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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL -SEPTEMBER 18, 2018

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A regular meeting of the Manistee City Council was called to order by his honor, Mayor James Smith on Tuesday, September 18, 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, Robert Goodspeed, James Smith, James Grabowski, and Erin Pontiac.

**ALSO PRESENT:** City Manager – Thad Taylor, City Attorney – George Saylor, City Clerk – Heather Pefley, DPW Director – Jeff Mikula, and Public Safety Director – Tim Kozal

### **CITIZEN COMMENTS ON AGENDA RELATED ITEMS.**

None.

### **CONSENT AGENDA.**

- Minutes
  - September 4, 2018 - Regular Meeting
  - September 11, 2018 - Work Session
- Financial Reports
  - Payroll August 2018
  - Invoices August 2018
- Notification Regarding Next Work Session – October 9, 2018  
A discussion will be conducted on joint discussion with DDA on TIF Plan, Quarterly Strategic plan update; and such business as may come before Council.
- Consideration of Annual Victorian Sleighbell Parade and Old Christmas Weekend.  
The Manistee Downtown Development Authority requests authorization to conduct the 30th Annual Victorian Sleighbell Parade and Old Christmas Weekend from Friday, December 7 through Sunday, December 9, 2018; with activities focused in the downtown area. The event will include closing several streets in the City to accommodate the parade and other activities. Please see the attached list for proposed requested assistance and timetables.

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

With a roll call vote this motion passed unanimously.

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

**NAYS:** None

### **CONSIDERATION OF ORDINANCE 18-08 AMENDING CHAPTER 1060 GARBAGE AND RUBBISH COLLECTION AND DISPOSAL.**

At their work session in July, Council discussed the issue of trash on River Street. A consensus was reached to direct staff to prepare an ordinance amendment to prohibit the use of plastic bags for trash on River Street. Ordinance 18-08 would modify Section 1060.08 to require sealed receptacles or containers in the Central Business District, establish violations as civil infractions, establish penalties for violations, and repeal all ordinances in conflict with this ordinance.

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The Council Ordinance Committee met on July 30, 2018 to review the proposed language 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.

This item was tabled at the August 21, 2018 Council meeting for continued discussion at the September 11, 2018 Council work session.

MOTION by Grabowski, second by Cooper to introduce Ordinance 18-08 amending Chapter 1060 Garbage and Rubbish Collection and Disposal, by modifying Section 1060.08 requiring sealed receptacles or containers in the Central Business District; establishing violations and penalties.

With a roll call vote this motion failed unanimously.

AYES: None

NAYS: Cooper, Beaton, Zielinski, Goodspeed, Smith, Grabowski, and Pontiac

MOTION by Beaton, second by Cooper to direct the City Manager to establish an ad hoc committee to study the refuse ordinance.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF ORDINANCE 18-09 AMENDING CHAPTER 1024 SIDEWALKS.**

The proposed amendment would add Section 1024.06 prohibiting all dogs, bicycles, skateboards and rollerblades along the Riverwalk; modify the chapter heading; and repealing all ordinances in conflict.

The Council Ordinance Committee met on July 30, 2018 to review the proposed language 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.

The motion to introduce this ordinance failed at the August 21, 2018 Council meeting. Council requested this item be added to the September 11, 2018 Council work session agenda for further discussion.

Discussion included:

- Partial allowance of dogs on the River Walk
- Area of River Walk where dogs would be allowed – City Marina to American Legion
- Placement of waste bags and signs
- Bikes and skateboards still prohibited

New ordinance language will be drafted and placed on the agenda for the first meeting in October.

**CONSIDERATION OF THE PURCHASE OF THREE-QUARTER TON PICKUP TRUCK WITH REGULAR CAB.**

The 2018-2019 Motor Pool budget includes the purchase of a three-quarter ton pickup truck. A quote was received from Gorno Ford under MiDEAL contract #4WDL-0078 for a F250 pickup, 4x4, regular cab with options in the amount of \$30,728. The budgeted amount is \$30,000.

MOTION by Zielinski, second by Goodspeed to approve the purchase of a F250 pickup truck from Gorno Ford, Government and Fleet Sales in the amount of \$30,728.

Discussion included:

- One truck from current fleet will be sold
- Potential selling price

With a roll call vote this motion passed unanimously.

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

NAYS: None

**CONSIDERATION OF AN AGREEMENT WITH MANISTEE COUNTY TO PROVIDE PLANNING AND ZONING ADMINISTRATION SERVICES.**

At their meeting of September 4, 2018 City Council took action to authorize the City Manager to work with County Officials to develop a contract that would provide planning and zoning administration services to the City by the County Planner. The proposed agreement delineates the services that will be provided, includes a five-year term with a five-year renewal, and includes a termination clause. The first year cost of the agreement is \$70,000 with an annual cost increase of two percent (2%). The agreement was reviewed and approved by the City Attorney.

MOTION by Zielinski, second by Cooper to authorize the Mayor and City Clerk to sign an agreement with Manistee County to provide planning and zoning administration services.

Discussion included:

- Contracted services versus onsite staff
- No budget modification needed for this agreement
- Review process
- Monthly reporting
- County Planner will attend Council meetings and staff meetings
- County Planner knows the history of the City / drafted current master plan

With a roll call vote this motion passed, 4-3.

AYES: Cooper, Beaton, Zielinski, and Smith

NAYS: Goodspeed, Grabowski, and Pontiac

**CITIZEN COMMENT.**

Bob Grabowski, 341 Fourth Street / commented on signs located on the Maple Street bridge.

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Michael “Mick” Szymanski, 332 Fifth Street. / spoke regarding dogs on the Riverwalk; believes the City should look into a City-wide dog ordinance that addresses dog owner responsibilities throughout the entire City not just in certain areas.

### **OFFICIALS AND STAFF.**

Taylor reminded Council he will be out of the office from noon Wednesday until Saturday afternoon for the MML convention; contact Ed Bradford if assistance is needed during his absence; will try to check email periodically.

Mikula gave an update on the Corrective Action Plan; in good shape; answered questions on the Pilot lining project; project is complete but will do a little more work.

### **COUNCILMEMBERS.**

Cooper questioned if the soft billing had stopped for medical transports because a resident had contacted him regarding a bill.

Beaton commented on the beautiful weather we had this past weekend and the wonderful Spark Manistee and Strut Your Mutt events that took place; received positive feedback.

Grabowski asked about the storage business on 12th Street; they need to be cleaned up; also asked if there had been contact with the DNR regarding the deer in the City; Kozal responded stating there had been follow up from the USDA not DNR. Grabowski requested a copy of blight spreadsheet from Kozal; received a lot of complaints recently.

Pontiac requested an update on the cleanup of the house on 11<sup>th</sup> street; inquired if the DDA had decided to hire a new director; would like to see downtown Halloween events still happen this year.

Smith expressed his concerns regarding dogs on the river walk; echoed Beaton regarding Spark Manistee event; it was a wonderful event; thanked everyone for attendance at tonight’s meeting.

### **ADJOURN.**

MOTION to adjourn was made by Goodspeed. Meeting adjourned at 8:02 p.m.

Heather Pefley CMC / CMMC, MiCPT  
City Clerk