



CITY COUNCIL

January 20, 2020

1. Call to Order - 7:00 P.M. - City Hall Council Chambers
2. Recitation - Pledge of Allegiance to the Flag of the United States of America
3. Roll Call
4. Proclamation – Hear proclamation concerning a declaration of peace
5. Consent Agenda – Adoption of a proposed resolution that would confirm approval of the following:
 - (a) January 6, 2020 regular session City Council meeting minutes
 - (b) Acknowledge receipt of a report concerning certain administrative transactions since January 6, 2020
6. Miscellaneous Public Comments
7. City Manager Updates
8. Appointments – Consideration of appointment to the Downtown Management Board
9. Old Business
 - (a) Consideration of a request to add 502 Michigan Street, Parr Baptist Church, to the list of priority redevelopment sites
 - (b) Authorization to contract with Tri-County Excavating Group, LLC, Harbor Springs, for Kalamazoo Avenue street improvements
10. New Business
 - (a) Authorization to contract with W.F. Baird and Associates, Ltd., Madison, Wisconsin, for slope failure study in the amount of \$81,620
 - (b) Discussion regarding potential revisions or amendments to the City Charter
 - (c) Authorization to purchase Motor Pool vehicles
11. City Council Comments
12. Adjournment



City of Petoskey

Proclamation

WHEREAS, the City Council understands that wars make citizens less safe rather than protect us; and

WHEREAS, wars kill, injure and traumatize adults, children and infants; and

WHEREAS, wars severely damage the natural environment, erode civil liberties and drain our economies, siphoning resources from life-affirming activities:

NOW, THEREFORE BE IT RESOLVED, that I, John Murphy, Mayor of the City of Petoskey, with City Council support, do hereby commit to engage in and support nonviolent efforts to end all war and to create a sustainable and just peace.

Dated this 20th day of January, 2020

Mayor John Murphy



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 20, 2020

PREPARED: January 16, 2020

AGENDA SUBJECT: Consent Agenda Resolution

RECOMMENDATION: That the City Council approve this proposed resolution

The City Council will be asked to adopt a resolution that would approve the following consent agenda items:

- (1) Draft minutes of the January 6, 2020 regular session City Council meeting; and
- (2) Acknowledge receipt of a report from the City Manager concerning all checks that have been issued since January 6, 2020 for contract and vendor claims at \$2,595,990.53, intergovernmental claims at \$13,603.66, and the January 9 payroll at \$218,143.41 for a total of \$2,827,737.60.

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Enclosures



CITY COUNCIL

January 6, 2020

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, January 6, 2020. 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-Treasurer administered oaths of office to Mayor-elect John Murphy, and City Councilmembers-elect Kate Marshall and Brian Wagner, following their elections to the City Council at the General Election of November 5, 2019. A roll call then determined that the following were

Present: John Murphy, Mayor
Kate Marshall, City Councilmember
Suzanne Shumway, City Councilmember
Brian Wagner, City Councilmember
Lindsey Walker, City Councilmember

Absent: None

Also in attendance were City Manager Robert Straebel, Clerk-Treasurer Alan Terry, Parks and Recreation Director Kendall Klingelsmith and Downtown Director Becky Goodman.

Consent Agenda - Resolution No. 19362

Following introduction of the consent agenda for this meeting of January 6, 2020, City Councilmember Marshall moved that, seconded by City 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 16, 2019 regular session City Council meeting be and are hereby approved; and

BE IT RESOLVED that receipt by the City Council of a report concerning all checks that had been issued since December 16, for contract and vendor claims at \$1,427,518.71, intergovernmental claims at \$2.32, and the December 26 payroll at \$199,673.18, for a total of \$1,627,194.21 be and is hereby acknowledged.

Said resolution was adopted by the following vote:

AYES: Marshall, Shumway, Wagner, Walker, Murphy (5)

NAYS: None (0)

Hear Public Comment

Mayor Murphy asked for public comments and heard from Brent Huntman, 722 Harvey Street, concerning an issue with current legislative affairs and the war with Iran and requested that City Council pass a Declaration of Peace. Mayor Murphy reviewed the proclamation process and Councilmembers Marshall, Shumway and Walker being in support of a proclamation to be reviewed at a future meeting.

Hear City Manager Updates

The City Manager reported that MPPA representatives will present to Council in February a strategic plan on how to transition to 100% renewable energy and will also discuss a newly formed Accelerated Renewable Energy Service Committee for MPPA members with aggressive renewable energy goals; that the City received four bids for the Kalamazoo Avenue street reconstruction project and Council will be asked to approve the low bidder at the January 20 meeting; that bids for Jackson Street reconstruction are due late January and will be brought forward in February; that the Governor does not need to review ballot language for both the marijuana referendum and initiative and the two issues will be on the ballot for the March 10, 2020 Presidential Primary election; reviewed the status and responses from legislators concerning letters that staff sent requesting State of Emergency for Michigan's coastlines as a result of erosion issues; reviewed that the Planning Commission held a public hearing on a request to rezone 112, 116, 118, and 124 East Mitchell Street (Family Video property) to B-2A Transitional Business District, which this block is included in the Downtown Parking Exempt District, that Planning Commission voted 4-4 on a resolution that would recommend a change by Council and that staff recommended City Council not consider the zoning change until the Planning Commission weighed in on the parking exempt issue; and that there were some inquiries at the last Planning Commission meeting regarding Robert's Rules of Order and that staff is researching training options regarding parliamentary procedures to better educate Boards and Commissions.

City Councilmembers inquired if Ric Evans with Groundworks would be present at the MPPA presentation in February; inquired that decentralized energy, as well as coal, wind and solar could be discussed by MPPA; and discussed proposed project at Family Video property and if the property could be zoned PUD.

The City Manager responded that he would invite Ric Evans to the Council meeting.

Elect Mayor Protempore - Resolution No. 19363

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, and then requested nominations for this position. Mayor Murphy then nominated, supported by City Councilmember Walker, that City Councilmember Marshall be appointed as Mayor Protempore and that the following resolution be adopted:

BE IT RESOLVED that the City Council does and hereby approves the appointment of City Councilmember Kate Marshall as Mayor Protempore to the City Council for 2020.

Said resolution was adopted by the following vote:

AYES: Marshall, Shumway, Wagner, Walker, Murphy (5)

NAYS: None (0)

Harbor-Petoskey Area Airport Authority Board Appointment – Resolution No. 19364

Mayor Murphy reviewed that City Council consider possible reappointment to the Harbor-Petoskey Area Airport Authority Board.

City Councilmember Marshall moved that, seconded by City Councilmember Shumway adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby approves the reappointment of Alan Terry, Clerk-Treasurer, to the Harbor-Petoskey Area Airport Authority for a four-year term ending December 2023.

Said resolution was adopted by the following vote:

AYES: Marshall, Shumway, Wagner, Walker, Murphy (5)

NAYS: None (0)

Planning Commission Appointments – Resolution No. 19365-19366

Mayor Murphy reviewed that City Council consider possible appointments to the Planning Commission.

Mr. Scheel commented on why he is interested in being on the Planning Commission.

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

BE IT RESOLVED that the City Council does and hereby approves the appointment of Jonathan Scheel, 425 Monroe Street, Apt. 7, to the Planning Commission, for a three-year term ending August 2022.

Said resolution was adopted by the following vote:

AYES: Marshall, Shumway, Wagner, Walker, Murphy (5)

NAYS: None (0)

City Councilmember Marshall moved that, seconded by City Councilmember Shumway adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby approves the appointment of Richard Mooradian, 728 Lockwood Avenue, to the Planning Commission, for a three-year term ending August 2022.

Said resolution was adopted by the following vote:

AYES: Marshall, Shumway, Wagner, Walker, Murphy (5)

NAYS: None (0)

Mayor Murphy noted he would review future applications for completeness.

Adopt Ordinance 775 – Amending Chapter 8, Article VIII Concerning Mobile Food Vending – Resolution No. 19367

The City Manager reviewed that this was a third discussion of revisions to both an ordinance and resolution pertaining to mobile food trucks and that City Council could adopt the ordinance at this meeting.

City Councilmembers inquired if mobile vending units operating at The Back Lot would need to comply with the regulations and staff responded that vendors would have to conform to all regulations as outlined in the ordinance and resolution.

City Councilmember Marshall moved that, seconded by City Councilmember Wagner adoption of the following ordinance:

AN ORDINANCE TO AMEND CHAPTER 8 OF THE PETOSKEY CODE OF ORDINANCES, BUSINESSES AND BUSINESS REGULATIONS, REGULATING MOBILE FOOD VENDING

THE CITY OF PETOSKEY ORDAINS:

1. Article VIII, entitled “Mobile Food Vending” of Chapter 8 of the City of Petoskey Code of Ordinances is hereby amended in part and replaced by the following:
2. The introduction clause of Article VIII, Chapter 8, entitled “Mobile Food Vending” is hereby repealed and replaced with the following:

Article VIII Mobile Food Vending

An amendment to Chapter 8 Businesses and Business Regulations to regulate mobile food vending on public and private property.

3. Section 8-302 entitled Mobile Food Vending Locations is hereby adopted as follows:

Sec. 8-302 Mobile Food Vending Locations

- (a) Public Property – Mobile Food Vending shall only be allowed on public property when part of an approved public or private event.
- (b) Private Property – Mobile Food Vending on private property shall only be allowed in business or industrial districts and must include a parking plan review. In a residential district, mobile food vending on private property shall only be allowed as part of a private event and shall only serve food to event attendees and not the general public. Mobile food vending on private property shall not be allowed to utilize public property including but not limited to street rights-of-way.

4. Section 8-316 entitled Duration; non-transferability is hereby repealed and replaced with the following Section 8-316:

Sec. 8-316 Duration; non-transferability.

Licenses may be issued by the City Clerk expiring at the end of each calendar year. Any license issued under this chapter is non-transferable.

5. Section 8-317 entitled Application is hereby repealed and replaced with the following Section 8-317:

Sec. 8-317 Application.

Every vendor desiring to engage in mobile food vending shall make a written application to the City Clerk for a license under this chapter. The applicant shall truthfully state, in full, all information requested by the City Clerk and be accompanied by a fee established by resolution of the City Council. Additionally, the applicant shall provide all documentation as required by the City.

6. Section 8-319 entitled Requirements is hereby repealed and replaced with the following Section 8-319:

Sec. 8-319 Requirements.

Any vendor engaging in mobile food vending shall comply with the following requirements:

- (1) Provide appropriate waste receptacles at the site of the unit and remove all litter, debris and other waste attributable to the vendor on a daily basis.
- (2) If operating on city-owned or controlled property, vendor may only locate on such property in locations associated with a City-approved public or private event. All mobile food vending trucks operating at an event, whether on public or private property, will be required to obtain the appropriate license(s) and pay the fee established by resolution of the City Council.
- (3) No vendor may operate on public property within one block of a City-authorized street fair, public festival, farmers market or event being conducted without authorization from the event sponsor.
- (4) No vendor may use flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields to direct the illumination downward.
- (5) No vendor shall use loud music, amplification devices or "crying out" or any other audible methods to gain attention which causes a disruption or safety hazard as determined by the City.
- (6) Comply with the City's Nuisance Ordinance, Sign Ordinance and all other City ordinances.
- (7) Comply with all applicable federal, state and county regulations.

(8) Mobile food vending units shall not utilize any electricity or power without the prior written authorization of the power customer; no power cable or similar device shall be extended across any City street, alley or sidewalk.

7. **Conflicting Standards.**

If any of the standards set forth in this amendment conflict with any other standards of previous or further ordinances or amendments, the stricter standards shall apply.

8. **Repeal; Savings Clause.**

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

9. **Severability.**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

10. **Effect.**

This ordinance shall take effect fifteen (15) days following its enactment and shall be published once within seven (7) days after its enactment as provided by Charter.

Said ordinance was adopted by the following vote:

AYES: Marshall, Shumway, Wagner, Walker, Murphy (5)

NAYS: None (0)

Approve Contract for Marina Strategic Planning – Resolution No. 19368

The City Manager reviewed that increasing high water and routine ice damage to the City's Marina are ongoing, challenging issues; that ice damage to the Marina has cost the City in excess of \$100,000 for piling replacement and dock repairs over the last two years caused by ice floe and inconsistent water levels; that there are concerns in regards to operation and safety with the in-dock utilities that may be affected by high water levels; that the Marina is a very popular destination for the City and has a direct effect on the economy not only for the City, but for the community as well; that the Army Corps of Engineers Lake Michigan-Huron water level prediction continues to be trending towards potential record levels; that W.F. Baird and Associates, Ltd., Madison, Wisconsin, provided a proposal which includes a background analysis, site investigation, schematic design options, and numerical modeling with a 5-6 month timeline for completion; that the timeline will provide staff with enough information to formulate a plan based on the plan recommendations for the facility; that the Marina Strategic Plan Study will assist City staff in future grant applications through the DNR Waterways Commission; and that the proposal will be funded through the marina reserves and no monies were budgeted for this expense in 2020.

City Councilmembers inquired if there is a separate run for each utility; if the City was in a position to act if water levels continue to increase; inquired if this could be a MEDC project; noted that W.F. Baird has completed both large and small scale projects; and inquired on the status of the breakwall and if it is affected by the high water levels.

The Parks and Recreation Director responded that each utility is on a different run; that W.F. Baird has completed many different sized projects including one in Bay View; that staff recommends moving forward with the proposal; and that the plan will help staff review and implement electrical safety precautions.

The City Manager responded that the City will be in a position closer to acting if need be with this strategic plan and that W.F. Baird will be reviewing the status of the breakwall.

City Councilmember Marshall moved that, seconded by City Councilmember Wagner to authorize contracting with W.F. Baird and Associates, Ltd., Madison, Wisconsin, for marina strategic planning in the amount of \$45,350.

Said motion was adopted by the following vote:

AYES: Marshall, Shumway, Wagner, Walker, Murphy (5)

NAYS: None (0)

Council Comments

Mayor Murphy asked for Council comments and Councilmember Wagner thanked some of his neighbors in the audience for their support and is in favor of sustainability. Mayor Murphy recognized Dean Burns who has been on the Planning Commission for over 40 years and thanked him for his service to the community.

There being no further business to come before the City Council, this January 6, 2020, meeting of the City Council adjourned at 8:06 P.M.

John Murphy, Mayor

Alan Terry, Clerk-Treasurer

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
01/20	01/14/2020	87568	Chingwa, Daniel	271-790-958.100	50.00- V
01/20	01/03/2020	87668	ACH-EFTPS	701-000-230.200	96.32
01/20	01/08/2020	87686	ACH-CHILD SUPPORT	701-000-230.160	160.23
01/20	01/08/2020	87687	ACH-EFTPS	701-000-230.100	21,454.52
01/20	01/08/2020	87687	ACH-EFTPS	701-000-230.200	13,194.12
01/20	01/08/2020	87687	ACH-EFTPS	701-000-230.200	8,864.97
01/20	01/08/2020	87687	ACH-EFTPS	701-000-230.200	3,085.73
01/20	01/08/2020	87687	ACH-EFTPS	701-000-230.200	2,073.27
01/20	01/08/2020	87688	ACH-ICMA 457	701-000-230.700	2,291.89
01/20	01/08/2020	87688	ACH-ICMA 457	701-000-230.700	6,729.23
01/20	01/08/2020	87689	Alliance Entertainment	271-790-761.000	301.58
01/20	01/08/2020	87689	Alliance Entertainment	271-790-761.100	30.24
01/20	01/08/2020	87689	Alliance Entertainment	271-790-761.000	45.49-
01/20	01/08/2020	87689	Alliance Entertainment	271-790-761.000	57.98-
01/20	01/08/2020	87690	All-Phase Electric Supply	101-268-775.000	10.05
01/20	01/08/2020	87690	All-Phase Electric Supply	101-268-775.000	3.88
01/20	01/08/2020	87690	All-Phase Electric Supply	101-268-775.000	163.71
01/20	01/08/2020	87690	All-Phase Electric Supply	101-268-775.000	25.51
01/20	01/08/2020	87690	All-Phase Electric Supply	592-558-775.000	10.45
01/20	01/08/2020	87691	American Waste	101-770-802.000	158.40
01/20	01/08/2020	87691	American Waste	101-756-802.000	64.80
01/20	01/08/2020	87691	American Waste	101-789-802.000	72.00
01/20	01/08/2020	87691	American Waste	101-754-802.000	165.60
01/20	01/08/2020	87691	American Waste	101-268-802.000	100.80
01/20	01/08/2020	87691	American Waste	101-265-802.000	158.40
01/20	01/08/2020	87691	American Waste	101-770-802.000	79.20-
01/20	01/08/2020	87691	American Waste	101-756-802.000	32.40-
01/20	01/08/2020	87691	American Waste	101-789-802.000	36.00-
01/20	01/08/2020	87691	American Waste	101-754-802.000	82.80-
01/20	01/08/2020	87691	American Waste	101-268-802.000	50.40-
01/20	01/08/2020	87691	American Waste	101-265-802.000	79.20-
01/20	01/08/2020	87692	AMERIGAS	101-770-934.000	17.67
01/20	01/08/2020	87693	APX INC.	582-588-915.000	60.17
01/20	01/08/2020	87694	AT&T	101-172-850.000	507.60
01/20	01/08/2020	87694	AT&T	101-201-850.000	270.72
01/20	01/08/2020	87694	AT&T	101-208-850.000	169.20
01/20	01/08/2020	87694	AT&T	101-257-850.000	169.20
01/20	01/08/2020	87694	AT&T	101-215-850.000	135.36
01/20	01/08/2020	87694	AT&T	101-345-850.000	372.24
01/20	01/08/2020	87694	AT&T	101-400-850.000	169.20
01/20	01/08/2020	87694	AT&T	101-756-850.000	203.04
01/20	01/08/2020	87694	AT&T	101-441-850.000	304.56
01/20	01/08/2020	87694	AT&T	204-481-850.000	101.52
01/20	01/08/2020	87694	AT&T	204-481-850.000	101.52
01/20	01/08/2020	87694	AT&T	582-588-850.000	338.40
01/20	01/08/2020	87694	AT&T	582-593-850.000	135.36
01/20	01/08/2020	87694	AT&T	592-549-850.000	203.04
01/20	01/08/2020	87694	AT&T	592-560-850.000	203.04
01/20	01/08/2020	87694	AT&T	592-560-850.000	203.20
01/20	01/08/2020	87694	AT&T	592-560-850.000	141.26
01/20	01/08/2020	87694	AT&T	592-558-920.000	206.84
01/20	01/08/2020	87694	AT&T	592-538-850.000	203.20
01/20	01/08/2020	87694	AT&T	592-538-850.000	406.40
01/20	01/08/2020	87695	Ballard's Plumbing & Heating	592-544-802.000	8,500.00
01/20	01/08/2020	87695	Ballard's Plumbing & Heating	582-593-930.000	540.00
01/20	01/08/2020	87695	Ballard's Plumbing & Heating	271-790-931.000	1,012.50

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
01/20	01/08/2020	87695	Ballard's Plumbing & Heating	101-770-802.000	159.26
01/20	01/08/2020	87696	Blue Care Network	101-172-724.000	364.12
01/20	01/08/2020	87696	Blue Care Network	101-201-724.000	1,238.02
01/20	01/08/2020	87696	Blue Care Network	101-215-724.000	364.12
01/20	01/08/2020	87696	Blue Care Network	101-265-724.000	502.49
01/20	01/08/2020	87696	Blue Care Network	101-268-724.000	1,081.45
01/20	01/08/2020	87696	Blue Care Network	101-345-724.000	10,341.17
01/20	01/08/2020	87696	Blue Care Network	101-400-724.000	582.60
01/20	01/08/2020	87696	Blue Care Network	101-441-724.000	1,529.33
01/20	01/08/2020	87696	Blue Care Network	101-754-724.000	491.57
01/20	01/08/2020	87696	Blue Care Network	101-756-724.000	1,183.41
01/20	01/08/2020	87696	Blue Care Network	101-770-724.000	1,438.29
01/20	01/08/2020	87696	Blue Care Network	101-773-724.000	371.41
01/20	01/08/2020	87696	Blue Care Network	101-789-724.000	757.38
01/20	01/08/2020	87696	Blue Care Network	271-790-724.000	4,151.02
01/20	01/08/2020	87696	Blue Care Network	514-587-724.000	364.12
01/20	01/08/2020	87696	Blue Care Network	582-588-724.000	4,515.16
01/20	01/08/2020	87696	Blue Care Network	592-549-724.000	1,092.38
01/20	01/08/2020	87696	Blue Care Network	592-560-724.000	1,092.38
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	101-172-724.000	943.69
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	101-201-724.000	2,622.49
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	101-208-724.000	764.75
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	101-345-724.000	7,655.49
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	101-441-724.000	1,572.82
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	101-756-724.000	176.94
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	101-770-724.000	1,002.67
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	204-481-724.000	2,909.72
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	271-790-724.000	393.21
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	514-587-724.000	786.42
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	592-549-724.000	3,517.18
01/20	01/08/2020	87697	BLUE CROSS\BLUE SHIELD - MICH.	592-560-724.000	393.21
01/20	01/08/2020	87698	Border States Industries Inc.	582-592-775.000	2,291.45
01/20	01/08/2020	87699	Bradford Master Dry Cleaners	101-345-775.000	329.05
01/20	01/08/2020	87700	Brown Motors Inc.	661-598-932.000	547.05
01/20	01/08/2020	87701	Char-Em United Way	701-000-230.800	75.00
01/20	01/08/2020	87702	Charlevoix-Emmet ISD	703-040-234.219	440,972.09
01/20	01/08/2020	87703	Cintas Corp #729	204-481-767.000	60.04
01/20	01/08/2020	87703	Cintas Corp #729	582-588-767.000	60.25
01/20	01/08/2020	87703	Cintas Corp #729	592-560-767.000	30.89
01/20	01/08/2020	87703	Cintas Corp #729	592-549-767.000	30.89
01/20	01/08/2020	87703	Cintas Corp #729	582-593-930.000	31.27
01/20	01/08/2020	87703	Cintas Corp #729	204-481-767.000	60.04
01/20	01/08/2020	87703	Cintas Corp #729	582-588-767.000	60.25
01/20	01/08/2020	87703	Cintas Corp #729	592-560-767.000	30.89
01/20	01/08/2020	87703	Cintas Corp #729	592-549-767.000	30.89
01/20	01/08/2020	87703	Cintas Corp #729	592-554-802.000	45.45
01/20	01/08/2020	87703	Cintas Corp #729	101-268-802.000	15.54
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	101-265-920.000	1,761.01
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	101-268-920.000	1,007.70
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	101-345-920.000	3,109.50
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	101-345-920.100	428.95
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	101-754-920.000	26.53
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	101-770-920.000	1,459.24
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	101-773-920.000	309.64
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	101-789-920.000	1,163.88
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	202-160-920.000	349.55

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	204-448-920.000	2,700.00
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	271-790-920.000	2,870.79
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	514-587-802.100	66.28
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	514-587-920.000	81.84
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	582-586-920.000	39.30
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	582-593-920.000	1,355.94
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	592-538-920.000	7,997.91
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	592-542-920.000	39.29
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	592-551-920.000	15,461.97
01/20	01/08/2020	87704	CITY TREAS. FOR UTILITY BILLS	592-555-920.000	1,046.21
01/20	01/08/2020	87705	Civic Systems LLC	101-201-802.000	6,889.50
01/20	01/08/2020	87705	Civic Systems LLC	101-208-802.000	2,296.50
01/20	01/08/2020	87706	Complete Paint & Supplies	101-770-775.000	10.98
01/20	01/08/2020	87707	Coral Performance Lighting	101-268-970.000	1,650.12
01/20	01/08/2020	87707	Coral Performance Lighting	101-268-970.000	14,411.49
01/20	01/08/2020	87707	Coral Performance Lighting	582-593-930.000	2,385.00
01/20	01/08/2020	87707	Coral Performance Lighting	101-345-802.000	1,575.20
01/20	01/08/2020	87707	Coral Performance Lighting	101-265-930.000	1,500.00
01/20	01/08/2020	87708	Derrer Oil Co.	661-598-759.000	3,268.04
01/20	01/08/2020	87708	Derrer Oil Co.	661-598-759.000	2,435.40
01/20	01/08/2020	87709	DTE Energy	592-558-920.000	32.81
01/20	01/08/2020	87709	DTE Energy	592-538-920.000	74.62
01/20	01/08/2020	87709	DTE Energy	101-345-920.100	1,179.27
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	101-268-802.000	255.00
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	514-587-802.000	4,106.25
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	202-479-802.000	4,106.25
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	514-587-802.000	2,475.00
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	202-479-802.000	202.50
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	101-345-802.100	450.00
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	101-268-802.000	122.50
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	514-587-802.000	412.50
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	514-587-802.000	3,200.00
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	202-479-802.000	3,200.00
01/20	01/08/2020	87710	Dunkel Excavating Services Inc.	203-479-802.000	680.00
01/20	01/08/2020	87711	Dunn's Business Solutions	582-593-751.000	41.23
01/20	01/08/2020	87711	Dunn's Business Solutions	582-588-751.000	41.23
01/20	01/08/2020	87711	Dunn's Business Solutions	204-481-751.000	41.24
01/20	01/08/2020	87711	Dunn's Business Solutions	592-549-751.000	41.24
01/20	01/08/2020	87711	Dunn's Business Solutions	592-560-751.000	41.24
01/20	01/08/2020	87711	Dunn's Business Solutions	661-598-751.000	41.24
01/20	01/08/2020	87712	EJ USA Inc.	204-010-111.000	466.60
01/20	01/08/2020	87713	E-Kit Training	101-345-751.000	375.00
01/20	01/08/2020	87714	EMMET AUTO	661-598-785.000	81.54
01/20	01/08/2020	87714	EMMET AUTO	661-598-785.000	27.09
01/20	01/08/2020	87715	Emmet County Treasurer	703-040-222.219	4,138.76
01/20	01/08/2020	87715	Emmet County Treasurer	703-040-228.219	4,814.58
01/20	01/08/2020	87715	Emmet County Treasurer	703-040-222.219	56,977.52
01/20	01/08/2020	87715	Emmet County Treasurer	703-040-222.219	82,165.39
01/20	01/08/2020	87715	Emmet County Treasurer	703-040-233.000	164.41
01/20	01/08/2020	87715	Emmet County Treasurer	703-040-233.000	191.26
01/20	01/08/2020	87716	Empiric Solutions Inc.	101-228-802.000	8,654.00
01/20	01/08/2020	87717	Fastenal Company	661-598-931.000	46.77
01/20	01/08/2020	87718	FOSTER, NELLIE	592-081-643.300	407.02
01/20	01/08/2020	87719	Fraternal Order of Police	701-000-230.400	946.00
01/20	01/08/2020	87720	Gibby's Garage	661-598-931.000	714.00
01/20	01/08/2020	87720	Gibby's Garage	661-598-932.000	68.00

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01/20	01/08/2020	87720	Gibby's Garage	582-593-930.000	102.00
01/20	01/08/2020	87720	Gibby's Garage	514-587-931.000	68.00
01/20	01/08/2020	87720	Gibby's Garage	582-593-930.000	136.00
01/20	01/08/2020	87720	Gibby's Garage	661-598-931.000	306.00
01/20	01/08/2020	87720	Gibby's Garage	661-598-932.000	578.00
01/20	01/08/2020	87720	Gibby's Garage	582-593-930.000	204.00
01/20	01/08/2020	87720	Gibby's Garage	661-598-931.000	476.00
01/20	01/08/2020	87720	Gibby's Garage	661-598-932.000	544.00
01/20	01/08/2020	87720	Gibby's Garage	661-598-931.000	306.00
01/20	01/08/2020	87720	Gibby's Garage	661-598-932.000	170.00
01/20	01/08/2020	87720	Gibby's Garage	582-593-930.000	68.00
01/20	01/08/2020	87721	Ginop Sales Inc.	661-598-931.000	341.75
01/20	01/08/2020	87722	Gordon Food Service	101-770-771.000	30.93
01/20	01/08/2020	87723	GRAINGER	101-770-775.000	281.39
01/20	01/08/2020	87724	Grand Traverse Diesel Service	661-598-932.000	87.10
01/20	01/08/2020	87725	GREENWOOD CEMETERY BOARD	703-040-238.219	71,123.05
01/20	01/08/2020	87726	Haviland Products Company	592-551-783.000	3,600.00-
01/20	01/08/2020	87726	Haviland Products Company	592-551-783.000	5,431.39
01/20	01/08/2020	87726	Haviland Products Company	592-558-775.000	1,100.00
01/20	01/08/2020	87727	Huntington National Bank	592-566-992.000	131,793.75
01/20	01/08/2020	87727	Huntington National Bank	592-050-302.000	380,000.00
01/20	01/08/2020	87727	Huntington National Bank	592-050-304.000	120,000.00
01/20	01/08/2020	87727	Huntington National Bank	592-566-992.000	73,187.50
01/20	01/08/2020	87727	Huntington National Bank	592-050-305.000	190,000.00
01/20	01/08/2020	87728	Hyde Services LLC	661-598-931.000	142.24
01/20	01/08/2020	87728	Hyde Services LLC	661-598-931.000	142.24-
01/20	01/08/2020	87728	Hyde Services LLC	661-598-931.000	199.52
01/20	01/08/2020	87728	Hyde Services LLC	661-598-931.000	19.99
01/20	01/08/2020	87729	ICMA-ROTH	701-000-230.900	685.00
01/20	01/08/2020	87730	IR Electric Motor Service	592-540-802.000	226.30
01/20	01/08/2020	87730	IR Electric Motor Service	592-554-802.000	1,553.00
01/20	01/08/2020	87731	KSS Enterprises	101-268-775.000	19.88
01/20	01/08/2020	87732	Lowery Underground Service	582-586-802.000	500.00
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	101-770-775.000	32.07
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	592-555-775.000	14.03
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-598-932.000	99.89-
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-598-785.000	48.06
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-598-932.000	3.99
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-598-931.000	42.93
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	592-558-775.000	5.60
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-598-932.000	44.44-
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-010-111.000	52.14
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-598-785.000	49.24
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-598-931.000	43.64
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-010-111.000	76.91
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	101-268-775.000	36.99
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-598-932.000	25.63
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-010-111.000	47.62
01/20	01/08/2020	87733	Lynn Auto Parts Inc.	661-598-785.000	56.90
01/20	01/08/2020	87734	MacDonald Garber Broadcasting	248-540-882.200	1,200.00
01/20	01/08/2020	87735	McCardel Culligan	592-553-775.000	10.00
01/20	01/08/2020	87735	McCardel Culligan	592-553-775.000	5.00
01/20	01/08/2020	87735	McCardel Culligan	101-770-802.000	8.00
01/20	01/08/2020	87736	Michigan Association of Chiefs of Police	101-345-915.000	100.00
01/20	01/08/2020	87737	MICHIGAN PIPE & VALVE	204-010-111.000	18.00
01/20	01/08/2020	87738	mParks	101-756-912.000	425.00

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01/20	01/08/2020	87739	North Central Mich. College	703-040-235.219	125,259.24
01/20	01/08/2020	87739	North Central Mich. College	703-040-235.219	112,525.34
01/20	01/08/2020	87740	Northern Michigan Review Inc.	248-739-880.200	178.33
01/20	01/08/2020	87740	Northern Michigan Review Inc.	248-739-880.900	178.33
01/20	01/08/2020	87740	Northern Michigan Review Inc.	248-739-880.200	840.00
01/20	01/08/2020	87740	Northern Michigan Review Inc.	248-739-880.200	420.00
01/20	01/08/2020	87740	Northern Michigan Review Inc.	248-739-880.200	420.00
01/20	01/08/2020	87741	Northern Tool & Equipment	101-770-985.000	1,044.96
01/20	01/08/2020	87741	Northern Tool & Equipment	101-770-985.000	187.71
01/20	01/08/2020	87741	Northern Tool & Equipment	101-770-985.000	104.97
01/20	01/08/2020	87741	Northern Tool & Equipment	101-770-985.000	174.94
01/20	01/08/2020	87742	Pendo	271-790-752.000	69.90
01/20	01/08/2020	87743	Performance Painting	592-554-802.000	2,977.00
01/20	01/08/2020	87744	Petoskey Public Schools	703-040-236.219	1,419.55
01/20	01/08/2020	87744	Petoskey Public Schools	703-040-237.219	746.21
01/20	01/08/2020	87744	Petoskey Public Schools	703-040-237.219	1,192.86
01/20	01/08/2020	87744	Petoskey Public Schools	703-040-237.219	537.60
01/20	01/08/2020	87744	Petoskey Public Schools	703-040-233.000	276.67
01/20	01/08/2020	87744	Petoskey Public Schools	703-040-233.000	29.64
01/20	01/08/2020	87744	Petoskey Public Schools	703-040-233.000	47.39
01/20	01/08/2020	87744	Petoskey Public Schools	703-040-233.000	21.36
01/20	01/08/2020	87745	Petoskey Towing Inc.	661-598-932.000	92.00
01/20	01/08/2020	87746	Plunkett Cooney	101-266-802.000	227.50
01/20	01/08/2020	87746	Plunkett Cooney	101-266-802.000	3,937.50
01/20	01/08/2020	87746	Plunkett Cooney	101-257-802.000	927.50
01/20	01/08/2020	87746	Plunkett Cooney	101-266-802.000	3,507.00
01/20	01/08/2020	87746	Plunkett Cooney	101-266-802.000	6.62
01/20	01/08/2020	87746	Plunkett Cooney	204-481-802.000	6.62
01/20	01/08/2020	87746	Plunkett Cooney	582-588-802.000	6.62
01/20	01/08/2020	87746	Plunkett Cooney	592-549-802.000	6.62
01/20	01/08/2020	87746	Plunkett Cooney	592-560-802.000	6.62
01/20	01/08/2020	87746	Plunkett Cooney	101-266-802.000	71.90
01/20	01/08/2020	87747	Police and Firemen's Insurance	701-000-230.185	379.38
01/20	01/08/2020	87748	Preston Feather	582-586-775.000	45.83
01/20	01/08/2020	87748	Preston Feather	101-770-775.000	304.68
01/20	01/08/2020	87748	Preston Feather	101-770-775.000	30.47-
01/20	01/08/2020	87748	Preston Feather	582-586-775.000	4.58-
01/20	01/08/2020	87748	Preston Feather	101-268-775.000	1.18-
01/20	01/08/2020	87749	Proclean North	582-593-930.000	1,330.00
01/20	01/08/2020	87750	PURITY CYLINDER GASES INC.	248-540-882.800	18.74
01/20	01/08/2020	87751	Quality First Aid & Safety Inc.	592-537-775.000	183.95
01/20	01/08/2020	87751	Quality First Aid & Safety Inc.	592-551-775.000	51.96
01/20	01/08/2020	87751	Quality First Aid & Safety Inc.	592-537-775.000	195.93
01/20	01/08/2020	87751	Quality First Aid & Safety Inc.	592-537-775.000	690.96
01/20	01/08/2020	87751	Quality First Aid & Safety Inc.	592-551-775.000	26.98
01/20	01/08/2020	87751	Quality First Aid & Safety Inc.	592-551-775.000	64.47
01/20	01/08/2020	87752	Rotary Club of Petoskey-Sunrise	101-172-915.000	300.00
01/20	01/08/2020	87753	Royal Tire	661-598-932.000	70.00
01/20	01/08/2020	87754	Spectrum Business	592-560-850.000	35.09
01/20	01/08/2020	87754	Spectrum Business	582-588-850.000	94.99
01/20	01/08/2020	87754	Spectrum Business	582-588-850.000	94.99
01/20	01/08/2020	87755	STATE OF MICHIGAN DEPT OF TRANSP	202-451-802.000	292.05
01/20	01/08/2020	87755	STATE OF MICHIGAN DEPT OF TRANSP	592-020-342.000	606.24
01/20	01/08/2020	87755	STATE OF MICHIGAN DEPT OF TRANSP	592-025-343.000	690.84
01/20	01/08/2020	87755	STATE OF MICHIGAN DEPT OF TRANSP	582-020-360.000	4,651.51
01/20	01/08/2020	87755	STATE OF MICHIGAN DEPT OF TRANSP	202-451-802.000	1,655.67

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01/20	01/08/2020	87756	State of Michigan-Dept of Environment	592-551-806.000	2,255.80
01/20	01/08/2020	87757	T2 Systems Canada Inc.	514-587-802.000	165.00
01/20	01/08/2020	87758	Taylor Shop, The	101-345-775.000	17.00
01/20	01/08/2020	87759	Taylor Rental Center	101-770-934.000	93.50
01/20	01/08/2020	87760	TEAMSTERS LOCAL #214	701-000-230.400	1,089.00
01/20	01/08/2020	87761	T-Mobile	271-790-850.000	243.23
01/20	01/08/2020	87762	Trace Analytics LLC	101-345-802.000	16.04
01/20	01/08/2020	87763	Truck & Trailer Specialties	661-598-932.000	56.74
01/20	01/08/2020	87763	Truck & Trailer Specialties	661-598-932.000	113.48
01/20	01/08/2020	87764	Up North Service LLC	514-587-802.000	3,044.33
01/20	01/08/2020	87765	Verdin Company, The	101-770-802.000	720.00
01/20	01/08/2020	87766	VSP	101-172-724.000	26.88
01/20	01/08/2020	87766	VSP	101-201-724.000	95.76
01/20	01/08/2020	87766	VSP	101-208-724.000	19.88
01/20	01/08/2020	87766	VSP	101-215-724.000	39.76
01/20	01/08/2020	87766	VSP	101-265-724.000	11.98
01/20	01/08/2020	87766	VSP	101-268-724.000	23.32
01/20	01/08/2020	87766	VSP	101-345-724.000	448.58
01/20	01/08/2020	87766	VSP	101-400-724.000	16.46
01/20	01/08/2020	87766	VSP	101-441-724.000	80.53
01/20	01/08/2020	87766	VSP	101-754-724.000	13.24
01/20	01/08/2020	87766	VSP	101-756-724.000	36.57
01/20	01/08/2020	87766	VSP	101-770-724.000	65.24
01/20	01/08/2020	87766	VSP	101-773-724.000	8.06
01/20	01/08/2020	87766	VSP	101-789-724.000	15.62
01/20	01/08/2020	87766	VSP	204-481-724.000	66.64
01/20	01/08/2020	87766	VSP	271-790-724.000	117.04
01/20	01/08/2020	87766	VSP	514-587-724.000	31.92
01/20	01/08/2020	87766	VSP	582-588-724.000	114.24
01/20	01/08/2020	87766	VSP	592-549-724.000	117.88
01/20	01/08/2020	87766	VSP	592-560-724.000	39.76
01/20	01/08/2020	87767	Englebrecht, Robert	101-257-802.100	3,750.00
01/20	01/15/2020	87781	1000Bulbs	582-590-775.000	423.27
01/20	01/15/2020	87782	Aflac	701-000-230.180	728.62
01/20	01/15/2020	87783	AllMax Software Inc.	592-551-801.000	960.00
01/20	01/15/2020	87784	All-Phase Electric Supply	101-773-931.000	140.00
01/20	01/15/2020	87784	All-Phase Electric Supply	582-588-785.000	14.28
01/20	01/15/2020	87785	AT & T MOBILITY	514-587-920.000	450.97
01/20	01/15/2020	87786	AT&T	582-593-850.000	126.64
01/20	01/15/2020	87786	AT&T	592-558-920.000	241.15
01/20	01/15/2020	87786	AT&T	592-560-850.000	489.24
01/20	01/15/2020	87787	AT&T LONG DISTANCE	101-345-850.000	50.82
01/20	01/15/2020	87788	Atchison Paper & Supply	271-790-751.000	115.82
01/20	01/15/2020	87789	Benchmark Engineering Inc.	592-560-802.000	2,458.50
01/20	01/15/2020	87789	Benchmark Engineering Inc.	204-481-802.000	1,961.00
01/20	01/15/2020	87789	Benchmark Engineering Inc.	582-588-802.000	1,961.00
01/20	01/15/2020	87789	Benchmark Engineering Inc.	592-549-802.000	1,961.00
01/20	01/15/2020	87789	Benchmark Engineering Inc.	592-560-802.000	1,961.00
01/20	01/15/2020	87790	Blue Care Network	101-172-724.000	364.12
01/20	01/15/2020	87790	Blue Care Network	101-201-724.000	1,238.02
01/20	01/15/2020	87790	Blue Care Network	101-215-724.000	364.12
01/20	01/15/2020	87790	Blue Care Network	101-265-724.000	502.49
01/20	01/15/2020	87790	Blue Care Network	101-268-724.000	1,081.45
01/20	01/15/2020	87790	Blue Care Network	101-345-724.000	10,341.17
01/20	01/15/2020	87790	Blue Care Network	101-400-724.000	582.60
01/20	01/15/2020	87790	Blue Care Network	101-441-724.000	1,529.33

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01/20	01/15/2020	87790	Blue Care Network	101-754-724.000	491.57
01/20	01/15/2020	87790	Blue Care Network	101-756-724.000	1,183.41
01/20	01/15/2020	87790	Blue Care Network	101-770-724.000	1,438.29
01/20	01/15/2020	87790	Blue Care Network	101-773-724.000	371.41
01/20	01/15/2020	87790	Blue Care Network	101-789-724.000	757.38
01/20	01/15/2020	87790	Blue Care Network	271-790-724.000	4,151.02
01/20	01/15/2020	87790	Blue Care Network	582-588-724.000	4,515.16
01/20	01/15/2020	87790	Blue Care Network	592-549-724.000	1,092.38
01/20	01/15/2020	87790	Blue Care Network	592-560-724.000	1,092.38
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	101-172-724.000	943.69
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	101-201-724.000	2,622.49
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	101-208-724.000	764.75
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	101-345-724.000	7,655.49
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	101-441-724.000	1,572.82
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	101-756-724.000	176.94
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	101-770-724.000	1,002.67
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	204-481-724.000	2,909.72
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	271-790-724.000	393.21
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	514-587-724.000	799.53
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	592-549-724.000	3,517.18
01/20	01/15/2020	87791	BLUE CROSS\BLUE SHIELD - MICH.	592-560-724.000	393.21
01/20	01/15/2020	87792	Candid	271-790-762.100	2,848.00
01/20	01/15/2020	87793	Carson, Mark	101-756-808.030	60.00
01/20	01/15/2020	87794	CDW Government	271-790-986.000	8,575.00
01/20	01/15/2020	87794	CDW Government	101-345-751.000	396.00
01/20	01/15/2020	87795	Chingwa, Daniel	271-790-958.100	50.00
01/20	01/15/2020	87796	Consumers Energy	592-538-920.000	3,528.96
01/20	01/15/2020	87797	CynergyComm.net Inc.	271-790-850.000	262.62
01/20	01/15/2020	87798	David L Hoffman Landscaping & Nursery	204-550-802.000	6,212.50
01/20	01/15/2020	87799	Decka Digital LLC	592-553-801.000	103.68
01/20	01/15/2020	87800	Dell Marketing L.P.	101-262-751.000	1,771.56
01/20	01/15/2020	87801	Derrer Oil Co.	661-598-759.000	3,065.32
01/20	01/15/2020	87802	DuBois Chemicals Inc.	592-551-783.000	16,471.87
01/20	01/15/2020	87803	Emmet County Treasurer	101-081-404.000	1,122.54
01/20	01/15/2020	87803	Emmet County Treasurer	101-081-403.000	12,122.48
01/20	01/15/2020	87803	Emmet County Treasurer	101-081-445.000	891.47
01/20	01/15/2020	87803	Emmet County Treasurer	271-081-403.000	2,692.37
01/20	01/15/2020	87803	Emmet County Treasurer	271-082-664.000	181.21
01/20	01/15/2020	87803	Emmet County Treasurer	211-081-403.000	5,863.63
01/20	01/15/2020	87803	Emmet County Treasurer	211-081-445.000	394.69
01/20	01/15/2020	87804	Eramosa International Inc.	592-549-802.000	2,500.00
01/20	01/15/2020	87805	Factor Systems Inc.	101-208-803.000	3,561.39
01/20	01/15/2020	87806	Fought, Chris	101-756-808.030	120.00
01/20	01/15/2020	87807	GASLIGHT MEDIA	271-790-802.000	432.00
01/20	01/15/2020	87808	Grand Unity Event Center	101-262-802.000	5,550.00
01/20	01/15/2020	87809	Hewitt, Dennis	101-756-808.030	60.00
01/20	01/15/2020	87810	Hubbell Roth & Clark Inc.	592-549-802.000	535.36
01/20	01/15/2020	87810	Hubbell Roth & Clark Inc.	592-560-802.000	1,884.33
01/20	01/15/2020	87811	Humanity Inc.	271-790-802.000	714.00
01/20	01/15/2020	87812	Huntington National Bank	365-756-993.000	250.00
01/20	01/15/2020	87812	Huntington National Bank	308-756-993.000	250.00
01/20	01/15/2020	87813	Hyde Services LLC	661-598-931.000	320.23
01/20	01/15/2020	87814	Ingram Library Services	271-790-760.000	362.48
01/20	01/15/2020	87814	Ingram Library Services	271-790-760.100	104.00
01/20	01/15/2020	87814	Ingram Library Services	271-790-760.200	194.42
01/20	01/15/2020	87815	Jakeway, John	203-479-802.000	126.00

Report Criteria:

Check.Date = 01/09/2020-01/15/2020

Check Number	Date	Name	GL Account	Amount
87768	01/15/2020	Bay Harbor Yacht Club	101087654000	25.00
87769	01/15/2020	Beer, Ken	582588803000	55.00
87769	01/15/2020	Beer, Ken	582588803000	65.86
87770	01/15/2020	Budderfly Inc	582588803000	134.19
87771	01/15/2020	Coral Performance Lighting	582588803000	3,626.07
87772	01/15/2020	Dalessandro, Thomas	582081642300	21.65
87773	01/15/2020	Diedrich, John & Patricia	582588803000	10.00
87774	01/15/2020	Flynn, Amber	101756808150	50.00
87775	01/15/2020	Grandpa's Ebike Rentals	582040285000	88.18
87776	01/15/2020	Hausler, Callie	701040274000	765.28
87777	01/15/2020	Hohenstein, Keshia	101087654000	500.00
87778	01/15/2020	Skippergosh, Stacy	101756808030	50.00
87779	01/15/2020	Skop, Dave & Ruth	582040285000	287.10
87780	01/15/2020	Walker, Chris & Barbara	703040222219	687.03
87780	01/15/2020	Walker, Chris & Barbara	703040228219	799.20
87780	01/15/2020	Walker, Chris & Barbara	703040229219	516.68
87780	01/15/2020	Walker, Chris & Barbara	703040230219	1,068.48
87780	01/15/2020	Walker, Chris & Barbara	703040231219	237.22
87780	01/15/2020	Walker, Chris & Barbara	703040232219	98.91
87780	01/15/2020	Walker, Chris & Barbara	703040237219	411.12
Grand Totals:				9,496.97



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 20, 2020

PREPARED: January 16, 2020

AGENDA SUBJECT: Appointment Recommendation

RECOMMENDATION: That the City Council consider this appointment

The City Council will be asked to consider the following appointment:

- DOWNTOWN MANAGEMENT BOARD – Appointment of Gary Albert, 430 Pearl Street, to fill a vacated term ending December 2022.

sb
Enclosure



City of Petoskey

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500 • Fax 231 348-0350

RECEIVED

JAN 06 2020

CITY OF PETOSKEY
CITY MANAGER

CB

Application to Serve on a Board or Commission

Please **print**. Answer each question accurately and completely. If you require any accommodation to complete the application process, please notify a City staff member.

■ Name	Albert			Gary			J			■ Date	12			28			19								
	Last			First			Initial																		
■ Residence Address	430			Pearl Street			Petoskey			MI			49770			■ Home Phone	231			881			3277		
	Number			Street			City			State			Zip												
■ Email Address	gary@rufflifepet.com															■ Work Phone	231			347			1214		

Please answer the following questions using the space provided.

- What Board or Commission interests you and why are you applying? Downtown Management Board. Applying because I am interested in working with other business owners and community members to help maintain and preserve the integrity of downtown while helping to guide and grow downtown into a place for residents, tourists and resorters alike.
- How do you believe your appointment would benefit the City? I'll be bringing my experience as a worker, entrepreneur and resident of Petoskey in addition to being raised here. During the 18 years I lived in Chicago, IL, I visited family here often, so my perceptions as a visitor, I feel, would be beneficial as well.
- Describe any involvement in the community on a Board or Commission or in another volunteer capacity. I've served on the Board for Little Traverse Civic Theater, as well as the Special Events Committee for Downtown Petoskey.
- How many continuous years have you lived in Petoskey? 17 years in Petoskey, 11 years in Harbor Springs when I was younger.
- Any other helpful information relevant to your application. _____

While it is not required, a resume is helpful in the recruitment process for City Boards and Commissions.

- ☒ YES ☐ NO Are you a City of Petoskey registered voter?
- ☐ YES ☒ NO Do you or immediate family members currently serve on a City Board or Commission? If yes, which Board or Commission? _____
- ☒ YES ☐ NO Are you applying to the Downtown Management Board? If yes, do you have an interest in property located in the downtown district or are you a resident of the downtown district? Please explain.
I own Ruff Life Pet Outfitters located at 309 Howard Street.

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Applicant Signature: [Signature] Date: 12/28/19



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 20, 2020

PREPARED: January 14, 2020

AGENDA SUBJECT: Request to Add 502 Michigan Street (Parr Baptist Church) to the List of Priority Redevelopment Sites

RECOMMENDATION: That the City Council hear request/provide direction

Background At its November 18 meeting, City Council heard a staff presentation regarding the property at 502 Michigan Street and was asked whether they would consider adding it to the list of priority redevelopment sites as part of the City's Economic Development Strategy. At that time, Council asked for information from MEDC on the benefits of identifying priority sites and raised concerns about adding an additional site.



At its December 3 meeting, Dan Leonard provided an overview of the City's progress and status in the RRC program and how identification of priority sites that may need assistance for redevelopment to occur helps to focus local and state resources and incentives. To demonstrate how need is shown for possible incentives, Mr. Leonard offered to provide a development pro-forma training for City Council, which is scheduled for February 3.

Discussion The purpose of identifying priority sites is to focus where potential development incentives may be used to increase a property's taxable value. As a church- or if purchased by a non-profit- no taxes are paid on the property. If the property could be successfully redeveloped, it would become taxable. However, adaptive reuse of historic structures is an expensive endeavor, and the reason why no purchase offer at this property has moved forward. (The property has been on and off the market for approximately 10 years.) Staff believes that absent assistance of some sort the property will continue to deteriorate. As an historic resource, the church would likely meet the criteria for a Brownfield, which would then allow for a Brownfield TIF to be created. Information on that program is enclosed and below is a table that illustrates the benefit of this type of incentive.



	Today	Potential After Redevelopment*
Building SEV	\$0	\$700,000
Taxable Value	\$0	\$700,000
Possible annual City tax generation based on current tax rates (14.4243 Mills)	\$0	\$10,097
Possible Brownfield TIF capture based on current tax rates (49 Mills based on GLCA Brownfield TIF)	\$0	\$34,300

*Values for demonstration purposes only.

A Brownfield TIF can reimburse eligible expenses of demolition and environmental remediation. For illustrative purposes, assume the eligible expenses total \$300,000. Under a Brownfield TIF, the currently non-tax generating building could potentially be generating taxes to all jurisdictions in less than 10 years.

Request There is a current purchase offer on 502 Michigan Street and the development team continues to ask that the property be added to the priority redevelopment site list. Given the purchase due-diligence timeline, Steve Schimpke, development team lead, would like to appear before City Council to talk about the specific issues with redevelopment of this property, their vision for the property, and assistance that could be warranted. Information on their team background and what they envision for the property is enclosed.

Council is not being asked to make a decision at this time, as the subject of priority sites will be discussed again on February 17 during the status update of the Economic Development Strategy. But this is an opportunity to hear from a developer that has successfully redeveloped functionally obsolete property and is interested in doing the same at the Baptist Church.

at
Enclosures

Executive Summary: 502 Michigan Street, Petoskey, Michigan.

Owner / Developer: Petoskey Growth, LLC

The development team is led by Keith Cyzen, a Chicago based attorney and entrepreneur who owns a home in Petoskey and whose family has Petoskey roots as well as Steve Schimpke from Cunningham-Limp, a firm with a 35 year history, including leading redevelopment projects at the historic Village of Grand Traverse Commons.

The vision for the Church redevelopment is mixed-use which would include utilizing the ground level (basement) and potentially the first floor for commercial use, such as professional services offices, co-working space, art studios or non-profit use. The balance of the building above the commercial space will be converted into for-rent apartments, numbering between 4 – 8 and averaging approximately 1,100 SF / unit. Final unit count will be pending final determination of commercial vs. residential demand and Planning approvals.

The concept is to keep the existing building exterior, including brick façade detail and roof line, intact completely as opposed to making any dramatic architectural modifications. The development team views maintaining the character and aesthetics of the church as key to the project's success, by any measure.

While rental rates are not set at this time, the residential products will be of high quality, but relatively modest finish levels and the rental rates will reflect that. The development team believes the character of the building and tremendous location is the true amenity and the team will not pursue elaborate features that will add excessive costs and drive rental rates up.

Redevelopment of the Church, while maintaining its character, is a challenging economic undertaking. It is becoming increasingly true that ground up development is far more affordable than transforming the use of an existing historic building. The complexity of converting the building to today's standards while transforming the interior of the building is immense. In an extremely busy construction market, quality contractors and sub-contractors can "pick" their projects and the population willing and capable to take on this challenge is narrow.

For this project to proceed as planned, the development team will respectfully request Brownfield TIF reimbursement to cover the costs of eligible activities. In addition to the local support of Brownfield TIF, the team will work with Dan Leonard's office at the MEDC to facilitate additional State level support required to ensure the project meets all needs of the community. The development team proposing this site be recognized as a Priority Redevelopment Site in order to facilitate both local Brownfield TIF and State level MEDC incentives.

COMMUNITY DEVELOPMENT BROWNFIELD PROGRAM OVERVIEW

The Brownfield Program uses tax increment financing (TIF) to reimburse brownfield related costs incurred while redeveloping contaminated, functionally obsolete, blighted or historic properties. It is also responsible for managing the Single Business Tax and Michigan Business Tax Brownfield Credit legacy programs (SBT/MBT Brownfield Credits).

The Michigan Strategic Fund (MSF) with assistance from the Michigan Economic Development Corporation (MEDC), administers the reimbursement of costs using state school taxes (School Operating and State Education Tax) for non-environmental eligible activities that support redevelopment, revitalization and reuse of eligible property. The MEDC also manages amendments to SBT/MBT Brownfield Credit projects approved by MSF. The Michigan Department of Environmental Quality (MDEQ) administers the reimbursement of environmental response costs using state school taxes for environmental activities, and local units of government sometimes use only local taxes to reimburse for eligible activities (i.e., “local-only” plans). The state statutory authority for the Brownfield Redevelopment Financing Act program is Act 381 of 1996, as amended (Act 381).

Two categories of eligible activities under TIF are available across the state; demolition and lead and asbestos abatement. Two additional eligible activities are available in any qualified local government unit¹ (QLGU) or on property owned by a land bank; site preparation and infrastructure improvements. Land banks may also be reimbursed for costs related to conveying and managing property that is in their possession. The non-environmental program generally targets industrial site reuse, and urban development with mixed-use components.

The Brownfield Redevelopment Authority (BRA) is the local jurisdiction entity that manages the development of brownfield plans. After approval of a brownfield plan by the local governing body, the BRA may request capture of state school taxes via a work plan submitted to the MEDC and/or MDEQ. There are 295 BRAs in Michigan, and approximately 467 brownfield plans that are active or have been completed across the state (as reported to the MEDC in September 2015). These

authorities vary in terms of their participation with MSF and/or MDEQ to request state school taxes for TIF reimbursement.

MEDC staff recommends policy documents, school tax capture work plans, school tax capture amendments and amendments to SBT/MBT brownfield credits to the MSF for consideration. The MEDC manages all work plans and SBT/MBT brownfield credits approved by the board, including assuring reporting obligations and compliance.

Eligible program uses under TIF include:

- Demolition
- Lead and asbestos abatement
- Site preparation
- Infrastructure improvements
- Assistance to land banks and local government units

Eligible program uses under legacy SBT/MBT Brownfield Credits include:

- Demolition
- Lead and asbestos abatement
- Building renovation
- New construction
- Purchased or leased equipment

TAX INCREMENT FINANCING PROCESS

The work plan submission and approval is a multiple step process. Work plans are received on an ongoing basis and eligible activities must be in accordance with the Act 381 guidance issued by MEDC. Once a project is identified, the BRA or local government representative works with MEDC staff to perform the following steps:

I. Initial evaluation

- a. Project scoping and submittal of a draft work plan and other supporting documentation provided to MEDC community assistance team or business development manager to determine initial support.
- b. MEDC leadership consideration of initial support and if supported, letter of interest provided.

¹As defined in PA 146 of 2000, MCL 125.2781 to 125.2797

II. Work plan submission, review and MSF consideration

- a. BRA or local government representative submits a work plan or amended work plan, brownfield plan, approving resolutions, transmittal letter, and executed reimbursement agreement to MEDC after project is approved by local governing body.
- b. Due diligence performed to verify that BRA is compliant with Act 381 reporting requirements. MEDC staff reviews proposed eligible activities for compliance with MSF guidance, and makes a recommendation to the MSF board or delegated representative.
- c. MSF board or delegated representative determines support for the project.
- d. Local government unit administers TIF capture and is subject to reporting requirements.

III. Reporting requirements (TIF work plans only)

- a. BRA submits information annually to MEDC via online portal for each project currently collecting tax increment revenue
- b. MEDC and MDEQ compiles information and provides report to legislature.

SBT/MBT BROWNFIELD CREDITS

I. Amendments

- a. Amendment application is submitted and amendment request is vetted by brownfield program staff and brownfield program leadership.
- b. If amendment is supported, remaining amendment request forms and any other materials required for review is submitted to brownfield program staff.
- c. MSF board or delegated representative determines support for the project.

II. Project completion

- a. Qualified taxpayer sends certificate of completion request to MEDC brownfield staff.
- b. Certificate of completion request is reviewed and sent to MEDC compliance for review.
- c. If certificate of completion request fulfills statutory requirements, certificate of completion is issued. Qualified taxpayer may then submit the certificate of completion to Department of Treasury for refund, or tax abatement

CONTACT INFORMATION

For more information, contact the MEDC customer contact center at 517.373.9808.



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 20, 2020

DATE PREPARED: January 15, 2020

AGENDA SUBJECT: Kalamazoo Street Improvements

RECOMMENDATION: That the City Council authorize contracting with Tri-County Excavating Group, LLC, Harbor Springs

Background The City's 2020 Annual Budget and Capital Improvement Plan included \$1,935,000 for the reconstruction of Kalamazoo Avenue from East Mitchell Street to Jennings Avenue. This project also includes a small segment of Jennings Avenue east of Kalamazoo adjacent to the "Corner Market" convenience store. The proposed project limits are highlighted on the enclosed map. Street improvements will follow certain utility upgrades and include reconfigured curb lines, vehicle parking and sidewalk improvements that will enhance pedestrian safety. City staff is also working with Tip of the Mitt Watershed Council representatives in the design and construction of a "rain garden" at the intersection of Sunset Court and Kalamazoo Avenue.

Funding Previously, there were concerns regarding the funding of an erosion control project involving utility systems that may have required other capital improvement projects to be deferred. That erosion project has now been completed and will not impact other scheduled capital improvement projects. Funding sources for the Kalamazoo Street project are largely restricted and would not be available for other erosion control sites.

Scope Utility upgrades include water main and valve replacement; water service line investigations and upgrades; sanitary sewer main and manhole structure replacement; and replacement of storm sewer main and catch basin structures. Electric system upgrades include duct-bank installations for conversions from overhead to underground along with new street lighting. Street reconstruction includes new pavement with a total rebuild of subgrade base materials, curb and gutter replacement, new concrete drive approaches and new sidewalks.

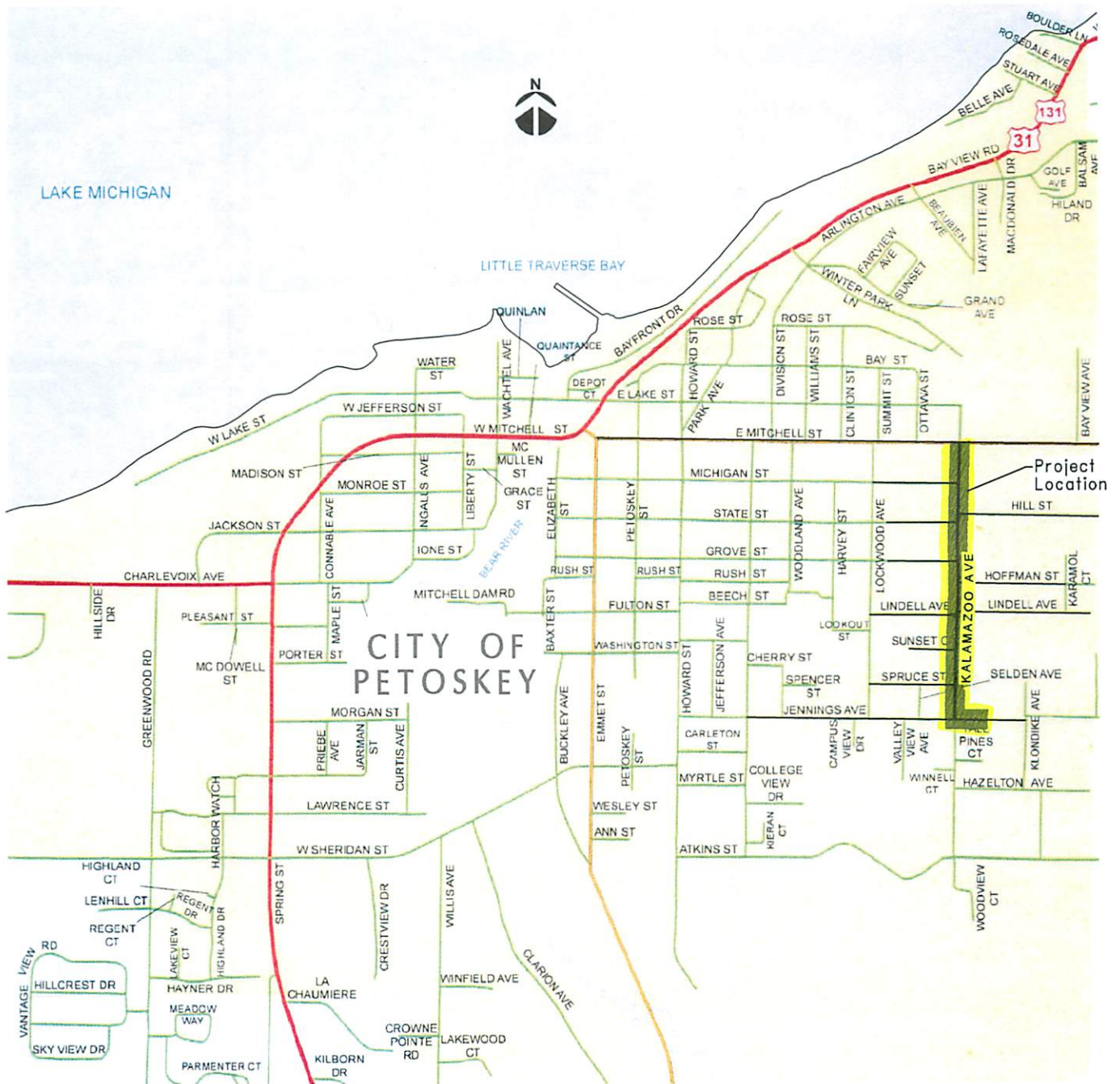
Specifications and Bids Design review was performed by Beckett and Raeder, Inc., Ann Arbor and Petoskey; street layout, water and sewer utility installations along with bid specifications were prepared by Benchmark Engineering, Inc., Harbor Springs; and electric work was designed by GRP Engineering, Petoskey. Bid packets were made available on November 22, 2019; eight area firms were notified and four bids were received on December 18, 2019.

<u>Bidder</u>	<u>Amount</u>
Tri-County Excavating Group, LLC Harbor Springs	\$1,735,079.23

Team Elmer's Crane & Dozer Co., Inc. Petoskey	\$2,037,958.25
J&N Construction, LLC Gaylord	\$2,292,493.37
Harbor Springs Excavating, Inc. Harbor Springs	\$2,373,076.04

Review Following review of the bids that were received December 18, City staff recommends that the City Council authorize contracting with Tri-County Excavating Group, LLC, Harbor Springs, for this proposed project for \$1,735,079.23.

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Enclosure



LOCATION MAP
2020 Kalamazoo Project



BOARD: City Council

MEETING DATE: January 20, 2020

PREPARED: January 16, 2020

AGENDA SUBJECT: Slope Failure Study and Presentation by W.F. Baird and Associates Ltd

RECOMMENDATION: That the City Council authorize contracting with W.F. Baird and Associates Ltd, Madison, Wisconsin for Slope Failure Study

Background Increasing high water and wave energy has caused substantial slope failures along the Little Traverse Wheelway, particularly between Magnus Park and Arrowhead Shores. See enclosed photos. Late fall the City was informed by a trail user of a crack in the ground parallel to the trail west of Magnus Park. Upon inspection, the crack ended up being approximately 100' long by 8" wide with a drop in grading. Further down the trail, staff identified more areas where the adjacent earth completely fell away from the trail, in some places more than two feet. Personal inspection and also drone footage provided confirmation of the bluff eroding into the lake. Consequently, the City decided to close the trail between the Wastewater Treatment Plant and East Park due to potential instability of the slope and trail.

Initial estimates show erosion areas on private property with other damaged areas on City property. All damaged shoreline areas are within Resort Township. The Parks and Recreation Director and City Manager met with the Resort Township Supervisor regarding the erosion issues. At that meeting, City staff discussed the severity of the erosion issues and the possibility that this trail section could be closed indefinitely. City staff also broached the concept of cost sharing for the engineering study with Resort Township and will be making an official funding request to the Resort Township Board of Trustees at their next meeting on February 11, 2020.

Because of the topography of the land this particular stretch will require a different approach than previous shoreline fixes. The City is currently working with W.F. Baird and Associates on other shoreline and marina projects and is confident they have the resources to assist with ultimately providing the City with solutions. Additionally, OHM, an engineering firm in Petoskey, will also be jointly working with Baird as part of this project.

Rory Agnew from W.F. Baird and Associates will be making a presentation on the issues of the slope failure and will be available for any questions related to this project.

Proposals W.F. Baird and Associates are the leading experts in waterfront revitalizations, shoreline protection, and recreational marina facilities. The proposal includes a data collection (existing and collected), surveys (visual, topographic, nearshore and lakebed/subsurface), environmental conditions analysis, and schematic design(s) with a 5-6 month timeline for completion. This timeline will provide staff with enough information to formulate a plan based on the plan recommendations for the area.

Cost of proposal is \$81,620 for the above mentioned scope

Review W.F Baird and Associates have a history of working on projects in Northern Michigan and were the engineers behind the Bayview Shoreline protection project. Additionally, W.F. Baird was recommended to the City by John Beckett of Beckett and Raeder and are currently assisting the City with other shoreline and marina issues. The City has reviewed the proposal and is confident the outcomes of the plan will provide direction. The proposal is not part of the 2020 Budget but could be funded through the General Fund Unrestricted Reserves with a balance currently at \$4,761,913.

Recommendation With a decision pending on potential funding from Resort Township, City Council should discuss whether to approve the slope failure study now or wait for a decision by Resort Township Board.

If City Council is comfortable with proceeding a motion could be made *“to authorize contracting with W.F Baird Ltd., Madison, Wisconsin on slope failure study in the amount of \$81,620.”*

kk
Enclosures

Mr. Kendall Klingelsmith, MPA, CPRP
Director | City of Petoskey Parks & Recreation
101 E. Lake St
Petoskey, Michigan 49770

Status: Final
2 January 2020

Dear Mr. Klingelsmith,

Reference # P13269.600.P1.Rev0

RE: SLOPE FAILURE STUDY - PETOSKEY, MICHIGAN

We thank you for the opportunity to provide this proposal to assist the City of Petoskey with the analysis and potential repair of several shoreline slope failures recently observed along the Little Traverse Wheelway. Our team is pleased to assist the City with the matter and will be led by W.F. Baird & Associates Ltd. (Baird) with local affiliate OHM Advisors (OHM) as a subconsultant.

Representatives from Baird visited Petoskey on December 22, 2019 and conducted a preliminary visual assessment of the slope failures to assist with our understanding of the issue. Figure 1 shows the extent of the slope failure adjacent to the Arrowhead Shores development extending well beyond the damage that is visible from the trailway, as marked by the orange barrels in the image's upper right corner. This observation provided valuable insight regarding the complexities, risk, and urgency associated with the current condition, and we have tailored our proposal accordingly.



Figure 1: Shoreline Slope Damage (Baird, Dec. 22, 2019)

Prior to submitting our proposal, we would like to point out that our experience indicates the overall process for this project is not likely to be perfectly linear due to the following:

- The number of stakeholders relying upon the bluff to protect valuable infrastructure from the effects of the lake, including the City, County, and various homeowners, and the potential catastrophic nature of slope failures with respect to said infrastructure.
- The complexity of issues which influence slope stability in a coastal setting including geotechnical variability, which is impossible to fully characterize, and the frequency and severity of high-water events and storms on Lake Michigan, which again are impossible to fully predict on a long-term basis (see Figure 2 below). As a result, we want to make clear from the onset, it will not be possible for us and/or anybody to determine exactly when the slope might fail or to perfectly quantify the level or risk that the City currently faces or will face in the future.
- In addition, it is important to keep in mind that coastal design is significantly different from standard land-based where the level of structure reliability is inherent in the application of a code. In contrast, the standard coastal design procedure allows the Owner/Stakeholders to select a desired estimated level of protection and design life, with these decisions usually being heavily influenced by the available budget for construction.

Given the above, it is of the utmost importance that the City be prepared to be integrally involved in the process as it moves forward to manage stakeholders and make critical decisions. It is our job, as your specialist consultant in this matter, to provide you with the information needed during this process so that you can be informed with respect to these critical decisions.

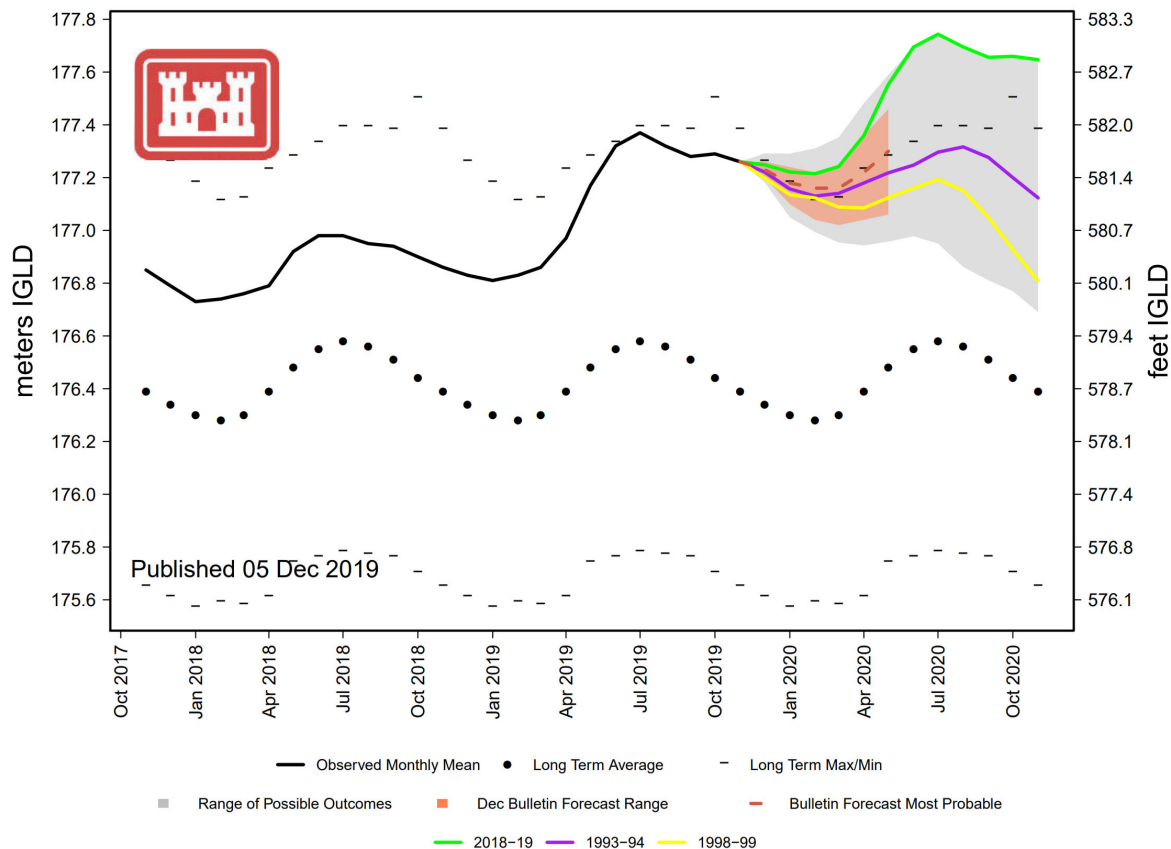


Figure 2: Lake Michigan-Huron Monthly Mean Water Levels (USACE, Dec. 2019)

Please do not hesitate to contact us if you have any questions or comments. We look forward to continuing to work with the City of Petoskey to address the ongoing challenges along the shoreline.

With thanks,



Rory Agnew, PLA | Associate
Baird & Associates
E: ragnew@baird.com



Ed Liegel, PE | Associate Principal
Baird & Associates
E: eliegel@baird.com

PROJECT UNDERSTANDING

Multiple areas of slope failure along the Little Traverse Wheelway (railway), located between Magnus Park and East Park, were recently discovered by City of Petoskey staff. The approximate location of the known slope failures and project limits are shown in Figure 3. We understand additional areas of failure may exist but are yet to be documented. This portion of the railway is located on a historic railbed that was terraced into the mid-slope of a natural reach of shoreline that currently has no additional shoreline protection. In addition, several homes are located on top of the slope along Arrowhead Drive above the westernmost slope failure (see Figure 4). The property limits associated with some of these homes extends to the shoreline, with an easement granted for the traversing railway.

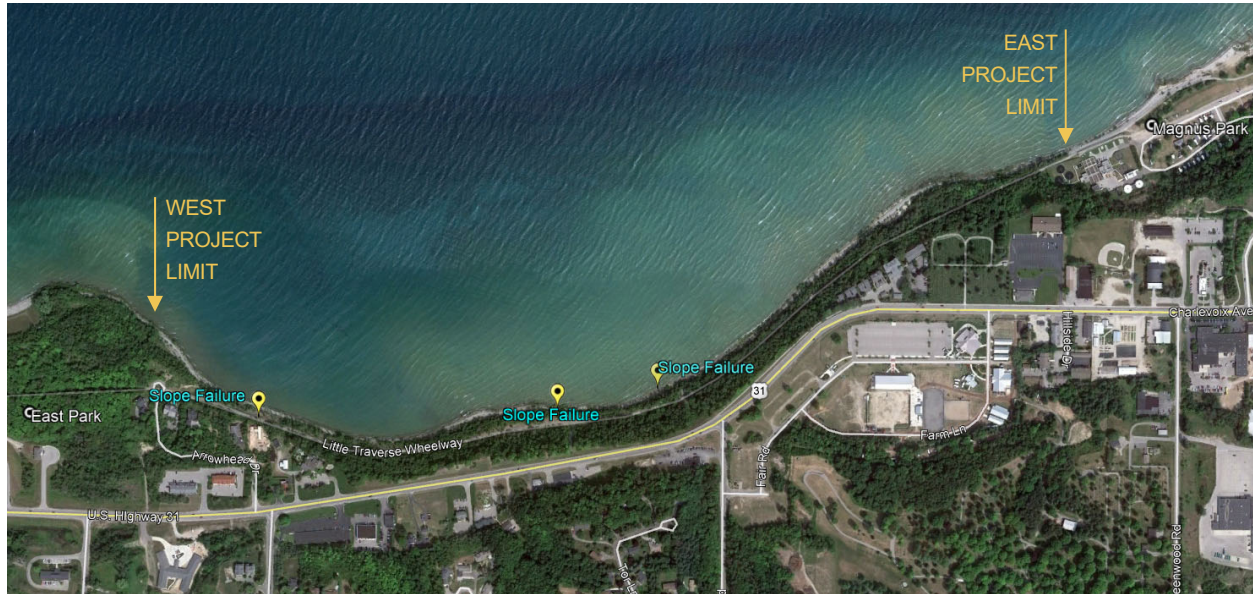


Figure 3: Approximate Slope Failure Locations and Project Limits



Figure 4: Arrowhead Drive (Existing Shoreline Homes)

Within this proposal, we have provided a detailed scope of service, professional fee, and schedule to assist the City with assessing the existing slope failures and developing a range of schematic design solutions and associated costs. The culmination of the design process, from initial investigations and analysis to preferred design solutions, will be documented within a Basis of Design (BOD). The BOD is a living document that contains the project goals, results of analyses, field investigations, design criteria, developed concepts/schematics, opinions of probable construction costs, and Owner/Stakeholder decisions and consensus. The remainder of this document describes the tasks that will be undertaken to develop the BOD.

SCOPE OF SERVICES

Task 1 – Project Kick-off

Representatives from the project team (Baird and OHM) will attend a project kick-off meeting with City staff. During this meeting, we will discuss and document project objectives, existing conditions and issues, overall design process, deliverables, and schedule. Known areas of shoreline slope failure and any recent/additional shoreline damage issues will be discussed. The team will conduct a site visit immediately following the project kick-off meeting. Shoreline damage and slope failures will be photo-documented and mapped with a drone.

In addition to meeting with the City and visiting the site, we recommend an additional meeting with property owners to discuss the issues and share project goals and objective (i.e. field data collection, design process, next steps, etc.). This meeting could potentially take place on the same day, following the site visit, or at a later date via teleconference. Informing this group of stakeholders early in the design process will alleviate potential issues and concerns (i.e. site access, property easements, trespassing, risks, responsibilities, etc.). Current property ownership for the project area is shown below in Figure 5. We assume all communication with property owners will be undertaken by the City.

Deliverable: Baird will develop and distribute meeting minutes and document meeting(s) and site visit in BOD.



Figure 5: Property Ownership Map (Emmet County Equalization/GIS Department)

Task 2 – Data Collection

Our team will compile and analyze existing background data for the project site. Existing data may include property ownership information, historical aerial photographs, existing geotechnical borings, previous slope/geotechnical analysis, engineering calculations, and construction documents. It is assumed the City will provide any pertinent historical documents associated with the project site. To the extent possible, our team will leverage past and ongoing studies (i.e. OHM studies and design work from the development of the Little Traverse Wheelway, including historic soil boring logs).

Our team will also collect field data for this effort, including:

- Visual conditions survey
- Topographic survey
- Nearshore survey
- Lakebed sediment and subsurface assessment

Below is a detailed description of each field data collection task.

Task 2a - Visual Conditions Survey

A visual survey of the ground cover, exposed soils, groundwater patterns (if visible), and other general characteristics of the existing slope will be conducted. The visual survey will also include an assessment of the existing nearshore coastal conditions. This will not only be conducted for areas that have known slope failure issues, but also aim to document any additional slope failures within the project limits (i.e. Magnus Park to East Park, refer to Figure 3). Drones will be used as a tool to assist with this task. Note, this task will be weather-dependent, as snow-cover and winter conditions are not suitable for visual documentation or worker safety.

Task 2b - Topographic Survey

Upon documenting visible slope conditions, our team will collect landside topographic survey of the area currently subject to slope instability (with attention given to the margins of the area of existing instability).

Task 2c - Nearshore Survey

Nearshore bathymetry LiDAR survey data (USACE LiDAR, 2015) is available for the site and will be utilized to the extent possible. In addition to the topographic survey described above, our team will conduct survey profiles perpendicular to the shoreline for the areas with on-going slope failures, spaced at 25-foot increments to document the current condition of the nearshore lakebed and toe of slope. Survey profiles will be collected using traditional survey methodology (i.e. total station, rod and prism) for the in-water areas and will extend from the waterline to a depth of approximately 3-4 feet offshore. This information will be compiled within a GIS database and utilized for subsequent analysis and design tasks. Conducting a detailed bathymetric survey is not included in this scope of work; however, we note that detailed bathymetric data must be collected prior to completing final shoreline design and engineering solutions (i.e. construction documents).

Task 2d - Lakebed Sediment and Subsurface Assessment

Baird's field crew will document the existing lakebed sediment characteristics (i.e. sand, cobble, and stone) and collect jet probes throughout the shoreline for the project area. This information is vital for understanding sediment transport patterns and determining the required depth for proposed shoreline protection structures (i.e. revetment toe).

Deliverable: Data Collection results will be summarized within the BOD.

Task 3 – Environmental Conditions Analyses

Our team will perform the following environmental conditions analyses for the project area:

- Slope stability evaluation;
- Geotechnical exploration and analysis; and
- Coastal analysis.

A description of each analysis process is provided below. These items will be assessed independently and collectively, as shoreline environments (and the stability of such) can be complex and variable by nature.

Task 3a - Slope Stability Evaluation¹

A preliminary slope stability analyses of the project area will be completed by OHM. The slope stability analysis will be summarized in a letter-report, describing our opinion of the types of failure(s) currently at play, providing an estimate for how continued slope activity might play out, and offering preliminary options for remedial work and/or actions to be considered by the City. Existing soil borings will be leveraged to the extent possible for this task. This task includes a meeting with the City to discuss the relative risks of various options, the most attractive option, and to provide preliminary information to the City of the upcoming tasks.

Deliverable: Slope evaluation results and recommendations will be provided within a letter-report and summarized in the BOD.

Task 3b - Geotechnical exploration and analysis²

If, after follow-up meetings with the City, a decision is made to move forward with developing a plan for remedial work, a geotechnical exploration may be warranted. We note that this task depends on the results of the visual survey along with an evaluation of existing soils data discovered for the area. If this exploration is required, we will solicit bids for the drilling work. Without many of the requirements known at this time, it is challenging to provide a cost. On the other hand, projects of this magnitude and type often require rather deep soil borings, and we would anticipate that the soil borings, any testing of the soils needed, and combined with our evaluation of the results, will be in the range of \$10,000 to \$25,000.

Following the geotechnical exploration, OHM will provide additional analysis on the option(s) of interest to the City (as determined in the meetings of Task 1 above). This work will include design of a remedial plan, along with a refined analysis of risk for that option.

Deliverable: Geotechnical exploration and analysis results and recommendations will be summarized within the BOD (if task is required).

Task 3c - Coastal Analysis

Baird is in the process of completing a detailed coastal analysis of the Petoskey shoreline for the ongoing schematic shoreline design project (reference project #13269.301). A summary of the general offshore coastal conditions (i.e. wind, waves, water levels, ice, sediment transport, etc.) is complete. The current extent of the numerical model developed for the ongoing coastal analysis, and a site-specific wave rose are shown on the following page.

¹ OHM will complete the work associated with Task 3a.

² OHM will complete the work associated with Task 3b. Results from this task will also be utilized after schematic design process (i.e final slope stabilization engineering and design).

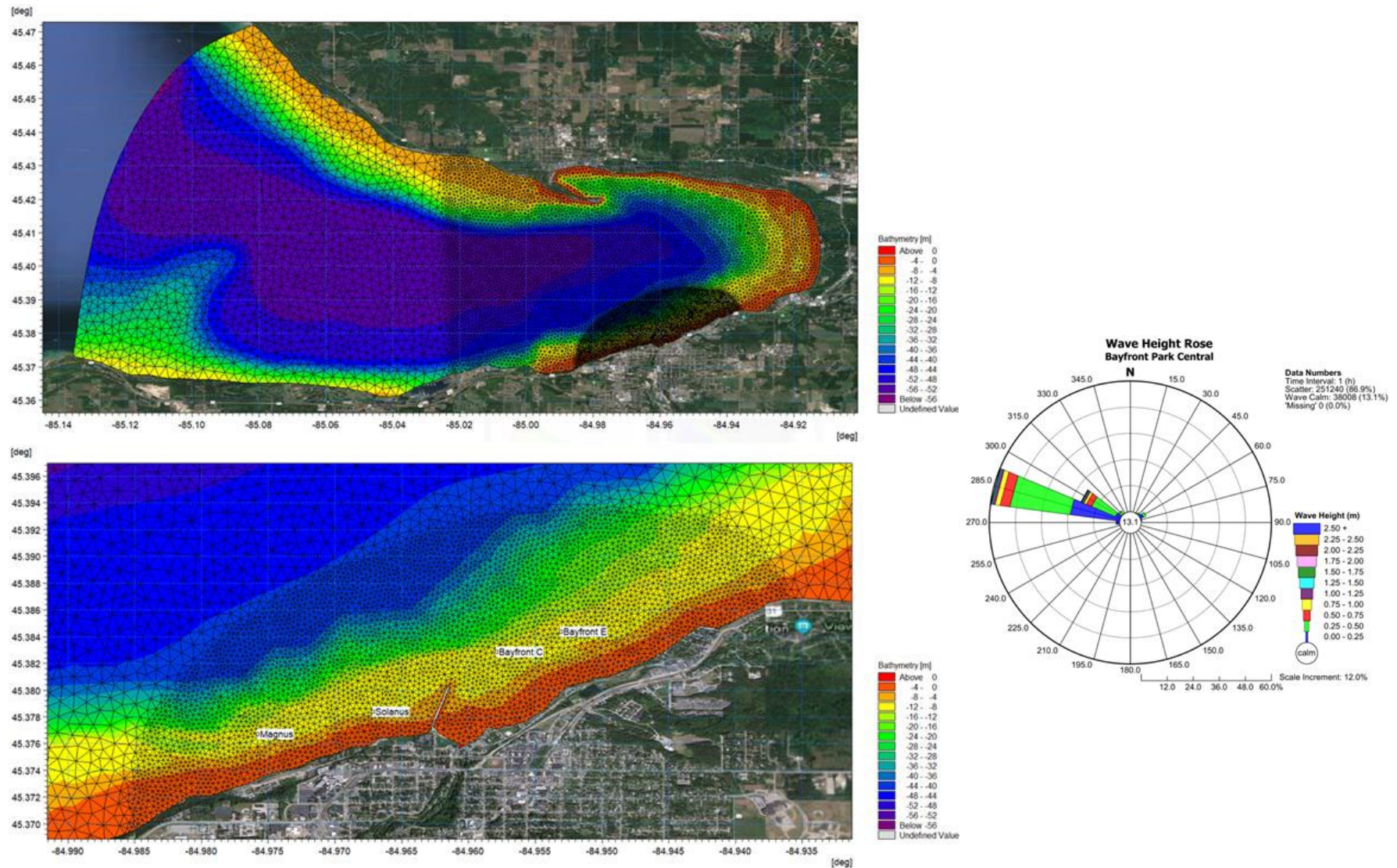


Figure 6: Numerical Model and Site-Specific Wave Rose (Baird, 2019)

Expanding the coastal analysis to include the area of shoreline associated with the ongoing areas of slope failure will require refining the model grid and re-analyzing site specific nearshore conditions (i.e. wave heights, cross-shore transport). The current extent of the refined model grid (which will be expanded) can be identified in Figure 6. Assessing the existing shoreline sediment characteristics and cross-shore sediment processes (using COSMOS numerical modeling and GIS analysis) will be of particular importance for this project, as the slope stability correlates directly with the nearshore sedimentation processes.

Deliverable: Coastal analysis results will be summarized within the BOD.

Task 4 – Schematic Design

Following the completion of the field data collection and analysis tasks, our team will begin developing schematic design solutions for the slope failure areas. The design solutions will be tailored to respond to the project goals and specific slope stabilization and shoreline protection requirements. A plan view, representative design sections, and details will be provided. The level of detail will generally be representative of the final solution for shoreline protection but will not include a complete set of drawing with all the information and details required for permitting or construction (i.e. existing conditions, demolition plan, stationing, detailed design drawings, etc.).

Our team will continuously coordinate with the City throughout the design process to ensure the solutions are in line with the stakeholder (i.e. City and homeowners) goals for the project area. Upon completing the initial schematic design solutions, Baird will develop an opinion of probable construction cost for each solution. The designs and costs will be presented to the City for comment and consensus. If required, designs (and estimates) will be updated to address any comments. Schematic design solutions will be discussed in detail within the BOD.

Deliverable: Schematic design (plan, section, and details) and opinion of probable construction costs for each slope failure area. This information (and stakeholder comments and consensus) will be documented within the BOD.

Next Steps – Potential Future Services

This is the first step our team recommends the City take to assess the ongoing issue, develop a solution, and document the process, including consensus of the preferred solution. Our team welcomes the opportunity to assist the City of Petoskey with future services as described below. A separate proposal for these services can be prepared upon request.

- Grant Support
 - Develop narrative for grant application submittals
 - Provide additional support (written responses, interviews, meetings, etc.)
 - Assist with reporting requirements (if awarded)
- Regulatory Support
 - Initial coordination meetings (EGLE and USACE)
 - Develop permit drawings
 - Permit application preparation and submittal
 - Additional permit meetings, coordination and support
- Final Design and Contract Document Development
 - Additional field investigations (bathymetry, borings, etc.)
 - Engineering analyses and final design calculations

- Engineer's opinion of probable construction costs
- Drawings, technical specifications, bill of quantities and supplementary information
- Bid Phase Services
 - Preparation of Bidding Requirements including Notice/Advertisement to Bidders, Instructions to Bidders, and appropriate bid forms
 - Preparation of Contract Documents
 - Notify select contractors prior to bid issuance
 - Provide written responses to questions raised by bidders
 - Conduct a pre-bid meeting with potential bidders
 - Preparation of addenda, if required
 - Conduct the Bid Opening
 - Evaluate bids
 - Provide a recommendation of award
 - Assist with contracting
- Construction Phase Services
 - Conduct a pre-construction meeting
 - Provide written responses to questions raised by the Contractor
 - Solicitation of proposals from the Contractor for changes to the Work
 - Shop drawing and submittal reviews
 - Preparation of Change/Field Orders
 - Periodic or full-time observation of the Work
 - Conduct quarry visit to perform quality assurance activities for the proposed stone and cobble materials
 - Monitoring construction progress
 - Review and recommendation of approval or denial of the Contractor's Requests for Payment
 - Performance walk-through and preparation of a punch list upon the Contractor's request for a determination of Substantial Completion
 - Provide determination of completion and recommendation for final payment upon satisfaction of the project punch list and completion of all Work

SCHEDULE

A schedule to complete the scope of services described above is provided in Table 1. This schedule is dependent upon the date of award of a contract for the work. The dates presented below could vary depending on various factors, including the notice to proceed, weather conditions, etc.

Important items/ assumptions related to the schedule:

- Solid blue indicates active work, while hatching indicates variable timeframe.
- It is assumed that winter weather will delay detailed field investigations until Spring 2020; however, weather will be continuously monitored for opportunities to complete tasks as soon as safely permissible.

Table 1: Project Schedule

Task	Jan	Feb	Mar	Apr	May
Notice to Proceed					
Task 1 – Project Kick-off	★ ★				
Task 2 –Data Collection					
Task 3 – Env. Conditions Analysis					
Task 4 – Schematic Design					★ ●

Key

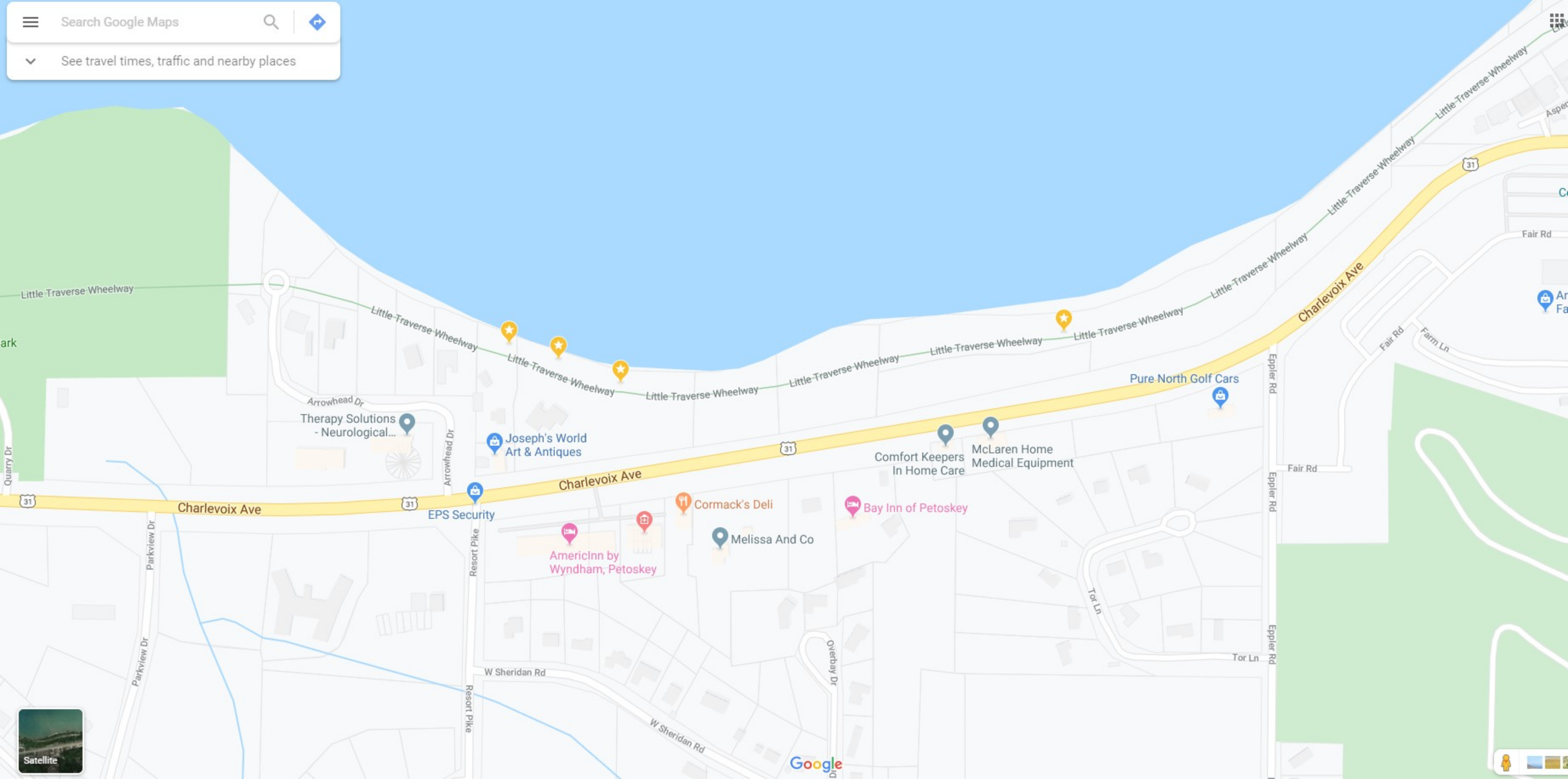
- ★ Meeting with City
- ★ Meeting with Stakeholders
- Issue Final BOD

PROFESSIONAL FEE

Table 2 presents our professional fees and expenses for the tasks noted above. Our proposed scope of services and professional fee assumes all project tasks will be completed by Baird and/or OHM. Additional services shall not be completed without prior authorization from the City.

Table 2: Professional Fees per Task

Task	Labor (\$)	Expense (\$)	Total Cost (\$)
1 - Project Kick-off	\$4,000	\$1,500 (travel)	\$5,500
2 - Data Collection	\$14,050	\$2,500 (travel)	\$16,550
3 - Env. Conditions Analyses	\$23,270		\$23,270
5 - Schematic Design	\$36,300		\$36,300
Total Fee			\$81,620



















City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 20, 2020

PREPARED: January 15, 2020

AGENDA SUBJECT: Discussion Regarding Potential Revisions or Amendments to the City Charter

RECOMMENDATION: That the City Council discuss. No action needed at this point.

Background Two City Council members asked that a discussion on potential revisions or amendments to the City Charter be discussed at this meeting. Enclosed is an informational sheet from Michigan Municipal League titled "*Charter Revision and Amendments for Home Rule Cities and Villages*," that may assist City Council to better understand the process. We have also included the City Charter for review purposes.

Petoskey is a Home Rule City and is governed by state statutes through the Home Rule City Act (HRCA). At times, city charter language may become obsolete and need to be changed similar to changes to state and federal constitutions.

The last Charter Commission was in 1984 when Chapters 1-15 of the City Charter were approved by voters. In 1988, through the amendment process and without a Charter Commission, Section 9.2 was approved by voters allowing up to 5 mills for road infrastructure improvements.

There are two types of charter changes-revisions and amendments. Revisions suggests fundamental change, while amendments are corrections of detail, according to the Supreme Court.

The charter revisions procedure can be initiated by a 3/5 vote of the elected body or can be initiated by the petition method. A charter revision is typically a re-examination of the entire charter and may be recreated without obligation to maintain the form, scheme or structure of the former charter.

Charter amendments imply that the general plan and scope of the current charter will be maintained with corrections made to better accomplish its purpose. Charter amendments must be voted upon by at least a 3/5 majority of the elected body or by initiatory petitions of electors. Approved charter amendments will then be placed on the next municipal election or general state election.

Action No action needed at this point. To better determine if the City Charter needs to be "revised" or "amended", it would be helpful that City Council give specific input into possible City Charter changes. This could be accomplished at this meeting or at a future City Council meeting.

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Enclosures

Charter Revision and Amendment for Home Rule Cities and Villages

by Daniel C. Matson

Background for Change

Michigan cities and villages exist within a framework that is part of a greater system of state and federal law. The system is described in governing documents which fit into a hierarchy of importance and must be kept current. Constitutions, statutes and charters are primary examples of these documents.

Most Michigan cities are incorporated under the Home Rule City Act, 1909 PA 279 (HRCA) (MCL 117.1 et seq.). Home rule villages are created through the Home Rule Village Act, 1909 PA 278 (HRVA) (MCL 78.1 et seq.) The HRCA and HRVA are statutes that were authorized by the Michigan Constitution of 1908, and currently by Article VII, Section 22, of the Michigan Constitution of 1963.

Locally, the city or village charter is the principal governing document. This article addresses existing charters of home rule cities and villages. As each community changes in various ways over time, its charter has to change with it. The same is true at the state and federal levels. The U.S. Constitution has been amended 27 times to date. Michigan has had four constitutions and numerous amendments. Statutes are being enacted and amended constantly.

When a charter becomes outdated it hinders the ability of local government to serve properly. A charter that is no longer current is one with provisions that are illegal, obsolete or missing. Changes are needed to correct misleading, unreliable or unresponsive charters.

Illegal Charter Provisions

Charter provisions may be preempted by other law. No provision of any city or village charter shall conflict with or contravene the provisions of any general law of the state (MCL 117.36; 78.27). Other instances of illegality result when a court declares them so.

Obsolete Charter Provisions

The mere passage of time contributes to charter obsolescence.

Provisions that once made sense in the history of a community may later be irrelevant or too restrictive. Certain dollar limitations for expenditures, titles of municipal officers and departments, and descriptions of functions are some of them. Archaic charter language, or charters dominated by male pronouns, also contribute to examples of obsolescence. One charter provision may be in conflict with another, leading to confusion of interpretation.

Omitted Charter Provisions

Does the charter claim all powers allowed by law or does it unduly limit their exercise?

The HRCA and HRV provide in similar language that each city or village charter may provide “for the exercise of all municipal powers in the management and control of municipal property and in the administration of the municipal government, whether such powers are expressly enumerated or not; for any act to advance the interests of the city or village, the good government and prosperity of the municipality and its inhabitants and to pass all laws and ordinances relating to its municipal concerns, subject to the constitution and general laws of this state” (MCL 117.4j(3); 78.24(m)).

The HRVA permits a village to adopt as part of its charter any chapter, act or section of state statutes not inconsistent with the act, which relates to the powers or government of villages generally (MCL 78.25).

The HRCA and HRVA prescribe certain charter content. Essential provisions are mandated. Others are permissive. Still other provisions are prohibited, or are further restricted.

Room for Improvement

With decades of experience under municipal home rule, generations of citizens have come to view home rule as deserving of the public trust, as reflected increasingly in modern charter language.

Does the community want or need more innovative charter provisions than presently exist? It is possible to guide local officials, officers and employees in their various functions by specific creative charter authorizations declared to be in the public interest. Examples are continual planning for change, providing continuing education at all levels of civic participation, improving intergovernmental relationships, employing alternative dispute resolution methods, conserving resources, both human and environmental, keeping the public informed of vital concerns, enhancing cultural qualities, and promoting ethical standards and behavior.

Examination of the local charter for practical use should also raise the following questions:

- I. Is it organized in logical sequence?
- II. Does it define key terms?
- III. Is the language clear and understandable?
- IV. Are provisions easy to locate when needed?
- V. Does it have an index?
- VI. Is it preceded by a meaningful preamble and historic statement?

To Revise or to Amend

The two forms of legally authorized changes are by revision or amendment of the charter.

The home rule acts allow communities to make substantial or nominal changes in their charters by different routes. Charter revision implies re-examination of the entire document and that it may be recreated without obligation to maintain the form, scheme, or structure of the former charter. Amendment implies that the general plan and scope of the former will be maintained, with corrections to better accomplish its purpose. Revision suggests fundamental change, while amendment is a correction of detail, according to the Michigan Supreme Court.

A change in the form of government will require charter revision and not merely amendment. What constitutes such a change may require in-depth study. Legal advice should be sought if that question arises.

Charter Revision

Revision of city charters may be initiated by a resolution adopted by 3/5 of the legislative body or by petition signed by at least five percent of the registered voters, unless the present charter provides otherwise. In any case, the decision to revise is for the electors to approve or reject. They must also select a nine member charter commission to revise the charter, none of whom may be an elected or appointed city officer or employee. Both matters may be voted upon at the same or separate elections. An advisory vote may also be taken on the question of a change in the form of government.

The initiation of a home rule village charter revision requires a 2/3 approval vote by the legislative body, or by electors' petition of at least 20 percent of the total vote cast for president (village) at the last preceding election, unless otherwise provided by charter. The village charter commission consists of five elected members.

The municipal legislative body determines the place of meeting, the compensation of charter commission members, and provides funds for expenses and ballots.

The city charter commission convenes on the second Tuesday after the election. The city clerk presides at the first meeting. The clerk administers oaths of office and acts as the clerk of the commission.

The village charter commission convenes within ten days after its election, and frames a charter within 60 days thereafter.

The city and village charter commissions assess the qualifications of their members, choose their officers, determine their rules of proceeding, keep a journal, and fill their vacancies. City charter commission members are compensated for attending a maximum of 90 meetings (one per day). A majority of city charter commission members constitute a quorum. Three or more village charter commission members are a quorum. Commission sessions are public.

It is generally advisable for a city charter commission to engage a legal consultant experienced in these matters as there are numerous legal issues at stake. The county prosecutor is required by statute to advise village charter commissions.

A proposed revised charter is submitted to the governor for approval. The attorney general reviews it and advises the governor regarding its legality. The governor signs the charter if approved; otherwise the charter is returned to the charter commission with a commentary of recommended corrections.

An approved proposed city charter is to be published in full as prescribed by the charter commission. The attorney general's position is that publication is to be in a newspaper in general circulation within the community, which is the statutorily required method of publication of village charters.

The adoption of the revised charter is for the electorate to decide by a simple majority of those voting on the question. Specific provisions for a city charter may also be decided as separate ballot propositions. The ballot questions are to be approved for clarity and impartiality by the attorney general. The ballot contains voting instructions and explains the effect of each proposal.

If a proposed city charter revision is rejected, the charter commission reconvenes and determines whether to take no further action or to proceed with a further revision. If no action is taken, the city charter commission ceases to exist. Proposed revised city charters may be submitted to electors by a charter commission three times within a three-year period. A new proposal to revise a charter may be voted upon at any time after termination of the charter commission.

A proposed revised village charter must be filed with the village clerk not less than 90 days before the election. A revision may be submitted to the electors only once in two years.

Charter Amendment

Amendment of a city charter may be proposed by 3/5 of the members of the legislative body, or by an initiatory petition of electors. If proposed by the legislative body, the proposal is submitted to the electors at the next municipal or general state election, or

special election held in the city not less than 60 days after it is proposed. In the case of petitions, the election is to occur not less than 90 days following their filing.

A village charter amendment may be submitted to the electors by a 2/3 vote of the legislative body or petitioned for by not less than 20 percent of the number of electors voting for president at the last election.

The governor is presented with the proposed amendment of a city or village charter for approval, and signs it if approved. If not approved, it is returned to the legislative body with stated objections for reconsideration. If 2/3 of the members agree to pass it, it is submitted to the electors. If the amendment was initiated by petition, it is submitted to electors notwithstanding the objections.

An amendment to a village charter is submitted to electors at the next general or special election. An amendment originated by the legislative body is published and remains on the table for 30 days before action on it is taken. The form of a proposed amendment to appear on the ballot is determined by resolution of the legislative body, unless provided for in the initiatory petition. Publication is made in a newspaper published or circulating in the village at least once, not less than two weeks, nor more than four weeks before the election.

Proposed amendments are to be published in full with existing charter provisions to be altered or abrogated by them. The purpose of a city charter amendment is designated on the ballot in not more than 100 words, exclusive of caption. The statement of purpose must be true and impartial so as to create no prejudice for or against the amendment. The attorney general examines it for compliance before its printing. The amendment is conspicuously posted in full in each polling place. The form of the proposed amendment is determined by resolution of the legislative body unless provided for in the initiatory petition. In the latter case the legislative body may add an explanatory caption.

A proposed amendment is confined to one subject. If a subject embraces more than one related proposition, each of them must be separately stated to allow an elector to vote for or against each proposition.

A majority vote of electors voting on the question is required to pass an amendment.

A failed proposed amendment to a city charter may not be resubmitted for two years.

Legal References

The sections of the Home Rule City Act that directly relate to charter revision are 18, 19, 20, 22, 23, 24, 26, and 28. Those that govern amendment are 21, 22, 23, 24, 25, 26, and 28. The corresponding sections of the Home Rule Village Act are 14, 15, 18, 19, 20, 21, and 26 for revision and 17, 18, 19, 20, and 21 for amendment.

The remaining provisions of each of the acts, respectively, must be referred to in considering changes to a city or village charter. Certain features of each municipal charter are mandatory and are not subject to exclusion. Others as noted above are permissive or restrictive and deliberate consideration is to be given to them. Constitutional provisions and a host of statutory laws also bear upon what may appear in charters, and to what extent and content.

Courts have interpreted the validity of various charter provisions and the statutes that dictate their use. The Michigan attorney general has also rendered opinions, when requested, for guidance in areas of specific legal concern.

All sources of law that bear upon charter issues need to be consulted in any effort to reform charters, to achieve the desired benefit to the communities served by them.

Charter Revision Strategies

To do justice to the charter revision process, it is well to project an 18-month time frame after the election of the charter commission in order to complete the task. Each commission will set its own pace. It should meet regularly and assign a chapter of the charter at a time to be considered at a subsequent meeting or meetings. The review of each provision should be by all members so that each participant has a grasp of the issues involved. The entire charter document is subject to revision and improvement. Officeholders are to be consulted for views regarding the effect of current charter provisions upon their duties and performances.

It is well for the commission members to wrestle with and to dispose of the most volatile issues first and to resolve them expeditiously and to then close ranks. The charter commission must present to the public a unified approach and avoid divisions caused by single or limited issue positions, which tend to discourage voters and lead to defeat of the product of countless hours of study, debate and drafting. It is also well to have one

person draft all segments of the document, to preserve continuity of style and form. Until the commission approves a final version, each draft should be regarded as tentative to allow the entire work product to evolve into a cohesive whole.

The election cycle is a foremost consideration in the timing of charter submission to the electorate. To achieve timely completion of the charter is to also allow sufficient opportunity for review by the attorney general on behalf of the governor. It is prudent and a courtesy to those offices to request their optimum timing in advance. The review of total charter language is given expert, in-depth analysis by the highly experienced assistant attorney general in charge of that service. The reviewer may need to refer various articles of the charter to other state agencies for inspection. Further consideration must be given to the prospect that added time will be needed for adjustment if objections are raised.

Revised charters and amended charter provisions approved by the electorate with the vote for and against are filed in duplicate with the county clerk and the secretary of state, within 30 days after the vote is taken. They become effective upon filing, unless a different effective date is specified in the document, in the case of a city charter.

Conclusion

The service performed for the community by the members of a charter commission is immeasurable and has its own reward. It is a significant honor to participate in the creation of the document that most directly affects the quality of local government and the well-being of its citizens.

PART I
CHARTER*

Chapter 1. Incorporation and Powers

- Sec. 1.1. Incorporation.
- Sec. 1.2. Boundaries.
- Sec. 1.3. Form of Government and Powers.
- Sec. 1.4. Powers Regarding Property.
- Sec. 1.5. Intergovernmental Cooperation.

Chapter 2. Representation

- Sec. 2.1. Wards.
- Sec. 2.2. Elected Councilmembers.

Chapter 3. Elections

- Sec. 3.1. Qualifications for Voters.
- Sec. 3.2. Supervision of Elections.
- Sec. 3.3. Nominations for Councilmembers and City Convention Delegates.
- Sec. 3.4. Conducting the Ward Convention.
- Sec. 3.5. Certifying Nominees.
- Sec. 3.6. City Convention.
- Sec. 3.7. Nomination of Mayor.
- Sec. 3.8. Certification of Candidates.
- Sec. 3.9. Other Convention Business.
- Sec. 3.10. Nominating Petitions.
- Sec. 3.11. Nominating Petition Forms.
- Sec. 3.12. General Elections.
- Sec. 3.13. Special Elections.
- Sec. 3.14. Qualifications for City Office.
- Sec. 3.15. Election Commission.
- Sec. 3.16. Duties of Election Commission.
- Sec. 3.17. Recall.
- Sec. 3.18. Vacancies.
- Sec. 3.19. Oath of Office.

***Editor's note**—Part I contains the city's Charter as adopted August 7, 1984. The absence of a history note following a particular section indicates that such section is set out as adopted by the electorate on August 7, 1984; conversely, a history note enclosed in parentheses indicates an amendment to a section on the date shown in such history note. Formerly, Part I contained the city's Charter as adopted November 4, 1924, as amended on the following dates: November 5, 1946; April 7, 1969; November 6, 1973; November 8, 1977; and August 4, 1981.

State constitutional law reference—Power to adopt and amend Charter, Mich. Const. 1963, art. VII, § 22.

State law reference—Home rule cities generally, MCL 117.1 et seq.

PETOSKEY CITY CODE

Chapter 4. The City Council

- Sec. 4.1. Composition and Powers.
- Sec. 4.2. Terms of Office.
- Sec. 4.3. Duties of the Mayor.
- Sec. 4.4. City Council Meetings.
- Sec. 4.5. Quorum.
- Sec. 4.6. Notice of Special Meetings.
- Sec. 4.7. Compensation.
- Sec. 4.8. Appointments.
- Sec. 4.9. City Council and Personnel.
- Sec. 4.10. Mayor Pro tempore.

Chapter 5. Administrative Services

- Sec. 5.1. City Manager.
- Sec. 5.2. Powers and Duties.
- Sec. 5.3. Acting City Manager.
- Sec. 5.4. City Attorney.
- Sec. 5.5. City Assessor.
- Sec. 5.6. City Clerk.
- Sec. 5.7. City Treasurer.
- Sec. 5.8. Clerk-Treasurer.

Chapter 6. Legislation

- Sec. 6.1. Existing Legislation.
- Sec. 6.2. Resolutions and Ordinances.
- Sec. 6.3. Enactment of Ordinances.
- Sec. 6.4. Repeal of Ordinances.
- Sec. 6.5. Emergency Ordinances.
- Sec. 6.6. Penalties.
- Sec. 6.7. Publication.
- Sec. 6.8. Technical Codes.
- Sec. 6.9. Codification.

Chapter 7. Initiative and Referendum

- Sec. 7.1. Initiation of Petitions.
- Sec. 7.2. Form of Petitions.
- Sec. 7.3. Circulating Petitions.
- Sec. 7.4. Canvass by the City Clerk.
- Sec. 7.5. City Council Action.
- Sec. 7.6. Submission to Voters.
- Sec. 7.7. Limitation.

Chapter 8. Budget and Finance

- Sec. 8.1. Fiscal Year.
- Sec. 8.2. Budget Procedure.
- Sec. 8.3. Budget Hearing.

CHARTER

- Sec. 8.4. Adoption of Budget.
- Sec. 8.5. Budget Bonds.
- Sec. 8.6. Budget Control.
- Sec. 8.7. Transfers.
- Sec. 8.8. Additional Appropriations.
- Sec. 8.9. Quarterly Reports.
- Sec. 8.10. Depositories.
- Sec. 8.11. Disbursements.
- Sec. 8.12. Internal Audit.
- Sec. 8.13. Independent Audit and Annual Report.

Chapter 9. Taxation

- Sec. 9.1. Power to Tax.
- Sec. 9.2. Tax Limit.
- Sec. 9.3. Subjects of Taxation.
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Appendix A

PREAMBLE

We, the people of Petoskey, Michigan, committed to the principles of citizen participation in framing public policy, the accountability of municipal service as a public trust, and the mutual effort for the well-being of our residents in a unique environment, do ordain this Charter.

CHAPTER 1. INCORPORATION AND POWERS

Section 1.1. Incorporation.

The municipal corporation now existing and known as the "City of Petoskey" as its limits now are or may be established shall continue as a municipal corporation under the laws of the State of Michigan.

Section 1.2. Boundaries.

The City shall be comprised of the territory constituting the City of Petoskey on the effective date of this Charter (January 1, 1985) as described in Appendix A attached. Any lawful changes in these boundaries shall not require amendment of this section.

Section 1.3. Form of Government and Powers.

The form of government provided for in this Charter is the "council-manager" form. The City has the powers granted to any city by the constitution and laws of the State of Michigan including the power to own and operate public utilities and services. The mention of specific powers in this Charter is not meant to exclude other powers.

Section 1.4. Powers Regarding Property.

The City shall have power to acquire, use, and dispose of property for any lawful purpose by any lawful means, however, all public grounds used for park purposes shall be inalienable and in no event shall the city council sell, lease,

encumber, trade, or divert to another public use any public park grounds without first securing the approval of a majority of the voters of the City voting on the question in any general or special election.

Section 1.5. Intergovernmental Cooperation.

The City shall have power to join with any other unit of government, by contract or in any way permitted by law, in the financing and ownership of any property or facility, or in the performance of any service, which each would have the power to own, operate, or perform separately.

CHAPTER 2. REPRESENTATION

Section 2.1. Wards.

The City of Petoskey shall be divided into four (4) wards. The boundaries of these wards shall be fixed by ordinance and shall be as nearly equal as possible in population based on the decennial census.

Section 2.2. Elected Councilmembers.

Each ward shall be represented by one (1) councilmember elected for a two-year term under the provisions of this Charter.

CHAPTER 3. ELECTIONS

Section 3.1. Qualifications for Voters.

Residents of the City of Petoskey who qualify as voters under the constitution and laws of the State of Michigan shall be the voters in the City.

Section 3.2. Supervision of Elections.

Under the general supervision of the city clerk, the registration of voters, preparation of ballots or machines, and the conduct of elections shall be in accordance with this Charter and with state election laws.

Section 3.3. Nominations for Councilmembers and City Convention Delegates.

There shall be an annual nonpartisan convention in each ward of the City at a time to be set by city council in accordance with state law. Convenient places for the ward conventions will be determined by the city council. Each convention shall nominate two (2) candidates for councilmember (in the year in which a vacancy occurs from that ward). The voters present may determine to nominate only one (1) candidate for councilmember.

Each ward convention shall select fifteen (15) delegates and five (5) alternates to the annual city convention. The city clerk shall give notice of ward conventions in a newspaper of general circulation in the City during the week preceding and on the day of the ward conventions. The notice shall state the time, place, and purpose of each ward convention.

Section 3.4. Conducting the Ward Convention.

Each ward convention shall open at 8:00 p.m. and may be called to order by any voter of that ward present. The voters present shall select eligible voters to be chairperson and clerk of that convention.

Section 3.5. Certifying Nominees.

The names of the candidates for city councilmember chosen by the convention, and the names of delegates and alternates to the city convention shall be certified by the chairperson and clerk of the convention and filed with the office of the city clerk before 5:00 p.m. of the following day. The names of candidates for councilmember so filed shall be placed on the ballot of the next general city election. The certified delegates and alternates shall be the representatives from each ward to the city convention and entitled to vote on all questions before that convention.

Section 3.6. City Convention.

An annual nonpartisan city convention shall be held at a time to be set by city council in accordance with state law. The city council shall determine the convenient place and it shall be opened at 8:00 p.m. The city clerk shall give notice of the time, place, and purpose of the city convention in a newspaper of general circulation in the City on at least one (1) day prior to and on the day of the convention. The convention may be called to order by any city officer or certified delegate present and shall proceed to select a chairperson and a clerk. Each delegate shall have one (1) vote.

Section 3.7. Nomination of Mayor.

Two (2) candidates for mayor shall be selected by the delegates to the city convention. The delegates may agree to choose only one (1) candidate for the office of mayor. A candidate for mayor shall not at the same time be a candidate for councilmember.

Section 3.8. Certification of Candidates.

The names of the candidates for mayor shall be certified by the chairperson and clerk of the city convention and shall be filed with the city clerk before 5:00 p.m. on the day following the convention. The city clerk shall place them on the ballot of the next general city election.

Section 3.9. Other Convention Business.

While convened, the delegates to the city convention, along with any other qualified voters of the City present, may hear reports, inquire of city officers or candidates for office, and may conduct advisory votes on any issues and questions affecting the welfare of the City and its citizens.

Section 3.10. Nominating Petitions.

Legally qualified persons may have their names placed on the general election ballot for the office of mayor or councilmember by filing

nominating petitions with the city clerk before 5:00 p.m. on the Monday following the city convention. A petition for the office of mayor shall be signed by not less than fifty (50) and not more than seventy-five (75) registered voters of the City. A petition for councilmember shall be signed by not less than fifty (50) and not more than seventy-five (75) registered voters in the petitioner's ward. If the city clerk determines the petition to be valid, that name shall be placed on the ballot.

Section 3.11. Nominating Petition Forms.

The city clerk shall have forms for nominating petitions available for use. Completed and filed petitions shall be available for public inspection.

Section 3.12. General Elections.

Nonpartisan general elections shall be held in the City on the Tuesday following the first Monday in November each year. The city council shall designate a convenient place in each ward for voting. Each voter shall vote in the ward in which the voter resides.

Section 3.13. Special Elections.

By resolution the city council may call for a special election in the City. Voters shall have no less than thirty (30) days notice and the resolution shall state clearly the purpose of the election and the question to be decided.

Section 3.14. Qualifications for City Office.

A candidate for the office of mayor or councilmember shall be a qualified voter and a resident of the City for no less than one (1) year. A candidate for the office of councilmember shall be a resident of the ward that the candidate seeks to represent. If a councilmember moves from a ward, that seat on the council shall be declared vacant. No member of the city council shall be employed by the City during the councilmember's term of office.

Section 3.15. Election Commission.

The city election commission shall consist of the city clerk as chairperson, the city attorney, and one other registered voter appointed by the council who is not a councilmember nor a candidate for election. To maintain a membership of three (3) on this commission, the city council shall have power to fill vacancies if the city clerk or city attorney are disabled or if that office is vacant.

Section 3.16. Duties of Election Commission.

The election commission shall have those duties prescribed by state law. Unless otherwise provided, they shall determine disputes as to adequacy of petition, appoint election inspectors, and prescribe procedures to be followed in tallying the votes of the people. The rate of compensation for election inspectors shall be fixed by the city council. The polls shall be open between 7:00 a.m. and 8:00 p.m.

Section 3.17. Recall.

The citizens of the City are assured by this Charter as to the responsiveness of public officials to the duties of their office, to the democratically determined will of the people, and to the importance of public trust. Any elected official may be removed from office by the voters of the City in the manner prescribed by state law.

Section 3.18. Vacancies.

Any vacancy in the office of mayor or councilmember shall be filled within thirty (30) days by a majority vote of the remaining councilmembers. If a mayor is chosen from among the councilmembers, the council shall appoint another voter from that ward to represent that ward on the city council. A vacancy need not be filled if it occurs less than sixty (60) days before a city election. A vacancy of office shall be determined to have taken place upon the death, resignation, recall, moving from the

ward, conviction of a felony, conflict-of-interest disqualification, or the finding of mental incompetency by a court of competent jurisdiction.

Section 3.19. Oath of Office.

Before assuming the office of mayor or councilmember, an elected or appointed person shall publicly subscribe an oath in writing, promising to uphold and defend the constitutions and laws of the United States and the State of Michigan and to faithfully discharge the duties of such office.

CHAPTER 4. THE CITY COUNCIL

Section 4.1. Composition and Powers.

The City of Petoskey shall be governed by a council composed of five (5) members: the mayor and four (4) councilmembers, one (1) representing each ward. Except as provided elsewhere in this Charter or by general law, the city council shall exercise all the powers conferred upon cities by state law, to adopt all ordinances and resolutions and to otherwise govern. The city council shall provide through the city manager for the public peace and health and for the safety of persons and property.

Section 4.2. Terms of Office.

The mayor shall be elected for a term of one (1) year. The councilmembers shall be elected for a term of two (2) years and the terms shall be arranged so that two (2) wards elect a councilmember each year. Terms shall begin on January 1 of the year following the election.

Section 4.3. Duties of the Mayor.

The mayor shall preside at the meetings of the city council and shall be considered the executive of the City for all ceremonial purposes. The mayor shall have voice and vote in all deliberations of the city council and no power of veto. The mayor shall appoint the members of all commissions and committees. The mayor,

along with the city clerk, and under the authority of the city council shall sign all deeds, bonds, contracts, leases, and other legal papers in which the City is made a party. The Mayor shall supervise the contracts, agreements, and obligations of the City and serve to protect the interests of the City.

Section 4.4. City Council Meetings.

The city council shall meet regularly, preferably in the city council chambers in the city hall, on the first and third Mondays of each month. The city council shall provide for special meetings as its duties require. All meetings shall be in compliance with the Michigan Open Meetings Act, and a written journal of its proceedings shall be kept in the English language. All records of the City shall be made available to the general public in compliance with state law.

Section 4.5. Quorum.

Three (3) members of the city council shall constitute a quorum. The affirmative vote of three (3) members shall be necessary to adopt any motion, resolution, or ordinance unless a greater number is provided for elsewhere in this Charter. Every vote shall be taken by roll call and shall be recorded by the city clerk. The city clerk shall read the written version of any motion or resolution before it is voted upon.

Section 4.6. Notice of Special Meetings.

Special meetings of the city council shall be called by the city clerk on the written request of the mayor, or of any three (3) councilmembers. Written notice of the meeting shall be served personally to each councilmember or left at his place of residence no less than twenty-four (24) hours before the time the meeting is to begin. The notice shall include the purpose of calling the meeting, and no other business shall be considered.

Section 4.7. Compensation.

The mayor shall receive the sum of twenty-five dollars (\$25.00) for each city council meeting attended, regular or special, provided that the compensation does not exceed the sum of seven hundred fifty dollars (\$750.00) per year. Councilmembers shall receive a sum of fifteen dollars (\$15.00) for each meeting attended, regular or special, provided that the compensation does not exceed four hundred fifty dollars (\$450.00) per year. The mayor and councilmembers may be reimbursed for reasonable expenses actually incurred in the course of their official duties. An itemized statement of such expenses shall be submitted to the city council and payment authorized by its vote.

Section 4.8. Appointments.

The city council shall appoint a city manager, a city attorney, and a city assessor and such other officials as general law may require.

Section 4.9. City Council and Personnel.

Neither the city council, nor any of its members shall dictate the appointment of any person to office or employment by the city manager, or in any manner interfere with the city manager in the city manager's control over the administrative service. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the city manager, and neither the council nor any member shall give orders to any of the subordinates of the city manager.

Section 4.10. Mayor Pro tempore.

The city council shall elect from among its members a mayor pro tempore who shall act in the absence or incapacity of the mayor.

CHAPTER 5. ADMINISTRATIVE SERVICES**Section 5.1. City Manager.**

The city council shall, by a majority vote, appoint a city manager for an indefinite term, fix

the compensation, and execute an employment contract. The city manager shall be appointed solely on the basis of executive and administrative qualifications. The city manager need not be a resident of the City at the time of appointment, but shall become a resident within six (6) months. Before entering the duties of office, the city manager shall subscribe the official oath.

Section 5.2. Powers and Duties.

The city manager shall be the chief administrative officer of the City, responsible to the city council for the administration of all city affairs placed in the city manager's charge by or under this Charter including, but not limited to the following:

- (a) Appoint, suspend, or remove all city employees except as otherwise provided for by this Charter, law, or personnel rules adopted in accordance with this Charter. The city manager may authorize any administrative officer subject to the city manager's supervision to exercise these powers with respect to subordinates;
- (b) Attend all meetings of the city council with the right of voice, but not vote;
- (c) Provide for the execution and enforcement of laws, provisions of this Charter, and acts of the city council;
- (d) Prepare and submit the annual budget and capital program to the city council;
- (e) Submit to the city council and make available to the public a complete report of finances and administrative activities at the end of each fiscal year;
- (f) Make such reports as the city council shall require regarding the operation of the City, its departments, and agencies;
- (g) Keep the city council fully advised as to the financial condition and future needs of the City and make recommendations as to courses of action; and

- (h) Perform the duties prescribed by this Charter or required by the city council.

Section 5.3. Acting City Manager.

The city manager shall designate by letter filed with the city clerk a qualified city administrative officer to serve as acting city manager in case of the city manager's absence or disability. This appointment shall be approved by the city council.

Section 5.4. City Attorney.

The city council shall appoint a city attorney who shall serve as chief legal advisor to the city council, the city manager, and all departments and agencies of the City. The city attorney shall represent the City in any legal proceedings. The city attorney shall be licensed to practice law in the State of Michigan. The city council may engage one (1) or more attorneys with expertise for particular cases. The salary shall be fixed by city council.

Section 5.5. City Assessor.

The city council shall appoint a city assessor meeting statutory qualifications, who shall possess all the powers vested in, and shall be charged with all the duties imposed [upon] assessing officers by statute, or by ordinance of the City, or by resolution of the council. The salary shall be fixed by city council.

Section 5.6. City Clerk.

A city clerk shall be appointed by the city manager with approval of the city council solely on the basis of administrative qualifications. The salary shall be fixed by the city manager in accordance with budget appropriations. The city clerk shall be clerk of the council and shall, with the mayor, sign all ordinances. The city clerk shall keep a permanent journal of all council proceedings and ordinances; shall keep and preserve the corporate seal and all official documents; and shall administer oaths of office. In

addition, the city clerk shall perform all other duties prescribed by law, this Charter, and as directed by the city manager.

Section 5.7. City Treasurer.

A city treasurer shall be appointed by the city manager with approval of the city council solely on the basis of administrative qualifications. The salary shall be fixed by the city manager in accordance with budget appropriations. The city treasurer shall have custody of all monies of the City and shall perform all other duties prescribed by law, this Charter, and as directed by the city manager.

Section 5.8. Clerk-Treasurer.

The city council may at any time by resolution combine, or separate from combination, the office of city clerk and the office of city treasurer.

CHAPTER 6. LEGISLATION

Section 6.1. Existing Legislation.

All ordinances, resolutions, rules, and regulations of the City of Petoskey that are consistent with the provisions of this Charter shall continue in full force at the adoption of this Charter unless repealed or amended.

Section 6.2. Resolutions and Ordinances.

All actions of the city council shall be by resolution or ordinance. Resolutions shall be official actions of the city council in the form of a motion pertaining to internal affairs or concerns of the City. Acts that carry a penalty for violation shall be by ordinance.

Section 6.3. Enactment of Ordinances.

All legislation of the City of Petoskey shall be by ordinance. Each ordinance shall be identified by a number and a short title. Each proposed ordinance shall be introduced in written or printed form. The style of all ordinances passed by the city council shall be: "The City of Petoskey or-

dains." With the exception of emergency ordinances, no ordinance shall be finally passed by the city council at the same meeting at which it is introduced. All ordinances shall be recorded in "The Ordinance Book" when enacted and shall be authenticated by the signatures of the mayor and the city clerk. With the exception of emergency ordinances, all ordinances shall specify an effective date no less than fourteen (14) days after enactment.

Section 6.4. Repeal of Ordinances.

An ordinance may be repealed by the adoption of a repealing ordinance in the same manner as provided for enactment.

Section 6.5. Emergency Ordinances.

The city council may adopt one (1) or more emergency ordinances to meet a public emergency affecting life, health, property, or the public peace. The city council must first declare the existence of the emergency and describe it in specific terms. Ordinances enacted for an emergency may not levy taxes; grant, renew or extend a franchise; or regulate the rate charged by any public utility for its services. An emergency ordinance may be adopted at the same meeting at which it is introduced, may have immediate effect, and shall be published and printed in the same manner as prescribed for other ordinances. Every emergency ordinance shall automatically stand repealed as of the sixty-first (61st) day following the date of adoption, but may be reenacted if the emergency continues to exist. An emergency ordinance may also be repealed by the enactment of an emergency ordinance.

Section 6.6. Penalties.

The city council shall provide in each ordinance for the punishment of those who violate its provisions.

Section 6.7. Publication.

Each ordinance passed by the city council shall be published at least once within seven (7) days after adoption. This publication shall be in a newspaper of general circulation within the City.

Section 6.8. Technical Codes.

The council may adopt into an ordinance by citation any provision of state law or any detailed technical regulations. The adopting ordinance shall clearly identify and state the purpose of the provisions adopted in this way. Copies of the regulations cited shall be available for free inspection at the office of the city clerk and for purchase at reasonable cost.

Section 6.9. Codification.

Copies of all ordinances that are in effect and all amendments to this Charter shall be prepared by the city clerk and available for distribution. At least once each year the council shall direct the compilation or codification of the Charter and of all the ordinances of the City then in force and available at reasonable charge.

CHAPTER 7. INITIATIVE AND REFERENDUM

Section 7.1. Initiation of Petitions.

Citizens of the City may initiate legislation or call for a referendum on legislation by means of petition. An initiative or referendum petition shall be signed by at least ten (10) percent of the registered voters of the City as of the date of the last regular city election before the filing of the petition. All signatures shall be obtained within thirty (30) days before the filing. A referendum petition shall be filed within thirty (30) days of the enactment of the ordinance that it seeks to repeal.

Section 7.2. Form of Petitions.

An initiative or referendum petition shall be addressed to the city council. The petition need not be on one (1) paper, but if it is the aggregate of two (2) or more papers, they shall be identical as to contents. A referendum petition shall clearly identify the ordinance or a portion of it that is proposed for repeal. An initiative petition shall clearly state the ordinance that it proposes to see enacted. No petition shall propose more than one (1) ordinance.

Section 7.3. Circulating Petitions.

Each signer of the petition shall include his residence address and the date of signature. To each page of the petition there shall be attached a sworn affidavit of the circulator that each signature on the page is genuine and that the circulator believes each signer to be a registered voter in the City of Petoskey. Completed petitions shall be filed with the city clerk.

Section 7.4. Canvass by the City Clerk.

The city clerk shall canvass the signatures on any initiative or referendum petition to determine if the signatures are in sufficient number and are not more than thirty (30) days old. The canvass shall be completed within five (5) days and the city clerk shall notify the circulator of any deficiency. The city clerk shall then allow ten (10) days from the notification of deficiency to permit the filing of supplemental petition papers. When a petition of sufficient signatures is filed within the allowed time and is in compliance with provisions of this Charter, the city clerk shall present the petition at the next regular meeting of the city council. The filing of a referendum petition shall suspend effectiveness of the ordinance in question until the issue is determined.

Section 7.5. City Council Action.

Upon receiving an initiative or referendum petition from the city clerk, the city council shall, within thirty (30) days, either:

- (a) If it be an initiative petition, enact the ordinance as submitted in the petition;
- (b) If it be a referendum petition, repeal the ordinance or portion of the ordinance referred; or
- (c) Submit the proposal to the voters.

Section 7.6. Submission to Voters.

Should the city council submit the proposal to the voters, it shall be submitted at the next election held in the City for any other purpose, or, at the discretion of the city council, at a special election called for that specific purpose. In the case of an initiative petition, if no election is to be held in the City for any other purpose within one hundred fifty (150) days from the time the petition is presented to the city council and the city council does not adopt the ordinance, then the city council shall call a special election within sixty (60) days from such time for the submission of the initiative proposal. The result shall be determined by a majority vote of the voters voting thereon, except in cases where otherwise required by the general laws of the State of Michigan. If two (2) or more ordinances adopted at the same election shall have conflicting provisions, the provisions in the ordinance receiving the highest number of affirmative votes shall govern.

Section 7.7. Limitation.

An ordinance adopted by the electorate through initiative proceedings may not be amended or repealed for a period of two (2) years after the date of the election at which it was adopted. An ordinance repealed by the voters may not be reenacted within a period of two (2) years after the date of the election in which it was repealed.

CHAPTER 8. BUDGET AND FINANCE**Section 8.1. Fiscal Year.**

The fiscal year of the City shall begin January 1 and end December 31.

Section 8.2. Budget Procedure.

The city manager shall be responsible to submit to the city council at its first regular meeting in November of each year a recommended budget that shall include:

- (a) Detailed estimates, with supporting explanations, of all proposed expenditures for each department and office of the City for the coming year, along with statements of expenditures for those items in the previous fiscal year and anticipated expenses for the current year;
- (b) Statements of the bonded and other indebtedness of the City, showing requirements of debt redemption and interest, debt authorized but unissued, and the details of sinking funds;
- (c) Detailed estimates of all revenues anticipated by the City from sources other than taxes, with a comparative statement of amounts received in the previous fiscal year and anticipated revenues for the current year;
- (d) A statement of the anticipated balance or deficit for the current year;
- (e) An estimate of the amount of money to be raised from current and delinquent taxes, and the amount to be raised from bonds issued in order to meet the proposed expenditures;
- (f) Such other supporting information as may be requested by the city council and required by state law.

Section 8.3. Budget Hearing.

A public hearing on the budget shall be held before its adoption. The city council shall direct

the time and place for the hearing and notice of it shall be published at least six (6) days in advance.

Section 8.4. Adoption of Budget.

After the hearing, but not later than December 31 of each year, the city council shall adopt a budget for the ensuing year by resolution. After realistic consideration of all other revenues, the city council shall declare the amount of money necessary to be raised by taxes on property, which amount shall not be greater than that granted by state law or this Charter.

Section 8.5. Budget Bonds.

Any capital improvement items contained in the budget may be financed by the issuance of bonds as a part of the budget system, provided that the amount of such bonds together with the taxes levied for the same year shall not exceed the limit of taxation authorized by law.

Section 8.6. Budget Control.

No money shall be drawn from the city treasury unless there be an appropriation for it. No obligation for expenditure shall be incurred without an appropriation covering all payments that will be due for such an obligation in that fiscal year.

Section 8.7. Transfers.

The city council may, by resolution, transfer any unencumbered appropriation balance, or any portion of it, from one account, department, fund, or agency to another.

Section 8.8. Additional Appropriations.

The city council may make additional appropriations during the fiscal year for unanticipated expenses, but such additional appropriations shall not exceed the amount by which revenues exceed budget estimates unless the appropriations are necessary to relieve an emergency endangering the public health, safety, or peace.

Section 8.9. Quarterly Reports.

At the end of each quarterly period during the fiscal year the city manager shall summarize the financial condition of the City and if it appears that revenues are less than anticipated, the city council may reduce appropriations, except for amounts required for debt reduction and interest charges.

Section 8.10. Depositories.

The city council shall designate depositories for city funds and shall provide for the regular deposit of all city monies.

Section 8.11. Disbursements.

All funds from the treasury shall be drawn only by authorization and appropriation of the city council and by checks executed by not less than two (2) officers designated by the city council.

Section 8.12. Internal Audit.

The city clerk shall keep books of account of the receipts and expenditures of the City. The system of accounts of the City shall conform to such uniform system as may be required by law.

Section 8.13. Independent Audit and Annual Report.

An independent audit shall be made of all city accounts at least annually by a certified public accountant experienced in municipal finance and selected by the city council. The city manager shall be responsible for submitting an annual report of the state of the City, including a financial report. Copies of the annual report and the audit shall be made available at the office of the city clerk within thirty (30) days of receipt.

CHAPTER 9. TAXATION**Section 9.1. Power to Tax.**

In order to carry out the duties of city government as established by this Charter, the City

shall have power to assess, levy, and collect taxes, rents, tolls, and excises. City taxes shall be levied, collected, and returned in the manner provided by state law unless otherwise provided for in this Charter.

Section 9.2. Tax Limit.

The annual general ad valorem tax levy shall not exceed ten (10) mills (one (1) percent) of the assessed value of all real and personal property subject to taxation in the City, exclusive of any levies authorized by law beyond this Charter limitation; provided, however, that in any year the city council may levy up to five (5) mills additional (one-half (1/2) of one (1) percent) to be used exclusively for maintenance operations and public improvements within street rights-of-way.

(Ord. of 5-3-1988)

Section 9.3. Subjects of Taxation.

The subjects of ad valorem taxation for city purposes shall be the same as for state, county, and school purposes under general law.

Section 9.4. Exemption from Taxes.

No exemptions from taxation shall be allowed except for those required or permitted by state law.

Section 9.5. Tax Day.

The taxable status of persons and property shall be determined as of December 31 in each year, which shall be called the "Tax Day." Exceptions shall be those permitted or required by state law.

Section 9.6. Preparation of the Assessment Roll.

On or before the first Monday in March each year, the city assessor shall submit a certified assessment roll of all property in the City subject to taxation, available for examination in the city offices.

Section 9.7. Notice of Assessment.

Ten (10) days prior to the second Monday in March the city assessor shall give notice by first class mail of any increase in assessed valuation over the previous year. Failure to give or receive this notice shall not invalidate the roll or the assessment.

Section 9.8. Board of Review.

There shall be a board of review of the assessment roll composed of three (3) residents of the City who are qualified voters. Appointed by the city council to serve three-year staggered terms, they shall not be elected or appointed officials of the City. They shall meet and complete their duties as required by law. Their compensation shall be fixed by the city council.

Section 9.9. Meetings of the Board of Review.

The board of review shall meet on the Tuesday after the first Monday in March to review and correct the assessment roll. They shall meet on the second Monday in March to hear appeals and remain in session until all appellants have had an opportunity to be heard. Notice of the time and place of the meeting shall be published by the city clerk at least ten (10) days prior.

Section 9.10. Reviewed Assessment Roll.

Not later than the first Monday in April, the board of review shall, by majority vote, endorse the corrected assessment roll and deliver it to the city assessor who shall spread upon it the general ad valorem city tax, and the county and school taxes.

Section 9.11. Tax Roll Certified for Collection.

After spreading the taxes, the city assessor shall certify the tax roll, and the mayor shall add

his warrant directing the city treasurer to proceed to collect the taxes, assessments, and charges levied.

Section 9.12. Tax Lien.

On July 1 the assessed taxes shall become a debt due to the City and a lien on the property along with any charges, fees, or penalties. This lien shall take precedence over all other claims to the extent provided by state law and shall continue until all taxes, interest, and penalties are paid.

Section 9.13. Notification of Tax Due.

City taxes shall be due on July 1 of each year. The city treasurer shall mail a bill to each person named on the tax roll, but in cases of multiple ownership, only one (1) bill need be mailed. The city treasurer shall publish notice at least ten (10) days before July 1 that taxes will be due.

Section 9.14. Penalty and Interest Fees.

The taxes levied and due on July 1 of each year shall be collected before August 31 of that year. As of September 1, a collection fee of four (4) percent shall be charged, and on the first of each month thereafter an interest charge and penalty of one (1) percent in addition shall be charged. On December 1 any and all unpaid summer taxes shall be included in the winter tax bill shown as "delinquent summer," and the six (6) percent penalty due shown as "penalty."

Section 9.15. Failure or Refusal to Pay Personal Property Tax.

If any person, firm, or corporation shall fail or refuse to pay any personal property tax assessed by March 1, the city treasurer shall collect it by seizing and selling that personal property in an amount sufficient to pay the tax, fees, and charges. The city treasurer shall, if unable to collect the tax on personal property in any other way, sue the person, firm, or corporation in accordance with state law.

Section 9.16. Jeopardy Assessment.

Whenever the proper conditions exist, the city treasurer shall accelerate the date on which personal property taxes shall be collected as provided by state law.

Section 9.17. Delinquent Tax Roll to County Treasurer.

On March 1 of the following year, the city treasurer shall turn over to the county treasurer a roll of unpaid taxes together with charges, fees, and penalties, who shall proceed to collect them in the manner provided by state law. Delinquent taxes shall remain a lien on the property assessed until paid.

Section 9.18. County and School Taxes.

The city treasurer shall have the same powers as provided by state law for township treasurers as regard assessing and collecting taxes for county and school purposes.

CHAPTER 10. BORROWING**Section 10.1. General Powers.**

Subject to the applicable provisions of law, the City may, by ordinance, borrow money for any purpose within the scope of its powers. The City may also issue bonds or other evidence of indebtedness including, but not limited to:

- (a) General obligation bonds pledging for their payment the full faith and credit of the City;
- (b) Special assessment bonds issued in anticipation of the payment of special assessments for public improvements in a special assessment district or combination thereof. These bonds may be either an obligation solely on the special assessment district or districts, or both an obligation of such district and a general obligation of the City;
- (c) Revenue bonds as authorized by law;

- (d) Mortgage bonds for the acquiring, owning, purchasing, constructing, improving, or operating of any public utility that the City is authorized by law to finance in this manner, or for such other purposes as may be authorized by law;
- (e) Tax anticipation notes as authorized by law;
- (f) Calamity bonds issued in case of fire, flood, or other calamity as authorized by law;
- (g) Bonds for the City's share of the cost of local improvements. These bonds may be issued as a part of, or independently of, any issue of special assessment bonds which are issued for the same improvements;
- (h) Bonds for refunding the indebtedness of the City;
- (i) Bonds issued in anticipation of future payments from the motor vehicle highway fund or any other fund of the state that the City may be permitted by law to pledge for the payment of principal and interest thereof;
- (j) Deferred payment contracts. The City may enter into installment or lease-purchase contracts for the acquisition or sale of real or personal property or capital equipment. All such deferred payments shall be included in the budget for the year in which the installment is payable; and
- (k) Any other bonds or notes authorized by state law.

Section 10.2. Preparation and Record of Bonds.

Each bond or other evidence of indebtedness shall contain on its face a statement specifying the purpose for which the same is issued. It shall be unlawful for any officer of the City to use the proceeds thereof for any other purpose.

Any officer who shall violate the provision shall be deemed guilty of misconduct in office. All bonds and other evidences of indebtedness issued by the City shall be signed by the mayor and countersigned by the city clerk, under the seal of the City. Interest coupons may be executed with the facsimile signatures of the mayor and city clerk. A complete and detailed record of all bonds and other evidences of indebtedness issued by the City shall be kept by the city treasurer. Upon the payment of any bond or other evidences of indebtedness, it shall be marked "cancelled."

CHAPTER 11. SPECIAL ASSESSMENTS

Section 11.1. Power of Special Assessment.

The city council shall have the power to determine that the whole or any part of the expense of a public improvement shall be defrayed by special assessments on the property benefited and shall so declare by resolution. The resolution shall state the estimated cost of the improvement, what portion of the cost shall be paid by special assessments, what part, if any, shall be a general obligation of the City, the number of installments in which the assessment may be paid, and shall designate the district or premises on which special assessments shall be levied.

Section 11.2. Special Assessment Procedure.

The city council shall prescribe by ordinance a complete special assessment procedure to include public hearings concerning: The necessity of the improvement, plans and specifications, estimate of costs, the interest to be paid, if any, up to the limits of state law, the making of the assessment roll and correction of errors, the collection of special assessments, and any other matters concerning the making of improvements by the special assessment method.

Section 11.3. Assessment Lien.

From the date of confirmation of any assessment or reassessment roll the same shall constitute a lien on the property assessed and a charge against the person assessed until paid. In case of delinquency, the lien shall be enforced, either by addition to the next City property tax billing, or by suit.

CHAPTER 12. FRANCHISES, CONTRACTS, LICENSES, AND PERMITS

Section 12.1. General.

A franchise shall be granted by ordinance.

Section 12.2. Short-Term Franchise.

A short-term franchise may be granted by the city council for a period not longer than three (3) years.

Section 12.3. Long-Term Franchises.

A long-term franchise may be granted for four (4) to thirty (30) years but must be approved at a regular or special election by three-fifths of the voters voting on it at such election. No long-term franchise shall be ordained by the city council for referral to the electorate until thirty (30) days after application has been filed with the city council, until a public hearing has been held on the matter, and until the grantee has filed with the city clerk an unconditional acceptance of all the terms of such a franchise. Before a special election is called to approve a franchise, the grantee shall pay to the city treasurer the expense of the election as determined by the city council.

Section 12.4. Right of Regulation.

All franchises shall be subject to the following rights of the City:

- (a) To repeal the franchise for misuse or non-use or for failure to comply with agreed provisions;

- (b) To require proper and adequate extension of plant and service, maintaining them at the highest practical standard of efficiency;
- (c) To establish reasonable standards of service and quality of product, and to prevent unjust discrimination in service or rates;
- (d) To examine accounts and require independent audit and annual reports;
- (e) To require continuous and uninterrupted service to the public in accordance with the franchise and throughout its duration;
- (f) To approve rates to be charged in exercising the franchise;
- (g) To impose such other regulations as determined by the city council as will be conducive to the safety, welfare, and accommodation of the public.

Section 12.5. Uses of Public Property.

Every public utility franchise shall be subject to the right of the City to use, control, and regulate the use of its streets, alleys, bridges, and public places, and the space above and beneath them. Every public utility shall pay such part of the cost of maintaining streets and public places as shall arise from its use of them, and shall keep the City harmless from damages arising from their use. A franchised utility may be required by the City to permit joint use of property by other utilities when practical and on the payment of reasonable rental. The city council shall provide the conditions for such joint use and determine the compensation.

Section 12.6. Contracts.

The city council may by resolution authorize the mayor and city clerk to enter into contracts on behalf of the City.

Section 12.7. Licenses and Permits.

The city council shall prescribe by ordinance the terms and conditions on which licenses may be granted or revoked regulating businesses, trades, and occupations. The city council shall provide for the punishment by fine or imprisonment, or both, of any person who, without license, shall exercise any occupation or trade, or do anything for which a license is required.

Section 12.8. Existing Franchises, Contracts, Licenses, and Permits.

All franchises, contracts, licenses, and permits to which the City is a party when this Charter becomes effective shall remain in full effect.

CHAPTER 13. LIBRARY COMMISSION

Section 13.1. Establishment.

There shall be a library commission consisting of five (5) residents of the City of Petoskey appointed by the mayor. They shall serve for five (5) years in staggered terms without compensation.

Section 13.2. Duties.

The library commission shall have care, custody, control, and management of the public library, together with all buildings containing the same, and may employ all necessary personnel. The library commission shall make an annual report to the city council at a time specified by the city manager indicating the condition of the library. The library commission shall prepare an itemized budget including anticipated revenues and expenses at a time specified by the city manager.

CHAPTER 14. GENERAL PROVISIONS

Section 14.1. Rights and Obligations.

The corporation created by this Charter shall pay all the debts and obligations of the City of

Petoskey; and all property, real and personal, and the rights of the City are hereby absolutely vested in the corporation.

Section 14.2. City Not to Own Stock.

The City shall not become the owner or holder of stock or shares in any incorporated company.

Section 14.3. Prima Facie Evidence of Publication.

Whenever this Charter calls for publication, a proof of publication shall be prima facie evidence of sufficient notification.

Section 14.4. Issuing Bonds to Pay Judgment in Excess of Taxation Powers.

Whenever the judgment of any court shall be rendered against the City and it shall be unable to pay by reason of tax limitation, it shall be lawful for the City to issue bonds up to that amount, including costs and interest. The city council shall prescribe the manner of sale and rate of interest.

Section 14.5. Amendments.

This Charter may be amended at any time as provided by state law.

Section 14.6. Saving Clause.

If any portion or provision of this Charter is held to be unconstitutional, that shall not invalidate any other portion nor this Charter as a whole.

CHAPTER 15. IMPLEMENTATION

Section 15.1. Charter Election.

This Charter shall be submitted to the voters of the City of Petoskey at a special election to be held on August 7, 1984. It shall be published once in the Petoskey News-Review between July 10 and July 24, 1984.

Section 15.2. Style of Ballot.

The question shall be submitted to the voters in the following manner: "Shall the proposed Charter of the City of Petoskey drafted by the charter commission be adopted?"

Yes _____ No _____

Section 15.3. Time of Effect.

If approved by a majority of the voters this Charter shall come into effect at 12:01 a.m. on January 1, 1985. Certified copies of the Charter shall be filed with the secretary of state of the State of Michigan, and the county clerk for the County of Emmet.

Section 15.4. Current Officers.

All officers, employees, and members of boards and commissions appointed under the present Charter shall continue in their duties and responsibilities until their successors are chosen and qualified.

Section 15.5. Ward Vacancies.

The nominating conventions shall be held as scheduled in 1984 and the same rotation of ward vacancies on the city council shall prevail as under the present Charter.

Section 15.6. Saving Clause.

Any details of transition not covered by the Charter shall be provided for by action of the city council.

Section 15.7. Termination of this Chapter.

This chapter on implementation may be dropped from further publication of the Charter once its provisions are fulfilled.

APPENDIX A

Commencing at the northwest corner of the southeast one-quarter of Section 1, Town 34 North, Range 6 West, thence south on one-quarter line to southwest corner of the southeast one-quarter of said Section, thence east on said Section line to southeast corner of Section 1, thence south on Section line to southwest corner of northwest one-quarter of the northwest one-quarter of Section 7, Town 34 North, Range 5 West, thence east on one-eighth line to southeast corner of the northeast one-quarter of the northwest one-quarter of said Section 7, thence south to southwest corner of the northeast one-quarter of Section 7, thence east on one-quarter line of Section 7 to the southeast corner of the northeast one-quarter of Section 7, thence south on Section line between Sections 7 and 8 to the southerly line of railroad right-of-way, thence southeasterly along railroad right-of-way to north one-eighth line of Section 17, Town 34 North, Range 5 West, thence east 475 feet more or less, thence north 45 degrees east 100 feet to Bear River, thence easterly along River to the east one-eighth line of Section 17, thence north along east one-eighth line on Sections 17, 8 and 5 to the east and west one-quarter line of Section 5, Town 34 North, Range 5 West, thence east 1,312.04 feet, thence north on Section line 849.45 feet, thence west 194.32 feet, thence north to south line of Mitchell Road, thence west 66 feet, thence south 447.65 feet, thence west 474.51 feet, thence north 115.50 feet, thence west to the east one-eighth line of Section 5, thence north to the north line of Arlington Avenue, thence north 83 degrees 44 minutes 04 seconds west 156.42 feet, thence north 02 degrees 54 minutes 13 seconds east 779.39 feet, thence north 66 degrees 06 minutes 9 seconds west to shore of Lake Michigan, thence southwesterly along shore to point of beginning.

CHARTER COMPARATIVE TABLE

ORDINANCES

This table shows the location of the sections of the basic Charter and any amendments thereto.

Ordinance Date	Section this Charter
8- 7-1984(Ord.)	Chs. 1—15
5- 3-1988(Ord.)	9.2



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 20, 2020

PREPARED: January 15, 2020

AGENDA SUBJECT: Vehicle Purchase Authorization

RECOMMENDATION: That the City Council authorize purchases under the Mi-Deal State of Michigan Purchasing Contract and the National Intergovernmental Purchasing Alliance

Background The City's 2020 Annual Budget and Capital Improvement Plan allocated \$545,000 within the Motor Pool Fund to purchase certain vehicles and equipment. Capital Expenditures as proposed for year 2020 would replace existing vehicles and equipment within the Motor Pool.

For many years, the City has routinely made purchases from the State of Michigan Mi-Deal Purchasing Contract and the National Intergovernmental Purchasing Alliance (National IPA). These programs are extended purchasing programs that allow local units of government to utilize pricing through state contracts or other public entity procurements. City purchases are normally limited to road salt, vehicles and equipment.

The following list of proposed vehicles and equipment make up a portion of Motor Pool Fund purchases for 2020, remaining purchases include one large 35,000# GVW Heavy-Duty Plow Truck and one Public Safety Patrol unit. City staff is currently working on specifications, which will establish final pricing in the near future.

Recommendation City staff recommends that the City Council authorize purchases for the following vehicles and equipment under the Mi-Deal State of Michigan purchasing contract and the National IPA.

- Mi-Deal Purchase of a latest production mid-size, extended cab, four-wheel-drive, GMC Canyon Pick-up from Todd Wenzel Fleet and Commercial Truck Sales, Westland, Michigan at a cost not to exceed \$29,972.50 (Budget allocated \$33,000). This vehicle will replace Parks and Recreation Unit #71, a 2007 Dodge Pick-up with approximately 82,000 miles, that will be retired.
- Mi-Deal Purchase of a latest production four-wheel-drive, one ton, GMC Pick-up from Todd Wenzel Fleet and Commercial Truck Sales, Westland, Michigan at a cost not to exceed \$33,072.30 (Budget Allocated \$50,000). This vehicle will replace Public Works Water Division Unit #88, a 2004 Ford One-Ton Utility Truck with approximately 101,000 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, Michigan at a cost not to exceed \$37,049.00 (Budget Allocated \$50,000). This vehicle would replace Public Safety Patrol Unit #444, a 2015 Tahoe Pursuit, with approximately 110,000 miles, that will be retired.

- Mi-Deal Purchase of a latest production mid-size sedan Ford Fusion from Gorno Ford, Woodhaven, Michigan, at a cost not to exceed \$23,995.00 (Budget Allocated \$25,000). This vehicle will replace Public Safety Staff Unit #448, a 2010 Ford Fusion with approximately 82,000 miles, that will be retired.
- Mi-Deal Purchase of a latest production High Output Hot Patch Heater from Truck & Trailer Specialties, Boyne Falls, Michigan at a cost not to exceed \$19,725 (Budget Allocated \$20,000). This equipment is a self-contained unit that slips into the box of a one-ton dump body and heats asphalt type material for filling potholes, it will replace a similar type 2013 unit, that will be retired.
- Mi-Deal purchase of a latest production Bobcat Toolcat Utility Work Machine with attachments from Clark Equipment Company dba Bobcat Company of West Fargo, North Dakota, at a cost not to exceed \$73,008.40 (Budget Allocated \$75,000). Attachments include a loader bucket, flail mower deck and snow blower. This equipment will replace Unit #123, a 2006 Holder Utility Machine along with attachments, with approximately 1,600 hours of operation, that will be retired.
- National IPA purchase of a latest production commercial mower, Toro 62-inch out-front base deck from Spartan Distributors, Sparta, Michigan at a cost not to exceed \$19,801.80 (Budget Allocated \$24,000). This unit would replace Parks and Recreation mower Unit #146, a 2007 similar type commercial mower, with approximately 2,300 hours of operation, that will be retired.
- National IPA purchase of a latest production Toro Workman MDX Utility Cart from Spartan Distributors, Sparta, Michigan, at a cost not to exceed \$13,964.29 (Budget Allocated \$15,000). This vehicle will replace Parks and Recreation Unit #189, a 2009 Toro Workman MDX Utility Cart with approximately 1,000 hours of operation, that will be retired.
- National IPA purchase of a latest production Toro Workman HDX Utility Cart from Spartan Distributors, Sparta, Michigan, at a cost not to exceed \$24,082.51 (Budget Allocated \$30,000). This vehicle will replace Parks and Recreation Unit #101, a 2005 Toro Workman HDX Utility Cart with approximately 2,300 hours of operation, that will be retired.

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