

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 12, 2011

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, Michigan at 5:30 p.m., Tuesday, April 12, 2011.

Mayor Warmington opened the meeting with a prayer from Elder George Monroe from the Evanston Avenue Baptist Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Vice Mayor Stephen Gawron, Commissioners Chris Carter, Clara Shepherd, Lawrence Spataro, Sue Wierengo, and Steve Wisneski, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

2011-23 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the City Commission Meeting that was held on Tuesday, March 22, 2011.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Budgeted Asphalt Patcher Replacement. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase an Asphalt Patcher from Falcon Road Maintenance Equipment.

FINANCIAL IMPACT: Total cost \$20,032.

BUDGET ACTION REQUIRED: None, included in 2011 Budget.

STAFF RECOMMENDATION: Authorize staff to purchase the Asphalt Patcher from Falcon Road Maintenance Equipment.

C. Replacement Engine-Fire Rescue Truck. PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety is requesting permission to purchase and replace the motor in Rescue Truck #71 (R-71). R-71 is a 1993

Freightliner Heavy Rescue Truck. Replacing the motor will extend the life of this vehicle by up to five years.

St. John Truck and Trailer Service of Muskegon has submitted a bid of \$12,267.60 to perform this work. Other estimates for this work were not solicited due to the fact that shops qualified to do this work are far outside of our area. Additionally, all of our current truck service is currently provided by St. John's.

The funding will come from the Public Improvement-Fire Equipment Replacement Fund.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the request.

D. Purchase of Van for Police Department. PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety is requesting permission to purchase a cargo van for the narcotics team. It will replace a cargo van that has been in use for 15 years. With a price limit in place, staff made inquiries at a number of dealerships both in and out of the City. The only dealership in the area that could provide a suitable van was Meyers Chevrolet in New Era.

The van is a 2007 Chevrolet Express van. Cost for the van is \$6,000. The van has been inspected by a mechanic from the Department of Public Works who found no major issues with it.

Funds for this purchase will come from the Criminal Forfeiture Fund.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize the expenditure of the funds to purchase the van from Meyers Chevrolet.

F. City Cell Phone Contract. FINANCE

SUMMARY OF REQUEST: To approve staff recommendation to use Verizon as the City's cell phone carrier. All rates quoted are from the State of Michigan contract. Verizon has proposed no up front fees, many options for free equipment and no contract. Additionally staff is recommending the use of smart phones with data packages for employees whose job efficiency can be improved by access to their City email, calendars and other on line information while in the field or on call. Employees opting to utilize a smart phone will share in the cost by reimbursing the City \$15 per month for the service.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the staff recommended use of Verizon

as the City's cell phone carrier and to approve the addition of smart phones and data packages to the City cell phone plan.

G. Consideration of Bids for Temple Street, Young to Laketon.
ENGINEERING

SUMMARY OF REQUEST: Award the above referenced project to McCormick Sand Inc. out of Twin Lake, MI. McCormick Sand submitted the lowest responsible bid of \$136,927. The award, if approved, must be contingent upon approval by the State.

FINANCIAL IMPACT: MDOT's participation through the TEDF-A (state funds) of \$139,003 will be used to fund this project. Engineering costs is estimated at an additional 15%.

BUDGET ACTION REQUIRED: None at this time as this project is partial funded by a state grant and appears in the 2010/2011 Budget (2nd reforecast).

STAFF RECOMMENDATION: Award the contract to McCormick Sand.

H. 2011 Pavement Marking Program. PUBLIC WORKS

SUMMARY OF REQUEST: Staff is requesting permission to enter into a one-year contractual extension agreement with Michigan Pavement Marking (MPM) of Wyoming, Michigan for centerline painting and specialty markings. This contract is bid out by the Muskegon County Road Commission for local agencies in the Muskegon County Pavement Marking Group with each member billed separately by MPM for painting services requested.

FINANCIAL IMPACT: Estimated cost for 2011 is \$20,000 (which includes \$5,000 for limited specialty markings). Approximately \$14,794 was spent in 2009 and \$14,300 in 2010 for centerline painting, through previous renewal contracts.

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

STAFF RECOMMENDATION: Approve request.

I. 1937 Headwork's Building Roof Replacement. WATER FILTRATION

SUMMARY OF REQUEST: Authorize staff to enter into an agreement with Gale Roofing for the replacement of the roofs over the 1937 Headwork's Building at the Water Filtration Plant. Bids were solicited from three roofing companies and only Gale submitted a bid.

FINANCIAL IMPACT: The cost of the roof replacement is \$27,006.

BUDGET ACTION REQUIRED: None, this project is included in the 2011 budget.

STAFF RECOMMENDATION: Authorize staff to enter into an agreement with Gale Roofing for the replacement of the 1937 Headwork's building roofs at the Water Filtration Plant.

J. Resolution to Support National Bike to Work Week. CITY CLERK

SUMMARY OF REQUEST: Approval of the resolution proclaiming May 16-20, 2011, as "Bike to Work Week" in Muskegon and encourage its observance to all citizens.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the resolution.

K. Sale of Parcel in Seaway Industrial Park. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of Lot #8 in Seaway Industrial Park to Schultz Transport, Inc., 421 Delano Ave., Muskegon, MI 49444. The lot has under an acre of usable space once easements are taken into account. The purchase price is \$5,000. The company will utilize the new land in its plans to expand its lawn care services. The lots will be combined and the new land will be used for mulch and other lawn care storage. The company will invest at least \$20,000 and plans to hire at least three people.

FINANCIAL IMPACT: The sale of this lot will generate City of Muskegon income tax. It will also begin to generate property taxes when the Renaissance Zone begins to phase out next year.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve and sign the resolution, deed and all other necessary documents.

Motion by Commissioner Carter, second by Vice Mayor Gawron to approve the Consent Agenda as read minus item E.

ROLL VOTE: Ayes: Gawron, Shepherd, Spataro, Warmington, Wierengo, Wisneski, and Carter

Nays: None

MOTION PASSES

2011-24 ITEM REMOVED FROM THE CONSENT AGENDA:

E. Gaming License Request from Hume Home. CITY CLERK

SUMMARY OF REQUEST: The Hume Home of Muskegon is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a Gaming License. They have been recognized as a 501(c)(3) organization by the State.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to approve the Gaming License request for the Hume Home.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Wierengo, Carter, and Gawron

Nays: None

Abstain: Wisneski

MOTION PASSES

2011-25 PUBLIC HEARINGS:

A. Review 2011-2016 Five-Year Consolidated Plan. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To conduct a public hearing on April 12, 2011 to receive comments from the public concerning the 2011–2016 Five-year Consolidated Plan developed by the Community and Neighborhood Services department.

After the public hearing has been conducted and all the comments have been documented, the CNS office requests that the Commission direct the CNS staff to submit the required documents to HUD in compliance with 24 CFR 91.520.

FINANCIAL IMPACT: The City is required to submit the Five-Year Consolidated Plan report in order to continue receiving CDBG and HOME funding.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To direct staff to gather comments from the public and to submit the Five-year Consolidated Plan to HUD after the public comment period.

The Public Hearing opened to hear and consider any comments from the public. No comments were made.

Motion by Commissioner Carter, second by Commissioner Shepherd to close the Public Hearing and approve the review of the 2011-2016 Five-Year Consolidated Plan.

ROLL VOTE: Ayes: Spataro, Warmington, Wierengo, Wisneski, Carter, Gawron, and Shepherd

Nays: None

MOTION PASSES

2011-26 NEW BUSINESS

A. Approval of Sale of City-Owned Home at 1331 Amity. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community and Neighborhood Services department to complete the sales transaction between Mr. Brandon Stever for the totally rehabilitated home at 1331 Amity Avenue, which is part of the City's Neighborhood Stabilization Program (NSP) through the Michigan State Housing Development Authority Office of Community Development. Mr. Stever's purchase price is \$62,000 with a subsidy of at least \$7,000.

The beautiful four-bedroom, two full-bath home was previously vacant. As a part of the City's continuous neighborhood redevelopment efforts, this house is our first rehabilitated home with wheelchair accessibility features on the main floor.

FINANCIAL IMPACT: The proceeds from the sale will be used to cover any extra costs associated with this rehab and to sustain our current investments under NSP activities. Program Income Funds will be used to cover NSP activity costs for the City of Muskegon.

BUDGET ACTION REQUIRED: None.

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

Motion by Commissioner Carter, second by Commissioner Wierengo to approve the sale of the City-owned home at 1331 Amity Avenue.

ROLL VOTE: Ayes: Warmington, Wierengo, Wisneski, Carter, Gawron, Shepherd, and Spataro

Nays: None

MOTION PASSES

B. Adding Property to the Lease with Option to Purchase Program.

COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: CNS requests Commission approval to sell the two remaining HOME-Infill properties through our Lease with Option to Purchase Program: 539 Orchard and 1581 Division. Modifications to the Lease program guidelines will restrict the occupants purchase timeline to six month increments. The lease agreement will provide additional six month extension approvals, but not to exceed an 18-month purchase date. Lessees will be required to secure a mortgage under these options: 10% discount within the first six months, 5% discount will be applied at the end of 12 months and a 3% discount will occur at the end of an 18-month agreement.

FINANCIAL IMPACT: This will eliminate most of the overhead costs the City has because of the length of time these homes have been on the market. Costs include utilities, alarm system, grass cutting, snow removal, etc.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the request to place 539 Orchard and 1581 Division on the Lease with Option to Purchase program with modifications.

Motion by Vice Mayor Gawron, second by Commissioner Shepherd to approve the request to place 539 Orchard and 1581 Division on the Lease with Option to Purchase Program with the modifications.

ROLL VOTE: Ayes: Wierengo, Wisneski, Carter, Gawron, Shepherd, Spataro, and Warmington

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments received.

ADJOURNMENT: The City Commission Meeting adjourned at 5:50 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk