

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

MAY 27, 2014

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, May 27, 2014.

Mayor Gawron opened the meeting with a prayer from Rev. Bill Freeman from the Harbor Unitarian Universalist Congregation 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, and Eric Hood, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Absent: Commissioner Ken Johnson (excused)

#### **2014-39 CONSENT AGENDA:**

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

SUMMARY OF REQUEST: To approve minutes of the May 12<sup>th</sup> Commission Worksession Meeting, and the May 13<sup>th</sup> City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

##### **C. Contract for Mowing Services. PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: To approve a two-year contract with the Sheldon Park Neighborhood Improvement Association for the maintenance of two City-owned lots in the Sheldon Park neighborhood.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize execution of the contract. The

responsibility for cleaning and mowing these lots would belong to the Association rather than the City and would extend through 2015. The City's estimated cost of \$1,000 to maintain the lots over this period would then be donated to the Association. The neighborhood has maintained the lots for several years under similar agreements and has done a great job.

**G. 2014-2015 Michigan Municipal League Membership Dues.** CITY CLERK

SUMMARY OF REQUEST: Approval to pay the 2014-2015 MML dues in the amount of \$9,495. This is an increase of \$149.

FINANCIAL IMPACT:	MML Dues	\$8,632
	Legal Defense Fund	<u>\$ 863</u>
	Total:	\$9,495

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

**H. Approval of Building Contract for 2355 Lincoln.** COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To award the Building Contract for the construction of a new home located at 2355 Lincoln to JD Fisher Builders, in the amount of \$138,270, with an additional \$3,700 for bedroom/bathroom construction in the basement, for the City of Muskegon's Homebuyers Program through CNS.

CNS received five bids and the cost estimate from our spec writer was \$142,300 base bid with an additional \$7,200 for bedroom/bathroom construction in basement.

FINANCIAL IMPACT: The funding for this project has been secured through the HOME program 2013 grant allocation.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To award JD Fisher Builders the contract for the construction of 2355 Lincoln, in the amount of \$138,270 (with additional \$3,700) for the Community & Neighborhood Services Department.

**Motion by Vice Mayor Spataro, second by Commissioner German to accept the Consent Agenda as read with the exception of items B, D, E, and F.**

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

**Nays: None**

***MOTION PASSES***

**2014-40 ITEMS REMOVED FROM THE CONSENT AGENDA:**

**B. 2014-2017 Water Treatment Chemical Bids.** PUBLIC WORKS

SUMMARY OF REQUEST: Recommend endorsement of lowest responsible bidder

to supply Aluminum Sulfate and Hydrofluorosilicic Acid to the water filtration plant.

FINANCIAL IMPACT: Annual cost of \$91,875 for Aluminum Sulfate and \$31,430 for Hydrofluorosilicic Acid. (Based on average annual water pumped to mains).

BUDGET ACTION REQUIRED: None, these treatment chemicals have been budgeted.

STAFF RECOMMENDATION: Staff recommends the Mayor and City Commission endorse the low bids received and enter into a three-year contract with USALCO as the supplier of Aluminum Sulfate and Key Chemical as the supplier of Hydrofluorosilicic Acid.

**Motion by Commissioner German, second by Vice Mayor Spataro to endorse the low bids and enter into a three-year contract with USALCO as the supplier of Aluminum Sulfate and Key Chemical as the supplier of Hydrofluorosilicic Acid.**

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

**Nays: None**

***MOTION PASSES***

**D. Scott and Joes World Dogs Concession Contract for City of Muskegon Parks. PUBLIC WORKS**

SUMMARY OF REQUEST: Staff is asking permission to enter into a one-year contractual agreement with Joe Ives of "Scott and Joes World Dogs" at Pere Marquette Park, located within the City of Muskegon, to sell hot dogs and other snacks/drinks from a mobile self-contained food trailer.

FINANCIAL IMPACT: Concession revenue is 10% of gross receipts.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to enter into concession agreement with Joe Ives of Scott and Joes World Dogs.

**Motion by Commissioner Turnquist, second by Commissioner German to authorize DPW staff to enter into a concession agreement with Joe Ives of Scott and Joes World Dogs.**

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

**Nays: None**

***MOTION PASSES***

**E. Concession Contract for City of Muskegon Parks. PUBLIC WORKS**

SUMMARY OF REQUEST: Staff is asking permission to enter into a one-year contractual agreement with David Porter at Pere Marquette Park, located

within the City of Muskegon, to sell various food items out of a vehicle on stationary tables and coolers.

FINANCIAL IMPACT: Concession revenue is 10% of gross receipts.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to enter into concession agreement with David Porter.

**Motion by Commissioner Turnquist, second by Commissioner Rinsema-Sybenga to authorize DPW staff to enter into a concession agreement with David Porter.**

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

**Nays: None**

***MOTION PASSES***

**F. Operations Management Contract: Farmers' Market Commercial Kitchen. PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: The new Farmers' Market downtown includes a Commercial Kitchen. The intended use of the kitchen is for incubator space, as well as classroom/education. The ultimate goal is to have the Kitchen used 24/7. In order to market the facility, as well as manage the usage, collect rent, etc., a Kitchen Manager is needed. Proposals were requested for this and Pioneer Resources was the only proposal received. The City has negotiated with Pioneer Resources for their management services, with the resulting Contract. It is difficult to know exact costs and services needed at this point, since it is new for all of us. Therefore, the Contract term is only six months to start. It is anticipated that both the City and the Manager will have a better understanding of operations and costs at the end of the six month term. Meanwhile, we are confident that Pioneer is the best company to manage the Kitchen, as they have experience with food service and operations and management.

FINANCIAL IMPACT: Per the terms of the Contract, the Manager shall provide the staffing, management and operations of the facility. The City shall pay for the utility costs. The Manager shall track revenue and expenses and turn over any net proceeds to the City.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Contract and authorize the Mayor and Clerk's signatures.

**Motion by Commissioner Rinsema-Sybenga, second by Vice Mayor Spataro to approve the operations management contract for the Farmers' Market commercial kitchen with Pioneer Resources and authorize the Mayor and Clerk's signatures.**

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

**Nays: None**

***MOTION PASSES***

**2014-41 PUBLIC HEARINGS:**

**A. Request for the Establishment of an Industrial Development District at 2306, 2320, and 2350 S. Getty Street. PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, Port City Architectural Signage has requested to establish an Industrial Development District at 2306, 2320 and 2350 S. Getty Street. The company owns buildings at all three sites and will eventually be making improvements to real and personal property. The establishment of the district will allow the company to become eligible for Industrial Facilities Tax Abatements (IFT's).

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the establishment of the Industrial Development District.

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

**Motion by Vice Mayor Spataro, second by Commissioner Hood to close the Public Hearing and approve the establishment of the Industrial Development District for the properties described.**

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

**Nays: None**

***MOTION PASSES***

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

**ADJOURNMENT:** The City Commission Meeting adjourned at 5:58 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC  
City Clerk