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## PROCEEDINGS OF THE MANISTEE CITY COUNCIL – JANUARY 5, 2021

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A regular meeting of the Manistee City Council was called to order by his honor, Mayor Roger Zielinski on Tuesday, January 5, 2021 at 7:00 pm remotely as authorized by the Open Meetings Act (MCL 15.263a).

**PRESENT:** David Bachman, Lynda Beaton, Roger Zielinski, Jermaine Cipcic, 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, DPW Director – Jeff Mikula, Finance Director – Ed Bradford, Police Chief – Josh Glass, Fire Chief – Mark Cameron, and City Engineer – Shawn Middleton

### CITIZEN COMMENTS ON AGENDA RELATED ITEMS

Prior to citizen comments Mayor Zielinski explained the process for the proposed Lakeshore Motel property project. Zielinski encouraged citizens to contact their Council representative and attend future Planning Commission meetings to make their concerns known.

Ginny Pelton, 329 First Ave. – expressed concern regarding the location of the proposed housing project on River Street and Water Street.

Tom H Amor, Jr., 432 Fourth St. – gave positive feedback for the proposed housing project PILOT agreement.

Ted Fricano, with agreement to purchase 440 W River Street property – complimented the direction of the City of Manistee but believes there are other areas of the City better suited for a housing project.

### CONSENT AGENDA

- Minutes - December 15, 2020 Regular Meeting
- Financial Reports Cash Balances November 2020  
Revenue & Expenses November 2020
- Notification Regarding Next Work Session – January 12, 2021, 7:00 pm  
A Council work session has been scheduled for Tuesday, January 12, 2021 at 7:00 p.m. A discussion will be conducted on Annual RRC Boards & Commissions Discussion to Identify and Prioritize Redevelopment Sites, tree removals due to sewer issues, disc golf, sidewalk improvement program; and such business as may come before Council.

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

With a roll call vote this motion passed unanimously.

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

**NAYS:** None

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### **CONSIDERATION OF USDA/APHIS/WILDLIFE SERVICES TO HOLD A DEER CULL IN THE CITY OF MANISTEE IN 2021, AT A DATE TO LATER BE DETERMINED**

The USDA/APHIS/Wildlife Services is requesting an agreement with the City of Manistee to be entered into for the purpose of holding a deer cull in 2021, at a date to be specified in the future. Funds for the deer cull in 2021 have been budgeted; however, an additional amount is being sought by the USDA/APHIS/Wildlife Services that more accurately represents the cost involved with holding a cull. The amount previously budgeted for the cull is \$10,000 and the amount now being requested totals \$15,500.

MOTION by Beaton, second by Szymanski to support and approve the request for USDA/APHIS/Wildlife Services to hold a deer cull in the City of Manistee in 2021 with the costs of the cull totaling \$15,500; subject to departmental approvals.

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

AYES: Beaton, Zielinski and Szymanski

NAYS: Bachman, Cipic, Grabowski and Martin Pontiac

### **CONSIDERATION OF APPROVAL OF A LICENSE/PERMIT AGREEMENT WITH RED E CHARGING LLC TO INSTALL FOUR ELECTRIC VEHICLE CHARGING STATIONS ON CITY PROPERTY**

Red E Charging LLC wishes to install four electric vehicle charging stations in the City parking lot located at the southeast corner of Washington Street and Memorial Drive and in the DDA parking lot on River Street. Red E Charging LLC is responsible for all installation, maintenance, repair, and all other costs associated with the installation of the charging stations.

MOTION by Grabowski, second by Martin Pontiac to authorize the Mayor and City Clerk to sign the agreement.

With a roll call vote this motion passed, 6 - 1.

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

NAYS: Beaton

### **CONSIDERATION OF A REQUEST FROM THE OCEANA COUNTY HOUSING COMMISSION MANISTEE LIMITED DIVIDEND HOUSING ASSOCIATION LP FOR A PAYMENT IN LIEU OF TAXES (PILOT) AND A MUNICIPAL SERVICES AGREEMENT (MSA) FOR A PROPOSED FORTY-NINE-UNIT HOUSING DEVELOPMENT**

The Oceana County Housing Commission Manistee Limited Dividend Housing Association LP is requesting a 4% PILOT and a \$200 per unit MSA for their proposed forty-nine-unit housing development on Water Street and River Street. The development will have twenty-five work force housing units and twenty-four senior housing units. The PILOT will allow the developer to apply for MSHDA Low Income Housing Tax Credits for the project.

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MOTION by Cipcic, second by Grabowski to table this issue until the next regular City Council meeting on January 19, 2021 to allow for more time to examine proposed housing project.

With a roll call vote this motion failed, 3 – 4.

AYES: Cipcic, Grabowski and Martin Pontiac

NAYS: Bachman, Beaton, Zielinski and Szymanski

MOTION by Bachman, second by Beaton to direct the City Attorney to draft the requisite PILOT ordinance and Municipal Service agreement of \$200 per unit with a 3% annual increase.

With a roll call vote this motion passed, 6 - 1.

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

NAYS: Cipcic

### **CONSIDERATION OF BUDGET AMENDMENT 2021-2 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 statutes regarding appropriations.

Finance Director Bradford provided information on the budget amendment items which included DPW equipment, Building Inspector Fund, Capital Improvement Fund, Sewer Fund and Motor Pool.

MOTION by Bachman, second by Szymanski to adopt Budget Amendment 2021-2 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 AMENDING THE CITY FEE SCHEDULE TO INCLUDE THE DOWNTOWN DDA DUMPSTER REFUSE RATES**

Recommendations from the Ad-Hoc Refuse Committee have been approved by City Council and are being implemented. The City previously approved an ordinance amendment to Chapter 1060 - Garbage and Refuse Collection & Disposal mandating the use of dumpsters in the Downtown. Now, the fee schedule for the new program, which was previously presented at a Council work session, needs to be approved.

MOTION by Beaton, second by Grabowski to amend the City fee schedule to include the downtown DDA dumpster refuse rates.

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With a roll call vote this motion passed unanimously.

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

NAYS: None

### **CONSIDERATION OF A CONTRACT AWARD AND CHANGE ORDER NO. 1 FOR THE RIVERWALK DAMAGE AND BANK EROSION REPAIRS**

A project has been designed and publicly bid to repair the damaged Riverwalk and shoreline caused from erosion within the Manistee Harbor. The project will provide heavy armoring of the shoreline and repair damaged facilities. Six bids were received, with Swidorski Bros. Excavating, LLC as the confirmed low bidder.

In order to bring the project costs closer to the budgeted amount, a change order is recommended to include value engineering items. The resulting contract amount will be \$1,884,894.00. Proceeds from the 2020 Capital Improvement Bond will fund the project.

MOTION by Szymanski, second by Grabowski to award a contract to low bidder, Swidorski Bros. Excavating, LLC in the amount of \$1,999,854.00 and execution of Change Order No. 1 in the amount of - \$114,960.00 and authorize the City Clerk and Mayor to execute the documents.

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, Downtown Development Authority, 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

DOWNTOWN DEVELOPMENT AUTHORITY. One interest member vacancy – term ending 6/30/22. Applicants must have an interest in property in the downtown district; Manager appointment.

Annie Jacobson – 376 Sixth Street

City Manager Taylor appointed Annie Jacobson, 376 Sixth Street, to the Downtown Development Authority with a term ending 06/30/2022.

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MOTION by Beaton, second by Bachman to support Taylor’s appointment of Annie Jacobson to the Downtown Development Authority with a term ending 06/30/2022.

With a roll call vote this motion passed unanimously.

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

NAYS: None

### PRESENTATION OF THE ANNUAL STATE OF THE STREETS REPORT

DPW Director Mikula and Engineer Middleton presented the annual State of the Streets Report. City staff annually rates each portion of each City street using the PASER Rating system. Current analysis revealed that 45% of streets are in good condition, 10% are in fair condition and 45% are in poor condition. Mikula explained that the implementation of the Asset Management Program has greatly assisted in street improvements over the past five years.

### CITIZEN COMMENT

None.

### OFFICIALS AND STAFF

Police Chief Glass announced the retirement of Sgt Thomas Bruce from the City Police Department following 25 years of service.

Engineer Middleton encouraged councilmembers with ideas for future projects to present those ideas to Finance Director Bradford for inclusion in the next project planning phase.

### COUNCILMEMBERS

Bachman offered his congratulations to Sgt Bruce on his retirement.

Cipic requested updates on a new blight ordinance as well as emergency equipment for the Police Chief’s and Fire Chief’s vehicles. Police Chief Glass stated that a blight ordinance is being drafted. Glass also reported that the Ad Hoc Blight Committee is formulating a list of available resources for citizens with blight issues. Glass reported that he and City Manager Taylor are coordinating efforts to obtain the emergency vehicle equipment.

Grabowski thanked the Ramsdell Theatre for the recent Lamplighter display located on River Street; asked that City sidewalks snow removal be improved; and thanked Sgt Bruce for his years of service to the City.

Szymanski also spoke regarding snow clearing from sidewalks and reminded residents not to place additional snow onto sidewalks; and thanked Sgt Bruce for his service to the City.

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Zielinski congratulated Sgt Bruce on his retirement and offered his appreciation for his service.

### **ADJOURN**

MOTION to adjourn was made by Grabowski. Meeting adjourned at 8:29 pm.

Lora Y Laurain  
Deputy Clerk

Heather Pefley MiPMC/CMC  
City Clerk