

CITY OF MUSKEGON

CITY COMMISSION MEETING

FEBRUARY 27, 2018 @ 5:30 P.M.

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440**

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 27, 2018. Mr. George Monroe from Evanston Avenue Baptist Church, 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, Commissioners Ken Johnson, Byron Turnquist, Debra Warren, Willie German, Jr., and Dan Rinsema-Sybenga, City Manager Frank Peterson, City Attorney John Schrier, and Deputy City Clerk Kimberly Young.

Absent: Vice Mayor Hood

2018-10 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve minutes of the February 12, 2018 Worksession Meeting and the February 13, 2018 Regular Meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

C. Sanitary Sewer Improvements Department of Public Works

SUMMARY OF REQUEST: Authorize staff to sign the Professional Service Agreement Amendment to the previously approved, Oak Grove and Clay Hill Sanitary Sewer Improvements Agreement. The \$14,900 in additional costs are for survey, drafting, construction staking and property iron replacement. This work was not required in the original project scope.

FINANCIAL IMPACT: Total Cost \$14,900

BUDGET ACTION REQUIRED: It has been included in the 2nd quarter reforecast.

STAFF RECOMMENDATION: Authorize staff to enter into an agreement with Prein & Newhof pending Commission approval of the 2nd quarter reforecast.

D. 2018 Dozer Rental for Beach Leveling Department of Public Works

SUMMARY OF REQUEST: Staff is requesting permission to enter into a rental agreement with Contractors Rental Corporation out of Grand Rapids, Michigan, for a John Deere 850K WLT Dozer for leveling sand at Pere Marquette Beach.

FINANCIAL IMPACT: Estimated cost for the 2018 Dozer rental is \$9,450 (which includes \$450 for delivery and pickup).

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve the request.

E. 2018, 2019 and 2020 Street Sweeping Contract Department of Public Works

SUMMARY OF REQUEST: To award a three-year contract to provide four annual street sweepings to Tri-Us Services, Inc. out of Kent City, Michigan.

FINANCIAL IMPACT: Cost will be \$269,349 each year; \$808,047 over the course of the contract. Excludes special requests charged at \$150/hour.

BUDGET ACTION REQUIRED: None; monies appropriated in Highway and State Trunkline budgets.

STAFF RECOMMENDATION: Approval of this request.

G. Fleet Replacement Vehicle Department of Public Works/Equipment

SUMMARY OF REQUEST: The Equipment Division is requesting permission to purchase one Chevy Pickup Truck from Betten Chevrolet, the lowest qualified bidder. The price of this purchase is \$33,975.00 coming from the Equipment budget.

FINANCIAL IMPACT: \$33,975.00

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

STAFF RECOMMENDATION: Authorize staff to purchase one Chevy Pickup Truck from Betten Chevrolet.

H. Approval of a Neighborhood Enterprise Zone Certificate – 339 Terrace Point Circle Planning & Economic Development

SUMMARY OF REQUEST: An application for a Neighborhood Enterprise Zone (NEZ) certificate has been received from Amy and William Hosford for the new construction of a home at 339 Terrace Point Circle. The estimated cost for construction is \$518,978. The applicant has met local and state requirements for the issuance of the NEZ certificate.

FINANCIAL IMPACT: Taxation will be applied as one-half of the previous year's state average principal residence millage rate to the value of the facility.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the NEZ Certificate.

I. Approval of a Neighborhood Enterprise Zone Certificate – 329 Terrace Point Circle Planning & Economic Development

SUMMARY OF REQUEST: An application for a Neighborhood Enterprise Zone (NEZ) certificate has been received from Andrew Maciejewski for the new construction of a home at 329 Terrace Point Circle. The estimated cost for construction is \$395,000. The applicant has met local and state requirements for the issuance of the NEZ certificate.

FINANCIAL IMPACT: Taxation will be applied as one-half of the previous year's state average principal residence millage rate to the value of the facility.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the NEZ Certificate.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to approve the consent agenda as presented, except Item B, F, and J.

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

Nays: None

MOTION PASSES

2018-11 ITEMS REMOVED FROM CONSENT AGENDA:

B. Approve Changes to Priority Home Repair and Vinyl Siding Program Rules Community and Neighborhood Services

SUMMARY OF REQUEST: To authorize Community and Neighborhood Services to change Priority Home Repair and Vinyl Siding Programs. Changes are to raise the income limits to the 80 percent AMI, remove the depreciation of the five year lien and lower the service limitation from ten years to six years.

PRIORITY HOME REPAIR PROGRAM

<u>Current Program</u>	<u>Proposed Changes</u>
Application Fee – None	\$60 for 51-80% AMI

PRIORITY HOME REPAIR PROGRAM AND VINYL SIDING PROGRAM

<u>Current Program</u>	<u>Proposed Changes</u>
Liens Placed on Property - \$3500+	\$1500+

FINANCIAL IMPACT: This allows us to help more home owners with CDBG

funds.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the request.

COMMITTEE RECOMMENDATION: The proposal has already been approved by the Citizen's District Council at their February 6, 2018 meeting.

Motion by Commissioner Warren, second by Commissioner German, to approve changes to the priority home repair and vinyl siding program rules.

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

Nays: None

MOTION PASSES

F. Tahoe Police Cruiser Department of Public Works/Equipment

SUMMARY OF REQUEST: The Equipment Division is requesting permission to purchase one Chevy Tahoe from Berger Chevrolet the State Mi-Deal Contract holder. The price of this purchase is \$35,246.00 coming from the Equipment budget.

FINANCIAL IMPACT: \$35,246.00

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

STAFF RECOMMENDATION: Authorize staff to purchase one Chevy Tahoe from Berger Chevrolet.

Motion by Commissioner German, second by Commissioner Warren, to authorize staff to purchase one Chevy Tahoe from Berger Chevrolet.

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

Nays: None

MOTION PASSES

**J. Vacation of Market Street Between Western Avenue and Terrace Street
Planning & Economic Development**

SUMMARY OF REQUEST: Staff is requesting to vacate Market Street between Western Avenue and Terrace Street.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends vacation of the street.

COMMITTEE RECOMMENDATION: The Planning Commission recommended in favor to vacate the street by a 6-0 vote, with three members absent.

Motion by Commissioner German, second by Commissioner Johnson, to vacate Market Street between Western Avenue and Terrace Street.

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

Nays: None

MOTION PASSES

2018-12 PUBLIC HEARINGS:

A. Request for the Establishment of an Industrial Development District at 895 4th Street Planning & Economic Development

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, Pigeon Hill Brewing Company, LLC, has requested the establishment of an Industrial Development District at 895 4th Street. The establishment of the district will allow the company to become eligible for Industrial Facilities Tax Abatements.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the establishment of the Industrial Development District.

PUBLIC HEARING COMMENCED: No public comments.

Motion by Commissioner Warren, second by Commissioner Johnson, to Close the Public Hearing and Establish the Industrial Development District at 895 4th Street.

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

Nays: None

MOTION PASSES

B. Request for an Industrial Facilities Exemption Certificate – Pigeon Hill Brewing Company, LLC Planning & Economic Development

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, Pigeon Hill Brewing Company, LLC, has requested the issuance of an Industrial Facilities Tax Exemption Certificate. The company will be investing \$1,250,000 in real property at their new location at 895 4th Street. The investment is expected to create up to 10 jobs.

FINANCIAL IMPACT: The City will capture certain additional property taxes generated by the expansion.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the resolution granting an Industrial Facilities Exemption Certificate for a term of 10 years for real property.

PUBLIC HEARING COMMENCED: Darrell Todd, who works on countywide economic development for Muskegon Area First told the commission that they are in support of this project.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Warren, to Close the Public Hearing and approve the resolution granting an Industrial Facilities Exemption Certificate for a term of 10 years for real property for Pigeon Hill Brewing Company, LLC.

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

Nays: None

MOTION PASSES

2018-13 NEW BUSINESS:

A. Second Quarter 2017-18 Budget Reforecast Finance Director

ITEM REMOVED PER STAFF REQUEST

B. Transition to GLOCK Service Firearm (9mm) Public Safety

ITEM REMOVED PER STAFF REQUEST

C. Concurrence with the Housing Board of Appeals Notice and Order to Demolish Public Safety

496 Octavius Street (Garage Only)

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structure is unsafe, substandard, a public nuisance and that it 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 or staff may issue infraction tickets to the owner, agent or responsible party if they do not demolish the structure.

FINANCIAL IMPACT: General Funds

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To concur with the Housing Board of Appeals decision to demolish the garage structure only on the property.

Motion by Commissioner Johnson, second by Commissioner German, to concur with the Housing Board of Appeals decision to demolish the garage structure only on the property.

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

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Commissioner Johnson addressed the release of the winter parking ban and, with commission support, suggested a one week grace period for issuing citations.

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission meeting adjourned at 6:35 p.m.

Respectfully Submitted,

Kimberly Young, Deputy City Clerk