
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – SEPTEMBER 1, 2020

A regular meeting of the Manistee City Council was called to order by his honor, Mayor Roger Zielinski on Tuesday, September 1, 2020 at 7:00 pm in the Ramsdell Theatre, 101 Maple Street, followed by the Pledge of Allegiance.

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

ABSENT: None

ALSO PRESENT: City Manager – Thad Taylor, City Attorney – George Saylor, City Clerk – Heather Pefley, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Fire Chief – Mark Cameron, and City Engineer – Shawn Middleton

CITIZEN COMMENTS ON AGENDA RELATED ITEMS

None

CONSENT AGENDA

- Minutes - August 18, 2020 Regular Meeting
- Financial Reports
 - Cash Balances July 2020
 - Revenue & Expense July 2020
 - Quarterly Investment Update
- Notification Regarding Next Work Session – September 8, 2020, 7:00 pm
A discussion will be conducted on banning retail pet sales in the City, HAGE Auto EV Charging options, and a presentation of the Gateway project; and such business as may come before Council.
- Consideration of Jared and Grace Warejko holding a wedding at the Fifth Avenue Beach on Saturday, October 3, 2020 at 2:00 p.m.
Jared and Grace Warejko wish to hold a wedding at the Fifth Avenue Beach on Saturday, October 3, 2020 at 2:00 p.m. They will be practicing social distancing, utilizing masks, and adhering to any executive orders that may be in place at the time of the wedding, as pertaining to COVID-19 safe practices. Approximately thirty (30) people are expected to attend the wedding. Jared and Grace Warejko plan to leave the beach in the same condition as prior to the wedding. No City services have been requested.
- Consideration of Kaleena Kowalkowski holding a wedding at the Fifth Avenue Beach on Saturday, September 26, 2020 from 5:00 p.m. – 11:00 p.m.
Kaleena Kowalkowski wishes to hold a wedding at the Fifth Avenue Beach on Saturday,

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September 26, 2020 from 5:00 p.m. – 11:00 p.m. They will be practicing social distancing, utilizing masks, and are expected to adhere to any executive orders that may be in place at the time of the wedding, as pertaining to COVID-19 safe practices. Approximately eighty-five (85) people are expected to attend the wedding. Kaleena will be utilizing the shelter house area, as well as erecting and disassembling a tent for the wedding. Kaleena will also pickup and dispose of all trash associated with the wedding.

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, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

CONSIDERATION OF COLLECTIVE BARGAINING AGREEMENT WITH THE UNITED STEEL WORKERS.

A tentative agreement for a new three-year United Steel Workers contract was reached. The Department of Public Works employees, represented by the United Steel Workers, ratified the tentative agreement.

MOTION by Grabowski, second by Cooper to approve a three-year collective bargaining agreement with the United Steelworkers; and authorize the Mayor and City Clerk to execute the agreement and make the first-year wage increase retroactive to July 1, 2020.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

CONSIDERATION OF AMENDING THE CITY MANAGER’S EMPLOYMENT AGREEMENT.

City Council is interested in amending the City Manager’s employment agreement to require at least a 90 days’ notice if the City Manager leaves the employ of the City. The current language requires a 30 days’ notice.

MOTION by Beaton, second by Szymanski to approve the amendment, drafted by the City Attorney, to the City Manager’s employment agreement and authorize the Mayor and City Clerk to sign the document.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

CONSIDERATION OF THE LOCAL REVENUE SHARING BOARD GRANT APPLICATION.

The Local Revenue Sharing Board (LRSB) distributes 2% money from the Little River Casino. The deadline for the 2020 Cycle II applications is Friday, September 4, 2020 at 5:00 p.m. At the August 11, 2020 Work Session, City Council agreed to support an application to the LRSB on behalf of the Armory Youth Project.

MOTION by Cooper, second by Szymanski to authorize submission of a grant application to the Local Revenue Sharing Board for the Armory Youth Project indoor and outdoor safety enhancements in the amount of \$79,865.70.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF MANISTEE CITY POLICE DEPARTMENT (MPD) AND LITTLE RIVER BAND OF OTTAWA INDIANS DEPARTMENT OF PUBLIC SAFETY (LRBOI DPS) RECIPROCAL LAW ENFORCEMENT AGREEMENT.

From time to time the MPD and the LRBOI DPS require additional public safety officers to handle emergency or unusual circumstances or situations. The City and Little River Band of Ottawa Indians desire to establish a means and protocol by which the MPD and the LRBOI DPS can request police assistance from each department.

MOTION by Beaton, second by Grabowski to approve the Reciprocal Law Enforcement Agreement and authorize the Mayor, City Clerk to execute the agreement.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF ADOPTING AN AMENDMENT TO FUNERAL LEAVE LANGUAGE IN THE CITY OF MANISTEE PERSONNEL POLICIES AND PROCEDURE MANUAL.

The City of Manistee maintains a Personnel Policies and Procedures Manual. These policies and procedures were updated and approved in March of 2019. It was recently discovered that the Funeral Leave language in the policy had excluded son-in-law and daughter-in-law in the definition of immediate family.

MOTION by Cooper second by Grabowski to adopt an amendment to Funeral Leave language in the City of Manistee Personnel Policies and Procedures Manual.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

CONSIDERATION OF ADOPTING AN AMENDMENT TO COUNCIL POLICY 13 – PURCHASING POLICY.

The City of Manistee adopted CP-13 Purchasing Policy which establishes guidelines for City purchases. The policy has been reviewed and an amendment has been drafted to formally include Cooperative Purchasing Programs as an allowable purchasing practice.

MOTION by Szymanski, second by Grabowski to adopt an amendment to CP-13 Purchasing Policy to formally include Cooperative Purchasing Programs.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

CONSIDERATION OF THE SALE OF THE CITY’S FORMER RECYCLING CENTER SITE LOCATED IN THE NORTH INDUSTRIAL PARK.

Oowee Farms, LLC is interested in purchasing the City’s former recycling site on Glocheski Drive, currently used by the DPW as cold storage, as a location for a marijuana grow facility. The site is properly zoned for the use. Oowee Farms, LLC has been looking for a properly zoned parcel in the City and has been unsuccessful. They are willing to pay \$49,500 for the site.

MOTION by Beaton, second by Szymanski to approve the sale of the former City recycling site on Glocheski Drive, contingent on the Planning Commission designating the City property on Veterans Oak Grove Drive as a location for essential services, DPW cold storage, as permitted use in the C-1 zoning district.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

CITIZEN COMMENT

None

OFFICIALS AND STAFF

Taylor reminded Council that there will be a presentation at the next work session and stated it may be necessary for some members of Council to move to another seat in the theatre to see the presentation.

COUNCILMEMBERS

Beaton received a call from a tax payer regarding late fees on their tax bill and asked for clarification on the due date for City taxes and the date interest/penalties are levied; she asked City staff to follow up with the tax payer on this matter.

CONSIDERATION OF A CLOSED SESSION TO DISCUSS THE CITY ATTORNEY’S LEGAL OPINION.

Council may consider proceeding to a closed session to consider the written legal opinion of the City Attorney as authorized by Section 8 (h) of the Michigan Open Meetings Act (MCL 15.260 (h)).

MOTION by Grabowski, second by Szymanski to proceed to Closed Session under Section 8 (h) of the Michigan Open Meetings Act.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

MOTION by Grabowski, second by Szymanski to return to Regular Session. Time 7:39 p.m.

With a roll call vote this motion passed unanimously.

AYES: Cooper, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin-Pontiac

NAYS: None

ADJOURN

MOTION to adjourn was made by Szymanski. Meeting adjourned at 7:39 p.m.

Heather Pefley MiPMC/CMC
City Clerk