CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 24, 2015

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- **CALL TO ORDER:**
- **PRAYER:**
- **PLEDGE OF ALLEGIANCE:**
- **ROLL CALL:**
- **HONORS AND AWARDS:**
- **INTRODUCTIONS/PRESENTATION:**

  A. **Presentation by Lake Hawks.**

- **CITY MANAGER'S REPORT:**
- **CONSENT AGENDA:**

  A. **Approval of Minutes.** CITY CLERK

  B. **SECOND READING: Amendment to the Mobile Food Vending Ordinance.** CITY CLERK

  C. **SECOND READING: Amendment to the Special Event Parking Downtown Ordinance.** CITY CLERK

  D. **SECOND READING: Amendment to the Licensing Ordinance.** CITY CLERK

  E. **SECOND READING: Amendment to the Zoning Ordinance.** PLANNING & ECONOMIC DEVELOPMENT

  F. **SECOND READING: Lakeshore Smartzone LDFA – Plan Amendment.** PLANNING & ECONOMIC DEVELOPMENT

  G. **New Special Event Request – "Standup for the Cure" Stand-up Paddleboard Event & Expo – July 11, 2015.** PLANNING & ECONOMIC DEVELOPMENT

  H. **Contract for Demolition at 1716 Sanford.** COMMUNITY & NEIGHBORHOOD SERVICES

  I. **Resolution in Support of Proposal 1 for Safer Roads.** CITY MANAGER

- □ **PUBLIC HEARINGS:**
- □ **COMMUNICATIONS:**
- □ **UNFINISHED BUSINESS:**
- □ **NEW BUSINESS:**

  A. **Bella Dawg Concession Contract for City of Muskegon Parks.** PUBLIC WORKS

- □ **ANY OTHER BUSINESS:**
- □ **PUBLIC PARTICIPATION:**

- ► **Reminder: Individuals who would like to address the City Commission shall do the following:**
- ► Fill out a request to speak form attached to the agenda or located in the back of the room.
- ► Submit the form to the City Clerk.
- ► Be recognized by the Chair.
- ► Step forward to the microphone.
- ► State name and address.
- ► Limit of 3 minutes to address the Commission.
- ► (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

- □ **CLOSED SESSION:**
- □ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY-FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE CUMMINGS, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TTY/TDD DIAL 7-1-1- TO REQUEST A REPRESENTATIVE TO DIAL (231) 724-6705.

Memorandum

To: Mayor and Commissioners

From: Frank Peterson

Re: City Commission Meeting

Date: March 19, 2015

We have a number of items on the agenda, and I thought you could use a little background on some of them as you prepare for our meeting next week.

1. Under the consent agenda, we are asking the Commission to approve:
    a. Last meeting's minutes.
    b. Second of the mobile food vending ordinance.
    c. Second reading of the special event parking ordinance.
    d. Second reading of the licensing ordinance.
    e. Second reading of the amendment to the zoning ordinance.
    f. Second reading of the Smart Zone LDFA Plan amendment.
    g. A new special event request called "Stand up for the Cure." This is a paddleboard event that will also have a vendor component. It is planned for Harbor Towne Beach. The applicant is requesting the ability to sell alcohol at the beach.
    h. The demolition contract for 1716 Sanford. There is a chance that this is removed from the agenda, as we are seeking clarification from one bidder re: asbestos abatement.
    i. This resolution will offer the Commission's support of Proposal 1 as a way to raise funds for road improvements. A number of communities have passed similar resolutions, and the MML has urged more communities to do so. This support resolution will be consistent with our recent efforts to support new funding for local street infrastructure. Upon complete implementation, this change would generate approximately $2 Million more in local street revenue for Muskegon.
2. Under Hearings/Other/New Business we have four topics for discussion:
    a. Approval of the contract with Bella Dawg Concessions for operation at Pere Marquette Park. The main change in this contract is the allowing of the concession stand to locate within 50 feet of our brick/mortar concession building.

If there are questions on any agenda items, please try to let staff know in advance, and we will be sure to have the appropriate data/research available at the meeting.

Date: March 24, 2015

To: Honorable Mayor and City Commissioners

From: Ann Marie Cummings, City Clerk

RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the March 9th Commission Worksession Meeting, and the March 10th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

City of Muskegon
City Commission Worksession
March 9, 2015
City Commission Chambers
5:30 PM

MINUTES

2015-14
Present: Commissioners German, Hood, Rinsema-Sybenga, Gawron, Johnson, Turnquist, and Spataro.
Absent: None.

Presentation for P.I.L.O.T. - Berkshire Muskegon.
Frank Peterson, City Manager, announced the city just received notification from MSHDA that the site has not been approved. Josh Hafron, of General Capital Group, 212 W. Kinsey, Chicago, IL thanked city staff for their hard work and indicated they would like to find another site in the downtown area to host a 65 to 75 unit project.

Second Quarter 2014-15 Budget Reforecast.
Staff is transmitting the Second Quarter 2014-15 Budget Reforecast which outlines proposed changes to the budget that have come about as a result to changes in revenue projections, policy priorities, labor contracts, updated economic conditions, or other factors.

Derrick Smith, Finance Director, reviewed the second quarter proposed adjustments to the budget.

This item will be on the March 9, 2015 Commission Meeting for consideration by the Commission.

Business Improvement District (BID) Resolution.
The Commission is asked to consider adopting a resolution establishing a Business Improvement District. The boundaries are outlined in the map provided. It is also requested the Commission establish the board with the following recommended individuals:

Amanda Garabedian – First General Credit Union (121 W. Western Ave.)
Bruce Lindstrom – BellaBay Realty (587 W. Western Ave.)
Justin Clark - Frontier (860 Terrace St.)
Doug Pollock – Parkland Properties/Holiday Inn (939 3rd St.)
Gary Post – Port City Construction Western Ave. Properties LLC (350 W. Western Ave)
Bob Tarrant – Hume Properties LLC (900 3rd St.)
City Manager – City of Muskegon

Jonathan Seyferth, of Downtown Muskegon Now, gave an overview of the proposed BID. A letter was sent to 130 property owners last week explaining the proposal and he has been answering questions from those individuals. This does not impact residential property owners.

This item will be on the March 9, 2015 Commission Meeting for consideration by the Commission.

Any Other Business

Commissioner Johnson questioned the proposed Mobile Food Vendor ordinance amendment and if fees should be lowered for food vendors who do not own another restaurant in the City of Muskegon.

Vice Mayor Spataro and Frank Peterson, City Manager, indicated it is a tool to give entrepreneurs the opportunity to try a food business in downtown and decide if they would like to open a brick and mortar business in the City.

Frank Peterson asked if the Commission is interested in purchasing more tickets for the Lake Hawks game for the three additional games during play-offs for $2500 which does include airing all three games on our government access channel. This will be considered at the March 9, 2015 Commission Meeting.

Commissioner Johnson asked staff what the latest information from Bike Time is?

Jonathan Seyferth and staff did have a meeting with Bike Time. It is unknown who will formally put in the request to close Western. If the businesses do so, Downtown Now will probably submit it. The other scenario is a partnership with Bike Time. It will more than likely be a smaller area being closed for fewer days.

Adjournment.

Motion by Commissioner Hood, seconded by Vice Mayor Spataro to adjourn at 6:53 p.m.

MOTION PASSES

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Ann Marie Cummings, MMC
City Clerk

CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 10, 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, March 10, 2015.

Mayor Gawron opened the meeting with prayer from Pastor Marcy Miller from Samuel Lutheran 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 Ken Johnson, Eric Hood, Willie German, and Dan Rinsema-Sybenga, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Absent: Commissioner Byron Turnquist (excused)

2015-15 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the February 9th Commission Worksession Meeting, the February 10th City Commission Meeting, and the February 20th Goal Setting Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. SECOND READING: Amendment to the Rental Property Ordinance. PUBLIC SAFETY

SUMMARY OF REQUEST: Two small amendments are needed to the recently adopted Rental Property Ordinance. The requirement for an ID was inadvertently removed from sec. 10-351(e)(6) and has been added to this version.

Section 10-351(f)(2) states the insurance policy must be on file in the Clerk's

Office making it more cumbersome on the customer to visit two offices. Under the proposed language, a copy of the insurance policy can be collected by Safebuilt or another City designee.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the Ordinance as presented.

C. **<u>Light Fixtures Replacement at Public Service Building through Consumers Energy.</u>** PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to enter into an agreement with Consumers Energy to provide 56 light fixtures as described in the proposed agreement, installation is not included, for a price of $9,173.67 to replace the outdated fixtures we currently have as part of our continued efforts for energy conservation.

The proposed lights and an estimated $5,700 in incentives (rebate and made in Michigan) upon installation from Consumers Energy would result in an estimated payback of less than a year.

FINANCIAL IMPACT: The initial purchase cost of $9,173.67; however, the net cost, upon receiving the rebate/incentive, is estimated at $3,500 plus a possible installation cost of $2,000 if time did not allow for in-house installation.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to enter into an agreement with Consumers Energy to provide the light fixtures.

D. **<u>Coagulant Mixer.</u>** WATER FILTRATION

SUMMARY OF REQUEST: Authorize staff to purchase a coagulant mixer for the Water Filtration Plant from the lowest responsible bidder, Mastrrr Company.

FINANCIAL IMPACT: $23,950.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends acceptance of bid from Mastrrr Company for $23,950.

E. **<u>Gaming License – MOKA.</u>** CITY CLERK

SUMMARY OF REQUEST: MOKA has recently moved into the City of Muskegon and is requesting to be recognized as a 501(c)3 for a gaming license.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

G. **Amendment to the Mobile Food Vending Ordinance.** CITY CLERK

SUMMARY OF REQUEST: In 2014 the City adopted a Mobile Food Vending Ordinance. Staff encountered no issues and received no complaints. Staff believes mobile food vending units are a benefit to our City and downtown and would like to encourage more participation.

We are requesting to amend the ordinance to (1) change the amount of time a mobile food vending truck may stay in one place from 15 minutes to 30 minutes without a permit; and (2) change the distance a mobile food vending service may be parked within an existing brick and mortar restaurant from 150 feet to 50 feet.

Further, to encourage more participation, we are asking to lower the permit fees from $300 a unit, $150 for existing restaurants in the City of Muskegon, and $50 for restaurants in the Downtown Development area to be changed from a monthly fee to an annual fee.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To adopt the ordinance amendment and update the fee schedule as indicated.

(REQUIRES SECOND READING)

H. **Amendment to the Special Event Parking Downtown Ordinance.** CITY CLERK

SUMMARY OF REQUEST: In 2014 the City adopted a Special Event Parking Downtown Ordinance to require businesses to offer public restrooms during special events. Once it was implemented for a season, we were able to ask for input from those businesses it impacted.

Based on the feedback, staff is requesting to modify the ordinance to remove the requirement the first port-a-jon be an ADA accessible facility and include a hand washing unit. Staff is also requesting to change the language to indicate public restrooms be available within 100 feet of the parcel.

Staff is also requesting the fee schedule be changed to indicate no permit is needed for those parking under 50 vehicles and offering an annual permit of $125. A $50 per event fee will still be offered to those businesses who wish to pay a per event fee.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To adopt the ordinance amendment and update the fee schedule as indicated.

(REQUIRES SECOND READING)

I. Amendment to the Licensing Ordinance. CITY CLERK

SUMMARY OF REQUEST: This is a request to amend ordinance 50-2, Licensing, Penalties and Remedies. Staff is asking to revise the ordinance to state property owners are also subject to a municipal civil infraction if any of the provisions of the ordinance are violated.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To adopt the ordinance amendment.

(REQUIRES SECOND READING)

K. City – MDOT Agreement for Traffic Signal Upgrades at Sherman and Glenside. ENGINEERING

SUMMARY OF REQUEST: Approve the contract with MDOT for the traffic signal upgrades at Sherman and Glenside 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 $102,343. The estimated total construction cost is $131,000 plus engineering cost. Also, the City of Roosevelt Park has committed participation of 25% of local share.

BUDGET ACTION REQUIRED: None at this time.

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

L. City – MDOT Agreement for the Reconstruction of Getty Street, Evanston to Apple Avenue (M-46). ENGINEERING

SUMMARY OF REQUEST: Approve the contract with MDOT for the reconstruction of Getty Street from Evanston to Apple and approve the resolution authorizing the Mayor and City Clerk to sign the contract.

FINANCIAL IMPACT: The State's participation is limited to 54% of the cost and capped at $375,000 with the estimated $400,000 remaining cost, including engineering, is the City's responsibility.

BUDGET ACTION REQUIRED: None at this time.

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

M. Construction Engineering Services – Sherman and Glenside Traffic Signal. ENGINEERING

SUMMARY OF REQUEST: Authorize staff to enter into an engineering services agreement with Fleis & Vandenbrink out of Muskegon to perform the necessary construction engineering for the Sherman and Glenside traffic signal upgrade. Fleis & Vandenbrink was selected via verbal contracts with local consultants seeking their interest which included Westshore Engineering and Johnson Anderson.

FINANCIAL IMPACT: Estimated cost of $18,300.

BUDGET ACTION REQUIRED: None at this time; however, some adjustments might have to be made as a result of the bids which are expected in early March.

STAFF RECOMMENDATION: Authorize staff to enter into an engineering services agreement with Fleis & Vandenbrink.

N. Lake Hawks. CITY MANAGER

SUMMARY OF REQUEST: Staff is requesting permission for the City Manager to allocate up to $2,500 to continue efforts to provide and encourage recreational opportunities for local youth. Funds would be used to purchase tickets to the ABA District Final Four being held at Muskegon High School and pay for television broadcasting the three game event. The tickets would be distributed to the community with a focus on youth.

FINANCIAL IMPACT: $2,500.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

O. Community Relations Committee Recommendations. CITY CLERK

SUMMARY OF REQUEST: To concur with recommendations from the Community Relations Committee:

Accept the resignation of Dave Mayville from the Historic District Commission and appoint Andrea Riegler in his place as Architect.

Appoint to the Equal Opportunity Committee Diane Murray-McKinley for Ward 1; Debra Warren for Ward 3; Kortney Williams for Ward 4; and Rosie Buchanan and Lisa Chalko for At-Large.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the appointments.

COMMITTEE RECOMMENDATION: The Community Relations Committee recommended the appointments at their March 9, 2015, meeting.

Motion by Vice Mayor Spataro, second by Commissioner Johnson to approve

the Consent Agenda as read with the exception of Items F and J.

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

Nays: None

MOTION PASSES

2015-16 ITEMS REMOVED FROM THE CONSENT AGENDA:

F. <u>Business Improvement District (BID) Resolution.</u> PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: We are requesting the resolution be adopted establishing a Business Improvement District. The boundaries are outlined in the map. It is also requested the Commission establish the board with the following recommended individuals:

Amanda Garabedian – First General Credit Union (121 W. Western Ave.)
Bruce Lindstrom – BellaBay Realty (587 W. Western Ave.)
Justin Clark – Frontier Communications (860 Terrace St.)
Doug Pollock – Parkland Properties/Holiday Inn (939 3rd St.)
Gary Post – Port City Construction/Western Ave. Properties LLC (350 W. Western Ave.)
Bob Tarrant – Hume Properties LLC (900 3rd St.)
City Manager – City of Muskegon

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To adopt the resolution as presented.

Motion by Vice Mayor Spataro, second by Commissioner German to adopt the resolution to implement the Business Improvement District as presented.

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

Nays: None

MOTION PASSES

J. <u>Amendment to the Zoning Ordinance.</u> PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Staff initiated request to amend the zoning ordinance to allow amusement and recreational facilities, including indoor and outdoor sports fields in B-2, Convenience and Comparison Business districts.

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 special meeting in February.

Motion by Commissioner Johnson, second by Commissioner German to amend the zoning ordinance to allow amusement and recreational facilities, including indoor and outdoor sports fields in B-2, Convenience and Comparison Business districts.

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

Nays: None

MOTION PASSES

(REQUIRES SECOND READING)

2015-17 PUBLIC HEARINGS:

A. Lakeshore Smartzone LDFA – Plan Amendment and Public Hearing. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City of Muskegon Local Development Finance Authority (LDFA) and City Commission approved The Lakeshore Smartzone Local Development Finance Authority and Tax Increment Financing Plan ("Plan") in 2002. The State of Michigan recently provided the opportunity to extend the Tax Increment Finance (TIF) capture for an additional five years, if the Smartzone LDFA Plans are amended to include additional projects, job creation, cooperation with other regional entities, and/or additional reporting. As this additional five years of TIF capture will assist the City in paying back the bonds that were issued for development of the MAREC facility, an amendment to the Plan was prepared. The amendment was approved by the LDFA and the Plan has been forwarded to the City Commission, where a public hearing is to be held.

FINANCIAL IMPACT: The additional five years of tax capture will allow for the generation of approximately $175,330 in revenues from school taxes (in addition to the $331,035 generated from local taxes).

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: That the City Commission hold the public hearing and approve the resolution amending the Plan.

The Public Hearing opened to hear and consider any comments from the public. No comments were made.

Motion by Vice Mayor Spataro, second by Commissioner Rinsema-Sybenga to close the Public Hearing and approve the resolution amending the Plan.

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

Nays: None

MOTION PASSES

(REQUIRES SECOND READING)

B. Recommendation for Annual Renewal of Liquor Licenses. CITY CLERK

SUMMARY OF REQUEST: To adopt a resolution recommending non-renewal of those liquor license establishments who are in violation of Section 50-146 and 50-147 of the Code of Ordinances for the City of Muskegon. These establishments have been found to be in non-compliance with the City Code of Ordinances and renewal of their liquor licenses should not be recommended by the City Commission. If any of these establishments come into compliance by March 21, 2015, they will be removed from this resolution, and recommendation for their renewal will be forwarded to the Liquor Control Commission.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Adoption of the resolution.

The Public Hearing opened to hear and consider any comments from the public. No comments were made.

Motion by Commissioner Hood, second by Commissioner Rinsema-Sybenga to close the Public Hearing and approve the resolution with Dreamers being removed.

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

Nays: None

MOTION PASSES

2015-18 NEW BUSINESS:

A. PILOT – General Capital Acquisitions, LLC. PLANNING & ECONOMIC DEVELOPMENT

REMOVED PER REQUEST OF STAFF.

B. Second Quarter 2014-15 Budget Reforecast. FINANCE

SUMMARY OF REQUEST: At this time staff is transmitting the ***Second Quarter 2014-15 Budget Reforecast*** which outlines proposed changes to the budget that have come about as result of changes in revenue projections, policy priorities, labor contracts, updated economic conditions, or other factors.

FINANCIAL IMPACT: Significant second quarter proposed adjustments to the budget are as follows:

- General Fund revenues are reforecast to be $1,248,426 lower than the first quarter reforecast. This decrease is primarily due to moving $1,168,300 in anticipated grants revenue for the Veterans Park improvements from the general fund to the state grants fund. In addition, due to revised state estimates, revenue sharing is projected to be $155,752 lower than the original budget.
- General Fund expenditures are estimated to be $1,096,409 lower than the first quarter reforecast. This decrease is largely due to moving the Veteran's Park capital project to the state grants fund. The DDA will require a subsidy of $70,000 from the general fund for the current year's debt service as TIF revenue has declined due to tax appeals.
- There are a number of changes proposed for capital projects and include:
  - ♦ In the General Fund, Veteran's Park upgrades project was moved to the state grants fund. Pere Marquette Park playground equipment project reduced from $20,000 to $15,000 for the current fiscal year.
  - ♦ In the Major Streets Fund, proposed projects are now $3,247,000 compared to $6,825,000 as projected in the first quarter, largely due to the timing of projects.
  - ♦ In the Public Improvement Fund, the proposed beach warning system has been eliminated.
  - ♦ In the State Grants Fund, $1,168,300 has been included for the Veteran's Park capital project which is funded primarily by grants.
  - ♦ In the Equipment Fund, capital items have been adjusted to reflect revisions of needs versus available resources.

BUDGET ACTION REQUIRED: City Commission approval of this reforecast will formally amend the City's 2014-15 budget.

STAFF RECOMMENDATION: Approval.

Motion by Vice Mayor Spataro, second by Commissioner Johnson to approve the Second Quarter 2014-15 Budget Reforecast.

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

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 6:48 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk

Requires 2nd Reading

Date: **March 10, 2015**

To: **Honorable Mayor and City Commissioners**

From: **City Clerk's Office**

RE: **Amendment to the Mobile Food Vending Ordinance**

SUMMARY OF REQUEST: In 2014 the City adopted a Mobile Food Vending Ordinance. Staff encountered no issues and received no complaints. Staff believes mobile food vending units are a benefit to our city and downtown and would like to encourage more participation.

We are requesting to amend the ordinance to (1) change the amount of time a mobile food vending truck may stay in one place from 15 minutes to 30 minutes without a permit; and (2) change the distance a mobile food vending service may be parked within an existing brick and mortar restaurant from 150 feet to 50 feet.

Further, to encourage more participation, we are asking to lower the permit fees from $300 a unit, $150 for existing restaurants in the City of Muskegon, and $50 for restaurants in the Downtown Development area to be changed from a monthly fee to an annual fee.

FINANCIAL IMPACT:

STAFF RECOMMENDATION: To adopt the ordinance amendment and update the fee schedule as indicated.

City of Muskegon
Muskegon, Michigan
Ordinance No.

THE CITY OF MUSKEGON HEREBY ORDAINS:

Mobile Food Vending Ordinance
Chapter 50, Section 50-302 and Section 50-304(o) of the Code of Ordinances of the City of Muskegon is amended as follows:

Sec. 50-302. Scope.
The provisions of this article apply to mobile food vehicles/trailers/stands engaged in the business of cooking, preparing and distributing food or beverage with or without charge upon or in public and private restricted spaces. This article does not apply to vehicles which dispense food and that move from place to place and are station in the same location for no more than 30 minutes at a time, such as ice cream trucks. (Ord. No. 2321, § 50-302, 4-22-2014)

Sec. 50-304. Regulations.
O. Mobile food vehicles/trailers/stands shall not be parked within 50 feet of an existing brick and mortar restaurant during the hours when such restaurant is open to the public for business, or closer than 50 feet from another approved mobile food vehicle/trailer/stand unless the vendor has obtained permission from the restaurant. (Ord. No. 2321, § 50-304, 4-22-2014)

This ordinance adopted:
Ayes:

Nays:

Adoption Date:
Effective Date:
First Reading:
Second Reading:

CITY OF MUSKEGON

By:

____

Ann Marie Cummings, MMC
City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon at a regular meeting of the City Commission on the _______ day of ___________________, at which meeting a quorum was present and remained throughout, and the original of said ordinance is on file in the records of the City of Muskegon. I further certify the meeting was conducted, and public notice was given, pursuant to an in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: March 10, 2015

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Ann Marie Cummings, MMC
City Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Requires 2nd Reading

Date: **March 10, 2015**

To: **Honorable Mayor and City Commissioners**

From: **City Clerk's Office**

RE: **Amendment to the Special Event Parking Downtown Ordinance**

SUMMARY OF REQUEST: In 2014 the City adopted a Special Event Parking Downtown Ordinance to require businesses to offer public restrooms during special events. Once it was implemented for a season, we were able to ask for input from those businesses it impacted.

Based on the feedback, staff is requesting to modify the ordinance to remove the requirement the first port-a-jon be an ADA accessible facility and include a hand washing unit. Staff is also requesting to change the language to indicate public restrooms be available within 100 feet of the parcel.

Staff is also requesting the fee schedule be changed to indicate no permit is needed for those parking under 50 vehicles and offering an annual permit of $125. A $50 per event fee will still be offered those businesses who wish to pay a per event fee.

FINANCIAL IMPACT: None.

STAFF RECOMMENDATION: To adopt the ordinance amendment and update the fee schedule as indicated.

City of Muskegon
Muskegon, Michigan
Ordinance No.

THE CITY OF MUSKEGON HEREBY ORDAINS:

Sec. 50-111. Special event parking downtown
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 restroom facility must be made available to the public for 50 - 99 parking spaces being offered within 100 feet of a parcel and two restroom facilities be available within 100 feet on parcels selling 100 or more parking spaces. Parcels may be combined as long as they are contiguous. 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. (Ord. No. 2322, § 50-111, 4-22-2014) **Secs. 50-112—50-130. Reserved.**

This ordinance adopted:
Ayes:

Nays:

Adoption Date:
Effective Date:
First Reading:
Second Reading:

CITY OF MUSKEGON

By:

____

Ann Marie Cummings, MMC
City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon at a regular meeting of the City Commission on the _______ day of ___________________, at which meeting a quorum was present and remained throughout, and the original of said ordinance is on file in the records of the City of Muskegon. I further certify the meeting was conducted, and public notice was given, pursuant to an in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: March 10, 2015

____

Ann Marie Cummings, MMC
City Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Requires 2nd Reading

Date: **March 10, 2015**

To: **Honorable Mayor and City Commissioners**

From: **City Clerk's Office**

RE: **Amendment to the Licensing Ordinance**

SUMMARY OF REQUEST: This is a request to amend ordinance 50-2, Licensing, Penalties and Remedies. Staff is asking to revise the ordinance to state property owners are also subject to a municipal civil infraction if any of the provisions of the ordinance are violated.

FINANCIAL IMPACT: None.

STAFF RECOMMENDATION: To adopt the ordinance amendment.

City of Muskegon
Muskegon, Michigan
Ordinance No.

THE CITY OF MUSKEGON HEREBY ORDAINS:

Licensing

Sec. 50-2. Penalties and remedies.

Any person violating any of the provisions of this chapter shall be responsible for a municipal civil infraction. In addition, any property owner in which any of the violations is taking place shall be responsible for a municipal civil infraction. Each day on which any violation of this chapter shall continue shall constitute a separate offense. The city may utilize injunctive remedies to prevent further violations of this chapter and to require compliance with this chapter.
(Code 2002, § 50-2; Ord. No. 1166, § 1(5-17),
(5-18), 8-11-1998)

This ordinance adopted:
Ayes:

Nays:

Adoption Date:
Effective Date:
First Reading:
Second Reading:

CITY OF MUSKEGON

By:

____

Ann Marie Cummings, MMC
City Clerk

<u>CERTIFICATE</u>

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon at a regular meeting of the City Commission on the _______ day of ___________________, at which meeting a quorum was present and remained throughout, and the original of said ordinance is on file in the records of the City of Muskegon. I further certify the meeting was conducted, and public notice was given, pursuant to an in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: March 10, 2015

____

Ann Marie Cummings, MMC
City Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Commission Meeting Date: March 10, 2015

Date: March 3, 2015

To: Honorable Mayor and City Commissioners

From: Planning & Economic Development

RE: Amendment to the Zoning Ordinance

SUMMARY OF REQUEST:

Staff initiated request to amend the zoning ordinance to allow amusement and recreational facilities, including indoor and outdoor sports fields in B-2, Convenience and Comparison Business districts.

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 special meeting in February.

CITY OF MUSKEGON
PLANNING COMMISSION
SPECIAL MEETING

STAFF REPORT
February 25, 2015

Hearing, Case 2014-04: Staff initiated request to amend the zoning ordinance to allow amusement and recreational facilities, including indoor and outdoor sports fields in B-2, Convenience and Comparison Business districts.

STAFF OBSERVATIONS

1. Staff has received requests for these types of businesses in the past for certain locations in different business districts throughout the city. These include sports fields, indoor skate parks and bounce houses.
2. Currently, the only business districts these types of uses would be allowed in would be in B-3 and B-4 districts, under a Special Use Permit.
3. Staff feels that these types of uses are compatible with the intent of the B-2 district and should be allowed as a use by right. Many of the B-2 district within the city are located within and around residential neighborhoods and would provide easy access for customers.
4. Please see the enclosed map depicting B-2 districts in the city.

NEW LANGUAGE

Deletions are ~~crossed out~~ and additions are in **bold:**

SECTION 1100: PRINCIPAL USES PERMITTED

10. Recording studios. [amended 8/02]

11. Stores selling second hand merchandise. [amended 3/12]

12. Brewpubs. [amended 3/12]

13. Micro Breweries, Small Wineries and Small Distilleries as long as the brewing area is less than 2,500 square feet. [amended 3/12]

14. Amusement and recreational facilities, including indoor and outdoor sports fields

CITY OF MUSKEGON

MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO._____

An ordinance to amend Section 1100 of the Zoning Ordinance to allow recreational facilities, including indoor and outdoor sports fields in B-2, Convenience and Comparison Business districts.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

NEW LANGUAGE

Deletions are ~~crossed out~~ and additions are in **bold:**

SECTION 1100: PRINCIPAL USES PERMITTED

10. Recording studios. [amended 8/02]

11. Stores selling second hand merchandise. [amended 3/12]

12. Brewpubs. [amended 3/12]

13. Micro Breweries, Small Wineries and Small Distilleries as long as the brewing area is less than 2,500 square feet. [amended 3/12]

14. Amusement and recreational facilities, including indoor and outdoor sports fields

This ordinance adopted:

Ayes:____

Nayes:____

Adoption Date:____

Effective Date:____

First Reading:____

Second Reading:_______________________________________

CITY OF MUSKEGON

By: _________________________________
Ann Cummings, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 10th day of March, 2015, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2008, and that minutes were kept and will be or have been made available as required thereby.

DATED: ___________________, 2015. ____

Ann Cummings, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

Please take notice that on March 10, 2015, the City Commission of the City of Muskegon adopted an ordinance to amend Section 1301 of the Zoning Ordinance to allow amusement and recreational facilities, including indoor and outdoor sports fields in B-2, Convenience and Comparison Business districts. Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published ____________________, 2015. CITY OF MUSKEGON

By ________________________________
Ann Cummings, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354

Commission Meeting Date: March 10, 2015

Date: February 26, 2015

To: Honorable Mayor & City Commission

From: Planning & Economic Development Department

RE: Lakeshore Smartzone LDFA- Plan Amendment

SUMMARY OF REQUEST: The City of Muskegon Local Development Finance Authority (LDFA) and City Commission approved The Lakeshore Smartzone Local Development Finance Authority and Tax Increment Financing Plan ("Plan") in 2002. The State of Michigan recently provided the opportunity to extend the Tax Increment Finance (TIF) capture for an additional five years, if the Smartzone LDFA Plans are amended to include additional projects, job creation, cooperation with other regional entities and/or additional reporting. As this additional five years of TIF capture will assist the City in paying back the bonds that were issued for development of the MAREC facility, an amendment to the Plan was prepared. The amendment was approved by the LDFA and the Plan has been forwarded to the City Commission, where a public hearing is to be held.

FINANCIAL IMPACT: The additional five years of tax capture will allow for the generation of approximately $175,330 in revenues from school taxes (in addition to the $331,035 generated from local taxes).

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: That the City Commission hold the public hearing and approve the resolution amending the Plan.

COMMITTEE RECOMMENDATION: None.

City of Muskegon
County of Muskegon, Michigan

ORDINANCE NO. ________

AN ORDINANCE APPROVING AMENDMENTS TO
THE LAKESHORE SMARTZONE LOCAL DEVELOPMENT FINANCE AUTHORITY
AND TAX INCREMENT FINANCING PLAN OF THE CITY OF MUSKEGON LOCAL
DEVELOPMENT FINANCE AUTHORITY

WHEREAS, the City of Muskegon Lakeshore Smartzone Local Development Finance Authority (the "Authority") has previously prepared and approved a Local Development Finance Authority (the “LDFA”) Plan and Tax Increment Financing Plan (the “Plan”) for the Development Area described in the Plan, which was approved by the City Commission on May 14, 2002, pursuant to Act 281, Public Acts of Michigan, 1986(“the Act”) ; and,

WHEREAS, the Authority has prepared and recommended for approval an amendment, attached hereto as Exhibit A (the “Plan Amendment”), to the Plan; and,

WHEREAS, on March 10, 2015 the City Commission held a public hearing on the Plan Amendment pursuant to “the Act”; and,

WHEREAS, the purpose of the amendment is to allow for a five (5) year Tax Increment Finance Extension; per Public Act 290, 2012; and,

WHEREAS the City has published the Notice of Public Hearing twice in MLIVE, and has mailed by certified mail the Notice of Public Hearing to the governing bodies of each taxing jurisdiction in which the Development Area is located and given them an opportunity at the public hearing to express their views and recommendations regarding the Plan Amendment.

NOW, THEREFORE, THE CITY OF MUSKEGON ORDAINS:

1. Findings

(a) The development plan portion of the Plan, as amended by the Plan

Amendment, meets the requirements set forth in Section 17(2) of the Act, and the tax increment financing plan portion of the Plan, as amended by the Plan Amendment, meets the meets the requirements set forth in Section 14(2) of the Act.

(b) The proposed method of financing the development is feasible and the Authority has the ability to arrange the financing.

(c) The development is reasonable and necessary to carry out the purposes of the Act.

(d) Any land included within the Development Area to be acquired is reasonably necessary to carry out the purposes of the Act.

(e) The Plan, as amended by the Plan Amendment, is in reasonable accord with the master plan of the City.

(f) Public services, such as fire and police protection and utilities, are or will be adequate to service the Development Area.

(g) Changes in zoning, streets, street levels, intersections, and utilities, to the extent required by the Plan, as amended by the Plan Amendment, are reasonably necessary for the Plan, as amended by the Plan Amendment, and for the City.

2. Public Purpose. The City Commission hereby determines that the Plan, as amended by the Plan Amendment, constitutes a public purpose.

3. Best Interest of the Public. The City Commission hereby determines that it is in the best interests of the public to halt property value deterioration, increase property tax valuation, eliminate the causes of the deterioration in property values, and to promote growth in the Downtown District to proceed with the Plan, as amended by the Plan Amendment.

4. Approval and Adoption of Plan Amendment. The Plan Amendment is hereby approved and adopted. A copy of the Plan, the Plan Amendment, and all later amendments thereto shall be maintained on file in the City Clerk's office.

5. Amendment to Ordinance No. 969; Conflict and Severability. Ordinance No. 969 is hereby amended by this ordinance. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of the Ordinance are, to the extent of such conflict, hereby repealed. Each section of the Ordinance and each subdivision of any

section thereof is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of the Ordinance.

6. Paragraph Headings. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of the Ordinance.

7. Publication and Recordation. The Ordinance shall be published in full promptly after its adoption in the Muskegon Chronicle, a newspaper of general circulation in the City, qualified under State law to publish legal notices, and shall be recorded in the Ordinance Book of the City, which recording shall be authenticated by the signature of the City Clerk.

8. Effective Date. The Ordinance is hereby determined by the City Commission to be immediately necessary for the interests of the City and shall be in full force and effect from and after its passage and publication as required by law.

Passed and adopted by the City Commission of the City of Muskegon, County of Muskegon, State of Michigan, on March 10, 2015.

AYES: Members ____

NAYS: Members ____

ABSENT: Members ____

ORDINANCE DECLARED ADOPTED.

EFFECTIVE DATE: ______________________

CITY OF MUSKEGON

By _________________________

Ann Marie Cummings, City Clerk

I hereby certify that the foregoing is a true and complete copy of Ordinance No. ______ adopted by the City Commission of the City of Muskegon, County of Muskegon, State of Michigan, at a regular meeting held on March 10, 2015 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

____
Ann Marie Cummings, City Clerk

CITY COMMISSION MEETING DATE

March 24, 2015

Date: **March 12, 2015**

To: **Honorable Mayor and City Commissioners**

From: **Cathy Brubaker-Clarke, Director of Community & Economic Development**

Re: **New Special Event Request – "Standup for the Cure" stand-up paddleboard event & expo – July 11, 2015**

SUMMARY OF REQUEST: "Standup for the Cure" is a 501c3 organization dedicated to raising awareness of breast cancer and funds for the Susan G. Komen foundation. They would like to add Muskegon's Harbour Towne beach as their third event site this year, in addition to Newport Beach, CA and Miami FL. In addition to stand-up paddle boarding, they would like to have an expo-style event with vendors, music and information booths. One of their sponsors is a craft beer brewing company, and they are requesting to serve beer and possibly wine to their patrons. The alcohol would be served in 8-ounce plastic cups to event participants who have been wrist-banded after having their age verified by security staff checking identification. No spirits will be served. They expect to end the event by 3:00 p.m.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION:

COMMITTEE RECOMMENDATION: N/A

Media contact:
Dan Van Dyck
Dvandyck1@gmail.com

760-436-3589 office

Standup for the Cure Expands Nationwide in 2015

National Standup Paddling Series Starts with 4th Annual Flagship Newport Beach Event

NEWPORT BEACH, Calif. – March 10, 2015 – Standup for the Cure (SUFTC) kicks off its fourth year of fundraising with its flagship event Saturday, May 2 from 9:00am-3:00pm at Newport Dunes in Newport Beach, California. Over 1,000 participants are anticipated to come show their support of the Orange County Affiliate of Susan G. Komen. Top international paddleboard experts, including the famous Schweitzer family, will instruct participants of all levels. SUFTC National Sponsor ***Ambry Genetics***, along with Presenting Sponsors, ***Riviera Paddlesurf, Kaiser Permanente,*** and ***GLOBHE***, and supporting Sponsors OhSo! Design, Emery Financial, Maui Jim, Kona Brewing Co., Ruth's Chris Steak House, and Barefoot Winery are committed to the SUFTC motto: "Have Fun and Save Lives!" This combination of fun and social responsibility is a keystone of SUFTC's tremendous popularity.

Entry fee for the Newport Dunes event is $35/person, and every $125 raised enables women in need access to breast cancer screening. Participants can register as a team or individual and/or donate here. To date SUFTC has raised over $350,000 in support of the Susan G. Komen, which provides valuable breast health services to local women in need.

"This is our fourth year and I am so proud of our accomplishments," said Judie Vivian, SUFTC co-founder. "We've raised a tremendous amount of money in support of Susan G. Komen, but more importantly we've screened hundreds of women at our events, and brought the love and support of the paddling community to families impacted by breast cancer."

Following the successful addition of their Miami event last fall, SUFTC is announcing a third event in Muskegon, Michigan this summer. "Anywhere there is a body of water and people passionate about ending breast cancer, we can host a Standup for the Cure event," says National Event Director, Dan Van Dyck.

May 2nd Newport Dunes Events include:

- STANDUP PADDLEBOARD CLINIC taught by world-class SUFTC ambassadors, including the Schweitzer family. Other qualified instructors include Thomas Shahanian, Anthony Vela, Brennan Rose, and Matt Becker.

- SILENT AUCTION: Presenting Sponsor Riviera Paddlesurf has donated one of the limited edition SUFTC paddleboards. Other items include standup paddleboards from Isle SUP and Surf and Uli Boards, pink paddles from Quickblade and Kialoa, Maui Jim sunglasses, as well as Kona Brewing Company's signature cruiser bike.

- MUSICAL ENTERTAINMENT
  Johnny Love, a songwriter from Santa Ana, California, will perform. He has traveled across the U.S. spreading positive vibes and love through his music.
- FREE CANCER SCREENING: Breast cancer and melanoma screenings will be offered during the event. Cancer specialists from Kaiser Permanente will offer these at the Kaiser Permanente Health Expo. Expert counselors will be on hand to help participants understand how to get affordable healthcare.
- YOGA PADDLEBOARD CLINIC: The hottest yoga style is to practice on a paddleboard, giving the body a "core" workout from the added challenge of having to maintain one's balance. Suzanne Yeo, SUFTC ambassador and breast cancer survivor, will lead the clinic.
- FOOD AND DRINK: Irvine's Ruth's Chris Steak House will provide lunch; Kona Brewing Company and Barefoot Winery will present a Happy Hour with live music.
- ACTIVITIES: The 2015 agenda include a Kids Race, a Surprise Format Pro Race, and the Kaiser Permanente Health Expo.
- "PINK" ATTIRE: Participants that register by April 30 will receive a complimentary custom pink SUP jersey from GreenLayer.
- PARKING: All-day parking is available at Newport Dunes for $6 per vehicle.
- "Dry Foot" participants can take part in all festivities without getting in the water

In support of the fight against breast cancer, participants can sign up as a team or individual through the Crowdrise site. More information can be found at the SUFTC website, via Twitter @StandUp4TheCure and on Facebook. For high resolution photographs from previous years' events and for the upcoming May 2nd event, please contact our SUFTC official photographer Harry Weiwel (tmmaui@msn.com, phone (562) 673-3481).

About Standup for the Cure:
Standup for the Cure is a unique not-for-profit support organization that introduces the breast cancer community to the healthy, active lifestyle of standup paddleboarding while raising money and awareness for early breast cancer detection, treatment, research and education.

Contact:
Dan Van Dyck
SUFTC National Event Director
dvandyck1@gmail.com
(760) 436-3589

# # #

Commission Meeting Date: March 24, 2015

Date: **March 19, 2015**

To: **Honorable Mayor and City Commission**

From: **Community and Neighborhood Services Department**

Re: **Contract for Demolition at 1716 Sanford**

SUMMARY OF REQUEST: To approve for Community and Neighborhood Services to execute a contract with Courtade Wrecking, 1750 Alpine Ave., NW, Grand Rapids, for the demolition of the structure located at 1716 Sanford Street. This activity is under the Target Neighborhood Blight Fight Program. The following bids were received:

- Courtade Wrecking $8,180.00
- Press's LLC $5,220.00**

FINANCIAL IMPACT: The funding will be allocated from the City's HOME Funds.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the request.

** Bid was inconclusive

Date: March 24, 2015

To: Honorable Mayor and City Commissioners

From: City Manager

RE: Resolution in Support of Proposal 1 for Safer Roads

SUMMARY OF REQUEST: The City of Muskegon has recently identified street repair needs in excess of $72,000,000 and supports Proposal 1 on the May 5, 2015, ballot to provide the funding needed to address our long-term street infrastructure needs. For more information please go to www.Michigan.gov/roadfunding or www.Michigan.gov/realitycheck.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval

A Resolution in Support of
Proposal 1 for Safer Roads

WHEREAS, Michigan's roads and bridges threaten driver safety and contribute to countless accidents each year, as drivers swerve to avoid potholes and other road hazards; and

WHEREAS, 38 percent of Michigan's state- and locally-owned urban roads and 32 percent of the state's state- and locally-owned rural roads are in poor condition; and

WHEREAS, Michigan has relied on Band-Aid, short-term fixes for our roads instead of investing enough money to fix our roads for the long term; and

WHEREAS, Michigan invests less per capita in transportation than any state in the United States of America; and

WHEREAS, the longer we wait to fix Michigan's roads, the more it will cost us; and

WHEREAS, in addition to threatening public safety, Michigan's crumbling roads hurt our economy; and

WHEREAS, Proposal 1 on the May 5 ballot is Michigan's last, best chance to finally fix our roads with funds that the politicians can't divert somewhere else – while also supporting Michigan's long-term future by investing in our public schools and local communities;

WHEREAS: Having adequate resources to fix our crumbling roads and bridges is crucial to helping improve the state's economy and generate an estimated 15,000 new skilled and high-paying jobs in Michigan; and

WHEREAS: Because safe roads are essential to the movement of goods throughout Michigan, Proposal 1 is supported by some of Michigan's leading organizations of job providers including the Grand Rapids Area Chamber of Commerce, Southwest Michigan First, Business Leaders for Michigan, the West Michigan Policy Forum, Detroit Regional Chamber, Small Business Association of Michigan, Greater Brighton Area Chamber of Commerce, Michigan Lodging and Resort Association and more; and

WHEREAS: Having safe roads is vital to the success of municipalities and is supported by some of the state's leading associations including the Michigan Municipal League, Michigan Association of Counties, Grand Valley Metropolitan Council, and Michigan Townships Association; and

NOW THEREFORE BE IT RESOLVED: That the City of Muskegon supports Proposal 1 on the May 5 ballot to provide the funding needed to finally fix our roads for the long term; and

RESOLVED: That the City of Muskegon knows the 1-cent increase in the sales tax will benefit local communities and help ensure drivers' safety on the roads; and

RESOLVED: That the City of Muskegon formally supports Safe Roads Yes! because if it passes, every penny we pay at the pump in state gas taxes is guaranteed in the constitution to go to transportation.

Adopted this 24th day of March 2015.

Stephen J. Gawron
Mayor

Ann Marie Cummings
City Clerk

AGENDA ITEM NO._____________

CITY COMMISSION MEETING ____________________

TO: Honorable Mayor and City Commission

FROM: Department of Public Works

DATE: March 24, 2015

SUBJECT: Bella Dawg Concession Contract for City of Muskegon Parks.

SUMMARY OF REQUEST:
Staff is asking permission to enter into another 1-year contractual agreement with Steve Hamstra of Bella Dawg, at various City of Muskegon Parks/Facilities, located within the City of Muskegon, as determined by staff, to sell hot dogs and other minor snacks from a mobile cart. Concessionaire is also requesting that a 50' allowance between vendors be considered.

FINANCIAL IMPACT:
Concession revenue is 10% of gross receipts. Commission revenue in 2013 was $276 and $134 in 2014.

BUDGET ACTION REQUIRED:
None

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

COMMITTEE RECOMMENDATION:

Proposal To Operate A Mobil Food Cart In The City Of Muskegon

My name is Steve Hamstra, I own a mobile hot dog cart, doing business as Bella Dawgs, LLC.

I am requesting permission to operate this cart in the city of Muskegon on the following city owned parks, Pere Marquette Beach, Margaret Elliot Drake, Harbor Towne Beach & Hackley Parks. I understand if an event is scheduled I am responsible for getting permission from the person(s) in charge of the event to operate my cart within the events boundaries.

I am requesting the ability to operate during the 2015 spring, summer & fall seasons.

This cart's foot print is small (5' x 8') and 100% self contained. The cart is very attractive, having a flat top grill and a roll top steamer as well as being 100% stainless steel and covered by an attractive yellow and red umbrella.

I am licensed by the State Of Michigan Health Department. We serve quality food in a clean and food safe environment.

The products I offer are grilled 100% all beef hot dogs and grilled sausages served on a poppy seed bun. I also offer an assortment of individual snacks which may include products such as: bags of Potato Chips, Sun Chips, Kettle Cooked Chips, Oreo Cookies, Famous Amos Chocolate Chip Cookies, Peanuts, Granola Bars, Caramel Corn, etc. I also offer an assortment of ice cold soft drinks (Coke, Diet Coke, Orange Crush, A&W Root Beer, Canada Dry Ginger Ale, etc., including bottles of Ice cold Water).

Hours of operation to be determined.

Thank you for considering this request. Should you have any questions, I can be reached at 616.774.3351 or e-mail me at BellaDog.BellaDog@aol.com.

Respectfully Submitted,

Steve Hamstra

Bella Dawg