

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

JULY 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, July 24, 2012.

Mayor Gawron opened the meeting with a prayer from Reverend David Dahlberg after which the Commission and public recited the Pledge of Allegiance to the Flag.

#### **ROLL CALL FOR THE REGULAR COMMISSION MEETING:**

Present: Mayor Stephen Gawron, Commissioners Byron Turnquist, Eric Hood, Lawrence Spataro, Willie German, and Sue Wierengo, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

#### **2012-58 CONSENT AGENDA:**

##### **A. Approval of Minutes. CITY CLERK**

SUMMARY OF REQUEST: To approve minutes of the July 9<sup>th</sup> Commission Worksession Meeting and the July 10<sup>th</sup> City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

##### **B. Appointment to Housing Commission. CITY MANAGER**

SUMMARY OF REQUEST: To appoint Rosie Walker to the Housing Commission.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the appointment.

##### **C. Approval of the Use and Maintenance of City Owned Property at 1278 Terrace Street to be Combined with the Existing Lease Agreement with McLaughlin Neighborhood Association. PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: To add 1278 Terrace (City owned lot) to the existing lease agreement that the City has with McLaughlin Neighborhood Association. The properties are contiguous. They intend to use the property for a park and garden.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

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

**D. Consideration of Bids for H-1645 Bourdon Street, Fair to Lakeshore Drive.**  
ENGINEERING

SUMMARY OF REQUEST: Award the reconstruction of the Bourdon contract to McCormick Sand since they were the lowest responsible bidder with a total bid price of \$285,734.

FINANCIAL IMPACT: The construction cost of \$285,734 plus engineering.

BUDGET ACTION REQUIRED: The water cost will have to be added to the Water budget under CIP for 2012/2013 from the "various upgrades" line item.

STAFF RECOMMENDATION: Award the contract to McCormick Sand.

**E. Consent Special Assessment Agreement with Harbour Towne Condo. Association to Pave Harbour Towne Circle and Cul-de-Sacs.**  
ENGINEERING

SUMMARY OF REQUEST: Approve the consent special assessment agreement with Harbour Towne Condo. Association to mill and resurface all public roads within the Harbour Towne area as described in the proposed agreement, and authorize the Mayor and Clerk to execute said agreement.

FINANCIAL IMPACT: The total cost of the construction project, including engineering, less the association's contribution.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the agreement with Harbour Towne Condominium Association and authorize the Mayor and Clerk to sign off on said agreement.

**Motion by Commissioner German, second by Commissioner Wierengo to approve the Consent Agenda as presented.**

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

**Nays: None**

***MOTION PASSES***

**2012-59 NEW BUSINESS:**

**A. Consideration of Bids for H-1691 Williams' Street Outfall, North of White Street.** ENGINEERING

SUMMARY OF REQUEST: Authorize staff to award and enter into a construction contract with the lowest responsible bidder, Jackson-Merkey with a bid amount of \$106,320 to reestablish the Williams' Street outfall.

FINANCIAL IMPACT: The construction cost of an estimated bid of \$106,000

plus construction engineering.

BUDGET ACTION REQUIRED: If approved, the adopted 2012/2013 budget will have to be amended to add this project into the 2012/2013 CIP.

STAFF RECOMMENDATION: Authorize staff to enter into a construction contract with Jackson-Merkey who was the lowest responsible bidder due to the urgent nature of the required repairs.

**Motion by Commissioner Spataro, second by Commissioner Turnquist to approve the bids for H-1691 Williams' Street Outfall, North of White Street to Jackson-Merkey who is the lowest responsible bidder.**

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

**Nays: None**

***MOTION PASSES***

**B. Consideration of Bids for H-1639 Harbour Towne Circle and Cul-de-Sacs. ENGINEERING**

SUMMARY OF REQUEST: Given the City's local preference policy of 1% advantage to local contractors: Award the milling and resurfacing of Harbour Towne Circle to Asphalt Paving out of Muskegon for a proposed price of \$225,290.94. Furthermore, if approval is granted, it should be contingent on the Harbour Towne Association signing the consent special assessment agreement by which they are responsible for up to 20% of the total cost. Asphalt Paving was the third lowest bidder.

FINANCIAL IMPACT: The construction cost of \$225,290.94 plus engineering.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Contingent award to Asphalt Paving.

**Motion by Commissioner Wierengo, second by Commissioner Spataro to award the paving of Harbour Towne Circle and Cul-de-Sacs to Asphalt Paving.**

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

**Nays: None**

***MOTION PASSES***

**C. Police Patrol Labor Agreement. CITY MANAGER**

SUMMARY OF REQUEST: To ratify a collective bargaining agreement with the Police Officers Labor Council (Police Patrol Union) for years 2012 and 2013.

FINANCIAL IMPACT: Provided in separate summary.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request and authorize the Mayor and Clerk to execute the agreement.

**Motion by Commissioner Hood, second by Commissioner German to approve**

the collective bargaining agreement with the Police Officers Labor Council for 2012 and 2013.

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

Nays: None

***MOTION PASSES***

**D. Emergency Pump Repair/Replacement of Apple Avenue Lift Station.**  
ENGINEERING

SUMMARY OF REQUEST: Authorize Staff to purchase one new 15 HP Flygt Submersible Sewage Pump from Kennedy Industries for the quoted price of \$10,360.

FINANCIAL IMPACT: Total cost \$10,360.

BUDGET ACTION REQUIRED: None, expenditures for the purchase would come from the Sewer Fund.

STAFF RECOMMENDATION: Approve purchase.

**Motion by Commissioner Wierengo, second by Commissioner German to approve the purchase of the new pump.**

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

Nays: None

***MOTION PASSES***

**E. Appointment of City Commissioner.** CITY MANAGER

**Motion by Commissioner Spataro, second by Commissioner Wierengo to appoint Lea Markowski to fill the vacant Commission At-Large seat.**

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

Nays: None

***MOTION PASSES***

**PUBLIC PARTICIPATION:** Public comments were received.

**ADJOURNMENT:** The City Commission Meeting adjourned at 5:46 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC  
City Clerk