

---

## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – October 18, 2016

---

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, October 18, 2016 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, 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 – Dave Bachman, City Assessor – Molly Whetstone/Great Lakes Assessing.

### **PUBLIC HEARING FOR ESTABLISHING AN OBSOLETE PROPERTY REHABILITATION DISTRICT FOR THE SOUTH WASHINGTON AREA BROWNFIELD PROJECT, NORTH CHANNEL OUTLET PROPERTIES.**

A request has been received from North Channel Investors, LLC to establish an obsolete property rehabilitation district for the North Channel Outlet properties at 86 Washington Street pursuant to Public Act 146 of 2000.

The affected property owner has received formal written notice of the public hearing and the public will be provided an opportunity to comment.

Finance Director Bradford gave an explanation of an OPRA District and the process to establish one.

Smith asked if the DDA is giving up their tax capture on this property; Bradford replied that at the end of the Brownfield Plan, the DDA would get the tax capture.

*No other comments being received, the Public Hearing ended at 7:08 p.m.*

### **PUBLIC HEARING FOR AN OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE APPLICATION FROM NORTH CHANNEL INVESTORS, LLC.**

An application has been received from North Channel Investors, LLC for an obsolete property rehabilitation exemption certificate for the North Channel Outlet properties at 86 Washington Street pursuant to Public Act 146 of 2000.

The affected property owner has received formal written notice of the public hearing and the public will be provided an opportunity to comment.

*No comments received, the Public Hearing ended at 7:09 p.m.*

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

*None received.*

---

## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – October 18, 2016

---

### CONSENT AGENDA.

- Minutes
  - October 4, 2016 - Regular Meeting
  - October 11, 2016 - Work Session
  
- Financial Reports
  - Payroll
    - September 12 – 25, 2016 - \$ 122,355.64
    - September 26-October 9, 2016 - \$ 120,557.28
  - Invoices
    - September 16, 2016 - \$ 3,673,444.99
    - September 30, 2016 - \$ 921,883.30
  
- Notification Regarding Next Work Session – November 9, 2016

A discussion will be conducted on the Frozen Water Line Policy, warning signs on Maple Street around Middle School, reduced speeds on River Street, outdoor cafes; and such business as may come before the Council.
  
- Consideration of Annual Boos, Brews, and Brats Event

The Manistee Downtown Development Authority has requested authorization to conduct their annual Boos, Brews, and Brats event on Saturday, October 29, 2016 from 10 a.m. until midnight in downtown Manistee. This annual event brings activities to the downtown area including a beer tent and food service in the parking lot of the former City Drug Store; and a Zombie run on Saturday morning. Set up will be on October 28 and tear down on October 30. A street closure for the Zombie run will be accommodated on Saturday, October 29 at 2 p.m.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF ESTABLISHING AN OBSOLETE PROPERTY REHABILITATION DISTRICT FOR THE SOUTH WASHINGTON AREA BROWNFIELD PROJECT, NORTH CHANNEL OUTLET PROPERTIES.**

A request has been received from North Channel Investors, LLC to establish an obsolete property rehabilitation district for the North Channel Outlet properties at 86 Washington Street pursuant to Public Act 146 of 2000. A public hearing on the request was held earlier this evening.

MOTION by Smith, second by Zielinski to approve a resolution Establishing an Obsolete Property Rehabilitation District for the South Washington Area Brownfield Project, North Channel Outlet Properties.

With a roll call vote this motion passed unanimously.

---

**PROCEEDINGS OF THE MANISTEE CITY COUNCIL – October 18, 2016**

---

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac  
NAYS: None

**CONSIDERATION OF AN APPLICATION FOR AN OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE FROM NORTH CHANNEL INVESTORS, LLC.**

An application has been received from North Channel Investors, LLC for an obsolete property rehabilitation exemption certificate for the North Channel Outlet properties at 86 Washington Street pursuant to Public Act 146 of 2000.

A public hearing was conducted earlier this evening on this request. This item could be considered if Council took action to establish an OPRA District in the previous agenda item.

MOTION by Zielinski, second by Goodspeed to approve an application from North Channel Investors, LLC for an Obsolete Property Rehabilitation Exemption Certificate.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac  
NAYS: None

**CONSIDERATION OF AN ALLEY VACATION REQUEST – STILLWATER INVESTMENTS.**

A request has been received from Stillwater Investments to vacate that portion of the alley located between Lot 1, 2, 3, 4, including the east 18.75 feet of Lot 5 and Lot 12, 11, 10, 9, including the east 18.75 feet of Lot 8; located in Block 9 of Filer and Tyson’s Addition to the City of Manistee; commonly known as the vacant property of the former Hotel Chippewa.

The Planning Commission reviewed this request at their meeting of October 6, 2016 and recommends approval. The City Attorney has approved the resolution.

MOTION by Zielinski, second by Smith to authorize the Mayor and City Clerk to sign a resolution to vacate that portion of the alley in Block 9 of the Filer and Tyson’s Addition as stated in the resolution; and authorize the City Clerk to record the resolution with the Register of Deeds and file it with the State of Michigan.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac  
NAYS: None

**CONSIDERATION OF ORDINANCE Z16-02, REPEALING CHAPTER 263 NON-MOTORIZED TRANSPORTATION COMMITTEE.**

Ordinance Z16-02 was drafted in response to a request from the Non-Motorized Transportation

---

## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – October 18, 2016

---

Committee who recognizes the need for all municipalities in Manistee County to work together to consolidate efforts and resources through the establishment of a County-Wide Multi-Use Trail Committee.

This will be the first reading of proposed Ordinance Z16-02. As an ordinance two separate readings are required. If the ordinance is introduced this evening it could be adopted at the next regular meeting.

MOTION by Wittlieff, second by Pontiac to introduce Ordinance Z16-02 repealing Chapter 263 Non-Motorized Transportation Committee.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF A MAINTENANCE AGREEMENT WITH THE SHORELINE CYCLING CLUB, INC.**

City Council endorsed the development of a trail park on City-owned property on M-55 in April 2011 after the Non-Motorized Transportation Committee and the Shoreline Cycling Club developed a plan to build multi-use trails and a mountain bike skills park. The Shoreline Cycling Club has expressed their desire to continue the development, maintenance and oversight of the trail park after the Non-Motorized Transportation Committee is dissolved.

The City Attorney has drafted a Maintenance Agreement that delegates to Shoreline Cycling Club, Inc. their continued development, maintenance and oversight of the park.

MOTION by Zielinski, second by Wittlieff to authorize the Mayor and City Clerk to execute the Maintenance Agreement with Shoreline Cycling Club, Inc. for the Manistee Non-Motorized Trail Park located on City-owned property on M-55. Brief discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF AWARDING A CONTRACT FOR THE RECONSTRUCTION OF TWELFTH STREET FROM MAPLE TO OAK.**

The necessary right-of-way has been obtained along Twelfth Street from Maple to Oak. The right-of-way allows for the reconstruction of the roadway to Major Street Standards. The project was bid in May of 2016 with the following bids being received:

Hallack Contracting, Inc.	\$ 136,596.52*
Schultz Excavating & Asphalt, LLC	\$ 139,270.96
Elmer's Crane and Dozer, Inc.	\$ 141,096.72

---

## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – October 18, 2016

---

Swidorski Bros. Excavating, LLC      \$ 144,110.80

\*Recommended bid.

The low bid is below the budgeted amount. The agreement has been reviewed and approved by the City Attorney.

MOTION by Wittlieff, second by Goodspeed to award a contract to low bidder Hallack Contracting, Inc. in the amount of \$136,596.52 for the reconstruction of Twelfth Street between Maple and Oak; and further authorize the Mayor and City Clerk to execute the Agreement and Notice to Proceed.

With a roll call vote this motion passed unanimously.

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

NAYS:      None

### **CONSIDERATION OF PURCHASING A 2016 KOMATSU WA270-8 WHEEL LOADER FROM AIS CONSTRUCTION EQUIPMENT.**

The current Motor Pool budget contains the replacement of our 2001 WA250-3 wheel loader. Machines from four manufacturers in Northern Michigan were demonstrated by DPW Operators. Minimum specifications were developed and requests for bids were solicited from the manufacturer representatives. The Komatsu WA270-8 loader was the lowest responsible bid, provides the most valuable maintenance package, and was the highest rated machine by the operators. The bid amount for the new machine is \$163,075 with a trade-in allowance of \$26,000 for our WA250-3; with a net purchase price of \$137,075. Financing has been competitively bid out by the Finance Director.

MOTION by Goodspeed, second by Wittlieff to approve the purchase of a WA270-8 wheel loader from AIS Construction Equipment and trade-in our current WA250-3 wheel loader for the net amount of \$137,075. Questions were asked about the warranty, the bid process, leasing, and government discounts.

With a roll call vote this motion passed, 6-1.

AYES:      Kenny, Beaton, Goodspeed, Smith, Wittlieff, and Pontiac

NAYS:      Zielinski

### **CONSIDERATION OF AN INSTALLMENT PURCHASE AGREEMENT WITH AIS CONSTRUCTION AND WEST SHORE BANK TO FINANCE THE PURCHASE OF A LOADER.**

The 2016-2017 budget included the purchase of a wheel loader and identified that the purchase would need to be financed. Earlier tonight Council approved the purchase of the loader. The installment purchase contract is needed to finance the purchase. The City Attorney has reviewed and approved the purchase contract.

---

## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – October 18, 2016

---

MOTION by Wittlieff, second by Goodspeed to enter into an installment purchase contract with AIS Construction Equipment and West Shore Bank; and further authorize the Finance Director to execute any needed documents.

With a roll call vote this motion passed, 6-1.

AYES: Kenny, Beaton, Goodspeed, Smith, Wittlieff, and Pontiac

NAYS: Zielinski

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

The City Clerk has taken action to advertise vacancies on the Airport Authority, Board of Review, Brownfield Redevelopment Authority, Compensation Commission, Downtown Development Authority, Harbor Commission, Historic District Commission, PEG Commission, and the Planning Commission.

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)

**AIRPORT AUTHORITY.** One vacancy, term ending 11/30/19. This is the City's nomination to the County Airport Authority. Mayoral appointment.

*None received*

**BOARD OF REVIEW.** (*Alternate Member*) One vacancy, term ending 12/31/17. Applicants must be a City taxpaying, registered voter. Council appointment.

*None received*

**BROWNFIELD REDEVELOPMENT AUTHORITY.** One vacancy, term ending 6/30/18. Applicants must be City resident or person with interest in property in the City. Mayoral appointment.

*None received*

**COMPENSATION COMMISSION.** Two vacancies, terms ending 9/30/17 and 9/30/19. Applicants must be registered voters in the City. Mayoral appointment.

*None received*

**DOWNTOWN DEVELOPMENT AUTHORITY.** (*Interest or At Large member*) One vacancy, term ending 6/30/20. Applicants applying as an interest member must specify what property in the downtown district they have interest in. Mayoral appointment.

T. Eftaxiadis, 817 Cherry Street

Mayor Kenny appointed T. Eftaxiadis, 817 Cherry Street to the Downtown Development Authority (interest member) for a term ending 6/30/20. MOTION by Zielinski, second by Goodspeed to support the mayor's appointment.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**HARBOR COMMISSION.** Two vacancies, terms ending 10/31/19. One member can be a non-resident but must own real estate or business, or profession having a licensed business location in the City. Council appointment.

Tyler Cook, 373 Second Street\*

Alex Zaccanelli, 457 Fourth Street\*

Goodspeed nominated Tyler Cook, 317 Second Street, to the Harbor Commission for a term ending 10/31/19, supported by Zielinski.

With a roll call vote this motion passed unanimously.

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

NAYS: None

Smith nominated Alex Zaccanelli, 457 Fourth Street, to the Harbor Commission for a term ending 10/31/19, supported by Beaton.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**HISTORIC DISTRICT COMMISSION.** One vacancy, term ending 2/28/19. Applicants must be City resident. Council appointment.

*None received*

**PEG COMMISSION.** Three vacancies, two terms ending 12/31/18, one term ending 12/31/19. Applicants must be Manistee County resident. Council appointment.

*None received*

---

## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – October 18, 2016

---

**PLANNING COMMISSION.** Three vacancies, terms ending 10/31/19. Applicants must be City residents. Mayoral appointment.

Marlene Mc Bride, 217 River Street\*  
Mark Wittlieff, 363 Tenth Street\*  
Randall Zakrajsek, 173 Quincy Street  
Robert Slawinski, 256 Hughes Street

Beaton informed Council that she is married to Robert Slawinski. Kenny appointed Marlene McBride, 217 River Street, to the Planning Commission for a term ending 10/31/19. MOTION by Goodspeed, second by Smith to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac  
NAYS: None

Kenny appointed Mark Wittlieff, 363 Tenth Street, to the Planning Commission for a term ending 10/31/19. MOTION by Zielinski, second by Goodspeed to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, and Pontiac  
NAYS: None

Kenny appointed Randall Zakrajsek, 173 Quincy Street, to the Planning Commission for a term ending 10/31/19. Appointment failed for lack of support.

### **A REPORT FROM THE NON-MOTORIZED TRANSPORTATION COMMITTEE AND THE ALLIANCE FOR ECONOMIC SUCCESS.**

Ms. Christa Johnson and Ken Blakey-Shell reported on the activities of the Non-Motorized Transportation Committee and responded questions the Council had regarding their activities.

Ms. Betsy Evans reported on the activities of the Alliance for Economic Success and responded to questions the Council had regarding their activities.

### **CITIZEN COMMENT.**

Comments received from:

- T. Eftaxiadis, 817 Cherry Street / appointment to the DDA; thanked Kenny for her years of service.
- Bob Grabowski, 341 Fourth Street / should not use the loader for the leaf pick up, use something smaller, cheaper to use.



**OFFICIALS AND STAFF.**

Taylor received an article listing the top 19 beach towns in Michigan, Manistee was #7.

Blakeslee thanked all of the people who had served on the Non-Motorized Transportation Committee.

**COUNCILMEMBERS.**

Beaton stated that the young people she previously mentioned doing the animal rescue service, liked Manistee so much they talked their parents into moving here full time.

Zielinski thanked the Non-Motorized Trail Committee and all of the work they did.

Smith thanked Bradford on the presentation on the OPRA district; thanked Bachman for the good job on the fire department open house and as Harbor Master, reaching a five-year high on marina revenues.

Pontiac asked for an update on the Twelfth Street sewer collapse and the bridge work.

Kenny stated there are a lot of good things going on in Manistee; welcomed the new DDA Director Tyler Leppanen.

**ADJOURN.**

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

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