

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – January 15, 2013

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, January 15, 2013 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Robert Hornkohl, Ilona Haydon, Catherine Zaring, Beth Adams, and Eric Gustad.

ABSENT: Sid Scrimger.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, City Assessor – Julie Beardslee, DPW Director – Jack Garber, Finance Director – Ed Bradford, and Public Safety Director – Dave Bachman.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

None received.

CONSENT AGENDA.

- Minutes
 - January 2, 2013 - Regular Meeting
 - January 8, 2013 - Work Session
 - January 9, 2013 - Work Session
- Payroll
 - Dec. 24, 2012 – Jan. 6, 2013 - \$ 125,694.88
- Monthly Bills
 - December 11, 2012 - \$ 300,005.64
 - December 20, 2012 - \$ 398,810.43
- Notification Regarding Next Work Session – February 12, 2013
 - A discussion will be conducted on the Ramsdell Theatre White Paper, Project Updates; and such business as may come before the Council.

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

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Haydon, Zaring, Adams, and Gustad

NAYS: None

CONSIDERATION OF SUPPORTING HOUSING COMMISSION RESOLUTION 2012-27 BY REMOVING A MEMBER OF THE HOUSING COMMISSION.

The Mayor and City Council have been requested to support Housing Commission Resolution 2012-27 requesting the removal of Housing Commissioner L. B. Bacon from his position as a commissioner. City of Manistee Codified Ordinance Chapter 270 Housing Commission Section 270.02 Appointments states, "The Mayor of the City is hereby directed to appoint members of the Housing Commission with the consent and approval of the other members of the City Council."

At their meeting of Tuesday, December 18, 2012 concerns were raised by Council that this was the first Council had heard of these issues with the Housing Commission and requested more time to consider this item. A motion was made to table the discussion (in effect a motion to postpone) and to schedule a joint meeting of the City Council and the Housing Commission. The joint work session was held on January 9, 2013.

MOTION by Hornkohl, second by Zaring to proceed to a vote on the motion pending from the December 18, 2012 meeting. It was clarified that this motion was to remove Mr. Bacon from the Housing Commission.

With a roll call vote this motion passed, 5-1.

AYES: Kenny, Hornkohl, Zaring, Adams, and Gustad
NAYS: Haydon

CONSIDERATION OF COUNCIL PURCHASING POLICY CP-13 AMENDMENTS.

City Council has adopted a Purchasing Policy for the City. Council had some concerns about a few areas and charged the Audit Committee to review the Purchasing Policy and suggest changes. The Audit Committee met and suggested changes. Administration has incorporated these changes in a new draft of the Purchasing Policy.

MOTION by Hornkohl, second by Adams to amend Council Purchasing Policy CP-13.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Haydon, Zaring, Adams, and Gustad
NAYS: None

CONSIDERATION OF THE PURCHASE OF A 2013 VACTOR MODEL 2115 COMBINATION SEWER CLEANER.

The Sewer Maintenance Department uses a vactor for sewer line, catch basin and lift station cleaning; and water department dig jobs. The vactor is used daily and on emergency calls. The current vactor is a 2006 model and is operating at a lesser efficiency level and needing more frequent repairs.

In the 2012-2013 Motor Pool Budget, the City has allocated \$35,700 per year for the purchase of a new vacator. Earlier this year, the DPW Director and the sewer technicians tested three different machines (Vac-On, Aquatech and Vactor). Their mutual decision was that the Vactor Model 2115 from Jack Doheny Companies was in the best interest of the City of Manistee. Total cost of the unit is \$387,443.49 less trade-in of \$116,208.00; for a final unit price of \$271,235.49.

Jack Doheny Companies and PNC Bank offer an exclusive lease program. The lease agreement is for five years with an annual payment of \$26,705 and a guaranteed buyback/cost to purchase at the end of five years of \$163,000. The Finance Director recommends this method of financing and the City Attorney has reviewed the lease paperwork and approves the agreement.

MOTION by Haydon, second by Hornkohl to approve the purchase of a Vactor Manufacturing Model 2115 Combination Sewer Cleaner through a five-year lease with trade-in; and further authorize the Mayor, City Clerk and Finance Director to execute the appropriate documents.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Haydon, Zaring, Adams, and Gustad
NAYS: None

CONSIDERATION OF PLANNING COMMISSION BYLAWS.

On January 3, 2013 the City Planning Commission amended their bylaws, Section 3.5 Quorum and Section 6.2 Committees, to reflect the recent change in membership from nine members to seven members.

MOTION by Haydon, second by Zaring to adopt bylaws for the City of Manistee Planning Commission and authorize the Mayor to execute the document.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Haydon, Zaring, Adams, and Gustad
NAYS: None

CONSIDERATION OF ZONING BOARD OF APPEALS BYLAWS.

On January 3, 2013 the City Zoning Board of Appeals amended their bylaws, Section 3.5 Quorum, to reflect the recent change in Article 25 of the City of Manistee Zoning Ordinance.

MOTION by Haydon, second by Zaring to adopt bylaws for the City of Manistee Zoning Board of Appeals and authorize the Mayor to execute the document.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Haydon, Zaring, Adams, and Gustad
NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Board of Review, Brownfield Redevelopment Authority, Compensation Commission, Historic District Commission, PEG Commission and the Zoning Board of Appeals.

All appointments by the Mayor are subject to the Council's approval, unless otherwise specified by statute or ordinance. Nominations for Council appointments do not require a second. After a member of Council nominates an individual for appointment, Council shall vote on the nomination. A majority vote in favor of placement of the nominee is required for appointment.

The following applications have been received (**Incumbent Member*):

BOARD OF REVIEW – One regular member, unexpired term ending 12/31/13; Council appointment. Applicants shall be taxpaying electors of the City who are owners of property assessed for taxes in the City and, at the time of their appointment, are neither elected or appointed officials of the City.

None received.

BROWNFIELD REDEVELOPMENT AUTHORITY – One unexpired term ending 06/30/14; Mayoral appointment.

None received.

COMPENSATION COMMISSION – Two vacancies, five year terms ending 09/30/17; Mayoral appointment.

None received.

HISTORIC DISTRICT COMMISSION – Two vacancies, three year terms ending 02/28/16; Council appointment.

David Carlson, 100 Oak Street, Apt. 203*
John H. Perschbacher, 420 Third Street*

Councilmember Haydon nominated Mr. David Carlson – 100 Oak Street, Apt. 203 to the Historic District Commission for a three year term ending 02/28/16.

With a roll call vote this nomination passed unanimously.

AYES: Kenny, Hornkohl, Haydon, Zaring, Adams, and Gustad
NAYS: None

Councilmember Haydon nominated Mr. John H. Perschbacher – 420 Third Street to the Historic District Commission for a three year term ending 02/28/16.

With a roll call vote this nomination passed unanimously.

AYES: Kenny, Hornkohl, Haydon, Zaring, Adams, and Gustad
NAYS: None

PEG COMMISSION – Two vacancies, three year terms ending 12/31/15; Council appointment.

Daniel James Wrzesinski, 515 Maple Street, Apt. #3*

Councilmember Hornkohl nominated Mr. Daniel James Wrzesinski – 515 Maple Street, Apt 3 to the PEG Commission for a three year term ending 12/31/15.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Haydon, Zaring, Adams, and Gustad
NAYS: None

ZONING BOARD OF APPEALS – One vacancy (alternate member), unexpired term ending 05/31/15; Mayoral appointment.

None received.

Mayor Kenny requested that the remaining vacancies be advertised again.

A REPORT FROM THE MANISTEE COUNTY BLACKER AIRPORT.

Mr. Barry Lind reported on the activities of the Manistee County Blacker Airport and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

None received.

OFFICIALS AND STAFF.

Bradford announced a new winter/spring concert line up at the Ramsdell Theatre starting this weekend.

Beardslee made a request for people to apply for the Board of Review.

COUNCILMEMBERS.

Haydon announced her resignation from City Council due to taking a new position and moving to Toledo OH.

Adams asked for an update on the Utilities Director position.

Kenny thanked Haydon for her past service, hard work, and dedication to the City as a councilmember

and as a past mayor. Kenny also read a letter of resignation from Councilmember Scrimger due to work conflicts and ability to attend meetings.

ADJOURN.

MOTION to adjourn was made by Zaring. Meeting adjourned at 8:00 p.m.

Michelle Wright MMC / CPFA, MiCPT
City Clerk/Deputy Treasurer