



Internal Memo

May 8 2019

TO: Mayor and City Council

FROM: Mark C. Meyers, City Administrator *WCM*

SUBJECT: May 2019 Information Update

1. Renishaw Ground Breaking – A ground breaking ceremony for the new Renishaw 52,000 square foot manufacturing and engineering facility is scheduled for Tuesday, May 21st from 9 – 11 a.m. The event will take place at 5500 Grand Haven Road. Attached is a press release regarding the project.
2. Memorial Day Holiday – City Hall and non-emergency offices will be closed Monday, May 27, 2019 in observance of Memorial Day.
3. Older Driver Safety Fair – The Norton Shores Police Department is partnering with Mercy Health and Baker College to launch a new program regarding safe driving for older adults. The event will be held Thursday, May 30th from 10 a.m. – noon at Lake Harbor United Methodist Church, 4861 Henry Street. Attached is a flyer with more information.
4. City Planner Rob Bilkie's Retirement Party – Rob Bilkie's retirement will be celebrated on Friday, May 31st from 2 – 4 p.m. in the large conference room at City Hall. Please join staff, as well as, current and past board and commission members in celebrating his 32 years of service to the city.
5. County Drainage District Boundaries – Pursuant to Muskegon County Drain Commissioner Brenda Moore's presentation at the recent City Council meeting, attached is information related to the project of updating drainage district boundaries. The information includes public notices and maps illustrating drainage districts in Norton Shores.
6. Preemption of Bicycle Ordinance – Staff had recommended that City Council amend the Bicycle Ordinance related to the 5-foot safe passing zone to coordinate with the 3-foot passing zone recently adopted as State law. The item was removed from the April 16, 2019 agenda for further legal research. Attached is a letter from City Attorney Douglas Hughes citing case law that allows the City to maintain the 5-foot passing rule without conflicting with State law. Therefore, staff is no longer recommending an ordinance amendment.

7. MCD Surcharge Election Results – Attached are the results of the Muskegon Central Dispatch 911 Surcharge Election. The surcharge passed on a county-wide vote of 10,029 to 7,534. The next step toward upgrading to the 800 MHz radio system is approval of the surcharge increase from \$0.42 to \$2.75 by the Muskegon County Board of Commissioners.

/ss

Attachments



FOR IMMEDIATE RELEASE

April 29, 2019

Westwind and UK-Based Renishaw plc to Celebrate Groundbreaking of State-of-the-Art Facility in Norton Shores

NORTON SHORES, MI —A 52,000 square-foot manufacturing and engineering facility is scheduled to open in Norton Shores in early 2020. A collaboration between Grand Haven-based Westwind and UK-based Renishaw, a global engineering technologies company, is making this state-of-the-art facility a reality.

Renishaw Metrology Fixturing Solutions of Grand Haven, part of the Renishaw Group since 2012, will move into the completed facility. Located at the corner of Grand Haven Road and Devin Drive, the new facility will set the standard for local manufacturing as a highly energy-efficient, brightly lit, thoughtfully detailed workplace, full of the latest technology in indoor air management, power distribution, as well as a 150KW solar array as part of Renishaw’s global commitment to environmental responsibility. The facility will also feature staff dining, an outdoor patio area, and on-site water features to further enhance the working environment.

Renishaw will be expanding their team when they take up residence in the new facility, and the expansive facility allows room for the entire operation to double in the future, thus bringing more jobs to the Norton Shores area.

“We are very excited to showcase this exceptional project, born of collaboration between the teams at Renishaw, Bergmann, and Westwind, to produce such a high-functioning facility. The impact of our combined input has delivered an engineering and manufacturing space that is sure to set the standard,” said Mark Bonser, Senior Project Manager for Westwind.

A groundbreaking is planned for Tuesday, May 21 from 9-11am. The event will take place at 5500 Grand Haven Road in Norton Shores. The public is welcome to attend.

For more information, contact Mark Bonser, Westwind, at 616-607-2078 or mbonser@westwind.build.

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OLDER DRIVER SAFETY FAIR MAY 30 10 AM - 12 NOON

You hold the keys to your transportation future!

Join us to learn more about the impact aging has on driving. Participants will learn how to be proactive about safe driving skills and ensure their safety while driving.

Sponsored by:



LAKE HARBOR UMC

4861 HENRY ST.

CARFIT SAFETY
INSPECTIONS

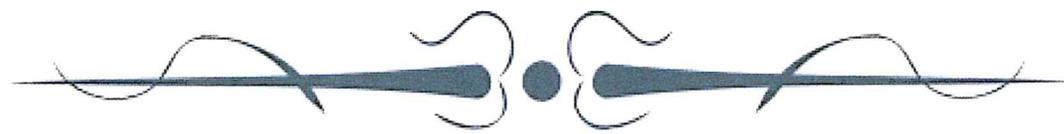
YELLOW DOT
REGISTRATIONS

SENIOR RESOURCES
AND PHARMACY

**APPOINTMENTS
PREFERRED**

Call 231.672.4910 to
schedule

In case of inclement
weather, event will be
moved to Norton Shores Fire
Dept, 1100 E. Pontaluna



PLEASE JOIN US FOR A

Retirement Party

_____ In Honor Of _____

Robert Bilkie

Friday, May 31st

2:00pm - 4:00pm

*Coffee and dessert will be served in the large
conference room.*

Have a retirement, Rob!!





MUSKEGON COUNTY
M I C H I G A N
OFFICE OF THE DRAIN COMMISSIONER



Brenda M. Moore
Drain Commissioner
moorebr@co.muskegon.mi.us

141 E. Apple Avenue
Muskegon, Michigan
49442-3404

231-724-6219
(Fax) 231-724-3480
www.co.muskegon.mi.us/492/Drain-Commissioner

Dear property owner,

You are receiving this legal notice because our office is correcting historic deficiencies for numerous drainage districts throughout the County. Because of a lack of proper maintenance activities over several decades (that would have required notice), you may not be aware that you reside in a drainage district.

Our efforts have included updating the boundaries of 130 county drainage districts using modern elevation (topographic) data. Drainage districts are watersheds, but when most districts were created over 100 years ago, a property owner often had all of his or her land included in the district, even if just a portion of the land's runoff flowed to the drain. As an example, we have seen an entire 40-acre parcel assessed on an assessment roll even though only a small piece of the parcel discharged to the drain. In other cases, properties were left out of the district that should have been included. This process allows us to update the boundary lines, so that the Drainage District accurately reflects the current watershed of the drain. In part, the Day of Review (DOR) is an opportunity to view the proposed district maps and ask questions of our office. Our office will be open for drop-in discussions from **9:00 a.m. to 5:00 p.m.; Wed. May 15, 2019**. In addition to the Deputy Drain Commissioner and myself, we will have our engineer and attorney available to answer questions. [See the back of this letter for a map to our office.](#)

The other side of the drainage district boundary issue is assessments. Since the inception of the state Drain Code in the early 1800s any work on a County drain is paid for by the property owners in the associated drainage district. Today, the county and local units of government also pay a portion of the assessment.

In terms of financing drain work, legally, each drainage district must be treated like an individual corporation, i.e., funds cannot be comingled amongst districts. Additionally, the drain accounts are *not* supposed to have negative amounts under the law but many did when I took office. That issue must be rectified, so we are also placing assessments on the drainage districts this Day of Review. The assessments will cover the costs to update district boundaries in addition to allowing for some modest maintenance funds in the account. Apportionment rolls will also be available for examination at Day of Review.

We hope you can visit during the Day of Review. If you are unable to attend, please feel free to call **(231) 683-1772**. Note: there is an appeal process for both the district boundary (Circuit Court) and the assessment (Probate Court). For additional information visit our website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>

Brenda M. Moore, Muskegon County Drain Commissioner

OFFICE OF THE MUSKEGON COUNTY DRAIN COMMISSIONER

**NOTICE OF DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES
AND DAY OF REVIEW OF APPORTIONMENTS**

DATE: May 15, 2019
TIME: 9:00 a.m. – 5:00 p.m.
LOCATION: Muskegon County Drain Commissioner’s Office
 141 East Apple Avenue
 Muskegon, Michigan 49442
QUESTIONS: (231) 683-1772

The Day of Review is an opportunity to review the Drainage District boundaries and the apportionment of benefit of the Drains listed below with the Drain Commissioner or a staff member. A map of the proposed Drainage District boundary revisions can be found on the Muskegon County website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>. The Drain Commissioner, engineers, and/or other staff members will be available to assist individuals throughout the day and make revisions where necessary. There is no need to schedule an appointment for a specific time on the Day of Review.

A general description of the lands by section number proposed to be added or deleted from the Drainage Districts, as recommended by a licensed professional engineer or surveyor for each of the Drains, is as follows:

Drain Name	Municipalities	Portions of Sections Added	Portions of Sections Removed	DOR - App.
Ackerburg Drain	Fruitland Township	26, 27, 34, 35	22, 23, 26, 27	YES
Anderson Drain	Ravenna Township	4, 5, 7, 8, 16, 18, 19	4, 5, 7, 9, 16, 18	YES
Artibey Drain	Sullivan Township	14	13, 14	YES
Bailey Drain	Casnovia Township	12	1, 2, 3, 11, 12	YES
Becker Drain	Cedar Creek Township	12, 13, 14	12, 13	YES
Clyde Thompson Drain	Ravenna Township	4, 8, 9, 16, 17	4, 5, 8, 9, 16, 17	YES
Dobe Drain	Holton Township	12, 14	12, 13, 14	YES
Dolph Drain	Sullivan Township	13, 14	12, 13, 14	YES
Eadie Drain	Sullivan Township	11, 12	11, 12	YES
	Moorland Township	32	32	
	Ravenna Township	4, 5, 6, 7	5, 6, 7, 8	
Ellis Drain	City of Norton Shores	21	16, 17, 20, 21	YES
Falbe Drain	City of Norton Shores	28, 29, 30, 31, 32	19, 20, 21, 28, 29, 30	YES
Fielder Drain	City of Norton Shores	-	7	YES
Four Mile Creek Drain	Muskegon Township	13, 14, 15, 16, 22, 23, 24	-	YES
	City of Muskegon	15, 20, 21, 22	17	
Fred Dow Drain	Dalton Township	17, 19, 20, 29, 32	17, 18, 19, 20, 29, 30, 31	YES
	Fruitland Township	25, 36	-	
	Laketon Township	1, 2	-	
Fruitland #1 Drain	Fruitland Township	1, 2, 12, 13, 23, 24	2, 12, 13, 14, 23, 24	YES

Henry Street #66 Drain	City of Norton Shores	7, 12	6, 7, 12	NO
	City of Roosevelt Park	1	1	
Henry Street #61 Drain	City of Muskegon	36 (T10N, R17W) 31 (T10N, R16W)	36 (T10N, R17W) 31 (T10N, R16W)	NO
Holland Drain	City of Muskegon	21, 22	-	YES
	Muskegon Township	22, 23, 24, 25, 26, 27, 28	26	
	Egelston Township	16, 17, 18, 19, 20, 21, 28, 29, 30	-	
Humphrey Drain	Casnovia Township	13, 14, 24	13, 24	YES
Knudsen Drain	Egelston Township	35	-	YES
	Sullivan Township	2, 3, 9, 10, 11, 15	2, 10, 11	
Martin Drain	Holton Township	14, 15, 16, 21, 22, 23, 27	14, 15, 21, 22, 23	YES
Orchard Grove Drain	City of Muskegon	36 (T10N, R17W) 31 (T10N, R16W)	36 (T10N, R17W)	YES
Orland Johnson Drain	City of Norton Shores	32, 33	32, 33	YES
Parent Drain	Cedar Creek Township	1, 2, 12	1, 12	YES
Pett Drain	City of Norton Shores	-	6 (T9N, R16W)	YES
	City of Roosevelt Park	-	1 (T9N, R17W)	
Peters Drain	Casnovia Township	26, 27	26, 27	YES
Ruddiman Creek Drain	City of Muskegon	28-33 (T10N, R16W), 36 (T10N, R17W)	36 (T10N, R17W)	NO
	City of Muskegon Heights	6 (T9N, R16W), 31-32 (T10N, R16W)	-	
	City of Norton Shores	6 (T9N, R16W)	-	
	City of Roosevelt Park	1 (T9N, R17W)	-	
Sieder Drain	City of Norton Shores	19, 20, 21, 23, 24, 25, 30	19, 23, 24, 25, 29, 30	YES
Staples Drain	Dalton Township	14	14	YES
Taylor Drain	Dalton Township	21, 22, 27, 28	21, 22, 27, 28	YES
Tidioute Drain	Moorland Township	34	33, 34	YES
	Ravenna Township	3, 10	3, 4, 9	
Turtle Drain	Casnovia Township	3, 10, 11, 12, 13, 14, 15, 24	2, 3, 10, 11	YES
Waalkens Drain	Laketon Township	14	15, 22	YES
Washburn Drain	Sullivan Township	24	-	YES
	Ravenna Township	18, 19	18, 19	

The computation of costs for the Drains listed above will also be available at the Day of Review. Drain assessments are collected in the same manner as property taxes and will appear on your winter tax bill. If drain assessments are being collected for more than one (1) year, you may pay the assessment in full with any interest to date at any time and avoid further interest charges.

Persons with disabilities needing accommodations for effective participation in the Day of Review should contact the Drain Commissioner's Office at the number noted above (voice) or through the Michigan Relay Center at 7-1-1 (TDD) at least 24 hours in advance of the Day of Review to request mobility, visual, hearing or other assistance.

You may appeal the Drain Commissioner's decision to revise the district boundary to the Muskegon County Circuit Court within ten (10) days. You also may appeal the Drain Commissioner's determination of apportionments to the Muskegon County Probate Court within ten (10) days.

Brenda M. Moore
Muskegon County Drain Commissioner



MUSKEGON COUNTY DRAIN COMMISSIONER
Brenda M. Moore
141 East Apple Avenue
Muskegon, Michigan 49442

ELLIS DRAIN

NOTICE OF DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES AND REVIEW OF APPORTIONMENTS

DATE: May 15, 2019
TIME: 9:00 a.m. – 5:00 p.m.
LOCATION: Muskegon County Drain Commissioner's Office
141 East Apple Avenue
Muskegon, Michigan 49442
QUESTIONS: (231) 683-1772

The Day of Review is an opportunity to review the Ellis Drain Drainage District boundaries and apportionment of benefit with the Drain Commissioner or a staff member. A map of the proposed Drainage District boundary revisions can be found on the reverse side of this notice and on the Drain Commissioner's website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>.

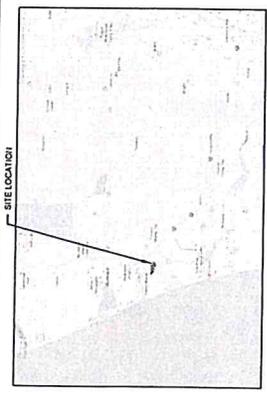
The Drain Commissioner, engineers and/or other staff members will be available to assist individuals throughout the day and make revisions where necessary. There is no need to schedule an appointment for a specific time on the Day of Review. The computation of costs for the Drain will also be available at the Day of Review. Drain assessments are collected in the same manner as property taxes and will appear on your winter tax bill. If drain assessments are being collected for more than one (1) year, you may pay the assessment in full with any interest to date at any time and avoid further interest charges.

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BRENDA M. MOORE
 MUSKEGON COUNTY DRAIN COMMISSIONER
 STEPHANIE BARRETT, DEPUTY DRAIN COMMISSIONER
ELLIS DRAIN DRAINAGE DISTRICT
 PART OF SECTIONS 16, 20 & 21 OF CITY OF NORTON SHORES, T9N, R16W
 MUSKEGON COUNTY, MICHIGAN



NO.	REVISIONS	DATE

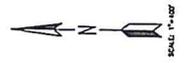
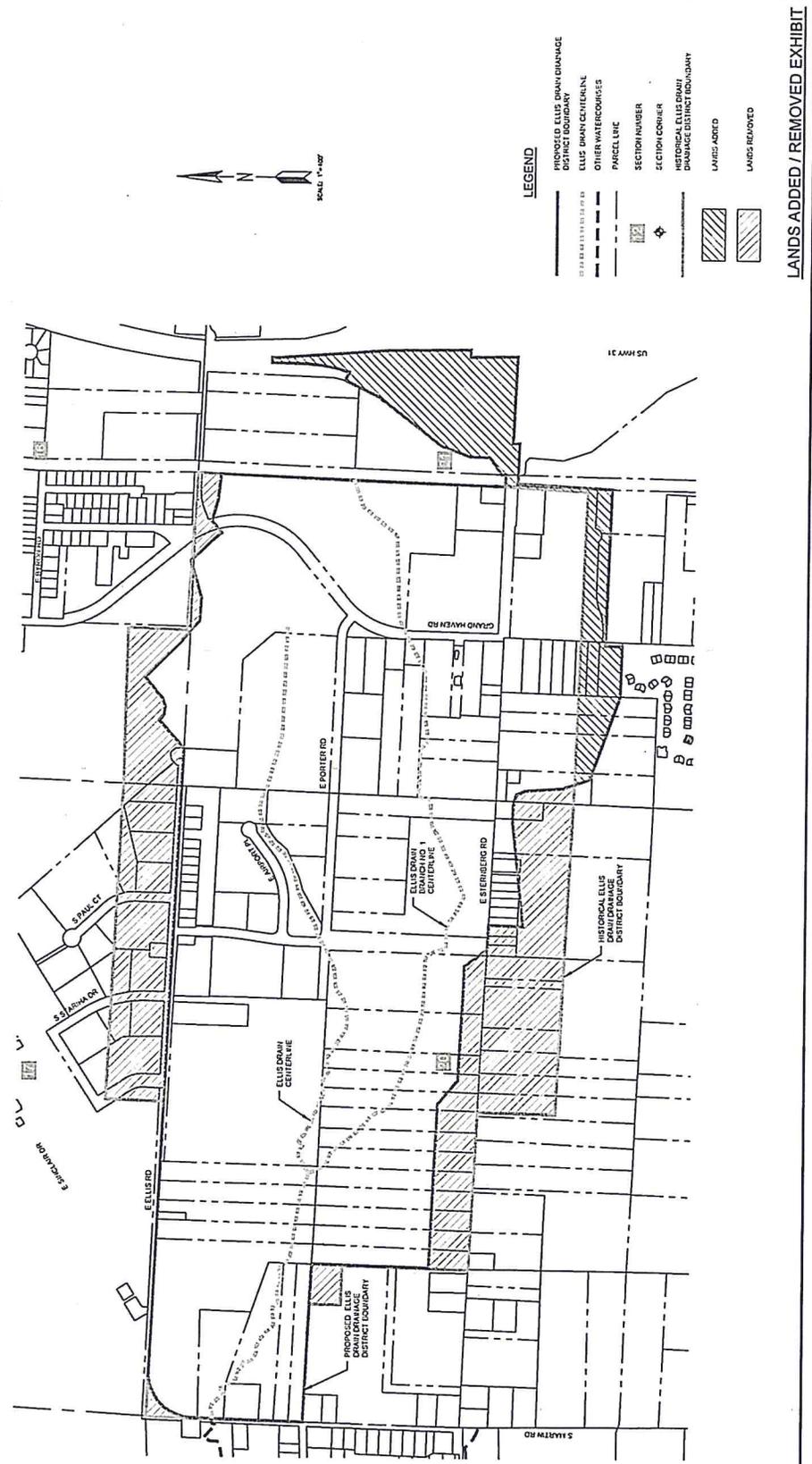
4535 Grand Oaks Drive, Suite A109
 Lansing, MI 48911
 Phone: 517.497.1100
 Fax: 517.497.1100
 Grand Haven, MI 49417
 616.743.7070
 e: info@eng.com

Eng.

Engineering & Surveying
 PART OF SECTIONS 16, 20 & 21 OF CITY OF NORTON SHORES, T9N, R16W
 MUSKEGON COUNTY, MICHIGAN

BRENDA M. MOORE
 MUSKEGON COUNTY DRAIN COMMISSIONER
 STEPHANIE BARRETT, DEPUTY DRAIN COMMISSIONER
ELLIS DRAIN DRAINAGE DISTRICT

PROJECT NO. **18014**
 SHEET NO. **1** of **1**



- LEGEND**
- PROPOSED ELLIS DRAIN DRAINAGE DISTRICT BOUNDARY
 - - - - - HISTORICAL ELLIS DRAIN DRAINAGE DISTRICT BOUNDARY
 - ELLIS DRAIN CENTERLINE
 - - - - - OTHER WATERCOURSES
 - PARCEL LINE
 - SECTION NUMBER
 - SECTION CORNER
 - HISTORICAL ELLIS DRAIN DRAINAGE DISTRICT BOUNDARY
 - ▨ LANDS ADDED
 - ▩ LANDS REMOVED

LANDS ADDED / REMOVED EXHIBIT



MUSKEGON COUNTY DRAIN COMMISSIONER
Brenda M. Moore
141 East Apple Avenue
Muskegon, Michigan 49442

FALBE DRAIN

NOTICE OF DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES AND REVIEW OF APPORTIONMENTS

DATE: May 15, 2019
TIME: 9:00 a.m. – 5:00 p.m.
LOCATION: Muskegon County Drain Commissioner's Office
141 East Apple Avenue
Muskegon, Michigan 49442
QUESTIONS: (231) 683-1772

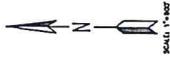
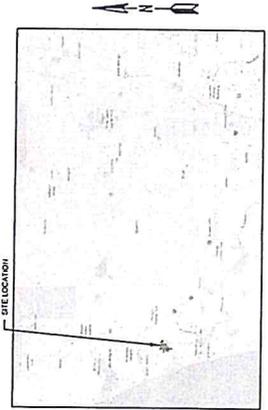
The Day of Review is an opportunity to review the Falbe Drain Drainage District boundaries and apportionment of benefit with the Drain Commissioner or a staff member. A map of the proposed Drainage District boundary revisions can be found on the reverse side of this notice and on the Drain Commissioner's website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>.

The Drain Commissioner, engineers and/or other staff members will be available to assist individuals throughout the day and make revisions where necessary. There is no need to schedule an appointment for a specific time on the Day of Review. The computation of costs for the Drain will also be available at the Day of Review. Drain assessments are collected in the same manner as property taxes and will appear on your winter tax bill. If drain assessments are being collected for more than one (1) year, you may pay the assessment in full with any interest to date at any time and avoid further interest charges.

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You may appeal the Drain Commissioner's decision to revise the district boundary to the Muskegon County Circuit Court within ten (10) days, and you may also appeal the determination of apportionments to the Muskegon County Probate Court within ten (10) days.

BRENDA M. MOORE
 MUSKEGON COUNTY DRAIN COMMISSIONER
 STEPHANIE BARRETT, DEPUTY DRAIN COMMISSIONER
FALBE DRAIN DRAINAGE DISTRICT
 PART OF SECTIONS 28, 29, 30, 31 & 32 OF CITY OF NORTON SHORES, T9N, R16W,
 MUSKEGON COUNTY, MICHIGAN



- LEGEND**
- PROPOSED FALSE DRAIN DRAINAGE DISTRICT BOUNDARY
 - FALBE DRAIN CENTERLINE
 - OTHER COUNTY DRAINS
 - OTHER WATERCOURSES
 - PARCEL LINE
 - SECTION NUMBER
 - SECTION CORNER
 - HISTORICAL FIELDS DRAIN DRAINAGE DISTRICT BOUNDARY
 - LANDS ADDED
 - LANDS REMOVED

LANDS ADDED / REMOVED EXHIBIT

NO.	REVISIONS	DATE

453 Grand Oaks Drive, Suite 103
 Lansing, MI 48911
 Phone: 517.497.1100
 Fax: 517.497.1102
 15333 Revere Road, Suite 125
 Grand Haven, MI 49424
 Phone: 616.741.2070
 Fax: 616.741.2071
 e-post@com



BRENDA M. MOORE
 MUSKEGON COUNTY DRAIN COMMISSIONER
 STEPHANIE BARRETT, DEPUTY DRAIN COMMISSIONER
FALBE DRAIN DRAINAGE DISTRICT
 PART OF SECTIONS 28, 29, 30, 31 & 32 OF CITY OF NORTON SHORES, T9N, R16W,
 MUSKEGON COUNTY, MICHIGAN

PROJECT NO.
18014

SHEET NO.
1 of 1



MUSKEGON COUNTY DRAIN COMMISSIONER
Brenda M. Moore
141 East Apple Avenue
Muskegon, Michigan 49442

FIELDER DRAIN

NOTICE OF DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES AND REVIEW OF APPORTIONMENTS

DATE: May 15, 2019
TIME: 9:00 a.m. – 5:00 p.m.
LOCATION: Muskegon County Drain Commissioner's Office
141 East Apple Avenue
Muskegon, Michigan 49442
QUESTIONS: (231) 683-1772

The Day of Review is an opportunity to review the Fielder Drain Drainage District boundaries and apportionment of benefit with the Drain Commissioner or a staff member. A map of the proposed Drainage District boundary revisions can be found on the reverse side of this notice and on the Drain Commissioner's website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>.

The Drain Commissioner, engineers and/or other staff members will be available to assist individuals throughout the day and make revisions where necessary. There is no need to schedule an appointment for a specific time on the Day of Review. The computation of costs for the Drain will also be available at the Day of Review. Drain assessments are collected in the same manner as property taxes and will appear on your winter tax bill. If drain assessments are being collected for more than one (1) year, you may pay the assessment in full with any interest to date at any time and avoid further interest charges.

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You may appeal the Drain Commissioner's decision to revise the district boundary to the Muskegon County Circuit Court within ten (10) days, and you may also appeal the determination of apportionments to the Muskegon County Probate Court within ten (10) days.



MUSKEGON COUNTY DRAIN COMMISSIONER
Brenda M. Moore
141 East Apple Avenue
Muskegon, Michigan 49442

ORLAND JOHNSON DRAIN

NOTICE OF DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES AND REVIEW OF APPORTIONMENTS

DATE: May 15, 2019
TIME: 9:00 a.m. – 5:00 p.m.
LOCATION: Muskegon County Drain Commissioner's Office
141 East Apple Avenue
Muskegon, Michigan 49442
QUESTIONS: (231) 683-1772

The Day of Review is an opportunity to review the Orland Johnson Drain Drainage District boundaries and apportionment of benefit with the Drain Commissioner or a staff member. A map of the proposed Drainage District boundary revisions can be found on the reverse side of this notice and on the Drain Commissioner's website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>.

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MUSKEGON COUNTY DRAIN COMMISSIONER
Brenda M. Moore
141 East Apple Avenue
Muskegon, Michigan 49442

SIEDER DRAIN

NOTICE OF DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES AND REVIEW OF APPORTIONMENTS

DATE: May 15, 2019
TIME: 9:00 a.m. – 5:00 p.m.
LOCATION: Muskegon County Drain Commissioner's Office
141 East Apple Avenue
Muskegon, Michigan 49442
QUESTIONS: (231) 683-1772

The Day of Review is an opportunity to review the Sieder Drain Drainage District boundaries and apportionment of benefit with the Drain Commissioner or a staff member. A map of the proposed Drainage District boundary revisions can be found on the reverse side of this notice and on the Drain Commissioner's website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>.

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MUSKEGON COUNTY DRAIN COMMISSIONER
Brenda M. Moore
141 East Apple Avenue
Muskegon, Michigan 49442

PETT DRAIN

**NOTICE OF DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES
AND REVIEW OF APPORTIONMENTS**

DATE: May 15, 2019
TIME: 9:00 a.m. – 5:00 p.m.
LOCATION: Muskegon County Drain Commissioner's Office
141 East Apple Avenue
Muskegon, Michigan 49442
QUESTIONS: (231) 683-1772

The Day of Review is an opportunity to review the Pett Drain Drainage District boundaries and apportionment of benefit with the Drain Commissioner or a staff member. A map of the proposed Drainage District boundary revisions can be found on the reverse side of this notice and on the Drain Commissioner's website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>.

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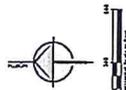
PETT DRAIN DRAINAGE DISTRICT

SECTION 1, T09N R17W
SECTION 6, T09N R16W
CITIES OF MUSKEGON, ROOSEVELT PARK &
NORTON SHORES
MUSKEGON COUNTY, MICHIGAN



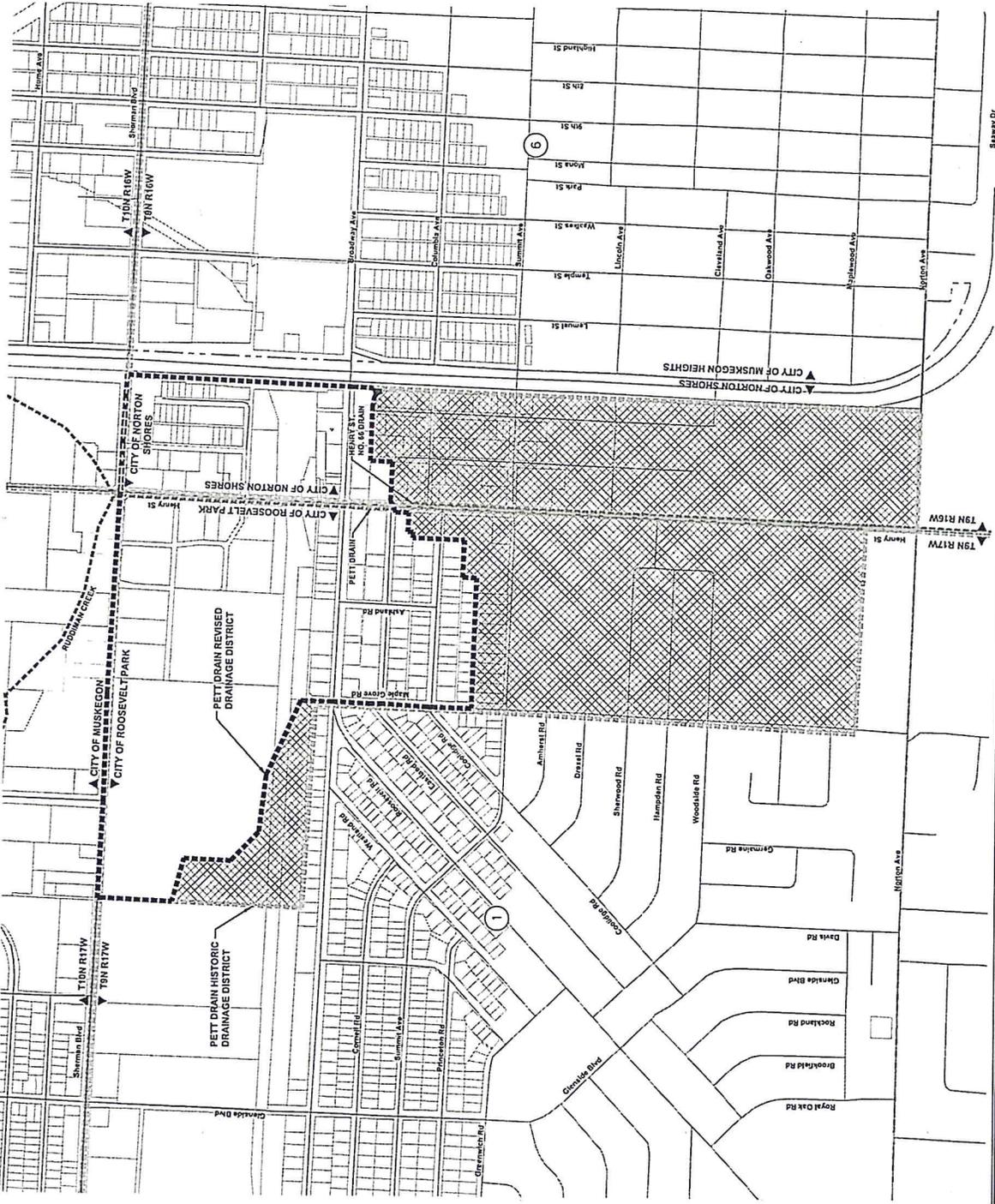
DRAIN INFORMATION:
HISTORIC DISTRICT: 289.69 ACRES
REVISED DISTRICT: 130.60 ACRES
LANDS ADDED: 0.28 ACRES
LANDS REMOVED: 159.35 ACRES
DRAIN LENGTH:
PETT DRAIN 0.84 MILES

- LEGEND**
- LANDS REMOVED
 - LANDS ADDED
 - OPEN ADJACENT
 - HISTORIC DRAINAGE DISTRICT BOUNDARY
 - REVISED DRAINAGE DISTRICT BOUNDARY
 - PARCEL LINES
 - CITY LIMITS
 - SECTION LINES
 - COUNTY LINE
 - TOWNSHIP LINE
 - SECTION NUMBER



LANDS ADDED/REMOVED MAP

LRE
 LAND REFORM ENGINEERING & SURVEYING
 2024 P.L. 2024-001
 2024 P.L. 2024-001
 2024 P.L. 2024-001
 2024 P.L. 2024-001





MUSKEGON COUNTY DRAIN COMMISSIONER
Brenda M. Moore
141 East Apple Avenue
Muskegon, Michigan 49442

HENRY STREET #66 DRAIN

NOTICE OF DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES

DATE: May 15, 2019
TIME: 9:00 a.m. – 5:00 p.m.
LOCATION: Muskegon County Drain Commissioner's Office
141 East Apple Avenue
Muskegon, Michigan 49442
QUESTIONS: (231) 683-1772

The Day of Review is an opportunity to review the Henry Street #66 Drain Drainage District boundaries with the Drain Commissioner or a staff member. A map of the proposed Drainage District boundary revisions can be found on the reverse side of this notice and on the Drain Commissioner's website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>.

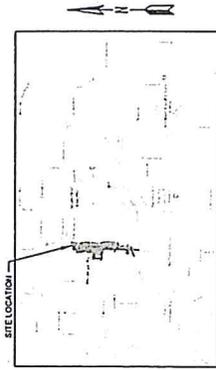
The Drain Commissioner, engineers and/or other staff members will be available to assist individuals throughout the day and make revisions where necessary. There is no need to schedule an appointment for a specific time on the Day of Review.

Persons with disabilities needing accommodations for effective participation in the Day of Review should contact the Drain Commissioner's Office at the number noted above (voice) or through the Michigan Relay Center at 7-1-1 (TDD) at least 24 hours in advance of the Day of Review to request mobility, visual, hearing or other assistance.

You may appeal the Drain Commissioner's decision to revise the district boundary to the Muskegon County Circuit Court within ten (10) days.

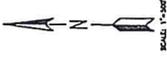


BRENDA M. MOORE
 MUSKEGON COUNTY DRAIN COMMISSIONER
 STEPHANIE BARRETT, DEPUTY DRAIN COMMISSIONER
HENRY ST #66 DRAIN DRAINAGE DISTRICT
 PART OF SECTION 1 OF CITY OF ROOSEVELT PARK, T9N, R17W AND SECTIONS 6, 7 & 12 OF CITY
 OF NORTON SHORES, T9N, R16W, MUSKEGON COUNTY, MICHIGAN



LEGEND

- PROPOSED HENRY DRAIN DRAINAGE DISTRICT BOUNDARY
- HENRY DRAIN CENTERLINE
- OTHER COUNTY DRAINS
- MUNICIPAL BOUNDARIES
- OTHER WATERCOURSES
- PARCEL LINE
- SECTION LINE OR QUARTER SECTION LINE
- SECTION NUMBER
- SECTION CORNER
- HISTORICAL HENRY DRAIN DRAINAGE DISTRICT BOUNDARY
- LANDS ADDED
- LANDS REMOVED



REVISIONS NO. BY DATE	NO. BY DATE	REVISIONS NO. BY DATE	NO. BY DATE	REVISIONS NO. BY DATE	NO. BY DATE
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MUSKEGON COUNTY DRAIN COMMISSIONER
BRENDA M. MOORE
STEPHANIE BARRETT, DEPUTY DRAIN COMMISSIONER
HENRY ST #66 DRAIN DRAINAGE DISTRICT
 PART OF SECTION 1 OF CITY OF ROOSEVELT PARK, T9N, R17W AND SECTIONS 6, 7 & 12 OF CITY OF NORTON SHORES, T9N, R16W, MUSKEGON COUNTY, MICHIGAN

PROJECT NO. 18014
SHEET NO. 1 OF 1

LANDS ADDED / REMOVED EXHIBIT

Eng
 Engineering & Surveying
 10230 Robbins Road Suite 105
 Grand Haven, MI 49424
 616.424.2010
 info@eng.com



MUSKEGON COUNTY DRAIN COMMISSIONER
Brenda M. Moore
141 East Apple Avenue
Muskegon, Michigan 49442

RUDDIMAN CREEK DRAIN

NOTICE OF DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES

DATE: May 15, 2019
TIME: 9:00 a.m. – 5:00 p.m.
LOCATION: Muskegon County Drain Commissioner's Office
141 East Apple Avenue
Muskegon, Michigan 49442
QUESTIONS: (231) 683-1772

The Day of Review is an opportunity to review the Ruddiman Creek Drain Drainage District boundaries with the Drain Commissioner or a staff member. A map of the proposed Drainage District boundary revisions can be found on the reverse side of this notice and on the Drain Commissioner's website at: <https://www.co.muskegon.mi.us/492/Drain-Commissioner>.

The Drain Commissioner, engineers and/or other staff members will be available to assist individuals throughout the day and make revisions where necessary. There is no need to schedule an appointment for a specific time on the Day of Review.

Persons with disabilities needing accommodations for effective participation in the Day of Review should contact the Drain Commissioner's Office at the number noted above (voice) or through the Michigan Relay Center at 7-1-1 (TDD) at least 24 hours in advance of the Day of Review to request mobility, visual, hearing or other assistance.

You may appeal the Drain Commissioner's decision to revise the district boundary to the Muskegon County Circuit Court within ten (10) days.

WILLIAMS | HUGHES PLLC ATTORNEYS

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FRED C. CULVER, JR.
MICHAEL I. KLEAVELAND
MARK J. ANDERSON
DAVID B. MERWIN

**Retired Probate Judge*

April 25, 2019

Sent Via E-Mail

Mr. Mark Meyers, Administrator
City of Norton Shores
City Hall
4814 Henry Street
Muskegon, MI 49441

Re: Preemption of Bicycle Ordinance

Dear Mr. Meyers:

We were asked to research whether the Norton Shores Bicycle Ordinance, requiring a passing “cushion” of five (5) feet for automobiles when passing bicycles on the road, is preempted by the state statute, which requires three (3) feet of passing room for automobiles passing bicycles, MCL 257.636.

A municipality cannot enact an ordinance if the ordinance conflicts with the state statutory scheme, or if the ordinance occupies the field of regulation which the municipality seeks to enter. The Supreme Court of Michigan has prescribed guidelines for determining whether the state has preempted a field of regulation a municipality seeks to enter. Those factors are: (1) where the state law expressly provides that the states authority to regulate the area is exclusive; (2) legislative history suggests preemption of the field may be implied; (3) the pervasiveness of the state’s regulatory scheme infers preemption; (4) the regulated subject matter demands exclusive state regulation to achieve uniformity. *People v Llewellyn*, 401 Mich 314; 257 NW2d 902 (1977).

Further the Court has stated more recently:

The fact that an ordinance enlarges upon the provisions of a statute by requiring more than the statute requires creates no conflict therewith unless the statute limits the requirement for all cases to its own prescription. Thus, where both an



Mr. Mark Meyers
April 25, 2019
Page 2

ordinance and a statute are prohibitory, and the only difference between them is that the ordinance goes further in its prohibition but not counter to the prohibition under the statute, and the municipality does not attempt to authorize by the ordinance what the legislature has forbidden or forbid what the legislature has expressly licensed, authorized or required, there is nothing contradictory between the provisions of the statute and the ordinance because of which they cannot coexist and be effective.

Qualls v Detroit, ___NW2d___; 1991 Mich. App. LEXIS 289, at *15 (Ct App, Mar. 6, 1991).

The state law in this case does not expressly provide that the state's authority to regulate this area is exclusive. The legislative history does not suggest that preemption is implied. The regulatory scheme does not infer preemption, and the regulated matter does not demand state exclusive regulation to achieve uniformity.

Norton Shores seeks only to regulate the passing of bicycles by automobiles, by giving bicyclists an additional two (2) feet of passing room. Thus, this ordinance is requiring more of Norton Shores residents than the state law requires, fitting the Norton Shores Ordinance squarely into the *Qualls* exception noted above. Therefore, there is no preemption and the Norton Shores Ordinance is valid.

If you have any questions, please contact me.

Sincerely,



Douglas M. Hughes for
Williams Hughes, PLLC
Direct Dial: (231) 727-2119
E-Mail: doughughes@williamshugheslaw.com

DMH/mg

cc: Chief Jon Gale

City of Norton Shores Special Election May 7, 2019	Pct. 1	Pct. 2	Pct. 3	Pct. 4	Pct. 5	Pct. 6	Pct. 7	Pct. 8	Pct. 9	Pct. 10	Total
County Proposal											
MCD 911 Surcharge Increase											
Yes	55	166	173	185	256	217	272	264	205	271	1352
No	48	114	116	78	161	125	171	165	137	139	1254
Grand Haven Area Public Schools Operating Millage Renewal Proposal											
Yes				140							140
No				120							120
Total Voting	103	280	290	265	418	342	446	431	343	412	3,330
Total Registered	1779	1866	1797	1963	1906	1624	2039	2054	2296	2185	19,509
Percent Voting	5.79%	15.01%	16.14%	13.50%	21.93%	21.06%	21.87%	20.98%	14.94%	18.86%	17.07%