

CITY OF MUSKEGON

CITY COMMISSION MEETING

JANUARY 8, 2008

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, January 8, 2008.

Mayor Warmington opened the meeting with a prayer from Reverend Dennis Remenschneider from St. Paul's Episcopal 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 Lawrence Spataro, Sue Wierengo, Steve Wisneski, and Chris Carter, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

Absent: Commissioner Clara Shepherd (arrived at 5:45 p.m.)

2008-03 INTRODUCTIONS/PRESENTATION:

Mayor Warmington introduced Helen Wilcox, the new Customer Service Rep. I in the City Clerk's Office.

2008-04 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes for the December 3rd Commission Worksession, and the December 11th Regular Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. SECOND READING: Vacant Building Ordinance. CITY MANAGER

SUMMARY OF REQUEST: To approve an ordinance to require the registration of vacant buildings and require annual registration fees.

FINANCIAL IMPACT: Unknown at this time what revenues and expenses will be generated from this ordinance.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the ordinance.

C. Amendment to the Zoning Ordinance – Remove Reference to Section 2308. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend Section 1301 # 14, of Article XIII (B-4, General Business Districts), Section 1400, # 13, of Article XIV, (I-1, Light Industrial Districts), and Section 1500, # 9, (I-2, General Industrial Districts), of Article XV, to remove the reference to Section 2308, (1)(f).

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends amendment of the Zoning Ordinance to remove the reference to Section 2308, (1)(f).

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request at their December 13, 2007 meeting. The vote was unanimous with J. Aslakson and B. Smith absent.

(Requires Second Reading)

Motion by Commissioner Carter, second by Commissioner Wisneski to approve the Consent Agenda as read minus items D and E.

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

Nays: None

MOTION PASSES

2008-05 ITEMS REMOVED FROM THE CONSENT AGENDA:

D. Service Agreement with Professional Med Team Inc. POLICE

SUMMARY OF REQUEST: The Director of Public Safety is requesting approval to enter into a service agreement with Professional Med Team (Pro-Med) to provide a paramedic for the purpose of performing a blood draw, when needed, of suspected intoxicated drivers. The paramedic will be dispatched directly to the jail to perform the draw. This service will be utilized by all law enforcement agencies within Muskegon County.

FINANCIAL IMPACT: The cost to the department will be \$75 per blood draw.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the agreement.

Motion by Commissioner Carter, second by Commissioner Spataro to approve the service agreement with Professional Med Team Inc.

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

Nays: None

MOTION PASSES

E. Gaming License - Muskegon Film Festival. CITY CLERK

SUMMARY OF REQUEST: Muskegon Film Festival is requesting a resolution recognizing them as a non-profit organization operating in the City for the purpose of obtaining a Gaming License. They have been recognized as a 501(c)(3) organization by the State.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to approve the gaming license request for Muskegon Film Festival.

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

Nays: None

MOTION PASSES

2008-06 PUBLIC HEARINGS:

**A. Amendments to Brownfield Plan - Heritage Square Development, LLC.
PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: To hold a public hearing and approve the resolution approving and adopting amendments for the Brownfield Plan. The amendments are for the inclusion of property owned by Heritage Square Development, LLC in the Brownfield Plan.

FINANCIAL IMPACT: There is no direct financial impact in approving the Brownfield Plan amendments, although the redevelopment of the property into a commercial project will add to the tax base of the City of Muskegon.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To hold the public hearing and approve the resolution and authorize the Mayor and Clerk to sign the resolution.

COMMITTEE RECOMMENDATION: The Muskegon City Commission set the public hearing for January 8, 2008 at their November 27, 2007 meeting. Since that time, a notice of the public hearing has been sent to taxing jurisdictions, and it has been published twice in the Muskegon Chronicle. In addition, the Brownfield Redevelopment Authority approved the Plan amendment on

November 14, 2007 and further recommends that the Muskegon City Commission approve the Plan amendment.

Motion by Vice Mayor Gawron, second by Commissioner Wierengo to close the Public Hearing and approve the amendments to the Brownfield Plan for the inclusion of property owned by Heritage Square Development, LLC.

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

Nays: None

MOTION PASSES

2008-07 NEW BUSINESS:

A. Cable Resolution. CITY MANAGER

SUMMARY OF REQUEST: This is a request to adopt the resolution requiring Comcast Cablevision to preserve the existing channel locations for public, educational and governmental access channels (PEG) and to agree not to change channels without written consent of the City. It is also a request to require new providers of cable and video services to furnish public, educational and governmental access channel lineups and are consistent with existing providers.

Motion by Commissioner Carter, second by Commissioner Wierengo to adopt the cable resolution.

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

Nays: None

MOTION PASSES

Commissioner Shepherd arrived (5:45 p.m.).

B. Renaissance Zone Extension for Heritage Square Development. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the Development Agreement and Resolution extending the duration of Renaissance Zone designation for the properties owned by Heritage Square Development, LLC.

FINANCIAL IMPACT: The City will forego approximately \$6,300 per year for a total of \$50,133 in taxes for the additional eight years of Renaissance Zone designation.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Development Agreement and the Resolution extending the Renaissance Zone designation.

COMMITTEE RECOMMENDATION: At its last meeting, the Brownfield Redevelopment Authority passed a motion to support a Renaissance Zone extension for Heritage Square Development, LLC.

Motion by Commissioner Spataro, second by Commissioner Wisneski to approve the development agreement and resolution extending the Renaissance Zone designation for Heritage Square Development, LLC.

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

Nays: Shepherd, Warmington, and Carter

MOTION PASSES

2008-08 ANY OTHER BUSINESS:

- A. Commission was asked to check their calendars and let the Administration Office know if February 8th is a good date for the Goal Setting Session.

2008-09 PUBLIC PARTICIPATION:

- A. Ann Bradsberg from Digital Spectrum Enterprise announced that the Commission Meetings will be aired on Channel 915.
- B. Request to waive the Special Event Fee.

Motion by Commissioner Carter, second by Commissioner Shepherd to waive the Special Event fee for the January 14, 2008, Dr. Martin Luther King March.

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

Nays: None

MOTION PASSES

ADJOURNMENT: The City Commission Meeting adjourned at 6:30 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk