

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 14, 2015

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 14, 2015.

Mr. George Monroe 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 Lawrence Spataro, Commissioners Willie German, Dan Rinsema-Sybenga, Byron Turnquist, Ken Johnson, Commissioner Eric Hood, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

2015-24 HONORS AND AWARDS:

A. 2014 Outstanding Citizenship Awards. – Andy O’Riley and Charlotte Johnson were each recognized for receiving the 2014 Outstanding Citizenship Award. The award plaques were presented at a Rotary Luncheon.

2015-25 INTRODUCTIONS/PRESENTATION:

A. Presentation by Lake Hawks. The Lake Hawks appeared at the meeting to thank the commission for their support this past season, the commission was presented with autographed Lake Hawks Publications. The Lake Hawks won their final four and finished in the top 12 in the nation.

2015-26 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the March 28, 2015 City Commission Meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes

B. National Bike to Work Week Resolution. CITY CLERK

SUMMARY OF REQUEST: The City Commission is asked to adopt the resolution supporting National Bike to Work Week June 15 through June 19, 2015.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution.

C. Request to Fly the Norwegian Flag. CITY CLERK

SUMMARY OF REQUEST: Sons of Norway are requesting permission to fly the Norwegian Flag at City Hall beginning Friday, May 15th, 2015 at 9:00 a.m. through the weekend, to be taken down the morning of Monday, May 18, 2015 in honor of Norway's Constitution Day (Independence Day), which falls on Sunday, May 17, 2015.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the request.

E. Rix Stix Pronto Pups and Rix Stix Eats Concession Contract for City of Muskegon Parks. DEPARTMENT OF PUBLIC WORKS

SUMMARY OF REQUEST: Staff is asking permission to enter into a 1-year contractual agreement with Ralph "Rick" Paine III of Rix Stix Pronto Pups/Rix Beach Eats, at various City of Muskegon Parks/Facilities, located within the City of Muskegon, and as determined by staff, to sell pronto pups and various other food items from two mobile trucks. Concessionaire is also requesting that a 50' interval/distance between vendors be considered.

FINANCIAL IMPACT: Concession revenue is 10% of gross receipts. Commission revenue is unknown at this time as this is the first year in business for the Concessionaire at City of Muskegon Parks.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Authorize DPW staff to enter into concession agreement with Ralph "Rick" Paine III of Rix Stix Pronto Pups/Rix Beach Eats.

F. 2015/16 Water Treatment Sodium Hypochlorite Bids. DEPARTMENT OF PUBLIC WORKS

SUMMARY OF REQUEST: Recommend endorsement of lowest responsible bidder to supply sodium hypochlorite for the water filtration plant.

FINANCIAL IMPACT: Annual cost of \$73,590 (based on average annual water pumped to mains plus increased estimated treatment cost for Norton Shores/Fruitport).

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends the Mayor and City Commission endorse the low bid received and allow staff to enter into a contract with Alexander Chemical for sodium hypochlorite for one year, beginning April 14, 2015.

G. Permanent Traffic Control Order – Install a permanent “STOP” sign at Indiana Avenue and Harbor Towne Circle per Traffic Control Work Order #17-(2015). DEPARTMENT OF PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to install a permanent “Stop” sign at the Southwest corner of Indiana Avenue and Harbor Towne Circle per Traffic Control Work Order # 17-(2015)

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

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Authorize DPW staff to install a “Stop” Sign at Indiana Avenue and Harbor Towne Circle per Traffic Control Work Order # 17-(2015)

H. 2015 Pavement Marking Program. DEPARTMENT OF PUBLIC WORKS

SUMMARY OF REQUEST: Staff is requesting permission to enter into a 1-year contractual agreement with Michigan Pavement Marking (MPM) of Wyoming, MI for Centerline Painting and Advanced Pavement Marking (APM) of West Olive, MI for Special Pavement Markings. This contract bid was awarded by the Muskegon County Road Commission (MCRC) and for local agencies in the Muskegon County Pavement Marking Group to enter into with MPM and APM with each member billed separately by MPM and APM for painting services requested.

FINANCIAL IMPACT: Estimated costs for 2015 are \$25,000 for both Centerline painting and Specialty Markings. Approximately \$20,334 in 2011 was spent for centerline painting/special pavement markings with \$16,008 in 2012, \$16,999 in 2013 and \$16,013 in 2014 spent for centerline painting only, through previous bids/contracts with MCRC and MPM.

BUDGET ACTION REQUIRED: None, contractual work has been budgeted for in the Highway Majors budget.

STAFF RECOMMENDATION: Approve request to enter into a 1-year contract with Michigan Pavement Markings for Centerline Painting and Advanced Pavement Markings for Special Pavement Markings.

K. DPW Fleet Replacement Vehicles. DEPARTMENT OF PUBLIC WORKS/
EQUIPMENT

SUMMARY OF REQUEST: The Equipment division is seeking permission to purchase 2 (two) DPW fleet vehicles, one for the Highway Department as a construction vehicle and the other for the Parks Department.

BUDGET ACTION REQUIRED: None. This is the amount budgeted for.

FINANCIAL IMPACT: One ton \$26,395.00 and Three quarter ton \$21,395.00

STAFF RECOMMENDATION: Authorize staff to purchase 2 (two) fleet replacement vehicles from Gorno Ford the Mi Deal State contract holder.

Motion by Commissioner Johnson, second by Commissioner Rinsema-Sybenga to approve the Consent Agenda as read with the exception of Items D, I, and J.

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

Nays: None

MOTION PASSES

2015-27 ITEMS REMOVED FROM CONSENT AGENDA:

D. PA 422 of 2014 – Cemetery Perpetual Care Fund. FINANCE

SUMMARY OF REQUEST: Public Act 422 of 2014, which was signed by the Governor, allows a municipality that has a municipally owned cemetery to establish and maintain an irrevocable endowment and perpetual care fund as a component fund within a community foundation, by entering into an irrevocable agreement with the community foundation.

FINANCIAL IMPACT: Additional cemetery endowment earnings potentially will reduce the use of general fund revenue for cemetery maintenance.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approval of the City of Muskegon Cemetery Perpetual Care Fund Agreement with the Community Foundation for Muskegon County.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga to approve the City of Muskegon Cemetery Perpetual Care Fund Agreement with the Community Foundation for Muskegon County.

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

Nays: None

MOTION PASSES

I. Aggregates, Highway Maintenance Materials and Concrete. DEPARTMENT OF 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 road gravel to Yellow Rose Transport

Award bid to supply Sylvax patching material to Unique Paving Materials

Award bid for crack sealant to Surface Coatings

Award bid to supply bituminous products (Base and Top) to Asphalt Paving, Inc.

Award bid to supply AE-90 Asphalt Emulsions to Bit-Mat Products

Award bid to supply screened top soil to Accurate Excavators

Award bid to supply 2NS sand to Yellow Rose Transport

Award bid to supply Fill Sand to Accurate Excavators

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: \$456,387.25

BUDGET ACTION REQUIRED: NONE; funds appropriated in several budgets

STAFF RECOMMENDATION: Recommend approval of bids as outlined in Summary of Request. Maintenance Vehicle. The Highway truck will be a one ton flatbed and the Parks a three quarter ton standard cab pick-up.

Motion by Commissioner Turnquist, second by Commissioner German to approve bids as outlined in the Summary of Request.

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

Nays: None

MOTION PASSES

J. Police SUVs. DEPARTMENT OF PUBLIC WORKS/EQUIPMENT

SUMMARY OF REQUEST: The Equipment division is seeking permission to purchase 2 (two) Police Interceptor SUVs to replace current units that are due retirement based on years of service and mileage. We are also asking to purchase an additional warranty for these vehicles extending our powertrain warranty to 7 years ~ 125,000 miles.

FINANCIAL IMPACT: \$25,475.00 per SUV and \$2,495 for each extended warranty.

BUDGET ACTION REQUIRED: None. This is the amount budgeted for.

STAFF RECOMMENDATION: Authorize staff to purchase 2 (two) Police SUVs with extended warranty from Gorno Ford the Mi Deal State contract holder.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga to authorize staff to purchase two Police SUVs with extended warranty from Gorno Ford the Mi Deal State contract holder.

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

Nays: None

MOTION PASSES

2015-28 NEW BUSINESS:

A. Approval of Sale of City-owned home at 1581 Division. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community and Neighborhood Services department to complete the sales transaction between Ashley Nagelkirk for the rehabilitated home at 1581 Division, which is part of the City's HOME Program. Ms. Nagelkirk's purchase price for the home is \$74,500.

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 CNS staff to complete the sale.

Motion by Vice Mayor Spataro, second by Commissioner Johnson to approve the resolution and direct the CNS staff to complete the sale.

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

Nays: None

MOTION PASSES

B. Public Relations Fund Budget Adjustment. CITY CLERK

SUMMARY OF REQUEST: Improving the city's image has been made a priority over the last two budget cycles. As such, many staff hours have been dedicated to working with key stakeholders to develop a plan to help change public perception. Many of our partner stakeholders have committed to fundraising for these types of activities. As the summer tourist season approaches, city staff and key stakeholders identified a number of new capital investments that we would like to undertake. Two of which we are seeking approval for today – the installation of welcoming banners on light poles throughout the downtown, and the redesign of the logo and color scheme used on many city advertisements, vehicles, buildings, paperwork, etc.

FINANCIAL IMPACT: Same

BUDGET ACTION REQUIRED: Same

STAFF RECOMMENDATION: Increase the Public Relations Budget by \$40,000 and authorize the City Clerk to purchase and install new banners downtown and to work with Revel to design a new city logo.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Hood to increase the Public Relations Budget by \$40,000 and authorized the City Clerk to purchase and install new banners downtown and to work with Revel to design a new city logo.

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

Nays: Turnquist

MOTION PASSES

C. City – MDOT Agreement; Henry Street Construction; Sherman to Hackley. ENGINEERING

SUMMARY OF REQUEST: Approve the contract with MDOT for the Henry Street construction between Sherman & Hackley and approve the resolution authorizing the Mayor and City Clerk to sign the contract.

FINANCIAL IMPACT: MDOT's participation is limited to the approved federal funds of \$580,000. The estimated total construction cost is \$802,100 plus engineering cost.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approve the contract and resolution and authorize the mayor and clerk to sign both.

Motion by Commissioner Johnson, second by Vice Mayor Spataro to approve the contract and resolution and authorize the mayor and clerk to sign both.

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

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 7:17 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk