

CITY OF MUSKEGON

CITY COMMISSION MEETING

OCTOBER 12, 2021 @ 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, October 12, 2021, Pastor Tara Foreman, Bethany Church, opened the meeting with a 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, Vice Mayor Eric Hood, Commissioners Ken Johnson, Dan Rinsema-Sybenga, Willie German, Jr., Michael Ramsey, and Teresa Emory, Acting City Manager LeighAnn Mikesell, City Attorney Chris Kelly, and City Clerk Ann Meisch.

PUBLIC COMMENT ON AGENDA ITEMS: Public comments were received.

2021-92 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve the minutes of the September 13, 2021 Worksession, the September 14, 2021 Regular Meeting, and the September 28, 2021 Regular Meeting.

STAFF RECOMMENDATION: To approve the minutes.

B. Purchase Vacant Property – 209 Merrill Planning

SUMMARY OF REQUEST: City staff is seeking authorization to purchase land at 209 Merrill from the State Land Bank Authority. The City is seeking to purchase the vacant land at 209 Merrill from the State Land Bank Authority and has offered \$500 for the purchase price to construct a single-family home on. The estimated cost to construct the home is \$250,000. The State sent paperwork stating that the base price starts at \$1,500 as a minimum acceptable offer and \$100 to process the deed.

AMOUNT REQUESTED: \$500 with option to negotiate.

FUND OR ACCOUNT: Public Improvement

STAFF RECOMMENDATION: Authorize the City Manger to negotiate the purchase price if the State does not accept the \$500 offer and to authorize the

Code Coordinator to complete the purchase of 209 Merrill Avenue, as described in the documents and to have the Mayor and Clerk sign the resolution.

C. Muskegon Area Sports Hall of Fame Lease Arena

SUMMARY OF REQUEST: The Muskegon Area Sports Hall of Fame is formally leasing space inside the arena to display sports memorabilia and other sports-related items.

The Muskegon Area Sports Hall of Fame was located inside the arena for many years. During the most recent major renovation, the display was displaced. This lease will re-establish the Hall of Fame inside the arena for the next 5 years. The display will be mounted on the walls inside the hallway nearest to the convention center.

The lease amount is \$10 per year, the lease also allows a discounted \$500 rental one time per year to hold a Hall of Fame banquet. The City has pledged up to \$10,000 to help complete the build out.

The completed display will be a stunning first-impression to visitors of the arena.

AMOUNT REQUESTED: \$10,000 AMOUNT BUDGETED: \$10,000

FUND OR ACCOUNT: 254

STAFF RECOMMENDATION: Approval of the lease.

D. Beukema Playground – REVISION Public Works

SUMMARY OF REQUEST: Staff is seeking approval for additional funding related to the playground replacement at Beukema Park.

At the August 24, 2021 meeting the Commission voted to allocate \$165,000 towards replacement of the playground equipment at Beukema Park. This was intended to cover the cost of the equipment and installation (\$122,639.00) plus an allowance up to \$165,000 in total to revise the design to include ramped access and accessible surfacing as mentioned in the public comments during the selection.

After reviewing the proposed changes with American Athletix it was determined that there was no method for American Athletix to accomplish the requested changes within the allocated budget. After several iterations American Athletix provided the revised proposal for \$220,568.25 which included modified play structures to include ramped access, as well as poured in place trails for the walkways.

Staff is comfortable that the revised proposal is appropriate for the site. As previously discussed we are targeting to spend approximately \$900K between Reese & Beukema parks which is drawn from the Beach Parking revenue. The contract for equipment at Reese has been signed in the amount of \$364,600.00

bringing to total to date to \$585,168.25.

AMOUNT REQUESTED:

\$220,569.25 TOTAL

\$55,568.25 INCREASE OVER ORIGINAL

FUND OR ACCOUNT: 101

AMOUNT BUDGETED:

\$0

\$900K To be included in Q1 Reforecast

STAFF RECOMMENDATION: Authorize staff to accept the revised proposal from American Athletix in the amount of \$220,568.25 for the new playground structure at Beukema Park.

Motion by Commissioner Johnson, second by Commissioner German, to accept the consent agenda as presented minus item E.

ROLL VOTE: Ayes: Rinsema-Sybenga, Emory, Johnson, Gawron, Hood, Ramsey, and German

Nays: None

MOTION PASSES

2021-93 REMOVED FROM CONSENT AGENDA:

E. Ride Muskegon Operating Agreement City Manager

SUMMARY OF REQUEST: City staff has developed an operating agreement with Ride Muskegon, LLC to operate a scooter rental business in the City. The business will utilize a cellular phone application to unlock electric scooters for customers to access. Scooters will have designated pick up and drop off locations, and will not be permitted to be abandoned in non-approved areas.

Staff is recommending approval of the operating agreement. Ride Muskegon, LLC is locally owned and operated. To our knowledge, Ride Muskegon, LLC is the only such company located in the city limits. The operating agreement ensures that Ride Muskegon, LLC and its customers follow the rules and regulations as assigned by the City of Muskegon, and also ensures that the City of Muskegon will not rent similar space to new competitor companies during the operating period.

STAFF RECOMMENDATION: Approve the operating agreement and authorize the City Manager to sign.

Motion by Commissioner Emory, second by Commissioner Rinsema-Sybenga, to approve the operating agreement and authorize the City Manager to sign.

Motion by Commissioner Emory, second by Commissioner German, to amend the motion and remove "sidewalk" from G & H under the recitals in the agreement.

Motion by Commissioner Ramsey, second by Commissioner Johnson, to table this item.

ROLL VOTE: Ayes: Ramsey, Rinsema-Sybenga, Emory, and Johnson

Nays: Gawron, Hood, and German

MOTION PASSES

2021-94 NEW BUSINESS:

A. West Urban Properties PILOT Agreement Progress Report and Phase II Authorization City Manager

SUMMARY OF REQUEST: Dave Dusendang with West Urban Properties has prepared a progress report on the first phase of the City's PILOT rental unit development agreement with his firm. He is requesting authorization to proceed with the second phase of the agreement, which includes 25 additional rental units.

Mr. Dusendang has prepared a report that illustrates the current construction progress, lease-up status, and percent of Muskegon County AML each unit's occupier represents. For the sake of privacy, the incomes are anonymized and the addresses are not printed with the associated household. West Urban is proposing to continue the arrangement as described in the original agreement by proceeding with 25 additional builds on pre-approved city owned lots.

STAFF RECOMMENDATION: To authorize West Urban Properties to proceed with construction of an additional 25 housing units on pre-approved city owned lots pursuant to the PILOT agreement.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner German, to authorize West Urban Properties to proceed with construction of an additional 25 housing units on pre-approved city owned lots pursuant to the PILOT Agreement.

ROLL VOTE: Ayes: Hood, Ramsey, German, Rinsema-Sybenga, Emory, Johnson, and Gawron

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Commissioner Ramsey had requested an update on the Watermark. An update was provided by Jake Eckholm.

PUBLIC COMMENT ON NON-AGENDA ITEMS: Public Comments were received.

ADJOURNMENT: The City Commission meeting adjourned at 7:00 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC – City Clerk