
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – August 18, 2015

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, August 18, 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, Finance Director – Ed Bradford, Public Safety Director – Dave Bachman, and City Engineer – Shawn Middleton / Spicer Group.

AMEND AGENDA.

MOTION by Smith, second by Cote to amend the agenda by adding Item VIII.C. under New Business – Consideration of Making a Conditional Offer of Employment to a City Manager Candidate.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Gary Patulski – 159 Quincy Street / commented on the August 11, 2015 minutes and the correlation of the order of the candidate interviews and how Council rated them; and various details on Mr. Jordan’s work history.

CONSENT AGENDA.

- Minutes
 - August 4, 2015 - Regular Meeting
 - August 11, 2015 - Special Session
- Payroll
 - August 3 – 16, 2015 - \$ 116,965.30
- Monthly Bills
 - July 10, 2015 - \$ 331,991.12
 - July 30, 2015 - \$ 1,452,324.92
- Notification Regarding Next Work Session – September 8, 2015
 - A discussion will be conducted on Open Meetings Act, Combined Sewer Overflows; and such business as may come before the Council.
- Consideration of Annual Strut Your Mutt Event
 - The Manistee County Humane Society would like to hold their annual Strut Your Mutt event on the Riverwalk on Sunday, September 20, 2015 from 12:00 p.m. to 3:00 p.m. Registration and activities will be conducted in front of the City Marina. This event raises funds for

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Homeward Bound, a no-kill shelter that serves Manistee County.

MOTION by Goodspeed, second by Wittlieff to approve the Consent Agenda as presented.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF A CONTRACT WITH THE CITY ATTORNEY.

The City Attorney is appointed by Council pursuant to Section 5-8 of the Charter. Gockerman, Wilson, Saylor & Hesslin, by Bruce Gockerman and George Saylor have served as City Attorney since 1995. The proposed contract memorializes the terms of the retention of the City Attorney. The monthly retainer provided in the contract is the same amount that has been paid to the City Attorney since 2009. The City Attorney has agreed to the terms of the proposed contract.

MOTION by Goodspeed, second by Smith to approve the terms of the contract between the City and the City Attorney.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF UTILITY EASEMENT FOR CONSUMERS ENERGY.

As part of the Industrial Park Pump Station Rehabilitation project , Consumers Energy will be installing new underground three-phase electric lines and a transformer. Consumers Energy has requested an easement for the location of these facilities. The City Attorney has reviewed and approved the attached language.

MOTION by Smith, second by Zielinski to approve a utility easement with Consumers Energy, and further authorize the Mayor and City Clerk to execute the document. Gustad asked if it was a conflict of interest for him to vote on this item (he works for Consumers Energy); Saylor indicated that it was.

With a roll call vote this motion passed unanimously.

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

NAYS: None

ABSTAIN: Gustad

CONSIDERATION OF MAKING A CONDITIONAL OFFER OF EMPLOYMENT TO A CITY MANAGER CANDIDATE.

Last week at a special Council meeting, five city manager candidates were interviewed. At the end of the special meeting Council had approved making a conditional offer of employment to Mr. Patrick Jordan. Mr. Jordan has since withdrew his candidacy for the City Manager position. Ms. Kathie Grinzinger from the Michigan Municipal League offered Council some direction on how to proceed. She stated that the other two candidates that Council debated on, Mr. Ryan Heise / Florida and Mr. Kevin Bookout / Missouri, could still be offered the position if Council felt comfortable with either of them.

MOTION by Goodspeed, second by Gustad to extend a conditional offer of employment to Mr. Kevin Bookout, direct the MML to initiate the background due diligence process, and direct the City Attorney to initiate contract discussions with Mr. Bookout if he accepts.

With a roll call vote this motion passed, 6-1.

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

NAYS: Smith

A REPORT FROM THE PARKS COMMISSION AND THE PARKS DEPARTMENT.

Ms. Lynn Vasquez reported on the activities of the Parks Commission and responded to questions the Council had regarding their activities.

A representative from the Parks Department was not present to give the report.

CITIZEN COMMENT.

Comments were received by:

- Rudy Linke / updated Council on the flag pole to be placed in the roundabout at First Street beach, Consumers Energy and OSHA have issues with the setbacks, suggested placing the 70' flag pole by the Lion's area and place six military flags and poles in the roundabout (poles & installation will be paid by his company); Council conceptually approved the plan.
- Kerry Gavigan – 380 First Street / new rental inspection program and the increased costs.
- Lynda Beaton – 256 Hughes Street / her first choice on city manager candidates was Bookout, glad fate handed the City another opportunity.
- Gary Patulski – 159 Quincy Street / had exchanged e-mails with some of the city manager candidates prior to the interviews, Bookout was very open about what happened with his previous job and gave a very good interview, had questions about his background; wished two candidates could be hired – one for the day-to-day operations, and one to promote Manistee.
- Lynn Vasquez – 307 Sibben Street / asked Council to keep the Parks Commission in the loop as to what will happen at the roundabout at First Street beach, doesn't want it to look too empty.

OFFICIALS AND STAFF.

Middleton / Spicer Group volunteered their service to help lay out the flag pole placement.

COUNCILMEMBERS.

Zielinski asked about the pay tube at Arthur Street boat launch.

Smith received information regarding the Armory from Rep. Dan Benishek stating the decision on Bravo Troop and the Armory have not been finalized, suggested Council adopt a resolution of support for them, encouraged everyone to be active and let their voice be known.

Wittlieff thanked Mr. Linke for the proposed service flags; asked for an update on the deer cull committee.

Kenny would like to have a meeting on the rental inspections with the Spicer Group to discuss rates and how they came up with them; thanked Council for their strong support of Mr. Bookout.

ADJOURN.

MOTION to adjourn was made by Goodspeed, second by Cote. Meeting adjourned at 7:42 p.m.

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