
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 6, 2017

A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, June 6, 2017 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, 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 and Zoning – Denise Blakeslee, Public Safety Director – Tim Kozal, City Engineer – Shawn Middleton / Spicer Group.

AMEND AGENDA.

MOTION by Cooper, second by Zielinski to amend the agenda by removing item VIII a.) Consideration of PILOT Ordinance #17-08, Third Coast Development. Saylor stated the developer asked that this be removed from agenda for further review. Changes will be discussed at a work session.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Gary Patulski – 159 Quincy St. / Acknowledged and welcomed new council members; questioned Ramsdell Theatre budget.

Jim Matthews – 338 River St. / Recommends CFO provide report on how developments affect City financial position.

CONSENT AGENDA.

- Minutes - May 16, 2017 - Regular Meeting
- Financial Reports
 - Cash Balances April 2017
 - Revenue & Expense April 2017
- Consideration of Zoning Amendment Z17-02 – Wireless Communication Facilities.
When Clear Zoning performed a review of our Zoning Ordinance they noted that the Planning Enabling Act now references wireless communication facilities, not communication towers as currently defined. On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment. This ordinance has been reviewed by the Council Ordinance Committee. A first reading of the ordinance

occurred at the regular meeting of May 16, 2017 and could be adopted this evening.

- **Consideration of Zoning Amendment Z17-03 – Parking Standards.**
When Clear Zoning performed a review of our Zoning Ordinance they noted the current ordinance does not provide standards for electric vehicles, deferring parking, and electric vehicle parking; and recommended updating current standards for bike parking. On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment. This ordinance has been reviewed by the Council Ordinance Committee. A first reading of the ordinance occurred at the regular meeting of May 16, 2017 and could be adopted this evening.

- **Consideration of Zoning Amendment Z17-04 –Miscellaneous Items.**
A zoning amendment is being proposed relating to miscellaneous items as recommended by changes to definitions for building envelope, solar energy systems and solar storage battery and state-licensed residential facilities; changes to use tables minimum floor area in PD to 500 sq. ft.; eliminate fence permits; special use standards for convenience store and gas station; change eating and drinking establishment from a special use to a use by right in W-F and C-2; delete gallery or museum and place of public assembly small as a special use with key street frontage in R-1; change mixed use development from special use to use by right in G-C, W-F, C-1, C-2 and C-3 as recommended in RRC Best Practices; delete wind energy conversion system as a special use in R-3; add the word “Light” to purpose and intent in the L-1 district. On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment. This ordinance has been reviewed by the Council Ordinance Committee. A first reading of the ordinance occurred at the regular meeting of May 16, 2017 and could be adopted this evening.

- **Consideration of Zoning Amendment Z17-05 – Dumpster Standards.**
When Clear Zoning performed a review of our Zoning Ordinance they noted the current ordinance does not provide dumpster standards other than a short sentence. This new language provides clear standards and locations for dumpsters in the ordinance. On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment. This ordinance has been reviewed by the Council Ordinance Committee. A first reading of the ordinance occurred at the regular meeting of May 16, 2017 and could be adopted this evening.

- **Consideration of Zoning Amendment Z17-06 – Signs.**
When Clean Zoning performed a review of our Zoning Ordinance they noted the current ordinance does not comply with Supreme Court case Reed vs Town of Gilbert. Staff worked with the City Attorney to develop new standards for Article 21 Signs. On May 4, 2017 the Planning Commission held a public hearing and made recommendation to City Council to approve the amendment. This ordinance has been reviewed by the Council Ordinance Committee. A first reading of the ordinance occurred at the regular meeting of May 16, 2017 and could be adopted this evening.

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- Notification Regarding Next Work Session – June 13, 2017
A discussion will be conducted on signage around Kennedy School, Historic District Commission, Medical Marijuana; and such business as may come before the Council.
- Consideration of VFW Buddy Poppy Campaign.
The VFW Walsh Post 4499 has requested authorization to conduct their annual Buddy Poppy Sales in the City of Manistee from July 1 through July 4. The money collected during this period supports their veteran’s relief fund by aiding needy veterans in the community.
- Consideration of Annual Roots on the River Events.
The Manistee Area Jaycees has requested to hold the annual Roots on the River musical events at Memorial Park. This event will be held every Thursday from July 6 through August 31 starting at 7 p.m. and ending at 10 p.m.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF A RESOLUTION OF SUPPORT FOR HB 4411, MUNICIPAL/CIVIC LIQUOR LICENSES.

State law MCL 436.1509 provides for municipal civic auditorium liquor licenses for communities with a population greater than 9,500. This type of license would be appropriate for the Ramsdell Theatre to use in conjunction with events held at the Theatre and would allow it to diversify and enhance its revenue stream and become more financially stable. The City would qualify for this license if the population threshold was lowered. The Ramsdell Regional Center for the Arts has approached Representative Curt VanderWall regarding this issue and he has introduced HB 4411 to reduce the population requirement from 9,500 to 5,500.

MOTION by Zielinski, second by Wittlieff to adopt a resolution of support for HB 4411, reducing the population requirement from 9,500 to 5,500 in MCL 436.1509. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF THE PURCHASE OF AN AERIAL LIFT.

The City owns and maintains multiple buildings and assets that require unique equipment to assist with maintenance. It has been determined that the purchase of a quality, used aerial lift is more cost effective than renting. Quotes have been solicited and a machine has been identified which meets the City’s needs, has low hours of operation, and is within the budgeted funds.

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MOTION by Zielinski, second by Goodspeed to approve the purchase of a Genie S65 Aerial Lift from Illinois Lift Equipment for the total delivered price of \$30,050. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF MANISTEE AREA CHAMBER OF COMMERCE BUSINESS AFTER HOURS BLOCK PARTY.

The Manistee Area Chamber of Commerce has requested authorization to hold a Business After Hours Block Party on Thursday, June 15, 2017 from 5:30 p.m. until 8:00 p.m. They are requesting that River Street be closed between Jones Street and Cross Street from 10:00 a.m. until 9:00 p.m. for set-up and tear-down. They are also requesting that barricades and snow fence be installed. This event is sponsored by West Shore Community College and is a wrap-up of their year-long 50th Anniversary celebration. The event will be catered by Iron Works Café.

MOTION by Zielinski, second by Wittlieff to authorize the Manistee Area Chamber of Commerce Business After Hours Block Party on June 15, 2017; subject to appropriate departmental approvals. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF MANISTEE COUNTY HUMANE SOCIETY CRUISIN FOR CRITTERS FUNDRAISER.

Manistee Ford is sponsoring the annual Cruisin for Critters fundraiser for the Manistee County Humane Society and Homeward Bound Animal Shelter on Monday, July 3, 2017 from 4:00 p.m. until 7:00 p.m. They will set up at the Armory Youth Project parking lot, 555 First Street. For every test drive completed, Ford makes a donation to Homeward Bound.

MOTION by Beaton, second by Zielinski to authorize the annual Cruisin for Critters event on July 3, 2017; subject to appropriate department approvals.

With a roll call vote this motion passed unanimously.

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

NAYS: None

A REPORT FROM THE MANISTEE AREA CHAMBER OF COMMERCE – MANISTEE COUNTY LEADERSHIP PROGRAM.

Results of the recent Imagine Manistee community project was presented by members of the 2016-2017 Manistee County Leadership Program participants.

A REPORT FROM THE BROWNFIELD REDEVELOPMENT AUTHORITY AND THE PUBLIC WORKS DEPARTMENT.

Mr. Edward Bradford reported on the activities of the Brownfield Redevelopment Authority and responded to questions the Council had regarding their activities.

Mr. Jeff Mikula reported on the activities of the Department of Public Works and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Comments received by:

- Gary Patulski – 159 Quincy St. / commented on potholes being filled on Quincy Street and timeline for street repairs.
- Carol Pasco – 610 Spruce St. / expressed her thanks to the DPW for their wonderful work and finds it very impressive.
- Patrick Wilson – 281 5th St. / introduced himself and stated his mission was to help the youth.

OFFICIALS AND STAFF.

Taylor stated he would be out of the office Wednesday through Friday this week, and again on Monday of next week.

COUNCILMEMBERS.

Cooper asked what could be done with the fence at Second St. and Walnut St.

Beaton expressed desire for a PILOT discussion at the next work session.

Wittlieff would like to revisit the deer cull issue at a future work session.

Smith gave a reminder of the June 14th Flag Day ceremony at the Elks and also the June 24th City staff recognition picnic; expressed concern with illegal parking of catering vehicles at the Ramsdell causing a traffic hazard.

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CONSIDERATION OF A CLOSED SESSION, UNION CONTRACT NEGOTIATIONS.

City Manager Thad Taylor has requested a Closed Session this evening as permitted by the Michigan Open Meetings Act, Section 8 (c) to discuss contract negotiations with the United Steelworkers.

MOTION by Goodspeed, second by Zielinski to proceed to Closed Session under Section 8 (c) of the Michigan Open Meetings Act. Time: 8:17 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

MOTION by Goodspeed, second by Zielinski to return to Regular Session. Time: 8:30 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF COLLECTIVE BARGAINING AGREEMENT WITH THE UNITED STEELWORKERS.

MOTION by Zielinski, second by Goodspeed to approve a three-year collective bargaining agreement with the United Steelworkers; and authorize the Mayor and City Clerk to execute the agreement.

With a roll call vote this motion passed unanimously.

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

NAYS: None

ADJOURN.

MOTION to adjourn was made by Goodspeed, second by Zielinski. Meeting adjourned at 8:32 p.m.

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