



Internal Memo

May 5, 2016

TO: Mayor and City Council

FROM: Mark C. Meyers, City Administrator *MEM*

SUBJECT: May 2016 Information Update

1. Ride with Pride School Assembly – The annual Ride with Pride program will culminate with a school assembly on Friday, May 13th at 1:45 p.m. at Mona Shores High School. City Council members are cordially invited and asked to check in at the main office by 1:25 p.m. Additional information is attached.
2. Memorial Day Holiday – City Hall and non-emergency offices will be closed on Monday, May 30, 2016 in observance of the Memorial Day holiday.
3. Election Results – Attached is a spreadsheet showing the election results from the May 3rd election. There were millage proposals in both the Muskegon and Grand Haven Public School Districts.
4. Street Projects Update – The City is currently involved in four street related reconstruction projects. Pontaluna Road between the US-31 overpass and Harvey Street is complete. In a related matter, the MDOT reconstruction of the overpass and on/off ramp improvements continues. The north bound ramps are currently open. This week's work includes deck repair and new bridge railing. The south bound ramps are scheduled to be closed on Monday, May 9th when work will begin on the west side of the overpass.

The second project includes reconstruction of Airline Road from US-31 to Shettler Road. Construction of the west bound lanes from US-31 to Airline Road is complete except for the top course of asphalt. The contractor is now working on the east bound lanes in the same section. Work includes grading and replacement of gravel. Next week concrete work and paving is scheduled.

A third street project, being handled in-house, includes straightening, widening and re-graveling Getz Road between Rood Road and Lake Harbor Road. Attached are recent photos of the construction project.

Further, the Harvey Street sidewalk project between Sternberg Road and Mount Garfield Road will begin Monday, May 9th.

Lastly, in a related matter, as I'm sure City Council has noted, the pavement striping contractor began work on Monday. The work was interrupted because of rain on Wednesday but will continue through the rest of the week and should be finished by, or on, the weekend.

5. Muskegon Heights Boat Launch Ramp Meeting – Following suggestions by city council members last year, Finance/Parks & Recreation Director Mike Huston and I met with Muskegon Heights Interim City Manager Lori Doody to discuss ways that we may collaborate in the operation of their boat launch ramp on Mona Lake. Our staff offered to provide some Parks & Recreation personnel help during the summer season. We also discussed how our police departments could work together to maintain a presence in the area. Ms. Doody noted that Muskegon Heights has installed video cameras at the launch to enhance security and the facility will be operational mid-May. Initially we agreed that selling season passes at Norton Shores City Hall would improve service to our residents. This dialogue will continue.
6. Campaign Finance Reform “Gag Order” Lifted – City council may have already heard, but it's worth repeating, the so-called “gag order” related to the campaign finance law PA 269 has been effectively lifted. As you will recall it prohibited local governments from using public funds or resources to communicate, by means of radio, television, mass mailing or pre-recorded messages, information regarding local ballot issues 60 days prior to an election. On April 28, 2016 a consent judgment was reached between local government plaintiffs and Secretary of State Ruth Johnson permanently enjoining her from enforcing the order. Certainly, this is a win for local governments allowing them to properly inform voters. Attached is a press release from the MML regarding the judgment.
7. City Council Requests' List – Attached is a revised list for City Council's information.

MCM/ss
Attachments

SAILORS ride with pride

The Norton Shores Police Department has partnered with the Mona Shores High School, Muskegon Alcohol Liability Initiative, Ramos and Sons Towing and Auto Body, and NEXES Realty to present to the students of Mona Shores High School a chance to win a new ride.

Ride With Pride encourages students to practice safe driving habits, abstain from alcohol and drugs, follow the school positive behavior matrix, and have no negative school or police contacts. Students whom wished to participate signed the Ride with Pride Safe Driving and Positive Behavior Pledge at the beginning of the year. Ten students have since been randomly drawn as the finalists to win a car and ten students drawn to win a moped.

Please join us on May 13, 2016 when the finalists will randomly draw a key in front of their peers for a chance to win a new ride. The Mona Shores Pride Assembly is an awesome celebration of the accomplishments the students have achieved this school year.



When: May 13, 2016 1:45 pm
Location: Mona Shores High School
1121 Seminole Rd



Distinguished guests are asked to arrive at **Mona Shores High School to the main entrance lobby at 1:10 pm.** Parking is available on the east side of the school.



City of Norton Shores
Special Election Results
May 3, 2016

	PCT 1	PCT 4	AVCB	Total
Muskegon Public Schools				
YES	7		31	38
NO	3		27	30
Grand Haven Public Schools				
YES		12	76	88
NO		4	78	82
Total Voting	68	170		238
Total Registered	1696	1836		3532
% Voting	4.01%	9.26%		6.74%

GETZ ROAD (Road to Lake Harbor)



Press Release FOR IMMEDIATE RELEASE: April 28, 2016
**Federal Court Permanently Enjoins Secretary of State from
Enforcing Gag Order Law**
U.S. District Court accepts agreement between state, local governments



LANSING, MICH. — U.S. District Judge John Corbett O'Meara has accepted an agreement between the Secretary of State's office and local governments and school groups, permanently enjoining Secretary of State Ruth Johnson from enforcing a law passed in December that prevented local officials from providing factual information on local ballot proposals.

O'Meara's order, entered today, references his previous temporary injunction against enforcement of the law, saying that the local governments had "demonstrated a strong likelihood of success on the merits of their claim that (the law) is unconstitutionally vague and thus void."

The gag order was part of a larger campaign finance bill that passed the Legislature with little debate in the final days of last year's legislative session and was signed by Gov. Rick Snyder, becoming Public Act 269 of 2015.

Following O'Meara's initial preliminary injunction, lawyers for the local governments, school districts, and the state negotiated an agreement that the Secretary of State's office, charged with enforcing state election laws, would not enforce the gag law. O'Meara accepted that agreement in his order issued today.

"We thank Judge O'Meara for moving quickly on this important issue, and allowing our local government officials to provide vital facts for voters on ballot issues that come before them," said Dan Gilmartin, Michigan Municipal League CEO and Executive Director. "Voters rely on local governments to let them know why a measure has been put on a ballot, what it does, and what, if any financial ramifications it may have to them as taxpayers. The Secretary of State's office will still enforce existing laws that prevent electioneering by local officials, a practice that it has found is rare given the hundreds of local proposals voters decide on every year."

"County commissioners and other local leaders will be pleased to know they can continue to inform their constituents about ballot issues in the same fashion that they have done for years," said Matthew Bierlein, a plaintiff in the lawsuit and a Tuscola County commissioner. "Now that this dispute is behind us, everyone can turn their attention back to cooperatively addressing Michigan's challenges."

Michigan Townships Association Executive Director Larry Merrill said, "This consent judgment will allow townships and all local governments to do their proper duty—without fear of prosecution—of ensuring voters have the necessary knowledge to make informed decisions regarding local ballot measures. A well-informed citizenry is at the heart of democracy and voters deserve clear, factual information about the issues that impact their community. Any legislative attempts to muzzle local officials' ability to provide impartial information to their voters does not serve the public interest."

Don Wotruba, Executive Director for the Michigan Association of School Boards added, "Judge O'Meara's ruling that the gag order provisions created in PA 269 are unenforceable, comes as a relief for our members. Voters deserved better than this law allowed and we are pleased to see that acknowledged by the Attorney General and the Courts. This will allow our members and school districts to share factual information on upcoming ballot initiatives with parents and the community without worrying about penalties from the state."

Groups leading the fight to provide citizens with factual information on ballot issues included the Michigan Municipal League, Michigan Association of Counties, Michigan Townships Association, Michigan Association of School Boards, Michigan Association of School Administrators, Michigan Association of Intermediate School Administrators and Michigan Library Association.

The public officials listed as plaintiffs were: Roseville Mayor Robert Taylor; Algonac City Manager Douglas R. Alexander; Dowagiac Mayor Donald Lyons; Tuscola County Commissioner Matthew Bierlein; New Haven Community Schools Superintendent Todd R. Robinson; Riverview Community Schools School Board President Gary O'Brien and Superintendent Russell Pickell; Tecumseh School Board President Kimberly Amstutz-Wild and Superintendent Kelly M. Coffin; Waterford School District School Board President Robert Seeterlin and Superintendent Keith Wunderlich; Goodrich Area Schools Superintendent Michelle Imbrunone; Clinton Community Schools Superintendent David P. Pray; Byron Area Schools School Board President Amy Lawrence and Superintendent Patricia Murphy-Alderman; Warren Consolidated School District Superintendent Robert D. Livernois; Lansing School District Superintendent Yvonne Caamal Canul; and Stephen Purchase, a private citizen.

Secretary of State Ruth Johnson and the State of Michigan were listed as defendants.

Robert Taylor et al v. Ruth Johnson and the State of Michigan was filed Jan. 26 in the U.S. District Court for the Eastern District of Michigan, based in Detroit.

City Council Requests – May 2016

Date Requested	Requested By	Received Via	Request	Action Taken	Date Completed	Completed By
03/25/14	Council Member Jurkas	Email	Reconsideration of Rental Inspection Program.	<p>The City Attorney was asked to research and render a legal opinion. He presented options to the City Council at the April 22, 2014 work session. At the September 22, 2015 work session Council Member Martines requested the subject be brought back for reconsideration. It was placed on the October 2015 work session agenda and City Council directed staff to research it further. Muskegon Township staff presented their experience with implementing a rental inspection program at the January 26, 2016 work session. City Council had questions that staff will follow up on and this item will be placed on a future work session agenda for further discussion. Staff will first meet with landlords to discuss a potential program. A May 16, 2016 meeting date has been scheduled.</p>	Pending	City Administrator
05/26/15	Council Member Ostrom	Email	Explore opportunities to assist the City of Muskegon Heights with their boat launch facility.	<p>Initial contact has been made with Muskegon Heights staff who appear willing to discuss the topic. Our staff met with the interim city manager on April 22, 2016 and identified some areas where we can work together to improve service related to the facility.</p>	Pending	City Administrator and Parks & Rec Director

*Revisions since the last update are highlighted