

City of Muskegon
City Commission Worksession
May 13, 2013
City Commission Chambers
5:30 PM

MINUTES

2013-40

Present: Commissioners Gawron, Spataro, German, Markowski, Hood, Turnquist, and Wierengo.

Absent: None.

Liability Claim: 684 Harvey Street – Oakview Partners.

On March 14, 2013, a sewage backup was discovered at 684 Harvey Street. This property is a medical office building. A blockage in the City main was determined to cause the backup. The property is owned by the Oakview Partners and they have filed a liability claim against the City of Muskegon for damages and costs associated with the City main blockage. The claimants and MMRMA have agreed on a settlement of this claim for \$28,216.15. Over \$13,750 of this claim is for clean-up with the balance for building repairs. The dollar amount of this claim requires City Commission approval.

This claim will be paid from the City of Muskegon Retention Fund at MMRMA.

Motion by Commissioner Hood, supported by Commissioner German to approve the claim in the amount of \$28,216.15 as recommended by MMRMA.

ROLL CALL VOTE:

Ayes: Hood, Spataro, German, Wierengo, Turnquist, Markowski, and Gawron.

Nays: None.

MOTION PASSES

Muskegon/Webster Traffic Signals.

This is a request to authorize staff to remove the current traffic signals per traffic control orders #44-8 and remove on-street parking on Muskegon Avenue between Jefferson and Terrace Streets and install permanent stop signs on the various adjoining cross-streets.

The financial impact is the cost of removal of traffic signals, pavement markings, and manpower to install signs, if approved.

Comments were received from the audience. Some suggested that the Commission wait until buffers are put into place before the traffic signals are removed.

Vice Mayor Spataro recommended adding additional on-street parking, bike lanes with solid wide lines, and elimination of turn lanes.

Commissioner Hood stated that the City should not go outside of the warrants and that traffic has already slowed with measurements that have been taken.

Commissioners German and Wierengo indicated they would like to put the traffic calming measures into place first and then re-visit the removal of the five traffic signals after seeing if the measures are effective.

Motion by Vice Mayor Spataro, supported by Commissioner Wierengo to put traffic calming measures into place by eliminating turn lanes, extend on-street parking where possible, add bike lanes from Muskegon and Webster Avenue between 9th Street and Spring Street, prior to traffic signals being removed at Muskegon Avenue at 7th Street, Webster Avenue at 7th Street, Muskegon Avenue at Jefferson Street, Muskegon Avenue at Pine Street, and Muskegon Avenue at Spring Street.

ROLL CALL VOTE:

Ayes: Spataro, German, Wierengo, Turnquist, Gawron, and Hood.

Nays: Markowski.

MOTION PASSES

Pere Marquette Park Restaurant Proposals.

The City received proposals for the redevelopment of the former restaurant at Pere Marquette Park. A committee reviewed the proposals and recommends that the City accept the proposal submitted by Harris Hospitality.

Financial Impact: Significant investment will occur and jobs will be created.

Staff recommends to waive the submittal deadline requirement and authorize staff to negotiate an agreement with Harris Hospitality, consistent with their proposal. Further, it is recommended to authorize the Mayor and City Clerk to enter into an agreement with Harris Hospitality once it is satisfactory to the City Attorney and City Manager.

A committee that included a City Commissioner and a neighborhood representative reviewed the proposals, interviewed the companies' representatives, and make this recommendation.

Fred Sharman, of Harris Brothers, gave an overview. The proposal includes a soft serve frozen yogurt shop within 60 days or less, add a beach rental supply store, family bar and grill, and banquet facility.

Mr. Sharman indicated he believes he will need to start over with a new building.

Commissioner Markowski inquired about the proposal for a food truck.

Mr. Sharman stated it would be a very inexpensive advertising tool that would let people know where they are located. They would be going up and down the beach offering food at a lower price.

This item has been placed on the May 14, 2013 City Commission Meeting for consideration.

EVIP Employee Compensation Policy.

Since the Economic Vitality Incentive Program (EVIP) was introduced in 2011, requirements that the City must meet to comply with the program have been changed several times. Some of the most important EVIP issues involve employee compensation and benefit matters. The changing EVIP requirements have created confusion and uncertainty among employees with regard to the City's intentions and employees' future retirement planning.

The EVIP program replaced the former statutory revenue sharing program. EVIP revenues currently amount to \$1,033,845 annually for the City – contingent upon the City fully complying with EVIP requirements. Failure to comply with EVIP program requirements would mean loss of some or all of this funding.

This item has been placed on the May 13, 2013 City Commission meeting for consideration.

Video Surveillance and Tasers.

Commissioner Turnquist inquired if the Commission may be interested in video surveillance in the downtown area and tasers for police officers.

He indicated the downtown is completely wireless. There have been several incidences in the news of late of the need for cameras for safety reasons.

Tasers are currently being used in Norton Shores, Roosevelt Park, North Muskegon, and Muskegon Heights. He believes it would deter crime if City of Muskegon police officers were equipped with tasers and the City should seek a grant for purchase.

City Manager Mazade cited some incidences when tasers have caused fatalities – they might be the exception to the rule, but it should be considered.

Commissioner Hood would like to hear from Chief Lewis about the issue and his feelings.

Vice Mayor Spataro stated he can not make a decision until he has read a lot of research and make sure it's the right decision.

Mayor Gawron directed staff to study and evaluate the use of tasers and video surveillance and make a report at a future Worksession meeting.

City Manager Candidate Profile.

The City Commission reviewed the information proposed to be placed in the brochure advertising a City Manager.

Some concerns were given regarding the education and experience required. Mr. Mazade will work with the consultant to relay the information from the Commission and approve the brochure for print.

Any Other Business.

Commissioner Markowski asked why the middle lighthouse at Pere Marquette is not being promoted for people to visit.

It was explained that the lighthouse does not belong to the City and suggested she speak to the owners of the lighthouse.

Commissioner Turnquist asked if there were any updates regarding the sighting of the black bear seen by Cole's Bakery. It is swimming to North Muskegon.

Public comment was accepted.

Adjournment.

Motion by Commissioner Hood, seconded by Commissioner Wierengo to adjourn at 8:11 p.m.

MOTION PASSES

**Ann Marie Cummings, MMC
City Clerk**