



CITY COUNCIL

January 9, 2023

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, January 9, 2023. This meeting was called to order at 7:00 P.M.; then, after a recitation of the Pledge of Allegiance to the Flag of the United States of America, as part of the City Council's annual organizational meeting, the City Clerk administered oaths of office to Mayor-elect John Murphy, and City Councilmembers-elect Derek Shiels and Lindsey Walker, following their elections to the City Council at the General Election of November 8, 2022. A roll call then determined that the following were

Present: John Murphy, Mayor
Tina DeMoore, City Councilmember
Derek Shiels, City Councilmember
Brian Wagner, City Councilmember
Lindsey Walker, City Councilmember

Absent: None

Also in attendance were City Manager Shane Horn, City Clerk Sarah Bek, Parks and Recreation Director Kendall Klingelsmith and Public Works Director Mike Robbins.

Amend Agenda

Councilmember DeMoore moved that, seconded by Councilmember Walker to amend the agenda and move item 10(a) after the public hearing pertaining to the Parks and Recreation Master Plan Amendment.

AYES: DeMoore, Shiels, Wagner, Walker, Murphy (5)

NAYS: None (0)

Public Hearing 2023-2027 Parks and Recreation Master Plan Amendment

A public hearing was held to receive comments concerning the 2023-2027 Parks and Recreation Master Plan Amendment.

Mayor Murphy opened the public hearing at 7:05 P.M.

Jane Schneider, 713 Grove Street, commented that she is the new Petoskey Area Garden Club President and that Arlington Park will begin transitioning to a children's garden providing more opportunities for the youth; that the Garden Club is creating unique opportunities reflecting Petoskey's culture of indigenous people and interactive signage which aligns with various aspects of the Master Plan; and that in 2024 the Garden Club will be celebrating 90 years of service in the City.

Public hearing closed at 7:09 P.M.

Approve 2023-2027 Parks and Recreation Master Plan Amendment – Resolution No. 23-01

The Parks and Recreation Director gave a brief presentation and reviewed the Master Plan process and outcomes from the workshops, surveys, etc.; reviewed priorities which included fixing the Little Traverse Wheelway, accessibility improvements, needs assessment outcomes and aging infrastructure, resiliency and sustainability, and staffing and funding challenges; reviewed five primary goals; reviewed that the plan is due to the State by February 1; and acknowledged the Parks and Recreation Commissioners on their efforts and engagement during the process.

Councilmembers thanked staff and Parks and Recreation Commissioners on their efforts on a comprehensive and informative plan; heard comments appreciating more emphasis on parks and gardens, signage and branding and ADA compliance; that Solanus Beach improvements is a good example accomplishing compliance; heard from those appreciative of continuous improvement while protecting both residents and visitors; inquired on ADA barrier free numbering; requested a tour of parks and facilities which would be beneficial to all; inquired on community garden and relocation based on future DPW facility expansion; inquired on cooperation with Parks and Recreation department and Public Works Department in regards to green water infrastructure; that the City has a great parks and recreation system; heard from those excited about the children's garden; commented on Bates Field and contract with Petoskey Schools and if contract should be expanded based on plan; that terms for Mayor and Councilmembers need to be updated on page 10; and heard from those that a future parks and recreation millage may be necessary to fund current, aging infrastructure, but will be a challenge.

Councilmember Wagner moved that, seconded by Councilmember Shiels adoption of the following resolution:

WHEREAS, the City of Petoskey has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five year period covering the years 2023-2027; and

WHEREAS, the City of Petoskey began the process of developing a Parks and Recreation Master Plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities; and

WHEREAS, residents of the City of Petoskey were provided with well-advertised opportunities during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the plan; and

WHEREAS, the public was given reasonable accommodations to review the plan amendment for a period of at least 30 days; and

WHEREAS, a public hearing was held on January 9, 2023 to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the plan amendment; and

WHEREAS, the City of Petoskey has developed the plan as a guideline improving recreation and enhancing natural resources for the City of Petoskey; and

WHEREAS, at the December 12, 2022 meeting, the Petoskey Parks and Recreation Commission recommended City Council adopt the plan; and

WHEREAS, after the public hearing, the City of Petoskey, City Council voted to adopt the plan amendment:

NOW, THEREFORE, BE IT RESOLVED, the City of Petoskey, City Council hereby adopts the Parks and Recreation Master Plan covering the years 2023-2027.

Said resolution was adopted by the following vote:

AYES: DeMoore, Shiels, Wagner, Walker, Murphy (5)

NAYS: None (0)

Consent Agenda - Resolution No. 23-02

Following introduction of the consent agenda for this meeting of January 9, 2023, Councilmember Walker moved that, seconded by Councilmember Wagner adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the December 19, 2022 regular session City Council meeting be and are hereby approved;

BE IT RESOLVED that receipt by the City Council of a report concerning all checks that had been issued since December 19, 2022 for contract and vendor claims at \$2,259,806.38, intergovernmental claims at \$457,148.04 and the December 22 and January 5 payrolls at \$462,890.19, for a total of \$3,179,844.61 be and is hereby acknowledged; and

WHEREAS, the 2023 Annual Budget and Capital Improvements Plan allocated \$572,000 within the Motor Pool Fund to purchase certain vehicles and equipment; and

WHEREAS, for many years, the City has routinely made purchases from the State of Michigan Mi-Deal Purchasing Contract. This program is an extended purchasing program that allows local units of government to utilize pricing through state contracts; and

WHEREAS, City staff recommends that the City Council authorize purchases for the following vehicles under the Mi-Deal State of Michigan purchasing contract:

- Mi-Deal Purchase of a latest production four-wheel drive Tahoe Police Pursuit from Berger Chevrolet Fleet Sales, Grand Rapids, at a cost not to exceed \$41,089.00 (Budget Allocated \$52,000). This vehicle would replace Public Safety Patrol Unit #445, a 2017 Tahoe Pursuit, with approximately 85,000 miles, that will be retired.
- Mi-Deal Purchase of a latest production four-wheel drive Tahoe Police Pursuit from Berger Chevrolet Fleet Sales, Grand Rapids, at a cost not to exceed \$41,089.00 (Budget Allocated \$52,000). This vehicle would replace Public Safety Patrol Unit #446, a 2018 Tahoe Pursuit, with approximately 85,000 miles, that will be retired.

NOW, THEREFORE, BE IT RESOLVED that the Petoskey City Council, by this resolution, hereby authorizes the purchase of (2) Police Pursuit Tahoe's from Berger Chevrolet Sales, Grand Rapids, MI, utilizing the Mi-Deal purchasing program.

Said resolution was adopted by the following vote:

AYES: DeMoore, Shiels, Wagner, Walker, Murphy (5)

NAYS: None (0)

Hear Public Comment

Mayor Murphy asked for public comments and there were no comments.

Hear City Manager Updates

The City Manager recognized staff members with January birthdays and work anniversaries; reviewed upcoming public meetings; reviewed project status updates including Lofts at Lumber Square, Michigan Maple Block property, 424 Emmet Street OPRA, Little Traverse Wheelway slope restoration, Emmet County ARPA grant program and that the City was not selected for CEDAM Fellowship; that the Public Safety Director position closes on January 13 and 18 applications have been received to-date with the community survey also closing on January 13; and that the City held a retirement party for Chief Breed who was recognized with several plaques on his dedicated leadership and service to staff, residents and the Petoskey community.

Councilmembers inquired on the maximum match for Emmet County ARPA grants and inquired on the Public Safety Director interview process. The City Manager responded that the maximum City match is \$50,000 and that he foresees two interview panels consisting of department heads and staff and City Council, with the position ultimately appointed by the City Manager.

Elect Mayor Protempore – Resolution No. 23-03

Mayor Murphy reported that, as required by City Charter provisions, the City Council was being asked to elect from its members a Mayor Protempore who would serve in the absence or incapacity of the Mayor in 2023.

Mayor Murphy nominated Councilmember Wagner to serve as Mayor Protempore.

Councilmember DeMoore then moved that, seconded by Councilmember Walker adoption of the following resolution:

WHEREAS, as required by City Charter provisions, the City Council must elect from its members a Mayor Protempore, who would serve in the absence or incapacities of the Mayor; and

WHEREAS, Mayor Murphy appointed Councilmember Wagner to serve as Mayor Protempore:

NOW, THEREFORE, BE IT RESOLVED, the City of Petoskey City Council hereby appoints Councilmember Wagner to serve as Mayor Protempore in the absence or incapacities of the Mayor.

Said resolution was adopted by the following vote:

AYES: DeMoore, Shiels, Wagner, Walker, Murphy (5)

NAYS: None (0)

Approve Board and Commission Appointments – Resolution No. 23-04

Mayor Murphy reviewed that City Council consider the following appointments.

Councilmember Walker moved that, seconded by Councilmember Shiels adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby approves the reappointment of Ann Ingels, 1305 Waukazoo Avenue, to the District Library Board for a four-year term ending January 2027.

Said resolution was adopted by the following vote:

AYES: DeMoore, Shiels, Wagner, Walker, Murphy (5)

NAYS: None (0)

Resolution No. 23-05

Councilmember Wagner moved that, seconded by Councilmember Shiels adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby approves the reappointment of Trevor Nelson, 528 Wachtel Avenue, to the District Library Board or a four-year term ending January 2027.

Said resolution was adopted by the following vote:

AYES: DeMoore, Shiels, Wagner, Walker, Murphy (5)

NAYS: None (0)

Authorize Contract for Bridge Street Reconstruct and Porter and Maple Street Resurfacing Project – Resolution No. 23-06

The Public Works Director reviewed that the annual budget included \$1,595,000 for the reconstruction of Bridge Street from Franklin Street west to the bridge, which also includes the resurfacing of Porter Street from US-131 to Curtis Avenue and Maple Street from Porter Street to Charlevoix Avenue; reviewed bid process and that two firms submitted bids; that a safe crosswalk will be installed at the Porter, Curtis and Bridge Street intersection to the river valley; that project will be divided into two phases due to the size and that Bridge Street is Phase 1 and mill and fill will phase in; reviewed additional costs not included within the contract estimated at \$424,165; and that the low-bidder, E.F. Wilkinson & Sons, Inc., Cheboygan, has not worked in Petoskey before, but that staff contacted references and recommended moving forward with the contractor.

Councilmembers inquired if residents will be notified if any existing structures will be removed and not replaced as part of the project and how service lines will be repaired. The Public Works Director responded that residents will be notified with a hand-delivered notice of any potential changes and that service lines will be fully replaced and reviewed the process of going inside house to replace.

Councilmember Wagner moved that, seconded by Councilmember Walker adoption of the following resolution:

WHEREAS, the 2023 Annual Budget and Capital Improvements Plan included \$1,595,000 for the reconstruction of Bridge Street from Franklin Street west to the bridge, which also includes the resurfacing of Porter Street from US-131 to Curtis Avenue and Maple Street from Porter Street to Charlevoix Avenue; and

WHEREAS, Bridge Street reconstruct include water main and valve replacement; water service line investigations and upgrades; sanitary sewer main and manhole structure replacement; replacement of storm sewer main and catch basin structures; new pavement and subgrades; curb and gutter replacement, new concrete drive approaches and new sidewalks. Highlights relative to the mill and fill or resurfacing of Porter and Maple Streets includes curb and gutter revisions at the intersection of Maple Street and Charlevoix Avenue along with miscellaneous as-needed repairs to both streets that will include curb and gutter, water and sewer facilities, drive approaches and sidewalks; and

WHEREAS, street layout, water and sewer utility installations along with bid specifications were prepared by Benchmark Engineering, Inc., Harbor Springs; and electric work was designed by GRP Engineering, Petoskey. Bid packets were made available on November 23, 2022; eight area firms were notified and three bids were received on December 21, 2022 with the following results:

<u>Bidder</u>	<u>Amount</u>
E.F. Wilkinson & Sons, Inc. Cheboygan	\$858,946.79
Elmer's Crane and Dozer, Inc. Petoskey	\$931,959.30
Tri County Excavating Group, LLC Harbor Springs	\$1,071,902.96

WHEREAS, anticipated costs associated with this project not included within the E.F. Wilkinson & Sons contract amount, include the installations of sidewalk, curb and gutter and drive approaches; water service line replacements; and site restorations. This work will be coordinated and performed by others and is estimated at \$424,165; and

WHEREAS, following staff analysis and due diligence it is respectfully recommended to proceed with the low bidder E.F. Wilkinson & Sons, Inc., Cheboygan, for this proposed project for \$858,946.79:

NOW, THEREFORE, BE IT RESOLVED that the Petoskey City Council, by this resolution, hereby authorizes the engagement with E.F. Wilkinson & Sons, Inc., Cheboygan, MI for the Bridge Street Reconstruction project for a project cost of \$858,946.79.

Said resolution was adopted by the following vote:

AYES: DeMoore, Shiels, Wagner, Walker, Murphy (5)

NAYS: None (0)

Authorize Concrete Unit-Price Bid Contracts – Resolution No. 23-07

The Public Works Director reviewed that the annual budget again called for routine replacements and construction of concrete sidewalks, curb-and-gutter structures and related installations associated with the Bridge Street reconstruct and Porter and Maple Streets resurfacing; that other replacements anticipated include miscellaneous as-needed repairs city-wide, including work within the Central Business District; that four prequalified concrete contractors were notified of bid process and two unit-price bids were received; and that staff recommended contracting with Ryan Bros., Inc., and Van Kalker Construction Inc., both of Petoskey, based upon availability and performance in addition to price quotes.

Councilmembers inquired if residents typically ask for drive approach replacements during these projects and the Public Works Director responded that staff puts them in contact with the contractor to further discuss.

Councilmember DeMoore moved that, seconded by Councilmember Shiels adoption of the following resolution:

WHEREAS, the City's 2023 Annual Budget again called for routine replacements and construction of concrete sidewalks, curb-and-gutter structures, and related installations associated with the Bridge Street Reconstruct and Porter and Maple Streets Resurfacing Projects; and

WHEREAS, other concrete replacements anticipated for this year include miscellaneous as-needed repairs citywide, including work within the Central Business District; and

WHEREAS, following past practices, specifications were prepared that used a quantity of 40 line items for concrete installations, notices of availability of specifications were released on December 1, 2022 to four prequalified concrete contractors and two unit-price bids were received on December 20, 2022; and

WHEREAS, the following rankings were established based upon overall prices: (1) Ryan Bros., Inc., Petoskey, and (2) Van Kalker Construction, Inc., Petoskey:

NOW, THEREFORE, BE IT RESOLVED, the City of Petoskey City Council hereby authorizes City staff to contract with two concrete-construction firms, Ryan Bros., Inc., and Van Kalker Construction, Inc., to provide these construction services as might be required, based upon unit-price quotations by the firms and/or their availability.

Said resolution was adopted by the following vote:

AYES: DeMoore, Shiels, Wagner, Walker, Murphy (5)

NAYS: None (0)

Council Comments

Mayor Murphy asked for Council comments and Councilmember Walker attended the New Year's Eve event at the Crooked Tree Arts Center and commented that it is a wonderful community event. Councilmember Wagner attended the Holocaust exhibit at the Library and was thoroughly impressed with the exhibit and the Library staff's efforts. Councilmember Shiels announced that he will be scheduling a townhall meeting for Ward 2 residents. Councilmember DeMoore commented that the City's bidding policy was adopted in 1994 and may be a good idea to review since times have changed. Mayor Murphy also attended the Holocaust exhibit at the Library and the opening was well-attended and encouraged the community to stop and see the traveling exhibit.

There being no further business to come before the City Council, this January 9, 2023, meeting of the City Council adjourned at 8:23 P.M.

John Murphy, Mayor

Sarah Bek, City Clerk