

CITY OF ROOSEVELT PARK CITY COUNCIL MEETING

AGENDA

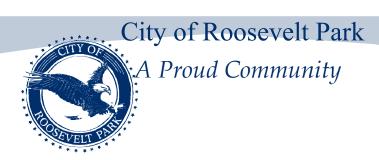
February 20, 2023 6:15 p.m.

- 1. Council Work Session
- 2. Call to Order and Roll Call
- 3. Pledge of Allegiance
- 4. Invocation by Councilmember Crossno
- 5. Public Comment on Agenda Items
- 6. Approval of Consent Agenda
 - a. Regular Agenda
 - b. Minutes of the February 6, 2023, Regular City Council Meeting
 - c. List of Bills
- 7. Unfinished Business
- 8. New Business
 - a. Revised 2023 Board/Committee Schedule-Recreation and Parks Additions
 - b. Public Safety Committee Meeting-Set Meeting Time and Date
 - c. Roosevelt Park Day Committee-Set Meeting Time and Date
 - d. Planning Commission Decision-Rezoning Request-3145 Henry Street
 - e. Planning Commission Decision-SLU-Drive Through Request-3145 Henry Street
- 9. Public Comment

Please state your name and home address
Please limit comments to 3 minutes per individual presentation
(City Council Rules of Procedure: 10/7/2011)

- 10. Comments from the Mayor and City Council
- 11. Reports from City Manager, City Attorney & Department Heads
- 12. Adjournment

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To: Honorable Mayor and City Council

From: Jared Olson, City Manager

Date: February 16, 2023

Subject: Monday, February 20, 2023 – CITY COUNCIL MEETING

The following is information pertaining to items on the agenda for your meeting: COUNCIL WORK SESSION:

1. <u>2022 Annual Roosevelt Park/Norton Shores Fire Department Report-</u>As has occurred annually for the last several years, representatives from the Norton Shores Fire Department will be in attendance to present the 2022 annual NSFD report for the City of Roosevelt Park.

2. Active Agenda Items

COUNCIL MEETING:

- **a.** Revised 2023 Board/Committee Schedule-Recreation and Parks Additions— With the addition of the Roosevelt Park Recreation and Parks Commission, a newly updated 2023 meeting schedule needs to be approved. The RPRP is recommending they meet on the second Tuesday of each month.
- **b.** <u>Public Safety Committee Meeting-Set Meeting Time and Date-</u> As a follow up to the January Public Safety Committee meeting, the next committee meeting time and date needs to be set.
- **c.** Roosevelt Park Day Committee-Set Meeting Time and Date- A formal time and date is needed for the next Roosevelt Park Day meeting.
- **d.** Planning Commission Decision-Rezoning Request-3145 Henry Street- As required per the City Charter, the formal Planning Commission recommendation for a rezoning (map amendment) request has been forwarded following the previous January 30th Planning Commission meeting.
- e. <u>Planning Commission Decision-SLU-Drive Through Request-3145 Henry Street</u>- Much like the rezoning request, the formal recommendation has been forwarded from the Roosevelt Park Planning Commission following their public hearing and review on January 30th.



CITY OF ROOSEVELT PARK CITY COUNCIL MEETING MINUTES February 6, 2023

This meeting was called to order by Mayor Aaron Langlois at 6:15 p.m.

PRESENT: Council Members: Mayor Aaron Langlois, Greg Neiser, Diane Goodman, Noah Crossno,

Stacey Burmeister

STAFF: City Manager Jared Olson, City Treasurer Kate Dibble, City Attorney Sawyer Rozgowski,

Chief Shawn Bride

ABSENT: Mayor Pro-Tem Sutton, Fawn Cruz

WORK SESSION

Council discussed Agenda Items:

- Ad Hoc Senior Millage Committee Set Meeting Time and Date
- 2023 Poverty Tax Exemption Policy Council Approval
- 2022 OPEB Valuation Report Council Acceptance
- List of Bills

Special Guests:

None

Mayor Langlois called the Council meeting to order at 6:23 p.m.

2023-021 ROLL CALL

City Treasurer Kate Dibble called roll call.

2023-022 INVOCATION

Council Member Goodman provided the Invocation.

2023-023 PUBLIC COMMENT ON AGENDA ITEMS

None

2023-024 CONSENT AGENDA

Council Member Neiser moved to approve the consent agenda. This motion was

supported by Council Member Burmeister.

Roll Call: 5 Ayes, 0 Nays, (2) absent (Sutton, Cruz). Motion Passes

2023-025 UNFINISHED BUSINESS

None

2023-026 NEW BUSINESS

8A. Set Ad Hoc Senior Millage Committee Meeting

Council Member Goodman moved to set the next meeting of the Senior Ad Hoc Committee for Wednesday March 1, 2023 at 5:00 pm. This motion was Supported by Council Member Neiser.

Roll Call: 5 Ayes, 0 Nays, (2) Absent (Sutton, Cruz). Motion Passes

8B. 2023 Property Tax Poverty Exemption Policy Update

Council Member Burmeister moved to approve resolution 23-01 and the corresponding. Poverty tax exemption policy and guidelines as presented. This motion was supported by Council Member Crossno.

Roll Call: 5 Ayes, 0 Nays, (2) Absent (Sutton, Cruz). Motion Passes

8C. Post-Employment Benefits Other Than Pensions (OPEB) Report

Council member Crossno moved to accept the OPEB Actuarial Valuation report for the Year ending 11/30/22 from Watkins Ross. This motion was supported by Council. Member Neiser.

Roll Call: 5 Ayes, 0 Nays, (2) Absent (Sutton, Cruz). Motion Passes

2023-027 COUNCIL COMMENTS

Council members shared comments.

2023-028 DEPARTMENT HEAD REPORTS

Department Heads shared comments.

2023-029 PUBLIC COMMENTS

Marsha Hovey-Wright

Rich Hautemmn – Consumers Energy

2023-030 ADJOURNMENT

Mayor Langlois moved to adjourn the meeting at 6:59 p.m. This motion was supported by Council Member Crossno and carried unanimously.

Kate Dibble, Treasurer for Ann Wisniewski, City Clerk

CITY OF ROOSEVELT PARK



A Proud Community 900 OAK RIDGE ROAD ROOSEVELT PARK, MI 49441

(231) 755-3721

	(231) /33-3/21			
CHECK NUMBER	VENDOR NAME	DESCRIPTION	Invoice #	INVOICE AM
37992	MUSKEGON CROSSFI			
	FACADE (GRANT REIMBURSEMENT	DDAFACADE	15,000.00
			Check Total	15,000.00
3536(E)	ACCIDENT FUND			
		PREMIUM 2022	AUDITINV2022	3,224.00
	WURKERS	COMP MARCH	1000478100	1,048.70
0505 (-)			Check Total	4,272.70
3537 (E)	BANK OF AMERICA	BUSINESS CARD F AID SUPPLIES	111290843684	80.70
		ROLLER ASSEMBLY	111230043664	12.78
		FILTERS - GARAGE	112707956179	101.10
		CE SUBSCRIPTION	E0400M1LD2	52.47
	FIREARM	S TRAINING	021523	2,734.49
	COUNCIL	PHOTO PRINTS	020923	23.29
			Check Total	3,004.83
3538(E)	BANK OF AMERICA	BUSINESS CARD		
	2023 CL	ERK MEMBERSHIP	2023DUES	75.00
			Check Total	75.00
3539(E)	BANK OF AMERICA	BUSINESS CARD		
		ICENSE TEST FEE	203020361298	140.00
	CDL COU	RSE	70P10866	3,260.00
			Check Total	3,400.00
3540 (E)	BLUE CARE NETWOR			
	RETIREE	HEALTH CARE - MARCH	230380006946	1,641.36
			Check Total	1,641.36
3541 (E)	BLUE CROSS BLUE		157070250	1 050 70
	RETIREE	HEALTH CARE - MARCH	157870359	1,952.78
05.40.4-1			Check Total	1,952.78
3542 (E)	CONSUMERS ENERGY	38 5011 TRAFFIC LIGHTS	205813216504	281.41
	1000 00.	30 JULI IRAFFIC LIGHIS	Check Total	281.41
254275	CONCLINED OF ENERGY		Check Total	201.41
3543 (E)	CONSUMERS ENERGY	60 5042 3105 ROOSEVELT	206880697371	46.86
	1000 04	00 3042 3103 KOOSEVELI	Check Total	46.86
3544(E)	CONSUMERS ENERGY		Oneck Total	40.00
3344 (E)		60 5166 3106 ROOSEVELT	206880697372	141.68
	1000 01	30 3100 3100 ROODLVIII	Check Total	141.68
3545(E)	CONSUMERS ENERGY			
33 13 (L)		97 2995 1168 CORNELL	206080191314	32.37
			Check Total	32.37
3546(E)	CONSUMERS ENERGY			
0010(2)		16 4881 1580 GARRISON	204834395695	370.56
			Check Total	370.56
3547(E)	CONSUMERS ENERGY			
,	1000 06	16 6274 3064 GLENSIDE	204834395696	28.81
			Check Total	28.81
3548 (E)	CONSUMERS ENERGY			
. ,		16 6498 2875 GLENSIDE	204834395697	29.28
			Check Total	29.28
3549(E)	CONSUMERS ENERGY			
		22 0758 1344 GREENWICH RD	204834395698	28.81
			Check Total	28.81
3550(E)	CONSUMERS ENERGY			

COUNCIL LIST

CITY OF ROOSEVELT PARK **COUNCIL LIST**



A Proud Community 900 OAK RIDGE ROAD

ROOSEVELT PARK, MI 49441 (231) 755-3721

CHECK NUMBER	VENDOR NAME	DESCRIPTION	Invoice #	INVOICE	AMT
	1000 06	28 6080 1502 HAVERHILL	206524901529	49	.64
			Check Total	49	. 64
3551 (E)	CONSUMERS ENERGY				
	1000 06	78 0280 898 W BROADWAY	204656409778		.06
2552 (=)			Check Total	97	.06
3552 (E)	CONSUMERS ENERGY	: 77 1684 880 OAKRIDGE	201096867174	532	93
	1000 07	// 1004 000 OARRIDGE	Check Total	532	
3553(E)	CONSUMERS ENERGY	7			
0000 (2)		83 4730 901 POST RD	201185833915	28	.81
			Check Total	28	.81
3554(E)	CONSUMERS ENERGY				
	1000 08	32 5373 3278 GERMAINE	201541727319	36	.57
			Check Total	36	. 57
3555(E)	CONSUMERS ENERGY				
	1000 08	64 3968 1267 LAMBERT	202609642526		.41
			Check Total	36	. 41
3556(E)	CONSUMERS ENERGY				
	1000 08	49 1167 3163 MAPLE GROVE	202609642527		.37
0=== 1=1			Check Total	32	. 37
3557 (E)	CONSUMERS ENERGY	7 64 2272 1140 SHERWOOD	202609642528	20	.81
	1000 08	04 22/2 1140 SHERWOOD	Check Total		. 81
3558(E)	CONSUMERS ENERGY	7	Check Total	20	
3336 (E)		26 0835 49441 LED LIGHT RD	206702822644	1,199	. 1 4
			Check Total	1,199	
3559(E)	DTE ENERGY				
,		OAKRIDGE RD	021023	752	.22
			Check Total	752	.22
3560(E)	DTE ENERGY				
	GAS 310	6 ROOSEVELT RD	021023	375	.77
			Check Total	375	.77
3561(E)	DTE ENERGY				
	GAS 157	2 GARRISON	021023	964	
			Check Total	964	.43
3562 (E)	ETNA SUPPLY COMP		0104047000	7.0	0.0
	MISSDIG	FLAGS - BLUE	S104947929.0 Check Total		.92 . 92
3563(E)	FERGUSON SUPPLY	CO.	Check local	19	. 92
3363 (E)		G WATER FLAGS	0171903	375	0.0
	CURB ST		0158802-1	1,648	
			Check Total	2,023	
3564 (E)	HOME DEPOT CREDI	T SERVICES			
	DPW SUP	PLIES, COMM CENTER FLOOR CLEANER,	02132023	348	.88
			Check Total	348	.88
3565(E)	MICHIGAN STATE F	POLICE			
	SOR REG	ISTRATION	551-610511		.00
			Check Total	30	.00
3566(E)	PITNEY BOWES INC				
		MACHINE MARCH-AUG	1022499524	251	
	SHIPPIN	G CREDIT FOR INK PURCHASE	18878703CR Check Total	(10) 240	.99)
			COMMON TOTAL	240	. 4/

CITY OF ROOSEVELT PARK



COUNCIL LIST A Proud Community

900 OAK RIDGE ROAD ROOSEVELT PARK, MI 49441 (231) 755-3721

CHECK NUMBER	VENDOR NAME	DESCRIPTION	Invoice #	INVOICE AM
	GAS (DPW	347.292, PD 428.809)	86990992	2,303.33
			Check Total	2,303.33
3568 (A)	ASPHALT PAVING,	INC.		
	COLD PA	TCH	API-0001563	65.00
	COLD PA	TCH	API-0001565	65.00
			Check Total	130.00
3569 (A)	BRICKLEY DELONG	CPA		
		G SERVICES	1233704	2,195.00
		G SERVICES	1233706	7,775.00
			Check Total	9,970.00
3570 (A)	EMERGENCY SERVIC	CES LLC		
00,0 (11)		LABOR - MARCH	19642	640.00
		- INSPECT BRAKES AND WINDOW	19685	6.75
		- BENT EXHAUST, LEXAN GLASS VELO		6.75
			Check Total	653.50
3571 (A)	FLEX ADMINISTRAT	PODS THO		
5571 (A)		MINISTRATION	659431	39.15
	THEN AD	HINIDINATION	Check Total	39.15
2572 (7)			Check Total	
3572 (A)	MUSKEGON CNTY TF	REASURER ATER/BOND PMTS	MATERIA 01 21 22	22 000 00
	WASTE W.	ATER/BOND PMTS	WWUB013123	32,900.00
			Check Total	32,900.00
3573 (A)	PARMENTER LAW			
	GENERAL		270994	805.50
	PROSECU		270995	901.00
		EAL - GFS	270996	364.00
	GENERAL	LEGAL	270097	446.50
			Check Total	2,517.00
3574 (A)	PLANTENGA'S CLEA	ANERS		
	PD UNIF	ORM CLEANING	013123	5.91
			Check Total	5.91
3575 (A)	PREIN & NEWHOF,	P.C		
	MAPLE G	ROVE ENGINEERING	72624	269.00
			Check Total	269.00
3576 (A)	REPUBLIC SERVICE	ES		
	WASTE R	EMOVAL - JAN, ANNUAL RECYCLING/Y	YA 0240-	34,423.10
			Check Total	34,423.10
3577 (A)	STRONG INDUSTRIA	AL SUPPLY		-
, ,		SS SUPPLIES	1487906	26.47
			Check Total	26.47
3578 (A)	WEST MICHIGAN UN			
0070(11)		FORM CLEANING	5702485	50.00
		FORM CLEANING	5704360	50.00
		FORM CLEANING	5706250	50.00
	21.1 01.1		Check Total	150.00
37993	ADVANCE AUTO PAF		oneck rotar	
31993		L ABSORB	538230442112	39.16
		GHT - CHIPPER	538230442112	25.16
	יאו וואו	OHI CHILLDIN	Check Total	64.32
27004	DELL BOTTENES: 3	COMPANY	OHECK TOTAL	
37994	BELL EQUIPMENT (D1 25 0 1	1.01 0.4
	SHUE PL	ATE, NOSE PIECE	P13521	161.24
			Check Total	161.24
37995	HAUBRICH, CHAD		000400	
	BOOT RE	IMBURSEMENT	020423	180.19
			Check Total	180.19

CITY OF ROOSEVELT PARK



COUNCIL LIST

A Proud Community 900 OAK RIDGE ROAD ROOSEVELT PARK, MI 49441 (231) 755-3721

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37996	JR ACCOUNTING			
	BANK RE	CS	2229	60.0
			Check Total	60.0
37997	KATHYS ALTERATIO	ONS & REPAIRS		
	PD UNIF	ORMS	990742	24.0
			Check Total	24.0
37998	KORTHASE AND SON			
	GENERAT	OR - CHANGE EXERCISE MODE TO NON-	8787	90.0
			Check Total	90.0
37999	MICR GRAPHICS PF			
	WINDOW	ENVELOPES	116787	135.0
			Check Total	135.0
38000	MORBARK, INC			
	CHIPPER	KNIVES	33514404	539.5
			Check Total	539.5
38001	ON DUTY GEAR, LI			
	PD UNIF	ORM PANTS	2000038448	352.5
			Check Total	352.5
38002	PRO CLEAN SOLUTI			
	BUILDIN	G CLEANING	RO0020123	375.0
			Check Total	375.0
38003	SABRE SECURITY E	EQUIPMENT CORP		
	LE REGI	STRATION - CONNOR HEATON	PS-	180.0
			Check Total	180.0
38004	SHORT IRON FABRI	ICATION		
	SIDEWAL	K PLOW BLADES	2035	915.0
			Check Total	915.0
38005	SITEONE LANDSCAF	PE SUPPLY, LLC		
	ROCK SA	LT	126518845-	206.2
			Check Total	206.2
38006	STATE OF MICHIGA	AN EGLE		
	STORM W	ATER ANNUAL PERMIT FEE	761-11071301	2,000.0
			Check Total	2,000.0
38007	WORKPLACE HEALTH	H MUSKEGON		
	MDOT PH	YSICAL - HAUBRICH	273315	95.0
			Check Total	95.0
			Report Total	125,928.5

ROOSEVELT PARK ANNUAL SUMMARY 2022











Chief Bob Gagnon



The information contained in this annual report serves as a representation of the hard work and dedication put in by the men and women of the Norton Shores Fire Department. Their commitment to the City and our Department helps to make it possible to achieve our overall mission which is Protecting your Juture.

Annual Stats

- 3,323 Calls for Service the NSFD responded to
- 455 Calls for Service in Roosevelt Park
- 246 Training Sessions were held



Safe Kids West Michigan (SKWM) is led by Mercy Health Partners, which provides dedicated and caring staff, operation support and other resources to assist in achieving our common goal: keeping your kids safe. Based on the needs of the community, this coalition WEST MICHIGAN implements evidence-based programs, such as car-seat checkups, safety workshops, and sports clinics that help parents and caregivers prevent childhood injuries. Services provided by SKWM are available to everyone living in West Michigan.

For more information, visit safekids.org or www.facebook.com/safekidswestmichigan



Administration







PI Accident 5/12/2022 1385 W Sherman

Car vs Pole 8/19/2022 Glenside & Chapel







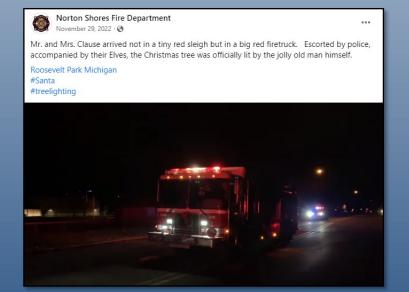
Norton Shores Fire Department is 🙂 feeling happy with Roosevelt Park Michigan. September 10, 2022 · 🚱 On Saturday Morning, September 10, 2022, we lined up a few of the trucks for the Roosevelt Park Michigan day parade.

Did you see us?



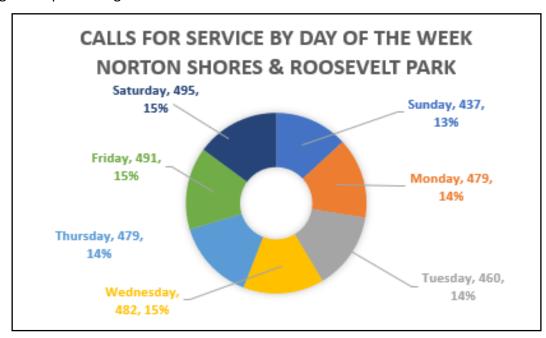


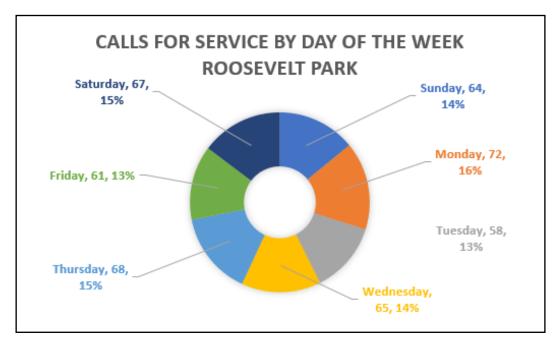




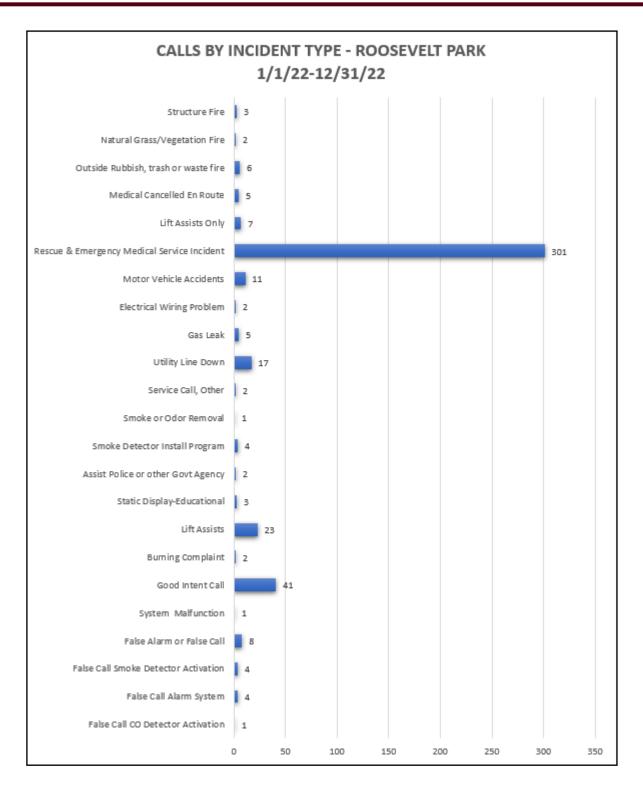


Below are figures representing the calls for service .









PERSONNEL TRAINING & ACTIVITES

JANUARY:

CPR Recertification

Our department puts a great deal of emphasis on our CPR capabilities. Since we are typically the first licensed medical caregivers on the scene of cardiac arrests, it is crucial to be excellent at CPR. Each January, we strengthen our skills in this life-saving care.

Firefighter Rescue

This training focuses on self-rescue and the rescue of other firefighters. Utilizing the training house, our firefighters practice skills such as ladder and window bailout, both used to exit a structure quickly in the event of a rapidly developing situation.



RTO Ryan Mylenek
discusses the use
of the bailout hook
with Lt Jack Dora
during January's
firefighter rescue
training evolutions.

SCBA Flow Testing

All of our SCBA's go through required flow testing. This test ensures the proper functionality of the entire SCBA. We are fortunate enough to have the technicians on staff and equipment to provide this testing in-house.

Training Committee

The training committee consists of the Deputy Chief, Lieutenants, and a part-time representative. They met to finalize the 2022 training calendar and refine the recruit training process.

FEBRUARY:

EMS Training

The department personnel conducted several training sessions on EMS-related topics. These include environmental emergencies, patient assessment, airways and oxygen use, trauma assessment, and pediatric assessment.

Hose Load/Deployment

Shift personnel reviewed the different types of hose loads and there deployment applications.

Robertson Brain Health

Robertson Brain Health Group provided information to our newest recruits.

FEBRUARY (Cont):

Ice Rescue

The nearby waterways and those surrounding Norton Shores can present many challenges when rescuing those in need. In the winter, we sharpen our skills for an ice rescue. An ice rescue situation can be dangerous for both those parties involved. Our personnel put in the effort to be prepared for such scenarios, as shown below. Thank you to the Michigan Region 6 Emergency Management department for letting us borrow their trailer for changing during our multiple training sessions.





MARCH:

Victim Rescue

Department personnel exercised their ability to find and rescue victims from difficult locations, utilizing Lake Harbor Park as the training location. Heavily wooded areas and the dunes present rescuers with challenges we need to be ready for.

Medical Training

Pediatric assessment, pediatric trauma, adult assessment, medical-legal topics, mass casualty incidents, and airway and oxygen usage.

Dive Team

Dive team members focused this month's training on critical skills needed for diving in less than ideal conditions. Some of these skills include removing and putting back on their dive bottle and equipment, removing and replacing their mask, and navigating through narrow passages.

Safety Training

Our employees are required to cover specific MIOSHA-required topics annually, like many other companies. This month we covered Bloodborne Pathogens, Airborne Pathogens, and Lockout/Tagout.

APRIL:

ARFF Annual Training

The department members completed the FAA annual required Airport Rescue and Fire Fighting training which we are under contract for at the Muskegon County Airport. Each year, we are mandated to receive specific training in aircraft-related topics and attend a live fire session. Each member operates all ARFF vehicles on the airport property to ensure proper communications and navigation.





HazMat Refresher

Hazardous materials remain a hazard to first responders. With that comes required training to practice specific ways to help keep the community and our personnel safe. These topics include recognition and identification of hazardous materials, allowable mitigation techniques, and decontamination processes

Traumatic Assessment

This medical training focuses on the techniques needed to properly assess and treat patients who have traumatic injuries. These include falls, vehicle accidents, machinery-related injuries, and injuries as a result of violence.

Airway/Ventilation

Because the need to breathe is essential to living, we sharpen our skills to provide life-saving techniques when someone's airway is compromised. When we use proper training techniques and tools, we can improve many medical and traumatic emergencies.

Department Activities

Fire department personnel provided nearly 300 graduating high school seniors with state-required CPR training. This coordinated effort allows us to put life-saving tools in the hands of people that can make a difference if the opportunity presents itself.

Department personnel provided a tour of the department to new Roosevelt Park city council members. They were grateful for the quality of service and capability the department maintains.

MAY:

Emergency Vehicle Driving

Our department conducted its annual required emergency vehicle driver's training. This year's training focused on a cone course with different driving scenarios. The scenarios included navigating through a narrowing ally, lane changes, a three-point turn, and a serpentine scenario. Each driving challenge was designed to sharpen the skills necessary to safely operate a fire apparatus.

Ladders

Ladders continue to be an integral part of firefighting. Effective use on the fire-ground requires continuing education and practice. While using the training house, each member exercised the skills needed for laddering windows and roofs, and deploying ladders in rescue situations.

Robertson Brain Health

All department staff was encouraged to attend Seminar 3 of the Protect the Protector series through Robertson Brain Health.

Department Activities

Vehicle Exhaust System Repairs

The Nederman exhaust systems at all three stations, was repaired as part of the FY22 capital and TIFA budgets. These repairs are part of the mechanical system that removes carcinogenic exhaust created by the vehicles and is part of OSHA safety requirements.

Annual Hose Testing

Each year, every hose we own must meet the NFPA requirements. So we tested each hose by pulling it from the truck, bringing it up to a specific pressure, then reloaded it back on the truck. This process is completed by department staff throughout May.

JUNE:

Boat 470 Department personnel trained on the operations of the Boston Whaler

boat, which now includes an onboard fire pump for waterborne fire

situations.

Water Rescue With as much lakeshore area we cover, water rescue is frequently-

needed in all seasons. Our personnel trained on the skills of surface

rescue and searching techniques.

JUNE (Cont):

Department Activities

Sta. #2 Irrigation

The irrigation system was out of service for quite some time due to a defective backflow preventer. During this time, station personnel watered the lawn with our fire apparatus. The system, is now repaired.

Breathing Air Compressor

The air compressor used for filling SCBA bottles had its quarterly air sample sent in. These tests assure no contamination is present in the system.

Boat Lift

The boat lift purchased with FY22 capital funds, has been installed.

Boat Dock

The fire department dock section was being stored at the training center while waiting for the boat lift. Department staff, and equipment, were used to move the dock to Mona Lake for installation. Our personnel used this opportunity as a training lesson. They used airbag lifting devices and cribbing equipment during the move. This training was to simulate a person trapped beneath a very-large object.

JULY:

Water Supply

Our department personnel conducted training on the many types of water supply scenarios we may find at a fire. Hydrants, drafting from a swimming pool, or nursing from another fire apparatus are some examples of where we may need to find water during a fire.

Fire Streams

Each type of fire we face requires a different type of attack. Whether it's large master streams for large defensive fires or attack lines for a quick structural interior knockdown, firefighters must know how to use them all effectively.

AFFF Foam

Because there is not yet an alternative to certain foams requiring the use of PFAS, each firefighter in the State of Michigan is required to complete a training course on what to do when it is used. The State produced video talks about the dangers of the foam, and how to protect ourselves and the environment when it absolutely must be used.

Hill Climb

The Norton Shores Fire Department was contracted to provide rider safety for the upcoming hill climb event at Mount Garfield. Because this is difficult in nature, crews that are planning to work the events conducted training exercises to determine the best location and methods of extraction for injured riders. The event will take place in August.

JULY (Cont):

Department Activities

The department discovered several defective components of our water rescue capabilities, which resulted in the purchase of several new mask, snorkel, and fin sets. These are used for any surface water rescue that is attempted.

Station #2 personnel provided a ride-a-long opportunity to a potential Part-Time firefighter candidate.

A large purchase of safety vests were made to upgrade several of our vests that were showing significant signs of were or were out of compliance.

Training continues for the current Full-Time recruits. Two of them are expected to be released from probation near the end of August.

AUGUST:

Tanker 462 Review

Each year, there are pieces of equipment and apparatus we focus on for the utmost familiarity. This is not only for the Part-Time staff, who can sometimes see this equipment rarely but for the Full-Time personnel who don't work at a particular station often. Tanker 462 is one of these apparatuses. Its operation and application demand full understanding.

Fire Control

Each fire we face presents unique challenges and requires an arsenal of methods to extinguish them. The personnel took the time to review what we know as effective methods of fire control as well as new and improved methods to consider.

Pump Operations

Running the pump on a fire apparatus requires skill and understanding. With firefighters relying on whoever is at the controls is a tremendous responsibility. Our staff takes great pride in perfecting these skills.

Autism Response Kit

As part of the FY 23 Capital Improvement budget, the department purchased autism response kits designed with individual components to soothe autism patients when they need assistance. With the purchase came training direct from the manufacturer. Our personnel is much better prepared, and we thank the council for their support in these purchases.

Airport Driver's Training Program

Our Lieutenants and the airport Recruit Training Officer attended a train -the-trainer session with the airport maintenance staff to learn the content of their driver's training program. Although we have a similar program internally, the FAA identified the separate training as unnecessary and potentially deficient. We are all trained under the new program now.

AUGUST (Cont):

Department Activities

Ladder Testing Per NFPA, all firefighting ladders must be tested and meet specific

standards. This test was completed by National Hose and Ladder

Testing, and they all passed.

Ladder 443 Department personnel discovered a significant coolant leak, which has

the apparatus currently out of service while being repaired.

SEPTEMBER:

Forcible Entry Having to gain entry into a building presents several, and sometimes

complex challenges. It is our job to exercise the techniques needed to be successful when the time comes. Utilizing our forcible entry prop, we

can recreate many of these situations, and sharpen these skills.

Rescue 472 Checkout All personnel are required to show proficiency on all the tools and

resources carried on our heavy rescue annually. This includes the vehicle extrication equipment, lifting bags, stabilization equipment, cutting tools, etc. These all require intricate knowledge on their use and

application.

Airport Driver Training During the Muskegon County Airport FAA annual inspection, it was

decided the fire department should be using the driver training program that is developed by the County and F3. Our Lieutenants went through a train-the-trainer on the program, then administered it to all department

personnel, bringing us up to compliance with the FAA.

Department Activities

Truck DecalsThe department personnel removed all the old decals and placed the

new patch decals on all apparatus.

Gear Extractor UtilitiesThe plumbing and electrical upgrades needed for the gear extractors is

near completion. The extractors should be installed and in service early

October.

OCTOBER:

Vehicle Extrication/Stabilization When vehicles of any kind are involved in an accident, it is essential to

secure that vehicle for the safety of the patients as well as the rescuers. We have some of the best equipment available, and by keeping our skills of using it up, we provide the greatest possible care

to those in need.

Air-Powered Lift Bags Similar to the training above, we practice the necessary skills

associated with using airbags to displace a vehicle or other heavy

objects, in order to gain access to a patient trapped.

Electric Vehicle Training As more and more vehicles on the road are powered by electricity, the

need to understand them when involved in emergencies grows. Fire Marshal Hall provided education to staff on what techniques are needed to address emergency situations as well as the dangers

associated with the vehicles.

Active Assailant Training In an effort to be ready for the unthinkable, the Norton Shores Police

and Fire Departments had a joint training at Churchill Elementary to prepare for an active assailant situation. Discussing the basics and reviewing applicable concepts, the two departments grew more

familiar with what to expect and do in these situations.

NOVEMBER:

Building Construction Each type of building presents its challenges when a fire occurs. Understanding

those building types and how they react under fire load is something every

firefighter should know.

Fire Behavior How a fire burns and what to expect as it progresses through its growth is an

important factor to understand. Not only does the behavior of the fire determine how we approach our extinguishment, but it can also determine

how to attack it safely.

NOVEMBER (Cont):

VEIS Vent, Enter, Isolate, and Search (VEIS) is one specific tactic to initiate during a

rescue of a trapped person in a fire. Very specific conditions must be identified to safely and effectively use VEIS, and training on it is paramount to success.

Respectful Entry Kit

Many times, we are faced with a door or gate that prohibits our access to an

area. When our lockbox isn't available to provide a means of access, we attempt to do so as quickly and with as little damage as possible. The tools in our respectful entry kits will many times give us the access we need. To be

effective, we train on the techniques needed.

Ladder 443 With Ladder 443 now back in service, all personnel were refreshed on its use, as

well as some additional training on utilizing it in rescue situations.

Autism Kit When faced with a request for service that involves an autistic individual, we

are prepared to help more effectively through the use of the equipment in our Carter Kit. This kit has tools and objects that aid in soothing those on the autism

spectrum. Each of our EMS response vehicles has a kit for use, and all our

personnel had the training to use them.

Department Activities

EMS Vehicle Audits The department did its own EMS vehicle audits, checking our compliance with

MDHHS standards and requirements. With only a few minor issues, the audits

found exceptional readiness and compliance.

Rescue 472 Department personnel completed significant repairs to the light tower after

finding one bank of lights defective. It is now operational.

NSPD Fit Testing MIOSHA requires an annual gas mask fit test for our Norton Shores Police Dept.

Station #2 personnel helped with their testing.

Boat 470 Our boat, 470, was winterized for the winter season. We also removed the boat

lift canopy.

DECEMBER:

Incident Command SystemDepartment personnel are required to use the Incident Command

System, which is designed to coordinate an incident with control and safety. Our ICS training for the month of December focused on the Accountability System, used to track assignments and locations of all

personnel and apparatus assigned to an incident.

Incident Report Writing Fire Marshal Hall came in to each shift to review report writing for fires.

This assists with the fire investigation process.

Firefighter Bailout Rescue Firefighters finding themselves caught in dangerous fire conditions may

have to resort to exiting a structure through a window. We are fortunate to have self-rescue equipment to accomplish this, but it requires practicing the techniques. Our training center house allows us

to do this.

Annual Employee Safety Training The month of December saw the completion of the MIOSHA required

training topics of Employee Right-To-Know, Firefighter Right-To-Know,

and Confined Space.

Cadet Training Our new cadets have begun training on topics such as mapping, MIOSHA

training, and personal protective equipment.

Department Activities

Apparatus Handlamps Department personnel installed the upgraded handlamps for incident

use. This purchase was part of the FY-2023 capital budget.

Ladder 443 We are still addressing some issues with the truck with the

manufacturer. These issues include the onboard foam system and

vehicle paint issues that are covered under warranty.

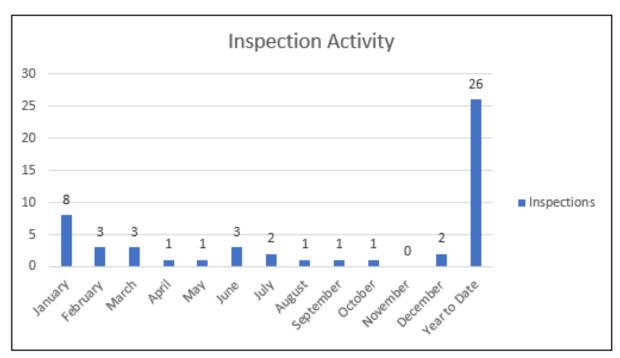
Shields of Hope The department participated in the Shields of Hope program, where

gifts and joy are delivered to selected families that are affected by

cancer, during the holiday season.



Fire Marshal Derek Hall



FIRE INSPECTIONS/SITE VISITS

January — December (8)

- January (8)
 - 880 W. Broadway Ave., Nexes Realty, Inc. Site Visit
 - 3089 Henry St., Plantenga's Cleaners Site Visit
 - 3089 Henry St., Sun Beauty Supply Site Visit
 - 3065 Henry St., Brunch House—Annual Liquor License Inspection
 - 2675 Henry St. Ste A&B, Joe Chan' Bistro—Annual Liquor License Inspection
 - 1531 W. Sherman Blvd., Sherman Bowling Lanes—Annual Liquor License Inspection
 - 910 W. Broadway Ave., The Station Grill—Annual Liquor License Inspection
- February (3)
 - 2700 Wickham Dr., Michigan Spring & Stamping Fire Suppression/Alarm System Acceptance Test
 - 2934 Glenside Blvd., Lockbox Install—Site Visit



FIRE INSPECTIONS/SITE VISITS Continued

- February (cont.)
 - 1004 W. Broadway Ave., Explorer's Learning Center LLC—Site Visit
- March (3)
 - 885 W. Sherman Blvd., Gordon Food Service Fire Suppression/Alarm System Acceptance Test, Site Visit (2)
 - 3355 Henry St. Suite , Lu's Massage Fire Inspection
- April (1)
 - 2977 Henry St., Subway—Site Visit
- May (1)
 - 2881 Henry St. Ste A, Liberty Tax and Loans—Fire Inspection
- June (3)
 - 2669 Henry St., Good Stuff Fireworks—Fire Inspection
 - 3355 Henry St. Ste F, Lu's Massage—Site Visit (2)
- July (2)
 - 2967 Henry St., Victory Inn & Suites—Site Visit
 - 1531 W. Sherman Blvd., Sherman Bowling Event—Food Truck Inspections
- August (1)
 - 3355 Henry St. Ste F, Lu's Massage—Sprinkler System Inspection
- September (1)
 - 975 W. Broadway Ave., Muskegon Crossfit—Site Visit
- October (1)
 - 3035 Henry St., Dickey's Barbeque—Site Visit
- November (0)



FIRE INSPECTIONS/SITE VISITS Continued

- December (2)
 - 3106 Roosevelt Rd., City of Roosevelt Park Community Center—Site Visit
 - 3355 Henry St., Lu's Massage—Fire Re-Inspection

SMOKE ALARM INSTALLS

- Total NSFD (Norton Shores & Roosevelt Park) installs since program onset:
 - 545 Residences/2470 Alarms Installed

FOIA REQUESTS

- January December 2022 (2)
 - 2715 Henry St., Aldi Foods
 - 3295 Henry St. Suite B, Asian Express

FIRE INVESTIGATIONS

• Roosevelt Park Muskegon County

<u>PUBLIC EDUCATION EVENTS</u> (Community/Roosevelt Park)

January — December 2022 (5)

January (1)

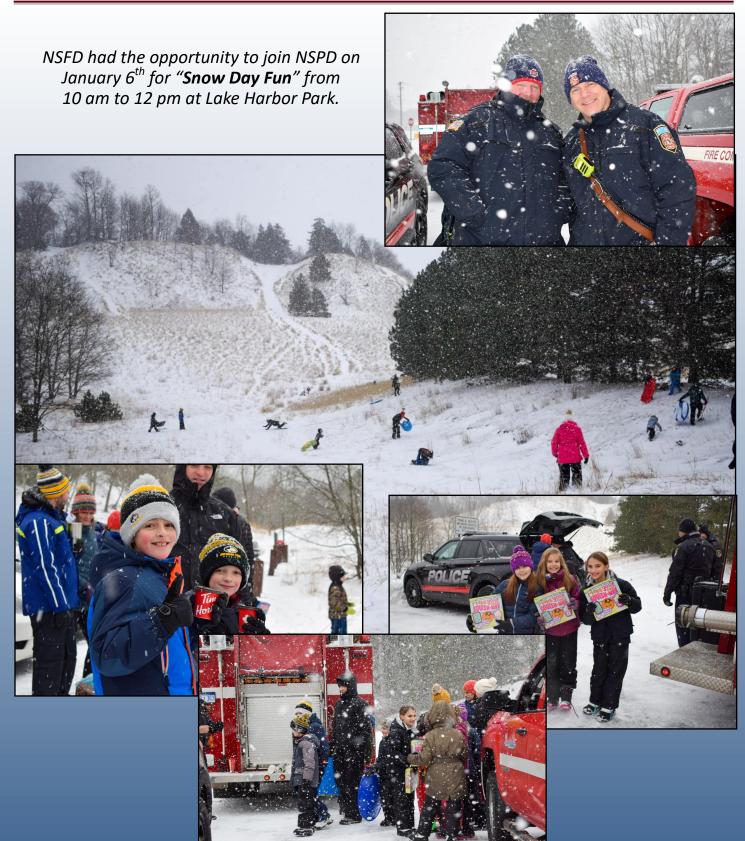
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- "Snow Day Fun" Lake Harbor Park
- February (1)
 - Honor Guard Funeral Assignment (Jaque Crevier)
- March (2)
 - CTC CPR Class
 - Honor Guard Funeral Assignment (Mayor Buck)
- May (1)
 - D. White Memorial 5k



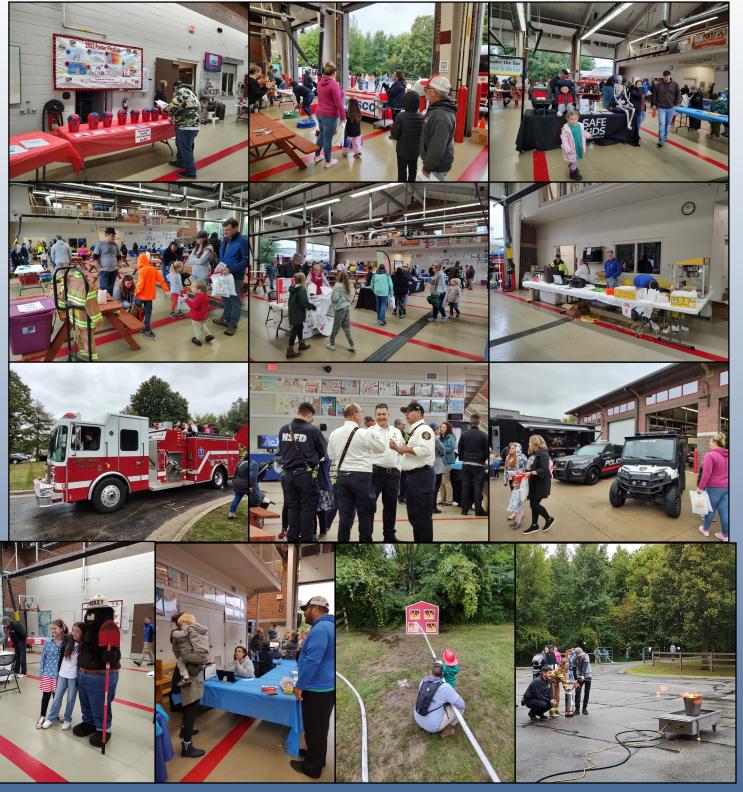
- September (1)
 - Roosevelt Park Day and Taste of Trucks
 - Mona Shores Sailor Salute Football Game
 - Norton Shores Public Safety Open House
 - Mom's Club of Muskegon Fall Kick-off
- October (2)
 - Children's Hoffmaster Festival
 - Fire Prevention Parade
- November (1)
 - Roosevelt Park Christmas Tree Lighting/Santa drop-off
- December (2)
 - Hoffmaster Trail Run
 - Shop with a Hero—Meijer
 - Shields of Hope







2022 Public Safety Open House



Thank you to all the attendees who made it to the event.

Even on a cold and rainy day, we were able to spend time with approximately 664 people.

NORTON SHORES FIRE PREVENTION PARADE

OCTOBER 9, 2022

















Public Safety Open House Grand Prize Winners went shopping for their new bikes and accessories at Target.



Shop with a Hero December 7, 2022















Social Media Data: Norton Shores Fire Dept.



NSFD Facebook

Followers 4,977



NSFD Instagram

Followers 465

September 10, 2022: Roosevelt Park Day Parade











Signature:

CITY OF ROOSEVELT PARK CITY COUNCIL MEETING February 20, 2023

Item: Meeting Dates for 2023-Council Approval	Date: February 20, 2023			
Summary: The attached represents the proposed 2023 Calendar of Meetings. The Charter states that regular meetings shall be set by the Council at its yearly organizational meeting and thus the only addition to what was approved during the December 5 th organization meeting is the addition of the newly formed Recreation and Parks Commission dates.				
The new Roosevelt Park Recreation and Parks Commissi January they met for the first time. One of the first tasks to Parks Commission was to create their annual meeting sch the City Council. That draft schedule is attached and the I the fourth Tuesday of the month at six o'clock pm to hold	for the Roosevelt Park Recreation and nedule and recommend its approval to RPRP Commission has recommended			
Financial Impact: None.				
Recommendation: To approve the attached meeting schedule for 2023 as amended with the Roosevelt Park Recreation and Parks meeting dates included.				

Title: City Manager



CITY OF ROOSEVELT PARK 2023 MEETING **SCHEDULE**

City Council Meetings: Work Session: 6:15 p.m., Council Meeting: directly following work session, Zoning Board of Appeals and Planning Commission: 6:00 p.m., DDA at 12:00 noon, Parks Commission 6:00 pm. Special meetings will be scheduled and posted as needed.

January July City Council Meeting 10 City Council Meeting 9 **DDA** Meeting 10 DDA Meeting 11 Zoning Board of Appeals 12 Zoning Board of Appeals City Council Meeting 17 City Council Meeting 16 24 Recreation & Parks Commission 24 Planning Commission Meeting Planning Commission Meeting 25 Recreation & Parks Commission 23 February August City Council Meeting 6 City Council Meeting 15 **DDA** Meeting 14 DDA Meeting Zoning Board of Appeals 15 16 Zoning Board of Appeals 20 City Council Meeting 21 City Council Meeting 28 Recreation & Parks Commission 22 Recreation & Parks Commission 27 Planning Commission Meeting 28 Planning Commission Meeting March September 6 City Council Meeting 5 City Council Meeting (Tuesday) 13 DDA Meeting 11 DDA Meeting 15 Zoning Board of Appeals 13 Zoning Board of Appeals 18 City Council Meeting 20 City Council Meeting 27 Planning Commission Meeting 25 Planning Commission Meeting 28 Recreation & Parks Commission 26 Recreation & Parks Commission April October 3 City Council Meeting City Council Meeting 10 DDA Meeting **DDA** Meeting 12 Zoning Board of Appeals 11 Zoning Board of Appeals 17 City Council Meeting 18 City Council Meeting 24 Planning Commission Meeting 23 Planning Commission Meeting 25 Recreation & Parks Commission 24 Recreation & Parks Commission Mav November 1 City Council Meeting 13 City Council Meeting 8 DDA Meeting 13 DDA Meeting 10 Zoning Board of Appeals 15 Zoning Board of Appeals 15 City Council Meeting 20 City Council Meeting 23 Recreation & Parks Commission 28 Recreation & Parks Commission Planning Commission (No Meeting) Planning Commission Meeting (n/m)

June

- City Council Meeting
- 12 DDA Meeting
- 14 Zoning Board of Appeals
- 19 City Council Meeting
- 26 Planning Commission Meeting
- 27 Recreation & Parks Commission

December

- 4 City Council Meeting
- 11 DDA Meeting
- 13 Zoning Board of Appeals
- 20 City Council Meeting
- 26 Recreation & Parks Commission Planning Commission (no meeting)



CITY OF ROOSEVELT PARK CITY COUNCIL MEETING February 20, 2023

Item: Public Safety Committee- Set Meeting	Date: February 20, 2023			
The next meeting date and time for the Public Safety Committee Meeting is needed. This would be the second committee meeting of the year and staff has no recommendation on a date or time.				
Financial Impact: None				
Recommendation: Set a time and date for the next Public Safety Committee meeting.				
Signature:	Title: City Man	ager		



CITY OF ROOSEVELT PARK CITY COUNCIL MEETING February 20, 2023

Item: Set Roosevelt Park Day Meeting Time a	Date: February 20, 2023						
As we begin the planning for the 2023 RP day event, the upcoming Roosevelt Park Day event planning discussion needs to continue. The next meeting date needs to be set.							
Financial Impact: None							
Recommendation: Set a committee meeting for the next Roosevelt Park Day event							
Signature:	Title: City Mana	ger					

Agenda Item 8D	
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CITY OF ROOSEVELT PARK CITY COUNCIL MEETING February 20, 2023

First Read- 3145 Henry Street Rezoning PC Recommendation	Date: February 20, 2023
C	

Summary: The owners of 1345 Henry Street have submitted a request to rezone the single parcel from the current split zoning of Commercial-East Henry and Single Family Residential to solely Commercial-East Henry (C-E). As such, the current zoning to the north, east, and south of the property are currently commercially zoned and thus this would not create a singularly zoned "island."

Page 15-3 of the current zoning code covers the checklist for rezoning requests and as such, is the basis for a Planning Commission recommendation. During their January 30th meeting, the Planning Commission held a public hearing on the proposed rezoning and after board discussions and receiving comments, the Roosevelt Park Planning Commission has voted to recommend the rezoning request as presented by a 6-1 affirmative vote.

Per discussion and direction by the commission, attached is the formal application, process, and property information in regard to the property in question. At the City Council level, the action that is required at this point is to approve the first read and set the second read for the zoning amendment for March 6^{th} .

Financial Impact: None

Recommendation: The Planning Commission has recommended approval of the rezoning of the entire 3145 Henry Street to be fully commercially zoned in C-E Henry Street and end the split zoning.

Signature:	Title: City Manager



City of Roosevelt Park **REZONING APPLICATION**

900 Oak Ridge Road Muskegon, MI. 49441

Phone: (231) 755-3721 Fax: (231) 755-1442

1.	APPLICANT:	Name: _	Restaurant Holdings I	_LC		
			(Last)	(First)		(M.I.)
		Address:	45 Ottawa Ave SW S		 '	49503
			(No. & Street)	(City)	(State)	(Zip)
		Phone:	616-988-8749 (Work)	(Home)	(Cell)	_gtroth@mhgi.ne
_	0117177		34	, ,	()	(uman addiess)
Z.	OWNER:	Name: _t	Restaurant Holdings LL	(First)		(M.I.)
		Address:	45 Ottawa Ave SW	Suite 600 Grand	d Rapids M	
			(No. & Street)	(City)	(State)	
		Phone:	616-988-8749			gtroth@mhgi.net
			(Work)	(Home)	(Cell)	(email address)
3.	REQUEST:	To Rezon	e From: R-1 Single Family F	Residential To: C-	E Henry Comn	nercial East
4.	LEGAL DESC	RIPTIO	N OF PROPERTY: CITY	OF ROOSEVELT P	ARK CRANBE	OOK ADDITION
	LOTS 41 TO	46 INC (According to Muskegon C	ountv GIS)		
		7				
5.	ADDRESS OF	PROPE	RTY: 3145 Henry Street,	Muskegon, MI 4944	11	
6.	PRESENT US	E OF PR	OPERTY: Professional O	ffices		
7	NAMES & AL	ndess	ES OF ALL OTHER PERS	ONS FIDMS OD	CODDODATIO	NC HAVING A
/٠	LEGAL INTE	REST IN	THE PROPERTY: NA	ONS, FIRMS, OR C	CORPORATIO	NS HAVING A
R	APPLICANT'S	SCHOMA	TUDE.	-0	FFICIAL USE	ONLY-
D•	ATTECHN		.Toke.	CASE NO:		
	x	VA	Date: 61 06 23	FILING DATE:		
		י כ	• •	REC'D BY:		VIII TO THE REPORT OF THE PARTY
9.	OWNER'S SIC	SNATUF	RE:	PC ACTION:		
	•			BOARD ACTION:		
	X		Date:	EFFECTIVE DATE:		
3	50 Fee must	be sub	mitted with application			



January 9, 2023 2221132

Mr. Jared Olson City of Roosevelt Park 900 Oak Ridge Road Roosevelt Park, MI 49441

RE: 3145 Henry Street – Rezoning Application

Dear Mr. Olson:

This letter addresses the proposed Map Amendment (Rezoning) for the following Property:

Address:

3145 Henry Street

Muskegon MI 49441

PIN:

61-25-164-000-0041-00

The applicant requests the rezoning (Existing Zoning: Single Family Residential to Proposed Zoning: C-E Henry Commercial East) of Lots 41, 44, and 45 of the property described as follows: Lots 41-46, inclusive, Cranbrook Addition, as recorded in Liber 15 of Plats, Page 62, Muskegon County, State of Michigan. Granting this rezoning request would bring the entire parcel into the C-E Henry East zoning district.

The following are explanations of how the property will meet the Roosevelt Park Map Amendment Standards:

Consistency

The parcel's current land use is commercial (surface parking). The Roosevelt Park Plan (Master Plan January 2020) Existing Land Use Exhibit shows the lots being commercial, and the Future Land Use Exhibit shows the lots being Cooridor Mixed Use, which includes commercial uses.

Compatibility

The existing use (surface parking) is allowed in the C-E Henry Commercial East zoning district. The existing use (surface parking) and potential uses can be found in the vicinity of Henry Street, both north and south of the parcel.

Capability

The infrastructure including streets, sanitary sewers, storm sewer, sidewalks, and street lighting is sufficient to support those uses provided within the proposed zoning district classification. This is demonstrated by the existing commercial office building, surface parking, and surrounding uses within the C-E Henry Commercial East zoning district.

Mr. Jared Olson January 9, 2023 Page 2

Existing City Facilities and Services

The rezoning, of the lots will not have an adverse effect on city facilities and services as the parcel's existing use is commercial (surface parking). Granting the rezoning will bring the lots into compliance with the current zoning and The Roosevelt Park Plan (Master Plan).

Sincerely,

Prein&Newhof

Jeffery A. Miller, PLA

JAM/jam

Enclosure(s):

City of Roosevelt Park Rezoning Application

Fees

cc:

Ana Pelhank, Meritage Hospitality Group

George Troth, Meritage Hospitality Group

John VerPlank, Prein & Newhof



NAME Address Address

Dear Property Owner,

NOTICE IS HEREBY GIVEN, pursuant to Public Act 110 of 2006, as amended, that two public hearings will be held by the Roosevelt Park Planning Commission at 6:00 p.m., Monday, January 30, 2023.

The purpose of the public hearings is to hear and consider the following regarding the property at 3145 Henry Street:

- A rezoning of the western portion of the property from R-1 Single Family Residential to C-E Henry Commercial East, to be consistent with the eastern portion of the property, which is already zoned C-E Henry Commercial East.
- A Special Use Permit for a drive-through, to serve a new fast-food restaurant.

The Meeting will be held at Roosevelt Park City Hall, located at 900 Oak Ridge Road, Muskegon, Michigan, 49441

Written comments or questions on the proposed rezoning and special use can be emailed to City Manager Jared Olson at jolson@rooseveltpark.org until 4:30 p.m. the day of the meeting.

Sincerely,

Ann Wisniewski City Clerk Doris Blanchette/Jane Anderson

3106 Lindland Rd Muskegon MI 49441

Audrey K Johnson 3155 Lindland Rd Muskegon MI 49441

Richard and Cindy Brown 3166 Lindland Road Muskegon MI 49441

Renee and Harmany Delashmit

3171 Lindland Road Muskegon MI 49441

Andrew Bernard 3178 Lindland Road Muskegon MI 49441

Bradley and Janet Brushman

864 Hampden Road Muskegon MI 49441

Aaron and Kelly Connell 875 Sherwood Road Muskegon MI 49441

Thomas Buffum 877 Hampden Rd. Muskegon MI 49441

Yvonne Lee 878 Hampden Rd. Muskegon MI 49441

Donna Carlston 850 Sherwood Rd Muskegon, MI 49441

3089 Henry Street LLC 940 Monroe NW #524 Grand Rapids, MI 49503 Christopher Kahrs 861 Sherwood Rd Muskegon MI 49441

3130-3146 Henry Street LLC

3146 Henry Street Muskegon MI 49441

Hughes & Sons Partnership

1848 S Dangl Road Muskegon MI 49444

Phillip Jones

832 Cranbrook Road Muskegon MI 49441

Ian and Katie Moriarty

KAM2012 LLC

1431 Bayview Dr. Norton Shores MI 49441

JRB Corp. 390 E 8th

Holland MI 49423

Muskegon Retail Management LLC

3200 Telegraph Rd. #205 Bingham Farm MI. 48025

RTM Mid America Inc.

3 Glen Lake Parkway 5th Floor

Atlanta GA. 30328

Brian Holman 858 Post Road

Muskegon MI 49441

Julie Billman 5263 E Apple Ave. Muskegon MI 49442

Restaurant Holdings LLC 45 Ottawa Ave. SW Suite 600 Grand Rapids MI 49503

CHAPTER 15 ADMINISTRATION AND ENFORCEMENT

SECTION 15.1 RESPONSIBILITY

- A. Deputy Administrator Where the provisions of this Ordinance authorize or direct the Zoning Administrator to perform any act or carry out any function, such act or function may also be carried out by a deputy or deputies designated by the City Manager.
- **B.** Basic Duties The Zoning Administrator shall have the power to grant certificates of zoning compliance and to make inspections of premises necessary to carry out his/her duties in the enforcement of this Ordinance, and to otherwise carry out the duties assigned herein.
- **C. Official Zoning Map** The Zoning Administrator shall be responsible for maintaining the Official Zoning Map.
- D. Violations The Zoning Administrator shall order discontinuance of illegal uses of land, buildings, or structures; removal of illegal buildings or structures; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with, or prevent violations of its provisions.

SECTION 15.2 ZONING ORDINANCE AMENDMENTS, INITIATION

- A. Timeframe for Application Submittal All applications for amendments to the Zoning Ordinance shall be submitted to the Zoning Administrator at least twenty-one (21) days prior to the first consideration by the City Planning Commission.
- B. Initiation of Amendments and Application Requirements Requests for amendments to the Zoning Ordinance may be initiated in writing by the owner of the property requested for rezoning, or his/her authorized representative. Requests may also be made by the City Planning Commission or the City Council through official action of the Commission or Council taken at a public meeting which has been properly noticed as required by law.

In the case of an amendment requested by a property owner or his/her authorized representative, the request shall include the following:

- 1) Completion of a Zoning Amendment Application as provided by the Zoning Administrator. Said application to include:
 - a. The name and address of the person making the request and all persons having a legal or equitable interest in any land which is requested to be rezoned.
 - b. In the case of a text amendment, the specific section to be amended and the proposed text change.
 - c. If the requested amendment requires a change in the zoning map, the

common address, legal description of the area requested for change, and present and proposed district classifications shall be provided. The applicant shall also indicate by map form, the location of the property requested for rezoning. Sufficient copies of the map shall accompany the original application.

If, in the opinion of the Zoning Administrator, Planning Commission, or City Council, the information submitted does not provide a clear delineation of the specific area to be rezoned, said Zoning Administrator, Planning Commission, or City Council shall require the applicant to submit a boundary survey of the property in question. Said survey to include a written legal description and drawing of the area to be rezoned. The boundary survey, including legal description and map, shall be completed by a Land Surveyor registered by the State of Michigan. Sufficient copies of the boundary survey shall be provided.

- d. The nature of the amendment shall be fully identified in writing.
- e. Payment of all fees as required by the City of Roosevelt Park.

SECTION 15.3 AMENDMENT PROCEDURE

After submission of the application and fee, amendments to this Ordinance shall be processed as provided for in the Zoning Act.

SECTION 15.4 CONSIDERATION OF AMENDMENT

The following guidelines shall be used by the Planning Commission and City Council pursuant to consideration of amendments to the Zoning Ordinance:

A. Text Amendment

- 1. The proposed text amendment would correct an error in the Ordinance.
- 2. The proposed text amendment would clarify the intent of the Ordinance.
- The proposed text amendment would address changes to the state legislation, recent case law or opinions from the Attorney General of the State of Michigan.
- 4. The proposed text amendment would promote compliance with changes in other City Ordinances and County, State or Federal regulations.
- 5. In the event the amendment will add a use to a district, said use shall be fully consistent with the character of the range of uses provided for within the district.
- 6. The amendment shall not result in problems of incompatibility among land uses within a zoning district, or among adjacent districts.
- 7. The proposed text amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.

CHAPTER 15

- 8. As applicable, the proposed change shall be consistent with the City's ability to provide adequate public facilities and services.
- 9. The proposed change shall be consistent with the City's desire to protect the public health, safety, and welfare of the community.

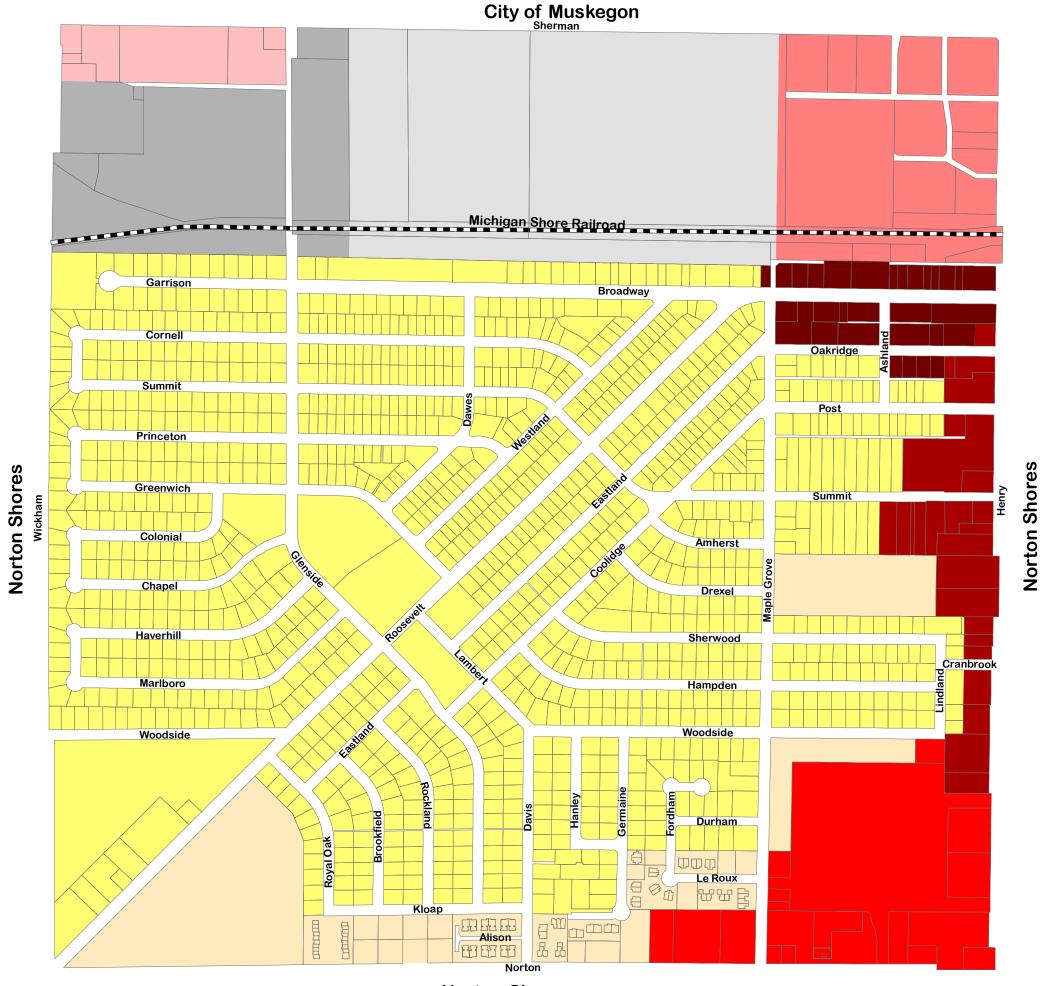
B. Map Amendment (also known as a Rezoning)

The following standards are to be used before making a map amendment. The first three (3) numbered items are often called the "3 C's" and are fundamental to rezoning questions:

- Consistency with the goals and policies listed in the Master Plan section of this Ordinance. If conditions have changed since the development of the Master Plan provisions, then decisions shall be based on consistency with recent development trends in the area.
- Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district. The potential uses allowed in the proposed zoning district shall be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.
- 3. Capability of the existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting to sufficiently support those uses provided for within the proposed zoning district classification.
- 4. Existing City facilities and services including, but not limited to, police and fire protection, recreational facilities, educational facilities, and waste collection shall have sufficient capacity to support those uses provided for within the proposed zoning district classification.
- 5. The proposed change shall be governed by sufficient standards to ensure that the potential for problems of incompatibility between the proposed and adjoining districts shall be minimal.
- 6. The requested rezoning will not create an isolated and unplanned spot zone.
- 7. The proposed change shall not endanger the public health, safety, or welfare.
- 8. Other factors deemed appropriate by the Planning Commission.

SECTION 15.5 ZONING COMPLIANCE PERMITS

A. Unless otherwise exempted by this Ordinance, the construction, erection, alteration, expansion, moving, repair, or use of any land, building, or structure shall require receipt of a zoning permit and issuance of a certificate of zoning compliance. No building permit shall be issued for the construction, erection, alteration, expansion, moving or repair of any building or other structure until a certificate of zoning compliance has been issued therefore. Issuance of such a certificate shall indicate



City of Roosevelt Park

Muskegon County, Michigan

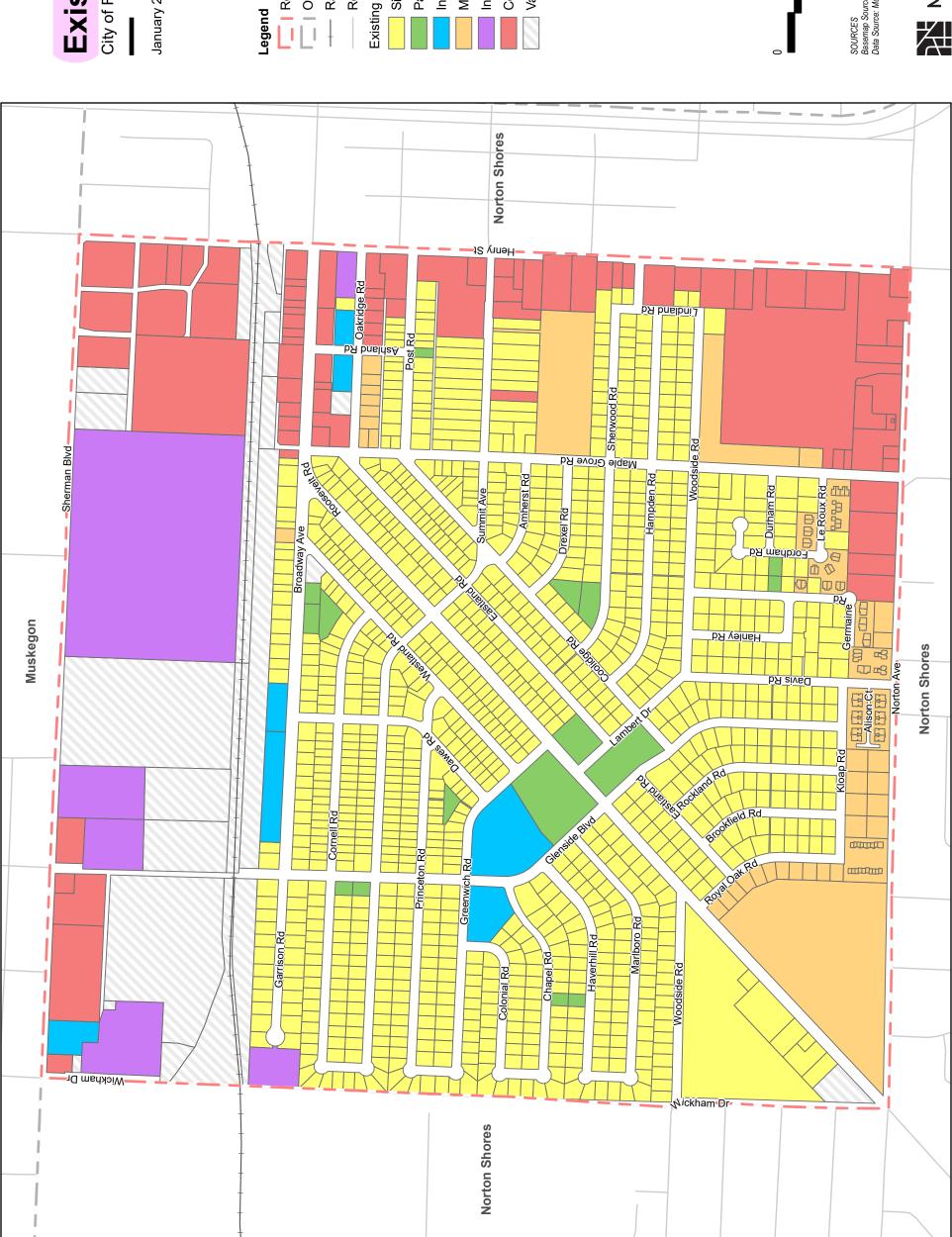
ZONING MAP

Single Family Residential Multiple Family Residential CBD, Central Business District C-E, Henry Commercial East C-SE, Henry Norton Commercial Southeast C-NE, Sherman Henry Commercial Northeast C-NW, Sherman Wickham Commercial Northwest I-E, Industry East

I-W, Industry West



Data Sources: Michigan CGI, Muskegon County GIS



Existing Land Use

City of Roosevelt Park, Michigan

January 20, 2020

Roosevelt Park Boundary

Other Municipal Boundaries

Railroads

Roads

Existing Land Use

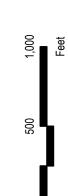
Single Family Residential

Institutional Park

Multi-Family Residential

Industrial

Commercial Vacant



SOURCES
Basemap Source: Michigan Center for Geographic Information, Version 17a.
Data Source: Muskegon County Parcel Data 2020. McKenna 2020.



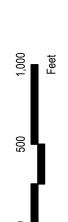
Legend **Norton Shores** -Henry St-Post Rd -Sherman-Blvd-Jampden Rd Maple Grove Rd UUUU LE ROUX Rd Amherst Rd ordham Rd Germ's Germ's Voodside Rd Broadway Ave Muskegon Hanley Rd Norton Shores Cornell Rd Kloap Rd A PLE BOOKER RO Roll Oak Ro Greenwich Rd Marlboro Rd Haverhill Rd Garrison Rd Colonial Ro Chapel Rd Wickham-Dr Nickham Dr **Norton Shores**

Future Land Use

City of Roosevelt Park, Michigan

January 20, 2020

Roosevelt Park Boundary
Other Municipal Boundaries Neighborhood Preservation Corridor Mixed Use Multi-Family Institutional Railroads Enterprise Downtown Roads Park



SOURCES
Basemap Source: Michigan Center for Geographic Information, Version 17a.
Data Source: Muskegon County Parcel Data 2020. McKenna 2020.



Written Public Comment Submitted

Jared D. Olson

From: Sanocki, John (US) -

Sent: Monday, February 6, 2023 9:00 AM

To: Jared D. Olson

Cc: Ann M. Wisniewski; Sanocki, John (US) - RENK America; 'John Sanocki'

Subject: RE: Feb 6 council meeting

Thanks for the confirmation Jared.

At this point I am not interested in further discussion with the developer as I strongly believe the oversight originated with the planning commission in not including all the stakeholders. There is a reason the zoning was like that all these years. Consideration was not given to that reason.

Traffic to the residential neighborhood makes all of the Cranbrook addition properties as direct stakeholders to this decision. Per the developers estimate of approximately 1000 cars per day, the residential streets would see an additional 300-500 cars. That is not conducive to our neighborhood.

The site plan also puts the rotting food dumpsters in close proximity to the residential neighborhood....as far from their buildings as possible.

The zoning change and special use permit should not have been voted on without proper consideration to all stakeholders.

Additionally the developer said he is not interested in having discussions with the entire group of stakeholders.

If you would please forward this to the city council. They are free to contact me if needed.

It would be prudent to slow this train down, rethink, and if need be consider alternatives which would eliminate the commercial traffic in a residential neighborhood.

From: Jared D. Olson

Sent: Monday, February 6, 2023 8:36 AM **To:** Sanocki, John (US) - RENK America

Cc: Ann M. Wisniewski

Subject: RE: Feb 6 council meeting

Happy Monday John,

That is correct, Doug Poland and the design group requested that the council review be put on the February 20th agenda as they were able to get the contact information for the group of neighbors on Lindland and they are all planning a group meeting between themselves to go over additional screening, light questions, and other site development possibilities on top of and additional to what has already been presented. I am not sure if you were still around at that point of the meeting or not but I would be happy to make sure you and Mr. Poland can connect if you would like to be part of those more direct site discussions meetings with their team and the other neighbors.

The Clerk and I will also keep your contact information as to make sure we can notify you if anything changes or the timelines moves back any further. Thanks for contacting us too, much appreciated.

Respectfully,

From: Sanocki, John (US) - RENK America Sent: Monday, February 6, 2023 7:59 AM

To: Jared D. Olson **Cc:** 'John Sanocki'

Subject: Feb 6 council meeting

Jared,

I reviewed the council agenda and council packet for 2-6-23.

I would like to confirm that rezoning and special use permit of the Greenridge building will \underline{NOT} be discussed at tonight's meeting or work session.

Could you confirm for me please.

John Sanocki 926 Hampden Rd

Jared D. Olson

From: Doug Poland

Sent: Monday, February 6, 2023 3:21 PM **To:** d64fairlane; rcsrb339; hrmnybeth

Cc: Aaron Besmer, PE; Ana Pelhank; George Troth; Mitchell Nousain; Timothy Stancil; Jared D. Olson

Subject: Meeting Regarding Taco John's Project

Hi Everyone,

This is Doug Poland from the Taco John's franchisee. Ana Pelhank and I will be at the Norton Shores Public Library on Wednesday from 4-6 to discuss the project and answer questions further. If you have questions, please email us so that we can make sure that we come prepared. We will try to bring our Area Director for Taco John's as well who can answer questions you might have regarding operations. Again, having your questions ahead of time will help us be better prepared.

I'm sorry for the short notice but I was traveling on business all week last week and we need to hold this meeting with you this week. We will be there for the full 2 hours so if you can't arrive at 4pm, please be assured that we will stay until 6pm.

The address for the library is as follows and the room is reserved under my name.

705 Seminole Rd, Norton Shores, MI 49441 +1-231-780-8844

I am told that we have room for a total of 15 people. You are welcome to invite your neighbors. We especially want to meet with those of you who live adjacent to the property or directly across the street but we welcome your other neighbors as well subject to room capacity.

Thank you and we hope to see you then, Doug



Signature:

CITY OF ROOSEVELT PARK **CITY COUNCIL MEETING February 20, 2023**

Summary: The Planning Commission held a public hearing on January 30 th to hear and receive public comment on a Special Land Use request to operate a drive-thru operation at 3145 Henry Street. Per the City Zoning Ordinance, this use is not zoned as a "permitted use by right" in the Commercial Henry East zoning district but IS permitted with a Special Land Use Permit that can be authorized by the Planning Commission and City Council.
A public hearing notice was published, mailed, and held during the January Planning Commission meeting where written and public comment could be made on the application. The ownership group representing 3145 Henry Street presented to the Planning Commission their site plan, discussed the changes, and heard comments from the board and public. They also held a second meeting with neighbors to discuss plans and go over possible changes. Several were made and will be represented in the formal full site plan review process.
The planning commission recommended to City Council the approval of the Special Land Use permit as presented for 3145 Henry Street by a vote 5-2 vote of approval.
Financial Impact: No direct cost to the City.
Recommendation: The Planning Commission held a public hearing on the request and has formally recommended approval of the Special Land Use application for 3145 Henry Street.

Title: City Manager

Special Land Use- 3145 Henry- Planning Com. Recommendation **Date:** February 20, 2023

FOR CITY USE

P.C. Date: January 3	0, 2023
Date and Time Receive	red_January 10, 2023
	d D. Otson, City Manager
Date Returned if Inco	mplete:
Returned By:	
Revised Application F	Recd:
Received By:	

SPECIAL USE PERMIT REQUEST

NOTE TO APPLICANT:

The Roosevelt Park Planning Commission meetings are held on the fourth Monday of each month at 7 p.m. at the City Hall. All applications must be submitted 30 days prior to the next regularly scheduled Planning Commission meeting to allow City staff sufficient opportunity to conduct an administrative review prior to submission to the Planning Commission. Any application received without sufficient time for City staff to conduct review will be held until the next regularly scheduled Planning Commission meeting. City Council meetings are held the first and third Monday of every month at 7:15 p.m. at the City Hall. An application fee of \$250.00 must be paid at the time of application.

The Planning Commission and/or City Council have the right to request additional information from an applicant prior to making a decision regarding the Special Use Permit application. The Planning Commission and/or City Council may table or hold a request for a reasonable period of time until the requested information is provided. Applicants are expected to attend the Planning Commission and City Council meetings to explain their request and to answer questions or comments from the Planning Commission and City Council or others who may be present. All meetings of the Planning Commission and City Council are open to the public.

GENERAL REQUIREMENTS:

The Planning Commission will be reviewing the site plan of the proposed Special Use to ensure conformance with the City's guidelines and regulations. The purpose of this review is to protect the health, safety and welfare of Roosevelt Park's residents and to ensure the compatible, logical use of property. The criterion that may be used in performing this review is outlined in the City's Zoning Ordinance.

In order to process a request, the applicant must submit a completed application form with the detailed information specified in Chapter 10 of the City's Zoning Ordinance. Twelve

(12) copies of the application and accompanying plans/details must be submitted. This information will be forwarded to the Planning Commission with notes and comments from the City staff regarding the City's review of the application.

After completing their review of the proposed site plan, the Planning Commission will forward a recommendation to the City Council. The City Council may choose to conduct a public hearing of its own. The City Council will consider all information pertaining to the request, including comments and advisories by City staff. Once this has been done, the City Council will then consider the proposed Special Use Permit and will take one of the following actions:

- They will approve the requested Special Use Permit subject to the terms, conditions and restrictions outlined in the application;
- They will approve the proposed Special Use Permit with additional terms, conditions and restrictions as determined by the City Council;
- The City Council will deny the requested Special Use Permit. An explanation for the City Council's denial will be provided to the applicant.

Persons aggrieved by the decision of the City Council regarding the granting or denial of a Special Use permit may file an appeal to have the decision reviewed by the Roosevelt Park Zoning Board of Appeals. Application forms for the Zoning Board of Appeals are available at City Hall.

SPECIAL USE PERMIT APPLICATION REQUIRED INFORMATION:

I.	Name of Applicant/Owner requesting the Special Use Permit.
	A. Applicant
	I. Name(s) Restaurant Holdings LLC
	2. Address(s)45 Ottawa Ave SW Suite 600, Grand Rapids, MI 49503
	3. Phone(s)
	B. Owner of property if different than above.
	Name(s) Restaurant Holdings LLC
	2. Address(s) 45 Ottawa Ave SW Suite 600, Grand Rapids, MI 49503
	3. Phone(s)
II.	Location of Property
	A. Parcel number, legal description, street name and number if assigned:
	P/N: 61-25-164-000-0041-00, CITY OF ROOSEVELT PARK CRANBROOK ADDITION LOTS 41 TO 46, HENRY STREET 3145

- B. A drawing(s) indicating all of the following information shall also be submitted with the application (such drawing shall be to scale). Special Use Permit requests not seeking final site plan approval may not need to submit all of the items identified. Please indicate on the application if you are seeking preliminary or final site plan approval.
 - 1. Small scale sketch of an area within one quarter (1/4) mile of the subject property showing the property location;
 - 2. Date of preparation/revision;
 - 3. Name, address, and professional seal of the preparer:
 - 4. The topography of the site at a minimum of five (5) foot intervals and its relationship to adjoining land;
 - 5. Existing man-made features;
 - 6. Dimensions of setbacks, locations, heights and size of buildings and structures, including the locations of existing buildings or structures within one-hundred (100) feet of the property;
 - 7. Street rights-of-way, indicating proposed access routes, internal circulation, relationship to existing rights-of-way, and curb cuts within one-hundred (100) feet of the property;

- 8. Proposed grading;
- 9. Location, sizes, and type of drainage, sanitary sewers, water services, storm sewers, and fire hydrants;
- 10. Location, sizes, and type of fences, waste receptacles, landscaping, buffer strips and screening;
- 11. Location, sizes and type of signs and on-site lighting, including information regarding lighting levels at the edges of the site;
- 12. Proposed parking areas and drives. Parking areas shall be designated by lines showing the individual spaces and shall conform with the provisions of the Zoning Ordinance on parking;
- 13. Any public and private easements;
- 14. Dimensions and number of proposed lots;
- 15. Significant natural features, and other natural characteristics, including but not limited to open space, stands of trees, flood plains, lakes and other significant natural features;
- 16. Building elevations.
- C. You may also include photographs or other exhibits if you feel they aid in clarifying your request.

III. Nature of Request

A detailed description of the requested Special Use should be provided in the space below. Be very specific in describing the project, referring to applicable sections of the Zoning Ordinance when possible. The description should include a detailed timeline for the implementation of the project. Attach additional sheets if necessary. THIS REQUEST IS TO CHANGE THE WESTERLY PORTION OF 61-25-164-000-0041-00 AT 3145 HENRY STREET FROM R-1 SINGLE FAMILY RESIDENTIAL TO C-E HENRY COMMERCIAL. THIS WOULD INCLUDE LOTS 41, 44, AND 45 OF THE CRANBROOK ADDITION LOT 41 TO 46 INC PLAT. THE ABOVE MENTIONED LOTS' CURRENT LAND USE IS COMMERCIAL (SURFACE PARKING). THE ROOSEVELT PARK PLAN (MASTER PLAN JANUARY 2020) EXISTING LAND USE EXHIBIT SHOWS THE LOTS BEING COMMERCIAL; THE FUTURE LAND USE EXHIBIT SHOWS THE LOTS BEING COORIDOR MIXED USE, WHICH INCLUDES COMMERCIAL USES.

THE SITE WILL BE SPLIT WITH THE NORTH PORTION BEING DEVELOPED INTO A DRIVE-THROUGH RESTAURANT AND THE SOUTH PORTION BEING MARKETED FOR A SMALL DRIVE-THROUGH ESTABLISHMENT.

ONCE PERMITS ARE APPROVED, IT IS ANTICIPATED THAT CONSTRUCTION WILL COMMENCE SPRING OF 2023 AND BE COMPLETE SUMMER OF 2023. THE INITIAL PHASE OF CONCTRUCTION ON THE SOUTH PORTION OF THE SITE WILL CONSIST OF THE ENTRANCE DRIVE AND SIDEWALK ON THE HENRY STREET FRONTAGE, AND NECESSARY PARKING CIRCULATION AISLES. THERE IS NO ANTICIPATED DATE FOR THE COMPLETE BUILDOUT OF THE SOUTH PORTION OF THE SITE.

IV. Basis for Approving the requested Special Use
In the space below, the applicant should outline how the proposed site plan and
requested Special Use complies with the standards for granting a Special Use Permit.
Attach additional sheets if necessary.

THE PROPOSED USE IS SIMILAR IN CHARACTER TO EXISTING ESTABLISHMENTS IN THE VICINITY AND WILL BE HAMONIOUS AND APPROPRIATE.

THE PROPOSED USE WILL USE NECESSARY PUBLIC FACILITIES THAT PRESENTLY SERVE THE SITE.

THE PROPOSED USE IS THE SAME AS NEIGHBORING ESTABLISHMENTS AND WILL NOT CREATE ADDITIONAL HAZARDS OR DISRUPTIONS.

THE PROPOSED USE WILL NOT INVOLVE ANY ADDITIONAL ACTIVITIES, PROCESSES, MATERIALS AND EQUIPMENT AND CONDITIONS OF OPERATIONS THAT DO NOT ALREADY EXIST IN THE VICINITY.

THE PROPOSED USE WILL BE IMPLEMENTED IN ACCORDANCE WITH THE ORDINANCE, AND THE SPECIAL LAND USE SECTION: RESTAURANTS WITH DRIVE-THROUGH FACILITIES.

- V. Effect of Request on Other Properties
 - 1. If the proposed use is approved, what effect will there be regarding the demand placed on governmental facilities?

THE PROPOSED USE WILL REQUIRE THE SAME SERVICES AS OTHER RESTUARANTS IN THE VICINITY INCLUDING, STORM SEWER (IN ACCORDANCE WITH MUSKEGON COUNTY STANDARDS), SANITARY SEWER, PUBLIC WATER SERVICE, GAS, ELECTRIC, AND DATA.

2. Will a substantial change be effected in the character of the neighborhood or will a substantial detriment be created for adjoining properties?

THE PROPOSED USE WILL NOT CREATE A SUBSTANTIAL CHANGE TO THE CHARACTER OF THE NEIGHBORHOOD OR SUBSTANTIAL DETRIMENT FOR ADJOINING PROPERTIES BY UTILIZING THE TOOLS IN THE ORDINANCE INCLUDING SETBACKS, SCREENING, BUFFERS, AND LANDSCAPE PLANTING. ADDITIONALLY, THE SAME USE CAN BE FOUND THROUGHOUT THE VICINITY.

PROCESSING PROCEDURE:

- I. Upon completion of the above information and submission of the application and related materials and/or exhibits, the request will be scheduled to appear before the Planning Commission. This meeting will only be scheduled when it is found that your application is complete and all information is included.
- II. The Planning Commission will consider the request at their next scheduled meeting. The applicant will be given an opportunity to explain their request to the Planning Commission. It will be at the discretion of the Chair of the Planning Commission whether or not to allow or hear public comments or questions regarding the proposed site plan. The Planning Commission will consider all the information provided to them regarding the request. This will include staff reports and advisories. Once the Planning Commission has gathered all of the information necessary to make a decision, they will make a recommendation to the City Council to take one of the following actions:
 - A. Approve the requested Special Use Permit subject to the terms and conditions set forth in the application.
 - B. Approve the requested Special Use Permit subject to amended and/or additional terms and conditions the Planning Commission determines reasonable and appropriate to maintain the public health, safety and welfare. This may also include financial or other guarantees that will ensure compliance with the stated terms of approval.
 - C. Deny the requested Special Use Permit as not being in the public interest and as being contrary to the basic spirit and intent of the Zoning Ordinance.
- III. The City Council will consider the recommendation of the Planning Commission at the first Council meeting after receiving the recommendation. The City Council may or may not take additional comments and input from the public. The City Council may or may not follow the recommendation of the Planning Commission and will choose one of the three options outlined under II.

ACKNOWLEGEMENT AND CERTIFICATION:

It is hereby acknowledged that the applicant(s) has fully read and completed the above application. It is also understood that any approval of the Planning Commission and City Council regarding this Special Use Permit does not relieve the applicant from obtaining other applicable authorization. (for example: building and electrical permits, business license, etc.). The applicant(s) also understands that the submission of incomplete or inaccurate information will only estalt in delays.

Signature of Petitioner	<u>Glabos3</u>
Signature of Petitioner	Date
Signature of Owner if different than petitioner	Date

MCKENNA



January 16, 2023

Planning Commission City of Roosevelt Park 900 Oak Ridge Road Roosevelt Park, MI 49441

Subject: Taco John's, 3145 Henry Street

Special Use Review and Recommendation

Dear Commissioners:

The applicant, Restaurant Holdings LLC, has submitted for Special Use Approval to demolish the existing office building at 3145 Henry Street, and replace it with a Taco John's fast food restaurant, including a drive-thru, and a second, smaller building that would also have a drive-through. McKenna has been asked by the City Manager to review the proposal against the City's Master Plan and Zoning Ordinance and provide a recommendation to the Planning Commission.

The lot in question is split zoned – part of it is within the C-E Henry Commercial (East) Zoning District and part is within the R-1 Single Family District. A public hearing on the rezoning will take place at the same meeting (January 30) as the special use permit, and the Planning Commission will make recommendations to the City Council on both applications at that meeting.

Restaurants are a permitted use in the C-E District, but drive-throughs require Special Use Approval.

This review assumes that the rezoning will be approved, because the applicant has submitted a design that would locate the restaurant and drive-through on both sides of the existing zoning line. If the rezoning is not approved, then we recommend that the Special Use also not be approved, and a new application be submitted confining the restaurant and drive-through to only the portion of the property that is currently zoned C-E.

Special uses are land uses that may be appropriate at certain locations in a zoning district with adequate assurances to protect surrounding property owners and the community at large from any adverse effects of the use. In order for a Special Use to be approved, the Planning Commission must hold a public hearing and make a recommendation to the City Council. The City Council than approves or denies the application. Approvals may include conditions on the design or operations of the facility.

The Zoning Ordinance includes both General Standards for determining whether a Special Use should be approved (in Section 10.4.C), and specific standards for individual Special Uses. The standards for "Restaurants with Drive-Through Facilities" are in Section 10.6.W.

General Standards

We have reviewed the special use application and have the following comments based on the General Standards for approval of a Special Use in Section 10.4.C of the Zoning Ordinance:



1. The proposed use shall be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing character of the general vicinity. The applicant proposes to remove a multi-story office building and replace it with a fast food restaurant and drive-thru. This will have significant consequences for the surrounding area. The office building is set within a landscaped setback, with the parking lot hidden from Henry Street (though visible from residences along Lindland Road and Cranbrook Road). From the exterior, it is an attractive building, but our understanding is that interior, including the HVAC system, has deteriorated and that the building would be very expensive to bring up to modern standards, especially given the weak demand for office space with the rise in "work from home."

The currently building generates little noise and has minimal negative impacts on the nearby residential uses along Lindland and Cranbrook Roads. A new restaurant with a drive-thru would increase the amount of noise, light, and car exhaust on the site. That does not necessarily mean that the Special Use should not be approved, but it does mean that the applicant may need to go above and beyond the requirements of the Zoning Ordinance for landscaping, site design, and lighting.

Specifically, we recommend the following:

Section 11.2.D states that if zoning districts requiring buffering are separated by a street (as they are in this case), then the buffering is reduced by one level in the chart in Section 11.2.E. In this case, the C-E District will be abut the R-1 District, which would generally require a moderate buffer, which would be bumped down to a minor buffer under Section 11.2.D. However, because of the proposed increase in potential negative impacts to the residential area due to the drive-through Special Use we recommend that a moderate buffer be required as a condition of approval. See our Site Plan letter.

A moderate buffer is also required adjacent to the house to the southwest.

- Although there is no explicit requirement in Section 3.17 that light emanating from a property reach 0 footcandles at the property line, we recommend that that standard be applied to all portions of the property that abut residential or are across the street from residential, as a condition of approval. According to the photometric plan submitted by the applicant, the design is very close to hitting 0.0 footcandles along Lindland (some areas are 0.1), but the portion of Cranbrook where the house is across the street is not included. The lot line abutting the home to the southwest is at 0.2/0.3 footcandles and must be reduced. See our Site Plan letter.
- We applaud the location of the ordering/menu board close the building in the Taco John's drivethrough. The board is set back nearly 100 feet from the Lindland Road property line. The menu/ordering board for the second drive-through is not shown. We recommend that, as a condition of approval, the second drive-through board be set back at least 100 feet from Lindland Road.
- 2. The proposed use is served by necessary public facilities which are adequate or can be made adequate to serve the proposed use. There is no reason to believe the restaurants and their drive-throughs would burden streets, fire protection, police, emergency medical response, or public recreation.



The drive-throughs, as shown on the preliminary site plan, are designed to avoid any stacking on adjacent public roads.

However, the restaurants may increase demand for public water and both sanitary and storm sewer capacity. The City Engineer should be consulted to determine if the increased demand can be met without upgrades to the system.

- 3. The proposed use shall not be hazardous or disturbing to neighboring uses or cause any conflict to the existing use and quiet enjoyment of surrounding property. As noted under Criteria 1, there are residential homes in close proximity to the site. The noise and light generated by the drive-throughs are substantially greater than those generated by an office building. The conditions listed under Criteria 1 would mitigate the impacts by requiring site designs that go above and beyond Ordinance requirements.
- 4. The proposed use shall not involve activities, processes, materials, and equipment and conditions of operation that will have significant impact to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors. Drive-throughs involve stacking/idling cars, speakers, video screens, and lights, and they locate many of those things in the rear yard, closer to the homes on this site. However, the mitigation measures described in Criteria 1 will help prevent negative impacts.
- 5. The proposed use shall be consistent with the intent and purpose of this Ordinance. The Ordinance designates drive-throughs as a Special Use in the C-E District, because drive-throughs have special design considerations and can have negative impacts on their surroundings. The Special Use process is an appropriate venue to place conditions on a proposal to make it fit better with neighboring uses, which is why we have recommended the conditions listed in Criteria 1.

Specific Standards

We have also reviewed the Special Use Application and have the following comments based on the General Standards for approval of a Special Use in Section 10.6.W of the Zoning Ordinance:

1. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of eight (8) stacking spaces for the service ordering station shall be provided. The preliminary site plan shows 8 stacking spaces for both drive-throughs, with the stacking area well away from entrances onto public roads. There is some risk of the Taco John's stacking backing up into Cranbrook Road, but that would only happen if 12-14 cars were in line, far more than the 8 spaces required.

Stacking spaces shall be located so as not to interfere with vehicular circulation and egress from the property or parking spaces by vehicles not using the drive-through portion of the facility. We are somewhat concerned about the ability of cars to access the parking spaces north and east of Taco John's if they enter from Cranbrook Road. However, this is not an impediment to approving the Special Use. See our Site Plan letter.



The stacking space requirement may be reduced by the Planning Commission based on the nature of the restaurant, provided sufficient reason is provided as to the reduction, but in no case shall fewer than six (6) spaces be provided. We see no reason to reduce the number of required stacking spaces.

- 2. In addition to parking and stacking space requirements, at least two (2) standing or parking spaces shall be provided, in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders. This standard is met for Taco John's, but not for the second restaurant. This is not an impediment to Special Use Approval, but will need to be addressed during Site Plan Approval.
- 3. Access driveways shall be located no less than one hundred (100) feet from street intersections rights-of-way lines or seventy-five (75) feet from any driveway throat edge. This requirement is not met. The Cranbrook driveway is too close to Lindland Road, and the Henry driveway is too close to the Arby's driveway to the south. The applicant is proposing to alter the existing driveways, but even if they use the existing driveways, they are not considered legal non-conformities, because this requirement applies specifically to restaurants with drive-throughs and no restaurant with a drive-through currently exists on the site.

Along Cranbrook Road, it is possible for the applicant to construct a driveway that is at least 100 feet from both Lindland and Henry (the block is 260 feet long, leaving 60 feet in the middle where a driveway would be located), though moving the driveway into the conforming 60 feet may impact circulation on the site.

Along Henry Street, it is possible to construct a driveway that conforms, because the distance from Cranbrook to the Arby's driveway is 230 feet, leaving a 55-foot-wide zone that would conform. However, it may not be possible to construct a driveway within that zone AND meet Specific Standards 2 and 5. A variance may be required, or the applicant may need to remove the second drive-through (or the second building all together) in order to ensure that all requirements for Taco John's can be met.

Because it is possible for the driveways to conform, we do not see this driveway issue as an impediment to a recommendation of approval of the Special Use, but the applicant will have to resolve this issue prior to Site Plan Approval.

- Menu/speaker boards shall be provided that minimize verbal feedback. Speakers shall be located, positioned and controlled to minimize noise impacts. See our comments on the menu board location under Criteria 1.
- 5. Pedestrian elements shall be incorporated into the site plan including such features as outdoor seating areas, safe walkways to the restaurant, including measures to separate pedestrian and vehicular traffic in the areas nearest drive through windows. We applaud the walkways/crosswalks from Henry Street and Cranbrook Road to the two restaurants. Pedestrian traffic is directed well-away from drive-through windows and stacking. Outdoor dining would be appreciated, though circulation concerns may need to take precedence.



6. Enhanced architectural elements shall be provided such as cupolas, towers, decorative lighting, and window awnings. Exterior building colors and materials shall be conducive with surrounding uses. Architectural elevations must be submitted during the Site Plan phase to evaluate compliance with this requirement.

RECOMMENDATION

We recommend that the Planning Commission recommend approval of the Special Use the City Council, if the Council chooses to approve the proposed rezoning. The Special Use Approval should come with the following conditions:

- 1. A moderate landscape buffer, as described in Section 11.2.E, shall be required along Lindland Road, along Cranbrook Road where there is a residential use across the street, and on the southern lot line abutting a single family home.
- 2. Light levels emanating from the site must be 0.0 footcandles along Lindland Road, along Cranbrook Road where there is a residential use across the street, and on the southern lot line abutting a single family home.
- 3. All menu boards with video and/or audio capability must be set back at least 100 feet from Lindland Road.
- 4. Site Plan Approval, including compliance with all requirements of Section 10.6.W. If compliance with the requirements of Section 10.6.W does not allow for two drive-throughs on the site, then only one drive-through will be permitted.

Please do not hesitate to contact us with any questions.

Respectfully submitted,

McKENNA

Christopher Khorey, AICP West Michigan Manager

CHAPTER 10 SPECIAL LAND USES

Section 10.1 INTENT AND PURPOSE

- A. This Chapter is intended to respond to the functions and characteristics of an increasing number of new kinds of land uses, combined with conclusive experience regarding some of the older, familiar kinds of uses, which call for a more flexible and equitable procedure for properly accommodating these activities in the community. Rather than assigning all uses to special, individual, and limited zoning districts, it is important to provide control and reasonable flexibility in requirements for certain kinds of uses that will allow practical latitude for the applicant, but will maintain adequate provision for the security of the health, safety, convenience, and general welfare of the community's inhabitants.
- **B.** In order to accomplish this dual objective, provisions are made in this Ordinance for a more detailed consideration of each specified activity as it may relate to proposed conditions of location and design, size, operation, intensity of use, generation of traffic and traffic movements, concentration of population, processes and equipment employed, amount and kind of public facilities and services required, together with many other possible factors.
- C. Land and structure uses possessing these particularly unique characteristics are designated as Special Land Uses and may be authorized by the issuance of a Special Land Use permit, which contains conditions and safeguards necessary for the protection of the public welfare.
- D. The following sections, together with previous references in other Chapters of this Ordinance, designate those uses requiring a Special Land Use Permit. With any noted exceptions, the procedures for obtaining such a Special Land Use Permit shall apply to all special land uses indicated.

SECTION 10.2 APPLICATION PROCEDURES

A. Application Procedures

1. An application for Special Land Use shall be submitted to the zoning administrator at least thirty (30) days prior to the next planning commission meeting. If the zoning administrator deems that the application is complete per the requirements of Section 9.3, A,2 then the plans will be reviewed and submitted to the Planning Commission for their consideration. The zoning administrator has the ability to reduce or extend the thirty (30) day period if it is deemed appropriate (ex - the submitted site plan is very basic and

review can be performed in less than thirty (30) days or the site plan requires additional time due to the high level of detail and size of the project).

- An application for a Special Land Use shall not be considered complete until all of the following materials have been submitted and deemed complete by the Zoning Administrator:
 - a. A completed application form, as provided by the City. The application shall be signed by an owner of, or person having an interest in, the property to be developed, or an authorized representative.
 - b. Twelve (12) copies of the Preliminary or Final Site Plan meeting the requirements of Section 9.3.
 - c. Payment of a fee, in accordance with a fee schedule, as determined by City Council resolution.
 - d. A legal description, including the permanent parcel number, of the subject property.
 - e. A statement with supporting evidence regarding the required findings as specified in Section 10.4
 - f. Other materials as may be required in this Chapter or by the Zoning Administrator, Planning Commission, or City Council.
- 3. An application shall not be accepted until all required materials are provided. Incomplete applications shall be returned to the applicant with an indication of the items necessary to make up a complete application.

SECTION 10.3 REVIEW AND FINDINGS

A. Public Hearing

- 1. The Planning Commission shall schedule a public hearing within sixty (60) days thereafter after receipt of a complete application. This date may be extended upon written request by the applicant, or by agreement of the applicant and the Planning Commission.
- 2. The City Clerk shall cause to be published a notice of public hearing, not less than five (5) days nor more than fifteen (I5) days in advance of the hearing and shall notify by regular mail or personal delivery the parties of interest and all property owners within three hundred (300) feet of the subject property.
- Such notice shall describe the nature of the request; the location of the property involved, the time and place of the hearing, and indicate when and where the application may be examined and how written comments may be received.
- **4.** Any person may speak or present documents or evidence in support of a position regarding the application at the public hearing.

- **B.** Upon conclusion of the hearing, and after time for deliberation, the Planning Commission shall make a recommendation to the City Council for approval with conditions, or denial to the City Council. The Commission shall state its reasons for such recommendation in its minutes for submission to the Council.
- C. Upon receipt of a report and summary of hearing comments from the Planning Commission, the City Council may hold an additional public hearing, if it considers a further hearing necessary, using the same hearing requirements as the hearing held before the Planning Commission. The City Council, upon approval of an application for Special Land Use Permit, shall authorize the Zoning Administrator to issue the permit subject to the conditions specified by the City Council.

SECTION 10.4 GENERAL STANDARDS FOR MAKING DETERMINATIONS

- A. The Planning Commission and City Council shall review the particular facts, circumstances and evidence presented. The Planning Commission decisions shall be based on the General Standards of this Section and the applicable Specific Requirements contained in Section 10.5 and Section 10.6.
- **B.** It shall be incumbent upon the representatives of the applicant for a Special Land Use Permit to provide documentation and evidence in support of the proposal. It shall also be the obligation of the applicant to furnish evidence, or proof of compliance with the specific and general criteria contained in this Ordinance.
- C. General Standards: The General Standards are basic to all Special Land Uses; and the Specific Requirements of Section 10.5 and Section 10. are in addition to and shall be required in all applicable situations. All of the following general standards must be satisfied:
 - 1. The proposed use shall be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing character of the general vicinity.
 - 2. The proposed use is served by necessary public facilities which are adequate or can be made adequate to serve the proposed use. Specifically, existing streets, storm water drainage, water supply, fire protection, police, emergency medical care, sanitary sewer disposal, solid waste disposal, and public recreation shall be adequate to serve the proposed project.
 - 3. The proposed use shall not be hazardous or disturbing to neighboring uses or cause any conflict to the existing use and quiet enjoyment of surrounding property.
 - 4. The proposed use shall not involve activities, processes, materials and equipment and conditions of operation that will have a significant impact to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

- 5. The proposed use shall be consistent with the intent and purpose of this Ordinance.
- 6. The site plan for the proposed use demonstrates compliance with any special land use specific design standards contained in Section 10.6.

SECTION 10.5 CONDITIONS AND SAFEGUARDS

- A. Before granting a Special Land Use Permit, the City Council may impose reasonable conditions or limitations upon the establishment, location, construction, maintenance, or operation of the use authorized by the Special Land Use Permit as may be necessary for the protection of the public interest.
- B. Such conditions may include those necessary to insure that public services and facilities affected will be capable of accommodating increased demand and facility loads; to protect the natural environment and conserve natural resources and energy; to insure compatibility with adjacent uses of land; to promote the use of land in a socially and economically desirable manner and be consistent with the general standards as established in this Ordinance and are necessary to meet the intent and purpose of the regulations contained in this Ordinance.
- C. The conditions imposed shall be recorded in the minutes of the City Council and shall remain unchanged except upon mutual consent of the City Council and the owner of the property affected. The City Council shall record in its minutes any changes in conditions of approval of Special Land Use Permits.
- D. Conditions and requirements stated as part of Special Land Use Permit authorization, including all plans, specifications and statements submitted with the application for a Special Land Use Permit, shall be a continuing obligation of its holder. The Zoning Administrator shall make periodic investigations of uses authorized by Special Land Use Permits to determine compliance with all requirements.
- E. Certification of Compliance: At final inspection or at other appropriate times the Zoning Administrator shall certify whether all conditions and other requirements of the City Council in its approval of the Special Land Use have been fulfilled.
- F. An application for a Special Land Use Permit which had been denied wholly or in part by the City Council shall not be resubmitted until the expiration of one (1) year or more from the date of denial, except in the case of newly discovered evidence or changed conditions found to be sufficient to justify reconsideration by the City Council.

V. Restaurants, exclusive of drive-through facilities.

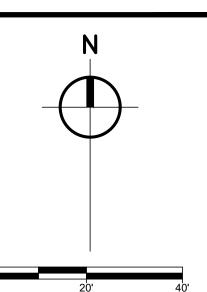
- 1. Access driveways shall be located no less than one hundred (100) feet from street intersections rights-of-way lines or seventy-five (75) feet from any driveway throat edge.
- 2. Pedestrian elements shall be incorporated into the site plan including such features as outdoor seating areas and safe walkways (can be shown with striping) to the restaurant.
- 3. Enhanced architectural elements for principal buildings shall be provided such as cupolas, towers, decorative lighting, and window awnings. Exterior building colors and materials shall be conducive with surrounding uses.

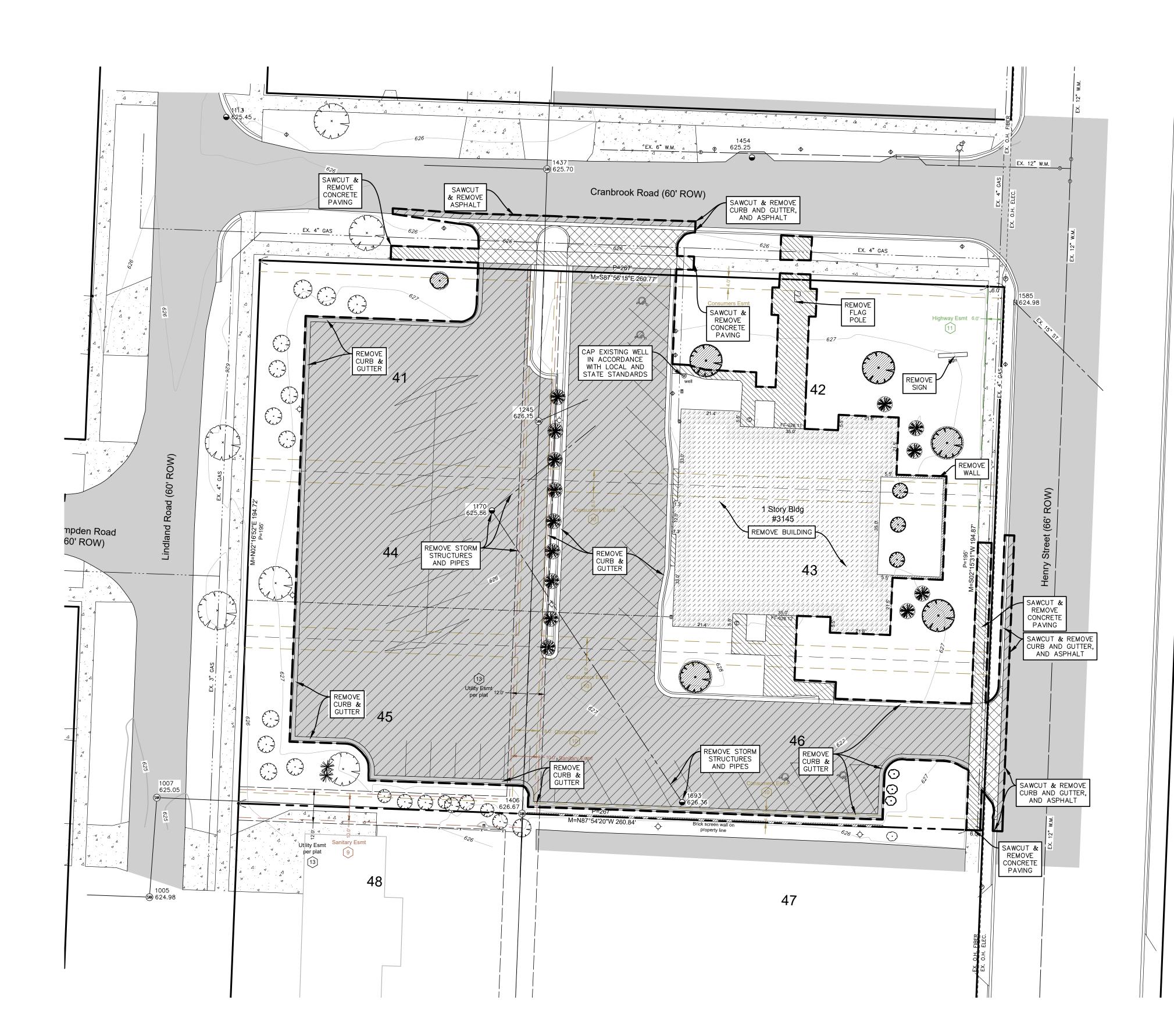
W. Restaurants with drive-through facilities.

- 1. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of eight (8) stacking spaces for the service ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation and egress from the property or parking spaces by vehicles not using the drive-through portion of the facility. The stacking space requirement may be reduced by the Planning Commission based on the nature of the restaurant, provided sufficient reason is provided as to the reduction, but in no case shall fewer than six (6) spaces be provided.
- 2. In addition to parking and stacking space requirements, at least two (2) standing or parking spaces shall be provided, in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.
- 3. Access driveways shall be located no less than one hundred (100) feet from street intersections rights-of-way lines or seventy-five (75) feet from any driveway throat edge.
- 4. Menu/speaker boards shall be provided that minimize verbal feedback. Speakers shall be located, positioned and controlled to minimize noise impacts.
- 5. Pedestrian elements shall be incorporated into the site plan including such features as outdoor seating areas, safe walkways to the restaurant, including measures to separate pedestrian and vehicular traffic in the areas nearest drive through windows.
- 6. Enhanced architectural elements shall be provided such as cupolas, towers, decorative lighting, and window awnings. Exterior building colors and materials shall be conducive with surrounding uses.

X. Shopping centers or shopping malls

1. The minimum lot area for a shopping center or mall shall be three (3) acres.





REMOVAL LEGEND

REMOVE BUILDING

REMOVE HMA SURFACE

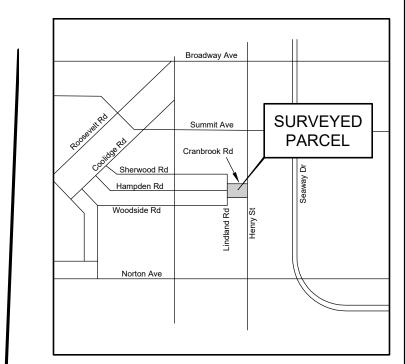
REMOVE CONCRETE
SIDEWALK

TREE REMOVAL

REMOVE CONCRETE

PAVEMENT OR DRIVEWAY

- REMOVAL LIMITS



SCALE: NONE

SITE REMOVAL NOTES

- REMOVE ALL EXISTING SITE SIGNS WITHIN THE CONSTRUCTION LIMITS (TRAFFIC, PARKING & INFORMATIONAL, ETC.), UNLESS NOTED OTHERWISE ON THE DRAWINGS OR AS DIRECTED BY THE OWNER TO BE REMOVED & DISPOSED OF ENTIRELY.
- 2. COORDINATE SITE ELECTRICAL REMOVALS WITH WITH ALL ELECTRICAL PLANS FOR ANY REMOVAL OR RELOCATION OF SITE ELECTRICAL ITEMS, COORDINATE WITH ALL PROPOSED SITE ELECTRICAL UTILITIES.
- REFER TO INDIVIDUAL UTILITY PLANS FOR ANY MODIFICATIONS TO EXISTING UTILITIES THAT ARE TO REMAIN.
- REMOVE ALL UTILITY STRUCTURE MANHOLES & CATCH BASINS SHOWN TO BE REMOVED IN THEIR ENTIRETY. RAISE OR LOWER STRUCTURES TO REMAIN (WHETHER NOTED OR NOT) TO MATCH PROPOSED FINISH GRADES. THIS INCLUDES, BUT IS NOT LIMITED TO, SANITARY, STORM, WATER, ELECTRICAL, COMMUNICATIONS, GATE VALVE BOXES & HAND HOLES.
- 5. PROTECT OR SALVAGE FOR RE-USE ALL EXISTING FIRE HYDRANTS & GATE VALVES TO BE REMOVED OR SALVAGED AND RELOCATED, AND CLASSIFIED IN GOOD WORKING CONDITION ACCORDING TO THE UTILITY OWNER, FOR RE-USE. FINAL APPROVAL OF THE RE-USE OF ANY SALVAGED FIRE HYDRANT OR GATE VALVE MUST BE GIVEN BY THE UTILITY OWNER.
- 6. ANY CITY/MUNICIPAL/UTILITY OWNED UNDERGROUND SERVICES (GAS, WATER, SANITARY, ETC) SHOWN TO BE REMOVED MUST BE DONE SO IN THEIR ENTIRETY & AS INDICATED ON THE DRAWINGS. CAP/BULKHEAD ALL REMAINING PORTIONS AT THE PROPERTY LINE PER CITY/MUNICIPAL/UTILITY COMPANY STANDARDS. THE CONTRACTOR MUST OBTAIN ALL REQUIRED PERMITS & PROVIDE ADVANCED NOTICE TO CITY/MUNICIPAL/UTILITY COMPANY PRIOR TO DISTURBANCE OF SAID UTILITY SERVICES.
- 7. FIELD VERIFY THE PURPOSE & LOCATION OF UNDERGROUND ELECTRICAL, TELECOM & FIBER OPTIC UTILITIES & RELOCATE AS REQUIRED PRIOR TO COMMENCEMENT DEMOLITION SUCH THAT THE OWNER DOES NOT EXPERIENCE ANY "OUTAGES" OR "FAILURES" WITH THEIR INTERNAL ELECTRICAL, TELEPHONE, SECURITY OR COMPUTER SYSTEMS. REPAIR ANY CONTRACTOR—CAUSED DAMAGES AT NO COST TO THE OWNER. REFER TO THE ELECTRICAL SITE PLAN FOR COORDINATION.
- 8. THE CONTRACTOR IS RESPONSIBLE FOR ALL DAMAGE TO EXISTING UTILITIES & FOR LOCATING THE DEPTH & PLACEMENT OF ANY AND ALL UTILITIES WITHIN THE CONSTRUCTION WORK LIMITS. PROCEED WITH CAUTION WHEN WORKING WITH & AROUND THESE UTILITIES. THE COST TO REPAIR DAMAGE TO ANY UTILITIES (SEWERS, WATER, GAS, ELECTRICAL, UNDERDRAIN SYSTEMS, & SPRINKLER SYSTEMS, ETC.), KNOWN OR OTHERWISE, WILL BE BORNE SOLELY BY THE CONTRACTOR. IT IS THE OWNER'S RESPONSIBILITY TO ACCEPT & APPROVE SAID REPAIRS OF THE DAMAGED
- REMOVAL OF ANY EXISTING CHAINLINK FENCE INCLUDES THE REMOVAL OF CONCRETE FOOTINGS WITH THE EMBEDDED POSTS. COORDINATE THE LIMITS OF EXISTING CHAINLINK FENCE REMOVALS WITH THE LIMITS OF PROPOSED CHAINLINK FENCE. REFER TO LANDSCAPE DRAWINGS FOR COORDINATION.
- 10. FULL DEPTH SAWCUT CONCRETE WALKS, PAVING AND CURB & GUTTER SHOWN TO BE REMOVED AT THE NEAREST EXISTING JOINT & REMOVE.
- REMOVE TREE AND STUMPS IN THEIR ENTIRETY AS IDENTIFIED ON THE DRAWINGS & WHEN FOUND IN THE FIELD & LOCATED WITHIN THE CONSTRUCTION AREA, OR AS DIRECTED BY THE OWNER.
- 12. REMOVAL OF LANDSCAPE AREAS AROUND BUILDINGS & THE SITE THAT ARE CALLED OUT TO BE REMOVED INCLUDES THE REMOVAL OF EDGING OR FENCING AND ANY ASSOCIATED PLANTINGS. REFER TO LANDSCAPE PLANS & SPECIFICATIONS FOR CARE OF AND RELOCATION OF ANY PLANT MATERIAL
- 13. REMOVE ANY EXISTING AGGREGATE BASE OR DELETERIOUS MATERIALS BENEATH ALL PROPOSED LAWNS AND LANDSCAPE PLANTING AREAS.

Legal Description:
Land in the City of Roosevelt Park, Muskegon County, MI, described as follows:
Lots 41-46, inclusive, Cranbrook Addition, as recorded in Liber 15 of Plats, Page 62,
Muskegon County, State of Michigan.

EXISTING STORM SEWER							
Νι	ımber	Туре	Rim	Invert			
	1113	Round CB	625.45	Leach basin			
	1170	Round CB	625.56	10" SE, NE - 621.11			
	1454	Round CB	625.25	Leach basin			
	1585	Curb inlet	624.98	12" SE - 620.38			
	1693	Round CB	626.36	10" NW - 621.61			

EXISTING SANITARY SEWER							
Number	Rim	Invert					
1005	624.98	8" W - 617.23 8" N - 617.28					
1007	625.05	8" S - 617.40 8" W - 617.45					
1245	626.15	8" N, S - 618.60 8" N - 618.65 6" NE - 619.90					
1406	626.67	8" N, S - 618.27 8" W - 618.22					
1437	625.70	8" N, W - 617.70 8" S - Grouted closed					

Symbol Legend
Symbol Denotes

Symbol Denotes

Benchmark

Bush

Curb inlet

Round CB

Round CB

© Clean out

Deciduous tree

Coniferous tree

Coniferous tree
Flag pole
Found iron
Gas meter
Hydrant
Light pole

Light pole
Sign
Sanitary MH
Telephone pedesta

Telephone pedest Power pole Water valve box Water well

Water well

MERITAGE HOSPITALITY GROUP
45 OTTAWA AVENUE, SW, SUITE #600
GRAND RAPIDS, MI 49503

EXISTING CONDITIONS AND REMOVALS PLAN SHEET NO.

PROJECT NO.

2221132

UTILITY LOCATIONS ARE DERIVED FROM ACTUAL MEASUREMENTS OR AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

R E V I S I O N S BY DATE DRAWN

JAM

DATE

01/27/2023

CHECKED

JVP

DATE

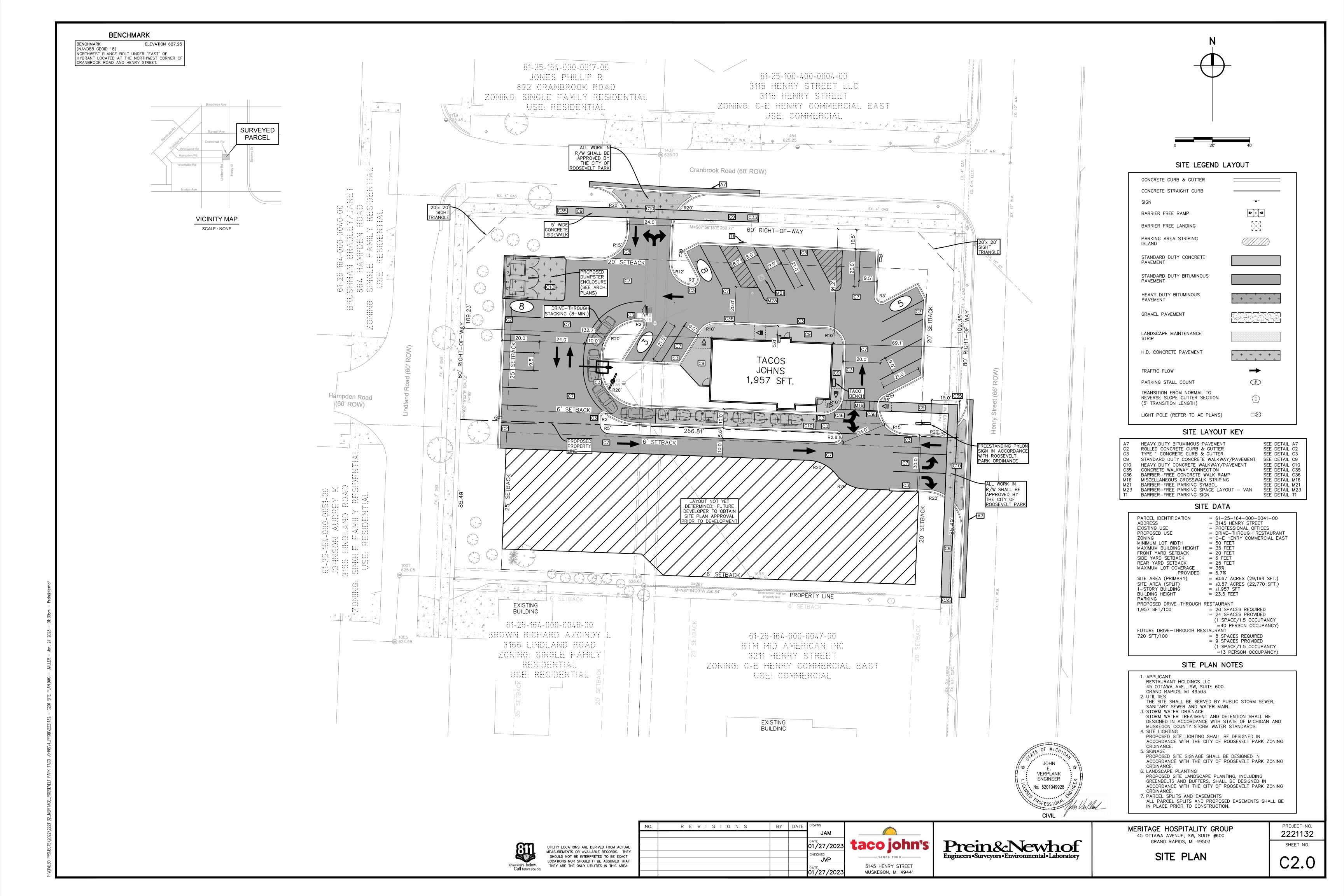
01/27/2023

tacojohn's

SINCE 1969

3145 HENRY STREET
MUSKEGON, MI 49441

Prein&Newhof
Engineers - Surveyors - Environmental - Laboratory



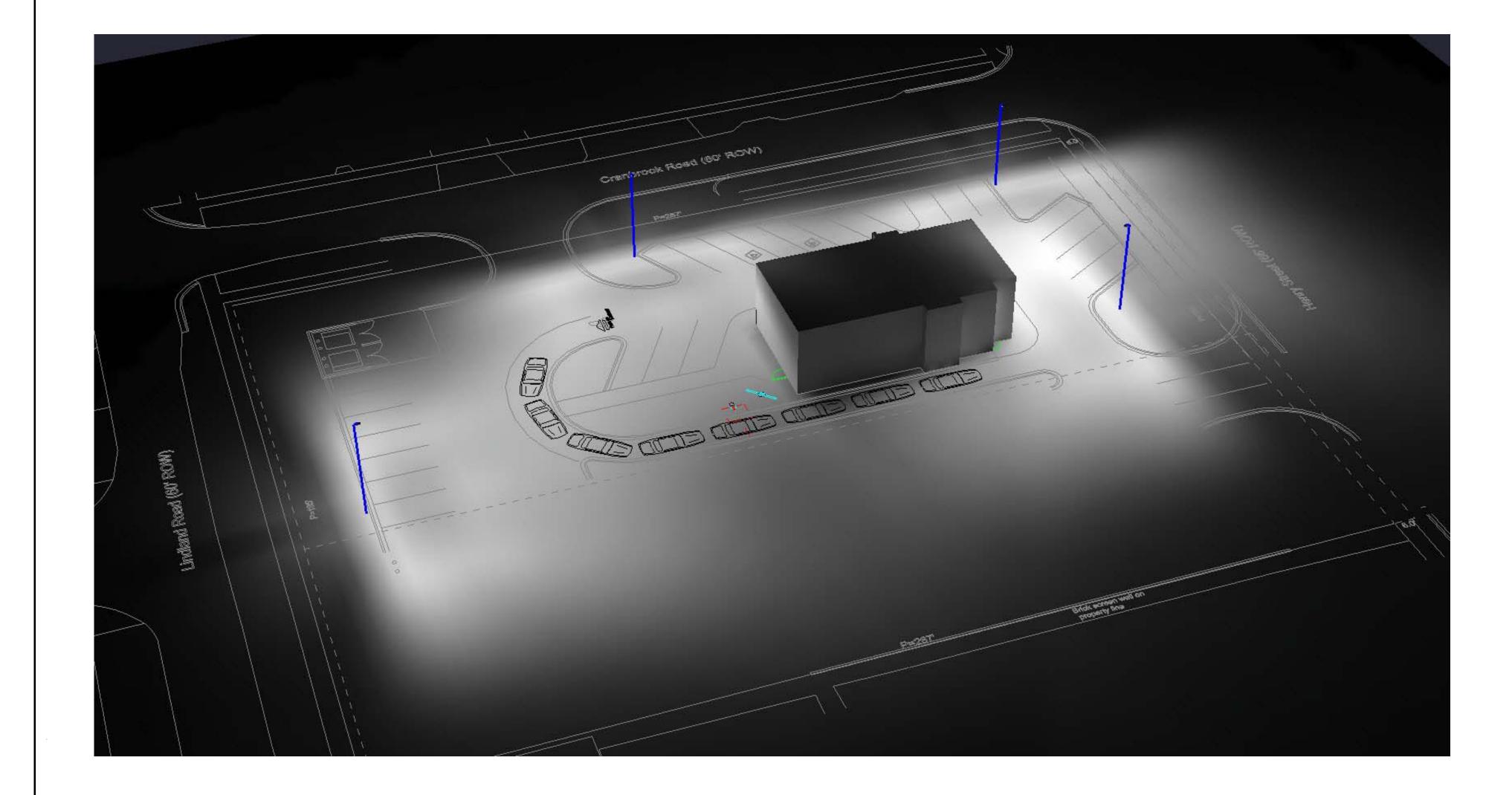
Luminaire Schedule

Scene: GEN

Symbol	Qty	Label	Arrangement	LLD	LDD	BF	[MANUFAC]	Description	MNT HEIGHT	MNT TYPE	Ttl Watts
	4	P4	Single	0.880	0.940	1.000	COOPER - McGRAW-EDISON	GALN-SA2B-740-U-T4FT-HSS	27.5	POLE	328

Calculation Summary Scene: GEN							
DRIVE	Illuminance	Fc	1.06	1.9	0.4	2.65	4.75
DRIVE THRUS	Illuminance	Fc	0.58	1.1	0.0	N.A.	N.A.
LIGHT TRESPASS	Illuminance	Fc	0.04	0.7	0.0	N.A.	N.A.
PARKING	Illuminance	Fc	0.90	1.5	0.2	4.50	7.50

NOTES: - CALC AT GRADE



Crites, Tidey, & Assoc., Inq

Crites, Tidey, & Assoc. 908C West River Center Dr Comstock Park MI 49321

PH: 616-647-2400

www.critestidey.com

PHOTOMETRIC EVALUATION
NOT FOR CONSTRUCTION
Based on the information provided, all dimensions and luminaire
locations represent a recommended application. The engineer
and/or architect must determine the applicability of the layout
regarding existing or future field conditions.

This lighting layout represents illumination levels calculated using laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved method Actual performance of a manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in LEDs, and other field conditions. Calculations may not include obstructions such as buildings, curbs, landscaping, or other architectural elements. Fixture nomenclature may not include mounting hardware or poles. This layout is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

DESIGNED FOR:

NRY STREET

145 н

SALES

T MCBRIDE

1.6.2023

DESIGNER

JEN YONKERS

REVISIONS
DATE NAME
XX XX

SHEET

SCHEDULES
SCALE: NTS

2

Filename: S:\GRAND RAPIDS\Layouts\Tim Mcbride\3145 HENRY STREET\LOT LIGHTING.AGI

From: Carim Calkins

Sent: Wednesday, February 8, 2023 8:56 PM

To: Jared D. Olson **Subject:** Taco place

Hi Jared,

I was going to respond to your text, then thought I'd not bother you at home. Trying to get our thoughts out there because we'll be out of town when the next meeting happens, and Sally's mom is not likely to be able to go.

Here's what I was going to text:

A vacated street would help with ingress/egress from the taco place. The idea came up due to our lot size constraint discussion at the same time as we were discussing the issues with having a busy place right next to an already problematic corner. A lack of a through street would keep the a-holes from speeding through the neighborhood and dumping taco trash, etc.

Might help with maintaining property values, too. People at the taco place from before 6am to 1am, plus drive-through noise for 15 hours a day is not good. We can already hear Arby's, and there's an entire house in the way, not just a fence. We'd massively prefer a vacated street and a small strip mall in that spot, help retain the character of the neighborhood.

Was an interesting meeting today.

From: Jared D. Olson

Sent: Wednesday, January 25, 2023 12:05 PM

To: 'rcsrb339'

Cc: Ann M. Wisniewski

Subject: 3145 Henry Street Rezoning Request

Attachments: PC Packet 1-30-2023.pdf

Happy Wednesday Cindy and Richard,

I hope our previous phone conversation was able to clear up some of the questions you had on the rezoning proposal that was submitted to the Planning Commission. I have also attached the Planning Commission packet that includes a ton of information and a draft site plan of how a possible layout might look once the current structure is removed from the property.

You will also note as it relates to your property in particular, additional scrutiny from our planning/zoning team about the parking lot lighting, a formal solid screening fence/berm and trees, and how the draft plan may impact all of the neighbors whether they are commercial or residential in use.

I also have requested that the ownership group be ready to answer at least one question on their hours of operation which was a great question that you posed to me. Please review and if you have any questions, I would be happy to try and answer them or send them directly to the development team to be answered. See you Monday night!

Respectfully,

Jared Olson

Jared Olson City Manager City of Roosevelt Park 231-755-3721 ext. 1954



From: rcsrb339 <>

Sent: Sunday, January 22, 2023 4:48 PM

To: Jared D. Olson < JOlson@rooseveltpark.org>

Subject: RE: Public Hearing for Zoning change next to 3166 Lindland Rd.

Dear Mr. Olson,

My husband Richard and I are very curious to understand what this zoning change means, exactly. Is the existing building going to be removed or is the drive-thru going to be built into part of the existing building.

We would like to know what establishment is wanting to build there, and what is your consideration for the safety of the community, regarding what extra traffic may come of this change.

Cindy and Richard Brown 3166 Lindland Rd Muskegon, MI 49441

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone

"The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin."

From: Jared D. Olson

Sent: Monday, January 30, 2023 10:29 AM

To: 'drew bernard' **Subject:** RE: 3145 Henry St

Happy Monday Drew,

The public hearings for tonight will most likely start off with a presentation and highlights of the proposal from the ownership group and their engineers to talk about the current site and their desires for future plans. After that the Planning Commission will typically allow public comments and allow the ownership/engineers to address those comments or questions that the public have about their request. So yes, I would expect the ownership team and their representatives will be able to address comments and questions.

Please too though feel free to forward me the questions that you have come up with beforehand and I would be happy to make sure they are received. This may help them be able to clarify or address your questions in greater detail.

I am also including the direct link below to the Planning Commission packet that includes the submittals from the ownership group for their proposal. Thanks, and I hope to see you at the meeting tonight.

https://rooseveltpark.org/wp-content/uploads/PC-Packet-1-30-2023.pdf

Respectfully,

Jared Olson

Jared Olson City Manager City of Roosevelt Park 231-755-3721 ext. 1954



From: drew bernard <>

Sent: Monday, January 30, 2023 9:31 AM **To:** Jared D. Olson < JOlson@rooseveltpark.org>

Subject: 3145 Henry St

Good Morning Jared,

This is Drew Bernard 3178 Lindland Rd. Is the meeting tonight Q&A? If not I will send some questions your way.

Thank you

From: Jared D. Olson

Sent: Monday, January 30, 2023 10:35 AM

To: 'harmany Beth'

Subject: RE: Residential zone question and concerns

Happy Monday Harmany,

Those are great questions and ones that I will be forwarding to the development team that have submitted these proposals to the Roosevelt Park Planning Commission. I also certainly encourage and hope that you will attend public hearings for tonight's. The public hearings will most likely start off with a presentation and highlights of the proposal from the ownership group and their engineers to talk about the current site and their desires for future plans. After that the Planning Commission will typically allow public comments and allow the ownership/engineers to address those comments or questions that the public have about their request. So yes, I would expect the ownership team and their representatives will be able to address these and other comments and questions. At this point, I hope that if any of your questions remained unanswered or addressed, that you make sure you request the chance to speak during the public hearing.

I am also including the direct link below to the Planning Commission packet that includes the submittals from the ownership group for their proposal as it may help answer so of your questions. I will be forwarded them to the developers too just to make sure they are on their radar. Thanks and see you tonight.

https://rooseveltpark.org/wp-content/uploads/PC-Packet-1-30-2023.pdf

Respectfully,

Jared Olson

Jared Olson City Manager City of Roosevelt Park 231-755-3721 ext. 1954



From: harmany Beth <hrmnybeth@yahoo.com>

Sent: Monday, January 30, 2023 9:18 AM

To: Jared D. Olson <JOlson@rooseveltpark.org> **Subject:** Residential zone question and concerns

Good morning,

My first question concern, is the cross traffic for Henry. It is a busy road and cross traffic onto Cranbrook during prime hours is already slow. How is this going to be controlled? We don't want cars going around the block into residential to increase.

Lights and Noise is another, we already hear Arby's speaker especially in the summer. How will they keep the noise down? And how will they control the lights if they footprint goes all the way back to Lindland? Even if the lights keep to the property, it's going to be a lot brighter in our area at night.

Is the option to keep the residential and just have the footprint stay on the commercial side? Amend for the drive thru option and just change the direction of said new building?

Property value in the area is good, we should keep the residential zone in place to reserve our community from joining the commercial.

I would like the option to speak at the meeting on concerns.

Thank you for your time and consideration,

Harmany Delashmit 3171 Lindland Rd Renee Delashmit

City of Roosevelt Park A Proud Community

Informational Updates

The following documents are informational updates and documents relating to our community. They are for your information only and no action is requested.



City of Roosevelt Park Planning Commission Meeting Minutes January 30, 2023 6:00 pm

This meeting was called to order by Commissioner Bob Jakubowski at 6:00 p.m.

PRESENT: Commissioners: Mayor Aaron Langlois, Michael Sutton, Richard Isacson,

City Manager Jared Olson, Tyra Jonas, Donald Nilson-Hinton

ABSENT: Amber Weerstra

2023-001 Roll Call

City Clerk Ann Wisniewski called roll call.

2023-002 APPROVAL OF MINUTES:

Mayor Langlois moved to accept the minutes of the September 26,2022 meeting. This motion was supported by Commissioner Sutton and carried unanimously.

2023-003 PUBLIC HEARING:

4A. Rezoning Request – 3145 Henry Street

City Manager Olson moved to open the public hearing on the rezoning, of 3145 Henry Street. This was supported by Commissioner Jonas and carried unanimously. Ana Pelhank & George Troth from Meritage Hospitality Group explained the purpose for the rezoning request.

2023-004 PUBLIC COMMENT: on rezoning request -3145 Henry Street

Richard and Cindy Brown 3166 Lindland Road, shared comments John Sanocki 926 Hampden Road, shared comments

John Sanocki 320 Hampuen Koau, Shareu Comments

Harmany Delashmit 3171 Lindland Road, shared comments

Brad Brushman 864 Hampden Road, shared comments

Greg Neiser 3197 Eastland Road, shared comments

Resident 1250 Princeton Road, shared comments

Drew Bernard 3178 Lindland Road, shared comments

Jeff Keesler from Mckenna and Associates

2023-005 CLOSE PUBLIC HEARING: Rezoning Request 3145 Henry Street

Commissioner Jonas moved to close the public hearing on the rezoning, of 3145 Henry Street. This was supported by Commissioner Nilson-Hinton and carried unanimously.

2023-006 PUBLIC HEARING:

4B. Special Land Use Request – 3145 Henry Street

Mayor Langlois moved to open the public hearing on the SLU request of 3145 Henry Street. This was supported by Commissioner Nilson-Hinton and carried unanimously.

2023-007 PUBLIC COMMENT: on SLU-3145 Henry Street

Ana Pelhank Meritage Hospitality Group explained proposal.

George Troth Meritage Hospitality Group

John Sanocki 926 Hampton, shared comments

Harmony Delashmit 3171 Lindland Rd shared comments

Drew Bernard 3178 Lindland Rd shared comments

Cindy Brown 3166 Lindland Rd shared comments

2023-008 CLOSE PUBLIC HEARING: SLU – 3145 Henry Street

Mayor Langlois made a motion to close the public hearing on the SLU Of 3145 Henry Street, this motion was supported by Commissioner, Jakubowski and carried unanimously.

2023-009 NEW BUSINESS:

6A. Planning Commission Decision- Rezoning Request -3145 Henry St.

Mayor Langlois moved to recommend the zoning amendment as presented and send it to the City Council meeting set for February 6,2023. for approval. This motion was supported by Commissioner, Nilson-Hinton.

Roll Call: 6 Ayes, 1 Nay (Jonas), 1 Absent (Weerstra), motion passes.

6B. Planning Commission Decision – SLU Drive Through Request 3145 Henry St.

Mayor Langlois moved to recommend the approval as presented for the SLU request for 3145 Henry street contingent upon the passing of 6A. Rezoning of 3145 Henry St. and send it to the City Council meeting set for February 6, 2023. for approval. This motion was supported by Commissioner Olson.

Roll Call: 5 Ayes, 2 Nays (Jonas, Olson), 1 Absent (Weerstra), motion passes.

2023-010 COMMISSION MEMBERS QUESTIONS/COMMENTS:

Commissioners asked questions.

City Manager Olson shared city updates.

2023-011 PUBLIC COMMENT:

Richard Brown 3166 Lindland Rd. shared comments

2023-012 ADJOURNMENT:

The meeting was adjourned at 8:10 p.m.

______ Ann Wisniewski, City Clerk

Transit Governance Study WMSRDC Conference Room February 3, 2023

Attendees:

LeighAnn Mikesell – City of Muskegon
Jennifer Hodges – Muskegon Twp
Anthony Chandler – City of Norton Shores
Jim Koens – MATS
Sam Janson – City of North Muskegon
Amy Haack – Village of Fruitport
Jamie Way – WMSRDC
Joel Fitzpatrick - WMSRDC
Bob Lukens – Muskegon County CVB

Virtual:

Bill Troe - SRF Joseph Kapper – SRF Madeleine Garces – SRF Matt Farrar – Muskegon County

1. Status of Community Survey:

Jim Koens gave an update on the survey. Erin, Matt, and Jim spoke to professor and students about the survey. The survey has also been submitted to the IRB for approval but may have some adjustments. The mailing includes a cover letter and the survey. It will be mailed to registered voters in all precincts within the five core cities as well as the village and townships to gauge support for and interest in Public Transportation. Distribution of the survey will occur in the next few weeks with a return deadline of March 17th. This group should encourage public participation through social media and announcements.

Questions/comments:

Should we rearrange the questions to have the demographics after the survey questions, to not lose feedback or responses?

Can we ask the professor to include an amount example for the mils for a standard resident? Matt will check with the professor but feels that it will bias the survey and it will not be on the ballot.

Error on question 12 it should state question 11, not question 10.

LeighAnn asked how the group should promote the survey and timeline. It should be mailed around February 20th which will give the public 3 weeks to respond. A suggestion was made to include a note with the survey about how important it is to complete and return.

Bob asked if it should be highlighted that the survey is from GVSU, and not the city or county (survey is from GVSU on behalf of the County). It was suggested that all the members should put a notice on social media and state that the survey is coming from GVSU in partnership with the city or township. Common wording should be developed so the message is consistent across jurisdictions. LeighAnn said she will work with the City's communications officer and get some draft language that can be used by all communities for consistent messaging. Matt will get the group prices for members to contribute for postage, folding, envelopes and how it will get reimbursed. The survey will be a

random sampling of registered voters but will be distributed equally across jurisdictions according to population differences.

2. Article of Incorporation/Authority Bylaws outline and example content:

Joe Kapper reviewed the contents of the AOI. He noted that Public Act 196 requirements must be included and compliant. By the next meeting SRF will have a draft document that the committee members can review. Bill Troe highlighted what is included in the public act, what presented AOI include, and how the two interact will be considered when developing the documents. Sam Janson stated that he would like the member communities to appoint their own members from their jurisdictions. Joseph Kapper noted that the group discussed this topic at the last meeting and agreed on one (1) appointee per jurisdiction.

Bill Troe asked if the members would be an elected official or just an appointed employee?

Joel Fitzpatrick stated that the earlier discussion was leaning toward having staff as the appointees. Jennifer Hodges responded that this would leave out the townships because the supervisors are elected. LeighAnn suggested each governing body choose their own representative on their own merits, and not on status of elected or staff.

Sam Janson suggested 'the manager, supervisor, or their designee' as language or something broader so staff could select an individual for approval by the board. All agreed that sounds good.

While on the subject of representatives, Joel Fitzpatrick informed SRF about staff turnover at the City of Muskegon Heights. WMSRDC will let SRF know once a new representative has been identified.

Bill Troe asked if appointments would be made annually and all at the same time or if the appointments should be staggered. If all appointments are made at the same time, that could lead to a situation where a whole board could turn over at once which has the potential to cause disruption. If the appointments are staggered, historical knowledge of the group and procedures would be retained.

Anthony read the language from the PA 196 regarding the appointed manager as being a perpetual appointment, but the other 'supervisors' could be rotated.

Anthony asked about where funding will come from and if it is part of PA 196? Bill Troe stated that this is contingent on the milage passing. The question was asked about what happens if the next milage fails to pass? Is there language in the documents that talks about dissolution if that happens? Bill Troe said yes, the process for dissolution would be outlined in the documents.

The question was asked, if the milage fails are there other funding sources such as general fund? Jennifer is not sure if her board would approve of that in the AOI.

Jim Koens brought up other potential services a transit agency could provide such as bike racks, bike rentals/shares, bus shelter, snow clearing, and other things to add revenue. Sam Janson mentioned trollies. The authority can be a recipient and applicant for federal transportation grants and blend funding sources.

Bill Troe noted that an authority can access federal and state grants from agencies such as MDOT, FHWA, FTA, and HUD.

Anthony Chandler suggested that the wording be broad enough to allow the authority to access other funds, which may be good for transportation (such as the previously mentioned items) but funded from another source. Bill Troe asked if the group wants to call the potential new organization 'Transit' authority or a more general 'Transportation' Authority. Muskegon Area Mobility Authority (MAMA).

Joseph and others feel that keeping the name more open to other modes will be more attractive to residents.

Jennifer asked what happens if another municipality wants to join us later. SRF said that scenario/process will be included in the AOI.

3. Meeting with Ottawa County:

A project update meeting is being scheduled for early March. Tentative dates include March 7 and 8. The meeting will include a presentation from SRF for this group and representatives from Northern Ottawa County group with their turnover of political officers. A final date and calendar invite will be coming soon.

4. Referendum Messaging

Bill Troe asked if the group wanted to look at any other messaging that needs to be included with the survey such as forming an authority. Discussion ensued. Committee consensus was that it was not necessary at this stage. Once the survey is completed and the communities are looking to move forward with creating an authority, then we can look at adding that language. It was noted that the public will vote on the funding only, not whether to form the authority or not.

5. Wrap-up

SRF will email draft documents to the group before the next meeting, so the committee has time to review. The draft articles of incorporation will be sent by the end of next week, giving the group a week to review.

LeighAnn noted that she will have Deborah Santiago Sweet, the city's communication officer, develop some sample messaging for the survey and distribute to the group for their review and feedback.

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Governor Whitmer Proposes Fiscal Year 2024 Budget

Posted on February 9, 2023 by John LaMacchia

This week, Governor Gretchen Whitmer released her fifth executive budget recommendation The budget recommendation totals \$79 billion, and it includes a general fund total of \$14.8 billion and a School Aid Fund total of \$19 billion. It provides a significant amount of one-time funding while maintaining a structural balance in future years and does not utilize one-time funds for ongoing purposes.

The Governor's budget proposes a 10% increase (\$28M) in revenue sharing for cities, villages, and townships. It also creates a new public safety revenue sharing fund which will provide \$19.6 million dedicated specifically for public safety, including employee recruitment, retention, training, and equipment for first responders.

Additionally, significant investments are being proposed for infrastructure, housing, and community development. Highlights of the budget are outlined below.

Investing in Communities

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- 10% increase in statutory revenue sharing for cities, villages and townships (5% ongoing and 5% one-time). This results in a \$28 million increase, for a total allocation of \$307.5 million.
- \$36.6 million in new statutory revenue sharing (2% ongoing and 5% one-time) dedicated specifically for public safety, including employee recruitment, retention, training, and equipment for first responders.
 - \$19.6 million for cities, villages, and townships
 - \$17 million for counties
- \$18.2 million to provide in-service training to licensed law enforcement officers.
- \$10.8 million to establish the Office of Community Violence Intervention Services to partner with community-based organizations already working to reduce violent incidents.
- \$1.9 million to implement gun violence prevention policies.
- \$41.2 million for the Information Technology and Investment Fund for 10 projects to provide for the
 modernization of legacy information technology systems in areas such as environmental permitting
 and inspection, groundwater protection, occupational safety and health, and talent recruitment and
 retention.
 - In addition, funding is included to support the expansion of state collection services for local income taxes if additional communities elect to participate.

<u>Infrastructure</u>

Roads, Bridges, Transit, Electrification

- \$200 million investment supporting Michigan's Bridge Bundling program to replace or rehabilitate structurally deficient bridges across the state.
- \$65 million to expand electric vehicle charging infrastructure networks and access.
- \$45 million for the Michigan Clean Fleet Initiative to support local governments and businesses transitioning their vehicle fleet to electric vehicles and clean fuels.

Water

COMMUNICIES WITH IEAU COMMUNICION IN WATER.

 \$100 million to establish an environmental justice contaminated site clean-up fund to remediate and redevelop contaminated sites in historically disadvantaged and underrepresented communities.

Energy and Environment

- \$100 million for environmental justice projects) to remediate and redevelop contaminated sites and expand air pollution controls in historically disadvantaged and underrepresented communities.
- \$40 million for creating renewable ready communities to provide grants to local communities for the creation of renewable energy facilities at a regional scale.

Housing and Community Development

- \$212 million for residential energy efficiency improvements through federal funds via point-of-sale rebates for home appliances, water heaters and more.
- \$50 million for the Housing and Community Development Program to alleviate affordable housing needs across the state and revitalization downtown areas in Michigan.
- \$200 million for Regional Empowerment Grants to support the growth, development, and diversification of the state's regional and local economies.
- \$100 million for the Community Downtown Economic Development Program to provide competitive grants for community development and placemaking efforts in downtowns.
- \$50 million in funding for Revitalization and Placemaking Program grants used to rehabilitate vacant, underutilized, blighted and historic structures and develop place-based infrastructure to revitalize communities.
- \$135 million for the Michigan Main Street initiative to start, grow, and expand small and micro businesses.

This proposed budget builds on recent investments in communities and efforts to improve quality of life. We are excited about the opportunity to work with the administration and legislative leaders to find a budget



Protecting MI Pension Grant Program

Protecting MI Pension Grant Program

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Program Description

The Protecting MI Pension Program was created to help Michigan's underfunded municipal pension systems. Under the <u>Fiscal Year 2022-23 budget</u>, the Michigan Department of Treasury (Treasury) was appropriated \$750 million to establish and operate a local unit municipal pension principal payment grant program for qualified retirement systems with a funded ratio below 60%, as defined in the Protecting Local Government Retirement and Benefits Act, <u>Public Act 202 of 2017</u>.

Key to understanding the Protecting MI Pension: Michigan Local Pension Grant Program is the definition of "qualified retirement system", "qualified unit", and "contractual benefit enhancement".

(a) "Qualified retirement system" means a retirement pension benefit within a retirement system, as defined in section 3 of the protecting local government retirement and benefits act, 2017 PA 202, MCL 38.2803, of a qualified unit, with a funded

ratio below 60 based on the last report filed as required by section 5 of the protecting local government retirement and benefits act, <u>2017 PA 202, MCL 38.2805</u>, as of December 31, 2021.

- (b) "Qualified unit" means a city, county, township, village, or road commission that operates a qualified retirement system.
- (c) "Contractual benefit enhancement" means any change to the current benefit policy for active members in a qualified retirement system that increases the actuarially determined contribution rate or decreases the funded ratio of the system. This does not include wage and salary increases.

Grant Qualifications

Grant funds will be made to cities, villages, townships, counties, and road commissions with a qualified retirement system with a funded ratio less than 60% based on the last report filed as required by section 5 of the protecting local government retirement and benefits act, 2017 PA 202, MCL 38.2805, as of December 31, 2021. Local units of government that reported a funded ratio below 60% to Treasury as of December 31, 2021, can be found using the following link [LINK].

Grant Timeline

Treasury will implement the Protecting MI Pension Program like other special grant programs were previously administered. Below is an overview and timeline of a phased approach to implementation.

Description
Stand Up Website
Publish Qualified Local Governments and Unfunded Pension Amounts
Local Government Response Period
Pension Grant Webinar

April 15, 2023	Program Guidelines Due
April 17 th – June 15 th	Submission of Applications
June 15, 2023	Application Submission Deadline
June 15 th -July 30 th	Application Review Period
TBD	Pro-ration Calculation If Needed
August 1 st	Submit Final Amounts for Disbursements
August 30, 2023	Last Date to Disburse Funds
August 30, 2024	Audit of Payments to Retirement Systems

Forms and Applications

To file a claim, qualified units must submit the Protecting MI Pension Program Application and Affidavit to Treasury as soon as April 17, 2023, but no later than June 15, 2023. Qualified retirement systems will be notified of grant award amounts in August 2023, with payment disbursements no later than August 30, 2023.

Payment Distribution Process

Funds shall be disbursed to qualified retired systems by the Department of Treasury no later than August 30, 2023.

Reporting Requirements

The qualified unit shall be subject to corrective action plan monitoring by the Municipal Stability Board for 5 years following receipt of any grant award.

Guidance and Information

The Department of Treasury shall develop, and publish on the department website, program guidelines, an application process, and the associated application materials no later than April 15, 2023. The department of treasury must accept applications from qualified units beginning April 15, 2023, and ending on June 15, 2023.

Contact Information

For more information about this grant program, visit:

Website: www.michigan.gov/MIPensionGrant

Email: <u>Treasury-MIPensionGrant@michigan.gov</u>

Michigan Department of TREASURY

Protecting MI Pension Grant Program

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