
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – February 17, 2015

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, February 17, 2015 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Edward Cote, Roger Zielinski, James Smith, Mark Wittlieff, and Eric Gustad (*arrived at 7:02 p.m.*).

ABSENT: Robert Goodspeed.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, Planning & Zoning Administrator – Denise Blakeslee, and Public Safety Director – Dave Bachman.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Dr. Aaron Bennett introduced himself as an applicant for the Historic District Commission.

CONSENT AGENDA.

- Minutes
 - February 3, 2015
 - February 10, 2015
 - Regular Meeting
 - Work Session
- Payroll
 - February 2 – 15, 2015
 - \$ 121,748.74
- Monthly Bills
 - January 14, 2015
 - January 28, 2015
 - \$ 1,237,173.02
 - \$ 456,720.37
- Notification Regarding Next Work Session – March 10, 2015
 - A discussion will be conducted on the Council Strategic Plan, Animal Ordinance; and such business as may come before the Council. No action is required on this item.
- Consideration of Manistee World of Arts & Crafts, Use of Szymarek Park.
 - The Manistee World of Arts & Crafts is requesting the use of Red Szymarek Park for their 44th Annual Arts & Crafts Show to be held on July 3-4, 2015. They would like Council approval to use the park starting July 1 through July 4 to allow them time to set up.

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

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Zielinski, Smith, Wittlieff, and Gustad

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Compensation Commission, Harbor Commission, Historic District Commission, Non-Motorized Transportation Committee, Parks & Beautification Commission, and the PEG Commission.

All appointments by the Mayor are subject to the Council’s approval, unless otherwise specified by statute or ordinance. Nominations for Council appointments do not require a second. After a member of Council nominates an individual for appointment, Council shall vote on the nomination. A majority vote in favor of placement of the nominee is required for appointment.

The following applications have been received:

COMPENSATION COMMISSION. One vacancy, term ending 09/30/19, applicants must be registered voters in the City, Mayoral appointment.

None received

HARBOR COMMISSION. One vacancy, term ending 10/31/15, Council appointment.

None received

HISTORIC DISTRICT COMMISSION. One three-year term ending 02/28/18, applicants must be City residents, Council appointment.

Aaron A. Bennett, DO, 813 Cherry Street

Cote nominated Aaron A. Bennett, DO – 813 Cherry Street to the Historic District Commission for a three-year term ending 02/28/18. Supported by Zielinski.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Zielinski, Smith, Wittlieff, and Gustad

NAYS: None

NON-MOTORIZED TRANSPORTATION COMMITTEE. One two-year term ending 03/31/17, Mayoral appointment.

None received

PARKS & BEAUTIFICATION COMMISSION. One vacancy, term ending 06/30/17, applicants must be a City resident or own real estate/business/profession in the City, Mayoral appointment.

None received

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PEG COMMISSION. Two vacancies, one three-year term ending 12/31/17 and one unexpired term ending 12/31/15, applicants must be Manistee County residents, Council appointment.

None received

PRESENTATION OF REDEVELOPMENT READY COMMUNITY REPORT OF FINDINGS.

The City of Manistee has been selected for participation in the statewide Redevelopment Ready Communities (RRC) program. The evaluation has been completed and a Report of Findings has been prepared and will be presented to City Council.

Staff from the Michigan Economic Development Corporation Redevelopment Ready Communities gave a presentation of their Report of Findings.

A REPORT FROM THE DEPARTMENT OF PUBLIC SAFETY.

Public Safety Director David Bachman reported on the activities of the Department of Public Safety and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Comments were received by:

- Kenny Kott / new MRA Director introduced himself to Council.

OFFICIALS AND STAFF.

Deisch stated that the City currently *does not* have a run water notice as other communities do, it is being monitored closely, only 6-8 freeze-ups so far this season; Strategic Plan information distributed, call with any questions.

COUNCILMEMBERS.

Wittlieff thanked the DPW for their work this past weekend during the brutal storm.

Gustad stated there are problems with the City's website not loading up right.

CONSIDERATION OF AN EXECUTIVE SESSION, ATTORNEY OPINION.

Council has received a written opinion from the City Attorney regarding the Memorandum of Understanding between the City, Seng Dock & Trucking, Inc., Seng Properties, LLC, Edward Seng and Reith-Riley Constructions, Co., Inc.; a Development Agreement between the City and Seng Dock & Trucking, Inc., Seng Properties, LLC, Edward Seng; a Brownfield Development and Reimbursement Agreement between the City and American Materials, LLC; and the legal issues surrounding those documents. The City Attorney has recommended that Council consider discussing the written attorney opinion, which is exempt from disclosure under the Michigan Freedom of Information Act as involving

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material covered by the attorney-client privilege, in closed session pursuant to Section 8 (h) of the Michigan Open Meetings Act.

MOTION by Gustad, second by Cote to proceed into closed session under Section 8(h) of the Michigan Open Meetings Act to discuss the written opinion of the City Attorney. Time: 7:52 p.m.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Zielinski, Smith, Wittlieff, and Gustad

NAYS: None

MOTION by Gustad, second by Smith to return to Regular Session. Time: 8:37 p.m.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Zielinski, Smith, Wittlieff, and Gustad

NAYS: None

ADJOURN.

MOTION to adjourn was made by Wittlieff, second by Zielinski. Meeting adjourned at 8:38 p.m.

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