
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – May 12, 2015

A special meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, May 12, 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, Robert Goodspeed, James Smith, Mark Wittlieff, and Eric Gustad.

ALSO PRESENT: Interim City Manager – R. Ben Bifoss, City Attorney – George Saylor, City Clerk – Michelle Wright, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, and City Engineer – Shawn Middleton / Spicer Group.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

None received.

CONSIDERATION OF ADOPTING THE 2015-2016 BUDGET AND CAPITAL IMPROVEMENT PLAN.

Under Section 7-4 of the Charter, the annual budget must be adopted before May 15 of each year. The budget has been the subject of multiple work sessions and a public hearing.

MOTION by Gustad, second by Goodspeed to adopt a resolution approving the 2015-2016 Budget and Capital Improvement Plan for the City of Manistee.

With a roll call vote this motion passed unanimously.

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

NAYS: None

NOTIFICATION OF WORK SESSION CANCELLED.

The Council work session previously scheduled to follow the special meeting has been cancelled.

DISCUSSION ON TWELFTH STREET AND A POSSIBLE CLOSED SESSION REGARDING CITY ATTORNEY OPINION.

Agenda attachments include a memorandum from the Interim City Manager and further explanatory memos from the City Engineer / DPW Director and the Public Safety Director. City Staff will review this information at the public meeting.

In addition, the Council has received a written opinion from the City Attorney regarding Twelfth Street and related legal issues. 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 material covered by the attorney-client privilege, in closed session pursuant to Section 8 (h) of the Michigan Open Meetings Act.

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Only the legal opinion may be discussed in a closed session. The balance of the discussion will occur in open session.

If necessary, following the public discussion, Council could take action to proceed into closed session under Section 8 (h) of the Michigan Open Meetings Act to consider the City Attorney Opinion on this subject.

Mikula and Middleton gave a brief history of the platted area; provided major street requirements as prescribed by federal, state, and local government; and options available to meet those requirements.

MOTION by Cote, second by Goodspeed to proceed into closed session under Section 8 (h) of the Michigan Open Meetings Act to consider the City Attorney Opinion. Time: 7:25 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

MOTION by Goodspeed, second by Smith to return to regular session. Time: 8:01 p.m.

Bifoss stated that the City will continue to make effort to negotiate with the adjacent property owners to come to some type of settlement that is mutually beneficial to all parties concerned; we have a public need to fix Twelfth Street and that is the path we intend to take whether or not we can come to some agreement with the property owners.

CITIZEN COMMENT.

None received.

OFFICIALS AND STAFF.

None received.

COUNCILMEMBERS.

Smith asked if the ready-to-serve fee on the sprinkling meters has been dropped from the billing.

ADJOURN.

MOTION to adjourn was made by Goodspeed, second by Cote. Meeting adjourned at 8:03 p.m.

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