

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

OCTOBER 28, 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, October 28, 2014.

Mayor Gawron opened the meeting with prayer from Vice Mayor Spataro 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, Ken Johnson, and Eric Hood, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

#### **2014-82 CONSENT AGENDA:**

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

SUMMARY OF REQUEST: To approve minutes of the October 13<sup>th</sup> Commission Worksession Meeting, and the October 14<sup>th</sup> City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

##### **B. Sodium Hypochlorite Storage Tank #2 Repairs.** PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to enter into an agreement with Tri-Clor Inc. for fiberglass repairs to Sodium Hypochlorite Storage Tank #2.

FINANCIAL IMPACT: \$8,750.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends acceptance of bid from Tri-Clor Inc. for \$8,750.

##### **C. Amendment to the Zoning Ordinance.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Staff initiated request to amend the zoning ordinance to allow medical marihuana dispensaries in B-2 (Convenience and Comparison Business), B-3 (Central Business), B-4 (General Business), B-5 (Governmental Business), MC (Medical Care), I-1 (Light Industrial) and I-2 (General Industrial) districts.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request at their October 16<sup>th</sup> meeting.

**G. Community Relations Committee Recommendation for Reinstatement of the Equal Opportunity Committee.** CITY CLERK

SUMMARY OF REQUEST: To concur with the recommendation from the Community Relations Committee regarding the reinstatement of the Equal Opportunity Committee.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

COMMITTEE RECOMMENDATION: Approve the recommendation of the Community Relations Committee for the reinstatement of the Equal Opportunity Committee.

**Motion by Commissioner Johnson, second by Commissioner German to approve the Consent Agenda as read minus Items D, E, and F.**

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

**Nays: None**

***MOTION PASSES***

**2014-83 ITEMS REMOVED FROM THE CONSENT AGENDA:**

**D. Consulting Services with Michigan Municipal League.** AFFIRMATIVE ACTION & RISK MANAGEMENT

SUMMARY OF REQUEST: Approval to utilize the Michigan Municipal League's Consulting Services in the development of comprehensive job descriptions for City staff positions.

The scope of the work included in the packet outlines the process the league will undergo to perform the updates to all the currently budgeted job

descriptions. Many of the job descriptions at the City have not been updated since the late 1980's to the mid 1990's. We have recognized difficulties with attempts to recruit employees utilizing outdated industry language, and the updates are needed across the board for all position descriptions. The descriptions will comprise all the necessary elements utilizing ADA compliant language for inclusion in each job description.

The project would begin in January 2015, and would be completed within three months.

**FINANCIAL IMPACT:** Using an estimate of 55 positions, the total not-to-exceed professional fee would be \$13,750. This rate includes two on-site visits to conduct employee orientation sessions and employee interviews. Travel related expenses will be held to a minimum and billed at actual cost, and additional visits will be billed at \$750 per visit plus the actual cost of travel.

**BUDGET ACTION REQUIRED:** Amend the 2014/2015 FY budget to include \$15,000 as an expense under Civil Service. This budget item will be reflected in the 1<sup>st</sup> Quarter Reforecast to the 2014/2015 Fiscal Year Budget.

**STAFF RECOMMENDATION:** Staff recommends and requests approval to utilize the Michigan Municipal League's Consulting Services in the development of comprehensive position descriptions for City staff, and amend the 2014/2015 FY budget to include the expense under Civil Service, and authorize the Mayor and Clerk to sign the agreement.

**Motion by Vice Mayor Spataro, second by Commissioner Rinsema-Sybenga to approve to utilize the Michigan Municipal League's Consulting Services in the development of comprehensive position descriptions for City staff, and amend the 2014/2015 FY budget to include the expense under Civil Service, and authorize the Mayor and Clerk to sign the agreement.**

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

**Nays: None**

***MOTION PASSES***

**E. Ground Lease and Option to Purchase for Nims Neighborhood Park Playground. PLANNING & ECONOMIC DEVELOPMENT**

**SUMMARY OF REQUEST:** On March 5, 2014, the City Commission approved the "Participation Agreement" with Nims Neighborhood, Muskegon Public Schools and the City of Muskegon for the Nims Neighborhood Park Playground. After several months of planning, fundraising, grant writing and negotiations, Nims Neighborhood and City staff have agreed on the "Ground Lease and Option to Purchase" for the property at the corner of Southern and Davis. The Nims

Neighborhood president has signed the document. The Neighborhood has raised over \$25,000 for playground equipment, which is expected to be ordered early next year and installed in the spring of 2015. The Neighborhood continues to fundraise and write grants for additional improvements in the future.

FINANCIAL IMPACT: Minor costs for water service and tap fees.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the "Ground Lease and Option to Purchase" and authorize the Vice-Mayor and City Clerks signatures and to authorize the purchase of the designated property (legal description in the "Lease" agreement) by the City of Muskegon staff from Muskegon Public Schools.

**Motion by Vice Mayor Spataro, Second by Commissioner German to approve the "Ground Lease and Option to Purchase" and authorize the Vice-Mayor and City Clerks signatures and to authorize the purchase of the designated property by the City of Muskegon staff from Muskegon Public Schools.**

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

Nays: None

Abstain: Johnson

### ***MOTION PASSES***

#### **F. Marketing and Image. CITY MANAGER**

SUMMARY OF REQUEST: At its annual Goal Setting Meeting, the City Commissioners listed improving the City's image as a top priority. Staff has been working on image-related activities including signage, marketing strategies, and partnering with other agencies on this endeavor. The City currently does not have funds budgeted for Marketing and Image and is requesting that \$20,000 be added to the Public Relations budget to fund marketing and image related activities.

FINANCIAL IMPACT: To add \$20,000 to the Public Relations Fund.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval.

**Motion by Commissioner Rinsema-Sybenga, second by Commissioner Hood to recommend approval that \$20,000 be added to the Public Relations Fund.**

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

Nays: None

***MOTION PASSES***

**2014-84 NEW BUSINESS:** Urban farming was discussed. This will be discussed further at the December 8<sup>th</sup> Worksession Meeting.

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

**ADJOURNMENT:** The City Commission Meeting adjourned at 6:19 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC  
City Clerk