



CITY COUNCIL

July 20, 2020

A regular meeting of the City of Petoskey City Council was held from virtual locations on Monday, July 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 Rob Straebel, Clerk-Treasurer Alan Terry, Parks and Recreation Director Kendall Klingelsmith and Executive Assistant Sarah Bek.

Consent Agenda - Resolution No. 19429

Following introduction of the consent agenda for this meeting of July 20, 2020, City Councilmember Shumway moved that, seconded by City Councilmember Walker adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the July 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 July 6, 2020 for contract and vendor claims at \$875,906.36, intergovernmental claims at \$0, and the July 9 payroll at \$238,932.96, for a total of \$1,114,839.32 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 public comments.

Hear City Manager Updates

The City Manager reported that the Emmet County Brownfield Redevelopment Authority voted unanimously in favor of moving forward with Brownfield Plan process for the Bay Street hotel redevelopment and that a final draft Brownfield 381 Action Plan will be formally introduced at the August 3 Council meeting; that five bids are being analyzed for a solar panel project on the rooftop of City Hall; that staff has been working with Harvest Solar on preliminary site layouts for solar panels at the Howard Road landfill and information has been forwarded to MPPA for their input; that the Petoskey Harbor Springs Area Community Foundation recently awarded the City a \$16,000 grant to offset costs of outdoor dining platforms; gave an electric system outage report and that by 10:00 P.M. Sunday night power had been fully restored after Saturday's storm and thanked Electric Department crews for their tireless efforts; that at the Mayor's request, staff is working with a local print shop to have 20 yard signs developed reminding residents and visitors to "Wear Masks and Social Distance"; reviewed that residents are directed to put all tree limbs in the green area by the curb regardless of the size of the limbs, that the City will have six tree chipping crews out this week to remove all downed tree limbs and thanked the Parks and Recreation crews in removing downed trees from Pennsylvania Park, Bayfront Park, Magnus Park and other areas throughout the community; and reviewed Kalamazoo Street reconstruction project updates and that the Jackson Street improvement project will begin the week of August 3.

City Councilmembers commented that tree inventory will need adjustment after Saturday's storm and many trees will need to be replaced; that it is great news that the City received a grant for dining decks to help downtown businesses; and that there was great pride from neighbors and community members in cleaning up the City and it was nice to see everyone come together.

Direct Staff on Park Land Designation – Emmet Street ROW – Resolution No. 19430

The City Manager reviewed that the Parks and Recreation Commission by a 4-2 vote met and did not support the establishment of Emmet Street right-of-way between Mitchell Street and US-31 Highway as official park lands. The City Manager further reviewed that Commissioners cited there was no reference in the Parks and Recreation Master Plan to create a park at this site; costs of an election if the parks land designation were to be considered by the electorate; that designation possibly could inhibit economic development at 200 East Lake Street; that currently the parcel of land was working well as a protest area with out the park land designation; reviewed that staff is working on a draft resolution and a survey which will be completed in next two weeks to specifically define the actual boundaries that will be designated as park lands; and that from his perspective is a "piecemeal approach" lacking proper conceptual planning with other adjacent properties at a critical gateway to downtown Petoskey.

City Councilmembers inquired on the sense of urgency and heard from those in agreement with staff; that the Parks and Recreation Commission had similar concerns; heard from those in favor of designation and that these are well thought out, rational decisions; and that this decision is not one with unintentional consequences and people should discontinue using this term.

Mayor Murphy asked for public comments and heard that many places in the community could become designated park lands and the designation as a park could make it difficult to vote on and those voting may not understand the economics of a proposal.

City Councilmember Marshall moved that, seconded by City Councilmember Shumway to direct staff to prepare a resolution to designate the property as parkland and provide a property survey for consideration at the next meeting.

Said motion was adopted by the following vote:

AYES: Marshall, Shumway, Walker, Murphy (4)

NAYS: Wagner (1)

Hear Shoreline Erosion Presentation

The City Manager reviewed that Baird and Associates, Wisconsin, studied four areas along the coastline including Bayfront East, behind the playground at the promenade, Bayfront West/Solanus Mission Beach and Magnus Park; that these areas have been affected by the high water and storm events and require long term mitigation solutions; and that all concepts were shared with the Parks and Recreation Commission and Commissioners supported moving forward with the livable shoreline concepts.

Rory Agnew, Baird and Associates representative, gave an overview on erosion concepts from Bayfront Park to Magnus Park; reviewed possible options for improvements in the four areas along with pricing with total costs over \$7 million; reviewed water levels; that the areas were droned, shoreline and off shore data was collected, analyzed and concepts were formed; that staff recommended designs with a softer, "living shoreline" approach; that the living shoreline is a combination of grading and native vegetation to mimic natural adaptation; and that they provide usability and more opportunity for grant funding.

City Councilmembers commented on water levels and projections for the future; inquired on the next steps in the process; and what site has worse environmental issues and should be completed first.

Mr. Agnew responded that water level projections in the future will be hard to determine; that the first step is hearing this presentation and that priorities are up to the City; and that the area near the Wastewater Treatment Plant may be most important to look at first.

Mayor Murphy asked for public comments and heard a comment that natural shorelines take care of themselves.

The City Manager reviewed that the Arrowhead Shores study will be forthcoming in August.

First Reading of Proposed Ordinance Establishing a Compensation Commission

The City Manager reviewed that City Council directed staff to pursue two possible changes to the City Charter: changing the duration of terms of office for both Mayor and City Councilmembers and considering a change in compensation for elected officials; that staff is working on ballot language that would be considered by the electorate to change the terms of office in 2021; that changes to compensation for elected officials is considered an amendment to the City Charter and does not require a vote of the people; that staff recommended that a Local Officers Compensation Commission be set up to recommend compensation for the Mayor and Councilmembers; reviewed highlights of the ordinance including commission members, eligibility, terms and duties; and that the ordinance is based on provisions of the Home Rule City Act 279 of 1909.

City Councilmembers inquired why a commission was being recommended vs. a committee; how often the commission would meet; and the Mayor asked for volunteers to serve on the commission.

City Council will conduct a second reading at their next regular meeting.

NCMC Foundation Non-Profit Confirmation – Resolution No. 19431

The City Manager reviewed that on behalf of North Central Michigan College Foundation, Christian Smith, Gift Officer, requested that City Council approve a resolution in support of a charitable gaming license; that the Foundation is planning to host a number of fundraising engagement events such as selling raffle tickets which requires an organization obtain a charitable gaming license; and approval by the local governing body that the organization be officially recognized as a nonprofit organization.

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

WHEREAS, local governmental units are required to certify status of local non-profit organizations that seek permission of the Michigan Bureau of the Lottery, Charitable Gaming Division, to conduct certain types of fundraising campaigns that require issuing of gaming licenses; and

WHEREAS, the North Central Michigan College Foundation, 1515 Howard Street, Petoskey, has requested that the City recognize it as a non-profit organization that operates within the community for the purpose of administrating gaming licenses that would permit future raffle drives and fundraising events, the proceeds from which would benefit the individual affiliate conducting the event:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby certifies that the North Central Michigan College Foundation, 1515 Howard Street, Petoskey, is a recognized non-profit organization that operates within the Petoskey community.

Said resolution 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 commented that people need to continue to reach out to their neighbors and others in the community and let them know you care as we continue to live during these unprecedented times. Councilmember Shumway thanked City staff and community that helped cleanup after the weekend storm. Councilmember Marshall thanked visitors for appropriate behavior and abiding by executive orders. Mayor Murphy thanked everyone for their efforts in helping clean up the community and that there is no better place to live than Petoskey.

There being no further business to come before the City Council, this July 20, 2020, meeting of the City Council adjourned at 8:40 P.M.

John Murphy, Mayor

Alan Terry, Clerk-Treasurer