
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – October 17, 2017

A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, October 17, 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 – Edward Bradford, Planning & Zoning Director – Denise Blakeslee, Public Safety Director – Tim Kozal, and City Engineer – Pat Bentley.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

None received.

CONSENT AGENDA.

- Minutes
 - October 3, 2017 - Regular Meeting
 - October 10, 2017 - Work Session
- Financial Reports
 - Payroll
 - Sept. 11 - 24, 2017 - \$ 121,037.67
 - Sept. 25 - Oct. 8, 2017 - \$ 121,630.26
 - Invoices
 - Sept. 7, 2017 - \$2,781,087.49
 - Sept. 22, 2017 - \$ 283,028.92
- Notification Regarding Next Work Session – November 28, 2017

A discussion will be conducted on the Sidewalk Ordinance / Program; Riverfront Leases; and such business as may come before the Council.
- Consideration of the 2017 Salvation Army Red Kettle Campaign

The Salvation Army is requesting approval for their annual Red Kettle Campaign. The financial donations collected during this campaign are used in the Manistee community. The Red Kettles and bell ringers will be at various businesses in the City of Manistee including: House of Flavors, Goody's, Ramsdell, NU2U, TJ's, and at the northwest corner of River and Maple Streets. The campaign runs November 3 through December 23, 2017.
- Consideration of 2017 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 28, 2017 from 10:00 a.m. to midnight. The event will take place in front of the City Marina. Request has been made to close River Street from Pine to Spruce Street. The event includes activities for children, music and food. The DDA will be responsible for taking down temporary fencing and clean up.
- Consideration of Annual Victorian Sleighbell Parade and Old Christmas Weekend.

The Manistee Downtown Development Authority requests authorization to conduct the 29th Annual Victorian Sleighbell Parade and Old Christmas Weekend. The event will take place from

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November 30 through December 3, 2017. The event will include closing of several streets in the City to accommodate the parade to include River Street from US-31 to Spruce Street, Division Street from River to Clay and Oak Street from River to Water Street. There is also a need for assistance with “no parking” signage, crowd and traffic control, closure of the parking lot at the southwest corner of Division and River Street, and swinging of the traffic signals at River and Maple.

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

With a roll call vote this motion passes unanimously.

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

NAYS: None

CONSIDERATION OF ESTABLISHING SALARY FOR HEATHER PEFFLEY AS CITY CLERK.

Council appointed Heather Pefley as City Clerk when City Clerk Michelle Wright retires on January 5, 2018. City Charter stipulates that Council sets the salary for City Clerk. The City’s wage and classification system sets the Clerk’s position in Paygrade 6. The City Manager is recommending that City Council set the salary for Heather Pefley as City Clerk at \$58,578 which is Step 1 of Paygrade 6.

This item was tabled from the October 3, 2017 meeting for further discussion.

MOTION by Wittlieff, second by Beaton to set Heather Pefley’s salary at \$58,578; Paygrade 6, Step 1; effective January 6, 2018.

With a roll call vote this motion passes unanimously.

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

NAYS: None

CONSIDERATION OF CONSUMERS ENERGY COMPANY LICENSE EXTENSION.

Consumers Energy Company is requesting an extension of their license to perform environmental testing at their former Manufactured Gas Plant site located at 30 Jones Street. The original license was granted in 1999 and they are requesting an extension through December 31, 2020.

MOTION by Zielinski, second by Wittlieff to authorize an extension of the license with Consumers Energy Company for 30 Jones Street through December 31, 2020.

With a roll call vote this motion passes unanimously.

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

NAYS: None

CONSIDERATION OF A PARCEL SPLIT REQUEST FROM DOUG WESTERVELT.

A request has been received from Doug Westervelt for a parcel split. Mr. Westervelt lives at 2091 Twelfth Street parcel 51-373-702-07 located in the R-1 Zoning District and is requesting to split the property into two parcels that meet the setback requirements of the Zoning Ordinance.

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The Planning Commission reviewed and recommends Council's endorsement of the request.

MOTION by Beaton, second by Zielinski to approve the request from Doug Westervelt to split parcel 51-373-702-07 into two parcels as submitted with survey dated September 20, 2017 prepared by the Spicer Group Job #124950SG2017.

With a roll call vote this motion passes unanimously.

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

NAYS: None

CONSIDERATION OF BOND AUTHORIZING ORDINANCE FOR THE ISSUANCE OF WATER AND SEWER REVENUE AND REVENUE REFUNDING BONDS IN AN AMOUNT NOT TO EXCEED \$4,000,000.

The City is subject to a Michigan Department of Environmental Quality (MDEQ) National Pollutant Discharge Elimination System (NPDES) permit that mandates a wet weather corrective action program (CAP) to remove the last combined sewer overflow. This permit has been discussed several times at past Council work sessions and meetings.

A Notice of Intent resolution was approved by Council on August 22, 2017 for the issuance of debt to finance the needed activities to comply with the CAP. No referendum petitions were filed so the City can proceed with issuing debt. In addition, the City has identified an opportunity to refinance existing water and sewer debt which will save about \$63,500 in interest costs. The approval of the Bond Authorizing Ordinance is necessary to authorize and proceed with the bond sale.

MOTION by Zielinski, second by Wittlieff to approve a Bond Authorizing Ordinance for Water and Sewer Revenue and Revenue Refunding Bonds in an amount not to exceed \$4,000,000. Brief discussion followed.

With a roll call vote this motion passes unanimously.

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

NAYS: None

CONSIDERATION OF A CONTRACT WITH COMPLIANCE, INC. TO COMPLETE A FINAL ASSESSMENT FOR THE LEAKING UNDERGROUND STORAGE TANK (LUST) LOCATED AT 280 WASHINGTON STREET.

The City previously owned and operated underground storage tanks and a fuel dispenser at 280 Washington Street. In 1994 a petroleum release was reported when the storage tanks and dispenser were removed. The City undertook mitigation efforts to remove the impacted soils and contamination. Monitoring assessments conducted in 2012 and 2013 indicated the presence of fuel components in the soils and groundwater at the site. The Department of Environmental Quality has ordered a Final Assessment be completed. A Request for Qualifications and Cost Proposal was created with two submittals received.

<u>FIRM</u>	<u>TASK #1</u>	<u>TASK#2</u>	<u>TASK#3</u>
Compliance, Inc.*	\$1,780.00	\$10,650.00	\$23,515.00
Gosling Czubak	\$5,088.00	\$13,607.00	\$27,128.00

*Recommended cost proposal. The City Attorney prepared the contract document.

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MOTION by Zielinski, second by Wittlieff to approve a contract with the low qualified bidder, Compliance, Inc., to complete a Final Assessment for the Leaking Underground Storage Tank located at 280 Washington Street; and further authorize the Mayor and City Clerk to execute the necessary documents. Discussion followed.

With a roll call vote this motion passes unanimously.

AYES: Cooper, Beaton, Zielinski, Goodspeed, Smith, Wittlieff, Pontiac
NAYS: None

A REPORT FROM THE RAMSDELL REGIONAL CENTER FOR THE ARTS.

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.

DISCUSSION ON DEPUTY FINANCE / DEPUTY TREASURER POSITION.

This discussion item was tabled from the October 10, 2017 Council work session. Comments made regarding the reclassification and job titles; not an arbitrary decision, same grading process/format followed; some were under the assumption deputy clerk position would be backfilled; where did the extra responsibilities come from; budget concerns voiced; position is consistent with the whitepaper, no increase in head count; anticipate savings in overall wages for the next few years.

PRESENTATION OF QUARTERLY STRATEGIC PLAN UPDATE.

This item was tabled from the October 10, 2017 Council work session. City Manager Thad N. Taylor gave an update on the Strategic Plan.

CITIZEN COMMENT.

Luanne Dike, Fourth Street / concerned with safety of sidewalks.

OFFICIALS AND STAFF.

Taylor will be out of town until the 29th.

Mikula commented on identifying unauthorized use of the recycling center; crack sealing completed; smoke testing completed; received 2" of rain last week with no CSO; and current road cuts/breakage will be cold patched at this time and paved during next year's paving projects.

COUNCILMEMBERS.

Zielinski asked if money was received from the catamaran race this summer.

Wittlieff voiced his support of Lynda Beaton for the contested City Council seat.

Pontiac asked why there wasn't a crosswalk by MCC.

Smith asked if the lift in front of the Ramsdell was ours; also asked if vehicle sales were allowed in the peninsula district.

ADJOURN.

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

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