

MANISTEE CITY COUNCIL

MEETING AGENDA

TUESDAY, JUNE 5, 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.) Cash Balances.
- VII. a.) Consideration of Ordinance Z12-01 Creating New Zoning District P-D Peninsula District.
b.) Consideration of Ordinance 12-02 Adding Chapter 1030 Complete Streets to the Manistee City Codified Ordinances.
- XI. b.) Notification Regarding Next Work Session.
c.) Consideration of Annual Forest Festival Parade and Activities.
d.) Consideration of Running for God 5K Fun Run / Walk.

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

*V. **Approval of Minutes.** Approval of the minutes of the May 8, 2012 special meeting, the May 8, 2012 work session, and the May 15, 2012 regular meeting as attached.

VI. **Financial Report.**

*a.) APPROVAL OF PAYROLL.

*b.) CASH BALANCES REPORT.

VII. **Unfinished Business.**

*a.) CONSIDERATION OF ORDINANCE Z12-01 CREATING NEW ZONING DISTRICT P-D PENINSULA DISTRICT.

This ordinance amendment creates a new peninsula zoning district for the property on the east end of River Street. It would apply changes recommended by the Planning Commission including elimination of heavy industry, shipping facilities and warehouses. This new district provides for mixed use development consistent with the 2005 Peninsula Brownfield Redevelopment Plan. This amendment was first introduced by Council at their meeting of May 15, 2012 and could be adopted this evening.

At this time Council could take action to adopt Z12-01 amending the City of Manistee Zoning Ordinance creating a new Zoning District P-D Peninsula District.

*b.) CONSIDERATION OF ORDINANCE 12-02 ADDING CHAPTER 1030 COMPLETE STREETS TO THE MANISTEE CITY CODIFIED ORDINANCES.

The Michigan Department of Transportation has adopted the complete streets concept. Complete Streets provides for consideration of all forms of transportation including vehicular, bicycle, mobility devices and walking when designing and constructing. It is anticipated that local grant applications will be looked upon more favorably if the applicant has endorsed complete streets. This amendment was first introduced by Council at their meeting of May 15, 2012 and could be adopted this evening.

At this time Council could take action to adopt Ordinance 12-02 to add Chapter 1030 Complete Streets to the Manistee City Codified Ordinances.

VIII. New Business.

- a.) CONSIDERATION OF AN AGREEMENT WITH FILER CHARTER TOWNSHIP FOR THE FINAL CLARIFIER AT THE WWTP.

The agreement under consideration this evening would allow the City of Manistee to engage Fishbeck, Thompson, Carr & Huber as engineers to design the third final clarifier for the Manistee Wastewater Treatment Plant and for the Charter Township of Filer to advance the City \$85,000 for the payment of these professional services as part of the previously approved Interlocal Governmental Agreement to provide sewer and wastewater treatment plant services to the Charter Township of Filer.

The agreement has been reviewed and approved by the City Attorney and is recommended by the Council Utilities Committee.

At this time Council could take action to authorize the Mayor and City Clerk to execute the Clarifier Agreement with the Charter Township of Filer.

- b.) CONSIDERATION OF ORDINANCE 12-03 AMENDING CHAPTER 266 BOARD OF HARBOR COMMISSIONERS.

In September of 2011 City Council conducted a work session with the Harbor Commission to discuss the purpose of the Harbor Commission and Chapter 266, of the Code of Ordinances. Council directed this discussion to the Council Ordinance Committee to consider revising the ordinance or the possible combination of various commissions. The Council Ordinance Committee met and reviewed draft amended ordinance language and met jointly with the Harbor Commission and the Parks and Beautification Commission to investigate a possible combination of commissions. Both commissions rejected the possibility of combining into one board.

Following continued research and review of proposed ordinance amendment language prepared by staff and the Harbor Commission, the Council Ordinance Committee arrived at the attached proposed 12-03 Chapter 266 Ordinance Amendment. The Council Ordinance Committee has reviewed and recommends the ordinance amendment.

This would be the first reading of the proposed Ordinance Amendment 12-03. A second reading and possible adoption could take place at the June 19, 2012 Council meeting.

At this time Council could take action to introduce Ordinance Amendment 12-03 amending Chapter 266 Board of Harbor Commissioners.

c.) CONSIDERATION OF A REQUEST TO OPERATE AN ICE CREAM TRUCK WITHIN THE CITY OF MANISTEE LIMITS.

Longo's Sweet Treats LLC has requested authorization to operate an ice cream truck within the Manistee City limits. Longo's has provided copies of insurance, employee background checks, and a business license. They would like to operate within Manistee for the summer/fall season.

At this time Council could take action to authorize the operation of an ice cream truck by Longo's Sweet Treats LLC in Manistee for the summer and fall season.

d.) CONSIDERATION OF ELECTION PRECINCT INSPECTORS PAY INCREASE.

The Manistee City Charter Section 3-3 requires City Council to fix the rate of compensation for election precinct inspectors. The City Election Commission has recommended a pay increase for the election precinct inspectors and the chairpersons. Currently the inspectors are earning \$8.50 per hour and the chairperson earns \$9.25 per hour. The proposed increase, effective July 1, 2012, would be to raise these amounts to \$10.00 and \$11.00 per hour respectively. This is a budgeted amount.

At this time Council could take action to approve an hourly pay increase for the election precinct inspectors from \$8.50 to \$10.00 and from \$9.25 to \$11.00 for the precinct chairpersons effective July 1, 2012.

e.) CONSIDERATION OF ESTABLISHING RECEIVING BOARDS FOR ELECTIONS.

Michigan Election Law, MCL 168.679(a), provides that the legislative body of a city or township may, by resolution, approve the establishment of one or more "receiving boards" to take receipt of the sealed ballot containers, Poll Books, Statement of Votes and other materials which are returned to the clerk immediately following the close of the polls.

The use of receiving boards is strongly encouraged by the Bureau of Elections as they provide an effective, low cost way to promote the "recountability" of precincts in the event a recount is requested after the election. This is another step in improving election process efficiency. Although a similar process has already been established by the City Clerk's department, they are requesting City Council approval of this formal process.

At this time Council could take action to approve a resolution to establish Receiving Boards for Elections as deemed necessary by the City Clerk and authorize the Mayor and City Clerk to sign the resolution.

f.) **CONSIDERATION OF THE PURCHASE OF TWO RIDING LAWN MOWERS.**

The Parks Department currently has several riding mowers with baggers that are more than ten years old. Maintenance costs are starting to out-weigh the value of the machines. Downtime while maintaining these mowers causes a backup of jobs. Two new mowers would increase job productivity, efficiency and completion time.

The 2012-2013 Motor Pool Budget includes \$10,000 to replace one riding mower. However, the Parks Department would like to purchase an additional mower and the Finance Department has advised that there are sufficient funds in the Motor Pool to purchase both mowers. Council is being asked to consider the purchase of two Ex Mark riding lawn mowers with baggers from Freeman Creek Equipment for a total purchase price of \$21,914.

At this time Council could take action to approve the purchase of two riding lawn mowers from Freeman Creek Equipment: 60” six deck mower with triple bagger, kit and quick dump for \$11,477 and 52” mower with double bagger, complete kit and quick dump for \$10,437.

IX. Notices, Communications, Announcements.

a.) **A REPORT FROM THE FINANCE DEPARTMENT AND THE OIL AND GAS INVESTMENT BOARD.**

A regular part of each Council meeting is a report from a cooperating agency, organization or department.

At this time Mr. Ed Bradford will report on the activities of the Finance Department and the Oil and Gas Investment Board and respond to any questions the Council may have regarding their activities.

No action is required on this item.

*b.) **NOTIFICATION REGARDING NEXT WORK SESSION.**

A Council work session has been scheduled for Tuesday, June 11, 2012 at 7:00 p.m. A discussion will be conducted on 2012 project updates; and such business as may come before the Council. No action is required on this item.

*c.) CONSIDERATION OF ANNUAL FOREST FESTIVAL PARADE AND ACTIVITIES.

Authorization is being sought by the Manistee Area Chamber of Commerce to support the Annual Forest Festival Parade and events beginning Wednesday, July 4 through Sunday, July 8, 2012. The proposed schedule includes:

- The Grand Parade on July 4 at 10 a.m., beginning on Division Street, traveling West on River Street, to the Armory.
- Authorization for the Great Northern Senury Company to begin setup at First Street Beach for fireworks at 4 p.m. with execution when dark, weather permitting.
- The Manistee World of Arts & Crafts is requesting the use of Red Szymarek Park for the 41st annual show to be held July 6-7, 2012; with permission to use the park from July 4-7 to allow time for setup.
- Authorization is requested to hold a Children's Parade on Saturday, July 7 at 10 a.m.; walking on sidewalks from Filer Street to Division to River Street ending at the Art Park.
- Requesting the use of city property by the Armory on July 7 from 1-4 p.m. for a lawn tractor pull.
- They request permission for the use of city property on Sunday, July 8 from 8 a.m. to 3 p.m. to barricade the First Street Boat Launch parking lot to hold the Customs-N-Classics Car Show.

At this time Council could take action to authorize the annual Forest Festival Parade and Related Activities involving city-owned property.

*d.) CONSIDERATION OF RUNNING FOR GOD 5K FUN RUN / WALK.

Christian Faith Church International is sponsoring the Running for God 5K Fun Run / Walk to benefit Love, Inc. The event is scheduled for Saturday, June 16, 2012 at 9 a.m. beginning at the First Street Lion's Pavilion, to Cherry Street, to Eighth Street, to Robinson Street, to Oak Street, to Water Street to First Street; and ending back at the Lion's Pavilion.

At this time Council could take action to authorize the Running for God 5K Fun Run / Walk on Saturday, June 16, 2012.

e.) PRESENTATION BY FINANCE DIRECTOR OF THIRD QUARTER FINANCIAL AND INVESTMENT REPORT.

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 Special Meeting Minutes – May 8, 2012
Council Work Session Minutes – May 8, 2012
Council Meeting Minutes – May 15, 2012
Cash Balances Report
Clarifier Agreement
Harbor Commission Ordinance Amendment
Ice Cream Truck Request
Election Inspector Pay Increase
Establish Election Receiving Boards
Lawn Mower Purchase
Forest Festival Request
Fun Run / Walk Request