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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL -AUGUST 21, 2018

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A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, August 21, 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, and City Engineer – Shawn Middleton / Spicer Group

### **CITIZEN COMMENTS ON AGENDA RELATED ITEMS.**

Bill Zamrowski, Manistee Rotary Club / spoke on behalf of the Rotary Club’s request to sell City flags and showed a sample of the flag.

Jim Matthews, 334 River Street / spoke in opposition of the proposed modification of the Manistee Commercial Historic District.

Shari Wild, River Street property owner / spoke against proposed modification of the Manistee Commercial Historic District.

Gary Patulski, 159 Quincy Street / commented on the proposed modification of the Manistee Commercial Historic District.

Jim Snoeyink, Vogue Theatre Manager / spoke against the consideration of the refuse ordinance amendment; difficult for businesses to find space for refuse receptacles; would like consideration of time constraint to resolve current problems.

### **CONSENT AGENDA.**

- Minutes
  - August 8, 2018 - Regular Meeting
  - August 14, 2018 - Work Session
- Financial Reports
  - Payroll July 2018
  - Invoices July 2018
- Notification Regarding Next Work Session – September 11, 2018
  - A discussion will be conducted on Non-Union DC Pension; and such business as may come before Council.
- Consideration of Ordinance 18-07 Zoning Ordinance Amendments.
  - A public hearing was held on July 12, 2018 in response to a request from the Downtown Development Authority that would add additional uses and change uses from a special use to a use by right in the C-3 Central Business District. The Planning Commission recommends approval of the amendment. The Council Ordinance Committee met on July 30, 2018 and recommended that the amendments be forwarded to City Council for consideration. As an ordinance two separate

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readings are required. This Ordinance was introduced at the August 8, 2018 meeting and could be adopted at this time.

- Consideration of Annual Hops and Props Event.  
The Hops and Props Committee is requesting permission to use the Manistee Municipal Marina property to hold their annual Hops and Props event on Saturday, September 15, 2018 from 2:00 p.m. to 7:00 p.m. Friday, September 14 will be used for setup. This event includes street closures for River Street and Water Street, around the fountain area. City fencing/barricades, trash cans, and picnic tables are requested.
- Consideration of Manistee High School Homecoming Parade.  
Manistee High School is requesting approval for their annual Homecoming Parade on Friday, September 21, 2018 at 5:00 p.m. The parade will assemble near the former Eagles parking lot, begin on Division Street, and follow River Street west to the Municipal Marina.

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 STATE HISTORIC PRESERVATION OFFICE (SHPO) / CERTIFIED LOCAL GOVERNMENT PROGRAM (CLG) RESPONSES TO PROPOSED MODIFICATION OF MANISTEE COMMERCIAL HISTORIC DISTRICT.**

At the direction of City Council a Historic District Study Committee was established in 2017 to review the Manistee Commercial Historic District boundaries and determine if modifications to the district were warranted. This involved reviewing and updating the 2007 Manistee Commercial Historic District Survey Report and preparing the final report of the Historic District Study Committee. New photos and survey sheets were prepared for each building in the district and the report was updated by the City's consultant Jessica Flores. Ms. Flores forwarded the report to SHPO for their review. Ms. Flores will present the responses to City Council.

Ms. Flores spoke to Council about the responses from SHPO and CLG, the process for redistricting, and the option to keep the district as is or move forward with redistricting.

MOTION by Goodspeed, second by Pontiac to maintain the boundaries of the Historic District.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Goodspeed, Smith, Grabowski, and Pontiac  
NAYS: None

### **CONSIDERATION OF ORDINANCE 18-08 AMENDING CHAPTER 1060 GARBAGE AND RUBBISH COLLECTION AND DISPOSAL.**

At their work session in July, Council discussed the issue of trash on River Street. A consensus was reached to direct staff to prepare an ordinance amendment to prohibit the use of plastic bags for trash on River

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Street. Ordinance 18-08 would modify Section 1060.08 to require sealed receptacles or containers in the Central Business District, establish violations as civil infractions, establish penalties for violations, and repeal all ordinances in conflict with this ordinance.

The Council Ordinance Committee met on July 30, 2018 to review the proposed language and recommended that the amendments be forwarded to City Council for consideration.

As an ordinance two separate readings are required. If this ordinance is introduced this evening, it could be adopted at the next regular meeting.

MOTION by Grabowski, second by Cooper to introduce Ordinance 18-08 amending Chapter 1060 Garbage and Rubbish Collection and Disposal, by modifying Section 1060.08 requiring sealed receptacles or containers in the Central Business District; establishing violations and penalties. Discussion included businesses being treated differently than residents, time restrictions, and proposed ordinance needs more detail and attention.

MOTION by Zielinski, second by Grabowski to table this item for further discussion at the September work session and return item to agenda for second regular meeting in September.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF ORDINANCE 18-09 AMENDING CHAPTER 1024 SIDEWALKS.**

The proposed amendment would add Section 1024.06 prohibiting all dogs, bicycles, skateboards and rollerblades along the Riverwalk; modify the chapter heading; and repealing all ordinances in conflict.

The Council Ordinance Committee met on July 30, 2018 to review the proposed language and recommended that the amendments be forwarded to City Council for consideration.

As an ordinance two separate readings are required. If this ordinance is introduced this evening, it could be adopted at the next regular meeting.

MOTION by Zielinski, second by Cooper to introduce Ordinance 18-09 1024 Sidewalks by adding Section 1024.06, modifying the chapter heading, and repealing all ordinances in conflict. Discussion included taking this item back to the ordinance committee for further review.

With a roll call vote this motion failed, 1-6.

AYES: Cooper

NAYS: Beaton, Zielinski, Goodspeed, Smith, Grabowski, and Pontiac

### **CONSIDERATION OF MANISTEE ROTARY CLUB REQUEST TO SELL CITY FLAGS.**

The Manistee Rotary Club wishes to sell City of Manistee flags to residents and merchants. The intent is to provide an opportunity for those interested to purchase and display the flags.

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MOTION by Goodspeed, second by Beaton to authorize the Manistee Rotary Club to sell City of Manistee flags.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF THE MANISTEE COUNTY SUICIDE PREVENTION COALITION AWARENESS WALK.**

The Manistee County Suicide Prevention Coalition will be holding a Suicide Prevention and Awareness Walk on Wednesday, September 12, 2018. The event will assemble at Veteran's Memorial Park, walk across Maple Street Bridge, continue on River Street to the Vogue Theatre, and back up River Street to conclude at the steps of City Hall. From there approximately 40 people wish to assemble in City Council chambers for a 3-5 minute video presentation followed by light refreshments. The event will run from 4:30 p.m. to 5:45 p.m.

MOTION by Goodspeed, second by Grabowski to support and approve the Manistee County Suicide Prevention and Awareness Walk, and authorize the after-hours use of Council Chambers for a video presentation and refreshments; subject to appropriate department approvals.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **A REPORT FROM THE MANISTEE COUNTY HISTORICAL MUSEUM/HISTORIC DISTRICT COMMISSION.**

Mr. Mark Fedder reported on the activities of the Manistee County Historical Museum/Historic District Commission and responded to any questions the Council had regarding their activities.

### **CITIZEN COMMENT.**

Gary Patulski, 159 Quincy Street / thanked everyone on City Council for their efforts; thanked Public Safety Director and staff for help resolving issues; thanked DPW Director for assistance provided.

### **OFFICIALS AND STAFF.**

Kozal commented on Public Safety services provided in the City; the quick response time and quality of services provided in recent events resulted in two lives being saved; doing a great job.

Mikula explained process for dealing with residences with large junk piles; once issue is reported a letter is sent to property owner; if the junk is not removed, the DPW will clean up and bill service back to the property owner.

Middleton gave a status update on SSO; meeting is scheduled with MDEQ for September 10th; met with DPW director to start laying out timelines.

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### **COUNCILMEMBERS.**

Beaton apologized for absence at the last work session; glad to be back for productive meeting tonight.

Zielinski asked to have Riverwalk discussion added to work session; questioned if response had been received from the DNR.

Goodspeed wished Denise Blakeslee luck in her retirement; she will be missed.

Grabowski would like residents to let Council know their feelings on the Riverwalk; asked what if anything could be done regarding residents feeding the deer.

Pontiac offered condolences to Roger Zielinski for the recent passing of his daughter.

Smith gave well wishes to Denise Blakeslee on her retirement; expressed appreciation to DPW for street patching and would still like a comprehensive plan for future street maintenance; echoed Chief Kozal's comments on the Public Safety.

### **ADJOURN.**

MOTION to adjourn was made by Zielinski. Meeting adjourned at 8:08 p.m.

Heather Pefley CMC / CMMC, MiCPT  
City Clerk