



CITY COUNCIL

January 6, 2014

1. Call to Order - 7:00 P.M. - City Hall Council Chambers
2. Recitation - Pledge of Allegiance to the Flag of the United States of America
3. Oaths of Office - Administration of oaths of office to the Mayor-elect and City Councilmembers elect
4. Roll Call
5. Consent Agenda - Adoption of a proposed resolution that would confirm approval of the following:
 - (a) December 12, 2013 joint session and December 16, 2013 regular session City Council meeting minutes
 - (b) Acknowledge receipt of a report concerning certain administrative transactions since December 16, 2013
6. Appointments
 - (a) Election of a City Councilmember to serve as Mayor Protempore as required by City Charter provisions
 - (b) Consideration of appointments to the Parks and Recreation Commission
7. Miscellaneous Public Comments
8. City Manager Updates
9. Old Business
 - (a) Second reading and possible adoption of a proposed ordinance that would amend Chapter 2, Article VI of the City's Codified Ordinances to allow Municipal Civil Infraction penalties to be amended from time to time by a resolution of City Council rather than by ordinance
 - (b) Second reading and possible adoption of a proposed ordinance that would amend a portion of Chapters 16, 18, 20½ and 21 for the purpose of amending the penalty sections pertaining to Municipal Civil Infractions
 - (c) Second reading and possible adoption of a proposed ordinance that would repeal and replace Sections 2000, 2002, 2004 and 2007 of Article XX entitled Board of Appeals of the City of Petoskey Zoning Ordinance
 - (d) Second reading and possible adoption of a proposed ordinance that would amend a portion of Chapter 12, Article I of the City of Petoskey Code of Ordinances to repeal the prohibition against begging in the City of Petoskey
10. New Business
 - (a) Discussion on vacation rental properties
11. City Council Comments
12. Adjournment



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 6, 2014

DATE PREPARED: December 30, 2013

AGENDA SUBJECT: Oaths of Office

RECOMMENDATION: That oaths of office be administered to the Mayor-elect and City Councilmembers-elect

The City Clerk-Treasurer will administer oaths of office to Mayor-elect William J. Fraser, and two City Councilmembers-elect Kate Marshall and Grant Dittmar, following their elections to the City Council November 5, 2013.

sb



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 6, 2014 **PREPARED:** January 2, 2014

AGENDA SUBJECT: Consent Agenda Resolution

RECOMMENDATION: That the City Council approve this proposed resolution

The City Council will be asked to adopt a resolution that would approve the following consent agenda items:

- (1) Draft minutes of the December 12, 2013 joint session and December 16, 2013 regular session City Council meeting; and
- (2) Acknowledge receipt of a report from the City Manager concerning all checks that have been issued since December 16 for contract and vendor claims at \$1,376,591.17, intergovernmental claims at \$66,415.75, and the December 19 payroll at \$169,265.62 for a total of \$1,612,272.54.

sb
Enclosures



**CITY COUNCIL
PLANNING COMMISSION**

December 12, 2013

A joint meeting of the Petoskey City Council and Planning Commission was held in the City Hall City Council Chambers, Petoskey, Michigan, on Thursday, December 12, 2013. This meeting was called to order at 7:00 P.M.;

Present: William Fraser, Mayor
Kate Marshall, City Councilmember
John Murphy, City Councilmember
Grant Dittmar, City Councilmember
Jeremy Wills, City Councilmember
Dana Andrews, Planning Commission
Dean Burns, Planning Commission
Gary Greenwell, Planning Commission
Jim Holmes, Planning Commission
Elizabeth Looze, Planning Commission
Emily Meyerson, Planning Commission
Rick Neumann, Planning Commission
Cynthia Linn Robson, Planning Commission
Eric Yetter, Planning Commission

Absent: None

Also in attendance were City Manager Dan Ralley and City Planner Amy Tweeten.

Discuss CBD Zoning Pertaining to
200 Block of E. Lake Street

Mayor Fraser opened the meeting and indicated that as a work session, the purpose of the meeting was to discuss between City Council and Planning Commission Members the Central Business District Zoning as it pertains to the 200 block of East Lake Street (Petoskey Pointe PUD). Mayor Fraser reviewed that public input would be limited to comments at the end.

The City Manager gave a presentation that summarized the process to amend the Central Business District Standards; noted that height was one of the major discussion points; and provided a series of questions to spur discussion between the members.

Councilmembers discussed that there are several issues including parking, zoning, TIF questions, if traffic studies have been completed; that communication needs to increase and be open between the developer, City staff and the community; that the developer should be held accountable; that the community is concerned with size of development; that there are concerns about losing overall character of downtown and that the development should be in scale with rest of community; that City goals have always been to develop that block which has been underutilized for 30 years; that with a PUD, development standards are controlled; and that the current CBD Zoning is a response to the Petoskey Pointe PUD, which is still in place.

Planning Commission Members then discussed the process and purpose of a PUD , which allows departure from zoning ordinance standards but should provide a clear community benefit in return; that it would be useful to discuss PUD process; inquiries if existing PUD could be removed as it is likely not going to be built as approved; that the comparison for new development should be to the current CBD Zoning rather than the Petoskey Pointe PUD with small variances allowed if a public benefit exists; clarification on the zoning of the 200 block of E. Lake Street as a PUD was made; that parking, financing and height needs to be addressed in a new PUD; and that it is difficult to determine benefit without knowing details of parking.

City Councilmembers commented that the community views proposed development differently than 10 years ago; citizens concerned with mass scale; and Mayor Fraser read email from a visitor from Grand Blanc about the struggles on balance between beauty and development.

Planning Commission Members inquired what value is needed to afford parking structure; that the Commission's job is to evaluate what is best for the community, and the developer's job is to evaluate profit motive, not the City's role; that if any development is going to be viable and acceptable, that a PUD is necessary; that City staff needs to be clearer with developer on expectations, especially height; that there was a consensus from Commissioners that height is a concern; that an accurate development model is necessary to review benefit; and that parking approval would come before final PUD approval.

Mayor Fraser asked for public comment and heard a letter from the Chamber of Commerce supporting the mixed-use development; that parking is an integral component for onsite structure; that hotel component encourages economic impact; and on-site residential and conference center would be an asset to the community.

Other public comments that were heard included that this development would be an economic benefit and that the property is valuable; that height is about perspective and not about protecting waterfront, but that the project is much lower at street level; that developer needs a viable project; heard from those in favor of height trade-off to get underground parking; and that affordable, residential housing is needed.

There being no further business to come before the joint City Council and Planning Commission, this December 12, 2013, meeting adjourned at 8:55 P.M.

W.J. Fraser, Mayor

Alan Terry, City Clerk-Treasurer



CITY COUNCIL

December 16, 2013

A regular meeting of the City of Petoskey City Council was held in the City Hall City Council Chambers, Petoskey, Michigan, on Monday, December 16, 2013. 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: William Fraser, Mayor
Kate Marshall, City Councilmember
John Murphy, City Councilmember
Grant Dittmar, City Councilmember
Jeremy Wills, City Councilmember

Absent: None

Also in attendance were City Manager Dan Ralley, City Clerk-Treasurer Alan Terry, City Planner Amy Tweeten and City Attorney James Murray.

Resolution No. 18736
Approve Consent Agenda Items

Following the introduction of the consent agenda for this meeting of December 16, 2013, City Councilmember Marshall moved that, seconded by City Councilmember Wills adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the December 2, 2013 regular-session City Council meeting be and are hereby approved; and

BE IT FURTHER RESOLVED that receipt by the City Council of a report concerning all checks that had been issued since December 2 for contract and vendor claims at \$787,186.48, intergovernmental claims at \$46,209.79, and the December 5 payroll at \$260,302.56, for a total of \$1,093,698.83 be and is hereby acknowledged;

Said resolution was adopted by the following vote:

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

Hear Public Comment

Mayor Fraser asked for public comments and there were no comments.

Hear City Manager Updates

The City Manager reported that Mac McClelland would be giving a Brownfield presentation at the January 20 City Council meeting; and that a goal setting session is scheduled for 6:00 P.M., Monday, January 27, 2014 in the Council Chambers.

Resolution No. 18737
Approve 2014 Meeting Schedule

The City Manager next reviewed the proposed City Council meeting schedule for 2014 and noted two cancellations due to the same timing of the school's spring break and Labor Day holiday. The City Manager also noted that dates are flexible if any Councilmembers had concerns.

City Councilmember Dittmar moved that, seconded by City Councilmember Murphy 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 2014 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 2014:

Monday, January 6, 2014	Monday, January 20, 2014
Monday, February 3, 2014	Monday, February 17, 2014
Monday, March 3, 2014	Monday, March 17, 2014
Monday, April 7, 2014 (No Meeting)	Monday, April 21, 2014
Monday, May 5, 2014	Monday, May 19, 2014
Monday, June 2, 2014	Monday, June 16, 2014
Monday, July 7, 2014	Monday, July 21, 2014
Monday, August 4, 2014	Monday, August 18, 2014
Monday, September 1, 2014 (No Meeting)	Monday, September 15, 2014
Monday, October 6, 2014	Monday, October 20, 2014
Monday, November 3, 2014	Monday, November 17, 2014
Monday, December 1, 2014	Monday, December 15, 2014

Said resolution was adopted by the following vote:

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

NAYS: None (0)

First Reading of Ordinance
Pertaining to Civil Infractions

The City Manager next reviewed two proposed ordinances that would amend sections of the City's Codified Ordinances related to Municipal Civil Infractions. The first proposed ordinance would enable

Civil Infraction fines to be established from time to time via a resolution of City Council. The second proposed ordinance would replace conflicting language in the City's Code that specifies dollar amounts for certain penalties established prior to the transition to Civil Infractions.

In 2000 the City adopted a Civil Infraction ordinance that established certain violations of the City's Codified Ordinances to be Municipal Civil Infractions. Attached to that ordinance, along with a subsequent update in 2010, was an exhibit that established a set of fine amounts for certain civil infractions. Because this exhibit was attached to the Civil Infraction ordinance, the fine schedule was codified within Section 2-96 as part of the ordinance. All other fees and charges for the City are established via resolutions of City Council. There are no changes proposed for Municipal Civil Infraction penalty amounts within this section.

The second ordinance would amend portions of Chapters 16, 18, 20 ½ and 21 to remove specific dollar amounts referenced within those sections that conflicted with the Municipal Civil Infraction penalty amounts and clarify that the specified violations are Municipal Civil Infractions.

These sections of the Code existed prior to the adoption of Municipal Civil Infractions by the City. Although the violations were covered by the Municipal Civil Infraction ordinance, the specific code sections were not updated concurrently with the adopted use of Civil Infractions. This ordinance updates the language in each of these specific Code sections to remove fine specific amounts and clarify that each violation is a Municipal Civil Infraction.

The City Manager reviewed that if the first ordinance was passed, then the second proposed ordinance would need to be passed; that all rates are currently established; and that there are no draw backs seen by adopting these amendments.

City Councilmembers discussed sidewalk shoveling provisions are necessary; commented that there would be more time for public comment with two readings under ordinance provisions; that fines aren't great, and that City staff works with residents.

City Council deferred further action until a second reading at the January 6, 2014 City Council meeting.

First Reading of Ordinance Amending
ZBA Membership & Use Variances

The City Manager next reviewed a proposed ordinance that would change the membership composition of the Zoning Board of Appeals and clarify the formal authority of the ZBA to review certain specified variance applications. Additionally, the ordinance makes administrative changes to the temporary use review process and clarifies the right of appeal of ZBA decisions to the Emmet County Circuit Court.

On September 12, 2013 City Council held a joint meeting with the Planning Commission and ZBA. At that meeting, multiple policy issues were discussed, including the membership of the ZBA, the jurisdiction of the ZBA for use and non-use variances, as well as sign variances. The development of the proposed ordinance originated out of these discussions.

The following changes are proposed to Appendix A of the City's Codified Ordinances as part of the attached ordinance:

1. Section 2000 Membership. The proposed ordinance language would change the ZBA from a six person body that includes a seventh alternate member to a seven person body with no alternate. The even number of members on the ZBA has been a source of confusion for voting, and the presence of the alternate has at times also added to confusion about the composition of the ZBA. The intent of the proposed change is to clarify the membership composition of the ZBA as well as the majority needed for approval of appeals.
2. Section 2002 Appeal. Proposed language in this Section would codify the length of time at 30 days within which an appeal must be filed with the ZBA rather than allowing this timeframe to be set by "general rule" of the ZBA. Appeals can either be of an administrative decision of the Zoning Administrator, or a decision of the Planning Commission. For purposes of this Section formal decisions of the Planning Commission are determined to be made upon approval of the meeting minutes, which typically happens at a subsequent meeting from the hearing of an application before the Planning Commission.
3. Section 2004 Section 1 Administrative Review. Language in this section has changed to parallel Section 2002 giving administrative review authority to the ZBA within 30 days of an administrative ruling.
4. Section 2004 Section 2 Variances. Language in this section has been substantially re-written to clarify the ZBA's authority to review non-use variances, use variances, and sign variances. Standards of for review of each potential appeal type are specified in this Section.

- a. Non-Use Variances. The ZBA presently has authority to review dimensional variances. The language in this proposed sub-section clarifies that dimensional variances should be reviewed using a standard of “practical difficulty”. Specific language defining situations where dimensional variances may be granted is unchanged from the existing Section 2004 (2).
 - b. Use Variances. Although previously granted in situations involving accessory structures, the ZBA has never had explicit authority within Appendix A to review use variances although the Zoning Enabling Act does authorize communities to allow use variances. Examples were cited at the September 12, 2013 meeting of existing structures located in various locations within the City that historically included first floor commercial spaces that are now prohibited under residential zoning standards. Partially as a result of these zoning restrictions, these first floor spaces are difficult to rent and frequently sit vacant. Based on concerns discussed at the joint meeting, authority within this proposed section has been drafted to permit use variance review using an unnecessary hardship standard in situations where “the historic character of the building suggests that, absent relief, an unnecessary hardship may occur.” Additionally, the ordinance gives the ZBA authority to attach conditions to their approval of a use variance, and explicitly states that authority for granted use variances does not continue following the sale of a property or the abandonment of a use for which a variance has been granted.
 - c. Sign Variances. Although previously reviewed by the ZBA, Appendix A has never specifically included language granting the ZBA authority to review sign variances under Appendix C of the City’s Code. This proposed ordinance clarifies the ZBA’s authority in this area, and limits this authority to variances based on “sign dimensions, height, and the re-location of non-conforming signs”.
 - d. Temporary Uses. Language in Section 2004 (3)(e) and (f) has been combined to streamline the review process for temporary use applications. Streamlining the temporary use review process is designed to encourage rather encumber entrepreneurial activities that may start small or be of a temporary or seasonal nature (e.g. farmers market, pop-up retail). Specifically, under the proposed language, a temporary use would continue to require notification of adjacent property owners and action at a public meeting, but the formal public hearing requirements in terms of publication of hearing notices and minimum number of days for notification are removed. Other notice provisions to adjacent property owners remain unchanged. Additionally, the ZBA would be permitted, but not required, to seek the input of the Planning Commission in reviewing temporary use applications, which has slowed the process by approximately another month.
5. Section 2007 Miscellaneous. Language has been added to this section clarifying that decisions of the ZBA may be appealed to Emmet County Circuit Court.

The City Planner reviewed various sections of the Zoning Ordinance; explained that use variances were new; that the proposed ordinance would bring non-conforming signs into compliance, but would not be applicable to new signs.

The City Attorney reviewed reasons for 7 members vs. 6 members for majority votes; that use variances are used in most cities; and that a variance must still have a hardship.

City Councilmembers then discussed that ZBA members seem to have concerns about nuances of their authority; discussed City Planner concerns over this matter; noted it is easier to receive a majority vote of 4 with a 7 member board vs. a 6 member board; and discussed members belonging to two boards.

City Council deferred further action until a second reading at the January 6, 2014 City Council meeting.

First Reading of Ordinance
Prohibiting Begging

The City Manager next reviewed a proposed ordinance that would prohibit begging. In August of 2013, the U.S. Court of Appeals for the Sixth Circuit issued a decision holding that begging is a form of speech protected by the First Amendment and that Michigan's state-law ban on begging in a public place, M.C.L. §750.167(1)(h) is facially unconstitutional. *Speet v Schuette*, 726 F.3d 867 (6th Cir. 2013). The City Attorney advised that as a result of this decision that the City's Codified Ordinance Section 12-2 is probably unconstitutional and should be repealed. The proposed ordinance would repeal Section 12-2 of the City's Codified Ordinances.

Adopted in 1971, Section 12-2 is part of the City's Codified Ordinances Chapter 12 covering Miscellaneous Offenses and Provisions. Chapter 12 is currently undergoing a comprehensive review by Department of Public Safety staff. Although significant revisions to Chapter 12 are anticipated to be ready for Council consideration in the first half of 2014, the Sixth Circuit's ruling prompted City staff to bring forward the repeal of Section 12-2 prior to broader proposed revisions to the entirety of Chapter 12.

The City Attorney reviewed that existing ordinance is unconstitutional as currently written, but that the City has the right to regulate time and place for this type of activity.

City Council deferred further action until a second reading at the January 6, 2014 City Council meeting.

Resolution No. 18738 Approve MDOT
Small Urban Contract for Arlington
Avenue Reconstruction Project

The City Manager next reviewed the contract with MDOT for the repaving of Arlington Avenue between Rose Street and Beaubien Avenue. Under MDOT's Small Urban program, MDOT would provide \$375,000 in grant funding for the repaving of Arlington Avenue and administer the construction contract on behalf of the City.

Local roadways, such as Arlington Avenue, that are designated Major Streets under Act 51 by MDOT are eligible for federal Surface Transportation Program funding for maintenance and reconstruction. MDOT administers the distribution of these funds thru its Small Urban program. The Arlington Avenue repaving project was included in the approved 2014-2018 CIP and is included in the proposed 2014 Annual Budget. In November City Council adopted a similar resolution for the repaving of Jennings Avenue.

The City Council, as part of its annual goals, directed City staff to "continue to aggressively identify and pursue external funding sources to support ongoing operations and capital improvements" including city infrastructure. The Small Urban program requires a 20% local match, which under this contract is estimated to be approximately \$75,000.

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

WHEREAS, the City of Petoskey seeks to repave Arlington Avenue between Rose Street and Beaubien Avenue; and

WHEREAS, the Michigan Department of Transportation (MDOT), thru its Small Urban program has identified funding to pay for eighty percent of the cost of reconstructing Arlington Avenue between Winter Park Lane and Beaubien Avenue up to \$375,000; 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 13-5710, Control Section STUL 24451, Job Number 117205 with MDOT, and take all other necessary steps to complete the Arlington Avenue reconstruction project.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 18739
Adopt Budget Amendments

At the end of each fiscal year, the City Council is routinely asked to formally adopt amendments to the Annual Budget. As noted below, these amendments are necessitated by a variety of circumstances, and in

many cases are administrative changes to formally reflect previously approved actions and priorities.

The General Fund will be adjusted to account for final grant amounts received for Turcott Field, Quarry Trail, Greenway Corridor, and Bayfront Park Marina emergency dredging projects, along with higher than anticipated marina revenues in fuel sales and daily well rentals.

Expenditures will also be adjusted to account for the final costs of these same projects those being; Turcott Field and Quarry Trail, with the Greenway Corridor and Marina emergency dredging projects not included within the original budget. These two projects were added when grant revenues were approved and became available.

The Major Street Fund will be adjusted to account for additional revenues received from the State in gas tax and trunkline maintenance. Expenditures will increase to account for the additional trunkline costs that were reimbursed, along with adjusting winter road maintenance costs, which are approaching budgeted amounts, with three weeks left in December.

The City Council was being asked to adopt the resolution that would amend total budget amounts of 2013 for these two funds.

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

WHEREAS, at the close of the City's 2013 fiscal year, the City staff has determined that revenues or expenditures within two City funds are anticipated to differ from amounts that had been budgeted for:

NOW, THEREFORE, BE IT RESOLVED that revenues and expenditures within the General Fund and Major Street Fund be adjusted as follows:

	<u>Original</u>	<u>Amendment</u>	<u>Difference</u>
General Fund			
Revenues	<u>\$ 7,233,100</u>	<u>\$ 7,519,600</u>	<u>\$ (286,500)</u>
Expenditures	<u>\$ 7,665,300</u>	<u>\$ 8,068,400</u>	<u>\$ (403,100)</u>
Major Street Fund			
Revenues	<u>\$ 523,900</u>	<u>\$ 557,900</u>	<u>\$ (34,000)</u>
Expenditures	<u>\$ 484,900</u>	<u>\$ 513,900</u>	<u>\$ (29,000)</u>

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Hear Council Comments

Mayor Fraser asked for Council comments and City Councilmember Wills commented trees were trimmed over the bay; City Councilmember Murphy commented that snow removal has been good; and Mayor Fraser thanked Council and City staff for a good year.

There being no further business to come before the City Council, this December 16, 2013, meeting of the City Council adjourned at 8:05 P.M.

W.J. Fraser, Mayor

Alan Terry, City Clerk-Treasurer

DRAFT

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
12/13	12/18/2013	61185	24/7 SEWER & DRAIN CLEANING	592-698-802.000	100.00
12/13	12/18/2013	61186	ACH-CHILD SUPPORT	701-000-230.160	1,053.79
12/13	12/18/2013	61187	ACH-EFTPS	701-000-230.100	20,156.46
12/13	12/18/2013	61187	ACH-EFTPS	701-000-230.200	10,156.23
12/13	12/18/2013	61187	ACH-EFTPS	701-000-230.200	10,156.23
12/13	12/18/2013	61187	ACH-EFTPS	701-000-230.200	2,375.29
12/13	12/18/2013	61187	ACH-EFTPS	701-000-230.200	2,375.29
12/13	12/18/2013	61188	ACH-ICMA 457	701-000-230.700	4,673.46
12/13	12/18/2013	61189	ALLIANCE ENTERTAINMENT	271-540-749.000	103.69
12/13	12/18/2013	61190	ALL-PHASE - MICHIGAN DIVISION	582-595-730.000	572.72
12/13	12/18/2013	61191	AMERICAN WASTE	101-770-802.000	415.20
12/13	12/18/2013	61191	AMERICAN WASTE	101-730-802.000	156.30
12/13	12/18/2013	61191	AMERICAN WASTE	101-266-802.000	66.00
12/13	12/18/2013	61191	AMERICAN WASTE	101-265-802.000	57.00
12/13	12/18/2013	61191	AMERICAN WASTE	101-789-802.000	12.00
12/13	12/18/2013	61191	AMERICAN WASTE	101-773-931.000	30.00
12/13	12/18/2013	61191	AMERICAN WASTE	582-597-932.000	436.50
12/13	12/18/2013	61191	AMERICAN WASTE	592-691-806.000	332.00
12/13	12/18/2013	61192	ARROW UNIFORM-TAYLOR LLC	592-705-725.000	119.00
12/13	12/18/2013	61192	ARROW UNIFORM-TAYLOR LLC	582-597-775.000	112.40
12/13	12/18/2013	61193	AT & T MOBILITY	518-539-920.000	217.30
12/13	12/18/2013	61194	AT&T	101-172-850.000	256.18
12/13	12/18/2013	61194	AT&T	101-201-850.000	136.63
12/13	12/18/2013	61194	AT&T	101-208-850.000	85.39
12/13	12/18/2013	61194	AT&T	101-209-850.000	85.39
12/13	12/18/2013	61194	AT&T	101-215-850.000	68.31
12/13	12/18/2013	61194	AT&T	101-345-850.000	187.87
12/13	12/18/2013	61194	AT&T	101-400-850.000	85.39
12/13	12/18/2013	61194	AT&T	101-770-850.000	50.63
12/13	12/18/2013	61194	AT&T	101-774-850.000	102.47
12/13	12/18/2013	61194	AT&T	101-441-850.000	153.71
12/13	12/18/2013	61194	AT&T	204-481-801.000	51.24
12/13	12/18/2013	61194	AT&T	204-481-801.000	51.24
12/13	12/18/2013	61194	AT&T	582-595-850.000	170.79
12/13	12/18/2013	61194	AT&T	582-597-850.000	152.59
12/13	12/18/2013	61194	AT&T	592-634-850.000	100.21
12/13	12/18/2013	61194	AT&T	592-685-850.000	102.47
12/13	12/18/2013	61194	AT&T	592-705-850.000	286.16
12/13	12/18/2013	61194	AT&T	592-699-920.000	103.25
12/13	12/18/2013	61195	ATCHISON PAPER AND SUPPLY	271-540-727.000	67.50
12/13	12/18/2013	61196	BALLARD'S PLUMBING & HEATING	101-266-802.000	76.00
12/13	12/18/2013	61197	BEK, SARAH	101-172-860.000	56.50
12/13	12/18/2013	61198	BENCHMARK ENGINEERING INC.	204-481-802.000	3,032.00
12/13	12/18/2013	61199	BRADFORD MASTER DRY CLEANERS	101-345-775.000	419.80
12/13	12/18/2013	61200	BUCK'S BODY REPAIR INC.	661-020-142.000	2,300.00
12/13	12/18/2013	61201	C & H DISTRIBUTORS LLC	582-597-932.000	276.36
12/13	12/18/2013	61202	CHAR-EM UNITED WAY	701-000-230.800	99.75
12/13	12/18/2013	61203	CITY OF PETOSKEY	718-540-963.000	100.00
12/13	12/18/2013	61204	CYNERGYCOMM.NET INC.	271-540-850.000	428.27
12/13	12/18/2013	61205	DERRER OIL CO.	661-540-751.000	3,308.53
12/13	12/18/2013	61206	DTE ENERGY	271-540-924.000	375.42
12/13	12/18/2013	61207	DUNCAN SOLUTIONS	518-539-802.000	137.51

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
12/13	12/18/2013	61208	EMMET CO. DEPT OF PUBLIC WORKS	101-529-802.000	5,409.66
12/13	12/18/2013	61209	ENGLEBRECHT, ROBERT	101-209-802.000	3,750.00
12/13	12/18/2013	61210	ETNA SUPPLY	204-010-111.000	118.35
12/13	12/18/2013	61210	ETNA SUPPLY	592-698-775.000	137.48
12/13	12/18/2013	61210	ETNA SUPPLY	592-676-775.000	3,375.00
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-201-727.000	360.96
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-266-775.000	16.64
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-191-727.000	104.39
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-209-727.000	189.74
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-172-860.000	903.10
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	582-597-775.000	33.25
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	271-540-746.000	32.19
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	271-540-745.000	10.00
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	271-540-727.000	9.95
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	271-540-958.200	75.00
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	271-540-752.000	178.93
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	271-540-752.100	60.00
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	661-540-730.000	142.04
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	582-595-730.000	142.04
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-400-957.000	465.00
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-345-775.000	863.00
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-215-956.000	493.00
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-730-775.000	407.94
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	592-685-956.000	159.50
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	592-685-727.000	15.77
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	592-705-727.000	37.95
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	592-705-956.000	12.72
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	661-540-751.000	31.10
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-010-158.000	254.98
12/13	12/18/2013	61211	FIRST NATIONAL BANK OMAHA	101-010-158.000	17.64
12/13	12/18/2013	61212	FLAGS USA INC.	101-770-775.000	90.50
12/13	12/18/2013	61212	FLAGS USA INC.	101-266-775.000	90.50
12/13	12/18/2013	61213	FLETCH'S INC.	582-010-158.000	2,535.30
12/13	12/18/2013	61214	FLYNN, JOHN	101-774-753.030	50.00
12/13	12/18/2013	61215	GALE/CENGAGE LEARNING	271-540-745.000	36.00
12/13	12/18/2013	61216	GALLS/QUARTERMASTER	661-020-140.000	953.99
12/13	12/18/2013	61217	GIBBY'S GARAGE	661-540-931.000	357.50
12/13	12/18/2013	61217	GIBBY'S GARAGE	661-540-933.000	3,282.50
12/13	12/18/2013	61217	GIBBY'S GARAGE	582-597-932.000	65.00
12/13	12/18/2013	61217	GIBBY'S GARAGE	518-010-158.000	65.00
12/13	12/18/2013	61217	GIBBY'S GARAGE	661-010-158.000	227.50
12/13	12/18/2013	61218	GRAND TRAVERSE CONSTRUCTION	101-010-158.000	55,988.63
12/13	12/18/2013	61219	GREAT LAKES ENERGY	592-634-920.000	102.43
12/13	12/18/2013	61219	GREAT LAKES ENERGY	592-699-920.000	55.55
12/13	12/18/2013	61219	GREAT LAKES ENERGY	101-345-920.100	286.96
12/13	12/18/2013	61219	GREAT LAKES ENERGY	592-634-920.000	215.82
12/13	12/18/2013	61220	GRP ENGINEERING INC.	582-010-158.000	46.50
12/13	12/18/2013	61221	HOFFMAN & SONS, JOHN	592-697-802.000	403.90
12/13	12/18/2013	61222	HORIZON BOOKS	271-540-752.100	33.00
12/13	12/18/2013	61223	HUBBELL ROTH & CLARK INC.	592-685-802.000	109.55
12/13	12/18/2013	61224	INTEGRITY BUSINESS SOLUTIONS	101-441-727.000	14.37
12/13	12/18/2013	61224	INTEGRITY BUSINESS SOLUTIONS	204-481-727.000	9.47

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12/13	12/18/2013	61224	INTEGRITY BUSINESS SOLUTIONS	582-595-727.000	9.47
12/13	12/18/2013	61224	INTEGRITY BUSINESS SOLUTIONS	582-597-727.000	9.47
12/13	12/18/2013	61224	INTEGRITY BUSINESS SOLUTIONS	592-685-727.000	9.47
12/13	12/18/2013	61224	INTEGRITY BUSINESS SOLUTIONS	592-705-727.000	106.79
12/13	12/18/2013	61224	INTEGRITY BUSINESS SOLUTIONS	661-540-727.000	9.48
12/13	12/18/2013	61225	K & J SEPTIC SERVICE LLC	592-691-806.000	1,000.00
12/13	12/18/2013	61226	KAUFFMAN'S FURNITURE	101-345-775.000	50.00
12/13	12/18/2013	61227	LYNN AUTO PARTS	582-595-730.000	40.44
12/13	12/18/2013	61227	LYNN AUTO PARTS	661-540-933.000	235.64
12/13	12/18/2013	61228	MDC CONTRACTING LLC	203-469-802.000	504.25
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-774-727.000	17.98
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-770-775.000	344.10
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-265-775.000	14.97
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-266-932.000	24.06
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-345-775.000	179.44
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-730-775.000	10.48
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-266-775.000	16.68
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-208-727.000	7.47
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-789-775.000	24.98
12/13	12/18/2013	61229	MEYER ACE HARDWARE	204-784-802.000	30.75
12/13	12/18/2013	61229	MEYER ACE HARDWARE	271-540-725.000	110.67
12/13	12/18/2013	61229	MEYER ACE HARDWARE	280-540-233.000	26.05
12/13	12/18/2013	61229	MEYER ACE HARDWARE	518-539-775.000	5,439.44
12/13	12/18/2013	61229	MEYER ACE HARDWARE	518-539-802.100	40.51
12/13	12/18/2013	61229	MEYER ACE HARDWARE	582-595-730.000	4.99
12/13	12/18/2013	61229	MEYER ACE HARDWARE	592-675-775.000	3.00
12/13	12/18/2013	61229	MEYER ACE HARDWARE	592-676-775.000	24.92
12/13	12/18/2013	61229	MEYER ACE HARDWARE	592-692-775.000	31.54
12/13	12/18/2013	61229	MEYER ACE HARDWARE	592-677-775.000	14.47
12/13	12/18/2013	61229	MEYER ACE HARDWARE	592-673-775.000	14.99
12/13	12/18/2013	61229	MEYER ACE HARDWARE	661-540-730.000	37.97
12/13	12/18/2013	61229	MEYER ACE HARDWARE	661-540-931.000	125.95
12/13	12/18/2013	61229	MEYER ACE HARDWARE	101-010-158.000	18.17
12/13	12/18/2013	61230	MICH. MUNICIPAL LEAGUE	101-345-775.000	100.10
12/13	12/18/2013	61231	MICHIGAN OFFICEWAYS	271-540-727.000	41.97
12/13	12/18/2013	61232	MIILLER, BEN	101-774-753.030	50.00
12/13	12/18/2013	61233	MILLER, GREG	101-774-753.030	50.00
12/13	12/18/2013	61234	MINE SAFETY APPLIANCES CO.	101-345-775.000	148.35
12/13	12/18/2013	61235	MOVIE LICENSING USA	271-540-958.200	75.00
12/13	12/18/2013	61236	NATIONAL BUSINESS FURNITURE	582-597-932.000	454.70
12/13	12/18/2013	61237	NORTH CENTRAL LABORATORIES	592-692-775.000	1,782.25
12/13	12/18/2013	61238	NORTH COUNTRY IT	271-540-801.000	935.00
12/13	12/18/2013	61239	NORTHERN FIRE & SAFETY	271-540-801.000	58.00
12/13	12/18/2013	61240	NORTHERN MI REGIONAL HOSPITAL	101-345-775.000	20.00
12/13	12/18/2013	61241	NORTHERN MICHIGAN REVIEW INC.	101-215-727.000	719.23
12/13	12/18/2013	61241	NORTHERN MICHIGAN REVIEW INC.	101-345-775.000	407.00
12/13	12/18/2013	61241	NORTHERN MICHIGAN REVIEW INC.	280-739-775.000	59.25
12/13	12/18/2013	61241	NORTHERN MICHIGAN REVIEW INC.	280-540-232.000	581.15
12/13	12/18/2013	61241	NORTHERN MICHIGAN REVIEW INC.	280-739-905.000	545.00
12/13	12/18/2013	61241	NORTHERN MICHIGAN REVIEW INC.	518-539-802.000	177.52
12/13	12/18/2013	61242	NORTHWEST DESIGN GROUP	202-473-802.000	700.00
12/13	12/18/2013	61242	NORTHWEST DESIGN GROUP	101-010-158.000	662.00

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12/13	12/18/2013	61243	NORTHWEST SERVICES	518-539-802.000	1,828.50
12/13	12/18/2013	61244	OCLC INC.	271-540-802.000	35.58
12/13	12/18/2013	61245	OFFICEMAX	101-345-976.000	3,259.86
12/13	12/18/2013	61246	ON DUTY GEAR LLC	101-345-775.000	304.90
12/13	12/18/2013	61247	OVERHEAD DOOR COMPANY	101-345-805.100	357.50
12/13	12/18/2013	61248	PETOSKEY CRANE SERVICE INC.	582-546-775.000	1,860.00
12/13	12/18/2013	61249	PETOSKEY PUBLIC SCHOOLS	582-010-158.000	675.00
12/13	12/18/2013	61249	PETOSKEY PUBLIC SCHOOLS	582-010-158.000	350.00
12/13	12/18/2013	61249	PETOSKEY PUBLIC SCHOOLS	582-010-158.000	60.00
12/13	12/18/2013	61249	PETOSKEY PUBLIC SCHOOLS	582-010-158.000	60.00
12/13	12/18/2013	61250	PLUNKETT COONEY	101-210-802.000	8,599.20
12/13	12/18/2013	61250	PLUNKETT COONEY	101-209-802.000	1,859.80
12/13	12/18/2013	61251	PMP PERSONNEL SERVICES	101-201-801.000	606.10
12/13	12/18/2013	61252	PORCELAIN PATROL SERVICE	582-597-932.000	1,477.68
12/13	12/18/2013	61252	PORCELAIN PATROL SERVICE	592-693-802.000	641.20
12/13	12/18/2013	61253	PRANTERA, MARY SUE	271-540-719.000	40.71
12/13	12/18/2013	61254	PRINT SHOP, THE	518-539-775.000	581.00
12/13	12/18/2013	61255	RESORT TOWNSHIP	101-081-403.000	298,897.40
12/13	12/18/2013	61255	RESORT TOWNSHIP	101-081-403.000	18,849.36
12/13	12/18/2013	61255	RESORT TOWNSHIP	401-080-403.000	150,256.53
12/13	12/18/2013	61255	RESORT TOWNSHIP	271-080-403.000	70,550.59
12/13	12/18/2013	61256	ROYAL TIRE	703-040-222.212	72.75
12/13	12/18/2013	61256	ROYAL TIRE	703-040-228.212	90.00
12/13	12/18/2013	61256	ROYAL TIRE	703-040-229.212	57.87
12/13	12/18/2013	61256	ROYAL TIRE	703-040-230.212	122.39
12/13	12/18/2013	61256	ROYAL TIRE	703-040-231.212	27.21
12/13	12/18/2013	61256	ROYAL TIRE	703-040-236.212	90.00
12/13	12/18/2013	61256	ROYAL TIRE	703-040-237.212	54.29
12/13	12/18/2013	61257	SALINE DISTRICT LIBRARY	271-540-745.000	28.95
12/13	12/18/2013	61258	SHORELINE POWER SERVICES INC.	592-697-802.000	958.63
12/13	12/18/2013	61258	SHORELINE POWER SERVICES INC.	592-672-802.000	1,177.41
12/13	12/18/2013	61258	SHORELINE POWER SERVICES INC.	592-630-802.000	224.25
12/13	12/18/2013	61259	SIGN & DESIGN	518-539-904.000	258.00
12/13	12/18/2013	61260	SMITH, EDWARD J	101-774-753.030	120.00
12/13	12/18/2013	61261	SURA, MATT	101-774-753.030	50.00
12/13	12/18/2013	61262	TAYLOR RENTAL CENTER	280-540-232.000	93.20
12/13	12/18/2013	61263	TROPHY CASE, THE	271-540-727.000	8.00
12/13	12/18/2013	61264	VAN WYLEN LIBRARY	271-540-745.000	65.00
12/13	12/18/2013	61265	VERIZON WIRELESS	101-441-850.000	5.45
12/13	12/18/2013	61265	VERIZON WIRELESS	582-595-850.000	22.42
12/13	12/18/2013	61265	VERIZON WIRELESS	101-770-850.000	32.99
12/13	12/18/2013	61265	VERIZON WIRELESS	101-345-850.000	178.93
12/13	12/18/2013	61265	VERIZON WIRELESS	592-685-850.000	10.28
12/13	12/18/2013	61265	VERIZON WIRELESS	592-634-920.000	328.18
12/13	12/18/2013	61265	VERIZON WIRELESS	204-481-850.000	9.34
12/13	12/18/2013	61265	VERIZON WIRELESS	101-773-850.000	56.83
12/13	12/18/2013	61265	VERIZON WIRELESS	101-789-850.000	58.76
12/13	12/18/2013	61266	WADE TRIM OPERATIONS SERVICES	101-208-802.000	8,000.00
12/13	12/18/2013	61266	WADE TRIM OPERATIONS SERVICES	592-698-802.000	325.00
12/13	12/18/2013	61267	WESTON, CHRIS	101-774-753.030	50.00
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-172-719.000	1,657.62
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-201-719.000	3,315.24

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12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-208-719.000	994.57
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-209-719.000	414.41
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-215-719.000	2,072.03
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-228-719.000	1,243.21
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-400-719.000	414.41
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-441-719.000	6,181.24
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-345-719.000	17,229.97
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-265-719.000	198.91
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-266-719.000	857.82
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-730-719.000	62.16
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-770-719.000	4,516.99
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-773-719.000	298.37
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-774-719.000	2,561.01
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	101-789-719.000	870.25
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	204-448-719.000	4,082.42
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	271-540-719.000	3,978.28
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	518-539-719.000	994.57
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	582-595-719.000	2,632.05
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	592-705-719.000	1,657.63
12/13	12/19/2013	61277	BLUE CROSS\BLUE SHIELD - MICH.	592-685-719.000	6,042.15
12/13	12/19/2013	61278	S & S WELDING	101-266-802.000	668.10
12/13	12/19/2013	61278	S & S WELDING	101-345-805.000	90.00
12/13	12/19/2013	61278	S & S WELDING	202-479-802.000	150.00
12/13	12/19/2013	61278	S & S WELDING	204-449-802.000	8,970.00
12/13	12/19/2013	61278	S & S WELDING	271-540-801.000	98.25
12/13	12/19/2013	61278	S & S WELDING	518-539-802.000	982.50
12/13	12/19/2013	61278	S & S WELDING	582-597-932.000	216.15
12/13	12/31/2013	61279	AIRGAS USA LLC	661-540-730.000	172.84
12/13	12/31/2013	61279	AIRGAS USA LLC	280-540-232.000	416.37
12/13	12/31/2013	61280	AIRWAY OXYGEN INC.	101-345-775.000	36.00
12/13	12/31/2013	61281	ALLIANCE ENTERTAINMENT	271-540-749.000	9.99
12/13	12/31/2013	61282	AMERICAN LIBRARY ASSOC.	271-540-957.000	441.00
12/13	12/31/2013	61283	ARIZONA BALLOON COMPANY	280-540-232.000	2,046.00
12/13	12/31/2013	61284	AT&T	592-634-850.000	329.52
12/13	12/31/2013	61285	AT&T LONG DISTANCE	582-595-850.000	2.69
12/13	12/31/2013	61286	ATCHISON PAPER AND SUPPLY	271-540-725.000	93.70
12/13	12/31/2013	61287	BARRETTE, TERRY	204-481-850.000	120.00
12/13	12/31/2013	61288	BELL EQUIPMENT COMPANY	661-540-931.000	304.16
12/13	12/31/2013	61289	BILLTRUST	101-208-803.000	493.21
12/13	12/31/2013	61290	BOYNE CITY TIRE & BRAKE	661-540-933.000	589.99
12/13	12/31/2013	61291	BREED, MATTHEW	101-345-850.000	120.00
12/13	12/31/2013	61292	C & H DISTRIBUTORS LLC	582-597-932.000	502.92
12/13	12/31/2013	61293	CALABRESE, JOHN F.	101-345-850.000	120.00
12/13	12/31/2013	61294	CARTER'S IMAGEWEAR & AWARDS	101-770-935.000	389.00
12/13	12/31/2013	61295	CCP INDUSTRIES INC.	661-540-730.000	241.06
12/13	12/31/2013	61296	CDW GOVERNMENT	101-228-775.000	316.80
12/13	12/31/2013	61296	CDW GOVERNMENT	101-345-727.000	1,039.44
12/13	12/31/2013	61297	CHAMPION INC.	582-547-775.000	1,528.20
12/13	12/31/2013	61298	CHARLEVOIX-EMMET ISD	703-040-234.213	148,758.93
12/13	12/31/2013	61299	CHARTER COMMUNICATIONS	582-595-850.000	109.98
12/13	12/31/2013	61299	CHARTER COMMUNICATIONS	592-705-850.000	115.71
12/13	12/31/2013	61300	CITY OF PETOSKEY - DMB	280-739-905.000	1,100.00

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12/13	12/31/2013	61300	CITY OF PETOSKEY - DMB	518-539-802.100	550.00
12/13	12/31/2013	61301	CITY TREAS. FOR GENERAL FUND	703-040-230.213	11,572.56
12/13	12/31/2013	61301	CITY TREAS. FOR GENERAL FUND	703-040-230.213	735.68
12/13	12/31/2013	61301	CITY TREAS. FOR GENERAL FUND	703-040-233.000	3,596.64
12/13	12/31/2013	61301	CITY TREAS. FOR GENERAL FUND	703-040-233.000	18.37
12/13	12/31/2013	61302	CITY TREAS. FOR LIBRARY FUND	703-040-231.213	1,300.74
12/13	12/31/2013	61302	CITY TREAS. FOR LIBRARY FUND	703-040-233.000	68.17
12/13	12/31/2013	61303	CITY TREAS. FOR R.O.W.	703-040-229.213	5,804.92
12/13	12/31/2013	61303	CITY TREAS. FOR R.O.W.	703-040-233.000	144.94
12/13	12/31/2013	61304	CITY TREAS. FOR TIFA FUND	703-040-222.213	6,449.62
12/13	12/31/2013	61304	CITY TREAS. FOR TIFA FUND	703-040-235.213	14,331.04
12/13	12/31/2013	61304	CITY TREAS. FOR TIFA FUND	703-040-235.213	12,874.72
12/13	12/31/2013	61304	CITY TREAS. FOR TIFA FUND	703-040-235.213	3,455.71
12/13	12/31/2013	61304	CITY TREAS. FOR TIFA FUND	703-040-238.213	6,062.64
12/13	12/31/2013	61305	COLE, BARRY	518-539-775.000	11.99
12/13	12/31/2013	61306	CONCIERGE PUBLICATIONS	280-739-905.000	895.00
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-699-920.000	109.18
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-634-920.000	3,167.01
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-699-920.000	98.39
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-699-920.000	134.84
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-699-920.000	177.60
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-699-920.000	149.56
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-699-920.000	169.24
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-699-920.000	138.88
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-699-920.000	397.27
12/13	12/31/2013	61307	CONSUMERS ENERGY	592-699-920.000	374.16
12/13	12/31/2013	61307	CONSUMERS ENERGY	202-475-920.000	116.43
12/13	12/31/2013	61308	CONTI, JOSEPH	101-266-850.000	120.00
12/13	12/31/2013	61308	CONTI, JOSEPH	101-770-719.000	50.00
12/13	12/31/2013	61309	COVEYOU SCENIC FARM MARKET	280-540-233.000	1,852.50
12/13	12/31/2013	61310	CROOKED TREE ARTS CENTER	280-739-905.000	500.00
12/13	12/31/2013	61311	DAVIS, JEFF	582-595-850.000	120.00
12/13	12/31/2013	61312	DERRER OIL CO.	661-540-751.000	7,129.23
12/13	12/31/2013	61312	DERRER OIL CO.	661-540-751.000	7,445.62
12/13	12/31/2013	61313	DIGITAL SCIENCE GROUP LLC	101-400-802.000	160.88
12/13	12/31/2013	61314	DTE ENERGY	101-266-924.000	2,019.08
12/13	12/31/2013	61314	DTE ENERGY	101-345-920.000	1,628.19
12/13	12/31/2013	61314	DTE ENERGY	101-345-920.100	1,727.11
12/13	12/31/2013	61314	DTE ENERGY	101-265-924.000	981.75
12/13	12/31/2013	61314	DTE ENERGY	101-773-924.000	26.87
12/13	12/31/2013	61314	DTE ENERGY	101-770-924.000	280.36
12/13	12/31/2013	61314	DTE ENERGY	101-265-924.000	239.82
12/13	12/31/2013	61314	DTE ENERGY	582-597-924.000	2,601.63
12/13	12/31/2013	61314	DTE ENERGY	592-634-920.000	178.69
12/13	12/31/2013	61314	DTE ENERGY	592-634-920.000	103.81
12/13	12/31/2013	61314	DTE ENERGY	592-690-920.000	1,084.80
12/13	12/31/2013	61314	DTE ENERGY	592-690-920.000	4,039.46
12/13	12/31/2013	61314	DTE ENERGY	592-699-920.000	26.87
12/13	12/31/2013	61314	DTE ENERGY	592-634-920.000	197.91
12/13	12/31/2013	61314	DTE ENERGY	592-634-920.000	267.99
12/13	12/31/2013	61314	DTE ENERGY	518-539-802.100	152.84
12/13	12/31/2013	61315	DUNCAN SOLUTIONS	518-539-802.000	137.51

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
12/13	12/31/2013	61316	DUNKEL EXCAVATING, RON	202-479-802.000	15,880.00
12/13	12/31/2013	61316	DUNKEL EXCAVATING, RON	518-539-802.000	3,267.50
12/13	12/31/2013	61317	ELLIOTT, SHERRIE	592-705-850.000	120.00
12/13	12/31/2013	61318	EMMET COUNTY BROWNFIELD	703-040-222.213	613.97
12/13	12/31/2013	61318	EMMET COUNTY BROWNFIELD	703-040-235.213	1,364.25
12/13	12/31/2013	61318	EMMET COUNTY BROWNFIELD	703-040-235.213	1,225.61
12/13	12/31/2013	61318	EMMET COUNTY BROWNFIELD	703-040-235.213	328.97
12/13	12/31/2013	61318	EMMET COUNTY BROWNFIELD	703-040-234.213	3,415.29
12/13	12/31/2013	61318	EMMET COUNTY BROWNFIELD	703-040-238.213	577.14
12/13	12/31/2013	61319	EMMET COUNTY TREASURER	703-040-222.213	7,297.58
12/13	12/31/2013	61319	EMMET COUNTY TREASURER	703-040-228.213	7,313.46
12/13	12/31/2013	61319	EMMET COUNTY TREASURER	703-040-222.213	20,292.10
12/13	12/31/2013	61319	EMMET COUNTY TREASURER	703-040-222.213	13,676.64
12/13	12/31/2013	61319	EMMET COUNTY TREASURER	703-040-233.000	182.22
12/13	12/31/2013	61319	EMMET COUNTY TREASURER	703-040-233.000	225.45
12/13	12/31/2013	61320	FASTENAL COMPANY	582-549-775.000	32.40
12/13	12/31/2013	61320	FASTENAL COMPANY	592-698-775.000	29.64
12/13	12/31/2013	61320	FASTENAL COMPANY	661-540-730.000	47.45
12/13	12/31/2013	61321	FLYNN, CHRIS	101-789-850.000	120.00
12/13	12/31/2013	61322	FOWLER, RONALD	271-540-860.000	133.34
12/13	12/31/2013	61323	GALE/CENGAGE LEARNING	271-540-745.000	999.00
12/13	12/31/2013	61324	GOSCIAK, SCOTT	101-345-719.000	100.00
12/13	12/31/2013	61325	GREENWOOD CEMETERY BOARD	703-040-238.213	19,073.59
12/13	12/31/2013	61326	HAALCK, FRED	101-345-719.000	125.00
12/13	12/31/2013	61327	HUMMEL, JON	101-730-920.000	120.00
12/13	12/31/2013	61327	HUMMEL, JON	101-770-719.000	75.00
12/13	12/31/2013	61328	HYDE SERVICES LLC	661-540-931.000	89.50
12/13	12/31/2013	61329	INDUSTRIAL MARKETING	661-540-931.000	70.10
12/13	12/31/2013	61330	INGRAM LIBRARY SERVICES	271-540-745.000	1,440.79
12/13	12/31/2013	61330	INGRAM LIBRARY SERVICES	271-540-749.000	144.30
12/13	12/31/2013	61331	INTEGRITY BUSINESS SOLUTIONS	518-539-802.100	139.80
12/13	12/31/2013	61331	INTEGRITY BUSINESS SOLUTIONS	582-597-727.000	29.98
12/13	12/31/2013	61332	JP HEATING OF NORTHERN MICHIGAN	101-345-976.000	467.00
12/13	12/31/2013	61333	KARR, ADRIAN	101-345-850.000	120.00
12/13	12/31/2013	61334	KENT POWER INC.	582-547-802.000	4,200.66
12/13	12/31/2013	61334	KENT POWER INC.	582-010-158.000	3,821.31
12/13	12/31/2013	61335	KRING CHEVROLET CADILLAC, DAVE	661-540-933.000	104.25
12/13	12/31/2013	61336	KRUSKIE, DAVID	101-770-850.000	120.00
12/13	12/31/2013	61337	LENNEMANN, MARK	101-770-850.000	120.00
12/13	12/31/2013	61338	LEXISNEXIS RISK DATA MGT	518-539-802.000	50.00
12/13	12/31/2013	61339	LIFELOC TECHNOLOGIES	101-345-775.000	33.00
12/13	12/31/2013	61340	LONE STAR PRODUCTS & EQUIPMENT	661-020-140.000	687.00
12/13	12/31/2013	61341	MANAGEMENT & BEHAVIOR	101-345-805.000	2,825.00
12/13	12/31/2013	61342	MEYER ACE HARDWARE	518-539-775.000	45.10
12/13	12/31/2013	61343	MICH. MUNICIPAL LEAGUE	101-101-719.000	12.74
12/13	12/31/2013	61343	MICH. MUNICIPAL LEAGUE	101-345-719.000	68.82
12/13	12/31/2013	61343	MICH. MUNICIPAL LEAGUE	101-770-719.000	22.72
12/13	12/31/2013	61343	MICH. MUNICIPAL LEAGUE	271-540-719.000	124.99
12/13	12/31/2013	61343	MICH. MUNICIPAL LEAGUE	202-481-719.000	30.57
12/13	12/31/2013	61343	MICH. MUNICIPAL LEAGUE	582-595-719.000	45.18
12/13	12/31/2013	61343	MICH. MUNICIPAL LEAGUE	518-539-719.000	45.51
12/13	12/31/2013	61344	MICH. STATE FIREMEN'S ASSOC.	101-345-775.000	100.00

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
12/13	12/31/2013	61345	MIDWEST GOLF AND TURF	661-010-158.000	155.23
12/13	12/31/2013	61346	NEW MOON VISIONS	280-739-905.000	50.00
12/13	12/31/2013	61347	NORTH CENTRAL MICH. COLLEGE	703-040-235.213	45,089.67
12/13	12/31/2013	61347	NORTH CENTRAL MICH. COLLEGE	703-040-235.213	40,507.51
12/13	12/31/2013	61347	NORTH CENTRAL MICH. COLLEGE	703-040-235.213	10,870.71
12/13	12/31/2013	61348	NORTH COUNTRY IT	271-540-801.000	340.00
12/13	12/31/2013	61349	NORTHWEST SERVICES	518-539-802.000	3,908.41
12/13	12/31/2013	61350	ON DUTY GEAR LLC	101-345-976.000	741.86
12/13	12/31/2013	61350	ON DUTY GEAR LLC	101-345-775.000	29.99
12/13	12/31/2013	61351	OTWELL MAWBY P.C.	101-400-802.000	1,235.00
12/13	12/31/2013	61352	PAC2	271-540-802.000	4,375.00
12/13	12/31/2013	61353	PARKER, MICHAEL	101-345-719.000	50.00
12/13	12/31/2013	61354	PARKMOBILE USA INC.	518-539-802.000	569.80
12/13	12/31/2013	61355	PETOSKEY PUBLIC SCHOOLS	703-040-236.213	23,760.29
12/13	12/31/2013	61355	PETOSKEY PUBLIC SCHOOLS	703-040-237.213	2,828.70
12/13	12/31/2013	61355	PETOSKEY PUBLIC SCHOOLS	703-040-237.213	1,984.99
12/13	12/31/2013	61355	PETOSKEY PUBLIC SCHOOLS	703-040-237.213	631.87
12/13	12/31/2013	61355	PETOSKEY PUBLIC SCHOOLS	703-040-233.000	543.98
12/13	12/31/2013	61355	PETOSKEY PUBLIC SCHOOLS	703-040-233.000	70.65
12/13	12/31/2013	61355	PETOSKEY PUBLIC SCHOOLS	703-040-233.000	49.57
12/13	12/31/2013	61355	PETOSKEY PUBLIC SCHOOLS	703-040-233.000	15.79
12/13	12/31/2013	61356	PMP PERSONNEL SERVICES	101-201-801.000	1,236.13
12/13	12/31/2013	61357	PONTIUS FLOWER SHOP, A. R.	280-739-774.000	123.50
12/13	12/31/2013	61358	PRINTING SYSTEMS INC.	101-201-727.000	406.41
12/13	12/31/2013	61359	RALLEY, DAN	101-172-850.000	120.00
12/13	12/31/2013	61359	RALLEY, DAN	101-172-719.000	50.00
12/13	12/31/2013	61360	RED HOLMAN GMC	661-020-142.000	47,032.00
12/13	12/31/2013	61361	RICE, ANTHONY	101-345-850.000	120.00
12/13	12/31/2013	61362	RJS PARKING & FACILITIES	518-539-775.000	540.75
12/13	12/31/2013	61363	ROBBINS, MICHAEL	101-441-850.000	120.00
12/13	12/31/2013	61363	ROBBINS, MICHAEL	101-441-719.000	50.00
12/13	12/31/2013	61364	S & S WELDING	101-266-802.000	994.50
12/13	12/31/2013	61364	S & S WELDING	101-345-805.000	45.00
12/13	12/31/2013	61364	S & S WELDING	202-479-802.000	225.00
12/13	12/31/2013	61364	S & S WELDING	204-449-802.000	12,500.40
12/13	12/31/2013	61364	S & S WELDING	271-540-801.000	146.25
12/13	12/31/2013	61364	S & S WELDING	518-539-802.000	1,462.50
12/13	12/31/2013	61364	S & S WELDING	582-597-932.000	321.75
12/13	12/31/2013	61365	SAGE DESIGNWORKS	271-540-900.000	145.00
12/13	12/31/2013	61366	SCIENTIFIC BRAKE & EQUIPMENT	661-540-933.000	894.43
12/13	12/31/2013	61367	SHERRARD, KAREN	271-540-719.000	50.00
12/13	12/31/2013	61368	SIGHT & SOUND MUSIC	101-770-775.000	140.00
12/13	12/31/2013	61369	SIGN & DESIGN	518-539-904.000	90.00
12/13	12/31/2013	61370	SMITH, DANIEL	582-010-158.000	20.00
12/13	12/31/2013	61371	SMITH, EDWARD J	101-774-850.000	120.00
12/13	12/31/2013	61371	SMITH, EDWARD J	101-770-719.000	100.00
12/13	12/31/2013	61372	SUTPHEN TOWERS	661-540-933.000	5,602.00
12/13	12/31/2013	61373	TELE-RAD INC.	101-345-775.000	257.40
12/13	12/31/2013	61374	THOMPSON, WILLIAM S.	518-539-802.100	500.00
12/13	12/31/2013	61375	TIME EMERGENCY EQUIPMENT	101-345-976.000	1,381.71
12/13	12/31/2013	61376	VAN'S BUSINESS MACHINES	101-010-158.000	65.00
12/13	12/31/2013	61377	VERIZON WIRELESS	592-634-850.000	80.08

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
12/13	12/31/2013	61378	VOSS LIGHTING	582-549-775.000	204.66
12/13	12/31/2013	61379	WEBSTER, STEVE	280-540-240.000	900.00
12/13	12/31/2013	61380	WESTON, RANDY	101-345-850.000	120.00
12/13	12/31/2013	61381	WILBER, AMBER	101-345-719.000	100.00
Grand Totals:					<u>1,403,737.31</u>

Report Criteria:

Check.Date = 12/18/2013-12/31/2013

Check Number	Date	Name	GL Account	Amount
61268	12/18/2013	ARCHELPOHL, ALBERT	703040236212	714.58
61269	12/18/2013	BOYER, SCOTT	703040236212	1,083.60
61270	12/18/2013	CICCIARELLI, WILLIAM	582010158000	25.00
61271	12/18/2013	FOSTER, FRANK	703040236212	768.60
61272	12/18/2013	KANE CONSTRUCTION	592060367000	6,150.00
61273	12/18/2013	MCWATTERS, JAMES	703040222212	230.43
61273	12/18/2013	MCWATTERS, JAMES	703040228212	285.07
61273	12/18/2013	MCWATTERS, JAMES	703040229212	183.30
61273	12/18/2013	MCWATTERS, JAMES	703040230212	387.68
61273	12/18/2013	MCWATTERS, JAMES	703040231212	86.19
61273	12/18/2013	MCWATTERS, JAMES	703040237212	171.95
61274	12/18/2013	ROSS, JOHN	703040222212	403.28
61274	12/18/2013	ROSS, JOHN	703040228212	498.90
61274	12/18/2013	ROSS, JOHN	703040229212	320.79
61274	12/18/2013	ROSS, JOHN	703040230212	678.48
61274	12/18/2013	ROSS, JOHN	703040231212	150.84
61274	12/18/2013	ROSS, JOHN	703040237212	300.94
61275	12/18/2013	ROZYCKI, ANNE	703040236212	721.80
61276	12/18/2013	SHARAI, MAURICE	582010158000	15.00
61382	12/31/2013	BANKS, MARK	703040222212	177.03
61382	12/31/2013	BANKS, MARK	703040228212	219.00
61382	12/31/2013	BANKS, MARK	703040229212	140.82
61382	12/31/2013	BANKS, MARK	703040230212	297.83
61382	12/31/2013	BANKS, MARK	703040231212	66.22
61382	12/31/2013	BANKS, MARK	703040237212	132.11
61383	12/31/2013	CALHOUN, KATHERINE	582010158000	44.00
61384	12/31/2013	CARLSON, LEANN	582081643000	34.14
61385	12/31/2013	CARRICK, CAROL A.	582010158000	80.00
61386	12/31/2013	CARRICK, JACK	582010158000	80.00
61387	12/31/2013	CICCIARELLI, WILLIAM	582010158000	225.00
61388	12/31/2013	CMS LAND COMPANY	703040222212	2,182.88
61388	12/31/2013	CMS LAND COMPANY	703040228212	2,338.80
61388	12/31/2013	CMS LAND COMPANY	703040229212	1,503.85
61388	12/31/2013	CMS LAND COMPANY	703040230212	3,180.65
61388	12/31/2013	CMS LAND COMPANY	703040231212	707.14
61388	12/31/2013	CMS LAND COMPANY	703040234212	1,084.15
61388	12/31/2013	CMS LAND COMPANY	703040235212	926.56
61388	12/31/2013	CMS LAND COMPANY	703040236212	7,016.40
61388	12/31/2013	CMS LAND COMPANY	703040237212	1,410.80
61388	12/31/2013	CMS LAND COMPANY	703040238212	183.20
61389	12/31/2013	FLORADAY, RICHARD	582010158000	80.00
61390	12/31/2013	FOSTER, ALLEN	582010158000	80.00
61391	12/31/2013	HOFMANN, WILLIAM	582010158000	44.00
61392	12/31/2013	JORGENSEN, KATHLEEN	582010158000	32.00
61393	12/31/2013	LOOZE, ELIZABETH	582010158000	80.00
61394	12/31/2013	MCCALLA, BUD	582010158000	16.00
61395	12/31/2013	MCCARTHY, TIMOTHY	582010158000	80.00
61396	12/31/2013	MILLAR, DR.	582010158000	32.00
61397	12/31/2013	PFLEGHAAR, DAVID	582010158000	80.00
61398	12/31/2013	RETFERFORD, PAUL	582010158000	48.00
61399	12/31/2013	RIVERWALK HOLDINGS	582010158000	3,174.60
61400	12/31/2013	SEAGREN, GLENN	582010158000	32.00
61401	12/31/2013	SHELTON, MIKE	582010158000	80.00
61402	12/31/2013	SHERWOOD, PAUL	582010158000	80.00
61403	12/31/2013	SKANDALARIS, JAMES	582010158000	24.00

Check Number	Date	Name	GL Account	Amount
61404	12/31/2013	SOUZA, DIANA	582010158000	20.00
61405	12/31/2013	WADE, JAMES	582010158000	80.00
Grand Totals:				<u>39,269.61</u>

Report Criteria:

Check.Date = 12/18/2013-12/31/2013



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 6, 2014

DATE PREPARED: December 30, 2013

AGENDA SUBJECT: Appointment

RECOMMENDATION: That the City Council elect a City Councilmember as Mayor Protempore

As required by City Charter provisions, the City Council must elect from its members a Mayor Protempore, who would serve in the absence or incapacities of the Mayor.

sb



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 6, 2014

PREPARED: December 30, 2013

AGENDA SUBJECT: Appointment Recommendations

RECOMMENDATION: That the City Council consider these appointments

The City Council will be asked to consider the following appointments (individual applications enclosed):

- PARKS AND RECREATION COMMISSION – Reappointment of Amy McMullen, 901 Sunset Court, and Roy Pulaski, 449 Pearl Street, both for two-year terms ending January 2016.

sb
Enclosures



City of Petoskey

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500 • Fax 231 348-0350

RECEIVED

DEC 31 2013

CITY OF PETOSKEY
CITY MANAGER



Application to Serve on a Board or Commission

Please print. Answer each question accurately and completely. If you require any accommodation to complete the application process, please notify a City staff member.

■ Name	McMullen			Amanda (Amy)			R	■ Date	12	30	13
	Last			First			Initial				
■ Residence Address	901	Sunset Ct.	Petoskey	MI	49770	■ Home Phone	231	622	8660		
	Number	Street	City	State	Zip						
■ Email Address	mcmullen1000@live.com						■ Work Phone	231	348	2458	

Please attach a paragraph that states your interest in serving on a Board or Commission and describe any special experiences or attributes you possess that make you qualified to serve.

1. How many continuous years have you lived in Petoskey? 4 1/2
2. Are you a registered voter? yes
3. Have you previously served on a Board or Commission or been elected to office in Petoskey? yes
In another community? _____

If yes, please provide where you served, the position held, and explain your experience: Parks & Recreation Com;
2012-2013 - Vice Chair

4. Are you currently in default of taxes or fines to the City of Petoskey? No
5. Have you ever been convicted of a felony? No
Please explain: _____

Applicant Signature: Amanda McMullen Date: 12/30/13

Thank you for taking the time to complete this application. The people who serve on the City's Boards and Commissions perform a valuable service to the City. I will contact you if a vacancy arises on a Board or Commission in which you have an interest.

William J. Fraser
Mayor

Please return your completed application to:

City of Petoskey
Attn: City Manager's Office
101 East Lake Street
Petoskey, MI 49770

Amy McMullen
901 Sunset Court
Petoskey, Michigan 49770
231 622-8660

December 30, 2013

Dear City of Petoskey Council Members;

It would be my pleasure to continue to serve on the City of Petoskey's Parks and Recreation Commission. As an active family, we utilize many parks, paths and programs in the area. As a person who grew up in the area, I am interested in continuing to support the outstanding recreational programming and parks that I enjoyed as a child.

One of the reasons that we moved our family here about five years ago from Breckenridge, Colorado was due to the low-cost, high quality recreational activities available for our family. Thank you for considering my request to continue to service the City of Petoskey.

Sincerely,

Amy McMullen



City of Petoskey

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500 • Fax 231 348-0350

RECEIVED

DEC 31 2013

CITY OF PETOSKEY
CITY MANAGER

57

Application to Serve on a Board or Commission

Please **print**. Answer each question accurately and completely. If you require any accommodation to complete the application process, please notify a City staff member.

■ Name	Pulaski			Roy						■ Date	12	30	1939
	Last			First			Initial						
■ Residence Address	449	Pearl St	Petoskey	MI	49770				■ Home Phone	231	347	4648	
	Number	Street	City	State	Zip								
■ Email Address	Pulaskiroy@sbcglobal.net									■ Work Phone			

Please attach a paragraph that states your interest in serving on a Board or Commission and describe any special experiences or attributes you possess that make you qualified to serve.

- How many continuous years have you lived in Petoskey? 51 years
- Are you a registered voter? YES
- Have you previously served on a Board or Commission or been elected to office in Petoskey? yes
In another community? no
If yes, please provide where you served, the position held, and explain your experience: TIFA, Parking, Marina, and Parks and Recreation
- Are you currently in default of taxes or fines to the City of Petoskey? No
- Have you ever been convicted of a felony? No
Please explain: _____

Applicant Signature: *[Signature]* Date: 12/30/1939

Thank you for taking the time to complete this application. The people who serve on the City's Boards and Commissions perform a valuable service to the City. I will contact you if a vacancy arises on a Board or Commission in which you have an interest.

William J. Fraser
Mayor

Please return your completed application to:
City of Petoskey
Attn: City Manager's Office
101 East Lake Street
Petoskey, MI 49770

I would like to continue to serve on the Parks and Recreation Commission that oversees what I consider to be one of our city's best assets.



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 6, 2014

PREPARED: December 30, 2013

AGENDA SUBJECT: Second Reading of Proposed Ordinances Pertaining to Civil Infractions

RECOMMENDATION: That the City Council adopt these proposed ordinances

Summary. Presented for Council consideration are two ordinances that would amend sections of the City's Codified Ordinances related to Municipal Civil Infractions. The first proposed ordinance would enable Civil Infraction fines to be established from time to time via a resolution of City Council. The second proposed ordinance would replace conflicting language in the City's Code that specifies dollar amounts for certain penalties established prior to the transition to Civil Infractions.

City Council conducted a first reading and reviewed both proposed ordinances at its December 16, 2013 meeting. The City Council is now being asked to conduct a second reading and take possible action concerning this proposed ordinance.

Background. In 2000 the City adopted a Civil Infraction ordinance that established certain violations of the City's Codified Ordinances to be Municipal Civil Infractions. Attached to that ordinance, along with a subsequent update in 2010, was an exhibit that established a set of fine amounts for certain civil infractions. Because this exhibit was attached to the Civil Infraction ordinance, the fine schedule was codified within Section 2-96 as part of the ordinance. All other fees and charges of the City are established via resolutions of City Council. There are no changes proposed for Municipal Civil Infraction penalty amounts within this section.

The second ordinance would amend portions of Chapters 16, 18, 20 ½ and 21 of the City's Codified Ordinances to remove specific dollar amounts referenced within those sections that conflicted with the Municipal Civil Infraction penalty amounts and clarify that the specified violations are Municipal Civil Infractions. These sections of the Code existed prior to the adoption of Municipal Civil Infractions by the City. Although the violations were covered by the Municipal Civil Infraction ordinance, the specific code sections were not updated concurrently with the adopted use of Civil Infractions. This ordinance updates the language in each of these specific Code sections to remove fine specific amounts and clarify that each violation is a Municipal Civil Infraction.

sb
Enclosures

**CITY OF PETOSKEY
COUNTY OF EMMET**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND A PORTION OF CHAPTER
2, ARTICLE VI OF THE CITY OF PETOSKEY CODE OF
ORDINANCES ENTITLED “MUNICIPAL CIVIL
INFRACTIONS” FOR THE PURPOSE OF AMENDING THE
PENALTY SECTION.**

THE CITY OF PETOSKEY ORDAINS:

1. Section 2-96, Article VI, Chapter 2, of the City Code of Ordinances Entitled “Designation of Authorized City Officials” is hereby repealed and replaced with the following:

Sec. 2-96. - Designation of authorized city officials.

All authorized city official(s) shall have the authority to issue municipal civil infraction citations and municipal civil infraction violation notices.

2. Section 2-108, Article VI, Chapter 2, of the City Code of Ordinances Entitled “Penalty for Municipal Civil Infraction” is hereby repealed and replaced with the following:

Sec. 2-108. Penalty for municipal civil infraction.

Every person found responsible for a violation of this Code shall pay a civil fine according to the schedule of civil fines established by resolution of the City Council, as the same may be amended from time to time by further resolution of the City Council, but not more than \$1,000.00 per day plus costs, damages, and expenses as follows:

(1) A person found responsible by the judge or district court magistrate for any violation of this Code charged as a municipal civil infraction shall pay the stipulated civil fine and costs to be determined by the court or magistrate, which may include all expenses, direct and indirect, to which the city has been put in connection with the municipal civil infraction, up to the entry of the judgment. Costs of not less than \$9.00 or more than \$500.00 shall be ordered.

(2) In addition to ordering the defendant to pay a civil fine, costs, damages, and expenses, the judge or district court magistrate may issue such writs or injunctive orders as necessary to abate a nuisance as provided in MCL 600.2940, or issue any judgment, writ or order necessary to enforce the city ordinance as provided in MCL 600.8302.

(3) *If a defendant fails to comply with an order or judgment issued pursuant to this section within the time prescribed by the court, the court may proceed under MCL 600.8729 and MCL 600.8731. A defendant who fails to answer a citation or notice to appear in court for a municipal civil infraction is guilty of a misdemeanor and shall be punished as provided in [section 2-107](#) of this Code.*

(4) *If a defendant does not pay a civil fine or costs or expenses or an ordered installment payment within 30 days after the date on which payment is due in a municipal civil infraction action brought for a violation involving the use or occupation of land or a building or other structure, the city may obtain a lien against the land, building or structure involved in the violation by recording a copy of the court order requiring payment of the fine, costs, and expenses with the Emmet County Register of Deeds containing the legal description of the property, which lien may be recorded and enforced in the manner provided by MCL 600.8731.*

(5) *In a municipal civil infraction action involving the use or occupancy of land or a building or other structure, a copy of the citation need not be personally served upon the alleged violator but may be served upon an owner or occupant of the land, building, or structure by posting the copy on the land or attaching the copy to the building or structure. In addition, a copy of the citation shall be sent by first class mail to the owner of the land, building, or structure at the owner's last known address.*

(6) *Each act of violation and every day upon which a violation shall occur shall constitute a separate offense.*

(7) *This penalty section, including the schedule of fines adopted by resolution of the City Council, shall control over any other penalty section of the City Code in conflict with this section concerning the assessment of fines, costs and damages for any violation of the City Code designated as a municipal civil infraction.*

3. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.
4. This Ordinance shall take effect fifteen (15) days following its enactment and shall be published once within seven (7) days after its enactment as provided by Charter.

Adopted, enacted and ordained by the City of Petoskey City Council this ____ day of _____, 2014.

W.J. Fraser
Its Mayor

Alan Terry
Its Clerk

**CITY OF PETOSKEY
COUNTY OF EMMET**

ORDINANCE NO. ____

**ORDINANCE TO AMEND A PORTION OF CHAPTERS 16,
18, 20 ½ AND 21 OF THE CITY OF PETOSKEY CODE OF
ORDINANCES FOR THE PURPOSE OF AMENDING THE
PENALTY SECTIONS.**

THE CITY OF PETOSKEY ORDAINS:

1. Section 16-7 of Part II, Chapter 16 of the City Code of Ordinance, regulating Soil Erosion and Sedimentation Control, is hereby repealed and replaced with the following:

Section 16-7 – Municipal civil infractions.

1. *Any person, firm or corporation violating any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine pursuant to the City of Petoskey Municipal Civil Infraction Ordinance, as amended, plus costs and other sanctions, for each violation (as authorized by Section 24 of Act 184 of the Public Acts of Michigan of 1943, as amended, the City of Petoskey Municipal Civil Infraction Ordinance, and other applicable laws).*
 2. *Repeat offenses under this ordinance shall be subject to increased fines, as provided by the City of Petoskey Municipal Civil Infraction Ordinance, as amended from time to time.*
 3. *Each day on which any violation of this ordinance occurs or continues constitutes a separate offense, subject to separate sanctions. The paying of a fine or sanctions under this Ordinance shall not exempt the offender from meeting the requirements of this ordinance.*
 4. *A violation of this ordinance is deemed to be a nuisance, per se. In addition to any remedies available at law, the city may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this ordinance.*
2. Section 18-18 of Article II, Chapter 18 of the City Code of Ordinance, entitled Removal by City; Assessment of costs, is hereby repealed and replaced with the following:

Section 18-18 – Removal by City; Violation

1. *If any occupant or owner shall neglect or fail to remove such part of such snow or ice as will result in compliance with [section 18-17](#), the city manager may cause such snow or ice to be removed. The person, firm or corporation violating any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine pursuant to the City of Petoskey Municipal Civil Infraction Ordinance, as amended, plus costs and other sanctions, for each violation (as authorized by Section 24 of Act 184 of the Public Acts of Michigan of 1943, as amended, the City of Petoskey Municipal Civil Infraction Ordinance, and other applicable laws).*
 2. *Repeat offenses under this ordinance shall be subject to increased fines, as provided by the City of Petoskey Municipal Civil Infraction Ordinance, as amended from time to time.*
 3. *Each day on which any violation of this ordinance occurs or continues constitutes a separate offense, subject to separate sanctions. The paying of a fine or sanctions under this Ordinance shall not exempt the offender from meeting the requirements of this ordinance.*
 4. *A violation of this ordinance is deemed to be a nuisance, per se. In addition to any remedies available at law, the city may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this ordinance.*
3. Section 18-27 of Article II, Chapter 18 of the City Code of Ordinance, entitled Removal by City; Assessment of costs, is hereby repealed and replaced with the following:
Section 18-27 – Removal by City; Violation
1. *If any occupant or owner shall neglect or fail to clear ice or snow from the sidewalk adjoining his lot or parcel of land within the time limited and required by [section 18-26](#), or shall otherwise permit ice and snow to accumulate on such sidewalk, the city manager may cause such snow or ice to be cleared. The person, firm or corporation violating any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine pursuant to the City of Petoskey Municipal Civil Infraction Ordinance, as amended, plus costs and other sanctions, for each violation (as authorized by Section 24 of Act 184 of the Public Acts of Michigan of 1943, as amended, the City of Petoskey Municipal Civil Infraction Ordinance, and other applicable laws).*
 2. *Repeat offenses under this ordinance shall be subject to increased fines, as provided by the City of Petoskey Municipal Civil Infraction Ordinance, as amended from time to time.*

3. *Each day on which any violation of this ordinance occurs or continues constitutes a separate offense, subject to separate sanctions. The paying of a fine or sanctions under this Ordinance shall not exempt the offender from meeting the requirements of this ordinance.*
 4. *A violation of this ordinance is deemed to be a nuisance, per se. In addition to any remedies available at law, the city may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this ordinance.*
4. Section 20 1/2-20 of Part II, Chapter 20 1/2 of the City Code of Ordinance, regulating Telecommunications, is hereby repealed and replaced with the following:

Section 20 1/2-20 – Municipal civil infraction

1. *Any person, firm or corporation violating any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine pursuant to the City of Petoskey Municipal Civil Infraction Ordinance, as amended, plus costs and other sanctions, for each violation (as authorized by Section 24 of Act 184 of the Public Acts of Michigan of 1943, as amended, the City of Petoskey Municipal Civil Infraction Ordinance, and other applicable laws).*
 2. *Repeat offenses under this ordinance shall be subject to increased fines, as provided by the City of Petoskey Municipal Civil Infraction Ordinance, as amended from time to time.*
 3. *Each day on which any violation of this ordinance occurs or continues constitutes a separate offense, subject to separate sanctions. The paying of a fine or sanctions under this Ordinance shall not exempt the offender from meeting the requirements of this ordinance.*
 4. *A violation of this ordinance is deemed to be a nuisance, per se. In addition to any remedies available at law, the city may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this ordinance.*
5. Section 21-38(4) of Article III, Chapter 21 of the City Code of Ordinance, entitled Parking, etc. in excess of three hours; Violations, is hereby repealed and replaced with the following:

Section 21-38(4) – Violations.

1. *Any person, firm or corporation violating any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine pursuant to the City of Petoskey Municipal Civil Infraction Ordinance, as amended, plus costs and other sanctions, for each violation (as authorized by Section 24 of Act 184 of the Public Acts of Michigan of 1943, as amended, the City of Petoskey Municipal Civil Infraction Ordinance, and other applicable laws).*
2. *Repeat offenses under this ordinance shall be subject to increased fines, as provided by the City of Petoskey Municipal Civil Infraction Ordinance, as amended from time to time.*
3. *Each day on which any violation of this ordinance occurs or continues constitutes a separate offense, subject to separate sanctions. The paying of a fine or sanctions under this Ordinance shall not exempt the offender from meeting the requirements of this ordinance.*
4. *A violation of this ordinance is deemed to be a nuisance, per se. In addition to any remedies available at law, the city may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this ordinance.*
6. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.
7. This Ordinance shall take effect fifteen (15) days following its enactment and shall be published once within seven (7) days after its enactment as provided by Charter.

Adopted, enacted and ordained by the City of Petoskey City Council this ____ day of _____, 2014.

W.J. Fraser
Its Mayor

Alan Terry
Its Clerk



BOARD: City Council

MEETING DATE: January 6, 2014

PREPARED: December 30, 2013

AGENDA SUBJECT: Second Reading of a Proposed Ordinance Amending Zoning Board of Appeals Membership and Use Variances

RECOMMENDATION: That the City Council adopt this proposed ordinance

Summary. The attached ordinance would change the membership composition of the Zoning Board of Appeals (ZBA), and clarify the formal authority of the ZBA to review certain specified variance applications. Additionally, the ordinance makes administrative changes to the temporary use review process and clarifies the right of appeal of ZBA decisions to the Emmet County Circuit Court.

Background. On September 12, 2013 City Council held a joint meeting with the Planning Commission and Zoning Board of Appeals. At that meeting, multiple policy issues were discussed, including the membership of the ZBA, the jurisdiction of the ZBA for use and non-use variances, as well as sign variances. The development of the proposed ordinance originated out of these discussions.

City Council held the first reading and reviewed the proposed ordinance at its December 16, 2013 meeting. The City Council is now being asked to conduct a second reading and could take final action concerning this proposed ordinance.

Specific Changes. The following changes are proposed to Appendix A of the City's Codified Ordinances as part of the attached ordinance:

1. Section 2000 Membership. The proposed ordinance language would change the ZBA from a six person body that includes a seventh alternate member to a seven person body with no alternate. The even number of members on the ZBA has been a source of confusion for voting, and the presence of the alternate has at times also added to confusion about the composition of the ZBA. The intent of the proposed change is to clarify the membership composition of the ZBA as well as the majority needed for approval of appeals.
2. Section 2002 Appeal. Proposed language in this Section would codify the length of time at 30 days within which an appeal must be filed with the ZBA rather than allowing this timeframe to be set by "general rule" of the ZBA. Appeals can either be of an administrative decision of the Zoning Administrator, or a decision of the Planning Commission. For purposes of this Section formal decisions of the Planning Commission are determined to be made upon approval of the meeting minutes, which typically happens at a subsequent meeting from the hearing of an application before the Planning Commission.

3. Section 2004 Section 1 Administrative Review. Language in this section has changed to parallel Section 2002 giving administrative review authority to the ZBA within 30 days of an administrative ruling.
4. Section 2004 Section 2 Variances. Language in this section has been substantially re-written to clarify the ZBA's authority to review non-use variances, use variances, and sign variances. Standards of for review of each potential appeal type are specified in this Section.
 - a. Non-Use Variances. The ZBA presently has authority to review dimensional variances. The language in this proposed sub-section clarifies that dimensional variances should be reviewed using a standard of "practical difficulty". Specific language defining situations where dimensional variances may be granted is unchanged from the existing Section 2004 (2).
 - b. Use Variances. Although previously granted in situations involving accessory structures, the ZBA has never had explicit authority within Appendix A to review use variances although the Zoning Enabling Act does authorize communities to allow use variances. Examples were cited at the September 12, 2013 meeting of existing structures located in various locations within the City that historically included first floor commercial spaces that are now prohibited under residential zoning standards. Partially as a result of these zoning restrictions, these first floor spaces are difficult to rent and frequently sit vacant. Based on concerns discussed at the joint meeting, authority within this proposed section has been drafted to permit use variance review using an unnecessary hardship standard in situations where "the historic character of the building suggests that, absent relief, an unnecessary hardship may occur." Additionally, the ordinance gives the ZBA authority to attach conditions to their approval of a use variance, and explicitly states that authority for granted use variances does not continue following the sale of a property or the abandonment of a use for which a variance has been granted.
 - c. Sign Variances. Although previously reviewed by the ZBA, Appendix A has never specifically included language granting the ZBA authority to review sign variances under Appendix C of the City's Code. This proposed ordinance clarifies the ZBA's authority in this area, and limits this authority to variances based on "sign dimensions, height, and the re-location of non-conforming signs".
 - d. Temporary Uses. Language in Section 2004 (3)(e) and (f) has been combined to streamline the review process for temporary use applications. Streamlining the temporary use review process is designed to encourage rather encumber entrepreneurial activities that may start small or be of a temporary or seasonal nature (e.g. farmers market, pop-up retail). Specifically, under the proposed language, a temporary use would continue to require notification of adjacent property owners and action at a public meeting, but the formal public hearing requirements in terms of publication of hearing notices and minimum number of days for notification are removed. Other notice provisions to adjacent property owners remain unchanged. Additionally, the ZBA would be permitted, but not required, to seek the input of the Planning Commission in reviewing temporary use applications, which has slowed the process by approximately another month.
5. Section 2007 Miscellaneous. Language has been added to this section clarifying that decisions of the ZBA may be appealed to Emmet County Circuit Court.

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND REPLACE SECTIONS 2000, 2002, 2004 AND 2007 OF ARTICLE XX ENTITLED BOARD OF APPEALS OF THE CITY OF PETOSKEY ZONING ORDINANCE

The City of Petoskey ordains:

1. Section 2000 of Article XX Zoning Ordinance of the City of Petoskey entitled “Creation and Membership” is hereby repealed and replaced by the following:

Sec. 2000 – Creation and membership.

1. *Except for the addition of one (1) new member of the zoning board of appeals as provided below, the zoning board of appeals, lawfully in existence as of the date of this Zoning Ordinance Amendment, shall continue to act as the zoning board of appeals for the City of Petoskey and shall perform its duties and exercise its powers as provided in Section 601 of Act 110 of 2006, as amended [MCL 125.3601, et seq.] and in such a way that the objectives of this Ordinance shall be observed, public safety secured and substantial justice done. The zoning board of appeals shall consist of seven (7) members appointed by the City Council and shall be for a term of three (3) years, except for the additional member appointed by the City Council, whose term may be limited to an existing term in order to provide for staggered terms. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. A vacancy on the zoning board of appeals shall be filled for the remainder of the unexpired term in the same manner as the original appointment. The members of the zoning board of appeals, and any alternate members, shall be selected from the electors of the City of Petoskey and shall be representative of the population distribution and of the various interests present in the City of Petoskey. An employee or contractor of the City may not serve as a member of the zoning board of appeals. A member of the zoning board of appeals may be removed by the City Council for misfeasance, malfeasance or nonfeasance in open office upon written charges and after a public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office. The zoning board of appeals shall not conduct business unless a majority of the regular members of the zoning board of appeals are present. A member of the zoning board of appeals who is also a member of the Planning Commission or the City Council shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the Planning Commission or the City*

Council. However, the member may consider and vote on other unrelated matters involving the same property. The zoning board of appeals shall annually elect its own chairman, vice chairman and secretary.

2. Section 2002 of Article XX Zoning Ordinance of the City of Petoskey entitled “Appeal” is hereby repealed and replaced by the following:

Sec. 2002. - Appeal.

An appeal may be taken to the board of appeals by a person, firm or corporation aggrieved, or by any officer, department, board or bureau of this state or the City of Petoskey. Such appeal shall be taken within thirty days of a decision, by filing with the Zoning Administrator and with the board of appeals a notice of appeal, specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the board all of the papers constituting the record upon which the action appealed from was taken. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the board of appeals after notice of appeal has been filed with him or her that by reason of facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed, otherwise than by a restraining order, which may be granted by a court of record.

The board shall select a reasonable time and place for the hearing of the appeal and give due notice thereof to the parties and shall render a decision on the appeal without unreasonable delay. Any person may appear and testify at the hearing, either in person or by duly authorized agent or attorney.

3. Section 2004 of Article XX Zoning Ordinance of the City of Petoskey entitled “Jurisdiction” is hereby repealed and replaced by the following:

Sec. 2004. - Jurisdiction.

The zoning board of appeals shall not have the power to alter or change the zoning district classification of any property, nor to make any change in the terms of this ordinance, but does have power to act on those matters where this ordinance provides for an administrative review, interpretation, exception or special approval permit and to authorize a variance as defined in this section and laws of the State of Michigan. Said powers include:

1. *Administrative review. To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision or refusal made by the zoning official or any other administrative official in carrying out or enforcing any provisions of this ordinance. Administrative Review appeals must be filed within 30 days of an order, requirement, permit, decision or refusing made by the zoning official or any other administrative official carrying out or enforcing any provisions of this ordinance.*

2. *Variances.*

A. *Non-Use Variances*

The zoning board of appeals shall have the authority to grant non-use variances relating to the construction, structural changes or alterations of buildings or structures related to dimensional requirements of this zoning ordinance or any other nonuse-related standards in the ordinance. If there are “practical difficulties” for non-use variances the zoning board of appeals may grant a variance so that the spirit of this zoning ordinance is observed, public safety secured and substantial justice done. The zoning board of appeals shall consider dimensional standards where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or practical difficulties to the owner of such property provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this ordinance.

B. *Use Variances*

The zoning board of appeals shall have the authority to grant variances from uses of land where the historic use or character of a building suggests that, absent relief, an “unnecessary hardship” may occur. For use variances, the zoning board of appeals may grant a variance so that the spirit of this zoning

ordinance is observed, public safety secured and substantial justice done. The zoning board of appeals shall consider standards where by reason of undue hardship upon the owner of such property provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this ordinance. In granting a variance, the board may attach thereto such conditions regarding the location, character, and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this ordinance. In granting a variance, the board shall state the grounds upon which it justifies the granting of a variance. Use variances shall not run with the land and shall lapse upon change in ownership or the abandonment of the use for which a variance was granted.

C. Sign Variances

The zoning board of appeals shall only have the authority to grant sign variances for sign dimensions, height, and the relocation of existing non-conforming signs. The zoning board of appeals shall consider the intent of the sign ordinance, the practical difficulty presented by the proposed sign and sign location, and public safety. Where the strict application of the regulations enacted would result in peculiar or practical difficulties to the owner of such property provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this ordinance.

3. *Exceptions and special approvals. To hear and decide in accordance with the provisions of this ordinance, requests for exceptions, for interpretations of the zoning map, and for decisions on special approval situations on which this ordinance specifically authorizes the board to pass. Any exception or special approval shall be subject to such conditions as the board may require to preserve and promote the character of the zone district in question and otherwise promote the purpose of this ordinance, including the following:*

a. *Interpret the provisions of this ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the zoning map fixing the use districts, accompanying and made part of this ordinance, where street layout actually on the ground varies from the street layout as shown on the map aforesaid.*

b. *Permit the erection and use of a building or use of premises for public utility purposes, upon recommendation of the planning commission.*

c. *Permit the modification of the automobile parking space or loading space requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements.*

d. *Permit such modification of the height and area regulations as may be necessary to secure an appropriate improvement of a lot which is of such shape, or so located with relation to surrounding development or physical characteristics, that it cannot otherwise be appropriately improved without such modification.*

e. *Permit temporary buildings and uses for periods not to exceed one year, renewable upon re-application, to the board of appeals. The board of appeals, in granting permits for the above temporary uses, shall do so under the following conditions:*

(1) *The granting of the temporary use shall in no way constitute a change in the basic uses permitted in the district nor on the property wherein the temporary use is permitted.*

(2) *The granting of the temporary use shall be granted in writing, stipulating all conditions as to time, nature of development permitted and arrangements for removing the use at the termination of said temporary permit.*

(3) *All setbacks, land coverage, off-street parking, lighting and other requirements to be considered in protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Petoskey, shall be made at the discretion of the board of appeals.*

(4) *In classifying uses as not requiring capital improvement, the board of appeals shall determine that they are either demountable structures related to the permitted use of the land; recreation developments, such as, but not limited to: golf-driving ranges and outdoor archery courts; or structures which do not require foundations, heating systems or sanitary connections.*

(5) *The use shall be in harmony with the general character of the district.*

(6) *No temporary use permit shall be granted without first giving notice to owners of adjacent property of the time and place of the review. Further, the board of appeals may seek the review and recommendation of the planning commission prior to taking action on the temporary use request..*

4. *In consideration of all appeals and all proposed variations to this ordinance the board shall, before making any variations from the ordinance in a specific case, first determine that the proposed variation will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Petoskey. The concurring vote of a majority of the members of the zoning board of appeals is necessary to reverse an order, requirement, decision or determination of the administrative official or body; to decide in favor of the applicant on a matter upon which the zoning board of appeals is required to pass under this ordinance; or to grant a variance under this zoning ordinance. Nothing herein contained shall be construed to give or grant to the board the power or authority to alter or change this ordinance or the zoning map, such power and authority being reserved to the city council of the City of Petoskey, in the manner provided by law.*

5. *International Property Maintenance Code. The zoning board of appeals shall have the power to hear appeals under the International Property Maintenance Code as established in §13-34.*

4. Section 2007 of Article XX Zoning Ordinance of the City of Petoskey entitled “Miscellaneous” is hereby repealed and replaced by the following:

Sec. 2007. - Miscellaneous.

1. *No order of the board permitting the erection of a building shall be valid for a period longer than one year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.*

2. *No order of the board permitting a use of a building or premises shall be valid for a period longer than one year, unless such use is established within such period; provided, however, that where such use permitted is dependent upon the erection or alteration of a building such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.*

3. *The decision of the zoning board of appeals shall be final. A party aggrieved by the decision may appeal to the circuit court for the County of Emmet.*

5. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.
6. This Ordinance shall take effect fifteen (15) days following its enactment and shall be published once within seven (7) days after its enactment as provided by Charter.

Adopted, enacted and ordained by the City of Petoskey City Council this _____ day of _____, 2014.

W.J. Fraser
Its Mayor

Alan Terry
Its Clerk

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City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: January 6, 2014

PREPARED: December 31, 2013

AGENDA SUBJECT: Second Reading of a Proposed Ordinance Prohibiting Begging

RECOMMENDATION: That the City Council adopt this proposed ordinance

Summary. In August of 2013 the U.S. Court of Appeals for the Sixth Circuit issued a decision holding that begging is a form of speech protected by the First Amendment and that Michigan's state-law ban on begging in a public place, M.C.L. §750.167(1)(h) is facially unconstitutional. *Speet v Schuette*, 726 F.3d 867 (6th Cir. 2013). The City Attorney has advised that as a result of this decision that the City's Codified Ordinance Section 12-2 is probably unconstitutional and should be repealed. The proposed ordinance would repeal Section 12-2 of the City's Codified Ordinances.

Background. Adopted in 1971, Section 12-2 is part of the City's Codified Ordinances Chapter 12 covering Miscellaneous Offenses and Provisions. Chapter 12 is currently undergoing a comprehensive review by Department of Public Safety staff. Although significant revisions to Chapter 12 are anticipated to be ready for Council consideration in the first half of 2014, the Sixth Circuit's ruling prompted City staff to bring forward the repeal of Section 12-2 prior to broader proposed revisions to the entirety of Chapter 12.

Action. City Council held the first reading and reviewed the proposed ordinance at its December 16, 2013 meeting. The City Council is now being asked to conduct a second reading and could take final action concerning this proposed ordinance.

sb
Enclosure

**CITY OF PETOSKEY
COUNTY OF EMMET**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND A PORTION OF CHAPTER
12, ARTICLE I OF THE CITY OF PETOSKEY CODE OF
ORDINANCES TO REPEAL THE PROHIBITION AGAINST
BEGGING IN THE CITY OF PETOSKEY**

THE CITY OF PETOSKEY ORDAINS:

WHEREAS, the United States Court of Appeals for the Sixth Circuit issued a decision holding that begging is a form of speech protected by the First Amendment and that certain laws banning begging in a public place may be facially unconstitutional. *Speet v Schuette*, 726 F.3d 867 (6th Cir. 2013).

THEREFORE, based on this legal authority, Section 12-2, Article I, Chapter 12, of the City of Petoskey Code of Ordinances Entitled "Begging" is hereby repealed in its entirety

The various parts, sections and clauses of this Amendment to Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

This Amendment to Ordinance shall take effect fifteen (15) days following its enactment and shall be published once within seven (7) days after its enactment as provided by Charter.

Adopted, enacted and ordained by the City of Petoskey City Council this _____ day of _____, 2014.

W.J. Fraser
Its Mayor

Alan Terry
Its Clerk



BOARD: City Council

MEETING DATE: January 6, 2014

PREPARED: December 30, 2013

AGENDA SUBJECT: Vacation Rental Properties Discussion

RECOMMENDATION: That the City Council discuss this matter

Introduction: In the fall of 2012, following concerns raised about vacation rental housing at a Ward Convention meeting, City Council held discussions about problems associated with vacation rental housing. Councilperson Marshall has asked that we re-visit this discussion in order to further discuss possible options for addressing the concerns of some of her constituents.

Overview: A vacation home is commonly defined as a commercial use of a dwelling where the dwelling is rented or sold for any term less than 30 consecutive days. Some coastal communities in Michigan regulate vacation rental properties, which appear to be increasing in popularity, with the development of vacation rental websites. Most of the communities surveyed that regulate vacation rental properties also have an active rental inspection program for all apartments within their communities and/or their own building inspection program.

A survey conducted in the late summer of 2012 found seven vacation rental properties within the City in addition to those properties within Bay Harbor that were designed and formally managed as vacation rental investment properties. Because of the self-listing/advertising of vacation rentals, it is likely that there are additional properties being used as vacation rentals beyond the seven properties identified as part of this survey.

Issues: Utilizing a residentially zoned property as a vacation rental introduces a commercial use into residential areas that may threaten the stability of a residential neighborhood or diminish the value of surrounding properties. The Department of Public Safety does not separately track complaints from vacation rental properties so it is not known the extent to which complaints have stemmed from these vacation rental properties within Petoskey. However, other communities with a large number of vacation rentals have reported problems with parking, noise, and trash disposal, and anecdotal evidence suggests that similar problems exist with some vacation rental properties in Petoskey.

Other Communities. The following is a brief summary of how some other communities in Michigan are handling vacation rentals:

- Charlevoix - No regulations.
- Harbor Springs – No dwelling unit can be rented less than one week. No license or inspections. Handled on a complaint basis.
- Holland - Has rental inspection program. Defines any rental less than thirty days as a commercial use that is confined to certain zoning districts.

- Mackinac Island – Defines a hotel as any residence where persons stay less than 30 days. Zoning code restricts areas where hotels may be located. Vacation rentals that existed prior to date of regulatory change were grandfathered until a change of ownership occurs.
- Manistee – Rental inspection program covers vacation rentals.
- Muskegon – Has rental registration and inspection program under which vacation rental properties are regulated that are occupied more than three months per year.
- St. Joseph – Has rental registration and inspection program. “Short-term leases” of 30 days or less are required to include maximum occupancy loads, off-street parking requirements, the local telephone number of the unit, noise requirements in a conspicuous location within the vacation rental and in the lease.
- Traverse City – Require license for “Tourists Homes” where individual rooms are rented for less than seven days in a home that is occupied by the owner. Require license for “Vacation Home Rentals” (non owner occupied) that includes an annual license fee and inspection. Vacation Home Rental license revocable for two violations of City code.

Regulatory Options: The City of Petoskey currently does not regulate vacation rental properties. Issues and complaints with regard to vacation rental properties are handled thru the Department of Public Safety in exactly the same fashion as issues that arise with any other properties in Petoskey.

Most communities that actively regulate vacation rental housing have an existing rental inspection program and/or maintain their own building department. In these communities, vacation rental housing is regulated in a similar fashion to all rental housing, often with specific add-on regulations pertaining only to short-term or vacation rentals. These inspections help to ensure that basic safety standards are met, and licenses in these communities are typically revocable if problems of safety, noise, trash or automobiles are found on repeated occasions.

By contrast Harbor Springs and Mackinac Island have chosen to regulate vacation rentals thru their zoning codes, and rely on complaints to trigger enforcement. In these communities the definition of a hotel has been broadened to incorporate vacation rental properties, which are restricted to specified zoning districts. Petoskey could utilize a similar approach if City Council wishes to restrict areas where vacation rentals would be permitted.

Analysis: The exact number of vacation rental properties within Petoskey, not including Bay Harbor, is difficult to determine, but appears relatively small in number. Similarly, because incidents involving vacation rental properties are not tracked separately, and in many cases may not be formally reported, it is not possible to know the extent of problems that may exist with these properties in the city. However, because of the transient nature of vacation rental properties, issues of noise, trash disposal and parking may occur.

The potential regulation of vacation rental properties should weigh the value of having these homes available for visitors to Petoskey versus the impact of these properties on residential neighborhoods. If City Council does wish to regulate vacation rental properties it needs to determine whether regulation or prohibition is the objective.

Because the City lacks a Building Department, and does not have a rental housing inspection program, the regulation and oversight of vacation rental properties could pose administrative challenges. In contrast, if the zoning code was modified to effectively prohibit vacation rentals in many areas of the community, initial enforcement could be difficult, but ongoing oversight and enforcement would be minimal. Regulating via the Zoning Code would also not impact the properties in Bay Harbor that were designed as vacation rental properties, and which are centrally managed, because Resort Township regulates zoning under the Act 425 agreement.

If regulations are adopted that prohibit vacation rentals, those vacation rentals lawfully in existence prior to the passage of regulations would be grandfathered. Under Michigan law it is necessary to allow existing non-conforming uses in order to avoid having property regulations constitute a taking of property. Consequently, regulations could prevent additional vacation rentals from being established, and/or they could require registration and inspection of existing vacation rentals, but it is not possible to eliminate existing vacation rental properties unless done so voluntarily by an owner of a property. However, zoning regulations restricting where vacation rentals can exist paired with a requirement that basic noise, trash and parking regulations are posted in existing vacation rental properties, as is done in St Joseph, may offer an option to address neighborhood concerns.

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