

MANISTEE CITY COUNCIL

MEETING AGENDA

MONDAY, MARCH 17, 2014 – 7:00 P.M. – COUNCIL CHAMBERS

I. Call to Order.

- a.) PLEDGE OF ALLEGIANCE.
- b.) ROLL CALL.

II. Public Hearings.

III. Citizen Comments on Agenda Related Items.

IV. Consent Agenda. All agenda items marked with an asterisk (*) are on the consent agenda and considered by the City Manager to be routine matters. Prior to approval of the Consent Agenda, any member of Council may have an item from the Consent Agenda removed and taken up during the regular portion of the meeting. Consent agenda items include:

- V. Approval of Minutes.
- VI. a.) Approval of Payroll.
- XI. b.) Notification Regarding Next Work Session.

At this time Council could take action to approve the Consent Agenda as presented.

***V. Approval of Minutes.** Approval of the minutes of the March 4, 2014 regular meeting and the March 11, 2014 work session as attached.

VI. Financial Report.

***a.) APPROVAL OF PAYROLL.**

VII. Unfinished Business.

VIII. New Business.

IX. Notices, Communications, Announcements.

a.) A REPORT FROM THE MANISTEE AREA CHAMBER OF COMMERCE.

A regular part of each Council meeting is a report from a cooperating agency, organization or department.

At this time Ms. Stacie Bytwork will report on the activities of the Manistee Area Chamber of Commerce and respond to any questions the Council may have regarding their activities. No action is required on this item.

*b.) NOTIFICATION REGARDING NEXT WORK SESSION.

A Council work session has been scheduled for Tuesday, April 8, 2014 at 7 p.m. A discussion will be conducted on the 2014-2015 Budget Recommendations; and such business as may come before the Council. No action is required on this item.

X. Concerns and Comments.

a.) CITIZEN COMMENT. This is an opportunity for citizens to comment on municipal services, activities or areas of City involvement. Citizens in attendance shall be recognized by the Mayor for comments (limited to five minutes). Letters submitted to Council will not be publicly read.

b.) OFFICIALS AND STAFF.

c.) COUNCILMEMBERS.

XI. Adjourn.

MDD:cl

COUNCIL AGENDA ATTACHMENTS:

Council Meeting Minutes – March 4, 2014
Council Work Session Minutes – March 11, 2014

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – MARCH 4, 2014

A regular meeting of the Manistee City Council was called to order by her Honor, Mayor Colleen Kenny on Tuesday, March 4, 2014 at 7:00 p.m. in the City of Manistee Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Edward Cote, Robert Hornkohl, Chip Goodspeed, Catherine Zaring, Mark Wittlieff, and Eric Gustad.

ABSENT: None

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Deputy Clerk – Mary Bachman, Director of Public Safety – Dave Bachman, City Assessor – Julie Beardslee, DPW Director – Jeff Mikula, and Finance Director – Ed Bradford.

Citizen Comments on Agenda Related Items.

Ed Tegler, 522 5th Avenue commented on Agenda item VIII. New Business, Section b.; he requested that the Council please take into consideration all projects that have been waiting for funding, specifically the 5th Avenue picnic area.

Consent Agenda.

Minutes - February 18, 2014 - Regular Meeting

Payroll - February 17- March 2, 2014 - \$110,616.30

Cash Balance Report

Notification Regarding Next Work Session.

A Council work session has been scheduled for Tuesday, March 11, 2014 at 7 p.m. A discussion will be conducted on Fireworks Ordinance, Street Funding and Twelfth and Oak Street; and such business as may come before the Council.

MOTION by Hornkohl, second by Cote to take action to approve the Consent Agenda as presented.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, Wittlieff, and Gustad

NAYES: None

CONSIDERATION OF CITY COUNCIL REVIEW AND APPROVAL OF 2014-2015 CITY OF MANISTEE STRATEGIC PLAN.

In January 2014 City Council, Staff and the Alliance for Economic Success began updating the City of Manistee Strategic Plan for Fiscal Year 2014-2015. Numerous items were removed from the 2013-2014 Strategic Plan that reflected accomplishments over the past year. In addition, several new goals were added to the 2014-2015 Strategic Plan; along with staff identified strategies to address these new goals.

Council is being requested to review and approve the 2014-2015 Strategic Plan for the City of Manistee.

MOTION by Cote, second by Goodspeed to take action to approve the 2014-2015 City of Manistee Strategic Plan. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, Wittlieff, and Gustad

NAYES: None

CONSIDERATION OF LOCAL REVENUE SHARING BOARD GRANT APPLICATIONS.

The Local Revenue Sharing Board (LRSB) distributes 2% money from the Little River Casino. The deadline for 2014 Cycle I applications is Friday, March 7, 2014. City Staff has prepared grant applications for submission to the LRSB.

MOTION by Hornkohl, second by Goodspeed to take action to authorize the submission of grant applications to the Local Revenue Sharing Board for the first cycle in 2014. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, Wittlieff, and Gustad

NAYES: None

CONSIDERATION OF A RESOLUTION DECLARING CITY INTENTIONS REGARDING CHARGES FOR CITY WATER SERVICES IN MANISTEE TOWNSHIP.

The City has been jointly working with the Little River Band of Ottawa Indians (LRBOI)

and Manistee Township to upgrade sewer utilities north of M-55 on US-31 and at the request of Manistee Township, renegotiate the current agreement allowing the City of Manistee to provide water to Manistee Township customers.

MOTION by Hornkohl, second by Wittlieff to take action to approve a Resolution Declaring City Intentions Regarding Charges for City Water Services to be Provided to Users in a Proposed Service Area in Manistee Township. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, Wittlieff, and Gustad
NAYES: None

CONSIDERATION OF ESTABLISHING COMPENSATION FOR THE BOARD OF REVIEW.

The Board of Review is unique among the various City boards and commissions. The Board of Review is established by Charter Section 8-3. That provision of the Charter includes language noting “Their compensation shall be fixed by Council.” The Board of Review regularly meets in full day increments rather than evening meetings. Boards of Review are traditionally compensated while other boards and commissions are not.

The City Board of Review currently receives compensation at the rate of \$80 per day for members, \$90 per day for the Chairperson. This rate has not changed for fifteen years. It has become increasingly more difficult to fill Board of Review vacancies and retain Board of Review members. The responsibilities of the Board of Review have increased, as the legislature continues with various types of exemptions, many of which are finally decided by the Board of Review.

The recommended compensation is in the amount of \$100 per day for members and \$120 per day for the Chairperson. If the Board were to meet for less than three hours, the rate would be for one-half of that amount; \$50 and \$60 respectively. The Board of Review consists of three members who are taxpaying electors of the City and neither elected nor appointed officials.

MOTION by Hornkohl, second by Cote to take action to adjust the compensation rate for Board of Review members to \$100 per day for members, \$120 per day for the Chairperson; with one-half of that amount paid for meetings of less than three hours. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, Wittlieff, and Gustad
NAYES: None

CONSIDERATION OF REVISING COUNCIL POLICY CP-24, RULES OF PROCEDURE FOR BOARD OF REVIEW.

The Board of Review Rules of Procedure have not been revised since November of 2007. The areas of revision generally pertain to the following: 1. Since signed original letters or petitions are required, emailed or faxed appeals are not accepted. 2.) One parcel number per petition, if petitions are submitted. 3.) Appellants must supply one copy of written evidence to the Board of Review, City Staff cannot make multiple copies for appeals, during the Board sessions. 4.) Update of contact information.

MOTION by Hornkohl, second by Zaring to approve the revised Council Policy CP-24, Rules of Procedure for the Board of Review; effective March 5, 2014. Discussion followed.

With a roll call vote this motion passed.

AYES: Kenny, Cote, Hornkohl, Zaring, Wittlieff, and Gustad
NAYES: Goodspeed

A REPORT FROM THE MANISTEE RECREATION ASSOCIATION.

Ms. Vicki Sheffield reported on the activities of the Manistee Recreation Association and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Ed Seng, 448 E. Kott Road., Owner and Operator of Seng Trucking requested that City Council reconsider negotiating terms of the January 25, 2008 Development Agreement regarding his property at 200 River Street. He asked to be placed on the next Work Session Agenda.

Robert Johnson, 241 5th Avenue, introduced four Scouts from Troop 101 that were attending the Council Meeting.

Roger Zielinski, 529 1st Street; recently attended a CPR Class instructed by James Henderson and was very impressed; encouraged everyone to take the class.

OFFICIALS AND STAFF.

Director of Public Safety, Dave Bachman thanked residents on behalf of the Fire

Department for assistance in shoveling out fire hydrants.

DPW Director, Jeff Mikula; 16 days until first day of Spring!

City Assessor, Julie Beardslee reminded residents that the Board of Review will meet March 10, 2014 from 9 a.m. to noon and 1 p.m. to 4 p.m. and again on March 11, 2014 from 2 p.m. to 5 p.m. and 6 p.m. to 9 p.m.

COUNCILMEMBERS.

Cote encouraged residents to help clear snow away from fire hydrants.

Goodspeed thanked the Boy Scouts for attending the Council Meeting.

Zaring also thanked the Boy Scouts for their attendance.

Gustad – Go Lady Chips!

Mayor Kenny reminded residents to continue to run their water until the City directs them to stop.

ADJOURN.

MOTION to adjourn was made by Goodspeed, second by Cote. Meeting adjourned at 8:26 p.m.

Mary Bachman CMC/MMC, LIA
Deputy City Clerk/Payroll & Benefits

**MANISTEE CITY COUNCIL
WORK SESSION
MINUTES OF MARCH 11, 2014**

The Manistee City Council met in a work session on Tuesday, March 11, 2014 at 7 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan 49660.

MEMBERS PRESENT: Colleen Kenny, Eric Gustad, Bob Hornkohl, Catherine Zaring, Ed Cote, Robert Goodspeed, Mark Wittlieff

MEMBERS ABSENT: None

OTHERS PRESENT: Department Directors, City Attorney, City Engineer, Media and Public

Discussion on Fireworks Ordinance. City Attorney George Saylor and Public Safety Director Dave Bachman discussed several alternatives in regard to regulation of consumer fireworks. Significant discussion was had between Council and Staff. Two options were identified by Councilmembers: 1.) limit fireworks except for the week around the Fourth of July, except between the hours of 1 a.m. to 8 a.m., and except for the three days surrounding national holidays. 2.) Limit time that fireworks can be shot off between 11 p.m. and 8 a.m., except for the three days surrounding the national holidays.

The majority of Council felt the second option was the best choice. City Attorney will prepare the revised ordinance and it will come back to Council before the Fourth of July weekend.

Discussion on Twelfth and Oak Street. City Manager Mitch Deisch, Public Works Director Jeff Mikula and City Engineer Shawn Middleton discussed proposed plan for Twelfth Street improvements. Representatives from Filer Township, Manistee Area Public Schools, Manistee County Road Commission and Manistee County were also present. Staff discussed the fact that legal research identified that there was not a public right-of-way on the south side of Twelfth Street. Staff discussed the safety issues and maintenance issues.

Council directed staff to work with the other governmental stakeholders and approach the Filer Township property owners about an amenable resolution that would allow the street to be straightened. Staff will set up a meeting with stakeholders to discuss the next step. Councilmembers Hornkohl and Wittlieff both expressed interest on sitting on this ad hoc committee.

Discussion on 2014-2015 Budget Process. City Manager Mitch Deisch and Finance Director Ed Bradford updated Council on the current challenges staff is facing to balance the budget before it is presented to Council. The budget will be available to the Council and the public on Friday, March 21, 2014 and will be presented to Council at their meeting of April 1, 2014.

This is the sixth straight year that taxable value has declined in the City, causing extreme pressure on balancing the budget. City has also had a very large health insurance increase and increased taxes due to the Patient Protection Affordable Care Act (PPACA). Staff is reviewing various options to present a balanced budget to Council. Will need flexibility regarding staffing to balance the budget. Reorganization and attrition position layoffs are on the table as possible ways to balance the budget.

Discussion on Street Funding – City Manager Mitch Deisch, Finance Director Ed Bradford and Public Works Director Jeff Mikula made a brief presentation to City Council regarding street funding options. Discussed how this presentation was a follow-up to the December 2013 presentation and the March 2014 approval of the strategic plan. Main take-away is that without additional revenue, the street network will continue to decline at an alarming rate. Council identified that the only way to generate the amount of revenue that will address the street issues is to have a dedicated millage. Staff will prepare several options looking at a dedicated street millage as well as the use of street funds and how this will impact the overall street network. Options will be presented to Council at an upcoming Council meeting.

Adjourned at 9:15 p.m.

Respectfully submitted,

Mitchell D. Deisch, City Manager

MDD:cl