
PROCEEDINGS OF THE MANISTEE CITY COUNCIL –FEBRUARY 5, 2019

A regular meeting of the Manistee City Council was called to order by his honor, Mayor Roger Zielinski on Tuesday, February 5, 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 and City Engineer – Shawn Middleton

CITIZEN COMMENTS ON AGENDA RELATED ITEMS

Alan O’Shea, Copemish / Spoke as a member of the Chamber of Commerce encouraging Council to vote in favor of the economic development proposal.

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

Joe Hollander, Hollander Development Corporation / spoke in support of the Chamber of Commerce economic development initiative.

CONSENT AGENDA

- Minutes
 - January 15, 2019 - Regular Meeting
 - January 22, 2019 - Special Meeting
- Financial Reports
 - Cash Balances December 2018
 - Quarterly Financial Update
 - Quarterly Investment Update
- Consideration of Ordinance 19-02, Chapter 867 Recreational Marihuana
- Consideration of PILOT Ordinance 19-03 Hollander Hillcrest Apartment Development
- Notification Regarding Next Work Session –February 12, 2019, 7:00 p.m.
A discussion will be conducted on the Quarterly Strategic Plan update and 2019 Construction Projects; and such business as may come before Council.

Councilmember Pontiac requested removal of Consideration of Ordinance 19-02, Chapter 867 Recreational Marihuana from the Consent Agenda and address this as VII (a).

MOTION by Beaton, second by Cooper to approve the Consent Agenda as presented with the removal of item VII (a) Consideration of Ordinance 19-02, Chapter 867 Recreational Marihuana.

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With a roll call vote this motion passed unanimously.

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

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. This ordinance was introduced at the special council meeting on January 22, 2019 and could be adopted this evening.

MOTION by Grabowski, second by Beaton to adopt Ordinance 19-02, Chapter 867 Recreational Marihuana.

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

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

CONSIDERATION OF SUPPORTING THE MANISTEE AREA CHAMBER OF COMMERCE’S ECONOMIC DEVELOPMENT INITIATIVE

The Manistee Area Chamber of Commerce is moving forward with a plan to provide economic development services to the County. They would like the city to provide \$20,000 per year, for three years, to support their economic development initiative.

MOTION by Goodspeed, second by Szymanski to support the economic development services concept that includes \$20,000 per year funding, for three years, with the Manistee Area Chamber of Commerce; and direct City staff and the City Attorney to develop an agreement for Council’s future consideration.

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 BUDGET AMENDMENT 2019-2 FOR FISCAL YEAR-END JUNE 30, 2019

The City of Manistee is required by State law to ensure that actual expenditures do not exceed budgeted amounts. Over the course of the current fiscal year unanticipated and unbudgeted events and/or Council approved expenditures have occurred. The proposed budget amendments address expenditures associated with these events to ensure compliance with State statute regarding appropriations.

MOTION by Goodspeed, second by Szymanski to adopt budget amendment 2019-2 for fiscal year-end June 30, 2019.

With a roll call vote this motion passed unanimously.

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

CONSIDERATION OF A CONTRACT AWARD TO COMPLETE MARINA DOCK AND RIVERWALK REPAIRS

The City Marina docks and sections of the Riverwalk were damaged during the spring 2018 seiche event. Repair work has been designed and competitively bid. Four bids were received on Friday, January 25, 2019 as follows:

Fisher Contracting	\$635,400
Hardman Construction	\$890,230
Great Lakes Dock & Materials	\$1,360,607
Kokosing Industrial, Inc.	\$2,203,043

All expenses are being funded by insurance proceeds.

MOTION by Cooper, second by Grabowski to award a contract to the low bidder, Fisher Contracting in the amount of \$635,400 and authorize the Mayor and Clerk to execute the documents subject to final approval by our insurance carrier.

With a roll call vote this nomination passed unanimously.

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

CONSIDERATION OF A CONTRACT RENEWAL WITH ACCUMED

The City has contracted with AccuMed for insurance billing since 2011 for medical runs. The new contract will be at the same rate of 7.5% of the collected amount for the next five years. There are no annual fees. Included in the renewal is new software to allow for monitor data to be ported into our patient care report; a \$4,500 savings. This software can significantly reduce error and time completing State required reports. The City Attorney has reviewed and approved the contract document.

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MOTION by Cooper, second by Goodspeed to approve the five-year contract with AccuMed.

With a roll call vote this nomination passed unanimously.

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

NAYS: None

CONSIDERATION OF A RESOLUTION TO INSTALL A NEW STREET LIGHT

Residents in the area of Second and Pine Street have requested an additional street light at the intersection of Second and Pine Streets. Consumers Energy has prepared a work order and requires a resolution from City Council in order to proceed with the installation.

MOTION by Goodspeed, second by Pontiac to approve the resolution from Consumers Energy for the addition of a street light at the intersection of Second and Pine Streets; and further authorize the City Manager to execute any necessary documents.

With a roll call vote this nomination passed unanimously.

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

NAYS: None

CONSIDERATION OF THE PURCHASE OF A SURF RAKE AND A LEASE AGREEMENT FOR A NEW TRACTOR

Strategic purchases made by the Department of Public works (DPW) this fiscal year have resulted in a savings of approximately \$72,000 in Motor Pool funds compared to budgeted amounts. The DPW is requesting to utilize a portion of these funds to replace the 2007 Cherrington Beach Cleaner.

Upgrading the equipment would result in reduced annual maintenance costs, improve quality of beaches, and replace an aging piece of equipment. The DPW is requesting the purchase of a Surf Rake 400HD from H. Barber & Sons and a New Holland Powerstar 75 tractor using a lease agreement with Ellen's Equipment.

MOTION by Cooper, second by Pontiac to approve the purchase of a Surf Rake 400HD from H. Barber & Sons, Inc. in the amount of \$41,946; and enter into a one-year lease with Ellen's Equipment for a 2019 New Holland Powerstar 75 Tractor for \$3,400.

With a roll call vote this nomination passed unanimously.

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

NAYS: None

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A REPORT FROM THE MANISTEE AREA CHAMBER OF COMMERCE

Ms. Stacie Bytwork reported on the activities of the Manistee Area Chamber of Commerce and responded to questions the Council had regarding their activities.

PRESENTATION OF THE ANNUAL STATE OF THE STREETS REPORT

Jeff Mikula and Shawn Middleton presented the annual State of the Streets report.

CITIZEN COMMENT

Luna Walker, 421 Fifth St. / presented information regarding deer culls and encouraged Council not to support a deer cull in the City of Manistee.

OFFICIALS AND STAFF

Saylor updated Council on the work being done moving forward with both medical and recreational marihuana zoning and ordinances.

Middleton and Mikula provided updates regarding SSO funding, design issues and plans.

COUNCILMEMBERS

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

Pontiac asked if City officials have considered opening the Marina as a warming station during these cold temperatures.

Grabowski commended DPW for their work during the recent winter storms.

Beaton asked for clarification regarding rezoning for medical marihuana provisioning centers.

Zielinski thanked everyone for attending and acknowledged the diligence of the DPW during the recent storms.

ADJOURN

MOTION to adjourn was made by Goodspeed. Meeting adjourned at 8:15 pm.

Lora Laurain
City Deputy Clerk