



CITY COUNCIL

December 4, 2017

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, December 4, 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, Director of Parks and Recreation Kendall Klingelsmith, Downtown Director Becky Goodman and City Attorney James Murray.

Hear Proclamations

Mayor Murphy requested two proclamations be presented at the December 4 meeting. Mayor Murphy read the following proclamation:

WHEREAS, the City of Petoskey in the state of Michigan has always supported its military veteran population; and

WHEREAS, the Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782; and

WHEREAS, the Purple Heart was first American service award or decoration made available to the common soldier and is specifically awarded to the members of the United States Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America; and

WHEREAS, the mission of the Military Order of the Purple Heart is to foster an environment of goodwill among the combat-wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly – make sure we never forget; and

WHEREAS, the Petoskey metropolitan area has a large, highly decorated veteran population including many Purple Heart recipients; and

WHEREAS, Petoskey appreciates the sacrifices our Purple Heart recipients made in defending our freedom and believe it is important that we acknowledge them for their courage and show them honor and support they have earned:

NOW, THEREFORE, I, John Murphy, Mayor of the City of Petoskey, do hereby proclaim the City of Petoskey as

A Purple Heart City

And encourage the citizens of the City of Petoskey to show their appreciation for the sacrifices the Purple Heart recipients have made in defending our freedom, to acknowledge their courage, and to show them the honor and support they have earned.

Fred Fettig, Purple Heart representative, reviewed that he will provide a plaque and flag for the City and make a brief presentation in the future.

Mayor Murphy then read the second proclamation recognizing contributions and efforts made to the community by the Petoskey District Library and that the library is seeking further acknowledgment from the State.

WHEREAS, the Petoskey District Library has been an integral part of the community since its inception in 1909 with a mission to generate a *pathway to a world of ideas, events, information and to the joy of reading*; and

WHEREAS, the library staff have overcome past budget and service reductions by becoming a YES library for the community; and

WHEREAS, the library continues to reach out and partner with many downtown organizations and businesses and participate in community wide events; and

WHEREAS, the library has opened its doors to students and employees; and

WHEREAS, the library currently has over 8,450 visits each month and has seen a 20% increase in circulation of material; and

WHEREAS, the award winning Friends of the Petoskey Library continues to grow and increase available funds to support library services; and

WHEREAS, the number of students participating in the summer reading program tripled in the past year, serving 97 teens and 453 birth to 6th graders:

NOW THEREFORE, I, John Murphy, Mayor of the City of Petoskey, Emmet County, State of Michigan, on behalf of the citizens of the City of Petoskey, proclaim my sincerest appreciation for the excellent contributions made by the Petoskey District Library throughout the years and recognize the important efforts of the Library to meet the needs of all the citizens of the area, and make it an even better place to live, work and visit.

Resolution No. 19126
Approve Consent Agenda Items

Following introduction of the consent agenda for this meeting of December 4, 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 November 20, 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 November 20 for contract and vendor claims at \$599,323.19, intergovernmental claims at \$9,955.34, and the November 30 payroll at \$199,467.47, for a total of \$808,746.00 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 Reg Smith, 515 Lockwood Avenue and DMB Vice Chairperson, recognized long standing members on Boards and Commission including DMB Chairperson Larry Rochon for his past 18 years of service. Mayor Murphy commented that Mr. Rochon has actually served for 20 years on the DMB.

Hear City Manager Updates

The City Manager reported that City staff reviewed health care quotes from Blue Care Network and Priority Health and that the City will be changing providers to Priority Health with open enrollment occurring in early December; that DPW staff will make one final pass through the community tomorrow to pick-up leaves; that erosion repairs on the Little Traverse Wheelway adjacent to the Wastewater Treatment Plant have been completed and that erosion repair at Ed White Field is currently underway and should be completed by the end of the week; that winter parking restrictions are in effect as of December 1 and will continue until April 1; and that the new City website is live as of Friday, December 1 with minimal technical issues and that the Facebook page should be active by the end of the week.

City Councilmembers inquired on winter parking regulations for one-sided streets and if changing to Priority Health is a savings to the City. The City Manager responded that he was unsure of the parking regulations, but would find out from the Director of Public Works and that any savings realized from switching to Priority Health would go into staff's health savings accounts. The City's costs are limited to the State's cap.

Resolution No. 19127-19128

Confirm Appointments

Mayor Murphy reviewed that City Council consider possible appointments to the Downtown Management Board, Parks and Recreation Commission and Zoning Board of Appeals. Mayor Murphy reported that Amy Janssens withdrew her name from the Parks and Recreation Commission due to time commitments.

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

BE IT RESOLVED that the City Council does and hereby approves the appointment of Noah Marshall-Rashid, 414 Grove Street, to the Downtown Management Board for a four-year term ending December 2021.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

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

BE IT RESOLVED that the City Council does and hereby approves the appointment of Chris Hinrichs, 508 Elizabeth Street, to the Zoning Board of Appeals for a two-year term ending April 2019 filling a vacated term by Noah Marshall-Rashid, due to his resignation from the Board.

Said resolution was adopted by the following vote:

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

Resolution No. 19129 - Approve
Support Letter for Tip of the Mitt
Watershed Council Coastal Resiliency
and Adaptation Plan

The City Manager reviewed that the Tip of the Mitt Watershed Council is working on a grant proposal for the Coastal Zone Management (CZM) Program and asking the cities of Charlevoix, Petoskey, Mackinaw City and Cheboygan to be potential partners. The City Manager reviewed the \$30,000 proposed grant; that a Coastal Resiliency Summit will be held in the spring; that upon completion of the Summit, the Watershed Council will write a Coastal Resiliency and Adaptation Plan to emphasize local conditions, expected changes and local solutions; that the Summit and Plan should be completed by October 2018 and then Tip of the Mitt would begin grant; that information from the Summit and the Gaps Analysis will be used to audit existing Master Plans and zoning ordinances and make recommendations; that adaptation techniques will be recommended for local conditions that include challenges from more severe storms, frequent flooding, increased erosion, invasive species impacts or variable water levels; that findings will be presented to the Planning Commission and City Council; and that the City was being asked to commit to a total of \$1,000 for in-kind matching funds with no hard costs involved.

City Councilmember Marshall moved that, seconded by City Councilmember Wills to approve a letter of support for Tip of the Mitt Watershed Council's efforts to create a Coastal Resiliency and Adaptation Plan.

Said motion was adopted by the following vote:

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

Resolution No. 19130
Approve 2018 Meeting Schedule

The City Manager next reviewed the proposed City Council meeting schedule for 2018 and noted three cancellations due to the same timing of New Year's Day holiday for City staff, school's spring break and Labor Day holiday. The City Manager also noted that dates are flexible if any Councilmembers had concerns.

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

WHEREAS, Section 4.4 of the City Charter governing City Council meetings requires the City Council to meet regularly, preferably in the City Council Chambers in the City Hall, on the first and third Mondays of each month; and

WHEREAS, due to the holidays certain scheduling conflicts preclude the City Council from holding meetings on the first and third Mondays of each month; and

WHEREAS, the City Council desires to establish a regular meeting schedule in accordance with the requirements of Section 4.4 of the City Charter for the 2018 calendar year:

NOW, THEREFORE, BE IT RESOLVED that the City Council shall hold its regular meetings in the City Council Chambers in the City Hall on the following dates in 2018:

Monday, January 1 (No Meeting)	Monday, May 7	Monday, September 3 (No Meeting)
Monday, January 15	Monday, May 21	Monday, September 17
Monday, February 5	Monday, June 4	Monday, October 1
Monday, February 19	Monday, June 18	Monday, October 15
Monday, March 5	Monday, July 2	Monday, November 5

Monday, March 19
Monday, April 2 (No Meeting)
Monday, April 16

Monday, July 16
Monday, August 6
Monday, August 20

Monday, November 19
Monday, December 3
Monday, December 17

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 19131- Approve
2018-2022 Parks and Recreation
Master Plan

The Director of Parks and Recreation gave a brief presentation on the 2018-2022 Parks and Recreation Master Plan. The Director reviewed various meetings, public hearings and activities as part of the master plan update; that over 100 people commented on the plan; and

that the Parks and Recreation Commission endorsed the plan at their November 13 meeting.

City Councilmembers inquired if war memorials would be relocated next year; what unused properties could be utilized for other activities; Washington Park uses; and that Magnus Park shouldn't be over planted with trees and not end up like Bayfront Park or Sunset Park with limited view sheds due to overgrowth of trees.

Mayor Murphy asked for public comments and heard a citizen commending the Parks and Recreation Director for the process and that public input was incorporated into plan; and that it is good to hear that Council has concerns about trees blocking views and that additional lake access could be at ballfields.

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

WHEREAS, to meet the requirements of the Michigan Department of Natural Resources, the City has prepared a "Parks and Recreation Master Plan" for 2018-2022 as a program update outlining the City's recreation programming and park facility needs; and

WHEREAS, as required by the Michigan Department of Natural Resources, this Parks and Recreation Master Plan will be submitted to the Department's Division of Parks and Recreation; and

WHEREAS, the City's Parks and Recreation Commission has reviewed and approved this plan and forwarded it to the City Council with the recommendation that the City Council endorse the proposed plan:

NOW, THEREFORE, BE IT RESOLVED, that the City of Petoskey City Council does and hereby confirms its endorsement of the City's Parks and Recreation Master Plan for 2018-2022 as approved by the City's Parks and Recreation Commission and does and hereby directs the plan be submitted to the Michigan Department of Natural Resources.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Discuss Draft Personnel
Policy Handbook

The City Manager reviewed the draft Personnel Policy Handbook and reviewed the process which was coordinated with Laura Dinon of Plunkett and Cooney and meetings with Department heads. The draft handbook was also shared with both the FOPLC and Teamsters union as well as all non-union employees, with very few comments received. The City Manager further reviewed that the handbook is applicable to all employee groups, union and non-union; that employees will be required to sign the signature page acknowledging receipt and agreeing to abide by the rules and regulations described in the handbook; that the handbook is broken into seven different sections; that the City Charter does not state anywhere that the City Council must approve employee policies; that in Section 103 of the handbook it specifically states that only the City Manager may change the policies, procedures and benefits in the handbook; and that he was open to input from City Council regarding the handbook.

City Councilmembers inquired if this was the first time for an employee handbook; how amendments would be made and notified to staff; and that it is the City Manager's responsibility to implement, not City Council's. The City Manager responded that it is the first time an employee handbook has been implemented and that staff would be notified of any amendments.

Hear Parking Services Report
by Downtown Director

The Downtown Director reviewed that City Council requested information regarding collection of revenue from ticket violations. The Downtown Director gave a brief presentation and reviewed total number of open tickets; reviewed successes in collections; that outstanding tickets have decreased in 2017; and that the Parking Services Office changed software vendors in the fall of 2014.

City Councilmembers asked various questions on outstanding revenues and tickets and the overall parking services process.

Mayor Murphy asked for public comments and heard an inquiry if there was any information or documents on forgiven tickets. The Downtown Director responded that she could provide that information.

Discuss Mobile Food
Vending Regulations

The City Planner reviewed that the Planning Commission requested mobile food vending as a topic for discussion as a result of the successful food truck rally held last summer. Staff provided the Commission with information on how food trucks are currently regulated, as well as information on how other communities such as Traverse City and Harbor Springs approach the issue. The City Planner reviewed that the Commission is supportive of food trucks on private property, as well as allowing on a trial basis at Bayfront Park and possible other public locations that may have a large influx of people; that they believe it is a trend that is not going away; and that if done right, it can provide a service to areas that may be underserved for food options.

The City Planner further reviewed that currently, there is no commercial activity allowed on public property that is not part of a community event; that on private property, food trucks are possible under either accessory or temporary use provisions, but there is no specific licensing or operating provisions; that a recent questionnaire to downtown businesses included questions on mobile vending as well as other topics; and that the responses indicate that there is support for mobile vending on private property, but not in downtown parking spaces. At the November 16 meeting, the Planning Commission recommended that City Council move forward with regulations to allow mobile vending and is also willing to create such regulations if directed to do so by City Council. City Council was being asked to direct staff or the Planning Commission to draft regulations; decide that existing regulations are sufficient; or whether limited use of public property for mobile vending should be included in such regulations.

City Councilmembers discussed that all possible additional uses in parks should be reviewed such as launches, recreation, etc. for consistency in uses; heard from those in support of food trucks; that mobile vending attracts different clientele and is preferred by the younger generation; discussed when and where they could occur; and that discussion on setting parameters for public property, private property, events in parks and streets will occur at a future meeting.

Mayor Murphy asked for public comments and heard a comment that the central business district should be protected during certain times of the day to eliminate parking issues; and that a trial program could be implemented using the rail trolley and cars as restaurants to celebrate the rail corridor.

Resolution No. 19132
Recess to Closed Session

City Council was being asked to adopt a resolution that would recess to a closed session pursuant to Section 8(h) of the Michigan Open Meetings Act, to consider material exempt from disclosure.

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

WHEREAS, the City Manager has requested that the City Council recess to a closed session, pursuant to Section 8(h) of the Michigan Open Meetings Act, to consider material exempt from disclosure, at the City Council's regular meeting of December 4, 2017:

NOW, THEREFORE, BE IT RESOLVED that the City Council does and hereby authorizes to recess to a closed session, to consider material exempt from disclosure.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Recessed to closed session at 8:55 P.M. and reconvened into open session at 10:30 P.M.

Hear Council Comments

Mayor Murphy asked for Council comments and there were no comments.

There being no further business to come before the City Council, this December 4, 2017, meeting of the City Council adjourned at 10:31 P.M.

John Murphy, Mayor

Alan Terry, City Clerk-Treasurer