

**PROCEEDINGS OF THE MANISTEE CITY COUNCIL – October 19, 2010**

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Ilona Haydon on Tuesday, October 19, 2010 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Ed Cote, Robert Hornkohl, Ilona Haydon, Hank Yonkman

ABSENT: Richard Mack, Alan Marshall

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, Community Development Director – Jon Rose, DPW Director – Jack Garber, Finance Director – Ed Bradford, Acting Fire Chief – Timm Smith, City Engineer – Jeff Mikula/Abonmarche

**#10-127 PUBLIC HEARING ON THE ADOPTION OF A BROWNFIELD PLAN FOR 334, 336 & 338 RIVER STREET.**

The purpose of this public hearing is to afford an opportunity for all citizens to provide comments on the adoption of a Brownfield Plan for 334, 336 & 338 River Street. City Council will take action on this request later in the meeting.

The Mayor invited the public to speak on the Brownfield Plan for 334, 336 & 338 River Street. No comments received on the Brownfield Plan.

**CITIZEN COMMENTS ON AGENDA RELATED ITEMS.**

Nathaniel Neider, 111 Pine Street, spoke regarding the Zoning Ordinance Amendment Z10-05. He is a Planning Commission member and is concerned about industrial use on key streets and creating a sense of place; allowing industrial use on US-31 seems to be contrary to the boat launch facility, condominiums, and the Rodeway Inn across the street; concerned about the ingress and egress issue with trucks trying to use the east side of US-31; hopes City Council will reconsider the amendment to the ordinance that would allow industrial uses on a key street.

**#10-128 CONSENT AGENDA.**

Consent agenda items include:

- Minutes - October 4, 2010 - Regular Meeting  
- October 12, 2010 - Work Session
- Payroll - Sept. 27 – Oct. 3, 2010 - \$ 51,522.78  
- October 4 – 10, 2010 - \$ 53,555.96  
- October 11 – 17, 2010 - \$ 52,006.62

- Cash Balances Report - September 2010
- Notification Regarding Next Work Session  
No Council work session is currently scheduled for November due to the Organizational Meeting scheduled for Tuesday, November 9, 2010, following the General Election. *Next regular meeting will be on Wednesday, November 3, 2010 due to the election also.*
- Consideration of Ordinance Amendment Z10-01 to the Manistee City Zoning Ordinance.  
Ordinance Z10-01 changes Duplex from a Use by Right to a Special Use in the R-2, R-3 and W-F Districts. As an ordinance two separate readings are required. This amendment was first introduced by Council at their meeting of October 5, 2010 and could be adopted this evening.
- Consideration of Ordinance Amendment Z10-02 to the Manistee City Zoning Ordinance.  
Ordinance Z10-02 adds a Bed & Breakfast as a Special Use in the C-2 District. As an ordinance two separate readings are required. This amendment was first introduced by Council at their meeting of October 5, 2010 and could be adopted this evening.
- Consideration of Ordinance Amendment Z10-03 to the Manistee City Zoning Ordinance.  
Ordinance Z10-03 provides language in the Ordinance for condominiums. As an ordinance two separate readings are required. This amendment was first introduced by Council at their meeting of October 5, 2010 and could be adopted this evening.
- Consideration of Ordinance Amendment Z10-04 to the Manistee City Zoning Ordinance.  
Ordinance Z10-04 adds Medium Site Plan Review Standards. As an ordinance two separate readings are required. This amendment was first introduced by Council at their meeting of October 5, 2010 and could be adopted this evening.
- Consideration of Ordinance Amendment Z10-06 to the Manistee City Zoning Ordinance.  
Ordinance Z10-06 adds new Zoning District G-C Golf Course District. As an ordinance two separate readings are required. This amendment was first introduced by Council at their meeting of October 5, 2010 and could be adopted this evening.
- Consideration of Ordinance Amendment Z10-07 to the Manistee City Zoning Ordinance.  
Ordinance Z10-07 amends Article 21 Signs (eliminates confusion for multi-tenant buildings, allows more signage, some signs will not require a permit, establishes consistent set-backs). As an ordinance two separate readings are required. This amendment was first introduced by Council at their meeting of October 5, 2010 and could be adopted this evening.

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

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman  
NAYS: None

**#10-129 CONSIDERATION OF ORDINANCE AMENDMENT Z10-05 TO THE MANISTEE CITY ZONING ORDINANCE.**

Ordinance Z10-05 changes Place of Public Assembly Small from a Use by Right to a Special Use and Deletes Industrial Uses in Article 12 Waterfront District. As an ordinance two separate readings are required. Council tabled this discussion at their meeting of October 5 and directed staff to rewrite the ordinance amendment to allow deep port shipping and warehousing facilities as a special use.

This will be a first reading of the proposed Ordinance Amendment Z10-05. A second reading and possible adoption could take place at the November 3, 2010 Council meeting.

NO MOTION received. Council's consensus directed staff to rewrite the ordinance amendment removing the deep port shipping and warehousing facilities as a special use.

**#10-130 PRESENTATION BY MARLENE WOOD ZYLSTRA, BENZIE COUNTY RECYCLING COORDINATOR ON MANISTEE COUNTY RECYCLING PROGRAM.**

Manistee County is requesting the City of Manistee join the County Recycling Program through an Interlocal Agreement at a cost of \$13.00 per residential improved parcel. Cyndy Fuller, Alliance for Economic Success, and Marlene Wood Zylstra, Benzie County Recycling Coordinator, gave a presentation to Council.

Council agreed to further discuss this issue at an upcoming work session. Deisch will try to schedule a special work session on Tuesday, October 26<sup>th</sup> depending on the availability of Council members and Cyndy Fuller.

**#10-131 CONSIDERATION OF A BROWNFIELD PLAN FOR 334, 336 & 338 RIVER STREET BROWNFIELD REDEVELOPMENT PROJECT.**

Earlier this evening a public hearing was held on the proposed Brownfield Plan for 334, 336 & 338 River Street Redevelopment Project. The City of Manistee Brownfield Redevelopment Authority has approved a Brownfield Plan for the property at 334, 336 & 338 River Street. The Brownfield Redevelopment Financing Act requires that Brownfield Plans obtain approval from the municipality in which they are located.

MOTION by Hornkohl, second by Kenny to adopt a resolution for the Brownfield Plan for the 334, 336 & 338 River Street Brownfield Redevelopment Project.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman

NAYS: None

**#10-132 CONSIDERATION OF A RESOLUTION AUTHORIZING 2010 DOWNTOWN DEVELOPMENT REFUNDING BONDS.**

The City previously issued Downtown Development bonds for financing the Streetscape Project. The Downtown Development Authority is responsible for the payments on this bond. Given the current

interest rate environment, the City has the ability to refinance the bonds and save in excess of \$70,000. The DDA will still be responsible for the payments.

MOTION by Hornkohl, second by Kenny to adopt a Resolution Authorizing 2010 Downtown Development Refunding Bonds.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman

NAYS: None

**#10-133 REPORT FROM HARBOR COMMISSION AND THE WATER DEPARTMENT.**

Mr. Dave LaPoint, chair of the Harbor Commission was unable to attend this evening.

Mr. Bruce Banks reported on the activities of the Water Department and responded to questions the Council had regarding their activities.

**#10-134 PRESENTATION ON MARINA PROJECT UPDATE.**

Administration, along with representatives from Abonmarche, provided a detailed update on the Municipal Marina Project.

**CITIZEN COMMENT.**

Rich Schrock, 603 Harvard Lane, spoke regarding the City Marina project: two major problems uncovered – storm sewer and wood mat; questioned if Council felt the engineering services received is meeting their expectations due to all of the additional costs incurred because of the new discoveries.

Fred Walter, St. Mary's Parkway, asked if any thought was given to curbside recycling for the whole city; commented on the cracks in the road on First Street hill, concerned they may become potholes this winter; and stated that Ludington resurfaced some of their roads this year using a slurry instead of tearing them up – wondered if this method could also be done here to save money.

**COUNCILMEMBERS.**

Haydon stated the Executive Session scheduled for this evening will be postponed to November 3<sup>rd</sup> since Councilmembers Mack and Marshall are absent.

**ADJOURN.**

MOTION to adjourn was made by Hornkohl, second by Yonkman. Meeting adjourned at 9:00 p.m.

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