



CITY COUNCIL

March 6, 2023

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, March 6, 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, 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, Public Works Director Mike Robbins and Public Safety Director Adrian Karr.

Hear Petoskey High School Sustainability Club Presentation

Petoskey High School students introduced themselves and gave a brief presentation on possible opportunities to reduce the school district's reliance on fossil fuels and improve energy efficiency; provided background on the club; reviewed goals to establish a renewable energy program in the Petoskey Public Schools, reduce energy consumption in the community, spread awareness of sustainable strategies and address inefficiencies and install solar panels; discussed solar and its benefits; reviewed programs that have occurred in the classroom and connecting in the community; that the club wants to help with the City's pledge to be powered by 100% renewable energy by 2035 and reviewed steps taken; reviewed financing and costs for a 10% array capable of supplying Sheridan and Lincoln Schools which is estimated at \$90,000; provided examples of other schools that have implemented similar projects; and thanked City staff and Councilmembers for their time and assistance.

Councilmembers commented that it was admirable that the students were doing this type of work; inquired if students investigated if other school districts used sinking funds to fund similar projects; inquired on when the club meets; and thanked students for their leadership and progress.

Hear Public Safety Awards Presentation

The Department of Public Safety Honor's Board recently authorized awards to Public Safety staff, Emmet EMS staff, Emmet County Sheriff's staff and citizens for meritorious service. Director Karr presented 15 awards to the recipients for commendable service throughout the community including lifesaving awards, public safety citation, public safety commendation and citizen awards.

Councilmembers thanked Director Karr for the remarkable stories and that it is an honor to recognize the award recipients and expressed gratitude from the community for their service.

The City Manager also recognized Director Karr on his recent promotion and is looking forward to his leadership in the department and working along side of him.

Hear Public Safety 2022 Annual Report Presentation

Public Safety Director Adrian Karr gave a brief presentation concerning the department's 2022 annual report and statistics; reviewed nuisance ordinance enforcement complaints; reviewed programs and community engagement; reviewed background on two new officers and that the department sponsored one officer in the Kirtland Police Academy; reviewed recruitment challenges; reviewed training efforts; that the department was accredited last spring and is required to participate in an audit every three years; reviewed the Rose Street Fire on November 15, 2022 and the unfortunate fire loss; and recognized Gina Ellenberger on her outstanding efforts preparing the annual report and presentation.

Councilmembers thanked Director Karr for accepting the director position and that he has compassion for people which shows in his leadership abilities; echoed kudos to Ms. Ellenberger on her efforts; noted the appreciation of Public Safety's mission statement; commented that the level of engagement with the public is excellent; inquired if there is opportunity for the public to file complaints; and that the hiring of Director Karr was in the best interest for the City and thanked the department for allowing the community to feel safe.

Director Karr responded that there is a complaint form available on the Public Safety Department's page on the City's website.

Consent Agenda - Resolution No. 23-20

Councilmembers commended Planning Commissioners on their commitment, on-going training and leadership and discussed future discussions on care and maintenance on future tree plantings.

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

BE IT RESOLVED that City Council does and hereby confirms that the draft minutes of the February 20, 2023 regular session City Council meeting be and are hereby approved as amended to include language "advised by the City Attorney" in regards to Councilmember DeMoore's statement on conflict of interest; and

BE IT RESOLVED that receipt by City Council of a report concerning all checks that had been issued since February 20, 2023 for contract and vendor claims at \$1,981,985.22, intergovernmental claims at \$88,199.38 and the March 2 payroll at \$228,127.97, for a total of \$2,298,312.57 be and is hereby acknowledged; and

BE IT RESOLVED that City Council received the 2022 Planning Commission Annual Report; and

WHEREAS, the City of Petoskey City Council hereby recognizes the importance of a healthy tree canopy and capturing the benefits of a forestry program; and

WHEREAS, the City of Petoskey has an established forestry program that focuses on resiliency and diversity among tree species; and

WHEREAS; the City of Petoskey believes in the long-term benefits of trees including stormwater management, healthy parks, reduction in greenhouse gases and energy usage, and improved air quality:

NOW, THEREFORE, BE IT RESOLVED, that the City of Petoskey City Council does and hereby approves the annual tree contract to David Hoffman Landscaping and Nursery, Inc., Petoskey, for \$27,590 to plant a variety of 60 street and park trees; and

BE IT FURTHER RESOLVED that the City of Petoskey City Council hereby authorizes the City Manager, or his designee, to serve as the City of Petoskey's representative for the annual tree planting program.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Hear Public Comment

Mayor Murphy asked for public comments and heard from a property owner concerned with the short-term rental operating next door; that there are parking issues; concerned with own safety and invasion of privacy; encouraged City Council not to consider increasing short-term rentals; and commended the Public Safety Department and Public Works Department on answering concerns and keeping city streets clean.

Hear City Manager Updates

The City Manager recognized staff with March birthdays and work anniversaries; that Planning Commission met in special session March 1 to set a public hearing for 6pm, March 16, to consider a PUD Preliminary Rezoning Plan for 1420 Standish Avenue; that Board of Review will meet to hear appeals next week; that the MSF Board allocated \$1.4M in funding for the 316-318 East Lake Street project; that the City Clerk has been considering and exploring the option of moving election polling locations to City Hall to enhance the administrative process, logistics and save costs; and that the post construction resident satisfaction survey is available until March 17 and paper copies are available at City Hall.

Councilmembers thanked the Board of Review members and the commitment and heavy lift they will provide taxpayers next week.

Approve Amended Resolution for OPRA Exemption Certificate Application for 424 Emmet Street – Resolution No. 23-21

The City Manager reviewed that at the February 20 meeting, Council held a public hearing and approved a resolution in support of an Obsolete Property Rehabilitation Exemption Certificate Application for 424 Emmet Street; and that after submitting documentation to the Department of Treasury the resolution lacked a statement of the period of time authorized by the City for completion of the rehabilitation.

Councilmembers inquired if the last OPRA approved for 316-318 East Lake Street included the same time period and the City Manager responded that it was the same.

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

WHEREAS, pursuant to PA 146 of 2000, the City of Petoskey is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, the City of Petoskey legally established the Obsolete Property Rehabilitation District known as 424 Emmet Street Obsolete Property Rehabilitation District No.2 on February 20, 2023, after a public hearing held on February 20, 2023; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Petoskey; and

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 on February 20, 2023; and

WHEREAS, Silva Property Management LLC is not delinquent in any taxes related to the facility; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant, Silva Property Management LLC, has provided answers to all required questions under the application instructions to the City of Petoskey; and

WHEREAS, the City Council requires that rehabilitation of the facility shall be completed within two years of issuance of a Petoskey Zoning Permit by the City Planner; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Petoskey eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, revitalize urban areas, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Petoskey

Silva Property Management LLC is granted an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in an Obsolete Property Rehabilitation District known as 424 Emmet Street Obsolete Property Rehabilitation District No.2 at 424 Emmet Street for a period of twelve (12) years, beginning December 31, 2023 and ending December 31, 2035, pursuant to the provisions of PA 146 of 2000, as amended.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Approve MERS Administrative Services Agreement Concerning FAC – Resolution No. 23-22

The City Manager reviewed that the City provides defined benefit and contribution plan retirement benefits through MERS which covers three separate groups of employees including non-union, DPW union and Public Safety union; that the Administrative Services Agreement will allow the calculation of the employees' Final Average Compensation (FAC) to be calculated by the Benefit by Effective Date instead of going back to the January 2017 date when the benefit was reduced; that this allows any employee transfer that has a defined benefit pension that moves from a higher multiplier to a lower multiplier to have their FAC calculated on the date of transfer; and this approval supports the opportunity for internal promotions and makes these benefit transfers more attainable.

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

WHEREAS, the City is a participating governmental unit in the Michigan Municipal Employees' Retirement System (MMERS), as authorized by 1996 PA 220; and

WHEREAS, the City has worked with MMERS on the attached Administrative Services Agreement to allow the calculation of the employees Final Average Compensation (FAC) to be calculated by the Benefit by Effective Date instead of going back to the January 2017 date when the benefit was reduced; and

WHEREAS, this change allows any Defined Benefit pension employee transfer that moves from a higher multiplier to a lower multiplier to have their FAC calculated on the date of the transfer. This action supports the opportunity for internal promotions and makes these benefit transfers more attainable:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does hereby approve the MMERS Administrative Services Agreement and authorizes the City Manager and Director of Finance to sign the Plan Adoption Agreement Addendums with MMERS.

Said motion was adopted by the following vote:

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

NAYS: None (0)

Council Comments

Mayor Murphy asked for Council comments and Councilmember DeMoore noted that the newsletter included in the notice of assessment from the Assessor was appreciated and helpful and extended kudos to the City Assessor. Councilmember Shiels reported that four residents attended the Ward 2 Town Hall meeting and thanked the City Manager for coordinating the deer management presentation for the next meeting. Councilmember Wagner commented that he attended an incredible Coast Guard retirement reception last week and that the Benson family are great assets to the Petoskey Community and that Senator Damoose approved \$10M in funding for trades at North Central Michigan College. Mayor Murphy commented that it is an honor to serve with Councilmembers and to work with such a great staff.

There being no further business to come before the City Council, this March 6, 2023, meeting of the City Council adjourned at 8:42 P.M.

John Murphy, Mayor

Sarah Bek, City Clerk