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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL –JANUARY 22, 2019

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A special meeting of the Manistee City Council was called to order by his honor, Mayor Roger Zielinski on Tuesday, January 22, 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, Michael Szymanski, James Grabowski and Erin Pontiac.

**ABSENT:** Robert Goodspeed

**ALSO PRESENT:** City Manager – Thad Taylor, City Attorney – George Saylor and Deputy Clerk – Lora Laurain

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

Mike Herbert, 306 Hancock St / encouraged City Council not to opt out of the recreational marihuana law.

Theodore Doty, 112 Ford St / presented questions regarding the Hollander Development Corp. project. Council and Staff provided clarification as to the process of the proposed development.

### **CONSIDERATION OF ORDINANCE 19-02, 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 July 1, 2019, unless modified by Council before that date. The City Attorney has prepared Ordinance 19-02, Chapter 867 Recreational Marihuana.

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 Grabowski, second by Cooper to introduce Ordinance 19-02, Chapter 867 Recreational Marihuana.

With a roll call vote this motion passed, 4-2.

**AYES:** Cooper, Beaton, Zielinski, Grabowski

**NAYS:** Szymanski and Pontiac

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### CONSIDERATION OF PILOT ORDINANCE 19-03 HOLLANDER HILLCREST APARTMENT DEVELOPMENT

At its January 15, 2019 meeting City Council directed the City Attorney to draft a PILOT Ordinance relating to the proposed Hillcrest Apartment Development being proposed by Hollander Development Corporation. The City Attorney has prepared PILOT Ordinance 19-03. The PILOT Ordinance provides for an Annual Service Fee of 4% of the Annual Sheltered Rents. The term of the PILOT Ordinance is thirty (30) years from enactment of the Ordinance.

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 Szymanski, second by Cooper to introduce Ordinance 19-03, a PILOT Ordinance for the Hillcrest Apartment Development.

With a roll call vote this motion passed unanimously.

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

### CONSIDERATION OF A MUNICIPAL SERVICES AGREEMENT

At its January 15, 2019 meeting City Council directed the City Attorney to draft a Municipal Services Agreement relating to the Hillcrest Apartment Development being proposed by Hollander Development Corporation. The Municipal Services Agreement would be a supplement to the PILOT Ordinance also proposed. The City Attorney has prepared the Municipal Services Agreement. The Municipal Services Agreement provides for a payment to the City by the developer of \$200 per year, per apartment. The minimum amount paid under the Municipal Services Agreement is \$10,000. The payment increases by 3% each year. The term of the Municipal Services Agreement is 30 years from the adoption of the PILOT Ordinance.

MOTION by Cooper, second by Beaton to approve the Municipal Services Agreement and authorize and direct the Mayor and City Clerk to execute the same.

With a roll call vote this nomination passed unanimously.

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

### CITIZEN COMMENT

Mark Wittlieff, 363 Tenth St., Planning Commission Chairperson / requested a proclamation from City Council honoring Maureen Barry's 14 years of service to the City of Manistee.

Mark Fedder, 251 Tenth St., Manistee County Historical Museum / provided information on upcoming events celebrating the 150<sup>th</sup> anniversary of the incorporation of the City of Manistee including honoring service clubs, walking tours, trolley tour, MHS play and parks program.

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### **OFFICIALS AND STAFF**

City Manager Thad Taylor reported that 10 days ago the DPW issued run water notices to residents on the permanent run water list. Staff is monitoring frost levels.

### **COUNCILMEMBERS**

Beaton wished everyone safe travels in the winter weather conditions.

Zielinski thanked everyone for attending and sharing their comments.

### **ADJOURN**

MOTION to adjourn was made by Szymanski. Meeting adjourned at 7:40 p.m.

Lora Laurain  
City Deputy Clerk