



CITY COUNCIL

June 5, 2017

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, June 5, 2017. 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
Izzy Lyman, City Councilmember
Grant Dittmar, City Councilmember
Jeremy Wills, City Councilmember

Absent: None

Also in attendance were City Manager Robert Straebel, Clerk-Treasurer Alan Terry, City Planner Amy Tweeten, City Attorney James Murray and Downtown Director Becky Goodman.

Resolution No. 19072
Approve Consent Agenda Items

Following introduction of the consent agenda for this meeting of June 5, 2017, City Councilmember Marshall moved that, seconded by City Councilmember Lyman adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the May 15, 2017 special session and regular session City Council meetings, as corrected, 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 May 15 for contract and vendor claims at \$2,301,783.40, intergovernmental claims at \$0, and the May 18 payroll at \$206,515.99, for a total of \$2,508,299.39 be and is hereby acknowledged.

Said resolution was adopted by the following vote:

AYES: Marshall, Lyman, Dittmar, Wills, Murphy (5)
NAYS: None (0)

Hear Public Comment

Mayor Murphy asked for public comments and heard from Derek Shiels, 1331 Atkins Road, who is a representative from Positive Energy Petoskey (PEP) and in favor of initiating 100% renewable use for the City. Ben Crockett, 1043 Curtis Avenue, commented that Mr. Heartwell reviewed City sources of purchased power at his presentation a few weeks ago and urged the City to use more renewables.

The City Manager reported that there will be discussion

Hear City Manager Updates

on current City sustainability practices at the June 19 Council meeting; that the Greenway Corridor grant is tied up in legislature and funds have not been released; that MDEQ was contacted concerning snow storage at Magnus Park and that it is a best practice due to run off going away from lake; that the sewer bonds sold at a rate of 2.907%; that individuals have resolved issue with boat and trailer storage; reviewed generator installation and new hatch covers as part of the Bear River Lift Station improvements; reviewed that underground utilities are completed as part of the Emmet Street improvements and grading will begin for curb and gutter; that Mineral Well Park Shelter will be power washed and painted by volunteers and Lowe's; that the draft personnel policy is completed and will be reviewed by Department Heads first and then to City Council; and recommended cancelling the July 3 City Council meeting due to the holiday, which Council agreed with.

Resolution No. 19073
Confirm Appointments

Mayor Murphy reviewed that City Council consider a possible reappointment to the Greenwood Cemetery Board. City Councilmember Marshall moved that, seconded by City Councilmember Dittmar adoption of the

following resolution:

BE IT RESOLVED that the City Council does and hereby approves the reappointment of Louis Fantini, 109 Division Street, to the Greenwood Cemetery Board for a five-year term ending April 2022.

Said resolution was adopted by the following vote:

AYES: Marshall, Lyman, Dittmar, Wills, Murphy (5)

NAYS: None (0)

Second Reading of Proposed Ordinance
Amending Appendix A of the
Zoning Ordinance

The City Planner further reviewed the proposed changes along with areas affected on the zoning map. She also reviewed that at the first ordinance reading, two issues of concern were raised including parking requirements and licensing fees for boarding houses. The current off-street

parking requirement for boarding house parking is "one parking space per rental room", with the ordinance language proposing "2 spaces per dwelling". Council's concern was that a boarding house would likely need more than two parking spaces, so the recommended ordinance change is not a sufficient requirement. The Planning Commission recommendation is based on its effort to remove barriers for this type of workforce housing and decided that having fewer parking requirements for a residential use was preferable.

The City Planner reviewed that if City Council did not wish to make the recommended change to parking requirements for boarding houses, that section of the ordinance could be stricken and the current parking requirement would remain, but the remainder of the ordinance could be approved. If Council wants a different requirement, either this change will need to be made and an additional ordinance reading held, or the ordinance is sent back to the Commission for further review.

Regarding licenses, City Council would set the license fee for boarding houses, as it does for Bed and Breakfasts and hotels (current fees are \$125 first year, \$50 annually). The purpose of the licensing is to ensure these properties meet the International Property Maintenance Code and International Fire Code through an annual inspection by the Department of Public Safety and to notify neighbors that a license to operate a Boarding House has been received.

City Councilmembers discussed parking regulations for boarding houses; if proposed regulations are too lenient; that there will be visa workers without cars; discussed how many boarding houses should be allowed and their proximity to one another; what parking requirements should be to accommodate all parties; and if regulations should be handled through licensing.

Mayor Murphy asked for public comments and heard that boarding houses could help with affordable housing; that a manager on site would be beneficial to residents; that residents could walk downtown if housing was close; heard from those currently living in a RM-2 district and that the neighborhood is not stable with many existing rentals; that there are parking issues and density could be a sensitive matter; and that currently many of these activities are happening now without ordinance in place.

City Councilmembers further discussed what should happen first whether it is licensing or implementing an ordinance; density; and limit number of units.

City staff will prepare more information and further review at the June 19 meeting.

Resolution No. 19074
Approve Mitchell Street Railing
Replacement Project

The City Manager reviewed that the City's 2017 Annual Budget included \$120,000 for the renovation and replacement of a deteriorating safety railing/guardrail system located along East Mitchell Street between Kalamazoo Avenue and Bay View Avenue. The safety railing/guardrail system was originally installed in conjunction with the 2008 East Mitchell Street full reconstruction project. The original design of the current safety railing/guardrail system utilized tubular-stock or "hollow" type steel for railing components that ultimately proved to be a major factor in deterioration of the system. Certain railing sections are essentially rusting from the inside out due to condensation and moisture entering at welded joints. Although all railing sections need to be replaced it was determined by City staff and its consultant SmithGroup JJR, Ann Arbor, that the galvanized post supporting the rail sections are structurally sound and are not in need of replacement.

Design specifications and drawings for the replacement railing sections were developed by SmithGroup JJR and included the following improvements and renovations: fabrication from bar-stock or "solid" type steel; hot-dipped galvanizing for all steel components; a duplex paint system consisting of an epoxy primer with specified topcoat; and a new bolt-type mounting system to existing post. Due to the work space available, minimal street closures are anticipated. Bid documents were made available and advertised on May 12, 2017 and three bids were received at a public opening on May 24 and Moran Iron Works, Onaway, was the lowest bidder at \$102,995.

City Councilmember Marshall moved that, seconded by City Councilmember Wills to authorize contracting with Moran Iron Works, Onaway, in the amount of \$102,995 for the Mitchell Street railing replacement project.

Said motion was adopted by the following vote:

AYES: Marshall, Lyman, Dittmar, Wills, Murphy (5)

NAYS: None (0)

Resolution No. 19075 - Approve
Board & Commission Skill Sets per
the RRC Program

The City Manager reviewed that one of the many requirements of the Redevelopment Ready Communities (RRC) Program is to identify desired skill sets for Board and Commission positions. MEDC representatives have stated numerous times that communities will be required to be RRC certified to qualify for further State grant funding programs. For this reason, it is critical that City Council and staff continue to make progress towards RRC certification this year. At a prior meeting, City Council agreed to submit input to the City Manager that would be incorporated into a future agenda item. The City Manager's Office received one written comment from Councilmember Dittmar. According to MEDC staff, at a minimum, the City should address the two boards that are associated with development: Planning Commission and Zoning Board of Appeals. The other City boards or commissions are optional and do not need to be addressed.

MEDC gives great latitude as to how much or how little detail the community chooses to describe desired skills sets for boards and commissions.

The City Manager further reviewed that according to the City Attorney only the Planning Commission and Historic Districts are required by state statute to have specific membership requirements. Section 15-3 of the state statute regarding Planning Commission membership (that is also included in the City's local ordinance) states:

"The membership of the planning commission shall be representative of the important segments of the community, such as the economic, government, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent possible."

There is also a provision in the City Code stating *"The membership shall also be representative of the entire geography of the City of Petoskey to the extent possible."*

The City Manager reviewed that the desired skill sets were developed by the City Manager and Department Heads; that Councilmembers could choose to revise the proposed skill sets; and may consider more general language such as the following:

- Include language for all boards and commissions such as "experience in fields that may be applicable to the work of this board or commission."
- Include for Planning Commission the current language in the City ordinance:
"The membership of the planning commission shall be representative of the important segments of the community, such as the economic, government, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent possible."

"The membership shall also be representative of the entire geography of the City of Petoskey to the extent possible."

- Incorporate Councilmember Dittmar's suggestion as follows to apply to all boards and commissions:

Petoskey boards and commissions are gratis opportunities to serve in local government. These honorable positions involve high public trust. Each requires dedicated time and effort to fulfill their vital functions.

Appointments are made by the Mayor and City Council, as prescribed by state law, the City Charter, and city ordinances. Application forms are available from the City. A table of current members and their terms of office is available from the City.

Board and commission members shall perform the duties required by law. Training or orientation may be provided by the city to help new members fulfill their duties. All boards may receive professional guidance and assistance from City staff.

City Councilmembers discussed that less is better for requirements; that willingness to learn, attend and work for the City are key factors; and appreciated comments from Councilmember Dittmar.

City Councilmember Marshall moved that, seconded by City Councilmember Lyman to adopt Councilmember Dittmar's recommendation as part of the set of skills for Board and Commission members which includes:

CITY OF PETOSKEY Descriptions of Boards and Commissions

Petoskey boards and commissions are gratis opportunities to serve in local government. These honorable positions involve high public trust. Each requires dedicated time and effort to fulfill their vital functions.

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Board of Review

The Board of Review functions as the City's tax appeals process for property owners, with the most common appeal being the taxable value placed on a parcel by the City Assessor. Activities of the Board are governed by State law, which requires an annual meeting in March to review and change assessments for the upcoming tax year. The Board also meets in July and December to correct qualified errors and to consider appeals related to Principal Residence Exemptions and Poverty Exemptions. The Board meets at City Hall and consists of three members and one alternate who are appointed for three-year terms.

Downtown Management Board/ Downtown Development Authority

The Downtown Management Board oversees all Downtown Petoskey business activities. The Board consists of a group of nine members who are appointed to a four year term and also serve as Downtown Development Authority members, with staffing provided by the Downtown Director. Activities of the downtown organization include special events, marketing, beautification and maintenance efforts, and economic development projects. This Board also oversees the Downtown Parking Fund and the Parking Management System through its Executive Parking Committee. Volunteer committees that report to the DMB are the Downtown Marketing Committee, the Downtown Design Committee, the Downtown Beautification Committee and the Downtown Events Committee. The City oversees DMB administrative services. The Downtown Management Board is scheduled to meet 7:00 P.M., the third Tuesday of each month, at City Hall.

Parks and Recreation Commission

Established by City ordinance, the City's Parks and Recreation Commission consists of seven members, all of whom serve for two-year terms, five are City residents appointed by City Council and two who are each appointed by the Bear Creek Township and Resort Township Boards of Trustees (additionally two ex-officio members, who do not vote, consist of the City Manager and Community Education Director for the Public Schools of Petoskey).

Serving as a planning and advisory body, without executive or administrative authority, the Parks and Recreation Commission oversees development of both short and long-term recreation and sports activity needs of the City and the greater Petoskey community service area. The Commission is staffed by the Director of Parks and Recreation and meets the second Monday of the month at 7:00 P.M. at City Hall

Petoskey District Library Board

The Library Board is made up of five residents of the City of Petoskey appointed to a four year term. The Board is responsible to hire the Director, create policies and oversee the budget. Meetings are monthly at 5:00 P.M., on the fourth Thursday of every month, except for the November meeting which is held on the fourth Tuesday of the month. There is generally not a December meeting. Meetings are held either in the Library meeting room in the lower level or at the Carnegie Building, 451 East Mitchell Street, Petoskey.

Planning Commission

The Planning Commission is the body authorized to create and approve a master plan as a guide for community development. The Commission then implements the plan through recommendations on zoning ordinance amendments, development of the capital improvements program, and review of development proposals and creation of sub-area plans. The Commission consists of nine members, and is staffed by the City Planner. The members are appointed for three-year terms and meetings are held at 7:00 P.M., the second and third Thursday of each month at City Hall.

Tax Increment Finance Authority Board

The TIFA Board meets on an as-needed basis. Long term capital projects the Board may consider include; Bayfront Park Stair Tower and Magnus Park improvements. The Board is made up of seven members appointed to a four-year term and meets at 7:30 P.M., the fourth Thursday when necessary.

Zoning Board of Appeals

The Zoning Board of Appeals is the body authorized to grant variances, exceptions or special approvals from the Zoning Ordinance, to make interpretations of the Zoning Map, or to hear appeals from the Zoning Ordinance and International Property Maintenance Code. The Board is made up of six members with one alternate, all appointed for three-year terms and meets at 7:00 P.M., the first Tuesday of the month as necessary.

Said motion was adopted by the following vote:

AYES: Marshall, Lyman, Dittmar, Wills, Murphy (5)

NAYS: None (0)

Hear Council Comments

sets.

Mayor Murphy asked for Council comments and Councilmember Dittmar appreciated the support on his comments regarding the boards and commission skill

There being no further business to come before the City Council, this June 5, 2017, meeting of the City Council adjourned at 9:00 P.M.

John Murphy, Mayor

Alan Terry, City Clerk-Treasurer