
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – July 7, 2015

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, July 7, 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, Mark Wittlieff, and Eric Gustad.

ABSENT: James Smith.

ALSO PRESENT: Interim City Manager – R. Ben Bifoss, City Attorney – Sarah Alden, City Clerk – Michelle Wright, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Planning & Zoning Administrator - Denise Blakeslee, Police Sergeant – Steve Schmeling, and City Engineer – Shawn Middleton / Spicer Group.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Gary Patulski – 159 Quincy Street commented on the recycling program remaining as the status quo, wasn't impressed with the County facility.

CONSENT AGENDA.

- Minutes - June 16, 2015 - Regular Meeting
- June 23, 2015 - Work Session
- Payroll - June 8–21, 2015 - \$ 113,728.08
- Cash Balances Report - May 2015
- Consideration of Adopting Ordinance Z15-04, Peninsula District
This ordinance was introduced at the regular meeting of June 16, 2015 and could be adopted at this time.
- Consideration of Adopting Ordinance Z15-05, Green Infrastructure Language
This ordinance was introduced at the regular meeting of June 16, 2015 and could be adopted at this time.
- Consideration of Adopting Ordinance Amendment 15-07 Chapter 606 Animals
This ordinance was introduced at the regular meeting of June 16, 2015 and could be adopted at this time.
- Consideration of Rescheduling the July Board of Review to Wednesday, July 22, 2015.
Traditionally the July Board of Review is held on the Tuesday following the third Monday in July. State law allows this to be rescheduled to another day of the same week. In order for the City Assessor to be present at the Board of Review, the day needs to be rescheduled to Wednesday, July 22, 2015. This action is recommended regardless of Council action on the

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preceding agenda item.

- Notification Regarding Next Work Session – July 14, 2015
A discussion will be conducted on such business as may come before the Council.
- Consideration of Conservatory of Dance Bottle Drive.
The Conservatory of Dance is requesting authorization to conduct a bottle drive fundraiser on Saturday, July 11, 2015 in the City of Manistee between the hours of 10 a.m. and 1 p.m.
- Consideration of Grapes on the River Event Request.
The Manistee Area Chamber of Commerce is requesting authorization to conduct their annual Grapes on the River event on Saturday, July 25, 2015. The event takes place on the marina property and the adjacent streets; River Street would be closed to traffic from Pine to Spruce Street. The event is scheduled from 2 p.m. to 6 p.m. Tents will be set up on River Street with wine, beer and food vendors. The Chamber has also rented the Marina Open Space for this event.
- Consideration of Salvation Army Bell Ringing Fundraiser.
The Salvation Army is requesting permission to hold a kettle drive at two locations in the City (Oleson’s Food Store and the Salvation Army Office on Water Street) the weekend of July 10 and 11, 2015.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF A SERVICE CONTRACT WITH THE ALLIANCE FOR ECONOMIC SUCCESS.

The three-year contract between the City of Manistee, Manistee County and the Alliance for Economic Success (AES) to provide economic development services expired on September 30, 2014. Committees from the City, County, and AES have been in discussions to renew this agreement. Terms of the new agreement have been included in the attached document. City Attorney George Saylor has reviewed and approved the contract. Proposed payments for the City are:

Date	County	City	Total
1/1/15 – 12/31/15	\$90,768.00	\$46,518.00	\$137,286.00
1/1/16 – 12/31/16	\$90,768.00	\$46,518.00	\$137,286.00
1/1/17 – 12/31/17	\$90,768.00	\$46,518.00	\$137,286.00

MOTION by Gustad, second by Zielinski to authorize the Mayor and City Clerk to execute a three-year agreement with the Alliance for Economic Success from January 1, 2015 through December 31, 2017.

Brief discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF A RESOLUTION ESTABLISHING MSDDA REDEVELOPMENT PROJECT AREA.

In order to attract new businesses in the downtown area the Manistee Main Street Downtown Development Authority wishes to establish a Redevelopment Project Area to issue new liquor licenses. The proposed Council resolution is just one step in the process. There are currently no unused liquor licenses available in the City of Manistee.

If Council approves the establishment of the Redevelopment Project Area the Main Street DDA will then report on the amount of investment through an affidavit signed by the Director of the Manistee County Equalization Department; prepare a map showing the boundaries of the DDA District; and provide the ordinance that created the DDA. These documents will then be sent to the Michigan Liquor Control Commission (MLCC).

As each new business requests a license, the City Council will be asked to approve each license for a specific address in the DDA District. Licenses cannot be moved to another address. It will be a requirement of the MSDDA to keep an updated list of investment in the DDA District to submit to the MLCC as each license requests approval. Discussion followed; questioned if there would be any liability to the City of the DDA; establish an application policy/procedure process.

MOTION by Gustad, second by Wittlieff to approve a resolution establishing a Manistee Main Street Redevelopment Project Area.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF A RESOLUTION, MANISTEE INN & MARINA LIQUOR LICENSE.

In the preceding agenda item Council was asked to establish a MSDDA Redevelopment Project Area. If this item was approved, the MSDDA has submitted a resolution for Council to approve the issuance of a liquor license to the Manistee Inn & Marina located at 378 River Street by the Michigan Liquor Control Commission under the redevelopment program.

MOTION by Gustad, second by Cote to approve a resolution supporting the application by Manistee Inn & Marina of 378 River Street for a liquor license through the Michigan Liquor Control Commission.

With a roll call vote this motion passed unanimously.

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AYES: Kenny, Cote, Zielinski, Goodspeed, Wittlieff, and Gustad
NAYS: None

CONSIDERATION OF ORDINANCE 15-09, PARKS AND BEAUTIFICATION COMMISSION.

The Parks and Beautification Commission have recommended that “and Beautification” be removed from their title; and that the governing ordinance also be amended to reflect that change. The City Attorney has prepared ordinance amendments to make these changes and to delete redundant language in Section 289.02 B. Since the amendments are non-substantive in nature, the Council Ordinance Commission has deferred action to the full Council.

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 Zielinski, second by Goodspeed to introduce Ordinance 15-09 amending Chapter 289 deleting duplicate language and deleting all references to Parks **and Beautification** Commission. Brief discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Zielinski, Goodspeed, Wittlieff, and Gustad
NAYS: None

CONSIDERATION OF RENTAL INSPECTION SERVICE PROVIDER CONTRACT.

The City advertised for proposals for a Rental Inspection Provider. Two proposals were received and both applicants were interviewed by a committee. Following the interviews the committee selected Spicer Group as the top candidate and Spicer Group is being recommended by the committee. The City Attorney has prepared a contract for this service.

The Residential Rental Properties Program was established in 2000. A resolution has been prepared that reflects the fees that would be charged by the Rental Inspection Service Provider for services under the program.

MOTION by Gustad, second by Zielinski to authorize the Mayor and City Clerk to sign an agreement with Spicer Group as the Rental Inspection Service Provider; and further adopt a resolution amending the City Fee Schedule to reflect the fees as stated in the contract.

With a roll call vote this motion passed, 4-2.

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

CONSIDERATION OF ENTERING INTO A ONE-YEAR CONTRACT FOR ASSESSING SERVICES.

City Assessor Julie Beardslee retired in March 2015. The City unsuccessfully advertised for a Michigan Certified Assessing Officer (Level II) to fill this position. At the June 9, 2015 Council work session, Council directed administration to contract out the service to complete the 2016 assessment roll. The contract has been reviewed and approved by the City Attorney.

MOTION by Wittlieff, second by Cote to enter into a one-year contract for assessing services with Great Lakes Assessing, Inc. and designate Marlene Whetstone as City Assessor; and further authorize the Mayor and City Clerk to execute the agreement.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF SELECTING A CITY RECYCLING PROGRAM FOR FISCAL YEAR 2015-2016.

Council has reviewed options for residents to recycle glass, metal, plastics and mixed fiber products. Options include the current program (status quo), joining the County P.A. 69 program, or mandatory curbside recycling. Based upon the success and cost effectiveness of the current program, staff recommends maintaining the status quo and relocating the site from within the Public Works yard.

MOTION by Cote, second by Goodspeed to select the status quo option for recycling and authorize the Department of Public Works to develop an alternate site.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Ad Hoc Deer Herd Committee, Compensation Commission, Downtown Development Authority, Harbor Commission, PEG Commission and the Zoning Board of Appeals.

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:

AD HOC DEER HERD COMMITTEE. To develop a long-term strategy for deer herd management, Mayoral

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appointment.

John R. Brakora, 536 Eighth Street
Robert C. Hornkohl, 432 Cedar Street
Josh Penland, 815 Dinsen Street
Barry Peterson, 575 Eighth Street
Roger Zielinski, 529 First Street
Susan Brown, 521 Browning Avenue

Mayor Kenny appointed all six of the applicants to the Ad Hoc Deer Herd Committee. MOTION by Goodspeed, second by Gustad to support the Mayor's appointments.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Zielinski, Goodspeed, Wittlieff, and Gustad
NAYS: None

COMPENSATION COMMISSION. Two vacancies, terms ending 09/30/17 and 09/30/19, applicants must be registered voters in the City, Mayoral appointment.

None received

DOWNTOWN DEVELOPMENT AUTHORITY. One vacancy, four-year term ending 06/30/19, applicants must have an interest in property in the downtown district, Mayoral appointment.

None received

HARBOR COMMISSION. Two vacancies, unexpired terms ending 10/31/15, Council appointment.

None received

PEG COMMISSION. Three vacancies, one term ending 12/31/17 and two unexpired terms ending 12/31/15, applicants must be Manistee County residents, Council appointment.

None received

ZONING BOARD OF APPEALS. One alternate member vacancy, three-year term ending 05/31/18, Mayoral appointment.

None received

Mayor Kenny asked that the remaining vacancies be re-advertised.

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A REPORT FROM THE PLANNING COMMISSION AND THE MUSEUM/HISTORIC DISTRICT.

Mr. Roger Yoder reported on the activities of the Planning Commission and responded to questions the Council had regarding their activities.

Mr. Mark Fedder reported on the activities of the Museum/Historic District and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Comments were received by:

- Lynda Beaton – 256 Hughes Street / thanked Council for budgeting money for the streets; suggested selling property owned by the City to bring more money into the City.
- Gary Patulski – 159 Quincy Street / commented on Manistee at a Crossroads; low income housing; redevelopment meeting concerning the former Milliken/Gliks building; Rodeway Inn; condos across from Rodeway needing some type of screening to hide foundations; and money budgeted for roads this year and the next, encouraged Council to act now to get a plan for streets 2 years down the road.
- Michael Wood - Bay View condos / updated Council on lawsuits and trying to get things settled and cleaned up.
- Joy Smith – 164 Harrison Street / recycling is an important part of environmental health, doesn't feel current recycling plan is successful, need to revisit the subject and improve.
- Patrick Kay – MSDDA / informed Council of a woman paddling from New York to New Orleans to raise awareness on protection of our watershed, oceans, waterways and drinking water; she will be in Manistee on Thursday.

OFFICIALS AND STAFF.

None received

COUNCILMEMBERS.

Cote will be gone for the 7/14/15 and 7/21/15 meetings.

Zielinski thanked all of the volunteers that worked on the Rocket Park.

Goodspeed thought the fireworks were spectacular.

Wittlieff thought the Rotary Park build was a great success.

Gustad agreed the park build was successful; thanked Mikula, the Parks and Police Departments for a very successful 4th of July weekend; beaches and parks were outstanding.

Kenny also thanked the DPW and Parks for an awesome Forest Festival; thanked all of the committee

volunteers.

ADJOURN.

MOTION to adjourn was made by Goodspeed, second by Cote. Meeting adjourned at 8:15 p.m.

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