

PROCEEDING OF THE MANISTEE CITY COUNCIL – June 21, 2011

A regular meeting of the Manistee City Council was called to order by his honor, Mayor Richard Mack on Tuesday, June 21, 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, Ilona Haydon, Catherine Zaring, Richard Mack, and Alan Marshall.

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, and Director of Public Safety – Dave Bachman.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Shari Wild, 7700 Milarch Road, Onekama, requested the Council consider her application for the DDA appointment to Boards and Commissions; stated she would be a good candidate and is deeply committed to the area.

#11-75 CONSENT AGENDA.

Minutes	-	June 7, 2011	-	Regular Meeting
Payroll	-	June 6 – June 12	-	\$55,588.79
		June 13 – June 19	-	\$53,544.40

Cash Balances Report.

Notification Regarding Next Work Session.

A Council work session has been scheduled for Tuesday, July 12, 2011 at 6:00 p.m. A bus tour of projects is being considered; and such business as may come before the Council.

Consideration of Love INC Charitable Gaming License Resolution.

Love INC is preparing for a golf benefit tournament in August and is planning to include raffles to increase benefit proceeds. Love INC is a federally recognized 501c3 nonprofit organization and is applying for a Michigan Charitable Raffle License. This process requires the local unit of government to recognize (by resolution) the local organization as a nonprofit organization operating in the community.

Council took action to recognize Love INC as a nonprofit organization operating in the community for the purpose of obtaining a State of Michigan Charitable Gaming License.

Consideration of 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 3, 2011; with a rain date of July 4, 2011. This application has been reviewed by the Public Safety Director who recommends approval.

Council took action to authorize the Mayor to execute the annual Fireworks Display permit in conjunction with the Manistee National Forest Festival.

Consideration of Manistee National Forest Festival.

A request has been received for authorization of the 2011 Manistee National Forest Festival. The Festival Committee has submitted the attached schedule of events for June 30 through July 4, 2011. 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.

Councilmember Zaring requested that item (e) Consideration of Manistee National Forest Festival be removed from the Consent Agenda and be placed on the Regular Agenda, New Business item (f).

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

With a roll call vote this motion passed unanimously.

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

NAYES: None

#11-76 CONSIDERATION OF ORDINANCE 11-07 TO THE MANISTEE CITY CODIFIED ORDINANCES.

As part of the Cedar Street Sewer Separation Project changes will be required to Chapter 440 Traffic Controls of the Manistee City Codified Ordinances. The "Angle" Street next to the Water Works Museum has been discontinued which results in two-way traffic for the portion of Water Street (between Cedar and Tamarack Street) and Tamarack Street (between Water and First Street). The proposed ordinance amendment deletes the language which designates them as one-way streets.

At the Council meeting of June 7, 2011 City Council authorized creating a one-way street

from the intersection of Fourth and Tamarack to the intersection of Third and Cedar. This allows the street width to be narrowed from the original design width of 28 feet to 24 feet (including curb and gutter). The proposed ordinance amendment adds language which designates them as one-way streets.

This will be the first reading of the proposed Ordinance 11-07. A second reading and possible adoption could take place at the July 5, 2011 Council meeting.

MOTION by Hayden, second by Hornkohl to take action to introduce Ordinance 11-07 to the Manistee City Codified Ordinances. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYES: None

#11-77 CONSIDERATION OF BUDGET AMENDMENT 2011-1 FOR FISCAL YEAR END JUNE 30, 2011.

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 Hornkohl, second by Cote to take action to adopt Budget Amendment 2011-1 for Fiscal Year End June 30, 2011. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYES: None

#11-78 CONSIDERATION OF A CONTRACT WITH THE MDOT FOR PHASE II IMPROVEMENTS TO THE MAPLE STREET BRIDGE.

City Attorney George Saylor has reviewed and approved an attached contract with the Michigan Department of Transportation for Phase II Improvements to the Maple Street Bridge. The project is anticipated to begin late fall of 2011 and be completed by the summer of 2012. A resolution has been prepared authorizing the Mayor and Deputy Clerk to execute the standard MDOT contract.

MOTION by Hornkohl, second by Zaring to take action to adopt a resolution authorizing the Mayor and Deputy Clerk to execute a contract with the Michigan Department of Transportation for Phase II Improvements to the Maple Street Bridge. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYES: None

#11-79 CONSIDERATION OF A SERVICE CONTRACT WITH THE ALLIANCE FOR ECONOMIC SUCCESS.

The current three-year service contract between the City of Manistee, Manistee County and the Alliance for Economic Success (AES) to provide economic development services expires on September 30, 2011. City Manager Mitch Deisch and County Administrator Tom Kaminski have been in discussions with AES Executive Director Cyndy Fuller to extend 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:

10/1/11 – 9/30/12	0% Increase	\$45,384
10/1/12 – 9/30/13	2.5% Increase	\$46,318
10/1/13 – 9/30/14	0% Increase	\$46,518

MOTION by Hornkohl, second by Haydon to take action to authorize the Mayor and Deputy City Clerk to execute a three-year agreement with the Alliance for Economic Success from October 1, 2011 through September 30, 2014. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYES: None

#11-80 CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The Deputy Clerk has taken action to advertise vacancies on the Brownfield Redevelopment Authority, the Downtown Development Authority, the Parks and Beautification Commission and the Ramsdell Theatre Governing Authority. The following applications have been received:

BROWNFIELD REDEVELOPMENT AUTHORITY – Two vacancies, unexpired terms ending 6/30/13 and three vacancies for three year terms ending 6/30/14; Mayoral appointment.

Clinton McKinven-Copus, 5480 S. Lakeshore Drive, Ludington*
Donald Kuk, 1235 Greenwich Street*

Mayor Mack appointed Clinton McKinven-Copus and Donald Kuk to three year terms ending 6/30/14.

MOTION by Zaring, second by Hornkohl to support the Mayors appointment of Clinton McKinven-Copus and Donald Kuk to three year terms ending 6/30/14.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Zaring, Mack, and Marshall
NAYES: None

DOWNTOWN DEVELOPMENT AUTHORITY – Two vacancies, one resident member, four year terms ending 7/1/15; Mayoral appointment.

Pamela Schindlbeck, 82 Division Street*
Maria DeRee, 389 River Street*
Shari Wild, 7700 Milarch Road, Onekama

Mayor Mack appointed Pamela Schindlbeck to the four year term ending 7/1/15 and Maria DeRee to the resident member four year term ending 7/1/15.

MOTION by Hornkohl, second by Kenny to support the Mayors appointment of Pamela Schindlbeck to the four year term ending 7/1/15 and Maria DeRee to the resident member four year term ending 7/1/15. Discussion followed.

With a roll call vote this motion passed.

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

PARKS AND BEAUTIFICATION COMMISSION – Three vacancies, three-year terms ending 6/30/14; Mayoral appointment.

Priscilla Rulison, 533 Third Street*

Mayor Mack appointed Priscilla Rulison and Mark Tomaszewski to three year terms ending 6/30/14.

MOTION by Kenny, second by Zaring to support the Mayors appointment of Priscilla Rulison and Mark Tomaszewski to three year terms ending 6/30/14. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYES: None

RAMSDELL THEATRE GOVERNING AUTHORITY – Two vacancies, unexpired terms ending 6/30/13; one vacancy, three-year term ending 6/30/14; Mayoral appointment.

Nancy Lyon, 280 Lighthouse Circle
Kerry Schubach, 361 Fifth Street

*Incumbent

Mayor Mack appointed Nancy Lyon and Joann Muma to unexpired terms ending 6/30/13 and Kerry Schubach to a three year term ending 6/30/14.

MOTION by Hornkohl, second by Kenny to support the Mayors appointment of Nancy Lyon and Joann Mucha to unexpired terms ending 6/30/13 and Kerry Schubach to a three year term ending 6/30/14.

With a roll call vote this motion passed unanimously.

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

NAYES: None

#11-81 CONSIDERATION OF THE MANISTEE NATIONAL FOREST FESTIVAL.

A request has been received for authorization of the 2011 Manistee National Forest Festival. The Festival Committee has submitted the attached schedule of events for June 30 through July 4, 2011. 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 Kenny, second by Haydon to take action to authorize the 2011 Manistee National Forest Festival schedule of events for June 30 through July 4, 2011 contingent upon the City Engineers approval of the Special Event scheduled to be held on the newly paved parking lot of the Armory or relocation of the event. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Zaring, Mack, and Marshall
NAYES: None

A REPORT FROM THE BROWNFIELD CONSULTANT.

Mr. T. Eftaxiadis was unable to attend the Council meeting to report on the activities of the City Brownfield Redevelopment Authority. This report will be rescheduled.

CITIZEN COMMENT.

None

OFFICIALS AND STAFF.

City Manager, Mitch Deisch stated that the City will be welcoming the City of Fremont tomorrow for Mayors Exchange; a joint government meeting is scheduled for June 29, 2011 with AES facilitating.

Jon Rose, Community Development Director reminded Council of the Lighthouse transfer scheduled for June 30th at 3:00 p.m.

COUNCILMEMBERS.

Councilmember Cote thanked the DPW for patching Washington Street; stated that the Fifth Ave project is moving forward and looks good.

ADJOURN.

MOTION to adjourn was made by Hornkohl, second by Cote. Meeting adjourned at 7:54 p.m.

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