CITY OF MUSKEGON

CITY COMMISSION MEETING

MAY 12, 2009

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, May 12, 2009.

Mayor Warmington opened the meeting with a prayer from Public Works Director Robert Kuhn 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 Chris Carter, Clara Shepherd, Lawrence Spataro, Sue Wierengo, and Steve Wisneski, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

2009-41 HONORS AND AWARDS:

A. Darl Staley.

Mayor Warmington introduced Glen, Peg and Bonnie Jorgenson (Darl's family); and our firefighters Pete Hughes and Mark Kincaid. He then read the resolution commemorating the life and giving of Darl Staley, who was a firefighter for the City for 29 years. The resolution will be displayed in the new Central Fire Station.

2009-42 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, April 28th.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Revocation of a Neighborhood Enterprise Zone Certificate. PLANNING & ECONOMIC DEVELOPMENT

Removed per staff request.

C. Granting of Easement to Pro Fab, Inc. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To grant an easement across the City-owned property located at 1690 Creston to Pro Fab, Inc., 1608 Creston Avenue. The easement will be used as a driveway for trucks to access the loading dock area at the side of their building. The only other access they have is through their parking lot. Although Pro Fab, Inc. is in Muskegon Township, by granting this easement, Pro Fab, Inc. will be able to expand on their building and provide for more jobs.

FINANCIAL IMPACT: Pro Fab, Inc. has agreed to pay a one-time amount of $500 for this easement.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To grant the easement to Pro Fab, Inc. and have the Mayor and Clerk sign the agreement.

D. <u>Concession Contract for Pere Marquette Park.</u> PUBLIC WORKS

SUMMARY OF REQUEST: Permission to enter into a one-year contractual agreement with Ken Huston of Amazing Gift Direct, LLC for operating a concession (The Island Concession) at P.M. Park.

FINANCIAL IMPACT: Contract revenue is unknown at this time. Approximately $325-$1,200 per year in revenue was received from previous vendor (Dan Etterman of Sandy Bottoms Concession) during the 2003-2008 contracts.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve request.

COMMITTEE RECOMMENDATION: The Leisure Services Board has been notified of intended contractual agreement.

E. <u>Consideration of Bids for Watermain Replacement on Barclay, Larch to Ireland (W-710).</u> ENGINEERING

SUMMARY OF REQUEST: Award the watermain replacement project on Barclay from Larch to Ireland (W-710) to Thompson Brothers, Inc. out of Twin Lake, MI since they were the lowest responsible bidder with a total bid price of $105,584.25.

FINANCIAL IMPACT: The construction cost of $105,584.25 plus engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED: This project was budgeted at $85,000 thus the budget will have to be revised in the second quarter reforecast to address the $35,000 shortfall between cost and budgeted numbers.

STAFF RECOMMENDATION: Award the contract to Thompson Brothers, Inc.

F. <u>Evergreen Cemetery Irrigation Well Bids.</u> CEMETERY/FORESTRY

SUMMARY OF REQUEST: Authorize staff to accept the alternate bid from Brass-Mar Water Wells. Their alternate bid of $23,402 is for the same size well (eight inch casing), but with a smaller pump motor, 15hp instead of the 25hp. The 15hp motor will adequately irrigate Evergreen Cemetery. The only additional cost will be to upgrade the electric service at Evergreen Cemetery from a 100 amp service to a 200 amp service to accommodate the new well pump for an estimated cost of $2,000.

FINANCIAL IMPACT: Less than $27,000 total.

BUDGET ACTION REQUIRED: This project is on the 2009 Capital Improvement Budget for $30,000.

STAFF RECOMMENDATION: Authorize staff to enter into an agreement with Brass-Mar Water Wells to drill well and install and connect with the present irrigation system.

G. Budgeted GPS Purchase. PUBLIC WORKS

SUMMARY OF REQUEST: Approval to purchase 11 GPS receivers from Advanced Tracking Technologies.

FINANCIAL IMPACT: Cost $9,558.45.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve purchase of GPS receivers from Advanced Tracking Technologies.

H. Budgeted Vehicle Purchase. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase two Ford Rangers from Vanderhyde Ford.

FINANCIAL IMPACT: Cost $23,594.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to purchase the two trucks.

I. Request to Purchase Fire Engine. PUBLIC SAFETY

SUMMARY OF REQUEST: Fire Department staff solicited bids for the procurement of a fire engine. The engine would be a standard front-line engine which would replace our current Engine 25. The low bid, which meets all stated specifications, was submitted by Crimson Fire, 907 7th Avenue, Brandon, South Dakota. Crimson is a subsidiary of Spartan Motors of Charlotte, Michigan. The bid price submitted by Crimson is $507,963. This price is over the budget allotted for this purchase.

FINANCIAL IMPACT: Funds for this purchase would be drawn from the City's Public Improvement Fund.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Reject the bid because it is over budget, but allow Fire Department staff to enter into negotiations with Crimson Fire to purchase a fire engine that would meet budget guidelines.

J. Interlocal Agreement – Justice Assistance Grant. PUBLIC SAFETY

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 following municipalities and the County of Muskegon in regards to the disbursement of the 2009 Justice Assistance Grant. The municipalities include the Village of Fruitport, the City of Muskegon Heights, the City of Norton Shores and Muskegon Charter Township. The money in this grant will be shared by these entities. The funds allocated to our City will be used to pay for the following for the next two years:

- Reinstatement of the summer programs at Sheldon and McCrea Parks
- Development of an evening recreation program aimed at teens
- Development of a police cadet program
- Lease payments on narcotics vehicles

Total award amount to the City is $174,535.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of this request.

Motion by Vice Mayor Gawron, second by Commissioner Wierengo to approve the Consent Agenda as presented.

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

Nays: None

MOTION PASSES

2009-43 NEW BUSINESS:

A. <u>Gaming License Request.</u>

SUMMARY OF REQUEST: The Muskegon Junior Sailing Association is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a Gaming License. They have been recognized as a 501(c)(3) organization by the State.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Spataro, second by Commissioner Carter to approve the gaming license request.

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

Nays: None

MOTION PASSES

B. <u>2009 Assistance to Firefighters Grant.</u> PUBLIC SAFETY

SUMMARY OF REQUEST: The Deputy Director of Public Safety for Fire Services requests that the Commission authorize the submission of this grant request. The request is for three pieces of equipment and is described as follows:

- A diesel exhaust system for Station 5 on Marquette. Such a system removes diesel fumes as the apparatus enters/leaves the station. This station has never had such a system. Cost: $55,000.
- A diesel exhaust system for Station 4 on Lakeshore Drive. A system was installed at the time this station was constructed but is no longer operable. Cost: $31,000.
- An emergency generator for Station 5. The current generator does not adequately power this station. Cost: $20,000.

Total cost for these three items is $106,000. The grant requires a 10% match equaling $10,600.

FINANCIAL IMPACT: The match money is available in the Public Improvement Fund.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of this request.

Motion by Vice Mayor Gawron, second by Commissioner Carter to approve the grant submission.

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

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Various comments were heard.

ADJOURNMENT: The City Commission Meeting adjourned at 5:49 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk