

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

JUNE 28, 2011

CITY COMMISSION CHAMBERS @ 5:30 P.M.

### AGENDA

- ❑ CALL TO ORDER:
- ❑ PRAYER:
- ❑ PLEDGE OF ALLEGIANCE:
- ❑ ROLL CALL:
- ❑ HONORS AND AWARDS:
- ❑ INTRODUCTIONS/PRESENTATION:
- ❑ CONSENT AGENDA:
  - A. Approval of Minutes. CITY CLERK
  - B. 2011 Water Treatment Chemical Bids. WATER FILTRATION
  - C. Ryerson Creek Fish Passage – Culverts Replacement at Muskegon and Eastern (H-1673). ENGINEERING
  - D. Consideration of Bids – Mason Avenue, Sixth to Fifth (H-1677). ENGINEERING
  - E. Fireworks Display Permit for Muskegon Country Club. CITY CLERK
  - F. Fireworks Display Permit for Muskegon Summer Celebration. CITY CLERK
  - G. Rezoning Request for the Property Located at 1753 Madison Street. PLANNING & ECONOMIC DEVELOPMENT
  - H. Rezoning Request for the Property Located at 2010 S. Getty Street. PLANNING & ECONOMIC DEVELOPMENT
  - I. Lighting Improvement at LC Walker Arena. FINANCE
  - J. De-Energize 27 Street Lights in the Downtown Area. PUBLIC WORKS
  - K. Accept Resignations from the Citizen’s District Council and the Citizen’s Police Review Board. CITY CLERK
- ❑ PUBLIC HEARINGS:

**A. Request for an Industrial Facilities Exemption Certificate for Ameriform Inc. PLANNING & ECONOMIC DEVELOPMENT**

**❑ COMMUNICATIONS:**

**❑ CITY MANAGER'S REPORT:**

**❑ UNFINISHED BUSINESS:**

**❑ NEW BUSINESS:**

**A. Special Event Request – Muskegon Bike Time Events Inc. (Annual Event). PLANNING & ECONOMIC DEVELOPMENT**

**B. Harbor 31 (Smartzone) Brownfield Loan. CITY MANAGER**

**C. Gaming License Request from Muskegon-Oceana Community Action Partnership, Inc. CITY CLERK**

**D. Fireworks Display Permit for West Michigan Burnerz. CITY CLERK**

**E. Concurrence with the Housing Board of Appeals Notice and Order to Demolish the Following: PUBLIC SAFETY**

1358 Arthur Street

657 Allen Avenue (Garage)

540 Creston Street

**❑ ANY OTHER BUSINESS:**

**❑ PUBLIC PARTICIPATION:**

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

**❑ CLOSED SESSION:**

**❑ ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE BECKER, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TDD: (231) 724-4172.

Date: June 28, 2011  
To: Honorable Mayor and City Commissioners  
From: Ann Marie Becker, City Clerk  
RE: Approval of Minutes

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**SUMMARY OF REQUEST:** To approve minutes of the June 13<sup>th</sup> Commission Worksession Meeting and the June 14<sup>th</sup> City Commission Meeting.

**FINANCIAL IMPACT:** None.

**BUDGET ACTION REQUIRED:** None.

**STAFF RECOMMENDATION:** Approval of the minutes.

City of Muskegon  
City Commission Worksession  
June 13, 2011  
City Commission Chambers  
5:30 PM

MINUTES

2011-39

Present: Commissioners Warmington, Vice Mayor Gawron, Carter, Spataro, Wierengo, Shepherd, and Wisneski.

Absent: None.

**2011-2012 Budget.**

Bryon Mazade, City Manager, gave an overview of the proposed 2011-2012 budget.

The proposed budget is a \$900,000 deficit budget. These funds will be covered through the Reserve Fund. It is hoped that Income Tax funds will continue to increase and reduce the anticipated deficit.

Commissioners complimented the City Manager and City staff for a well prepared budget.

**Loan for Street Projects.**

Tim Paul, Finance Director, is able to secure a ten year loan at a 2.98% interest rate to finance street projects at the cost of \$2 million dollars.

This item will be on June 14, 2011 Commission Meeting for consideration.

**Adjournment.**

**Motion by Commissioner Carter, seconded by Commissioner Wisneski to adjourn at 7:04 p.m.**

*MOTION PASSES*

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**Ann Marie Becker, MMC  
City Clerk**

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

JUNE 14, 2011

CITY COMMISSION CHAMBERS @ 5:30 P.M.

### MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, June 14, 2011.

Mayor Warmington opened the meeting with a prayer from Commissioner Lawrence Spataro after which the Commission and public recited the Pledge of Allegiance to the Flag.

#### **ROLL CALL FOR THE REGULAR COMMISSION MEETING:**

Present: Mayor Stephen Warmington, Vice Mayor Stephen Gawron, Commissioners Sue Wierengo, Steve Wisneski, Chris Carter, Clara Shepherd, and Lawrence Spataro, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

#### **2011-40 CONSENT AGENDA:**

##### **A. Approval of Minutes. CITY CLERK**

SUMMARY OF REQUEST: To approve minutes of the City Commission Meeting that was held on Tuesday, May 24, 2011.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

##### **B. Loan for Street Projects. FINANCE**

SUMMARY OF REQUEST: The City is fortunate to receive many federal and state grants for street improvements. Accepting these grants allows us to leverage local resources and get far more work done than would be possible using local resources alone. We are at a point where we risk losing grant funds due to declining local street resources (including CDBG). This request is to enter into a \$2.0 million, 10-year loan with 5/3 Bank in order to provide funds needed to match anticipated grants over the next 2-3 years.

Staff had considered issuing MTF bonds for this purpose. However, the issuance costs would be quite high (\$57,000). Also, the bonding process is very time-intensive requiring preparation of official statements and numerous other documents. Staff surveyed the three major banks having offices within the

City to determine if they were willing to do a 10-year loan with the City. Two of the banks indicated they would do such a loan and 5/3 Bank had the most favorable terms.

The City's financial advisor (RW Baird) ran comparisons of the two transactions and advises that the bank loan is the preferred avenue. It is worth noting that the advisor would have received a substantial fee if MTF bonds were issued.

FINANCIAL IMPACT: \$2.0 million borrowed for a period of 10 years at a fixed rate of 2.98%.

Going the bank loan route provides for a much simpler transaction, avoids over \$50,000 in issuance costs, and produces an all-inclusive interest cost that is lower than issuing MTF bonds.

BUDGET ACTION REQUIRED: Annual debt payments will be included in the Major/Local Streets budgets for the next 10 years. Funds are budgeted in 2011-12 to cover the semi-annual interest payment due February 1, 2012.

STAFF RECOMMENDATION: Authorize the Mayor, City Attorney and City staff to prepare and execute necessary loan documents.

**D. Memorandum of Understanding-Justice Assistance Grant.** PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the Commission authorize the Director and the City Manager to enter into an agreement with the City of Muskegon Heights and Muskegon County in regards to the disbursement of the 2010 Justice Assistance Grant. The money in this grant is shared by the three entities. The \$34,698 in this grant will be utilized for the prosecution of city ordinance cases primarily dealing with neighborhood issues.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of this request.

**E. Approval of the Use & Maintenance of City Owned Property at 325 Jackson Avenue by the Jackson Hill Neighborhood Association.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the use and maintenance of the City owned property located at 325 Jackson Avenue for a community garden. The property is buildable and the City would retain the right to sell the property with the Jackson Hill Neighborhood Association having time to remove the garden prior to any sales.

FINANCIAL IMPACT: The City would save on the cost of maintenance of this property.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and maintenance agreement.

**Motion by Vice Mayor Gawron, second by Commissioner Carter to approve the Consent Agenda as read minus item C.**

**ROLL VOTE: Ayes: Wierengo, Wisneski, Carter, Gawron, Shepherd, Spataro, and Warmington**

**Nays: None**

***MOTION PASSES***

**2011-41 ITEM REMOVED FROM THE CONSENT AGENDA:**

**C. Approval of the Fair Housing Agreement with Muskegon County.**  
COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: The cities of Muskegon, Muskegon Heights, Norton Shores and the County of Muskegon are entering into an agreement with the Fair Housing Center of West Michigan to conduct fair housing testing in the County of Muskegon per the recommendation of the 2009 Analysis of Impediments Report.

FINANCIAL IMPACT: Based on population, the City of Muskegon will pay \$9,350 of the \$30,000 cost.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the agreement and authorize the Mayor to sign.

**Motion by Commissioner Spataro, second by Commissioner Carter to approve the Fair Housing Agreement with Muskegon County and the other entities as described.**

**ROLL VOTE: Ayes: Wisneski, Carter, Gawron, Shepherd, Spataro, Warmington, and Wierengo**

**Nays: None**

***MOTION PASSES***

**2011-42 PUBLIC HEARINGS:**

**A. 2011-12 Budget.** FINANCE

SUMMARY OF REQUEST: The City Commission may take action to adopt the 2011-12 budget with whatever changes or adjustments it deems necessary. City ordinance requires the budget be adopted by the second regular City Commission meeting in June.

FINANCIAL IMPACT: The budget sets forth the priorities and overall financial plan for operations in the year 2011-12.

BUDGET ACTION REQUIRED: Adoption of the budget resolution provides the legal appropriation authority necessary for City departments to conduct

operations in 2011-12.

STAFF RECOMMENDATION: Receive public comments. Upon closing the public hearing, the City Commission may decide to adopt the budget.

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

**Motion by Commissioner Spataro, second by Commissioner Shepherd to close the Public Hearing and approve the 2011-2012 Budget.**

**ROLL VOTE: Ayes: Carter, Gawron, Shepherd, Spataro, Warmington, Wierengo, and Wisneski**

**Nays: None**

***MOTION PASSES***

**2011-43 NEW BUSINESS:**

**A. Final Determination for 2011-2012 CDBG/HOME Grants and Submission of Action Plan to HUD. COMMUNITY & NEIGHBORHOOD SERVICES**

SUMMARY OF REQUEST: To make a final determination for the 2011-2012 CDBG/HOME grants based on HUD's allocation and to allow Community and Neighborhood Services to have the 2011-2012 Action Plan available for comment for the next 10 days.

FINANCIAL IMPACT: The 2011-2012 Community Development Block Grant and HOME budgets will establish the annual Action Plan for the Community and Neighborhood Services department.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the 2011-2012 CDBG/HOME budget based on HUD's allocation and allow Community and Neighborhood Services to have the 2011-2012 Action Plan available for comment for the next 10 days.

**Motion by Vice Mayor Gawron, second by Commissioner Wierengo to approve the 2011-2012 CDBG/HOME budget based on the final administration recommendations on the HUD allocation and allow Community and Neighborhood Services to have the Action Plan available for comment for the next 10 days.**

**ROLL VOTE: Ayes: Gawron, Shepherd, Spataro, Warmington, Wierengo, Wisneski, and Carter**

**Nays: None**

***MOTION PASSES***

**B. Application for Special Liquor License (American Red Cross). PUBLIC SAFETY**

SUMMARY OF REQUEST: The American Red Cross has submitted an application for a Special License for Beer, Wine and Spirits for Consumption

on the Premises for July 15 & 16, 2011. This license is for a beverage service area to be located at Hot Rod Harley Motorcycle, 149 Shoreline Drive.

The Foundation meets all of the requirements for the special license with the exception of the request for "spirits". Commission policy dictates that any special license request which includes spirits must be considered and approved by the body.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff has no recommendation.

**Motion by Commissioner Spataro, second by Vice Mayor Gawron to approve the application for a special liquor license for the American Red Cross.**

**ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Wierengo, Wisneski, Carter, and Gawron**

**Nays: None**

***MOTION PASSES***

**C. Removal of Street Lights in the Nims and Campbell Neighborhoods.**

**PUBLIC WORKS**

SUMMARY OF REQUEST: Authorize staff to enter into an agreement with Consumers Energy to remove street lights in the areas of Nims and Campbell neighborhoods. Consumers Energy has offered to remove over 30 mid-block street lights at no cost to the City as part of their upcoming system improvements.

The estimated annual savings to the City is over \$6,000.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To authorize staff to enter into an agreement with Consumers Energy to remove the mid-block street lights using the following procedure:

1. All major street intersections with another major street and/or local street must have a minimum of two (2) fixtures.
2. All local street intersections shall have a minimum of one (1) light fixture.
3. The spacing between fixtures on major streets (non-boulevard type) shall be no more than 400 feet, and for a boulevard no more than 300 feet.
4. The spacing between fixtures on local streets shall be no more than 500 feet.
5. The engineer will use his/her discretion and best judgment to override the above for geometric and unusual alignment such as curves and or obscure physical structures.

**Motion by Vice Mayor Gawron, second by Commissioner Spataro to authorize**

staff to enter into an agreement with Consumers Energy to remove the mid-block street lights in the Nims and Campbell neighborhoods using the aforementioned procedures.

**ROLL VOTE: Ayes: Spataro, Warmington, Wierengo, Wisneski, Carter, Gawron, and Shepherd**

**Nays: None**

***MOTION PASSES***

**D. Special Event Request – Muskegon Summer Celebration (Annual Event). PLANNING & ECONOMIC DEVELOPMENT**

**SUMMARY OF REQUEST:** Muskegon Summer Celebration has filed a special event application for their annual festival to be held in downtown Muskegon June 30 through July 9 (but no events on July 5). Some of their requests require City Commission approval.

**FINANCIAL IMPACT:** Summer Celebration requests that equipment rental fees be waived. In exchange, they will provide a pre-negotiated amount of concert tickets. The exchange will be coordinated with the City Manager.

**BUDGET ACTION REQUIRED:** None.

**STAFF RECOMMENDATION:** Staff recommends approval, with the listed conditions.

**Motion by Commissioner Shepherd, second by Commission Carter to approve the special event request from Muskegon Summer Celebration.**

**ROLL VOTE: Ayes: Warmington, Wierengo, Wisneski, Carter, Gawron, Shepherd, and Spataro**

**Nays: None**

***MOTION PASSES***

**E. Ruddiman Creek Project Presentation.**

Presentation was given by Sara Damm, Grand Valley State University.

**PUBLIC PARTICIPATION:** Public comments received.

**ADJOURNMENT:** The City Commission Meeting adjourned at 6:27 p.m.

Respectfully submitted,

Ann Marie Becker, MMC  
City Clerk

Date: June 28, 2011  
To: Honorable Mayor and City Commission  
From: Water Filtration Plant  
RE: 2011 Water Treatment Chemical Bids

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**SUMMARY OF REQUEST:**

Endorse the lowest responsible bidders to supply aluminum sulfate, powdered activated carbon, sodium hypochlorite, and fluoride for the water filtration plant

**FINANCIAL IMPACT:**

Annual cost of \$205,700.00 (based on average annual water pumped to mains).

**BUDGET ACTION REQUIRED:**

None at this time. These chemicals are budgeted annually.

**STAFF RECOMMENDATION:**

Staff recommends the Mayor and City Commission endorse the low bids received and the contract renewal and enter into contracts with USALCO, Alexander Chemical, Standard Carbon and Key Chemical for aluminum sulfate, sodium hypochlorite, powdered activated carbon and fluoride respectively.

**MEMORANDUM**

**6/9/11**

**TO: M. AL-SHATEL – DPW DIRECTOR**  
**FROM: KEVIN HERBERT- FILTRATION PLANT**  
**RE: CHEMICAL BIDS – WATER FILTRATION**

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**BACKGROUND**

In 1996 the Water Filtration Plant began the process of competitively bidding water treatment chemicals jointly with the cities of Grand Haven, Grand Rapids, Wyoming, Muskegon Heights and Holland. The groups' bids are commonly addressed as the "West Michigan Cooperative Purchasing Group". Four water treatment chemicals are bid through the cooperative:

Sodium Hypochlorite  
Hydrofluorisilicic Acid (Fluoride)  
Aluminum Sulfate  
Powdered Activated Carbon

**CHEMICAL BIDDING FOR 2011**

The bidding process is performed by the City of Grand Rapids (aluminum sulfate, powdered activated carbon and fluoride) and the City of Holland (hypochlorite). The results of the bidding are as follows:

**Sodium Hypochlorite: 1 Year Contract. Cost per ton**

Rowell Chemical \$152.00  
Alexander Chemical \$150.00  
KA Steel Chemical \$169.52

Current cost - \$129.80

**Hydrofluorisilicic Acid (Fluoride): 3 Year Contract. Cost per ton.**

Mosaic Crop Nutrition LLC	\$660 Year 1	No Bid	Year 2	No Bid Year 3
Key Chemical	\$588 Year 1	\$608.00	Year 2	\$628 Year 3

Pennco	\$662.50 Year 1	No Bid Year 2	No Bid Year 3
PVS Nolwood	\$726.50 Year 1	\$726.50 Year 2	\$726.50 Year 3

Current cost - \$660.00

**Aluminum Sulfate: 3 Year Contract. Cost per ton.**

USALCO	\$328.51 Year 1	\$344.93 Year 2	\$362.18 Year 3
General Chemical	\$497.00 Year 1	No Bid Year 2	No Bid Year 3
PVS Nolwood	\$428.00 Year 1	\$428.00 Year 2	\$428.00 Year 3

Current cost - \$449.82

**Powdered Activated Carbon: 3 Year Contract. Cost per 50# bag.**

Standard Carbon	\$.502 Year 1	\$.51 Year 2	\$.51 Year 3
Norit Americas	\$.72 Year 1	\$.78 Year 2	\$.86 Year 3

Chemical costs have been budgeted for 2011/12 as follows:

- Sodium Hypochlorite: 340 tons for a total cost of \$51,000
- Hydrofluorisilicic Acid: 70 tons for a total cost of \$49,700
- Aluminum Sulfate: 220 tons for a total cost of \$100,000
- Powdered Activated Carbon: 5 tons for a total of \$5000.00

It is my recommendation that we request the Mayor and City Commission to approve the lowest cost bids as follows:

- Sodium Hypochlorite: Alexander Chemical 1 year.
- Hydrofluorisilicic Acid: Key Chemical 3 years.
- Aluminum Sulfate: USALCO 3 Years
- Powdered Activated Carbon: Standard Carbon for 3 years.

# Liquid Sodium Hypochlorite - April 4, 2011

Rowell Chemical      Alexander Chemical      KA Steel Chemicals

Cities of Holland, Wyoming, Muskegon,  
Muskegon Heights and Grand Haven  
1 Year:

Cost Per Ton:	\$	152.00	\$	150.00	\$	169.52
Cost Per Gallon:	\$	0.685	\$	0.655	\$	0.85

# BID TAB

BID REF #885-66-07 BID OPENING DATE: April 25, 2011 FOR: Bulk Chemicals, Hydrofluorosilicic Acid # BIDDERS SOLICITED: 22 BUYER: TW DEPT: Lake Filtration		ITEM 1		
		Purchase and Delivery, Bulk Hydrofluorosilicic Acid \$/Ton		
	Year 1			
	Year 2			
	Year 3			
Mosaic Crop Nutrition LLC		\$860.00		
		NB		
		NB		
Key Chemical		\$588.00		
		\$608.00		
		\$628.00		
Pennco		\$662.50		
		NB		
		NB		
PVS Nolwood		\$726.50		
		\$726.50		
		\$726.50		

BID REF #885-08-13 BID OPENING DATE: April 27, 2011 FOR: Chemicals, Powder Activated Carbon # BIDDERS SOLICITED: 25 BUYER: TW DEPT: Lake Filtration		ITEM 1 Powdered Activated Carbon, 50# Bag \$/lb		
	Year 1			
	Year 2			
	Year 3			
Standard Carbon		\$0.502		
		\$0.51		
		\$0.93		
North Americas Inc		\$0.72		
		\$0.78		
		\$0.86		

# BID TAB

BID REF #885-77-12 BID OPENING DATE: April 26, 2011 FOR: Bulk Chemicals, Aluminum Sulfate # BIDDERS SOLICITED: 29 BUYER: TW DEPT: Lake Filtration		ITEM 1 Purchase and Delivery, Bulk Aluminum Sulfate Acid \$/Dry Ton		
	Year 1			
	Year 2			
	Year 3			
USALCO		\$328.51		
		\$344.93		
		\$362.18		
General Chemical		\$497.00		
		NB		
		NB		
PVS Nolwood		\$428.00		
		\$428.00		
		\$428.00		

Date: June 28, 2011

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Ryerson Creek Fish Passage – Culverts  
Replacement @ Muskegon & Eastern (H-1673)

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#### SUMMARY OF REQUEST:

Authorize staff to process payments to WMSRDC as per our financial commitment for the culverts replacement under Muskegon & Yuba by Eastern Ave. WMSRD solicited public bids and Jackson Merkey was the successful bidder with a bid price of \$1,697,081.10. The City's Commitment was for following;

- 1- \$40,000 from Major Street Fund (2011/2012 budget)
- 2- \$40,000 Grant the City Received from Community Foundation For Muskegon County.
- 3- \$27,446 grant the City received from the Ice Mountain

#### FINANCIAL IMPACT:

\$107,446.00 is the City's total share.

#### BUDGET ACTION REQUIRED:

none

#### STAFF RECOMMENDATION:

Authorize staff to process payments to WMSRDC

#### COMMITTEE RECOMMENDATION:

Date: June 28, 2011

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Consideration of Bids  
Mason Ave., Sixth to Fifth St. (H-1677)

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**SUMMARY OF REQUEST:**

Award the above referenced project to Accurate Excavators out of Muskegon, MI. Accurate Excavators submitted the lowest responsible bid of \$137,373.00 (See attached bid tabulation).

**FINANCIAL IMPACT:**

The construction cost of \$137,373.00 plus engineering cost which is estimated at an additional 15%.

**BUDGET ACTION REQUIRED:**

None.

**STAFF RECOMMENDATION:**

Award the contract to Accurate Excavators.

**COMMITTEE RECOMMENDATION:**

**H-1677, S-656, W-728- MASON AVE.  
SIXTH TO FIFTH ST.  
BID TABULATIONS**

LINE	DESCRIPTION	UNIT	QUANTITY	CONTRACTOR ADDRESS CITY/ST/ZIP		ENGINEER'S ESTIMATE		Accurate Excavators 2821 Central Rd. Muskegon, MI 49445		Thompson Brothers Inc 388 W. McMillan Rd. Muskegon, MI 49445		McCormick Sand Inc. 5430 Russell Rd. Twin Lake, MI 49457		Nagel Construction P.O. Box 10 Moline, MI 49335-0010		Jack Dykstra Excavating Inc. 3677 3 Mile Rd. NW Grand Rapids, MI 49534	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization, Max.10% Max	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 3,000.00	\$ 3,000.00	\$ 15,372.00	\$ 15,372.00	\$ 14,050.00	\$ 14,050.00	\$ 16,600.00	\$ 16,600.00	\$ 11,800.00	\$ 11,800.00		
2	Tree, Rem, 37 inch or larger	Ea	1	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,995.00	\$ 1,995.00	\$ 1,480.00	\$ 1,480.00		
3	Dr Structure, Rem, Modified	Ea	3	\$ 300.00	\$ 900.00	\$ 450.00	\$ 1,350.00	\$ 500.00	\$ 1,500.00	\$ 180.00	\$ 540.00	\$ 50.00	\$ 150.00	\$ 300.00	\$ 900.00		
4	Sidewalk, Rem	Syd	200	\$ 5.00	\$ 1,000.00	\$ 7.00	\$ 1,400.00	\$ 5.00	\$ 1,000.00	\$ 7.00	\$ 1,400.00	\$ 2.35	\$ 470.00	\$ 5.00	\$ 1,000.00		
5	Pavt, Rem, Modified	Syd	1600	\$ 5.00	\$ 8,000.00	\$ 3.00	\$ 4,800.00	\$ 5.00	\$ 8,000.00	\$ 3.00	\$ 4,800.00	\$ 4.15	\$ 6,640.00	\$ 9.33	\$ 14,928.00		
6	Machine Grading, Modified	Sta	4.5	\$ 1,500.00	\$ 6,750.00	\$ 750.00	\$ 3,375.00	\$ 2,000.00	\$ 9,000.00	\$ 450.00	\$ 2,025.00	\$ 1,300.00	\$ 5,850.00	\$ 6.15	\$ 27.68		
7	Erosion Control, Inlet Protection, Fabric Drop	Ea	4	\$ 100.00	\$ 400.00	\$ 100.00	\$ 400.00	\$ 150.00	\$ 600.00	\$ 50.00	\$ 200.00	\$ 100.00	\$ 400.00	\$ 100.00	\$ 400.00		
8	Aggregate Base, 6 inch	Syd	1250	\$ 5.00	\$ 6,250.00	\$ 4.75	\$ 5,937.50	\$ 5.00	\$ 6,250.00	\$ 4.50	\$ 5,625.00	\$ 5.10	\$ 6,375.00	\$ 4.60	\$ 5,750.00		
9	Maintenance Gravel, LM	Cyd	50	\$ 25.00	\$ 1,250.00	\$ 25.00	\$ 1,250.00	\$ 25.00	\$ 1,250.00	\$ 22.00	\$ 1,100.00	\$ 5.00	\$ 250.00	\$ 30.00	\$ 1,500.00		
10	Sewer Tap, 8 inch	Ea	1	\$ 200.00	\$ 200.00	\$ 450.00	\$ 450.00	\$ 500.00	\$ 500.00	\$ 280.00	\$ 280.00	\$ 1,025.00	\$ 1,025.00	\$ 100.00	\$ 100.00		
11	Sanitary Sewer, PVC SDR 35, 10 inch, Tr Det B	Ft	437	\$ 50.00	\$ 21,850.00	\$ 25.50	\$ 11,143.50	\$ 30.00	\$ 13,110.00	\$ 26.00	\$ 11,362.00	\$ 34.00	\$ 14,858.00	\$ 26.40	\$ 11,536.80		
12	Sanitary Sewer, PVC SDR 35, 6 inch	Ft	594	\$ 25.00	\$ 14,850.00	\$ 20.00	\$ 11,880.00	\$ 18.50	\$ 10,989.00	\$ 21.50	\$ 12,771.00	\$ 25.00	\$ 14,850.00	\$ 20.25	\$ 12,028.50		
13	Sanitary Sewer, PVC SDR 35, 8 inch, Tr Det B	Ft	5	\$ 50.00	\$ 250.00	\$ 20.00	\$ 100.00	\$ 30.00	\$ 150.00	\$ 30.00	\$ 150.00	\$ 33.00	\$ 165.00	\$ 29.25	\$ 146.25		
14	Sanitary Sewer Wye, PVC SDR 35, 10 inch X 6 inch	Ea	16	\$ 300.00	\$ 4,800.00	\$ 100.00	\$ 1,600.00	\$ 300.00	\$ 4,800.00	\$ 298.00	\$ 4,768.00	\$ 200.00	\$ 3,200.00	\$ 160.00	\$ 2,560.00		
15	Dr Structure, Add Depth of 48 inch dia, 8 feet to 15 feet	Ft	1	\$ 300.00	\$ 300.00	\$ 200.00	\$ 200.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 190.00	\$ 190.00	\$ 70.00	\$ 70.00		
16	Dr Structure, Tap, 10 inch	Ea	1	\$ 300.00	\$ 300.00	\$ 750.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 280.00	\$ 280.00	\$ 1,025.00	\$ 1,025.00	\$ 400.00	\$ 400.00		
17	Dr Structure Cover, Modified	Lb	660	\$ 1.50	\$ 990.00	\$ 2.25	\$ 1,485.00	\$ 1.70	\$ 1,122.00	\$ 1.00	\$ 660.00	\$ 1.00	\$ 660.00	\$ 1.20	\$ 792.00		
18	Manhole Special Detail	Ea	2	\$ 1,500.00	\$ 3,000.00	\$ 1,400.00	\$ 2,800.00	\$ 2,000.00	\$ 4,000.00	\$ 1,700.00	\$ 3,400.00	\$ 2,400.00	\$ 4,800.00	\$ 1,250.00	\$ 2,500.00		
19	HMA, 3C	Ton	150	\$ 80.00	\$ 12,000.00	\$ 67.00	\$ 10,050.00	\$ 62.00	\$ 9,300.00	\$ 61.62	\$ 9,243.00	\$ 61.62	\$ 9,243.00	\$ 62.00	\$ 9,300.00		
20	HMA, 4C	Ton	150	\$ 80.00	\$ 12,000.00	\$ 76.00	\$ 11,400.00	\$ 70.00	\$ 10,500.00	\$ 69.38	\$ 10,407.00	\$ 69.58	\$ 10,437.00	\$ 70.00	\$ 10,500.00		
21	Driveway, Nonreinf Conc, 6 Inch, Modified	Syd	160	\$ 30.00	\$ 4,800.00	\$ 32.00	\$ 5,120.00	\$ 32.00	\$ 5,120.00	\$ 29.00	\$ 4,640.00	\$ 25.00	\$ 4,000.00	\$ 27.00	\$ 4,320.00		
22	Curb and Gutter, Conc, Det F4, Modified	Ft	840	\$ 10.00	\$ 8,400.00	\$ 15.00	\$ 12,600.00	\$ 12.00	\$ 10,080.00	\$ 10.50	\$ 8,820.00	\$ 15.00	\$ 12,600.00	\$ 16.00	\$ 13,440.00		
23	Sidewalk, Conc, 4 inch	Sft	1600	\$ 2.50	\$ 4,000.00	\$ 2.50	\$ 4,000.00	\$ 2.75	\$ 4,400.00	\$ 2.40	\$ 3,840.00	\$ 2.50	\$ 4,000.00	\$ 2.75	\$ 4,400.00		
24	Sidewalk, Conc, 6 inch	Sft	200	\$ 3.00	\$ 600.00	\$ 3.00	\$ 600.00	\$ 3.50	\$ 700.00	\$ 3.00	\$ 600.00	\$ 3.00	\$ 600.00	\$ 3.25	\$ 650.00		
25	Sidewalk Ramp	Sft	300	\$ 5.00	\$ 1,500.00	\$ 3.50	\$ 1,050.00	\$ 5.00	\$ 1,500.00	\$ 5.00	\$ 1,500.00	\$ 4.50	\$ 1,350.00	\$ 4.75	\$ 1,425.00		
26	Detectable Warning Surface	Ft	12	\$ 40.00	\$ 480.00	\$ 30.00	\$ 360.00	\$ 75.00	\$ 900.00	\$ 30.00	\$ 360.00	\$ 30.00	\$ 360.00	\$ 30.00	\$ 360.00		
27	Barricade, Type III, High Intensity, Lighted, Furn	Ea	7	\$ 25.00	\$ 175.00	\$ 90.00	\$ 630.00	\$ 65.00	\$ 455.00	\$ 65.00	\$ 455.00	\$ 49.00	\$ 343.00	\$ 75.00	\$ 525.00		
28	Barricade, Type III, High Intensity, Lighted, Oper	Ea	7	\$ 25.00	\$ 175.00	\$ 12.00	\$ 84.00	\$ 1.00	\$ 7.00	\$ 1.00	\$ 7.00	\$ 1.00	\$ 7.00	\$ 10.00	\$ 70.00		
29	Plastic Drum, High Intensity, Furn	Ea	30	\$ 25.00	\$ 750.00	\$ 20.00	\$ 600.00	\$ 16.00	\$ 480.00	\$ 16.00	\$ 480.00	\$ 18.00	\$ 540.00	\$ 20.00	\$ 600.00		
30	Plastic Drum, High Intensity, Oper	Ea	30	\$ 3.00	\$ 90.00	\$ 1.25	\$ 37.50	\$ 1.00	\$ 30.00	\$ 1.00	\$ 30.00	\$ 1.00	\$ 30.00	\$ 0.50	\$ 15.00		
31	Sign, Type B, Temp, Furn	Sft	270	\$ 6.00	\$ 1,620.00	\$ 4.40	\$ 1,188.00	\$ 3.00	\$ 810.00	\$ 3.00	\$ 810.00	\$ 3.50	\$ 945.00	\$ 4.25	\$ 1,147.50		
32	Sign, Type B, Temp, Oper	Sft	270	\$ 2.00	\$ 540.00	\$ 1.25	\$ 337.50	\$ 1.00	\$ 270.00	\$ 1.00	\$ 270.00	\$ 3.00	\$ 810.00	\$ 0.50	\$ 135.00		
33	Topsoil Surface, Furn, 4 inch	Syd	900	\$ 2.50	\$ 2,250.00	\$ 3.00	\$ 2,700.00	\$ 2.00	\$ 1,800.00	\$ 3.00	\$ 2,700.00	\$ 3.00	\$ 2,700.00	\$ 3.20	\$ 2,880.00		
34	Hydroseeding	Syd	900	\$ 0.50	\$ 450.00	\$ 0.75	\$ 675.00	\$ 1.50	\$ 1,350.00	\$ 0.70	\$ 630.00	\$ 1.00	\$ 900.00	\$ 1.00	\$ 900.00		
35	Water Service, 1 Inch, Copper Type K	Ft	417	\$ 25.00	\$ 10,425.00	\$ 10.00	\$ 4,170.00	\$ 18.00	\$ 7,506.00	\$ 13.00	\$ 5,421.00	\$ 24.00	\$ 10,008.00	\$ 19.75	\$ 8,235.75		
36	Watermain, DI 8 Inch, Tr Det. G, Modified	Ft	403	\$ 40.00	\$ 16,120.00	\$ 35.00	\$ 14,105.00	\$ 35.00	\$ 14,105.00	\$ 41.00	\$ 16,523.00	\$ 45.00	\$ 18,135.00	\$ 37.20	\$ 14,991.60		
37	Watermain, DI, 6 inch, Tr Det G, Modified	Ft	12	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00	\$ 30.00	\$ 360.00	\$ 30.00	\$ 360.00	\$ 35.00	\$ 420.00	\$ 26.75	\$ 321.00		
38	Bend, 8 inch, 45 Degree, DI MJ	Ea	1	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 400.00	\$ 400.00	\$ 300.00	\$ 300.00	\$ 315.00	\$ 315.00	\$ 245.00	\$ 245.00		
39	Corporation Stop, 1 inch	Ea	13	\$ 25.00	\$ 3,250.00	\$ 175.00	\$ 2,275.00	\$ 250.00	\$ 3,250.00	\$ 265.00	\$ 3,445.00	\$ 95.00	\$ 1,235.00	\$ 100.00	\$ 1,300.00		
40	Curb Stop & Box, 1 inch	Ea	11	\$ 300.00	\$ 3,300.00	\$ 150.00	\$ 1,650.00	\$ 200.00	\$ 2,200.00	\$ 365.00	\$ 4,015.00	\$ 200.00	\$ 2,200.00	\$ 190.00	\$ 2,090.00		
41	Cut and Cap, 6 inch Watermain	Ea	1	\$ 500.00	\$ 500.00	\$ 475.00	\$ 475.00	\$ 200.00	\$ 200.00	\$ 410.00	\$ 410.00	\$ 515.00	\$ 515.00	\$ 300.00	\$ 300.00		
42	Gate Valve, 6 inch, with Box	Ea	1	\$ 800.00	\$ 800.00	\$ 750.00	\$ 750.00	\$ 850.00	\$ 850.00	\$ 1,330.00	\$ 1,330.00	\$ 1,000.00	\$ 1,000.00	\$ 715.00	\$ 715.00		
43	Hydrant, 6 inch, Standard	Ea	1	\$ 2,000.00	\$ 2,000.00	\$ 2,300.00	\$ 2,300.00	\$ 2,200.00	\$ 2,200.00	\$ 2,150.00	\$ 2,150.00	\$ 2,515.00	\$ 2,515.00	\$ 2,170.00	\$ 2,170.00		
44	Meter Pit Complete	Ea	2	\$ 800.00	\$ 1,600.00	\$ 650.00	\$ 1,300.00	\$ 700.00	\$ 1,400.00	\$ 940.00	\$ 1,880.00	\$ 900.00	\$ 1,800.00	\$ 650.00	\$ 1,300.00		
45	Sleeve, 8 inch, Long, DI MJ	Ea	2	\$ 300.00	\$ 600.00	\$ 800.00	\$ 1,600.00	\$ 300.00	\$ 600.00	\$ 450.00	\$ 900.00	\$ 310.00	\$ 620.00	\$ 395.00	\$ 790.00		
46	Tapping Sleeve and Valve, 8 inch x 8 inch, With Box	Ea	1	\$ 3,000.00	\$ 3,000.00	\$ 2,800.00	\$ 2,800.00	\$ 2,600.00	\$ 2,600.00	\$ 1,850.00	\$ 1,850.00	\$ 1,950.00	\$ 1,950.00	\$ 2,545.00	\$ 2,545.00		
47	Tee, 8 inch X 6 inch, DI MJ	Ea	1	\$ 450.00	\$ 450.00	\$ 375.00	\$ 375.00	\$ 500.00	\$ 500.00	\$ 450.00	\$ 450.00	\$ 440.00	\$ 440.00	\$ 340.00	\$ 340.00		
49																	
50	<b>Estimate Total</b>				\$ 175,245.00		\$ 137,373.00		\$ 163,316.00		\$ 149,037.00		\$ 169,521.00		\$ 153,930.08		

Engineers Estimate  
\*Calculation Error  
\*Low Bidder

Date: June 28, 2011  
To: Honorable Mayor and City Commissioners  
From: Ann Marie Becker, City Clerk  
RE: Fireworks Display Permit for Muskegon Country Club

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**SUMMARY OF REQUEST:** Melrose Pyrotechnics, Inc. is requesting approval of a fireworks display permit for July 4, 2011, at the Muskegon Country Club, 2801 Lakeshore Drive. Fire Marshall Metcalf will inspect the fireworks on the day of the event.

**FINANCIAL IMPACT:** None.

**BUDGET ACTION REQUIRED:** None.

**STAFF RECOMMENDATION:** Approval contingent on inspection of the fireworks and approval of insurance.

APPLICATION FOR FIREWORKS DISPLAY PERMIT  
 Michigan Department of Energy, Labor, & Economic Growth  
 Bureau of Fire Services  
 P.O. Box 30700  
 Lansing, MI 48909  
 (517) 241-8847

2011

Authority: 1968 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.
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<input checked="" type="checkbox"/> PUBLIC DISPLAY	<input type="checkbox"/> AGRICULTURAL PEST CONTROL	Date of Application <i>3/30/11</i>
Name of Applicant <i>MELROSE PYROTECHNICS, INC.</i>	Address <i>P.O. BOX 302, KINGSBURY, IN 46345</i>	Age (18 or over)
If a Corporation, Name of President <i>MICHAEL CARTOLANO</i>	Address <i>P.O. BOX 302, KINGSBURY, IN 46345</i>	
If a Non-resident Applicant: Name of MI Attorney or Resident Agent <i>MIKE VAN LOO</i>	Address <i>7441 STOREY RD., BELDING, MI 48809</i>	Phone No. <i>(616) 794-0205</i>
Name of Pyrotechnic Operator <i>MIKE VAN LOO</i>	Address <i>P.O. BOX 123, BELDING, MI 48809</i>	Age (18 or over) <i>42</i>
No. Years Experience    No. Displays <i>16 YEARS                  260+</i>	Where <i>MICHIGAN, ILLINOIS, INDIANA, KENTUCKY, OHIO</i>	
Name of Assistant: <i>JOHN KLAPKO</i>	Address <i>P.O. BOX 123, BELDING, MI 48809</i>	Age <i>48</i>
Name of Other Assistant: <i>SCOTT FERMAN</i>	Address <i>P.O. BOX 123, BELDING, MI 48809</i>	Age <i>44</i>
Exact Location of Proposed Display <i>Muskegon Country Club Grounds</i>		
Date of Proposed Display <i>July 4, 2011</i>		Time of Proposed Display <i>Dusk</i>

No. Of Fireworks	Kind of Fireworks to be Displayed
<i>Approximately 700</i>	<i>Aerial display shells ranging in size from 1 1/4 inches to 4 inches in diameter</i>

Manner & Place of Storage Prior to Display (Subject to Approval of Local Fire Authorities)  
*NO STORAGE NECESSARY, DELIVERED ON DATE OF DISPLAY*

Amount of Bond of Insurance (to be set by local gov't) <i>\$5,000,000.00</i>	Name of Bonding Corporation or Insurance Company <i>BRITTON-GALLAGHER &amp; ASSOCIATES</i>
Address of Bonding Corporation or Insurance Company <i>6240 SOM CENTER RD., CLEVELAND, OH 44139</i>	
Signature of Applicant <i>[Signature]</i> <span style="float: right;"><i>For Melrose Pyrotechnics, Inc.</i></span>	

SEE OTHER SIDE FOR INSTRUCTIONS

Permit for Fireworks Display  
 Michigan Department of Energy, Labor, & Economic Growth  
 Bureau of Fire Services  
 P.O. Box 30700  
 Lansing, MI 48909  
 (517) 241-8847

2011

Authority: 196+8 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.
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*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.*

PUBLIC DISPLAY

AGRICULTURAL PEST CONTROL

Issued To <b>MELROSE PYROTECHNICS, INC.</b>	Age (18 or over)
Address <b>7441 STOREY RD., BELDING, MI 48809</b>	
Name of Organization, Group, Firm, or Corporation <b>Muskegon Country Club</b>	
Address <b>2801 Lakeshore Drive, Muskegon, MI 49441</b>	
Number and Types of Fireworks <i>Approximately 700 aerial display shells ranging in size from 1 1/4 inches to 4 inches in diameter</i>	
Exact Location of Display <b>2801 Lakeshore Drive</b>	
City, Village, Township <b>Mushegon</b>	Date <b>July 4, 2011</b>
Bond or Insurance Filed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Time <b>Dusk</b> Amount <b>\$5,000,000.00</b>

Issued by action of the  council  commission  board of the  
 city  village  township of \_\_\_\_\_  
 (Name of City, Village, Township)

on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
 (Signature and Title of Council/Commission/Board Representative)



Date: June 28, 2011  
To: Honorable Mayor and City Commissioners  
From: Ann Marie Becker, City Clerk  
RE: Fireworks Display Permit for Muskegon Summer  
Celebration

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**SUMMARY OF REQUEST:** American Fireworks is requesting approval of a fireworks display permit for July 4<sup>th</sup> at the Muskegon Summer Celebration. Fire Marshall Metcalf has reviewed the request and recommends approval contingent on inspection of the fireworks.

**FINANCIAL IMPACT:** None.

**BUDGET ACTION REQUIRED:** None.

**STAFF RECOMMENDATION:** Approval contingent on inspection of the fireworks and approval of insurance.

FM 37 (12-68)

# APPLICATION FOR FIREWORKS DISPLAY PERMIT Act 358, P.A. 1968

DATE OF APPLICATION  
May 25, 2010

1. TYPE OF DISPLAY:             Public Display                             Agricultural Pest Control

**2. APPLICANT**

NAME OF PERSON Muskegon Summer Celebration	ADDRESS 587 West Western Ave, Muskegon, MI 49440	AGE: Must be 21 or over
IF A CORPORATION, Name of President Joe Austin	ADDRESS	

**3. PYROTECHNIC OPERATOR**

NAME Brian Teeling	ADDRESS 152 Nutwood Dr, Tallmadge, OH	AGE: Must be 21 or over 45
EXPERIENCE:		
NUMBER OF YEARS 27 Years	NUMBER OF DISPLAYS 1,000 +	WHERE Throughout Ohio, Michigan, Pennsylvania, Florida, Virginia

**NAMES OF ASSISTANTS:**

NAME David Mason	ADDRESS 6325 Morris Street, Marlette, MI	AGE 31
NAME Thomas Baxter	ADDRESS 8550 Golf Road, Carleton, MI	AGE 51

**4. NON-RESIDENT APPLICANT**

NAME	ADDRESS	
Name of Michigan Attorney or Resident Agent	ADDRESS	TELEPHONE NUMBER

**5. EXACT LOCATION OF PROPOSED DISPLAY**

587 W. Western Avenue, Muskegon, Michigan	
DATE July 4, 2011	TIME Approx. 10:00 PM

**6. NUMBER AND KINDS OF FIREWORKS TO BE DISPLAYED**

3,600	1.5"	Assorted Aerials
984	3"	Assorted Aerials
582	4"	Assorted Aerials
464	5"	Assorted Aerials
294	6"	Assorted Aerials
45	8"	Assorted Aerials

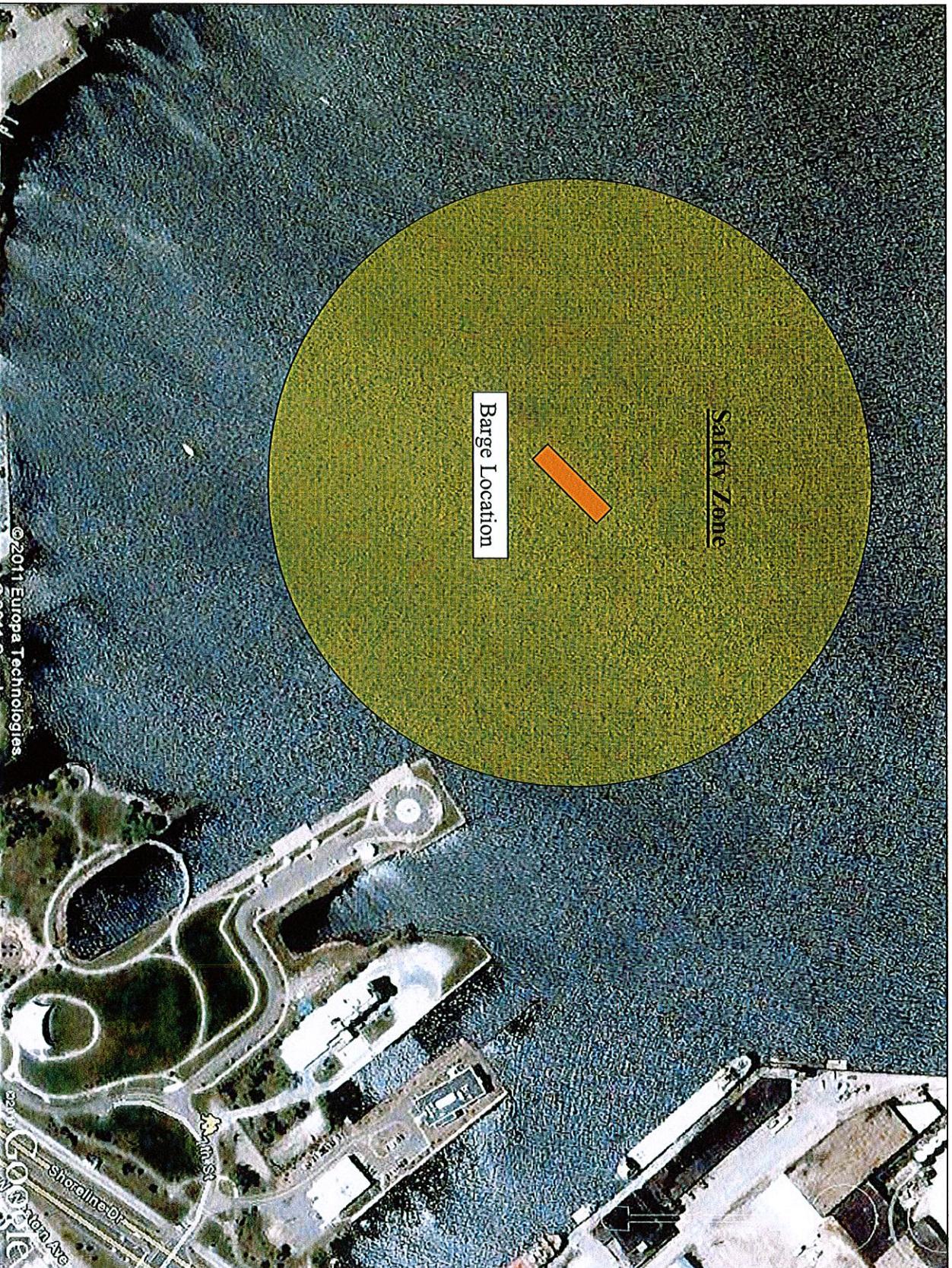
**MANNER & PLACE OF STORAGE PRIOR TO DISPLAY** Loading for display will begin on July 3 and overnight security will be provided by sponsor on site prior to July 4, 2010 display

(Subject to Approval of Local Fire Authorities)

**7. FINANCIAL RESPONSIBILITY**

	A. AMOUNT OF BOND OR INSURANCE (to be set by municipality)                            \$ 10,000,000 Combined Single Limit	
B. BONDING CORPORATION OF INSURANCE COMPANY: NAME McGriff Seibels & Williams Inc.	ADDRESS P.O. Box 10265 Birmingham, AL 35202	

Muskegon Fireworks Display Site Map  
July 4, 2011



Barge Location—43°14' 06.40" N 86° 15' 56.06" W Largest Diameter Shell = 8"



**Date:** June 21, 2011  
**To:** Honorable Mayor and City Commissioners  
**From:** Planning & Economic Development *CBC*  
**RE:** Rezoning request for the property located at 1753 Madison St

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SUMMARY OF REQUEST:

Request to rezone the property at 1753 Madison St from I-2, General Industrial to B-4, General Business District, by Kurt Dykman, JNJ Discounts. The applicant would like to move his growing retail business to this location.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the rezoning.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request at their 6/16 meeting.

*Staff report excerpt:*

**Hearing; Case 2011- 07:** Request to rezone the property at 1753 Madison St from I-2, General Industrial District to B-4, General Business District by Kurt Dykman.

## **BACKGROUND**

Applicant: Kurt Dykman, JNJ Discount  
Property Address/Location: 1753 Madison St  
Zoning: I-2  
Request: Rezoning to B-4  
Present Land Use: Mostly Vacant / Office / Storage

## **STAFF OBSERVATIONS**

1. Kurt Dykman, owner of JNJ Discount, would like to move his growing business at 911 W Laketon Ave to a larger building. JNJ Discount is a retail business that specializes in discount items including new and used goods. This type of business must be located in a B-4 zone.
2. The property at 1753 Madison St encompasses 4.2 acres and contains three separate buildings. The main building facing Laketon Ave is roughly 16,500 SF and is currently vacant. JNJ Discount would occupy this building, which would host a show room and storage space. The smaller building to the north-east is roughly 4,200 SF and is currently occupied by a small office business who plans on staying regardless of the zone change and relocation of JNJ Discount. The building on the northern edge of the property is roughly 4,700 SF and is being rented out for storage. It would continue to be rented as storage after a rezoning as well.
3. The property is located just east of the Laketon Ave exit off US-31. Port City Industrial Center is located just west of the exit. The property abuts R-1 Single Family Residential Districts to the north, east and southwest.
4. There is adequate parking and the applicant has agreed to stripe the parking spaces.
5. John Hughes, who owns many properties around 1753 Madison and was notified of the rezoning request, is in favor of bringing more retail off of the US-31 exit. Staff did not receive comments from any other citizens on this request.

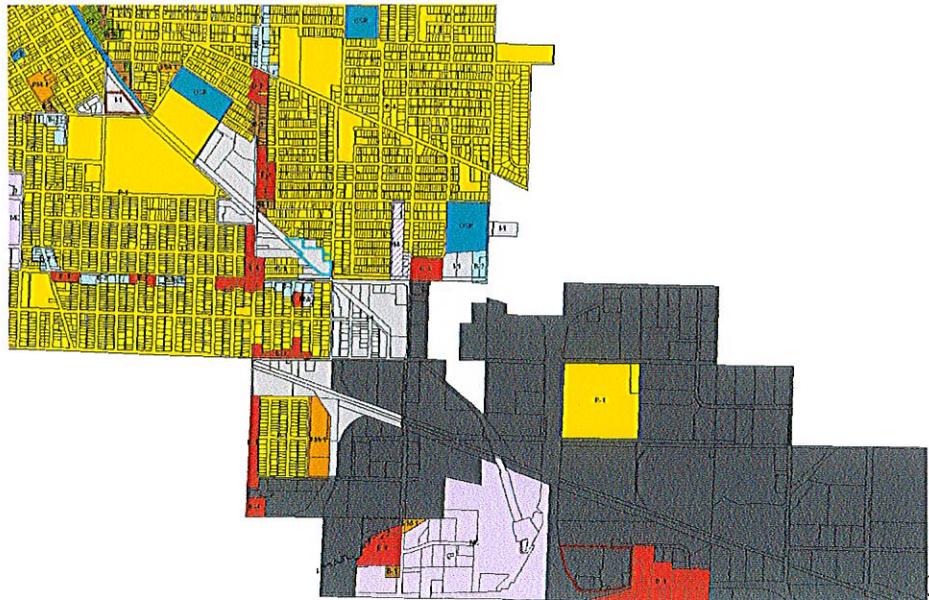
1753 Madison



Aerial Map



Zoning Map



CITY OF MUSKEGON

MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. \_\_\_\_\_

**An ordinance to amend the zoning map of the City to provide for a zone change for a property from I-2, General Industrial District to B-4, General Business District.**

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

The zoning map of the City of Muskegon is hereby amended to change the zoning for the following described property from I-2, General Industrial District to B-4, General Business District:

CITY OF MUSKEGON SEC 28 T10N R16W PT OF SD SEC COM AT INTER E LN PM RR R/W AND S LN OF AURORA AVE TH E 246.5 FT TH S 150 FT TH E 344.7 FT TH S 99 FT TH E 132 FT TH S 14 FT TH W 132 FT TH S 99.55 FT TH E 132 FT TH S 230 FT M/L TO E LN OF PM RR R/W TH NWLY ALG SD R/W LN 920 FT M/L TO POB ALSO INCL THAT PART OF S 1/2 OF SW 1/4 OF SW 1/4 DESC AS ENTIRE 100 FT CSX RR ROW LYING 50 FT EITHER SIDE FROM C/L OF TRACKS ACROSS SD S 1/2 OF SW 1/4 OF SW 1/4 EXC THEREFROM THE WLY 1/2 (50 FT) OF SD RR ROW LYING N OF A LINE 419.09 FT N OF S LINE SD SEC ALSO EXC THEREFROM THAT PART OF 100 FT RR ROW LING S OF A LINE WHICH IS 66 FT N OF S LINE SD SEC

This ordinance adopted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Adoption Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

**CITY OF MUSKEGON**

By: \_\_\_\_\_  
Ann Marie Becker, MMC  
City Clerk

CERTIFICATE (Rezoning of 1753 Madison St from I-2 to B-4)

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 28th day of June, 2011, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2008, and that minutes were kept and will be or have been made available as required thereby.

DATED: \_\_\_\_\_, 2011.

\_\_\_\_\_  
Ann Marie Becker, 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 June 28, 2011, the City Commission of the City of Muskegon adopted an ordinance amending the zoning map to provide for the change of zoning for the property from to I-2, "General Industrial District" to B-4 "General Business District":

CITY OF MUSKEGON SEC 28 T10N R16W PT OF SD SEC COM AT INTER E LN PM RR R/W AND S LN OF AURORA AVE TH E 246.5 FT TH S 150 FT TH E 344.7 FT TH S 99 FT TH E 132 FT TH S 14 FT TH W 132 FT TH S 99.55 FT TH E 132 FT TH S 230 FT M/L TO E LN OF PM RR R/W TH NWLY ALG SD R/W LN 920 FT M/L TO POB ALSO INCL THAT PART OF S 1/2 OF SW 1/4 OF SW 1/4 DESC AS ENTIRE 100 FT CSX RR ROW LYING 50 FT EITHER SIDE FROM C/L OF TRACKS ACROSS SD S 1/2 OF SW 1/4 OF SW 1/4 EXC THEREFROM THE WLY 1/2 (50 FT) OF SD RR ROW LYING N OF A LINE 419.09 FT N OF S LINE SD SEC ALSO EXC THEREFROM THAT PART OF 100 FT RR ROW LING S OF A LINE WHICH IS 66 FT N OF S LINE SD SEC

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 \_\_\_\_\_, 2011

CITY OF MUSKEGON

By \_\_\_\_\_  
Ann Marie Becker, MMC  
City Clerk

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

Account No. 101-80400-5354

**Date:** June 21, 2011  
**To:** Honorable Mayor and City Commissioners  
**From:** Planning & Economic Development *CBC*  
**RE:** Rezoning request for the property located at 2010 S Getty St

---

SUMMARY OF REQUEST:

Request to rezone the property at 2010 S Getty St from I-1, Light Industrial to B-4, General Business District, by Michael Vasquez. The applicant would like to open a auto dealership at this location

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the rezoning.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request at their 6/16 meeting.

*Staff report excerpt:*

**BACKGROUND**

Applicant: Michael Vasquez  
Property Address/Location: 2010 S Getty St  
Zoning: I-1  
Request: Rezoning to B-4  
Present Land Use: Wheelchair / Medical Transportation

**STAFF OBSERVATIONS**

1. The applicant would like to rezone the property to a B-4, General Business District so that he may apply for a Special Use Permit to have automobile sales.
2. The property is zoned I-1, Light Industrial; however, it has been used in the past as a car dealership as a legal non-conforming use. However, the legal non-conforming use has been abandoned for more than two years, therefore, that use is no longer allowed.
3. The parcel is roughly 16,652 SF (0.38 acres). B-4 districts require a minimum parcel size of 10,890 SF.
4. There are three other car dealerships within a half mile of this parcel, two of them are in Muskegon and one is in Muskegon Heights.
5. The parcels to the north are zoned B-4, General Business District and the parcels to the south are zoned I-1, Light Industrial District. Medendorp Industrial Park is also located to the south.

### 2010 S Getty St



### Aerial Map



### Zoning Map



CITY OF MUSKEGON  
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. \_\_\_\_\_

**An ordinance to amend the zoning map of the City to provide for a zone change for a property from I-1, Light Industrial District to B-4, General Business District.**

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

The zoning map of the City of Muskegon is hereby amended to change the zoning for the following described property from I-1, Light Industrial District to B-4, General Business District:

CITY OF MUSKEGON SEC 33 T10N R16W PRT OF SW 1/4 OF NW 1/4 SD SEC COM @ PT ON E SD OF GETTY AVE 60 FT S OF SW COR BLK 7 OF CONTINENTAL ADD TH E PAR WITH CENTRAL AVE OF SD ADD 272 FT TO W LN OF CONTINENTAL AVE IF EXTND S TH S TO CONSUMERS POWER CO ROW TH NWLY ALG SD ROW TO PN S OF BEG TH N TO POB

This ordinance adopted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Adoption Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

**CITY OF MUSKEGON**

By: \_\_\_\_\_  
Ann Marie Becker, MMC  
City Clerk

CERTIFICATE (Rezoning of 2010 S Getty St from I-1 to B-4)

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 28th day of June, 2011, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2008, and that minutes were kept and will be or have been made available as required thereby.

DATED: \_\_\_\_\_, 2011.

\_\_\_\_\_  
Ann Marie Becker, 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 June 28, 2011, the City Commission of the City of Muskegon adopted an ordinance amending the zoning map to provide for the change of zoning for the property from to I-2, "General Industrial District" to B-4 "General Business District":

CITY OF MUSKEGON SEC 33 T10N R16W PRT OF SW 1/4 OF NW 1/4 SD SEC COM @ PT ON E SD OF GETTY AVE 60 FT S OF SW COR BLK 7 OF CONTINENTAL ADD TH E PAR WITH CENTRAL AVE OF SD ADD 272 FT TO W LN OF CONTINENTAL AVE IF EXTND S TH S TO CONSUMERS POWER CO ROW TH NWLY ALG SD ROW TO PN S OF BEG TH N TO POB

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 \_\_\_\_\_, 2011

CITY OF MUSKEGON

By \_\_\_\_\_  
Ann Marie Becker, MMC  
City Clerk

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

Account No. 101-80400-5354

**Date:** June 28, 2011

**To:** Honorable Mayor and City Commissioners

**From:** Finance Director

**RE:** Lighting Improvement at LC Walker Arena

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**SUMMARY OF REQUEST:** The arena manager would like to re-light the arena floor by replacing the existing halide lights with energy-efficient fluorescent light fixtures. The lighting improvements will greatly improve the amount of lighting in the arena and give the arena ice surface NHL-quality lighting.

**FINANCIAL IMPACT:** \$40,280 cost to be fully reimbursed by a contribution from Logger Hockey, Inc. These are improvements to the building and will reduce the arena's annual operating costs.

**BUDGET ACTION REQUIRED:** Amend the 2011-12 Arena Improvement Budget (408) to reflect the additional revenues and expenditures.

**STAFF RECOMMENDATION:** Approval of contract with Fredrickson Electric (Spring Lake) to install the new arena lighting fixtures.

**COMMITTEE RECOMMENDATION:** None.



# Fredrickson Electric

COMMERCIAL - RESIDENTIAL - INDUSTRIAL

## P R O P O S A L

19008 N. FRUITPORT RD.  
SPRING LAKE, MI 49456  
PHONE  
(616) 846-5336

**FAX 616-847-0966**

**DATE:** JUNE 13, 2011

**SUBMITTED TO:** LC WALKER ARENA  
ATTN: NEIL  
955 4TH ST  
MUSKEGON, MI 49440

**PHONE:** 231-726-2939 **FAX** 231-726-4620

**JOB LOCATION:** OVER THE RINK CONSUMERS ENERGY REBATE PROJECT

**We hereby submit specifications and estimates for the following:**

1. PROVIDE AND INSTALL (130) NEW T5 6 BULB LINEAR FLUORESCENT LIGHT FIXTURES OVER THE RINK AREA TO ACHIEVE APPROXIMATELY 200 FOOT CANDLES OF LIGHT. REWORK WIRING AND ADD NEW WIRING AS REQUIRED TO PROVIDE SWITCHING FOR EACH OF TEN ROWS OF LIGHTS. PROVIDE (1) MASTER SWITCH IN PRESS BOX CONTROL CENTER.

2. PROVIDE AND INSTALL (23) NEW 4 BULB DECORATIVE T5 LINEAR FLUORESCENT FIXTURES REPLACING EXISTING CONCOURSE LIGHTING. REWIRE CIRCUITS TO PROVIDE DUAL LEVEL LIGHTING AND INSTALL (1) MASTER SWITCH IN PRESS BOX CONTROL CENTER.

FIXTURES	-	\$23,400.00
MATERIAL, WIRE & CONTACTORS	-	\$12,000.00
LABOR	-	\$14,000.00
CONSUMERS REBATE IF APPROVED-	\$	9,120.00
YOUR APPROXIMATE COST	-	\$40,280.00

**NOTE:** CUSTOMER RESPONSIBLE FOR SALES TAX, DISPOSAL OF OLD FIXTURES AND LIFT RENTALS. THERE IS A 5 YR WARRANTY ON FIXTURES.

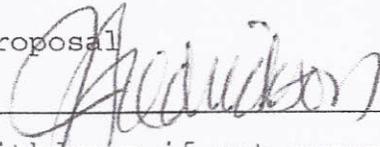
**We propose to furnish material and labor - complete in accordance with the above specifications for the sum of:**  
**SEE ABOVE** **DOLLARS (\$ , .00)**

**Payment to be made as follows: PROGRESS BILLINGS**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

All material installed on customer site immediately becomes the responsibility of the owner. Any material stolen from site is owners responsibility.

Authorized signature



This proposal may be withdrawn if not accepted within 30 days.

**ACCEPTANCE OF PROPOSAL:** The above prices, specifications, and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_

Date: June 28, 2011

To: Honorable Mayor and City Commissioners

From: Department of Public Works

RE: De-Energize 27 Street Lights in the Downtown Area

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**SUMMARY OF REQUEST:**

Authorize staff to enter into agreement with Consumer energy to de-energize twenty seven (27) lights in the downtown area bounded by Fourth - Muskegon – Western & Seventh. Those lights include the lights know as the Heritage Association lights and the rest are within alleys.

**FINANCIAL IMPACT:**

None

**BUDGET ACTION REQUIRED:**

None

**STAFF RECOMMENDATION:**

To authorize staff to enter into an agreement with Consumer Energy to de-energize twenty seven lights in the downtown area.

**COMMITTEE RECOMMENDATION:**

Date: June 28, 2011  
To: Honorable Mayor and City Commissioners  
From: Ann Marie Becker, City Clerk  
RE: Community Relations Committee

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**SUMMARY OF REQUEST:** To accept the recommendation from the Community Relations Committee made at their meeting held on June 13, 2011 to accept the resignations of Rasheedah Gillespie-Muhammad from the Citizen's District Council and Barbara Kuipers from the Citizen's Police Review Board.

**FINANCIAL IMPACT:** None.

**BUDGET ACTION REQUIRED:** None.

**STAFF RECOMMENDATION:** To concur with the Community Relations Committee recommendations.

**COMMITTEE RECOMMENDATION:**

**Commission Meeting Date: June 28, 2011**

**Date: June 21, 2011**  
**To: Honorable Mayor and City Commissioners**  
**From: Planning & Economic Development *CBC***  
**RE: Public Hearing - Request for an Industrial Facilities Exemption Certificate – Ameriform Inc.**

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**SUMMARY OF REQUEST:**

Pursuant to Public Act 198 of 1974, as amended, Ameriform Inc., 1790 Sun Dolphin, has requested the issuance of an Industrial Facilities Exemption Certificate for the property located at 1770 E Keating Ave. The total capital investment is \$2,000,000 with \$1,700,000 in personal property and \$300,000 in real property. They are proposing the addition of 12-15 jobs with this investment. This request qualifies Ameriform Inc. for a term of twelve (12) years for real property and eight (8) years for personal property.

**FINANCIAL IMPACT:**

The City will capture certain additional property taxes generated by the expansion (see attached Summary Sheet).

**BUDGET ACTION REQUIRED:**

None

**STAFF RECOMMENDATION:**

Approval of the attached resolution granting an Industrial Facilities Exemption Certificate for a term of twelve (12) years for real property and eight (8) years for personal property.

**COMMITTEE RECOMMENDATION:**

None

**MUSKEGON CITY COMMISSION**

RESOLUTION APPROVING APPLICATION FOR ISSUANCE  
OF INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE  
***AMERIFORM INC.***

WHEREAS, pursuant to P.A. 198 of 1974 as amended, after duly noticed public hearing held on July 26, 1983, this Commission by resolution established an Industrial Development District as requested by the City of Muskegon for Port City Industrial Park, including the property owned by Ameriform, Inc, 1770 E Keating Ave, Muskegon, Michigan 49442; and

WHEREAS, Ameriform Inc. has filed an application for the issuance of an Industrial Facilities Tax Exemption Certificate with respect to a building improvements and 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 June 28, 2011, 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 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 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 and Act No. 255 of the Public Acts of 1978 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 Ameriform Inc., for the issuance of an Industrial Facilities Tax Exemption Certificate with respect to the building expansion and 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 SEC 34 T10N R16W PORT CITY INDUSTRIAL CENTER LOT 25 & ELY 33 FT OF LOT 26 ALSO E 350 FT OF S 392 FT OF N 475 FT OF NW 1/4 OF NW 1/4*

- 3) The Industrial Facilities Tax Exemption Certificate is issued and shall be and remain in force and effect for a period of eight (8) years on personal property and twelve (12) years on real property.

Adopted this 28th Day of June 2011.

Ayes:

Nays:

Absent:

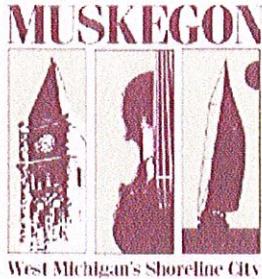
BY: \_\_\_\_\_  
Stephen J. Warmington  
Mayor

ATTEST: \_\_\_\_\_  
Ann Marie Becker, 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 June 28, 2011.

\_\_\_\_\_  
Ann Marie Becker, City Clerk



**City of Muskegon  
Industrial Facilities Exemption Application  
Summary Sheet**

**Project Summary:**

Ameriform, with headquarters at 1790 Sun Dolphin Rd, will be making improvements at its second location at 1770 E Keating Ave. They will be installing new machinery and performing minor building improvements. The personal property investment will be \$1,700,000 and the real property investments will total \$300,000.

**Employment Information:      168 employees**

Racial Characteristics:  
                   White                    128  
                   Minority                    40  
                   Total                        168

Gender Characteristics:  
                   Male                        151  
                   Female                     17  
                   Total                        168

Total No. of Anticipated New Jobs:      12-15

**Investment Information:**

Real Property:                                    \$300,000  
 Personal Property                                \$1,700,000  
 Total:    \$2,000,000

<b>Property Tax Information:</b> (Annual)	<u>All Jurisdictions</u>	<u>City Only</u>
Total New Taxes Generated	\$ 36,766	\$ 11,632
Value of Abatement	\$ 18,383	\$ 5,816
Total New Taxes Collected	\$ 18,383	\$ 5,816

**Income Tax Information:** (Annual)  
 Total Additional Income Tax Generated:    \$ 2,271

**Company Requirements:**

- |   |                                     |     |                                     |    |
|---|-------------------------------------|-----|-------------------------------------|----|
| Adopted Affirmative Action Policy           | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| Meeting w/ City Affirmative Action Director | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| Signed Tax Abatement Contract               | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| Taxes Paid In Full                          | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| Zoning Conflicts                            | <input type="checkbox"/>            | Yes | <input checked="" type="checkbox"/> | No |

  
 \_\_\_\_\_  
 Mike Franzak  
 Planner III

  
 Dwana Thompson  
 Affirmative Action Director

MAY 24 2011

Michigan Department of Treasury  
1012 (Rev. 7/05)

**Application for Industrial Facilities Tax Exemption Certificate**

CITY OF MUSKEGON  
PLANNING DEPARTMENT

Issued under authority of P.A. 198 of 1974, as amended. Filing is mandatory.

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

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) <b>AMERIFORM ACQUISITION LLC</b>		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (Four Digit Code)	
1c. Address of Facility (real property or personal property location) <b>1770 E. KEATING MUSK, MI49442</b>		1d. Name of City/Township/Village (Indicate which) <b>MUSKEGON</b>	1e. County <b>MUSKEGON</b>
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy to only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located	3b. School Code
		4. Amount of years requested for exemption (1-12 Years) <b>12</b>	

5. Thoroughly describe the project for which exemption is sought: Real Property (Type of Improvements to Land, Building, Size of Addition); Personal Property (Explain New, Used, Transferred from Out-of-State, etc.) and Proposed Use of Facility. (Please attach additional page(s) if more room is needed).  
**ADD EXTRUSION LINE TO PLANT. REQUIRES IMPROVEMENTS TO FACILITY AND NEW EQUIPMENT**

6a. Cost of land and building improvements (excluding cost of land) .....	<b>300,000</b>
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures .....	<b>1,700,000</b>
* Attach itemized listing with month, day and year of beginning of installation plus total costs	Personal Property Costs
6c. Total Project Costs .....	<b>2,000,000</b>
	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	<b>JULY 1, 2011</b>	<b>DEC 31, 2011</b>	<input type="checkbox"/> Owned	<input checked="" type="checkbox"/> Leased
Personal Property Improvements	<b>MAY 31, 2011</b>	<b>FEB 1, 2012</b>	<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. Number of existing jobs at this facility that will be retained as a result of this project. <b>38</b>	10. Number of new jobs at this facility expected to be created within two years of project completion. <b>12-15</b>
---	--

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

a. SEV of Real Property (excluding land) .....

b. SEV of Personal Property (excluding inventory) .....

c. Total SEV .....

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)	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 <b>DANIEL HARRIS</b>	13b. Phone Number <b>231-332-1705</b>	13c. Fax Number <b>231-739-4502</b>	13d. E-mail Address <b>danh@ameriform.us</b>
14a. Name of Contact Person <b>DANIEL HARRIS</b>	14b. Phone Number <b>231-332-1705</b>	14c. Fax Number <b>231-739-4502</b>	14d. E-mail Address <b>danh@ameriform.us</b>
15a. Name of Company Officer (No Authorized Agents) <b>TOM HARRIS</b>			
15b. Signature of Company Officer (No Authorized Agents) <i>[Signature]</i>		15c. Fax Number <b>231-739-4502</b>	15d. Date <b>5-19-11</b>
15e. Mailing Address (Street, City, State, ZIP) <b>1790 SUN DOLPHIN DR MUSK 49442</b>		15f. Phone Number <b>233-332-1710</b>	15g. E-mail Address <b>TOMH@KLINDUSTRIES.COM</b>

**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 _____ Years (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: <b>Check or Indicate N/A if Not Applicable</b> <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 <b>Check or Indicate N/A if Not Applicable</b> <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.	
17. Name of Local Government Body	18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the 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.

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

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission**  
**Michigan Department of Treasury**  
**P.O. Box 30471**  
**Lansing, MI 48909-7971**

STC USE ONLY			
LUCI Code	Begin Date	End Date	End Date2

**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 49441, (“City”) and Ameriform Acquisition, LLC (“Company”).

**Recitals:**

- A. The Company has applied to City for the establishment of an industrial development district or industrial 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 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.

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.

1.2 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.

1.3 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 \$2,000,000 in the equipment improvements as shown in the application.

1.4 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.

1.5 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.

1.6 The Company shall not appeal the valuation of any real or personal property at the facility to the Michigan Tax Tribunal or the State Tax Commission.

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 create the district and 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 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.

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 prorata 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 prorata, and any remaining value of equipment shall be placed on the regular tax roll.

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.

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 prorata 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 \_\_\_\_\_  
Steve Warmington, Mayor

Date \_\_\_\_\_

and \_\_\_\_\_  
Ann Marie Becker, Clerk

Date \_\_\_\_\_

By Daniel Harris  
Its PRESIDENT

Date 6-21-11

**CITY COMMISSION MEETING DATE**  
**JUNE 28, 2010**

**Date: June 20, 2011**

**To: Honorable Mayor and City Commissioners**

**From: Cathy Brubaker-Clarke, Director of Community & Economic Development**

**Re: Special Event Request –  
Muskegon Bike Time Events Inc (annual event)**

SUMMARY OF REQUEST: Muskegon Bike Time Events Inc. has filed a special event application for the annual Bike Time festival in downtown Muskegon to be held July 15, 16, & 17, 2011. They have requested the waiver of some City equipment rental fees. They have also requested to use their own labor pool rather than City employees whenever possible (as they have done in past years).

Bike Time would also like permission to close certain street intersections in the downtown area one day earlier than allowed in the special event policy, so that they can work on event/tent set-up. They would like to close the intersections listed on the attached sheet starting at 6:00 p.m. on Wednesday evening, July 13 (instead of waiting til Thursday evening, July 14).

FINANCIAL IMPACT: Request that equipment rental fees be waived. In exchange Bike Time will provide a pre-negotiated amount of beverage tent wristbands. The exchange will be coordinated with the City Manager.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: It is recommended that staff be allowed to make the final decision regarding rental fees, actual costs, and/or exchange of wristbands, to be coordinated through the City Manager. In addition, staff recommends that if Bike Time picks up items such as picnic tables, bleachers, and trash cans for distribution at the proper locations, there will be no equipment rental charge to Bike Time. This must first be approved by and coordinated through City staff. It is also recommended that City staff review staffing levels for City personnel with the Bike Time staff, with the City making the final decision on the number of City staff needed for the event. These recommendations follow what was done for the 2009 event.

Regarding street closures, staff recommends approval with the condition that Bike Time notify affected downtown businesses of the dates and times of street closures and the date and time that No Parking restrictions go into effect on those streets.

COMMITTEE RECOMMENDATION: N/A

Bike Time respectfully requests to close the following streets/intersections starting at 6:00 p.m. on Wednesday, July 13:

- Intersection of 6<sup>th</sup> Street and Western Avenue
- Intersection of 4<sup>th</sup> Street and Western Avenue
- Intersection of 2<sup>nd</sup> Street and Western Avenue

In order to minimize disruption to downtown businesses, Bike Time will leave the alley open on the side streets south of Western Avenue for business traffic.

**AGENDA ITEM NO.** \_\_\_\_\_

**CITY COMMISSION MEETING** \_\_\_\_\_

**TO:** Honorable Mayor and City Commissioners

**FROM:** Bryon L. Mazade, City Manager

**DATE:** June 21, 2011

**RE:** Harbor 31 (Smartzone) Brownfield Loan

**SUMMARY OF REQUEST:**

To consider reinstating the Brownfield loan repayment for the Harbor 31 project (Belmont Farms, LLC) and allow the assignment of the loan and development and reimbursement agreement to Muskegon Lakefront, LLC.

**FINANCIAL IMPACT:**

\$150,823.42 balance due the city. Second installment due on March 18, 2011, was \$18,554.42.

**BUDGET ACTION REQUIRED:**

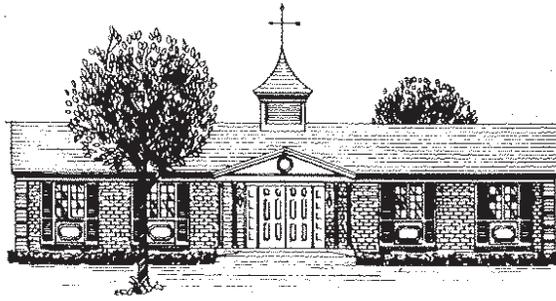
None.

**STAFF RECOMMENDATION:**

None.

**COMMITTEE RECOMMENDATION:**

None.



# Chrystal-Anderson

*And Associates Incorporated | Realtors*

June 15, 2011

Bryan Mazade  
City Manager  
City of Muskegon  
933 Terrace Street  
Muskegon MI 49443

Dear Bryan:

We would like to take this opportunity to thank you for meeting with us and helping us gain insight into how the city is involved with the property on Muskegon Lake. We have now formed Muskegon Lakefront, LLC along with Dan Henrickson, as our official entity to go forward with our discussed plans. To that end, we are asking the city to allow us to reinstate the payment plan that was originally agreed upon. We are prepared to make the first of these payments as soon as an agreement is secured. Also, if city commission approval is needed for the new entity, please inform us what we must do. Thank you again.

Best Regards,

Muskegon Lakefront, LLC

Richard B. Anderson  
Member

RECEIVED

JUN 17 2011

MUSKEGON  
CITY MANAGER'S OFFICE

Date: June 28, 2011  
To: Honorable Mayor and City Commissioners  
From: Ann Marie Becker, City Clerk  
RE: Gaming License Request from Muskegon-Oceana  
Community Action Partnership, Inc.

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**SUMMARY OF REQUEST:** MOCAP, 1170 W. Southern Avenue, 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.

They are partnering with DTE (one of the Summer Celebration sponsors) to hold a raffle where the proceeds will benefit their clients that need assistance with their heating bills.

**FINANCIAL IMPACT:** None

**BUDGET ACTION REQUIRED:** None

**STAFF RECOMMENDATION:** Approval



Charitable Gaming Division  
 Box 30023, Lansing, MI 48909  
 OVERNIGHT DELIVERY:  
 101 E. Hillsdale, Lansing MI 48933  
 (517) 335-5780  
 www.michigan.gov/cg

## LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(K)(ii))

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by \_\_\_\_\_ ON \_\_\_\_\_  
DATE

at \_\_\_\_\_ a.m./p.m. the following resolution was offered:  
TIME

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the request from \_\_\_\_\_ of \_\_\_\_\_,  
NAME OF ORGANIZATION CITY

county of \_\_\_\_\_, asking that they be recognized as a  
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for \_\_\_\_\_.  
APPROVAL/DISAPPROVAL

<p><b>APPROVAL</b></p> <p>Yeas: _____</p> <p>Nays: _____</p> <p>Absent: _____</p>	<p><b>DISAPPROVAL</b></p> <p>Yeas: _____</p> <p>Nays: _____</p> <p>Absent: _____</p>
---	--

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on \_\_\_\_\_  
DATE

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

\_\_\_\_\_  
PRINTED NAME AND TITLE

\_\_\_\_\_  
ADDRESS

COMPLETION: Required.  
 PENALTY: Possible denial of application.  
 BSL-CG-1153(R6/09)

Date: June 28, 2011  
To: Honorable Mayor and City Commissioners  
From: Ann Marie Becker, City Clerk  
RE: Fireworks Display Permit for West Michigan  
Burnerz

---

**SUMMARY OF REQUEST:** West Michigan Burnerz is requesting approval of a fireworks display permit for July 8<sup>th</sup> for an event at the Muskegon Summer Celebration.

**FINANCIAL IMPACT:** None.

**BUDGET ACTION REQUIRED:** None.

**STAFF RECOMMENDATION:** Approval contingent on inspection of the fireworks and approval of the insurance.

**DATE:** 06/09/2011  
**TO:** Honorable Mayor and Commissioners  
**FROM:** Anthony Kleibecker, Director of Public Safety  
**RE:** Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN100202

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**SUMMARY OF REQUEST:** This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **1358 ARTHUR ST** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN100202 - 1358 ARTHUR ST

Location and ownership: This structure is located on Arthur St. between Catherine and Isabella Streets and is owned by STEHOUWER DAVID L.

Staff Correspondence: A dangerous building inspection was conducted on 12/03/10. The Notice and Order to Repair was issued on 12/08/10. On 03/03/11 the HBA declared the structure substandard and dangerous.

Owner Contact: No one was present for the HBA meeting dated 03/03/11. No permits, no inspections scheduled and no owner contact.

**Financial Impact:** CDBG Funds

**Budget action required:** None

**State Equalized value:** \$12,900 (Entire property)

**Estimated cost to repair:** \$7500.00 (Exterior Only)

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

**SUMMARY FOR: 1358 ARTHUR ST**

This building is a wood framed two story, two unit apartment.

This building is currently vacant and unsecured. Through the open doors and windows, it appears that part of the building has been gutted out. The front porch is supported by temporary blocks that are failing and the porch is in imminent danger of collapse. This building is covered with graffiti and is blighting the influence of the neighborhood.

## CITY OF MUSKEGON

933 Terrace St., P.O. Box 537, Muskegon, MI 49443 (231) 724-6715

### **DANGEROUS BUILDING INSPECTION REPORT**

Friday, December 3, 2010

**Enforcement #** EN100202      **Property Address** 1358 ARTHUR ST  
**Parcel #**24-205-254-0002-10      **Owner** STEHOUWER DAVID L

**Inspector:** Henry Faltinowski

**Date completed:** 12/03/2010

#### **DEFICIENCIES:**

1. Front porch foundation missing need to rebuild to code - porch roof supports failing no column support.
2. Repair -replace all damaged siding.
3. Numerous broken windows
4. Door and landing missing on south entry.
5. Scrape and paint siding or reside home.
6. Repair open gaps in chimney.
7. Request interior by trade inspectors.

**Request interior inspection by all trades, electrical, mechanical and plumbing. Please contact Inspection Services with any questions or to schedule an inspection at 933 Terrace St., Muskegon, MI 49440 (231) 724 6758.**

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

\_\_\_\_\_  
Henry Faltinowski, Building Inspector

\_\_\_\_\_  
Date



1358 Arthur



1358 Arthur



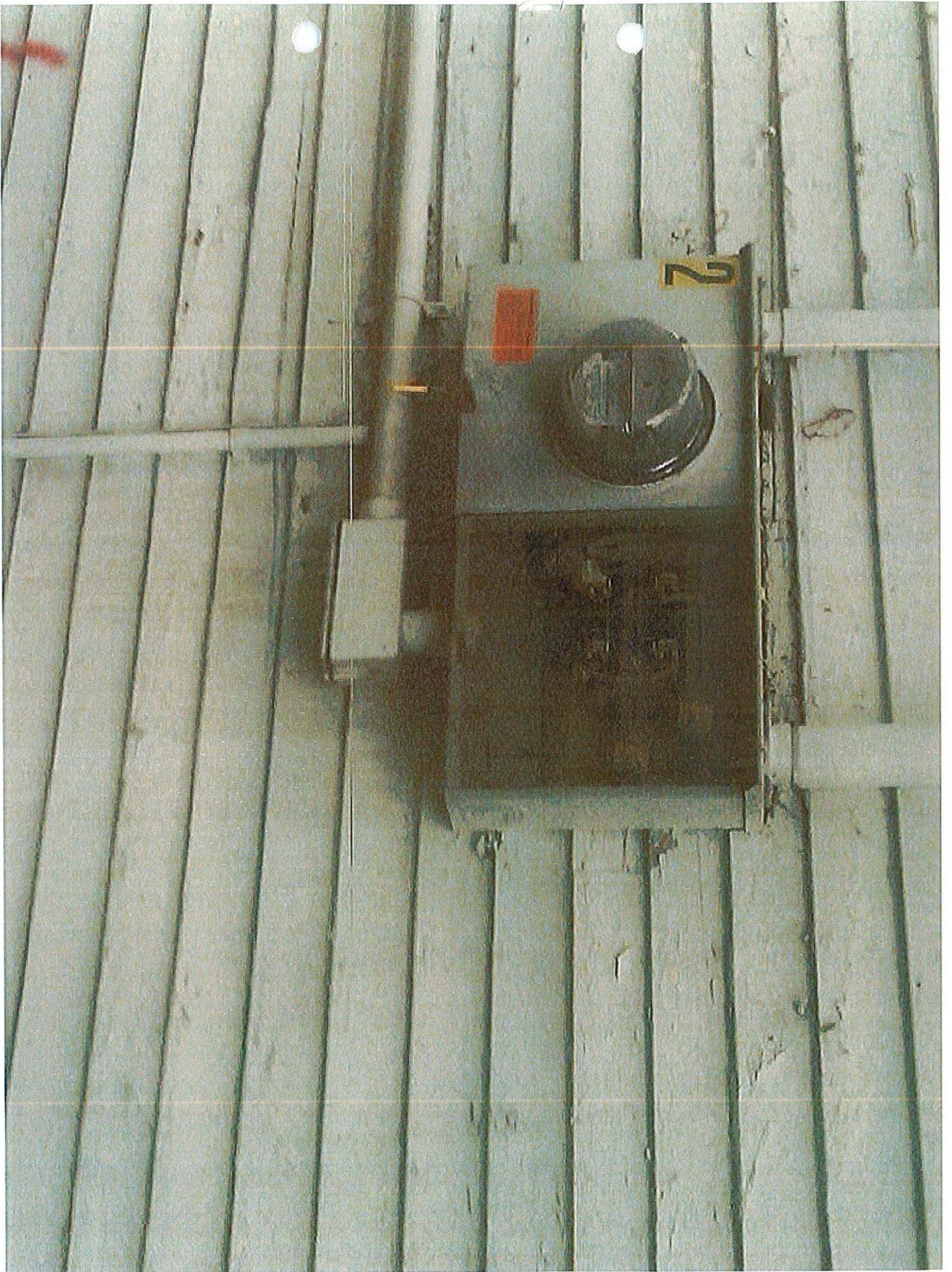
1358 Arthur

1358 AUNTIE D.B.





1358 Arthur



**DATE:** 06/08/2011  
**TO:** Honorable Mayor and Commissioners  
**FROM:** Anthony Kleibecker, Director of Public Safety  
**RE:** Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN110018

---

**SUMMARY OF REQUEST:** This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **657 ALLEN AVE (Garage)** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN110018 - 657 ALLEN AVE

Location and ownership: This structure is located on Allen Ave. between Scott and Getty Streets and is owned by YOUNG JANET.

Staff Correspondence: A dangerous building inspection was conducted on 01/14/11. The Notice and Order to Repair was issued on 01/27/11. On 03/24/11 the HBA declared the structure substandard and dangerous.

Owner Contact: No one was present for the HBA meeting dated 03/24/11. No permits have been issued and no inspections scheduled.

**Financial Impact:** CDBG Funds

**Budget action required:** None

**State Equalized value:** \$20,000 (Entire property)

**Estimated cost to repair:** \$3000.00 (Garage Only)

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

**SUMMARY FOR: 657 ALLEN AVE(Garage Only)**

This structure is a two stall wood framed garage. This Garage currently is out of plumb and if left unrepaired will collapse. This building is currently unsecured allowing anyone who wishes, easy access to building. If this building is left in it's current state, it will continue to be a blighted building.

## CITY OF MUSKEGON

933 Terrace St., P.O. Box 537, Muskegon, MI 49443 (231) 724-6715

### DANGEROUS BUILDING INSPECTION REPORT

Tuesday, January 18, 2011

**Enforcement #** EN110018      **Property Address** 657 ALLEN AVE  
**Parcel #**24-205-060-0009-00      **Owner** YOUNG JANET

**Inspector:** Henry Faltinowski

**Date completed:** 01/14/2011

#### DEFICIENCIES:

1. Garage has severe lean -structural damage to walls.
2. Missing siding - rotted; replace.
3. Doors on garage need replaced or repaired.
4. Scrape and paint.

**Request interior inspection by all trades, electrical, mechanical and plumbing. Please contact Inspection Services with any questions or to schedule an inspection at 933 Terrace St., Muskegon, MI 49440 (231) 724 6758.**

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

\_\_\_\_\_  
Henry Faltinowski, Building Inspector

\_\_\_\_\_  
Date

P.B. 657 ALLEN DETACHED GARAGE 1/14/2011



657 Allen Garage



**DATE:** 06/08/2011  
**TO:** Honorable Mayor and Commissioners  
**FROM:** Anthony Kleibecker, Director of Public Safety  
**RE:** Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN100194

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**SUMMARY OF REQUEST:** This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **540 CRESTON ST** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN100194 - 540 CRESTON ST

Location and ownership: This structure is located on Creston between Albert and James Streets and is owned by HALL WILLARD.

Staff Correspondence: A dangerous building inspection was conducted on 01/18/10. The Notice and Order to Repair was issued on 12/02/10. On 01/06/11 the HBA declared the structure substandard and dangerous.

Owner Contact: No one was present for the HBA meeting dated 01/06/11. No permits have been issued and no inspections scheduled. All certified mail notices have been returned "Unclaimed".

**Financial Impact:** CDBG Funds

**Budget action required:** None

**State Equalized value:** \$ (Entire property)

**Estimated cost to repair:** \$15,000.00 (Exterior Only)

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

**SUMMARY FOR: 540 CRESTON ST**

This is a wood framed one story, single family dwelling. This structure appears to be abandoned. The roof over the garage has failed and is collapsing. The roof over the dwelling appears to be leaking causing water damage to the interior. The dwelling unit is falling apart from exposure to the weather as evidenced by the falling ceiling within the dwelling.

## **CITY OF MUSKEGON**

933 Terrace St., P.O. Box 537, Muskegon, MI 49443 (231) 724-6715

### **DANGEROUS BUILDING INSPECTION REPORT**

Thursday, December 2, 2010

**Enforcement #** EN100194      **Property Address** 540 CRESTON ST  
**Parcel #**24-611-000-0321-00      **Owner** HALL WILLARD/CONSTANCE

**Inspector:** Henry Faltinowski

**Date completed:** 11/18/2010

#### **DEFICIENCIES:**

1. **Replace roof covering on home call for sheathing and rafter inspection.**
2. **Numerous broken out windows.**
3. **Ceiling is callapsing in areas of home due to failing roof system.**
4. **Garage(attached) roof is collapsing. Rebuild or repair to current code.**
5. **Replace all damaged windows and doors home and garage.**
6. **Scrape and paint exterior or reside home.**
7. **Replace basement windows frames.**

**Request interior inspection by all trades, electrical, mechanical and plumbing. Please contact Inspection Services with any questions or to schedule an inspection at 933 Terrace St., Muskegon, MI 49440 (231) 724 6758.**

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

\_\_\_\_\_  
Henry Faltinowski, Building Inspector

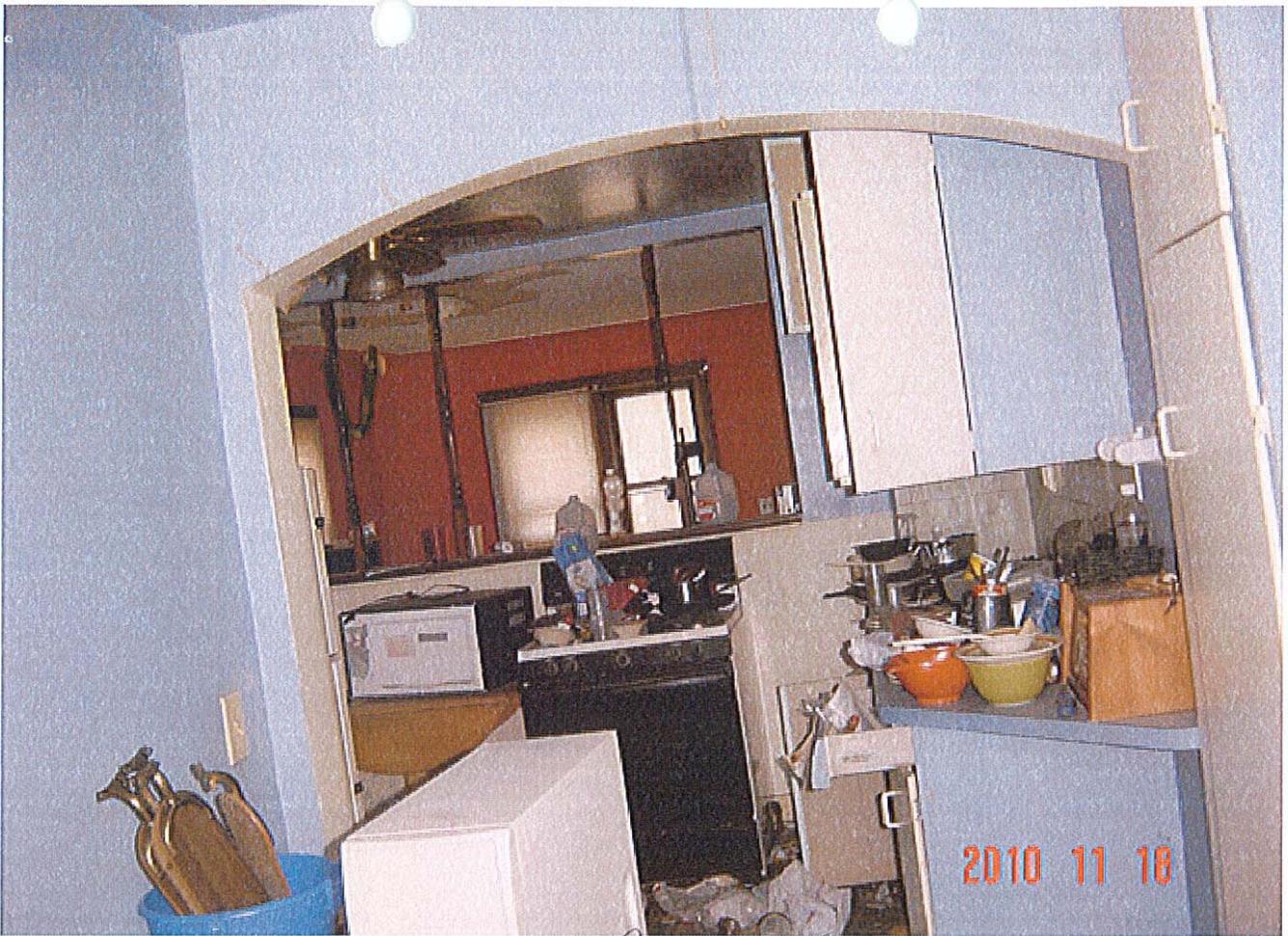
\_\_\_\_\_  
Date

P.B. 540 CUSTON. 11/18/2010



540 Custon





540 Creston





540 Creston

