

CITY OF MUSKEGON

CITY COMMISSION MEETING

OCTOBER 26, 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, October 26, 2010.

Vice Mayor Gawron opened the meeting with a prayer from Pastor Marcy Miller from Samuel Lutheran Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Vice Mayor Stephen Gawron, 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: Mayor Stephen Warmington (excused).

2010-89 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes for the October 11th Commission Worksession Meeting and the October 12th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Liquor License Request – Michigan Commerce Bank. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request to transfer all rights to renewal of an escrowed 2009 Class C Licensed Business with Dance-Entertainment Permit, located at 677 W. Laketon, Muskegon, from Cuti's Sports Bar and Grill, Inc. to Michigan Commerce Bank, with licenses to be held in Escrow.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

C. Amendments to the Zoning Ordinance – Modify Parking Restrictions.
PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Staff initiated request to amend Section 2326 (Off-Street Parking and Loading) of Article XXIII (General Provisions) to modify parking restrictions in the downtown parking overlay district. The amendment would loosen the parking restrictions for small businesses that locate in to a previously existing building.

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 14th meeting.

D. Donation Program for 2010 Individual Income Tax Returns. INCOME TAX

SUMMARY OF REQUEST: Approval of multiple donations programs for the 2010 income tax returns. Every year our goal is to increase the number of refunds donated to our designated programs. Last year, 463 taxpayers donated their refunds to our donation programs for a grand total of \$2,386.

For 2010 the three donation programs are Lakeshore Trail Improvements, Muskegon Recreational Center, and the Downtown Main Street.

FINANCIAL IMPACT: The average amount collected each year is \$2,000. Each donated refund saves the City approximately \$1.25 in checks, fees and postage.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

E. DDA Bond Refunding. FINANCE

SUMMARY OF REQUEST: Historically low interest rates make it possible to refund the remaining bonds outstanding from the 1990 Mall redevelopment effort. The original bonds were restructured and refunded in 2001 at significant savings to the DDA/City. Because the City pledges limited full faith and credit taxing power to repayment of the bonds, both the City and the DDA must take action.

Interest rates are very favorable and a recent analysis shows that these bonds can be refunded a second time with projected present value savings of \$102,858 (after issuance costs). This equates to 5.13% of the outstanding principal. A general rule of thumb is that PV savings should equal at least 2% of bond principal in order to proceed with a refunding.

FINANCIAL IMPACT: Present value savings of \$102,858 (after issuance costs).

\$ 75/per month Hosting

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Spataro, second by Commissioner Carter to approve the contract with InSource Solutions Group.

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

Nays: None

MOTION PASSES

B. 2010 National League of Cities Membership Dues. CITY CLERK

SUMMARY OF REQUEST: The 2010 National League of Cities Membership Dues has been received.

FINANCIAL IMPACT: \$3,813.

BUDGET ACTION REQUIRED: Not budgeted for.

STAFF RECOMMENDATION: None.

Motion by Commissioner Spataro, second by Commissioner Wierengo to approve the National League of Cities membership dues payment.

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

Nays: None

MOTION PASSES

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

753 Oak Avenue (REMOVED PER STAFF REQUEST)

1554 Pine Street (Area 11)

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structure is unsafe, substandard, a public nuisance and that it be demolished within 30 days. It is further requested that administration be directed to obtain bids for the demolition of the structure 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 Shepherd, second by Commissioner Wierengo to concur with the Housing Board of Appeals notice and order to demolish 1554

Pine Street.

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

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

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

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk