

CITY OF MUSKEGON

CITY COMMISSION MEETING

SEPTEMBER 9, 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, September 9, 2008.

Mayor Warmington opened the meeting with a prayer from Pastor Penny Johnson from the Oak Crest Church of God 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 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.

HONORS AND AWARDS:

A. West Michigan Trails & Greenways Coalition.

Commissioner Wisneski presented a resolution to the West Michigan Trails & Greenways Coalition and thanked them for their contribution.

2008-79 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, August 26th.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Liquor License Request for CSTS Inc., 2185 Henry. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request from CSTS, Inc. for a new Additional Bar Permit for outside (for a total of two bars) and a new Dance Permit to be held in conjunction with the 2008 Class C and SDM Licensed Business with Entertainment Permit and Outdoor Service (one area), located at 2185 Henry.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

C. Selection of Vinyl Siding Supplier for Fiscal Year 2008-2009.
COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve Community & Neighborhood Services Department's selection of the Vinyl Siding Supplier for the 2008-2009 fiscal year. After reviewing all bids, the department selected the bid from Keene Lumber, located at 346 W. Laketon Avenue, Muskegon, MI, for the price of \$55 per building square for white and \$55.15 per square for color.

The Community & Neighborhood Services Department received one additional bid from: Menards, 5487 Harvey Street, Muskegon, for the price of \$40.92 for white and \$41.28 for color.

The reason we chose Keene Lumber is because Menards does not keep supplies in stock and will take three weeks to have siding come in and our program requires immediate access to supplies. Also, Keene Lumber is centrally located for our contractors considering the cost of gas and time.

FINANCIAL IMPACT: Funding will be disbursed from the 2008-2009 Community Development Block Grant Vinyl Siding fund.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the request.

COMMITTEE RECOMMENDATION: The funding for the Vinyl Siding program was approved by the Commission during the 2008-2009 allocation period last April.

D. Selection of Vinyl Siding Installer for Fiscal Year 2008-2009.
COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the Community & Neighborhood Services to sign a contract with Tucker Construction, 9121 Holton Road, Holton, MI to install vinyl siding at an agreed price of \$65 per building square for the Vinyl Siding Program's 2008-2009 fiscal year.

The Community & Neighborhood Services office received six bids total from vinyl siding installers.

- Gawlik Construction, 5346 E. Sternberg, Fruitport \$67
- Top Notch Construction, 261 Donald, Muskegon \$67
- Lewis Johnson, 16076 Bonita, Grand Haven \$70
- Murphy Bros., 2519 MacArthur, Muskegon \$90
- Specialty Builders, 4603 Apple Ave., Muskegon \$75

FINANCIAL IMPACT: Funding will be disbursed from the 2008-2009 Community Development Block Grant Vinyl Siding fund.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the request.

COMMITTEE RECOMMENDATION: The funding for the Vinyl Siding Program was

approved by the Commission during the 2008-2009 allocation period last April.

Motion by Commissioner Carter, second by Vice Mayor Gawron to approve the Consent Agenda as read minus item E.

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

Nays: None

MOTION PASSES

2008-80 ITEM REMOVED FROM THE CONSENT AGENDA:

E. Water Service Agreement with the City of Muskegon Heights. CITY MANAGER

SUMMARY OF REQUEST: To amend the agreement with the City of Muskegon Heights for the operation of the Muskegon Heights Water Filtration Plant only. The operation of the distribution system will be discontinued.

FINANCIAL IMPACT: The hourly rate will remain at \$80 an hour.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the agreement and authorize the Mayor and Clerk to sign it.

Motion by Commissioner Spataro, second by Commissioner Shepherd to approve the Water Service Agreement with the City of Muskegon Heights.

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

Nays: None

MOTION PASSES

2008-81 PUBLIC HEARINGS:

A. 2009 Budget. FINANCE

SUMMARY OF REQUEST: This is the time set for a public hearing on the City's proposed budget for the year 2009. The proposed budget has been made available for public inspection at City Hall, Hackley Public Library and the City's website (www.shorelinecity.com). After hearing public comments, the City Commission may take action to adopt the 2009 budget with whatever changes or adjustments it deems necessary. In any event, City Charter requires the budget be adopted no later than September 25, 2008.

FINANCIAL IMPACT: The budget sets forth the priorities and overall financial plan for operations in the year 2009. As proposed, the budget includes no property tax increase.

BUDGET ACTION REQUIRED: Adoption of the budget resolution provides the legal appropriation authority necessary for City departments to conduct operations in 2009.

STAFF RECOMMENDATION: After receiving comments, close the public hearing and approve the proposed 2009 City of Muskegon Budget resolution. Also, approval of the 3rd Quarter 2008 Budget Reforecast as shown in the Budget Book is recommended at this time.

The Public Hearing opened to hear and consider any comments from the public. No public comments were made.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to close the Public Hearing and adopt the 2009 Budget and the 3rd Quarter 2008 Budget Reforecast as shown.

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

Nays: None

MOTION PASSES

2008-82 NEW BUSINESS:

A. Liquor License at 435 & 441 W. Western. CITY MANAGER

SUMMARY OF REQUEST: To rescind the action to request the Liquor Control Commission to revoke the Class C liquor license for D & L of Michigan (Spotlight) at 435 and 441 W. Western Avenue. This action would make it possible that this license could remain in the City.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request.

Motion by Vice Mayor Gawron, second by Commissioner Spataro to rescind the action to request the Liquor Control Commission to revoke the Class C liquor license for D & L of Michigan at 435 and 441 W. Western Avenue.

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

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Various comments were heard from the public.

ADJOURNMENT: The City Commission Meeting adjourned at 6:02 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk