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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – May 16, 2017

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A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, May 16, 2017 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

**PRESENT:** Dale Cooper, 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, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Planning & Zoning Administrator – Denise Blakeslee, Public Safety Director – Tim Kozal, and City Engineer – Shawn Middleton / Spicer Group.

### **CITIZEN COMMENTS ON AGENDA RELATED ITEMS.**

Lorraine Conway – 506 Ninth Street / representing the Lions Club, commented on the tradition of the Lions fish boil during the Forest Festival and the use of the Lions pavilion at First Street Beach; asked Council to remove this item from the Consent Agenda for discussion.

### **CONSENT AGENDA.**

- Minutes
  - May 2, 2017 - Regular Meeting
  - May 9, 2017 - Work Session
  
- Financial Reports
  - Payroll
    - April 10–23, 2017 - \$106,479.20
    - April 24-May 7, 2017 - \$126,887.15
  - Invoices
    - April 10, 2017 - \$647,722.01
    - April 24, 2017 - \$149,171.99
  
- Notification Regarding Next Work Session – June 13, 2017

A discussion will be conducted on signage around Kennedy School, Historic District Commission, Medical Marijuana; and such business as may come before the Council.
  
- Consideration of Annual Forest Festival Activities.

A request has been received from the Manistee Area Chamber of Commerce to authorize the annual Forest Festival Parade and other festival events beginning Friday, June 30 and running through Tuesday, July 4, 2017. The proposed schedule includes parades, fireworks, carnival, hospitality test, arts & crafts show, signage, special events for the kids, and much more.
  
- Consideration of American Legion Poppy Sales.

In honor of United States of America Veterans, the American Legion Auxiliary is requesting to distribute American Legion Poppies in the City of Manistee on Thursday, May 18 through Saturday, May 20, 2017. This is their annual fundraiser.

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Goodspeed requested the Consideration of Annual Forest Festival Activities be removed from the Consent Agenda and be taken up during the regular portion of the meeting.

MOTION by Goodspeed, second by Beaton to approve the Consent Agenda as presented with the removal of the Forest Festival.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF AN AGREEMENT WITH THE CHARTER TOWNSHIP OF FILER FOR WATER SYSTEM CONNECTIONS.**

The Charter Township of Filer and the City of Manistee independently own and operate municipal water systems. The two systems are physically connected at two locations and separated by closed gate valves. The agreement creates joint responsibility for ownership, maintenance and capital improvements of the interconnections. The City Attorney has drafted and approved the agreement.

MOTION by Zielinski, second by Wittlieff to approve the agreement outlining testing, maintenance, and liability of the joint connections between the Charter Township of Filer and the City of Manistee municipal water systems.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF PURCHASING A FINANCIAL MANAGEMENT SOFTWARE SUITE FROM BS&A SOFTWARE.**

The recently adopted 2017-2018 budget included the purchase of a financial management software suite. The current software is lacking functionality in key areas and is not being regularly upgraded. The 2017-2018 budget anticipated paying for the software over three fiscal years, with the first payment in the current fiscal year. If approved, implementation would happen in late 2017.

MOTION by Zielinski, second by Wittlieff to authorize the purchase of a financial management software suite from BS&A Software in the amount of \$93,440 payable over three City fiscal years. Brief discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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### **CONSIDERATION OF ZONING AMENDMENT Z17-02 – WIRELESS COMMUNICATION FACILITIES.**

When Clear Zoning performed a review of our Zoning Ordinance they noted that the Planning Enabling Act now references wireless communication facilities, not communication towers as currently defined. On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment.

This ordinance has been reviewed by the Council Ordinance Committee. As an ordinance two separate readings are required. If this ordinance is introduced at this time it could be adopted at the next regular meeting.

MOTION by Beaton, second by Zielinski to introduce Zoning Amendment Z17-02 – Wireless Communication Facilities.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF ZONING AMENDMENT Z17-03 – PARKING STANDARDS.**

When Clear Zoning performed a review of our Zoning Ordinance they noted the current ordinance does not provide standards for electric vehicles, deferring parking, and electric vehicle parking; and recommended updating current standards for bike parking. On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment.

This ordinance has been reviewed by the Council Ordinance Committee. As an ordinance two separate readings are required. If this ordinance is introduced at this time it could be adopted at the next regular meeting.

MOTION by Zielinski, second by Beaton to introduce Zoning Amendment Z17-03 – Parking Standards.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF ZONING AMENDMENT Z17-04 – MISCELLANEOUS ITEMS.**

A zoning amendment is being proposed relating to miscellaneous items as recommended by changes to definitions for building envelope, solar energy systems and solar storage battery and state-licensed residential facilities; changes to use tables minimum floor area in PD to 500 sq. ft.; eliminate fence permits; special use standards for convenience store and gas station; change eating and drinking establishment from a special use to a use by right in W-F and C-2; delete gallery or museum and place of public assembly small as a special use with key street frontage in R-1; change mixed use

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development from special use to use by right in G-C, W-F, C-1, C-2 and C-3 as recommended in RRC Best Practices; delete wind energy conversion system as a special use in R-3; add the word “Light” to purpose and intent in the L-1 district.

On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment.

This ordinance has been reviewed by the Council Ordinance Committee. As an ordinance two separate readings are required. If this ordinance is introduced at this time it could be adopted at the next regular meeting.

MOTION by Zielinski, second by Cooper to introduce Zoning Amendment Z17-04 – Miscellaneous Items.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF ZONING AMENDMENT Z17-05 – DUMPSTER STANDARDS.**

When Clear Zoning performed a review of our Zoning Ordinance they noted the current ordinance does not provide dumpster standards other than a short sentence. This new language provides clear standards and locations for dumpsters in the ordinance. On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment.

This ordinance has been reviewed by the Council Ordinance Committee. As an ordinance two separate readings are required. If this ordinance is introduced at this time it could be adopted at the next regular meeting.

MOTION by Zielinski, second by Wittlieff to introduce Zoning Amendment Z17-05 – Dumpster Standards.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF ZONING AMENDMENT Z17-06 – SIGNS.**

When Clean Zoning performed a review of our Zoning Ordinance they noted the current ordinance does not comply with Supreme Court case Reed vs Town of Gilbert. Staff worked with the City Attorney to develop new standards for Article 21 Signs. On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment.

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This ordinance has been reviewed by the Council Ordinance Committee. As an ordinance two separate readings are required. If this ordinance is introduced at this time it could be adopted at the next regular meeting.

MOTION by Zielinski, second by Beaton to introduce Zoning Amendment Z17-06 – Signs.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF COUNCILMEMBER REPORTS FROM COUNCIL COMMITTEES AND/OR BOARDS AND COMMISSIONS.**

Councilmembers sit on various Council Committees and several are members of various boards and commissions that report to Council. Mayor Smith requested a discussion on the concept to have Councilmembers give regular reports to Council on their involvement in the various committees, boards and commissions. After discussion, no action taken.

### **CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.**

The City Clerk has taken action to advertise vacancies on the Board of Review, Brownfield Redevelopment Authority, Housing Commission, Parks 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)

**HOUSING COMMISSION.** One vacancy, five-year term ending 5/31/22; Mayoral appointment.

Douglas A. Parkes, 724 Harbor Drive\*

Mayor Smith appointed Mr. Douglas A. Parkes, 724 Harbor Drive to the Housing Commission for a five-year term ending 5/31/22, supported by Zielinski.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**A REPORT FROM THE PEG COMMISSION, ALTERNATIVES FOR AREA YOUTH, AND THE RAMSDELL REGIONAL CENTER FOR THE ARTS.**

Mr. Barry Lind reported on the activities of the PEG Commission and responded to questions the Council had regarding their activities.

Ms. Sheila Kaminski reported on the activities of the AAY and responded to questions the Council had regarding their activities.

Mr. Dave Mix reported on the activities of the RRCA and responded to questions the Council had regarding their activities.

**CONSIDERATION OF ANNUAL FOREST FESTIVAL ACTIVITIES.**

A request has been received from the Manistee Area Chamber of Commerce to authorize the annual Forest Festival Parade and other festival events beginning Friday, June 30 and running through Tuesday, July 4, 2017. The proposed schedule includes parades, fireworks, carnival, hospitality tent, arts & crafts show, signage, special events for the kids, and much more.

MOTION by Wittlieff, second by Cooper to support and approve the request to use City services, parks and streets for the annual Forest Festival from June 30 through July 4, 2017; subject to the appropriate department approvals. Lengthy discussion followed regarding developing a compromise between the Lions fish boil and the VIP event that are scheduled for the same evening.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**CITIZEN COMMENT.**

*None received.*

**OFFICIALS AND STAFF.**

Wright thanked Council for approving the financial management software package.

Taylor recognized the DPW and Engineering departments for the successful coordination of the thin overlay process, worked quite well.

Mikula reminded Council of the Tight Lines for Troops event this weekend; scrap tire collection will be held on Saturday, June 3<sup>rd</sup> from 8-12 in the parking lot adjacent to the Armory Youth Project.

**COUNCILMEMBERS.**

Beaton thanked DPW/Mikula for the street repairs.

Wittlieff also commented on the street process, smooth streets to drive on; receiving a number of calls again on having a deer cull in the City.

Pontiac told the DPW they did a great job; commented on Public Service Recognition Week.

Smith has received many positive comments regarding the streets; appreciates the number of people in attendance; gave a reminder there are two sides to every story.

**ADJOURN.**

MOTION to adjourn was made by Goodspeed, second by Zielinski. Meeting adjourned at 8:25 p.m.

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