



CITY COUNCIL

June 19, 2017

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, June 19, 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. 19076
Approve Consent Agenda Items

Following introduction of the consent agenda for this meeting of June 19, 2017, 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 confirms that the draft minutes of the June 5, 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 June 5 for contract and vendor claims at \$808,327.41, intergovernmental claims at \$5,475.72, and the June 1 payroll at \$201,469.20, for a total of \$1,015,272.33 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

for responsiveness on renewable energy.

Mayor Murphy asked for public comments and heard from Ben Crockett, 1043 Curtis Avenue, a representative from Positive Energy Petoskey (PEP) thanking the City

The City Manager reported that 85% of the first phase

Hear City Manager Updates

of Emmet Street improvements is done with an anticipated completion by end of June; recognized Lowe's employees that helped with painting, cleaning and other improvements at Mineral Well shelter; reviewed McLaren hospital expansion project and that a legislative change is needed to fit zoning for hospital; that McLaren will be working on a long range master plan; that some work will begin on hospital parking lot and will move forward with relocation of Jackson Street in 2017 which will include currently owned property; that the CIP is in progress; that the parking deck discussion with Emmet County has slowed down for now due to Administrator vacancy; reviewed that staff will be meeting with Petoskey Plastics this week regarding crosswalk and loading zone issues; that Public Safety received a Local Revenue Sharing grant in the amount of \$15,000 for rapid intervention air packs; and that Robert Gibbs will give a downtown strategic presentation tomorrow night with various sessions on Wednesday open to the public.

First Reading of Revised Proposed Ordinance Amending Appendix A of the Zoning Ordinance

The City Planner reviewed that at the second reading of a proposed ordinance on June 5, City Council asked to have density requirements added to boarding house provisions and that the only other uses that have distance restrictions are Bed and Breakfast operations (500 feet from another Bed and Breakfast) and Sexually Oriented Businesses (500 feet from a residential district or day care facility, or 1,000 feet of a church, library, school or another SOB).

The City Planner reviewed that a 400 foot separation would provide more flexibility; that the City Attorney advised that there should not be a neighbor notification requirement as a permitted use; and reviewed Council concerns with parking and that current parking requirement is 1 parking space per rental room and proposed parking requirement is 2 parking spaces per dwelling unit.

Possible amended language for Section 3001.2 is as follows: Boarding houses, when located on a parcel of land not less than 7,200 square feet in area with no less than one full bathroom for up to 5 (five) occupants and an additional half-bathroom provided for each additional 2 (two) occupants or full bathroom for each additional 4 (four) occupants. Subject further to City licensing application for inspection and compliance with the International Property Maintenance Code (IPMC). No license shall be issued for a boarding house within 400 feet of an existing licensed boarding house.

City Councilmembers commented that they would like to see no more than one boarding house per block; discussed parking regulations; that discussion was had with current boarding house and that all 5 residents currently have cars; and compared that to current homeowners with kids having 5 cars or more, which is already occurring.

Mayor Murphy asked for public comments and heard a comment that parking and the issues with it are part of urban living, which they understand when moving into a downtown area.

This matter was a first reading of a revised ordinance. City Councilmembers will further discuss at their next regular scheduled meeting.

Resolution No. 19077-78 - Discuss Sustainability Measures and Approve Grant Possibilities & MPPA Presentation

The City Manager reviewed that on May 15, 2017, former Grand Rapids Mayor George Heartwell gave a presentation to City Council on sustainability measures that cities can undertake to become better stewards of the environment. City Council directed staff to continue sustainability discussions identifying possible next steps to increase the City's efforts to become better environmental stewards. The City Manager reviewed programs completed, in progress and being planned such as the following:

Current Environmental Sustainability Initiatives/Programs/Studies

1. Michigan Municipal League- Green Communities Challenge (GCC) Program

Over the last two years, the City has enrolled in the Michigan Municipal League's (MML) Green Communities Challenge achieving a Bronze Certification Level for both 2016 and 2017. Within the report, the following City practices led to Bronze Certification:

- Conduct energy audits on some governmental buildings and/or track local government energy use and/or water use systemically, using ENERGY STAR Portfolio Manager or another similar tool.

Energy audits/efficiency efforts have been completed on the following City facilities: Wastewater Treatment Plant (2010) – Energy efficiency measures will be included as part of the City's WWTP Improvement Project; City Hall – occupancy sensors for lighting, re-lamping of lighting fixtures from T-12 to T-8 bulbs using compact florescent light bulbs (CFLs).

- Implement a program to protect natural features, such as wetlands, tree canopy or water resources.

City budgets approximately \$150,000 per year for tree planting, trimming and removals. In Spring of 2017, 109 trees were planted on City property.

- Implement a program to encourage recycling and waste reduction.

The City has contracted with Emmet County Recycling since 2004 paying approximately \$30,000 per year for resident curb-side pick-up. In 2016, the City earmarked \$11,140 for matching funds on a grant to purchase 64-gallon roll-off recycling containers.

- Create an inventory of local government owned street lights.
- Develop a plan to replace local government traffic signals, street lighting, and/or parking illumination with energy efficient lighting technologies.
- Replace the majority of traffic signals, publicly and utility-owned street lighting, and/or parking illumination with energy efficient lighting technology.

All new street lights are equipped with LED bulbs and ballasts and traffic signals have been converted to LEDs. Some existing fixtures have also been converted to LEDs.

- Conduct an inventory and efficiency audit of government vehicles.
- Implement a program to encourage low-impact design and/or implement a green infrastructure project.

The City is working with the Tip of the Mitt Watershed Council to install a demonstration rain garden as part of the Downtown Greenway Corridor to be constructed in 2018.

- Implement a program to encourage non-motorized transportation and/or install infrastructure to support non-motorized transportation.
- Adopted a non-motorized transportation plan.
- Implemented a non-motorized plan and show measureable results (e.g. added infrastructure, an increase in non-motorized commutes).

City was a member of a committee to establish Smart Commute Week, an annual week to promote smart commuting. City involved with NMRIDE efforts to promote ride-sharing.

City adopted a Sidewalk Plan in 2010 which was updated to a Non-Motorized Plan in 2015. Since 2010, the City has installed 5 miles of new sidewalks, and 1.8 miles of multi-use trails and plans to construct another ¼ mile of the Greenway Corridor in 2018.

- Promote an energy efficiency program for low income residents.

Since 2009, the City has been implementing an energy efficiency optimization program that includes energy efficiency programs for low-income residents.

2. 2012 Petoskey Environmental Stewardship Assessment-NWCMCOG

According to the enclosed 2012 Petoskey Environmental Stewardship Assessment by Northwest Michigan Council of Governments, the City has been recognized for the following environmental sustainability efforts:

- Water metering and water wellhead protection;
- Separation of stormwater with wastewater collection system;
- Utilization of appropriate technology in wastewater treatment and efforts to extend sewer collection lines to surrounding communities;
- Recycling programs;
- Efficiency updates;
- Complete streets program, street cleaning and non-motorized plans;
- Overall planning efforts including Smart Growth, Open Space preservation, transportation options, walkability (highest walkability score of 100) and placemaking;
- Clean marinas program and environmental management of recreation resources;
- Economic development strategy and economic sustainability policy.

Conversely, there are a few measures that the City could improve upon per the report:

- Reuse and purchase recycled content;
- Renewable energy usage (outdated, the City is currently purchasing 10% from renewable sources);
- Low impact development and storm water management (outdated, City received \$820,000 in SAW grant monies to develop an Asset Management Plan for storm water management);
- Public transportation (currently under discussions at Emmet County).

3. Renewable Energy

Through the Michigan Public Power Agency, the City of Petoskey is currently providing its power supply needs with 10% renewable energy. The City pursued adding renewable energy to its power supply portfolio in year 2008 in response to the passage of Michigan Public Act 295.

The Act promotes the “development of clean and renewable energy and energy optimization through the implementation of standards that will cost-effectively provide greater energy security and diversify the energy resources used to meet consumers’ needs, encourage private investment in renewable energy and energy efficiency, and improve air quality”.

The City, along with thirteen other municipal members of MPPA, joined together to acquire renewable energy from the “Landfill Energy Project” which consists of electricity produced by the combustion of landfill gas in generating units. Member cities began taking renewable energy from the landfill sites in year 2010 and continue to successfully receive renewables from this project.

So, where are we headed? The City is looking to take its renewable energy commitment to 20% by working through MPPA to acquire energy from a wind project located in the thumb area of Michigan.

This project is currently moving forward through permitting and if successful would produce energy for the City of Petoskey by late year 2018 or early year 2019. If permitting or acquisition becomes a problem, MPPA is also monitoring the market for various solar projects around the state and will bring forth information to the membership as it becomes available. With that being said, the City is positioning itself to be ahead of Michigan's new renewable standard that requires 12.5% by 2019 and 15% by 2021.

The City disperses renewable energy amongst its user groups by "blending" the all-in cost of the energy produced from the renewable resource. Essentially "blending" is a rate method of averaging cost of all power supply resources that supply City power needs, this method allows the City to share renewables and related costs with all rate classes of City users. All ratepayers of the City of Petoskey's electric system participate in our current 10% renewable energy purchases. Under the current system, as the City increases its renewable energy entitlements, all electric users' participation of renewable energy increases also.

4. Energy Optimization

The City has been providing "energy optimization programs" to electric customers since year 2009 that include energy conservation offerings to both residential and commercial rate classes. Administered by Franklin Energy through MPPA, such programs have included incentives for efficiency lighting upgrades, appliance upgrades, refrigerator/freezer turn-in and commercial prescriptive and custom programs built around energy conservation. Electric users that participated in the 2016 program created a total reduction of over 1.2 million kilo-watt-hours (kWh) to the City's overall usage. Overall reductions in usage since the program's inception total over 6.5 million kWh. Current energy-saving programs can be found on the City's website by clicking on the "Energy Smart" icon.

5. Street Lighting Upgrades

Lighting upgrades have been ongoing throughout the City for several years and include numerous conversions of incandescent, metal halide and mercury vapor type lighting to more efficient type lighting such as CFL and LED applications. Following is a list of past and future initiatives that City crews have or will be implementing:

- *CBD Gaslights* – In the spring of 2008, all single and triple-head gas lights within the Central Business District were converted from incandescent to CFL. Due to advanced LED technology and pricing, City staff anticipates a conversion from CFL to LED in late year 2017.
- *Mitchell Street Martha Washington's* – City staff is currently pilot testing various types of LED type fixtures within the CBD to determine the best retrofit option available. These tests have been in the works for approximately 2 years and staff is narrowing down the options based on performance and cost. Full conversion to LED is expected in year 2018.
- *Downtown Greenway Hook Lights* – In year 2014, in conjunction with the construction of the Greenway Corridor, LED type hook lighting was installed between Winter Park Lane and Bay Street. Also, future improvements for the continuation of the Greenway west to Emmet Street will include LED type hook lights.
- *Pennsylvania Park Hook Lights* – In year 2016, LED type fixtures were installed adjacent to the new sidewalk between Bay Street and Lake Street, along with this project crews converted Park Avenue hook lights to LED type fixtures. The remaining hook lights between Lake Street and Mitchell Street will be converted late 2017.
- *Bayfront Drive Martha Washington's* – City staff expects results from the Mitchell Street pilot test to influence the type of replacement that will be used on Bayfront Drive. Full conversion is expected in year 2018 or 2019 based on cost.

- *Bayfront Park Path Lighting* – Conversions from metal halide type fixtures to LED has been in the works for approximately three years and is being accomplished as existing lights near their life cycle end.
- *Bayfront Park Promenade Lighting* – Conversion from metal halide type fixtures to LED was accomplished in year 2015.
- *General Street Lighting* – In year 2014, in conjunction with the Arlington Avenue electric conversion from overhead to underground, City crews began installing LED type Shoebox lighting that phased out the 250-watt Metal Halide type. Since 2014, all lighting associated with street projects, underground electric conversions or maintenance repairs in general have been upgraded to LED type.
- *Highway Lighting* – In year 2014, in conjunction with the Arlington Avenue electric conversion from overhead to underground, City crews converted metal halide type fixtures to LED from Winter Park Lane to Boulder Lane. Crews will be converting fixtures south to Mitchell Bridge in conjunction with 2019 MDOT reconstruct project. All other highway lighting will be eventually converted through maintenance.

6. Storm Water Management

To lessen the potential ecological impact of pollution on our lakes and streams, the City requires all commercial building expansions or improvements, and in particular the expansion of parking areas, to construct on-site storm water retention/detention systems. These systems are calculated to limit the storm water run-off that discharges into the Bear River and eventually into Little Traverse Bay. Some of these systems are designed to work as very large storm water drain fields, holding the parking lot run-off until it percolates into the ground, with the storm water that does leave the site restricted to minimize flow. Other systems, where space allows, are simply grassy basins, which work the same way.

In our road right-of-ways and on City properties, all storm water run-off is initially captured in catch basins, which have sumps that allow the storm water to settle out particulates limiting the release of sediment. To maintain these structures, every year, one-half of the structures are cleaned citywide on a rotating basis. Also, on City properties, and adjacent to the Bear River and Little Traverse Bay, the City employs several different types of structures and basins to again settle out sediment before the storm water makes its way into our waterways. Several locations have ‘dissipaters’ where the storm water discharges to the Bear River, to disrupt the flow and limit turbidity. These dissipaters are either pre-cast concrete end sections with intermittent baffle walls, or concrete poured-in-place with grouted riprap.

Some of the sites where these practices are utilized include Crestview Mall, Southwoods, Subway, Emmet County Fairgrounds, Demmer Wellness Center, Petoskey Surgeons, Tip of the Mitt Watershed site and Petoskey High School Sports Complex. Some future sites include McLaren Northern Michigan expansion, Genesis Church site at Northmen Drive and Gibson Excavating site at Franklin and Washington.

The City was also the recipient of an \$820,000 DEQ grant to develop a Storm Water Asset Management Plan (AMP). The three-year program uses GIS technologies in mapping all storm water lines and catch basins. An inventory is then created showing the age and condition of each storm water line and catch basin. Based upon this information, Staff and consultants estimate the additional life span and year in which the line should be replaced.

The final AMP will greatly enhance physical and financial management of this critical infrastructure component. The template for storm water AMP could be used in future years for sanitary sewer and water lines.

7. Department of Public Works Building (DPW)

The DPW facility along with salt sheds located at 110 West Sheridan are currently in the Capital Improvements Plan for replacement or renovations in year 2019. A facilities condition analysis is currently being performed by the City's consultant Straub Pettit Yaste, Architects, Clausen, Michigan. The study will determine the condition of the DPW facility as related to function, code compliance, systems efficiency and overall sustainability. Once this first phase of the study is complete, the firm will be performing a "space programming analysis" that will ultimately lead to a recommendation of the DPW building as a whole. Parks and Recreation Department building and facilities located on Curtis Avenue, adjacent to the Bear River Recreation Area, is also being considered for analysis in the near future.

8. Wastewater Treatment Plant Improvements (WWTP)

Proposed renovations for the 2017-2018 WWTP project include numerous efficiency related improvements that include; lighting upgrades to high efficiency LED, more efficient HVAC units for administration and disinfection buildings, increasing the capture of bio-gas for boilers fuel source, roof replacement, insulation upgrades, high efficient fixtures through laboratory and restrooms, aeration blower upgrades for better control on run times, replacement of exterior doors and windows, new scum pump and motor upgrades, etc.

Discussion with direction to Staff. Please keep in mind that the City of Grand Rapids hired a full-time Sustainability Coordinator to oversee all environmental efforts. The City of Petoskey, with a much smaller staff and limited financial resources, does not have the financial capability to hire a full-time sustainability employee. Please be cognizant of the additional workload on Staff that may be associated with pursuing additional environmental initiatives.

Possible next steps could include the following:

1. Establish a Community Sustainability Team

Community sustainability teams help build support for taking action at the local level. A community team could be an advisory committee of City Council appointed individuals whose purpose is to cultivate a more sustainable community not only through its recommendations to City Council, but also through community education and engagement. The committee would advise City Council on policies and procedures that can enhance energy efficiency, expand renewable energy resources and promote environmental sustainability at the local and regional level.

The committee could be comprised of diverse community members and City leaders with varying expertise and interest in sustainability. All committee meetings would be public and posted on the City's website.

2. Pursue grant funding for development of a comprehensive Community Sustainability Plan

Grant monies may be available to develop a comprehensive Community Sustainability Plan for the next five years. The plan would identify specific environmental sustainability initiatives that the City could pursue and set a "road map" for future priorities.

3. Continue to focus on the Green Communities Challenge (GCC) Program

For the past two years, the City has achieved Bronze Certification through the Michigan Municipal League's GCC program. The comprehensive program establishes criteria for municipalities to gauge strengths and weaknesses for local environmental stewardship measures.

4. Focus efforts on increasing renewable energy usage/conservation measures

Discussions could continue regarding renewable energy and how to increase the City's renewable energy portfolio. Representatives from the Michigan Public Power Agency could be invited to a future City Council meeting to discuss various options to increase renewable energy usage. Keep in mind the additional cost to the customer for increasing renewable energy. Ultimately, a balance should be pursued between economics and environmental sustainability. Policy options for City Council to consider include, but are not limited to:

- Researching costs and feasibility of giving individual homeowners and businesses an option to use a higher percentage of renewable energy sources than the current 10%. This must be coordinated with an electric rate study scheduled for 2018.
- Researching costs and feasibility of transitioning all City buildings to be powered by renewable energy. This must also be coordinated with an electric rate study scheduled for 2018.
- Ways to further enhance electric demand consumption through innovative conservation programs.

City Councilmembers commented on proposed grant funding for a sustainability study; that it would be beneficial for MPPA and the Director of Public Works to make a presentation on renewable energy; appreciative of staff's presentation and that the City has already implemented several measures; that renewables are a more costly source of power; inquiries on how renewables impact society as a whole; that other communities have turned away from wind power; that it is good for both social and economic issues to be discussed; reviewed issues in electric power and how base load is needed that is reliable; reviewed that fossil fuels subsidize renewables; concerns with fossil fuel plants since City owns entitlements in coal plants, costs could nearly double electric rates; and would like to continue research prior to taking action.

City Councilmember Marshall moved that, seconded by City Councilmember Dittmar to direct the City Manager to pursue grant possibilities for a sustainability plan.

Said motion was adopted by the following vote:

AYES: Marshall, Dittmar, Wills, Murphy (4)

NAYS: Lyman (1)

The City Manager further reviewed that the Petoskey-Harbor Springs Area Community Foundation is looking at having a discussion on what grant would look like for sustainability.

Mayor Murphy asked for public comments and heard from those in support of the motion; encouragement that the City not waste money, but that it will save money over time with efficient buildings; that there isn't any lost value since no commitment; that the Master Plan calls for sustainability study; that renewables employ more than other sources of power and is potentially why it costs more; and that a move toward renewable policies could help retain and keep talent at McLaren hospital.

Resolution No. 19078

City Councilmember Marshall then moved that, seconded by City Councilmember Lyman to have Michigan Public Power Agency (MPPA) give a presentation at a City Council meeting.

Said motion was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 19079
Approve Sale of Rail Trolley

The City Manager reviewed that last year the City Council decided not to proceed with operation of a rail trolley on the railroad right-of-way roughly from Emmet Street to north of Bay Street and reviewed various reasons such as lack of parking lot on south railroad section allowing a “park and ride” passenger trolley service; uncertainty about whether the rail trolley service could be financially self-sustaining; various federal and state licensing/regulatory issues; costs of initial investments needed to operate the trolley on the tracks (ADA ramp, trolley barn, rail and tie replacements, etc.); motorist and pedestrian safety issues especially at the Mitchell Street/Howard Street intersection; and potential incompatibility of operating a trolley adjacent to a pedestrian and bicycle path Phase II Of the Greenway Corridor.

The City Manager further reviewed that in the spring of 2016 City Council allowed the DMB one year to study the feasibility of operating the trolley; that a trolley task force was created and after months of discussion the DMB determined that the trolley operation was not a priority and not worthy of any future funding; that the DMB has recommended to City Council that the rail trolley be sold; that upon the sale of the rail trolley, the DMB would like City Council to consider earmarking the proceeds from the rail trolley sale to the Parking Fund to support future road trolley services; and that the trolley was purchased by the City in 1999 for \$37,000.

City Councilmembers discussed the rail trolley, which was funded by the General Fund; heard from those in favor that funds should go back to the General Fund; and from those that have no problem with revenues going towards funding the road trolley.

City Councilmember Marshall moved that, seconded by City Councilmember Dittmar to approve the sale of the rail trolley with the proceeds of the sale going toward the costs to run the road trolley.

Said motion was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 19080 – Approve
Chamber Land Use Agreement
Amendment

The City Manager reviewed that on March 6, 2017 City Council approved an application for a \$150,000 Land and Water Conservation Fund grant to improve and expand the downtown bathrooms. Grant reviewers have stated the current 1964 Land Use Agreement with the Petoskey Regional Chamber of Commerce raises concerns with a “lack of site control” and does not specifically state that the City fully owns the area where the new bathroom expansion project is to occur. Grant reviewers state that the City and Chamber should amend the current Land Use Agreement giving full site control to the City.

The first amendment to the Land Use Agreement developed by City Attorney Jim Murray states: *This license extends only to the land depicted on the Site Plan as the “Current Chamber of Commerce Building.” Nothing in this Land Use Agreement shall be construed to include any other portion of City Property. Specifically excluded from this grant of license are the current bathrooms constructed by the City adjacent to the current Chamber of Commerce Building that is labeled “Restroom Renovation and Expansion” as depicted on the Site Plan.*

Chamber representatives are supportive of the grant application and signing the contract amendment.

Mayor Murphy asked for public comments and heard from someone in favor of looking more broadly on where the relationship is going between the Chamber and City.

City Councilmember Wills moved that, seconded by City Councilmember Lyman to approve the amended Land Use Agreement with the Petoskey Regional Chamber of Commerce as presented.

Said motion was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 19081 - Approve
Waterways Grant Agreement for
Marina Electrical Upgrades

The City Manager reviewed that the City was recently awarded a matching grant in the amount of \$99,415 from the State of Michigan Waterways Commission for upgrades to Piers A, C and D to bring the piers to the current NEC electrical code; that the piers are out of compliance with regulations; briefly reviewed electrical component upgrades; and that the project is identified in the City's Park and Recreation Master Plan and will be a much needed improvement which will make the marina a safer, efficient and compliant harbor.

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

“RESOLVED, that the City of Petoskey, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City agrees, but not by way of limitation, as follows:

1. To appropriate the sum of Ninety-nine Thousand Four Hundred Fifteen dollars (\$99,415.00) to match the Ninety-nine Thousand Four Hundred Fifteen dollars (\$99,415.00) State grant authorized by the Department.
2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.
3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.
4. To ensure that all premises, buildings, and equipment related procedures comply with all applicable State and Federal regulations.
5. To establish and appoint the Parks and Recreation Director to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.
6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.
7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this Resolution.”

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 19082 - Approve
Election Equipment Grant Application

The Director of Finance reviewed that in 2004 the State of Michigan implemented a statewide optical scan voting system to comply with the Help America Vote Act (HAVA). Optical scan voting equipment was provided to each governmental entity with the equipment funding through a grant agreement with each individual community. The equipment has worked well for the past 12 years and the State is now upgrading the equipment to the latest technology in optical scan equipment.

The Finance Director reviewed that the new machines are more compact and provide for better flow of the ballot through the machine eliminating many of the issues with longer ballots jamming in the machine; that the machine has a touch screen to provide voter information for inserting the ballot and responses to improperly voted ballots; and that the ballot container is more light weight and easier to handle.

Funding for the new machines, is again, being provided by a grant funded through the HAVA. The City will enter into a grant agreement with the Michigan Department of the State, which will fund 100% of the costs for the four optical scan precinct tabulators and one accessible voting device, to comply with the Americans with Disabilities Act. The machines are scheduled to be received in time for use in the November 2017 General Election.

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

WHEREAS, the City staff has been advised by the Michigan Department of the State that funding for replacement of optical-scan-voting-system devices and related software would be made available for use by the City at City-conducted elections at no cost to the City, provided that the application materials are submitted by the City to the Department of State; and

WHEREAS, as a condition of the State's provision of such devices to the City, the City would be required to submit to the Department of State an application for grant funding and to enter into a Grant Agreement with the Department:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby authorizes the City Clerk-Treasurer to submit to the Michigan Department of State, on behalf of the City, a Grant Application, as provided by the Department of State, and to, designate the City's Clerk-Treasurer as signatory to the Grant Agreement and any other documents as necessary for the purposes of the program.

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 Wills commented on the success of the Taste of the North and soccer tournaments over the weekend; Councilmember Lyman inquired if she could serve ice cream at the Ward 2 Convention on July 10; and Mayor Murphy commented that the Hemingway statue dedication is 4:00 P.M., Friday, July 21; that long-time City resident, Dr. Turcott passed away; and Gallery Walk went well.

There being no further business to come before the City Council, this June 19, 2017, meeting of the City Council adjourned at 9:10 P.M.

John Murphy, Mayor

Alan Terry, City Clerk-Treasurer