CITY OF MUSKEGON

CITY COMMISSION MEETING

FEBRUARY 14, 2017

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 14, 2017. Pastor Leroy Lockhart, New Birth Ministries, 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, Vice Mayor Hood, Commissioners Ken Johnson, Debra Warren, Willie German, Jr., Dan Rinsema-Sybenga, and Byron Turnquist, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

2017-09 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve the minutes of the January 24, 2017 Regular City Commission Meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

E. Annual Pavement Marking Program Department of Public Works

SUMMARY OF REQUEST: Staff is requesting permission to enter into annual contractual agreements with the Muskegon County Road Commission (MCRC) and their designated Contractor for Centerline Painting and Special Pavement Markings. This contract bid is awarded by the MCRC and also for local agencies in the Muskegon County Pavement Marking Group, to enter into, with each member being billed separately by the designated Contractor for painting services requested.

FINANCIAL IMPACT: Estimated costs are projected to be $25,000 annually, for both Centerline Painting and Specialty Pavement Markings.

BUDGET ACTION REQUIRED: None, contractual work has been budgeted for in the Highway Majors budget.

STAFF RECOMMENDATION: Approve request to enter into annual contracts with MCRC and their designated Contractor for Centerline Painting and Special Pavement Markings.

F. <u>Grand Trunk Launch Ramp Dock Purchase</u> Department of Public Works

SUMMARY OF REQUEST: Authorize staff to purchase two replacement floating docks from Stabil-Float Systems LLC for Grand Trunk launch ramp.

Both floating docks currently at Grand Trunk are not usable due to wear and age.

FINANCIAL IMPACT: Total Cost $21,540.00.

BUDGET ACTION REQUIRED: None – contingent upon approval of 2nd Quarter Budget Reforecast.

STAFF RECOMMENDATION: To approve purchase from Stabil-Float System LLC.

H. <u>Sale of Boat Slip A-11 Pigeon Key Marina Condominium</u> Department of Public Works

SUMMARY OF REQUEST: Authorize the Mayor & Clerk to sign the attached purchase agreement with Mr. & Mrs. Geisler for boat Slip A-11 at Pigeon Key Marina since they submitted the highest bid of $20,195.

FINANCIAL IMPACT: The sale price of $20,195 less associated fees will be used to settle the city's obligations regarding this slip.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Authorize the Mayor and Clerk to sign the purchase agreement.

Motion by Commissioner Johnson, second by Commissioner Rinsema-Sybenga, to approve the consent agenda as presented, minus items B, C, D, G, and I.

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

Nays: None

MOTION PASSES

2017-10 ITEMS REMOVED FROM CONSENT AGENDA:

B. <u>Adopt a Resolution Approving the Request of the City Clerk to Apply for a Liquor License for the City's Farmer's Market</u> City Clerk

SUMMARY OF REQUEST: It was recently discovered that we are eligible to apply for a Liquor License for the Farmer's Market. We qualify as a Municipality with a Civic Center. We are asking the Commission to adopt a resolution approving the request to apply for a Liquor License which is a permanent license, to be utilized at the Farmer's Market which qualifies as a Civic Center.

FINANCIAL IMPACT: Approximately $600 annually.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Adopt a resolution approving the request of the City Clerk to apply for a Liquor License for the City's Farmers Market.

Motion by Commissioner Warren, second by Commissioner Johnson, to approve adopt a resolution approving the request of the City Clerk to apply for a Liquor License for the City's Farmers Market.

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

Nays: None

MOTION PASSES

C. Pedestrian Crossing at Intersection of Shoreline Drive and Third Street
Planning & Economic Development

SUMMARY OF REQUEST: The City of Muskegon Planning Department has been consulting with TrafficScapes by Ennis-Flint for potential upgrades to pedestrian crossings on Shoreline Drive in downtown Muskegon. Initially, three locations (3rd, 4th, and 7th) were under consideration, but the City has decided to move forward with one crossing at the Shoreline Drive – 3rd Street intersection.

The upgrades would include enhanced pavement markings using *TrafficPatterns* stamped-brick treatment for the full length of the crossing. The enhanced crossing would be similar in appearance to what was installed on Lakeshore Drive in Lakeside, and downtown on W. Western, Muskegon, and Webster Avenues.

The Michigan Department of Transportation has agreed to partner with the City on the project with the objective of reviewing how the product performs at the Shoreline Drive – 3rd Street crossing. The upgrades will be the first step in a long-term plan coordinated with MDOT for improving pedestrian crossings along Shoreline Drive.

FINANCIAL IMPACT: The final price for the work provided by the applicator is $14,183.55. This price will include all prep-work such as cleaning and/or pressure washing of the area, and existing line removal. $7,091.77 (50% of the total cost) will come from the City of Muskegon's street fund; the remaining $7,091.78 will be from the MDOT contractual services fund.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to enter into a contract with TrafficScapes by Ennis-Flint to install the *TrafficPatterns* product at the Shoreline Drive – 3rd Street pedestrian crossing.

Motion by Commissioner German, second by Vice Mayor Hood, to authorize

staff to enter into a contract with TrafficScapes by Ennis-Flint to install the *TrafficPatterns* product at the Shoreline Drive – 3rd Street pedestrian crossing.

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

Nays: None

MOTION PASSES

D. <u>Ameribank Building – Option Agreement Extension Between the City of Muskegon and Port City Construction & Development Services, LLC</u> Planning & Economic Development

SUMMARY OF REQUEST: The City entered into an Option Agreement with Port City Construction & Development Services, LLC for the former Ameribank Building at 800 First Street on May 17, 2016. The term of the initial Option was through October 1, 2016. As allowed for in the Agreement, an extension through January 1, 2017 was later requested and approved (with the Extension payment of $2,000). Port City Construction & Development Services, LLC is now requesting a further extension through June 30, 2017 (which includes another payment of $2,000).

FINANCIAL IMPACT: The Agreement Extension allows for more time for the potential purchaser to package the redevelopment of the building in order to renovate it and put it back into productive use. Future occupants will generate taxes for the City.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Option Agreement Extension between the City of Muskegon and Port City Construction & Development Services, LLC through June 30, 2017 and authorize the Mayor and Clerk to sign all necessary documents, including closing documents at the time of sale.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga, to approve the Option Agreement Extension between the City of Muskegon and Port City Construction & Development Services, LLC through June 30, 2017 and authorize the Mayor and Clerk to sign all necessary documents, including closing documents at the time of sale.

Motion by Commissioner Johnson, second by Commissioner German, to table the item and refer to staff until March 14, 2017.

ROLL VOTE: **Ayes: Johnson and German**

Nays: Turnquist, Gawron, Hood, Warren, and Rinsema-Sybenga

MOTION FAILS

<u>VOTE ON FIRST MOTION</u>

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

Nays: Johnson and German

MOTION PASSES

G. <u>Police Vehicles</u> DPW/Equipment

SUMMARY OF REQUEST: Due to General Motors closing their Chevy Caprice line of Police Vehicles, we are asking the Commission to rescind the prior Commission approval on October 25, 2016 to purchase three Chevy Caprice Cruisers and authorize staff to purchase three (3) Police SUV's instead from Gorno Ford the Mi-Deal State contract holder.

FINANCIAL IMPACT: $83,994.00 or $27,998.00

BUDGET ACTION REQUIRED: None. Amount is what was budgeted.

STAFF RECOMMENDATIONS: Authorize staff to purchase 3 Police SUV's from Gorno Ford the State Mi-Deal contract holder.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga, to authorize staff to purchase 3 Police SUV's from Gorno Ford the State Mi-Deal contract holder.

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

Nays: None

MOTION PASSES

I. <u>Non-Represented Wages and Benefits</u> City Manager

SUMMARY OF REQUEST: As part of the city's efforts to reorganize its operations into a more sustainable structure and to address rising pension costs, a number of changes are proposed to the non-represented Wages and Benefits. The changes include the reduction of the non-represented pension multiplier from 2.25 to 2.0, a 3% wage increase, the relocation of a number of positions on the wage/salary table, and changes to the fringe benefit package.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the non-represented wage and benefit structure, as presented.

Motion by Commissioner Warren, second by Vice Mayor Hood, to approve the non-represented wage and benefit structure, as presented.

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

Nays: None

MOTION PASSES

2017-11 PUBLIC HEARINGS:

A. <u>Request to Create a New Neighborhood Enterprise Zone District at 275 W. Clay Avenue</u> Planning & Economic Development

SUMMARY OF REQUEST: Pursuant to Public Act 147 of the Michigan Public Acts of 1992, the developer of the Berkshire Muskegon project has requested to create a new Neighborhood Enterprise Zone (NEZ) district for the parcel at 275 W. Clay Avenue. Properties located in this NEZ district will be eligible to apply for NEZ certificates, which will lower the residential property taxes on new construction. Notice letters were sent to the taxing jurisdictions on December 13, 2016 and a public hearing was held on January 24, 2017. State law requires that the resolution must be adopted at least 60 days after the notice letters were sent. This project will include 16 market-rate units.

FINANCIAL IMPACT: No financial impact at this point. However, being in a district will allow them to apply for a rehab NEZ certificate, which will lower the residential property taxes for 1 to 15 years.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the new NEZ district.

Motion by Commissioner Johnson, second by Commissioner Warren, to approve the new NEZ district.

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

Nays: None

MOTION PASSES

2017-12 NEW BUSINESS:

A. <u>Approval of Sale of City-owned Home at 867 Williams Street</u>
Community and Neighborhood Services Department

SUMMARY OF REQUEST: To approve the resolution and instruct the Community and Neighborhood Services Department to complete the sales transaction with Nancy Crider for the totally rehabilitated home at 867 Williams Street: purchase price $58,900.

FINANCIAL IMPACT: The proceeds from the sale will be used to continue the rehabilitation of affordable homes through the HOME program and provide funding for our Homebuyer’s Assistance Program.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution and direct the CNS staff to complete the sale.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to approve the resolution and direct the CNS staff to complete the sale.

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

Nays: None

MOTION PASSES

B. <u>Adopt a Resolution in Support of Muskegon Heights Public School Academy System</u> City Clerk

SUMMARY OF REQUEST: To adopt a resolution in support of Muskegon Heights Public School Academy System prepared by Commissioner Kenneth Johnson and presented at the February 13, 2017 Worksession Meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To adopt the resolution.

Motion by Commissioner Johnson, second by Vice Mayor Hood, to approve the resolution.

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

Nays: None

MOTION PASSES

C. <u>Community Relations Committee Recommendations for the Various Boards and Committees</u> City Clerk

SUMMARY OF REQUEST: To concur with the recommendations from the Community Relations Committee regarding appointments and resignations and to make the following board appointments:

~ Local Development Finance Authority: Kevin Ricco, Patricia Camp, and Justin Jennings

~ Business Improvement District: Bruce Lindstrom, Bob Tarrant, and Phyllis Loudermill

~ Citizen's Police Review Board: Carlos Flores, William Mohammed, Ann Craig, Ellouise Hieftje, Quintan Cooley, and Karla Betten

~ Board of Review: Bryon Mazade, Ralph Burr, and Sandra Boone-Thomas

~ Construction Code Board of Appeals: Lane Bensten, Vicki Luthy, and Wade VandenBosch

~ Election Commission: Louis Sypke

~ Equal Opportunity Commission: Leroy Lockhart and Steven Santo

~ Housing Commission: Derrick Smith (Appointment by City Manager)

~ Income Tax Board of Review: Catherine Young

~ Local Officers Compensation Commission: Todd Susterich

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve the recommendations of the Community Relations Committee from their February 13, 2017 meeting.

COMMITTEE RECOMMENDATION: Approve the recommendations of the Community Relations Committee from their February 13, 2017 Meeting.

Motion by Vice Mayor Hood, second by Commissioner Turnquist, to concur with the CRC recommendations of appointments.

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

Nays: None

MOTION PASSES

ADJOURNMENT: The City Commission meeting was adjourned at 7:00 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC, City Clerk