CITY OF MUSKEGON

CITY COMMISSION MEETING

SEPTEMBER 24, 2013

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, September 24, 2013.

Mayor Gawron opened the meeting with a prayer from Reverend Pool after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Gawron, Vice Mayor Lawrence Spataro, Commissioners Eric Hood, Willie German, Sue Wierengo, Byron Turnquist, and Lea Markowski, Acting City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Mayor Gawron read from the Congressional Records which recognized Bryon Mazade for his 19 years as City Manager for the City of Muskegon and listed his many accomplishments. Mayor Gawron read two additional resolutions. The first one was signed by State Senator Goeff Hansen, State Representative Marcia Hovey-Wright, and Governor Rick Snyder; and the second one was from the Commission, citizens and employees of the City of Muskegon.

2013-78 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the September 9th Commission Worksession Meeting, and the September 10th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Valve Replacement Project – High Service Pumps. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to enter into an agreement with Northern Boiler and Mechanical Contractors for replacement of an 18” and 14” ball valve on high service pumps #1 and #3, as well as the addition of an isolation valve on both pumps.

FINANCIAL IMPACT: $121,775.

BUDGET ACTION REQUIRED: Budgeted capital improvement for 2013/14.

STAFF RECOMMENDATION: Staff recommends acceptance of bid from Northern Boiler and Mechanical Contractors for $121,775.

C. **Consideration of Bids for: S-664 Austin Lift Station Rehabilitation.** ENGINEERING

SUMMARY OF REQUEST: Award the Austin Lift Station Rehabilitation project – S-664 to Jackson Merkey out of Muskegon, MI since they were the lowest responsible bidder with a total bid price of $202,845.

FINANCIAL IMPACT: The construction cost of $202,845 plus engineering.

BUDGET ACTION REQUIRED: None since this project is on the 2013/2014 CIP's list.

STAFF RECOMMENDATION: Award the contract to Jackson Merkey.

D. **Authorization to Firm for Zoning Ordinance Update.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Staff is seeking authorization to hire and execute all documents for the selected planning firms, Nederveld and Williams & Works, to accomplish the task of updating the City of Muskegon Zoning Ordinance. The update will focus on incorporating form based codes into the downtown area, a parking plan and to also better define uses on the downtown lakeshore. The two consultants will be working together to complete the project.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: The City will pay $30,000 for the project, while The Community Foundation for Muskegon County will be contributing $15,000.

STAFF RECOMMENDATION: Approval to select Nederveld and Williams & Works as the consultants and for staff to be authorized to execute all contracts and documents.

E. **West Michigan Metropolitan Transportation Planning Program (WestPlan) Dues FY2014 (October 1, 2013 – September 30, 2014).** CITY MANAGER

SUMMARY OF REQUEST: To approve the City of Muskegon's portion of the WestPlan dues, payable to West Michigan Shoreline Regional Development Commission. This agency determines projects and distributes federal transportation funds.

FINANCIAL IMPACT: $16,040.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve this request.

F. **Permanent Traffic Control Order – Designate One On-Street Parking**

Space as a "Handicap Parking" on Second Street. PUBLIC WORKS

SUMMARY OF REQUEST: Approve the Traffic Control Order authorizing staff to designate an existing on-street parking space and install a "Handicap Parking" sign and Handicap Pavement Marking on the Northeast side of Second Street between Western Avenue and Clay Street.

FINANCIAL IMPACT: Cost of signs, paint and man-power to install, if approved.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to designate an existing on-street parking space and install a "Handicap Parking" sign and Handicap Pavement Marking on the northeast side of Second Street between Western Avenue and Clay Street.

G. Cemetery Utility Cart. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase one Kioti Mechron utility cart from J&J Farms, the lowest qualified bidder. This machine will replace the 1995 model currently being used.

FINANCIAL IMPACT: $10,980 minus $500 trade in for old model for a total of $10,480.

BUDGET ACTION REQUIRED: None, amount is what was budgeted.

STAFF RECOMMENDATION: Authorize staff to purchase one Kioti Mechron utility cart from J&J Farms.

K. Request to Fly Breast Cancer Ribbon Flags. CITY CLERK

SUMMARY OF REQUEST: Tempting Tables is requesting permission to fly breast cancer ribbon flags the week of October 14th at the following locations:

Hackley Park
City Hall
Shoreline Drive
Central Fire Station
Hartshorn Marina
Root Park

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

L. Towing Contract Extension (Ramos Towing Services). PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the City Commission review and consider approving a contract extension with our current service provider Ramos Towing. Currently, Ramos provides towing/impoundment/storage service for the City of Muskegon.

Ramos Towing has been under authorized contract services for towing for the last three years (9/25/10 to 9/24/13). Staff is currently reviewing the current contract and preparing a "competitive bid process" to select an acceptable tow service.

Ramos Towing is willing to extend towing services for three months (12/24/13) and/or until a new contract can be established/approved not to exceed one year (per current contract language).

FINANCIAL IMPACT: None, current contract language in effect.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of this extended towing contract agreement until a new contract is accepted.

M. <u>Appointments to Local Officer Compensation Commission.</u> CITY CLERK

SUMMARY OF REQUEST: There are two openings on the Local Officer's Compensation Commission which need to be filled prior to October 1, 2013. Greg Borgman has expressed an interest in serving on this board and the City Clerk is searching for an additional applicant.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Appointment of Greg Borgman and an additional person to fill the vacancies.

Motion by Vice Mayor Spataro, second by Commissioner Wierengo to approve the Consent Agenda with the exceptions of items H, I, and J.

ROLL VOTE: Ayes: Spataro, German, Wierengo, Turnquist, Markowski, Gawron, and Hood

Nays: None

MOTION PASSES

2013-79 ITEMS REMOVED FROM THE CONSENT AGENDA:

H. <u>Signing of 2013-2014 Subrecipient and Community Housing Development Organization Agreements.</u> COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To direct staff to have the Subrecipient Agreements for the following agency signed by the Mayor and Clerk. The funding allocations were approved by the Commission in June of this year.

1. Love Inc. $3,500 – Wheelchair Ramps
   $4,500 – Utility Assistance

Also, to have the Community Housing Development Organization Agreements signed for the following agencies:

1. Bethany Housing Ministries
   dba Community enCompass $60,000
2. Habitat for Humanity $36,000
3. Trinity Housing Ministries $30,000

FINANCIAL IMPACT: Funding will be allocated from the 2013-2014 Community Development Block Grant/HOME Funds as directed by the City Commission.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To direct staff to have documents signed by the Mayor and the Clerk.

COMMITTEE RECOMMENDATION: All of the allocations were previously approved by the Commission.

Motion by Commissioner German, second by Vice Mayor Spataro to approve the signing of the 2013-2014 Subrecipient and Community Housing Development Organization Agreements.

ROLL VOTE: Ayes: German, Wierengo, Turnquist, Markowski, Gawron, Hood, and Spataro

Nays: None

MOTION PASSES

I. <u>Police Cruisers.</u> PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to proceed with the purchase of six Chevy Caprice cruisers from Betten Chevrolet for $167,003.16.

While Shaheen Chevy's (state) bid of $166,608 was the lowest bid received, Betten is being recommended since their bid of $167,003.16 is within the 1% local preference.

FINANCIAL IMPACT: $27,833.86 each for a total of $167,003.16.

BUDGET ACTION REQUIRED: None, amount is what was budgeted.

STAFF RECOMMENDATION: Authorize staff to proceed with the purchase of six cruisers from Betten Chevrolet.

Motion by Commissioner German, second by Vice Mayor Spataro to approve the purchase of six cruisers from Betten Chevrolet.

ROLL VOTE: Ayes: Gawron, Hood, Spataro, German, Wierengo, Turnquist, and Markowski

Nays: None

MOTION PASSES

J. <u>Police SUV's.</u> PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase three Ford Police SUV's from Great Lakes Ford the lowest qualified bidder.

FINANCIAL IMPACT: $25,730 each for a total of $77,190.

BUDGET ACTION REQUIRED: None, amount is what was budgeted.

STAFF RECOMMENDATION: Authorize staff to purchase three Ford Police SUV's from Great Lakes Ford.

Motion by Commissioner Markowski, second by Vice Mayor Spataro to approve the purchase of three Ford Police SUV's from Great Lakes Ford.

ROLL VOTE: Ayes: Hood, Spataro, German, Wierengo, Turnquist, Markowski, and Gawron

Nays: None

MOTION PASSES

2013-80 NEW BUSINESS:

A. Liquor License Request for Muskegon Moose Lodge. CITY CLERK

SUMMARY OF REQUEST: The liquor Control Commission is seeking local recommendation on a request from Muskegon Moose Lodge #2697, Loyal Order of Moose for a new Club License with Dance and Entertainment Permit to be located at 871 Pulaski Avenue.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

Motion by Vice Mayor Spataro, second by Commissioner Wierengo to approve the liquor license request for the Muskegon Moose Lodge.

ROLL VOTE: Ayes: Spataro, German, Wierengo, Turnquist, Markowski, Gawron, and Hood

Nays: None

MOTION PASSES

B. Blight Elimination Project – Demolition Bids. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City of Muskegon obtained a 2013 Blight Fight Elimination Grant to be used for the demolitions of 510 Ottawa Street and 1875 Waterworks Road. The Contract between Michigan Land Bank Fast Track Authority and the City of Muskegon has been signed by the Mayor. The bids for the demolition have been received. Our consultant, Abonmarche, is recommending the City Commission approve the low bid as submitted by Smalley Construction, Inc. It is requested that the Commission authorize Staff to enter into a contract and sign all necessary documents with Smalley Construction, the lowest responsible bidder as per the recommendation of

Abonmarche.

FINANCIAL IMPACT: The City will receive $111,500 in grant funds. In addition, it is expected that the remaining Site Assessment Funds (EPA grant), which must be expended within the next two months, can be used for asbestos removal oversight. Any remaining cost difference will be paid by Muskegon Public Schools.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the low bid as submitted by Smalley Construction, Inc. in the amount of $147,400 and authorize Staff to execute the contract and sign all documents related to the demolition of 510 Ottawa Street and 1875 Waterworks Road.

Motion by Commissioner Hood, second by Vice Mayor Spataro to approve the low bid as submitted by Smalley Construction, Inc. in the amount of $147,400 and authorize Staff to execute the contract and sign all documents related to the demolition of 510 Ottawa Street and 1875 Waterworks Road.

ROLL VOTE: Ayes: German, Wierengo, Turnquist, Markowski, Gawron, Hood, and Spataro

Nays: None

MOTION PASSES

C. <u>Sappi Power Plant Implosion Request.</u> PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the City Commission review and consider approval as it relates to the demolition of the Sappi Paper Plant – Power House Structure.

Muskegon Public Safety personnel & City staff have been working with Melching Inc. over the past several months to devise a plan for the demolition/removal of the remaining Power Plant & Smoke Stacks that are located on the south end of the property (2400 Lakeshore Dr.). This request is exclusive to the building known as the "***Power House Structure***"; the stacks in question will be demolished at a later date (TBD).

The plan for demolition is Sunday, October 27, 2013; time frames will be forwarded when received. Implosion of the structure will take place unless unforeseen conditions prohibit action; no alternate date has been selected at this time.

The Melching Overview Plan & Demolition Contingency Requirements (revised) are available for additional information and review.

FINANCIAL IMPACT: No negative impact to the City of Muskegon.

BUDGET ACTION REQUIRED: Melching Inc. to satisfy financial cost(s) to the City of Muskegon to accomplish demolition and public safety plans.

STAFF RECOMMENDATION: No recommendation on implosion action – approves plan to demolish and contingent requirements to promote public safety.

Motion by Vice Mayor Spataro, second by Commissioner Wierengo to approve the request contingent on all staff recommendations and requirements which were discussed at the Worksession.

ROLL VOTE: Ayes: Wierengo, Turnquist, Markowski, Gawron, Hood, and Spataro

Nays: German

MOTION PASSES

D. Naming of Conference Room 203. CITY CLERK

SUMMARY OF REQUEST: This is a request to name conference room 203 of City Hall the Bryon L. Mazade Conference Room in recognition of his 19 plus years of serving as City Manager (the second longest sitting City Manager) for the City of Muskegon.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve naming conference room 203 the Bryon L. Mazade Conference Room.

Motion by Vice Mayor Spataro, second by Commissioner Wierengo to approve naming conference room 203 the Bryon L. Mazade Conference Room.

ROLL VOTE: Ayes: Turnquist, Markowski, Gawron, Hood, Spataro, German, and Wierengo

Nays: None

MOTION PASSES

ANY OTHER BUSINESS:

Commission commented on violence and the tragic event at the Elks Charity Lodge.

2013-81 PUBLIC PARTICIPATION: Representative from West Michigan Lake Hawks Basketball asked the Commission to adopt a proclamation.

Motion by Commissioner Hood, second by Vice Mayor Spataro to have staff prepare a letter of support for West Michigan Lake Hawks Basketball.

ROLL VOTE: Ayes: Markowski, Gawron, Hood, Spataro, German, Wierengo, and Turnquist

Nays: None

MOTION PASSES

Additional public comments were received.

Bryon Mazade thanked the Commission and public for allowing him to serve as Muskegon's City Manager. He also thanked the current and past City staff and his family for their support.

ADJOURNMENT: The City Commission Meeting adjourned at 6:57 pm.

Respectfully submitted

Ann Marie Cummings, MMC
City Clerk