CITY OF MUSKEGON

CITY COMMISSION MEETING

AUGUST 27, 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, August 27, 2013.

Mayor Gawron opened the meeting with a prayer from Pastor Marcy Miller from Samuel Lutheran Church 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, Byron Turnquist, and Lea Markowski, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Absent: Commissioner Sue Wierengo

2013-71 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the August 12th Commission Worksession Meeting, and the August 13th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. 2013 – 2014 Muskegon High School Community Officer Agreement. PUBLIC SAFETY

SUMMARY OF REQUEST: To approve the 2013-2014 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 $2,185.45 each month, from September 2013 through May 2014, totaling $19,669.05.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the 2013-2014 Muskegon High School Community Officer Agreement.

C. Emergency Pump Replacement of Sherman Lift Station. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase one new 25 HP Flygt Submersible Sewage Pump from Kennedy Industries for the quoted price of $16,958.

FINANCIAL IMPACT: Total cost $16,958.

BUDGET ACTION REQUIRED: None, expenditures for the purchase would come from the Sewer Budget.

STAFF RECOMMENDATION: Approve purchase.

D. City – MDOT Agreement for the Reconstruction of Laketon Avenue between Park and Peck. ENGINEERING

SUMMARY OF REQUEST: Approve the contract with MDOT for the reconstruction of Laketon Avenue between Peck and Park and approve the resolution authorizing the Mayor and City Clerk to sign the contract.

FINANCIAL IMPACT: MDOT's participation is limited to the approved federal funds of $704,475. The estimated total construction cost is $1,129,000 plus engineering cost.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approve the contract and resolution authorizing the Mayor and Clerk to sign both.

F. Youth Basketball League and Open Gym Proposal – Muskegon Public Schools. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City of Muskegon has contracted with the Muskegon Public Schools ("Schools") for the management of the Youth Basketball League and Open Gym since 2010. The program has been successful and the Schools would like to manage the program for the 2013-2014 school year. The Commission is requested to approve the proposal and authorize staff to enter into an agreement with the Schools for oversight of the basketball program and the Open Gym program.

FINANCIAL IMPACT: The cost for the program is $18,500 (which has not changed since 2010).

BUDGET ACTION REQUIRED: Funds are available through the Leisure Services budget.

STAFF RECOMMENDATION: To approve the "Youth Basketball League and Open Gym Proposal" and authorize staff to enter into a formal agreement with the Schools.

G. **<u>Gaming License Request from the Muskegon Rotary Foundation.</u>** CITY CLERK

SUMMARY OF REQUEST: The Muskegon Rotary Foundation is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a Gaming License. They have been recognized as a 501(c)(3) organization by the State.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

Motion by Vice Mayor Spataro, second by Commissioner Hood to approve the Consent Agenda as read except for item E.

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

Nays: None

MOTION PASSES

2013-72 ITEM REMOVED FROM THE CONSENT AGENDA:

E. **<u>Request to Re-Float Ten Finger Piers at Hartshorn Marina.</u>** PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to contract with Great Lakes Dock and Materials, L.L.C. of 559 E. Western Avenue to repair ten floating docks in the large boat basin.

FINANCIAL IMPACT: $12,000 from the Marina Fund.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Authorize staff to hire Great Lakes Dock and Materials, L.L.C.

Motion by Commissioner Markowski, second by Commissioner German to approve the request to re-float ten finger piers at Hartshorn Marina.

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

Nays: None

MOTION PASSES

2013-73 PUBLIC HEARINGS:

A. **<u>Issuance of a Commercial Rehabilitation Certificate – 316 Morris Avenue.</u>** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 210 of 2005, as amended, the Hinman Company has requested the issuance of a Commercial Rehabilitation Certificate. The City Commission approved the creation of the Commercial

Rehabilitation District on January 22, 2013. The certificate will freeze the taxable value of the building and exempt the new real property investment from local taxes. The school operating tax and the State Education Tax (SET) are still levied on the new investment. The company will be investing over $450,000 in the building, which qualifies them for an abatement of 10 years.

FINANCIAL IMPACT: The real property taxes would be frozen at their pre-rehabilitated rate for the duration of the certificate.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Establishment of the Commercial Rehabilitation Certificate.

The Public Hearing opened to hear and consider any comments from the public. Andy Winslow, Director of Development for Hinman Company gave an overview of the work that was done and the number of jobs that have been added. No public comments were made.

Motion by Commissioner German, second by Vice Mayor Spataro to close the Public Hearing and establish the Commercial Rehabilitation Certificate.

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

Nays: None

MOTION PASSES

B. <u>Establishment of a Commercial Rehabilitation District – 500 W. Western Avenue.</u> PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 201 of 2005, as amended, 500 W. Western Ave. LLC has requested the establishment of a Commercial Rehabilitation District. The creation of the district will allow the building owner to apply for a Commercial Rehabilitation Certificate, which will freeze the taxable value of the building and exempt the new real property investment from local taxes. The school operating tax and the State Education Tax (SET) are still levied on the new investment. Land and personal property cannot be abated under this act.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Establishment of the Commercial Rehabilitation District.

The Public Hearing opened to hear and consider any comments from the public. Chris Knots gave an overview. No public comments were made.

Motion by Vice Mayor Spataro, second by Commissioner German to close the Public Hearing and establish the Commercial Rehabilitation District for 500 W.

Western Avenue.

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

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 6:08 pm.

Respectfully submitted

Ann Marie Cummings, MMC
City Clerk