

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – June 1, 2010

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Ilona Haydon on Tuesday, June 1, 2010 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Ed Cote, Robert Hornkohl, Ilona Haydon, Hank Yonkman, Richard Mack, and Alan Marshall.

ABSENT: None.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, Community Development Director – Jon Rose, DPW Director – Jack Garber, Finance Director – Ed Bradford, and City Engineer – Jeff Mikula, Abonmarche.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

None received.

#10-62 CONSENT AGENDA.

Consent agenda items include:

- Minutes - May 18, 2010 - Regular Meeting
- Payroll - May 17 – 23, 2010 - \$ 61,899.29
- Monthly Bills - May 14, 2010 - \$ 444,848.84
- Notification Regarding Next Work Session – June 8, 2010
A discussion will be conducted on a budget recap and preparation for next year, initial public safety organizational model, and such business as may come before the Council.
- Consideration of Special Olympics Tag Day.
Special Olympics is a nonprofit organization that provides athletic competition for athletes who are mentally impaired. All funds raised locally are spent locally. Area 24 would like authorization to conduct a tag day on Saturday, June 12, 2010.
- Consideration of West Shore Medical Center Auxiliary Tag Day.
The West Shore Medical Center Auxiliary is requesting permission to hold their annual tag day on Friday, August 13, 2010 in the City of Manistee. All proceeds will go toward the ambulance that was purchased last year.

- Consideration of a Banner Permit, Manistee World of Arts & Crafts.
The Manistee World of Arts & Crafts is requesting City Council's permission to place a banner by the Chamber of Commerce in mid-June, prior to their annual art show. According to Council Policy (CP-30 Banner Policy), banners are not permitted in locations other than the River Street Arch without specific authorization by the City Council.

MOTION by Hornkohl, second by Kenny to approve the Consent Agenda as stated.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall

NAYS: None

#10-63 CONSIDERATION OF A CONTRACT, ARTHUR STREET LAUNCH RAMP.

Bids were advertised and received for the Arthur Street Boat Launch renovation project. Seng Crane and Excavating was the low responsible bid in the amount of \$284,106.32. This bid is recommended, however costs exceed engineer estimates due to adding more retaining walls to address the U.S. Army Corps of Engineers permit requirements and alteration of the parking lot dimension, along with Manistee Planning Commission requirement for a sidewalk to be placed along US-31. The cost for the increased retaining walls is approximately \$70,000. MDNRE will not allow the City to negotiate or reduce the overall project cost with a contractor prior to the City Council awarding the bid. Once the bid is awarded, staff will work with Abonmarche to negotiate with the selected contractor to reduce the overall project cost through value engineering. The City Attorney has reviewed and approved the contract, pending value engineering adjustments. This item was tabled from the May 18, 2010 meeting in order to fully understand the process required by the State of Michigan to allow the City of Manistee to complete value engineering on the project.

MOTION by Mack, second by Hornkohl to award a contract to Seng Crane and Excavating in an amount not to exceed \$284,106.32; and authorize the Mayor and Clerk to execute the appropriate documents. Mikula gave a power point presentation outlining the project and possible value engineering adjustments. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall

NAYS: None

#10-64 CONSIDERATION OF A LEASE EXTENSION, USACE SOUTH BREAKWATER.

This extends without change, an agreement that was originally entered into in 1999 with the U.S. Army Corps of Engineers (USACE) to allow use of the south breakwater for the annual fireworks display; from August 1, 2009 to July 31, 2014. This agreement meets the approval of the Fire Chief and approval is recommended. The City Attorney reviewed and approved the original agreement.

MOTION by Hornkohl, second by Mack to approve an agreement extension with the USACE to allow the

annual fireworks display on the south breakwater from August 1, 2009 to July 31, 2014; and further authorize the Mayor and City Clerk to execute the appropriate documents.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall
NAYS: None

#10-65 CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The Clerk has taken action to advertise vacancies on the Brownfield Redevelopment Authority, Compensation Commission, Downtown Development Authority, Housing Commission, Oil and Gas Investment Board, Parks and Beautification Commission, PEG Commission, Ramsdell Theatre Governing Authority, and the Zoning Board of Appeals.

BROWNFIELD REDEVELOPMENT AUTHORITY - three vacancies, three-year terms ending June 30, 2013, mayoral appointment.

Marlene McBride, 217 River Street*

Mayor Haydon appointed Marlene McBride. MOTION by Mack, second by Hornkohl to support the Mayor's appointment of Marlene McBride, 217 River Street, to the Brownfield Redevelopment Authority for a three year term ending June 30, 2013.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall
NAYS: None

COMPENSATION COMMISSION - one vacancy, five-year term ending October 1, 2014, mayoral appointment.

None received.

DOWNTOWN DEVELOPMENT AUTHORITY - four vacancies, two four-year terms ending July 1, 2014; two unexpired terms ending July 1, 2011 (one appointment must be a resident in the DDA District), mayoral appointment.

David Carlson, 100 Oak Street, Apt 103*
Pamela Schindlbeck, 82 Division Street
Lynne Reinhardt, 524 Fairview Avenue
Barry Neal, 200 S. Robert, Ludington
Maria DeRee, 389 River Street*
Barry Lind, 532 Fourth Street
Glenn Zaring, 325 Fifth Street

Mayor Haydon appointed David Carlson, 100 Oak Street, Apt. 103, and Barry Lind, 532 Fourth Street, for

four year terms ending July 1, 2014; and Pamela Schindlbeck, 82 Division Street, and Maria DeRee, 389 River Street, to fill the unexpired terms ending July 1, 2011. Maria DeRee will be the resident member.

MOTION by Kenny, second by Marshall to support the Mayor's appointments to the Downtown Development Authority

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall

NAYS: None

HOUSING COMMISSION - one vacancy, five-year term ending May 31, 2015, mayoral appointment.

Elbert Purdom, 369 River Street*

Kenneth Ross, 602 Fairview Avenue

Mayor Haydon appointed Elbert Purdom. MOTION by Mack, second by Yonkman to support the Mayor's appointment of Elbert Purdom, 369 River Street, to the Housing Commission for a five year term ending May 31, 2015.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall

NAYS: None

OIL AND GAS INVESTMENT BOARD - one vacancy, four-year term ending June 30, 2014, mayoral appointment.

Steven Brower, 4102 College Avenue*

Mayor Haydon appointed Steven Brower. MOTION by Hornkohl, second by Cote to support the Mayor's appointment of Steven Brower, 4102 College Avenue, to the Oil and Gas Board for a four year term ending June 30, 2014.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall

NAYS: None

PARKS AND BEAUTIFICATION COMMISSION - two vacancies, three-year terms ending June 30, 2013, mayoral appointment.

Kenneth Ross, 602 Fairview Avenue

John Rozga, 162 Quincy Street*

Mayor Haydon appointed Kenneth Ross and John Rozga. MOTION by Mack, second by Yonkman to support the Mayor's appointments of Kenneth Ross, 602 Fairview Avenue, and John Rozga, 162 Quincy Street, to

the Parks and Beautification Commission for three year terms ending June 30, 2013

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall
NAYS: None

PEG COMMISSION - one vacancy, unexpired term ending December 31, 2012, council appointment.

None received.

RAMSDELL THEATRE GOVERNING AUTHORITY - three vacancies, three-year terms ending June 30, 2013, mayoral appointment.

John Bell, 1477 Lakeshore Road*
Robert DeSisto, 349 First Street*
Priscilla Rulison, 533 Third Street
Sue Wilson, 7526 Beech Knolls Trail

Mayor Haydon appointed John Bell, Robert DeSisto, and Priscilla Rulison. MOTION by Hornkohl, second by Kenny to support the Mayor's appointments of John Bell, 1477 Lakeshore Road, Robert DeSisto, 349 First Street, and Priscilla Rulison, 533 Third Street, to the Ramsdell Theatre Governing Authority for three year terms ending June 30, 2013.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall
NAYS: None

ZONING BOARD OF APPEALS - four vacancies, three-year terms ending May 31, 2013 (three appointments are regular members and one appointment is an alternate member), mayoral appointment.

John Perschbacher, 420 Third Street*
William Kracht, 403 First Street*
Mark Hoffman, 361 Second Street*
Kenneth Ross, 602 Fairview Avenue
Craig Schindlbeck, 420 Cedar Street* (alternate)

Mayor Haydon appointed John Perschbacher, William Kracht, and Mark Hoffman as regular members; and Craig Schindlbeck as the alternate member. MOTION by Mack, second by Hornkohl to support the Mayor's appointments to the Zoning Board of Appeals of John Perschbacher, 420 Third Street, William Kracht, 403 First Street, and Mark Hoffman, 361 Second Street, as regular members; and Craig Schindlbeck, 420 Cedar Street, as the alternate member; all for three year terms ending May 31, 2013.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Haydon, Yonkman, Mack, Marshall
NAYS: None

*Incumbent

#10-66 A REPORT FROM THE MANISTEE COUNTY COMMUNITY FOUNDATION.

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

COUNCILMEMBERS.

Mack commented on the condition of the Fifth Avenue beach area, specifically sand being in the streets and parking area; received an e-mail regarding beach house bathrooms; and the Manistee Saints ball club garbage not being taken care of at Reitz Park.

ADJOURN.

MOTION to adjourn was made by Mack, second by Kenny. Meeting adjourned at 8:07 p.m.

Michelle Wright CMC/CPFA
City Clerk/Deputy Treasurer