



CITY COUNCIL

March 1, 2021

A regular meeting of the City of Petoskey City Council was held from virtual locations on Monday, March 1, 2021. 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
Derek Shiels, 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 Administrative Assistant Lisa Denoyer.

Hear Little Traverse Wheelway Detour Presentation

Tim Knutsen, representative with Beckett and Raeder, gave a brief presentation on the conceptual drawings for the Little Traverse Wheelway detour; reviewed that a relocation study was performed to identify near-term solutions to provide an accessible route bypassing the trail segment by utilizing the US-31 right-of-way for trail routing; reviewed project partners including the City, Resort Township, Top of Michigan Trails Council, Emmet County and MDOT; reviewed that design and engineering guidelines will be used wherever possible which includes ADA requirements; reviewed proposed 10' wide path on north side of US-31 which is not recommended due to challenges including uncertainty regarding shoreline bluff stability, limited space along the edge of the curve at Eppler Road and the available space between St. Francis Cemetery and the north curb edge and limited clearance between the north edge of pavement and the top of bluff just east of the Resort Pike intersection; that a proposed 10' wide path is recommended on the south side of US-31 but has challenges including the route would require crossing US-31 at two locations, drive openings and Eppler and Resort Pike grades present challenges to pedestrian crossings and limited clearance between road right-of-way and edge of pavement in two locations; reviewed total estimated project costs for the south side trail of \$1.5M - \$1.7M; and that the study is complete and conceptual drawings will also be presented to Emmet County Commissioners and Resort Township Board of Trustees this week.

City Councilmembers inquired if these are permanent solutions; if the detour and proposed plan would occur this summer; if the speed limit would change on west side of US-31; inquired if concrete barriers will be used; inquired if the State is working with the City on covering the estimated \$1.5M-\$1.7M costs; suggested that the City contact higher profile contacts at MDOT and State representatives to help with funding; and inquired if a traffic light will be installed at Jackson Street.

Mr. Knutsen responded that the proposed concept would be a permanent solution based on costs and feasible alternatives; that the detour would not be completed by this summer; that MDOT won't reduce speeds currently; that MDOT denied the use of jersey barriers; that when the detour is built outside of American Association of State Highway Transportation Officials (AASHTO) guidelines then MDOT is liable; that there may be some funding from the State, but is doubtful; and that he would contact the City Planner to see if a traffic light was planned at Jackson Street.

The City Manager reviewed that MDOT would typically complete a traffic study and with the number of bikers and pedestrians using the route it could possibly merit reducing speed limits.

Mayor Murphy asked for public comments and heard from those imploring City Council to find a solution to this problem and that it is very dangerous for riders; heard comments on the west side crossing and that bikers may continue on US-31 instead of going down to East Park and back up to the highway; heard a suggestion to connect up to Quarry Drive further down; heard from those in favor of a trail connecting Fairgrounds to East Park and area businesses and neighbors; and heard from the Chamber of Commerce who is willing to help with the project.

Consent Agenda - Resolution No. 19514

Following introduction of the consent agenda for this meeting of March 1, 2021, City Councilmember Wagner moved that, seconded by City Councilmember Shiels adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the February 15, 2021 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 February 15, 2021 for contract and vendor claims at \$1,345,086.38, intergovernmental claims at \$7,644.89, and the February 18 payroll at \$217,953.04, for a total of \$1,570,684.31 be and is hereby acknowledged.

Said resolution was adopted by the following vote:

AYES: Marshall, Shiels, 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 starting this spring, the Public Safety Department will be enforcing nuisance and IPMC violations in a more proactive manner; that a second medical marijuana facility Special Condition Use permit was approved by the Planning Commission by a 9-0 vote and commended the Planning Commission for their due diligence and attention to detail in the review process that created a much more attractive building and overall better site plan; that staff has been approached by Verizon representatives to expand the number of small cell antennas for 4G broadband technologies within the community and Verizon is proposing six new antennas with a maximum height of no more than 35'; that there will be a special virtual meeting 5:30 P.M., Tuesday, March 9 to review the 2020 Action Plan; that staff and Public Safety union representatives continue to meet to negotiate a new collective bargaining agreement and the next negotiation session is scheduled for March 9; that Patrick Bowland, Chief Executive Officer and General Manager of MPPA, will give a presentation to City Council on March 15, 2021 to discuss MPPA's efforts to achieve the City's renewable energy goals; that the Health Department of Northwest Michigan is reporting Emmet County seniors who have requested to get vaccinated and have not had their first vaccine, should get their shot by the end of this week; that Health Department officials are seeing an increase in the supply of vaccines which will only improve with the recent FDA approval of the Johnson and Johnson vaccine; reviewed the percentage of population that have received vaccines in counties that comprise the Health Department of Northwest Michigan; that these are very encouraging signs but reminded community members to please remain vigilant as COVID variants are on the rise; and thanked the community for following all CDC safeguards and to continue to support our local downtown businesses and restaurants.

Approve Grant Application for Property Acquisition Adjacent to Skyline Property – Resolution No. 19515

The Parks and Recreation Director reviewed the grant application for the acquisition of 55 acres adjacent to the Skyline property owned by the City; that the property is offered by Doug and Pam Boor, who have worked with the City to manage the area; that the Little Traverse Conservancy will be proposing to their Board of Trustees for approval up to \$25,000 towards the purchase of the property and the Boor family has committed \$5,000 towards the City match of \$62,500; that staff met with the North Country Trail Association who has expressed an interest in working with the City; reviewed that this is a great opportunity for the City to encumber additional land for preservation and provide more needed recreational opportunities that could include expanded hiking trails, mountain biking, equestrian trails or rustic camping; reviewed total project cost of \$250,000, grant request of \$187,500 and a City match of \$62,500; and reviewed that the appraisal and letters of support were included for Council's review.

City Councilmembers inquired why there were no letters of support from Bear Creek Township and had concerns that there is no intergovernmental cooperation; heard from those that thought it would have been more helpful to discuss matter in closed session; heard comments that there are other properties owned by the Boor's in the same area and they may want to continue to sell to the City; heard from those in support of the grant application along with further discussions; and discussed possible uses of the property including bike trails vs. foot paths.

City staff responded that the proposed property is relative to currently owned City property; that there is a Bear Creek Township representative on the Parks and Recreation Commission who is in support of this grant application; and that there is value to the purchase at little cost to the City.

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

WHEREAS, the City of Petoskey Parks and Recreation Commission desires to enhance recreational opportunities by acquiring 55 acres adjacent to the Municipal owned Skyline Property; and

WHEREAS, the additional property would increase the Skyline Property to over 500 acres; and

WHEREAS, this acquisition contributes to the goals and objectives identified in the 2018-2022 City of Petoskey's Parks and Recreation Master Plan, outlining the need and the desire to increase recreational opportunities; and

WHEREAS, the State of Michigan Department of Natural Resources is accepting applications for funding assistance through the Michigan Natural Resources Trust Fund for land acquisition projects contributing to the goals and objectives identified within the municipality's approved Parks and Recreation Master Plan; and

WHEREAS, the City of Petoskey Parks and Recreation Commission supports the purchase and recommends that the Petoskey City Council resolve to sponsor a Michigan Natural Resources Trust Fund Application for this project and commit to undertake this project, if funded, and commit to the project match and authorize Robert Straebel, City Manager, or his designee to serve as the City's representative for this project; and

WHEREAS, further request that City Council consider committing up to a 25% local match, that being \$62,500, toward the property acquisition which are estimated at \$250,000:

NOW, THEREFORE, BE IT RESOLVED, that the City of Petoskey Parks and Recreation Commission, acting as appointed officials, request that the City of Petoskey City Council adopt a resolution to authorize Robert Straebel, City Manager, or his designee to serve as the City's representative for this project, authorize the submission of the application and request that Michigan Department of Natural Resources Trust Fund Board consider approval of the grant application for the purchase of 55 acres adjacent to the Municipal owned Skyline Property and provide grant funding in the amount of \$62,500.

Said resolution was adopted by the following vote:

AYES: Shiels, Wagner, Murphy (3)

NAYS: Marshall, Walker (2)

Approve Grant Application for Park Avenue Corridor Enhancements in Pennsylvania Park – Resolution No. 19516

The Parks and Recreation Director reviewed that staff is preparing a Land and Water Conservation Fund Grant application for the development of the Park Avenue Corridor in Pennsylvania Park; that this is the final phase of the Downtown Greenway Corridor; that the project would enhance the sidewalk to a 14-foot corridor that would allow for additional seating and pedestrian traffic; lighting improvements would also be added to the project for a safer and more aesthetic ambiance to the historic area; that the project is referenced in the Parks and Recreation Master Plan and the Capital Improvement Plan schedule for 2022; that \$150,000 is being requested from the State with the 50% matching funds for a total cost of \$300,000; that the DMB approved financial support in the amount of \$50,000 towards the match at their February 16, 2021 meeting; that the DMB also agreed to provide a letter of support that will be submitted as part of the grant application and the Board will be included in the design of the corridor; and that the Parks and Recreation Commission received no public comments at their February 8, 2021 meeting.

City Councilmembers inquired if bump outs and walls are final as part of the enhancements; inquired when the project would begin; heard from those that are in favor of having the DMB be included in the design process; inquired why there was no mention of rail corridor in this final segment; heard from those in favor of using pervious surfaces; and heard from those that would like to see overall plan all at once and not a piecemeal approach.

The Parks and Recreation Director responded that this is the early stage and only conceptual drawings; that sidewalk widening and storm water management is main concept; that the project would occur in 2022; that the project will be completed in phases; that the enhancements help with pedestrian area and seating and also compliments a recreation component.

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

WHEREAS, the City of Petoskey Parks and Recreation Commission desires to enhance recreational opportunities by developing the final phase of the Downtown Greenway Corridor; and

WHEREAS, the project would include widening the corridor to 14-feet, enhanced lighting, and an increase in seating and pedestrian traffic area; and

WHEREAS, this project contributes to the goals and objectives identified in the 2018-2022 City of Petoskey's Parks and Recreation Master Plan, outlining the need and desire to increase recreational opportunities; and

WHEREAS, the State of Michigan Department of Natural Resources is accepting applications for funding assistance through the Land and Water Conservation Fund for development projects contributing to the goals and objectives identified within the municipality's approved Parks and Recreation Master Plan; and

WHEREAS, the City of Petoskey Parks and Recreation Commission supports the development and recommends that the Petoskey City Council resolve to sponsor a Land and Water Conservation Fund Application for this project and commit to undertake this project, if funded, and commit to the project match and authorize Robert Straebel, City Manager, or his designee to serve as the City's representative for this project; and

WHEREAS, the City of Petoskey Parks and Recreation Commission requests that City Council consider committing up to a 50% local match, that being \$150,000, toward these improvements which are estimated at \$300,000:

NOW, THEREFORE, BE IT RESOLVED, that the City of Petoskey Parks and Recreation Commission, acting as appointed officials, request that the City of Petoskey City Council adopt a resolution to authorize Robert Straebel, City Manager, or his designee to serve as the City's representative for this project, authorize the submission of the application and consider approval of the grant application for the development of Park Avenue Corridor enhancement in Pennsylvania Park and provide grant funding in the amount of \$150,000.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Council Comments

Mayor Murphy asked for Council comments and Councilmember Shiels inquired if there was an interest by City Council to discuss accessory dwelling units and the City Manager responded that Planning Commission will be discussing ADUs in the very near future. Mayor Murphy thanked City Council for participating and that the hospital closed down the COVID ward and encouraged citizens to continue to wear masks and stay safe.

There being no further business to come before the City Council, this March 1, 2021, meeting of the City Council adjourned at 8:40 P.M.

John Murphy, Mayor

Alan Terry, Clerk-Treasurer