
PROCEEDINGS OF THE MANISTEE CITY COUNCIL -MARCH 6, 2018

A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, March 6, 2018 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, James Grabowski, and Erin Pontiac.

ALSO PRESENT: City Attorney – George Saylor, City Clerk – Heather Pefley, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Planning & Zoning Director – Denise Blakeslee, Public Safety Director – Tim Kozal, and City Engineer – Shawn Middleton / Spicer Group.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Sarah Howard – 454 Third Street, voiced concerns regarding the sidewalk ordinance; snow removal would be difficult for seniors.

Bob Grabowski – 341 Fourth Street, questioned sidewalk ordinance

Michael Szymanski – 332 Fifth Street, stated his concerns with the sidewalk ordinance; difficulties with snow removal enforcement.

CONSENT AGENDA.

- Minutes - February 20, 2018 - Regular Meeting
- Financial Reports
 - Cash Balances January 2018
 - Revenue & Expense January 2018
- Notification Regarding Next Work Session – March 13, 2018
A discussion will be conducted on Ambulance Billing for City Residents, USRDA Application Information, Medical Marihuana Provisioning Center, Food Trucks; and such business as may come before the Council.
- CONSIDERATION OF AUTHORIZING CATAMARAN RACING ASSOCIATION OF MICHIGAN REGATTA.
The Catamaran Racing Association of Michigan is requesting permission to hold the Manistee Regatta on Friday, August 10, 2018 at 3:00 p.m. through Sunday, August 12, 2018 at 4:00 p.m. There will be approximately 20-30 catamarans and up to 50 people involved in the event. The association is asking for permission to stay overnight at Douglas Park. The sailboats will launch from the beach within the Manistee River breakwater and the racing will occur either north or south of the Manistee Pier.
- CONSIDERATION OF PROCLAIMING APRIL AS PARKINSON’S DISEASE AWARENESS MONTH.
The Manistee County Parkinson’s Support Group has requested that the City of Manistee proclaim the month of April as Parkinson’s Awareness Month.

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

With a roll call vote this motion passed unanimously.

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AYES: Cooper, Beaton, Zielinski, Goodspeed, Smith, Grabowski, and Pontiac
NAYS: None

CONSIDERATION OF A FOIA COST ESTIMATE APPEAL, TOM ROTTA.

Mr. Tom Rotta submitted a Freedom of Information Act (FOIA) request #18-05 to the City. An estimate of the costs for complying with the request was developed indicating a cost of \$20.78. Mr. Rotta is appealing that cost. Staff supports denying the appeal finding that the determination of costs as contained in the FOIA worksheet is accurate and complies with the City's publically available procedures and guidelines.

MOTION by Zielinski, second by Cooper to Deny the Appeal on the FOIA #18-05 cost estimate appeal of Tom Rotta and issue a written determination indicating the specific basis that supports the fee, including a certification that the statements in the determination are accurate and that the fee amount complies with the City's publically available procedures and guidelines.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Goodspeed, Smith, Grabowski, and Pontiac
NAYS: None

CONSIDERATION OF A FOIA COST ESTIMATE APPEAL, TOM ROTTA.

Mr. Tom Rotta submitted a Freedom of Information Act (FOIA) request #18-06 to the City. An estimate of the costs for complying with the request was developed indicating a cost of \$65.83. Mr. Rotta is appealing that cost. Staff supports denying the appeal finding that the determination of costs as contained in the FOIA worksheet is accurate and complies with the City's publically available procedures and guidelines.

MOTION by Zielinski, second by Beaton to Deny the Appeal on the FOIA #18-06 cost estimate appeal of Tom Rotta and issue a written determination indicating the specific basis that supports the fee, including a certification that the statements in the determination are accurate and that the fee amount complies with the City's publically available procedures and guidelines.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Goodspeed, Smith, Grabowski, and Pontiac
NAYS: None

CONSIDERATION OF THE SALE OF SURPLUS CITY-OWNED PROPERTY PARCEL 06-424-702-05 (FILER TOWNSHIP).

In January 2018 bids were noticed for the sale of City-owned surplus property. Five properties have been deemed surplus property and bids were received on two properties. The properties are sold AS IS by a Quit Claim Deed. No tax proration, survey or title work will be included in the sale. The following bids were received:

Parcel #06-424-702-05 (Filer Township), minimum bid \$3,800; two bids received:

Amanda Thomas	\$2,051.00
Dennis & Deanne Grage	\$6,712.18*

*Recommended Bid

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MOTION by Beaton, second by Goodspeed to authorize the marketing and sale of surplus City property AS IS by a Quit Claim Deed parcel #06-424-702-05 (Filer Township) to Dennis & Deanne Grage in the amount of \$6,712.18; and authorize the City Attorney to prepare the necessary paperwork for the Mayor and City Clerk to sign.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Goodspeed, Smith, Grabowski, and Pontiac
NAYS: None

CONSIDERATION OF REQUEST FOR PROPOSALS – REAL ESTATE BROKER SERVICES FOR SURPLUS PROPERTIES.

In January 2018 a Request for Proposals for Real Estate Broker Services for City-owned surplus properties was noticed. Four RFPs were received by the deadline of February 16, 2018. Staff reviewed the four proposals and selected the proposal from Coldwell Banker A.L.M. Realty and Associates, Inc. at a rate of 7%. The City Attorney has reviewed and approved the listing agreement.

MOTION by Goodspeed, second by Zielinski to enter into a one-year contract with Coldwell Banker A.L.M. Realty and Associates, Inc. for the sale of City surplus properties for a rate of 7%; and authorize the Mayor to execute the necessary paperwork.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Goodspeed, Smith, Grabowski, and Pontiac
NAYS: None

CONSIDERATION OF REQUEST FOR PROPOSALS – REAL ESTATE BROKER FOR CITY-OWNED INDUSTRIAL PROPERTIES.

In January 2018 a Request for Proposals for Real Estate Broker Services for City-owned industrial properties was noticed. One Request for Proposal was received by the deadline of February 16, 2018 from Coldwell Banker Commercial Premier for a rate of 8% for the total aggregate sales price. The City Attorney has reviewed and approved the listing agreement.

MOTION by Goodspeed, second by Zielinski to enter into a one-year contract with Coldwell Banker Commercial Premier for the sale of City-owned industrial properties for a rate of 8% of the total aggregate sales price; and authorize the Mayor to execute the necessary paperwork.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Goodspeed, Smith, Grabowski, and Pontiac
NAYS: None

CONSIDERATION OF THE PURCHASE OF A ONE-TON PICKUP TRUCK WITH SERVICE BODY.

The 2017-18 Motor Pool budget includes the purchase of a one-ton pickup truck with a service body. A quote was received from Gorno Ford under MiDEAL contract #071B7700181 for a F350 pickup and a Reading service body in the amount of \$42,861. The budgeted amount is \$43,000.

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MOTION by Zielinski, second by Goodspeed to approve the purchase of a F350 pickup and service body from Gorno Ford, Government and Fleet Sales in the amount of \$42,861. Brief discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF ORDINANCE 18-04 SIDEWALKS.

Ordinance 18-04 repeals Chapter 1024 Sidewalks and amends Chapter 674 Safety, Sanitation and Health, by eliminating the current Section 674.11 and adding a new Section 674.11 providing for the maintenance of the area between gutter line and line of lots abutting city streets, renumbering certain sections, modifying language of Section 674.03 as relating to snow and ice removal from sidewalks and providing for violations of Chapter 674 to be considered Municipal Civil Infractions. The revisions have been prepared by the City Attorney.

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.

NO MOTION received.

A REPORT FROM THE MANISTEE RECREATION ASSOCIATION.

Mr. Kenny Kott reported on the activities of the Manistee Recreation Association and responded to any questions the Council had regarding their activities.

A REPORT FROM THE PUBLIC SAFETY DEPARTMENT.

Chief Tim Kozal reported on the activities of the Public Safety Department and responded to any questions the Council had regarding their activities.

CITIZEN COMMENT.

Margaret Batzer – 7th District County Commissioner, attended the Maxwelltown Chili Cookoff; recognized the business owners from that district; would like to see additional support for those businesses.

OFFICIALS AND STAFF.

None received.

COUNCILMEMBERS.

Cooper thanked Mr. Kott and Chief Kozal for their reports.

Beaton reminded council of another sale of city property; would like to see money used for streets.

Zielinski recognized employees for years of service with the City.

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Grabowski thanked Chief Kozal for his work with the police department.

Smith offered thanks to Chief Kozal and Mr. Kott for their reports to council and to those who attended tonight's meeting; commented on the importance of recognition of employees for their service.

ADJOURN.

MOTION to adjourn was made by Goodspeed. Meeting adjourned at 7:56 p.m.

Heather Pefley CMC, CMMC / MiCPT
City Clerk