



## CITY COUNCIL

May 1, 2017

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, May 1, 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 and Parks and Recreation Director Kendall Klingelsmith.

Hear CAKE Invasive Plant  
Species Presentation

Thomas Clement from Charlevoix, Antrim, Kalkaska, Emmet Conservation District gave a brief presentation on invasive plant species. Mr. Clement reviewed that there is a nine-member steering committee; that there are non-native species that harm area; that black swallow wort is evident in the Bear River Valley Recreation Area; that CAKE will cost share up to 80% to address invasive species issues; that CAKE and the City can work together to treat issues by contributing up to \$7,000 and the City contributing \$4,500; that CAKE would focus on private properties to help treat the invasive species at little or no cost to the property owner; contractors would treat area for 2 to 3 years and replace with native plants; and further clarified existing programs and education ideas to help develop a long term management plan for the City and the region.

Resolution No. 19063  
Approve Consent Agenda Items

Following introduction of the consent agenda for this meeting of May 1, 2017, City Councilmember Wills moved that, seconded by City Councilmember Marshall adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the April 17, 2017 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 April 17 for contract and vendor claims at \$504,789.81, intergovernmental claims at \$0, and the April 20 payroll at \$193,945.32, for a total of \$698,735.13 be and is hereby acknowledged.

Said resolution was adopted by the following vote:

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

Mayor Murphy asked for public comments and there

Hear Public Comment

were no comments.

Hear City Manager Updates

The City Manager reported that as part of the RRC certification process, the community sets expectations for Board and Commission positions by outlining desired skill sets for members and was asking if City Council wanted to be tasked with developing these sets or City staff for Council's ultimate approval; that the City's ISO fire rating was recently completed and it slightly increased to 4.1 compared to 4.0 in 2013; that the recent nuisance ordinance amendment request concerning parked or storing of cars, boats and trailers will come back to City Council in the near future for discussion; that MDOT has completed installation of two retaining walls along US 31 corridor adjacent to Bayfront Park and is waiting on asphalt plants to open on May 8 to complete paving; that Emmet Street improvements are on schedule; that the Bayfront Park water line installation is complete and waiting on asphalt to finish paving; that as part of the tree planting program, the contractor will begin planting trees starting next week throughout the community; that the MERS annual actuarial valuation report should be available to the City by June 30, 2017; and that he would be out of the office and on vacation May 10-14, 2017.

Hear Proclamation – National Gun Violence Awareness Day – June 2

Mayor Murphy reviewed that Jessica Shaw-Nolff, a City resident contacted Councilmembers encouraging the City to consider support for gun violence awareness. Mayor Murphy read aloud the following proclamation:

WHEREAS, every life lost due to violence, whether a child or adult, whether law enforcement or citizen, is a tragedy; and

WHEREAS, the Center for Disease Control estimates that over 100,000 people are shot every year; and

WHEREAS, among many organizations, along with millions of individuals nationwide are supportive of the need for gun violence awareness; and

WHEREAS, law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, June 2, 2016 would have been the 19<sup>th</sup> birthday of Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later; and

WHEREAS, to help honor Hadiya – and the other Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 2, 2016, as the second annual National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 2 to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 2, Americans will raise awareness about gun violence and honor the lives and lost human potential of Americans stolen by gun violence; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our community safe:

NOW, THEREFORE BE IT RESOLVED, that I, John Murphy, Mayor of the City of Petoskey, encourage all citizens to support the local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives and hereby declare June 2 as:

**NATIONAL GUN VIOLENCE AWARENESS DAY**

Resolution No. 19064 – Little Traverse Commons PUD Amendment Residences at Harbor Watch

The City Planner reviewed that The Villas at Harbor Watch received a Final Plan amendment approval to the Little Traverse Commons Planned Unit Development (PUD) in July 2004, which included 24 residential units and 4,000 square feet of commercial space referred to as

The Villas. An additional amendment was approved in January 2015 to allow the creation of four additional units on the first floor for an independent living operation. The owner has requested the addition of one more first-floor unit on the southeast corner of the building to be used by an on-site caretaker. The unit will be built at the same time as the commercial space at the east end of the building with no changes to building footprint.

The Residences at Harbor Watch is operating its 28 unit facility and has determined that to offer 24 hour service to its residents, an on-site caretaker unit is needed. The request is required to follow the planned unit development major revision process, requiring a public hearing and recommendation by the Planning Commission to Council on the amendment. The Planning Commission conducted a public hearing and recommended approval of the amendment request for an increase in residential units from 28 to 29 subject to completion of all landscaping improvements discussed with the 2015 amendment at their April 20 meeting.

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

WHEREAS, at the recommendation of the Planning Commission, the City Council adopted an ordinance on February 1, 1999 that amended the City of Petoskey Zoning Map to establish a Planned Unit Development district (PUD) at the approximately 30-acre site that was developed as the Little Traverse Commons and known as Harbor Watch fronting Sheridan Street between Spring Street and Cemetery Road; and

WHEREAS, a Final Plan amendment to the PUD approved by City Council on July 5, 2004, created a lot identified as The Villas, a mixed use building with 24 residential units and first floor commercial together with accessory buildings upon recommendation of the Planning Commission; and

WHEREAS, the City Council then approved a Final Plan amendment on January 5, 2015 to increase the number of residential units of the Villas from 24 to 28 for creation of an independent living facility; and

WHEREAS, the Planning Commission held a public hearing on April 20, 2017 and made a recommendation to approve a request for an amendment to The Residences at Harbor Watch Final Plan for one additional residential unit, bringing the total number to 29:

NOW, THEREFORE BE IT RESOLVED, that following its consideration of the recommendation by the Planning Commission, the Petoskey City Council does hereby authorize an amendment to the Residences at Harbor Watch Final Plan to allow one additional residential unit; and

BE IT FURTHER RESOLVED, that such authorization to amend The Little Traverse Commons Planned Unit Development, and specifically The Residences Final Plan, shall be in accordance with any and all conditions that have been or that will be imposed by the Planning Commission for this parcel.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 19065 – Approve Local Revenue Sharing Board Application for The City Manager reviewed that the Emmet County Local Revenue Sharing Board (LRSB) was accepting applications from local governmental units for funds to be Parks & Recreation Program used for lawful governmental purposes. The Parks and

Recreation Department would like to apply for \$5,000 in funding that would help start a youth scholarship fund. The scholarship fund would be available to subsidize registration fees for youth involved in the City's administered recreation programs. Those applying for scholarships would provide information related to income and would be awarded based on established criteria. All applicants and income information would be strictly confidential. The fund would not be a general fund line item, rather a fund supported by donations and subsequent grant contributions.

The Director of Parks and Recreation reviewed that the grant would be seed money for recreation programs; applicants can be City or non-city residents; criteria will be based on financial need; and that contributions could be made online as well.

City Councilmembers commented that this is a great opportunity for the community.

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

WHEREAS, the City of Petoskey with grant funds from the Local Revenue Sharing Board is proposing a youth scholarship program; and

WHEREAS, the City of Petoskey has prepared a Proposal Summary for the Local Revenue Sharing Board (Tribal Gaming Revenue Board) requesting \$5,000 in funding assistance for a youth scholarship program; and

WHEREAS, the youth scholarship program will provide recreational opportunities for residents of the City of Petoskey and surrounding townships for programs offered by the City of Petoskey Parks and Recreation Department; and

WHEREAS, the addition of the youth scholarship program will sustain through fundraising, donations and grant writing:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council hereby endorses and authorizes the submission of this Proposal Summary and requests that the Local Revenue Sharing Board consider funding for this project.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 19066 – Approve TIFA  
Funds for Sunset Stair Tower and  
Magnus Park Playground

The City Manager reviewed that staff outlined three park improvement projects for 2017 that were eligible for funding through the Tax Increment Finance Authority (TIFA). The Festival Area goose remediation project has already been approved. The City Manager reviewed the Bayfront Park Sunset Stair Tower project and that costs for stair tower engineering and design is estimated at \$17,000; that the stair tower project engineering would occur in 2017 with construction in either 2018 or 2019; reviewed the Magnus Park playground equipment project which is needed since the old one was removed in 2015 with estimated costs of \$20,000; and that the playground equipment would be installed in the next few weeks for the summer season.

Mayor Murphy asked for public comments and heard from those in favor of installing the stair tower in 2018 and in the same location; if the snow piles stored at Magnus Park in the winter could be piled elsewhere since the melted snow goes into the lake; that since the tower is steel, staff should look into getting galvanized so painting won't be needed all the time; and if a safety evaluation has been done to see if the current stair tower will last until replaced.

City Councilmember Wills moved that, seconded by City Councilmember Lyman to approve TIFA funds for both projects including \$17,000 for engineering and design of a new stair tower at Sunset Park and \$20,000 for Magnus Park playground equipment.

Said motion was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 19067  
Establish 2017 Tax Millage Rates

The Director of Finance reviewed the proposed 2017 millage rates and tax revenue. City Council approved the 2017 Annual Budget at their December 7, 2016 meeting which included a provision for property-tax millage rates to remain the same as in 2016. City Council was now being asked to formally establish the millage rates necessary to provide the budgeted property-tax revenue approved in the 2017 Annual Budget for the General Fund, Library Fund and Right-of-Way Fund.

The Director of Finance reviewed total millage rates; taxable values and State's inflation rate and how it will roll back the City's millage rate; and reviewed property tax revenues that will be collected from each fund including general operating, solid waste, public safety equipment, library and right-of-way.

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

WHEREAS, as required by City Charter provisions, the City Manager on November 7, 2016 presented to the City Council the City's proposed annual budget for the 2017 fiscal year; and

WHEREAS, as also required by City Charter provisions, the City Council on November 21, 2016, conducted a public hearing to receive comments concerning the proposed budget, including rates of property-tax millages that had been estimated for levies during 2017; and

WHEREAS, following its review of the proposed 2017 Annual Budget, and after conducting a public hearing to receive comments concerning the proposed budget and estimated tax levies, the City Council on November 21, 2016, approved the 2017 Annual Budget:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby directs that there shall be raised through a general tax upon the taxable real and personal property within the City during the next summer tax levy for the year commencing January 1, 2017, millages in the amount of 7.5660 for general operating purposes, 0.4890 for solid-waste purposes, 0.7459 for Public Safety equipment purchases, 1.7890 for library purposes and 3.8962 for right-of-way purposes; and, when collected, proceeds from such levy are hereby appropriated to the General Fund, Library Fund, and Right-of-Way Fund; and

BE IT FURTHER RESOLVED that the total aggregated amount of all such authorized millages shall total 14.4861 mills; and

BE IT FURTHER RESOLVED that these various millages so ordered to be levied shall be certified by the City Clerk-Treasurer to the City Assessor and shall be levied and collected upon the taxable value of all taxable property within the City.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Hear Council Comments

Mayor Murphy asked for Council comments and Councilmember Marshall commented on published real estate values and that people want to live in walkable communities, like Petoskey. Mayor Murphy also commented that City resident and tennis enthusiast Dree Lo passed away.

There being no further business to come before the City Council, this May 1, 2017, meeting of the City Council adjourned at 8:15 P.M.

John Murphy, Mayor

Alan Terry, City Clerk-Treasurer