



CITY COUNCIL

January 20, 2020

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, January 20, 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, 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, Public Works Director Michael Robbins, City Planner Amy Tweeten, Parks and Recreation Director Kendall Klingelsmith and Downtown Director Becky Goodman.

Hear Declaration of Peace Proclamation

Mayor Murphy read the following 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.

Consent Agenda - Resolution No. 19369

Following introduction of the consent agenda for this meeting of January 20, 2020, 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 confirms that the draft minutes of the January 6, 2020 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 January 6, 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 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 there were no comments.

Hear City Manager Updates

The City Manager reported that the DMB will be discussing a redevelopment liquor license for 324 East Mitchell Street for a new business, Sam Graces Café, which would be number 6 of 10 available licenses if Council approves; that staff has met with North Central Michigan College representatives concerning the intra-campus Ring Road extension, reviewed the potential utilization of grant monies from the (BIA) and that an agreement will be developed for future Council approval that will state that all future repairs and maintenance on the intra-campus roadway will be the responsibility of the College; that approximately 25 stakeholders met last week to discuss four design alternatives for the Lake Street Dam; that the City Attorney is available March 23 or March 30 for Robert's Rules of Order training and asked Council if there was a preference or if a different date worked better; reminded Council that Dan Leonard from MEDC will be giving pro-forma training at 6:00 P.M., February 3; that correspondence from Senators Peters and Stabenow had been received concerning erosion funding issues, that a packet of information and photos will be sent to State officials later this week and a letter from the Mayor was also sent to Jason Allen, State Director of the USDA , regarding potential grants and loans for shoreline repairs; and the City Manager will be attending the MME winter conference in Gaylord next Tuesday through Friday.

City Councilmembers inquired who the stakeholders were that attended the Lake Street Dam meeting; if the extended Ring Road would provide access to baseball fields; inquired why the dam study alternatives were left blank; discussed how alternatives could affect sturgeon; heard from those regarding possibility of no barrier for lamprey; and suggested Robert's Rules of Order training immediately prior to the February 17 meeting.

The City Manager reviewed those that attended the dam meeting; that Ring Road would not provide access to ball fields; and that OHM representative left alternatives blank on purpose to be filled in later.

Downtown Management Board Appointment – Resolution No. 19370

Mayor Murphy reviewed that City Council consider possible appointment to the Downtown Management 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 appointment of Gary Albert, 430 Pearl Street, to the Downtown Management Board, to fill a vacated term ending December 2022.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Discuss Adding 502 Michigan Street, Parr Baptist Church, to Priority Redevelopment Sites

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

The City Manager further reviewed that at its December 3 meeting, Dan Leonard with MEDC, provided an overview of the City's progress and status in the RRC program and offered to provide a development pro-forma training for Council; reviewed the purpose of identifying priority sites; that as a church or if purchased by a non-profit no taxes are paid on the property, but if the property could be successfully redeveloped, it would become taxable; that adaptive reuse of historic structures is expensive and the reason why no purchase offer at this property has moved forward; that staff believes absent assistance of some sort that the property will continue to deteriorate; and reviewed Brownfield TIF and benefits of this type of incentive.

Steve Schimpke, representative of purchaser, gave a brief presentation on proposed project; that there is a need to preserve the historic architecture; that redeveloping the church and maintaining its character is challenging due to costs; that ground up development is more affordable than transforming the use of an existing historic building; that the development team will request Brownfield TIF reimbursement to cover the costs of eligible activities; and that the purchaser is requesting the site be a priority redevelopment site in order to facilitate both local Brownfield TIF and MEDC incentives.

City Councilmember Wagner excused himself from the discussion and sat in the audience due to his interest as a potential investor.

City Councilmembers commented that the property is under contract and a decision will need to be made soon; inquired if property needed to be a priority site to receive Brownfield TIF; inquired what benefits come with RRC program; discussed tax abatements and inability to currently determine an amount for TIF; that MEDC funding may be available if site is designated as RRC; and inquired if the stained glass windows would be saved or sold.

Mayor Murphy asked for public comments and heard from those thanking Council for considering this project; heard from those in favor of seeing the redevelopment; and that people find ways to go without onsite parking.

Approve Contract for Kalamazoo Avenue Street Improvements – Resolution No. 19371

The Public Works Director reviewed that the 2020 Budget and CIP included \$1,935,000 for the reconstruction of Kalamazoo Avenue from East Mitchell Street to Jennings Avenue and a small segment of Jennings Avenue east of Kalamazoo adjacent to the "Corner Grocer" convenience store; that street improvements will follow certain utility upgrades and include reconfigured curb lines, vehicle parking and sidewalk improvements that will enhance pedestrian safety; that staff is working with Tipp of the Mitt Watershed Council in the design and construction of a "rain garden" at the intersection of Sunset Court and Kalamazoo Avenue; reviewed scope of project and mentioned replacement of water service lines to 7 homes due to lead and copper rules; reviewed that 8 area firms were notified and four bids were received on December 18, 2019; and that staff recommends contracting with the low bidder, Tri-County Excavating Group, LLC, Harbor Springs.

City Councilmembers inquired why there were variance costs and the Director responded that there were variances in per unit costs and staff is confident with the bid.

City Councilmember Walker moved that, seconded by City Councilmember Marshall to authorize contracting with Tri-County Excavating Group, LLC, Harbor Springs, for Kalamazoo Avenue street improvements in the amount of \$1,735,079.23.

Said motion was adopted by the following vote:

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

NAYS: None (0)

Discuss Slope Failure Study Concerning Erosion Issues

The City Manager reviewed that increasing high water and wave energy has caused substantial slope failures along the Little Traverse Wheelway, particularly between Magnus Park and Arrowhead Shores; that staff decided to close the trail between the Wastewater Treatment Plant and East Park due to potential instability of the slope and trail; that all damaged shoreline areas are within Resort Township; that staff met with Resort Township Supervisor concerning issues and proposed 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; that 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 providing the City with solutions; that OHM, Petoskey engineering firm, will also jointly work with Baird as part of this project; reviewed the proposal and costs; that costs weren't included in the 2020 Budget but could be funded through the General Fund Unrestricted Reserves; and that City Council could approve the slope failure study at this meeting or wait for a decision by Resort Township.

Rory Agnew from W.F. Baird Associates gave a brief presentation on the issues of the slope failure, provided drone footage of shoreline and reviewed proposed project scope. Council agreed to make a decision on the study following the Resort Township meeting.

Discuss Potential Revisions or Amendments to City Charter

The City Manager reviewed that two Councilmembers asked that a discussion on potential revisions or amendments to the City Charter be discussed; reviewed that the last Charter Commission was in 1984 when Chapters 1-15 of the City Charter were approved by voters; that 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; and reviewed the process and differences between "revising" or "amending" the City Charter.

City Councilmembers commented that revisions should be considered; heard from those that have issues with term lengths for both Councilmembers and Mayor; that the Mayor term is too short; and heard from those that believe Council pay is very low compared to other communities.

Mayor Murphy asked for public comments and heard from those in favor of looking into revisions; that there are only a few changes needed; and that the City does not need additional Councilmembers.

Approve Motor Pool Purchases – Resolution No. 19372

The Public Works Director reviewed that the 2020 Budget and CIP allocated \$545,000 within the Motor Pool Fund to purchase certain vehicles and equipment; reviewed 9 proposed vehicles and equipment that make up a portion of purchases for 2020; and that staff is currently working on specifications which will establish final pricing for the remaining purchases.

City Councilmembers inquired why Public Safety vehicles are replaced with such low miles and the Director reviewed maintenance costs on vehicles.

City Councilmember Marshall moved that, seconded by City Councilmember Wagner to 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.

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 there were no comments.

There being no further business to come before the City Council, this January 20, 2020, meeting of the City Council adjourned at 9:15 P.M.

John Murphy, Mayor

Alan Terry, Clerk-Treasurer