



CITY COUNCIL

April 19, 2021

A regular meeting of the City of Petoskey City Council was held from virtual locations on Monday, April 19, 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, Petoskey, Emmet County, MI
Derek Shiels, City Councilmember, Petoskey, Emmet County, MI
Brian Wagner, City Councilmember, Tampa, Hillsborough County, FL
Lindsey Walker, City Councilmember, Petoskey, Emmet County, MI

Absent: Kate Marshall, City Councilmember

Also in attendance were City Manager Rob Straebel, Clerk-Treasurer Alan Terry, City Planner Amy Tweeten, Public Works Director Mike Robbins, Parks and Recreation Director Kendall Klingelsmith and Executive Assistant Sarah Bek.

Hear Sexual Assault Awareness Month Proclamation

Mayor Murphy reviewed that the Women's Resource Center of Northern Michigan requested to declare April 2021 to be Sexual Assault Awareness Month. Mayor Murphy reviewed that the proclamation would recognize April as "Sexual Assault Awareness Month in Petoskey" and emphasize the City's commitment to this important issue. Mayor Murphy then read the following:

WHEREAS, sexual assault affects women, children and men of all racial, cultural and economic backgrounds; and

WHEREAS, in addition to the immediate physical and emotional costs, sexual assault may also have associated consequences of post-traumatic stress disorder, substance abuse, depression, homelessness, eating disorders and suicide; and

WHEREAS, sexual assault can be devastating for not only the survivor, but also for the family and friends of the survivor; and

WHEREAS, no one person, organization, agency or community can eliminate sexual assault on their own, but we can work together to educate our entire population about what can be done to prevent sexual assault, support victims/survivors and their significant others and increase support for agencies providing services to victims/survivors; and

WHEREAS, Sexual Assault Awareness Month provides an excellent opportunity for citizens to learn more about preventing sexual violence before it can start and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to sexual assault survivors; and

WHEREAS, the City of Petoskey strongly supports the efforts of national, state, and local partners, and of every citizen, to actively engage in public and private efforts to prevent sexual violence. It's time for all of us to start conversations, take appropriate action and support one another to create a safe and thriving communities:

NOW, THEREFORE BE IT RESOLVED, that I, John Murphy, Mayor of the City of Petoskey, support efforts to eliminate sexual assault and hereby declare April 2021 to be in our city

SEXUAL ASSAULT AWARENESS MONTH

Megan King, Women’s Resource Center representative, commented that the organization appreciates the community support on this matter.

Consent Agenda - Resolution No. 19519

Following introduction of the consent agenda for this meeting of April 19, 2021, City Councilmember Walker 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 March 9, 2021 special session and March 15, 2021 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 March 15, 2021 for contract and vendor claims at \$963,337.87, intergovernmental claims at \$0, and the March 18 and April 1 payrolls at \$407,653.06, for a total of \$1,370,990.93 be and is hereby acknowledged.

Said resolution was adopted by the following vote:

AYES: Shiels, Wagner, Walker, Murphy (4)

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 Planning Commission approved the conceptual design for the North Central Michigan College Ring Road Extension which the road extension must be dedicated as a City street upon completion; that the Planning Commission directed the City Planner to bring forth a college-specific zoning district based upon the College’s Master Plan; that the Planning Commission also directed staff to further research options to promote housing in the community and reviewed a list of housing options that will be discussed in the coming months; that the Planning Commission requested a joint session with City Council to discuss the draft Master Plan and reviewed proposed dates and availability; that Yarrow Brown from Housing North will make a presentation at the May 3 City Council meeting regarding options to promote workforce/attainable housing for the “missing middle” demographic; that staff sent out a one-page informational sheet on the Voluntary Green Pricing (VGP) Program in March through utility bills and 26 people enrolled, a 14% increase with a total of 213 participants in the program; that MDOT approved the City’s request to lower the speed limit along US-31 from Eppler Road to East Park and staff is working with MDOT to incorporate safety mitigation measures at the Eppler Road intersection; that a Community Funding Appropriation Request for \$4M was submitted to Representative Bergman’s Office for federal funding for the Little Traverse Wheelway detour which emphasized the current safety issues on US-31 as well as the economic benefits on both a local and regional level and thanked the community members that submitted letters of support; that staff has been working with a Networks Northwest representative in submitting a preproposal for potential federal funding to develop coastal resiliency projects and nature-based solutions to address erosion issues on Petoskey shorelines; that the Downtown Director and City staff will be meeting with Emmet County representatives this week to further discuss a potential partnership to construct a one-level parking platform on City and County lots at the Lake and Division Streets intersection; that concrete repairs to Pier A and damaged brick work replacement near the Bayfront Park playground were completed; reviewed West Jefferson main sewer line replacement project progress; and according to the health department, Petoskey is in its third wave of COVID cases with most new cases attributed to the B.1.1.7 variant with more younger people contracting the virus and reiterated to the public to take personal responsibility and wear a mask, socially distance and get vaccinated.

City Councilmembers inquired if any of the VGP new enrollees were commercial or all residential and commended staff for taking on some of the Pier A and brickwork replacement to save on total repair costs and stay within budget.

Ms. Bek responded that she would work with the Finance Department to get a breakdown of commercial vs. residential VGP enrollees and report back to City Council.

Approve Economic Development Strategic Plan Update – Resolution No. 19520

The City Planner reviewed that at the March 15 Council meeting, City Council reviewed the priority redevelopment sites and provided staff direction on potential changes; reviewed priority sites to keep 900 Emmet Street (Gruler property), the Darling Lot, 502 Michigan Street (Baptist Church) and remove 200 East Lake Street from the plan; reviewed that additional direction was to add 316/318 East Lake Street and 1420 Standish Avenue (former Michigan Maple Block); that if City Council does not want to further consider a mixed use building on the Darling Lot, it should be removed; that once the changes are finalized, the Master Plan will also need to be updated as it references the priority sites; and reviewed appendices that were included with the updated plan that explained a list of incentive programs available to the City which provided an example of a tax exemption calculation based on current millage rates and a sample policy on how use of tax exemptions/abatements could be evaluated by established criteria.

City Councilmembers discussed proposed list of priority sites; thanked staff for including Appendix C and D; heard from those that urged the rest of City Council to keep the Darling Lot in the plan with a mixed use component; and heard from those that would rather focus on the possible parking platform with the County at the Lake and Division Streets intersection and the Bay/Howard Street project and Saville Lot and look at the Darling Lot again next year during the plan update.

City Councilmember Shiels moved that, seconded by City Councilmember Walker to accept changes and approve update to the Economic Development Strategic Plan.

Said motion was adopted by the following vote:

AYES: Shiels, Wagner, Walker, Murphy (4)

NAYS: None (0)

Discuss Surplus City-owned Property

The City Planner reviewed three parcels that could potentially be used for housing as they are not currently needed for City operations or dedicated parkland; that there could be a fourth parcel that could be disposed of once the new DPW building is constructed; that several years ago a request for proposals (RFP) for the Washington Street lot was put out without success in finding someone willing to build housing; that the requirement for housing and a timeframe should be included if another RFP will be used; that the properties could be sold or donated with restrictions; that if the goal is to have construction within the moderate price range and stay affordable over the longer term, the best route would be to partner with a non-profit organization such as Northern Homes Community Development Corporation or Habitat for Humanity; and reviewed two methods on how to dispose of these properties such as restricting the units for year-round housing or to ensure the units remain in the workforce attainable range (80-120% Area Median Income) or if there is a preference whether the created units are rental vs. ownership properties.

City Councilmembers discussed both methods; heard from those in support of partnering with a nonprofit and using properties for future housing projects; discussed pros and cons to a low sale price; that funds could be used for future housing projects; that properties could be sold for half the price of property value; discussed timeframe and that there is no rush, but more importantly to find some interest; and heard from those in support of putting out an RFP to all interested parties, but if there is no interest, partner with a nonprofit organization.

City Councilmembers concurred to direct staff to prepare an RFP to all interested parties for possible disposal of surplus city-owned property.

Discuss Draft 2021 Action Plan

The City Manager reviewed that staff developed a draft revision to the Action Plan; reviewed each goal and strategy with revisions or additions and any new goals or strategies; and that based on Council comments, staff will revise the plan and place on the City’s website for public input.

City Councilmembers concurred to strike Darling Lot language in Goal 4, Strategy 1 to align with earlier discussions as part of the update to the Economic Development Strategic Plan; add North Central Michigan College and Petoskey Chamber of Commerce as responsible partners for Goal 5, Strategy 7; and that Goal 5, Strategy 4 new language regarding solar projects and net metering was written great.

Approve Little Traverse Wheelway Schematic Design Proposal – Resolution No. 19521

The City Manager reviewed that conceptual drawings of the Little Traverse Wheelway detour was recently completed and the development of schematic design drawings is the next phase of design and engineering; that completion of the schematic drawings will better define overall estimated project costs and design specifications allowing Resort Township, Emmet County and the City to pursue grants and fundraising opportunities for future trail construction; that Council was being asked to consider cost sharing with Resort Township and Emmet County; that total costs for schematic design is \$24,500 to be shared three ways for a total of \$8,166 for each entity; that Resort Township approved the agreement on April 13 and Emmet County will consider approval on April 22; and that there is consensus from all three entities that a tunnel underneath the highway near East Park is a critical component of the south-side trail design as well as looking at some form of pedestrian light or signalization at the Jackson Street intersection.

City Councilmembers commented that they would not want to slow down the project if tunnel is too expensive, and to keep moving forward with schematic design and engineering and that there will be concerns and drawbacks from locals if there is no tunnel.

City Councilmember Wagner moved that, seconded by City Councilmember Shiels to approve the schematic design proposal from Beckett and Raeder for \$24,500 shared three-ways contingent upon approval from Emmet County.

Said motion was adopted by the following vote:

AYES: Shiels, Wagner, Walker, Murphy (4)

NAYS: None (0)

Discuss Livable Petoskey Master Plan Implementation Table

The City Planner reviewed that during its review of the master plan, City Council requested an additional implementation table with responsible parties including staff, boards and commissions and other partners; reviewed the draft table; and that it could be added to the document as Appendix G.

City Councilmembers appreciated table and thanked the City Planner for her efforts and inquired if Crooked Tree Arts Council was included in the table.

The City Planner responded that Crooked Tree Arts Council is included in the Arts and Cultural Opportunities section.

City Councilmembers concurred to have the implementation table added to the Livable Petoskey Master Plan.

Approve Little Traverse Bay Foundation License Agreement for a Ferry Taxi Service – Resolution No. 19522

The Parks and Recreation Director reviewed the proposed license agreement which does not include the usage of a slip as the ferry will be moored at Bay Harbor Marina; that the ferry service will be operating off of Pier A similar to last year; that the Little Traverse Bay Ferry Company will be charged an annual \$1,000 service fee which is the same fee that the City of Harbor Springs is charging the company; and an agreement has already been approved by the City of Harbor Springs.

The Mayor commented that the company had a great year in 2020 and they are looking for possible expansion.

City Councilmember Shiels moved that, seconded by City Councilmember Walker to approve the license agreement with Little Traverse Bay Foundation for operation of a ferry taxi service between the City of Petoskey, Bay Harbor and the City of Harbor Springs.

Said motion was adopted by the following vote:

AYES: Shiels, Wagner, Walker, Murphy (4)

NAYS: None (0)

Approve Off-Premises Tasting Room License for Thunder Bay Winery LLC – Resolution No. 19523

The City Manager reviewed that Jeremy and Janis Sahr, owners of Thunder Bay Winery LLC, requested approval to operate an Off-Premises Tasting Room to be located at 438 East Mitchell Street; that Public Safety completed a site visit and located no health/safety concerns; that the family-owned and operated business was established in Ossineke, Michigan in 2005 and expanded to Alpena in 2012; and if approved by the Michigan Liquor Control Commission the license will allow for the sale of “full drinks” of the wine produced by Thunder Bay Winery LLC.

Mayor Murphy asked for public comments and heard a comment thanking the City for considering the approval and agreed with nonalcoholic options in the community and heard an inquiry if this business would be within the social district.

The City Manager responded that the applicant was not applying for a social district permit at this time, but that the location would be located within the approved social district boundary.

City Councilmember Shiels moved that, seconded by City Councilmember Wagner to adopt the resolution supplied by the Michigan Liquor Control Commission approving the application for an Off-Premises Tasting Room License for Thunder Bay Winery LLC, 438 East Mitchell Street.

Said resolution was adopted by the following vote:

AYES: Shiels, Wagner, Walker, Murphy (4)

NAYS: None (0)

Approve Ward and City Convention Locations – Resolution No. 19524

The City Clerk-Treasurer reviewed that the City is required to conduct annual Ward and City Conventions which are proposed to be scheduled for July 12 and 14 of 2021; that due to the pandemic there continues to be restrictions placed on public gatherings and meetings of 25 people and there will be uncertainty on meeting restrictions for the foreseeable future; that staff proposed to reserve the same locations used last year which would comply with current restrictions; and that locations would be at Petoskey Public Schools cafeterias and gymnasiums for Ward Conventions and the Emmet County Fairgrounds Community Building for the City Convention.

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

WHEREAS, in accordance with provisions of the City Charter, the City Council must establish dates and places for annual Ward Conventions and the annual City Convention:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby calls the annual 2021 Ward Conventions to be held at 8:00 P.M., Monday, July 12, at the Petoskey Middle School Cafeteria for the First Ward, Ottawa Elementary Gym/Cafeteria for the Second Ward, Lincoln Elementary Gym/Cafeteria for the Third Ward and Sheridan Elementary Cafeteria for the Fourth Ward; and

BE IT FURTHER RESOLVED that the City Council does and hereby calls the annual 2021 City Convention to be conducted at 8:00 P.M., Wednesday, July 14, at the Emmet County Fairgrounds Community Building.

Said resolution was adopted by the following vote:

AYES: Shiels, Wagner, Walker, Murphy (4)

NAYS: None (0)

Authorize Motor Pool Flusher/Tank Truck Purchase – Resolution No. 19525

The Public Works Director reviewed that the 2021 Annual Budget and Capital Improvements Plan included \$95,000 for the purchase of a heavy-duty flusher/tank truck, primarily used by the Public Works Department for street flushing operations and watering of tree plantings and landscaping; that the proposed unit would replace an aging model year 2020 which will be retired and sold at auction; that bid packets were made available March 12, 2021; that four bids were publicly opened on March 31, 2021; and that this purchase exceeds the 2021 budget projection of \$95,000 by \$3,529.82, but that overall total expenditures for motor pool purchases in 2021 remain under budget.

City Councilmember Walker moved that, seconded by City Councilmember Shiels to authorize the purchase from Curry Supply Co., Martinsville, PA, a latest production heavy-duty flusher/truck, at a cost not to exceed \$98,529.82.

Said motion was adopted by the following vote:

AYES: Shiels, Wagner, Walker, Murphy (4)

NAYS: None (0)

Council Comments

Mayor Murphy asked for Council comments and Councilmember Wagner commented that he is co-chairing Petoskey's 4th of July festivities and that fundraising is going well, the website is going live this week and that an alternate date of September 4 is scheduled if July 4 date is canceled due to ongoing pandemic restrictions. Councilmember Shiels commented that Ward 2 residents have contacted him in regards to deer population and that it needs to be controlled. Mayor Murphy commented that there was a younger, Emmet County woman who died of COVID and encouraged citizens to get vaccinated.

There being no further business to come before the City Council, this April 19, 2021, meeting of the City Council adjourned at 8:50 P.M.

John Murphy, Mayor

Alan Terry, Clerk-Treasurer