

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 24, 2018 @ 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, April 24, 2018. Pastor Darrin Longmire, Forest Park Covenant 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 Ken Johnson, Byron Turnquist, Willie German, Jr., Debra Warren, and Dan Rinsema-Sybenga, City Manager Frank Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

2018-26 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve minutes of the April 9, 2018 Worksession Meeting and the April 10, 2018 Regular Meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

B. Amendment to the Zoning Ordinance Planning & Economic Development

SUMMARY OF REQUEST: Staff-initiated request to amend Section 2005.10 (Urban Residential Context Area) of the Form Based Code to allow non-profit supportive housing as a special use permitted in certain building types and to allow home-based businesses as a principal use permitted in certain building types.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the zoning ordinance amendment.

C. Procurement of Turbidimeters DPW/WFP

SUMMARY OF REQUEST: Authorize staff to procure new turbidimeters from Hach to replace old and obsolete turbidimeters at the Water Filtration Plant.

FINANCIAL IMPACT: Existing turbidimeters are old, obsolete, failing and replacement parts are not available. These turbidimeters in bulk would be more economical to procure them with controllers as kits. Currently, there are three newer Hach controllers in stock and procuring the new Hach turbidimeters kits will allow the existing controllers to be utilized. This is a more economical approach for replacement of all turbidimeters at the cost of \$57,118.88 (including shipping).

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff be authorized to procure turbidimeters from Hach at the Water Filtration Plant at a cost of \$57,118.88.

D. Ottawa Bridge – Resolution of Support for Bridge Funding Application and Commitment for Matching Funds DPW

SUMMARY OF REQUEST: The Engineering Department would like to apply for critical bridge funding through the Michigan Department of Transportation. These funds would be used to replace the Ottawa Bridge which was constructed in 1929 and is currently in very poor condition.

Construction is estimated at \$1,374,000, and the city would be required to provide matching funds of approximately \$300,000 plus engineering costs. Funding is available starting in 2021.

The MDOT application requires a resolution of support and commitment for the matching funds.

FINANCIAL IMPACT: \$600,000 split over fiscal year 20/21 and 21/22.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approve the resolution of support for the critical bridge fund applications and commit to funding the required match and engineering costs.

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

ROLL VOTE: Ayes: Gawron, Hood, Warren, German, Rinsema-Sybenga, Turnquist, and Johnson

Nays: None

MOTION PASSES

2018-27 PUBLIC HEARINGS:

A. Public Hearing for the 2018 Action Plan Community & Neighborhood Services

SUMMARY OF REQUEST: To conduct a public hearing on April 24, 2018 to receive comments from the public concerning the 2018 Action Plan developed by the Community and Neighborhood Services Department.

After the public hearing, all comments received during the 30 day comment period (April 15-May 14) will be documented and included in the plan as required.

FINANCIAL IMPACT: The City is required to submit the Annual Action Plan to receive 2018 allocations of CDBG and HOME Investment Partnership Programs.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To direct staff to gather comments from the public and to submit the 2018 Action Plan to HUD after the public comment period.

PUBLIC HEARING COMMENCED: No public comments were received.

Motion by Vice Mayor Hood, second by Commissioner Johnson, to close the public hearing and direct staff to gather comments from the public and submit the 2018 Action Plan to HUD after the public comment period.

ROLL VOTE: Ayes: Hood, Warren, German, Rinsema-Sybenga, Turnquist, Johnson, and Gawron

Nays: None

MOTION PASSES

2018-28 NEW BUSINESS:

A. Concurrence with the Housing Board of Appeals Notice and Order to Demolish the Following: Public Safety

577 Amity Avenue

1330 5th Street

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. It is further requested that administration 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 or staff may issue infraction tickets to the owner, agent or responsible party if they do not demolish the structure.

FINANCIAL IMPACT: Fire Escrow Funds of \$9,918.75 and \$30,739.08 have

been received.

BUDGET ACTION REQUIRED: None

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

Motion by Commissioner German, second by Commissioner Johnson, to concur with the Housing Board of Appeals notice and order to demolish 577 Amity Avenue and 1330 5th Street.

ROLL VOTE: Ayes: Warren, German, Rinsema-Sybenga, Turnquist, Johnson, Gawron, and Hood

Nays: None

MOTION PASSES

2018-29 ANY OTHER BUSINESS:

A. Medical Marihuana Facilities Licensing Act – Opt In/Out Discussion – No Action Requested Planning & Economic Development

Frank Peterson, City Manager, presented information to the City Commission regarding consideration of opting in or opting out of the Michigan Medical Marihuana Facilities Licensing Act. Mike Franzak, Planning Manager, presented information regarding amending the general code of ordinances if the commission chooses to opt in. Mike also gave information regarding proposed zoning changes and an application for a MMFLA license.

Discussion took place amongst the commission.

Motion by Commissioner Johnson, second by Commissioner Warren, to adopt an amendment to the code of ordinances, Chapter 34, Article IV, Sections 201-208.

ROLL VOTE: Ayes: Rinsema-Sybenga, Johnson, Gawron, and Warren

Nays: German, Turnquist, and Hood

MOTION PASSES

INTRODUCTIONS/PRESENTATION:

Proclamation – Women’s Veteran’s Day Mayor Stephen J. Gawron, presented a Resolution proclaiming April 26, 2018 as Women’s Veterans Day in Muskegon and encourages all City of Muskegon citizens to recognize the courage and contributions of generations of American servicewomen and their families who have proudly served our great state and nation, doing their part to protect our land, people, freedoms and legacy.

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission meeting adjourned at 7:16 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC, City Clerk