
PROCEEDINGS OF THE MANISTEE CITY COUNCIL -JUNE 19, 2018

A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, June 19, 2018 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, James Grabowski, and Erin Pontiac.

ALSO PRESENT: City Manager – Thad Taylor, City Attorney – George Saylor, City Clerk – Heather Pefley, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Planning & Zoning Director – Denise Blakeslee, Public Safety Director – Tim Kozal, City Engineer – Shawn Middleton / Spicer Group and Deputy City Clerk – Lora Laurain.

AMEND AGENDA

MOTION by Zielinski, second by Grabowski to add item X. Concerns & Comments d.) Consideration of a Closed Session to discuss Union Contract Negotiations allowing Council action on this item.

With a roll call vote this motion passed unanimously.

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

NAYS: None

PUBLIC INFORMATIONAL MEETING – RURAL DEVELOPMENT PHASE II WET WEATHER CORRECTIVE ACTION PROGRAM (WWCAP).

A public informational meeting is required as part of the Rural Development funding and application submittal process. This meeting provided the citizenry an opportunity to become acquainted with the proposed project as well as to comment on such items as economic and environmental impacts, service area, and alternatives considered for the project.

Shawn Middleton – Spicer Group / gave updates and timelines for Rural Phase I and Phase II Wet Weather Corrective Action Program (WWCAP). Cost of Phase I is \$4,000,000 and application will be signed on Thursday, June 21, 2018. Cost of Phase II is \$15,000,000 and includes the conveyance, storage and treatment of sewer overflow; incorporates the MDOT M55 bridge project requirements.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Jim Matthews, 334 River St / spoke regarding RFP's and costs for the Wet Weather Corrective Action Program (WWCAP).

Gary Patulski, 159 Quincy St / spoke regarding WWCAP Phase II issues for overflow and impact of Filer Township addition.

Bob Grabowski, 341 Fourth St / spoke regarding whether water and sewer rates will be affected in the future by the WWCAP project.

Jeff Mikula – DPW Director / addressed WWCAP questions.

Tyler Leppanen – DDA Director / let Council know he's available to answer questions regarding item on

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agenda if needed.

CONSENT AGENDA.

- Minutes
 - June 5, 2018 - Regular Meeting
 - June 12, 2018 - Work Session

- Financial Reports
 - Payroll May 2018
 - Invoices May 2018

- Notification Regarding Next Work Session – July 10, 2018
 - A discussion will be conducted on DC pension plan, River Street refuse, Strategic Plan quarterly update, and MEDC Redevelopment services; 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, Grabowski, and Pontiac

NAYS: None

CONSIDERATION OF ACCEPTING A LOW INTEREST LOAN TO FUND PHASE I OF THE CITY'S WET WEATHER CORRECTIVE ACTION PROGRAM.

The current NPDES Permit includes requirements to complete a Wet Weather Corrective Action Program (WWCAP). This WWCAP includes a two-phased approach to reduce inflow and infiltration (I&I) at its source and to convey, treat, and store excess I&I at the WWTP. As part of this program, the City has pursued Rural Development (USRDA) funding to assist in the financing of the work. Funding for Phase I has been approved by USRDA and requires acceptance by the City Council.

MOTION by Beaton, second by Zielinski to approve the acceptance of the USRDA loan in the amount of 4.4 million dollars; and to authorize the Mayor, City Clerk, and City Manager to execute the necessary documents on June 21, 2018 with officials from the USRDA.

Discussion followed:

- Loan terms; 40 years, 2.375%, no prepayment penalty
- Cash flow
- Water and sewer rates

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF APPLYING FOR A LOW INTEREST LOAN TO FUND PHASE II OF THE CITY'S WET WEATHER CORRECTIVE ACTION PROGRAM.

The current NPDES Permit includes requirements to complete a Wet Weather Corrective Action Program (WWCAP). This WWCAP includes a two-phased approach to reduce inflow and infiltration (I&I) at its source

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and to convey, treat, and store excess I&I at the WWTP. As part of this program, the City has pursued Rural Development (USRDA) funding to assist in the financing of the work.

MOTION by Zielinski, second by Beaton to approve the application for a USRDA loan application in the amount not to exceed 15 million dollars and if successfully awarded, authorize the Mayor and City Clerk to execute the necessary documents.

Discussion followed:

- Will require Council approval in the future to accept the loan funding
- Oct. 1 is the State of Michigan deadline for this loan
- Loan terms

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF A BID TO INSTALL A NEW PRIMARY SLUDGE PUMP AT THE WASTEWATER TREATMENT PLANT.

The primary sludge pump at the Wastewater Treatment Plant (WWTP) is in need of replacement. The new pump has been ordered and will be onsite soon. Public bids were received for the installation of the pump, with the following bids received:

LD DOC SA Associates, Inc.	\$47,000
Harper Industries Construction, Inc.	\$41,765
Swidorski Brothers Excavating	\$29,740

Staff recommends awarding a contract in the amount of \$29,740 to the low bidder Swidorski Brothers Excavating. The City Attorney has reviewed and approved the contract agreement.

MOTION by Goodspeed, second by Zielinski to approve a bid to install the sludge pump, issue a contract to Swidorski Brothers Excavating in the amount of \$29,740, and authorize the Mayor and City Clerk to execute the documents. Discussion followed.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF WAIVING FEE FOR ZONING AMENDMENT REQUEST.

The Manistee Downtown Development Authority (DDA) has reviewed the uses in the C-3 Central Business District and wish to move forward with a request for a zoning amendment to the zoning ordinance. The fee for zoning ordinance amendments is \$1,000. The DDA is asking that City Council waive the fee for the request.

Staff recommends that if Council desires to waive the fee, that the cost for advertising not be waived.

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MOTION by Zielinski, second by Goodspeed to waive the fee for a zoning amendment request from the Manistee Downtown Development Authority. Discussion followed.

With a roll call vote this motion passed, 5-2.

AYES: Cooper, Zielinski, Goodspeed, Smith and Pontiac

NAYS: Beaton and Grabowski

CONSIDERATION OF A PARCEL SPLIT AND COMBINATION REQUEST FROM FLOYD YODER AND ROGER YODER.

A request has been received from Floyd Yoder, 705 Davis Street and Roger Yoder, 225 Seventh Street for a parcel split and combination. Floyd Yoder would like to split the east one-half of Lot 7 from parcel 51-648-720-01 and combine it with parcel 51-648-720-03 owned by Roger Yoder. On June 7, 2018 the Planning Commission reviewed and recommended Council's endorsement of the request.

MOTION by Goodspeed, second by Zielinski to approve the request from Floyd Yoder, 705 Davis Street and Roger Yoder, 225 Seventh Street for a parcel split and combination to split the east one-half of Lot 7 from parcel 51-648-720-01 and combine it with parcel 51-648-720-03 as submitted with the application.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF A PARCEL SPLIT AND COMBINATION REQUEST FROM FAITH COVENANT CHURCH.

A request has been received from Faith Covenant Church to split the south 27 feet from the parsonage located at 487 Eighth Street and combine it with the church property at 475 Eighth Street as submitted with a survey prepared by Abonmarche Job 18-0465. On June 7, 2018 the Planning Commission reviewed and recommended Council's endorsement of the request.

MOTION by Beaton, second by Goodspeed to approve the request from Faith Covenant Church to split the south 27 feet from the parsonage located at 487 Eighth Street and combine it with the church property at 475 Eighth Street as submitted with a survey prepared by Abonmarche Job 18-0465.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF APPLYING FOR A GRANT TO RESURFACE FOUR TENNIS COURTS AT FIRST STREET BEACH.

A pre-application was submitted to the Manistee County Community Foundation (MCCF) to reconstruct four tennis courts at Sands Park. A focus group organized by the MCCF recommended upgrading the facilities at First Street Beach which would better meet short term community needs. Budget estimates for upgrading First Street are \$60,000. City staff is recommending a 25% match and will explore the possibility of sharing the match with Manistee Area Public Schools.

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MOTION by Zielinski, second by Grabowski to approve submitting a grant application to the Manistee County Community Foundation to resurface First Street Beach tennis courts in the amount of \$45,000 with a \$15,000 match for a total project cost of \$60,000.

Discussion followed:

- Change in location from Sands Park to First Street Beach
- Possible MAPS funding
- Municipal funding of property co-owned by the City and MAPS
- If approved by MCCF the issue would return to Council for acceptance approval

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

AYES: Zielinski, Goodspeed, Smith and Pontiac

NAYS: Cooper, Beaton and Grabowski

CONSIDERATION OF APPLYING FOR A GRANT TO REPLACE SEVEN DOCKS AT THE CITY MARINA.

A pre-application was submitted to the Manistee County Community Foundation (MCCF) to replace seven docks at the City Marina for \$75,000. Total projected cost to replace all the City docks is \$232,500. The City would use insurance proceeds from the recent seiche event as matching funds. In order to improve the competitiveness of the grant application to the MCCF, we are also exploring a grant application to the MDNR Waterways Commission.

MOTION by Zielinski, second by Goodspeed to approve submitting a grant application to the Manistee County Community Foundation and the MDNR Waterways Commission in the amount of \$75,000; and utilize insurance proceeds as matching funds.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Brownfield Redevelopment Authority, Compensation Commission, Downtown Development Authority, Historic District Commission, Oil and Gas Investment Board, Parks Commission, PEG Commission, and the Zoning Board of Appeals.

Mayoral appointments require a motion, second and Council voted support. Nominations for Council appointments do not require a second. After all nominations are made, Council votes on the nominees until one nominee receives majority support.

The following applications have been received:

*Incumbent

HISTORIC DISTRICT COMMISSION. One vacancy, term ending 2/28/20. Applicants must be City residents; Council appointment.

Mark Wittlieff, 363 Tenth Street

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Councilmember Beaton nominated Mark Wittlieff, 363 Tenth Street, to the Historic District Commission for a term ending 02/28/20.

With a roll call vote this nomination passed unanimously.

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

NAYS: None

A REPORT FROM THE FINANCE DIRECTOR AND THE OIL AND GAS INVESTMENT BOARD.

Mr. Ed Bradford reported on the activities of the Administrative Services Department and responded to any questions the Council had regarding their activities.

Mr. Ed Bradford reported on the activities of the Oil and Gas Investment Board and responded to any questions the Council had regarding their activities.

CITIZEN COMMENT.

Barry Peterson, 575 8th St / appreciates Council's action regarding Faith Covenant Church request; spoke regarding water and sewer rates.

COUNCILMEMBERS.

Beaton appreciates the DDA request; commented regarding the need for parks and infrastructure maintenance to increase their lifespans.

Zielinski spoke in favor of improvements to tennis courts.

Grabowski understands citizens' concerns regarding the water and sewer rates.

Pontiac thanked the DDA and congratulated them for their work on the TGIF event recently held; good turnout for the event and it was beneficial for the community.

Smith spoke regarding concerns with the MAPS and Sands Park tennis courts.

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 International Association of Firefighters, the Police Officers Association of Michigan and the Command Officers Association of Michigan.

Motion by Goodspeed, second by Zielinski to proceed to Closed Session under Section 8 (c) of the Michigan Open Meetings Act. Time 9:05 pm.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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Motion by Goodspeed, second by Zielinski to return to Regular Session. Time 9:29 pm.

With a roll call vote this motion passed unanimously.

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

NAYS: None

ADJOURN.

MOTION to adjourn was made by Goodspeed. Meeting adjourned at 9:30 pm.

Lora Laurain
Deputy City Clerk