

CITY OF MUSKEGON

CITY COMMISSION MEETING

FEBRUARY 28, 2012

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, February 28, 2012.

Mayor Warmington opened the meeting with a prayer from Mr. George Monroe from Evanston Avenue Baptist 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 Warmington, Vice Mayor Stephen Gawron, Commissioners Sue Wierengo, Byron Turnquist, Eric Hood, Lawrence Spataro, and Willie German, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

2012-12 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the February 13th Worksession Meeting and the February 14th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Fireworks Display Permit for the Shrine Circus. CITY CLERK

SUMMARY OF REQUEST: Jordan Productions, Inc. is requesting approval of a fireworks display permit for March 2nd and 3rd at the L. C. Walker Arena. Fire Marshall Metcalf has reviewed the request and recommends approval contingent on inspection of the fireworks.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks.

C. Amendments to the Zoning Ordinance. PLANNING & ECONOMIC

DEVELOPMENT

SUMMARY OF REQUEST: Staff has requested the following amendments to the zoning ordinance:

Amend Article II, "Definitions", of the zoning ordinance to include definitions for "Brewpub," "Micro Brewery," "Brewery," "Small Winery," "Winery," "Small Distillery" and "Distillery."

Amend Article XI (B-2 Districts), Section 1100 and Section 1101 of the zoning ordinance to allow for "Brewpubs," "Micro Breweries," "Small Wineries," and "Small Distilleries."

Amend Article XII (B-3 Districts), Section 1200 and Section 1201 of the zoning ordinance to allow for "Brewpubs," "Micro Breweries," "Small Wineries," and "Small Distilleries."

Amend Article XIII (B-4 Districts), Section 1300 and Section 1301 of the zoning ordinance to allow for "Brewpubs," "Micro Breweries," "Small Wineries," and "Small Distilleries."

Amend Section 1304 (B-5 Districts) of the zoning ordinance to allow for "Brewpubs," "Micro Breweries," "Small Wineries," and "Small Distilleries."

Amend Article XIV (I-1 Districts), Section 1400 of the zoning ordinance to allow for "Micro Breweries," "Breweries," "Small Wineries," "Wineries," "Small Distilleries," and "Distilleries."

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the zoning ordinance amendments.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval of the requests at their February 16th meeting.

D. Rental Registration Exemption. CITY MANAGER

SUMMARY OF REQUEST: To approve an ordinance amendment to Chapter 10, Article VI, Section 10-351 Registration of rental dwellings. This amendment would exempt certain dwellings that are not owner-occupied, but are occupied by certain relatives of the owner, from the rental registration requirements of the ordinance.

FINANCIAL IMPACT: Minimum.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the ordinance amendment.

Motion by Commissioner Spataro, second by Commissioner Wierengo to approve the Consent Agenda as read with the change noted on the

Worksession Minutes.

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

Nays: None

MOTION PASSES

2012-13 NEW BUSINESS:

A. City of Roosevelt Park Water Agreement. CITY MANAGER

SUMMARY OF REQUEST: To approve a new water supply agreement with the City of Roosevelt Park. The previous agreement expired last October.

FINANCIAL IMPACT: The water rate multiplier is reduced from 1.35 to 1.25 times Muskegon's rate, which results in a reverse reduction to the City.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the proposed agreement.

Motion by Vice Mayor Gawron, second by Commissioner Wierengo to approve the City of Roosevelt Park water agreement with the City of Muskegon.

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

Nays: None

MOTION PASSES

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

1675 Pine Street-Garage (Area 13)

845 W. Dale Avenue (Area 12)

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 Spataro, second by Vice Mayor Gawron to

concur with the Housing Board of Appeals notice and order to demolish the garage at 1675 Pine Street and the structures at 845 W. Dale Street.

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

Nays: None

ANY OTHER BUSINESS: Request to put the Fisherman's Landing property exchange on the April Worksession.

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 5:50 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk