
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 21, 2016

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, June 21, 2016 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Roger Zielinski, Robert Goodspeed, James Smith, Mark Wittlieff, and Eric Gustad.

ABSENT: Lynda Beaton.

ALSO PRESENT: City Manager – Thad Taylor, City Attorney – George Saylor, City Clerk – Michelle Wright, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, and City Assessor – Molly Whetstone/Great Lakes Assessing.

AMEND AGENDA.

MOTION by Smith, second by Goodspeed to amend the agenda by adding Item X.d.) Consideration of a Closed Session, Seng Lawsuit.

With a roll call vote this motion passed unanimously.

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

NAYS: None

MOTION by Zielinski, second by Goodspeed to also amend the agenda by removing Item VIII.e.) Consideration of Awarding a Contract to Reconstruct Twelfth Street from Maple to Oak Street.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Gary Patulski – 159 Quincy Street commented on the Budget Amendments for the Ramsdell and Marina, stated the detail doesn't show the total picture in regards to actual revenue and subsidy, concentrate only on earned revenue; also commented on Streets.

CONSENT AGENDA.

- Minutes
 - June 6, 2016 - Regular Meeting
 - June 14, 2016 - Work Session
- Financial Reports
 - Payroll
 - May 9 – 22, 2016 - \$ 120,636.22
 - May 23 - June 5, 2016 - \$ 137,743.89

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- Invoices	-	May 10, 2016	-	\$ 497,690.62
	-	May 27, 2016	-	\$ 155,373.32

- Notification Regarding Next Work Session – July 12, 2016
A discussion will be conducted on Joslin Cove, with a presentation on the Motor Pool; and such business as may come before the Council.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF ENTERING INTO A FIVE-YEAR CONTRACT WITH GREAT LAKES ASSESSING FOR ASSESSING SERVICES AND DESIGNATING MARLENE WHETSTONE AS CITY ASSESSOR.

The City entered into a one-year contract in July 2015 with Great Lakes Assessing after City Assessor Julie Beardslee retired. That contract is expiring. The City has negotiated a new five-year agreement to provide assessing services. The City Attorney has reviewed and approved the agreement.

MOTION by Wittlieff, second by Zielinski to enter into a five-year contract for assessing services with Great Lakes Assessing, Inc. and designate Marlene Whetstone as City Assessor. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF RESCHEDULING THE JULY AND DECEMBER 2016 BOARD OF REVIEW DATES.

State law requires the July Board of Review to be held on the Tuesday following the third Monday in July; and the December Board of Review to be held on the Tuesday following the second Monday in December. State law allows these to be rescheduled on another day of the same week. In order for the City Assessor to be present at the Board of Review, the meeting dates need to be rescheduled to Wednesday, July 20, 2016 and Wednesday, December 14, 2016.

MOTION by Zielinski, second by Wittlieff to reschedule the July Board of Review to Wednesday, July 20, 2016 and the December Board of Review to Wednesday, December 14, 2016.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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CONSIDERATION OF BUDGET AMENDMENT 2016-1 FOR FISCAL YEAR-END JUNE 30, 2016.

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 Gustad, second by Wittlieff to adopt budget amendment 2016-1 for fiscal year ending June 30, 2016.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF ENTERING INTO A CONTRACT WITH REITH-RILEY FOR LOCAL STREET PAVING.

As part of the agreement between the City and Reith-Riley for the American Materials development; Reith-Riley is to provide \$140,000 worth of paving in the City. It has been agreed upon that performing mill and fill paving on the following City streets has a value of \$140,933.52. The City Attorney has reviewed and approved the contract.

Sixth Street (Pine to Robinson)
Robinson Street (Sixth to Seventh)
Jefferson Street (Harrison to Filmore)
Hancock Street (First to Third)
Sixth Street (Cypress to Lynn Court)
Michael Street (Sixth to Fifth)
Tamarack Street (Eighth to Browning)

MOTION by Goodspeed, second by Zielinski to approve a contract with Reith-Riley to complete paving on local streets with a value of \$140,933.52 and discounted (\$140,000.00) per the American Materials development agreement; and to authorize the Mayor and City Clerk to execute the Contract, Notice of Award, and Notice to Proceed documents. Brief discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Brownfield Redevelopment Authority, Compensation Commission, Downtown Development Authority, Historic District Commission, Non-

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Motorized Transportation Committee, 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: (*Incumbent)

BROWNFIELD REDEVELOPMENT AUTHORITY - Three vacancies, two terms ending 6/30/19 and one partial term ending 6/30/18. Applicants must be a City resident or person with interest in property in the City, Mayoral appointment.

Meagan Kempf, 1725 Merkey Road

Mayor Kenny appointed Meagan Kempf, 1725 Merkey Road to the Brownfield Redevelopment Authority for a term ending 6/30/19. MOTION by Zielinski, second by Gustad to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

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

NAYS: None

COMPENSATION COMMISSION - Two vacancies, terms ending 9/30/17 and 9/30/19, applicants must be registered voters in the City, Mayoral appointment.

None received

DOWNTOWN DEVELOPMENT AUTHORITY - One vacancy, term ending 6/30/20, applicants must have an interest in property in the downtown district, Mayoral appointment.

None received

HISTORIC DISTRICT COMMISSION - One vacancy, partial term ending 2/28/19, applicants must be City resident, Council appointment.

None received

NON-MOTORIZED TRANSPORTATION COMMITTEE - Four vacancies, three terms ending 3/31/18 and one partial term ending 3/31/17, Mayoral appointment.

Ken Blakey-Shell, 411 Birchwood Drive

Kenny appointed Ken Blakey-Shell, 411 Birchwood Drive to the Non-Motorized Transportation

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Committee for a term ending 3/31/18. MOTION by Wittlieff, second by Goodspeed to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

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

NAYS: None

PEG COMMISSION - One vacancy, term ending 12/31/18, applicants must be Manistee County residents, Council appointment.

None received

ZONING BOARD OF APPEALS - One vacancy, one term ending 5/31/18 (alternate member), Mayoral appointment.

None received

A REPORT FROM THE FINANCE DIRECTOR AND THE OIL AND GAS INVESTMENT BOARD.

Mr. Ed Bradford reported on the activities of the Finance Department and the Oil & Gas Investment Board and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Comments received by:

- Gary Patulski – 159 Quincy Street / thanked Mikula and DPW crew for tree trimming; thanked Police Department for monitoring his home while he was gone; stated Paul at the Fifth Avenue Concession is doing a good job; made comparisons of Traverse City and Manistee.
- Jan Teller – 712 Harbor Drive / commented on her previous talk to City Council regarding trimming of tree limbs obstructing her view, has researched other communities how they handle the same situation; kudos to the DPW and Bobbi Rogers for work being done at Lighthouse Park.

OFFICIALS AND STAFF.

None received.

COUNCILMEMBERS.

Zielinski stated that the DPW worked hard today, took out a ton of wood chips.

Wittlieff congratulated Mary Wilkosz of A & W Restaurant for planting flowers in front of her business; asked people to please volunteer for boards and commissions.

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CONSIDERATION OF A CLOSED SESSION, SENG LAWSUIT.

The City Attorney has requested a closed session to discuss an Attorney's Opinion dated June 20, 2016 and trial strategy in connection with the Manistee County Circuit Court Case of Seng et al. v. City of Manistee, as permitted by Section 8 (e) and (h) of the Michigan Open Meetings Act.

MOTION by Zielinski, second by Goodspeed to proceed to a Closed Session under Section 8 (e) and (h) of the Michigan Open Meetings Act. Time: 7:52 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

MOTION by Goodspeed, second by Smith to return to Regular Session. All in favor. Time: 8:23 p.m.

ADJOURN.

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

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