

**PROCEEDINGS OF THE MANISTEE CITY COUNCIL – August 16, 2011**

A regular meeting of the Manistee City Council was called to order by his honor, Mayor Richard Mack on Tuesday, August 16, 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 Clerk – Michelle Wright, DPW Director – Jack Garber, Finance Director – Ed Bradford, Public Safety Director – Dave Bachman, and City Engineer – Jeff Mikula, Abonmarche.

**CITIZEN COMMENTS ON AGENDA RELATED ITEMS.**

*None received.*

**#11-102 CONSENT AGENDA.**

- Minutes - August 3, 2011 - Regular Meeting  
- August 9, 2011 - Work Session
- Payroll - August 1 - 7, 2011 - \$ 59,494.37  
- August 8 - 14, 2011 - \$ 56,216.40
- Cash Balances Report - July 2011
- Notification Regarding Next Work Session – September 13, 2011  
An update will be presented on GIS; and such business as may come before the Council.
- Consideration of DAV Forget-Me-Not Sale.  
The Manistee Salt City Chapter 43 of the Disabled American Veterans have requested authorization to sell Forget-Me-Nots to raise money for their local DAV projects. They are requesting August 18, 19 and 20, 2011 for this sale.
- Consideration of Humane Society Tag Day.  
The Manistee County Humane Society would like to hold their annual Tag Day fundraiser on August 26 and 27, 2011 in the City of Manistee.

Marshall requested the removal of Consideration of Community Labor Day Bridge Walk from the Consent Agenda.

MOTION by Haydon, second by Hornkohl to approve the Consent Agenda as presented with the removal of the Community Labor Day Bridge Walk.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**#11-103 CONSIDERATION OF Z11-06 TO THE ZONING ORDINANCE.**

The Planning Commission developed an ordinance to allow Community Gardens as a permitted use in all districts in the City. The Planning Commission wanted the ordinance to be friendly and not over-regulate. Any nuisance issues will be addressed under the existing Code of Ordinances. The ordinance permits the following structures: one (1) storage building not larger than 100 square feet (permit required); one (1) greenhouse not larger than 100 square feet and covered with glass, plastic or fiberglass in which plants are cultivated (permit required); raised/accessible planting beds, compost or waste bins; fences that comply with Section 508; and one ground mount sign not to exceed four (4) square feet.

The ordinance also provides for Reclamation Standards in the event the community garden is discontinued for a period of more than one year. All buildings and structures shall be removed and the site shall be restored with grass or other acceptable methods of landscaping.

This will be the first reading of the proposed Ordinance Z11-06. A second reading and possible adoption could take place at the September 6, 2011 Council meeting.

MOTION by Haydon, second by Cote to introduce Ordinance Z11-06 to the Zoning Ordinance. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**#11-104 CONSIDERATION OF FILER CHARTER TOWNSHIP SEWER AND WASTEWATER AGREEMENTS.**

Three agreements have been attached between Filer Charter Township and the City of Manistee relating to sewer and wastewater treatment for Filer Charter Township. These three agreements will supersede the March 2, 2010

agreement between these two parties. The Council Utilities Committee has reviewed them and recommended these agreements be forwarded to full City Council. City Attorney Bruce Gockerman has reviewed and approved the three agreements.

MOTION by Haydon, second by Hornkohl to approve three separate agreements with Filer Charter Township consisting of the Operating Agreement, the Wastewater Treatment Agreement, and the Master Agreement; which in whole replaces the March 2, 2010 agreement that was previously approved by Filer Charter Township and the City of Manistee; and authorize the Mayor and City Clerk to execute the documents. Questions were asked how the new payment structure would work, if rates would be reduced, and consensus that this is a good thing for both the City and Filer Charter Township.

With a roll call vote this motion passed unanimously.

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

**#11-105 CONSIDERATION OF A RESOLUTION OF SUPPORT, FISH CLEANING STATION GRANT APPLICATION.**

In partnership with the Alliance for Economic Success, a resolution has been prepared for Council consideration for a Great Lakes Fishery Trust Fund grant application in the amount of \$75,000 to replace the First Street Beach Fish Cleaning Station. Matching local funds have been included in the Capital Improvement Fund budget.

MOTION by Hornkohl, second by Zaring to approve a resolution of support for a Great Lakes Trust Fund grant application in the amount of \$75,000 for the replacement of the First Street Beach Fish Cleaning Station; and authorize the Mayor and Clerk to sign the resolution. Comments were given regarding finishing one project before starting another; and that a time line should be given for the project's start and finish dates.

With a roll call vote this motion passed, 6-1.

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

**#11-106 CONSIDERATION OF A RESOLUTION OF SUPPORT, SAFE ROUTES TO SCHOOL.**

For the past few months the City of Manistee has been working with Manistee Catholic Central Schools to establish a Safe Routes to School Program to construct new sidewalks adjacent to MCC to allow for students to safely walk to school. The City of Manistee as the local agency must be the Safe Routes to School applicant. As the local match the City is committing to cover engineering and design costs associated with the Safe Routes to School Program.

MOTION by Hornkohl, second by Cote to approve a resolution of support to work cooperatively with the Manistee Catholic Central Schools toward a Safe Routes to School Program, committing to all necessary engineering and design costs to complete the project; and further authorize the Mayor and Clerk to sign the resolution. Questions were asked what the engineering and design costs would be, personnel cost to maintain/plow the sidewalks, how it will impact taxes for property owners, and US-31 safety issues.

With a roll call vote this motion passed unanimously.

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

**#11-107 CONSIDERATION OF LRSB GRANT APPLICATIONS.**

The Local Revenue Sharing Board (LRSB) distributes 2% money from the Little River Casino. The

deadline for 2011 Cycle II applications is Friday, September 2, 2011. City Staff has prepared grant applications for submission to the LRSB.

MOTION by Haydon, second by Zaring to authorize the submission of grant applications to the Local Revenue Sharing Board for the second cycle in 2011. Kenny suggested adding all of the benefits for the Safe Routes To School on the grant application that were spoken of previously – more usage, crosswalk striping, flashing lights, etc.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**#11-108 CONSIDERATION OF COMMUNITY LABOR DAY BRIDGE WALK.**

The City of Manistee Non-Motorized Transportation Committee is requesting authorization for the first Manistee Beach, Bridges & Riverwalk Community Labor Day Bridge Walk.

The Labor Day Community Walk (Monday, September 5, 2011) will start at 9:00 a.m. at Fifth Avenue Beach, crosses the Maple Street Bridge and the US-31 Bridge. Participants will get a sampling of our famous Riverwalk and historic downtown. This is another event that promotes healthy activities for people of all abilities. The Manistee Police Department has reviewed and approved this event.

MOTION by Marshall, second by Kenny to authorize the Manistee Beach, Bridges and Riverwalk Community Labor Day Bridge Walk. Marshall stated that he thought this was an intriguing, marketable experience for Manistee and wanted to commend the Non-Motorized Transportation Committee for this idea.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**#11-109 A REPORT FROM PARKS DEPARTMENT AND THE PARKS AND BEAUTIFICATION COMMISSION.**

Mr. Gary Niesen reported on the activities of the Parks Department and responded to questions the Council had regarding their activities.

Mr. Ed Tegler reported on the activities of the Parks and Beautification Commission and responded to questions the Council had regarding their activities.

**CITIZEN COMMENT.**

*None received.*

## **OFFICIALS AND STAFF.**

Deisch asked Council for direction on the Fifth Avenue beach picnic area (former NIA building site) and the parking lot berm. It will be referred to the Parks and Beautification Commission for their recommendation and then presented back to Council. Cost estimates will also be obtained.

Bradford demonstrated the quality of the new document camera in the Council Chambers.

Bachman stated the 5<sup>th</sup> Annual Dog Walk Committee has requested use of the Riverwalk this year instead of the First Street beach loop because of the road construction in that area. Council gave their blessing.

## **COUNCILMEMBERS.**

Marshall commented on the demonstration at the Fire Station of the new Care Trak System that helps track dementia, Alzheimer, or special needs people; grant money for this program was received from the Local Revenue Sharing Board; and stated the trainer from Marquette was very pleased with the cooperation he witnessed between the fire and police departments.

Mack commented on the Michigan Association of Mayors conference he attended in Port Huron. He shared an Adopt-a-Park idea that was discussed at the conference.

## **ADJOURN.**

MOTION to adjourn was made by Hornkohl, second by Cote. Meeting adjourned at 8:23 p.m.

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