

Manistee Harbor Commission

Established - November 1931

70 Maple Street Manistee, Michigan 49660

Agenda

Wednesday June 20, 2012 at 1:00 PM – Second floor Conference Room

Call to order

Approval of Agenda

Public Comments on Agenda Items (5 minute limit)

Approval of Minutes

- Minutes of April 18, 2012 Meeting

Staff Reports

- Jon Rose & Ty Cook – Punch List
- Harbor Master/Marina Manager
- City Manager

Committee Reports

- Marketing & Promotion
- Ordinance Committee

Unfinished Business

- Marina Building – Cost/Final Acceptance

New Business

- First Street Boat Launch issues
- Computer – Boater's use

Public Comment (5 minute limit)

Comments by Harbor Commissioners

Adjournment

Commissioners are encouraged to participate in the preparation of the monthly agendas for Harbor Commission meetings. Please contact the Chairman at least two weeks prior to the scheduled meeting to discuss agenda items.

**HARBOR COMMISSION MINUTES
MEETING OF MAY 16, 2012**

A regular meeting of the Manistee Harbor Commission was held on Wednesday, May 16, 2012 at 1:05 p.m. in the Second Floor Conference Room, City Hall, 70 Maple Street, Manistee MI 49660.

Roll Call	Present	Excused Absence	Unexcused Absence
Commissioner Bachman		✓	
Commissioner Cook	✓		
Commissioner Kriskywicz		✓	
Commissioner Schrock		✓	
Commissioner Seng	✓		
Commissioner Spencer	✓		
Commissioner Zielinski	✓		
City Manager Mitch Deisch	✓		

OTHERS PRESENT: Marina Manager Frank Post

APPROVAL OF AGENDA

MOTION by Zielinski, second by Seng to approve the agenda as presented. Motion carried.

PUBLIC COMMENTS ON AGENDA ITEMS None.

APPROVAL OF MINUTES

MOTION by Seng, second by Zielinski to approve the minutes for the April 18, 2012 meeting with the correction to include the entire proposed Harbor Commission ordinance amendment as part of the minutes; not as an attachment. Motion carried.

STAFF REPORTS

Marina Building Progress/Punch List. Ty Cook distributed his revised punch list as of 4/15/12. It was noted that outer doors on restrooms should only to be able to be locked on the outside. Amazing job on the floor. Marina Manager felt that there should be minimal maintenance now. Only item left on the interior is the shower curtain height and it has been determined that there is no code violation. Few items remain on the wish list, the largest being the patio area. Harbor Master is securing cost estimates to put in concrete but this will not be completed until funds allow.

Harbormaster. Marina Manager Frank Post gave the report and advised that he attended training on State reservation program. Some modifications were made to resolve some issues. Marina opens tomorrow for the season. Work schedules have been prepared for the season. Finance Department looking for an extra computer for the marina since the State has locked down their computer for reservation program use only. Key system has been installed and programmed. Discussed possible \$5 deposit for key cards to cover cost of replacement if lost or not returned. Discussed security around the marina; difficult to provide complete security in an open and public environment.

City Manager.

- No damages from last night's electrical storm. Recent lightning protection project protected the well fields and generators kicked in as needed.
- Reviewed his memo dated May 15, 2012 that provided an update on the three municipal boat launches. Memo covered Arthur Street, Ninth Street and the First Street boat launches and included status of the facilities, revenues, and current issues. Memo will be kept on file with Harbor Commission records. Questions and comments by Harbor Commission members including a question by Zielinski on making Arthur Street a pay to launch facility. Harbor Commission previously recommended that this facility not be pay to launch. City Manager would push for Arthur Street to become pay to launch if the Ninth Street launch were in better condition.
- State blackout period for dredging ends May 31, dredging contractor slated to be in Manistee sometime during the month of June. The only area to be dredged is near the mouth of the harbor. Recent USACOE soundings in feet shows the river channel is still at appropriate depths. Approximately 25,000-35,000 cubic yards of material will be dredged and placed in the lake south of the harbor.
- Distributed copies of the City Council Ordinance Committee's proposed Harbor Commission Ordinance amendments. Ordinance amendments anticipated to be on the June 5, 2012 Council meeting agenda. An electronic copy will be sent to the Harbor Commission.

COMMITTEE REPORTS

Marketing & Promotion Committee. Continues to investigate magazine articles and ads. Maralee Cook finishing up Ports of Call story / local advertising. Met with DDA Marketing & Promotions Committee; they distributed Forest Festival schedule of events. Ty Cook suggested an open house at the marina during the festival and requested that the committee meet to discuss tours of the marina in conjunction with the duck race, parade or other festival events.

City Manager advised that the DDA Design Committee is also researching the possibility of changing the traffic flow on River Street to two-way and stopping River Street at the marina. They have also discussed the possibility of converting the triangle area into park area and the traffic would flow around the triangle. These are just discussion items at the moment but could impact marina operations in the future.

Ordinance Committee. Committee Members Ross Spencer and Roger Zielinski met with the Council Ordinance Committee on Tuesday, May 15, 2012 to gain their perspective on why they did not accept the ordinance submitted by the Harbor Commission. Mr. Spencer reported that

the Council Ordinance Committee did not want to listen to them before or after the meeting, so there was nothing more to report. Submitted May 15, 2012 committee meeting minutes for the file.

UNFINISHED BUSINESS

Marina Building Cost – Questions & Update. Item dropped from the agenda.

NEW BUSINESS

Boat Launches. Item previously discussed under Manager's report.

Rejection – City Council Ordinance Committee. Item previously discussed under committee reports.

Marina – Second Floor. City Manager advised that City Council has decided to go in the direction of daily rentals and requested that staff draft a policy. Revenue raised will go toward marina debt. Discussed the need for waivers of liability if alcohol is served during an event and briefly discussed marketing; both will be addressed in the Council policy.

PUBLIC COMMENT None.

COMMENTS BY HARBOR COMMISSIONERS

Ross Spencer – Invited all to Airport Open House on May 24, 2012.

Ty Cook – Working on article for Tightlines for Troops.

ADJOURNMENT

MOTION by Zielinski, second by Seng to adjourn at 2:23 p.m.

Respectfully submitted,

DRAFT

Cindy Lokovich, Recording Secretary

c. Harbor Commission Members
Manistee City Council
City Clerk/Bulletin Board

MANISTEE MUNICIPAL MARINA

Boaters' Survey

Slip number 78 Date of arrival 7-29 Length of visit 2

Your Home Port: G Haven State Mi

Reservation Y/N By Internet Y/N Phone Y/N

If by Internet, which web site was used: _____

Your comments about the reservation process : _____

Why have you chosen Manistee to visit: _____

During your visit to Manistee are you planning to:

Shop local Retail Groceries Hardware Marine Repairs
 Visit Museums Beach Playgrounds Casino River Walk
 Cook-out at the Marina Order-in Eat out Eat aboard

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:

Docking and cast-off assistance	1	2	3	4	<u>5</u>
Pump-out and refueling services	1	2	3	4	<u>5</u>
Courtesy and expertise of Marina's staff	1	2	3	4	<u>5</u>
Marina Lounges	1	2	3	4	<u>5</u>
Toilets	1	2	3	4	<u>5</u>
Showers	1	2	3	4	<u>5</u>
Overall condition and level of maintenance	1	2	3	4	<u>5</u>
Are you likely to return to Manistee's Marina	1	2	3	4	<u>5</u>
Will you recommend to your friends	1	2	3	4	<u>5</u>

Your comments/suggestions are welcomed! _____

MANISTEE MUNICIPAL MARINA

Boaters' Survey

Slip number _____ Date of arrival 7/29/11 Length of visit 6 days

Your Home Port: ORLANDO State FL

Reservation Y/N By Internet Y/N Phone Y/N

If by Internet, which web site was used: _____

Your comments about the reservation process : _____

Why have you chosen Manistee to visit: We try to fish local tournaments each year.

During your visit to Manistee are you planning to:

Shop local Retail Groceries Hardware _____ Marine _____ Repairs _____
Visit Museums _____ Beach Playgrounds Casino River Walk
Cook-out at the Marina _____ Order-in _____ Eat out _____ Eat aboard _____

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:

Docking and cast-off assistance	1	2	3	4	5
Pump-out and refueling services	1	2	3	4	5
Courtesy and expertise of Marina's staff	1	2	3	4	5
Marina Lounges	1	2	3	4	5
Toilets	1	2	3	4	5
Showers	1	2	3	4	5
Overall condition and level of maintenance	1	2	3	4	5
Are you likely to return to Manistee's Marina	1	2	3	4	5
Will you recommend to your friends	1	2	3	4	5

Your comments/suggestions are welcomed! Have family here, we visit 2-3 times every year, fish the tournaments held in Manistee. The Dyson hand dryers are state of the art however should have been mounted one 8" lower and the other twelve inches lower for children also, DECAF coffee is the correct brew.

MANISTEE MUNICIPAL MARINA

Boaters' Survey

Slip number 28 Date of arrival Aug 1 Length of visit 1 mo.

Your Home Port: Gregory, MI State MI

Reservation Y N By Internet Y N Phone Y N

If by Internet, which web site was used: _____

Your comments about the reservation process : Great

Why have you chosen Manistee to visit: Been coming here for 15 years.

During your visit to Manistee are you planning to:

Shop local Retail Groceries Hardware Marine Repairs
 Visit Museums Beach Playgrounds Casino River Walk
 Cook-out at the Marina Order-in Eat out Eat aboard

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:

Docking and cast-off assistance	1	2	3	4	<u>5</u>
Pump-out and refueling services	1	2	3	4	<u>5</u>
Courtesy and expertise of Marina's staff	1	2	3	4	<u>5</u>
Marina Lounges	1	2	3	4	<u>3</u>
Toilets	1	2	3	4	<u>5</u>
Showers	1	2	3	4	<u>5</u>
Overall condition and level of maintenance	1	2	3	4	<u>5</u>
Are you likely to return to Manistee's Marina	1	2	3	4	<u>5</u>
Will you recommend to your friends	1	2	3	4	<u>5</u>

Your comments/suggestions are welcomed!

I love the new facilities except for one small item the kids area is wasted space. In my 15 years of coming to this port I have seen very few children. The ones I did see were sitting on the adult couch watching T.V. I would like to see you re-do the kids section into something useful for both adults & kids. More couches & adult chairs. Kids can sit on adult chairs, adults cannot sit in the kids section!

MANISTEE MUNICIPAL MARINA

Boaters' Survey

Slip number 16 Date of arrival 8/2 Length of visit 1 Day

Your Home Port: PORT WASHINGTON State WI

Reservation Y N By Internet Y N Phone Y N

If by Internet, which web site was used: _____

Your comments about the reservation process : GREAT - HARD AVAILABLE
SLIP WITH EITHER PORT OR STARBOARD TIE

Why have you chosen Manistee to visit: TRAVELING UP THE MICHIGAN
COAST

During your visit to Manistee are you planning to:
 Shop local Retail Groceries Hardware Marine Repairs
 Visit Museums Beach Playgrounds Casino River Walk
 Cook-out at the Marina Order-in Eat out Eat aboard

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:					
Docking and cast-off assistance	1	2	3	4	5 <input checked="" type="radio"/>
Pump-out and refueling services	1	2	3	4	5 <input checked="" type="radio"/> N/A
Courtesy and expertise of Marina's staff	1	2	3	4	5 <input checked="" type="radio"/>
Marina Lounges	1	2	3	4	5 <input checked="" type="radio"/>
Toilets	1	2	3	4	5 <input checked="" type="radio"/>
Showers	1	2	3	4	5 <input checked="" type="radio"/>
Overall condition and level of maintenance	1	2	3	4	5 <input checked="" type="radio"/>
Are you likely to return to Manistee's Marina	1	2	3	4	5 <input checked="" type="radio"/>
Will you recommend to your friends	1	2	3	4	5 <input checked="" type="radio"/>

Your comments/suggestions are welcomed! ENJOYED THE NEW
MARINA BUILDING & FACILITIES!

MANISTEE MUNICIPAL MARINA
Boaters' Survey

Slip number 15 Date of arrival 8/3 Length of visit 1 day

Your Home Port: Muskegon State MI

Reservation Y/N By Internet Y/N Phone Y/N

If by Internet, which web site was used: _____

Your comments about the reservation process : _____

Why have you chosen Manistee to visit: Very much like the town
Your new facilities are great

During your visit to Manistee are you planning to:
 Shop local Retail _____ Groceries Hardware _____ Marine _____ Repairs _____
 Visit Museums _____ Beach _____ Playgrounds _____ Casino _____ River Walk
 Cook-out at the Marina Order-in _____ Eat out _____ Eat aboard _____

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:

Docking and cast-off assistance	1	2	3	<input checked="" type="radio"/> 4	<input type="radio"/> 5
Pump-out and refueling services	1	2	3	<input type="radio"/> 4	<input checked="" type="radio"/> 5
Courtesy and expertise of Marina's staff	1	2	3	<input checked="" type="radio"/> 4	<input type="radio"/> 5
Marina Lounges	1	2	3	<input type="radio"/> 4	<input checked="" type="radio"/> 5
Toilets	1	2	3	<input type="radio"/> 4	<input checked="" type="radio"/> 5
Showers	1	2	3	<input type="radio"/> 4	<input checked="" type="radio"/> 5
Overall condition and level of maintenance	1	2	3	<input type="radio"/> 4	<input checked="" type="radio"/> 5
Are you likely to return to Manistee's Marina	1	2	3	<input type="radio"/> 4	<input checked="" type="radio"/> 5
Will you recommend to your friends	1	2	3	<input type="radio"/> 4	<input checked="" type="radio"/> 5

Your comments/suggestions are welcomed! Your sprinklers come
on at 5pm. Picnic table is now wet.
Swing wet. Great place to eat Sprinklers
should come on in the morning.

MANISTEE MUNICIPAL MARINA

Boaters' Survey

Slip number 12 Date of arrival 8/4/2011 Length of visit 8/5/2011

Your Home Port: South Haven State MI

Reservation Y/N By Internet Y/N Phone Y/N

If by Internet, which web site was used: _____

Your comments about the reservation process : _____

Why have you chosen Manistee to visit: It was on the way back
from Algoma WI.

During your visit to Manistee are you planning to:

Shop local Retail _____ Groceries Hardware _____ Marine _____ Repairs _____
 Visit Museums _____ Beach Playgrounds _____ Casino _____ River Walk
 Cook-out at the Marina _____ Order-in _____ Eat out Eat aboard

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:

Docking and cast-off assistance	1	2	3	4	<u>5</u>
Pump-out and refueling services <u>NA</u>	1	2	3	4	<u>5</u>
Courtesy and expertise of Marina's staff	1	2	3	4	<u>5</u>
Marina Lounges	1	2	3	4	<u>5</u>
Toilets	1	2	3	4	<u>5</u>
Showers	1	2	3	4	<u>5</u>
Overall condition and level of maintenance	1	2	3	4	<u>5</u>
Are you likely to return to Manistee's Marina	1	2	3	4	<u>5</u>
Will you recommend to your friends	1	2	3	4	<u>5</u>

Your comments/suggestions are welcomed! The one thing that

Algoma WI had that no other Marina has had so far, was Bikes that the Boaters could take to get groceries & other things in a timely manner when compared to walking. Thanks for listening! God Bless!

MANISTEE MUNICIPAL MARINA

Boaters' Survey

Slip number 9 Date of arrival 8/7/2011 Length of visit 2 DAYS

Your Home Port: HOLLAND State MI

Reservation Y/N By Internet Y/N Phone Y/N

If by Internet, which web site was used: STATE MARINA SITE

Your comments about the reservation process: EASY TO USE

Why have you chosen Manistee to visit: NEVER BEEN HERE BEFORE...

During your visit to Manistee are you planning to:

Shop local Retail Groceries Hardware Marine Repairs
 Visit Museums Beach Playgrounds Casino River Walk
 Cook-out at the Marina Order-in Eat out Eat aboard

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:

Docking and cast-off assistance	1	2	3	4	<input checked="" type="radio"/> 5
Pump-out and refueling services	1	2	3	4	5 N/A
Courtesy and expertise of Marina's staff	1	2	3	4	<input checked="" type="radio"/> 5
Marina Lounges	1	2	3	4	<input checked="" type="radio"/> 5
Toilets	1	2	3	4	<input checked="" type="radio"/> 5
Showers	1	2	3	4	<input checked="" type="radio"/> 5
Overall condition and level of maintenance	1	2	3	4	<input checked="" type="radio"/> 5
Are you likely to return to Manistee's Marina	1	2	3	4	<input checked="" type="radio"/> 5
Will you recommend to your friends	1	2	3	4	<input checked="" type="radio"/> 5

Your comments/suggestions are welcomed! DOCIL STAFF ARE GREAT - WELL TRAINED AND VERY HELPFUL. NEW BUILDING VERY WELL DONE. FREE INTERNET SERVICE WITH 'NO PASSWORD' GREATLY APPRECIATED. BROADBAND COVERAGE AT MARINA LOCATION NOT GOOD.

* PLEASE REMOVE CLEAT ON CENTER PILING OF SLIP 9 + 8, AS THEY FACE THE BOAT AND CAN DAMAGE BOATS GOING IN + OUT OF THE SLIPS.

MANISTEE MUNICIPAL MARINA

Boaters' Survey

Slip number 15 Date of arrival 5/23/12 Length of visit 1 NIGHT

Your Home Port: WHITE HALL State MI

Reservation By Internet Y/N Phone

If by Internet, which web site was used: _____

Your comments about the reservation process : _____

Why have you chosen Manistee to visit: LOCATION

During your visit to Manistee are you planning to:

Shop local Retail Groceries Hardware Marine Repairs
 Visit Museums Beach Playgrounds Casino River Walk
 Cook-out at the Marina Order-in Eat out Eat aboard

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:

Docking and cast-off assistance	1	2	3	4	<u>5</u>
Pump-out and refueling services	1	2	3	4	<u>5</u>
Courtesy and expertise of Marina's staff	1	2	3	4	<u>5</u>
Marina Lounges	1	2	3	4	<u>5</u>
Toilets	1	2	3	4	<u>5</u>
Showers	1	2	3	4	<u>5</u>
Overall condition and level of maintenance	1	2	3	4	<u>5</u>
Are you likely to return to Manistee's Marina	1	2	3	<u>4</u>	5
Will you recommend to your friends	1	2	3	4	<u>5</u>

Your comments/suggestions are welcomed! WOW, WHAT A GREAT

UPGRADE TO YOUR MARINA. THE STAFF IS GREAT AS

ALWAYS!

THANK YOU!

MANISTEE MUNICIPAL MARINA
Boaters' Survey

Slip number 16 Date of arrival 5-23-12 Length of visit 1 day

Your Home Port: Suttons Bay State Mi

Reservation Y(N) By Internet Y(N) Phone Y(N)

If by Internet, which web site was used: _____

Your comments about the reservation process : called via phone - very
accommodating

Why have you chosen Manistee to visit: convenient for our travel
up the coast

During your visit to Manistee are you planning to: EAT dinner out, go up, sleep, leave
Shop local ___ Retail ___ Groceries ___ Hardware ___ Marine ___ Repairs ___
Visit Museums ___ Beach ___ Playgrounds ___ Casino ___ River Walk ___
Cook-out at the Marina ___ Order-in ___ Eat out ___ Eat aboard ___

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:

Docking and cast-off assistance	1	2	3	4	<u>5</u>
Pump-out and refueling services	1	2	3	4	<u>5</u>
Courtesy and expertise of Marina's staff	1	2	3	4	<u>5</u>
Marina Lounges	1	2	3	4	<u>5</u>
Toilets	1	2	3	4	<u>5</u>
Showers	1	2	3	4	<u>5</u>
Overall condition and level of maintenance	1	2	3	4	<u>5</u>
Are you likely to return to Manistee's Marina	1	2	3	4	<u>5</u>
Will you recommend to your friends	1	2	3	4	<u>5</u>

Your comments/suggestions are welcomed! _____

Very clean and staff very friendly

MANISTEE MUNICIPAL MARINA
Boaters' Survey

Slip number 15 Date of arrival 5/23/12 Length of visit 1

Your Home Port: WHITEHALL State _____

Reservation N By Internet Y N Phone N

If by Internet, which web site was used: _____

Your comments about the reservation process : WE HAD SOME DIFFICULTY
CONNECTING BY PHONE. POOR SIGNAL + ATTENDANT NOT ALWAYS AVAILABLE.
FINALLY LEFT MSG AND RECEIVED CALL BACK.

Why have you chosen Manistee to visit: ON ROUTE TO TRAVERSE CITY, GOOD
PLACE TO STOP ON TRIP

During your visit to Manistee are you planning to:

Shop local _____ Retail _____ Groceries _____ Hardware _____ Marine _____ Repairs _____
Visit Museums _____ Beach _____ Playgrounds _____ Casino _____ River Walk _____
Cook-out at the Marina _____ Order-in _____ Eat out Eat aboard

How would you rate your experience in Manistee (1-lowest to 5-highest):

Manistee Marina facilities and services:

Docking and cast-off assistance	1	2	3	4	<input checked="" type="radio"/> 5
Pump-out and refueling services	1	2	3	<input checked="" type="radio"/> 4	5
Courtesy and expertise of Marina's staff	1	2	3	4	<input checked="" type="radio"/> 5
Marina Lounges	1	2	3	4	<input checked="" type="radio"/> 5
Toilets	1	2	3	4	<input checked="" type="radio"/> 5
Showers	1	2	3	4	<input checked="" type="radio"/> 5
Overall condition and level of maintenance	1	2	3	4	<input checked="" type="radio"/> 5
Are you likely to return to Manistee's Marina	1	2	3	4	<input checked="" type="radio"/> 5
Will you recommend to your friends	1	2	3	4	<input checked="" type="radio"/> 5

Your comments/suggestions are welcomed! VERY NICE FACILITY.

FRIENDLY PEOPLE. GOOD FOOD IN TOWN. REALLY ENJOYED

OUR ONE NIGHT HERE. ALSO APPRECIATED FREE W.I.F.I.

Chapter 266

Harbor Commission

266.01 Commission Established, Composition, Terms, City Manager as Ex-officio Member, and Appointment of Harbor Master

- A. There is hereby established the City of Manistee Harbor Commission.
- B. The City of Manistee Harbor Commission shall consist of seven (7 members) appointed by City Council for 3 year terms, without compensation.
- C. The City Manager shall serve as a non-voting Ex-Officio member of Harbor Commission.
- D. The Harbor Master shall serve as a voting member of the Harbor Commission.
- E. The Harbor Commissioners shall meet annually to select the Chairperson, Vice Chairperson and Secretary and other such officers it may deem advisable.
- F. The City Council shall appoint a Harbor Master pursuant to MCL 324.79302.

266.02 Qualifications of Members; Meetings

- A. The Chairperson of the Commission shall be a resident of the City of Manistee.
- B. The other members of the Commission shall represent a cross section of the resident population of the City of Manistee, two (2) of who may be nonresidents of the city but who:
 - 1. Owns real estate within the City.
 - 2. Owns a business or is a licensed professional located within the City and whose business/profession is directly related to boating or Harbor Commission areas.
- C. A quorum to conduct business shall consist of a majority of the Commission, including the Chairperson.
- D. Meetings of the Commission shall be governed by the Michigan Open Meetings Act.
- E. The Commission shall keep minutes and records of its meetings and activities and the same shall be subject to the Michigan Freedom of Information Act.
- F. The Commission shall meet at least quarterly during each year, and more frequently as needed. The date and time of each meeting will, where practicable be agreed upon by the consensus of the Commission members and such City staff as may be assigned to meet with the Commission. Notice of each meeting will be posted as required by law.

266.03 **Purpose and Duties**

A. The purpose of the Commission shall be to advise the City Council, City Departments and City Boards and Commissions on matters pertaining to the orderly development and maintenance of the City Marina and City Boat Launches; and identifying and planning City Marina and Boat Launch projects.

B. The responsibility and duties of the City of Manistee Harbor Commission shall include:

1. Establish bylaws that will be approved by City Council.
2. Make recommendations to City Council and City Departments about the operation, maintenance and policies of the City Marina and City operated boat launches.
3. Review and make recommendations on all significant City Marina / City boat launch improvement projects.
4. To recommend to City Council and City Departments on the acquisition of such additional waterfront property, wharves, and docks as it may deem proper and feasible for the proper regulation and control of the waterfront activities upon Manistee Lake and the Manistee River Shipping Channel.
5. Study and make recommendations to City Council and City Department's use of waterways, channels, municipal docks or other navigational facilities which are under the control of the City.
5. To recommend to City Council and City Departments the adoption by the City of such ordinances or rules as public safety may require with respect to safety of boats and ships in the navigable waters under the jurisdiction of the City of Manistee.
6. Provide an annual report to City Council on the progress of the Harbor Commission and its projects and to seek Council approval for public projects.

**Chapter 266
Board of Harbor Commissioners**

266.01	Establishment; composition; compensation; terms; City Manager as ex-officio member; organization.	266.03	Reports to Council Purpose and duties
266.02	Powers and authority		

CROSS REFERENCES
Municipal navigational facilities - see M.C.L.A. Secs. 281.541 et seq.
Marine Safety Act - see M.C.L.A. Secs. 281.1002 et seq.
Harbor Development Act - see M.C.L.A. Secs. 281.1251 et seq.
Watercraft - see TRAF. Ch. 450
River, lake and harbor regulations - see GEN. OFF. Ch. 670
Marina operation - see S.U. & P.S. 1062.05
Wharf and dock construction - see B. & H. Ch. 1478

266.01 ESTABLISHMENT; COMPOSITION; COMPENSATION; TERMS; CITY MANAGER AS EX-OFFICIO MEMBER; ORGANIZATION

~~Pursuant to the provisions of Act 66 of the Public Acts of 1952, as amended (being M.S.A. 5.2768(11) to 5.2768(13), inclusive), there is hereby established a Board of Harbor Commissioners, consisting of seven members, serving without compensation, to be appointed by the City Council. The Commissioners so appointed by the City Council shall serve for a term of three years. The City Manager shall be an ex-officio member of this Board. Immediately after their appointment, the Commissioners shall meet and organize by electing a Chairperson, a Vice Chairperson, a Secretary and such other officers as they may deem necessary. (Ord. 94-2. Passed 5-17-94.)~~

- A. There is hereby established the City of Manistee Harbor Commission.
- B. The City of Manistee Harbor Commission shall consist of seven (7) members appointed by City Council for three (3) year terms, without compensation.
- C. The City Manager shall serve as a non-voting Ex-Officio member of the Harbor Commission.
- D. The Harbor Master shall serve as a voting member of the Harbor Commission.
- E. The Harbor Commission shall meet annually to select the Chair, Vice-Chair and Secretary and other such officers it may deem advisable.
- F. The City Council shall appoint a Harbor Master pursuant to MCL 324.79302.

266.02 POWERS AND AUTHORITY

The Board of Harbor Commissioners shall have the following powers and authority:

- A. To cause to be prepared a comprehensive plan for the construction or reconstruction of waterfront property privately owned or owned or controlled by the City, or which it may hereafter acquire, making provision for the needs of commerce and shipping and providing for the construction and reconstruction of such wharves, piers, slips, dock apparatus and other facilities as it may deem necessary for the convenient and economical accommodation and handling of watercraft of all kinds and business incidental thereto.
- B. To have exclusive charge and control of the wharf property owned by the City, including all of the wharves, piers, bulkheads and structures thereon, and water adjacent thereto, and all of the slips, basins, docks, waterfronts, land under water and structures thereon and the appurtenances, easements, uses, reversions and rights thereto which are now owned or possessed by the City or to which the City is or may become entitled or which the City may hereafter acquire.
- C. To recommend to the City Council the acquisition of such additional waterfront property, wharves, docks, warehouses and landing places as it may deem proper and feasible for the proper regulation and control of waterfront activities upon Manistee Lake.
- D. To exercise all powers delegated to it by the State or Federal Governments relative to the regulation and control of the navigable waters and the docks, wharves, piers and structures thereon bordering such navigable waters within the jurisdictional limits of the City, whether or not such powers are expressly enumerated herein, and to adopt such rules and regulations necessary to carry out said powers for the protection of public health, safety and welfare, provided, however, that the same are not inconsistent with any Federal laws, rules or regulations or laws of the State governing the same.
- E. To recommend the adoption by the City of such ordinances as public safety may require with respect to the safety of boats and ships in the navigable waters under the jurisdiction of the City. (Ord. Unno. Passed 10-6-70.)

266.02 POWERS AND AUTHORITY

- A. The Chair of the Commission shall be a resident of the City of Manistee.
- B. The other members of the Commission shall represent a cross section of the resident population of the City of Manistee, two (2) of who may be nonresidents of the city but whom:
 - 1. Owns real estate within the City.
 - 2. Owns a business or is a licensed professional located within the City and whose business/profession is directly related to boating or Harbor Commission areas.

- C. A quorum to conduct business shall consist of a majority of the Commission, including the Chair.
- D. Meetings of the Commission shall be governed by the Michigan Open Meetings Act.
- E. The Commission shall keep minutes and records of its meetings and activities and the same shall be subject to the Michigan Freedom of Information Act.
- F. The Commission shall meet at least quarterly during each year, and more frequently as needed. The date and time of each meeting will, where practicable be agreed upon by the consensus of the Commission members and such City staff as may be assigned to meet with the Commission. Notice of each meeting will be posted as required by law.

~~266.03~~ ——— ~~REPORTS TO COUNCIL~~

~~The Board of Harbor Commissioners shall make full and complete reports from time to time to the City Council. (Ord. Unno. Passed 10-6-70.)~~

266.03 PURPOSE AND DUTIES

- A. The purpose of the Commission shall be to advise the City Council, City Departments and City Boards and Commissions on matters pertaining to the orderly development and maintenance of the City Marina and City boat launches; and identifying and planning City Marina and boat launch projects.
- B. The responsibility and duties of the City of Manistee Harbor Commission shall include:
 - 1. Establish bylaws with consent of the City Council.
 - 2. Make recommendations to City Council and City Departments about the operation, maintenance and policies of the City Marina and City operated boat launches.
 - 3. Review and make recommendations on all significant City Marina and City boat launch improvement projects.
 - 4. To recommend to City Council and City Departments on the acquisition of such additional waterfront property, wharves and docks.
 - 5. To study and make recommendations to City Council and City Departments on the use of waterways, channels, municipal docks or other navigational facilities which are under the control of the city.
 - 6. To recommend to City Council and City Departments the adoption by the City of such ordinances or rules as public safety may require with respect to safety of boats and ships in the navigable waters under the jurisdiction of the City of Manistee.
 - 7. Provide an annual report to City Council on the progress of the Harbor Commission and its projects and to seek Council approval for public projects.

At the March 15, 2012 meeting of the City of Manistee Harbor Commission an Ordinance Committee was established comprised of Rick Schrock, Chair, Ross Spencer, and Roger Zielinski.

The Ordinance Committee met on April 10, 2012. The Committee reviewed the existing Harbor Commission Ordinance, a new draft ordinance supplied by the City Manager, and several Harbor Commission ordinances in effect in neighboring communities.

The Ordinance Committee drafted the following ordinance language to recommend to the City of Manistee Harbor Commission:

Chapter 266

Harbor Commission

266.01 Commission Established, Composition, Terms, and Compensation

- A. There is hereby established the City of Manistee Harbor Commission.
- B. The City of Manistee Harbor Commission shall consist of 7 members, appointed by the City Council, for 3 year terms.
- C. Harbor Commissioners shall serve without compensation.

266.02 Meetings and Minutes

- A. Meetings of the Harbor Commission shall be governed by the Michigan Open Meetings Act.
- B. The Commission shall keep minutes and records of its meetings and activities and shall be subject to the Michigan Freedom of Information Act.
- C. Minutes shall be placed on file with the City Clerk and on the City of Manistee website so as to be readily available to the public.

266.03 Purpose and Duties

- A. The purpose of the Harbor Commission shall be to study and advise the City Council, City Departments, and City Boards and Commissions on matters pertaining to the orderly development, maintenance, operations, policies, and finances of the City Marina, City Boat Launches, and public and private waterfront property for the convenient and economical accommodation and handling of watercraft of all kinds and business incidental thereto.
- B. The responsibility and duties of the Harbor Commission shall include:
 - 1. Establish bylaws with the consent of City Council.
 - 2. Make recommendations to the City Council and City Departments about the development, maintenance, operations, policies, and finances of the City Marina and City Boat Launches.
 - 3. Review and make recommendations on all significant City Marina, Boat Launches, and waterfront improvement projects.
 - 4. To recommend to City Council the acquisition of such additional waterfront property, wharves, and docks as it may deem proper and feasible for the proper regulation and control the waterfront activities.
 - 5. Study and make recommendations to the City Council concerning waterways, channels, municipal docks, or other navigational facilities which are under the control of the City.
 - 6. To recommend to the City Council the adoption by the City of such ordinances or rules as public safety may require with respect to the safety of boats and ships in the navigable waters under the jurisdiction of the City of Manistee.
 - 7. Provide and annual report to the City Council on the work of the Harbor Commission.

The Ordinance Committee recommends that the City of Manistee Harbor Commission endorse this ordinance recommendation. The Committee further recommends that the Commission request that the Harbor Commission Ordinance Committee and the City Council Ordinance Committee meet jointly to review this and any other ordinance language brought before the body. We recommend that our committee work with the Council Committee to find common ground and purpose, to reach a consensus, and to jointly recommend language for a new Chapter 266 Harbor Commission Ordinance which has the support and endorsement of both bodies.

Respectfully Submitted,
Rick Schrock
Chairman, Harbor Commission Ordinance Committee