
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – November 1, 2016

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, November 1, 2016 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Lynda Beaton, Roger Zielinski, Robert Goodspeed, James Smith, Mark Wittlieff, and Erin Pontiac.

ALSO PRESENT: City Manager – Thad Taylor, City Attorney – George Saylor, City Clerk – Michelle Wright, Public Safety Director – Dave Bachman, and City Engineer – Shawn Middleton / Spicer Group.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

James Dirk - Spring Lake / introduced himself as the communications director for the Catamaran Racing Association, available to answer any questions Council may have.

Barry Lind – 532 Fourth Street / he is chair of the PEG Commission, is excited where PEG is going, but in need of more members; Councilman Zielinski has been attending meetings and would be a good addition to the commission.

CONSENT AGENDA.

- Minutes - October 18, 2016 - Regular Meeting
- Financial Reports
 - Cash Balances - August 2016
 - Quarterly Financial Update - July-Sept. 2016
 - Quarterly Investment Update - July-Sept. 2016
- Consideration of Ordinance Z16-02, Repealing Chapter 263 Non-Motorized Transportation Committee
Ordinance Z16-02 was drafted in response to a request from the Non-Motorized Transportation Committee who recognizes the need for all municipalities in Manistee County to work together to consolidate efforts and resources through the establishment of a County-Wide Multi-Use Trail Committee. As an ordinance two separate readings are required. The ordinance was introduced at the October 18, 2016 meeting and could be adopted at this time.
- Notification Regarding Next Work Session – Wednesday, November 9, 2016
A discussion will be conducted on the Frozen Water Line policy, warning signs on Maple Street around Middle School, reduced speeds on River Street, outdoor cafes; and such business as may come before the Council.
- Consideration of Annual Victorian Sleighbell Parade and Old Christmas Weekend
The Manistee Downtown Development Authority requests authorization to conduct the 28th Annual Victorian Sleighbell Parade and Old Christmas Weekend on December 1- 4, 2016. The committee has requested various street closures and other assistance from City personnel. The highlight of the event is the parade on Saturday, December 3, 2016; with other activities throughout the downtown area. The event request also includes a request for a banner on the River Street Arch from November 18 – December 4, 2016.

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – November 1, 2016

MOTION by Zielinski, second by Wittlieff to approve the Consent Agenda as presented.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac

NAYS: None

CONSIDERATION OF A CATAMARAN RACING EVENT IN FIRST STREET BEACH DOUGLAS PARK.

The Catamaran Racing Association of Michigan wishes to use various parts of Douglas Park in conjunction with a planned racing event on August 11-13, 2017. They are requesting permission to authorize onsite camping, use of the beach to store the catamarans, and the closure of some parking spots to facilitate moving the catamarans to the water.

MOTION by Goodspeed, second by Zielinski to authorize the requests by the Catamaran Racing Association of Michigan; authorize staff to assist as necessary; and further authorize staff to act in the City's best interest if changes are made to the event. Question was asked if the ordinance should be amended to allow this type of event to be a permitted use. Saylor will review the ordinance.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac

NAYS: None

CONSIDERATION OF A FIRE DEPARTMENT PICKUP TRUCK PURCHASE.

Three quotes were solicited for a replacement pickup at the Fire Department. The low quote was from Gorno Ford at \$43,400. This included the vehicle, graphics, lighting and radio installation; plus a slide out rack for the bed and a topper on the back. This is budgeted as a cash purchase from the Motor Pool. The budgeted amount is \$60,000.

MOTION by Goodspeed, second by Wittlieff to authorize the purchase of a 2017 Ford F-250 as quoted for \$43,400 from Gorno Ford. Lengthy discussion followed regarding the bidding process.

MOTION by Zielinski, second by Smith to table this item until the next Council meeting.

With a roll call vote this motion passed, 4-3.

AYES: Beaton, Zielinski, Smith, and Pontiac

NAYS: Kenny, Goodspeed, and Wittlieff

CONSIDERATION OF A SETTLEMENT, AMENDMENT AND REAFFIRMATION AGREEMENT WITH RIETH-RILEY.

The City of Manistee was a defendant and Rieth-Riley an intervening party in a lawsuit involving Edward Seng, Seng Dock & Trucking, Inc. and Seng Land Company as Plaintiffs regarding the Seng Peninsula Property. Rieth-Riley was dismissed from the lawsuit and the City of Manistee was granted Summary Disposition as to the claims brought against it by the Plaintiffs. Rieth-Riley has appealed the decision regarding its dismissal from the lawsuit. The City has negotiated with Rieth-Riley a resolution that would recognize Rieth-Riley's claim that its consent would be necessary to amend the Development Agreement between the City and Seng entities, which

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – November 1, 2016

would resolve the appeal with respect to the City. The proposed Settlement, Amendment and Reaffirmation Agreement has been approved by the City Attorney.

MOTION by Beaton, second by Zielinski to approve the Settlement, Amendment and Reaffirmation Agreement with Rieth-Riley; and further authorize the Mayor and City Clerk to execute the document.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Airport Authority, Board of Review, Brownfield Redevelopment Authority, Compensation Commission, Downtown Development Authority, Harbor Commission, Historic District Commission, PEG Commission, and the Planning Commission.

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:

AIRPORT AUTHORITY. One vacancy, term ending 11/30/19. This is the City's nomination to the County Airport Authority. Mayoral appointment.

Barry Peterson, 575 Eighth Street

Mayor Kenny appointed Barry Peterson, 575 Eighth Street, as the City's nomination to the County Airport Authority for a term ending 11/30/19. MOTION by Zielinski, second by Goodspeed to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac

NAYS: None

BOARD OF REVIEW. (*Alternate Member*) One vacancy, term ending 12/31/17. Applicants must be a City taxpaying, registered voter. Council appointment.

None received

BROWNFIELD REDEVELOPMENT AUTHORITY. One vacancy, term ending 6/30/18. Applicants must be City resident or person with interest in property in the City. Mayoral appointment.

None received

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – November 1, 2016

COMPENSATION COMMISSION. Two vacancies, terms ending 9/30/17 and 9/30/19. Applicants must be registered voters in the City. Mayoral appointment.

None received

HISTORIC DISTRICT COMMISSION. One vacancy, term ending 2/28/19. Applicants must be City resident. Council appointment.

None received

HOUSING COMMISSION. One vacancy, term ending 5/31/20. Mayoral appointment.

Krista McDougall, 2910 Maple Road

Kenny appointed Krista McDougall, 2910 Maple Road, to the Housing Commission for a term ending 5/31/20. MOTION by Goodspeed, second by Zielinski to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac
NAYS: None

PEG COMMISSION. Three vacancies, two terms ending 12/31/18, one term ending 12/31/19. Applicants must be Manistee County resident. Council appointment.

Roger Zielinski, 529 First Street

Councilmember Beaton nominated Roger Zielinski, 529 First Street, to the PEG Commission for a term ending 12/31/18.

With a roll call vote this nomination passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac
NAYS: None

CONSIDERATION OF A SPECIAL WORK SESSION IN NOVEMBER.

The City Manager has requested that Council schedule a special work session for Tuesday, November 29, 2016 to begin the annual strategic plan update with the Alliance for Economic Success.

MOTION by Zielinski, second by Smith to schedule a special work session for Tuesday, November 29, 2016 beginning at **6:00** p.m.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac
NAYS: None

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – November 1, 2016

A REPORT FROM THE RAMSDELL REGIONAL CENTER FOR THE ARTS.

Ms. Sarah Helge and Ms. Nancy Ferguson reported on the activities of the Ramsdell Regional Center for the Arts and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Comments received by:

- Alan Marshall – 914 Vine Street / thanked the Mayor for 12 years of service on the Council.
- Carol Pasco – 610 Spruce Street / thanked Sarah Helge for the Ramsdell update; disappointed on the Planning Commission appointments at the last meeting; appreciated concerns for the taxpayer, but staff in charge of services know what they are doing; thanked Colleen on 12 years of service.

OFFICIALS AND STAFF.

Officials and staff members thanked Mayor Kenny for her service.

COUNCILMEMBERS.

Councilmembers thanked Mayor Kenny for her service, for being patient, honest, professional; hope the next mayor will follow her example.

Kenny reminded City Council of the Council Guideline Policy, need to work through the City Manager, not the departments; this is her last official meeting, has been a honor to serve for the last 12 years, has learned a lot, grateful for the people she got to know, grateful for City staff, boards and commissions, volunteers; has enjoyed working with City Attorney and City Engineer; asked that everyone treat each other with respect.

ADJOURN.

MOTION to adjourn was made by Goodspeed. Meeting adjourned at 7:40 p.m.

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