

CITY OF MUSKEGON

CITY COMMISSION MEETING

JULY 22, 2014

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, July 22, 2014.

Mayor Gawron opened the meeting with prayer from Vice Mayor Spataro 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, and Ken Johnson, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Commissioner Byron Turnquist arrived at 5:35 p.m.

Absent: Commissioner Dan Rinsema-Sybenga (excused)

2014-53 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the July 7th Commission Worksession Meeting, and the July 8th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

C. Approval of Vinyl Siding Installers for Fiscal Year 2014-2015. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve Community & Neighborhood Services to sign a contract with Mark Tucker Construction, 1620 Fruitvale Rd., Holton, MI, and Cutting Edge, 766 Chatterson Road, Muskegon, MI, to install vinyl siding at an agreed price of \$50 per building square for the Vinyl Siding Program's 2014-2015 fiscal year.

The Community & Neighborhood Services office received one other bid from

vinyl siding installers: Schmidt Roofing and Construction, 552 W. Southern, Muskegon, MI 49441: \$85 per building square.

FINANCIAL IMPACT: Funding will be disbursed from the 2014-2015 Community Development Block Grant Vinyl Siding fund.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the request.

D. Approval of the Housing Development Grant Agreement for Target Market Analysis. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: The Cities of Muskegon, Norton Shores, Muskegon Heights, along with the County of Muskegon, are interested in pursuing a Target Market Analysis Study to forecast our future housing needs; this will enable each City to have a tool for investors and developers and may lead to future investment. The agreement is with MSHDA for a match up to \$15,000 for this study.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve and authorize the City Manager to sign the Agreement and Designation Form.

E. Hours at City Parks – Ordinance Amendment. CITY CLERK

SUMMARY OF REQUEST: Staff has found a discrepancy in the code of ordinances for park hours. City parks have opened at 5:00 a.m. for many years. Under the Uniform Traffic Code, Chapter 92-33, section 8.10(v), it inadvertently list the park opening as 7:00 a.m.

The amendment would change subsection (v) to list the hours of the park as being closed from the hours of 11:00 p.m. and 5:00 a.m.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the ordinance amendment.

(REQUIRES SECOND READING.)

F. Michigan Irish Music Festival (MIMF) – Request to Serve Spirits at the Festival. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The Michigan Irish Music Festival has filed a special event application for their annual festival to be held at Heritage Landing September 11-14, 2014. They are requesting City Commission approval to serve spirits (Jameson Irish Whiskey) at the festival, as follows:

1. In measured 1.5 oz. servings over ice or mixed with ginger ale.
2. At a tasting event on Saturday & Sunday, along with craft beer & cider tastings they have hosted in the past.

They have served liquor in the past (Baileys Irish Crème).

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the request.

G. Vacation of the Alley between Vulcan Street and Brunswick Street, from Nims Street to Keating Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Newkirk Electric at 1875 Roberts Street is requesting to vacate the alley between Vulcan Street and Brunswick Street, from Nims Street to Keating Avenue. They would then replat the alley so they can utilize it for business operations.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends vacation of the street, with the condition that all utility easement rights be retained.

COMMITTEE RECOMMENDATION: The Planning Commission recommended vacation of the alley at their July meeting.

Motion by Commissioner German, second by Commissioner Hood to accept the Consent Agenda as read minus Item B.

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

Nays: None

MOTION PASSES

2014-54 ITEM REMOVED FROM THE CONSENT AGENDA:

B. Permanent Traffic Control Order. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to install “2 (two) hour parking” limit signage from 8:30 a.m. to 5:30 p.m., where permissible to install, in the specified downtown areas bordering 7th Street up to Terrace Street and from Shoreline Drive to Muskegon Avenue, with the exception of 1st Street from Morris Street to Western Avenue, per Traffic Control Work Order #15-(2014).

FINANCIAL IMPACT: Cost of signs/posts and man-power to install, if approved.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to install “2 (two) hour parking” limit signs per Traffic Control Work Order #15-(2014).

Motion by Vice mayor Spataro, second by Commissioner German to authorize DPW staff to install “2 (two) hour parking” limit signs per Traffic Control Work Order #15-(2014).

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

Nays: None

MOTION PASSES

2014-55 PUBLIC HEARINGS:

A. Request for an Industrial Facilities Exemption Certificate – The Bold Companies. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, The Bold Companies, 2291 Olthoff Drive, has requested the issuance of an Industrial Facilities Tax Exemption Certificate. The total capital investment will be \$403,031 in personal property and will create 20 jobs. This qualifies them for a tax abatement of nine years under the current City policy.

FINANCIAL IMPACT: The City will capture certain additional property taxes generated by the expansion.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the resolution granting an Industrial Facilities Exemption Certificate for a term of nine years for personal property.

The Public Hearing opened to hear and consider any comments from the public. No public comments were made.

Motion by Vice Mayor Spataro second by Commissioner Johnson to close the Public Hearing and approve the resolution granting an Industrial Facilities Exemption Certificate for a term of nine years for personal property for Bold Companies, 2291 Olthoff Drive.

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

Nays: None

MOTION PASSES

2014-56 NEW BUSINESS:

A. Approval of Sale of City-Owned Property at 2279 Austin. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and direct the Mayor and Clerk to sign Quit Claim Deed to Mark and Christine Rice, of 2283 Austin, for the

property at 2279 Austin, including the garage. Mr. and Mrs. Rice will purchase it for \$700.

FINANCIAL IMPACT: The proceeds from the sale will be used to continue the rehabilitation of vacant houses through the HOME program to sustain our current investments to stabilize and revitalize neighborhoods.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and direct Community & Neighborhood Services staff to file the Quit Claim Deed.

Motion by Commissioner Johnson, second by Vice Mayor Spataro to approve the resolution and direct Community & Neighborhood Services staff to file the Quit Claim Deed on 2279 Austin.

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

Nays: None

MOTION PASSES

B. Approval of Sale of City-Owned Home at 2035 Harding. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community & Neighborhood Services Department to complete the sales transaction between Ms. Sharon L. Williams for the rehabilitated home at 2035 Harding, which is part of the City's HOME Infill Program through the U.S. Department of Housing and Urban Development. Ms. Williams purchase price is \$85,000.

FINANCIAL IMPACT: The proceeds from the sale will be used to continue the rehabilitation of vacant houses through the HOME program to sustain our current investments to stabilize and revitalize neighborhoods.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and direct the Community & Neighborhood Services staff to complete the sale.

Motion by Commissioner Johnson, second by Commissioner German to approve the resolution and direct Community & Neighborhood Services staff to complete the sale.

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

Nays: None

MOTION PASSES

C. Concurrence with the Housing Board of Appeals Notice and Order to Demolish the Following: PUBLIC SAFETY

1747 7th Street

766 W. Southern

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structures are unsafe, substandard, a public nuisance and that they be demolished within 30 days by the owner or agent or infraction tickets may be issued for noncompliance and/or that administration may be directed to obtain bids for the demolition of the structures and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: General Funds for 1747 7th Street and CDBG Funds for 766 W. Southern.

BUDGET ACTION REQUIRED: None.

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

Motion by Vice Mayor Spataro, second by Commissioner Johnson to concur with the Housing Board of Appeals notice and order to demolish 766 W. Southern.

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

Nays: None

MOTION PASSES

Motion by Vice Mayor Spataro, second by Commissioner German to concur with the Housing Board of Appeals notice and order to demolish 1747 7th Street.

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

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 6:37 pm.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk