

City of Muskegon
City Commission Meeting
Minutes

September 12, 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
Commissioner Michael Ramsey
Commissioner Teresa Emory

Absent: Vice Mayor Willie German, Jr.

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 Muskegon City Commission meeting to order at 5:30 p.m.

2. Prayer

Dr. Rob Renberg, 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

6. Public Comment on Agenda Items

Public comments were received.

7. Consent Agenda

Action No. 2023-95

Motion by: Commissioner Ramsey

Second by: Commissioner St.Clair

To accept the consent agenda as presented, minus item 7e, 7f, and 7g.

7.a Approval of Minutes - City Clerk

To approve the minutes of the August 22, 2023 Regular Meeting.

STAFF RECOMMENDATION: To approve the minutes.

7.b Rezoning of 417 Jackson Ave - 2nd Reading - Planning

Staff-initiated request to rezone the property at 417 Jackson Ave from R-1, Low Density Single-Family Residential to Form Based Code, Neighborhood Core.

The Planning Commission unanimously recommended approval of the rezoning at their August 10 meeting.

STAFF RECOMMENDATION: To approve the request to rezone property at 417 Jackson Ave from R-1, Low Density Single-Family Residential to Form Based Code, Neighborhood Core.

7.c Rezoning of 1225 E Laketon Ave - 2nd Reading - Planning

Request to rezone the property at 1225 E Laketon Ave from I-2, General Industrial to B-4, General Business, by Tread Monkey, LLC.

The Planning Commission unanimously recommended approval of the rezoning at their August 10 meeting.

STAFF RECOMMENDATION: To approve the request to rezone the property at 1225 E Laketon Ave from I-2, General Industrial to B-4, General Business.

7.d Rezoning of several properties on Myrtle Ave, Allen Ave, and Jay St in the Angell Neighborhood - 2nd Reading - Planning

Request to rezone the following parcels from R-3, High Density Single Family Residential to Form Based Code, Neighborhood Core: 139 Myrtle

Ave; 140/148/158/168/174/186 Allen Ave, 159/169/185 Amity Ave; and 923 Jay St, by Spire Development.

The Planning Commission unanimously recommended approval of the rezoning at their August 10 meeting.

STAFF RECOMMENDATION: To approve the request to rezone 139 Myrtle Ave; 140/148/158/168/174/186 Allen Ave, 159/169/185 Amity Ave; and 923 Jay St from R-3, High Density Single Family Residential to Form Based Code, Neighborhood Core.

7.h Community Relations Committee Recommendations - City Clerk

To concur with the CRC Recommendations on the following boards and commissions removals and appointments.

Consider approval of the following CRC Recommendations:

Accept resignation – Michael Johnson, DDA/BRA member with property interest,

term exp. 01/31/25

Appoint members – Shaundrica Roberts, Citizen's Police Review Board Citizen AL,

term exp.01/31/25

Shonie Blake, Planning Commission, Citizen, term exp. 01/31/26

Mary Louise LaBelle, Civil Service, Citizen, term exp .01/31/25

Dan Rinsema-Sybenga, CDBG Citizen's District Council, Ward 2 Citizen,

term exp. 01/31/24

STAFF RECOMMENDATION: To concur with the resignation and appointment recommendations of the CRC.

7.e Firefighting Turnout Equipment - Public Safety

The Fire Department is seeking approval to purchase firefighting turnout gear to replace worn and aging equipment.

The Fire Department is seeking approval to purchase thirteen (13) sets of firefighting turnout gear. Each set is comprised of a coat and pants with suspenders. The current sets are work and contain PFAS materials that

are harmful to firefighters. The waterproofing materials in firefighting turnouts were found to contain PFAS. The turnout gear vendor, MES, allowed us the same price break the City of Grand Rapids received for their recent purchase of turnout gear. Budget amount of \$66,300. We received pricing from MES, Edarely, and The Fire Store. MES was lowest bud and meeting our specifications.

AMOUNT REQUESTED: \$41,860.00 - Budgeted

FUND OR ACCOUNT: 101-336-977

STAFF RECOMMENDATION: To approve staff to purchase thirteen (13) sets of firefighting turnout gear from MES of Sanford Michigan.

Action No. 2023-96(e)

Motion by: Commissioner Ramsey

Second by: Commissioner St.Clair

To approve staff to purchase thirteen (13) sets of firefighting turnout gear from MES of Sanford Michigan.

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

Absent (1): Vice Mayor German

MOTION PASSES (6 to 0)

7.f User Agreement - Muskegon YMCA - Parks & Recreation

Staff is requesting the approval of the City of Muskegon's agreement with the Muskegon YMCA for usage of Parks & Recreation facilities.

The Muskegon YMCA has requested to run various health & wellness programs at Smith-Ryerson and McGraft Park. These programs will run intermittently through the end of August 2024.

STAFF RECOMMENDATION: Authorize staff to enter into an agreement with our strategic partner, Muskegon YMCA.

Action No. 2023-96(f)

Motion by: Commissioner Ramsey

Second by: Commissioner Emory

To authorize staff to enter into an agreement with our strategic partner, Muskegon YMCA.

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

Absent (1): Vice Mayor German

MOTION PASSES (6 to 0)

7.g Laketon-Lakeshore Trail MNRFT Resolution - Public Works

Staff is seeking a formal resolution of support to apply for a grant from the Michigan Natural Resources Trust Fund (MNRFT) for the Laketon/Lakeshore Trail Connector (LLTC) Project.

Staff is seeking funds through two programs to provide the base funding for construction of a new non-motorized trail named the Laketon-Lakeshore Trail Connector (LLTC). The trail would be constructed in the road right-of-way along Sanford Street and Terrace Street between Laketon Avenue and Shoreline Drive linking the Laketon Trail and the Lakeshore Trail.

Grant funding is being pursued through two programs:

- MDOT Transportation Alternatives Program (TAP) – Staff has been engaging with MDOT staff and has received encouragement that this project could see funding from this program.
- Michigan Natural Resources Trust Fund (MNRFT) – Staff has had preliminary conversation with MDNR staff encouraging an application for \$300,000 from this program.

If successful, the funding for about 75% of the construction cost could be secured from grant funding. Funds are targeted in the 2025 state fiscal year based on advice from grant staff at MDOT and MDNR.

STAFF RECOMMENDATION: To approve the resolution of support for the MNRFT grant application for the Laketon-Lakeshore Trail Connector.

Action No. 2023-96(g)

Motion by: Commissioner St.Clair

Second by: Commissioner Ramsey

To approve the resolution of support for the MNRTF grant application for the Laketon-Lakeshore Trail Connector.

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

Absent (1): Vice Mayor German

MOTION PASSES (6 to 0)

8. Public Hearings

8.a Approval of the Lakeside Business Improvement District Special Assessment - Economic Development

The Lakeside Business Improvement District is requesting a special assessment for three more years starting in January of 2024.

Funds from the Lakeside BID assessment in 2021-2023 has allowed for the BID to cover items that keep the integrity of the business district. Funds have been used to cover snow removal, Christmas decorations, landscaping and maintenance, Lakeside events, and advertisements in the Visitors Guide.

In order to continue these services, the Lakeside BID has requested a final three-year assessment at a 20% reduction for 2024-2026, continuing with the current district boundaries. Class A properties will have a per parcel rate of \$0.04 per square foot of lot size for a Commercial Property, not to exceed \$1,600, and \$0.02 per square foot of lot size for an Industrial, Automotive or Utility Property, not to exceed \$1,600. The special assessments will be in the winter tax bills. After the additional three years is complete, the BID will transition into the CIA.

City staff has provided a Special Assessment Packet that outlines the overview of the request, a letter from the City of Muskegon Assessor, the budget recommendation and explanation, and the properties included in the assessment.

City staff has introduced the special assessment at the City Commission meeting on August 7th, 2023. The Public Hearing was scheduled on August 22, but after comments regarding short term rentals, city staff has updated the special assessment documents, tax rolls and have resent

public hearing notices and letters to commercial properties including the short-term rentals in the district.

STAFF RECOMMENDATION: To close the public hearing and approve the resolution of the Establishment of the Lakeside BID Special Assessment District for 2024-2026 as presented and authorize the Mayor and City Clerk to sign and appoint two commissioners to review the special assessment tax rolls.

PUBLIC HEARING COMMENCED: No comments were received.

Action No. 2023-97

Motion by: Commissioner Hood

Second by: Commissioner Ramsey

To close the public hearing and approve the resolution of the Establishment of the Lakeside BID Special Assessment District for 2024-2026 as presented and authorize the Mayor and City Clerk to sign and appoint two commissioners to review the special assessment tax rolls.

Mayor appoints Commissioner Emory and Commissioner Ramsey.

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

Absent (1): Vice Mayor German

MOTION PASSES (6 to 0)

9. Unfinished Business

10. New Business

10.a City ARPA Community Grant - Pioneer Resources, Inc. -Manager's Office - REMOVED PER STAFF REQUEST

*A Conflict of Interest Letter was signed by Commissioner Rachel Gorman related to this item. The Conflict of Interest statement was posted to the City's website and City's Facebook page on August 10, 2023.

<https://muskegon-mi.gov/notice-of-conflict-of-interest/>

10.b Master Plan Adoption - Planning

Request to approve the resolution adopting the new master plan. The plan can be viewed [here](#). The Planning Commission unanimously recommended approval of the plan at their August 31 special meeting.

STAFF RECOMMENDATION: To approve the resolution for the adoption of the Master Plan and Future Land Use Map as presented.

Planning Manager Mike Franzak provided information about the work that went into creating this Master Plan and Future Land Use Map. Jamie Pesch, Planner II, provided an brief presentation of the proposed Master Plan & Future Land Use Map.

Action No. 2023-98(b)

Motion by: Commissioner Ramsey

Second by: Commissioner Hood

To approve the resolution for the adoption of the Master Plan and Future Land Use Map as presented.

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

Absent (1): Vice Mayor German

MOTION PASSES (6 to 0)

11. Any Other Business

Commissioner Ramsey raised the issue of mute swans on Muskegon Lake, other municipalities have asked him about it. This topic has been raised and other municipalities have passed resolutions, we will be addressing the issue soon.

Mayor Johnson encouraged citizens to review the City's Master Plan document on the city's website or in the City Clerk's Office.

Commissioner St.Clair acknowledged the IT department for their efforts in making an interactive map available. The map shows residents what Ward they reside in and informs as to which elected officials represent them. The tool was implemented by the City's IT department along with Muskegon County GIS.

Mayor Johnson let everyone know that park parties are continuing to help get feedback on what residents want to see done at the parks.

12. Public Comment on Non-Agenda items

Public comments were received.

13. Closed Session

14. Adjournment

The City Commission meeting adjourned at 6:45 p.m.

Motion by: Commissioner St.Clair

Second by: Commissioner Hood

To adjourn.

Respectfully Submitted,

Ann Marie Meisch, MMC - City Clerk