

Ordinance 08-07

AN ORDINANCE TO AMEND IN PART  
AN ORDINANCE ENTITLED "AMENDED DEVELOPMENT AND TAX  
INCREMENT FINANCING PLAN ORDINANCE"  
WHICH WAS ADOPTED APRIL 2, 1985,  
AMENDED APRIL 3, 1989

To Amend the Manistee  
AMENDED DEVELOPMENT AND  
TAX INCREMENT FINANCING PLAN ORDINANCE  
Section E. Use of the Captured Assessed Value

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THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Section E of the Amended Development and Tax Increment Financing Plan Ordinance be amended as follows:

E. Use of the Captured Assessed Value

The Plan provides for use of all Captured Assessed Value and Tax Increment Revenues for purposes set forth herein as permitted by law. Unless modified by an amendment to this plan, approved by the City Council Tax Increment Revenues will be used within the following parameters:

At Least 25% for General Improvements which are those improvements prioritized by the Tax Increment Financing Authority Board and approved by the City Council for the general benefit of the district.

Not More than 75% for project related improvements which are those improvements identified as necessary by investors which directly benefit a specific project and are not prioritized as general improvements; ~~and for Consulting, Full-time Director and Administration.~~

~~Not More than 10% for Administration.~~

Projects which are for the general benefit are prioritized below. This adoption of the plan by the City Council endorses the priority and changes to the priority of improvements may be made by resolution of the City Council. Funding for the prioritized items may be authorized in any order depending on availability of funding sources, benefit to employment levels, and benefit to the taxing jurisdictions most affected.

PRIORITY OF GENERAL BENEFIT PROJECTS

- I. Riverwalk
- II. Streetscape
  - A. Streetscape Plan Development
  - B. Underground Improvements
    - 1.) Storm Sewer Separation
    - 2.) Water Service Replacement
  - C. Sidewalk and Street Modification
  - D. Street Lighting Improvements
- III. Parking Improvements
- IV. Public Restrooms
- V. Sign Ordinance Enactment and Enforcement
- VI. Merchandising Study.
- VII. Michigan Main Street Select Level
- VIII ...

2. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.
3. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

ATTEST:

\_\_\_\_\_  
Michelle Wright                                  Dated  
City Clerk/Deputy Treasure

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Cynthia A. Fuller, Mayor                                  Dated

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Cyndy Fuller on Tuesday, September 16, 2008 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Cyndy Fuller, Robert Hornkohl, Ilona Haydon (arrived 7:08 p.m.), and Hank Yonkman.

ABSENT: Richard Mack and Alan Marshall.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – Bruce Gockerman, City Clerk – Michelle Wright, Community Development Director – Jon Rose, Police Chief – Dave Bachman.

**#08-98 CONSENT AGENDA.**

Kenny requested the removal of item VII.a.) Consideration of Policy Change, CP-34 Investments. Remaining Consent Agenda items include:

- Minutes - September 2, 2008 - Regular Meeting  
- September 9, 2008 - Work Session
- Payroll - Aug. 25-31, 2008 - \$ 67,815.63  
- Sep. 01-07, 2008 - \$ 60,064.80
- Monthly Bills - August 14, 2008 - \$ 1,523,186.45  
- August 28, 2008 - \$ 4,912,531.21
- Consideration of Adopting Ordinance 08-07, Amendments to the Amended Development and Tax Increment Financing Plan Ordinance.  
This ordinance is not included in the Code of Ordinances but is referenced under Chapter 282 Downtown Development Authority. The amendments have been reviewed with the Council Ordinance Committee and are recommended for adoption.  
  
A first reading on proposed amendment 08-07 occurred at the regular meeting of September 2, 2008. A second reading and adoption could occur this evening.
- Consideration of New Policy, CP-4 Fund Balance.  
The Manistee City Council has chosen to create a policy establishing rules associated with creating and maintaining a Fund Balance in the City's annual fiscal year budget. This was reviewed at the September 9, 2008 Council work session.
- Notification Regarding Next Work Session, October 14, 2008.  
A discussion will be conducted on Council policies, the Building Asset Management Plan; and such business as may come before the Council. No action is required on this item.
- Consideration of Fire Prevention Week Parade.  
Every year the Manistee County Fire Fighters Association and its member departments gather to kickoff the Fire Prevention Week in a Fire Prevention Festival. The Fire Fighters Association asks permission of City Council to begin the festival with a parade on Saturday, October 11, 2008 beginning at Division Street, west on River Street to Maple Street, south on Maple Street to Eighth Street. The parade will feature fire equipment from all over Manistee County.

MOTION by Kenny, second by Hornkohl to approve the Consent Agenda with the removal of CP-34 Investments.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Fuller, Hornkohl, Yonkman

NAYS: None

*Councilmember Haydon arrived at 7:08 p.m.*

**#08-99 CONSIDERATION OF POLICY CHANGE, CP-34 INVESTMENTS.**

The Oil and Gas Investment Board and Staff have recommended that CP-34 Investment Policy be changed by adding language to address investment by the Oil and Gas Fund which is now covered by Section 7 of Public Act 20 of 1943, change the reporting requirement from annually to quarterly, and clarifies that pension funds entrusted to MERS are not covered by this policy. This was reviewed at the September 9, 2008 Council work session.

MOTION by Hornkohl, second by Yonkman to adopt changes to CP-34 Investment Policy. Kenny stated at the work session it was agreed to add something to the policy regarding oil and gas royalties, but did not see that included. Deisch recommended tabling this item until the Finance Director could be questioned.

MOTION by Kenny, second by Haydon to table Consideration of Policy Change, CP-34 Investments.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Fuller, Hornkohl, Haydon, Yonkman

NAYS: None

**#08-100 CONSIDERATION OF DESIGNATION OF VOTING DELEGATE TO THE MICHIGAN MUNICIPAL LEAGUE ANNUAL MEETING.**

The annual convention of the Michigan Municipal League will be held on Mackinac Island, October 1-4, 2008. Three Councilmembers and the City Manager are planning on attending the convention. Pursuant to the provision of the League Bylaws, we are requested to designate by action of the governing body, one official who will be in attendance at the convention as the official representative to cast the vote of the City of Manistee at the annual meeting, and if possible, to designate one other official to serve as alternate.

MOTION by Kenny, second by Haydon to name Mayor Fuller as voting delegate to the Michigan Municipal League's annual meeting and also name Mayor Pro-Tem as an alternate voting delegate.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Fuller, Hornkohl, Haydon, Yonkman  
NAYS: None

**#08-101 A REPORT FROM MUSEUM / HISTORIC DISTRICT AND THE ALLIANCE FOR ECONOMIC SUCCESS.**

Mr. Steve Harold reported on the activities of the Museum / Historic District and responded to questions the Council had regarding their activities.

Ms. Renee Ihlenfeldt reported on the activities of the Alliance for Economic Success and responded to questions the Council had regarding their activities.

**#08-102 PRESENTATION OF BEAUTIFICATION AWARDS.**

The Beautification Committee has made their selection for the September 2008 recipients of the Beautification Award. They would like to present the awards before Council to give the recipients some publicity for their efforts to beautify their part of the City.

Catherine Zaring, committee member, presented the September 2008 Beautification Awards to Rick and Irma Kaminski, 357 Fourth Street – residential award; and Manistee County Convention & Visitors Center, US-31 & First Street – commercial award. Each received a \$25 gift certificate from Stacey's Flowers.

**PRESENTATION OF THE QUARTERLY FINANCIAL REPORT BY FINANCE DIRECTOR ED BRADFORD.**

The quarterly update was postponed until October.

**CITIZEN COMMENT.**

Nancy Swenson announced that the Manistee Area Peace Group will dedicate the peace pole, located on River Street, on Sunday, September 21<sup>st</sup> at 2 p.m.


Ray Fortier wishes more people from this community would use the museum.

**COUNCILMEMBERS.**

Yonkman asked for clarification on the work session minutes regarding the Capital Improvement Fund and purchases of \$5,000 or more. He thinks the limit is too low.

**ADJOURN.**

MOTION to adjourn was made by Hornkohl, second by Kenny. Meeting adjourned at 7:55 p.m.

  
Michelle Wright CMC/CPFA  
City Clerk/Deputy Treasurer