
PROCEEDINGS OF THE MANISTEE CITY COUNCIL -AUGUST 8, 2018

A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, August 8, 2018 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Dale Cooper, Lynda Beaton, Roger Zielinski, James Smith, James Grabowski, and Erin Pontiac.

ABSENT: Robert Goodspeed

ALSO PRESENT: City Manager – Thad Taylor, City Attorney – George Saylor, City Clerk – Heather Pefley, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Planning & Zoning Director – Denise Blakeslee, Public Safety Director – Tim Kozal, and City Engineer – Shawn Middleton / Spicer Group

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

Eileen Postma, 390 Piney Rd, Board President-Armory Youth Project / commented on the request for Council consideration of a resolution to recognize the Armory Youth Project as a nonprofit organization for purpose of obtaining a raffle license and gave a brief history including funding and 501c3 status.

CONSENT AGENDA.

- Minutes - July 17, 2018 - Regular Meeting

- Financial Reports
 - Cash Balances June 2018
 - Quarterly Financial Update
 - Quarterly Investment Update

- Notification Regarding Next Work Session – August 14, 2018
A joint discussion will be conducted with the Downtown Development Authority on a Draft TIF Plan, Strategic Plan Quarterly Update; and such business as may come before Council.

- Consideration of Disabled American Veteran’s Forget-Me-Not Flower Sale.
The Disabled American Veterans (DAV) Chapter #43 of Manistee is requesting permission to sell Forget-Me-Not flowers in the City of Manistee. They will be outside of partnering businesses in the city. The sale raises money for local DAV projects. They are requesting the dates of Friday, August 17 and Saturday, August 18, 2018.

- Consideration of Tight Lines for Troops 2019 Event.
The Tight Lines for Troops event is set for May 17 through May 18, 2019 and organizers wish to reserve the First Street Beach parking lot for the event and the Cherry Street ball diamond parking lots for volunteer parking. There are no other events during this time period.

- Consideration of Chamber of Commerce Grapes on The River Event.

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The Manistee Area Chamber of Commerce has requested authorization to conduct their annual Grapes on the River event on Saturday, August 11, 2018. The event will occur on River Street between Water Street and Pine Street, and on the grounds of the Manistee Municipal Marina. Wine, beer, spirits, art and food vendors will be set up under tents on River Street. Also proposed: a band in the shuffle board area, along with an art vineyard on the marina grounds. The event is scheduled to run from 4:00 p.m. to 8:00 p.m.

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

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac
NAYS: None

CONSIDERATION OF DESIGNATING A VOTING DELEGATE FOR THE MML ANNUAL MEETING.

The Annual Convention for the Michigan Municipal League (MML) will be held September 20-22, 2018. Pursuant to the provisions of the League bylaws, we are requested to designate by action of the governing body, one official who will be in attendance at the convention as the official representative to cast the vote of the City of Manistee at the annual meeting, and if possible, to designate one other official to serve as an alternate. Signed up to attend the convention are Mayor Smith, Mayor Pro-tem Zielinski and City Manager Thad Taylor.

MOTION by Beaton, second by Pontiac to appoint City Manager Thad Taylor as the voting delegate to the Michigan Municipal League's annual convention.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac
NAYS: None

MOTION by Grabowski, second by Pontiac to appoint Mayor Pro-tem Zielinski as an alternate voting delegate to the Michigan Municipal League's annual convention.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac
NAYS: None

CONSIDERATION OF A RESOLUTION RECOGNIZING THE ARMORY YOUTH PROJECT AS A NONPROFIT ORGANIZATION.

The Armory Youth Project is a 501c3 Nonprofit Organization. They are applying for a raffle license through the Michigan Lottery Charitable Gaming Division for the King of Hearts Raffle. Prior to the State of Michigan issuing the license, the Armory Youth Project must qualify as a local nonprofit organization through recognition by the Manistee City Council.

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MOTION by Zielinski, second by Beaton to recognize the Armory Youth Project as a local nonprofit organization for the purpose of applying for a Charitable Gaming License through the State of Michigan.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

CONSIDERATION OF AN ACCESS AGREEMENT TO PERFORM ENVIRONMENTAL INVESTIGATION AT THE WASTEWATER TREATMENT PLANT (WWTP).

The Dow Chemical Company currently owns and is responsible for environmental liabilities associated with Morton Salt. Dow has contracted with consultants to perform environmental services and has requested access to the WWTP to perform environmental testing and monitoring. The City Attorney and the City's contract environmental consultant have reviewed and recommend approval of the Access Agreement.

MOTION by Zielinski, second by Cooper to approve the Access Agreement to allow Dow Chemical Company to perform environmental testing and reviews at the City's Wastewater Treatment Plant; and authorize the Mayor and City Clerk to execute the document.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

CONSIDERATION OF A RESOLUTION, LOCAL GOVERNMENT APPROVAL FOR A CLASS C LIQUOR LICENSE FOR THE RAMSDELL REGIONAL CENTER FOR THE ARTS.

Under MCL 436.1509 State law provides for municipal civic auditorium liquor licenses for communities with a population greater than 5,500. This type of license would be appropriate for the Ramsdell Theatre to use in conjunction with events held at the theatre and would allow it to diversify and enhance its revenue stream and become more financially stable. Seeking Local Government Approval is a required part of the application process.

MOTION by Beaton, second by Zielinski to approve a resolution of Local Government Approval for a Class C liquor license under MCL 436.1509 for the Ramsdell Regional Center for the Arts. Discussion included liability, cost, and RRCA board responsibility.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

CONSIDERATION OF THE PURCHASE OF A NEW WHEEL LOADER.

The Department of Public Works (DPW) operates and maintains two Wheel Loaders. The current Motor Pool budget includes \$185,000 to replace the 2004 Komatsu WA-320. The DPW completed extensive research and demonstrated available units in 2016 and found the Komatsu loaders performed the best for the

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City's operations, were the lowest cost machines, and offered superior servicing. The DPW is requesting to replace the current 2004 loader with a new 2018 Komatsu WA-320.

MOTION by Zielinski, second by Grabowski to approve the purchase of a 2018 WA-320 Wheel Loader for \$180,675 which includes a trade-in of the 2004 machine from AIS Construction Equipment. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

CONSIDERATION OF A FOUR-YEAR INSTALLMENT PURCHASE CONTRACT WITH WEST SHORE BANK TRUCK & TRAILER SPECIALTIES FOR A PLOW TRUCK.

On February 20, 2018 City Council approved the purchase of a plow truck and related equipment in the amount of \$191,633. When approved, it was anticipated that financing arrangements would have to be made at a later date. The truck chassis is ready and needs to be paid for, so it can be delivered to the equipment vendor and be assembled. The equipment vendor will be paid upon delivery of the finished truck. Staff recommends entering into a four-year installment purchase contract with West Shore Bank Truck & Trailer Specialties of Boyne Falls, Inc. and D&K Truck Company to finance the purchase of the plow truck and related equipment. The City Attorney has prepared the necessary documents.

MOTION by Zielinski, second by Cooper to adopt a resolution to enter into a four year installment purchase contract with West Shore Bank Truck & Trailer Specialties of Boyne Fall, Inc. and D&K Truck Company to finance the purchase of a plow truck and related equipment; and further authorize the Chief Financial Officer to execute any needed documents.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

CONSIDERATION OF SALT CITY ROCK & BLUES, INC. LABOR FEST.

Salt City Rock & Blues, Inc. has requested authorization for a new event on Saturday, September 1, 2018. The Labor Fest will begin with a parade/walk at 1:30 p.m. from the Armory on First Street to the First Street Beach Lions Pavilion. Following the walk the Labor Fest concert will start in the area. The event will run from 1:30 p.m. to 11:59 p.m.

MOTION by Beaton, second by Zielinski to authorize the Salt City Rock & Blues Labor Fest on Saturday, September 1, 2018; subject to appropriate department approvals. Discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

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CONSIDERATION OF ORDINANCE 18-07 ZONING ORDINANCE AMENDMENTS.

A public hearing was held on July 12, 2018 in response to a request from the Downtown Development Authority that would add additional uses and change uses from a special use to a use by right in the C-3 Central Business District. The Planning Commission recommends approval of the amendment.

The Council Ordinance Committee met on July 30, 2018 and recommended that the amendments be forwarded to City Council for consideration.

As an ordinance two separate readings are required. If this ordinance is introduced this evening, it could be adopted at the next regular meeting.

MOTION by Zielinski, second by Cooper to introduce Zoning Amendment Z18-07 that would amend the uses in the C-3 Central Business District as requested by the Downtown Development Authority.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Brownfield Redevelopment Authority, Compensation Commission, Downtown Development Authority, Historic District Commission, Oil and Gas Investment Board, Parks Commission, PEG Commission, and the Zoning Board of Appeals.

Mayoral appointments require a motion, second, and Council voted support. Nominations for Council appointments do not require a second. After all nominations are made, Council votes on the nominees until one nominee receives majority support.

The following applications have been received:

*Incumbent

BROWNFIELD REDEVELOPMENT AUTHORITY. One vacancy, term ending 6/30/21. Applicants must be City residents or persons with interest in property in the City; Mayoral appointment.

Ronald Kipp Pomranky, 361 Eighth Street

Mayor Smith appointed Ronald Kipp Pomranky, 361 Eighth Street to the Brownfield Redevelopment Authority for a term ending 6/30/21. MOTION by Zielinski, second by Grabowski to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

COMPENSATION COMMISSION. One vacancy, term ending 9/30/22. Applicants must be registered voters in the City; Mayoral appointment.

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Ronald Kipp Pomranky, 361 Eighth Street

Mayor Smith appointed Ronald Kipp Pomranky, 361 Eighth Street to the Compensation Commission for a term ending 9/30/22. MOTION by Zielinski, second by Grabowski to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

DOWNTOWN DEVELOPMENT AUTHORITY. One vacancy, Interest Member, term ending 6/30/22; Mayoral appointment.

Barry Lind, 532 Fourth Street*

Mayor Smith appointed Barry Lind, 532 Fourth Street to the Downtown Development Authority for a term ending 6/30/22. MOTION by Beaton, second by Cooper to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

PARKS COMMISSION. One vacancy, term ending 6/30/21. Applicants may be nonresidents but must own real estate or a business/profession having a licensed business location in the City or have a child attending school within the City; Mayoral appointment.

Ronald Kipp Pomranky, 361 Eighth Street

Mayor Smith appointed Ronald Kipp Pomranky, 361 Eighth Street to the Parks Commission for a term ending 6/30/21. MOTION by Zielinski, second by Grabowski to support the Mayor's appointment.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

CONSIDERATION OF THE DIVINE MERCY CATHOLIC PARISH EVANGELIZATION WALK.

The Divine Mercy Catholic Parish / St. Joseph Church wishes to hold an Evangelization Walk on Saturday, August 18, 2018. The walk will commence at 254 Sixth Street and end at the Memorial Park Bandshell. This event will run from 1:00 p.m. to 4:00 p.m.

MOTION by Zielinski, second by Cooper to support and approve the request for the Divine Mercy Catholic Parish / St. Joseph Church Evangelization Walk on Saturday, August 18, 2018; subject to appropriate department approvals.

With a roll call vote this motion passed unanimously.

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AYES: Cooper, Beaton, Zielinski, Smith, Grabowski, and Pontiac

NAYS: None

A REPORT FROM THE PLANNING COMMISSION AND THE PLANNING AND ZONING DIRECTOR.

Mr. Mark Wittlieff reported on the activities of the Planning Commission and responded to any questions the Council had regarding their activities.

Ms. Denise Blakeslee reported on the activities of the Planning and Zoning Office and responded to any questions the Council had regarding their activities.

RESOLUTION OF THANKS & APPRECIATION.

Mayor Smith read a Resolution of Thanks and Appreciation for Denise Blakeslee, Planning & Zoning Director, who will be retiring on August 31, 2018.

CITIZEN COMMENT.

Tom Welsh, 542 8th Street / commented on the nuisances of the deer population in the City; problem is getting worse; asked Council to readdress this issue and look for a solution.

Pat Rebedew, 804 Tamarack Street / expressed her concerns regarding the deer population in the City.

Kathy Ebbeling, Second Street / commented that deer are also a problem where she lives near downtown.

Bonnie Barker, 711 Locust Street / expressed her concerns with the deer population in the City.

OFFICIALS AND STAFF.

Taylor notified Council that he met with the County regarding options for interim Planning and Zoning services for when Denise retires and also discussed possible interest in providing services on a contractual basis; County will take the issue to their board later this month; will update Council as information becomes available.

Kozal thanked Denise for all of her help since he has arrived and added that she will be missed; informed Council that police arrested the person responsible for recent thefts in the City and County and have recovered stolen property; fire department calls have increased by 20 per month; very proud of both departments.

Mikula informed Council of several items including contractors in 1st Street, Hancock, Sibben Street area for pipe rehabilitation project; residents have been notified of short turn traffic disruptions and chance of fumes from pipes; Central Dispatch or Fire Department can be called if problems with fumes occur; District 10 issued an advisory for 5th Avenue beach for high reading; everything has been retested and results take 24 hours; discussed Bluffs water leak and adjustment policy; Brush pick up is done on Fridays and residents must call the DPW to get put on the list for pick up; will look into possibility of changing day for pickup.

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COUNCILMEMBERS.

Cooper presented cards for Employees with service anniversaries.

Beaton expressed thanks to Denise for all of her hard work over the years; she will be missed; wishes her happiness in retirement.

Zielinski asked for update on SSO 18 from City Engineer.

Grabowski thanked Chief Kozal for work done to catch person involved in recent thefts; understands frustrations with deer issue.

Pontiac thanked Denise for being an asset to the City; thanked EMS for services; lots of events planned this weekend hopes all will get out to enjoy them.

Smith thanked Denise for her service and presentation; thanked Mark Wittlieff for his presentation; appreciates efforts of the Boards and commissions; would like to see a forward looking plan for streets; commented on the deer issue; deer cull was stopped in the past due to safety concerns; have asked the DNR to re-engage in conversation; thanked everyone for coming to meeting.

ADJOURN.

MOTION to adjourn was made by Zielinski. Meeting adjourned at 8:17 p.m.

Heather Pefley CMC / CMMC, MiCPT
City Clerk