

City of Muskegon
City Commission Worksession
August 11, 2014
City Commission Chambers
5:30 PM

MINUTES

2014-57

Present: Commissioners Rinsema-Sybenga, Gawron, Johnson, Turnquist, and Spataro.

Absent: Commissioner German and Hood.

Redevelopment Ready Community Presentation.

The MEDC staff, Jennifer Rigterink and Michelle Parkkonen, presented their Community Assessment Report on the City's certification as a Redevelopment Ready Community to the Commission.

First Reading: Marihuana Ordinance.

The City Commission issued a moratorium on the current marihuana ordinance to give staff and counsel the opportunity to review the State law and make changes to be in conformance.

The proposed ordinance prohibits caretakers from growing and distributing marihuana from their residences. It requires all caregivers to obtain a business registration to operate a dispensary. Applicants will be responsible to pay a \$1,500 application fee and a \$1,100 renewal fee as well as all inspections required by the Building Inspection and Fire Marshal to ensure public safety of such operations. Signage will not be allowed.

Patients growing in their homes for themselves are subjects to a \$100 application fee and the necessary safety inspections by the Building Inspector and Fire Marshal. The City Clerk will serve as the medical marihuana officer of the community.

Facilities used by a primary caregiver are permitted in the following zoning districts; B-2, B-3, B-4, B-5, MC, I-1, and I-2. No facility may be located within 1000 feet of a preschool, elementary school, middle school, or high school.

The public and Commission spoke about the proposed ordinance at length. Some minor changes were proposed. This ordinance will be brought to the second meeting in August with the added changes for consideration of the Commission.

Downtown Business Improvement District.

Johnathan Seyferth, Executive Director of Downtown Muskegon Now, presented a proposal to endorse BID.

Downtown Muskegon Now board has received information regarding the establishment of a Business Improvement District (BID) in Downtown Muskegon. A recommended structure was presented to the Commission. The Commission will need to approve the boundaries.

Preliminary Design of Muskegon/Webster.

Discussion took place on the design of the project. Bump-outs on one side of the intersection from 4th Street to 9th Street were suggested. Other traffic slow-down measures were discussed. Some Commissioners expressed an interest in a bike lane being added in the commercial district.

Some believe parking should be offered on both sides of the area from Spring Street to 4th.

Prosecution Services for Muskegon Police Department.

The Director of Public Safety requests the City Commission review and authorize the proposed contract for prosecutorial services required for the police department as it relates to civil infractions and misdemeanor ordinance cases generated by Muskegon Police Department during enforcement efforts. The service time of this proposed contract will be for a one (1) year period, expiration date of July 31, 2015.

Request for prosecutorial service letters were sent to two law firms on June 10, 2014 outlining the terms and conditions of said services to be provided. Parmenter O'Toole and Muskegon County Prosecutor Offices both responded.

The Muskegon County Prosecutor forwarded a "flat rate" fee of \$75,000 which is a savings over the contract that is now in place with the prosecutor's office. Parmenter O'Toole offered a "flat rate" fee of \$90,000. Parmenter O'Toole added additional information that all other city matters will be handled at the current rate until year 2017; information was received, but not considered in the decision to select a firm for specific prosecutorial services.

This items has been placed on the August 12th Commission meeting for consideration.

Property Tax Settlement Agreement with Consumers Energy B.C. Cobb Plant.

The City and Consumers Energy wish to avoid any additional cost of a tax appeal before the Michigan Tax Tribunal. Staff has come to a tentative agreement with Consumers to stipulate a true cash value for the property located at 151 North Causeway.

This item has been placed on the August 12th Commission meeting for consideration.

Adjournment.

Motion by Vice Mayor Spataro, seconded by Commissioner Johnson to adjourn at 9:08 p.m.

MOTION PASSES

**Ann Marie Cummings, MMC
City Clerk**