

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – September 18, 2012

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, September 18, 2012 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Sid Scrimger, Robert Hornkohl, Ilona Haydon, Catherine Zaring, Beth Adams, and Alan Marshall.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, Community Development Director – Jon Rose, Finance Director – Ed Bradford, and Public Safety Director – Dave Bachman.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

None received.

CONSENT AGENDA.

- Minutes - September 4, 2012 - Regular Meeting
- September 11, 2012 - Work Session
- Payroll - September 3 – 16, 2012 - \$ 109,657.36
- Monthly Bills - August 9, 2012 - \$1,488,141.66
- August 15, 2012 - \$ 63,384.12
- August 28, 2012 - \$5,612,466.20
- Notification Regarding Next Work Session – October 9, 2012
Items will include a discussion with the Downtown Development Authority, discussion on deer herd management and project updates; and such business as may come before the Council.
- Consideration of Annual Paint the Town Pink Walk.
The West Shore Healthcare Foundation is requesting to conduct their annual Paint the Town Pink Walk on Thursday, October 18, 2012 beginning at Cornerstone Park. Social hour will be from 4 to 5 p.m., with a short ceremony to follow. Following the ceremony participants will walk the Riverwalk to the House of Flavors and then follow River Street back to Cornerstone Park. Businesses and organizations will be offered the opportunity to host “pit stops” along the walk and River Street merchants will be asked to decorate in pink for the cause.

MOTION by Hornkohl, second by Haydon to approve the Consent Agenda as presented.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall
NAYS: None

CONSIDERATION OF HUD RECOVERY AGREEMENT AND ACTION PLAN FOR THE MANISTEE HOUSING COMMISSION.

The Manistee Housing Commission, through the U.S. Department of Housing and Urban Development (HUD), received notification of a financially troubled status. The City of Manistee was requested by HUD to partner with the Housing Commission to rectify the troubled status. A Financial Recovery Plan was created and ultimately approved by the Manistee Housing Commission Board of Commissioners by Resolution 2011-04. With Housing Commission Resolution 2012-18 the Board of Commissioners has further authorized the President of the Board and the Executive Director of the Housing Commission to execute the HUD Recovery Agreement.

The City of Manistee is being asked to partner with the Housing Commission in the completion of the Action Plan. Section XXIV of the Recovery Agreement states:

“The City of Manistee, through its Appointing Authority, acknowledges the importance of effective governance as part of the recovery and sustainability of the Manistee Housing Commission. As a signatory of this Agreement, the City of Manistee commits to oversee and monitor its duly appointed agents, the appointees to the Manistee Housing Commission Governing Board, in the discharge of their duties. Upon the discovery of any failure of the Manistee Housing Commission Board to discharge its duties under this Agreement, the City of Manistee will take all necessary steps to correct the Board's actions or omissions and ensure compliance with the terms of this Agreement.”

MOTION by Haydon, second by Zaring to authorize the Mayor and City Clerk to execute the Manistee Housing Commission HUD Recovery Agreement. The Housing Commission Director gave the background to this situation and steps being taken to correct it.

After further discussion a roll call vote was taken, motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall
NAYS: None

CONSIDERATION OF MNRTF DEVELOPMENT PROJECT AGREEMENT, FIRST STREET BEACH HOUSE DEVELOPMENT.

The Michigan Department of Natural Resources (MNRTF) approved the City of Manistee's request for a \$280,000 grant to assist in funding the First Street Beach House Development. A Council resolution is required as an attachment to the MNRTF Development Project Agreement. The City Attorney has reviewed and approved the agreement.

MOTION by Haydon, second by Hornkohl to adopt a resolution accepting the terms of the Michigan Department of Natural Resources Trust Fund Development Project Agreement and authorize the Mayor and City Clerk to execute the necessary documents.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall
NAYS: None

CONSIDERATION OF JOSLIN COVE WATER MAIN LOOP BID AND EASEMENT.

On March 15, 2010 two bids were received to finish the Joslin Cove Water Main Loop. The bids were as follows:

Swidorski Brothers \$34,400
Elmer's \$37,656

Swidorski Brothers submitted the low bid for the project and agree to honor the bid of \$34,400.

In accordance with the Development Agreement between the City and the Developers, the Developers have provided a Utility Easement to the City. This Easement needs to be accepted by the City to proceed with the project. The City Attorney has reviewed and approved the contract and the easement.

MOTION by Hornkohl, second by Marshall to accept the easement and bid from Swidorski Brothers to finish the Joslin Cove Water Main Loop for a cost of \$34,400; and further authorize the Mayor and City Clerk to execute the necessary documents. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall
NAYS: None

CONSIDERATION OF AGREEMENT TO PROVIDE SERVICES, OAK GROVE CREMATION CENTER, INC.

The City of Manistee approved an Agreement to Provide Services to Mowry Buick Pontiac Oldsmobile, Inc. at 309 Parkdale Avenue in 1992. This agreement allowed connection to the City sewer line that runs in front of the property.

Oak Grove Cremation Center, Inc. has purchased the property at 309 Parkdale Avenue and is in the process of constructing a new Funeral Home and would like to connect to City water also. The City Attorney has prepared a new Agreement to Provide Services that would allow Oak Grove Cremation Center, Inc., 309 Parkdale Avenue to connect to both City water and sewer.

MOTION by Haydon, second by Hornkohl to approve the request from Oak Grove Cremation Center, Inc., 309 Parkdale Avenue to connect to City water and sewer; and authorize the Mayor and City Clerk to execute the necessary documents. Ryan Kieszowski of Oak Grove Cremation Center addressed questions raised by Councilmembers.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall
NAYS: None

CONSIDERATION OF REMOVAL AND INSTALLATION OF NEW FENCING AT RIETZ PARK BALL DIAMOND.

The City of Manistee / Manistee Saints received a Local Revenue Sharing Board grant in the amount of \$45,800 for improvements to Rietz Park Baseball Diamond. A portion of the money received is to remove the old fencing and replace the perimeter fencing around the entire diamond. The existing fence is more than twenty years old and failing in numerous locations; creating safety issues. Bids were received and opened on August 30, 2012. One bid was received from Straight Fence in the amount of \$33,900.

Straight Fence has signed a letter of agreement. The City Attorney is in the process of preparing a formal contract. Once the contract is completed it will be forwarded to Council for their review.

MOTION by Hornkohl, second by Marshall to award a contract to Straight Fence for the removal and installation of new fencing at Rietz Park in the amount of \$33,900; and further authorize the Mayor and City Clerk to execute the documents.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Scrimger, Hornkohl, Haydon, Zaring, Adams, and Marshall

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, and the Zoning Board of Appeals. The following applications have been received:

BROWNFIELD REDEVELOPMENT AUTHORITY – One unexpired term ending 6/30/14, Mayoral appointment.

None received.

COMPENSATION COMMISSION – Two vacancies, five year term ending 9/30/17, Mayoral appointment.

None received.

ZONING BOARD OF APPEALS – One vacancy (alternate member), unexpired term ending 5/31/15, Mayoral appointment.

None received.

Mayor Kenny asked that these positions be advertised again.

A REPORT FROM THE ALLIANCE FOR ECONOMIC SUCCESS.

Mr. Tim Ervin reported on the activities of the Alliance for Economic Success and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Julie Raymond and Nancy Day spoke on the Paint the Town Pink event to be held Thursday, October 18, 2012.

OFFICIALS AND STAFF.

Deisch gave an update on the interceptor cleaning. He also stated that Council meeting agendas and packets are available on the City's website and on Facebook.

COUNCILMEMBERS.

Adams asked for an update on the Utility Director position and insurance provider bids.

ADJOURN.

MOTION to adjourn was made by Hornkohl, second by Marshall. Meeting adjourned at 8:02 p.m.

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