

**CITY OF ROOSEVELT PARK
CITY COUNCIL
MEETING MINUTES**

May 3, 2010

Mayor Pro-Tem Buikema called the meeting to order at 7:15 p.m.

2010-051 **ROLL CALL**

Present: Mayor Pro Tem Rod Buikema, Council Members Al Lowe, David Martin, Laura Fitzpatrick, Eric Grimm, and Thomas Hasper

Absent: None

Staff Present: City Manager David Boehm, Assistant to the City Manager Anthony Chandler, Building and Zoning Administrator Tim Villanueva, Police Chief Bill Regan and Treasurer/Clerk Tammera Harmsen

2010-052 **INVOCATION**

Mayor Pro-Tem Buikema provided the invocation.

2010-053 **CONSENT AGENDA**

Council Member Lowe moved to approve the Consent Agenda with the addition of item (f) – Selection of Mayor. The motion was supported by Council Member Hasper and carried. Ayes 5, Nay 1 (Grimm)

2010-054 **SECOND READING: TEXT AMENDMENT – CHAPTER 13 SIGN
ORDINANCE**

With the arrival of low-cost electronic display and changeable message signs technology is now outdistancing the typical sign ordinance. The Planning Commission began to study this issue last year and over the past several months worked through various options to regulate electronic display signs in the City. A hearing was held on March 22, 2010 and the Planning Commission at that meeting did unanimously recommend to City Council that the Section 13.7 Electronic Graphic Display or Electronic Changeable/Variable Message Signs be adopted along with other amendments to Section 13.2 and 13.3.

Council Member Martin moved to approve the proposed text amendment to the Zoning Ordinance on Electronic Display and Changeable/Variable Message Signs. The motion was supported by Council Member Lowe and carried unanimously.

2010-055 **DEL MAR PARK CONCESSION BUILDING**

Mr. Daniel Bloom - 875 Sherwood Rd. presented a business proposal to the City Council regarding the operations of the Roosevelt Park Concession Building. In his proposal, Mr. Bloom stated he would like the opportunity to operate the

concession stand for the summer, 7 days a week on afternoons/evenings. He has proposed to serve candy, drinks, soft serve ice cream etc. He stated he is working with the Muskegon County Health Department to obtain the correct licenses needed to serve ice cream along with other food.

Council Member Grimm moved to allow the use of concession stand under the stipulations as previously stated at Del Mar Field to be operated and maintained by Mr. Daniel Bloom under the stipulations previously agreed to by Council. The motion was supported by Council Member Lowe and carried unanimously.

2010-056 **FIRST READING: MORATORIUM ON THE SALE OF MEDICAL MARIJUANA**

Mayor Pro Tem Buikema conducted the first reading of the Moratorium on the sale of medical marijuana.

No further action was required at this time

2010-057 **AUORIZATION: CHANGE ORDER – POST ROAD NEIGHBORHOOD INFRASTRUCTURE PROJECT**

Bids have been taken to install storm sewer within the Post Road right-of-way from Henry Street to Maple Grove and to reconstruct Post Road. The intent of this project is to provide a storm drainage system for Post Road and abutting properties and to reconstruct a local street that is in very poor condition. A portion of this effort is being funded by a grant from the Michigan Community Development Block Grant Program for Infrastructure Capacity Enhancement Projects. The approved grant award is \$166,385 and a local (City) match of \$188,615. Thompson Brothers of Muskegon as the low bidder was awarded the project at a total price of \$153,246.

The initial grant application for Post Road included installation of new water main. That item was dropped from the second grant. Given the favorable pricing on this project it would be in the City's best interests to add the installation of new water main back in as a project element. A quote of \$98,404 has been received from Thompson Brothers to install 8" ductile iron water main, new hydrants and new shut-offs and services on Post Road. Hydrant removal can be handled by City staff thereby cutting \$5,500 from the total cost. This additional project cost would be covered by the Water Fund.

Total cost is \$98,404 which can be reduced by \$5,500. Funds are available in the Water Fund – Unrestricted Funds

Council Member Fitzpatrick moved to approve Change Order #1 of the Post Road Neighborhood Infrastructure Project to Thompson Brothers of Muskegon, Michigan for installation of water main on Post Road at a total price of \$92,904. The motion was supported by Council Member Lowe and carried unanimously.

2010-058 **WELLS PARK PLAYGROUND EQUIPMENT**

Authorization is requested to replace the slide at Wells Park with a GameTime Play Structure (Prime Time Just Enough). A recent survey of our parks indicated that this specific item should be replaced. If approved, the existing slide would be donated to Kids Alive International for re-installation in the Dominican Republic.

A total cost of \$9,897.22 including acquisition and installation of the play structure is the financial impact of the project. The Parks Budget for 2010 does contain \$5,000 for purchase of playground equipment.

Council Member Lowe moved to authorize the purchase of a Game Time Play Structure (Prime Tim Just Enough) in the amount of \$9,897.22 complete. The motion was supported by Council Member Martin and carried unanimously.

2010-059 **AMENDED VACANY POLICY**

Section 3.8 of the City Charter states that any vacancy occurring on the City Council shall be filled within thirty (30) days after such vacancy occurs using procedures established by the remainder of the City Council.

The new Policy would read as follow:

The purpose of this policy is to provide for the filling of vacancies within the Council due to death, resignation, removed from office, move from the City, conviction of a felony or of misconduct in office under the City Charter, being judicially declared to be mentally incompetent, is absent from three (3) consecutive regular meetings of the Council, is absent from the City for sixty (60) days, unless excused by the Council for cause to be stated in the record of the Council proceedings. These procedures are adopted pursuant to Section 3.8 of the City Charter

A. **Council Vacancy**

The City Clerk will immediately, upon receiving a resignation from a member of the Council or upon a vacancy occurring for other reasons stipulated in the City Charter, establish a deadline allowing ten calendar days for interested persons to submit an application for the vacant position. The vacancy will be posted at City Hall.

B. **Applications/Interviews**

The applications will be forwarded to all members of the Council, within five days following the deadline for applications. The Council will at the next regular meeting or a special meeting, interview the applicants. ~~A uniform set of questions will be used for each interviewee.~~

C. ~~D~~ **Appointment**

The Council will select the individual to be appointed to the Council by a roll call vote with the appointment to be effective following the execution of the oath of office.

Council Member Grimm moved to approve the Amended City Council Vacancy Procedure with the following corrections: Strict the last sentence in paragraph B and change paragraph D to C. The motion was supported by Council Member Lowe and carried unanimously.

2010-060

MAYOR SELECTION

Mayor Pro-Tem Buikema opened the floor for nominations for the vacant seat Mayor expiring November 2010.

Council Member Lowe nominated Rod Buikema for the office of Mayor for the City of Roosevelt Park.

Council Member Grimm nominated Laura Fitzpatrick for the office of Mayor for the City of Roosevelt Park.

There being no further nominations for the office of Mayor nominations were closed.

A roll vote was taking of Rod Buikema for Mayor of the City of Roosevelt Park for a term expiring November, 2010. 5 ayes, 1 nays (Grimm), 0 absent

Because the majority of the vote was for Rod Buikema he was appointed Mayor.

Treasurer/Clerk Harmsen administered the oath of office to Rob Buikema for Mayor with the term expiring November 2010.

2010-061

MAYOR PRO TEM SELECTION

Mayor Buikema opened the floor for nominations for the vacant seat as Mayor Pro Tem expiring November 2010.

Council Member Martin moved to table the selection of Mayor Pro Tem until the next meeting May 17, 2010. The motion was supported by Council Member Lowe and carried unanimously.

2010-062

COUNCIL COMMENTS

Mayor Buikema thanked staff for their work keeping Council on information surrounding Jeff Lenartowicz's funeral.

Council Member Fitzpatrick advised Council that any help on Roosevelt Park Day would be greatly appreciated.

2010-063 DEPARTMENT HEAD REPORTS

City Attorney Stapleton stated the city will be in court on Wednesday May 5th to try and settle a number of civil infractions with one individual.

Building and Zoning Administrator Villanueva stated he is working with 2 new businesses looking to relocate this area.

Police Chief Regan stated the new cruiser will be road ready this week. He also stated a set of building entry tools have been donated to the department.

2010-064 CLOSED SESSION – CITY ATTORNEY

Council Member Grimm moved to go into closed session at 7:45 p.m. to discuss Tax Tribunal Matters and Pending Litigation. The motion was supported by Council Member Fitzpatrick and carried.

Roll call vote: 6 ayes, 0 nays, 0 absent.

Council Member Fitzpatrick moved to return to regular session at 8:20 p.m. The motion was supported by Council Member Lowe and carried.

Roll Call Vote: 6 ayes, 0 nays, 0 absent

2010-065 TAX TRIBUNAL MATTER

Council Member Grimm moved to authorize the City Manager to execute consent judgment based on the numbers recommended by the City Attorney regarding Family Video. The motion was supported by Council Member Lowe and carried unanimously.

2010-066 ADJOURNMENT

Council Member Lowe moved to adjourn the meeting at 8:25 p.m. The motion was supported by Mayor Buikema and carried unanimously.

Treasurer/Clerk Tammera Harmsen