
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – August 1, 2017

A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, August 1, 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, James Smith, Mark Wittlieff, and Erin Pontiac.

ABSENT: Robert Goodspeed

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, and Public Safety Director – Tim Kozal.

AMEND AGENDA.

MOTION by Zielinski, second by Pontiac to amend the agenda by adding item X. d.) to the Agenda, to consider a closed session pursuant to Section 8., subsection (h) of the Michigan Open Meetings Act in order to consider a written opinion from the City Attorney exempt from disclosure pursuant to Section 13, section 1. (g) of the Michigan Freedom of Information Act.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

None received.

CONSENT AGENDA.

- Minutes - July 18, 2017 - Regular Meeting
- Financial Reports
 - Cash Balances June 2017
 - Revenue & Expense June 2017
 - Quarterly Investment Update
- Notification Regarding Next Work Session – August 8, 2017
A discussion will be conducted on the recycling center; traffic speeds on First Street; ways to address streets faster; blight ordinance/procedures; and such business as may come before the Council.
- Consideration of the Manistee Area Chamber of Commerce Grapes on the River Event
The Manistee Area Chamber of Commerce has requested authorization to conduct their

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annual Grapes on the River event on Saturday, August 12, 2017 from 4 p.m. until 8 p.m. Set up for the event will be at 9 a.m., with clean up to take place following the event by 10 p.m. The event will take place on River Street between Water and Pine Streets. They have requested barricades and no parking signs be put in place on Friday, August 11 at 5 p.m. The street needs to be closed from 9 a.m. to 10 p.m. on August 12.

- Consideration of the Manistee Community Run for Special Olympics
The Manistee Community Run for Special Olympics is to take place on Monday, September 11, 2017. Registration begins at 8:00 a.m. and the event starts at 8:30 a.m. at the House of Flavors. The run will go through downtown to First Street, ending at the Lions Pavilion at First Street Beach. They have requested that a police car lead the group.

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, Smith, Wittlieff, and Pontiac

NAYS: None

CONSIDERATION OF THE APPOINTMENT OF AN HISTORIC DISTRICT STUDY COMMITTEE.

In response to the discussion City Council had at their work session on June 13, 2017 the Local Historic District Act has been reviewed to establish the process to review the Manistee Commercial Historic District boundaries and determine if modifications to the district are warranted. If Council wants to move forward with the review a Historic District Study Committee must be appointed.

MOTION by Zielinski, second by Wittlieff to appoint Denise Blakeslee, Steve Harold, and Maureen Barry as members of the Historic District Study Committee to review the Manistee Commercial Historic District boundaries and determine if modifications to the district are warranted. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF AUTHORIZING INSTALLATION OF A PRIVATE WATER WELL IN THE CITY.

Morton Salt Company currently operates a private water well within the City. The well is failing and requires replacement. Morton has requested authorization to install a new well located near Fifth and Ramsdell Streets. The well will be used for non-potable process water within the plant. Section 1040.15 of the codified Ordinances requires City approval for private wells. The City Attorney has prepared the authorization terms.

MOTION by Wittlieff, second by Zielinski to approve the authorization for Morton to install a non-potable water well for use in the plant process water and authorize the Mayor and City Clerk to

execute the agreement.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF THE SALE OF SURPLUS CITY-OWNED PROPERTY.

Staff has identified and reviewed vacant city-owned property. As required under Council Policy #3 the properties within the City were reviewed by the Planning Commission at their meeting on July 6, 2017. The Planning Commission determined the properties should be offered for sale. One parcel located in Filer Township has been identified along with the Renaissance Park and industrial properties in Manistee Township.

MOTION by Wittlieff, second by Pontiac to authorize the marketing and sale of surplus City property. Brief discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF AN AMENDMENT TO THE CITY OF MANISTEE/CHARTER TOWNSHIP OF FILER AGREEMENT FOR THE COLLECTION AND TREATMENT OF WASTEWATER WITH AN EFFECTIVE DATE OF APRIL 12, 2016.

The City of Manistee and Charter Township of Filer entered into an Agreement for the City's collection and treatment of wastewater for Filer. Filer has been informed that by federal regulation the Agreement must contain a provision that it is assignable and that as long as there is an outstanding loan balance Filer remains subject to present and future regulations of the United States Department of Agriculture Rural Development.

A proposed Amendment to the Agreement has been drafted by Richard Wilson on behalf of Filer. The City Attorney has reviewed and approved the Agreement. Mr. Wilson and the City Attorney are partners in the same firm; however, the language amendment is only being made to satisfy the requirements of Filer's financing so there was no request for review by outside counsel.

MOTION by Zielinski, second by Wittlieff to approve the Amendment to the City of Manistee/Charter Township of Filer Agreement for the Collection and Treatment of Wastewater and authorize the Mayor and City Clerk to sign the same.

With a roll call vote this motion passed unanimously.

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

NAYS: None

A REPORT FROM THE PLANNING COMMISSION, PLANNING AND ZONING ADMINISTRATOR, AND THE RAMSDELL REGIONAL CENTER FOR THE ARTS.

Ms. Denise Blakeslee reported on the activities of the Planning Commission and the Planning & Zoning Administrator and responded to questions the Council had regarding their activities.

Mr. Xavier Verna reported on the activities of the Ramsdell Regional Center for the Arts and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Comments received by:

- Glenn Zaring – 321 5th St. / commented on use of recycling center and bins being consistently full; gave suggestions for monitoring use.

OFFICIALS AND STAFF.

Kozal mentioned the successful lifesaving efforts performed by our police officers to an overdose victim.

COUNCILMEMBERS.

Cooper thanked Fred LaPoint for giving tour of fire department.

Beaton mentioned concerns on areas of Riverwalk in need of repair; areas in town with branches and shrubs encroaching the sidewalk; continued complaints on deer and also skunks.

Zielinski appreciates the efforts of the fire department working with Filer Charter Township to test out new types of equipment available.

Wittlieff continues to receive notices of dogs on the Riverwalk and he is against this being allowed.

Pontiac wondered what could be done about semis traveling off the truck routes on side streets.

Smith announced the City received a certificate from the Michigan State Historic Preservation Office for participation in the Federal Preservation Program, expressed it was nice to get recognition; also stated that he and the city manager attended an intergovernmental meeting; has been hearing about a lot of positive experiences from people this summer and sees us moving in a positive direction; everyone is doing a great job.

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CONSIDERATION OF ADJOURNING INTO A CLOSED SESSION.

MOTION by Beaton, second by Zielinski to adjourn into a closed session pursuant to Section 8., subsection (h) of the Michigan Open Meetings Act in order to consider a written opinion from the City Attorney exempt from disclosure pursuant to Section 13, section 1. (g) of the Michigan Freedom of Information Act. Time: 7:54 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

MOTION by Zielinski, second by Pontiac to return to Regular Session. Time: 8:16 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

ADJOURN.

MOTION to adjourn was made by Zielinski. Meeting adjourned at 8:17 p.m.

Heather Pefley CMC, CMMC/ MiCPT
Deputy City Clerk