City of Muskegon

City Commission Meeting

Minutes

November 14, 2023, 5:30 pm
Muskegon City Hall
933 Terrace Street, Muskegon, MI 49440

Present:	Mayor Ken Johnson Commissioner Rachel Gorman Commissioner Rebecca St.Clair Commissioner Eric Hood (arrived at 7:15 p.m.) Vice Mayor Willie German, Jr. Commissioner Michael Ramsey Commissioner Teresa Emory
Staff Present:	City Manager Jonathan Seyferth City Clerk Ann Meisch City Attorney John Schrier Deputy City Clerk Kimberly Young

1. Call To Order

Mayor Johnson called the City Commission meeting to order at 5:35 p.m.

2. Prayer

Pastor James O'Brien from Anchor Point Bible Church opened the meeting with prayer.

3. Pledge of Allegiance

The Pledge of Allegiance to the Flag was recited by the Commission and the public.

4. Roll Call

As recorded above

5. Honors, Awards, and Presentations

5.a <u>Introduce New Staff - Finance Clerk</u>

Ken Grant, Finance Director, introduced his new staff person, Laurie Stephens. Laurie came to us from Muskegon County, started a couple weeks ago and is doing well.

5.b **Introduce New Staff - Development Analyst**

Jake Eckholm, Development Services, introduced Jocelyn Hines, Development Analyst. Jocelyn came to us from the Community Foundation.

5.c **Employee Service Awards**

Mayor Johnson and Commissioners congratulated and thanked city employees for various years of distinguished, loyal service - ranging from 5-35 years. Certificates of Appreciation were presented to those in attendance.

6. Public Comment on Agenda Items

Public comments were received.

7. Consent Agenda

Action No. 2023-117

Motion by: Commissioner Ramsey
Second by: Commissioner Gorman

To accept the consent agenda as presented, minus item 7.b, 7.c, 7.i, 7.j, and 7.k

Ayes: (6): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

Absent (1): Commissioner Hood

MOTION PASSES (6 to 0)

7.a **Approval of Minutes - City Clerk**

To approve the minutes of the October 24, 2023 Regular Meeting.

STAFF RECOMMENDATION: To approve the minutes.

7.d **Gaming Resolution - Friends of Hackley Public Library - City Clerk**

Friends of Hackley Public Library is requesting Recognition as a non-profit in the City of Muskegon for the purpose of obtaining a charitable gaming license.

STAFF RECOMMENDATION: To approve the request from Friends of Hackley Public Library to be recognized as a non-profit in the City of Muskegon for the purpose of obtaining a charitable gaming license.

7.e **<u>Sale of 1141 Jefferson Street - Manager's Office</u>**

Staff is seeking approval of the sale of 1141 Jefferson Street. In late 2020, the commission approved an agreement with Community EnCompass to construct affordable homes. The goals of the agreement were to further our economic equity efforts and create diversity of housing price points as we build housing infill. The agreement has been amended over time, and the project is now part of our ARPA infill housing initiative and our scattered site brownfield. We have received a purchase agreement for the second home located at 1141 Jefferson Street. The offer is for $180,000 with 3% toward seller concessions. The home was listed for $199,900 and had been on the market for 88 days before an offer was received. The Community EnCompass board accepts the offer as reasonable given sale prices for other infill homes in the area.

STAFF RECOMMENDATION: To approve the purchase agreement for 1141 Jefferson Street.

7.f **<u>Sale of 169 McLaughlin Avenue - Manager's Office</u>**

Staff is seeking approval of the sale of 169 McLaughlin Avenue. 169 McLaughlin Avenue was constructed through the agreement with Dave Dusendang to construct infill housing with ARPA funding. The offer is for $12,094 over asking price with $8,094 in sellers concessions. This results in a full price offer.

STAFF RECOMMENDATION: To approve the purchase agreement for 169 McLaughlin Avenue.

7.g **<u>DPW Asset Management Software - DPW</u>**

Staff requests authorization to enter into a contract with OpenGov for a three-year subscription and setup services to implement an asset management software system for DPW assets.

Cartegraph, a division of OpenGov (a government software services company), is an asset management software designed for public works. It tracks assets condition and maintenance practices and uses department priorities and AI to recommend new maintenance tasks, replacement schedules and other valuable information. It also has the important benefit of including a work order management system that will allow for electronic work order management, improving efficiency at DPW, providing better tools for supervision of labor, equipment and materials, and increasing the data available for reporting and decisions.

Staff has evaluated several different software systems that do similar things to Cartegraph and has found that Cartegraph offers the most complete set of asset classes, a high and ever-increasing number of integrations to other software, an intuitive and customizable interface, and excellent customer support. CivicPlus, BS&A and other systems the City already uses do not offer a comparable software. Given the breadth of assets and operations our DPW deals with, Cartegraph is staff's recommendation. Cartegraph will be integrated with BS&A to allow billing and other financial information to flow back and forth, and IT agrees the two solutions should coexist well.

In discussions with Cartegraph's support staff, and due in part to the detailed asset information already available in the City's GIS database, the Water Distribution and Wastewater Collection components of the software should be prioritized and are the two specific groups of assets proposed for the first year of the contract. Other assets such as stormwater, sidewalks, fleet vehicles, buildings and facilities, parks assets and more will be brought to the Commission in future years as DPW's experience with the system increases and our understanding of which asset classes will most benefit improves.

This first year of the contract is higher than the annual cost of the software to allow Cartegraph staff to help DPW implement the software and develop customizations that will assist our operations. Additional asset classes added in the future will include similar higher costs in the year of implementation followed by reduced annual subscription fees after year one.

Attachments include the fees by year, the scope of work document which defines the implementation services, and the master services agreement which is the three-year legal contract. Percentage breakdown by DPW department were recommended by Cartegraph as follows based upon the Public Service Buliding paying for the base software cost and individual asset classes paying for specifics.

- Sewer (590): $9,873 software annual cost + $13,974.26 implementation services
- Water (591): $9,873 software annual cost + $13,974.26 implementation services

- Public Service Building: $19,900 Base Subscription Fee + $28,166.49 implementation services
    - o Note: This will be further split amongst many departments according to PSB rent.
    - o General fund cost will be $6,610.33 in FY23, $2,873.57 in FY24 and $3,017.25 in FY26

Additional software and device costs are necessary to make the system function, including approximately $20,000 for in-vehicle computer systems in the water department trucks, an increase of approximately $25,000 annually for cell phones and service lines for all DPW employees (only about 1/3 are currently on the City's cell phone plan), and various other software services such as email addresses for all DPW employees totaling about $12,000. These additional costs will be made following the purchasing policy and will be brought to the Commission, if applicable, in the future.

AMOUNT REQUESTED: FY23: $95,761.00 - FY24: $41,628.30
FY25: $43,709.72

FUND OR ACCOUNT: As described above

STAFF RECOMMENDATION: To approve staff to enter into a contract with OpenGov for a three-year subscription and setup services to implement an asset management software system for DPW assets.

7.h **<u>Emergency City Hall Chiller Repairs - DPW</u>**

Staff seeks authorization to make emergency repairs to the chiller plant at City Hall. The chiller plant at City Hall, essentially the air conditioning unit, unexpectedly failed when a power surge hit the equipment following the explosion of a transformer. Many of the electrical components within the unit were affected and needed to be replaced. Staff reached out to American Mechanical Services of West Michigan, located just east of the City, and they agreed to repair the unit immediately.

The damage occurred earlier this fall and staff authorized the repairs as an emergency purchase under the procurement policy. The City Manager approved the expense. In accordance with the policy the purchase is being brought to the Commission for approval after-the-fact due to being over $25,000.

AMOUNT REQUESTED: $31,286.97

FUND OR ACCOUNT: 101-265 (City Hall Maintenance)

STAFF RECOMMENDATION: To authorize staff to make emergency repairs to the chiller plant at City Hall.

7.l **<u>Request to rezone 162 E Apple, 170 E Apple, 974 Spring, 971 Jay, and 151/157/171/181 Allen - Second Reading - Planning</u>**

Request to rezone 162 E Apple Ave, 170 E Apple Ave, and 974 Spring St from B-2, Convenience & Comparison Business to FBC, Neighborhood Core and to rezone 151/157/171/181 Allen Ave and 971 Jay St from R-3, High Density Single Family Residential to FBC, Neighborhood Core, by General Capital Acquisitions, LLC.

The properties are being rezoned to allow for affordable apartments. The Planning Commission recommended approval of the request by a 7-0 vote.

STAFF RECOMMENDATION: To approve the request to rezone 162 E Apple, 170 E Apple, 974 Spring, 971 Jay, and 151/157/171/181 Allen to Form Based Code, Neighborhood Core.

7.m **<u>Request to Rezone 550 W Grand Ave - Second Reading - Planning</u>**

Request to rezone the property at 550 W Grand Ave from FBC, Urban Residential to FBC, Neighborhood Core, by General Capital Acquisitions, LLC. The properties are being rezoned to allow for affordable apartments. The Planning Commission recommended approval of the request by a 7-0 vote.

STAFF RECOMMENDATION: To approve the request to rezone the property at 550 W Grand Ave to Form Based Code, Neighborhood Core.

7.n **<u>City Hall Operations Space Needs Analysis Contract - Development Services</u>**

Staff is requesting authorization to enter into a contract with Integrated Architecture in the amount of $29,260 to complete a space needs analysis for City Hall operations that considers a potential move to the former Hackley Administration Building.

The City issued an RFP on October 5, 2023 to conduct a space needs analysis for City Hall operations. The analysis will compare the available space in both the current City Hall building at 933 Terrace Street and the former Hackley Administration Building at 349 W. Webster Avenue to evaluate a potential move of City Hall staff and services to the former Hackley Administration Building.

Three (3) proposals were received and staff is recommending award of the services to Integrated Architecture, based on their experience with similar projects, and proposed timeframe for completion of the analysis.The bids received were as follows:

- Integrated Architecture – $29,260
- DLZ Michigan, Inc. – $39,000
- Short Elliott Hendrickson (SEH) – $40,770

AMOUNT REQUESTED: $29,260

FUND OR ACCOUNT: 701-801-80200

STAFF RECOMMENDATION: To authorize staff to enter into a contract with Integrated Architecture in the amount of $29,260 to complete a space needs analysis for City Hall operations that considers a potential move to the former Hackley Administration Building.

7.o **<u>Contract - City Hall Floor Office Remodel - Development Services and Public Safety</u>**

Staff is requesting authorization to accept Tridonn Construction Company's bid in the amount of $247,234.00 to build out the vacant office space on the second floor of City Hall to serve the Development Services and Public Safety Departments.

The first phase of the office remodel was completed in 2020 for the Development Services Department; with the addition of public engagement staff and new employees in Development Services, more space is needed. Additionally, the Detectives in the Public Safety Department plan to relocate to a portion of the vacant space. $200,000 was budgeted in the Public Improvement Fund for the work. The City issued an RFP for the work on July 27, 2023 and three (3) proposals were received:

- Tridonn Construction – $247,234
- Clifford Buck Construction – $266,226
- Erhardt Construction – $389,900

Staff is recommending award of the services to Tridonn Construction Company, which submitted the low bid for the work.

AMOUNT REQUESTED: $247,234.00

FUND OR ACCOUNT: 701-801-80200

STAFF RECOMMENDATION: To authorize staff to accept Tridonn Construction Company's bid in the amount of $247,234.00 to build out the vacant office space on the second floor of City Hall to serve the Development Services and Public Safety Departments.

7.p **DDA and District Library Member Appointments - City Clerk**

Consider appointment of:

- Andrew Boyd to the DDA/BRA/TIFA Board for a partial term expiring 01/31/2025
- Thomas DeVoogd to the District Library Board for a term expiring 06/31/2027.

DDA/BRA/TIFA liaison requested consideration of Andrew Boyd, business owner in the district, to a term vacated by the resignation of Michael Johnson, Sr. Hackley Public Library Board of Trustees President recommended Thomas DeVoogd, citizen, to the District Library Board for a term vacated at the expiration of Clayton Hardiman's regular term in June 2023.

STAFF RECOMMENDATION: Support the recommendation of city staff, Library Trustee and Community Relations Committee to appoint both applicants.

7.b **Local Officers Compensation Commission Recommendation - City Clerk**

The City of Muskegon's Local Officers Compensation Commission met on October 16, 2023 and are recommending a salary increase of $600 for the Mayor ($8,600 to $9,200) and $600 for City Commissioners ($6,900 to $7,500). The LOCC is also recommending an increase in the budget for training, education, and travel from $1,500 to $2,000 and $750 to $1,000 respectively.

AMOUNT REQUESTED: $6,200

FUND OR ACCOUNT: 101-101-702

STAFF RECOMMENDATION: To concur with the recommendation of the Local Officers Compensation Commission.

Action No. 2023-118(b)

Motion by: Commissioner St.Clair
Second by: Commissioner Gorman

To concur with the recommendation of the Local Officers Compensation Commission.

Ayes: (6): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

Absent (1): Commissioner Hood

MOTION PASSES (6 to 0)

7.c **Early Voting Plan - City Clerk**

Michigan enacted early voting with prop 22-2 which is required to be in place by the Presidential Primary election in February 2024. Early voting can be conducted by single municipality and/or in partnership. To provide City of Muskegon residents with every possible opportunity to register to vote or cast their ballot, it is recommended that the Commission adopt a Voting Plan for Single Municipality and County Participating. Muskegon County will have one site for all county residents at their Marquette Campus and City of Muskegon will have one site at City hall for all City of Muskegon residents. The initial election costs include 100% of the purchase of designated early voting equipment used at the city and shared costs of equipment used by the county with an anticipated 40% equipment grant reimbursement from the State. Administration of future elections will be funded wholly by the city for the single early voting site and shared equally among the participants of the county site. It is estimated the cost to participate with the County in February will be $7,603 and for the City to do it alone will be $20,148.

AMOUNT REQUESTED: $30,000

FUND OR ACCOUNT: 101-215-729

STAFF RECOMMENDATION: To approve the 9 day early voting plan for the City of Muskegon at City Hall and with the County building and authorize the expenditures of $30,000.

Action No. 2023-118(c)

Motion by: Commissioner St.Clair
Second by: Commissioner Ramsey

To approve the 9 day early voting plan for the City of Muskegon at City Hall and with the County building and authorize the expenditures of $30,000.

Ayes: (6): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

ABSTAINED: (1): Commissioner Hood

MOTION PASSES (6 to 0)

7.i **Pere Marquette Restroom RFP - DPW**

Staff is requesting authorization to enter into an agreement with MCSA Group for $65,479 for design and construction services related to the Pere Marquette South Restroom.

The city issued an RFP on October 5, 2023 seeking proposals from qualified firms for design and construction services for the Pere Marquette South Restroom.

Five (5) proposals were received and staff is recommending award of the services to MCSA Group, the highest scoring firm based on qualifications of team, understanding of the requested services, the priced proposal, and location of the firm. MCSA Group has significant experience in the design and construction of similar park restroom facilities including historic rehabilitation work, the ability to complete the work plan on time, and offers a good value.

The scores of the proposals received are as follows:

- 924 – MCSA Group
- 857 – Short Elliot Hendricksen (SEH)
- 813 – Fleis & Vandenbrnk
- 717 – Architects Collaborative Design Partnership
- 648 – Driven Design

AMOUNT REQUESTED: $65,479 ($700,000 Project Budget)

FUND OR ACCOUNT: 445 (Public Improvement)

STAFF RECOMMENDATION: To authorize staff to enter into an agreement with MCSA Group for $65,479 for design and construction services related to the Pere Marquette South Restroom.

Action No. 2023-118(i)

Motion by: Commissioner Ramsey
Second by: Commissioner St.Clair

To authorize staff to enter into an agreement with MCSA Group for $65,479 for design and construction services related to the Pere Marquette South Restroom.

Ayes: (7): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Commissioner Hood, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

MOTION PASSES (7 to 0)

7.j <u>Regional Transit Authority Resolution - Manager's Office</u>

Staff is seeking approval of a resolution of intent to join other municipalities in forming a regional transit authority which will establish articles of incorporation to meet requirements in Act 196.

The Deputy City Manager has been participating with other municipalities in an effort to explore the establishment of a regional transit authority. Muskegon County wishes to transition its control of public transportation services to a new public transportation authority and are seeking confirmation and support from the municipalities who want to continue transit service. By adopting the attached resolutions, we are committing to work with the other municipalities in developing and filing the articles of incorporation for this new authority.

STAFF RECOMMENDATION: To approve the resolution of intent to participate in Act 196 authority and authorize the clerk to sign.

Action No. 2023-118(j)

Motion by: Commissioner Ramsey
Second by: Vice Mayor German

To approve the resolution of intent to participate in Act 196 authority and authorize the clerk to sign.

Ayes: (7): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Commissioner Hood, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

MOTION PASSES (7 to 0)

7.k Concession Contract Mac Kite - Parks & Recreation

Renewal of Mac Kite brick & mortar concessionaire agreement. Per concession policy, Steve Negen of Mac Kite operating out of South Pere Marquette, qualifies for up to a 5-year contract extension for brick & mortar concessionaires. The business will be giving lessons on Wing Foil and Efoil equipment per their proposal. The contractual fees for a brick and mortar at this location is set at $1,000/Year + 10% of gross receipts or $2,500/Year, whichever is expected to be more.

STAFF RECOMMENDATION: To grant staff permission to extend the contract of Mac Kite through April of 2029.

Action No. 2023-118(k)

Motion by: Commissioner Ramsey
Second by: Commissioner Emory

To grant staff permission to extend the contract of Mac Kite through April of 2029.

Ayes: (7): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Commissioner Hood, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

MOTION PASSES (7 to 0)

8. Public Hearings

9. Unfinished Business

10. New Business

10.a Conflict of Interest Disclosure for Employee Request -Community & Neighborhood Services

Seeking approval to waive conflict pursuant to City Charter and State Law. City staff will be seeking to submit a request to the Department of Housing and Urban Development for an Exception for a Conflict of Interest for the City of Muskegon Community and Neighborhood Services (CNS) Department Priority Home Repair Program.

Under State law, a contract between a public entity and a public servant is permissible in this particular case when:

- The public servant discloses in writing to the Mayor, seven days prior to City Commission action, their interest in the issue and the value of benefits to be provided by the City;
- The official body discloses a summary of the transaction in its official minutes.

Where a “conflict of interest” does exist pursuant to the City Charter, the City may still enter into the contract if all the following occurs:

- The City Commission declares that it is in the best interest of the City to enter into the contract.

The City Attorney and employee letter is in the packet.

AMOUNT REQUESTED: $1,944.75 not to exceed $3,000.

FUND OR ACCOUNT: 472-718-801

STAFF RECOMMENDATION: To waive the conflict of interest pursuant to City Charter and State Law and request the Department of Housing and Urban Development for an exception approve the request of Conflict of Interest Exception for the City of Muskegon Community and Neighborhood Services Department Priority Home Repair Program.

Action No. 2023-119(a)

Motion by: Commissioner Ramsey
Second by: Commissioner Hood

To waive the conflict of interest pursuant to City Charter and State Law and request the Department of Housing and Urban Development for an exception approve the request of Conflict of Interest Exception for the City of Muskegon Community and Neighborhood Services Department Priority Home Repair Program.

Ayes: (7): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Commissioner Hood, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

MOTION PASSES (7 to 0)

10.b <u>Fire Engine Replacement Purchase - Fire Department</u>

The Fire Department seeking approval to purchase a firefighting pumper apparatus to replace a 2010 fire apparatus.

The Fire Department is seeking approval to purchase 2023 Spartan Star Series pumper from CSI Emergency Apparatus LLC of Graying Michigan for $972,276.00. This pumper will replace Engine 25, a 2010 Spartan Metro Star with 137,043 miles. The mandatory replacement for frontline fire apparatus is 15 years. The expected delivery date of this purchase is approximately 600 days or June of 2025.

We did receive a bid for a Pierce Enforcer from Halt Fire of Wixom Michigan for $1,167,753.00.

Sutphen Fire Apparatus of Dublin Ohio stated they would not be taking orders until January of 2024.

A mandatory diesel emissions standard will go in effect in 2024. Manufactures are warning of a $150,000 price increase to meet the new emissions standards.

AMOUNT REQUESTED: $972,276.00

FUND OR ACCOUNT: 101-336-977

STAFF RECOMMENDATION: To approve staff to enter into a purchase agreement with CSI Emergency Fire Apparatus for a 2023 Spartan Star pumper.

Action No. 2023-119(b)

Motion by: Commissioner St.Clair
Second by: Vice Mayor German

To approve staff to enter into a purchase agreement with CSI Emergency Fire Apparatus for a 2023 Spartan Star pumper.

Ayes: (7): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Commissioner Hood, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

MOTION PASSES (7 to 0)

10.c **Final Planned Unit Development Approval - 2400/2850 Lakeshore Drive**

Request for final Planned Unit Development approval at 2400 and 2850 Lakeshore Dr for a mixed-use development including residential and commercial, by Parkland Acquisition Six, LLC. The Planning Commission recommended approval of the PUD, with conditions, by a 6-0 vote at their November 6 meeting.

STAFF RECOMMENDATION: To approve the request for final Planned Unit Development approval at 2400-2850 Lakeshore Dr, contingent upon the acquisition of the property by Parkland Acquisition Six, LLC based on the PUD review standards listed in Article 21, number 1, part C - 1 through 7 of the zoning ordinance, with the following conditions:

1. A traffic study be conducted, reviewed, and published by the Public Works Director.
2. A stormwater permit is granted from the Engineering Department.
3. A utility plan is approved by the Public Works Director.
4. All applicable permits from various State Departments are obtained.
5. A revised plan showing fire access to the marina slips is approved by the Fire Marshall.
6. A landscape management plan will be submitted and approved by DPW Director inclusive of the natural vegetation zone.

Action No. 2023-119(c)

Motion by: Commissioner Gorman
Second by: Commissioner Emory

To approve the request for final Planned Unit Development approval at 2400-2850 Lakeshore Dr, contingent upon the acquisition of the property by Parkland Acquisition Six, LLC based on the PUD review standards listed in Article 21, number 1, part C - 1 through 7 of the zoning ordinance, with the following conditions:

1. A traffic study be conducted, reviewed, and published by the Public Works Director.
2. A stormwater permit is granted from the Engineering Department.
3. A utility plan is approved by the Public Works Director.
4. All applicable permits from various State Departments are obtained.
5. A revised plan showing fire access to the marina slips is approved by the Fire Marshall.
6. A landscape management plan will be submitted and approved by DPW Director inclusive of the native vegetation zone.

Ayes: (7): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Commissioner Hood, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

MOTION PASSES (7 to 0)

10.d <u>1st Quarter Budget Reforecast - Finance</u>

At this time staff is asking for approval of the 1st Quarter Budget Reforecast for the FY2023-24 budget year.

Highlights of 1st Quarter Budget Reforecast:

<u>101 General Fund Revenues:</u>

There are no amendments for revenue for 1st Quarter. We are going to take a deeper look at revenue in the 2nd quarter due to 1st quarter only having 3 months of activity.

<u>Expenditures:</u>

City Commission Dept 101-Increase expenditures by $5,602 due to passage of increase in Salary & Benefits from Local Officer Compensation Board.

City Promotions & Public Relations Dept 103-Increase of $14,000 for newsletter print cost, Watch Donation, and Lakeside Bid Donation. Decrease of $39,448 to move intern’s salary to Managers Office.

City Manager Dept 172- Increase of $42,308 due to moving Intern from Promotions, Human Resource Office buildout, and Human Resource Computer.

Information Systems Dept 228-Increase of $30,800 for BSA Cloud down-payment (Passed by Commission on September 26,2023).

Contributions Dept 252-Increase $5,000 for Lakeside Bid Fall Festival.

City Hall Maintenance Dept 265-Increase expenditures by $10,000 due to increase in water rates.

Planning Dept 701- Total increase of $35,000. Of which $24,000 is for a possible Planner 3 position. $10,000 is for conference and training that was inadvertently omitted from the original budget. $1,000 is an increase in office supplies.

Capital Projects Dept 901-Increase of $60,000 for the second-floor remodel.

202 Major Streets Fund Revenues:

There are no amendments for Revenue.

Expenditures:

Added $40,000 for intersection repairs at Getty and Marquette.

203 Local Streets Fund Revenues:

There are no amendments for Revenue.

Expenditures:

Increased by $625,000. $275,000 each for Millard and Edgewater. $75,000 for engineering of New and 2nd street.

Brownfield & DDA Funds Revenues:

Increase of revenue by $168,500 for treasurers' projections of current year tax roll.

Expenditures:

Decrease of $2,400 due to treasurers' projections of current tax roll.

254 Trinity Health Arena Fund Revenues:

Increase Annex Revenue by $13,000 due to number of therapists operating.

Expenditures:

Increase of $15,040 for arena glass and ADA.

445 Public Improvement Fund Revenues:

There are no amendments to Revenue.

Expenditures:

Increase by $60,000 for Nelson House Move and $400,000 for PM South Restroom.

590 Sewer Fund Revenues:

There are no amendments to Revenue.

Expenditures:

Increase expenditures by $280,318 for City Service Fee and Utility Administration Fee.

591 Water Fund Revenues:

There are no amendments to Revenue.

Expenditures:

Increase of $1,078,667 for bond payments and expenditures.

677 General Insurance Fund Revenues:

There are no amendments to Revenue.

Expenditures:

Increase of $4,103.50 for Masks, MERS Conference, JJ Keller Increase, and EAWM table increase.

AMOUNT REQUESTED:

101 General Fund increase expenditures by $163,262.00

202 Major Street Fund increase expenditures by $40,000.00

203 Local Street Fund increase expenditures by $625,000.00

254 Trinity Health Arena Fund increase revenue by $13,000.00

254 Trinity Health Arena Fund increase expenditures by $15,040.0

445 Public Improvement Fund increase expenditures by $640,000.00

590 Sewer Fund increase expenditures by $280,318.00

591 Water Fund increase expenditures by $1,078,677.00

677 General Insurance Fund increase expenditures by $4,103.20

FUND OR ACCOUNT: Multiple

STAFF RECOMMENDATION: To approve the 1st Quarter FY2023-24 Budget Reforecast as presented.

Action No. 2023-119(d)

Motion by: Commissioner Ramsey
Second by: Commissioner Hood

To approve the 1st Quarter FY2023-24 Budget Reforecast as presented.

Ayes: (6): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Commissioner Hood, Vice Mayor German, and Commissioner Ramsey

Absent (1): Commissioner Emory

MOTION PASSES (6 to 0)

11. Any Other Business

12. Public Comment on Non-Agenda items

Public comments were received.

13. Closed Session

13.a Discuss Pending Litigation

Action No. 2023-120

Motion by: Commissioner St.Clair
Second by: Commissioner Emory

To go into Closed Session to consult with our attorneys regarding settlement strategy in connection with Stephen Pase v Mason Adkins, United States District Court for the Western District of Michigan, Southern Division, Case No. 1:22-CV-667-PLM-PJG because an open meeting would have a detrimental financial effect on the settlement position of the City of Muskegon.

Ayes: (7): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Commissioner Hood, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

MOTION PASSES (7 to 0)

Motion by: Commissioner St.Clair
Second by: Commissioner Hood

To go out of Closed Session.

MOTION PASSES

Motion by: Commissioner Hood
Second by: Vice Mayor German

To pay the proposed settlement.

Ayes: (7): Mayor Johnson, Commissioner Gorman, Commissioner St.Clair, Commissioner Hood, Vice Mayor German, Commissioner Ramsey, and Commissioner Emory

MOTION PASSES (7 to 0)

14. Adjournment

The City Commission meeting adjourned at 10:28 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC - City Clerk