

CITY OF MUSKEGON

CITY COMMISSION MEETING

NOVEMBER 27, 2018 @ 5:30 P.M.

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

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, November 27, 2018. Pastor Tim Cross, Living Word Church, opened the meeting with prayer, after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen J. Gawron, Commissioners Ken Johnson, Byron Turnquist, Debra Warren (arrived at 5:40 p.m.), Willie German, Jr., and Dan Rinsema-Sybenga, Acting City Manager Beth Lewis, City Attorney John Schrier, and City Clerk Ann Meisch.

Absent: Vice Mayor Eric Hood

2018-83 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve minutes of the November 13, 2018 Regular Meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

F. Approval of Sale: City-Owned Home at 1350 Eastwood Community & Neighborhood Services

SUMMARY OF REQUEST: To approve the resolution and instruct the Community and Neighborhood Services department to complete the sales transaction with Maletta Brown for the rehabilitated home at 1350 Eastwood Drive for a purchase price of \$137,000.

FINANCIAL IMPACT: The proceeds from the sale will be used to continue the

rehabilitation of affordable homes through the HOME program and provide funding for our Homebuyer's Assistance Program.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution and direct the CNS staff to complete the sale.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to approve the consent agenda as presented, except item B, C, D, E, and G.

**ROLL VOTE: Ayes: German, Rinsema-Sybenga, Turnquist, Johnson, and Gawron
Nays: None**

MOTION PASSES

2018-84 ITEMS REMOVED FROM CONSENT AGENDA:

B. 2018-2019 Muskegon High School Community Officer Agreement Public Safety

SUMMARY OF REQUEST: To approve the 2018-2019 Muskegon High School Community Officer Agreement. This agreement provides Muskegon High School with a Community Officer during the nine months school is in session.

FINANCIAL IMPACT: Muskegon Public Schools agrees to pay the city of Muskegon \$2,533.53 each month, from September 2018 through May 2019, totaling \$22,801.77.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve the 2018-2019 Muskegon High School Community Officer Agreement.

Motion by Commissioner German, second by Commissioner Johnson, to approve the 2018-2019 Muskegon High School Community Officer Agreement.

ROLL VOTE: Ayes: Warren, German, Rinsema-Sybenga, Turnquist, Johnson, and Gawron

Nays: None

MOTION PASSES

C. Rezoning Several Properties Planning & Economic Development
SECOND READING

SUMMARY OF REQUEST: Staff initiated request to rezone 372, 380, 388, 394, 398, 406, and 414 Houston Avenue; and 1148 6th Street from R-3, High-Density Single-Family Residential to Form Based Code, Urban Residential to allow for more housing options.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval of the rezonings.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the rezonings (plus the rezonings of 1246, 1252 and 1258 5th Street) by a 7-1 vote, with one member absent at the October 4 Special Planning Commission meeting. Staff has recently recommended to remove 1246, 1242, and 1258 5th Street from the request due to comments from the public.

Motion by Commissioner German, second by Commissioner Johnson, to approve the rezonings.

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Turnquist, Johnson, Gawron, and Warren

Nays: None

MOTION PASSES

D. Livability Magazine City Manager

SUMMARY OF REQUEST: Muskegon Lakeshore Chamber is producing the first in an annual series of magazines focused on attracting residents to the Muskegon Area. The Downtown organizations are looking to have a large presence in the magazine by purchasing a three-page fold-out of the rear cover. City staff asked to partner with the Downtown agencies in an effort to expand that marketing into the rest of the city. The city will be reimbursed for 2/3 of the \$17,115.00 cost. The joint advertisement will now focus on livability from the Lakeshore to the Downtown, and will also include living options in the City's central and eastern neighborhoods.

FINANCIAL IMPACT: \$17,115.00

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the advertising agreement with Journal Communications in the amount of \$17,115.00, and authorize the City Manager to sign.

Motion by Commissioner Johnson, second by Commissioner German, to approve the advertising agreement with Journal Communications in the amount of \$17,155.00, and authorize the City Manager to sign.

ROLL VOTE: Ayes: Rinsema-Sybenga, Turnquist, Johnson, Gawron, Warren, and German

Nays: None

MOTION PASSES

E. Muskegon Convention Center – Owners Representative Agreement City Manager

SUMMARY OF REQUEST: City and County staff are recommending that the City of Muskegon formally engage Construction Simplified to act as the owner's representative on the Convention Center Project. As the owner's representative, Construction Simplified will assist through each phase of the project – including design, pre-construction, construction, and a warranty period.

FINANCIAL IMPACT: \$206,858

BUDGET ACTION REQUIRED: None at this time

STAFF RECOMMENDATION: To approve the agreement with Construction Simplified and authorize the City Manager to sign.

Motion by Commissioner German, second by Commissioner Johnson, to approve the agreement with Construction Simplified and authorize the City Manager to sign.

ROLL VOTE: Ayes: Turnquist, Johnson, Gawron, Warren, German, and Rinsema-Sybenga

Nays: None

MOTION PASSES

G. COAM (Command Officers Association of Michigan) 2019 Renewal City Manager

SUMMARY OF REQUEST: Staff has come to terms on a new 4-year contract with the Police Command Division. The agreement will take effect January 1, 2019. The contract contains similar wage adjustments and benefit changes previously negotiated with other bargaining units. The major long-term change to the benefit structure is the implementation of a frozen FAC multiplier bridge in the pension program.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None at this time

STAFF RECOMMENDATION: To approve the tentative agreement as presented and authorize the Mayor and Clerk to sign the new contract with COAM.

Motion by Commissioner Johnson, second by Commissioner Warren, to approve the agreement as presented and authorize the Mayor and Clerk to sign the new contract with COAM – Command Officers Association of Michigan.

ROLL VOTE: Ayes: Johnson, Gawron, Warren, German, Rinsema-Sybenga, and Turnquist

Nays: None

MOTION PASSES

2018-85 UNFINISHED BUSINESS:

A. Parking Restrictions December 1 – March 1 Public Safety

SUMMARY OF REQUEST: The Director of Public Safety requests that the Commission approve the changes for Chapter 92, LO7 and LO9 of the ordinance regarding the seasonal parking plan, December 1st, through March 1st.

1. (LO7) Along or on any unpaved parkway, except where the same is used for a driveway to enter private or public property.
2. (LO9) From December 1 through March 1 of each year and during any declared snow emergency, where parking is currently allowed on both sides of the street, on street parking is modified as follows:
 - a. Parking is allowed on the side of the street with even numbered addresses on even numbered calendar days between the hours of 7:00 a.m. and 5:00 p.m.
 - b. Parking is allowed on the side of the street with odd numbered addresses on odd numbered calendar days between the hours of 7:00 a.m. and 5:00 p.m.
 - c. Parking is allowed on both sides of the street all days between the hours of 5:00 p.m. and 7:00 a.m.

Where parking is currently allowed on one side of the street only, parking is allowed except between the hours of 2:00 a.m. and 6:00 a.m.

In the downtown business area bordered by Shoreline Drive, Spring Street, Apple Avenue and Seventh Street, parking is allowed except between the hours of 2:00 a.m. and 6:00 a.m.

All signed parking restrictions apply all days of the week.

This section applies to every portion of every block of every city street.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval of the Parking Restrictions changes to the Code of Ordinances.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Turnquist, to approve the Parking Restrictions changes to the Code of Ordinances.

AMENDMENT: Motion by Commissioner Rinsema-Sybenga, second by Commissioner Turnquist to amend the motion to:

- 1. include allowing terrace parking on streets that allow parking on only one side of the street**
- 2. include Midtown (Third Street from Merrill to Muskegon) in the downtown business area**

3. Muskegon Avenue & Seventh Street to Shoreline Drive to Spring Street to Apple Avenue to First Street, to Muskegon Avenue & Seventh Street

ROLL VOTE: Ayes: Warren, German, Rinsema-Sybenga, Turnquist, Johnson, and Gawron

Nays: None

MOTION PASSES

ORIGINAL MOTION - ROLL VOTE: Ayes: Gawron, Warren, German, Rinsema-Sybenga, Turnquist, and Johnson

Nays: None

MOTION PASSES

2018-86 NEW BUSINESS:

A. Concurrence with the Housing Board of Appeals Notice and Order to Demolish Public Safety

561 Catherine Avenue (garage only)

1874 Manz Street

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structures are unsafe, substandard, a public nuisance and that they be demolished within thirty (30) days or infraction tickets may be issued. It is further requested that administration be directed to obtain bids for the demolition of the structures and that the Mayor and City Clerk be authorized and directed to execute contracts for demolition with the lowest responsible bidder or staff may issue infraction tickets to the owner, agent or responsible party if they do not demolish the structure.

FINANCIAL IMPACT: General Funds for 561 Catherine (garage only)

None for 1874 Manz Street

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To concur with the Housing Board of Appeals decision to demolish.

Motion by Commissioner Turnquist, second by Commissioner Johnson, to concur with the Housing Board of Appeals decision to demolish.

ROLL VOTE: Ayes: Warren, German, Rinsema-Sybenga, Turnquist, Johnson, and Gawron

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission meeting adjourned at 7:25 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC – City Clerk