

MANISTEE CITY COUNCIL

WORK SESSION AGENDA

Tuesday, November 24, 2020 - Virtual Meeting
Immediately following the 7:00 p.m. Special Meeting

We will now begin the City Council's November 24, 2020, Work Session. Mayor Zielinski, we are ready to proceed with the meeting.

I. Call to Order.

II. Work Session Items.

a.) PUBLIC COMMENTS ON WORK SESSION RELATED ITEMS.

Each person waiting in the virtual waiting room will be called individually by the City Clerk by the last four digits of their telephone number. Individuals will be asked if they have a comment or if they are passing.

It is **very important** that those giving comment have a good phone connection and no sound or noise whatsoever in the background (televisions and all forms of audio should be muted); otherwise, there will be disruptive audio. If the issue cannot be corrected by the caller, we will move on to the next person in line.

We will now take public comments. The work session discussion topics, for those that do not have an agenda are:

- Discussion on development of property on Water Street and River Street.
- Discussion on refuse billing in the DDA district.
- Discussion on marihuana licenses.

The City Clerk will now take over and accept Public Comments on work session agenda items.

The City Clerk will unmute and call on each person who has called into the meeting by the last four digits of their phone number; and ask if they would like to comment on agenda items. Once complete, they will turn the meeting back over to the Mayor.

- b.) DISCUSSION ON DEVELOPMENT OF PROPERTY ON WATER STREET AND RIVER STREET – Allen Martin.
- c.) DISCUSSION ON REFUSE BILLING IN THE DDA DISTRICT – Ed Bradford, Finance Director.
- d.) DISCUSSION ON MARIHUANA LICENSES.
- e.) OTHER.

III. Adjourn.

TNT:km

Attachments

Pilot vs Property Tax

DDA district refuse bulling

River Water Development
 Oceana County Housing Commission Non-profit Corp.
 49 Workforce Housing Apartments

Current Tax Summary

	SEV	Taxable	Taxes	Owosso Portion
Amor Property				
51-349-708-05 - 433 Water St	120,000	97,480	5,783	1,862
51-349-708-01	15,600	7,035	417	134
51-349-708-03	16,400	6,531	387	125
51-349-709-02	5,600	4,643	275	89
51-349-709-05	5,000	4,473	265	85
	162,600	120,162	7,129	2,295
Jones Property				
51-349-705-09	54,800	40,197	2,385	768
	217,400	160,359	9,514	3,063

Current Millage Rates

	Total	City
2020 Summer		
County Operating	5.5000	
City Operating	17.7612	17.7612
City Refuse	1.1500	1.1500
St Education Tax	6.0000	
Manistee ISD	2.3000	
Community College	2.7501	
	35.4613	18.9112
2019 Winter		
County 911	0.8000	
Council on Aging	0.3000	
Dial a ride	0.3300	
County Library	1.0000	
Medical Care	0.5000	
Conservative District	0.1000	
School Operating	18.0000	
School Debt	2.2500	
	23.2800	0.0000
	58.7413	18.9112
	58.7413	18.9112
	City Portion	32.194%

PILOT Calculation

	Calculation	Non-City	City Portion	
Gross Rent Potential	390,600			
Less Vacancy	7% (27,342)			
Less Utilities	(45,800)			
Net Collected Rents	317,458			
PILOT Percentage	4%			
PILOT Payment	12,698	8,610	4,088	City Portion
MSA - \$200 per unit	9,800	-	9,800	Increase
Total Payments by New Owner	22,498	8,610	13,888	453%



Administrative Services

Clerk | Finance | Treasury | IT | Assessing | Facilities | Ramsdell

Memo to: Thad Taylor, City Manager
From: Edward Bradford, CFO *EB*
Re: DDA Dumpster District Ordinance & Fees
Date: November 18, 2020

Thad,

City staff and Republic Services have been working over the past several months to implement the new garbage program for the DDA. Most businesses in the DDA along River Street will be required to either contract for a private dumpster or use the dumpsters provided in the downtown dumpster corrals. Garbage and cardboard will no longer be able to be placed out on River Street for collection.

The dumpster corrals have been constructed and are complete and ready for use. Once the appropriate ordinance and fee schedule are adopted, and notification to the affected property owners has occurred, the program can begin.

City Attorney George Saylor has created an Ordinance amendment to Chapter 1060 - Garbage and Rubbish Collection and Disposal of the codified ordinances that will implement this new program and clean up a few other sections. I have attached a copy. It is anticipated that this amendment will be presented to Council for consideration at the December 1, 2020 meeting.

The DDA Dumpster District is comprised of those properties in the City of Manistee along River Street from U.S. 31 to Maple Street and those properties on the North side of River Street from Maple Street to Pine Street. To appropriately price the services for this district, the City and Republic services canvassed the area and cross-referenced other information sources to come up with a list of buildings, properties and uses in the district. The analysis showed that four levels of service would be adequate to cover the uses in the district. Each service level is a multiple equivalent of a tidy-tote and is priced accordingly. See the Table below.

Classification	Total Equivalent	Monthly Cost	Typical Use
Residential	1	\$15.75	Apartments (each)
Commercial	1	\$15.75	Office, Small retail, Services
Commercial (2)	3	\$47.25	Large retail, Small café, Intensive services
Restaurant \ Food Service	12	\$189.00	Restaurants/bars, businesses with significant trash

Once City Council adopts the Ordinance and notification has been mailed to the building owner\taxpayer, the City can implement the new program. It is likely this will begin in January.

It should be noted that this program is very similar to the one used in downtown Grand Haven for the last ten years. I spoke with their Finance Director and she reported that the program has been well received by the downtown and seems to work well.

ORDINANCE 20-__

AN ORDINANCE TO AMEND CHAPTER 1060 OF THE CITY OF MANISTEE, MICHIGAN CODIFIED ORDINANCES BY ADDING SECTION 1060.13, RIVER STREET REFUSE COLLECTION, ELIMINATING SECTION 1060.05 DISPOSAL OF JUNK AND MODIFYING CERTAIN LANGUAGE REGARDING DISPOSAL OF BUILDING MATERIALS AND LANGUAGE REGARDING COLLECTION CHARGES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH

THE CITY OF MANISTEE ORDAINS:

Section 1.

Chapter 1060’s Heading and Sections 1060.04, 1060.05, 1060.06, 1060.10 B. and 1060.11 are amended by adding the following bold and underlined language and deleting the language shown with a strike through:

1060.01	Definitions	1060.08	Refuse containers or other receptacles used for collection
1060.02	Purpose and intent; promulgation of rules and regulations by City Manager	1060.09	Hazardous materials
1060.03	Unlawful deposits of solid waste	1060.10	Fees; billing by Water Department; special collection charges for clean-up by City
1060.04	Disposal of building materials	1060.11	Collection of charges
1060.05	Disposal of junk	1060.12	Other rates and charges
1060.06	Mandatory yard waste recycling/composting program	1060.99	Penalty
		<u>1061.13</u>	<u>River Street Refuse Collection</u>
1060.07	Placement of refuse containers for collection	<u>1060.99</u>	<u>Penalty</u>

1060.04 DISPOSAL OF BUILDING MATERIALS

The person responsible for generating building materials is responsible for the proper, lawful disposal of that building material. **No building materials shall be placed in a dumpster or for curbside pickup.** ~~A resident of the City may dispose of building materials at the Municipal dumpsters (if any) only if that building material was generated at his or her primary residence and his or her primary residence is within the corporate limits of the City. No contractors, commercial or industrial agents or concerns, nonresidents or residents not working on their primary dwelling within the City, may dispose of building materials at the Municipal dumpsters (if any). Building materials not authorized for deposit at the Municipal dumpsters shall be properly disposed of at a licensed landfill.~~

~~Building material may not be deposited for City collection and disposal during the annual spring trash haul (if any). (Ord. Unno. Passed 3-20-90.)~~

~~1060.05 DISPOSAL OF JUNK~~

~~Junk may be disposed of under rules and regulations established for the same, as provided for in Section 1060.02, during the annual spring trash haul (if any), or at the Municipal dumpsters (if any). Junk may be disposed of as refuse within the volume and weight limits established in such rules and regulations. (Ord. Unno. Passed 3-20-90.)~~

1060.06 MANDATORY YARD WASTE RECYCLING/COMPOSTING PROGRAM

A mandatory yard waste recycling/composting program is hereby established in the City. Yard waste shall be disposed of in biodegradable bags under the rules and regulations of that program as established by the City, as provided for in Section 1060.02. ~~Yard waste is not eligible for collection as refuse or for collection during the annual spring trash haul (if any) or at Municipal dumpsters (if any).~~ (Ord. Unno. Passed 3-20-90.)

1060.10 FEES; BILLING BY WATER DEPARTMENT; SPECIAL COLLECTION CHARGES FOR CLEAN-UP BY CITY

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B. All refuse collection charges shall be billed by the City Water Department with the water bill for the related premises, through its usual billing procedure, ~~except as herein provided for low volume users electing to use the metered bag option as provided in the rules and regulations promulgated pursuant to Section 1060.02.~~ All bills must be paid within fifteen days from the date on the bill. A ten percent service charge shall be added to the amount of the bill if it is not received by the City within fifteen days from the date of the bill.

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1060.11 COLLECTION OF CHARGES

~~All bills must be paid within fifteen days from the date on the bill. Ten percent will be added to the amount of the bill if it is not paid within fifteen days from the date of the bill.~~

Charges for refuse collection are hereby made a lien on the premises served and are hereby recognized to constitute such a lien. Whenever any such charge against any piece of property is delinquent for more than ~~sixty days~~ six (6) months, the charge shall be certified to the taxing officer of the City on March 1 and September 1 of each year, whereupon such charge shall be entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general City taxes against such premises are collected and the lien thereof enforced. (Ord. Unno. Passed 3-20-90.)

Chapter 1060 is further amended by adding Section 1060.13 as follows:

1060.13 RIVER STREET REFUSE COLLECTION

A. Collection Area. The properties that are subject to this Section 1060.13 are those properties in the City of Manistee along River Street from U.S. 31 to Maple Street and those properties on the North side of River Street from Maple Street to Pine Street.

B. It shall be the duty of the owner, occupant, and person in charge of the properties described in Section 1060.13 A. to not permit the deposit of refuse on River Street and arrange for either private disposal of all their refuse or participate in the City-provided dumpster program as described in Section 1060.13 C., below.

C. Those properties participating in the City-provided dumpster program shall deposit refuse in a City-provided corral dumpster and pay a fee to the City in an amount set by City Council and posted in the City Schedule of Fees.

Section 2. Severability

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section, or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of this ordinance which shall continue in full force and effect.

Section 3. Effective Date, Publication

This Ordinance amendment shall be effective ten (10) days after its enactment as provided in Section 4-3 of the City of Manistee Charter. The City Clerk shall cause a copy of this Ordinance to be published in a newspaper circulated in the city of Manistee, stating the date of the enactment and effective date of the Ordinance, a brief notice as to the subject matter of the Ordinance and such other facts as the City Clerk shall deem pertinent. A copy of the Ordinance shall be made available for public use and inspection at the office of the Manistee City Clerk.

Section 4.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, THIS _____ DAY OF _____, 2020.

ENACTMENT DATE: _____

CERTIFICATION

STATE OF MICHIGAN)
) ss.
COUNTY OF MANISTEE)

I, the undersigned, the duly qualified and acting Clerk of City of Manistee, do hereby certify that the foregoing is a true and complete copy of the Ordinance adopted by the Manistee City Council at a regular meeting held on the ___ day of _____, 2020, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____, 2020.

Heather Pefley, City Clerk