

CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 23, 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, January 23, 2018. Commissioner Willie German, Jr., 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 Eric Hood, Commissioners Ken Johnson, Byron Turnquist, Debra Warren, Willie German, Jr., and Dan Rinsema-Sybenga (arrived at 5:33), City Manager Frank Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

2018-04 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve minutes of the January 3, 2018 Organizational Meeting, January 8, 2018 Worksession Meeting and the January 9, 2018 Regular Meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

C. Special Event Liquor License – Farmers Market City Clerk

SUMMARY OF REQUEST: The Muskegon Farmers Market will be hosting a Dining in the Dark event on Wednesday, February 14, 2018 at the Farmers Market and we are requesting a liquor license including spirits. Proceeds will benefit the Farmers Market.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the request.

Motion by Commissioner Rinsema-Sybenga, second by Vice Mayor Hood, to approve the consent agenda as presented, except Item B.

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

Nays: None

MOTION PASSES

2018-05 ITEMS REMOVED FROM CONSENT AGENDA:

B. Curry Kitchen Easement City Manager

SUMMARY OF REQUEST: Curry Kitchen is requesting a six foot invisible easement from 1141 Third Street to 1133 Third Street so they may use the same liquor license for both establishments. Both locations shall be operated as a restaurant and remain open. If either location closes or does not operate seven days a week from 11 am to 10 pm, this agreement is terminated and the easement will no longer exist.

FINANCIAL IMPACT: Curry Kitchen shall pay the City \$1,500 for the first two years of the easement due and payable on the execution of the agreement. If they elect to exercise the option to extend the agreement, they shall pay an additional \$5,000.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Johnson, second by Commissioner Warren, to approve the easement agreement for Curry Kitchen.

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

Nays: None

MOTION PASSES

2018-06 NEW BUSINESS:

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

330 Catawba Avenue (Garage Only)

910 Turner Avenue

1838 Jiroch Street

1934 Hudson Street

2247 Valley Street

13 Residential structures recently transferred from the Muskegon County

Land Bank or Muskegon County Treasurer as tax foreclosed properties to the City of Muskegon.

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 thirty (30) days or infraction tickets may be issued. 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 contracts 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.

Motion by Commissioner Warren, second by Commissioner Rinsema-Sybenga, to concur with the Housing Board of Appeals decision to demolish 330 Catawba Avenue (Garage Only), 1838 Jiroch Street, 2247 Valley Street, and 13 other specified residential structures.

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

Nays: None

MOTION PASSES

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to concur with the Housing Board of Appeals decision to demolish 910 Turner.

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

Nays: None

MOTION PASSES

Motion by Commissioner Johnson, second by Commissioner German, to refer the matter regarding 1934 Hudson back to the Housing Board of Appeals.

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

Nays: Turnquist

MOTION PASSES

- B. Request to amend the Planned Unit Development (PUD) at 1740 E. Sherman Boulevard Planning & Economic Development**

SUMMARY OF REQUEST: Request to amend the PUD at 1740 E Sherman Boulevard to allow for the addition of a new 5,600 square foot out-building and to increase the signage allotment.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval of the final PUD.

COMMITTEE RECOMMENDATION: The request was unanimously recommended for approval at the December 14 Planning Commission meeting.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Warren, to approve the final Planned Unit Development at 1740 E. Sherman.

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

Nays: None

MOTION PASSES

C. Authorization to Engage Fletcher & Sippel City Manager

SUMMARY OF REQUEST: City staff is requesting authorization to enter into a service agreement with Fletcher & Sippel, LLC in an effort to secure the elimination of the unused railroad track that currently traverses the Windward Pointe parcel. At this time, we are only formally seeking the abandonment of this section of the track, but expect that our success in doing so may positively impact our ability to remove additional sections running from downtown through Lakeside.

FINANCIAL IMPACT: Not to exceed \$33,000.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the request and authorize the City Manager to enter into the service agreement with Fletcher & Sippel.

Motion by Commissioner Johnson, second by Commissioner German, to approve the request and authorize the city manager to enter into the service agreement with Fletcher & Sippel.

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

Nays: None

MOTION PASSES

D. Authorization to Engage Progressive AE City Manager

SUMMARY OF REQUEST: City staff is requesting authorization to engage Progressive AE to undertake the architectural design work associated with the

planned downtown convention center. Engaging an architectural firm is the next step in making final determinations of the size, location, amenities, and costs associated with the convention center. Total architectural and engineering fees are expected to be \$832,800, plus reimbursable expenses. 100% of related costs will be reimbursed through county accommodations tax receipts.

FINANCIAL IMPACT: \$832,800 plus reimbursable expenses.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the request and authorize the City Manager to enter into the service agreement with Progressive AE.

Motion by Commissioner Turnquist, second by Commissioner Rinsema-Sybenga, to approve the request and authorize the city manager to enter into the service agreement with Progressive AE.

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

Nays: None

MOTION PASSES

2017-07 ANY OTHER BUSINESS:

A. Fire Department Staffing Update City Manager

City Manager, Frank Peterson, presented an update regarding Fire Department staffing levels.

Also, under other business, the removal of snow was discussed.

PUBLIC PARTICIPATION: Public Comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 9:57 p.m.

Respectfully submitted,

Ann Marie Meisch, MMC, City Clerk