

CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 26, 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, March 26, 2013.

Mayor Gawron opened the meeting with a prayer from Pastor Tim Cross from the Living Word Church 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.

2013-24 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the March 11th Commission Worksession Meeting, and the March 12th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. 2013 Dozer Rental for Beach Leveling at PM Park. PUBLIC WORKS

SUMMARY OF REQUEST: Staff is requesting permission to enter into a rental agreement with Michigan Cat for a Cat D6TXL Cab Dozer for leveling sand at Pere Marquette Beach.

FINANCIAL IMPACT: Estimated cost for the 2013 Dozer rental is \$9,000 (which includes \$700 for delivery and pickup).

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve request.

C. One Year Janitorial Services Extension, Optional Year through April 30, 2014. ENGINEERING

SUMMARY OF REQUEST: Extend the current janitorial services contract with Reliant Professional Cleaning for one more year which was allowed for as an optional year at the time the contract was bid back in 2010 to clean City Hall, Public Service Building and the Filtration Plant areas with no change in the cost. The contractor has submitted the request for exercising the optional year extension and staff recommends it.

FINANCIAL IMPACT: The total annual cost of the contract (City Hall, P.D., DPW and Filtration Plant) is \$61,788.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the one year extension, optional year, with Reliant Professional Cleaning Services to provide janitorial services until the end of April, 2014, at City Hall, DPW and Filtration.

D. City – MDOT Agreement for the Reconstruction of: Laketon Avenue from Wood to Getty. ENGINEERING

SUMMARY OF REQUEST: Approve the contract with MDOT for the reconstruction of Laketon Avenue between Wood and Getty, 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 \$313,000. The estimated total construction cost is \$1,394,600 plus engineering cost.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approve the contract and resolution authorizing the Mayor and Clerk to sign both.

E. Liquor License Request – Pigeon Hill Brewing Company, LLC, 500 W. Western. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request from Pigeon Hill Brewing Company, LLC for a new Micro Brewer License with Dance and Entertainment Permits to be located at 500 W. Western Avenue, #1.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

F. Amendment to the Zoning Ordinance. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Staff initiated request to amend Section 2326, Off-Street Parking and Loading, of the Zoning Ordinance to lessen the off-street parking requirements for existing buildings.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval of the request at their March 14th meeting.

H. Acceptance of Viridian's and Terrace Point's Extensions into the City's Street System. ENGINEERING

SUMMARY OF REQUEST: Adopt the resolution accepting the extensions of Viridian and Terrace Point Drive into the City's street system.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Adopt the resolution.

I. Permission to Donate a Retired Police Cruiser to Muskegon Area Career Tech Center (MACTC). PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to donate a retired police cruiser, valued at approximately \$3,500 to MACTC for their training program. The City's donation, if approved, would be consistent with two of the City's goals:

1. Foster Opportunities for City/Community Youth
2. Foster Strong Ties Among Governments and Community Agencies.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Both DPW and the Police Department are recommending this donation.

J. Grand Trunk Launch Ramp Dredging. CITY MANAGER

SUMMARY OF REQUEST: To approve entering into a grant agreement(s) with the Department of Natural Resources for funding to dredge the channel used for the Grand Trunk Launch Ramp. Also, to authorize waiving bidding requirements and authorize the Mayor and City Clerk to execute a dredging contract that is in the best interest of the City.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To enter into grant agreement(s) with the Department of Natural Resources to secure funding for dredging of the channel used for the Grand Trunk Launch Ramp. Further, to waive any bidding requirements and formalities and authorize the Mayor and City Clerk to enter into necessary dredge contracts as deemed in the best interest by the City Manager and City Attorney.

Motion by Commissioner Wierengo, second by Commissioner Hood to accept the Consent Agenda as presented minus item G.

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

Nays: None

MOTION PASSES

2013-25 ITEM REMOVED FROM THE CONSENT AGENDA:

G. Detective Vehicles. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase one Chevy Malibu from Shaheen Chevrolet, the Mi Deal (state contract) awarded dealership for Chevy and one Ford Fusion from Gorno Ford, the Mi Deal (state contract) awarded for Ford.

FINANCIAL IMPACT: \$37,969.

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

STAFF RECOMMENDATION: Authorize staff to purchase new detective vehicles from Shaheen Chevrolet and Gorno Ford.

Motion by Commissioner Turnquist, second by Commissioner Wierengo to purchase one Chevy Malibu from Betten Chevrolet.

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

Nays: Gawron and Spataro

MOTION PASSES

Motion by Vice Mayor Spataro, second by Commissioner Markowski to purchase one Ford Fusion from Gorno Ford which is the lowest responsible bidder.

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

MOTION PASSES

2013-26 NEW BUSINESS:

A. Approval of Sale of City-Owned Home at 134 E. Isabella. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community & Neighborhood Services Department to complete the sales transaction between Mr. Michael D. Kelly for the Neighborhood Stabilization Program rehabilitated home at 134 E. Isabella. Mr. Kelly will purchase it for \$27,000.

FINANCIAL IMPACT: The proceeds from the sale will be used to close out the NSP Program.

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 German to approve the sale of the City-owned home at 134 E. Isabella to Mr. Kelly.

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

Nays: None

MOTION PASSES

B. Approval of Sale of City-Owned Home at 605 Jackson. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community and Neighborhood Services Department to complete the sales transaction between LaQuandra Robinson for the newly constructed home at 605 Jackson, which is part of the City's Neighborhood Stabilization Program through the Michigan State Housing Development Authority Office of Community Development and Leverage funds with the HOME Program by HUD.

FINANCIAL IMPACT: The proceeds from the sale will be returned to the NSP and HOME Programs.

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 Hood to approve the sale of the City-owned home at 605 Jackson to LaQuandra Robinson for \$65,000.

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

Nays: None

MOTION PASSES

C. Amendment to the Renaissance Zone Development Agreement for Highpoint Flats. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend the renaissance zone development agreement for the Highpoint Flats apartment project at 285 W. Western Avenue to extend the deadline for the private investment minimums until December 31, 2015.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the renaissance zone development

agreement amendment.

Motion by Commissioner Hood, second by Commissioner Turnquist to approve the Renaissance Zone development agreement amendment.

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

Nays: None

MOTION PASSES

D. Permanent Traffic Control Orders. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to remove the current Traffic Signals per Traffic Control Orders #4-8 and remove on-street parking on Muskegon Avenue between Jefferson and Terrace Streets and install permanent Stop Signs on the various adjoining cross-streets.

FINANCIAL IMPACT: Cost of removal of traffic signals, pavement markings and man-power to install signs, if approved.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve request.

Motion by Vice Mayor Spataro, second by Commissioner German to approve the request for the permanent traffic control orders.

Motion by Vice Mayor Spataro, second by Commissioner Wierengo to Table to the May Worksession.

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

Nays: None

MOTION TO TABLE PASSES

E. S.S. Milwaukee Clipper – Letter of Support. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The S.S. Milwaukee Clipper Preservation, Inc. Board is seeking approval from the County of Muskegon to relocate to a permanent location at Heritage Landing. The Board is requesting a letter of support from the City of Muskegon.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To authorize the Mayor to send a letter of support to the S.S. Milwaukee Clipper Preservation, Inc. Board to relocate to Heritage Landing, providing a suitable location is identified.

Motion by Commissioner Hood, second by Vice Mayor Spataro to authorize the

Mayor to send a letter of support to the S.S. Milwaukee Clipper Preservation, Inc. Board to relocate to Heritage Landing, providing a suitable location is identified.

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

Nays: None

MOTION PASSES

F. Proclamation – School Spirit. CITY CLERK

SUMMARY OF REQUEST: The City Commission has directed staff to draft a proclamation encouraging citizens to wear school colors the first Friday of each month to show support for our area schools.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the proclamation.

Motion by Commissioner Markowski, second by Vice Mayor Spataro to approve the proclamation of School Spirit for the City of Muskegon.

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

Nays: Hood

MOTION PASSES

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

390 Catherine (Area 11)

1200 Ambrosia (Area 11)

1284 Pine (Area 11)

1458 Jiroch (Area 13)

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 Commissioner German, second by Vice Mayor Spataro to concur with the Housing Board of Appeals notice and order to demolish 390 Catherine, 1200 Ambrosia, 1284 Pine, and 1458 Jiroch.

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

Nays: None

MOTION PASSES

H. Liquor License Renewal – Dreamers, 978 Pine. CITY CLERK

Motion by Commissioner German, second by Vice Mayor Spataro to remove Dreamer's, 978 Pine from the resolution being sent to the State regarding non-renewal of liquor licenses.

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

Nays: None

MOTION PASSES

2013-27 ANY OTHER BUSINESS:

A. Resolution Authorizing S2 Grant. ENGINEERING

Motion by Commissioner Markowski, second by Commissioner Wierengo to authorize the resolution for the S2 Grant not to exceed \$160,000.

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

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 6:40 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk