

City of Muskegon
City Commission Worksession
April 7, 2014
City Commission Chambers
5:30 PM

MINUTES

2014-25

Present: Commissioners Rinsema-Sybenga, Gawron, Hood, Johnson, German, Turnquist, and Spataro.

Absent: None.

Three Downtown Businesses to Add Outdoor Service to Liquor Licenses.

Top Shelf Pizza, 500 W. Western, Pigeon Hill Brewery, 500 W. Western, and Smash Bar, 414 W. Western have or will be applying for outdoor services for their liquor license. While Commission action is not required, we thought it would be a great opportunity for the licensees to let the Commission know the exciting plans they have in store for downtown this summer

Jim Noel, owner of Top Shelf, introduced himself and is excited be part of the growing downtown.

Michael Brower, owner of Pigeon Hill Brewery, stated their plans to add an outdoor service to their newly opened business.

All businesses will need to meet the requirements for an encroachment agreement and any other requirements by the City.

Amendment to Brownfield Plan – Terrace Point Landing, LLC and Downtown Development Authority (DDA) Pass –Through Agreement.

The Brownfield Plan for Terrace Point Landing, LLC was adopted by the Brownfield Redevelopment Authority and City Commission in 2013 for purposes of reimbursing the developer for “eligible expenses” incurred in association with the project (approximately \$12 million investment overall). In addition, the DDA and City Commission approved the amendment of the DDA Plan to allow for “100% of the difference between the 1988 assessed value and the 2013 assessed value or that parcel and 25% of any increase in the assessed value beyond the 2013 tax year” (“parcel” being identified for the Terrace Point Landing LLC project). The BRA Plan was forwarded to the MEDC for review and approval. City staff and the developer were notified the week of March 24th that the MEDC was not recommending their participation in the Plan. After several discussions and careful consideration, it was determined that the project can proceed financially without the MEDC participation, providing the BRA tax capture is the full 100% (rather than the 75% originally contemplated).

John Rooks, 5349 Lake Harbor Drive, made a presentation of the project.

This item has been placed on the April 8, 2014 Commission meeting for consideration.

Amendment to the Transient Merchant Ordinance.

Staff compared the current transient merchant ordinance with several other communities and reviewed comments received by customers and is making recommendations for changes.

Some proposed changes include:

Offering the license as an annual license instead of a daily license currently allowed a maximum of 60 days per calendar year. The current fee is \$30 per day. The proposed fee is \$150 annual fee renewed on May 1st of each year.

The bond amount is proposed to increase from \$500 to \$1000

School sponsored events should not require a permit

Merchants may stay in one location no longer than 45 (current ordinance states 90 days)

Hours shall be set between 9 a.m. and 8 p.m. or sunset (whichever is earlier)

Merchants may not operate within 1,000 feet of any approved special event or leased park unless they have obtained permission from the event sponsor or lessee. The license does not allow for the sale of goods or serves at any city-owned park/facility or farmer's market without a permit from the City.

Residents and businesses selling parking spaces on their property during a City approved special event in the downtown district are required to obtain a license. At least one ADA compliant restroom facility with a hand washing unit must be made available to the public for the first 50 parking spaces being offered on a parcel and two restroom facilities be available on parcels selling 100 or more parking spaces. The license must be prominently displayed at the entrance to the parking facility and if the number of parking spaces meets or exceeds 50, a sign must be prominently displayed indicating to the public that a public restroom is available.

The fee for a license is proposed to be \$25 for the first 50 parking spaces and \$50 for more than 50 parking spots on one parcel.

This item will be placed on the April 22, 2014 City Commission meeting.

Mobile Food Vending Ordinance.

In consultation with Downtown Muskegon Now, staff has developed a Mobile Food Vending Ordinance for consideration. The proposed monthly fee is \$300. Those established brick and mortar businesses located in the City of Muskegon selling their own goods through the mobile food vending ordinance may pay a monthly fee of \$150.

Mobile food vehicles shall not be left unattended and cannot be parked between the hours of 3 a.m. and 6 a.m. They shall not operate within 1,000 feet of any City approved special event or leased park. Vendors wishing to sell at the Farmer's Market must obtain permission through management of the Farmer's Market.

Mobile food vehicles shall not be parked within 150 feet of an existing brick and mortar restaurant during the hours when such restaurant is open to the public for business unless permission has been obtained from the restaurant.

Applications will be considered for the following areas: Sherman Blvd, Henry Street, Apple Avenue, Laketon Avenue, Getty Street as well as within the area of the Downtown District Authority, and industrial parks.

City Commissioners requested staff seek input from downtown businesses and bring this back to their April 22, 2014 meeting for consideration.

Muskegon Firefighters Union – Contract Settlement.

Frank Peterson, City Manager, presented a contract settlement for the Muskegon Firefighters Union.

The City Commission will consider this item at its April 8, 2014 City Commission Meeting.

LC Walker Arena Management/Operations Costs.

Representatives of the LC Walker Arena were present to give an update on the operations of the LC Walker Arena and new promotions they have put together to make it a viable business 365 days per year.

Commissioner German left at 7:18 p.m.

Commissioner Johnson asked for the last two years utility bills and attendance records before voting on this issue.

An energy audit being conducted tomorrow.

Recreational Fires

Chief Lewis indicated he would like to propose an ordinance to better define recreational fires. An ordinance will be presented to the Commission at a later date.

2014-15 City Commission Goals/Action Plan.

City Manager, Frank Peterson, reviewed the goals/action plans for the City in detail. It is a working document and will be used as a guide.

This items has been placed on the April 8, 2014 Commission Meeting for consideration.

Adjournment.

Motion by Commissioner Hood, seconded by Commissioner Spataro to adjourn at 8:24 p.m.

MOTION PASSES

**Ann Marie Cummings, MMC
City Clerk**