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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – DECEMBER 17, 2019

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A regular meeting of the Manistee City Council was called to order by his honor, Mayor Roger Zielinski on Tuesday, December 17, 2019 at 7:00 pm in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

**PRESENT:** Dale Cooper, Lynda Beaton, Roger Zielinski, Jermaine Cipicic, Michael Szymanski, James Grabowski and Erin Pontiac

**ABSENT:** None

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

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

Fred Niles, 12 Piney Rd, representing Manistee Golf and Country Club spoke about erosion damage occurring at the golf course along Lake Michigan.

### **CONSENT AGENDA**

- Minutes - November 26, 2019 - Work Session  
December 3, 2019 Regular Meeting  
December 10, 2019 Work Session
- Financial Reports
  - Payroll November 2019
  - Invoices November 2019
- Notification Regarding Next Work Session – January 14, 2020, 7:00 pm  
A discussion will be conducted on the Strategic Plan, RAD Conversion Plans, and a Substance Education & Awareness Sea Youth Presentation; and such business as may come before Council.

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

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF ORDINANCE 19-24 ADDING CHAPTER 1064 CHARGES FOR FIRE RUNS AND EMERGENCY SERVICES**

The Public Safety Department has requested a new cost recovery ordinance. The new ordinance would authorize the recovery of certain costs for fire runs and emergency services as authorized by Michigan Compiled Law 41.806a to provide for the collection of charges, to provide for exemptions, and to repeal

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all ordinances in conflict. City Council reviewed the proposed ordinance at their work session of November 26, 2019.

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

MOTION by Cooper, second by Beaton to introduce Ordinance 19-24 Chapter 1064 for Fire Runs and Emergency Services.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF ESTABLISHING 2020 POVERTY EXEMPTION GUIDELINES AND NEW FEDERAL INCOME GUIDELINES AS APPROVED BY THE STATE TAX COMMISSION.**

The adoption of a resolution establishing poverty exemption guidelines for exemption from property tax contributions is required in order for the Board of Review to grant poverty exemptions. The homestead of persons who the Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390, 1994 (MCL 211.7u). The State Tax Commission requires that the City of Manistee adopt this resolution every year and approve the income guidelines, adopted by the State Tax Commission. The resolution states we used the Federal Income Guidelines and is substantially the same as last year's resolution.

MOTION by Szymanski, second by Grabowski to approve a resolution establishing 2020 Poverty Exemption Guidelines.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF INCREASING THE NUMBER OF MARIHUANA GROW LICENSES IN THE CITY**

The City currently allows 12 medical marihuana and 12 retail marihuana grow licenses. Given the interest expressed by entities wishing to obtain grow licenses there may be an insufficient number of grow licenses available. Staff is recommending that City Council allow an unlimited number of medical and recreational marihuana grow licenses.

Manager Taylor presented information and maps on potential sites in the City for grow facility development.

MOTION by Beaton, second by Szymanski to amend the appropriate ordinance(s) to allow for an unlimited number of medical recreational grow licenses in the City.

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

AYES: Beaton, Zielinski, Cipic and Szymanski

NAYS: Cooper, Grabowski and Pontiac

**CONSIDERATION OF ADOPTING A DECLARATION OF SHORELINE DISASTER REQUEST RESOLUTION**

The City of Manistee has experienced considerable shoreline erosion and property damage due to high water levels in the Great Lakes. The levels of the Great Lakes are forecasted to increase in 2020 and the erosion and damage will continue. The City needs the assistance of the State of Michigan and the Federal Government to help with shoreline erosion mitigation efforts.

MOTION by Cooper, second by Szymanski to adopt the Declaration of Shoreline Disaster Request Resolution and ask that the State of Michigan declare the shoreline in Michigan as a disaster area and request assistance from the Federal Government.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**CONSIDERATION OF CHANGE TO THE SCHEDULE OF FEES**

City Council approves the Schedule of Fees with approval of its annual budget. The current Schedule of Fees does not include the fees for making a permit request to the Historic District Commission. It is being proposed that the fee for a permit request to the Historic District Commission be established at \$50.

The current Schedule of Fees does not include a specific fine for misdemeanor offenses under the City Ordinances and the request is that the fine be established at not less than \$250 or more than \$500 for each offense.

Also, the City has retaken the responsibility of electrical, plumbing and mechanical inspections, building inspection and plan review, through SAFEbuilt, but does not have an established fee schedule for those services. It is being proposed that the fees identified in the attachments to the City Attorney's memo be adopted as the fees to be charged in connection with the services identified.

MOTION by Grabowski, second by Cooper to amend the Schedule of Fees to establish the fee for a request for permit to the Historic District Commission, establish a minimum and maximum fine for misdemeanor ordinance violations and establish the fees associated with the inspection services to be performed by SAFEbuilt as set forth in the City Attorney's memo to Council.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**PRESENTATION OF PROJECT RISING TIDE WRAP-UP**

Lisette Reyes presented an overview of Project Rising Tide as well as the projects selected and addressed through the program. Also discussed were community events held throughout the year, economic development and future sustainability recommendations.

**CONSIDERATION OF A RESOLUTION OF THANKS AND APPRECIATION**

Lisette Reyes ends her Project Rising Tide Fellowship on December 20, 2019. Lisette has served our community in exemplary fashion and helped move the initiatives established by the Project Rising Steering Committee forward. In recognition of her efforts a resolution of thanks and appreciation is offered.

MOTION by Szymanski, second by Pontiac to adopt a resolution of thanks and appreciation for PRT Fellow Lisette Reyes.

With a roll call vote this motion passed unanimously.

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

NAYS: None

**A REPORT FROM THE CITY MANAGER**

City Manager Taylor presented a comprehensive review of calendar year activities. The review provided City Council and the Community an opportunity to step back from day to day operations and take a longer look at what has been accomplished during the year. Highlights included construction projects, governance, community/economic development and operations.

**CONSIDERATION OF A RESOLUTION OF THANKS AND APPRECIATION**

City Manager Thad Taylor reported Executive Secretary Cindy Lokovich will retire from her position in January 2020 after having worked for the City of Manistee since 1975.

MOTION by Beaton, second by Cooper to adopt a resolution of thanks and appreciation for retiring Executive Secretary Cindy Lokovich.

Taylor invited Councilmembers and the public to a Retirement Open House for Ms. Lokovich on Friday, December 27, 2019, 2:30 – 4:30 pm in Council Chambers.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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### **CITIZEN COMMENT**

Tom Volkema, representing Salt City Rock & Blues presented a check for \$10,000 to the City of Manistee to be used toward the feasibility study of a First Street Beach Amphitheater.

### **OFFICIALS AND STAFF**

Public Safety Officer Kozal reported the arrest of an individual in connection with recent automobile larcenies and reminded City residents to lock their vehicles.

### **COUNCILMEMBERS**

Pontiac thanked Salt City Rock & Blues for their donation; and thanked Ms. Reyes for her work with the City of Manistee.

Grabowski addressed the sound quality of City Council meeting recordings.

Szymanski thanked City staff for their hard work in 2019; thanked Salt City Rock & Blues for their donation; and wished everyone a Merry Christmas and Happy New Year.

Cooper thanked Ms. Reyes for her time and talent during her work with the City; and thanked Salt City Rock & Blues for the donation.

Beaton stated what a great asset Ms. Reyes has been to the City during her time here with Project Rising Tide. Beaton also inquired about next steps with the Downtown Development Authority TIF and contract. Manager Taylor reported that he has recommended to the DDA to have the TIF plan and City contract approved and ready for presentation to City Council at the January 21, 2020 meeting.

Zielinski thanked Salt City Rock & Blues for the donation; thanked City staff for their hard work in 2019; expressed appreciation to Ms. Reyes for her work with the City through Project Rising Tide; and wished everyone a Merry Christmas and Happy Holidays.

### **ADJOURN**

MOTION to adjourn was made by Szymanski. Meeting adjourned at 8:05 pm.

Lora Y Laurain  
Deputy Clerk