



CITY COUNCIL

February 21, 2022

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, February 21, 2022. 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
Tina DeMoore, City Councilmember
Derek Shiels, City Councilmember
Brian Wagner, City Councilmember
Lindsey Walker, City Councilmember

Absent: None

Also in attendance were Interim City Manager/Clerk-Treasurer Alan Terry, Public Works Director Michael Robbins, Parks and Recreation Director Kendall Klingelsmith, Finance Supervisor Audrey Plath and Executive Assistant Sarah Bek.

Consent Agenda - Resolution No. 19635

Following introduction of the consent agenda for this meeting of February 21, 2022, City Councilmember Wagner moved that, seconded by City Councilmember DeMoore adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the February 7, 2022 regular session and February 14, 2022 special 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 February 7, 2022 for contract and vendor claims at \$1,654,428.48, intergovernmental claims at \$7,818.83, and the February 17 payroll at \$213,302.03, for a total of \$1,875,549.34 be and is hereby acknowledged.

Said resolution was adopted by the following vote:

AYES: DeMoore, 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 reviewed that Zachary Sompels accepted the City Planner position and is expected to begin work on March 21; that City Council selected 6 candidates to be interviewed for the City Manager position with interviews scheduled for March 23 and an opportunity for the public to meet the candidates at an informal meet and greet at Stafford's Perry Hotel on March 22 from 5:00-7:00 P.M.; that the U.S. Coast Guard and Emmet County Office of Emergency Management will perform an ice rescue operation at noon on Saturday, February 26; and that contractors will be staging equipment off East Lake Street in preparation for the project beginning once winter breaks.

Authorize Festival Area Roof Replacement Contract – Resolution No. 19636

The City Manager reviewed that the City's Capital Improvement Plan included budgeted funds of \$30,000 to replace the shingled roof of Festival Area Shelter with a standing seam metal roof; that the current roof is over 30 years old; that a \$5,000 contingency was included to fix any issues outside of the scope of the roof due to concern the support under the shingles may be rotted due to water damage; that there is a 45-year manufacture warranty and a 2-year labor warranty covered by the contractor; and that three bids were submitted with the lowest bidder by Story Roofing Company, Gaylord, in the amount of \$18,845.

The Parks and Recreation Director reviewed that the style of the roof will match the Bear River Shelter and that the project should take five days and will be completed prior to Memorial Day.

City Councilmembers were pleased to see bids under budget and inquired if staff was familiar with the low bidder.

The Parks and Recreation Director responded that he requested references and completed 6-8 reference checks and Beckett and Raeder was also familiar with the contractor.

City Councilmember Shiels moved that, seconded by City Councilmember Walker to authorize contracting with Story Roofing Company, Gaylord, in the amount of \$18,845 for installation of a metal roof on Festival Area Shelter.

Said motion was adopted by the following vote:

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

NAYS: None (0)

Approve License Agreement with Little Traverse Bay Ferry Company – Resolution No. 19637

The City Manager reviewed that in 2020 the City approved an agreement with the Little Traverse Bay Ferry Company allowing them the use of a slip and the privilege to operate their services off of Pier A; that last year staff approached the ferry company if there was interest in having their operations out of the vacant Resource Center Visitors Room; that the Resource Center Visitors Room has not been used for anything in over 10 years; that the license agreement for use of the room grants the ferry company the right to sell tickets, provide information and offer ferry related only merchandise for sale; that the license agreement is a one-year term at \$10,500 and is renewable; and that the license agreement was reviewed by the City Attorney.

City Councilmembers inquired if the room had been rented out in the last 10 years; if there was a separate agreement regarding the \$1,000 fee for use of Pier A; encouraged wayfinding signage for visitors; and that use of the room is a great idea.

The Parks and Recreation Director responded that in the last 10 years the City had not tried to rent out the room; there should not be any increased parking issues since visitors would be parking to ride the ferry anyway; Marina staff receives a lot of questions concerning the ferry; sandwich board signs will be used to direct visitors to the office; and there is a separate agreement for use of Pier A.

Mayor Murphy asked for public comments and heard from Chris Chamberlain, Little Traverse Bay Ferry owner, thanked the City for inviting them to Petoskey; that he operates three other boats out of municipalities in Lansing, Detroit and Grand Ledge; and there is a demand for private parties and would like to talk to City Council regarding future possibilities in Petoskey.

Mayor Murphy responded that a discussion item could be added to a future agenda.

City Councilmember Wagner moved that, seconded by City Councilmember Shiels to approve license agreement with Little Traverse Bay Ferry Company for use of Resource Center Visitors Room.

Said motion was adopted by the following vote:

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

NAYS: None (0)

Approve MDOT Small Urban Program Contract for State Street – Resolution No. 19638

The City Manager reviewed that the annual budget and CIP included \$675,000 for pavement resurfacing and concrete repairs to State Street between Howard Street and Kalamazoo Avenue; that this local roadway is designated a Major Street under Act 51 by MDOT and is eligible for grant funding for maintenance and reconstruction through the Small Urban Program; grant funding would provide \$375,000 and project is managed through MDOT; and the City provides project engineering services separate from the agreement.

City Councilmembers inquired on what type of notice residents would receive regarding the project; inquired if electric was all underground on State Street; and how costs are controlled with MDOT.

The Public Works Director responded that staff will go door-to-door and notify residents of the mill and fill project which will begin June 13 and end by July; that State Street is all underground; the project will provide all new drive approaches, new sidewalks and curbs; and MDOT holds contract and the City is not allowed to change anything unless there is a change order and State must approve.

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

WHEREAS, the City of Petoskey seeks to repave and make improvements to State Street between Howard Street and Kalamazoo Avenue; and

WHEREAS, the Michigan Department of Transportation (MDOT), through its Small Urban Program has identified grant funding to pay up to \$375,000 of construction costs; and

WHEREAS, MDOT has requested that the City enter into a contract to allow for contract administration and a local share of these construction costs:

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Clerk are authorized to execute contract number 22-5010, Control Section STUL 24000, Job Number 208199CON with MDOT, and take all other necessary steps to complete the State Street project.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Decertify/Vacate Portion of Jackson Street Near Ring Road – Resolution No. - 19639

The City Manager reviewed that as part of the McLaren Northern Michigan Hospital's recent expansion of on-campus facilities, Jackson Street between the hospital Ring Road and Charlevoix Avenue was extended west to better align with Cemetery Road and provide continuity within the confines of the hospital campus; the hospital constructed the Jackson Street extension on hospital property and recently deeded all associated property to the City which now allows the extension to be added to the City's street system per Public Act 51; that all street additions and/or deletions to the City's street system must be certified via resolution for purposes of motor fuel tax reimbursement; and Jackson Street is classified as a local street and will require two specific resolutions to decertify the old portion and certify the current reconfiguration.

City Councilmembers inquired how road is turned over to the City; inquired who will maintain the street; and inquired if this project is similar to North Central Michigan College's Ring Road.

The Public Works Director responded that the hospital acquired the County Road Commission property and vehicular traffic had to get to US-31 in order to get to hospital property and this addition made hospital campus more contiguous; the hospital abandoned for the City and the City installed utilities from West Mitchell Street to Ring Road and both the City and hospital benefit; that the City will continue to maintain road; and Jackson Street is similar to the college, however the college is not going through with their Ring Road project.

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

NOW, THEREFORE IT IS RESOLVED:

At a regular meeting of the City Council of Petoskey, Michigan, held at the City Hall on February 21, 2022, the following resolution was offered by member Derek Shiels, and supported by member Tina DeMoore.

WHEREAS, the City of Petoskey does wish to decertify/vacate a portion of Jackson Street. This decertification/vacation of Jackson Street is located between US-31/Spring Street and US-31/Charlevoix Avenue for a total decertification/vacation length of 589.35 feet.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Certify Reconfigured Jackson Street – Resolution No. 19640

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

WHEREAS, the City of Petoskey did on November 15, 2021 acquire title to Jackson Street; and

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended:

NOW, THEREFORE IT IS RESOLVED:

1. That the center line of Jackson Street is described as:

Centerline of Jackson Street which is part of Government Lots 3 & 4, Section 6, Township 34 North, Range 5 West and part of Government Lot 1, Section 1, Township 34 North, Range 6 West, City of Petoskey, Emmet County, Michigan which is more particularly described as follows:

BEGINNING AT the West 1/4 corner of Section 6, Township 34 North, Range 5 West, City of Petoskey, Emmet County Michigan, being the intersection of Jackson Street, Charlevoix Ave. and Cemetery Road; thence along the centerline of Jackson Street on the following 3 courses N 00 21-5'56"E 337.66 feet; thence 246.62 feet along the arc of a curve to the right, radius 160.00 feet, delta 88°18'57", long chord N 44°55'25"E 222.92 feet and thence N 89°04'53"E 399.62 feet to the PLACE OF ENDING.

2. That said street is located within a City right-of-way and is under the control of the City of Petoskey.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the municipal street system and is open to the public for public use on or before December 31, 2021.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Authorize Motor Pool Purchases – Resolution No. 19641

The City Manager reviewed that the annual budget and CIP allocated \$495,000 within the Motor Pool Fund to purchase certain vehicles and equipment; that the City purchases from the State of Michigan Mi-Deal Purchasing Contract and the National Intergovernmental Purchasing Alliance (National IPA); due to availability issues staff was requesting to purchase three vehicles as they become available based on 2021 costs with an additional \$500 added for vehicle color; and final purchases will be based upon availability and will not exceed budgeted amounts.

City Councilmembers asked what happens to auction proceeds and suggested that it is better to approve up to \$35,000 per vehicle in case estimated amount is more.

The Public Works Director responded that auction proceeds are deposited back into the Motor Pool Fund and that staff was asking for approval of the unavailable vehicles not to exceed \$35,000.

City Councilmember Walker moved that, seconded by City Councilmember DeMoore to authorize purchasing the following vehicles and equipment under the Mi-Deal State of Michigan purchasing contract and National IPA at the following not to exceed amounts:

- Bobcat UW56 Utility Work Machine with attachments from Clark Equipment Company dba Bobcat Company of West Fargo, North Dakota, at a cost not to exceed \$77,000.73.
- Utility Box from Truck & Trailer Specialties, Inc., Boyne Falls, at a cost not to exceed \$80,824.00.
- Commercial mower, Toro Groundsmaster with out-front and side-wing deck assemblies from Spartan Distributors, Sparta, at a cost not to exceed \$78,855.90.
- Three extended cab, four-wheel-drive, pick-ups, from either Todd Wenzel Fleet and Commercial Truck Sales, Westland or Berger Chevrolet Fleet Sales, Grand Rapids at a cost not to exceed \$35,000 each.

Said motion was adopted by the following vote:

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

NAYS: None (0)

Council Comments

Mayor Murphy asked for City Council comments and Councilmember Wagner commended staff on requested items being under budget and collaboration with other organizations on projects. City Councilmember Shiels commented that he had received a complaint from a disc golfer resident and that trash cans were removed from River Road and requested trash cans and benches to be installed again at the park. City Councilmember DeMoore dittoed Councilmember Wagner's comments and also appreciates staff's efforts in applying and receiving grants. Mayor Murphy commented on the fantastic ice sculptures throughout downtown and that the DMB did a great job with the winter week event.

The Parks and Recreation Director responded that trash cans are removed at a certain time of year and installed again in the spring of the year and the bench request would be considered.

Adjourn to Closed Session – Resolution No. 19642

City Council was being asked to adjourn to a closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, to consider strategy and negotiations of a collective bargaining agreement.

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

WHEREAS, the City Manager has requested that the City Council adjourn to a closed session, pursuant to Section 8(c) of the Michigan Open Meetings Act, to consider the strategy and negotiations of a collective bargaining agreement, at the City Council's regular meeting of February 21, 2022:

NOW, THEREFORE, BE IT RESOLVED that the City Council does and hereby authorizes to adjourn to a closed session, to consider strategy and negotiations of a collective bargaining agreement.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

City Council adjourned into closed session at 7:38 P.M.

There being no further business to come before the City Council, this February 21, 2022, meeting of the City Council adjourned at 8:15 P.M.

John Murphy, Mayor

Alan Terry, Clerk-Treasurer