

# MANISTEE CITY COUNCIL

## MEETING AGENDA

**Monday, March 19, 2012 - 7:00 p.m. - Council Chambers**

**I. Call to Order.**

- a.) PLEDGE OF ALLEGIANCE.
- b.) ROLL CALL.

**II. Public Hearings.**

**III. Citizen Comments on Agenda Related Items.**

**IV. Consent Agenda.** All agenda items marked with an asterisk (\*) are on the consent agenda and considered by the City Manager to be routine matters. If the Mayor or any member of the Council wishes to discuss an item on the consent agenda, it will be deleted from the consent agenda and considered in its regular order on the agenda. Consent agenda items include:

- V. Approval of Minutes.
- VI. a.) Approval of Payroll.  
b.) Monthly Bills.
- XI. a.) Notification Regarding Next Work Session.

At this time Council could take action to approve the Consent Agenda as presented.

**\*V. Approval of Minutes.** Approval of the minutes of the March 6, 2012 regular meeting and the March 13, 2012 work session as attached.

**VI. Financial Report.**

- \*a.) APPROVAL OF PAYROLL.
- \*b.) MONTHLY BILLS

**VII. Unfinished Business.**

**VIII. New Business.**

- a.) PRESENTATION OF GIFTS OF APPRECIATION TO FORMER COUNCILMEMBERS RICHARD MACK AND ED COTE.

On behalf of the citizens of this community we give our thanks and appreciation to:

Richard Mack for his years of service with loyalty, integrity, dedication and honor to this community as a Councilmember from November 1997 to November 2011 and as Mayor from November 2001 to November 2004 and from November 2010 to November 2011.

Edward Cote for his years of service with loyalty, integrity, dedication and honor to this community as a Councilmember from May 2010 to November 2011.

At this time the Mayor will present gifts of appreciation.

- b. CONSIDERATION OF A CHANGE IN THE STANDARD LIGHTING CONTRACT WITH CONSUMERS ENERGY.

Thirteen streetlights owned by Consumers Energy were removed as part of the First Street Beach Construction project. Consumers also installed two new streetlights on Lakeshore Drive. Council resolutions are required to authorize Consumers Energy to adjust the City's monthly bill.

At this time Council could take action to adopt resolutions and authorize the City Manager and Clerk to execute the necessary documents with Consumers Energy.

- c.) CONSIDERATION OF A SPLIT AND COMBINATION REQUEST, CHALET WEST.

The Manistee City Planning Commission approved a Special Use Permit for a Planned Unit Development for the Chalet West Apartment Complex. As a condition of the Special Use Permit the Planning Commission placed a requirement that the encroachment of Melitzer and Sixth Avenue on the property be cleared up and the parcels be combined into one parcel.

A request has been received from Mr. Harless Feagins to dedicate/convey the portion of Melitzer Street and Sixth Avenue to the City and the remaining property be combined into one parcel which will be assigned parcel #51-211-127-00.

At this time Council could take action to accept conveyance of the portion of Melitzer Street and Sixth Avenue to the City from the Chalet West Apartment Complex and combine the three parcels into one parcel which will be assigned parcel #51-211-127-00 as shown on the transfer sketch prepared by Wilcox Professional Services.

d.) CONSIDERATION OF AN ADDENDUM TO THE REHABILITATION DEVELOPMENT AGREEMENT, CHALET WEST APARTMENTS.

In February 2011 the City of Manistee entered into a Rehabilitation Development Agreement with Manistee Place Limited Dividend Housing Association Limited Partnership for the Chalet West Apartments property. The timetable of rehabilitation stated "Such rehabilitation shall commence not later than December 31, 2011 and shall be substantially completed no later than February 1, 2013."

A request has been received from Manistee Place Limited Dividend Housing Association Limited Partnership requesting an extension for the Rehabilitation Development Agreement so they can obtain the permits necessary to start the project.

At this time Council could take action to authorize the Mayor and City Clerk to execute the Addendum to Rehabilitation Development Agreement with Manistee Place Limited Dividend Housing Association Limited Partnership.

e.) CONSIDERATION OF RESIDENTIAL RIVERFRONT LEASE TRANSFER.

Jeffrey DeWeerd, Steven Fitch and Glenn Borromeo are selling the home at 546 First Street. Messrs. DeWeerd, Fitch and Borromeo have a Residential Riverfront Lease with the City of Manistee for a dock on the Manistee River Channel behind the home. They are requesting City Council approval for the transfer of the Residential Riverfront Lease to the new purchasers of the home.

At this time Council could take action to approve the assignment of the current Residential Riverfront Lease to the successful purchaser of the property at 546 First Street and authorize the Mayor and City Clerk to execute the necessary documents.

f.) **CONSIDERATION OF THE OBSERVATION DECK, FIRST STREET CONSTRUCTION PROJECT.**

One of the remaining items to complete the First Street Construction Project is the construction of parking and an observation deck at the entrance to Douglas First Street Beach area. Change orders due to the extensive rip-rap on the bank have driven up the cost of the deck.

The contract cost to keep the deck is \$1,085,998.14.

The contract cost to remove the deck is \$977,055.82.

At the March 13, 2012 work session Council discussed whether the deck should remain in or be removed from the contract. Council was evenly divided on the issue and requested an opportunity to vote at a regularly scheduled meeting as to whether or not to keep or eliminate the deck from the First Street Construction Project.

At this time Council could take action to keep or remove the observation deck from the First Street Construction Project.

g.) **CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.**

The City Clerk had previously advertised vacancies on the Brownfield Redevelopment Authority, Compensation Commission, and the PEG Commission. The following applications have been received:

**BROWNFIELD REDEVELOPMENT AUTHORITY** – One vacancy, term ending 6/30/13, Mayoral appointment.

None Received

**COMPENSATION COMMISSION** – Two vacancies, terms ending 9/30/14 and 9/30/15, Mayoral appointment.

None Received

**PEG COMMISSION** – One vacancy, term ending 12/31/12, Council appointment.

Alan W. Marshall, 914 Vine Street

\*Incumbent

At this time the Mayor and Council could take action to make appointments as noted above.

**IX. Notices, Communications, Announcements.**

\*a.) NOTIFICATION REGARDING NEXT WORK SESSION.

A Council work session has been scheduled for Tuesday, April 10, 2012 at 7:00 p.m. Project updates will be presented; a budget work session will be conducted; and such business as may come before the Council. No action is required on this item.

b.) PRESENTATION OF THE DEPARTMENT OF PUBLIC WORKS / UTILITIES DEPARTMENT WHITE PAPER STUDY BY CITY MANAGER MITCH DEISCH.

**X. Concerns and Comments.**

a.) CITIZEN COMMENT. This is an opportunity for citizens to comment on municipal affairs. Citizens in attendance may be recognized by the Mayor for comments. Citizen comments are not limited to agenda items but should be directed toward municipal services, activities or areas of involvement.

b.) OFFICIALS AND STAFF.

c.) COUNCILMEMBERS.

**XI. Adjourn.**

MDD:cl

**COUNCIL AGENDA ATTACHMENTS:**

Council Meeting Minutes – March 6, 2012  
Council Work Session Minutes – March 13, 2012  
Monthly Bills  
Consumers Lighting Contract Changes  
Chalet West Split/Combination Request  
Chalet West Rehabilitation Agreement Amendment  
Riverfront Lease Transfer  
Observation Deck Discussion  
Board & Commission Applications