
PROCEEDINGS OF THE MANISTEE CITY COUNCIL –JANUARY 15, 2019

A regular meeting of the Manistee City Council was called to order by his honor, Mayor Roger Zielinski on Tuesday, January 15, 2019 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, Michael Szymanski, James Grabowski and Erin Pontiac.

ALSO PRESENT: City Manager – Thad Taylor, City Attorney – George Saylor, Deputy Clerk – Lora Laurain, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Public Safety Director – Tim Kozal, and City Engineer – Shawn Middleton

CITIZEN COMMENTS ON AGENDA RELATED ITEMS

Mike Herbert, 306 Hancock Street – encouraged Council not to opt out of the Recreational Marihuana law.

Jeff Dontz, 405 E Kott Road, Manistee County Commissioner – read a letter of unanimous support from Manistee County Commissioners for the Hollander Development Corporation PILOT agreement.

Stacie Bytwork, 297 Lakeshore Drive, Chamber of Commerce – encouraged Council to approve the proposed Hollander Development Corporation PILOT agreement to provide affordable housing for the working community.

Jody Walter, 2141 Stronach Road, Little River Casino Resort – spoke in support of the Hollander Development Corporation PILOT agreement.

CONSENT AGENDA

- Minutes
 - January 2, 2019 - Regular Meeting
 - January 8, 2019 - Work Session

- Financial Reports
 - Payroll December 2018
 - Invoices December 2018

- Notification Regarding Next Work Session –February 12, 2019, 7:00 p.m.
A discussion will be conducted on the Quarterly Strategic Plan Update, 2019 Construction Projects and a presentation on the Capital Improvement Plan; and such business as may come before Council.

MOTION by Szymanski, second by Beaton to approve the Consent Agenda as presented.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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CONSIDERATION OF CHAPTER 867 RECREATIONAL MARIHUANA

Initiated Law 1 of 2018 was approved by voters at the November 6, 2018 general election. Unlike the Medical Marihuana Facilities Licensing Act, for a city to prohibit marihuana facilities within its boundaries, it must affirmatively “opt out” of the law. Until Council reviews its options regarding Recreational Marihuana, City Staff is recommending that the City adopt an ordinance opting-out of the provisions of the Michigan Regulation and Taxation of Marihuana Act with the ordinance containing a sunset provision that provides for the ordinance to cease from and after April 1, 2019, unless modified by Council before that date. The City Attorney has prepared Ordinance 19-01, Chapter 867 Recreational Marihuana.

As an ordinance two separate readings are required. The first reading occurred at the January 2, 2019 meeting and the ordinance could be adopted at this time.

MOTION by Grabowski, second by Cooper to adopt Ordinance 19-01, Chapter 867 Recreational Marihuana.

City Manager Thad Taylor recommended not passing this ordinance, and suggested extending the sunset date to July 1, 2019.

With a roll call vote this motion failed, 5-2.

AYES: Cooper and Grabowski

NAYS: Beaton, Zielinski, Goodspeed, Szymanski and Pontiac

CONSIDERATION OF A PAYMENT IN LIEU OF TAXES (PILOT) AND AN ESSENTIAL SERVICES AGREEMENT (ESA) FROM HOLLANDER DEVELOPMENT CORPORATION TO SUPPORT THE CONSTRUCTION OF A PROPOSED 50 UNIT HOUSING DEVELOPMENT

The Hollander Development Corporation is requesting Council’s approval of a 4% Payment in Lieu of Taxes (PILOT) and an Essential Services Agreement (ESA) of \$200 per unit that would increase 3% annually.

MOTION by Szymanski, second by Beaton to approve the 4% PILOT and Essential Services Agreement of \$200 per unit that would increase 3% annually and direct the City Attorney to prepare the necessary PILOT ordinance and Essential Services Agreement for Council consideration.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS

The City Clerk has taken action to advertise vacancies on Board of Review, PEG Commission, and the Zoning Board of Appeals.

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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

PEG Commission. Four vacancies, one term ending 12/31/19, three terms ending 12/31/21. Applicants must be Manistee County residents. Council appointment.

Mike Tillotson, 86 Hancock Street*

Goodspeed nominated Mike Tillotson, to the PEG Commission with a term ending 12/31/21.

With a roll call vote this nomination passed unanimously.

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

NAYS: None

A REPORT FROM THE DOWNTOWN DEVELOPMENT AUTHORITY

Tom Kaminski, Barry Lind, Thrasos Eftaxiadis and Karen Goodman reported on the activities of the Downtown Development Authority and responded to questions the Council had regarding their activities.

DISCUSSION OF BUDGET PRIORITIES

City Manager Thad Taylor requested a discussion with Council to get feedback on their budget priorities for the upcoming budget process. Councilmembers provided direction to staff on areas of concern in the budget with consensus that priorities are a balanced budget, no use of fund balance, streets, north side of the river improvements, parks improvements and economic development. Council also requested input from the City Manager and Department Directors regarding budget priorities.

CITIZEN COMMENT

Jean Walker, 471 Fifth Street – spoke against engaging in a deer cull in the City.

OFFICIALS AND STAFF

City Manager Thad Taylor announced that with the approval of the Hollander Development Corporation PILOT agreement there will be a City Council Special Meeting held on Tuesday, January 22, 2019, 7:00 p.m. at City Hall Council Chambers to consider a PILOT ordinance. Taylor also requested that Councilmembers begin thinking of ways to acknowledge 2019 as the 150th year of the City of Manistee.

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COUNCILMEMBERS

Beaton announced that NU 2 U Resale Shop is collecting nonperishables and gift cards for Coast Guard members and their families during the federal government shut down.

Pontiac commented that Forest Service employees are also not being paid during the government shut down.

Goodspeed stated that he is unable to attend the Special Council Meeting on January 22, 2019.

Grabowski handed out employee birthday cards and years of service recognition cards.

Zielinski thanked everyone for attending and sharing their comments.

CONSIDERATION OF A CLOSED SESSION, UNION CONTRACT NEGOTIATIONS

City Manager Thad Taylor has requested a Closed Session this evening as permitted by the Michigan Open Meetings Act, Section 8 (c) to discuss contract negotiations with the Police Officers Association of Michigan and the Command Officers Association of Michigan.

MOTION by Cooper, second by Goodspeed to proceed to Closed Session under Section 8 (c) of the Michigan Open Meetings Act, time 8:05 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

MOTION by Goodspeed, second by Cooper to return to Regular Session. Time: 8:19 p.m.

With a roll call vote this motion passed unanimously.

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

NAYS: None

ADJOURN

MOTION to adjourn was made by Goodspeed. Meeting adjourned at 8:20 p.m.

Lora Laurain
City Deputy Clerk