CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 23, 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, April 23, 2013.

Mayor Gawron opened the meeting with a prayer from Mr. George Monroe 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, Sue Wierengo, Byron Turnquist, and Lea Markowski, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

2013-34 HONORS AND AWARDS:

A. 2012 Outstanding Citizenship Awards.

Mayor Gawron congratulated Bob Scolnik, Bonnie Witt, and Pastor Samuel Greer as recipients of the 2012 Outstanding Citizenship Award.

2013-35 INTRODUCTIONS/PRESENTATION:

A. Medication Disposal.

Laura Fitzpatrick from the Muskegon Community Health Project explained the Medication Disposal Program and thanked the City for their involvement.

2013-36 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the April 8th Commission Worksession Meeting, and the April 9th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

E. Environmental Program Terrace Clean-up Contract. PLANNING &

ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The contract for terrace clean-up of public and private properties previously held by Big Sky Field Services, Inc. had expired on March 31, 2013. A request for bids was advertised and six companies placed bids. Pit Crew of Grant, MI is the low bidder for a two-year agreement.

FINANCIAL IMPACT: None, funds budgeted for this activity.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve a two-year contract with Pit Crew and to authorize the Mayor and City Clerk to sign the agreements for the terrace clean-up on properties located within the City.

F. **Approval of Building Contract for 1500 Leahy.** COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To award the building contract for the rehabilitation of 1500 Leahy to JD Fisher Builders for the City of Muskegon's Neighborhood Stabilization Program through CNS.

CNS received one bid for the amount of $82,400; the bid has been reviewed by our spec writer and certified as reasonable "due to the unique characteristics of the structure".

FINANCIAL IMPACT: The funding for this project has been secured through the NSP grant.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To award JD Fisher Builders the rehabilitation contract for 1500 Leahy for the Community and Neighborhood Services office.

G. **Citizen's District Council.** CITY CLERK

SUMMARY OF REQUEST: To eliminate the position of two representatives from the CDBG Target Area of the CDC since there is no longer a target neighborhood/area.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

COMMITTEE RECOMMENDATION: The Community Relations Committee recommended approval.

H. **Aggregates, Highway Maintenance Materials, and Concrete.** PUBLIC WORKS

SUMMARY OF REQUEST:

Award bid to supply H1/32FA limestone chip blend to Verplank Trucking Company.

Award bid to supply road slag to Verplank Trucking Company.

Award bid to supply Sylvax patching material to Asphalt Paving.

Award bid for crack sealant to Surface Coatings Co.

Award bid to supply bituminous asphalt product to Asphalt Paving, Inc.

Award bid to supply AE-90 Asphalt Emulsions to Asphalt Materials, Inc.

Award bid to supply screened top soil to Verplank Trucking Company.

Award bid to supply 2NS sand to Yellow Rose Transport.

Award bid to supply 7-sack mix concrete to Port City Redi-Mix.

Award supply of Calcium Chloride 38% (road brine) and 32% (winter salting) to Great Lakes Chloride.

FINANCIAL IMPACT: $402,107 based on quantities requested in bid at 2013 quotes.

BUDGET ACTION REQUIRED: None, funds appropriated in several budgets.

STAFF RECOMMENDATION: Approval of bids as outlined in Summary of Request.

I. <u>Grant Application Submittal for Ottawa Street Bridge.</u> PUBLIC WORKS

SUMMARY OF REQUEST: Authorize HRC (engineering firm) to submit a grant application on behalf of the City seeking grant funds to rehabilitate/replace the Ottawa Street Bridge in 2016.

FINANCIAL IMPACT: None at this time, however, should the City get the grant it will be incorporated into future budget.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Authorize HRC to submit the application at no cost to the City.

J. <u>Approval of the Use & Maintenance of City-Owned Property at 298 Allen Avenue.</u> PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the use and maintenance of the City-owned property located at 298 Allen Avenue for a community garden. The property is buildable, and the City would retain the right to sell the property with the community garden members having time to remove the garden prior to any sales.

FINANCIAL IMPACT: The City would save on the cost of maintenance of this property.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and maintenance agreement.

K. Dura Patcher. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase one new Dura Patcher trailer mounted patcher and 6,000 gallon emulsion tank from Alta Equipment Company, the lowest responsible bidder.

This machine will mix hot tar and stone together as you fill a pothole for a much more durable and longer-lasting patch.

FINANCIAL IMPACT: $103,000.

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

STAFF RECOMMENDATION: Authorize staff to purchase one new Dura Patcher machine and tank from Alta Equipment Company.

L. Plow Trucks. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase two new International Cab and Chassis trucks, these trucks will replace current fleet vehicles that are approximately 25 years old, unit numbers 40621 and 40622.

FINANCIAL IMPACT: $158,756.06.

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

STAFF RECOMMENDATION: Authorize staff to purchase two Cab and Chassis from West Michigan International Trucks.

Motion by Commissioner Turnquist, second by Commissioner Wierengo to approve the Consent Agenda with the exception of items B, C, and D.

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

Nays: None

MOTION PASSES

2013-37 ITEMS REMOVED FROM THE CONSENT AGENDA:

B. Jay-Boards 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 Jason Gorski of Jay-Boards at Pere Marquette Beach and Harbor Towne Beach located within the City of Muskegon for Stand-up Paddleboard Rentals/Lessons.

FINANCIAL IMPACT: Contract revenue will be 10% of gross receipts, per

Concession Agreement.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to enter into a concession agreement with Jason Gorski of Jay Boards.

C. Bella Dawg 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 Steve Hamstra of Bella Dawg at various City of Muskegon Parks/Facilities located within the City of Muskegon to sell hot dogs and other minor snacks from a mobile cart.

FINANCIAL IMPACT: Contract revenue will be 10% of gross receipts, per Concession Agreement.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to enter into a concession agreement with Steve Hamstra of Bella Dawg.

D. Beverage Vending Contract for Parks/Marina Facilities. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to enter into a three-year contractual agreement with Pepsi Beverage Company to provide vending service throughout City Parks and Marina Facilities.

FINANCIAL IMPACT: Commission of 20%.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve contract and authorize staff to enter into a three-year agreement with Pepsi Beverage Company.

Motion by Commissioner Turnquist, second by Vice Mayor Spataro to approve the contracts with Jay-Boards Concession, Bella Dawg Concession, and Pepsi Beverage Company.

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

Nays: None

MOTION PASSES

2013-38 NEW BUSINESS:

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

1770 6TH Street

1597 Park Street

1691 Smith Street (Area 13)

1170 Allen Avenue (Garage Only)

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.

FINANCIAL IMPACT: CDBG Funds.

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 German to concur with the Housing Board of Appeals notice and order to demolish 1770 6th Street, 1597 Park Street, 1691 Smith Street, and 1170 Allen Avenue garage only.

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

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Commission commented on dumping at Ruddiman Creek, potholes in various streets, traffic light at Sanford & Laketon, and pedestrian control at Apple & Terrace.

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 7:00 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk