

CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 11, 2011

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, January 11, 2011.

Mayor Warmington opened the meeting with a prayer from Pastor Tim Cross from the Living Word Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Commissioners Sue Wierengo, Steve Wisneski, Chris Carter, Clara Shepherd, and Lawrence Spataro, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

Absent: Vice Mayor Stephen Gawron (excused).

2011-02 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes for the December 13th Commission Worksession Meeting and the December 14th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Disclosure of Potential Conflict of Interest under Community Development Block Grant Program. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: Under Community Development Block Grant regulations, potential conflicts of interest must be disclosed to the public prior to requesting a waiver from HUD. Rasheedah Muhammad-Gillespie, 1044 E. Isabella Avenue, has applied for CDBG assistance for plumbing/sewer under the City's Emergency Repair Program. She is a member of the Citizen's District Council. The City Attorney has determined that no conflict of interest is present in this case; however, this must be disclosed to the public before any further action can be taken.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the City's Community & Neighborhood Services Department to submit the waiver of conflict of interest to the U. S. Department of Housing and Urban Development.

C. Agreement for Legal Services. CITY MANAGER

SUMMARY OF REQUEST: To approve an agreement with Parmenter O'Toole, LLC to provide legal services to the City for 2011-2014.

FINANCIAL IMPACT: The cost stays the same for 2011 and goes up \$5.00/hour for each of the following three years.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the agreement.

D. Special Events Policy – Revision Amendments. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City Commission approved the Revised Special Events Policy presented by staff on November 23, 2010. Some of those revisions included fee changes, earlier submission deadlines and costs for City equipment and labor. In addition, for any events with approved street closures, the closures must not occur until 12:01 a.m. the day of the event and the streets must be open to traffic by 6:00 a.m. the day after the event. The Commission had extensive discussion regarding the time of the street closures, however, and suggested the street closure time be amended from 12:01 a.m. of the day of the event, to 6:00 p.m. the evening prior to the event. In addition, the Commission requested that events not requiring a liquor license (or simply an extension of their existing license) be allowed to take place on Labor Day weekend. However, event requests requiring a special liquor license must be presented to City Commission for approval.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the revised, amended City of Muskegon Special Event Policy, to include the new time for street closures to be 6:00 p.m. the night prior to the event, and to require Labor Day weekend events requesting special liquor license's to go before the City Commission for approval.

E. Setting Worksession and Commission Meetings. CITY CLERK

SUMMARY OF REQUEST: Approval of the scheduled meetings.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

F. Community Relations Committee Appointments. CITY CLERK

SUMMARY OF REQUEST: To accept the recommendation from the Community Relations Committee made at their meeting held on January 10, 2011, to reappoint each member wishing to continue on his or her present board commencing February 1, 2011.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To concur with the Community Relations Committee recommendation.

Motion by Commissioner Carter, second by Commissioner Wierengo to approve the Consent Agenda as read.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Wierengo, Wisneski, and Carter

Nays: None

MOTION PASSES

2011-03 NEW BUSINESS:

A. Approval of Sale of City-Owned Home at 627 E. Apple. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community and Neighborhood Services department to complete the sales transaction between Mr. Christian D. Adame for the totally rehabilitated home at 627 E. Apple, which is part of the City's Neighborhood Stabilization Program through the Michigan State Housing Development Authority Office of Community Development. Mr. Adame's purchase price is \$43,000 with a subsidy of at least \$8,000.

The beautiful three bedroom, two full-bath home was previously vacant. As a part of the City's continuous neighborhood redevelopment efforts, the house was purchased by the CNS office with HOME funds, abated for Lead through our S.A.F.E. Housing Program and totally rehabilitated with Neighborhood Stabilization Program funds.

FINANCIAL IMPACT: The proceeds from the sale will be used to cover any extra costs associated with this rehab and to sustain our current investments under NSP program activities. Program Income funds will be used to cover HOME and Lead Program activity costs for the City of Muskegon.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and direct the CNS staff to complete the sale.

Motion by Commissioner Shepherd, second by Commissioner Spataro to approve the sale of the City-owned home at 627 E. Apple to Mr. Christian D. Adame.

ROLL VOTE: Ayes: Warmington, Wierengo, Wisneski, Carter, Shepherd, and Spataro

Nays: None

MOTION PASSES

B. Eliminate Retiree Health Care Benefits for Newly-Hired Non-Represented Employees. CITY MANAGER

SUMMARY OF REQUEST: To eliminate retiree health care benefits for non-represented employees hired on or after January 1, 2011. Instead, the City will match a mandatory two percent (2%) contribution into a Health Care Savings Plan (HCSP).

FINANCIAL IMPACT: Significant savings will be achieved.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request.

Motion by Commissioner Spataro, second by Commissioner Carter to eliminate the retiree health care benefits for newly-hired non-represented employees as described.

ROLL VOTE: Ayes: Wierengo, Wisneski, Carter, Shepherd, Spataro, and Warmington

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 6:50 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk