

CITY OF MUSKEGON

CITY COMMISSION MEETING

MAY 8, 2012

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ CALL TO ORDER:
- ❑ PRAYER:
- ❑ PLEDGE OF ALLEGIANCE:
- ❑ ROLL CALL:
- ❑ HONORS AND AWARDS:
 - A. Certificate of Appreciation. PUBLIC SAFETY
 - B. People's Choice Award for Best Beach.
- ❑ INTRODUCTIONS/PRESENTATION:
 - A. Con Nolan – Great Lakes Die Cast.
- ❑ CONSENT AGENDA:
 - A. Approval of Minutes. CITY CLERK
 - B. Special Event Request – Muskegon Bike Time Events, Inc. PLANNING & ECONOMIC DEVELOPMENT
 - C. 2012 Pavement Marking Program. PUBLIC WORKS
 - D. Senior Nutrition Program – Agreement Between AgeWell Services of West Michigan (AWS) and the City of Muskegon. PLANNING & ECONOMIC DEVELOPMENT
 - E. Disc Golf at McGraft Park. PUBLIC WORKS
- ❑ PUBLIC HEARINGS:
- ❑ COMMUNICATIONS:
- ❑ CITY MANAGER'S REPORT:
- ❑ UNFINISHED BUSINESS:
- ❑ NEW BUSINESS:
 - A. Proposed 2012-2013 CDBG/HOME Grants Budget. COMMUNITY & NEIGHBORHOOD SERVICES

❑ **ANY OTHER BUSINESS:**

❑ **PUBLIC PARTICIPATION:**

- *Reminder: Individuals who would like to address the City Commission shall do the following:*
- Fill out a request to speak form attached to the agenda or located in the back of the room.
- Submit the form to the City Clerk.
- Be recognized by the Chair.
- Step forward to the microphone.
- State name and address.
- Limit of 3 minutes to address the Commission.
- (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

❑ **CLOSED SESSION:**

❑ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE BECKER, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TDD: (231) 724-4172.

Date: 04/30/2012
To: Honorable Mayor and City Commissioners
From: Director Jeffrey Lewis
RE: "*Certificate of Appreciation*"

SUMMARY OF REQUEST:

Police Report: 2012-5174 – March 30th, 2012

Appreciated Citizen – Daniel Yokubonus
3109 Country Club Dr.
Muskegon, Michigan 49441

Mr. Yokubonus, supported MUPD and Latitudes Party Store in the arrest of a fleeing "armed robber". Mr. Yokubonus calmly reacted and did not put him self or others into harms way waiting for a police response in order to apprehend a fleeing felon! The citizen assistance helped MUPD solve this robbery which leads us to closing other "open" robbery cases that had occurred over the winter in the immediate area. For that we thank him for his involvement to better our community.

STAFF RECOMMENDATION:

Approve - Director Jeffrey Lewis

Date: May 8, 2012
To: Honorable Mayor and City Commissioners
From: Ann Marie Cummings, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the April 24th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 24, 2012

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, MI at 5:30 p.m., Tuesday, April 24, 2012.

Mayor Warmington opened the meeting with a prayer from Pastor Josh Dear from the Lakeside Baptist 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 Willie German, Sue Wierengo, Byron Turnquist, Eric Hood, and Lawrence Spataro, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

2012- HONORS AND AWARDS:

A. 2011 Outstanding Citizenship Awards.

Commissioner Wierengo presented Outstanding Citizenship Awards to Lauralee Gates and Joe Stapel.

2012-CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the April 9th Commission Worksession and the April 10th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Liquor License Request from AJIT Corporation, 1121 E. Laketon. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request from AJIT Corporation of 1121 E. Laketon, for a new SDM License, New Sunday Sales Permit (AM) and New Gas Pumps.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

C. Rejection of Environmental Program Mowing and Trash Clean-up Bids.

PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The contract for mowing of lots and trash clean up of public and private properties previously held by Freelance Enterprises Inc. has expired on March 31, 2012. A request for bids was advertised and four companies placed bids.

FINANCIAL IMPACT: None, funds are budgeted for this activity.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To formally reject all bids because of deficiencies in the bids and to rebid the contract for the mowing of lots and trash removal on properties located within the City.

D. 2012 Water Treatment Chemical Bids. PUBLIC WORKS

SUMMARY OF REQUEST: Recommend endorsement of lowest responsible bidder to supply sodium hypochlorite, for the Water Filtration Plant.

FINANCIAL IMPACT: Annual cost of \$52,207 (based on average annual water pumped to mains).

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends the Mayor and City Commission endorse the low bid received and enter into contract with KA Steel Chemicals for sodium hypochlorite for one year.

E. Approval of Contractor for Lead Abatement and Rehabilitation of House at 1733 Manz. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the contract with Jeff Fisher, JD Fisher Builders, 123 N. 8th Ave., Fruitport, for the lead abatement and rehabilitation of the home located at 1733 Manz for the cost of \$89,780.

This project is being financed by Neighborhood Stabilization funds from the Michigan State Housing Development Authority with possible HOME funds from HUD. After the lead abatement and rehabilitation is completed, the home will be marketed to sell to an eligible homebuyer with an annual income less than 120 percent of the area median income. The City obtained the house at 1733 Manz with Neighborhood Stabilization Program funds. The City received three bids.

FINANCIAL IMPACT: The project will be covered from the Neighborhood Stabilization Program funds and/or *possible* HOME funds from HUD.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve Community & Neighborhood Services office to develop a contract with JD Fisher Builders and direct the Mayor and Clerk to sign the contract.

F. Security Cameras, Public Service Building. PUBLIC WORKS

SUMMARY OF REQUEST: Authorize staff to purchase 12 security cameras and a hddvr recorder from Lakeshore Security & Electronics which was the low bidder. This will replace the existing system that is not working and is out of date.

FINANCIAL IMPACT: Total cost \$11,959.91.

BUDGET ACTION REQUIRED: None, included in 2011/2012 Budget.

STAFF RECOMMENDATION: Purchase from the low bidder, Lakeshore Security & Electronics.

G. Seaway Industrial Park Property Sale. CITY MANAGER

SUMMARY OF REQUEST: To approve a sale of property in the Seaway Industrial Park to Eastwood Development, LLC (Wood Trucking).

FINANCIAL IMPACT: The sale price is \$20,000.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Purchase Agreement, authorize the Mayor and Clerk to execute it, and authorize City staff to execute all necessary closing documents.

H. Amendment to City's 457 Plan to Allow for Employee Hardship Loans. FINANCE

SUMMARY OF REQUEST: The City has long offered full-time employees the opportunity to save for retirement through voluntary contributions to a "457" deferred compensation plan. 457 plans are similar to 401(k) plans in the private sector. The 457 plan is completely separate from the City's defined benefit and defined contribution retirement programs.

Once an employee contributes money to the 457 plan, it can be withdrawn only when the employee separates service or in cases of *extreme* financial hardship. The City has received numerous hardship withdrawal requests and inquiries in recent years. Although employee needs are legitimate, almost all requests are rejected because of the stringent IRS regulations governing these withdrawals.

457 loan provisions are less restrictive allowing for needs such as home purchase, unreimbursed medical expenses and college education for dependents. Staff believes implementing the hardship loan provision will provide employees a way to access their money for legitimate financial needs.

FINANCIAL IMPACT: There is no financial impact on the City.

Administration of the program will be done primarily by the City's 457 plan administrators (ICMA and The Hartford).

Financial terms of loans to employees allowed under this recommendation are as follows:

- Participants may receive only one loan per year and only one outstanding at any time;
- Minimum loan \$1,000; Maximum is the lesser of \$50,000 or ½ of the participant's plan balance;
- Length of loan: 5 years; 10 years if used for purchase of principal residence;
- Interest rate: Prime rate + 0.5% (currently 3.75%);
- Collateral: Portion of the employee's remaining account balance equal to the amount of the loan.

BUDGET ACTION REQUIRED: This action does not have a budget impact on the City.

STAFF RECOMMENDATION: Adoption of the resolution and approval of the loan guidelines as described.

J. Catamaran Racing Association of Michigan Request for Overnight Camping at PM Park. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: CRAM is requesting permission to hold a Catamaran sailing regatta at Pere Marquette Park, August 23 through 26, 2012. They would like to use the City-owned lot that is currently being leased by Captain Jack's for overnight RV camping on August 23, 24, and 25, 2012. They are requesting to add the additional night of camping this year (August 23), starting on Thursday night instead of Friday. This is because they would like to add sailing events on Friday, which they did not do last year. They expect only 6 to 10 RV's in the lot overnight. This is the event's fifth year of operation. They have provided proof of liability insurance and a letter from Captain Jack's indicating their support of the event.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request for overnight camping at Pere Marquette for this event on August 23, 24, and 25, 2012.

COMMITTEE RECOMMENDATION: This request was recommended for approval by the City's Special Event Approval staff.

Motion by Vice Mayor Gawron, second by Commissioner Spataro to approve

the Consent Agenda as presented minus items I, K, and L.

ROLL VOTE: Ayes: Gawron, Wierengo, Turnquist, Warmington, Hood, Spataro, and German

Nays: None

MOTION PASSES

2012-29 ITEMS REMOVED FROM THE CONSENT AGENDA:

I. Movies on the Beach – Request for Extended Hours. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Kerry Halloran is requesting that Pere Marquette Park be allowed to remain open past 11:00 p.m. on Friday, June 15, and possibly for future dates this summer if the Movies project is successful. Kerry's project is one of the winners of the Community Foundation's "Love Notes" contest. Because we have such a late sunset in the summer and the movie will start around dusk, it is likely that the movie will not be over by the 11:00 p.m. park closing time.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request allowing Pere Marquette Park to remain open past 11:00 p.m. on movie nights.

Motion by Vice Mayor Gawron, second by Commissioner German to approve the request allowing Pere Marquette Park to remain open past 11:00 p.m. on movie nights.

ROLL VOTE: Ayes: Wierengo, Turnquist, Warmington, Hood, Spataro, German, and Gawron

Nays: None

MOTION PASSES

K. Michigan Beach Polo Request to Serve Alcohol at PM Park. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The organizers of the Michigan Beach Polo event are requesting to serve beer and wine, with an emphasis on local beers, during their beach polo event at Pere Marquette Park on June 9, 2012. They are partnering with the Helen DeVos Children's Hospital Foundation.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the sale of beer and wine at Pere Marquette Park on June 9, 2012 during the beach polo game.

COMMITTEE RECOMMENDATION: This request was recommended for

approval by the City's Special Event Approval staff.

Motion by Vice Mayor Gawron, second by Commissioner Wierengo to approve the request to serve alcohol at Pere Marquette Park during the Michigan Beach Polo event.

ROLL VOTE: Ayes: Turnquist, Warmington, Hood, Spataro, German, Gawron, and Wierengo

Nays: None

MOTION PASSES

L. Engineering Services Agreement for Traffic Signals Warrants Evaluation at Various Locations. ENGINEERING

SUMMARY OF REQUEST: Authorize staff to enter into an engineering services agreement with URS Corporation out of Grand Rapids for a not-to-exceed cost of \$31,350 to perform traffic signal warrants evaluation at various locations throughout, mainly, the downtown area. The reason behind this request is to eliminate unnecessary stoppage thus saving fuel and enhancing the traffic movements. Staff feels the study is warranted at this time due to the modified traffic patterns within the proposed study area due to the construction of Shoreline Dr. and the conversion of Muskegon and Webster.

The approach at this time is to strictly evaluate the need for signals at the various locations and the result will be presented to the City Commission for further action at a later date.

FINANCIAL IMPACT: \$31,350 for the evaluation and preparation of specifications.

BUDGET ACTION REQUIRED: None at this time since this project was budgeted for in 2011/2012.

STAFF RECOMMENDATION: Authorize staff to enter into an agreement with URS Corporation. This recommendation was arrived at after reviewing two other proposals from Wade Trim (\$75,000) and from Progressive (\$38,796).

Motion by Commissioner Spataro, second by Vice Mayor Gawron to approve the engineering services agreement for traffic signals warrants evaluation at various locations downtown with URS Corporation.

ROLL VOTE: Ayes: Warmington, Hood, Spataro, German, Gawron, Wierengo, and Turnquist

Nays: None

MOTION PASSES

2012-30 PUBLIC HEARINGS:

A. Request for an Industrial Facilities Exemption Certificate - AFI

Machining. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, AFI Machining, 1920 Port City Blvd., has requested the issuance of an Industrial Facilities Tax Exemption Certificate. The total capital investment will be \$1,120,000 in personal property and will create two jobs. This qualifies them for a tax abatement of six years.

FINANCIAL IMPACT: The City will capture certain additional property taxes generated by the expansion.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the resolution granting an Industrial Facilities Exemption Certificate for a term of six years for personal property.

The Public Hearing opened to hear and consider any comments from the public. Comments were heard from Jim Kutches, representative of AFI and Shanti Devi, 4380 Hackley Point Lane.

Motion by Vice Mayor Gawron, second by Commissioner German to close the Public Hearing and approve the resolution granting an Industrial Facilities Exemption Certificate for a term of six years for personal property for AFI Machining.

ROLL VOTE: Ayes: Hood, Spataro, German, Gawron, Wierengo, Turnquist, and Warmington

Nays: None

MOTION PASSES

B. Request for an Industrial Facilities Exemption Certificate – AFI Hole Drill.

PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, AFI Hole Drill, 1920 Port City Blvd., has requested the issuance of an Industrial Facilities Tax Exemption Certificate. The total capital investment will be \$599,800 in personal property and will create two jobs. This qualifies them for a tax abatement of six years under the current City policy.

FINANCIAL IMPACT: The City will capture certain additional property taxes generated by the expansion.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the resolution granting an Industrial Facilities Exemption Certificate for a term of six years for personal property.

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

Motion by Commissioner Spataro, second by Vice Mayor Gawron to

close the Public Hearing and grant the request for an Industrial Facilities Exemption Certificate for AFI Hole Drill as described.

ROLL VOTE: Ayes: Spataro, German, Gawron, Wierengo, Turnquist, Warmington, and Hood

Nays: None

MOTION PASSES

2012-31 NEW BUSINESS:

A. Approval of Sale of City-owned Home at 1543 Hoyt. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community and Neighborhood Services department to complete the sales transaction between Mr. Kedon Lamphere for the newly constructed home at 1543 Hoyt Street, which is part of the City's Neighborhood Stabilization Program (NSP) through the Michigan State Housing Development Authority Office of Community Development. Mr. Lamphere's purchase price is \$71,000.

The previous house was foreclosed and demolished. We now have a beautiful 4-bedroom, 3-1/2 bath home with a 2-car detached garage.

FINANCIAL IMPACT: The proceeds from the sale will be used to complete the remaining two NSP projects.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and direct the CNS staff to complete the sale.

Motion by Commissioner Spataro, second by Commissioner Wierengo to approve the sale of City-owned home at 1543 Hoyt to the Lamphere family for the indicated price.

ROLL VOTE: Ayes: German, Gawron, Wierengo, Turnquist, Warmington, Hood, and Spataro

Nays: None

MOTION PASSES

B. Ballot Resolution – Civil Service. CITY MANAGER

SUMMARY OF REQUEST: To approve a resolution to place a question on the November, 2012, election ballot to eliminate Civil Service from the City Charter.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution.

Motion by Commissioner Spataro, second by Commissioner German to approve the resolution to place the elimination of Civil Service to be replaced with a personnel system on the ballot for November.

ROLL VOTE: Ayes: Gawron, Wierengo, Turnquist, Warmington, Hood, Spataro, and German

Nays: Nays

MOTION PASSES

C. Muskegon Lake Shoreline Restoration. PUBLIC WORKS

SUMMARY OF REQUEST: Consider the West Michigan Shoreline Regional Development Commission's request to restore another section of the Muskegon Lake Shoreline as per the letter and map.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the request since the proposed work includes the cleanup of the area adjacent to the bike path from all debris.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to approve the request for the Muskegon Lake Shoreline restoration as described.

ROLL VOTE: Ayes: Wierengo, Turnquist, Warmington, Hood, Spataro, German, and Gawron

Nays: None

MOTION PASSES

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

557 W. Clay Avenue

28 Delaware Avenue (Area 11)

1469 6th Street (Area 10)

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structures are unsafe, substandard, a public nuisance and that they be demolished within 30 days. It is further requested that administration be directed to obtain bids for the demolition of the structures 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 Spataro, second by Vice Mayor Gawron to concur with the Housing Board of Appeals notice and order to demolish 28 Delaware Avenue and 1469 6th Street.

ROLL VOTE: Ayes: Turnquist, Warmington, Hood, Spataro, German, Gawron, and Wierengo

Nays: None

MOTION PASSES

Motion by Commissioner Spataro, second by Vice Mayor Gawron to concur with the Housing Board of Appeals notice and order to demolish 557 W. Clay Avenue.

ROLL VOTE: Ayes: Warmington, Hood, Spataro, German, Gawron, and Turnquist

Nays: Wierengo

MOTION PASSES

PUBLIC PARTICIPATION: Public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 6:48 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk

CITY COMMISSION MEETING DATE

May 8, 2012

Date: April 30, 2012

To: Honorable Mayor and City Commissioners

From: Cathy Brubaker-Clarke, Director of Community & Economic Development

Re: Special Event Request –
Muskegon Bike Time Events Inc (annual event)

SUMMARY OF REQUEST: Muskegon Bike Time Events Inc. has filed a special event application for the annual Bike Time festival in downtown Muskegon to be held July 19, 20, & 21, and 22, 2012. Portions of their request require City Commission approval, including some items that are new for 2012, and some that are the same as in past years. See attached sheet for details on those requests (waiver of equipment rental fees, use of Bike Time's own labor pool when possible, extended beer tent hours, and variation from street closure times allowed per the special event policy)

FINANCIAL IMPACT: Request that equipment rental fees be waived.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: It is recommended that staff be allowed to make the final decision regarding rental fees and actual costs to be coordinated through the City Manager. In addition, staff recommends if Bike Time picks up items such as picnic tables, bleachers, and trash cans for distribution at the proper locations, there will be no equipment rental charge to Bike Time. This must first be approved by and coordinated through City staff. It is also recommended that City staff review staffing levels for City personnel with the Bike Time staff, with the City making the final decision on the number of City staff needed for the event. These recommendations follow what was done for the previous Bike Time events.

Regarding street closures, staff recommends approval with the condition that Bike Time notify affected downtown businesses of the dates and times of street closures and the date and time that No Parking restrictions go into effect on those streets.

COMMITTEE RECOMMENDATION: N/A

New Requests for 2012:

- **Closing time for beer garden** - Request to keep one beer garden open until 12:00 a.m. with serving ending at 11:30 p.m. instead of 11:00 p.m. on Friday and Saturday nights. They will shut the music off at 11:00 p.m. and will stop serving alcohol at 11:30 p.m. (There will be 3 beer gardens this year instead of 4 as in past years).

Requests requiring Commission approval that are the same as in past years:

- **Street closures** -- Bike Time requests permission to close certain street intersections in the downtown area one day earlier than allowed in the special event policy, so that they can work on event/tent set-up. They would like to close the intersections listed below starting at 6:00 p.m. on Wednesday evening, July 18 (instead of waiting til Thursday evening, July 19).
 - Intersection of 6th Street and Western Avenue
 - Intersection of 4th Street and Western Avenue
 - Intersection of 2nd Street and Western Avenue

*In order to minimize disruption to downtown businesses, Bike Time will keep Western Avenue open on Thursday for limited business traffic. They will also leave the alley open off the side streets south of Western Avenue.

No Parking signs will be put up on Wednesday, prohibiting parking after midnight on Western Avenue (midnight on Wednesday night/Thursday morning). The Police Department will not ticket vehicles parked on Western Ave. that are there for the businesses that stay open past midnight on Wednesday (Mike's Inn, Club Envy, Racquets, etc).

Bike Time will send letters to all homes/businesses on the affected streets, notifying them of the street closure dates/times, and also when the No Parking signs will go up.

- **Equipment rental fees and labor costs** -- Bike Time has requested the waiver of some City equipment rental fees. They have also requested to use their own labor pool rather than City employees whenever possible. (see staff recommendation on page 1)

AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commission

FROM: Department of Public Works

DATE: May 8, 2011

SUBJECT: 2012 Pavement Marking Program

SUMMARY OF REQUEST:

Staff is requesting permission to enter into 1-year contractual agreement with Michigan Pavement Marking (MPM) of Wyoming, Michigan for centerline painting and specialty markings. This contract is bid out by the Muskegon County Road Commission (MCRC) for local agencies in the Muskegon County Pavement Marking Group with each member billed separately by MPM for painting services requested.

FINANCIAL IMPACT:

Estimated costs for 2012 are \$20,000 (which includes \$5,000 for limited specialty markings). Approximately \$14,794 in 2009 and \$14,300 in 2010 was spent for centerline painting and then \$20,334 in 2011 was spent for centerline painting/specialty markings, through previous contracts with MCRC and MPM.

BUDGET ACTION REQUIRED:

None, contractual work has been budgeted for in the Highway Majors budget.

STAFF RECOMMENDATION:

Approve request.

COMMITTEE RECOMMENDATION:

Commission Meeting Date: May 8, 2012

Date: May 1, 2012
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department
RE: Senior Nutrition Program- Agreement Between
AgeWell Services of West Michigan (AWS) and the
City of Muskegon

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, 2013.

FINANCIAL IMPACT: The City of Muskegon financially supports the program in the amount of \$8,316.00. AWS pays the City \$200.00 a month for rent and utilities.

BUDGET ACTION REQUIRED: None.

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

AGREEMENT BETWEEN

AgeWell Services of West Michigan (AWS)

AND

The City of Muskegon

FOR THE MCGRAFT PARK COMMUNITY BUILDING
and Senior Citizen Programs within the City of Muskegon

The purpose of the agreement is to establish the working arrangements for the occupancy of the City owned McGraft Park Community Building by the Senior Nutrition Program operated by AgeWell Services of West Michigan (AWS) and for the operation of programs for City of Muskegon older adults. The specifics of this agreement shall be as follows:

1. The City of Muskegon agrees to allow use of the McGraft Park Community Building to AWS to operate as a location for senior meals and support services for seniors in the area.
2. AWS will pay to the City \$200.00 per month as a fee for expenses of rent and utilities including garbage service.
3. A telephone will be provided at the expense of AWS.
4. The City will provide a locked office for the program. A locked cupboard for storage in the kitchen will also be provided.
5. AWS will provide all materials for the program meal. AWS has full and complete responsibility for the operation of the program.
6. AWS agrees to work to promote recreational opportunities for City of Muskegon senior citizens.
7. AWS agrees to try to secure grants if available towards facility improvements or equipment for the operation of the program.
8. The building will be available to AWS from Monday through Friday during business hours – typically 9 - 3. Exceptions are voting days and the third Wednesday of the month “Shuffleboard Potlucks” during the summer. AWS may use the building for an evening event when approved by the City.
9. The care and maintenance of the facility is the City’s responsibility with AWS responsible for routine daily clean-up; which is wiping tables, counters, sinks, and spills, sweeping floors, wiping up spills on floors and disposing of food and supply waste; leaving kitchen and dining area ready for use by any other tenants.

Page two – agreement between AWS and City of Muskegon for McGraft Park

10. AWS provides liability insurance and its own health department licensing for its centers. Proof of evidence shall be provided to the City.
11. The City agrees to financial support in the amount of \$ 8316.00 for staff time for programs provided at McGraft Park and other locations (Nelson Place & Jefferson Towers) for City of Muskegon older adults. These activities are wellness programs including exercise and health, chronic disease management, educational, social and a diversity of enrichment programs.
12. Either party with sixty- (60) day notice may terminate this agreement with just cause.

The inclusive dates of this agreement are October 1, 2011 through September 30, 2013.

FOR: City of Muskegon
P.O Box 536
933 Terrace Street
Muskegon, MI 494403
231-724-6702

FOR: AgeWell Services
Tanglewood Park
560 Seminole Road
Muskegon, MI 49444
231-755-0434



Steve Warmington
Mayor of Muskegon

Sharon TerHaar
Executive Director

Date

Date

Date: May 8, 2012

To: Honorable Mayor and City Commissioners

From: DPW

RE: Disc Golf @ McGraft Park

SUMMARY OF REQUEST:

Consider a request from a group of volunteer called The Thursday Night League @ MPDGC to install eighteen (18) concrete tee pads to enhance and protect the Disc Golf Course at McGraft Park. The group's request;

- 1- The city not to object to the group raising the necessary funds via solicitation of private donation.
- 2- City provides some assistant in equipment and available materials such as sand.
- 3- The City act as the fiduciary of the collected funds and issue payments to outsider contractors/suppliers using said funds. The group feels that such step will enable the private donors to claim some type of tax deduction thus encouraging donation.

FINANCIAL IMPACT:

None since the City's participation is limited to equipment and or available material.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve the request since the proposed work will enhance the park under one condition; City staff will have the final decision on where and how the proposed pads will be.

COMMITTEE RECOMMENDATION:

#3

Problems- Typical compaction around tee surround with extensive softening in the middle forces some players to throw from the left of the tee marker.



Solution- Installing a concrete tee-pad at or slightly above the existing grade would confine heavy traffic to one area that is consistently dry and playable while relieving stress from surrounding areas and allow them to re-establish.

#7

Problems- This hole can be played as either a dog-leg left or a dog-leg right. Compaction and erosion are occurring on both sides of the tee marker and more and more area is being affected and becoming susceptible to flooding.



Solution- Installing a custom shaped "two-way" concrete tee-pad at or slightly above the existing grade would confine heavy traffic to one area and give players the option of a left or right route to the basket.



#18

Problems- Heavy foot traffic has led to severe compaction and root exposure on this tee. This tee sits on a side-slope and tree roots are running laterally across the approach making footing hazardous to the golfer and leaving the roots susceptible to damage. The severity of the slope makes this area prone to flooding and washouts and is often too wet for use.



Solution- Installing a concrete tee-pad slightly above the existing grade would confine heavy traffic to one area that is consistently dry and playable while relieving stress from surrounding areas and allow them to re-establish. Having the tee above grade would allow surface water to find its way to lower ground and improve drainage in the immediate area.

Commission Meeting Date: May 8, 2012

Date: May 1, 2012

To: Honorable Mayor and City Commission

From: Community and Neighborhood Services Department

RE: Proposed 2012 - 2013 CDBG/HOME Grants Budget

SUMMARY OF REQUEST: To approve the 2012 – 2013 CDBG/HOME grant budget based on the attached spreadsheet for submission of the 2012 - 2013 Action Plan to HUD.

FINANCIAL IMPACT: The Community Development Block Grant and HOME grant budget is the basis of the annual Action Plan for the Community and Neighborhood Services department.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the 2012 – 2013 CDBG/HOME grant budget based on the attached spreadsheet for submission of the 2012 - 2013 Action Plan to HUD.

HOME & Community Development Block Grant 2012 - 2013 as of 2/24/12

CDBG Organization/Agency	Activity	Admin Recommend	City Comm Final Determination
COM - Affirmative Action	Affirmative Action	\$10,000	
COM - CNS	CDBG Admin **	\$140,000	
COM - CNS	Priority Home Repair	\$200,000	
COM - CNS	Services Delivery	\$60,000	
COM - CNS	Vinyl Siding	\$50,000	
COM - Engineering	Street Repairs	\$31,986	
COM - Finance	Fire Station Bond Repayment	\$157,870	
COM - Inspections	Dangerous Bldgs/Demolition & Board Ups	\$40,000	
COM - Leisure Services	Youth Recreation*	\$70,000	
COM - Planning	Code Enforcement	\$50,000	
COM - Planning Comm Economic Dev	Façade	\$10,000	
Love INC	Emergency Utility Assistance*	\$4,500	
Love INC	Handicap Ramps*	\$3,500	
		\$827,856	\$0
	Total CDBG Allocated	\$827,856	\$827,856
	Expected program income (Debt Recovery)	\$0	\$0
	Total	\$827,856	\$827,856
	Allocated/Request Difference	\$0	\$827,856
	Total Amt of Public Service*	\$78,000	\$0
	Public Service maximum Amt 15%	\$124,178	\$124,178
	Difference	\$46,178	\$124,178
	Total Amt of City Administration Request**	\$140,000	\$0
	Administrative Maximum Amt < 20%	\$165,571	\$165,571
	Difference	\$25,571	\$165,571

NOTE:

* Public Service

** City CDBG Administration

HOME & Community Development Block Grant 2012 - 2013 as of 2/24/12

HOME Organization/Agency	Activity	Admin Recommend	Final Determinatio n
Community enCompass	Housing Transition Asst****	\$40,500	
COM - CNS	HOME Administration***	\$24,629	
COM - CNS	HOME Infill/New Construction	\$161,170	
COM - CNS	HOME Rental Rehabilitation	\$20,000	
Total HOME Request		\$246,299	\$0
Total HOME Allocated		\$246,299	\$246,299
(+) Program Income		\$0	\$0
Total		\$246,299	\$246,299
Allocated/Request Difference		\$0	\$246,299
Total Amt of HOME Administration***		\$24,629	\$0
Total Amt Designated = 10%		\$24,630	\$24,630
Difference		\$1	\$24,630
Total Amt of HOME CHDO ****		\$40,500	\$0
Total Amt mandated >= 15%		\$36,945	\$36,945
Difference		\$3,555	(\$36,945)

NOTE:

*** Home Administration

**** CHDO Request