

CITY OF MUSKEGON

CITY COMMISSION MEETING

OCTOBER 9, 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, October 9, 2012.

Mayor Gawron opened the meeting with a prayer from Pastor Tim Cross from the Living Word 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 Gawron, Vice Mayor Lawrence Spataro, Commissioners Lea Markowski, Willie German, Sue Wierengo, and Byron Turnquist, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

Absent: Commissioner Eric Hood (excused)

2012-75 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the September 25th City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. MLive Agreement. CITY CLERK

SUMMARY OF REQUEST: The City is required by law to place legal ads in a newspaper with the largest circulation in the area.

MLive has offered an agreement that will lower our current rate of \$3.30 per line to \$2.02 - \$2.97 depending on the size of the ad. There is no stipulation as to the amount of ads that need to be placed each year for the discounted rate.

FINANCIAL IMPACT: The City will incur a reduction in advertising/legal costs.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To accept the agreement and authorize the Mayor to sign.

C. Acceptance of Fair Housing Impediment Study. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: The Cities of Muskegon, Muskegon Heights, Norton Shores and the County of Muskegon are entering into an agreement with the Fair Housing Center of West Michigan to conduct fair housing testing in the County of Muskegon to further Fair Housing initiatives.

FINANCIAL IMPACT: Based on population, the City of Muskegon will pay \$4,675 of the \$15,000 cost.

BUDGET ACTION REQUIRED: None.

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

D. Harbour Towne Condominium Acquisition and Sale. CITY MANAGER

SUMMARY OF REQUEST: To authorize the acquisition of Harbour Towne Condominium units 253 and 254 through tax foreclosure and to sell them to the Harbour Towne Condominium Association for the unpaid tax amounts.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the necessary transactions and authorize the Mayor and City Clerk to execute necessary documents.

E. Eliminate On-Street Parking Prohibition During Winter Months. CITY MANAGER

SUMMARY OF REQUEST: To amend Chapter 92, Article II, of the Code of Ordinances of the City of Muskegon to repeal Section 8.31, which prohibited parking on the street between 2:00 a.m. and 6:00 a.m. on any day between the dates of November 15 and April 15 or any other time when snow removal is necessary.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the ordinance amendment.

(REQUIRES SECOND READING).

Motion by Commissioner Markowski, second by Vice Mayor Spataro to approve the Consent Agenda as presented.

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

Nays: None

MOTION PASSES

2012-76 PUBLIC HEARINGS:

A. Request for an Industrial Facilities Exemption Certificate – Johnson Technology. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Pursuant to Public Act 198 of 1974, as amended, Johnson Technology, Inc., 2034 Latimer Dr., has requested the issuance of an Industrial Facilities Tax Exemption Certificate. The total capital investment will be \$301,000 in real property and will create 24 jobs. This qualifies them for a tax abatement of 12 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 12 years for real property.

The Public Hearing opened to hear and consider any comments from the public. Michelle Mesner, 1100 Cavalier Drive, representing Johnson Control gave a presentation of the project.

Motion by Commissioner Turnquist, second by Commissioner German to close the Public Hearing and approve the resolution granting an Industrial Facilities Exemption Certificate for a term of 12 years for real property for Johnson Technology.

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

Nays: None

MOTION PASSES

2012-77 NEW BUSINESS:

A. Water Agreement with City of Norton Shores and Fruitport Charter Township. CITY MANAGER

SUMMARY OF REQUEST: To approve an agreement to supply water to the City of Norton Shores and Fruitport Charter Township beginning in 2015.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None.

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

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

the water agreement between the City of Muskegon, City of Norton Shores and Fruitport Charter Township.

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

Nays: None

MOTION PASSES

B. Concurrence with the Housing Board of Appeals Notice and Order to Demolish 1692 Elwood. PUBLIC SAFETY

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structure locate at 1692 Elwood Street is unsafe, substandard, a public nuisance and that it be demolished within 30 days. It is further requested that administration be directed to obtain bids for the demolition of the structure 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 Vice Mayor Spataro, second by Commissioner Wierengo to concur with the Housing Board of Appeals notice and order to demolish 1692 Elwood.

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

Nays: None

MOTION PASSES

C. Sale of Inspection Department Vehicles. CITY MANAGER

SUMMARY OF REQUEST: To authorize the sale of three pick-up trucks currently used in the Inspections Department to SAFEbuilt of Michigan. This is a negotiated sale based on Kelly Book values.

FINANCIAL IMPACT: \$20,000.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the sale of the vehicles and authorize the execution of appropriate documents to complete the transaction(s).

Motion by Vice Mayor Spataro, second by Commissioner Wierengo to approve the sale of the vehicles and authorize the execution of appropriate documents to complete the transaction with SAFEbuilt of Michigan.

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

Nays: None

MOTION PASSES

ADJOURNMENT: The City Commission Meeting adjourned at 5:48 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC
City Clerk