
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – July 5, 2017

A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, July 5, 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 & Zoning Director – Denise Blakeslee, Public Safety Director – Tim Kozal, and City Engineer – Shawn Middleton / Spicer Group.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

None received.

CONSENT AGENDA.

- Minutes - June 20, 2017 - Regular Meeting
- Financial Reports
 - Cash Balances May 2017
 - Revenue & Expense May 2017
- Notification Regarding Next Work Session – July 11, 2017
A discussion will be conducted on deer herd, dogs on the Riverwalk, and the Strategic Plan Implementation quarterly report; and such business as may come before the Council.

MOTION by Zielinski, second by Cooper 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 PILOT ORDINANCE #17-09, PK3C MANISTEE SENIOR LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP.

PK3C Manistee Senior Limited Dividend Housing Association Limited Partnership, through negotiations with the City, have revised their PILOT request to 2% of net sheltered rents for a term of 35 years for the Senior Project proposed for the former Oleson's Plaza property.

The City Attorney has taken action to draft a PILOT Ordinance for this request. 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. Separate from the PILOT Ordinance, but part of the negotiated terms, a

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Municipal Services Agreement will be considered after consideration of Ordinance #17-09.

MOTION by Beaton, second by Wittlieff to introduce Ordinance #17-09, PK3C Manistee Senior Limited Dividend Housing Association Limited Partnership PILOT. Comparisons of the different options were presented. Lengthy discussion followed. David Levitt updated Council on the project, prepared to move forward either way.

With a roll call vote this motion failed, 3-4.

AYES: Beaton, Goodspeed, and Wittlieff

NAYS: Cooper, Zielinski, Smith, and Pontiac

CONSIDERATION OF A MUNICIPAL SERVICES AGREEMENT WITH PK3C MANISTEE SENIOR LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP.

In connection with the proposed PILOT described in Ordinance #17-09, PK3C Manistee Senior Limited Dividend Housing Association Limited Partnership has agreed to the terms of a Municipal Services Agreement providing for an annual charge payable to the City of \$8,500, increasing 1.5% each year, for the term of the PILOT. The City Attorney has drafted a Municipal Services Agreement in accordance with the PK3C Manistee Senior Limited Dividend Housing Association Limited Partnership Agreement.

No discussion or action taken.

CONSIDERATION OF PILOT ORDINANCE #17-08, THIRD COAST DEVELOPMENT.

At their meeting of March 7, 2017 City Council took action to approve a request from Third Coast Development LLC for a 10% PILOT for a term of 35 years for the Senior Project proposed for the former Oleson's Plaza property.

A first reading of the ordinance occurred at the regular meeting of June 20, 2017 and could be adopted at this time.

MOTION by Zielinski, second by Pontiac to adopt Ordinance #17-08, Third Coast Development LLC PILOT.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF ZONING AMENDMENT #Z17-07 AMENDING SECTION 514 PARKING, BIKE PARKING AND SIDEWALKS, AND SECTION 1832 DWELLING MULTIPLE UNIT.

A request was received from River Parc Place II LLC for a zoning amendment that would amend Section 514 Parking, Bike Parking and Sidewalks, Item H and Section 1832 Dwelling Multiple Unit, Item B.3 of

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the City of Manistee Zoning Ordinance. On May 5, 2017 the Planning Commission held a public hearing and at their meeting of June 1, 2017; made recommendation to City Council to approve the amendment.

This ordinance has been reviewed by the Council Ordinance Committee. 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 Zielinski, second by Beaton to introduce Zoning Amendment #Z17-07 amending Section 514 Parking, Bike Parking and Sidewalks, and Section 1832 Dwelling Multiple Unit.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF UPDATED MUTUAL AID AGREEMENT WITH THE CHARTER TOWNSHIP OF FILER.

The Manistee Fire Department previously entered into a Mutual Aid Agreement with the Charter Township of Filer on July 3, 2012. It is the desire of both parties to amend and replace the 2012 Mutual Aid Agreement.

The attached memo outlines the exchange of fire service in both response areas. This agreement has assisted the City of Manistee and Filer Charter Township in the past and both parties recognize the need to continue to evaluate these agreements. The amended area is specific to the fire apparatus response. The City of Manistee first out apparatus will change to an aerial truck and operating crew for a commercial fire response and an engine with an operating crew for a residential fire response. Filer Township has signed the updated Mutual Aid Agreement.

MOTION by Zielinski, second by Cooper to authorize the amendment to the 2012 Mutual Aid Agreement with the Charter Township of Filer.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF USDA RURAL DEVELOPMENT PROGRAM APPLICATION.

The City has an MDEQ approved Wet Weather Correction Action Program (CAP) to eliminate Combined Sewer Overflows (CSOs). The CAP consists of two primary phases. Phase I includes further studying and modeling the sewer system to identify sources of Inflow and Infiltration along with sewer line rehabilitation. Phase II includes design, permitting and construction of an anticipated storage facility. USDA has recommended funding applications for each separate phase. Phase I funding request is up to five million dollars and may include a combination of grants and loans as determined by USDA.

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MOTION by Wittlieff, second by Goodspeed to approve a funding application for up to five million dollars from USDA-RD to complete Phase I of the City's Wet Weather Corrective Action Program.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF PEG COMMISSION PROPOSED FEE SCHEDULE.

The PEG Commission has created a fee structure to help them generate revenue for their services. The fee schedule is to be used for all organizations which request PEG Commission services such as taping/broadcasting meetings, editing and uploading to the PEG cable channels, and posting to the MPA TV / PEG webpage and YouTube.

The proposed fees include:

- Taping Charge: \$100/hour for the first 2 hours; \$50/per 15 minute increment afterwards.
- Recurring / Monthly Fees.
- Travel / Mileage (if outside of Manistee County).

These fees would not apply to any organization that wishes to have their own content broadcast on the PEG cable channels or the PEG website. They are requesting approval of the fee schedule only, not a contract with the City.

MOTION by Wittlieff, second by Zielinski to approve the PEG Commission fee schedule as presented. Brief discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Board of Review, Brownfield Redevelopment Authority, Downtown Development Authority, Parks Commission, PEG Commission, and Zoning Board of Appeals.

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)

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PARKS COMMISSION. Four vacancies, one term ending 6/30/18 and three terms ending 6/30/20; one appointment may be a non-resident but must own real estate or a business/profession having a licensed business location in the City; Mayoral appointment.

Mark Tomaszewski, 106 Tamarack Street*

Mayor Smith appointed Mr. Mark Tomaszewski - 106 Tamarack Street to the Parks Commission for a three year term ending 6/30/20. MOTION by Zielinski, second by Pontiac to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

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

NAYS: None

A REPORT FROM THE ALLIANCE FOR ECONOMIC SUCCESS.

Ms. Tamara Buswinka reported on the activities of AES and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Comments received by:

- Gary Patulski - 159 Quincy Street / would like to see developments come to the City without receiving tax credits.

OFFICIALS AND STAFF.

None received.

COUNCILMEMBERS.

Beaton – Fourth of July events were spectacular, thanked all for making it happen, great to hear positive feedback.

Zielinski – Great weekend, many positive comments at the marina; asked if there were any options for temporary fixes on streets that aren't scheduled for repair for several years.

Wittlieff – Garbage left at the recycling center again, cameras aren't picking up license plates as planned, requested that discussion be put on a work session agenda, may need better cameras, more security or possibly shut down the center permanently.

Pontiac – Asked about getting sidewalks fixed; echoed comments on festival, it was great there were no fights or big issues; speed limit concerns at First Street beach, need more postings.

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Smith – Thanked citizens for their participation tonight, respects the difference of opinions; spoke to a number of people over the weekend, many positive comments, wonderful weekend, thanked all involved.

ADJOURN.

MOTION to adjourn was made by Zielinski. Meeting adjourned at 8:42 p.m.

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