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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – AUGUST 5, 2020

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A regular meeting of the Manistee City Council was called to order by his honor, Mayor Roger Zielinski on Wednesday, August 5, 2020 at 7:00 pm remotely as authorized by Executive Order of the Governor.

PRESENT: Dale Cooper, Lynda Beaton, Roger Zielinski, Jermaine Cipic, Michael Szymanski, James Grabowski, and Erin Martin-Pontiac

ABSENT: None

ALSO PRESENT: City Manager – Thad Taylor, City Attorney – George Saylor, City Clerk – Heather Pefley, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Acting Det./Sgt. Kirsten Goodspeed, Fire Chief – Mark Cameron, and City Engineer – Shawn Middleton

### CITIZEN COMMENTS ON AGENDA RELATED ITEMS

Joshua Covert, Attorney for Meds Café-70 Arthur Street / spoke against the Ordinance to extend the previously issued Provisional Medical Marihuana Facility Permits and Provisional Recreational Marihuana Establishment Licenses.

Chris Stronach, 309 Fifth Avenue / would like to obtain Council approval to proceed with holding various public events on City property.

### CONSENT AGENDA

- Minutes - July 21, 2020 Regular Meeting
- Financial Reports
  - Cash Balances June 2020
  - Revenue & Expense June 2020
- Notification Regarding Next Work Session – August 11, 2020, 7:00 pm  
A discussion will be conducted on Local Revenue Sharing Board grant for the Armory Youth Project; and such business as may come before Council.

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

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

### CONSIDERATION OF ORDINANCE 20-07 TO EXTEND THE DURATION OF A PROVISIONAL PERMIT GRANTED UNDER CHAPTER 866 AND PROVISIONAL LICENSE GRANTED UNDER CHAPTER 867 OF THE CITY OF MANISTEE, MICHIGAN CODIFIED ORDINANCES.

The City of Manistee Codified Ordinances provide that Provisional Medical Marihuana Facility Permits (Provisional Permit) and Provisional Recreational Marihuana Establishment Licenses (Provisional License), respectively, are valid for a period of one (1) year from the issuance and may not be renewed. As a result

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of the coronavirus pandemic and its impact on the ability to complete construction projects in the State of Michigan, both because of restrictions imposed by Executive Orders of the Michigan Governor and general unavailability of contractors able to perform work, parties that were issued Provisional Permits and Provisional Licenses have been unable to complete construction projects required to obtain final inspection from the State and approval of their State of Michigan license. The inability to secure a state license consequently makes it impossible to apply for and obtain Final Permits and Licenses from the City of Manistee within the one (1) year duration of the Provisional Permit and/or Provisional License issued by the City. Because of the construction difficulties encountered by Provisional Permit and Provisional License holders, it is appropriate to extend currently issued Provisional Permits and Provisional Licenses to April 1, 2021. This extension would only apply to currently issued Provisional Permits and Provisional Licenses.

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 Cooper, second by Martin-Pontiac to introduce Ordinance 20-07 to extend the duration of a Provisional Permit granted under Chapter 866 and Provisional License granted under Chapter 867 of the City of Manistee, Michigan Codified Ordinances.

With a roll call vote this motion passed, 5-2.

AYES: Cooper, Zielinski, Cipic, Szymanski, and Martin-Pontiac

NAYS: Beaton, and Grabowski

### **CONSIDERATION OF ORDINANCE 20-08 TO AMEND ORDINANCE 19-03 OF THE CITY OF MANISTEE ORDINANCES, TO PROVIDE FOR A CHANGE TO SECTION 1.09 OF ORDINANCE 19-03 REGARDING THE DURATION OF THE ORDINANCE, TO PROVIDE FOR AN EFFECTIVE DATE, AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH.**

Hollander Development requests an amendment to Ordinance 19-03 to allow for a later completion date for the Hillcrest Apartments Housing Development project. The later completion date is necessary as Hollander Development had to work with their architect and construction company to bring construction costs down and within budget. They are requesting an additional twenty-four (24) month period to complete construction of the project.

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 Szymanski, second by Martin-Pontiac to introduce Ordinance 20-08 to amend Ordinance 19-03, extending the project completion date until August 17, 2022.

Discussion included:

- Extension needed due to delays as result of pandemic
- Project is a 15-month construction project
- Ordinance written for 24-month extension in case of further delays due to pandemic uncertainty
- Council would like the developer to provide a project timeline and periodic updates

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With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

### **CONSIDERATION OF ENTERING INTO AN AGREEMENT WITH IT RIGHT FOR NETWORK AND INFORMATION TECHNOLOGY CONSULTING AND SUPPORT SERVICES.**

The City has used IT Right as its vendor of record to provide IT Consulting and Support Services since 2012. IT Right has recently reworked and enhanced its service model and approached the City with a proposal to provide additional planning services and a higher-level network security, as well as adjust their compensation to better reflect the market. The City is satisfied with the services provided by IT Right, desires the added services, and wishes to continue the relationship. The City Attorney has prepared and approved the agreement.

MOTION by Grabowski, second by Szymanski to approve an agreement with IT Right for Network and Information Technology Consulting and Support Services and authorize the Mayor and City Clerk to execute the agreement.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

### **CITIZEN COMMENT**

Joshua Covert, Attorney for Meds Café- 70 Arthur Street / would like Council to add additional Recreational Marihuana licenses to the current ordinance.

Ryan Fitzsimmons, 209 St. Mary's Pkwy. – Owner, Meds Café 70 Arthur Street / would like to have further discussion with the City Council and Staff regarding the current limit on Recreational Retail Licenses.

### **OFFICIALS AND STAFF**

Saylor stated he was not aware of contact made by Meds Café attorney but would be happy to speak with them if needed.

Bradford thanked Council for approving the contract with IT Right.

### **COUNCILMEMBERS**

Cooper questioned how many police officers are currently employed by the City and how many new officers will be hired; also inquired about the number of Fire Fighters currently staffed.

Beaton would like an item added to next week's work session agenda to discuss amending the City Manager's employment agreement. Beaton also extended her condolences to Mayor Zielinski and his wife for the recent passing of a family member. She asked the City Manager to make contact with Mark Wittlieff.

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Grabowski thanked DPW for the completion of road work on Princeton Road and 14<sup>th</sup> Street; asked if a no swimming sign could be placed at the Ninth Street boat launch; inquired about the cost incurred from recent incident on the Riverwalk with City truck; questioned the status on the wall that collapsed on the Riverwalk off of First Street.

Zielinski asked the City Clerk for an update on the election.

### **ADJOURN**

MOTION to adjourn was made by Grabowski. Meeting adjourned at 8:05 p.m.

Heather Pefley MiPMC/CMC  
City Clerk