

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

JANUARY 25, 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 25, 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, Vice Mayor Stephen Gawron, Commissioners Steve Wisneski, Chris Carter, Clara Shepherd, Lawrence Spataro, and Sue Wierengo, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

#### **2011-05 CONSENT AGENDA:**

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

SUMMARY OF REQUEST: To approve minutes for the January 10<sup>th</sup> Commission Worksession Meeting and the January 11<sup>th</sup> City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes

##### **B. Amend City Ordinance 54-264: Purchase/Consumption of Alcoholic Beverages by Minors. PUBLIC SAFETY**

SUMMARY OF REQUEST: The Director of Public Safety is requesting the City Commission to adopt the amended ordinance. The amended language will bring our ordinance into compliance with state law-MCL 436.1703.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the amended ordinance.

##### **C. Sale of the Vacant, Unbuildable Lot at 163 W. Clay. PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: Request to sell the vacant, unbuildable lot at 163 W. Clay to Lorrie Ornelas, 165 W. Clay.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the property sale.

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

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

**Nays: None**

***MOTION PASSES***

**2011-06 NEW BUSINESS:**

**A. Second Quarter 2010-11 Budget Reforecast. FINANCE**

SUMMARY OF REQUEST: At this time staff is transmitting the *Second Quarter 2010-11 Budget Reforecast* which outlines proposed changes to the original budget that have come about as result of changes in policy priorities, labor contracts, updated economic conditions, or other factors.

FINANCIAL IMPACT: Proposed changes to the 2010-11 budget include:

- Increase in estimated income tax revenues from \$6.0 to \$6.5 million based on continued recovery from the recession
- Budget adjustments to cover large one-time payments previously approved by the Commission:
  - \$1 million supplemental MERS contribution
  - Pay-off of ULA loan and fire truck lease (\$954,605)
- Adjustments to street and other capital projects based on grant availability and timing issues.

BUDGET ACTION REQUIRED: Self-explanatory.

STAFF RECOMMENDATION: Approval.

**Motion by Commissioner Spataro, second by Commissioner Wierengo to approve the Second Quarter 2010-11 Budget Reforecast.**

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

**Nays: None**

***MOTION PASSES***

**B. Concurrence with the Housing Board of Appeals Notice and Order to Demolish the Following: PUBLIC SAFETY**

**455 Amity**

**741 S. Getty**

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structures are unsafe, substandard, a public nuisance and that they be demolished within 30 days. It is further requested that administration be directed to obtain bids for the demolition of the structures and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: General Funds.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To concur with the Housing Board of Appeals decision to demolish.

**Motion by Commissioner Spataro, second by Commissioner Carter to concur with the Housing Board of Appeals notice and order to demolish 455 Amity.**

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

**Nays: None**

***MOTION PASSES***

**Motion by Commissioner Spataro, second by Vice Mayor Gawron to concur with the Housing Board of Appeals notice and order to demolish 741 S. Getty.**

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

**Nays: None**

***MOTION PASSES***

**C. MERS Health Care Saving Program (HCSP) Agreement for Command Officers. FINANCE**

SUMMARY OF REQUEST: A new contract with Police Command Officers was recently settled through arbitration. One provision of the new contract (not arbitrated) calls for implementation of the MERS Healthcare Savings Program. Several other City employee groups already have this program in place. Since the contract was arbitrated and is not brought to the Commission for approval, it is necessary to separately approve the MERS HCSP agreement.

FINANCIAL IMPACT: Funds placed into the HCSP are employee contributions, so there is no direct cost to the City. The initial program provides for Command

Officers to mandatorily contribute \$5 per pay period. It also provides ability to allocate accrued sick and comp time payouts to the HCSP.

Longer term, the HCSP is an important component in the City's plan to move away from providing city-funded retiree healthcare insurance.

**BUDGET ACTION REQUIRED:** None.

**STAFF RECOMMENDATION:** Approval.

**Motion by Vice Mayor Gawron, second by Commissioner Carter to approve the MERS Health Care Saving Program Agreement for Command Officers.**

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

**Nays: None**

***MOTION PASSES***

**ANY OTHER BUSINESS:** Commissioner Spataro thanked staff for the materials that were provided for their Goal Setting Session.

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

**ADJOURNMENT:** The City Commission Meeting adjourned at 6:03 p.m.

Respectfully submitted,

Ann Marie Becker, MMC  
City Clerk