

CITY OF MUSKEGON

CITY COMMISSION MEETING

JUNE 11, 2013

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ **CALL TO ORDER:**
- ❑ **PRAYER:**
- ❑ **PLEDGE OF ALLEGIANCE:**
- ❑ **ROLL CALL:**
- ❑ **HONORS AND AWARDS:**
- ❑ **INTRODUCTIONS/PRESENTATION:**
 - A. Burgess Norton Presentation – Summer 2013 Environmental Investigation.
 - B. County Jail Update.
- ❑ **CONSENT AGENDA:**
 - A. Approval of Minutes. CITY CLERK
 - B. Request to Waive Water Connection Fee for Alcoa Square Splash Pad. CITY MANAGER
 - C. Memorandum of Understanding – Justice Assistance Grant. PUBLIC SAFETY
 - D. Fireworks Display Permit for Muskegon Country Club. CITY CLERK
 - E. Fireworks Display Permit for Coast West Music Festival. CITY CLERK
 - F. Cemetery Mowers. PUBLIC WORKS
 - G. Engineering Services – Asset Management. PUBLIC WORKS
 - H. Consideration of Quotes for Electrical Work at DPW. PUBLIC WORKS
- ❑ **PUBLIC HEARINGS:**
 - A. 2013-14 Budget. FINANCE
- ❑ **COMMUNICATIONS:**
- ❑ **CITY MANAGER'S REPORT:**

❑ **UNFINISHED BUSINESS:**

❑ **NEW BUSINESS:**

A. Proposed 2013 – 2014 CDBG/HOME Grants. COMMUNITY &
NEIGHBORHOOD SERVICES

B. FY2013 Port Security Grant Program. PUBLIC SAFETY

C. Harris Hospitality Presentation. CITY MANAGER

❑ **ANY OTHER BUSINESS:**

❑ **PUBLIC PARTICIPATION:**

- *Reminder: Individuals who would like to address the City Commission shall do the following:*
- Fill out a request to speak form attached to the agenda or located in the back of the room.
- Submit the form to the City Clerk.
- Be recognized by the Chair.
- Step forward to the microphone.
- State name and address.
- Limit of 3 minutes to address the Commission.
- (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

❑ **CLOSED SESSION:**

❑ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE CUMMINGS, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TTY/TDD DIAL 7-1-1 TO REQUEST A REPRESENTATIVE TO DIAL (231) 724-6705.

AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: June 3, 2013

RE: Burgess Norton Presentation – Summer 2013 Environmental Investigation

SUMMARY OF REQUEST:

Burgess Norton has requested to make a presentation to the City Commission regarding a summary of planned 2013 environmental investigation in the Nims Street area.

FINANCIAL IMPACT:

None.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

None.

COMMITTEE RECOMMENDATION:

None.

Date: June 11, 2013
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the May 28th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

MAY 28, 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, MI at 5:30 p.m., Tuesday, May 28, 2013.

Mayor Gawron opened the meeting with a prayer from Pastor Tim Cross from the Living Word 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 Byron Turnquist, Lea Markowski, Eric Hood, and Sue Wierengo, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Absent: Commissioner Willie German (excused)

2013-46 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the May 13th Commission Worksession Meeting, and the May 14th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Gnarley Varley's Righteous Cuisine-Mobile Vending Business – Concession Contract for City of Muskegon Parks. PUBLIC WORKS

SUMMARY OF REQUEST: Staff is asking permission to enter into a one-year contractual agreement with Nicolas Mika of Gnarley Varley's Righteous Cuisine at Pere Marquette Park, located within the City of Muskegon, to sell various food items as outlined in their proposal, from a mobile food truck.

FINANCIAL IMPACT: Contract revenue will be 10% of gross receipts, per Mobile Vending Business/Concession Contract.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to enter into a one-year Mobile Vending Business/Concession Contract with Nicolas Mika of Gnarley Varley's Righteous Cuisine.

C. Fatty Lumpkins Sandwich Shack-Mobile Vending Business – Concession Contract for City of Muskegon Parks. PUBLIC WORKS

SUMMARY OF REQUEST: Staff is asking permission to enter into a one-year contractual agreement with Brett Gilbert of Fatty Lumpkins at Pere Marquette Park, located within the City of Muskegon, to sell various food items as outlined in their proposal, from a mobile "Special Transitory Food Unit".

FINANCIAL IMPACT: Contract revenue will be 10% of gross receipts, per Mobile Vending Business/Concession Contract.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to enter into a one-year Mobile Vending Business/Concession Contract with Brett Gilbert of Fatty Lumpkins.

D. Consumers Energy Rate Case – Municipal Coalition Participation. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize participation in the Consumers Energy Rate Case Municipal Coalition coordinated by the Michigan Municipal League.

FINANCIAL IMPACT: \$833.25 Contribution.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to make the financial contribution of \$833.25 to the legal defense arguing against the most recent request for a rate increase by Consumer.

E. CDBG Program Administration Agreement – City of Muskegon/City of Norton Shores. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City of Muskegon has contracted with the City of Norton Shores to administer their Community Development Block Grant (CDBG) program since 2006. The current Agreement concludes on June 30, 2013. The new Agreement extends for two years (through June 30, 2015).

FINANCIAL IMPACT: The City of Norton Shores will pay the maximum allowable CDBG costs per program year to the City of Muskegon, minus \$1,000 to administer their CDBG program.

BUDGET ACTION REQUIRED: None.

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

F. Cemetery Utility Cart. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase one Kioti Mechron utility cart from J&J Farms, the lowest qualified bidder. This machine will replace the

1995 model currently being used.

FINANCIAL IMPACT: \$9,000 minus \$500 trade in for old model for a total of \$8,500.

BUDGET ACTION REQUIRED: None, amount is what was budgeted.

STAFF RECOMMENDATION: Authorize staff to purchase one Kioti Mechtron utility cart from J&J Farms.

G. Grant Agreement Addendum – Grand Trunk Boating Access. PUBLIC WORKS

SUMMARY OF REQUEST: Adopt the resolution and authorize the Mayor and Clerk to sign the agreement amendment between the City and MDNR reflecting the acceptance of the grant based on actual costs; the dredging was completed earlier this month.

FINANCIAL IMPACT: \$89,623.44.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Adopt the resolution and authorize the Mayor and Clerk to sign the agreement.

H. Grant Agreement with the Department of Natural Resources for Dredging Cottage Grove Launch Ramp and Hartshorn Marina. PUBLIC WORKS

SUMMARY OF REQUEST: Adopt the resolution and authorize the Mayor and Clerk to sign the grant agreement with the Department of Natural Resources for the dredging work necessary at the large and small boat basins of Hartshorn Marina, and at Cottage Grove launch ramp.

FINANCIAL IMPACT: \$175,000.

BUDGET ACTION REQUIRED: None at this time, project will be incorporated into the 2013/2014 budget.

STAFF RECOMMENDATION: Authorize the Mayor and Clerk to sign the agreement.

I. Sale of Parcel in Seaway Industrial Park. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of Lot #7 in Seaway Industrial Park to Schultz Transport, Inc., 421 Delano Ave., Muskegon, MI 49444. The company will utilize the new land in its plans to expand its lawn care services. The lots will be combined and the new land will be used for mulch and other lawn care storage.

FINANCIAL IMPACT: The sale of this lot, while located in a Renaissance Zone, will still generate City of Muskegon income tax.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the lot sale.

J. Approval of Extension for Realtor and Title Company Procurement Contracts for CNS. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To extend the Procurement Contract to December 31, 2013, for Greenridge Realty and Lighthouse Title Company to be used by the City of Muskegon Community and Neighborhood Services office. By granting the extension, the expiration dates will coincide with the other procurement contracts.

FINANCIAL IMPACT: The awards for the realtor or title company will be paid through the sale of homes originally established under: HOME or NSP1.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the extension of the Procurement Contracts for Greenridge Realty and Lighthouse Title Company for the Community and Neighborhood Services office.

K. HOME Consortia Application. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: The CNS Department is requesting authorization for the City of Muskegon to submit an application as the lead agency for a HOME Consortium as evidenced through a signed agreement with the Cities of Muskegon Heights, Norton Shores, and Roosevelt Park. The application to participate as HOME Consortia will be submitted to the Department of Housing and Urban Development in June, 2013.

The City Commission is also asked to direct the Mayor to sign a resolution for the HOME Consortium to support the agreement.

FINANCIAL IMPACT: The 2014 HOME allocations will be based on HUD's decision to approve the HOME Consortia application.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To enter into an agreement between the Cities of Muskegon Heights, Norton Shores, and Roosevelt Park to form a HOME Consortia from the City of Muskegon's HOME Investment Partnership Program.

L. 2013/14 Water Treatment Chemical Bids. PUBLIC WORKS

SUMMARY OF REQUEST: Endorse the lowest responsible bids received for a one-year extension of the current contracts for three chemicals used at the Water Filtration Plant: USALCO – Aluminum Sulfate

Key Chemical – Hydrofluorosilicic Acid

Standard Carbon – Powdered Activated Carbon

FINANCIAL IMPACT: Annual cost: Aluminum Sulfate - \$74,000

Hydrofluorisilicic acid - \$50,000
Powdered Carbon - \$7,000

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends endorsing the chemical bid extension for one more year with USALCO, Key Chemical and Standard Carbon.

Motion by Vice Mayor Spataro, second by Commissioner Markowski to adopt the Consent Agenda as read.

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

Nays: None

MOTION PASSES

2013-47 NEW BUSINESS:

A. Permanent Traffic Control Order – Install “No Parking” Signs on the South Side of Forest Avenue between Peck and Clinton. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to install “No Parking” signs on the south side of Forest Avenue between Peck and Clinton.

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

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to install “No Parking” signs on the south side of Forest Avenue between Peck and Clinton.

Motion by Vice Mayor Spataro, second by Commissioner Wierengo to authorize staff to install “No Parking” signs on the south side of Forest Avenue between Peck and Clinton and enter into the permanent traffic control order.

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

Nays: None

MOTION PASSES

B. Pere Marquette Improvement Fund. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City of Muskegon established a Pere Marquette Improvement Fund (Fund) through the Community Foundation of Muskegon County (Foundation) to receive deposits from Festival Unified Network (FUN), Inc. to be used for improvements and events at the beach. FUN, Inc. is no longer functioning. The Advisory Committee of FUN, Inc. has authorized different oversight and expansion of the Fund (see “Community Foundation for Muskegon County Advised Fund Agreement”).

FINANCIAL IMPACT: Allows for broader use of funds.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and authorize the Mayor and Clerk's signatures.

COMMITTEE RECOMMENDATION: The FUN, Inc. Advisory Committee, the Foundation and City of Muskegon staff met to discuss the future of the Fund and they recommend approval of transfer of funds to the Community Foundation for Muskegon County Pere Marquette and Margaret Drake Elliott Park Fund.

Motion by Commissioner Markowski, second by Commissioner Wierengo to approve the transfer of funds to the Community Foundation for Muskegon County Pere Marquette and Margaret Drake Elliott Park Fund.

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

Nays: None

MOTION PASSES

C. Transmittal of 2013-14 Proposed Budget. CITY MANAGER

SUMMARY OF REQUEST: At this time staff is transmitting to the City Commission the proposed budget for fiscal year 2013-14 which starts July 1, 2013. Both hardcopy and electronic versions of the budget have been distributed to Commissioners. Additionally, the budget is available for public inspection on the City's website and at the City Clerk's office or Hackley Public Library.

The proposed budget will be reviewed in detail with staff at the June 10th Worksession. A public hearing on the budget will be held at the regular Commission meeting the following evening. City ordinance requires that the budget be adopted by the Commission on or before the second Commission meeting in June.

FINANCIAL IMPACT: The budget is the City's financial plan for the coming fiscal year.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: None.

The proposed budget was received.

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 6:53 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk

AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: June 3, 2013

RE: Request to Waive Water Connection Fee for Alcoa Square Splash Pad

SUMMARY OF REQUEST:

To waive the water connection fee for the Alcoa Square Splash Pad. This facility serves the youth of the community and, as such, this request fits well with the City Commission's goals to serve our youth.

FINANCIAL IMPACT:

\$4,800.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the request.

COMMITTEE RECOMMENDATION:

None.

Date: May 30, 2013
To: Honorable Mayor and City Commissioners
From: Jeffrey A. Lewis
Director of Public Safety
RE: Memorandum of Understanding – Justice Assistance Grant

SUMMARY OF REQUEST:

The Director of Public Safety requests that the Commission authorize the Director and the City Manager to enter into an agreement with the City of Muskegon Heights and Muskegon County in regards to the disbursement of the FY 2013 Justice Assistance Grant. It is further requested that the Mayor be authorized to sign the Memorandum of Understanding. Note that time is of the essence as this grant requires a 30 day governing body review period before the grant submission and the grant deadline is July 9.

Although the Bureau of Justice Assistance has designated us as being in a disparate funding situation due to the County providing more than 50% of the jail facilities, our proposal is to keep the allocations exactly as they initially came down from the BJA which is as follows: County of Muskegon \$ 0; City of Muskegon \$ 27,549 and City of Muskegon Heights \$ 16,346. Note that BJA uses crime data versus population in making these allocation decisions.

The City of Muskegon portion is planned to be used in continuation of the manner in which the previous year's JAG funding was used which is for the prosecution of city ordinance cases dealing primarily with neighborhood issues. A prosecutor was hired specifically for this under a previous fiscal year JAG Grant.

FINANCIAL IMPACT:

None.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

Staff recommends approval of this request.

**MEMORANDUM OF UNDERSTANDING
THE CITY OF MUSKEGON
THE COUNTY OF MUSKEGON
THE CITY OF MUSKEGON HEIGHTS**

**FY 2013 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD
Regular Funding / Local Solicitation**

This Agreement is made and entered into on the _____ day of _____, 2013, by and between the County of Muskegon, acting by and through its governing body, the Board of County Commissioners, located at 990 Terrace Street, Muskegon, Michigan 49442 and the City of Muskegon, acting by and through its governing body, the City Commission, located at 933 Terrace Street, Muskegon, Michigan 49443-0536, and the City of Muskegon Heights, acting by and through its governing body, the City Council, located at 2724 Peck Street, Muskegon Hts., MI 49444, all of Muskegon County, State of Michigan, witnesseth:

WHEREAS, the CITY OF MUSKEGON has agreed to serve as the applicant/fiscal agent for the joint funds under the: Justice Assistance Grant(Local Solicitation) as the Bureau of Justice Assistance has designated the allocation to the law enforcement communities in Muskegon County as a disparate allocation; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions, hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body find that the performance of this Agreement is in the best interest of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, the breakdown of allocated funding agreed upon by those entities involved in the disparate funding is \$ 27,549 to the CITY OF MUSKEGON and \$ 16,346 to the CITY OF MUSKEGON HEIGHTS; and

WHEREAS, the CITY OF MUSKEGON, CITY OF MUSKEGON HEIGHTS and COUNTY OF MUSKEGON believe it to be in their best interests to allocate the JAG funds as specified in this Agreement.

NOW THEREFORE, THE COUNTY OF MUSKEGON, CITY OF MUSKEGON AND CITY OF MUSKEGON HEIGHTS agree as follows:

AGREEMENT

1. THE CITY OF MUSKEGON will act as the fiscal agent/applicant agency.
2. The total eligible joint allocation for the disparate jurisdictions of \$ 43,895 will be allocated as follows: COUNTY OF MUSKEGON - \$ 0; CITY OF MUSKEGON - \$27,549; CITY OF MUSKEGON HEIGHTS - \$ 16,346
3. Each municipality will be responsible for its actions in the use of any equipment purchased under this Agreement and the fiscal agent shall not be liable for any civil liability that may arise from the purchase of the use of the equipment.
4. The CITY OF MUSKEGON HEIGHTS will be responsible for submitting quarterly reports to the CITY OF MUSKEGON by the third day of the month following the quarter in the reporting fashion required by the CITY OF MUSKEGON and for any month in which an expenditure under the grant has occurred the CITY OF MUSKEGON HEIGHTS will submit a reimbursement request to the CITY OF MUSKEGON by the third day of the following month along with backup documentation such as invoices.
5. The CITY OF MUSKEGON HEIGHTS will be responsible for the accuracy of all data submitted to the CITY OF MUSKEGON for submission to the Bureau of Justice

Programs and will be liable for penalties as a result of submitting the data late and for any inaccurate data.

6. Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF MUSKEGON passing from this program or from the CITY OF MUSKEGON HEIGHT's expenditure of the JAG funds.
7. By entering into this Agreement, the parties do not intent to create any obligations, express or implied, other than those set out herein. Further, this Agreement shall not create any rights in any party not a signatory hereto.

COUNTY OF MUSKEGON

Dated: _____, 2013

By: _____
Kenneth Mahoney, Chairman
County Board of Commissioners

CITY OF MUSKEGON

Dated: _____, 2013

By: _____
Stephen Gawron, Mayor

CITY OF MUSKEGON HEIGHTS

Dated: _____, 2013

By: _____
Darrell Paige, Mayor

Date: June 11, 2013
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Fireworks Display Permit for Muskegon Country Club

SUMMARY OF REQUEST: Melrose Pyrotechnics, Inc. is requesting approval of a fireworks display permit for July 4, 2013, at the Muskegon Country Club, 2801 Lakeshore Drive. Fire Marshall Metcalf will inspect the fireworks on the day of the event.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks.

APPLICATION FOR FIREWORKS DISPLAY PERMIT
Michigan Department of Energy, Labor, & Economic Growth
Bureau of Fire Services
P.O. Box 30700
Lansing, MI 48909
(517) 241-8847

2013

Authority: 1988 PA 358 Compliance: Voluntary Penalty: Permit will not be issued	The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, material status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the American with Disabilities Act, you may make your needs known to this agency.
---	--

☒ PUBLIC DISPLAY	☐ AGRICULTURAL PEST CONTROL	Date of Application <i>05/07/13</i>
Name of Applicant <i>MELROSE PYROTECHNICS, INC.</i>	Address <i>P.O. BOX 302, KINGSBURY, IN 46345</i>	Age (18 or over)
If a Corporation, Name of President <i>MICHAEL CARTOLANO</i>	Address <i>P.O. BOX 302, KINGSBURY, IN 46345</i>	
If a Non-resident Applicant: Name of MI Attorney or Resident Agent <i>MIKE VAN LOO</i>	Address <i>7441 STOREY RD., BELDING, MI 48809</i>	Phone No. <i>(616) 794-0205</i>
Name of Pyrotechnic Operator <i>MIKE VAN LOO</i>	Address <i>P.O. BOX 123, BELDING, MI 48809</i>	Age (18 or over) <i>44</i>
No. Years Experience No. Displays <i>17 YEARS 260+</i>	Where <i>MICHIGAN, ILLINOIS, INDIANA</i>	
Name of Assistant: <i>JOHN KLAPKO</i>	Address <i>P.O. BOX 123, BELDING, MI 48809</i>	Age <i>50</i>
Name of Other Assistant: <i>SCOTT FERMAN</i>	Address <i>P.O. BOX 123, BELDING, MI 48809</i>	Age <i>46</i>
Exact Location of Proposed Display <i>Muskegon Country Club Grounds</i>		
Date of Proposed Display <i>July 4, 2013</i>		Time of Proposed Display <i>Dusk</i>

No. Of Fireworks	Kind of Fireworks to be Displayed
<i>Approximately 700</i>	<i>Aerial display shells ranging in size from 1 1/4 inches to 4 inches in diameter.</i>

Manner & Place of Storage Prior to Display (Subject to Approval of Local Fire Authorities)
NO STORAGE NECESSARY, DELIVERED ON DATE OF DISPLAY

Amount of Bond of Insurance (to be set by local gov't) <i>\$5,000,000.00</i>	Name of Bonding Corporation or Insurance Company <i>BRITTON-GALLAGHER & ASSOCIATES</i>
Address of Bonding Corporation or Insurance Company <i>6240 SOM CENTER RD., CLEVELAND, OH 44139</i>	
Signature of Applicant <i>[Signature]</i> For Melrose Pyrotechnics, Inc.	

SEE OTHER SIDE FOR INSTRUCTIONS

APPLICATION FOR FIREWORKS DISPLAY PERMIT
Michigan Department of Energy, Labor, & Economic Growth
Bureau of Fire Services
P.O. Box 30700
Lansing, MI 48909
(517) 241-8847

2013

Authority: 1988 PA 358 Compliance: Voluntary Penalty: Permit will not be issued	The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, material status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the American with Disabilities Act, you may make your needs known to this agency.
---	--

This permit is not transferable. It authorizes the resident wholesale dealer or jobber named below to have in his or her possession fireworks of any type, for sale only to holders of permits for public display or agriculture control.

☒ PUBLIC DISPLAY

☐ AGRICULTURAL PEST CONTROL

Issued To <u>MELROSE PYROTECHNICS, INC.</u>		Age (18 or over)
Address <u>7441 STOREY RD., BELDING, MI 48809</u>		
Name of Organization, Group, Firm, or Corporation <u>Muskegon Country Club</u>		
Address <u>2801 Lakeshore Drive, Muskegon, Michigan 49441</u>		
Number and Types of Fireworks <u>Approximately 700 aerial display shells ranging in size from 1 1/4 inches to 4 inches in diameter.</u>		
Exact Location of Display <u>2801 Lakeshore Drive</u>		
City, Village, Township <u>Muskegon</u>	Date <u>July 4, 2013</u>	Time <u>Dusk</u>
Bond or Insurance Filed? ☒ Yes ☐ No		Amount <u>\$5,000,000.00</u>

Issued by action of the ☐ council ☐ commission ☐ board of the

☐ city ☐ village ☐ township of _____
(Name of City, Village, Township)

on the _____ day of _____, _____

(Signature and Title of Council/Commission/Board Representative)

Date: June 11, 2013
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Fireworks Display Permit for Coast West Music Festival

SUMMARY OF REQUEST: Night Magic is requesting approval of a fireworks display permit for July 4th at the Coast West Music Festival. Fire Marshall Metcalf has reviewed the request and recommends approval contingent on inspection of the fireworks.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks.

APPLICATION

FOR FIREWORKS DISPLAY PERMIT

Act 358, P.A. 1968

DATE OF APPLICATION

5/31/13

1. TYPE OF DISPLAY:



Public Display



Agricultural Pest Control

2. APPLICANT

NAME OF PERSON

Brian Werschem

ADDRESS

3436 Whispering Woods Muskegon

AGE: Must be 21 or over

4444

43

IF A CORPORATION: Name of President

Coast West Music Festival

ADDRESS

3. PYROTECHNIC OPERATOR

NAME

Dan Krieder - Night Magic

ADDRESS

P.O. Box 294 Kingsbury IN 46345

AGE: Must be 21 or over

50

EXPERIENCE:

NUMBER OF YEARS

27

NUMBER OF DISPLAYS

70

WHERE

Grand Haven, Newborn, Ft. Wayne, Columbus City, etc.

NAMES OF ASSISTANTS:

NAME

TBD

ADDRESS

AGE

NAME

TBD

ADDRESS

AGE

4. NON-RESIDENT APPLICANT

NAME

ADDRESS

Name of Michigan Attorney or Resident Agent

ADDRESS

TELEPHONE NUMBER

5. EXACT LOCATION OF PROPOSED DISPLAY

Heritage Landing

DATE

7/4/13 Rain date 7/6/13

TIME

10:20

6. NUMBER AND KINDS OF FIREWORKS TO BE DISPLAYED

500 3" shells

200 4" shells

25 Multishot Boxes 1 1/2" - 2 1/2" shells

MANNER & PLACE OF STORAGE PRIOR TO DISPLAY

No storage required. Delivered by Night Magic morning of display

(Subject to Approval of Local Fire Authorities)

7. FINANCIAL RESPONSIBILITY

A. AMOUNT OF BOND OR INSURANCE

(to be set by municipality)

\$ 5,000,000

B. BONDING CORPORATION OF INSURANCE COMPANY: NAME

Lexington Insurance (Britton - Gallagher)

ADDRESS

6840 SOM Center Dr. Cleveland OH

Date: 6/11/13
To: Honorable Mayor and City Commissioners

From: DPW/Equipment

RE: Cemetery Mowers

SUMMARY OF REQUEST:

Authorize staff to purchase two (2) John Deere Z915b lawn mowers from The Power Shop, the lowest qualified Bidder. These machines will replace the 2005 and 2007 Grasshopper models currently being used.

FINANCIAL IMPACT:

\$12,620.80

BUDGET ACTION REQUIRED:

None. Amount is what was budgeted.

STAFF RECOMMENDATION:

Authorize staff to purchase two (2) John Deere lawn mowers from The Power Shop.



City of Muskegon

Bid Tabulation sheet

Requisition: 2 John Deere Mowers

	Name of Bidder	Name of Bidder	Name of bidder
Vendor	The Power Shop	Hoeksema Equip.	Fillmore Equip.
Telephone	231-924-3540	616-396-8132	616-675-7500
Location	Freemont, Mi	Holland, Mi	Kent City, Mi
Quoted by	John Wolfsen	John Hoeksema	John Klas

Quantity	Description	Price	Price	Price
2	John Deere Z915b Commercial Ztrak Mowers	\$12,620.80	\$12,623.60	\$12,928.30
	Low Bid		\$12,620.80	

Bid Requested by: Joe Buckingham, Equipment Supervisor

Date: June 11, 2013
To: Honorable Mayor and City Commissioners
From: DPW
RE: Engineering Services – Asset Management

SUMMARY OF REQUEST:

Authorize staff to enter into an engineering services agreement with Prein & Newhof to provide asset management for storm & sanitary sewers evaluation and to prepare and submit a grant application seeking state funds to cover the cost of any identified project of up to \$2,000,000 as outlined in the attached proposal.

FINANCIAL IMPACT:

None at this time; however, if the grant application was to be approved then the engineer would be entitled to up to \$16,500.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

Authorize to enter into an engineering services agreement with P & N.

COMMITTEE RECOMMENDATION:

April 30, 2013

Mohammed Al-Shatel, PE
City of Muskegon
933 Terrace St
Muskegon, MI 49443-0536

RE: Asset Management SAW Grant Proposal

Dear Mohammed:

Thank you for the opportunity to submit this proposal for wastewater and stormwater Asset Management Services in conjunction with Michigan's new SAW Program. An Asset Management Plan (AMP) will identify your infrastructure assets, evaluate their condition, determine potential failures/risks/ consequences, project future ownership costs, and create a financing plan to sustainably maintain your infrastructure assets while providing your desired level of service to your customers.

Additionally, regulatory permitting agencies are recognizing the need for AMP and are either currently requiring or will require AMPs for public infrastructure as a condition of future NPDES permits.

There are several basic steps to creating an Asset Management plan:

- **Appraisal** – Review what you have, how you want to manage it, and what it will take to create an Asset Management system.
- **Inventory/Mapping** – Define what you have and where it is located.
- **Condition Assessment** – Document the condition, failure risk, and the cost to maintain and replace an asset.
- **Asset Management Plan** – Defines what is to be maintained or replaced and establishes a schedule and cost for that work. Includes a Capital Improvement Plan and a Financing Plan.

The first step in developing your Asset Management System is an **Appraisal**. The Appraisal sets the groundwork for your SAW Grant Program AMP Application and includes the following scope of services:

Phase I: Appraisal

1. Identify Assets to be Managed
 - a. Sanitary Sewer system
 - i. Collection - Pipes, manholes, pump stations
 - ii. Treatment - Piping, equipment, controls, facilities
 - b. Storm Water system
 - i. Collection - Pipes, manholes, culverts, open drains
 - ii. Treatment - Catch basins, separators, storage tanks, biological treatment

2. Understand System History/Concerns
 - a. Discussion of system layout and age
 - b. Historical information
 - i. Materials, soils, ground water, contamination, etc.
 - ii. Funding – rates, grant eligibility, customer base, etc.
3. Determine Level of Service
 - a. Existing system performance and staff levels
 - b. Desired performance and staffing
4. Review Available Information – level of completeness and accessibility
5. Desired Management System
 - a. Software
 - b. Hardware
 - c. Institutional and Community Culture
6. Detailed Work Plan Development
 - a. Scope, schedule, and budget for the AMP

To accomplish the scope of services, we propose the following schedule:

- Kick off meeting
 - Identify the infrastructure Assets that will be included in the AMP
 - Review the systems' history and maintenance/replacement concerns
 - Discuss existing and desired levels of service (including cost implications)
- Review Available Information
 - Review mapping, data, formats, records to determine starting point of the AMP
 - Identify quantity and quality of existing information and assess practicality for incorporation into the AMP
- Management System
 - Prepare preliminary work plan and AMP recommendations
 - Meeting to review preliminary findings
- Final Work Plan
 - Create summary report of findings
 - Develop detailed scope, schedule, and budget for AMP to be used in MDEQ's SAW Grant Application in late summer 2013.

Phase II: SAW Grant Application

The final detailed work plan from Phase I will be used to generate your SAW grant application to the Michigan Department of Environmental Quality. These grants have a maximum amount of \$2,000,000 per community, with ZERO local match for Muskegon, and are awarded on a first come/first served basis.

We propose to complete Phase I and Phase II services for a lump sum amount of \$16,500.

Based on currently available information, all of this will be reimbursable through the SAW grant.

Phase III: Stormwater and Wastewater Asset Management Plan

A professional fee proposal for Phase III will be developed during Phase II after determining a scope of work and level of effort.

PAYMENT TERMS

Professional fees for Phase I and Phase II are payable when Muskegon receives its first draw from the SAW Grant Program during Phase III. Work during Phase III will be billed monthly.

Thank you for the opportunity to provide this proposal for professional services. If you concur with the proposed scope, fee for services, and special payment terms please signify in the space provided at the end of this proposal.

If you have any questions or require additional information, please give me a call.

Sincerely,

Prein&Newhof



Barbara E. Marczak, PE

Enclosure

Accepted by*: _____

Date: _____

Title: _____

*Subject to attached terms and conditions

Date: June 11, 2013
To: Honorable Mayor and City Commissioners
From: DPW
RE: Consideration of quotes for Electrical Work at DPW

SUMMARY OF REQUEST:

Authorize staff to enter into an agreement with J & J Electrical Service out of Muskegon to provide all material and labor necessary to extend an electrical service to newly purchased patching machine for \$11,800.

FINANCIAL IMPACT:

\$11,800.

BUDGET ACTION REQUIRED:

None;

STAFF RECOMMENDATION:

Authorize staff to enter into an agreement with J & J.

COMMITTEE RECOMMENDATION:

TELEPHONE BID TABULATION

May 2013

Electric Supply for Emulsion Tank

		Name of Bidder		Name of Bidder		Name of Bidder	
		J & J Electrical Service		CUC Electric		Belasco Electric	
		231-737-3566		231-744-4130		231-722-3997	
		Quoted By Scott Jaigga		Chuck		Joe Ferski	
Quantity	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	200 Amp Service Panel 2-100 amp Supply To Tank		\$11,800. ⁰⁰		13,530. ⁰⁰		21,377. ⁰⁰
TOTAL BID			\$		\$		\$
Cash Discount Terms							
F.O.B.							
Delivery Time From Receipt of Purchase Order							

Date: June 4, 2013
To: Honorable Mayor and City Commissioners
From: Finance Director
RE: Public Hearing – 2013-14 Budget

SUMMARY OF REQUEST: This is the time set for public hearing on the City's 2013-14 budget. After the public hearing, the City Commission may take action to adopt the 2013-14 budget with any changes or adjustments it deems necessary. City ordinance requires the budget be adopted by the second regular City Commission meeting in June.

Click on the following link for the budget: [2013 Budget Final](#)

FINANCIAL IMPACT: The budget sets forth the priorities and overall financial plan for operations in the year 2013-14.

BUDGET ACTION REQUIRED: Adoption of the budget resolution provides the legal appropriation authority necessary for City departments to conduct operations in 2013-14.

STAFF RECOMMENDATION: Receive public comments. Upon closing the public hearing, the City Commission may decide to adopt the budget.

Commission Meeting Date: June 11, 2013

Date: June 4, 2013

To: Honorable Mayor and City Commission

From: Community and Neighborhood Services Department

RE: Proposed 2013 - 2014 CDBG/HOME Grants

SUMMARY OF REQUEST: To approve the 2013 – 2014 CDBG/HOME grant budget based on the attached spreadsheet for submission of the 2013 - 2014 Action Plan to HUD.

FINANCIAL IMPACT: The Community Development Block Grant and HOME grant budget is the basis of the annual Action Plan for the Community and Neighborhood Services department.

BUDGET ACTION REQUIRED: City Commission approval.

STAFF RECOMMENDATION: Approve the 2013 – 2014 CDBG/HOME grant budget based on the attached spreadsheet for submission of the 2013 - 2014 Action Plan to HUD.

HOME & Community Development Block Grant 2013

Approved by the City Commission on

CDBG Organization/Agency	Activity	Admin Recommend	City Comm Final Determination
COM - Affirmative Action	Affirmative Action	\$15,000	\$0
COM - CNS	CDBG Admin **	\$177,583	\$0
COM - CNS	Priority Home Repair	\$200,000	\$0
COM - CNS	Services Delivery	\$67,480	\$0
COM - CNS	Vinyl Siding	\$50,000	\$0
COM - Engineering	Street Repairs	\$31,986	\$0
COM - Finance	Fire Station Bond Repayment	\$157,870	\$0
	Dangerous Bldgs/Demolition & Board Ups		
COM - Inspections		\$50,000	\$0
COM - Leisure Services	Youth Recreation*	\$70,000	\$0
COM - Planning	Code Enforcement	\$50,000	\$0
COM - Planning Comm Economic Dev	Façade	\$10,000	\$0
Love INC	Emergency Utility Assistance*	\$4,500	\$0
Love INC	Handicap Ramps*	\$3,500	\$0
		\$887,919	\$0
	Total CDBG Allocated	\$887,919	\$0
	Expected program income (Debt Recovery)	\$0	\$0
	Total	\$887,919	\$0
NOTE:			
* Public Service	Allocated/Request Difference	\$0	\$0
** City CDBG Administration			
	Total Amt of Public Service*	\$78,000	\$0
	Public Service maximum Amt 15%	\$133,188	\$0
	Difference	\$55,188	\$0
	Total Amt of City Administration Request**	\$177,583	\$0
	Administrative Maximum Amt < 20%	\$177,583	\$0
	Difference	\$0	\$0

HOME & Community Development Block Grant 2013

Approved by the City Commission on

HOME Organization/Agency	Activity	CDC Recommend	City Comm Final Determination
CHDO ALLOCATION	Housing Transition Asst****	\$126,000	\$0
COM - CNS	HOME Administration***	\$28,252	\$0
COM - CNS	HOME Infill/New Construction	\$108,274	\$0
COM - CNS	HOME Rental Rehabilitation	\$20,000	\$0
Total HOME Request		\$282,526	\$0
Total HOME Allocated		\$282,526	\$0
(+) Program Income		\$0	\$0
Total		\$282,526	\$0
NOTE:			
*** Home Administration	Allocated/Request Difference	\$0	\$0
**** CHDO Request			
Total Amt of HOME Administration***		\$28,252	\$0
Total Amt Designated = 10%		\$28,252	\$0
Difference		\$0	\$0
Total Amt of HOME CHDO ****		\$126,000	\$0
Total Amt mandated >= 15%		\$42,379	\$0
Difference		\$83,621	\$0

Date: June 11, 2013
To: Honorable Mayor and City Commissioners
From: Jeffrey A. Lewis
Director of Public Safety
RE: FY2013 PORT SECURITY GRANT PROGRAM

SUMMARY OF REQUEST:

The Director of Public Safety requests that the Commission authorize entering into an agreement with the County of Muskegon to be part of their larger submission under the FY2013 Port Security Grant Program Grant Application. Our portion of this submission would be for the purchase of 60 portable radios to address the issue that the current radios have reached their end of life and also interoperability issues with being able to communicate with other agencies especially in the event of a major event.

Our radio equipment is outdated and needs to be replaced before it places us in a hazardous situation whereby the officer cannot effectively communicate when they find themselves in a dangerous situation.

New equipment would allow us to access the TAC frequencies for communications with other agencies (county, other municipal departments as well as port authority personnel) Communications between the agencies is going to be critical in the event of an emergency situation.

We are also in a position currently where if we have a major event where we had to call everyone on duty we would not have sufficient working radios at the present time.

FINANCIAL IMPACT:

The total cost of the project would be approximately \$ 105,000. The grant requires a 25% match which would be a financial impact to the City of Muskegon of approximately \$ 27,000. A portion of which would come from budgeted capital improvement funds and the rest from other areas of the budget.

BUDGET ACTION REQUIRED:

Approve the approximate \$ 27,000 match.

STAFF RECOMMENDATION:

Staff recommends approval of this request.

AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: June 6, 2013

RE: Harris Hospitality Presentation

SUMMARY OF REQUEST:

The Harris Hospitality group would like to present its revised concept plan for Pere Marquette Park to the City Commission for review and information.

FINANCIAL IMPACT:

None at this time.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

No action requested at this time.

COMMITTEE RECOMMENDATION:

None.

SITE LOCATION:
1601 BEACH ST.
MUSKEGON, MI.
(THE OVALS)

EXISTING STRUCTURE:
WOOD ON CONCRETE FOOTING
& FOUNDATION. ONE STORY
BUILDING WITH ON-GRADE
BASEMENT. APPROXIMATELY
3,800 SQUARE FEET.

PROPOSED RESTAURANT:
ONE STORY STRUCTURE ON
EXISTING FOUNDATION.

FUTURE ADDITION:
TWO STORY OR 35 FEET
MAXIMUM HEIGHT BANQUET
FACILITY. APPROXIMATELY
8,000 SQUARE FEET HALL WITH
APPROXIMATELY 2,000 SQUARE
FEET COMMON AREA &
CONNECTOR TO RESTAURANT.



SITE CONTEXT MAP

DISCOVERING OUR
HERITAGE: THE FORMER
DANCE PAVILION



(Image courtesy of the Hackley Public Library Local History & Genealogy Department)

FIRE PIT CONCEPT



RESTAURANT CONCEPT



(Image of Landshark Landing Pensacola. <http://www.margaritaville.com>)



SCALE: 1" = 20'



