CITY OF MUSKEGON

CITY COMMISSION MEETING

AUGUST 23, 2016

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, MI at 5:30 p.m., Tuesday, August 23, 2016.

Pastor Marcy Miller, Samuel Lutheran Church, opened the meeting with prayer, after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Vice Mayor Eric Hood, Commissioners Byron Turnquist, Ken Johnson, Debra Warren, Willie German, Jr., and Dan Rinsema-Sybenga, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

Absent: Mayor Stephen J. Gawron

2016-65 CONSENT AGENDA:

A. <u>Approval of Minutes</u> City Clerk

SUMMARY OF REQUEST: To approve minutes of the August 8, 2016 Worksession and the August 9, 2016 Regular City Commission Meetings.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

C. <u>Certification of MERS Representatives</u> Finance

SUMMARY OF REQUEST: The MERS plan document provides that "the governing body for each municipality shall certify the names of two delegates to the Annual Meeting. One delegate shall be a member who is an officer of the municipality appointed by the governing body of the municipality. The other delegate shall be a member who is not an officer of the municipality, elected by the member officer/employees of the municipality."

The City's employee units previously agreed to a rotating system (based on date of joining MERS) to select one official employee representative. This year the official employee representative attending the MERS conference will be Peter

Hughes (Firefighter) from the firefighters' union group.

It is recommended that Elizabeth Lewis (Assistant Finance Director) be designated as the City's employer delegate.

FINANCIAL IMPACT: Registration for the MERS conference in Acme, MI is $250 per person. Additionally, mileage, hotel and related costs will be incurred.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Certification of Elizabeth Lewis and Peter Hughes to be the City's officer and employee delegates at the MERS annual meeting in Acme September 28-29, 2016.

F. <u>Beach Cleaner</u> DPW/Equipment

SUMMARY OF REQUEST: Authorize staff to purchase one new Surf Rake from H Barber and Sons, Inc. for $53,750.00 and trade in the current Surf Rake for trade value of $9,000.00

FINANCIAL IMPACT: $53,750.00 minus $9,000.00 (trade in) for total purchase of $44,750.00

BUDGET ACTION REQUIRED: None. Amount is what was budgeted.

STAFF RECOMMENDATION: Authorize staff to purchase one new Surf Rake.

G. <u>Youth Basketball League and Open Gym Proposal – Muskegon Public Schools</u> Planning & Economic Development

SUMMARY OF REQUEST: The City of Muskegon has contracted with Muskegon Public 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 2016-2017 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.

H. <u>Request to Create a New Neighborhood Enterprise Zone District at 285 W. Western Avenue</u> ***ITEM REMOVED PER CITY MANAGER***

Motion by Commissioner Johnson, second by Commissioner German, to approve the Consent Agenda as presented with the exception of Items B, D, & E.

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Turnquist, Johnson, Gawron, Hood, and Warren

Nays: None

MOTION PASSES

2016-66 ITEMS REMOVED FROM CONSENT AGENDA:

B. <u>Designation of Voting Delegates for the Michigan Municipal League Annual Business Meeting</u> City Clerk

SUMMARY OF REQUEST: To designate by action of the Commission, Mayor Stephen J. Gawron, who will be in attendance at the convention as an official representative to cast the vote of the municipality at the annual meeting; and to designate City Manager, Frank Peterson, to serve as alternate.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga, to approve the designation of voting delegates for the Michigan Municipal League Annual Business Meeting.

ROLL VOTE: Ayes: Hood, Warren, German, Rinsema-Sybenga, Turnquist, and Johnson

Nays: None

MOTION PASSES

D. <u>Police Detective Vehicles</u> DPW/Equipment

SUMMARY OF REQUEST: Authorize staff to purchase two Chevy Impalas from Berger Chevrolet, the MI-Deal State contract holder. These will replace the two oldest vehicles currently being used.

FINANCIAL IMPACT: $46,738.12 OR $23,369.06 each.

BUDGET ACTION REQUIRED: None. Amount is what was budgeted.

STAFF RECOMMENDATION: Authorize staff to purchase two Chevy Impalas from Berger Chevrolet.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga, to authorize staff to purchase two Chevy Impalas from Berger Chevrolet

ROLL VOTE: Ayes: Hood, Warren, German, Rinsema-Sybenga, Turnquist, and Johnson

Nays: None

MOTION PASSES

E. **<u>Trust Fund Grant Application for Pere Marquette Park</u>** Engineering

SUMMARY OF REQUEST: Adopt the resolution committing the City for the local match on the Trust Fund Grant application for improvements at Pere Marquette Park.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None as the local match has been anticipated and budgeted for in the Public Improvement Fund.

STAFF RECOMMENDATION: Adopt the resolution.

Motion by Commissioner Turnquist, second by Commissioner Johnson, to adopt the resolution committing the City for the local match on the Trust Fund Grant application for improvements at Pere Marquette Park.

ROLL VOTE: Ayes: Warren, German, Rinsema-Sybenga, Turnquist, Johnson, and Hood

Nays: None

MOTION PASSES

2016-67 NEW BUSINESS:

A. **<u>Concurrence with the Housing Board of Appeals Notice and Order to Demolish</u>** Public Safety

1133 W. Western Avenue

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structure located at 1133 W. Western Avenue is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days or infraction tickets may be issued. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder or staff may issue infraction tickets to the owner, agent, or responsible party if they do not demolish the structure.

FINANCIAL IMPACT: General Fund

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To concur with the Housing Board of Appeals decision to demolish.

Motion by Commissioner Warren, second by Commissioner Turnquist, to concur with the Housing Board of Appeals decision to demolish 1133 W. Western Avenue

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Turnquist, Johnson, Hood, and Warren

Nays: None

MOTION PASSES

B. <u>Request to Add Parcels to the City's Existing Groundwater Ordinance</u>
Planning & Economic Development

SUMMARY OF REQUEST: The City has received an application to designate 52 parcels under the water supplies ordinance. These parcels are associated with the former Mobil Oil Pipeline – Sisson Avenue at McCracken Street. The ordinance prohibits the use of groundwater wells and secondary water supplies under certain circumstances and in certain locations, to prevent exposure to contaminated groundwater, as well as to prevent wells from influencing the movement of contaminated water. Notice was sent to the affected addresses prior to this meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the ordinance amendment to add the additional 52 parcels.

Motion by Commissioner Johnson, second by Commissioner German, to approve the ordinance amendment to add the additional 52 parcels.

ROLL VOTE: Ayes: Rinsema-Sybenga, Turnquist, Johnson, Hood, Warren, and German

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission adjourned at 6:47 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC, City Clerk