
PROCEEDINGS OF THE MANISTEE CITY COUNCIL – MARCH 16, 2021

A regular meeting of the Manistee City Council was called to order by his honor, Mayor Roger Zielinski on Tuesday, March 16, 2021 at 7:00 pm remotely as authorized by the Open Meetings Act (MCL 15.263a).

PRESENT: David Bachman, Lynda Beaton, Roger Zielinski, Jermaine Sullivan, 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, 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

Madelyn Fitzsimmons, 307 Second Ave. - spoke against extensions being given to provisional recreational marihuana licenses in the City.

Ashley Petriches of Michigan Cannabis Lawyers read a letter from her client Ryan Fitzsimmons, owner of Meds Café encouraging Council not to grant extensions to provisional recreational marihuana licenses in the City.

Trevor Wisniewski, 240 Arthur St. – is a holder of a provisional recreational marihuana license and asked for an extension while awaiting his State of Michigan license.

Jacob LaRoche, 217 S Jefferson, Lowell, MI – questioned the granting of extensions of provisional recreational marihuana licenses.

Robert McCurren, Well Flower, 50 Arthur St. – requested an extension of his provisional recreational marihuana license while awaiting a certificate of occupancy from the State of Michigan.

Joseph Nafsu, 24-26 Arthur St. – spoke in favor of approving additional recreational marihuana licenses, but opposes unlimited licenses.

CONSENT AGENDA

- Minutes - March 2, 2021 Regular Meeting
March 9, 2021 Work Session
- Financial Reports Payroll February 2021
Invoices February 2021

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- Consideration of text amendments to the Zoning Ordinance to address street/ground level and lower-level dwelling standards
- Consideration of text amendments to the Zoning Ordinance to address residential dwelling design standards
- Consideration of text amendments to the Zoning Ordinance to address patios
- Consideration of text amendments to the Zoning Ordinance to address temporary storage structures
- Consideration of text amendments to the Zoning Ordinance to address the Site Plan Review Committee
- Consideration of text amendments to the Zoning Ordinance to address fences
- Notification Regarding Next Work Session – April 13, 2021, 7:00 pm
A Council work session has been scheduled for Tuesday, April 13, 2021 at 7:00 p.m. A discussion will be conducted on the 2021-2022 Budget, Capital Improvement Plan/shoreline/streets, and short-term rentals; and such business as may come before Council.

Beaton requested to remove Item VII. (b) Consideration of text amendments to the Zoning Ordinance to address residential dwelling design standards from the Consent Agenda.

MOTION by Szymanski, second by Beaton to approve the Consent Agenda with the removal of Item VII. (b) Consideration of text amendments to the Zoning Ordinance to address residential dwelling design standards.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF TEXT AMENDMENTS TO THE ZONING ORDINANCE TO ADDRESS RESIDENTIAL DWELLING DESIGN STANDARDS

Staff were instructed to develop language that would set standards for residential dwellings within the Residential District. Language has been approved by the Planning Commission.

As an ordinance two separate readings are required. This ordinance was introduced at the March 2, 2021 meeting and could be adopted at this time.

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Motion by Bachman, second by Szymanski to adopt Zoning Ordinance Z21-02 with the proposed text amendments addressing standards for residential dwellings.

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

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

NAYS: Beaton

CONSIDERATION OF ORDINANCE 21-12 TO EXTEND THE DURATION OF A PROVISIONAL PERMIT GRANTED UNDER CHAPTER 866 AND PROVISIONAL LICENSE GRANTED UNDER CHAPTER 867 OF THE CITY OF MANISTEE, MICHIGAN CODIFIED ORDINANCES

The City of Manistee Codified Ordinances provide the Provisional Medical Marihuana Facility Permits (Provisional Permit) and Provisional Recreational Marihuana Establishment Licenses (Provisional License), respectively, are valid for a period of one (1) year from the issuance and may not be renewed. As a result of the coronavirus pandemic and its impact on the ability of Provisional Permit and Provisional license holders to complete construction projects, because of restrictions initially imposed by Executive Orders of the Michigan Governor, the general unavailability of contractors able to perform work, delays in delivery of construction materials and delays in obtaining state approvals required for licensure, parties that were issued Provisional Permits and Provisional Licenses have been unable to secure final inspections from the State and issuance of their State of Michigan license. The inability to secure a state license makes it impossible to obtain a final permit and final license from the City within the one (1) year duration of the Provisional Permits and Provisional Licenses issued by the City. The City previously extended the duration of existing Provisional Permits and Provisional Licenses to April 1, 2021, but the same delays that required that extension continue to exist. Because of the construction difficulties encountered by Provisional Permit and Provisional License holders, it is appropriate to extend currently issued Provisional Marihuana Provisioning Center Permit and Provisional Marihuana Retailer Licenses to July 1, 2021.

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 Bachman, second by Sullivan to introduce Ordinance 21-12 to extend the duration of a Provisional Permit granted under Chapter 866 and Provisional License granted under Chapter 867 of the City of Manistee, Michigan Codified Ordinances.

With a roll call vote this motion passed unanimously.

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

NAYS: None

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CONSIDERATION OF AUTHORIZATION TO PURSUE A GRANT FROM 555 FITNESS FOR STRENGTH TRAINING EQUIPMENT FOR THE FIRE DEPARTMENT

The City of Manistee Fire Department is pursuing a 555 Fitness grant which is a non-matching grant worth up to \$14,000 to procure updated physical fitness equipment in the Fire Department.

MOTION by Grabowski, second by Sullivan to authorize the Manistee Fire Department to pursue the 2021 555 Fitness Grant Package.

With a roll call vote this motion passed unanimously.

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

NAYS: None

CONSIDERATION OF AUTHORIZING THE CITY MANAGER TO APPROVE AND SUBMIT USDA RURAL DEVELOPMENT DRAW REQUESTS AND INVOICES

USDA Rural Development requires that invoices for construction projects they fund be approved and submitted as a Draw Request on forms that they provide. City Council can approve the invoices and draw requests, or they can delegate that to the City Manager who is the City's authorized representative. Delegating to the City Manager will ensure that the City can meet the contractual requirements for payment to the contractors.

MOTION by Grabowski, second by Beaton to authorize the City Manager to approve and submit USDA Rural Development Draw Requests and Invoices.

With a roll call vote this motion passed unanimously.

AYES: Bachman, Beaton, Zielinski, Sullivan, 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 Compensation Commission, Historic District Commission, PEG Commission, Tree Commission, and Zoning Board of Appeals.

Tree Commission. Two Vacancies, one term ending 12/21/22 and one term ending 12/31/23; Mayoral appointment.

John M. Helge – 450 Cedar Street

Mayor Zielinski appointed John M. Helge to the Tree Commission with a term ending 12/31/23.

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MOTION by Beaton, second by Szymanski to support the Mayor’s appointment of John M. Helge to the Tree Commission with a term ending 12/31/23.

With a roll call vote this motion passed unanimously.

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

NAYS: None

A REPORT FROM FIRE DEPARTMENT AND POLICE DEPARTMENT

Chief Mark Cameron reported on the activities of the City of Manistee Fire Department and responded to questions the Council had regarding their activities. Cameron reported the following:

- Covid-19 Challenges: PPE, operating procedures, exposures, antibody testing
- Statistics: 1,273 calls, 80 mutual aid calls, average response time of 4 min. 38 sec.
- 2 Revenue Sharing Grants received for new turn out gear
- Trainings: Fire/Rescue, Specialized, and Ice Rescue
- Equipment testing
- New ambulance ordered

Chief Josh Glass reported on the activities of the City of Manistee Police Department and responded to questions the Council had regarding their activities. Glass reported the following:

- Covid-19 impacts: exposures, sustainability schedule implemented
- Statistics: all activities trended downward
- New blight enforcement system
- Courtroom Testimony Training
- Revenue Sharing Grant received for FN303
- Hiring of Officer Barber
- Promotions of Goodspeed to Det/Sgt and VanSickle to Sgt
- Sgt VanSickle awarded Medal of Bravery for fire rescue at the Hi-Way Inn
- Shooting in the City without injuries
- Vehicle recovered from Manistee River Channel
- Threatening individual on roof of local business
- Stuff the Squad Cars – books donated to promote literacy
- Shop With a Hometown Hero
- Sponsor families for Christmas

CITIZEN COMMENT

None

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OFFICIALS AND STAFF

None

COUNCILMEMBERS

Bachman complimented the promotions of Chief Cameron and Chief Glass as well as all departments for their work this past year.

Beaton stated she is impressed at how the City has worked during the pandemic and complimented the Planning and Zoning Department for their hard work.

Grabowski thanked police and fire departments for their efforts.

Szymanski thanked police and fire departments for their work and wished everyone a Happy St. Patrick's Day.

Zielinski thanked everyone for their input.

ADJOURN

MOTION to adjourn was made by Beaton, second by Szymanski. Meeting adjourned at 8:26 pm.

Lora Y Laurain
Deputy Clerk

Heather Pefley MiPMC/CMC
City Clerk