CITY OF MUSKEGON

CITY COMMISSION MEETING

JULY 23, 2019 @ 5:30 P.M.

MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440

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, July 23, 2019, Pastor Tim Cross, Living Word 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: Mayor Stephen J. Gawron, Vice Mayor Eric Hood, Commissioners Byron Turnquist, Debra Warren, and Willie German, Jr., Acting City Manager LeighAnn Mikesell, City Attorney John Schrier, and City Clerk Ann Meisch.

Absent: Commissioners Ken Johnson and Dan Rinsema-Sybenga

2019-58 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve the minutes of the July 8, 2019 Worksession and July 9, 2019 Regular Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Approval of the Fair Housing Agreement in Partnership with Muskegon Heights and Norton Shores Community & Neighborhood Services

SUMMARY OF REQUEST: The Cities of Muskegon, Muskegon Heights, and Norton Shores are entering into an agreement with the Fair Housing Center of West Michigan, to provide fair housing service activities in the County of Muskegon. This agreement will provide concentrated tests, surveys, education and support of investigations within each CDBG grantee city for a period of 3 years, beginning July 2019 – June 2022, with bi-annual reports.

FINANCIAL IMPACT: Base on population, the City of Muskegon will pay the annual cost determined in partnership with Muskegon Heights and Norton Shores.

STAFF RECOMMENDATION: To approve the Agreement and authorize the Mayor to sign.

C. Approval of a Neighborhood Enterprise Zone Certificate Planning & Economic Development

SUMMARY OF REQUEST: An application for a Neighborhood Enterprise Zone (NEZ) Certificate has been received from John Spruit for the new construction of a home at 301 Terrace Point. The applicant has met local and state requirements for the issuance of the NEZ certificate.

FINANCIAL IMPACT: Taxation will be 50% of the State average for the next 12 years.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the NEZ certificate.

D. Transfer of 235, 239, 240, and 250 Monroe; 395 Houston; 219 and 271 Merrill; and 1261 5th Street from the City of Muskegon to the Brownfield Redevelopment Authority Planning & Economic Development

SUMMARY OF REQUEST: Staff is requesting that 235 Monroe, 239 Monroe, 240 Monroe, 250 Monroe, 395 Houston, 219 Merrill, 271 Merrill and 1261 5th Street be transferred from the City of Muskegon to the Brownfield Redevelopment Authority, a Municipal Authority of the City of Muskegon.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the transfer and for the Mayor and Clerk to sign the deed.

E. Prein & Newhof – SRF & DWRF Engineering Services Agreement Amendment #1 Department of Public Works

SUMMARY OF REQUEST: Authorize the DPW Director to sign an amendment to the engineering services agreement with Prein & Newhof. The amendment covers an increase in engineering services primarily related to adding water main work into several of the State Revolving Fund (SRF) sewer projects.

Costs for this work will be covered under the sale of bonds through the Drinking Water Revolving Fund and State Revolving Fund program, and included within the principal forgiveness offered by the MDEQ on these projects.

FINANCIAL IMPACT: $199,400.00

BUDGET ACTION REQUIRED: None. This project was included in the 19-20 budget.

STAFF RECOMMENDATION: Authorize the DPW Director to sign an amendment to the engineering services agreement with Prien & Newhof.

F. <u>Musketawa Trail Connector – Contract Amendment</u> Department of Public Works

SUMMARY OF REQUEST: Authorize the DPW Director to sign an amendment to the engineering services agreement with Hubbell, Roth & Clark, Inc. (HRC) to allow them to complete design engineering services on the project to MDOT standards in preparation for construction in 2021.

HRC began work on this project in 2015, however work was suspended due to a lack of funding to complete construction. MDOT has recently provided conditional commitment for $400,000 to support the project and MDNR is also anticipated to contribute funding for the project. HRC is the best situated team to complete the design of the project based on their prior work.

FINANCIAL IMPACT: $42,360.00

BUDGET ACTION REQUIRED: None. This project was included in the 19-20 budget. It is expected that the financial impact will be spread over 19-20 and 20-21 fiscal years.

STAFF RECOMMENDATION: Authorize the DPW Director to sign an amendment to the engineering services agreement with Hubbell, Roth, & Clark, Inc.

H. <u>Gaming License Request from Women's Division Chamber of Commerce</u> City Clerk

SUMMARY OF REQUEST: The Women's Division Chamber of Commerce is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a Gaming License.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval

Motion by Commissioner Warren, second by Commissioner German, to approve the consent agenda as presented, except item G.

ROLL VOTE: Ayes: Turnquist, Gawron, Hood, Warren, and German

Nays: None

MOTION PASSES

2019-59 REMOVED FROM CONSENT AGENDA:

A. <u>Beach Street</u> Department of Public Works

SUMMARY OF REQUEST: Authorize the Mayor and Clerk to sign the Cost Sharing

Agreement with Muskegon County for the water main and road reconstruction project on Beach Street.

Authorize the DPW Director to sign the Professional Services Agreement with Johnson and Anderson for the Engineering work on the Beach Street Project.

FINANCIAL IMPACT: $800,000 ($685,000 Construction + $115,000 Engineering) Split approximately 50/50 between the Major Street and Water Funds.

BUDGET ACTION REQUIRED: Non. This project was included in the 19-20 budget. The dollar amounts will be adjusted in a future reforecast to reflect the construct cost estimates.

STAFF RECOMMENDATION: Authorize the Mayor and Clerk to sign the cost sharing agreement with Muskegon County and authorize the DPW Director to sign the Professional Services Agreement with Johnson and Anderson.

Motion by Commissioner Turnquist, second by Vice Mayor Hood, to authorize the Mayor and Clerk to sign the cost sharing agreement with Muskegon County and authorize the DPW Director to sign the Professional Services Agreement with Johnson and Anderson.

ROLL VOTE: Ayes: Gawron, Hood, Warren, German, and Turnquist

Nays: None

MOTION PASSES

2019-60 NEW BUSINESS:

A. **<u>Sale of the Property at 159 Amity, 158 Allen, 923 Jay, 201 Jay, and 974 Spring</u>** Planning & Economic Development

SUMMARY OF REQUEST: Staff is seeking approval to sell the five vacant parcels at 159 Amity, 158 Allen, 923 Jay, 201 Jay, and 974 Spring to Grace Community, LLC, a Michigan Limited Liability Company. Grace Community, LLC, will be combining these with the adjacent properties that they are purchasing for the development of retail and office space.

FINANCIAL IMPACT: Staff recommends a sale price of $11,288.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the sale and for the Mayor and Clerk to sign the purchase agreement, resolution, and deed.

Motion by Commissioner German, second by Vice Mayor Hood, to approve the sale and for the Mayor and Clerk to sign the purchase agreement, resolution, and deed.

ROLL VOTE: Ayes: Gawron, Hood, Warren, German, and Turnquist

Nays: None

MOTION PASSES

B. <u>Resolution Authorizing Ballot Language for Charter Amendment Regarding Civil Service</u> City Clerk

SUMMARY OF REQUEST: To adopt the resolution to place a question on the November 5, 2019 ballot to amend the Civil Service procedure for filling positions of employment to eliminate the "Rule of 3" for adoption by the voters of the City of Muskegon.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the resolution.

Motion by Commissioner Warren, second by Vice Mayor Hood, to approve the resolution authorizing ballot language for a charter amendment regarding civil service.

ROLL VOTE: Ayes: Hood, Warren, German, Turnquist, and Gawron

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission meeting adjourned at 6:12 p.m.

Respectfully Submitted,

Ann Marie Meisch – MMC, City Clerk