

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

**JUNE 11, 2013**

**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, June 11, 2013.

Vice Mayor Spataro opened the meeting with a prayer from Mr. George Monroe after which the Commission and public recited the Pledge of Allegiance to the Flag.

#### **ROLL CALL FOR THE REGULAR COMMISSION MEETING:**

Present: Vice Mayor Lawrence Spataro, Commissioners Willie German, Byron Turnquist, Lea Markowski, and Eric Hood, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Absent: Mayor Stephen Gawron and Commissioner Sue Wierengo (both excused)

#### **2013-49 INTRODUCTIONS/PRESENTATION:**

##### **A. Burgess Norton Presentation - Summer 2013 Environmental Investigation.**

Representatives from Burgess Norton updated the Commission and public regarding a summary of planned 2013 environmental investigation in the Nims Street area.

##### **B. County Jail Update.**

Sheriff Roesler introduced representatives from the architecture company who explained the Jail update.

#### **2013-50 CONSENT AGENDA:**

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

SUMMARY OF REQUEST: To approve minutes of the May 28<sup>th</sup> City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

**B. Request to Waive Water Connection Fee for Alcoa Square Splash Pad.**  
CITY MANAGER

SUMMARY OF REQUEST: To waive the water connection fee for the Alcoa Square Splash Pad. This facility serves the youth of the community and, as such, this request fits well with the City Commission's goals to serve our youth.

FINANCIAL IMPACT: \$4,800.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request.

**C. Memorandum of Understanding – Justice Assistance Grant.** PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the Commission authorize the Director and the City Manager to enter into an agreement with the City of Muskegon Heights and Muskegon County in regards to the disbursement of the FY 2013 Justice Assistance Grant. It is further requested that the Mayor be authorized to sign the Memorandum of Understanding. Note that time is of the essence as this grant requires a 30 day governing body review period before the grant submission and the grant deadline is July 9.

Although the Bureau of Justice Assistance has designated us as being in a disparate funding situation due to the County providing more than 50% of the jail facilities, our proposal is to keep the allocations exactly as they initially came down from the BJA which is as follows: County of Muskegon \$0; City of Muskegon \$27,549 and City of Muskegon Heights \$16,346. Note that BJA uses crime data versus population in making these allocation decisions.

The City of Muskegon portion is planned to be used in continuation of the manner in which the previous year's JAG funding was used which is for the prosecution of city ordinance cases dealing primarily with neighborhood issues. A prosecutor was hired specifically for this under a previous fiscal year JAG Grant.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of this request.

**D. Fireworks Display Permit for Muskegon Country Club.** CITY CLERK

SUMMARY OF REQUEST: Melrose Pyrotechnics, Inc. is requesting approval of a fireworks display permit for July 4, 2013, at the Muskegon Country Club, 2801 Lakeshore Drive. Fire Marshall Metcalf will inspect the fireworks on the day of

the event.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks.

**E. Fireworks Display Permit for Coast West Music Festival. CITY CLERK**

SUMMARY OF REQUEST: Night Magic is requesting approval of a fireworks display permit for July 4<sup>th</sup> at the Coast West Music Festival. Fire Marshall Metcalf has reviewed the request and recommends approval contingent on inspection of the fireworks.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks.

**F. Cemetery Mowers. PUBLIC WORKS**

SUMMARY OF REQUEST: Authorize staff to purchase two John Deere Z915b lawn mowers from The Power Shop, the lowest qualified Bidder. These machines will replace the 2005 and 2007 Grasshopper models currently being used.

FINANCIAL IMPACT: \$12,620.80.

BUDGET ACTION REQUIRED: None, amount is what was budgeted.

STAFF RECOMMENDATION: Authorize staff to purchase two John Deere lawn mowers from The Power Shop.

**G. Engineering Services – Asset Management. PUBLIC WORKS**

SUMMARY OF REQUEST: Authorize staff to enter into an engineering services agreement with Prein & Newhof to provide asset management for storm and sanitary sewers evaluation and to prepare and submit a grant application seeking state funds to cover the cost of any identified project of up to \$2,000,000.

FINANCIAL IMPACT: None at this time; however, if the grant application was to be approved then the engineer would be entitled to up to \$16,500.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Authorize to enter into an engineering services agreement with P & N.

**H. Consideration of Quotes for Electrical Work at DPW. PUBLIC WORKS**

SUMMARY OF REQUEST: Authorize staff to enter into an agreement with J & J Electrical Service out of Muskegon to provide all material and labor necessary to extend an electrical service to the newly purchased patching machine for

\$11,800.

FINANCIAL IMPACT: \$11,800.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize staff to enter into an agreement with J & J.

**Motion by Commissioner Turnquist, second by Commissioner Markowski to accept the consent agenda as presented.**

**ROLL VOTE: Ayes: Turnquist, Markowski, Hood, Spataro, and German**

**Nays: None**

***MOTION PASSES***

**2013-51 PUBLIC HEARINGS:**

**A. 2013-14 Budget. FINANCE**

SUMMARY OF REQUEST: This is the time set for public hearing on the City's 2013-14 budget. After the public hearing, the City Commission may take action to adopt the 2013-14 budget with any changes or adjustments it deems necessary. City ordinance requires the budget be adopted by the second regular City Commission meeting in June. The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.

FINANCIAL IMPACT: The budget sets forth the priorities and overall financial plan for operations in the year 2013-14.

BUDGET ACTION REQUIRED: Adoption of the budget resolution provides the legal appropriation authority necessary for City departments to conduct operations in 2013-14.

STAFF RECOMMENDATION: Receive public comments. Upon closing the public hearing, the City Commission may decide to adopt the budget.

The public hearing opened to hear and consider any comments from the public. Comments were heard from Robert Jennings, 3553 Marina View Pt.

**Motion by Commissioner Hood, second by Commissioner German to close the public hearing.**

**ROLL VOTE: Ayes: Markowski, Hood, Spataro, German, and Turnquist**

**Nays: None**

***MOTION PASSES***

**Motion by Commissioner Turnquist, second by Commissioner German to adopt the 2013-14 Budget as presented.**

**ROLL VOTE: Ayes: Markowski, Hood, Spataro, German, and Turnquist**

**Nays: None**

***MOTION PASSES***

**2013-52 NEW BUSINESS:**

**A. Proposed 2013 – 2014 CDBG/HOME Grants. COMMUNITY & NEIGHBORHOOD SERVICES**

SUMMARY OF REQUEST: To approve the 2013-2014 CDBG/HOME grant budget based on the spreadsheet for submission of the 2013-2014 Action Plan to HUD.

FINANCIAL IMPACT: The Community Development Block Grant and HOME grant budget is the basis of the annual Action Plan for the Community and Neighborhood Services department.

BUDGET ACTION REQUIRED: City Commission approval.

STAFF RECOMMENDATION: Approve the 2013-2014 CDBG/HOME grant budget based on the spreadsheet for submission of the 2013-2014 Action Plan to HUD.

**Motion by Commissioner Hood, second by Commissioner German to approve the 2013-2014 CDBG/HOME grant budget based on the spreadsheet for submission of the 2013-2014 Action Plan to HUD.**

**ROLL VOTE: Ayes: Hood, Spataro, German, Turnquist, and Markowski**

**Nays: None**

***MOTION PASSES***

**B. FY2013 Port Security Grant Program. PUBLIC SAFETY**

SUMMARY OF REQUEST: The Director of Public Safety requests that the Commission authorize entering into an agreement with the County of Muskegon to be part of their larger submission under the FY2013 Port Security Grant Program Grant Application. Our portion of this submission would be for the purchase of 60 portable radios to address the issue that the current radios have reached their end of life and also interoperability issues with being able to communicate with other agencies especially in the event of a major event.

Our radio equipment is outdated and needs to be replaced before it places us in a hazardous situation whereby the officer cannot effectively communicate when they find themselves in a dangerous situation.

New equipment would allow us to access the TAC frequencies for communications with other agencies (county, other municipal departments as well as port authority personnel). Communications between the agencies is going to be critical in the event of an emergency situation.

We are also in a position currently where if we have a major event where we had to call everyone on duty we would not have sufficient working radios at the present time.

FINANCIAL IMPACT: The total cost of the project would be approximately \$105,000. The grant requires a 25% match which would be a financial impact to the City of Muskegon of approximately \$27,000. A portion of which would come from budgeted capital improvement funds and the rest from other areas of the budget.

BUDGET ACTION REQUIRED: Approve the approximate \$27,000 match.

STAFF RECOMMENDATION: Staff recommends approval of this request.

**Motion by Commissioner Hood, second by Commissioner Markowski to approve the Fiscal Year 2013 Port Security Grant Program request for the purchase of 60 portable radios.**

**ROLL VOTE: Ayes: Hood, Spataro, German, Turnquist, and Markowski**

**Nays: None**

***MOTION PASSES***

**C. Harris Hospitality Presentation. CITY MANAGER**

SUMMARY OF REQUEST: The Harris Hospitality group would like to present its revised concept plan for Pere Marquette Park to the City Commission for review and information.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: No action requested at this time.

**Motion by Commissioner Turnquist, second by Commissioner Hood to authorize City staff to negotiate with Harris Hospitality group on the basis of expanding the footprint as described today.**

**ROLL VOTE: Ayes: Spataro, German, Turnquist, Markowski, and Hood**

**Nays: None**

***MOTION PASSES***

**D. Complete Streets Resolution.**

**Motion by Commissioner Markowski, second by Commissioner Hood to approve the resolution supporting complete streets.**

**ROLL VOTE: Ayes: German, Turnquist, Markowski, Hood, and Spataro**

**Nays: None**

***MOTION PASSES***

**ANY OTHER BUSINESS:** Commissioner Turnquist asked what happened with Bike Time and Farmer's Market. City Manager Bryon Mazade stated that they did meet and came to term on many items. Expect a recommendation at the

next meeting.

**PUBLIC PARTICIPATION:** Public comments were received.

**ADJOURNMENT:** The City Commission Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC  
City Clerk