CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 13, 2015

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, January 13, 2015.

Mayor Gawron opened the meeting with prayer from Pastor Tim Cross from the Living Word Church of Muskegon after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Gawron, Vice Mayor Lawrence Spataro, Commissioners Willie German, Dan Rinsema-Sybenga, Byron Turnquist, Ken Johnson, and Eric Hood, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

2015-02 HONORS AND AWARDS:

A. **Muskegon Big Reds.**

B. **Muskegon Catholic Central Crusaders.**

Mayor Gawron and Commission presented the Muskegon Big Reds and Muskegon Catholic Central Crusaders with a Certificate of Recognition for their successful football season.

2015-03 INTRODUCTIONS/PRESENTATION:

A. **Year-In-Review.** CITY MANAGER

City Manager Franklin Peterson highlighted some of the accomplishments from the last 12 months.

2015-04 CONSENT AGENDA:

A. **Approval of Minutes.** CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the December 8th Commission Worksession Meeting, and the December 9th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Liquor License Request – Racquets, 446 W. Western Avenue. PUBLIC SAFETY

SUMMARY OF REQUEST: The Muskegon Police Department has received an Application for Temporary Authorization from Downtown Pinnacle Properties (dba Racquets Downtown Grill) for a charity volleyball event scheduled for January 30, 2015, to January 31, 2015. The liquor license request is to include the volleyball court area which will be located on Western Avenue between 3rd and 4th Street on January 31, 2015.

The State of Michigan Liquor Control Commission is asking for local commission approval, for use of the city street, before the license is issued. This is a repeat event, and the Muskegon Police Department find no reason to deny this request.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the request.

D. Approval of Extension for Realtor Procurement Contract for CNS. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To extend the Procurement Contract to December 31, 2015, for Greenridge Realty to be used by the City of Muskegon Community and Neighborhood Services office. By granting the extension, the expiration date will coincide with the other procurement contracts.

FINANCIAL IMPACT: The awards for the realtor will be paid through the sale of homes originally established under HOME.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the extension of the Procurement Contracts to Greenridge Realty for the Community and Neighborhood Services office.

E. Rezoning Request for the Property Located at 916 W. Laketon Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone the property at 916 W. Laketon Ave. from R-1, Single Family Residential to B-4, General Business by Lakeshore Animal Hospital.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval of the request at their December 11, 2014, meeting.

G. Low-Boy Trailer. PUBLIC WORKS

SUMMARY OF REQUEST: The Equipment Division has been looking for a gently used trailer for approximately a year now and we have finally found what we need for a price that we find acceptable. Greg Smith Farms has a trailer for $21,000 in very nice condition and we are requesting permission to proceed with this purchase.

FINANCIAL IMPACT: $21,000.

BUDGET ACTION REQUIRED: None, this is the amount budgeted for.

STAFF RECOMMENDATION: Authorize staff to purchase one Low-Boy Trailer from Greg Smith Farms of Belding, MI for $21,000.

H. Agreement – Digital Spectrum Enterprises. FINANCE

SUMMARY OF REQUEST: Since May, 2005, the City has contracted with Digital Spectrum Enterprises (DSE) for management of the City's government access channel. In exchange for these management rights, DSE broadcasts City Commission meetings at no direct cost to the City. The current agreement with DSE dates from January, 2012 through December, 2014.

Proposed is a three-year agreement renewal with DSE. Terms of the agreement are the same as before.

FINANCIAL IMPACT: This contract entails no direct cost to the City. The City benefits by having City Commission meetings broadcast at no cost.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of a three-year contract with DSE for management of the government access channel.

Motion by Vice Mayor Spataro, second by Commissioner Rinsema-Sybenga to approve the Consent Agenda as read with the exception of items C, F, and I.

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

Nays: None

MOTION PASSES

2015-05 ITEMS REMOVED FROM THE CONSENT AGENDA:

C. Ground Lease for Nims Neighborhood Playground/Park. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City Commission approved a lease with Nims Neighborhood for the property at the former Nims School, on October 28, 2014.

When Transnation Title started work on the Title Commitment, they found that there are some issues with the formerly vacated east west alley abutting Lot 9 of Block 493. To simplify the issue and move the process along as quickly as possible, Nims Neighborhood and City staff agreed to modify the Lease to include language that any improvements placed in this alley may have to be relocated in the future.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the "Ground Lease" and authorize the Vice-Mayor's and City Clerk's signatures.

Motion by Commissioner Johnson, second by Vice Mayor Spataro to approve the Ground Lease and authorize the Vice-Mayor's and City Clerk's signatures.

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

Nays: None

MOTION PASSES

F. <u>Request for a Permanent Stage at Hackley Park.</u> PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Parties in the Park, Inc. has proposed to donate a permanent stage for Hackley Park that will replace the temporary stage. They will be conducting a fundraising campaign to raise the money.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the stage and the resolution.

COMMITTEE RECOMMENDATION: The Historic District Commission unanimously approved the request for the permanent stage at their January 6, 2015, meeting.

Motion by Commissioner Johnson, second by Vice Mayor Spataro to approve the installation of a permanent stage at Hackley Park.

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

Nays: None

MOTION PASSES

I. <u>Community Relations Committee Recommendations for Various City Boards and Committees.</u> CITY CLERK

SUMMARY OF REQUEST: Accept the recommendations from the Community Relations Committee.

Appoint to the ***Board of Review*****,** Bryon Mazade, Ralph Burr, and Sandra Boone-Thomas**;** to the ***Citizen's Police Review Board,*** Carlos Flores, Nicholas Archer, Ann Craig, William Muhammad, and Ellouise Hieftje**;** to the ***Citizen's District Council,*** Rosalind Yvonne Ford, Addie Sanders-Randall, Kim Burr, Emma Torresen and Chris Carter**;** to the ***Civil Service Commission*****,** David Wendtland**;** to the ***Construction Code Board of Appeals*****,** Matt Tighe, Victoria Luthy and Wade Vandenbosch**;** to the ***Downtown Development Authority,*** Martha Bottomley, Jay Wallace and Jessica Cook**;** to the ***Election Commission,*** John Bronsema**;** to the ***Historic District Commission,*** Jackie Hilt and Linda Wood**;** to the ***Housing Code of Appeals*** Kirk Kolberg, and Randy Macki**;** to the ***Housing Commission*****,** Derrick Smith and Jerry Lottie**;** to the ***Income Tax Board of Review,*** Dona Bonnette**;** to the ***Local Development Finance Authority,*** Faye Redmond**;** to the ***Local Officer's Compensation Commission,*** Paul Edbrook**;** to the ***Planning Commission,*** Joe Doyle, Timothy Michalski and Bill Larson**;** and to ***Zoning Board of Appeals,*** Raymond Hilt and Bill Larson.

Accept the resignation of Katrina Hansen from the Housing Commission.

Accept the reinstatement of the Equal Opportunity Committee to the CRC Index with language amendments.

To permanently move the Community Relations Committee meeting from the first Monday of each month to the Monday preceding the 1st Commission Meeting following the Commission Worksession.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

Motion by Commissioner German, second by Commissioner Rinsema-Sybenga to approve the recommendations of the Community Relations Committee.

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

Nays: None

MOTION PASSES

2015-06 NEW BUSINESS:

A. <u>Section 10-351 Registration of Rental Dwellings Ordinance Amendment.</u>
PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the City Commission review and authorize the proposed amendment to Chapter 10 Buildings, Article VI, Division 2, subdivision III "Rental Property", of the City of

Muskegon Ordinance as it relates to; subsection (F.) ***Dwelling Fire Insurance*** 1. Minimum coverage; use of insurance proceeds 2. Property owners to provide City with insurance information.

This amendment requests that property owner(s) who lease for occupancy have fire insurance in order to restore and/or demolish a structure in the event of a fire. Further that the property owner(s) provide information and/or fire insurance policy to the City during the rental registration process. A violation of this amended section shall result in the suspension of the registration certificate.

FINANCIAL IMPACT: Relieve the City of Muskegon from bearing the expense to demolish uninsured rental properties that are damaged during a working fire.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approving this ordinance amendment as written.

Motion by Vice Mayor Spataro, second by Commissioner German to approve the ordinance amendment as written.

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

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Back corner of the building on the corner of Wood and Marquette has collapsed.

ADJOURNMENT: The City Commission Meeting adjourned at 6:30 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk