CITY OF MUSKEGON

CITY COMMISSION MEETING

AUGUST 10, 2010

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 10, 2010.

Mayor Warmington opened the meeting with a prayer from Elder George Monroe from the Evanston Avenue Baptist 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 Warmington, Vice Mayor Stephen Gawron, Commissioners Steve Wisneski, Chris Carter, Clara Shepherd, Lawrence Spataro, and Sue Wierengo, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

2010-71 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the City Commission Meeting that was held on Tuesday, July 27, 2010.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Fluoride System Evaluation Construction Phase. WATER FILTRATION

SUMMARY OF REQUEST: To authorize staff to enter into an agreement with Franklin Holwerda Company for construction of the fluoridation system overfeed protection improvements at the Water Filtration Plant.

FINANCIAL IMPACT: The construction cost is $12,450.

BUDGET ACTION REQUIRED: None, the fluoride system construction cost will be covered by a grant from the Michigan Department of Community Health – Oral Health Division.

STAFF RECOMMENDATION: It is staff's recommendation that the Mayor and City

Commission authorize staff to enter into an agreement with Franklin Holwerda Company for the fluoride system evaluation construction phase at the Water Filtration Plant at a cost of $12,450.

C. <u>Rescind Bid for Lead Abatement at 605 Jackson.</u> COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: On August July 27, 2010, the City Commission approved the awarding of the bid for Lead Abatement at 605 Jackson to Murphy and Son Construction LLC.

The contractor was at the meeting and knew of the approval by the City Commission. Prior to the meeting the contractor was specifically asked if he would have a problem starting the Lead Abatement on Monday, August 2 and completing it on Friday, August 6. The contractor said he was ready to go. The CNS office talked to the contractor on Wednesday, advising him he had to come in to sign a contract that day. He did not show up until Friday, July 30. That same afternoon his Lead Abatement contractor came in and had questions that needed to be cleared up. When we did not hear anything by 5:00 p.m. that day, we decided to rebid the project.

It was imperative we get this completed so our architect could go into the home and get us drawings for a walk-thru the following week. No one is allowed on the premises except licensed lead workers during the Lead Abatement.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To rescind the bid from Murphy and Son Construction LLC and rebid the project.

D. <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."

Each City bargaining unit selects a member to attend the MERS annual meeting. The bargaining units have agreed to a rotating system (based on date of joining MERS) to select one official employee representative. This year the employee representative will be Pete Hughes from the Fire Union.

FINANCIAL IMPACT: Registration for the MERS conference in Kalamazoo is $185 per person. Additionally, mileage and lodging costs will be incurred.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Certification of Tim Paul and Pete Hughes to be the City's officer and employee delegates at the MERS annual meeting in Kalamazoo September 15-17.

E. <u>Accept Resignation from Board of Review.</u> CITY CLERK

SUMMARY OF REQUEST: To accept the resignation of Jack Rottman from the Board of Review.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To accept the resignation.

COMMITTEE RECOMMENDATION: The Community Relations Committee approved this request at their August 9th Meeting.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to approve the Consent Agenda as read with correction of Item C changing August to July.

ROLL VOTE: Ayes: Carter, Gawron, Shepherd, Spataro, Warmington, Wierengo, and Wisneski

Nays: None

MOTION PASSES

2010-72 UNFINISHED BUSINESS:

A. <u>SECOND READING: Rezoning Request for a Portion of the Property Located at 721 E. Laketon Avenue.</u> PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone a portion of the property at 721 E. Laketon Avenue from R-1, Single Family Residential district to B-4, General Business district, by Micheal David. This would make the entire parcel zoned B-4, General Business District.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request at their July 15th meeting.

Motion by Commissioner Carter, second by Commissioner Wierengo to approve the second reading of the rezoning request for a portion of the property located at 721 E. Laketon Avenue.

ROLL VOTE: Ayes: Gawron, Shepherd, Spataro, Warmington, Wierengo, Wisneski, and Carter

Nays: None

MOTION PASSES

2010-73 NEW BUSINESS:

A. <u>Muskegon Lake Research Fund.</u> CITY MANAGER

SUMMARY OF REQUEST: The Muskegon Lake Research Fund Committee Members are requesting that the City offer an option that customers purchasing an annual boat launch sticker may choose to give a $2 donation to the Muskegon Lake Research Fund.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: None.

Motion by Commissioner Carter, second by Commissioner Shepherd to approve the option that customers purchasing an annual boat launch sticker may choose to give a $2 donation to the Muskegon Lake Research Fund.

Motion and second amended to leave the amount of the donation open.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Wierengo, Wisneski, Carter, and Gawron

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Ann Marie Becker, City Clerk, read a thank you from Commissioner Shepherd for all the kindness, cards and concerns during her and her family's time of sorrow at the loss of her grandson, T.J. Thomas.

Commissioner Shepherd has been chosen by the MML to receive an award at the September conference in Dearborn, MI.

ADJOURNMENT: The City Commission Meeting adjourned at 5:44 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk