

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 2, 2015

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, June 2, 2015 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Edward Cote, Roger Zielinski, Robert Goodspeed, James Smith, Mark Wittlieff, and Eric Gustad.

ALSO PRESENT: Interim City Manager – R. Ben Bifoss, City Attorney – George Saylor, City Clerk – Michelle Wright, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Police Sergeant – Steve Schmeling, and City Engineer – Pat Bentley / Spicer Group.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Gary Patulski – 159 Quincy Street / Road Patching – questioned the patch that is to occur at 157 Quincy Street – no such house number; 5th Avenue Concession Stand – total lack of control in the last couple of years, hopes City has put some controls in; Ramsdell Governing Authority – glad to see this happen, there is a lack of support, need new finance advisor.

Nancy Lyon – Lighthouse Landings / Ramsdell – she has a long history with the Ramsdell, it has a 2-prong problem: lost revenue, revenue enhancement, a lot of the heavy donors are dying off, it is a monumentally historical building belonging to the City, a center for the cultural arts, encouraged Council to think seriously of the future of the Ramsdell.

Lynda Beaton – 256 Hughes Street / 5th Avenue Concession Stand - always received great comments when Eddie Scott had the concession stand, supports him, also said the City should follow up on the controls mentioned.

CONSENT AGENDA.

- Minutes - May 19, 2015 - Regular Meeting
- Payroll - May 11- 24, 2015 - \$ 111,950.63
- Cash Balances Report - April 2015
- Notification Regarding Next Work Session – June 9, 2015
A discussion will be conducted on recycling; and such business as may come before the Council. No action is required on this item.
- Consideration of Forest Festival Events
A request has been received from the Manistee Area Chamber of Commerce to authorize the annual Forest Festival Parade and other events beginning Thursday, July 2 and running through Sunday, July 5, 2015. The proposed schedule has been attached and includes parades, bands and entertainment, fireworks, car show, kids day events, flea market, and duck race. They are also requesting a banner permit for the arts and crafts show to be placed by the Chamber building from June 29 through July 6, 2015.

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 2, 2015

- Consideration of Back to the Bricks Car Show
The Manistee Main Street/DDA is hosting the Back to the Bricks car show on Sunday, June 14, 2015. The event will require the closure of River Street from Division to Oak Streets from 2:30 - 8:30 p.m., with the show beginning at 3:00 p.m. The show involves approximately 150 antique and show vehicles. The event draws a large crowd to the downtown area.

Smith requested that the Back to the Bricks Car Show be removed from the Consent Agenda.

MOTION by Cote, second by Goodspeed to approve the Consent Agenda as amended.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has previously advertised vacancies on various Boards and Commissions. Vacancies still exist on the Compensation Commission, Downtown Development Authority, Harbor Commission, Housing Commission, PEG Commission, and Zoning Board of Appeals.

All appointments by the Mayor are subject to the Council's approval, unless otherwise specified by statute or ordinance.

The following application has been received (*incumbent):

HOUSING COMMISSION. One vacancy, five-year term ending 05/31/2020, Mayoral appointment.

*Elbert Purdom (incumbent) – 369 River Street

Mayor Kenny appointed Mr. Elbert Purdom – 369 River Street to the Housing Commission for a five-year term ending 05/31/2020. MOTION by Goodspeed, second by Cote to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF RIVERFRONT LEASE ASSIGNMENT, LITTLE RIVER MANAGEMENT, LLC.

On December 12, 2012 the City leased riverfront property that it owns to the adjacent property owner, Little River Management, LLC, the Riverside Motel. The Riverside Motel has recently been sold to Nancy Carol Croasdell. Consistent with the City's practice of maintaining the lease of the riverfront to the adjacent property owner, the parties have requested that the riverfront lease be assigned to Ms.

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 2, 2015

Croasdell. The Interim City Manager and City Attorney have reviewed the documents and recommend that this assignment be approved.

MOTION by Gustad, second by Cote to authorize the riverfront lease assignment from Little River Management, LLC to Nancy Carol Croasdell; and authorize the Mayor and City Clerk to sign and record the necessary documents.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF BIDS RECEIVED FOR FIFTH AVENUE BEACH CONCESSIONS.

Last year City Council awarded a three year contract for concessions at Fifth Avenue Beach. The contract was terminated after the first year. Bids were solicited for the remaining two year term, the 2015 and 2016 seasons. Two bids were received. A committee was formed consisting of three members of the Parks & Beautification Commission, the Parks Leadman, and the DPW Director. The committee reviewed submittals and interviewed the vendors. The committee has recommended Eddie Scott as the Concessionaire for the 2015 and 2016 seasons. Mr. Scott's bid is to pay the City \$250/month for the concession rights to Fifth Avenue Beach.

MOTION by Gustad, second by Zielinski to approve the bid submitted by Mr. Eddie Scott for the concession rights to Fifth Avenue Beach for the 2015 and 2016 seasons; and authorize the DPW Director and City Clerk to execute the service agreement.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF BIDS RECEIVED FOR MISCELLANEOUS ROAD PATCHES AND PAVING.

The Department of Public Works routinely bids out paving patches on the City streets. The patches are created by private contractors (escrowed accounts), water service and main repairs, sewer repairs, etc. Two large water main replacements account for the majority of paving this Spring. Two bids were received.

Team Elmer's	\$40,500
Rieth Riley	\$73,314

MOTION by Smith, second by Zielinski to award the low bid received for misc. road patches and paving in the amount of \$40,500 to Team Elmer's. Brief discussion followed.

With a roll call vote this motion passed unanimously.

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 2, 2015

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

NAYS: None

CONSIDERATION OF BIDS RECEIVED FOR RIVERWALK RAILING PAINTING.

The Manistee Main Street DDA has taken action to solicit bids to repaint the Riverwalk railing system this spring/summer. Bids are to be received on June 5 with action by the DDA Board expected on June 10, 2015. The cost of the work, estimated at \$28,000, is to be paid by the City held Riverwalk Maintenance account with a current balance of approximately \$50,000. With the summer rapidly approaching, the DDA has requested City Council authorization to award the contract in the amount “not to exceed” \$30,000 in order to expedite this work. The Interim City Manager concurs in this approach.

MOTION by Smith, second by Cote to authorize the DDA to award a contract for the repainting of the Riverwalk railing system to the low responsible bidder in an amount not to exceed \$30,000; with funds to be provided by the City from the Riverwalk Maintenance account held by the City.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF INTRODUCING ORDINANCE 15-06, REPEALING CHAPTER 253 OF THE CODE OF ORDINANCES, THE RAMSDELL THEATRE CIVIC AND CULTURAL CENTER GOVERNING AUTHORITY.

For several years the City has been subsidizing the operation of the Ramsdell Theatre and Hall to approximately \$100,000 per year; reduced to \$90,000 in the forthcoming budget. The Ramsdell has been operating under the direction of the Ramsdell Governing Authority since 2005 when Chapter 253 of the Code was adopted. For some time there has been a growing recognition that the current funding model and the current governing model needs to be changed to create a more successful future for the Ramsdell.

AES has recently awarded a contract with Johnson Consulting in the amount of \$22,000 to review and develop recommendations on a funding and governing model going forward. All of the funds to pay for that study have been generated by the AES fund raising efforts.

On February 13, 2015 the City Council Ordinance Committee met to review and discuss this matter. One of their conclusions was that Chapter 253 should be substantially modified; or simply revoked. On May 6, 2015 the Interim City Manager corresponded with all of the members of the current Governing Authority indicating his intent to bring the rescission of Chapter 253 to the City Council in the near future and inviting discussion on the topic if the members of the Governing Authority so desired. One member emailed the Interim City Manager.

Because there is a current effort to revitalize the funding and governing model for the Ramsdell, and because there was little response to the Interim City Managers invitation to meet and discuss the matter, and because the Ordinance Committee met on February 13, 2015 to discuss this matter and generally reached the same conclusion, the Interim City Manager recommends that the City Council

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 2, 2015

take action to repeal Chapter 253 of the Code of Ordinances, the Ramsdell Theatre Civic and Cultural Center Governing Authority. As an ordinance two separate readings are required. If this ordinance is introduced at this time it could be adopted at the next regular meeting.

MOTION by Gustad, second by Wittlieff to introduce Ordinance 15-06 repealing Chapter 253 of the Code of Ordinances, the Ramsdell Theatre Civic and Cultural Center Governing Authority. Discussion followed. It was emphasized that this doesn't dissolve the operations of the Ramsdell; and should not reflect negatively on the efforts of those involved.

With a roll call vote this motion passed unanimously.

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

NAYS: None

A REPORT FROM THE BROWNFIELD CONSULTANT.

Mr. Ed Bradford, Brownfield Authority Administrator, reported on the activities of the Brownfield Redevelopment Authority and responded to questions the Council had regarding their activities.

CONSIDERATION OF STREET CLOSURE AND BACK TO THE BRICKS CAR SHOW.

The Manistee Main Street/DDA is hosting the Back to the Bricks car show on Sunday, June 14, 2015. The event will require the closure of River Street from Division to Oak Streets from 2:30 - 8:30 p.m., with the show beginning at 3:00 p.m. The show involves approximately 150 antique and show vehicles. The event draws a large crowd to the downtown area.

Bifoss stated that due to Flag Day ceremony being held on the same day at the Elks Club on River Street, the street closure is being amended to keep River Street open from Maple to Oak Street; instead River Street will be closed from US-31 to Maple Street; Division Street will also be closed from Lake to River Street.

MOTION by Goodspeed, second by Wittlieff to authorize the Back to the Bricks Car Show events downtown and the associated road closures, as amended, on Sunday, June 14, 2015.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CITIZEN COMMENT.

Comments were received from:

- Carol Pasco – 610 Spruce Street / a wonderful out-of-town newspaper article on Manistee regarding the Riverwalk and the many historical buildings.
- Gary Patulski – 159 Quincy Street / welcomed new Council members and Interim City Manager; personal accusations from a Councilmember; budgeted \$10,000 reduction in Ramsdell subsidy;

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 2, 2015

marina short term loan; listens carefully to what goes on in Manistee; commended those who voted for a change; suggested Brownfield Authority develop a plan for US-31 North.

OFFICIALS AND STAFF.

Mikula stated there will be a community build for Rocket Park on June 18-20, volunteers can call the DPW to sign up to help.

COUNCILMEMBERS.

Zielinski thanked the DPW for doing a good job.

Goodspeed asked what will happen to the rocket slide.

Smith thanked whoever was responsible for the clean up on US-31 going north of town.

CONSIDERATION OF A CLOSED SESSION, UNION CONTRACT NEGOTIATIONS.

Interim City Manager R. Ben Bifoss has requested a Closed Session this evening as permitted by the Michigan Open Meetings Act, Section 8 (c) to discuss contract negotiations with the Police Officers Association of Michigan and the Command Officers Association of Michigan.

MOTION by Cote, second by Goodspeed to proceed to Closed Session under Section 8 (c) of the Michigan Open Meetings Act. Time: 7:52 p.m.

MOTION by Gustad, second by Smith to return to Regular Session. Time: 8:04 p.m.

CONSIDERATION OF COLLECTIVE BARGAINING AGREEMENTS WITH THE POAM AND COAM UNIONS.

MOTION by Cote, second by Smith to approve a three-year collective bargaining agreement with the Police Officers Association of Michigan and the Command Officers Association of Michigan; and authorize the Mayor and City Clerk to execute the documents.

With a roll call vote this motion passed, 6-0.

AYES: Kenny, Cote, Zielinski, Smith, Wittlieff, and Gustad

NAYS: None

ABSTAIN: Goodspeed

ADJOURN.

MOTION to adjourn was made by Goodspeed, second by Cote. Meeting adjourned at 8:05 p.m.

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