
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – DECEMBER 1, 2020

A regular meeting of the Manistee City Council was called to order by his honor, Mayor Roger Zielinski on Tuesday, December 1, 2020 at 7:00 pm remotely as authorized by the Open Meetings Act (MCL 15.263a).

PRESENT: David Bachman, Lynda Beaton, Roger Zielinski, Jermaine Cipic, Michael Szymanski, James Grabowski, and Erin Martin Pontiac

ABSENT: None

ALSO PRESENT: City Manager – Thad Taylor, City Attorney – George Saylor, City Clerk – Heather Pefley, Deputy Clerk – Lora Laurain, City Assessor – Molly Whetstone, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Planning and Zoning Administrator – Mike Szokola, Police Chief – Josh Glass, Fire Chief – Mark Cameron, and City Engineer – Shawn Middleton

CITIZEN COMMENTS ON AGENDA RELATED ITEMS

None.

CONSENT AGENDA

- Minutes - November 17, 2020 Regular Meeting
- Financial Reports
 - Cash Balances October 2020
 - Revenue & Expenses October 2020
- Notification Regarding Next Work Session – December 8, 2020, 7:00 pm
A discussion will be conducted on Annual RRC Board & Commission Discussion to Identify & Prioritize Redevelopment Sites, short-term rentals, food trucks, disc golf, sign ordinance, deer cull; and such business as may come before Council.

MOTION by Grabowski, second by Bachman to approve the Consent Agenda as presented.

With a roll call vote this motion passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

MAYOR AND CITY MANAGER APPOINTMENTS OF COUNCIL COMMITTEES

Mayor Zielinski made the following Council Committee appointments:

- Alternatives for Area Youth - Martin Pontiac
- Audit Committee - Beaton (Chair), Grabowski, & Szymanski

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- Local Revenue Sharing Board - Zielinski
- MRA Board - Szymanski
- 911 Board Authority - Glass
- Oil & Gas Investment - Zielinski (Chair), Martin Pontiac, & Bradford
- Ordinance Committee - Szymanski (Chair), Cipcic, & Bachman
- Sands Park Control Board - Beaton & Mikula

No appointments were made to the Utilities Committee.

City Manager Taylor made the following appointments to the Council Personnel Committee:

- Zielinski, Cipcic, & Grabowski

CONSIDERATION OF THE PURCHASE OF A 2020 FORD POLICE INTERCEPTOR

The Manistee City Police Department maintains a fleet of police vehicles to effectively service the City. To replace one of the police vehicles totaled out in an accident, it is determined that the purchase of a 2020 Ford Police Interceptor is needed. Harold Zeigler Ford/Emergency Vehicle Products has been identified as the only car dealership who currently has inventory available to fit the Police Department's specifications.

MOTION by Bachman, second by Grabowski to authorize the purchase of a 2020 Ford Police Interceptor from Harold Zeigler Ford/Emergency Vehicle Products for the price of \$47,063.71.

With a roll call vote this motion passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

CONSIDERATION OF ORDINANCE 20-10 AMENDING CHAPTER 1060 – GARBAGE AND RUBBISH COLLECTION AND DISPOSAL

Recommendations from the Ad-Hoc Refuse Committee have been approved by City Council and are currently being implemented. The City Attorney has proposed updated language in Chapter 1060 to reflect needed changes.

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 Grabowski, second by Szymanski to introduce Ordinance 20-10 amending Chapter 1060 Garbage and Rubbish Collection and Disposal.

With a roll call vote this motion passed unanimously.

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AYES: Bachman, Beaton, Zielinski, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

ABSENT: Cipcic

CONSIDERATION OF BUDGET AMENDMENT 2021-1 FOR FISCAL YEAR END JUNE 30, 2021

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 amendment addresses expenditures associated with these events to ensure compliance with State statues regarding appropriations.

MOTION by Szymanski, second by Beaton to adopt Budget Amendment 2021-1 for fiscal year ending June 30, 2021.

With a roll call vote this motion passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

CONSIDERATION OF APPROVING AN EXTENDED BIO-SOLIDS LAND APPLICATION CONTRACT WITH BIOTECH AGRONOMICS, INC. OF BEULAH, MICHIGAN, TO PERFORM LAND APPLICATION OF THE WASTEWATER TREATMENT PLANT'S BIO-SOLIDS

The current contract the City has with BioTech Agronomics, Inc. to land apply bio-solids from the Wastewater Treatment Plant will expire April 5, 2021. Bids were requested from land appliers with only two bids being received. They were from Michigan Agribusiness Solutions from Saginaw, Michigan and BioTech Agronomics, Inc. from Beulah, Michigan. BioTech submitted the low bid with ranges from \$0.0358 to \$0.0402 per gallon compared to Michigan Agribusiness ranges of \$0.0575 to \$0.0625. BioTech has done a good job land applying the City's bio-solids in the past. It is preferred to continue our working relationship with BioTech Agronomics, Inc. due to their quality, performance, knowledge of our processes, and the low bid.

MOTION by Bachman, second by Martin Pontiac to approve the extension of the land application agreement with BioTech Agronomics, Inc. for an additional five years.

With a roll call vote this motion passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

CONSIDERATION OF A TEMPORARY ACTIVITY PERMIT FOR THE NORTH CHANNEL BREWERY TO ALLOW FOR ADDITIONAL OUTDOOR SEATING CAPACITY FROM DECEMBER 1, 2020 THROUGH MAY 1, 2021

North Channel Brewery is requesting a temporary activity permit to allow for additional outdoor seating capacity on City sidewalks. Temporary activity permits must be approved via City Council. This permit

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would allow for the North Channel Brewery to be able to continue business through the COVID-19 pandemic. The additional space would allow for business operations to continue and to provide customers with a safe, socially distanced, outdoor dining experience. The North Channel Brewery is requesting the Temporary Activity Permit from December 1, 2020 through May 1, 2021, at which point they would be allowed to operate under GP-47 Commercial Uses Within the City Right-of-Way permit. Temporary activity permits are allowable via the Zoning Ordinance Section 522 and Section 507.

MOTION by Szymanski, second by Martin Pontiac to approve the temporary activity permit for the North Channel Brewery to allow for additional outdoor seating capacity from December 1, 2020 through May 1, 2021.

Planning and Zoning Administrator Szokola clarified that this temporary activity permit will be specific to North Channel Brewing and there will not be a tent utilized.

With a roll call vote this motion passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS

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

Mayoral and Manager 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 nominees until one nominee receives majority support.

The following applications have been received:

*Incumbent

Board of Review – Two vacancies, one term (regular) ending 12/31/23, and one term (alternate) ending 12/31/23. Applicants shall be taxpaying electors of the City who are owners of property assessed for taxes in the City and, at the time of their appointment, are neither elected nor appointed officials of the City; Council appointment.

*Gerald R. Haw (alternate) – 421 Cedar Street

Erica Kay Starkey-Hawkins – 5 Magill Street

Councilmember Szymanski nominated Gerald R. Haw, 421 Cedar Street, to the Board of Review for a regular term ending 12/31/23.

With a roll call vote this nomination passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

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Councilmember Szymanski nominated Erica Kay Starkey-Hawkins, 5 Magill Street, to the Board of Review for an alternate term ending 12/31/23.

With a roll call vote this nomination passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

Harbor Commission – One vacancy, term ending 10/31/23. Two members can be nonresidents but must own real estate or a business or profession having a licensed business location in the City; Council appointment.

George A. Becker – 565 Bryant Avenue

Councilmember Grabowski nominated George A. Becker, 565 Bryant Avenue, to the Harbor Commission for a term ending 10/31/23.

With a roll call vote this nomination passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

Historic District Commission – One vacancy, term ending 2/28/23. One member is desired who meets professional qualification standards for archaeologist, architect, architectural historian, historian, or historic architect; Council appointment.

Nickols C. Hawkins – 5 Magill Street

Councilmember Grabowski nominated Nickols C. Hawkins, 5 Magill Street, to the Historic District Commission for a term ending 2/28/23.

With a roll call vote this nomination passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipcic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

Tree Commission – Four vacancies, terms ending 12/31/23; Mayoral appointment.

*Sam Corem – 615 Broad Avenue

Gerald R. Haw – 421 Cedar Street

*Kathleen Friedrich – 512 Pine Street

Zielinski appointed Sam Corem, 615 Broad Avenue, to the Tree Commission for a term ending 12/31/23.

MOTION by Szymanski, second by Grabowski to support the Mayor's appointment of Sam Corem to the Tree Commission for a term ending 12/31/23.

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With a roll call vote this motion passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipicic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

Zielinski appointed Gerald R. Haw, 421 Cedar Street, to the Tree Commission for a term ending 12/31/23.

MOTION by Beaton, second by Szymanski to support the Mayor's appointment of Gerald R. Haw to the Tree Commission for a term ending 12/31/23.

With a roll call vote this motion passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipicic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

Zielinski appointed Kathleen Friedrich, 512 Pine Street, to the Tree Commission for a term ending 12/31/23.

MOTION by Martin Pontiac, second by Bachman to support the Mayor's appointment of Kathleen Friedrich to the Tree Commission for a term ending 12/31/23.

With a roll call vote this motion passed unanimously.

AYES: Bachman, Beaton, Zielinski, Cipicic, Szymanski, Grabowski, and Martin Pontiac

NAYS: None

CITIZEN COMMENT

Marc Miller – Chamber of Commerce, 414 Cedar Street, thanked Council for their support of the business community by approving the temporary activity permit for North Channel Brewing.

Ron Ford – North Channel Brewing, 86 Washington Street, thanked Council for approving the temporary activity permit.

OFFICIALS AND STAFF

No comments received.

COUNCILMEMBERS

Beaton asked if the City could commemorate the service of Pat Williams, a founding and long-time member of the Tree Commission who recently passed away, by planting a tree in her memory. DPW Director Mikula will work with Council to support this effort.

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Szymanski expressed appreciation to the DPW for their work in collecting the leaves this year and asked about a letter of support discussed at a recent MML meeting. City Manager Taylor is working on the letter of support.

Zielinski commented that the downtown area is looking great, thanked the DPW for their work and expressed concern regarding the increasing cases of Covid-19 while encouraging residents to be remain safe.

ADJOURN

MOTION to adjourn was made by Beaton. Meeting adjourned at 7:50 p.m.

Lora Y Laurain
Deputy Clerk

Heather Pefley MiPMC/CMC
City Clerk