

**PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 15, 2010**

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Ilona Haydon on Tuesday, June 15, 2010 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Ed Cote, Robert Hornkohl, Ilona Haydon, Hank Yonkman, Richard Mack, and Alan Marshall.

ABSENT: None.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, Community Development Director – Jon Rose, DPW Director – Jack Garber, Finance Director – Ed Bradford, and Interim Fire Chief – Timm Smith.

**AMEND AGENDA.**

MOTION by Hornkohl, second by Kenny to amend the agenda to add items under IX. Notices, Communications, Announcements – Item d.) Consideration of the Annual Permit to Display Fireworks; and Item e.) Consideration of the 2010 Manistee National Forest Festival.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall

NAYS: None

**CITIZEN COMMENTS ON AGENDA RELATED ITEMS.**

*None received.*

**#10-68 CONSENT AGENDA.**

Consent agenda items include:

- Minutes - June 1, 2010 - Regular Meeting  
- June 8, 2010 - Special Meeting  
- June 8, 2010 - Work Session
- Payroll - May 31 – June 6, 2010 - \$ 71,601.16  
- June 7 – 13, 2010 - \$ 57,365.14
- Cash Balances Report - May 2010
- Notification Regarding Next Work Session – July 13, 2010

A bus tour will be conducted of various City projects; and such business as may come before the Council.

- Consideration of 2010 VFW Buddy Poppy Campaign.  
Members of the Veterans of Foreign Wars Post 4499 and its Ladies Auxiliary have requested authorization to conduct their annual Buddy Poppy Campaign from Friday, July 2 through Monday, July 5, 2010. Proceeds are used for the benefit of local disabled and needy veterans, widows and orphans of deceased veterans.
- Consideration of the Annual Permit to Display Fireworks.  
The Manistee Area Chamber of Commerce has made application for a permit to display fireworks during the annual Forest Festival. If weather permits, the display would occur on Sunday, July 4, 2010, with a rain date scheduled for Monday, July 5, 2010. This application has been sent through the office of the Manistee Fire Department and the City Manager and meets with their approval.
- Consideration of the 2010 Manistee National Forest Festival.  
A request has been received for authorization of the 2010 Manistee National Forest Festival. The Festival Committee has submitted the attached schedule of events for July 1 through 4, 2010. An outstanding lineup of events for local residents and visitors to the area has been created and they request the use of public lands for some of these events.

MOTION by Hornkohl, second by Kenny to approve the Consent Agenda as stated.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall

NAYS: None

**#10-69 CONSIDERATION OF A FIVE YEAR REFUSE COLLECTION AND REMOVAL AGREEMENT.**

The City of Manistee has been discussing refuse collection for the past 3-4 fiscal year budgets. In 2010 City Council directed staff to issue a Request for Proposals for refuse collection services. The RFP was issued February 23, 2010 and only one contractor responded on March 16, 2010. City Council discussed the proposal received by Allied Waste extensively during the fiscal year 2010-2011 budget process and ultimately decided to maintain the current system of collection, billing and revenue generation with modification to both the Refuse and General Fund millages.

The proposed contract is for five years and will replace the existing contract with Allied Waste that expires on June 30, 2010. Both representatives from Allied Waste and the City Attorney have reviewed and approved this agreement.

MOTION by Mack, second by Hornkohl to authorize the Mayor and City Clerk to execute the five year Refuse Collection and Removal Agreement with Harland Sanitary Landfill, doing business as Allied Waste. Discussion followed regarding new millage rate, monthly customer rates, and the language in paragraph 9 regarding billing of customers.

MOTION by Kenny, second by Cote to amend the original motion to remove Paragraph 9 - Billing of Customers from the agreement.

With a roll call vote the amended motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall  
NAYS: None

Roll call was then taken on the original motion. Motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall  
NAYS: None

**#10-70 CONSIDERATION OF BUDGET AMENDMENT 2010-1 FOR FISCAL YEAR END JUNE 30, 2010.**

The City of Manistee is required by State law to ensure that actual expenditures do not exceed budgeted amounts. Over the course of the current fiscal year, unanticipated and unbudgeted events and/or Council approved expenditures have occurred. The proposed budget amendment addresses the expenditures associated with these events and attempts to project what final year-end expenditures will be, to avoid any year-end negative budget variances.

MOTION by Mack, second by Hornkohl to adopt Budget Amendment 2010-1 for the fiscal year ended June 30, 2010. Bradford briefly described the proposed amendments.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall  
NAYS: None

**#10-71 A REPORT FROM THE BROWNFIELD CONSULTANT.**

Mr. T. Eftaxiadis reported on the activities of the Brownfield Consultant and responded to questions the Council had regarding their activities.

**CITIZEN COMMENT.**

*None received.*

**OFFICIALS AND STAFF.**

Wright informed Council that petitions are available for anyone interested in running for City Council this fall. This includes districts 1, 3, 5, and 7.

Deisch welcomed Chief Smith and thanked him and the IAFF for working out the Letter of Understanding. He also commented on the Arthur Street Boat Launch and the City Marina projects – described the funding for each, stating that no City tax dollars are being used on these project. City Engineer is working on signage to be posted on location for these projects. Deisch also reminded Council that the City of Portland

will be coming here on Thursday for Mayor's Exchange Day.

Bradford had a conference call with Standard & Poor's yesterday to receive a City evaluation and credit rating. The City received a rating of A+.

Rose commented on complaints of the odor coming from the Reith Riley plant and the steps they are taking to eliminate the problem.

Smith thanked City Council for the opportunity of being the Interim Fire Chief; believes he will be valuable providing information to the Council.

Garber read a brief statement on the Boil Water Notice and the suspected cause of the problem.

**COUNCILMEMBERS.**

Hornkohl asked if the City would be getting summer help from Michigan Works this year; suggested painting of the two buildings at First Street Beach, leveling the area at Fifth Avenue Beach where the former shelter house was located, just spruce it up a little bit.

Yonkman asked for an update on the Spring trash haul.

Mack thanked staff for the work done at Fifth Avenue beach and the bleachers at Sands Park. He also asked if there was anything the City could qualify for under the TIGER II Grant funding.

Haydon welcomed Chief Smith; thanked all who helped with the water problems; asked City Council for input on which evaluation format to use for the City Manager's evaluation – the 360 evaluation will be used; hopes all Councilmembers will participate in the Mayor's Exchange program; and thanked Garber and crew for taking care of eight parcels.

**ADJOURN.**

MOTION to adjourn was made by Hornkohl, second by Mack. Meeting adjourned at 8:02 p.m.

Michelle Wright CMC/CPFA  
City Clerk/Deputy Treasurer