

Manistee Harbor Commission Agenda

Tuesday, April 20, 2021 at 1:00 p.m. – Virtual Meeting

Join Zoom Meeting:

<https://us02web.zoom.us/j/84544856978?pwd=YjBBNGNWcFFBUjRjMG81WU1DUGE0QT09>

To Attend the Meeting by Phone:

+1 646 558 8656

Meeting ID: 845 4485 6978

Passcode: 710378

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Call to Order

Approval of Agenda

Public Comments on Agenda Items (5-minute limit)

Approval of Minutes

- Minutes of February 5, 2021

Old Business

- Annual Review of Bylaws – was tabled at the January 19, 2021 meeting to give Commissioners additional time to review.

Reports

- Harbormaster
 - ✓ Shoreline Revetments
 - ✓ Princess of Ludington
 - ✓ First Street Breakwater
 - ✓ Dock Replacement Grant Application
- City Manager – Launch Ramp Revenue Report

New Business

Public Comment (5-minute limit)

Comments by Harbor Commissioners

Adjourn

HARBOR COMMISSION SPECIAL MEETING MINUTES OF FEBRUARY 5, 2021

A special meeting of the Manistee Harbor Commission was called to order by the Chair on Tuesday, February 5, 2021 at 9:02 a.m. via Zoom.

Roll Call	Present	Excused Absence	Unexcused Absence
Commissioner Fritz Boehm		x	
Commissioner Ty Cook	x		
Commissioner Jeff Mikula	x		
Commissioner Tom Swedenborg	x		
Commissioner Alex Zaccanelli		x	
Commissioner Tracey Lindeman		x	
Commissioner George Becker	x		
City Manager Thad Taylor	x		

OTHERS PRESENT

APPROVAL OF AGENDA

MOTION by Jeff Mikula, second by Ty Cook to approve the agenda as presented. With voice vote this motion passed.

PUBLIC COMMENTS ON AGENDA ITEMS

- None

APPROVAL OF MINUTES

MOTION by Jeff Mikula second by Ty Cook, to approve the minutes for the January 19, 2021 meeting as presented. With Roll Call this motion passed 4 to 0.

Yes: Ty Cook, Jeff Mikula, Tom Swedenborg, George Becker
No: None

OLD BUSINESS

- Review Strategic Plan
Priorities and Budget Discussion
 - Discussed the kayak and canoe launch sites listed in the Strategic Plan. Jeff Mikula gave the background of plans for the Ninth Street boat launch as the kayak and canoe launch site. Grant money had to be returned as the City did not have control of the

property at that time (Consumers and Morton Salt were the owners). The City has now purchased the parcel that had been owned by Morton Salt. Adding this element to the boat launch could be revisited in the future, utilizing grant funds or adding to the City's capital improvement projects.

Motion by Tom Swedenborg to remove the launch site item from the Strategic Plan.

Jeff Mikula stated that it was an opportunity that should remain in the plan even if it is currently not a priority.

Tom Swedenborg withdrew the motion.

- Discussed the impact of the Fricano's project on the Marina and the positive contribution to the waterway into the City. It is important to utilize the Marina to promote all restaurants and entertainment on River Street. Marketing and promoting all the businesses to increase the revenue for the Marina continues to be a focus. Would like to see the Harbor Commission reinstate their Marketing/Promotion subcommittee for this purpose.
- Discussed short term boat dockage at Marina and other River Street businesses and educating Marina Staff to help direct visitors.

Consensus: Budget should be focused on rebuilding docks, completion of patio area at Marina, and marketing/promotion of Marina.

OTHER COMMENTS

- Question about who maintains the shuffleboard surfaces and equipment at the Marina. Jeff Mikula thought it was the Parks Department but will investigate further.
- The Marina should have duffle bags with disc golf equipment available to their visitors with the new course going in at the First Street Beach area.
- Jeff Mikula updated the rest of the commissioners on the shoreline revetment project. Assured commission the boat launch area will remain open and accessible to the public though it would be impacted by the work being done on this project.

PUBLIC COMMENTS

- Maralee Cook – The City has done a fantastic job dealing with the catastrophes that have impacted the City over this last year.

Would like to see the Marina take advantage of the Visitors Bureau and its Facebook and Instagram followers by collaborating with them. Would like to see the packets the Marina provides their transient boaters to include list or map of downtown businesses and promote other waterway amenities. Really exciting time with all the new options downtown.

Would like to see the City request the Manistee Area Chamber of Commerce to create a list or map of the downtown businesses. February is a great time to start collaborating and planning.

If the Ninth Street boat launch is to receive any upgrades, is there sufficient security and lighting for users?

ADJOURNMENT

Next meeting is scheduled for April 20, 2021 at 1:00 p.m.

MOTION to adjourn by Tom Swedenborg, second by Jeff Mikula at 9:44 a.m.

Kelly McColl
Recording Secretary

DRAFT



MANISTEE HARBOR COMMISSION

BYLAWS AND RULES OF PROCEDURE

Section 1. NAME.

The name of the Commission shall be the "Manistee Harbor Commission."

Section 2. PURPOSE.

The purpose of the Commission shall be to implement and carry out provisions of Chapter 266 of the Manistee Code of Ordinances. (As may be amended from time to time.)

Section 3. MEMBERSHIP OF THE COMMISSION.

The membership of the Commission shall consist of seven (7) members appointed by the City Council, one of whom shall be the Harbormaster. They shall serve three (3) year terms. The City Manager shall be a non-voting ex-officio member of the Commission.

Section 4. OFFICERS.

4.1 Selection: The Commissioners shall elect a chair, and a vice-chair. The election shall take place during the first meeting of each calendar year. Officers shall be selected by majority vote of the Commissioners. Recording Secretary services will be provided by the Executive Secretary in the City Manager's Office.

4.2 Tenure: The Officers shall take office upon selection and shall hold office for a term of one year, or until their successors are selected and assume office.

Section 5. OFFICER DUTIES.

5.1 CHAIR. The Chair shall:

- a.) Preside at all meetings.
- b.) Appoint committees.
- c.) Periodically meet with City department staff.
- d.) Appoint an acting recording secretary for a meeting in which the recording secretary is absent.
- e.) Perform such other duties as may be ordered or authorized by the Harbor Commission.

5.2 VICE-CHAIR. The Vice-Chair shall:

- a.) Act in full capacity of the Chair in the absence of the Chair.
- b.) In the event of a vacancy in the position of Vice-Chair, the Harbor Commission shall then select a successor to the office of Vice-Chair from its membership for the unexpired term.

5.3 SECRETARY. The Secretary shall:

- a.) Execute documents in the name of the Harbor Commission as authorized by the Harbor Commission.
- b.) Be responsible for the minutes of each meeting and shall have them appropriately distributed.
- c.) Track attendance and make reports to the City Manager as specified in Section 6.3 of these bylaws.
- d.) Perform such other duties as the Harbor Commission may determine.

Section 6. VACANCIES, REMOVAL, ABSENCES.

6.1 Vacancies: Vacancies shall be filled for unexpired terms in the same manner as original appointments.

6.2 Removal: A member may be removed from office by the appointing City Council for neglect of official duty or misconduct in office after being given a written statement for reasons and an opportunity to be heard thereon.

6.3 Absences: In order to maintain the maximum participation of all appointed Harbor Commission members at all scheduled meetings, the following is the attendance guide and Board member replacement policy for “excused” or “unexcused” absences:

- a) When appointed, each Commission member should state his/her willingness and intention to attend each scheduled meeting of the Harbor Commission.
- b) In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness, or other physical disabilities that prohibit the Board member from attending the scheduled meeting; the Commission Chair or staff liaison to the Harbor Commission should be notified as soon as possible prior to the time of the scheduled meeting of their inability to attend. The Commission member upon this notification will receive an “excused absence” for the involved scheduled meeting.
- c) If any Commission member is absent from three (3) consecutive scheduled meetings without an “excused absence” for any of the three (3) meetings, the Commission member shall be reported in writing to the City Manager. The City Manager will contact the Commission member in writing and question his/her continued ability or interest in being on the Commission, giving the member a chance to rectify the attendance issue or submit a resignation.
- d) There will be no limit on the number of consecutive “excused absences” for any Commission member. However, if the Commission member is repeatedly absent for

at least 50% of the yearly scheduled meetings, that member will also be reported in writing to the City Manager. The City Manager will contact the Commission member in writing and question the member's continued ability or interest to be on the Commission. The Commission member will be considered for appointment nullification when the absences total six in the calendar year.

- e) The appointment nullification action would be initiated by the City Manager and forwarded on to the City Council for official action.

Section 7. MEETINGS.

7.1 Regular Meetings: As directed in Chapter 266 of the Manistee Code of Ordinances the Commission shall meet at least quarterly during each year, and more frequently as needed. The date and time of each meeting will, where practicable be agreed upon by the consensus of the Commission members and such City staff as may be assigned to meet with the Commission. Meeting times and locations shall be posted and open to the public with time set aside at each meeting to receive public comment. All actions taken by the Commission shall be recorded by the Secretary and filed with the Manistee City Clerk. All meetings and Commission business shall comply with the Open Meetings laws of the State of Michigan.

Meetings can be cancelled by the Chair if there are no agenda items or if it is predetermined that a quorum will not be present. Special meetings may be called by or at the request of the Chair or any two members. Meetings shall be held after due notice to all members and the public.

7.2 Quorum: Four members shall constitute a quorum for the transaction of business. Whenever a quorum is not present at a meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless and until ratified and confirmed at a subsequent meeting when a quorum is present by acting to approve the minutes of the meeting at which the quorum was not present.

7.3 Order of Business: The Chair or their designee shall prepare an agenda for each meeting and the order of business shall follow in an orderly manner according to the agenda. A designated period for public comment shall be allowed. A time limit for discussion and/or comment may be set by the Chair.

7.4 Parliamentary Procedure: Parliamentary procedure in Harbor Commission meetings, when needed, shall be governed by Roberts' Rules of Order.

Section 8. EXPENSE REIMBURSEMENT.

Commissioners shall be reimbursed by the City of Manistee for all pre-approved out of pocket expenses incurred in carrying out the official business of the Commission. The City Manager or his designee shall be responsible for the preapproval process.

Section 9. CONFLICT OF INTEREST.

In the event that business being carried out by the Commission may have a personal or financial impact on a member of the Commission or their immediate family, or any corporation or business of which a Commissioner is an officer or director, the Commission member must disclose the conflict of interest and refrain from voting on that particular business. If any question of whether or not a conflict exists cannot be determined by the Commission, then the matter of the question shall immediately be referred in writing to the Manistee City Attorney for consultation and recommendation.

Section 10. CHANGES OR AMENDMENTS.

Bylaws shall be reviewed annually during the first meeting of the year. All changes or amendments to the Bylaws must be approved by the majority of the Commissioners. Such changes or amendments must be presented to the Commission in writing for consideration and may not be voted upon until the following regularly scheduled meeting. Upon approval by the Commission, the Bylaws, showing the proposed amendment, shall be submitted to the Manistee City Council for final approval.

The foregoing Bylaws were duly adopted at a regular meeting of the Manistee Harbor Commission held 9/16/91; amended 5/06/96; amended 4/4/06; amended 8/3/09 amended 5/10/11; amended 2/19/13.

Cynthia J. Lokovich 2/19/13
Cynthia J. Lokovich, Secretary Dated

Approved by the Manistee City Council:

Colleen Kenny 3/5/13
Mayor Colleen Kenny Dated

BOAT LAUNCH REVENUES**2012 - 2013 Rate Structure: \$5 / Daily, \$35 / Seasonal****2013 - 2016 Rate Structure: \$10 / Daily, \$40 / Seasonal****2020 Rate Structure: \$10 / Daily, \$45 / Seasonal****2021 BOAT LAUNCH REVENUE**

	AS OF MARCH 31	MAY	JUNE	JULY	AUGUST	SEPT/OCT	TOTALS
Seasonal Permits	21 = \$945	0 = \$0	0 = \$0	0 = \$0	0 = \$0	0 = \$0	0 = \$0
Daily Permits	0 = \$	0 = \$0	0 = \$0	0 = \$0	0 = \$0	0 = \$0	0 = \$0
Annual Total							0 = \$0

2020 BOAT LAUNCH REVENUE

	PRESEASON	MAY	JUNE	JULY	AUGUST	SEPT/OCT	TOTALS
Seasonal Permits	16 = \$720	111 = \$4,995	89 = \$4,005	51 = \$2,295	125 = \$5,625	10 = \$450	402 = \$18,090
Daily Permits	0 = \$	101 = \$1,010	154 = \$1,540	233 = \$2,330	592 = \$ 5,920	260 = \$2,600	1340 = \$ 13,400
Annual Total							1,742 = \$ 31,490

2019 BOAT LAUNCH REVENUE

	PRESEASON	MAY	JUNE	JULY	AUGUST	SEPTEMBER	TOTALS
Seasonal Permits	69 = \$2,760	62 = \$2,480	129 = \$5,160	46 = \$1,840	152 = \$6,080	17 = \$680	475 = \$19,000
Daily Permits	0 = 0	19 = \$190	144 = \$1,440	34 = \$340	335 = \$3,350	319 = \$3,190	851 = \$8,510
Annual Total							1,326 = \$27,510

2018 BOAT LAUNCH REVENUE

	PRESEASON	MAY	JUNE	JULY	AUGUST	SEPTEMBER	TOTALS
Seasonal Permits	89 = \$3,560	144 = 5,760	79 = \$3,160	98 = \$3,920	173 = \$6,920	7 = \$280	590 = \$23,600
Daily Permits	15 = \$150	75 = \$750	92 = \$920	121 = \$1,210	695 = \$6,950	237 = \$2,370	1,235 = \$12,350
Annual Total							1,825 = \$35,950

2017 BOAT LAUNCH REVENUE

	PRESEASON	MAY	JUNE	JULY	AUGUST	SEPTEMBER	TOTALS
Seasonal Permits	42 = \$1,680	148 = \$5,920	79 = \$3,160	99 = \$3,960	146 = \$5,840	19 = \$760	533 = \$21,320
Daily Permits	0	86 = \$860	101 = \$1,010	226 = \$2,260	534 = \$5,340	290 = \$2,900	1,237 = \$12,370
Annual Total							1,770 = \$33,690

BOAT LAUNCH REVENUES**2012 - 2013 Rate Structure: \$5 / Daily, \$35 / Seasonal****2013 - 2016 Rate Structure: \$10 / Daily, \$40 / Seasonal****2020 Rate Structure: \$10 / Daily, \$45 / Seasonal****2016 BOAT LAUNCH REVENUE**

	PRESEASON	MAY	JUNE	JULY	AUGUST	SEPTEMBER	TOTALS
Seasonal Permits	113 = \$4,520	63 = \$2,520	102 = \$4,080	91 = \$3,640	159 = \$6,360	35 = 1,400	563 = \$22,520
Daily Permits	41 = \$410	72 = \$720	106 = \$1,060	229 = \$2,290	732 = \$7,320	383 = 3,830	1,563 = \$15,630
Annual Total							2,126 = \$38,150

2015 FIRST STREET BOAT LAUNCH REVENUE

	PRESEASON	MAY	JUNE	JULY	AUGUST	SEPTEMBER	TOTALS
Seasonal Permits	84 = \$3,360	69 = \$2,760	78 = \$3,120	106 = 4,240	109 = \$4,360	52 = \$2,080	498 = \$19,920
Daily Permits	31 = \$310	39 = \$390	64 = \$640	219 = 2,190	338 = \$3,380	459 = \$4,590	1,150 = \$11,500
Annual Total							1,648 = \$31,420

2014 FIRST STREET BOAT LAUNCH REVENUE

	PRESEASON	MAY	JUNE	JULY	AUGUST	SEPTEMBER	TOTALS
Seasonal Permits	35 = \$1,400	113 = \$4,520	95 = \$3,800	126 = \$5,040	159 = \$6,360	22 = \$880	550 = \$22,000
Daily Permits	0	65 = \$650	100 = \$1,000	198 = \$1,980	687 = \$6,870	255 = \$2,550	1,305 = \$13,050
Annual Total							1,855 = \$35,050

2013 FIRST STREET BOAT LAUNCH REVENUE

	PRESEASON	MAY	JUNE	JULY	AUGUST	SEPTEMBER	TOTALS
Seasonal Permits	39 = \$1,365	78 = \$2,730	54 = \$1,890	104 = \$4,160	224 = \$8,960	23 = \$920	522 = \$20,025
Daily Permits	14 = \$70	137 = \$685	109 = \$545	199 = \$1,990	734 = \$7,340	285 = \$2,850	1,478 = \$13,480
Annual Total							2,000 = \$33,505

2012 FIRST STREET BOAT LAUNCH REVENUE

	PRESEASON	MAY	JUNE	JULY	AUGUST	SEPTEMBER	TOTALS
Seasonal Permits	31 = \$1,085	89 = \$3,115	69 = \$2,415	150 = \$5,250	96 = \$3,360	8 = 280	443 = \$15,505
Daily Permits	0	114 = \$570	137 = \$685	687 = \$3,435	1,279 = \$6,395	626 = \$3,130	2,843 = \$14,215
Annual Total							3,286 = \$29,720