



CITY COUNCIL

October 19, 2020

A regular meeting of the City of Petoskey City Council was held from virtual locations on Monday, October 19, 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, City Planner Amy Tweeten and Executive Assistant Sarah Bek.

Hear Domestic Abuse Awareness Proclamation

Mayor Murphy read the following proclamation:

WHEREAS, all people deserve to be safe in their homes and communities; and

WHEREAS, domestic abuse remains a pervasive issue in Petoskey, the United States, and the world with implications for personal and community health; and

WHEREAS, domestic abuse does not discriminate and impacts all communities regardless of age, race, ability, gender identity, or socioeconomic status; and

WHEREAS, the current COVID-19 public health crisis has led to further isolation and increased risks of harm for survivors in all communities and particularly in rural Michigan; and

WHEREAS, research shows that by creating communities where people are connected, supportive and care for one another can reduce incidents of domestic abuse; and

WHEREAS, every day in the City of Petoskey individuals and organizations play a part in supporting people impacted by domestic abuse, providing services such as counseling, advocacy, legal, educational, housing, and medical services:

NOW, THEREFORE BE IT RESOLVED, that I, John Murphy, Mayor of the City of Petoskey, on behalf of all residents, do hereby proclaim October 2020 as:

Domestic Abuse Awareness Month

Conduct Public Hearing and Approve Special-Assessment Downtown Programs & Services – Resolution No. 19462

A public hearing was held to receive comments on the proposed programs and services. The City Manager reviewed process and that the DMB recommended an assessment formula at a 2% rate increase compared to the 2020 formula.

City Councilmembers inquired on 2019 capital outlay projects and future projects that are funded by the annual assessments.

The Mayor opened the public hearing at 7:10 P.M. and there were no comments.

The public hearing was closed at 7:11 P.M.

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

WHEREAS, at its meeting of October 5, 2020, the City Council reviewed a report by the City Manager dated September 30, 2020, as required of City Code provisions, that listed proposed programs and services to be provided to property owners and tenants within the Downtown Management Board's territory during 2021 and a proposed roll of special assessments to be spread against properties within the Management Board's district at a 2% rate increase compared to the 2020 formula, as a means of financing such proposed programs and services; and

WHEREAS, following its review of that September 30 report, the City Council scheduled a public hearing for 7:00 P.M., Monday, October 19, 2020, as required of City Code provisions, to receive comments concerning proposed Downtown Management Board programs and services; and

WHEREAS, the City Council now has conducted this October 19 public hearing to receive comments concerning proposed programs and services as recommended by the Downtown Management Board:

NOW, THEREFORE, BE IT RESOLVED that the City Council does and hereby approves proposed programs and services as recommended by the Downtown Management Board and costs as estimated by the Management Board to be assessed eligible property owners within the boundaries of the proposed assessment district at a 2% rate increase compared to the 2020 formula that are coterminous to those of the Management Board's territory; and

BE IT FURTHER RESOLVED that the City staff be and is hereby directed to prepare a special-assessment roll in accordance with the City Council's determination and to provide such a roll with the recommended formula rate for the City Council's review at its regular meeting of November 2, 2020.

Said resolution was adopted by the following vote:

AYES: Marshall, Shumway, Wagner, Walker, Murphy (5)
NAYS: None (0)

Consent Agenda - Resolution No. 19463

Following introduction of the consent agenda for this meeting of October 19, 2020, City Councilmember Walker 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 October 5, 2020 regular session City Council meetings 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 October 5, 2020 for contract and vendor claims at \$850,644.64, intergovernmental claims at \$0, and the October 1 payroll at \$204,980.30, for a total of \$1,055,624.94 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 on a ZBA appeals case and that the ZBA voted to affirm the determination by the City Planner that a roof structure and deck exceeds the setback allowance and must be brought into compliance; that staff met with Bay View regarding water and sewer service that the Association receives from the City and that Bay View may explore options for their own water system or possibly look at diverting sewer flows to the Harbor Springs Sewer Authority; that on October 16 Governor Whitmer signed Senate Bill 1108 amending the Open Meetings Act allowing public bodies to conduct virtual meetings for any reason through December 31, 2020 and are retroactive back to March 18, 2020, but starting January 1, 2021 through December 31, 2021, public bodies may meet virtually under certain circumstances including military duty, a medical condition, or a statewide or local state of emergency; that the October 15 Planning Commission was cancelled due to a lack of an in-person quorum and will be rescheduled now that members are allowed to participate virtually; that staff is currently recruiting for a Public Safety Officer and Receptionist-Clerk; reported on the City Hall solar project and staff is working with project engineers on a different panel design and/or ballasts since the Council Chambers will not support the weight of the proposed panels and ballasts, but the project is still expected to be completed this fall; that both Emmet County and Resort Township approved sharing preliminary engineering costs with the City for development of conceptual drawings for a potential non-motorized trail adjacent to US-31 from East Park to the City; that collective bargaining agreements for Lieutenants and Public Safety Officers are set to expire December 31, 2020 and union negotiations will begin next week for Public Safety Officers; that staff is finalizing the draft 2021 Budget and will be introduced at the November 2 City Council meeting; that there is a sharp increase in COVID-19 cases locally, statewide and throughout the United States and emphasized the community to continue to wear face coverings and adhere to social distancing regulations; and that Kalamazoo Avenue will be fully open to the public on Wednesday with a few checklist items to complete and thanked all residents for their patience during this extensive project.

First Reading of a Proposed Ordinance to Conditionally Rezone Properties at 501 and 523 East Mitchell Street, 311 Division Street and 502 and 508 East Lake Street from O-S Office Service B-2A Transitional Business

The City Planner reviewed that the property proposed for a conditional rezoning includes five parcels bounded by East Lake Street to the north, Division Street to the west and East Mitchell Street to the south and hold a mixed-use building at 523 East Mitchell Street, the First Presbyterian Church at 501 East Mitchell and two parcels with parking and a vacant lot owned by the Church; that the purpose of the conditional rezoning request is to maximize the ability to add residential units to the building at 523 East Mitchell Street; that the church would sell a portion of the 311 Division Street parcel to Sticks and Bricks to allow expansion of the existing mixed-use building to the north over the existing parking; reviewed Office Service District uses; that the Planning Commission evaluated the intent of the two zoning districts, the consistency of the request with the City Master Plan goals and the Future Land Use Map and Zoning Plan; and the Commission unanimously recommended that the conditional rezoning of the five parcels to B-2A be approved.

The City Manager also reviewed that a goal in the City Action Plan is to provide affordable housing.

City Councilmembers inquired on how the proposed project will work; discussed the opportunity to allow business and residential in this area; and inquired on how much the apartments would cost. The City Planner responded that apartment costs are undecided at this time.

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

Authorize Bear River Iron Belle Bridge Contract – Resolution No. 19464

The Parks and Recreation Director reviewed that the City was recommended for a Natural Resources Trust Fund grant award for the construction of the Iron Belle Bridge which will connect the North Country Trail on the east side of the Bear River at North Central Michigan College and the west side at the River Road Sports Complex; that this was a several year process and due to original costs it was value engineered and project costs have been revised; that the bridge is proposed to be 80-feet long and 6-feet wide; that the City, the North Country Trail Association and Jordan Valley Chapter 45 raised over \$120,000 in funds to minimize the City's cost; and that two bids were received.

City Councilmembers inquired on who would perform maintenance and the life of the bridge. The Parks and Recreation Director responded that the City will maintain the bridge which has an estimated 25 year life.

Mayor Murphy asked for public comments and heard a comment thanking Council for approval and that the bridge construction helps get 3.5 miles of trail off of the road.

City Councilmember Marshall moved that, seconded by City Councilmember Walker, to authorize contracting with Gordon Construction Services, Lansing, for construction of the Bear River Iron Belle Bridge in the amount of \$188,020.

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 commented that downtown businesses and service has been great throughout the pandemic and that the community continue kindness. Councilmember Walker commented that issuance of absentee ballots are professionally handled by Clerk staff. Councilmember Marshall commented that it has been a very good business season and inquired on how the City or community can help people in need with housing issues. Councilmember Shumway commented that Kalamazoo Avenue looks great. Mayor Murphy commented on how great Petoskey is and encouraged citizens to utilize all the resources offered.

There being no further business to come before the City Council, this October 19, 2020, meeting of the City Council adjourned at 8:10 P.M.

John Murphy, Mayor

Alan Terry, Clerk-Treasurer