

CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 28, 2020 @ 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, January 28, 2020, Pastor Wally Reames, Central Assembly, opened the meeting with a 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, Dan Rinsema-Sybenga, Willie German, Jr., Teresa Emory, and Michael Ramsey, City Manager Frank Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

Absent: Vice Mayor Eric Hood

HONORS AND AWARDS:

A. Success Story – Home Buyers Assistance Program

LeighAnn Mikesell, Development Services Director, gave an update regarding the Homebuyers Assistance Grant Program. This program has been in place for five years and is overseen by the Community and Neighborhood Services Office. The program has assisted 68 households so far.

PUBLIC COMMENT ON AGENDA ITEMS: No public comments were received.

2020-07 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve the minutes of the January 13, 2020 Worksession meeting and the January 14, 2020 regular meeting.

STAFF RECOMMENDATION: To approve the minutes.

B. Special Event Liquor Licenses – 2020 City Clerk

SUMMARY OF REQUEST: The Muskegon City Clerk's Office is organizing several events for 2020 and is seeking City Commission approval to apply for a special liquor license for beer, wine, and spirit service for the following events:

June 19 & 20, 2020 – Taste of Muskegon at Hackley Park

June 10, July 15, and August 19, 2020 – Food Truck Rallies at the Muskegon Farmers Market

September 10, 2020 – Farm-to-Table Dinner at the Muskegon Farmers Market

Fees are \$50 for each application.

STAFF RECOMMENDATION: To authorize the City Clerk's Office to apply for special liquor licenses for 2020 events.

D. Amendment to Wireless Communication Support Facilities Ordinance
Planning

SUMMARY OF REQUEST: Request to amend Section 2321 of the Zoning Ordinance to allow Wireless Communication Support Facilities as a special use permitted in the overlay district at 770 Terrace Street.

The current ordinance only allows for these types of facilities in six locations around the City. The Commission recently amended the ordinance last year to allow for them at Marsh Field and the Filtration Plant. This new location would be behind the Central Fire Station and would only include a monopole for emergency communications. The Planning Commission unanimously recommended approval at their January 16 meeting. They also voted in favor of the special use permit for the monopole, contingent upon approval of this amendment by the City Commission.

STAFF RECOMMENDATION: To approve the request to amend Section 2321 of the Zoning Ordinance to allow Wireless Communication Support Facilities as a special use permitted in the overlay district at 770 Terrace Street.

SECOND READING REQUIRED

F. Railroad Crossing Agreement Public Works

SUMMARY OF REQUEST: Authorize the DPW Director to sign the agreement with CSX for two (2) new water main crossings and abandoning one (1) water main crossing of the railroad easement to provide service for Hartshorn Village.

The water main crossings are required to serve the planned Hartshorn Village development along West Western Avenue. The license fees and installation costs will be paid by the developer. City will retain ownership and future responsibility for the water mains.

STAFF RECOMMENDATION: Authorize the DPW Director to sign the agreement with CSX for the water main crossings at Hartshorn Village.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to accept the consent agenda as presented, except items C, E, and G.

ROLL VOTE: Ayes: Ramsey, German, Rinsema-Sybenga, Emory, Johnson, and Gawron

Nays: None

MOTION PASSES

2020-08 ITEMS REMOVED FROM CONSENT AGENDA:

C. 2020 User Fee Update Finance

SUMMARY OF REQUEST: City Departments have reviewed and updated their user fees and these have been incorporated into the Master Fee Resolution.

The fees that have been adjusted are as follows and are reflected in the attached Master Fee Schedule.

- Cemetery fees have been adjusted
- Passport fees have been adjusted by the Federal Government
- New Wedding Reservation Fees have been added
- Engineering has adjusted several fees
- Marina (slip fees have been increased)
- Treasurer's Office has increased the NSF fee
- Planning has increased the fees for tax incentive applications

STAFF RECOMMENDATION: Approval of the 2020 Master Fee Resolution.

Motion by Commissioner Johnson, second by Commissioner German, to approve the 2020 Master Fee Resolution with a correction to line 47, under comments, to read "If more than 1 hour past scheduled burial time."

ROLL VOTE: Ayes: Ramsey, German, Rinsema-Sybenga, Emory, Johnson, and Gawron

Nays: None

MOTION PASSES

E. Rezoning of 372 Morris Avenue Planning

SUMMARY OF REQUEST: Staff initiated request to rezone the property at 372 Morris Avenue from Form Based Code, Downtown to Form Based Code, Mainstreet.

The Planning Commission unanimously recommended approval at their January 16, 2020 meeting.

STAFF RECOMMENDATION: To approve the request to rezone the property at 372 Morris Avenue from Form Based Code, Downtown to Form Based Code, Mainstreet.

Motion by Commissioner German, second by Commissioner Johnson, to approve the request to rezone the property at 372 Morris Avenue from Form Based Code, Downtown to Form Based Code, Mainstreet.

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Emory, Johnson, Gawron, and Ramsey

Nays: None

MOTION PASSES

SECOND READING REQUIRED

G. Water Filtration Plant – PM Agreement

Public Works

SUMMARY OF REQUEST: The communication tower is needed to install communications equipment at the Water Filtration Plant. This will improve the existing communications for remote operations via radio, telephone and internet services by having a direct line of sight from the Filtration Plant to the City Hall.

City of Muskegon would like to enter into an agreement with Maralat Communications LLC to retain the project management services to oversee the construction of communications tower. The services include getting all prerequisite work performed that is necessary for obtaining permits, obtaining services to design and build the tower at the Filtration Plant. The contract has been reviewed by legal counsel. There will be additional contracts provided for the construction costs once bids are obtained.

STAFF RECOMMENDATION: Authorize staff to sign the agreement with Maralat Communications, LLC.

Motion by Commissioner Johnson, second by Commissioner Rinsema-Sybenga, to authorize staff to sign the agreement with Maralat Communications, LLC.

ROLL VOTE: Ayes: Rinsema-Sybenga, Emory, Johnson, Gawron, Ramsey, and German

Nays: None

MOTION PASSES

PUBLIC COMMENT ON NON-AGENDA ITEMS:

Public Comments were

received.

ADJOURNMENT: The City Commission meeting adjourned at 6:24 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC – City Clerk