

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – March 19, 2012

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Monday, March 19, 2012 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Sid Scrimger, Robert Hornkohl, Ilona Haydon, Catherine Zaring, Beth Adams, and Alan Marshall.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, Deputy City Clerk – Mary Bachman, Community Development Director – Jon Rose, DPW Director – Jack Garber, Finance Director – Ed Bradford, and Public Safety Director – Dave Bachman.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Bob Grabowski, 341 Fourth Street, stated that money should not be spent on the deck, there are more pressing issues.

CONSENT AGENDA.

- Minutes - March 6, 2012 - Regular Meeting
- March 13, 2012 - Work Session
- Payroll - March 5 – 18, 2012 - \$ 147,346.54
- Monthly Bills - February 7, 2012 - \$ 818,591.89
- February 17, 2012 - \$ 87,108.95
- February 28, 2012 - \$ 668,608.24
- Notification Regarding Next Work Session – April 10, 2012
Project updates will be presented; a budget work session will be conducted; and such business as may come before the Council.

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

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall

NAYS: None

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.

Mayor Kenny presented the gifts of appreciation.

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.

MOTION by Hornkohl, second by Haydon to adopt resolutions and authorize the City Manager and Clerk to execute the necessary documents with Consumers Energy.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall

NAYS: None

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.

MOTION by Marshall, second by Zaring 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.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall

NAYS: None

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.

MOTION by Haydon, second by Hornkohl to authorize the Mayor and City Clerk to execute the Addendum to Rehabilitation Development Agreement with Manistee Place Limited Dividend Housing Association Limited Partnership. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall

NAYS: None

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.

MOTION by Hornkohl, second by Haydon 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.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall

NAYS: None

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.

MOTION by Haydon, second by Adams to remove the observation deck from the First Street Construction Project. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall

NAYS: None

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

MOTION by Hornkohl, second by Zaring to appoint Alan W. Marshall, 914 Vine Street, to the PEG Commission for a term ending 12/31/12.

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

CITIZEN COMMENT.

Lynda Beaton, 256 Hughes Street, is happy to see air carrier service at Manistee Blacker Airport; would like to see resolution of support for the work done by the Airport Authority.

Steven Wall, 314 Oak Street, submitted and read a draft proclamation for Council to consider to proclaim April as National Parliamentary Law Month.

OFFICIALS AND STAFF.

Bachman stated that on March 26, 2012 Manistee Blacker Airport will have an exercise for all public safety individuals.

COUNCILMEMBERS.

None received

ADJOURN.

MOTION to adjourn was made by Hornkohl, second by Haydon. Meeting adjourned at 8:35 p.m.

Mary Bachman CMC
Deputy City Clerk/Payroll & Benefits