59"E 151.65 feet to the Point of Beginning.

ALSO: Recommencing at said Reference Point "A"; thence Northwesterly 66.10 feet along a 348.00 foot radius curve to the right, said curve having a central angle of 10°52'58", and a chord bearing N11°39'41"W 66.00 feet to the Point of Beginning; thence continuing Northwesterly 52.63 feet along a 348.00 foot radius curve to the right, said curve having a central angle of 08°39'52", and a chord bearing N01°53'16"W 52.58 feet; thence N02°26'40"E 820.16 feet; thence N84°34'17"W 553.81 feet; thence Southwesterly 213.27 feet along a 962.00 foot radius curve to the left, said curve having a central angle of 12°42'08", and a chord bearing S89°09'00"W 212.83 feet; thence S82°47'56"W 357.49 feet

to Reference Point "B"; thence $S07^{\circ}12'04''E$ 42.30 feet; thence Southeasterly 54.55 feet along a 332.00 foot radius curve to the right, said curve having a central angle of $09^{\circ}24'53''$, and a chord bearing $S02^{\circ}29'37''E$ 54.49 feet; thence $S02^{\circ}12'49''W$ 81.68 feet; thence $S87^{\circ}47'11''E$ 129.00 feet; thence $N88^{\circ}28'30''E$ 89.97 feet; thence Northeasterly 107.95 feet along a 3449.20 foot radius curve to the left, said curve having a central angle of $01^{\circ}47'35''$, and a chord bearing $N79^{\circ}52'43''E$ 107.95 feet; thence Northeasterly 252.42 feet along a 762.00 foot radius curve to the right, said curve having a central angle of $18^{\circ}58'47''$, and a chord bearing $N88^{\circ}28'19''E$ 251.27 feet; thence Southeasterly 81.63 feet along a 2253.48 foot radius curve to the left, said curve having a central angle of $02^{\circ}04'31''$, and a chord bearing $S83^{\circ}04'34''E$ 81.62 feet; thence Southeasterly 6.24 feet along a 421.00 foot radius curve to the left, said curve having a central angle of $00^{\circ}50'59''$, and a chord bearing $S84^{\circ}32'19''E$ 6.24 feet; thence $S84^{\circ}57'48''E$ 270.26 feet; thence $S14^{\circ}41'16''E$ 79.80 feet; thence $S02^{\circ}26'40''W$ 551.64 feet; thence Southeasterly 87.25 feet along a 498.00 foot radius curve to the left, said curve having a central angle of $10^{\circ}02'17''$, and a chord bearing $S02^{\circ}34'28''E$ 87.14 feet; thence Northeasterly 35.28 feet along a 267.00 foot radius curve to the left, said curve having a central angle of $07^{\circ}34'15''$, and a chord bearing $N82^{\circ}07'27''E$ 35.26 feet; thence $N78^{\circ}20'19''E$ 115.14 feet to the Point of Beginning.

ALSO: Recommencing at said Reference Point "B"; thence $S82^{\circ}47'56''W$ 71.44 feet; thence Southwesterly 186.25 feet along a 367.00 foot radius curve to the left, said curve having a central angle of $29^{\circ}04'38''$, and a chord bearing $S68^{\circ}15'37''W$ 184.26 feet; thence Southwesterly 62.77 feet along a 333.00 foot radius curve to the right, said curve having a central angle of $10^{\circ}48'03''$, and a chord bearing $S59^{\circ}07'20''W$ 62.68 feet to the Point of Beginning; thence continuing Southwesterly 194.71 feet along a 333.00 foot radius curve to the right, said curve having a central angle of $33^{\circ}30'09''$, and a chord bearing $S81^{\circ}16'26''W$ 191.95 feet; thence $S13^{\circ}42'45''W$ 15.79 feet; thence Southwesterly 95.90 feet along a 267.00 foot radius curve to the left, said curve having a central angle of $20^{\circ}34'45''$, and a chord bearing $S03^{\circ}25'23''W$ 95.38 feet; thence Southeasterly 239.57 feet along a 2012.48 foot radius curve to the left, said curve having a central angle of $06^{\circ}49'14''$, and a chord bearing $S10^{\circ}16'50''E$ 239.42 feet; thence Southwesterly 700.49 feet along a 250.48 foot radius curve to the right, said curve having a central angle of $160^{\circ}13'48''$, and a chord bearing $S69^{\circ}41'27''W$ 493.53 feet; thence Northwesterly 157.34 feet along a 267.00 foot radius curve to the left, said curve having a central angle of $33^{\circ}45'50''$, and a chord bearing $N60^{\circ}35'11''W$ 155.07 feet to Reference Point "C"; thence $S05^{\circ}25'56''W$ 120.27 feet; thence Southwesterly 40.12 feet along a 158.00 foot radius curve to the right, said curve having a central angle of $14^{\circ}32'56''$, and a chord bearing $S12^{\circ}42'23''W$ 40.01 feet; thence Southeasterly 73.18 feet along a 150.00 foot radius curve to the right, said curve having a central angle of $27^{\circ}57'07''$, and a chord bearing $S59^{\circ}27'07''E$ 72.45 feet; thence Southeasterly 160.98 feet along a 717.02 foot radius curve to the left, said curve having a central angle of $12^{\circ}51'48''$, and a chord bearing $S51^{\circ}54'27''E$ 160.64 feet; thence Northeasterly 797.85 feet along a 384.56 foot radius curve to the left, said curve having a central angle of $118^{\circ}52'21''$, and a chord bearing $N62^{\circ}13'18''E$ 662.26 feet; thence Northeasterly 20.86 feet along a 366.02 foot radius curve to the left, said curve having a central angle of $03^{\circ}15'53''$, and a chord bearing $N01^{\circ}09'07''E$ 20.85 feet; thence Northwesterly 93.87 feet along a 443.39 foot radius curve to the left, said curve having a central angle of $12^{\circ}07'46''$, and a chord bearing $N06^{\circ}32'43''W$ 93.69 feet; thence Northwesterly 6.35 feet along a 366.00 foot radius curve to the left, said curve having a central angle of $00^{\circ}59'40''$, and a chord bearing $N13^{\circ}06'26''W$ 6.35 feet; thence Northwesterly 167.50 feet along a 1855.22 foot radius curve to the right, said curve having a central angle of $05^{\circ}10'23''$, and a chord bearing $N11^{\circ}01'05''W$ 167.44 feet; thence Northeasterly 96.10 feet along a 483.00 foot radius curve to the left, said curve having a

central angle of 11°23'58", and a chord bearing N72°22'58"E 95.94 feet; thence N18°32'25"W 150.76 feet to the Point of Beginning.

ALSO: Recommencing at said Reference Point "C"; thence Northwesterly 66.17 feet along a 267.00 foot radius curve to the left, said curve having a central angle of 14°11'57", and a chord bearing N84°34'04"W 66.00 feet to the Point of Beginning; thence continuing Southwesterly 145.86 feet along a 267.00 foot radius curve to the left, said curve having a central angle of 31°18'03", and a chord bearing S72°40'55"W 144.06 feet; thence Southwesterly 149.63 feet along a 314.98 foot radius curve to the right, said curve having a central angle of 27°13'08", and a chord bearing S70°38'28"W 148.23 feet to Reference Point "D"; thence S00°45'04"W 380.60 feet; thence Southwesterly 139.07 feet along a 1533.00 foot radius curve to the right, said curve having a central angle of 05°11'52", and a chord bearing S03°21'00"W 139.02 feet; thence S05°56'55"W 93.54 feet; thence S87°18'12"E 149.86 feet along the Northerly Right-of-Way line of Lakeshore Drive, a 66.00 foot wide public Right-of-Way; thence N00°45'04"E 498.15 feet; thence Northeasterly 78.47 feet along a 464.98 foot radius curve to the left, said curve having a central angle of 09°40'08", and a chord bearing N64°23'04"E 78.37 feet; thence Northeasterly 50.69 feet along a 150.00 foot radius curve to the right, said curve having a central angle of 19°21'49", and a chord bearing N69°13'54"E 50.45 feet; thence Northeasterly 44.81 feet along a 92.00 foot radius curve to the left, said curve having a central angle of 27°54'14", and a chord bearing N19°23'02"E 44.36 feet; thence N05°25'56"E 120.27 feet to the Point of Beginning.

ALSO: Recommencing at said Reference Point "D"; thence Northwesterly 66.12 feet along a 314.98 foot radius curve to the right, said curve having a central angle of 12°01'41", and a chord bearing N89°44'08"W 66.00 feet to the Point of Beginning; thence continuing Northwesterly 348.85 feet along a 314.98 foot radius curve to the right, said curve having a central angle of 63°27'22", and a chord bearing N51°59'36"W 331.29 feet; thence N19°15'29"W 176.42 feet; thence S70°44'31"W 235.50 feet; thence S19°15'29"E 170.95 feet; thence Southwesterly 48.47 feet along a 49.50 foot radius curve to the right, said curve having a central angle of 56°06'05", and a chord bearing S08°47'33"W 46.56 feet; thence S36°50'36"W 73.36 feet; thence Southwesterly 48.86 feet along a 49.50 foot radius curve to the right, said curve having a central angle of 56°32'58", and a chord bearing S65°07'04"W 46.90 feet; thence N86°36'27"W 176.27 feet; thence S03°23'33"W 99.79 feet; thence Southeasterly 39.11 feet along a 35.00 foot radius curve to the left, said curve having a central angle of 64°01'09", and a chord bearing S28°37'01"E 37.10 feet; thence Southeasterly 15.87 feet along a 60.00 foot radius curve to the right, said curve having a central angle of 15°09'12", and a chord bearing S53°03'00"E 15.82 feet; thence S86°36'27"E 217.11 feet; thence Northeasterly 51.82 feet along a 52.50 foot radius curve to the left, said curve having a central angle of 56°32'58", and a chord bearing N65°07'04"E 49.74 feet; thence N36°50'36"E 205.42 feet; thence Southeasterly 292.25 feet along a 461.30 foot radius curve to the left, said curve having a central angle of 36°17'56", and a chord bearing S52°35'45"E 287.39 feet; thence S02°32'55"W 467.98 feet; thence S84°03'05"E 115.94 feet along said Northerly line of Lakeshore Drive; thence N05°56'55"E 93.54 feet; thence Northeasterly 133.08 feet along a 1467.00 foot radius curve to the left, said curve having a central angle of 05°11'52", and a chord bearing N03°21'00"E 133.04 feet; thence N00°45'04"E 380.04 feet to the Point of Beginning.

Contains 21.46 acres. Subject to easements, restrictions and rights-of-way of record.

23201268-20230927-PR-1 (09/27/2023 @ 12:52 PM)



- ### LEGEND
- ① SITE ENTRANCE
 - ② SINGLE FAMILY LOT (26'-22" X 205' TYP.)
 - ③ SINGLE FAMILY LOT (34' X 150' TYP.) - MAY BE COMBINED TO CREATE LARGER WATERFRONT LOTS
 - ④ 10-12 UNIT CONDO OR APARTMENT "MANSION" LOTS (100' X 150' TYP.)
 - ⑤ 10-12 UNIT CONDO OR APARTMENT REAR ALLEY LOADED "MANSION" LOTS (100' X 115' TYP.)
 - ⑥ 48-UNIT 4-STORY APARTMENT OR CONDO BUILDING WITH POSSIBLE FUTURE GROUND FLOOR RETAIL [APARTMENT BUILDINGS FRONTING ON LAKESHORE DRIVE]
 - ⑦ 48-UNIT 4-STORY APARTMENT OR CONDO BUILDING WITH GROUND FLOOR PARKING
 - ⑧ REAR LOAD TOWNHOMES (18' X 40' TYP.)
 - ⑨ MIXED-USE BUILDING (GROUND FLOOR RETAIL, APARTMENTS ABOVE)
 - ⑩ IN-OUT DRY BOAT STORAGE (115' X 720' BUILDING WITH APPROXIMATELY 350 STORAGE SPACES)
 - ⑪ MARINA RESTROOMS
 - ⑫ CLUBHOUSES WITH POOLS AND SPORT COURTS X 150' TYP.]
 - ⑬ CLUBHOUSE WITH RESTAURANT, POOL, AND PUBLIC RESTROOMS
 - ⑭ RETAIL BUILDING
 - ⑮ PUBLIC NATURE VIEW BOARDWALK WITH FISHING DOCK
 - ⑯ PUBLIC PARKLET WITH WATERFRONT ACCESS AND FISHING DOCK
 - ⑰ PUBLIC FISHING AND KAYAK LAUNCH
 - ⑱ MULTI-MODAL TRAIL CONNECTOR
 - ⑲ POOL AND RESTROOM BUILDING
 - ⑳ BOAT HOIST/WASH STATION AREA
 - ㉑ STAGING SLIPS
 - ㉒ COMMUNITY OPEN SPACE/TREE PRESERVATION AREA WITH WALKING PATHS
 - ㉓ FUTURE RESTAURANT

NOTES

Site Location:	2400 Lakeshore Dr. Muskegon, Michigan
Site Area	= 122.94 ac.
Existing Zoning	= I-2 (General Industrial)
Proposed Zoning	= PUD (Planned Unit Development)
Proposed Dwellings	= 114 dwellings 26/22'x205' Lots = 107 dwellings 34'x150' Lots = 620-744 dwellings 10-12 Unit "Mansion" Lot Dwellings = 1,296 dwellings (21 buildings) 48-Unit Building Condos/Apts = 35 Units (10 buildings) 18' X 40' Townhomes = 50 dwellings
Proposed Density	= 19.1 d.u./ac.
Retail/Office Space	= 37,500 sq.ft.
Boat Storage	= 111,600 sq.ft. (350 spaces)
Boat Slips	= 224 slips (31 public slips) 60 slips 50 slips 45 slips 40 slips

TYPICAL LOT CONFIGURATIONS

26'/22' X 205' LOTS
2 STORY WITH BASEMENT

34' X 150' LOTS
2 STORY WITH BASEMENT

10-12 UNIT CONDO OR APT. "MANSION" LOTS
3 TO 5 STORY STRUCTURES

10-12 UNIT CONDO OR APT. "MANSION" LOTS
3 TO 5 STORY STRUCTURES

September 27, 2023 North 0' 75' 150' 300' Scale: 1"=150'

23201268-20230927-PR-1 (09/27/2023 @ 12:52 PM)



- ### LEGEND
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 - ⑤ 10-12 UNIT CONDO OR APARTMENT REAR ALLEY LOADED "MANSION" LOTS (100' X 115' TYP.)
 - ⑥ 48-UNIT 4-STORY APARTMENT OR CONDO BUILDING WITH POSSIBLE FUTURE GROUND FLOOR RETAIL [APARTMENT BUILDINGS FRONTING ON LAKESHORE DRIVE]
 - ⑦ 48-UNIT 4-STORY APARTMENT OR CONDO BUILDING WITH GROUND FLOOR PARKING
 - ⑧ REAR LOAD TOWNHOMES (18' X 40' TYP.)
 - ⑨ MIXED-USE BUILDING (GROUND FLOOR RETAIL, APARTMENTS ABOVE)
 - ⑩ IN-OUT DRY BOAT STORAGE (115' X 720' BUILDING WITH APPROXIMATELY 350 STORAGE SPACES)
 - ⑪ MARINA RESTROOMS
 - ⑫ CLUBHOUSES WITH POOLS AND SPORT COURTS
 - ⑬ CLUBHOUSE WITH RESTAURANT, POOL, AND PUBLIC RESTROOMS
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Mixed-Use Apartments	=
Proposed Density	= 19.1 d.u./ac.
Retail/Office Space	= 37,500 sq.ft.
Boat Storage	= 111,600 sq.ft. (350 spaces)
Boat Slips	= 224 slips (31 public slips)
60' slips	= 24 slips
50' slips	= 83 slips (31 public slips)
45' slips	= 54 slips
40' slips	= 63 slips

TYPICAL LOT CONFIGURATIONS

26'/22' X 205' LOTS
2 STORY WITH BASEMENT

34' X 150' LOTS
2 STORY WITH BASEMENT

10-12 UNIT CONDO OR APT. "MANSION" LOTS
3 TO 5 STORY STRUCTURES

10-12 UNIT CONDO OR APT. "MANSION" LOTS
3 TO 5 STORY STRUCTURES

September 27, 2023 North 0' 75' 150' 300' Scale: 1"=150'

Muskegon Lake



Resolution No. _____

MUSKEGON CITY COMMISSION

RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE DISTRICT WITHIN THE CITY OF MUSKEGON

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, Parkland Acquisition Six, LLC, a Michigan limited liability company (“Parkland”), has requested the creation of a new Neighborhood Enterprise Zone district at a new location within the City, and;

WHEREAS, the proposed district supports the goals of the City of Muskegon’s 2023 Master Plan, including increasing housing supply and diversity, encouraging infill and redevelopment, strengthening neighborhood character, and promoting long-term investment in the community, and;

WHEREAS, the establishment of this district aligns with the City’s neighborhood preservation and economic development goals by supporting residential development within an existing urban area, and;

WHEREAS, notices were sent to the local taxing jurisdictions on February 12, 2026, and;

WHEREAS, a public hearing was held regarding the creation of this new district March 24, 2026; and

WHEREAS, the new district boundaries will include the properties known as 2400 Lakeshore Drive (Parcel #24-205-598-0001-01 and Parcel #24-205-598-0001-10), as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon have been approved.

Adopted this 14 day of April, 2026.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

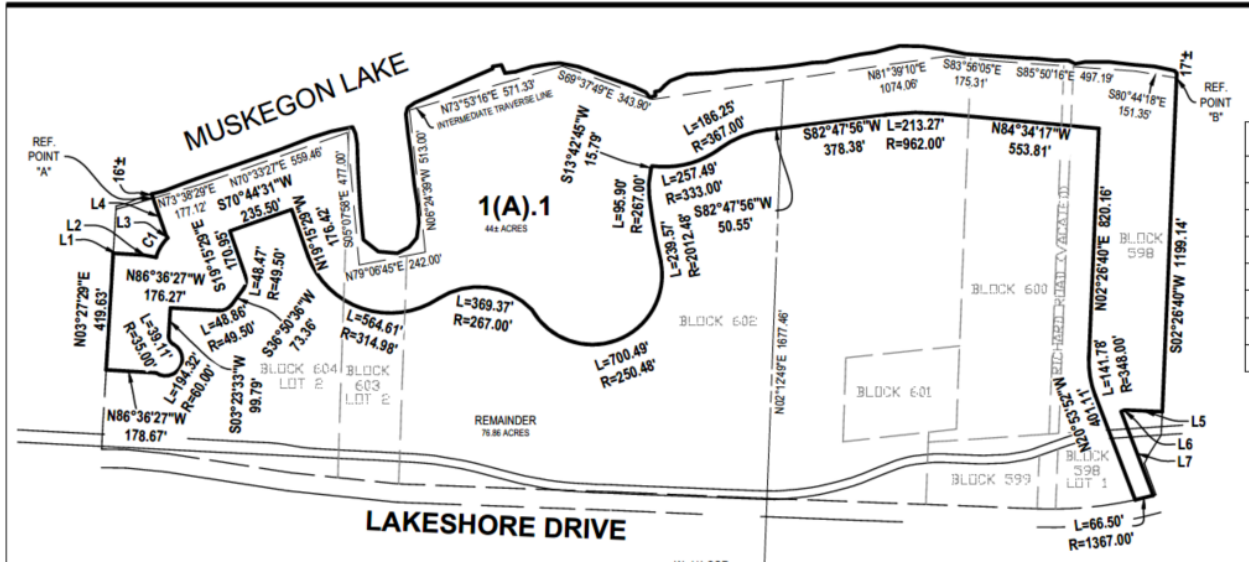
I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on April 14, 2026.

By: _____
Ann Meisch
City Clerk

Attachment A

PROPOSED DISTRICT

Property Description:



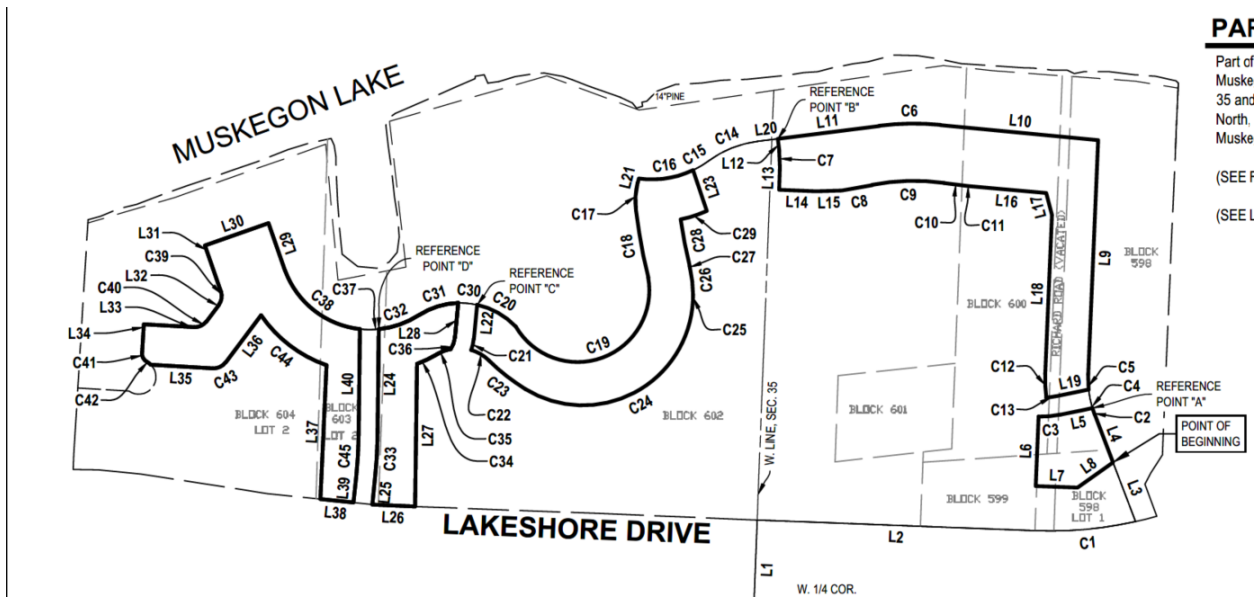
Property Address: LAKESHORE DR, MUSKEGON, MI 49441

Tax Parcel No.: 24-205-598-0001-10

Parcel Size: 44 +/- acres

Legal Description: That part of Blocks 598, 599, 601, 602, 603 and 604 of the Revised Plat (of 1903) of the City of Muskegon, according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 71 and part of the Northwest 1/4 of Section 35 and the Northeast 1/4 of Section 34, Town 10 North, Range 17 West, City of Muskegon, Muskegon County, Michigan, described as: Commencing at the West 1/4 corner of said Section 35; thence N02°12'49"E 1677.46 feet along the West line of said Section to the Point of Beginning; thence S82°47'56"W 50.55 feet; thence Southwesterly 186.25 feet along a 367.00 foot radius curve to the left, said curve having a central angle of 29°04'38", and a chord bearing S68°15'37"W 184.26 feet; thence Southwesterly 257.49 feet along a 333.00 foot radius curve to the right, said curve having a central angle of 44°18'12", and a chord bearing S75°52'24"W 251.12 feet; thence S13°42'45"W 15.79 feet; thence Southwesterly 95.90 feet along a 267.00 foot radius curve to the left, said curve having a central angle of 20°34'23", and a chord bearing S03°25'23"W 95.38 feet; thence Southeasterly 239.57 feet along a 2012.48 foot radius curve to the left, said curve having a central angle of 06°49'14", and a chord bearing S10°16'50"E 239.42 feet; thence Southwesterly 700.49 feet along a 250.48 foot radius curve to the right, said curve having a central angle of 160°13'48", and a chord bearing S69°41'27"W 493.53 feet; thence Northwesterly 369.37 feet along a 267.00 foot radius curve to the left, said curve having a central angle of 79°15'51", and a chord bearing N83°20'11"W 340.61 feet; thence Northwesterly 564.61 feet along a 314.98 foot radius curve to the right, said curve having a central angle of 102°42'11", and a chord

bearing N71°37'01"W 492.00 feet; thence N19°15'29"W 176.42 feet; thence S70°44'31"W 235.50 feet; thence S19°15'29"E 170.95 feet; thence Southwesterly 48.47 feet along a 49.50 foot radius curve to the right, said curve having a central angle of 56°06'05", and a chord bearing S08°47'33"W 46.56 feet; thence S36°50'36"W 73.36 feet; thence Southwesterly 48.86 feet along a 49.50 foot radius curve to the right, said curve having a central angle of 56°32'58", and a chord bearing S65°07'04"W 46.90 feet; thence N86°36'27"W 176.27 feet; thence S03°23'33"W 99.79 feet; thence Southeasterly 39.11 feet along a 35.00 foot radius curve to the left, said curve having a central angle of 64°01'09", and a chord bearing S28°37'01"E 37.10 feet; thence Southwesterly 194.32 feet along a 60.00 foot radius curve to the right, said curve having a central angle of 185°33'57", and a chord bearing S32°09'23"W 119.86 feet; thence N86°36'27"W 178.67 feet; thence N03°27'29"E 419.63 feet; thence S86°36'27"E 110.19 feet; thence S79°07'05"E 44.92 feet; thence Northeasterly 81.82 feet on a 166.00 foot radius curve to the right, said curve having a central angle of 28°14'26" and a chord bearing N30°56'43"E 81.00 feet; thence N33°06'55"W 12.65 feet; thence N19°15'19"W 139.80 feet to Reference Point "A"; thence continuing N19°15'19"W 16 feet, more or less, to the Water's Edge of Muskegon Lake; thence Northeasterly along said Water's Edge to a line bearing N02°26'40"E from Reference Point "B", said Reference Point "B" being N73°38'29"E 177.12 feet; N70°33'27"E 559.46 feet; S05°07'58"E 477.00 feet; N79°06'45"E 242.00 feet; N06°24'39"W 513.00 feet; N73°53'16"E 571.33 feet; S69°37'49"E 343.90 feet; N81°39'10"E 1074.06 feet; S83°56'05"E 175.31 feet; S85°50'16"E 497.19 feet; and S80°44'18"E 151.35 feet from said Reference Point "A", the previous 11 calls being along an Intermediate Traverse Line; thence S02°26'40"W 17 feet, more or less, to said Reference Point "B"; thence continuing S02°26'40"W 1199.14 feet; thence N87°33'20"W 134.58 feet; thence S69°06'08"W 14.26 feet; thence S20°53'52"E 322.75 feet; thence Southwesterly 66.50 feet along a 1367.00 radius curve to the left, said curve having a central angle of 02°47'14", and a chord bearing S76°03'58"W 66.49 feet along the Northerly Right of Way of Lakeshore Drive; thence N20°53'52"W 401.11 feet; thence Northwesterly 141.78 feet along a 348.00 radius curve to the right, said curve having a central angle of 23°20'33", and a chord bearing N09°13'36"W 140.80 feet; thence N02°26'40"E 820.16 feet; thence N84°34'17"W 553.81 feet; thence Southwesterly 213.27 feet along a 962.00 foot radius curve to the left, said curve having a central angle of 12°42'08", and a chord bearing S89°09'00"W 212.83 feet; thence S82°47'56"W 378.38 feet to the Point of Beginning.



Property Address: LAKESHORE DR, MUSKEGON, MI 49441

Tax Parcel No.: 24-205-598-0001-01

Parcel Size: 21.46 acres

Legal Description: That part of Blocks 598, 599, 601, 602, 603 and 604 of the Revised Plat (of 1903) of the City of Muskegon, according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 71 and part of the Northwest 1/4 of Section 35 and the Northeast 1/4 of Section 34, Town 10 North, Range 17 West, City of Muskegon, Muskegon County, Michigan, described as: Commencing at the West 1/4 corner of said Section 35; thence N02°12'49"E 347.07 feet along the West line of said Section; thence S87°48'45"E 973.32 feet; thence Northeasterly 351.39 feet along a 1367.00 foot radius curve to the left, said curve having a central angle of 14°43'41", and a chord bearing N84°49'25"E 350.42 feet, the previous 2 calls being along the Northerly Right-of-Way line of Lakeshore Drive, a 66.00 foot wide public Right-of-Way; thence N20°53'52"W 221.24 feet to the Point of Beginning; thence continuing N20°53'52"W 179.88 feet; thence Northwesterly 23.05 feet along a 348.00 foot radius curve to the right, said curve having a central angle of 03°47'43", and a chord bearing N19°00'01"W 23.05 feet to Reference Point "A"; thence S78°20'19"W 115.14 feet; thence Southwesterly 75.74 feet along a 333.00 foot radius curve to the right, said curve having a central angle of 13°01'53", and a chord bearing S84°51'16"W 75.57 feet; thence S02°26'46"W 242.34 feet; thence S87°50'31"E 146.53 feet; thence N54°35'59"E 151.65 feet to the Point of Beginning.

ALSO: Recommencing at said Reference Point "A"; thence Northwesterly 66.10 feet along a 348.00 foot radius curve to the right, said curve having a central angle of 10°52'58", and a chord bearing N11°39'41"W 66.00 feet to the Point of Beginning; thence continuing Northwesterly 52.63 feet along a 348.00 foot radius curve to the right, said curve having a central angle of 08°39'52", and a chord bearing N01°53'16"W 52.58 feet; thence N02°26'40"E 820.16 feet; thence N84°34'17"W 553.81 feet; thence Southwesterly 213.27 feet along a 962.00 foot radius curve to the left, said curve having a central angle of 12°42'08", and a chord bearing S89°09'00"W 212.83 feet; thence S82°47'56"W 357.49 feet

to Reference Point "B"; thence $S07^{\circ}12'04''E$ 42.30 feet; thence Southeasterly 54.55 feet along a 332.00 foot radius curve to the right, said curve having a central angle of $09^{\circ}24'53''$, and a chord bearing $S02^{\circ}29'37''E$ 54.49 feet; thence $S02^{\circ}12'49''W$ 81.68 feet; thence $S87^{\circ}47'11''E$ 129.00 feet; thence $N88^{\circ}28'30''E$ 89.97 feet; thence Northeasterly 107.95 feet along a 3449.20 foot radius curve to the left, said curve having a central angle of $01^{\circ}47'35''$, and a chord bearing $N79^{\circ}52'43''E$ 107.95 feet; thence Northeasterly 252.42 feet along a 762.00 foot radius curve to the right, said curve having a central angle of $18^{\circ}58'47''$, and a chord bearing $N88^{\circ}28'19''E$ 251.27 feet; thence Southeasterly 81.63 feet along a 2253.48 foot radius curve to the left, said curve having a central angle of $02^{\circ}04'31''$, and a chord bearing $S83^{\circ}04'34''E$ 81.62 feet; thence Southeasterly 6.24 feet along a 421.00 foot radius curve to the left, said curve having a central angle of $00^{\circ}50'59''$, and a chord bearing $S84^{\circ}32'19''E$ 6.24 feet; thence $S84^{\circ}57'48''E$ 270.26 feet; thence $S14^{\circ}41'16''E$ 79.80 feet; thence $S02^{\circ}26'40''W$ 551.64 feet; thence Southeasterly 87.25 feet along a 498.00 foot radius curve to the left, said curve having a central angle of $10^{\circ}02'17''$, and a chord bearing $S02^{\circ}34'28''E$ 87.14 feet; thence Northeasterly 35.28 feet along a 267.00 foot radius curve to the left, said curve having a central angle of $07^{\circ}34'15''$, and a chord bearing $N82^{\circ}07'27''E$ 35.26 feet; thence $N78^{\circ}20'19''E$ 115.14 feet to the Point of Beginning.

ALSO: Recommencing at said Reference Point "B"; thence $S82^{\circ}47'56''W$ 71.44 feet; thence Southwesterly 186.25 feet along a 367.00 foot radius curve to the left, said curve having a central angle of $29^{\circ}04'38''$, and a chord bearing $S68^{\circ}15'37''W$ 184.26 feet; thence Southwesterly 62.77 feet along a 333.00 foot radius curve to the right, said curve having a central angle of $10^{\circ}48'03''$, and a chord bearing $S59^{\circ}07'20''W$ 62.68 feet to the Point of Beginning; thence continuing Southwesterly 194.71 feet along a 333.00 foot radius curve to the right, said curve having a central angle of $33^{\circ}30'09''$, and a chord bearing $S81^{\circ}16'26''W$ 191.95 feet; thence $S13^{\circ}42'45''W$ 15.79 feet; thence Southwesterly 95.90 feet along a 267.00 foot radius curve to the left, said curve having a central angle of $20^{\circ}34'45''$, and a chord bearing $S03^{\circ}25'23''W$ 95.38 feet; thence Southeasterly 239.57 feet along a 2012.48 foot radius curve to the left, said curve having a central angle of $06^{\circ}49'14''$, and a chord bearing $S10^{\circ}16'50''E$ 239.42 feet; thence Southwesterly 700.49 feet along a 250.48 foot radius curve to the right, said curve having a central angle of $160^{\circ}13'48''$, and a chord bearing $S69^{\circ}41'27''W$ 493.53 feet; thence Northwesterly 157.34 feet along a 267.00 foot radius curve to the left, said curve having a central angle of $33^{\circ}45'50''$, and a chord bearing $N60^{\circ}35'11''W$ 155.07 feet to Reference Point "C"; thence $S05^{\circ}25'56''W$ 120.27 feet; thence Southwesterly 40.12 feet along a 158.00 foot radius curve to the right, said curve having a central angle of $14^{\circ}32'56''$, and a chord bearing $S12^{\circ}42'23''W$ 40.01 feet; thence Southeasterly 73.18 feet along a 150.00 foot radius curve to the right, said curve having a central angle of $27^{\circ}57'07''$, and a chord bearing $S59^{\circ}27'07''E$ 72.45 feet; thence Southeasterly 160.98 feet along a 717.02 foot radius curve to the left, said curve having a central angle of $12^{\circ}51'48''$, and a chord bearing $S51^{\circ}54'27''E$ 160.64 feet; thence Northeasterly 797.85 feet along a 384.56 foot radius curve to the left, said curve having a central angle of $118^{\circ}52'21''$, and a chord bearing $N62^{\circ}13'18''E$ 662.26 feet; thence Northeasterly 20.86 feet along a 366.02 foot radius curve to the left, said curve having a central angle of $03^{\circ}15'53''$, and a chord bearing $N01^{\circ}09'07''E$ 20.85 feet; thence Northwesterly 93.87 feet along a 443.39 foot radius curve to the left, said curve having a central angle of $12^{\circ}07'46''$, and a chord bearing $N06^{\circ}32'43''W$ 93.69 feet; thence Northwesterly 6.35 feet along a 366.00 foot radius curve to the left, said curve having a central angle of $00^{\circ}59'40''$, and a chord bearing $N13^{\circ}06'26''W$ 6.35 feet; thence Northwesterly 167.50 feet along a 1855.22 foot radius curve to the right, said curve having a central angle of $05^{\circ}10'23''$, and a chord bearing $N11^{\circ}01'05''W$ 167.44 feet; thence Northeasterly 96.10 feet along a 483.00 foot radius curve to the left, said curve having a

central angle of 11°23'58", and a chord bearing N72°22'58"E 95.94 feet; thence N18°32'25"W 150.76 feet to the Point of Beginning.

ALSO: Recommencing at said Reference Point "C"; thence Northwesterly 66.17 feet along a 267.00 foot radius curve to the left, said curve having a central angle of 14°11'57", and a chord bearing N84°34'04"W 66.00 feet to the Point of Beginning; thence continuing Southwesterly 145.86 feet along a 267.00 foot radius curve to the left, said curve having a central angle of 31°18'03", and a chord bearing S72°40'55"W 144.06 feet; thence Southwesterly 149.63 feet along a 314.98 foot radius curve to the right, said curve having a central angle of 27°13'08", and a chord bearing S70°38'28"W 148.23 feet to Reference Point "D"; thence S00°45'04"W 380.60 feet; thence Southwesterly 139.07 feet along a 1533.00 foot radius curve to the right, said curve having a central angle of 05°11'52", and a chord bearing S03°21'00"W 139.02 feet; thence S05°56'55"W 93.54 feet; thence S87°18'12"E 149.86 feet along the Northerly Right-of-Way line of Lakeshore Drive, a 66.00 foot wide public Right-of-Way; thence N00°45'04"E 498.15 feet; thence Northeasterly 78.47 feet along a 464.98 foot radius curve to the left, said curve having a central angle of 09°40'08", and a chord bearing N64°23'04"E 78.37 feet; thence Northeasterly 50.69 feet along a 150.00 foot radius curve to the right, said curve having a central angle of 19°21'49", and a chord bearing N69°13'54"E 50.45 feet; thence Northeasterly 44.81 feet along a 92.00 foot radius curve to the left, said curve having a central angle of 27°54'14", and a chord bearing N19°23'02"E 44.36 feet; thence N05°25'56"E 120.27 feet to the Point of Beginning.

ALSO: Recommencing at said Reference Point "D"; thence Northwesterly 66.12 feet along a 314.98 foot radius curve to the right, said curve having a central angle of 12°01'41", and a chord bearing N89°44'08"W 66.00 feet to the Point of Beginning; thence continuing Northwesterly 348.85 feet along a 314.98 foot radius curve to the right, said curve having a central angle of 63°27'22", and a chord bearing N51°59'36"W 331.29 feet; thence N19°15'29"W 176.42 feet; thence S70°44'31"W 235.50 feet; thence S19°15'29"E 170.95 feet; thence Southwesterly 48.47 feet along a 49.50 foot radius curve to the right, said curve having a central angle of 56°06'05", and a chord bearing S08°47'33"W 46.56 feet; thence S36°50'36"W 73.36 feet; thence Southwesterly 48.86 feet along a 49.50 foot radius curve to the right, said curve having a central angle of 56°32'58", and a chord bearing S65°07'04"W 46.90 feet; thence N86°36'27"W 176.27 feet; thence S03°23'33"W 99.79 feet; thence Southeasterly 39.11 feet along a 35.00 foot radius curve to the left, said curve having a central angle of 64°01'09", and a chord bearing S28°37'01"E 37.10 feet; thence Southeasterly 15.87 feet along a 60.00 foot radius curve to the right, said curve having a central angle of 15°09'12", and a chord bearing S53°03'00"E 15.82 feet; thence S86°36'27"E 217.11 feet; thence Northeasterly 51.82 feet along a 52.50 foot radius curve to the left, said curve having a central angle of 56°32'58", and a chord bearing N65°07'04"E 49.74 feet; thence N36°50'36"E 205.42 feet; thence Southeasterly 292.25 feet along a 461.30 foot radius curve to the left, said curve having a central angle of 36°17'56", and a chord bearing S52°35'45"E 287.39 feet; thence S02°32'55"W 467.98 feet; thence S84°03'05"E 115.94 feet along said Northerly line of Lakeshore Drive; thence N05°56'55"E 93.54 feet; thence Northeasterly 133.08 feet along a 1467.00 foot radius curve to the left, said curve having a central angle of 05°11'52", and a chord bearing N03°21'00"E 133.04 feet; thence N00°45'04"E 380.04 feet to the Point of Beginning.

Contains 21.46 acres. Subject to easements, restrictions and rights-of-way of record.



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: SOAR Business Partner Agreement Approval
Submitted by: Isabela Gonzalez, Development Analyst	Department: Economic Development
Brief Summary: <p>The City of Muskegon is considering entering into a Business Partnership Agreement with SOAR™ by Cornerstone University. This partnership would provide eligible City employees and their immediate family members with access to flexible, online degree programs and up to \$1,950 annually in scholarship support.</p>	
Detailed Summary & Background: <p>The City of Muskegon is considering entering into a Business Partnership Agreement with SOAR by Cornerstone University, an online higher education program designed to provide flexible and affordable degree pathways for working individuals.</p> <p>Through this partnership, eligible City employees and their immediate family members would have access to fully online, mobile-friendly degree programs that are self-paced and designed to accommodate work and personal schedules. Participants may receive up to \$1,950 annually in scholarship funding through the Business Partner program, in addition to any available federal or state financial aid.</p> <p>The program offers multiple degree pathways, including associate, bachelor's, and master's level programs. Tuition is structured at approximately \$2,400 per four-month term for associate and bachelor's programs, and approximately \$3,750 per four-month term for master's programs. These rates are less than half the national average for private online degree programs.</p> <p>The City of Muskegon also offers a tuition reimbursement benefit for eligible employees, providing up to 75% of tuition, including required course fees, for all passing grades, with a maximum of \$2,500 annually for undergraduate studies and \$3,000 annually for graduate and post-graduate studies.</p> <p>During initial discussions, City staff expressed concerns regarding certain general education course content related to religious perspectives. Following continued dialogue, the SOAR team revised and expanded the course offerings to ensure they are inclusive and accessible to all participants, regardless of background or belief. This opportunity is intended for employees interested in furthering their education to support career advancement and professional development. Participation in the SOAR program aligns with the City's broader workforce development goals by expanding access to continuing education and skill-building opportunities.</p> <p>This agreement is being presented for City Commission awareness and authorization.</p>	

Goal/Action Item:
Administrative Action

Is this a repeat item?:
Explain what change has been made to justify bringing it back to Commission:

Amount Requested:
N/A

Budgeted Item:

Yes		No		N/A	<input checked="" type="checkbox"/>
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Fund(s) or Account(s):
N/A

Budget Amendment Needed:

Yes		No		N/A	<input checked="" type="checkbox"/>
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Recommended Motion:

I move to authorize the City Manager to enter into the Business Partnership Agreement with SOAR by Cornerstone University, as presented.

Approvals:

Immediate Division Head	<input checked="" type="checkbox"/>	
Information Technology	<input type="checkbox"/>	
Other Division Heads	<input type="checkbox"/>	
Communication	<input type="checkbox"/>	
Legal Review	<input type="checkbox"/>	

Name the Policy/Ordinance Followed:

M.A. IN ORGANIZATIONAL LEADERSHIP

Curriculum organized around core human questions in the context of work and life.

SERIES 1

HOW DOES A LEADER FAITHFULLY STEWARD THEIR TEAM'S TALENTS WITH INTEGRITY?

MGT 532: Organizational Leadership

MGT 531: Organizational Behavior & Change

MGT 542: Organizational Decision Making

MGT 543: Team Leadership & Conflict Management

BUS 661: Business Law for Organizational Leaders

SERIES 2

HOW DOES A LEADER ACT AS A WISE STEWARD OF AN ORGANIZATION'S RESOURCES?

MGT 638: Human Resource Leadership

MGT 640: Employee Development & Performance Management

MGT 639: Strategic Leadership

FIN 644: Budgeting & Financial Resource Management

MGT 650: Agile & Hybrid Project Management

B.S. IN STRATEGIC BUSINESS MANAGEMENT

Curriculum organized around core human questions in the context of work and life.

Major Courses (14)

Principles of Self Management in Business (BUS 302)	Organizational Psychology (PSY 425)	Business in a Free Society (BUS 239)
Principles of Management (MGT 231)	International Business (BUS 317)	Legal Business Environment (BUS 362)
Principles of Marketing (MKT 251)	Statistics for Managers (BUS 212)	Financial Fundamentals for Managers (FIN 351)
Principles of Microeconomics (ECN 232)	Business Technology (BUS 219)	Strategic Business Foundations (MGT 433)
Principles of Leadership (MGT 238)	Principles of Financial Accounting (ACC 324)	

Elective Courses (15)

Principles of Macroeconomics (ECN 231)	International Management (MGT 339)	Organizational Behavior and Processes (MGT 317)
Consumer Behavior (MKT 357)	Communication and Risk Management (BUS 462)	Current Problems in Business: Case Studies (BUS 234)
Marketing Management (MKT 350)	Personal Finance (BUS 241)	Entrepreneurship (MGT 337)
Business Ethics and Values (BUS 401)	Operations and Supply Chain Management (MGT 333)	Organizational Strategic Management (MGT 438)
Human Resource Management (MGT 332)	Negotiation and Conflict Resolution (MGT 315)	Marketing Research (MKT 352)

General Education Courses (11)

Business Communication (BUS 213)	Contemporary Issues in Science and Technology (SCI 119)	Public Relations (COM 215)
Writing in Culture (ENG 212)	Imagination and Culture (HUM 311)	Intro to Nutrition (BIO 347)
United States History II (HIS 222)	Philosophy in Culture (PHI 211)	Project Management (MGT 336)
American Government (SSC 211)	College Mathematics (MAT 110)	

Cornerstone University SOAR™ Business Partner Agreement

The Cornerstone University SOAR™ program is revolutionizing the delivery method of degree programs to meet the needs of 21st-century learners seeking flexible, high-quality pathways to achieve their educational goals.

As a Business Partner of Cornerstone SOAR™, **City of Muskegon** (hereinafter referred to as the “City”), and Cornerstone wish to enter into this Business Partner Agreement (this “Agreement”) whereby the City shall refer its employees and other individuals to Cornerstone, and otherwise promote Cornerstone, and Cornerstone shall provide a scholarship and other Benefits as provided herein. These Benefits are designed to fully integrate the Cornerstone SOAR™ support system with Business Partners at every level and to strengthen the City’s talent pipeline.

“Employee(s)” shall mean W-2 employees of the City.

“Applicant(s)” shall mean a natural person eligible to receive a scholarship or other benefit from Cornerstone under this Agreement for education with SOAR™.

“Benefits” shall mean the scholarship, academic support, and other educational services to be provided to Applicants described herein.

“Course Term” means the applicable academic term for SOAR™ courses (e.g., four-month term, trimester, or other period used by Cornerstone).

Program Benefits

- Applicants may receive up to a \$1,950 annual partner scholarship, conditioned on Pell eligibility and Cornerstone grants/scholarships (*see tuition and fees below*).
- Applicants must file the FAFSA to be considered for federal, state, and institutional grants and scholarships, including the Benefits under this Agreement.
- This scholarship shall be a credit against the tuition and fees of Cornerstone for Applicants who apply, are accepted, and take courses with SOAR™ and is also extended to immediate family members of Employees, including and limited to spouses, children, siblings, parents, legal guardians, and persons for whom the Employee is a legal guardian, all of whom may be an Applicant if otherwise eligible hereunder.
- For an Applicant to be eligible, the Employee under whose employment the Applicant is applying must remain employed through acceptance of the Applicant’s application with Cornerstone. If the Employee ceases to be employed after such acceptance, such shall not have any bearing on the Applicant’s Benefits hereunder for the single Course Term for which the Applicant applies. However, for each subsequent Course Term, Benefits shall only apply if the Employee under whom the Applicant applied is employed by the City at the beginning of the Course Term in question.
- Cornerstone reserves the right to deny applications by any Applicant based on its standards and policies. Cornerstone reserves the right to dismiss or terminate Applicants from SOAR™ at any time in accordance with its policies and standards. The City shall have no liability for

Cornerstone's decisions in accepting, denying, or terminating Applicants from SOAR™, or any other matters related to the education of the Applicant with Cornerstone.

- Cornerstone does not guarantee that any specific SOAR™ program, degree, or modality will remain available and all SOAR™ programs may be modified, suspended, or discontinued in Cornerstone's discretion.
- No information protected by FERPA or any other law or regulation related to student information or privacy shall be shared with or disclosed to the City by Cornerstone.
- Cornerstone SOAR™ will provide up to four (4) on-site Education & Financial Aid workshops per year at no cost to the City.
- The City may post employment opportunities on the Cornerstone University job board to attract current students and alumni at no charge.
- The City may directly recruit any Cornerstone student for internship opportunities.

- In connection with this Agreement, Cornerstone may do the following in its sole and absolute discretion, but shall have no obligation to do so:
 - The City may have the opportunity, by Cornerstone's invitation, to participate in select advisory boards for Cornerstone University academic programs.
 - The City may be invited to deliver in-person or recorded presentations/guest lectures to Cornerstone University classes, including SOAR™ classes.
 - Cornerstone University facilities – including classrooms and conference rooms located on campus near East Beltline and I-96 – may be made available to The City at no charge, subject to availability, for training purposes and meetings, subject to execution of any facility use agreement required by Cornerstone.

The City Collaboration Commitments

The City agrees to collaborate in the following ways:

- Promote Cornerstone University SOAR™ program(s) to Employees through internal communications, which may include email, new-Employee orientation materials, publications, and/or informational sessions. All materials and publications circulated by the City with Cornerstone's name shall be approved by Cornerstone in form and substance in advance.
- Permit Cornerstone SOAR™ to include The City's logo and identify The City as a Business Partner in University publications, on the Cornerstone website, landing pages, social media, and/or promotional materials. Cornerstone shall not use the City's name, except to identify the City as a partner of Cornerstone, without the City's written consent. All uses of the City's name by Cornerstone shall cease upon written direction from the City to do so.
- Allow designated City representatives the opportunity to provide testimonials, video statements, social-media commentary, or media commentary on the value of the SOAR™ program.
- Cornerstone shall have no liability for decisions of the City, including hiring, firing, workplace matters, and any other issues that pertain to the Applicant or Employee's employment.
- All decisions related to Employees of the City shall remain in the sole discretion of the City without input or influence of Cornerstone, and the City shall have no obligation to hire any number of individuals or provide any number of individuals to SOAR™ under this Agreement.

- Participation in SOAR™ shall not be a term or condition of employment for any Employee, and employment actions shall not affect Cornerstone’s academic decisions.

Tuition and Fees

The Cornerstone University SOAR™ Program(s) is unique in its tuition design in that Applicants may have little to no out-of-pocket cost.

- All books, fees, and materials are included in the program tuition cost.
- After all other federal and state aid is applied, the University will provide institutional gift aid to Applicants of up to \$650 per four-month term (up to \$1,950 annually) to assist with tuition and mandatory fees.
- The City has the option to provide additional tuition reimbursement, subject to the City’s internal tuition reimbursement policies. This is not a requirement. Cornerstone will provide Applicants with the necessary documentation for reimbursement if necessary.
- Cornerstone may collaborate with the Applicants to establish direct bill arrangements to reduce the administrative burdens on the City if no tuition reimbursement is given to Applicants.

Academic Support

The following are informational in regard to SOAR™ and do not constitute a contractual commitment under this Agreement:

- SOAR™ students will be offered extensive academic support services, including a student success coach for 1:1 support, advising, tutoring, library resources, technical support, etc.
- SOAR™ students enrolled in the Program(s) have the option of forming on-site, mobile, or virtual study groups or workshops to help them complete assignments.

Miscellaneous Provisions

- This Agreement shall commence on the Effective Date and continue for a period of one year. Either party may terminate this Agreement with 30 days written notice to the other party. If this Agreement is terminated during a Course Term of courses in SOAR™, all Benefits that would otherwise apply to each Applicant shall continue to apply through the end of that Course Term.
- The City is not a third-party beneficiary of any arrangement or agreement between Cornerstone and any Applicant, regardless of employment with the City.
- The arrangement described herein shall not be regarded as a joint venture and, for any tax purposes which may apply or be applicable, each party shall be regarded as an independent contractor to the other.
- Neither party hereunder may assign this Agreement without written consent from the other party.
- This Agreement constitutes the entire agreement of the parties on the subject described herein and any and all discussions, negotiations, and agreement pertaining to the subject matter herein shall be merged into this Agreement.
- If any portion of this Agreement is determined to be illegal or unenforceable, then that portion of the Agreement shall be severed with the remaining Agreement remaining in full force and effect.

- This Agreement shall be construed and enforced under the laws of the State of Michigan.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

Cornerstone University
a Michigan nonprofit corporation

City of Muskegon
a Michigan city

By: Dave Venekase, CFO

By: Jonathan Seyferth, City Manager

Date: _____

Date: _____



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Henry Corridor Signal Project - Engineering Amendment - Right-of-Way Effort							
Submitted by: Todd Myers, Deputy Director of Public Works	Department: Public Works							
Brief Summary: Staff requests approval to approve the attached Design Services Amendment in the amount of \$35,000 from Rowe Professional Services Company for the completion of the necessary Right-of-Way services.								
Detailed Summary & Background: During the design of the Henry Corridor Signal project, it has been determined that temporary easements and permanent right-of-way takes are necessary to complete this project. Therefore, Rowe Professional Services Company is requesting additional funds to complete the necessary Right-of-Way acquisition services for the Henry Corridor Signal Improvements Project as outlined in their attached amendment.								
Goal/Action Item: 2027 GOAL 4: FINANCIAL INFRASTRUCTURE - Maximized efficient use of existing infrastructure								
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:								
Amount Requested: \$35,000	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center;">Yes</td> <td style="width: 15%; text-align: center;">X</td> <td style="width: 15%; text-align: center;">No</td> <td style="width: 15%;"></td> <td style="width: 15%; text-align: center;">N/A</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> </table>	Yes	X	No		N/A		
Yes	X	No		N/A				
Fund(s) or Account(s): 202 (Highway)	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center;">Yes</td> <td style="width: 15%;"></td> <td style="width: 15%; text-align: center;">No</td> <td style="width: 15%; text-align: center;">X</td> <td style="width: 15%; text-align: center;">N/A</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> </table>	Yes		No	X	N/A		
Yes		No	X	N/A				
Recommended Motion: Authorize staff to modify the existing professional services agreement with Rowe Professional Services Company in the amount of \$35,000 adding Right-of-Services to their Henry Corridor Signal Improvements project.								
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">X</td> <td style="width: 20%;"></td> </tr> <tr> <td>Information</td> <td></td> <td></td> </tr> </table>	Immediate Division Head	X		Information			Name the Policy/Ordinance Followed: 	
Immediate Division Head	X							
Information								

Technology		
Other Division Heads		
Communication		
Legal Review		



April 1, 2026

Mr. Dan VanderHeide, PE – Director of Public Works
City of Muskegon
1350 E Keatings Avenue
Muskegon, MI 49442

RE: Henry Street Signals Amendment for Design Services – Right-of-Way Effort

Dear Mr. VanderHeide:

As you requested, ROWE Professional Services Company has prepared this amendment to our original contract because the scope of work for this project has changed, requiring acquisition of right-of-way at the intersections of Laketon, Hackley, and Sherman along Henry Street. ROWE is teaming up with Commonwealth on this effort, as they bring experience with this type of work and with the Michigan Department of Transportation (MDOT) Local Agency Program (LAP) right-of-way process. ROWE has teamed up with Commonwealth in the past on several similar projects.

Below, we have outlined the work involved in this requested amendment. All project scope follows MDOT LAP right-of-way requirements.

Right-of-Way Services Scope:

- Coordination with additional property owners for right-of-way and temporary easements.
 - Scope includes up to eight permanent right-of-way takes for placement of sidewalk and signal equipment along Henry Street.
 - Includes obtaining titles and deeds for properties as required by MDOT at an average cost of \$200/parcel.
 - If the total title costs exceed the average rate, an amendment may be required.
- Develop Market Study and preliminary review documents following MDOT requirements.
- Develop easement descriptions and exhibits for parcels as noted above.
- Prepare offers for review by the City of Muskegon prior to submitting offers to property owners.
- Submittal of easement documents to the Muskegon County Registrar at an average cost of \$100/parcel.
 - If the average cost/parcel exceeds \$100, an amendment may be required.

Services do *NOT* include the following:

- Property assessments.
- Payments to property owners for right-of-way takes.
 - This is assumed to be paid for by the city.

Mr. Dan VanderHeide, PE – Director of Public Works

April 1, 2026

Page 2

- More than eight properties to be evaluated and reviewed.

Items not specifically called out in the scope of work are considered out of scope, even if not specifically noted as such.

Total additional effort for right-of-way services – **\$35,000.00.**

Summary of Amendment Request:

- **Right-of-Way Services:**
 - Previously approved ROWE effort – \$126,616.00.
 - Additional ROWE design effort – \$35,000.00.
 - **Revised Total Effort – \$161,616.00.**

If additional services are requested, ROWE will provide an amendment prior to beginning work. We appreciate this opportunity to be of service to the City of Muskegon. Please feel free to contact Hailey Savola at (616) 834-1596 if you have any questions.

Sincerely,
ROWE Professional Services Company

Jesse Morgan, PE
Director of Engineering

Hailey Savola
Project Manager

R:\Projects\PROPOSAL\H. Savola\City of Muskegon\ROWE_ROW_Amendment.docx



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Extension of Partnership Agreement: Boys & Girls Club of the Muskegon Lakeshore							
Submitted by: Kyle Karczewski, Parks and Recreation Director	Department: DPW- Parks							
<p>Brief Summary: Staff is requesting authorization to extend our contract with the Boys & Girls Club of the Muskegon Lakeshore for temporary staffing services during the 2026 maintenance season.</p>								
<p>Detailed Summary & Background: DPW typically hires up to 30 seasonal employees each year from GoodTemps (Goodwill). The staffing provided by this agreement will take the place of an approximately equal number of our typical seasonal employees, helping DPW fill our roster during the labor shortage and providing employment and training for younger community members. Temporary staffing is accounted for in the annual budget of the departments that use these services. The employees under this agreement are included in the parks (general) fund budget.</p> <p>The Boys & Girls Club anticipates providing approximately 8 staff split in two teams, and in consultation with DPW, identified two service areas that they would be well suited for:</p> <ol style="list-style-type: none"> 1. Landscape maintenance, waste-removal and general support in the BID area downtown. 2. Restroom cleaning and waste removal at various parks. 								
<p>Goal/Action Item: 2027 Goal 3: Community Connection</p>								
<p>Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:</p>								
<p>Amount Requested: \$50,000</p>	<p>Budgeted Item:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 15%;">No</td> <td style="width: 10%;"></td> <td style="width: 10%; text-align: center;">N/A</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>	Yes	x	No		N/A		
Yes	x	No		N/A				
<p>Fund(s) or Account(s): 101-770</p>	<p>Budget Amendment Needed:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 10%;"></td> <td style="width: 15%;">No</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 10%; text-align: center;">N/A</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>	Yes		No	x	N/A		
Yes		No	x	N/A				
<p>Recommended Motion: Authorize staff to contract with the Boys and Girls Club of the Muskegon Lakeshore for temporary staffing services during the 2026 maintenance season.</p>								
Approvals:	<u>Name the Policy/Ordinance Followed:</u>							

Immediate Division Head	x	
Information Technology		
Other Division Heads		
Communication		
Legal Review	x	



**CITY OF MUSKEGON
CONTRACT FOR TEMPORARY STAFFING SERVICES**

This Agreement is effective upon execution between the City of Muskegon, a Michigan municipal corporation, of 933 Terrace Street, Muskegon, MI 49443 (“City”) and the Boys and Girls Club of the Muskegon Lakeshore, of 900 W Western Avenue, Muskegon, MI 49441 (“Contractor”) with reference to the following facts:

RECITALS

- A. Contractor requested to partner with the Public Works Department to maintain parks, landscaping and other facilities throughout the city.
- B. Contractor agreed to provide approximately eight staff in two teams of approximately four each, with one supervisor per team, to support the Public Works Department in maintaining the parks, landscaping and other facilities.

NOW, THEREFORE, for valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. **Services.** Contractor shall provide the following services:
 - a. In the area known as the Business Improvement District (BID), including nearby parks and city properties, maintaining flower beds and other landscaping by removing weeds and other undesirable plants and items, turf maintenance using push mowers and other hand-operated equipment, picking up loose debris and refuse (trash), emptying refuse containers, and performing other cleaning and maintenance tasks as designated by Public Works Department Staff.
 - b. Picking up loose debris and refuse (trash), emptying refuse containers, cleaning restrooms, and performing other cleaning and maintenance tasks as designated by Public Works Department Staff in parks and other City-owned properties. This effort is primarily envisioned at Beukema Playfield, Reese Playfield, Sheldon Park, and McCrea Playfield, however other parks or properties may be assigned by Public Works Department Staff in consultation with Contractor.
 - c. During the months of June, July and August, the contractor will provide up to 35 hours of labor per week per employee. During April, May, September and October, the contractor will provide a reduced workforce to support critical efforts. The employees are students and will not have as much availability during the school year.
2. **Equipment.** The City shall supply safety equipment mandated for employees while on assignment with the City, together with other equipment described herein.

- a. The City shall supply hand-operated equipment that directly supports the tasks described in this agreement and other duties as assigned by Public Works Department Staff in consultation with the Contractor; examples of this equipment includes hand-operated lawn mowers, string trimmers, leaf blowers, hand tools such as rakes and spades, and cleaning equipment such as brushes and bottles. The City will provide materials to support the efforts, such as gasoline, string line, paper towel(s), cleaning solutions and refuse bags.
 - b. If available for use, the City may supply a self-propelled utility cart to assist with refuse disposal, carrying equipment and staff relocation, based from a facility within or near the BID, for Contractor's use. All operators of such a cart must be licensed within the State of Michigan to operate a motor vehicle and carry a current driver's license. The City will provide materials to support the cart, such as gasoline.
 - c. If available for use, the City may supply a motor vehicle and/or utility trailer to assist with refuse disposal, carrying equipment and staff relocation, based from the City's Public Works Facility at 1350 E. Keating Avenue, Muskegon, MI 49442, for Contractor's use. All operators of such a vehicle and/or utility trailer must be licensed within the State of Michigan to operate a motor vehicle and carry a current driver's license. The City will provide materials to support the vehicle, such as gasoline.
 - d. The City will perform any required maintenance on City-owned equipment. The City reserves the right, in its sole discretion, to withdraw the use of equipment if deemed in the best interest of the City. Any damage caused to rented or borrowed equipment is the responsibility of the Contractor.
 - e. In the event the City is unable to provide equipment, and upon written approval from City, the Contractor may rent equipment that is deemed necessary for the Services. The City will provide materials to support rented equipment, such as gasoline and other consumables not included in rental costs. Maintenance of rented equipment shall be the responsibility of the Contractor. The City will reimburse the cost of the equipment rental at actual cost, including maintenance costs.
3. **Expenses.** Contractor shall be responsible to pay for all expenses incurred by Contractor related to the performance of its duties under this Agreement, except as described in Section 2.e of this agreement.
 4. **Contract Billing.** City agrees to pay Contractor, in full consideration for the complete performance of Contractor's obligations under this Agreement:
 - a. Youth will be paid at a rate of \$12/hour.
 - b. Supervisors will be paid at a rate of \$15/hour.

- c. For all labor, Contractor will bill a markup of 37.5% to cover taxes, insurance and administrative costs. Expenses, when reimbursable, will be billed at actual cost.
5. **Payment.** Contractor shall submit detailed invoices on a monthly basis for the prior month's services. Payments according to this agreement are invoiced and paid on a monthly basis. Requests for payment shall be submitted on a detailed invoice to the City monthly for the previous month. The City agrees that payment shall be due on net 30-day terms.
6. **Specific Reservations.** City reserves the right to discontinue its use of temporary employees from contractor as it determines appropriate.
7. **Terms and Termination.** This Agreement shall be effective on the date of execution, and shall remain in full force and at the same terms through October 31, 2022, with an option to renew for an additional term, if mutually agreed upon by both parties as memorialized in a written and signed agreement.
8. **Commencement and Damages.**

- a. **Commencement.** Contractor shall commence performance under this Agreement upon its execution.

The City shall notify Contractor of any violation of the Agreement. It shall be the duty of Contractor to remedy a Contractor violation.

Failure to perform pursuant to this Agreement for a period in excess of five (5) consecutive scheduled, working days, or failure for a similar period, to perform in the manner required, and provided such failure is not a result of war, insurrection, riots, or acts of God, the City may, at its option and after written notice to Contractor, utilize any or all of Contractor's equipment used in performance of this Agreement until such time the matter is resolved and the Contractor is performing under the terms of the Agreement.

- b. **Appeal.** The City's determination regarding damages shall be final and binding on both parties unless appealed, in writing, to the City Manager or his designee within ten (10) working days after notice. The City Manager or his designee shall grant Contractor an informal hearing upon such request. The decision of the City Manager shall be final and binding.

9. **Insurance and Indemnity.**

- a. **City Insurance Requirement.** The contractor, and any and all of their subcontractors, shall not commence work under this contract until they have obtained the insurance required under this paragraph, and shall keep such insurance in force during the entire life of this contract. All coverage shall be with insurance companies licensed and admitted to do business in the State of Michigan and

acceptable to City of Muskegon. The requirements below should not be interpreted to limit the liability of the Contractor. All deductibles and SIRs are the responsibility of the Contractor.

- b. **Worker's Compensation Insurance**, including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
- c. **Commercial General Liability Insurance** on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence and aggregate. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent, if not already included; (E) Deletion of all Explosion, Collapse, and Underground (XCU) Exclusions, if applicable.
- d. **Automobile Liability**, including Michigan No-Fault Coverages, with limits of liability not less than \$1,000,000 per occurrence combined single limit for Bodily Injury, and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles
- e. **Additional Insured:** Commercial General Liability and Automobile Liability, as described above, shall include an endorsement stating the following shall be *Additional Insureds*: The City of Muskegon, all elected and appointed officials, all employees and volunteers, agents, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof. It is understood and agreed by naming the City of Muskegon as additional insured, coverage afforded is considered to be primary and any other insurance the City of Muskegon may have in effect shall be considered secondary and/or excess.
- f. **Cancellation Notice:** Worker's Compensation Insurance, Commercial General Liability Insurance, and Automobile Liability Insurance, as described above, shall be endorsed to state the following: It is understood and agreed Thirty (30) days, Ten (10) days for non-payment of premium, Advance Written Notice of Cancellation, Non-Renewal, Reduction, and/or Material Change shall be sent to: City of Muskegon, Finance and Administrative Services Director, 933 Terrace St, PO Box 536, Muskegon, Michigan 49443-0536.
- g. **Proof of Insurance Coverage.** Contractor shall provide the City at the time the contracts are returned for execution, certificates and policies endorsing the City as additional insured as listed below:
 - i. Two (2) copies of Certificates of Insurance for Workers' Compensation Insurance, if applicable;
 - ii. Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance; and

- iii. If so requested, Certified Copies of all policies mentioned above will be furnished.

If any of the above coverages expire during the term of this contract, Contractor shall deliver renewal certificates and/or policies to City at least ten (10) days prior to the expiration date.

- h. **Indemnity.** Contractor shall indemnify and save harmless the City against and from all costs, expenses, liabilities, claims, suits, action, and demands of every kind or nature, including reasonable attorney fees, by or on behalf of any person, party, or governmental authority whatsoever arising out of Contractor's services performed under this agreement, Contractor's failure to perform under this agreement, Contractor's use of City equipment, or Contractor's failure to comply with any laws, ordinances, requirements, orders, directions, rules, or regulations of any federal, state, county, or local governmental authority.
10. **Income Tax Withholding.** Contractor shall withhold income taxes from each employee, and pay such tax in accordance with the City of Muskegon Income Tax Ordinance and all applicable laws associated with that ordinance. Contractor shall require the same from each subcontractor, consultant or vendor used in the performance of his duties and obligations in this Agreement. City reserves the right to withhold payments otherwise due to Contractor to assure compliance with this Agreement or to cure such noncompliance.
11. **General Provisions.**
- a. **Notices.** Any notice that either party may give or is required to give under this Agreement shall be in writing, specify the position, department and location assigned, and, if mailed, shall be effective on the day it is delivered to the other party at the other party's address set forth in this Agreement or at any other address that the other party provides in writing. Notices given in person are effective on the day they are given. Notices to the City must copy the City Attorney at 601 Terrace St., Muskegon, MI 49440.
 - b. **Governing Law.** This Agreement is executed in accordance with, shall be governed by, and construed and interpreted in accordance with, the laws of the State of Michigan.
 - c. **Assignment or Delegation.** Neither party shall assign all nor any portion of its rights nor obligations contained in this Agreement without express prior written approval of the other party, which approval may be withheld in the other party's sole discretion.
 - d. **Entire Agreement.** This Agreement and the documents specified in section 1 shall constitute the entire agreement, and shall supersede any other Agreements, written or oral, that may have been made or entered into, by, and between the parties with respect to the subject matter of this Agreement, and shall not be modified or


amended except in a subsequent writing signed by the party against whom enforcement is sought.

- e. **Binding Effect.** This Agreement shall be binding upon, and to the benefit of, and be enforceable by, the parties and their respective legal representatives, permitted successors, and assigns.
- f. **Waiver.** City may waive all or any portion of damages without prejudicing its rights under this Agreement.
- g. **Severability.** Should any one or more of the provisions of this Agreement be determined to be invalid, unlawful, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions of this agreement shall not in any way be impaired or affected.
- h. **Venue.** The parties agree that, for purposes of any dispute in connection with this Agreement, the Muskegon County District or Circuit Court shall have exclusive personal and subject matter jurisdiction and venue.
- i. **Survival.** All representations, warranties, and covenants in this Agreement shall survive the signing of this Agreement.
- j. **Written Clarification.** In the event that there are inconsistencies within the Agreement, the Contractor shall immediately notify the City, in writing, for a determination, interpretation, clarification and/or prioritization of the inconsistencies.

City and Contractor have executed this Agreement on the date written next to their signatures to be effective according to the term(s) stated in this document.

Date: 4/29, 2022

CITY OF MUSKEGON

By: 
Ken Johnson, Mayor

And: 
Ann Meisch, Clerk

Date: 4/25, 2022

BOYS AND GIRLS CLUB OF
THE MUSKEGON LAKESHORE

By: 
Rachel Fawcett COO

Affirmative Action
(231)724-6703
FAX (231)722-1214

Assessor/
Equalization Co.
(231)724-6386
FAX (231)724-1129

Cemetery/Forestry
(231)724-6783
FAX (231)724-4188

City Manager
(231)724-6724
FAX (231)722-1214

Clerk
(231)724-6705
FAX (231)724-4178

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

Computer Info.
Technology
(231)724-4126
FAX (231)722-4301

Engineering
(231)724-6707
FAX (231)727-6904

Finance
(231)724-6713
FAX (231)726-2325

Fire Department
(231)724-6795
FAX (231)724-6985

Human Resources
Co. (Civil Service)
(231)724-6442
FAX (231)724-6840

Income Tax
(231)724-6770
FAX (231)724-6768

Mayor's Office
(231)724-6701
FAX (231)722-1214

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

Police Department
(231)724-6750
FAX (231)722-5140

Public Works
(231)724-4100

FAX (231)722-4188

SafeBuilt
(Inspections)
(231)724-6715
FAX (231)728-4371

Treasurer
(231)724-6720
FAX (231)724-6768

Water Billing
(231)724-6718
FAX (231)724-6768

Water Filtration
(231)724-4106
FAX (231)755-5290

MUSKEGON



West Michigan's Shoreline City
www.shorelinecity.com

April 14th, 2026

Boys and Girls Club
900 W. Western Ave.,
Muskegon, MI 49441

Re: Exercise the Extension on the Partnership Agreement between the City of Muskegon and the Boys and Girls Club of the Muskegon Lakeshore.

Dear Boys & Girls Club of the Muskegon Lakeshore:

The City of Muskegon hereby requests that the Agreement be extended for the period of January 1, 2026–December 31, 2026. The proposed budget for the extension period will be as listed in the previous contract at the discretion of the city. We have agreed this be taken into consideration with this extension.

This modification is requested for the following reason(s):

- The City of Muskegon utilizes a contract to assist the City of Muskegon Parks Department. The extension proposes to request approximately 8 seasonal employees & 2 field coordinators. Services include contract laborers for seasonal projects on an as-needed basis.
- The ability to subcontract teens in the BGC teen workforce in City of Muskegon Parks & Recreation programs
- The City of Muskegon is an AA/EEO/ADA Employer.

Thank you for your consideration of this request.

City of Muskegon

Date: _____, 2026
CITY OF MUSKEGON

By: _____
Ken Johnson, Mayor

And:

Ann Meisch, MMC City Clerk

Contractor

Date: _____, 2024
BOYS AND GIRLS CLUB OF MUSKEGON LAKESHORE

By: _____
Camille Jorden-Mark, CEO



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Concession Application - The Thirsty Mitten (Pere Marquette)				
Submitted by: Kyle Karczewski, Parks and Recreation Director	Department: DPW- Parks				
Brief Summary: The Parks Department has received an application from Thirsty Mitten for a concession agreement to run a mobile food concession at Pere Marquette. Per the concession policy, their fee to operate at the park in a mobile unit is \$1,000/year + 5% of gross receipts for operations conducted at beach parks.					
Detailed Summary & Background: The Parks Department has received an application from Thirsty Mitten for a concession agreement to run a mobile food concession at Pere Marquette. Per the concession policy, their fee to operate at the park in a mobile unit is \$1,000/year + 5% of gross receipts for operations conducted at beach parks. The applicant has stated their frequency would be weekly with a presence primarily on weekends. This would be a mobile trailer that is set up on the weekends near the Kite Shack/new restroom parking lot. Hours of operation will be Thursday - Saturdays in the summer from 11 a.m. - 6 p.m. when they do not have other commitments. The only possible food prep on site would be mini pancakes, aside from this the vendor would be seeking non-alcoholic beverages.					
Goal/Action Item: 2027 Goal 1: Destination Community & Quality of Life					
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:					
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;">No</td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">X</td> </tr> </table>	Yes	No	N/A	X
Yes	No	N/A	X		
Fund(s) or Account(s):	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;">No</td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">X</td> </tr> </table>	Yes	No	N/A	X
Yes	No	N/A	X		
Recommended Motion: Move to authorize staff to enter into a concession agreement with Thirsty Mitten as a mobile concession vendor at Pere Marquette Park.					
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 20%;"></td> </tr> </table>	Immediate Division	x		Name the Policy/Ordinance Followed: n/a	
Immediate Division	x				

Head		
Information Technology		
Other Division Heads		
Communication		
Legal Review		



PARK CONCESSION POLICY

ADOPTED: July 26th, 2022

PURPOSE

To formalize the process and procedures related to concession operations within the City of Muskegon Park System.

GOALS

The City of Muskegon maintains this policy with the goals of:

- Providing a variety of services to park visitors that could not be provided by other means
- Meet the needs and wants of park users
- Activate and engage our park spaces
- Offer opportunities for small business to start and grow

COVERED AREAS & APPLICABILITY

This policy applies to any concession proposing to operate in the traditionally recognized city park system, with the following exceptions:

- Hackley Park is excluded from this agreement and no concessions outside of approved special events are permitted to operate within Hackley Park.
- This policy does not apply to Western Market, Muskegon Farmers Market, Trinity Health Arena, or any other areas which may contain similar operations but are not a part of the traditionally recognized city park system.
- This policy also does not apply to “The Deck” restaurant which operates within Pere Marquette Park, to “Fisherman’s Landing” campground and boat launch, nor to the “Clippers” baseball facility that operates within Marsh Field, as all are under specific lease agreements and terms.
- Concessions operating as a part of an approved special event or an approved sports league are exempt from this policy.

This policy does apply to the few brick and mortar concession spaces located within the City Parks; currently the list of brick and mortar spaces is as follows, with future changes possible:

- The designated concession space within the Pere Marquette Park Bathhouse
- The Pere Marquette Park secondary building located south of the bathhouse
- The Pere Marquette Park Chalet at the north end of the park

APPLICATION & AGREEMENT PROCESS

Applications will be accepted year-round on the attached form.

There is no fee associated with applying to be a concessionaire within the City Parks. If the application is approved, fees will be charged for the right to operate within the city park system as outlined below.

Staff will review applications in accordance with this policy. Applications approved by staff will be presented to the Commission for consideration before adoption of the agreement.

Once an application is approved by the City Commission, city and the concessionaire will enter into a formal agreement. General agreement terms attached to each agreement will be specifically crafted to match the agreed upon activities, fees, and services as allowable in this policy.

Agreements shall be renewed annually, except that agreements within a designated brick and mortar space may be proposed for an extended duration, with the maximum length not to exceed 5 years.

Returning operations for brick and mortar facilities in good standing shall be offered first right of refusal to renew their agreement for up to one renewal term of the same duration as the original term. When brick and mortar spaces become available or at the end of a renewal term the brick and mortar spaces will be offered as available through a request for proposal process.

FEES & WAIVERS

Concessionaire shall be obligated to pay the fees outlined in the agreement.

The standard fee to operate a concession shall be set at \$1,000/Year + 5% of gross receipts for any operation conducted within Kruse Park, Pere Marquette Park, Margaret Drake Elliot Park or Harbor Towne Beach, and \$250/Year + 5% of gross receipts for any concession operating in any other park.

Concession agreements proposed for a brick and mortar location as described above shall be set at \$1,000/Year + 10% of gross receipts or \$2,500/Year, whichever is expected to be more.

Revenue generated from concession operations shall be deposited in the City General Fund for support of park and recreation operations in the City.

Fees for concessions may be waived by staff upon receipt of a "Concession Fee Waiver Application" at the same time as a concession application. Fee waivers will be evaluated according to the point system described on that form.

Return completed application to the following:
City of Muskegon Public Works Department
 1350 East Keating Avenue
 Muskegon, MI 49442

► I. CONCESSIONAIRE

BUSINESS / NON-PROFIT	The Thirsty Mitten
CONTACT	Angela Schroeder
ADDRESS	8076 Holton Rd
PHONE	231 830 7830
EMAIL	the-thirstymitten@gmail.com

► II. OPERATIONAL DESCRIPTION

ACTIVITIES CONDUCTED (ATTACH PICTURES IF NEEDED)	<ul style="list-style-type: none"> • Dirty Soda, Redbull, aiani - soda mixed with cream + syrup NON alcoholic family friendly drinks. • Mini Pancakes
EQUIPMENT USED (ATTACH PICTURES IF NEEDED)	Trailer + Generator
REQUESTED LOCATION(S)	Pier Marquett

► IV. LIABILITY WAIVER



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Health and Dental Care Renewal															
Submitted by: Kenneth Grant, Finance Director	Department: Finance															
Brief Summary: To approve the renewal of Priority Health as the City's fully insured health care provider and the Third Party Administrator for City's self-funded health care plan. Also, to renew Delta Dental as the City's dental insurance provider.																
Detailed Summary & Background: See Attachment																
<u>Goal/Action Item:</u>																
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:																
Amount Requested:	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 10%;"></td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 10%;"></td> <td style="width: 20%; text-align: center;">N/A</td> <td style="width: 10%;"></td> </tr> </table>	Yes		No		N/A										
Yes		No		N/A												
Fund(s) or Account(s): 677	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 10%;"></td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 10%;"></td> <td style="width: 20%; text-align: center;">N/A</td> <td style="width: 10%;"></td> </tr> </table>	Yes		No		N/A										
Yes		No		N/A												
Recommended Motion: To approve the renewal of Priority Health as the City's fully insured health care provider and the Third Party Administrator for City's self-funded health care plan. Also, to renew Delta Dental as the City's dental insurance provider.																
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>	Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review			<u>Name the Policy/Ordinance Followed:</u>
Immediate Division Head																
Information Technology																
Other Division Heads																
Communication																
Legal Review																

Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Health and Dental Care Renewal
Submitted By: Kenneth Grant	Department: Finance

Brief Summary: To approve the renewal of Priority Health as the City's fully insured health care provider and the Third-Party Administrator for City's self-funded health care plan. And to renew Delta Dental as the City's dental insurance provider.

Detailed Summary: The City's health care coverage renews June 1, 2026, for the period June 1, 2026, to May 31, 2027. Health insurance companies are again giving out large rate increases across the board this year.

1. The renewal initially came in at a 15.6% increase, which we were able to get reduced to 12.6% after discussions with Priority Underwriting. We then made a few benefit changes which further reduced our renewal to 10.58%.
2. We are also offering a second option (Low Option Plan) with a high deductible for those employees that may not use services much and would like to lower their payroll contribution. The rates for employees choosing that option are 6.42% less than what we are paying currently. The city would still pay the first \$4,000 Individual deductible and \$8,000 Double/Family Deductible. The employee would be responsible for the \$5,000 Individual deductible and \$10,000 Double/Family Deductible that remained.
3. If an employee does not complete the wellness requirements they will be put in a plan that has the same benefits as the employees who completed the wellness requirements, except it will have a \$4,500 deductible for individuals and \$9,000 deductible for double and family contracts. The city will still pay up to \$4,000 of the individual deductible and \$8,000 for the double and family deductible. The employee will have to pay an additional \$500 for the individual deductible and additional \$1,000 for the double and family deductible.
4. The benefit changes we made allowed us to not have to open any Union contracts and we are able to maintain the 10% employee contribution.
5. BCBSM/BCN was not a viable option as again they are not able to accommodate our retirees according to our contract.

The following changes are effective June 1, 2026.

1. Renewal rates:

Demographic	2025	2026 High Option Plan	2026 Low Option Plan
Single	\$675.34	\$746.82	\$631.97
Double	\$1,519.51	\$1,680.35	\$1,421.93
Family	\$1,823.41	\$2,016.42	\$1,706.32

2. Our Health Reimbursement Arrangement (HRA) is running well. Our annual cost for the HRA for 2025 was \$423,800.00 To put that in perspective, the maximum exposure for the city for the HRA is \$2,405,000.00
3. For our self-funded contract, which includes 2 segments, those retirees under 65 and those over 65. These are the fixed costs for the plan. Our aggregate cost went over our maximum exposure for the year. Priority Health will be sending us reimbursement for that cost in the amount of \$349,000.00.

	Enrolled	Current	Renewal	Increase/Decrease
Admin Fee	139	\$55.58	\$57.09	2.7%
Aggregate Premium	139	\$16.85	\$18.03	7.0%

4. Delta Dental rates increased 8.46% for 2026-27. We have not experienced much increase with Delta Dental for many years. There are no plan changes. The city offers three benefit packages dependent on where you work.

	Single	Double	Family
Basic (Police & Fire)	\$32.06	\$60.29	\$121.16
Enhanced (Non-Union)	\$39.10	\$73.20	\$146.25
Union Enhanced (Union)	\$37.38	\$70.98	\$144.15

5. Vision rates increased 6.6% with no changes in benefits

	Current	Renewal
Single	\$6.17	\$6.58
Double	\$11.10	\$11.85
Family	\$16.65	\$17.77

6. Payroll contributions will be 10% employee paid on a bi-weekly basis. The 10% payroll contribution includes medical rates, and HRA payments.

6/1/2026 – 5/31/2027 High Option Plan	Employee Contribution Bi-Weekly	Employer Contribution Bi-Weekly
Single	\$ 42.42	\$ 381.78
Double	\$ 85.51	\$ 769.55
Family	\$ 101.02	\$ 909.15
6/1/2026 – 5/31/2027 Low Option Plan	Employee Contribution Bi-Weekly	Employer Contribution Bi-Weekly
Single	\$ 22.53	\$ 348.65
Double	\$ 40.76	\$ 695.02
Family	\$ 47.33	\$ 819.72

	Amount Budgeted: \$3,853,000.00 - \$3,770,000.00
--	--

Fund(s) or Account(s):677	Fund(s) or Account(s):
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Recommended Motion: To approve Priority Health fully insured and self-funded renewal, and the Delta Dental renewal for 2026-2027.

Check if the following Departments need to approve the item first:

Police Dept.

Fire Dept.

IT Dept.

For City Clerk Use Only:

Commission Action:



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Contract with MATS for Beach Shuttle Service							
Submitted by: LeighAnn Mikesell, Deputy City Manager	Department: Manager's Office							
Brief Summary: Staff is seeking approval of a contract with the Muskegon Area Transit System to provide bus service to the city's beach parks.								
Detailed Summary & Background: Staff has presented the proposed changes to the beach shuttle program to the commission. Adjustments to bus stops have been made based on input from the commission balanced with route timing and efficiency. A map of the route and stops is included in the packet. At this time, staff is presenting the contract for services which has already been approved by the County Commission. Costs remain as previously discussed.								
Goal/Action Item: 2027 Goal 1: Destination Community & Quality of Life - Improved transportation connections throughout the community								
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission: Contract for services discussed at work session and legislative policy.								
Amount Requested: \$48,800	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;">No</td> <td style="width: 15%;"></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> </table>	Yes	<input checked="" type="checkbox"/>	No		N/A		
Yes	<input checked="" type="checkbox"/>	No		N/A				
Fund(s) or Account(s): 101-772-801	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;">No</td> <td style="width: 15%;"></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> </table>	Yes	<input checked="" type="checkbox"/>	No		N/A		
Yes	<input checked="" type="checkbox"/>	No		N/A				
Recommended Motion: To approved the contract with MATS and authorize the mayor and clerk to sign.								
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Immediate Division Head</td> <td style="width: 10%;"></td> <td style="width: 30%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> </table>	Immediate Division Head			Information Technology			Name the Policy/Ordinance Followed: Purchasing Policy	
Immediate Division Head								
Information Technology								

Other Division Heads		
Communication		
Legal Review	X	

**AGREEMENT BETWEEN THE CITY OF MUSKEGON
AND MUSKEGON COUNTY**

THE AGREEMENT is made effective May 22, 2026 (the “Effective Date”) to September 6, 2026 (16 weeks, together the “Term”) between the City of Muskegon, located at 933 Terrace Street, Muskegon, Michigan 49443-0536 (the “City”) and Muskegon County, through its transit system, located at 1903 Marquette Avenue, Muskegon, Michigan 49442 (“MATS”).

RECITALS

- A. The City owns and operates a number of parks and recreational facilities in the City of Muskegon, including a beach at Pere Marquette Park.
- B. The City believes that it would be of benefit to offer transportation as described below.
- C. MATS, through its transit system, operates various transportation services designed to serve people, including individuals with disabilities, older adults, and persons facing barriers to reliable transportation access.
- D. In consideration of the matters described above and of the mutual benefits set forth in this Agreement, the parties agree as follows:

SECTION 1. Recitals

The Recitals above are true and correct and are incorporated into the body of this Agreement.

SECTION 2. Services Provided by the City.

During the Term:

- A. The City shall design and install signage at the stops described below in accordance with MATS policies as noted in Exhibit A.
- B. The City shall pay MATS a total amount of Forty-Eight Thousand Eight Hundred Dollars (\$48,800.00), payable in two installments as follows: (i) one-third (1/3) of the total amount, equal to Sixteen Thousand Two Hundred Sixty-Six Dollars and Sixty-Seven Cents (\$16,266.67), due and payable in May 2026; and (ii) two-thirds (2/3) of the total amount, equal to Thirty-Two Thousand Five Hundred Thirty-Three Dollars and Thirty-Three Cents (\$32,533.33), due and payable in July 2026. MATS shall issue invoices to the City in accordance with this schedule. MATS may invoice the City for any additional service hours requested by the City, which shall be payable in accordance with the terms of this Agreement.

SECTION 3. Services Provided by MATS.

During the Term, MATS shall provide and be responsible for the following:

A. Routes:

Two Seasonal Fixed Routes, with required ADA paratransit complement.

Service will operate on the following dates and times for the duration of the agreement:

Fridays: 12:00 noon to 8:00 p.m.

Saturdays: 12:00 noon to 8:00 p.m.

Sundays: 12:00 noon to 6:00 p.m.

B. Tan Line (Route 41):

Stops located as follows:

Kruse Park Picnic area, Beachwood Park area, Beach Street “Area 13” staircase area, Beach Street “Kite Shack” area, Beach Street @ Indiana St., Margaret Drake Elliot Park area, Silversides area, Harbor Towne Beach parking area.

Stop locations will be bi-directionally served (north and south).

Route circuit will depart Kruse Park at :00 and :30, serving stops 2x hourly.

Individual stops will not be “timed” due to varying traffic conditions.

Bus will remain on roads (not parking areas) except Kruse Park.

All boarding/alighting activity will occur at designated stops.

C. Town Line (Route 42):

Stops located as follows:

Herman Ivory Terminal, Marquette Ave. & Wood St., Marquette Ave. & Erickson St., Western @ Third/Fourth, Western @ Sixth, Laketon & Henry, Lakeshore Dr. & Estes St., Grand Trunk Parking Area, Lakeshore Dr. & Sherin St., Beach Street @ Indiana St.

Stop locations will be bi-directionally served (east and west).

Route circuit will depart Herman Ivory Terminal once hourly, serving all stops 1x hourly.

Individual stops will not be “timed” due to varying traffic conditions.

Bus will remain on roads (not parking areas) except Grand Trunk Parking area.

All boarding/alighting activity will occur at designated stops.

D. ADA Complementary Paratransit

In adherence to the Americans with Disabilities Act requirements, when fixed route bus operations occur, MATS will operate its Complementary Paratransit service to provide trips on a pre-scheduled, next-day basis for all eligible and certified persons with disabilities that are traveling within a zone extending 3/4 miles around the designated seasonal fixed routes during the days and times that these routes are in operation. ADA service complementary to these seasonal routes will be free of charge, as are these fixed route services.

E. Vehicle and Tracking:

One small bus on each route (16 seats, or 3 wheelchairs + 6 seats). Vehicles can be tracked by passengers through the MATS app and website at:

<https://muskegon.connexionz.net/rtt/public/>

F. Guidelines:

MATS shall operate as an open-door public transportation system, and all rules and regulations governing MATS passengers shall apply, as set forth in Exhibit B.

G. Customer Fare:

No customer fare required. Donations to MATS drop box available.

H. Reporting:

MATS will send a weekly summary of the previous period's daily passenger counts for each route by the conclusion of business on the following Tuesday. Any significant events will also be included in this summary. For the purposes of this section a "significant event" shall mean any of the following:

- (1) Major delays or service disruptions exceeding 30 minutes on any route;
- (2) Accidents, fights, or incidents involving passengers, drivers, or vehicles that require reporting to authorities or impact service;
- (3) Vehicle breakdowns or equipment failures that result in route cancellations or significant schedule deviations;
- (4) Emergency situations or security threats affecting service operations;

(5) Unscheduled changes in service, such as route detours or early terminations; and

(6) Other operational issues that could reasonably be expected to impact service reliability, passenger safety, or operational compliance.

SECTION 4. Relationship Between the Parties

MATS shall perform and provide services under this Agreement as an independent contractor and the individual or individuals designated by MATS shall remain for all purposes employees of MATS. MATS understands that it will remain responsible for any and all wages and benefits due to its employee. MATS employees shall not be entitled to any benefits from the City, including, but not limited to, vacation leave, sick leave, health insurance, disability insurance, unemployment insurance, and workers' compensation benefits.

SECTION 5. Assignment

Neither the City nor MATS shall assign any of its rights nor transfer any of its obligations under this Agreement to another party without the prior written consent of the other, which consent will not be unreasonably withheld.

SECTION 6. Severability

If any one or more of the provisions are held to be invalid, illegal, or unenforceable in any respect, then such provision or provisions are deemed severable from the remaining provisions, and such invalidity, illegality or unenforceability will not affect any other provision, and this Agreement will be construed as if such invalid, illegal or unenforceable provision had never been in this Agreement.

SECTION 7. Notice

Notices will be given by personal service, fax, e-mail, or United States pre-paid postage for first class, registered or certified mail. Notices of termination will be sent as follows:

To: The City

933 Terrace Street
Muskegon, MI 49440
Attn: Kenneth Johnson, Mayor

To: MATS

1903 Marquette Avenue
Muskegon, MI 49442
Attn: Mark Eisenbarth, County Administrator

SECTION 8. Entire Agreement and Amendment

In conjunction with the matters considered herein, this Agreement contains the entire understanding and agreement of the parties and there have been no promises, representations, agreements, warranties, or undertakings by any of the parties, either oral or written, of any character or nature hereafter binding except as set forth herein. This Agreement may only be

altered, amended, or modified only by an instrument in writing and executed by both Parties hereto. Each party waives their future right to claim, contest or assert that this Agreement was modified, canceled, superseded, or changed by any oral agreements, course of conduct waiver or estoppel.

SECTION 9. No Third-Party Beneficiary

No person dealing with the City or MATS shall be, nor shall any of them be deemed to be, third-party beneficiaries of this Agreement. This Agreement is not intended to, and will not be interpreted to, create a special relationship between the City and MATS and any staff, visitors, residents, or other individuals who may have business through the City or MATS.

SECTION 10. Insurance

The City will submit to Muskegon County and Muskegon County will submit to the City a Certificate of Insurance certifying that, for the period covered by this Agreement, each party carries and has added the other party to the following insurance policies:

- A. worker's compensation insurance including Employer's Liability Coverage in accordance with all applicable statutes of the State of Michigan.
- B. general liability insurance, including a Broad Form General Liability Endorsement or equivalent, with minimum aggregate limits of \$1,000,000 to protect the other party against claims for damage to property of others or for injury to or death of one more than one person due to accidents which may occur or result from the Subrecipient's performance under this Agreement.
- C. motor vehicle liability insurance, including Michigan No-Fault Coverage, with limits of Liability not less than \$1,000,000 per occurrence for personal injury and for property damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- D. any and all additional insurance required by the laws of the State of Michigan.

The insurance certificates required under this Agreement will name the City and MATS as an additional insured party and will obligate the insurer to provide a defense against all claims brought against either party by virtue of this Agreement. Documentation shall include evidence of coverage as it applies to the specific delivery of services as outlined by the Agreement herein. The certificate shall provide that the insurance cannot be canceled or modified without thirty (30) days advance written notice to the other party by the insurance company.

SECTION 11. Terms and Conditions

The terms and conditions used in this Agreement will be given their common and ordinary definition and will not be construed against either party.

SECTION 12. Execution of Counterparts

This Agreement may be executed in any number of counterparts and each such counterpart shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the parties shall preserve undestroyed, shall together constitute one and the same instrument. An electronic or facsimile signature on this Agreement has the effect of an original signature.

SECTION 13. Authority

All parties to this Agreement warrant and represent that they have the power and authority to enter into this Agreement in the names, titles, and capacities stated below and on behalf of any entities, person, or firms represented or purported to be represented by such entity(ies), person(s), or firm(s) and that all formal requirements necessary or required by any State and/or Federal law in order to enter into this Agreement have been fully complied with.

SECTION 14. Indemnity.

- A. To the fullest extent permitted by law, the City shall defend, indemnify, and hold harmless Muskegon County, its subsidiaries, departments, divisions, and agencies and their respective officials, officers, directors, employees, and agents from and against any and all liability, litigation, causes of action, and claims, by whomsoever brought or alleged, and regardless of the legal theories upon which based, and from and against all losses, costs, expenses, and fees and expenses of attorneys and expert witnesses resulting therefrom on account of, relating to, or arising out of bodily injury to or death of any person or on account of damage to property, including loss of use, arising or allegedly arising out of or resulting from the act or omission of the City and its employees, agents and contractors.

- B. To the fullest extent permitted by law, Muskegon County shall defend, indemnify, and hold harmless the City, its subsidiaries, departments, divisions, and agencies and their respective officials, officers, directors, employees, and agents from and against any and all liability, litigation, causes of action, and claims, by whomsoever brought or alleged, and regardless of the legal theories upon which based, and from and against all losses, costs, expenses, and fees and expenses of attorneys and expert witnesses resulting therefrom on account of, relating to, or arising out of bodily injury to or death of any person or on account of damage to property, including loss of use, arising or allegedly arising out of or resulting from the act or omission of Muskegon County (including MATS), and its employees, agents and contractors.

[Signature page to follow]

MUSKEGON COUNTY

Dated: _____

By: _____
Charles Nash
Chairman of the County Board

CITY OF MUSKEGON

Dated: _____

By: _____
Kenneth Johnson
Mayor

Dated: _____

By: _____
Ann Meisch,
Clerk

Exhibit A

Each bus stop location that will require surface improvements may need additional field measurements, such as elevations and slopes, to ensure Americans with Disabilities Act (ADA) compliance to Public Right-of-Way Accessibility Guidelines (PROWAG).

Approvals and permits will be received for each stop depending on requirements.

- Local jurisdiction permits.
- National Environmental Policy Act (NEPA)/Categorical Exclusion documentation.
- Others, as needed.

Depending on location of the stop, additional items may need to be added to the plans, such as Michigan Department of Transportation (MDOT) traffic control plans.

Exhibit B

Muskegon Area Transit System Passenger Courtesy Rules

- MATS reserves the right to deny service or to have a passenger removed from the bus or MATS property for displaying poor conduct or violating system rules.
- Ask for transfers immediately upon boarding.
- Keep aisles clear. Collapse strollers and carts before boarding the bus. Keep small children and bags on your lap.
- Children under age 12 must be accompanied by an adult in all MATS facilities and vehicles or be certified by MATS.
- Remain seated, when possible, while the bus is in motion.
- Keep hands, arms and other objects inside the bus.
- No eating, drinking, smoking, or use of electronic cigarettes on board the bus.
- No use of profanity or insulting language or gestures.
- No yelling, roughhousing, or throwing of objects.
- No loitering, panhandling, soliciting or other acts prohibited by law.
- Do not use spray perfumes or aerosols on the bus.
- Do not use radios, music players, cell phones, or other sound producing devices without headphones.
- No animals are allowed on the bus except for guide/service animals.
- Dress appropriately and maintain personal hygiene so that personal odor does not become offensive.

Pet Policy

No animals are allowed on the bus except for guide/service animals.

Lost & Found

All items found on MATS buses are turned in at the main office each evening. Items may be claimed by calling 231-724-6420 and describing the lost item. Property not claimed within 30 days may be discarded or donated to charity.

2026 Beach Shuttle Map

Last edit was 3 minutes ago

Add layer Share Preview

Tan Line (Route 41)

Individual styles

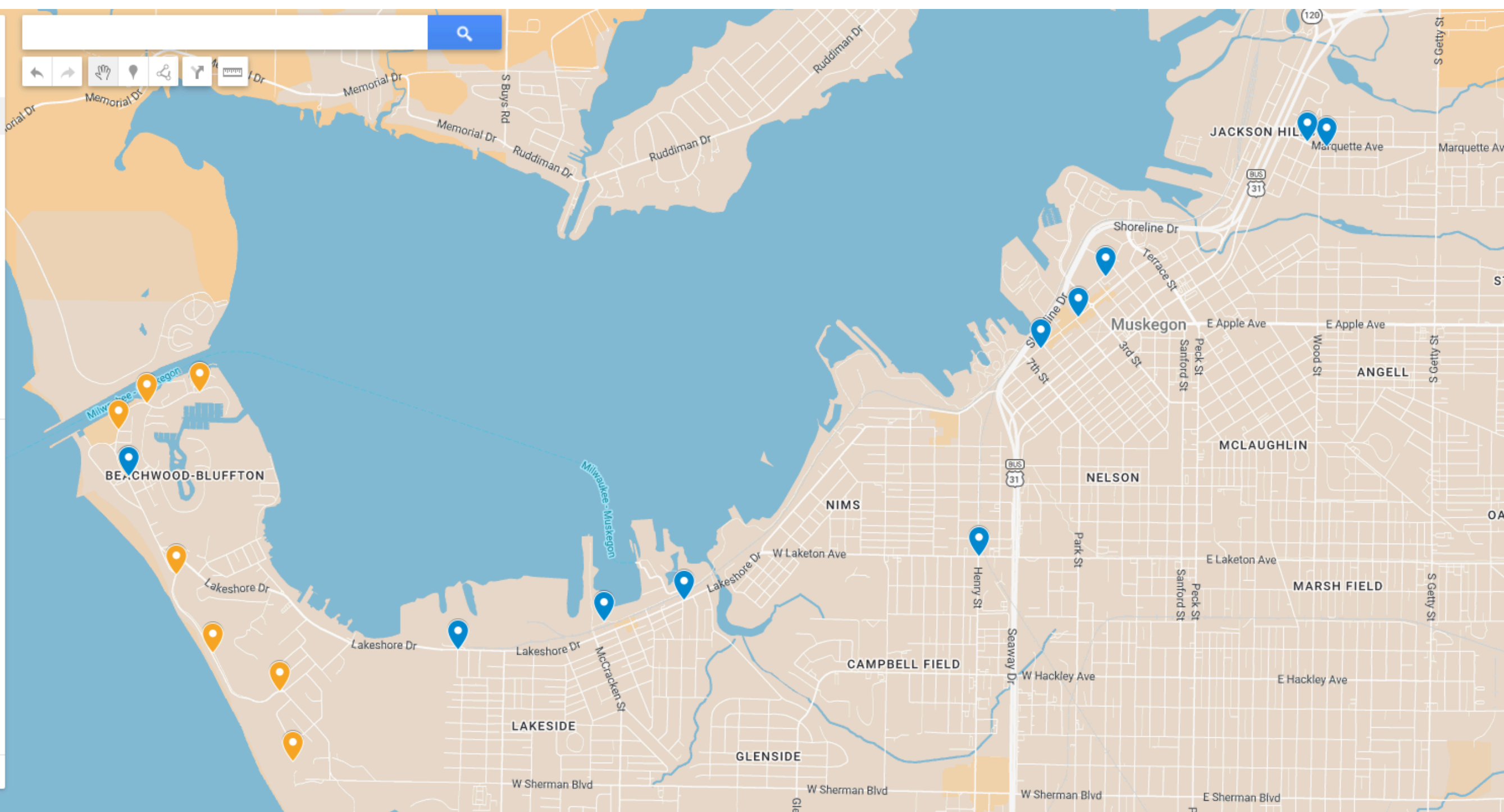
- Kruse Park Picnic area
- Beach Street "Area 13" stairc...
- Beachwood Park area
- Beach Street "Kite Shack" area
- Beach Street @ Indiana St
- Margaret Drake Elliot Park are
- Silversides area
- Harbor Towne Beach parking...

Town Line (Route 42)

Individual styles

- Beach Street @ Indiana St
- Laketon & Henry
- Marquette Ave. & Erickson St
- Western @ Third/Fourth
- Western @ Sixth
- Lakeshore Dr. & Sherin St
- Lakeshore Dr. & Estes St
- Grand Trunk Parking Area
- Marquette Ave. & Wood St
- Herman Ivory Terminal

Base map





Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Approve CRC Recommendations															
Submitted by: Jessica Grimm, Elections Coordinator	Department: City Clerk															
Brief Summary: To accept the resignation of Deborah Sweet from the Citizens Police Review Board and appoint Nathaniel Williams to the Citizens District Council/Community Development Block Grant as a Ward 2 Representative with a term ending 1/31/27.																
Detailed Summary & Background:																
<u>Goal/Action Item:</u>																
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:																
Amount Requested:	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 12.5%;">Yes</td> <td style="width: 12.5%;"><input checked="" type="checkbox"/></td> <td style="width: 12.5%;">No</td> <td style="width: 12.5%;"><input checked="" type="checkbox"/></td> <td style="width: 12.5%;">N/A</td> <td style="width: 12.5%;"><input checked="" type="checkbox"/></td> <td style="width: 12.5%;"></td> </tr> </table>	Yes	<input checked="" type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>									
Yes	<input checked="" type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>											
Fund(s) or Account(s):	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 12.5%;">Yes</td> <td style="width: 12.5%;"><input checked="" type="checkbox"/></td> <td style="width: 12.5%;">No</td> <td style="width: 12.5%;"><input checked="" type="checkbox"/></td> <td style="width: 12.5%;">N/A</td> <td style="width: 12.5%;"><input checked="" type="checkbox"/></td> <td style="width: 12.5%;"></td> </tr> </table>	Yes	<input checked="" type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>									
Yes	<input checked="" type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>											
Recommended Motion: Motion to approve the Recommendations from the Community Relations Committee.																
Approvals:	<u>Name the Policy/Ordinance Followed:</u>															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>	Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review			
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The Community Relations Committee recommends to the City Commission approval of the following:

Member Resignation:

- Deborah Sweet – Citizens Police Review Board

Member appointments:

- Nathaniel Williams – Citizens District Council – Community Development Block Grant
 - Term expiring 1/31/2027 Ward 2 Representative



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: April 14, 2026	Title: Concurrence with the Housing Board of Appeals Notice and Order to Demolish the following: ITEM REMOVED PER STAFF REQUEST								
Submitted by: Steven Stout, Housing Board of Appeals	Department: Public Safety								
<p>Brief Summary: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structures are unsafe, substandard, public nuisances and that they be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structures and that the Mayor and City Clerk be authorized and directed to execute a contract for the demolitions with the lowest responsible bidder.</p> <ul style="list-style-type: none"> • 779 Yuba Street • 984 Pine Street • 978 Pine Street 									
Detailed Summary & Background:									
<p>Goal/Action Item: 2027 Goal 1: Destination Community & Quality of Life</p>									
<p>Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:</p>									
<p>Amount Requested: BIDS</p>	<p>Budgeted Item:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"></td> <td style="width: 25%;">No</td> <td style="width: 25%;"></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;"></td> <td style="width: 25%;">x</td> <td style="width: 25%;"></td> </tr> </table>	Yes		No		N/A		x	
Yes		No		N/A		x			
<p>Fund(s) or Account(s):</p>	<p>Budget Amendment Needed:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"></td> <td style="width: 25%;">No</td> <td style="width: 25%;"></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;"></td> <td style="width: 25%;">x</td> <td style="width: 25%;"></td> </tr> </table>	Yes		No		N/A		x	
Yes		No		N/A		x			
<p>Recommended Motion: To concur with the Housing Board of Appeals decision to demolish.</p>									
<p>Approvals:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 20%;"></td> </tr> <tr> <td>Information</td> <td></td> <td></td> </tr> </table>	Immediate Division Head	x		Information			<p>Name the Policy/Ordinance Followed: Section 10-81 & Section 10-371 through 10-382</p>		
Immediate Division Head	x								
Information									

Technology		
Other Division Heads		
Communication		
Legal Review		



Building and Inspection Services • 933 Terrace St., Suite 201, Muskegon, MI 49440

Case: EN2401187-779 Yuba St
#1 Smallberg LLC
2886 3 Mile Rd
Walker, Mi. 49534

INFORMATION:

On or around May ,14th, 2024, Staff observed the exterior of the structure has begun to deteriorate at an alarming rate, including falling bricks and a crumbling foundation. A Dangerous Building inspection confirmed extensive damage; exterior walls were bowing outward and had gone out of plumb.

Following the inspection, Staff contacted the owners and provided time to get their affairs in order after explaining the requirements of the Dangerous Building Ordinance and the next steps. In May of 2024, the Owners expressed interest in remediation and agreed to schedule an inspection. When no further action occurred, Staff extended an additional two weeks in August 2024, before ultimately issuing a Notice and Order due to continued inaction.

In February 2025, an HBA Notice was sent and the owners responded by scheduling an inspection. Due to the unsecured and long vacant state of the building, staff coordinated with Sgt Velik from MPD for initial safety sweep. Upon arrival, Staff discovered the North wall had



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collapsed. Given the extent of the structural failure, the Chief Building Officer deemed an interior inspection unsafe.

Staff immediately communicated the emergency to the operations Manager of the property, who assured us that the corrective action would be taken. An inspection report and remediation timeline were provided. After further evaluation with the Fire Marshal, Staff recommended fencing off the hazardous area as a temporary safety measure. We informed the Owner that if action was not taken quickly, the City would have the site secured at the owner's expense. Over a week passed with no response, despite multiple follow up attempts by both Staff and the Fire Marshal.

The Property was subsequently listed for sale, with the stipulation that the adjacent property could not be sold without either a demolition or a remediation plan in place for the structure.

STAFF RECOMENDATION:

Demolition of building.

No further contact has been made, and Staff has been unable to achieve resolution with the current owners. The building remains structurally compromised and unsafe.



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COMPLAINT NOTICE:

May 14th, 2024, DB complaint sent to owners.

Notice & Order:

On August 13th, 2024, The Notice and Order was sent and posted.

On September 18th, 2024, A 10 day Notice of HBA Hearing was sent and posted.

On October 29th, 2024 a 10 Day Notice of HBA Hearing was sent and posted.

On July 7th, 2025, A 10 Day Notice of HBA Hearing was sent and posted.

On August 7th, 2025, An HBA Determination letter was sent and posted. All notices are sent via First Class and Certified Mail as well posted to the property.

ADDITIONAL INFORMATION:

-This is a two, plus story building. It is 18,141 square feet commercial building.

-SEV & Taxable value is \$63,500 & \$54,127.

-Effective age is 120 years old, built in 1905.

-Staff estimated cost for interior and exterior repairs at N/A as the interior inspection has not been performed.

-The Building is in the Angel Commercial Neighborhood.

779 Yuba Street was declared for demolition by the Housing Board of Appeals on August 7, 2025.



738

3.19.2026 15:47



3.19.2026 15:47



ECONOMY
SELF
STORAGE

79

3.19.2026 15:47

CASE **EN2304311-984 Pine st**
C **Blackfoot Investment Company LLC**
1431 Bemis S/E
Grand Rapids, Mi. 49506

Information:

On November 13, 2023, The Muskegon Fire Department responded to a Structure fire. The home was fully engulfed in flames. Despite aggressive suppression efforts, the building sustained fire, smoke, and water damage. Originally interconnected with five adjoining structures. The property lost its entire roof to direct fire exposure. It suffered major destruction of the main floor and accumulated several feet of water in the basement.

The fire is believed to have originated from the unpermitted heat treatment on the roof. Due to the scale of the damage and lack of response from the owner, Staff consulted with structural engineers already working at a neighboring site. It was determined that any future demolition would require additional engineering to prevent destabilizing the adjoining buildings.

In January 2024, Contact was made with the owner, Staff was granted access to perform an All-Trades Fire Inspection. At That time, the structure was determined to be unsafe for an interior inspection, as only the exterior walls remained. The owner also disclosed that the building was uninsurable prior to the fire due to its deteriorated condition. Based on Staff observations and the engineering input, the structure was deemed a total loss.

Staff advised that Immediate action was necessary to avoid City-Initiated demolition, particularly since the structure had already resulted in a four-month road closure. A partial demolition permit was issued on January 31st, 2024, allowing removal of the remaining second story on the neighboring property to reopen the street. That work was completed and inspected by February 27, 2024. However, no demolition work has been completed on this structure to date. All subsequent discussions have focused solely on remediation of the neighboring building.

RECOMENDATION:

Due to prolonged inaction and repeated failure to meet agreed timelines, Staff Recommend Proceeding with demolition of the structures.

Complaint Notice:

A dangerous building fire letter was sent on November 14th, 2023.

Notice & Order:

On November 14th, 2023, a fire inspection notice was sent.

On May 16th, 2024, a notice and order as sent and posted.

On September 18th, 2024, a 10-day notice of hearing was sent and posted.

On March 20th, 2025, a 10-day notice of hearing was sent and posted.

On July 28th, 2025, a 10-day notice of hearing was sent and posted.

Om 2-21-2025, a 10-day notice of hearing was sent and posted.

On 7-21-25, a 10-day notice of hearing was sent and posted.

On 8-18-25 The case was tabled.

On 1-21-26, I sent and posted a 10-day notice of hearing.

All notices are sent, First Class Mail, Certified Mail, and posted to the structure.

CONTACT WITH OWNER:

Contact was made with the owner in May of 2025, regarding the demolition of the structure. Staff asked if contact information could be shared with the potential buyer. No contact has been made with staff by the current or potential owners since the conversation.

ADDITIONAL INFORMATION:

-This is a 1,496 square foot commercial improved structure.

- SEV & Taxable value: \$6,000 & \$6,000.

-Built in N/A Approx. Rebuilt in 1979, address noted in fire records from the 1891 Pine st fire.

-Current Property taxes due: \$69.79

-Staff estimates cost for interior/exterior repairs in excess of \$350,000.

-The structure is in Angel Neighborhood.

984 Pine Street was declared for demolition by the Housing Board of Appeals on February 5, 2026.



BAD BOYS BAR
IF I CAN'T GET YOU OUT. YOU AIN'T GETTING IN.
Toll Free:
1-866
728-6400
Tommy D.

986

Case

B

EN2304310 - 978 Pine St, Commercial Building

Owner Leon Yarbrough

1431 Bemis S/E

Grand Rapids Mi. 49506

INFORMATION:

On or around 11-13-23, a structure fire occurred at this commercial building. The fire damaged adjoining buildings on both sides of the building. There was heavy fire damage to 978 Pine St. The roof was completely damaged. The second floor suffered fire, smoke damage, and water damage. The roof is now open and inclement weather goes straight to the basement. A Fire Inspection notice was sent on 11-14-23 to the owner. Scott Kiaunus (last building Inspector) has had limited contact with the owner. The owner says that he is going to fix the building. The owner got an engineer's report and got a demo permit, that has now expired. This has gone to the HBA previously. The case had been tabled. I have spoken to the owner's neighbor, Clare Standburg. Clare owns one of the buildings adjacent to 978 Pine. Clare has Damage to his building from the fire, he has fixed his building since the fire.

COMPLAINT NOTICE:

On 11-14-24, A fire inspection notice was sent to the owner of 978 Pine st.

Notice & Order:

A Notice & Order was sent on 5-16-24. Was sent and posted.

On 9-18-24, A 10, day notice of hearing was sent and posted.

On 3-20-25, A Notice of the HBA was sent and posted.

On 7-24-25, An HBA notice of hearing was posted.

On 8-18-25 This case was tabled.

On 1-21-26, I posted and sent out a hearing letter for the HBA.

All Notices are sent via First Class and Certified Mail as well as posting on the property.

Contact with Owner, Leon Yarbrough. Scott has talked with the owner multiple times. The owner says enough to get things tabled for a bit. Nothing has been done to the property. I am not sure where Scott left off with this building, so I am sending this to the HBA.

Additional information:

-Square footage for this commercial property is 2,640.

-SEV & Taxable Value 17,700 & 8,041. Delinquent taxes 598.55 for 2024.

-Year Built is 1979

-Staff estimated cost for interior and exterior

978 Pine Street was declared for demolition by the Housing Board of Appeals on February 5, 2026.



24-205-216-0003-00

12/30/2024



ERING

978