

PROCEEDING OF THE MANISTEE CITY COUNCIL – April 19, 2011

A regular meeting of the Manistee City Council was called to order by his honor, Mayor Richard Mack on Tuesday, April 19, 2011 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, Catherine Zaring, Richard Mack, and Alan Marshall.

ABSENT: Ilona Haydon

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Deputy Clerk – Mary Bachman, DPW Director – Jack Garber, Finance Director – Ed Bradford, Community Development Director – Jon Rose, Director of Public Safety – Dave Bachman, and City Engineer – Jeff Mikula, Abonmarche

PUBLIC HEARING ON THE 2011-2012 BUDGET.

The City fiscal year runs from July 1 through June 30. Under Section 7-4 of the Charter, a public hearing is required on the budget which must be adopted not later than May 15 of each year.

A work session on the budget was held on April 12; with an additional session scheduled for this evening and an optional session scheduled for April 26, 2011. The Budget Calendar anticipates adoption of the budget at the May 4, 2011 regular meeting.

No Citizen Comments. Public Hearing Closed at 7:03 p.m.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Mark Sandstedt, 503 Seventh Street, commented on a motion from the April 4, 2011 Council meeting regarding the Removal of Sand from City-Owned Property.

#11-43 CONSENT AGENDA

Minutes	-	April 4, 2011	-	Regular Meeting
	-	April 12, 2011	-	Work Session

Payroll	-	March 28 – April 3, 2011	-	\$49,896.97
	-	April 4 – April 10, 2011	-	\$50,237.61
Cash Balances Report	-	April 2011		

Notification Regarding Next Work Session

An Optional Council work session has been scheduled for Tuesday, April 26, 2011 at 7:00 p.m. to continue discussions on the 2011-2012 Budget and Capital Improvement Plan; and such business as may come before the Council.

Consideration of a Banner Permit, Manistee World of Arts & Crafts.

The Manistee World of Arts & Crafts is requesting Council authorization to place a banner by the Chamber of Commerce in mid-June, prior to their annual art show. According to Council Banner Policy CP-30, banners are not permitted in locations other than the River Street Arch without specific authorization by the City Council.

Consideration of the Annual VFW Buddy Poppy Campaign.

Members of the Veterans of Foreign Wars Walsh Post #4499 are requesting Council authorization to conduct their annual Buddy Poppy Campaign from July 1 through July 4, 2011. All proceeds will be used for the benefit of local disabled/needy veterans and widows and orphans of deceased veterans.

MOTION by Hornkohl, second by Cote to approve the Consent Agenda as presented.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Zaring, Mack, and Marshall

NAYES: None

#11-44 CONSIDERATION OF A PARCEL SPLIT; DSLT, INC/PERRIN PROPERTIES LLC.

The Manistee City Planning Commission reviewed and recommends removing the former Sales Office at Harbor Village from parcel #51-202-300-00 as shown on a survey prepared by Abonmarche Job No. 10-0414. The applicants have signed an easement that provides for ingress/egress and parking for the building.

MOTION by Hornkohl, second by Cote to take action to remove the former Sales Office at Harbor Village from parcel #51-202-300-00 and create a new parcel as shown on the attached survey; conditioned upon receipt of a Certificate of Survey of the descriptions contained in Exhibit A & B of the Easement Agreement for Ingress and Egress and Parking.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Zaring, Mack, and Marshall.

NAYS: None

**#11-45 CONSIDERATION OF ORDINANCE 11-03, MEDICAL
MARIHUANA ACT.**

The Michigan Medical Marihuana Act was approved by Michigan voters on November 4, 2008. On September 7, 2010 City Council adopted a resolution that established a six month moratorium relating to Medical Marihuana. That moratorium was extended an additional 120 days to complete development of an ordinance.

The Planning Commission worked with the City Attorney and the Chief of Police on an ordinance that requires licensing of locations where caregivers grow medical marihuana. On February 24, 2011 the Planning Commission held a public hearing to allow input from the public as it relates to the proposed ordinance to regulate and license certain aspects of medical marihuana cultivation, use and distribution in the City of Manistee.

This will be the first reading of proposed Ordinance 11-03. A second reading and possible adoption could take place at the May 4, 2011 Council meeting.

MOTION by Marshall, second by Zaring to take action to introduce Ordinance 11-03, Medical Marihuana, to the Manistee City Codified Ordinances.

Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Zaring, Mack, and Marshall

NAYES: None

#11-46 CONSIDERATION OF ORDINANCE 11-04 TO AMEND CHAPTER 1220 PLANNING COMMISSION.

The proposed ordinance amendment exempts the Planning Commission from preparing Capital Improvement Programs. This will be the first reading of the proposed Ordinance Amendment 11-04. A second reading and possible adoption could take place at the May 4, 2011 Council meeting.

MOTION by Hornkohl, second by Cote to take action to introduce Ordinance 11-04, to amend Chapter 1220 Planning Commission of the Manistee City Codified Ordinances.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Zaring, Mack, and Marshall
NAYS: None

#11-47 CONSIDERATION OF ORDINANCE 11-05 TO AMEND CHAPTER 650 ANTI-BLIGHT.

The proposed ordinance amendment language addresses the outside storage of accumulated junk, etc. This will be the first reading of the proposed Ordinance Amendment 11-05. A second reading and possible adoption could take place at the May 4, 2011 Council meeting.

MOTION by Hornkohl, second by Cote to take action to introduce Ordinance 11-05, to amend Chapter 650 Anti-Blight of the Manistee City Codified Ordinances.

Discussion followed.

With a roll call vote this motion passed.

AYES: Cote, Hornkohl, Zaring, Mack, and Marshall.
NAYES: Kenny

#11-48 CONSIDERATION OF A TRAIL SYSTEM ON M-55 PROPERTY.

The Non-Motorized Transportation Committee requested permission from City Council on May 24, 2010 to explore options for non-motorized transportation opportunities on the City-owned M-55 property. This was to be the first step in determining how trails for walking, biking, cross-country and universal accessibility could be developed on the property.

A proposed trail system for the property has been developed. The Non-Motorized

Transportation Committee is requesting Council authorize proceeding with the development.

Jeff Mikula, member of the Non Motorized Transportation Committee and Ken Blakey-Shell, member of the Non Motorized Transportation Committee and Shoreline Cycling Club provided a presentation on the Manistee Non-motorized Trail System Site/Trail Plan-Draft and responded to any questions the Council had.

MOTION by Hornkohl, second by Cote to take action to authorize the development of a trail system for the City-owned property on M-55.

Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Zaring, Mack, and Marshall.

NAYES: None

#11-49 A REPORT FROM THE MANISTEE RECREATION ASSOCIATION AND THE ENGINEER OF RECORD.

Ms. Vicki Sheffield reported on the activities of the Manistee Recreation Association and responded to questions the Council had regarding their activities.

Mr. Jeff Mikula reported on the activities of Abonmarche, the City's Engineer of Record, and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Mark Sandstedt, 503 Seventh Street, commented on the Councils decision to remove sand from City owned properties.

OFFICIALS AND STAFF.

Mitch Deisch informed Council that the May Work Session could potentially be held at the Ramsdell Theatre.

COUNCILMEMBERS.

Mayor Mack stated that Mayors Exchange is with the City of Fremont on May 25, 2011. The City of Fremont has requested that spouses not be involved. Cindy Lokovich will

begin contacting Council Members to see who will be attending. On June 22, 2011 the City of Fremont will be visiting Manistee for Mayors Exchange.

ADJOURN.

MOTION to adjourn was made by Hornkohl, second by Cote. Meeting adjourned at 8:44 p.m.

Mary M. Bachman, CMC
Deputy Clerk/Payroll&Benefits

