

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

FEBRUARY 23, 2010

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, Michigan at 5:30 p.m., Tuesday, February 23, 2010.

Mayor Warmington opened the meeting with a prayer from Vice Mayor Gawron 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 Chris Carter, Clara Shepherd, Lawrence Spataro, Sue Wierengo, and Steve Wisneski, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

#### **2010-15 INTRODUCTIONS/PRESENTATION:**

##### **A. MAREC – Energy Partners, LLC.**

Cathy Brubaker-Clarke introduced Arn Boezaart who gave an overview.

#### **2010-16 CONSENT AGENDA:**

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

SUMMARY OF REQUEST: To approve minutes for the February 1<sup>st</sup> Special Commission Meeting, the February 8<sup>th</sup> Commission Worksession, and the February 9<sup>th</sup> Regular Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes

##### **B. Amend Zoning Ordinance – Vintage Shops. PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: Request to amend Section 1101 of Article XI to include "Vintage Shops" as a special use permitted in B-2 districts.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request to amend Section 1101 of Article XI to include "Vintage Shops" as a special use permitted in B-2 districts.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request at their February 11<sup>th</sup> meeting. The vote was unanimous.

**C. Amend Zoning Ordinance Definitions for Vintage Shops.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend Article II (Definitions) to add definitions for "Vintage Shops" and "Vintage Merchandise."

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request to amend Article II (Definitions) to add definitions for "Vintage Shops" and "Vintage Merchandise."

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request at their February 11<sup>th</sup> meeting. The vote was unanimous.

**D. Road Salt Procurement Authorization.** PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to enter into an annual contract for road salt procurement through the State of Michigan Purchasing Program (MIDEAL).

FINANCIAL IMPACT: Per ton prices determined yearly; average winter purchases of between 4,000-6,000 tons. The most current contracts have solicited 2006/2007 pricing of \$32.99/ton and 2007/2008 pricing of \$34.24/ton and 2008/2009 pricing of \$40.40/ton and 2009/2010 extended contract price of \$56.49/ton.

BUDGET ACTION REQUIRED: None, expense is budgeted yearly through Public Works.

STAFF RECOMMENDATION: Approve request.

**E. Amend 2008-2009 and 2009-2010 CDBG and HOME Action Plans.** COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve for the CNS office to amend the 2008-2009 and 2009-2010 CDBG and HOME Action Plans.

In 2007 the City of Muskegon was awarded a three-year Healthy Home Lead grant from the U. S. Department of Housing and Urban Development for \$1,000,070. The first two years of the grant were designed to focus on community outreach and the abatement of homes that tested positive for lead. The last year, which we are currently in, is to be used to take care of miscellaneous items that need to be addressed in order to close out the grant.

In the original grant documentation, the City was to be responsible for \$658,304

in in-kind and/or cash match. To complete the City's match requirements, the CNS office is proposing the following adjustments to its 2008-2009 and 2009-2010 Action Plans:

Reallocate \$140,000 from the 2009-2010 Action Plan originally allocated to HOME Weatherization.

Reallocate \$50,000 from the 2009-2010 Action Plan originally allocated to HOME Rental Rehabilitation.

Reallocate \$10,000 from the 2009-2010 Action Plan originally allocated to CDBG Delivery Services.

Reallocate \$30,000 from the 2008-2009 Action Plan from HOME Infill New Construction.

FINANCIAL IMPACT: Those amounts will be deducted from the specific program budgets.

BUDGET ACTION REQUIRED: The amendment of the 2008 and 2009 budgets.

STAFF RECOMMENDATION: To approve for the CNS office to amend the 2008 and 2009 Action Plans in the manner described above to meet its grant match requirements.

**F. Resolution in Support of Protecting the Great Lakes from the Asian Carp. CITY CLERK**

SUMMARY OF REQUEST: Approve the resolution to support Federal and State efforts to prevent the Asian Carp from infiltrating the Great Lakes.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

**Motion by Vice Mayor Gawron, second by Commissioner Wierengo to approve the Consent Agenda as presented.**

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

**Nays: None**

***MOTION PASSES***

**2010-17 NEW BUSINESS:**

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

**558 E. Apple Avenue (Area 11)**

**337 Catawba Avenue**

**313 E. Forest Avenue**

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: CDBG 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 Shepherd to concur with the Housing Board of Appeals notice and order to demolish 558 E. Apple Avenue, 337 Catawba Avenue, and 313 E. Forest Avenue.**

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

**Nays: None**

***MOTION PASSES***

**B. Urban Revitalization Grant. PLANNING & ECONOMIC DEVELOPMENT**

**Motion by Commissioner Spataro, second by Vice Mayor Gawron to adopt the two resolutions presented contingent on Russell Block Market, Inc. providing irrevocable letter of credit, bond, cash or bank account or other means acceptable to the City Attorney and City Manager prior to the grant submittal by the City of Muskegon for the local match of \$90,000.**

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

**Nays: Shepherd**

***MOTION PASSES***

**PUBLIC PARTICIPATION:** Various comments were heard from the public.

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

Respectfully submitted,

Ann Marie Becker, MMC  
City Clerk