

---

## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – September 16, 2013

---

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Monday, September 16, 2013 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Robert Hornkohl, Robert Goodspeed, Catherine Zaring, Beth Adams, and Eric Gustad (*arrived at 7:23 p.m.*).

ABSENT: Edward Cote.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, Finance Director – Ed Bradford, Public Safety Director – Dave Bachman, and City Engineer – Corey Kandow/Abonmarche.

### CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Ross Spencer- 328 Eighth Street, asked if the public would be able to read the City Manager's employment agreement before it is voted on.

### CONSENT AGENDA.

- Minutes - September 3, 2013 - Regular Meeting
- Payroll - no report
- Monthly Bills - August 29, 2013 - \$ 5,277,957.94  
- August 29, 2013 #2 - \$ 4,542.00
- Notification Regarding Next Work Session – October 8, 2013  
A discussion will be conducted on a Surplus Property Policy, Downtown Trees, DPW Truck Purchases and Project Updates; and such business as may come before the Council.
- Consideration of Homecoming Parades, Manistee Catholic Central School and Manistee High School  
Both Manistee Catholic Central School (MCC) and Manistee High School (MHS) have requested authorization for their annual homecoming parade on Friday, September 27, 2013. The Police Department has coordinated these parade requests that will begin with MCC at 4:30 p.m. and MHS immediately following. Both parades will begin at Division Street and end on River Street at the Fountain.

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

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Goodspeed, Zaring, and Adams

NAYS: None

**CONSIDERATION OF APPROVED DEPOSITORIES FOR CITY FUNDS.**

City Charter Section 7-8 requires that Council designate the depositories for City funds. The Finance Director requests that the following financial institutions be approved as designated depositories: Charles Schwab, Flagstar Bank, Honor State Bank, Huntington Bank, MBIA Michigan Class, Northwestern Bank, PNC Bank, Shelby State Bank, UBS, West Michigan Bank & Trust, and West Shore Bank.

MOTION by Hornkohl, second by Goodspeed to approve designated depositories for the City of Manistee.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Goodspeed, Zaring, and Adams

NAYS: None

**CONSIDERATION OF A DECK LEASE WITH THE BOAT HOUSE GRILL.**

The City of Manistee has had a deck lease agreement with the property owners at 440 River Street for many years that allows a deck from the business to extend over City property to the north. The current agreement with Boat House Grill expired on December 31, 2012. City Administration recommends approval of the agreement and the City Attorney has prepared and approved the lease agreement.

MOTION by Hornkohl, second by Goodspeed to approve a deck lease agreement between the City of Manistee and the Boat House Grill, located at 440 River Street for a ten year period; and further authorize the Mayor and City Clerk to execute the lease agreement.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Goodspeed, Zaring, and Adams

NAYS: None

**CONSIDERATION OF BIDS RECEIVED FOR THE FIRE STATION DOOR REPLACEMENT.**

The current rear door on the station does not accommodate vehicle entry into the Fire Station. Specs were created and bids were advertised and opened on Tuesday, August 27, 2013. Only one bid was received from Joseph A.A. Helminski Construction Company in the amount of \$29,948. This bid came in over the budgeted amount of \$26,700. The bidder was asked to remove the electronic opener component and after value engineering the bid was reduced to \$26,448. The City Attorney has reviewed and approved the attached contract.

MOTION by Zaring, second by Hornkohl to accept the bid of \$26,448 from Joseph A.A. Helminski Construction Company to replace the rear door at the Fire Station; and further authorize the Mayor and City Clerk to execute the contract. Brief discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Goodspeed, Zaring, and Adams

NAYS: None

**A REPORT FROM THE MANISTEE COUNTY COMMUNITY FOUNDATION AND THE CITY CLERK’S OFFICE.**

Ms. Laura Heintzelman reported on the activities of the Manistee County Community Foundation and responded to questions the Council had regarding their activities.

*Councilmember Gustad arrived – time 7:23 p.m.*

Ms. Michelle Wright reported on the activities of the City Clerk’s Office and responded to questions the Council had regarding their activities.

**PRESENTATION OF THE FOURTH QUARTER INVESTMENT REPORT BY FINANCE DIRECTOR ED BRADFORD.**

**CITIZEN COMMENT.**

Dennis Skiera – 1453 Maple Road, commented on a water and sewer billing issue at his rental property at 103 Sycamore Street; the meters were disconnected on the unoccupied units; asked Council to direct the billing office to remove the bond debt charges.

Tom Geoghan – 286 Dunes Drive, stated that he received a disservice from the City of Manistee in reference to his tax bill; arrangements were made with the bank to make the payment on August 20<sup>th</sup>; payment was not received until August 23<sup>rd</sup>; received a balance due notice for the late charges; feels the late charge should not have been applied because the situation was out of his control.

**OFFICIALS AND STAFF.**

Deisch expressed his condolences to the former Councilmember Jan Gavliniski’s family on her passing.

Bachman commented on the funeral held for Trooper Butterfield this past weekend; stated Manistee shined and came together for this event.

**COUNCILMEMBERS.**

Hornkohl and Goodspeed commended all that worked on the Butterfield funeral for a job well done.

Kenny, on behalf of the City of Manistee, thanked the police, fire, and all who helped with the funeral; she also was saddened by the passing of Jan Gavliniski who served on the City Council from 1996-2001 and also served as Mayor Pro-Tem in 1998-1999.

**CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION.**

City Manager Mitchell D. Deisch has requested an Executive Session this evening as permitted by the Open Meetings Act, Section 8 (a) for continued discussions on the City Manager’s Annual Evaluation.

MOTION by Goodspeed, second by Hornkohl to adjourn to Executive Session. Time: 7:50 p.m.

MOTION by Hornkohl, second by Zaring to return to Regular Session. Time: 8:16 p.m.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Hornkohl, Goodspeed, Zaring, Adams, and Gustad

NAYS: None

**CONSIDERATION OF CITY MANAGER EMPLOYMENT AGREEMENT.**

Following completion of the City Manager’s annual evaluation, City Council could consider a revised employment agreement with City Manager Mitchell D. Deisch.

MOTION by Hornkohl, second by Zaring to approve an amended employment agreement with City Manager Mitchell D. Deisch (retroactive to 7/1/13) and authorize the Mayor and City Clerk to execute the agreement.

With a roll call vote this motion passed, 5-1.

AYES: Kenny, Hornkohl, Zaring, Adams, and Gustad

NAYS: Goodspeed

**ADJOURN.**

MOTION to adjourn was made by Goodspeed, second by Hornkohl. Meeting adjourned at 8:18 p.m.

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