
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – December 16, 2014

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, December 16, 2014 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Roger Zielinski, Robert Goodspeed, James Smith, and Mark Wittlieff.

ABSENT: Edward Cote and Eric Gustad.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, City Assessor – Julie Beardslee, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Public Safety Director – Dave Bachman, and City Engineer – Shawn Middleton/Spicer Group.

AMEND AGENDA.

MOTION by Goodspeed, second by Wittlieff to amend the agenda to add items VIII. New Business e.) Consideration of a Separation Agreement with City Assessor Julie Beardslee and f.) Consideration of Amending the Ready to Serve Charge on Sprinkling Meters allowing action by Council on these two additional items.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff

NAYS: None

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

None received.

CONSENT AGENDA.

- Minutes - December 2, 2014 - Regular Meeting
- Payroll - Nov. 24 – Dec. 7, 2014 - \$ 121,043.57
- Monthly Bills - November 14, 2014 - \$ 863,791.10
 - November 26, 2014 - \$ 9,082.67
 - November 30, 2014 - \$ 303,519.79
- Notification Regarding Next Work Session – January 13, 2015
A discussion will be conducted on the Animal Ordinance and personnel; and such business as may come before the Council.

MOTION by Goodspeed, second by Wittlieff to approve the Consent Agenda as presented.

With a roll call vote this motion passed unanimously.

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – December 16, 2014

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff
NAYS: None

CONSIDERATION OF A LEASE EXTENSION AGREEMENT, IPCS WIRELESS, INC.

The City currently leases space on the Maywood and Industrial Park water towers to IPCS Wireless, Inc. for telecommunication equipment. The leases expire on February 6, 2016. IPCS approached the City about extending the leases earlier in the year. The City has negotiated an extension for five years, with two additional five-year extension terms. Annual rental will be \$24,000 per site with a 3% annual escalator. The City Attorney has reviewed and approved the lease extension.

MOTION by Goodspeed, second by Smith to extend a lease agreement with IPCS Wireless, Inc. for space on the Maywood and Industrial Park water towers.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff
NAYS: None

CONSIDERATION OF CITY COUNCIL RESOLUTION TO APPROVE OF POVERTY EXEMPTION GUIDELINES (INCLUDING FEDERAL POVERTY INCOME STANDARDS FOR 2015 ASSESSMENTS AND ASSET LEVEL FOR 2015 ASSESSMENTS).

The adoption of the Resolution of Guidelines for Poverty Exemption from Property Tax for 2015 Assessed and Taxable Values is required of the Manistee City Council in order for the Board of Review to grant poverty exemptions from property taxation. The homestead of persons who the Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390, 1994 (MCL 211.7u). The guidelines include, but are not limited to, the specific income and asset levels of the claimant and all persons residing in the household.

MOTION by Smith, second by Zielinski to approve the Resolution of Guidelines for Poverty Exemption from Property Tax for 2015 Assessed and Taxable Value.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff
NAYS: None

CONSIDERATION OF COUNCIL COMMITTEE APPOINTMENTS.

Mayor Kenny made the following Council Committee appointments:

- Alternatives for Area Youth – Mitch Deisch
- Auditing Committee – Colleen Kenny, Robert Goodspeed, Ed Cote
- Local Revenue Sharing Board – Colleen Kenny
- MRA Board – Mitch Deisch
- AES Board – Mitch Deisch
- Oil & Gas Investment Board – Colleen Kenny, Eric Gustad, Edward Bradford

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – December 16, 2014

- Ordinance Committee – Eric Gustad, Mark Wittlieff, Roger Zielinski
- Personnel Committee (appointed by Manager) – Colleen Kenny, Eric Gustad, Mark Wittlieff
- Utilities Committee – Ed Cote, Eric Gustad, Jim Smith
- 911 Board Authority – Robert Goodspeed

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Board of Review, Compensation Commission, Harbor Commission, Historic District Commission, Non-Motorized Transportation Committee, Parks & Beautification Commission, PEG Commission, Ramsdell Theatre Governing Authority, and the Tree Commission.

All appointments by the Mayor are subject to the Council's approval, unless otherwise specified by statute or ordinance. Nominations for Council appointments do not require a second. After a member of Council nominates an individual for appointment, Council shall vote on the nomination. A majority vote in favor of placement of the nominee is required for appointment.

The following applications have been received (*Incumbent):

BOARD OF REVIEW. One regular member term ending 12/31/17 and one alternate member term ending 12/31/17, applicants shall be taxpaying electors of the City who are owners of property assessed for taxes in the City and at the time of their appointment, are neither elected nor appointed officials of the City; Council appointment.

Alternate – Erin Pontiac, 1003 Engelmann Street*

Goodspeed nominated Erin Pontiac, 1003 Engelmann Street to the Board of Review – Alternate Member for a term ending 12/31/17.

With a roll call vote this nomination passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff

NAYS: None

COMPENSATION COMMISSION. One vacancy, five-year term ending 09/30/19, applicants must be registered voters in the City, Mayoral appointment.

None received.

HARBOR COMMISSION. One unexpired term ending 10/31/15, Council appointment.

None received.

HISTORIC DISTRICT COMMISSION. One unexpired term ending 02/28/15, applicants must be City residents, Council appointment.

None received.

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – December 16, 2014

NON-MOTORIZED TRANSPORTATION COMMITTEE. One unexpired term ending 03/31/15, Mayoral appointment.

None received.

PARKS & BEAUTIFICATION COMMISSION. One unexpired term ending 06/30/17, applicants must be a City resident or own real estate / business / profession in the City, Mayoral appointment.

None received.

PEG COMMISSION. Two vacancies, three-year terms ending 12/31/17, applicants must be Manistee County residents, Council appointment.

Kathy Ervin, 1726 Lakeshore*

Goodspeed nominated Kathy Ervin, 1726 Lakeshore to the PEG Commission for a three-year term ending 12/31/17.

With a roll call vote this nomination passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff

NAYS: None

RAMSDELL THEATRE GOVERNING AUTHORITY. One unexpired term ending 06/30/15, applicants must be City residents, Mayoral appointment.

James W. Smith, 353 First Street

Mayor Kenny appointed James W. Smith, 353 First Street to the Ramsdell Theatre Governing Authority for the unexpired term ending 06/30/15. MOTION by Goodspeed, second by Wittlieff to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff

NAYS: None

TREE COMMISSION. Four vacancies, three-year terms ending 12/31/17, Mayoral appointment.

Robert Johnson, 530 Ninth Street*

Kathleen Friedrich, 512 Pine Street*

Patricia Williams, 105 Lighthouse Way North*

Janice Waterman, 1010 Maple Street*

Mayor Kenny appointed Robert Johnson, 530 Ninth Street to the Tree Commission for a three-year term ending 12/31/17. MOTION by Goodspeed, second by Wittlieff to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – December 16, 2014

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff
NAYS: None

Kenny appointed Kathleen Friedrich, 512 Pine Street to the Tree Commission for a three-year term ending 12/31/17. MOTION by Goodspeed, second by Wittlieff to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff
NAYS: None

Kenny appointed Patricia Williams, 105 Lighthouse Way to the Tree Commission for a three-year term ending 12/31/17. MOTION by Zielinski, second by Goodspeed to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff
NAYS: None

Kenny appointed Janice Waterman, 1010 Maple Street to the Tree Commission for a three-year term ending 12/31/17. MOTION by Goodspeed, second by Wittlieff to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff
NAYS: None

CONSIDERATION OF A SEPARATION AGREEMENT WITH CITY ASSESSOR JULIE BEARDSLEE.

At the December 9, 2014 Council work session the majority of City Council supported entering into a Separation Agreement with City Assessor Julie Beardslee. Ms. Beardslee has informed the City of Manistee of her decision to retire in early 2015. Initially Ms. Beardslee informed Council of her decision to retire January 30, 2015. However, after additional discussion, Ms. Beardslee agreed to continue in her current role until mid-March, 2015 that would include her signing the March 2015 tax roll and completing the March Board of Review.

In return for Ms. Beardslee continuing in her current position until March 2015, City Council agreed to enter into a Separation Agreement with Beardslee granting her a 25% severance and continued single person health insurance until the end of 2015.

A letter was submitted from Ms. Beardslee to City Council that identifies the terms she is willing to commit to in order to stay in her position until mid-March 2015. That letter is being referred to as a Letter of Understanding.

In order for Ms. Beardslee to work cooperatively with the Municipal Employees Retirement System (MERS), she has requested that City Council approve the Letter of Understanding that can be submitted to MERS.

MOTION by Smith, second by Zielinski to approve the Letter of Understanding with City Assessor Julie

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – December 16, 2014

Beardslee and direct the City Manager to draft a Separation Agreement that will be brought back to City Council. Brief discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff

NAYS: None

CONSIDERATION OF AMENDING THE READY TO SERVE CHARGE ON SPRINKLING METERS.

At the December 9, 2014 Council work session City Council discussed eliminating the Ready to Serve (RTS) charge on second sprinkling meters. The majority of Council was in support of removing the second sprinkling meter charge, which will result in a reduction of approximately \$40,000 to the Utility Fund. Included in those Council discussions was the concept of potentially increasing the water rate by 15 cents from \$2.52 to \$2.67 per 1,000 gallons. Ultimately Council will need to decide if the revenue from the second sprinkling meter RTS charge is removed or if water rates are increased to accommodate the lost revenue.

MOTION by Wittlieff, second by Smith to eliminate the second (sprinkling) meter Ready to Serve charge on the main line effective January 1, 2015 or as soon as operationally feasible.

With a roll call vote this motion passed, 3-2.

AYES: Zielinski, Smith, and Wittlieff

NAYS: Kenny and Goodspeed

A REPORT FROM THE CITY MANAGER.

The City Manager's Office annually prepares a review of calendar year activities. That review provides City Council and the Community an opportunity to step back from day to day activities and take a longer look at what has been accomplished. City Manager Mitchell D. Deisch and Staff have compiled a comprehensive report on the 2014 Highlights for the City of Manistee. Deisch reviewed the 2014 Highlights.

CITIZEN COMMENT.

Comments/questions were received from:

- Jeremy Nowak – 383 Eleventh Street asked several questions regarding water meters and ready to serve charges.
- Joyce O'Hagan – 231 Tenth Street commented on blight cleanup at 1001 Kosciusko Street.

OFFICIALS AND STAFF.

Beardslee stated another Board of Review member is needed, encouraged people to apply, and asked Council's help in recruiting a member.

Bachman stated the deer cull is coming up soon and plans to move forward unless directed otherwise by Council.

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – December 16, 2014

COUNCILMEMBERS.

Goodspeed wished everyone Happy Holidays.

Wittlieff thanked the Public Safety and Public Works Departments for their work with the Sleighbell Weekend.

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION.

City Manager Mitchell D. Deisch has requested an Executive Session this evening as permitted by the Open Meetings Act, Section 8 (c) to discuss contract negotiations with the United Steelworkers.

MOTION by Goodspeed, second by Wittlieff to adjourn to Executive Session. Time: 8:00 p.m.

MOTION by Goodspeed, second by Wittlieff to return to Regular Session. Time: 8:23 p.m.

CONSIDERATION OF A COLLECTIVE BARGAINING AGREEMENT WITH THE UNITED STEELWORKERS.

MOTION by Goodspeed, second by Wittlieff to approve a three-year collective bargaining agreement with the United Steelworkers; and authorize the Mayor and City Clerk to execute the documents.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Zielinski, Goodspeed, Smith, and Wittlieff

NAYS: None

ADJOURN.

MOTION to adjourn was made by Goodspeed, second by Zielinski. Meeting adjourned at 8:24 p.m.

Michelle Wright MMC / CPFA, MiCPT
City Clerk/Deputy Treasurer