

CITY OF MUSKEGON

CITY COMMISSION MEETING

SEPTEMBER 28, 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, September 28, 2010.

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

2010-83 HONORS AND AWARDS:

A. Honorary Ambassador Award – Root Park.

Commissioner Lawrence Spataro presented Honorary Ambassador Awards to Mark Fazakerley, Burl Krause and Brian Krause for the renovation of the fountain at Root Park.

2010-84 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

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

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Smartzone – Pre-Seed Fund Agreement between the City of Muskegon and the Michigan Alternative & Renewable Energy Center (MAREC).

PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: In 2007, the City of Muskegon received \$25,000 from a \$100,000 grant to assist with the administration of the Pre-Seed Loan fund

through the State Smartzone program. The City contracted with Muskegon Area First to administer these funds. MAF spent \$10,000 on assisting clients with their applications for Pre-Seed loans. Recently, the MEDC forwarded the remaining \$75,000 to the City. Since MAREC has a new director and staff, it would be appropriate for them to become administrators of this fund. The funding can be used for administration, as well as to assist potentially eligible applicants through the loan application process. With MAREC's new direction, they can best reach the clients who would qualify for the Pre-Seed Loan (business start-ups, incubators, etc).

FINANCIAL IMPACT: The City has a total of \$90,000 from the State of Michigan for administration and client assistance of the Pre-Seed Fund. These funds will be used by MAREC for administrative services and client assistance.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Letter of Agreement between the City of Muskegon and MAREC and authorize the Mayor to sign.

C. Senior Nutrition Program – Agreement between AgeWell Services of West Michigan (AWS) and the City of Muskegon. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City of Muskegon has contracted with AgeWell Services for several years to conduct the senior nutrition program at the McGraft Park Community Building. This Agreement will extend those services through September 30, 2011.

FINANCIAL IMPACT: The City of Muskegon financially supports the program in the amount of \$8,316. AWS pays the City \$200 a month for rent and utilities.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Agreement and authorize the Mayor's signature.

D. Amendments to the Zoning Ordinance – Transitional Living Centers. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend Section 1306 (Special Land Use Permitted) of Article XIV (B-5, Governmental Service District) of the zoning ordinance, to allow Transitional Living Centers as a special use permitted in B-5, Governmental Service Districts, by West Michigan Therapy, Inc.

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 September 16th meeting.

E. Amendments to the Zoning Ordinance – Definition for Transitional Living Center. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend Article II of the zoning ordinance to create a definition for Transitional Living Center, by West Michigan Therapy, Inc.

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 September 16th meeting.

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

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

Nays: None

MOTION PASSES

2010-85 NEW BUSINESS:

A. Congress of Cities Voting Delegates. CITY CLERK

SUMMARY OF REQUEST: To designate one of our officials who will be in attendance at the National League of Cities Annual Business Meeting on Saturday, December 4th, to cast the City's vote; and, if possible, to designate an alternate.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Carter, second by Commissioner Wierengo to appoint Commissioner Shepherd to represent the City at the National League of Cities to cast the City's vote.

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

Nays: None

MOTION PASSES

B. Liquor License Transfer Request – BETAK Enterprises, Inc., 1813 Getty Street. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local

recommendation on a request from BETAK Enterprises, Inc. to transfer ownership of the Escrowed 2010 SDD License from Rite Aid of Michigan, Inc., 821 E. Apple Avenue to 1813 Getty Street and to be held in conjunction with existing 2010 SDM License.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

Motion by Vice Mayor Gawron, second by Commissioner Spataro to approve the liquor license transfer request for BETAK Enterprises, Inc.

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

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Commissioner Spataro thanked City Staff, Bernadette Young, and her department for the work that was done at Root Park.

Mayor Warmington recognized Commissioner Shepherd who was presented an Award of Merit at the MML Annual Meeting.

ADJOURNMENT: The City Commission Meeting adjourned at 5:45 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk