

CITY OF MUSKEGON

CITY COMMISSION MEETING

NOVEMBER 23, 2004

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, November 23, 2004.

Mayor Warmington opened the meeting with a prayer from Pastor Sarah Johnson of the Word of Truth Outreach 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 Bill Larson, Commissioner Clara Shepherd, Lawrence Spataro, Chris Carter, Kevin Davis, and Stephen Gawron, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Gail Kunding.

Absent: None

2004-100 HONORS AND AWARDS:

A. Police Citizen Award. PUBLIC SAFETY

Mark DeWitt was presented an award by Tony Kleibecker.

2004-101 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Community Relations Committee that was held on Monday, November 1, 2004; and the Regular Commission Meeting that was held on Tuesday, November 9, 2004.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Agreement - State of Michigan - Surplus Military Equipment. PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests the Commission's authorization to enter into an agreement with the State of Michigan (Michigan

National Guard) which would allow for the Police Department to apply for excess military surplus equipment. Such action is provided for by the 1996-1997 National Defense Authorization Act. This agreement would provide the Department with the opportunity to procure equipment as needed at no cost to the City. The City Attorney has reviewed the agreement and states that it is legally acceptable.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of this request.

C. Renewal of Contract – Pagers – Verizon Wireless. PUBLIC SAFETY

SUMMARY OF REQUEST: Public Safety Division staff request that the Commission consider our request to renew our contract for paging service with Verizon Wireless. Verizon currently provides paging service for fire and public works on-call personnel. The service is used to disseminate emergency messages and for staff call-back for emergencies.

Staff sought estimates from the two, viable paging services in our area: Verizon and SBC. SBC failed to submit an estimate. Verizon has agreed to reduce our per unit monthly rate from \$6.25 per month per unit to \$5.95 per unit. The agreement calls for Verizon to provide 71 pagers.

FINANCIAL IMPACT: This cost is provided for in the 2004 and 2005 budgets.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of this request.

D. Consideration of Bids – Forest Lift Station (S-593). ENGINEERING

SUMMARY OF REQUEST: The contract to refurbish the Forest Ave. lift station (new pumps and accessories) be awarded to Jackson Merkey Contractors of Muskegon since they were the lowest responsible bidder, with a bid price of \$89,240.

FINANCIAL IMPACT: The construction cost of \$89,240 plus related engineering expenses.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Award the contract to Jackson Merkey.

E. Stay Active Muskegon (S.A.M.). PLANNING & ECONOMIC DEVELOPMENT/LEISURE SERVICES

SUMMARY OF REQUEST: Stay Active Muskegon has been meeting as a committee for over a year. Both the Leisure Services and Planning Departments have been involved with their activities. All municipalities in the County of Muskegon are being asked to pledge their support to this important venture.

S.A.M. has also begun approaching major industries in the County, requesting the same type of support. The City Commission is asked to approve the resolution.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

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

F. Additional Taxicab License. CITY CLERK

SUMMARY OF REQUEST: Thomas Wakefield's current license is for 11 taxicabs, and he is requesting approval of an additional taxicab.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve this request.

Motion by Commissioner Gawron, second by Commissioner Shepherd to approve the Consent Agenda.

ROLL VOTE: Ayes: Spataro, Warmington, Carter, Davis, Gawron, Larson, and Shepherd

Nays: None

MOTION PASSES

2004-102 NEW BUSINESS:

A. Agreement Between Nutritional Services for Older Americans, Inc. (NSOA) and the City for the Use of Smith Ryerson and McGraft Park Community Buildings. ASSISTANT CITY MANAGER

SUMMARY OF REQUEST: Staff recommends that the Mayor signs a one-year agreement with Nutritional Services for Older American, Inc. for the use of the Community Buildings at Smith Ryerson and McGraft Park. The agreement calls for the City to provide NSOA with the amount of \$8,317 for support staff time to offer recreation and wellness services for seniors at McGraft park. NSOA will in turn pay the monthly fee of \$100 and \$200 respectively for the use of each facility.

Please note that over the years these agreements have been two-year agreements. However, giving our current review of the department's facilities and operations to better determine future directions, a one-year agreement is recommended at this time.

FINANCIAL IMPACT: McGraft Park: \$8,317.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommend approval.

Motion by Commissioner Spataro, second by Vice Mayor Larson to approve the agreements for the use of Smith Ryerson and McGraft Park Community Buildings.

ROLL VOTE: Ayes: Carter, Davis, Gawron, Larson, Shepherd, Spataro, and Warmington

Nays: None

MOTION PASSES

B. Interfund Transfer for Arena Improvements. FINANCE

SUMMARY OF REQUEST: Previously the City Commission authorized energy-related improvement projects at the LC Walker Arena. This work is now complete and the final project cost is \$254,000. At the time the project was approved, it was determined that due to the relatively small size, it was not worth incurring issuance costs associated with borrowing from outside sources. Accordingly, staff recommends that \$254,000 be transferred from the City's General Insurance Fund to the LC Walker Arena fund to cover project costs. The funds will be repaid over a 10-year period with interest (2.0%).

FINANCIAL IMPACT: Monthly payments in the amount of \$2,337.14 will be made from the LC Walker Fund to the General Insurance fund commencing December 1, 2004. Energy savings resulting from the improvements are anticipated to largely fund this cost.

BUDGET ACTION REQUIRED: The repayment is included in the 2005 budget and will need to be included in future year's budgets as well.

STAFF RECOMMENDATION: Approval of interfund transfer.

Motion by Vice Mayor Larson, second by Commissioner Spataro to approve the interfund transfer.

ROLL VOTE: Ayes: Warmington, Carter, Davis, Gawron, Larson, Shepherd, and Spataro

Nays: None

MOTION PASSES

C. Lease with the Great Lakes Naval Memorial and Museum. CITY MANAGER

SUMMARY OF REQUEST: To approve a lease with the Great Lakes Naval Memorial and Museum for property located at the Muskegon Channel. The lease is for 30 years to develop a museum and the display of the U.S.S. Silversides and museum artifacts.

FINANCIAL IMPACT: Rent is \$15,000 + per year once the museum is built.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the lease.

Motion by Vice Mayor Larson, second by Commissioner Davis to approve the lease with Great Lakes Naval Memorial and Museum.

ROLL VOTE: Ayes: Davis, Gawron, Larson, Shepherd, Spataro, Warmington, and Carter

Nays: None

MOTION PASSES

D. Approval of Contractor for Construction of Three Homes Under Walton Street Renaissance AKA Hilltop View. COMMUNITY AND NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the contract with Rich Construction, P.O. Box 125, Fremont, Michigan, who submitted the lowest bid for the first phase of construction for three homes on Walton Street for the aggregate price \$352,214. The name of the project is Walton Street Renaissance AKA Hilltop View. The CNS Department received four other bids:

Bantam Group 962 Stonewood Spring Lake, MI	\$365,110
Paul Witek Builders 766 Snaedle Drive Whitehall, MI	\$367,320
TopNotch Design 4740 Jensen Fruitport, MI	\$386,250
Wasco/Briggs Enterprise 525 Dangl Road Muskegon, MI	\$481,662

This project is a joint venture between the City of Muskegon Community and Neighborhood Services, Neighborhood Investment Corporation and Fifth Third Bank.

FINANCIAL IMPACT: The funding for the project will be taken from the City's 2003 HOME funds, Neighborhood Investment funds and funds allocated by Fifth Third Bank. The City of Muskegon contribution will be \$285,000.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the contract with the fore-mentioned contractor and direct the Mayor and Clerk to sign the contract.

Motion by Commissioner Shepherd, second by Commissioner Spataro to

approve the contract with Rich Construction.

ROLL VOTE: Ayes: Gawron, Larson, Shepherd, Spataro, Warmington, Carter, and Davis

Nays: None

MOTION PASSES

E. Purchase of 1983 Hoyt. COMMUNITY AND NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the purchase of 1983 Hoyt from the U.S. Dept. of HUD for \$1.00 through its Good Neighbor program. In which, a municipality can purchase a home for one dollar, if a property is on the market for more than six months. After 1983 Hoyt is obtained, the City will totally rehabilitate the structure and sell it to a qualified family continuing the City's aggressive neighborhood revitalization efforts.

FINANCIAL IMPACT: The dollar will come from CNS program income fund.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request to purchase the home for one dollar.

Motion by Commissioner Gawron, second by Commissioner Carter to approve the purchase of 1983 Hoyt for \$1.

ROLL VOTE: Ayes: Larson, Shepherd, Spataro, Warmington, Carter, Davis, and Gawron

Nays: None

MOTION PASSES

F. Approval of Certificate of Recognition for Muskegon High School Big Reds Football Team. CITY CLERK

Motion by Commissioner Shepherd, second by Vice Mayor Larson to approve the resolution.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Carter, Davis, Gawron, and Larson

Nays: None

MOTION PASSES

G. Approval of Certificate of Recognition for the Orchard View Cardinals Football Team. CITY CLERK

Motion by Commissioner Spataro, second by Commissioner Carter to approve the resolution.

ROLL VOTE: Ayes: Spataro, Warmington, Carter, Davis, Gawron, Larson, and

Shepherd

Nays: None

MOTION PASSES

H. Former Lakos Property. COMMISSIONER DAVIS

Motion by Commissioner Spataro, second by Vice Mayor Larson to suspend action on previous action taken and refer matter to staff with report within 120 days on a plan to build on property.

ROLL VOTE: Ayes: Warmington, Carter, Davis, Gawron, Larson, Shepherd, and Spataro

Nays: None

MOTION PASSES

2004-103 ANY OTHER BUSINESS:

A. '05-'06 Goal Setting Session. MAYOR WARMINGTON

Item will be placed on the next Worksession Agenda.

2004-104 PUBLIC PARTICIPATION:

Motion by Commissioner Davis, second by Vice Mayor Larson to amend normal procedure reference demolition of 527 W. Webster and waive the \$5,000 fee.

ROLL VOTE: Ayes: Davis, Larson, and Warmington

Nays: Carter, Gawron, Shepherd, and Spataro

MOTION FAILS

The City Commission Meeting adjourned at 6:50 p.m.

Respectfully submitted,

Gail A. Kunding, MMC
City Clerk